

MINUTES
REGULAR MEETING OF CITY COUNCIL
2004 11 29
5:00 P.M.
COUNCIL CHAMBERS

NOTE: DEPARTMENTAL REPORTS WERE PRESENTED BY THE SAULT STE. MARIE REGION CONSERVATION AUTHORITY (LINDA WHALEN SECRETARY MANAGER); THE SAULT STE. MARIE PUBLIC LIBRARY (WILLY EISENBICHLER DIRECTOR OF LIBRARIES); AND THE SAULT STE. MARIE ECONOMIC DEVELOPMENT CORPORATION (BRUCE STRAPP PRESIDENT AND C.E.O.) FROM 4:30 P.M. – 5:00 P.M. FOR THE INFORMATION OF COUNCIL.

PRESENT: Mayor J. Rowswell, Councillors J. Caicco, P. Mick, L. Turco, J. Curran, D. Celetti, T. Sheehan, S. Butland, F. Manzo, N. DelBianco, D. Amaroso

ABSENT: Councillors J. Collins, B. Hayes

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, P. McAuley, N. Apostle, B. Freiburger, J. Dolcetti, L. McCoy, D. McConnell, B. Strapp, W. Eisenbichler, L. Whalen

1. **ADOPTION OF MINUTES**

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that the Minutes of the Regular Council Meeting of 2004 11 15 be approved. CARRIED.

2. **QUESTIONS AND INFORMATION ARISING OUT OF MINUTES AND NOT OTHERWISE ON AGENDA**

4. **DELEGATIONS/PROCLAMATIONS**

- (a) David Oraziotti, M.P.P. Sault Ste. Marie was in attendance concerning the “Queen’s Park Progress Report to the Community”.
- (b) Diana Taranto and Dina Guido, Co-Chairs for Community Christmas for Children were in attendance concerning Proclamation – Community Christmas for Children.
- (c) Proclamation – Canada’s National Day of Remembrance and Action of Violence Against Women.

4. (d) Bill Sharpe, owner Northern Breweries was in attendance concerning agenda item 6.(8)(a).
- (e) Bill Walker, Chair Sault Area Hospital Board of Directors was in attendance to update Council on the new hospital project.
- (f) Judith Andrew, Vice-President, Ontario Federation of Independent Business was in attendance to address Council concerning municipal issues from the perspective of local small business in Sault Ste. Marie.
- (g) Susan Milne and Susan Myers representing the local Communities in Bloom Organizing Committee were in attendance to present a certificate of achievement for the 2004 Provincial Communities in Bloom Competition.

PART ONE – CONSENT AGENDA

5. **COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES**

Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that all the items listed under date 2004 11 29 - Part One - Consent Agenda [save and except 5.(j) withdrawn at staff's request and 5.(y) tabled to the December 13th Agenda] be approved as recommended. CARRIED.

- (a) Correspondence from the Township of Adjala-Tosorontio (concerning dairy herd improvement funding); the Township of Augusta (concerning gas tax fund allocation for municipalities without public transportation and the Community Reinvestment Fund) was received by Council.
- (b) Correspondence from the General Manager Bon Soo Winter Carnival Inc. requesting temporary street closings in the Roberta Bondar Park, Pavilion and Foster Drive Area in conjunction with the Carnival was accepted by Council. The relevant By-law 2004-218 is listed under item 10 of the Minutes.
- (c) The newspaper article entitled "Twenty Roads Named Ontario's Worst" was received by Council.
- (d) Correspondence from the Ministry of Health and Long-Term Care concerning implementation of Local Health Integration Networks (LHINS) and workshops being held across Ontario was received by Council.
- (e) The letter from the Canadian Mental Health Association concerning mental health care in Northeastern Ontario was received by Council.

5. (f) The letter from McCormick Rankin Corporation, consultants for the Ontario Ministry of Transportation concerning Highway 17 (New) – Trunk Road Access Detail Design was received by Council.
- (g) The letter from the President Safe Communities Partnership Sault Ste. Marie concerning a request for 3-year funding from City Council was received by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that the request of Safe Communities Partnership Sault Ste. Marie in a letter dated November 15, 2004 to City Council for consideration of funding in the amount of \$40,000.00 per year for the next 3 years to help cover a portion of their core costs BE REFERRED to the 2005 Budget Deliberations. CARRIED.

- (h) Correspondence from the Joint International Bridge Authority concerning Sault Ste. Marie as a transportation hub was received by Council.

(i) **Council Travel**

Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that Mayor John Rowsell be authorized to attend a meeting of the Northern Ontario Mayors being held in Toronto with the Minister of Public Infrastructure Renewal David Caplan (one day in December) at an estimated cost of \$1,000.00. CARRIED.

(j) **Staff Travel Request**

The report of the Chief Administrative Officer was received by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that the staff travel request contained in the report of the Chief Administrative Officer dated 2004 11 29 be approved as requested. OFFICIALLY READ NOT DEALT WITH. WITHDRAWN AT STAFF'S REQUEST.

(k) **Tender for Oils, Greases and Gear Lubricants**

The report of the Manager of Purchasing was accepted by Council.

5. (k) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that the report of the Manager of Purchasing dated 2004 11 29 be endorsed and that the tender for the supply and delivery of Oils, Greases and Gear Lubricants, required by various City Departments and cooperatively PUC Services Inc. be awarded as recommended. CARRIED.

(l) **Proposal for One (1) Postage Meter System**

The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that the report of the Manager of Purchasing dated 2004 11 29 be endorsed and that the proposal for the provision of One (1) Postage Meter System, required by our Office Services Division, be accepted as recommended. CARRIED.

(m) **Property Tax Appeals**

The report of the City Tax Collector was accepted by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that pursuant to Section 354 and 357 of the Municipal Act, 2001, the adjustments for tax accounts outlined on the City Tax Collector's reports of 2004 11 29 be approved and the tax records be amended accordingly. CARRIED.

(n) **Vacant Unit Tax Rebate Program – Commercial and Industrial Properties**

The report of the City Tax Collector was accepted by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that pursuant to Section 364 of the Municipal Act, 2001, the adjustments, under the vacant unit tax rebate program, for tax accounts outlined on the City Tax Collector's reports of 2004 11 29 be approved and the tax records be amended accordingly. CARRIED.

(o) **Greenbelt Charities Association Application – New Year's Eve**

The report of the City Tax Collector was accepted by Council.

5. (o) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that the report of the City Tax Collector dated 2004 11 29 concerning Greenbelt Charities Association Application, regarding New Year's Eve, be accepted and the recommendation to approve the application of Greenbelt Charities Association for an increase in prize boards to \$5,500.00 for December 31, 2004 be approved. CARRIED.

- (p) **2004 Communities in Bloom Competition**
The report of the Assistant Manager of Recreation and Culture was accepted by Council.

Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that the report of the Assistant Manager of Recreation and Culture dated 2004 11 29 concerning 2004 Communities in Bloom Competition be accepted and the recommendation that Council approve the participation of Sault Ste. Marie in the 2005 National Communities in Bloom Program and further that a request for operating expenses BE REFERRED to the 2005 Budget Deliberations as a supplementary item be approved. CARRIED.

- (q) **Algoma Farmers' Market**
The report of the Assistant Manager of Recreation and Culture was accepted by Council.

Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that the report of the Assistant Manager Recreation and Culture dated 2004 11 29 concerning Algoma Farmers' Market be accepted and the recommendation that Council approve the replacement of the fabric for the Farmers' Market Tent Structure at an estimated cost of \$16,000.00 with the cost to be paid equally by the City and the Famers' Market Association with the City's share to come from the Roberta Bondar Park Reserve Account be approved. CARRIED.

- (r) **Dissolution of Heritage Sault Ste. Marie**
The report of the Manager of Recreation and Culture was accepted by Council.

Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that the report of the Manager of Recreation and Culture dated 2004 11 29 concerning Dissolution of Heritage Sault Ste. Marie be accepted and the recommendation that Council approve the request of Heritage Sault Ste. Marie Inc. to dissolve as outlined in their November 08, 2004 letter to City Council and further that staff be authorized to work with the Board to dissolve and disburse funds as outlined be approved. CARRIED.

5. (s) **Proposed Sault Ste. Marie Municipal Heritage Committee Recognition Award**

The report of the Manager of Recreation and Culture was accepted by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that the report of the Manager of Recreation and Culture dated 2004 11 29 concerning Proposed Sault Ste. Marie Municipal Heritage Committee Recognition Award be accepted and the recommendation that Council approve implementation of a Sault Ste. Marie Municipal Heritage Committee Heritage Award Program be approved. CARRIED.

(t) **Ermatinger•Clergue National Historic Site – Establishment of an Annual Maintenance Account**

The report of the Manager of Recreation and Culture was accepted by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that the report of the Manager of Recreation and Culture dated 2004 11 29 concerning Ermatinger•Clergue National Historic Site – Establishment of an Annual Maintenance Account be accepted and the recommendation that a maintenance account be established for the Historic Site in an amount equal to the admissions collected at the site (approximately \$7,000.00 annually) BE REFERRED to the 2005 Budget Deliberations. CARRIED.

(u) **The Sault Ste. Marie Sports and Entertainment Centre – Update on Facility Operator**

The report of the Commissioner of Community Services on behalf of the Sault Ste. Marie Sports and Entertainment Centre Steering Committee was accepted by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that the report of the Commissioner of Community Services on behalf of the Sault Ste. Marie Sports and Entertainment Centre Steering Committee dated 2004 11 29 concerning Sault Ste. Marie Sports and Entertainment Centre – Update on Facility Operator be accepted and the recommendation that Council approve the operations of the new Centre to be managed directly by the City be approved. CARRIED.

(v) **Procedure for Allocating Ice Time**

The report of the Manager of Community Centres and Marine Facilities was accepted by Council.

5. (v) Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that the report of the Manager of Community Centres and Marine Facilities dated 2004 11 29 concerning Procedure for Allocating Ice Time be accepted as information. CARRIED.
- (w) **Contract 2004-12E – Hudson Street Reconstruction – Demolition of Vacant Residential Structures**
The report of the Manager of Construction and Environmental Engineering was accepted by Council. The relevant By-law 2004-216 is listed under item 10 of the Minutes.
- (x) **Aerial Apparatus Replacement Project – Fire Department**
The report of the Fire Chief was accepted by Council.
- Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that the report of the Fire Chief dated 2004 11 29 concerning Aerial Apparatus Replacement Project be accepted and the recommendation that Council authorize staff to forego the tendering process and approve the single-source purchase of a 100 ft. Mid-mount Aerial Platform demonstrator unit from Smeal Fire Apparatus Co. and additional equipment at a total cost of \$893,000.00 with funds to come from the Fire Capital Equipment Reserve Account be approved. CARRIED.
- (y) **Request from Orlando Tridico for a Refund of Cash-in-Lieu Parking Amount Paid in 1981**
The report of the City Solicitor was received by Council.
- Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that the report of the City Solicitor dated 2004 11 29 concerning Request from Orlando Tridico for a Refund of Cash-in-Lieu Parking Amount Paid in 1981 be accepted and the recommendation that the money requested by Mr. Tridico (in the amount of \$5,000.00 plus accrued interest) not be refunded to him be approved. OFFICIALLY READ NOT DEALT WITH. TABLED TO DECEMBER 13, 2004 MEETING.
- (z) **Appeal to Ontario Municipal Board – Zoning Application No. A-25-04-Z – Martin Fiser – 119 Gore Street (Pure Platinum)**
The report of the City Solicitor was accepted by Council.

5. (z) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that the report of the City Solicitor dated 2004 11 29 concerning Appeal to Ontario Municipal Board – Zoning Application No. A-25-04-Z – Martin Fiser – 119 Gore Street (Pure Platinum) be accepted as information. CARRIED.
- (aa) **Inter Connection of Parking Lots Between Wal-Mart and Home Depot Status Report**
The report of the City Solicitor was accepted by Council.
- Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that the report of the City Solicitor dated 2004 11 29 concerning Inter Connection of Parking Lots Between Wal-Mart and Home Depot Status Report be accepted as information. CARRIED.
- (bb) **Update of Local Environmental Monitoring Committee By-law**
The report of the City Solicitor was accepted by Council. The relevant By-law 2004-215 is listed under item 10 of the Minutes.
- (cc) **Option to Purchase Property West of New Melamine Facility on Base Line – Economic Development Corporation**
The report of the City Solicitor was accepted by Council. The relevant By-law 2004-221 is listed under item 10 of the Minutes.
- (dd) **Proposed Transportation Corridor**
The report of the City Solicitor was accepted by Council. The relevant By-law 2004-213 is listed under item 10 of the Minutes.
- (ee) **Snow Dump Next to East End Sewage Treatment Plant**
The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2004 11 29 concerning the Snow Dump Site Next to East End Sewage Treatment Plant be accepted as information. CARRIED.
- (ff) **Friendship Games Contribution**
The report of the Chair, Parks and Recreation Advisory Committee was accepted by Council.

5. (ff) Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that the report of the Chair, Parks and Recreation Advisory Committee dated 2004 11 29 concerning Friendship Games Contribution be accepted as information. CARRIED.
- (gg) **Lots 96 to 106 and Lot 206 – Forest Glen B Subdivision**
The report of the City Solicitor was accepted by Council. The relevant By-laws 2004-222 and 2004-223 are listed under item 10 of the Minutes.

PART TWO – REGULAR AGENDA

6. **REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES**

6. (3) **ENGINEERING**

- (a) **Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF)**
The report of the Commissioner of Engineering and Planning was accepted by Council.

Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that the report of the Commissioner of Engineering and Planning dated 2004 11 29 concerning Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF) be accepted and the recommendation that Council approve an application submission under the Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF) based on a \$3.33M contribution partnership arrangement, enabling matching dollars from senior levels of government to provide a total allocated amount of \$10M capital project to complete the City's Waste Water Upgrade Program and furthermore acknowledge that this project is the highest priority within the first intake project of the infrastructure partnership initiative be approved. CARRIED.

6. (6) **PLANNING**

- (a) **Application No. A-37-04-OP – 20 and 28 Aronson Drive – Janet M. Callahan - Request the Amendment in Order to Create Two Additional Single Detached Residential Lots**
The report of the Planning Division was accepted by Council.

6. (6)
(a) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Planning Division dated 2004 11 29 concerning Application A-37-04-OP – Janet M. Callahan be accepted and the Planning Director's recommendation that City Council approve the application subject to approval of Official Plan Amendment No. 92 be endorsed. CARRIED.

6. (8) **BOARDS AND COMMITTEES**

(a) **Sault Ste. Marie Economic Development Corporation Request for City Support for Northern Breweries**

The report of the President and C.E.O., Economic Development Corporation was accepted by Council.

Mover Councillor D. Amaroso

Seconder Councillor J. Curran

Resolved that the report of the President and C.E.O., Economic Development Corporation dated 2004 11 25 concerning Sault Ste. Marie Economic Development Corporation Request for City Support for Northern Breweries be accepted and the 3 recommendations contained therein including a recommendation to approve a contribution of \$430,000.00 (\$260,000.00 from the Economic Development Fund and \$170,000.00 to be allocated as recommended by the City Treasurer if Provincial support cannot be obtained) to the Economic Development Corporation to be used to support the retention and expansion of the Northern Breweries Sault Ste. Marie operations be approved. CARRIED.

Recorded Vote

For: Mayor J. Rowsell, Councillors J. Caicco, P. Mick, J. Curran, D. Celetti, T. Sheehan, S. Butland, N. DelBianco, D. Amaroso

Against: Councillors L. Turco, F. Manzo

Absent: Councillors J. Collins, B. Hayes

7. **UNFINISHED BUSINESS, NOTICE OF MOTIONS AND RESOLUTIONS PLACED ON AGENDA BY MEMBERS OF COUNCIL**

8. **COMMITTEE OF THE WHOLE FOR THE PURPOSE OF SUCH MATTERS AS ARE REFERRED TO IT BY THE COUNCIL BY RESOLUTION**

9. **ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE**

10.

CONSIDERATION AND PASSING OF BY-LAWS

Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2004 11 29 be approved. CARRIED.

(a) Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that By-law 2004-195 being a by-law to amend By-law 90-219 being a by-law to delegate approval of condominium and subdivisions agreement to the Coordinator of Current Planning be read three times and passed in Open Council this 29th day of November, 2004. CARRIED.

(b) Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that By-law 2004-196 being a by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various properties and to amend Schedule "A" to By-law 90-305 be read three times and passed in Open Council this 29th day of November, 2004. CARRIED.

(c) Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that By-law 2004-213 being a by-law to authorize the acquisition of 677-699 John Street as part of the proposed transportation corridor be read three times and passed in Open Council this 29th day of November, 2004. CARRIED.

(d) Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that By-law 2004-214 being a by-law to authorize debentures for the funding of the construction of a new East End Sewage Treatment Plant be read three times and passed in Open Council this 29th day of November, 2004. CARRIED.

(e) Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that By-law 2004-215 being a by-law to establish and appoint a Local Environmental Monitoring Committee for the Sanitary Landfill Site be read three times and passed in Open Council this 29th day of November, 2004. CARRIED.

10. (f) Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that By-law 2004-216 being a by-law to authorize an agreement with the City and Avery Construction for the demolition of vacant residential structures on Hudson Street be read three times and passed in Open Council this 29th day of November, 2004. CARRIED.
- (g) Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that By-law 2004-218 being a by-law to permit the temporary closing of Foster Drive and Queen Street to facilitate various Bon Soo Events be read three times and passed in Open Council this 29th day of November, 2004. CARRIED.
- (h) Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that By-law 2004-220 being a by-law to adopt Amendment No. 92 to the Official Plan be read three times and passed in Open Council this 29th day of November, 2004. (Janet Callahan) CARRIED.
- (i) Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that By-law 2004-221 being a by-law to authorize an Agreement between the City and the Sault Ste. Marie Economic Development Corporation for a three year Option to Purchase for an additional 5 acres of land adjacent to the new melamine facility on Base Line be read three times and passed in Open Council this 29th day of November, 2004. CARRIED.
- (j) Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that By-law 2004-222 being a by-law to remove lots 96-106 inclusive in the Forest Glen Subdivision, Plan H-457 from the effects of By-law 69-214 be read three times and passed in Open Council this 29th day of November, 2004. CARRIED.
- (k) Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that By-law 2004-223 being a by-law to designate lots 96 to 106 inclusive, and all of a pathway in the Forest Glen Subdivision, Plan H-457 and Lot 206, Forest Glen "A" Subdivision, Plan H-492 as not being subject to part lot control be read three times and passed in Open Council this 29th day of November, 2004. CARRIED.

11. **QUESTIONS BY, NEW BUSINESS FROM, OR ADDRESSES BY MEMBERS
OF COUNCIL CONCERNING MATTERS NOT OTHERWISE ON AGENDA**

- (a) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that this Council shall now go into Caucus to discuss one legal matter (Solicitor/Client Privilege), one personnel and one property matter. CARRIED.

12. **ADJOURNMENT**

Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that this Council shall now adjourn. CARRIED.

"John Rowswell"

MAYOR

"Donna P. Irving"

CLERK