

MINUTES

REGULAR MEETING OF CITY COUNCIL

2004 05 10

5:00 P.M.

COUNCIL CHAMBERS

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

OFFICIALS: J. Fratesi, D. Irving, N. Kenny, B. Freiburger, N. Apostle, J. Dolcetti, D. McConnell, B. Strapp, P. McAuley, N. Fera, J. Luszka

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 04 26 be approved. CARRIED.

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

3. **PASSING OF ACCOUNTS**

Moved by Councillor D. Celetti

Seconded by Councillor J. Curran

Resolved that the accounts of 2004 04 23 in the amount of \$1,868,404.09 be passed and paid. CARRIED.

Councillor L. Turco declared a pecuniary interest – spouse employed by Police Service.

Councillor D. Amaroso declared a pecuniary interest – employed by Ontario March of Dimes.

3. Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that the accounts of 2004 04 30 in the amount of \$785,197.81 and payrolls properly certified be passed and paid and the payrolls of the periods 2004 04 11 to 2004 04 24 in amounts of Hourly \$1,436,389.42 and Salaried \$327,532.61 as certified and paid be confirmed. CARRIED.

3. Councillor L. Turco declared a pecuniary interest – spouse employed by Police Service.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Police Chief Bob Davies and Inspector Art Pluss were in attendance concerning the Proclamation – National Police Week and agenda item 5.(z).
- (b) Mark Lajambe, Chair, United Way Planning Advisory Committee was in attendance concerning the Proclamation – United Way Community Future Fund Day.
- (c) Theone Collins, Canadian Hearing Society was in attendance concerning the Proclamation – Hearing Awareness Day.
- (d) Linda Crockford, representative of the V.O.N. was in attendance concerning the Proclamation – National V.O.N. Week.
- (e) Kelly West, Public Health Nurse was in attendance concerning the Proclamation – Summer Active 2004.
- (f) Wendy Hamilton on behalf of Theatre Ontario Festival 2004 was in attendance concerning the Proclamation – Theatre Ontario Festival Week.
- (g) Sue Kinnaird was in attendance concerning the Proclamation – Falun Dafa Day.
- (h) Pierrette Brown, a representative of the Registered Nurses Association of Ontario was in attendance concerning the Proclamation – National Nursing Week.
- (i) Linda Burtch, Chairperson, Municipal Heritage Committee was in attendance concerning the Proclamation – Doors Open Ontario Weekend and agenda item 5.(aa).
- (j) Paul Curtis, Campaign Member, Northeast Mental Health Public Education Campaign and Annette Katajamaki were in attendance concerning the We All Belong public education campaign.
- (k) Representatives of Platinum Image Film Company were in attendance concerning agenda item 6.(1)(a).
- (l) Representatives of Bon Soo; Chamber of Commerce; Economic Development Corporation; Tourism Sault Ste. Marie; Sault Figure Skating Club; Sault Major Hockey Association (by letter); Soo Greyhounds; and Mark Kontulainen, Chair, Parks and Recreation Advisory Committee were in attendance concerning agenda item 6.(2)(a).
- (m) Dino Biasucci was in attendance concerning agenda item 6.(6)(b).

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 05 10 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) The letter and Brief from the Solicitor for the Sault Bar Owners Association requesting postponement of By-law 2003-7 (regulating smoking in public places) from its current planned effective date of June 1, 2004 and the letter and brief from the Algoma Health Unit in support of status quo was received by Council. Note: Item 7(a).
- (b) The letter from the Chair, Relay for Life Steering Committee requesting an exemption to the Noise By-law for the 4th Annual Relay for Life event being held on June 18 and 19 at the John Rhodes Community Centre was accepted by Council. The relevant By-law 2004-96 is listed under item 10 of the Minutes.
- (c) The letter from the Minister of State (Federal Economic Development Initiative for Northern Ontario) in response to a letter from Mayor Rowsell concerning Sault Ste. Marie Initiatives was received by Council.
- (d) Correspondence from the Town of Fort Erie (concerning the proposed Provincial taxation of casino slot bingo and lottery winnings in Ontario); the Municipality of MacDonald, Meredith & Aberdeen Additional (concerning Joint Advisory Committees to address nutrient management issues); the Township of North Kawartha (concerning the impact of Safe Drinking Water Act on tourism operators); the City of Welland (concerning the Ontario Pension and Benefit Guarantee Fund) was received by Council.

Moved by Councillor T. Sheehan

Seconded by Councillor D. Celetti

Whereas the Province of Ontario is contemplating imposing a Provincial tax on casinos, slots, bingo and lottery winnings in Ontario; and

Whereas the Town of Fort Erie has written the Premier of Ontario requesting that a public consultation process take place in communities with gaming facilities prior to any decision on this proposed new tax;

Now therefore be it resolved that the Council of the City of Sault Ste. Marie supports the position of the Town of Fort Erie and urges the Premier of Ontario to hold public consultations regarding the impact of a proposed Provincial tax on casinos, slots, bingo and lottery winnings on Ontario municipalities. CARRIED.

- (e) The Media Release from the Sault Area Hospital concerning New Hospital Project Progressing on Schedule was received by Council.

5. (f) The request for a Special Occasion Permit for an event at a municipal facility was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor J. Curran

Resolved that the following request for permission to hold a Special Occasion Permit event at a municipal facility on the stated dates and times be endorsed by City Council:

Strathclair Sports Complex:

Blueliners Lounge/Northern Slowpitch Association

June 4, 5, 6 and June 11, 12, 13 – 10:00 a.m. to 8:00 p.m.

July 23, 24, 25 – 10:00 a.m. to 8:00 p.m.

August 20, 21, 22 – 10:00 a.m. to 8:00 p.m.

September 10, 11, 12 – 10:00 a.m. to 8:00 p.m. CARRIED.

- (g) Letters from the CEO, Sault Area Hospital, the Algoma West Academy of Medicine, Ontario Tobacco Control Conference 2004 and the Group Health Centre concerning Smoking By-law 2003-7 were received by Council. Note: Item 7.(a).

- (h) **Council Travel**

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that Mayor John Rowsell be authorized to travel to Toronto for a meeting with the Honourable Greg Sorbara, Minister of Finance concerning Operations of Charity Casinos on May 5, 2004 at an estimated cost of \$750.00. CARRIED.

- (i) **Staff Travel Requests**

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

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 2004 05 10 be approved as requested. CARRIED.

- (j) **Council Chambers and Seniors Drop-In Centre Renovations**

The report of the Policy and Implementation Manager, Social Services Department was accepted by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that the report of the Policy and Implementation Manager, Social Services Department dated 2004 05 05 concerning Council Chambers and Seniors Drop-In Centre Renovations be accepted and the recommendation that Council approve funds from the Accessibility Fund for the renovations to the Council Chambers and to create an accessible washroom at the Seniors Drop-In Centre be approved. CARRIED.

5. (k) **Vacant Unit Tax Rebate Program – Commercial and Industrial Properties**
The report of the City Tax Collector was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor J. Curran

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 report of 2004 05 10 be approved and the tax records be amended accordingly. CARRIED.

- (l) **Tender for Fire Services Uniform Clothing**

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

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that the report of the Manager of Purchasing dated May 10, 2004 be endorsed and that the tender for the supply and delivery of Uniform Clothing, required by Fire Services, be awarded as recommended. CARRIED.

- (m) **Tenders for Equipment – Public Works and Transportation Department**

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

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that the report of the Manager of Purchasing dated May 10, 2004 be endorsed and that the tenders for the supply and delivery of various pieces of equipment, and proposal to overhaul equipment, required by the Public Works and Transportation Department, be awarded as recommended. CARRIED.

- (n) **Tender for Concession Supplies**

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 May 10, 2004 be endorsed and that the tender for the supply of several Concession Supplies, required by the Community Services Department, be awarded as recommended. CARRIED.

- (o) **Request for Financial Assistance for National/International Sports Competitions**

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

5. (o) Moved by Councillor D. Celetti
Seconded by Councillor J. Curran
Resolved that the report of the Assistant Manager, Recreation and Culture dated 2004 05 10 concerning Requests for Financial Assistance for National/International Sports Competition be accepted and the recommendation to provide two \$200.00 grants to Amanda Gerhart (2004 Canada Cup Wrestling Championships) and Shane Dickson (North Eastern Natural Body Building Championships) be approved. CARRIED.
- (p) **Roberta Bondar Park Tent Pavilion – Replacement of Artistic Decals**
The report of the Assistant Manager, Recreation and Culture was accepted by Council. The letter from the President, The North View was received by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Assistant Manager, Recreation and Culture dated 2004 05 10 concerning Roberta Bondar Park Tent Pavilion Replacement of Artistic Decals be accepted and the recommendation that Council proceed with Option 1 – do not replace the artistic decals on the Tent Pavilion Structure be approved. CARRIED.
- (q) **Sault Amateur Soccer Association Agreement**
The report of the Recreation Assistant, Recreation and Culture was accepted by Council. The relevant By-law 2004-91 is listed under item 10 of the Minutes.
- (r) **East End Water Pollution Control Plant Upgrade and Secondary Treatment Tender Closing Date – Request for Extension**
The report of the Commissioner of Engineering and Planning was accepted by Council.
- Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that the report of the Commissioner of Engineering and Planning dated 2004 05 10 concerning East End Water Pollution Control Plant Upgrade and Secondary Treatment Tender Closing Date – Request for Extension be accepted as information. CARRIED.
- (s) **Contract 2004-3E – Reconstruction of Bruce Street – Salisbury Avenue to Pim Street**
The report of the Manager of Construction and Environmental Engineering was accepted by Council. The relevant By-laws 2004-94 and 2004-95 are listed under item 10 of the Minutes.
- (t) **Council Resolution Concerning City and “Open for Business”**
The report of the Assistant City Solicitor was accepted by Council.

5. (t) Moved by Councillor D. Celetti
Seconded by Councillor J. Curran
Resolved that the report of the Assistant City Solicitor dated 2004 05 10 concerning Council Resolution Concerning City and Open For Business be accepted as information. CARRIED.
- (u) **Part Lot Control By-law for Lots 9 to 24 and Lots 30 and 31 – Former Cody School Site off of Wilson Street**
The report of the City Solicitor was accepted by Council. The relevant By-law 2004-98 is listed under item 10 of the Minutes.
- (v) **Planning Advisory Committee Community Development Award**
The report of the Planning Advisory Committee was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Planning Advisory Committee dated 2004 05 10 concerning the Community Development Award be accepted and the recommendation that City Council award this year's Award to the Wurdemann Family for construction of the new Super 8 Motel on Great Northern Road be endorsed. CARRIED.
- (w) **2004 Ditching Program**
The report of the 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 Commissioner of Public Works and Transportation dated 2004 04 23 concerning the 2004 Ditching Program be accepted as information. CARRIED.
- (x) **Household Special Waste Depot – 2003 Annual Report**
The report of the Waste Diversion Supervisor was accepted by Council.
- Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that the report of the Waste Diversion Supervisor dated 2004 04 07 concerning the Household Special Waste Depot – 2003 Annual Report be accepted as information. CARRIED.
- (y) **Environment Canada “Road Salts Code of Practice”**
The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.

5. (y) Moved by Councillor D. Celetti
Seconded by Councillor J. Curran
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2004 04 27 concerning Environment Canada "Road Salts Code of Practice" be accepted as information. CARRIED.

(z) **Sault Ste. Marie Police Service Business Plan 2004 - 2006**

The report of the Chief of Police was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that the report of the Chief of Police dated 2004 05 03 concerning Sault Ste. Marie Police Service Business Plan 2004 – 2006 be accepted as information. CARRIED.

Councillor L. Turco declared a pecuniary interest – spouse employed by Police Service.

(aa) **Ontario Heritage Act Designation – Sault Ste. Marie Courthouse**

The report of the Chairperson, Sault Ste. Marie Municipal Heritage Committee was accepted by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that the report of the Chairperson, Sault Ste. Marie Municipal Heritage Committee dated 2004 05 10 concerning Ontario Heritage Act Designation – Sault Ste. Marie Courthouse be accepted and the recommendation to designate the Sault Ste. Marie Courthouse and its three major interior features; the Central Staircase, the Glass Ceiling and Courtroom No. 1 under Part IV of the Ontario Heritage Act be approved. CARRIED.

PART TWO – REGULAR AGENDA

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

6. (1) **ADMINISTRATIVE**

(a) **"Looking for Angelina" – A Film to be Made in Sault Ste. Marie**

The report of the Chief Administrative Officer and the letter of support from the Economic Development Corporation were accepted by Council.

6. (1)
(a) Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that the report of the Chief Administrative Officer dated 2004 05 10 concerning "Looking for Angelina" – A Film to be Made in Sault Ste. Marie be accepted and the recommendation to provide up to \$20,000.00 in funding from the Economic Development Fund to be made available to the various municipal departments for extra costs which will be incurred to provide the necessary city services during the film's production be approved. CARRIED.

6. (2) **COMMUNITY SERVICES**

(a) **New Multi-Use Spectator Facility Update**

The report of the Commissioner of Community Services on behalf of the Arena Study Review Committee was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor J. Curran

Resolved that the report of the Commissioner of Community Services on behalf of the Arena Study Review Committee dated 2004 05 10 concerning New Multi-Use Spectator Facility Update be accepted and the recommendations contained therein to proceed with the new multi-purpose spectator facility be approved. CARRIED.

Recorded Vote

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

Against: Councillor F. Manzo

Absent: Nil

6. (6) **PLANNING**

(a) **Application No. A-14-04-Z.OP – 12, 14, 20 and 22 Blake Street – Mor-Pel Limited – Request in Order to Utilize the Subject Property in Conjunction With Lands Fronting on Great Northern Road (Algoma Auto Sales)**

The report of the Planning Division was received by Council.

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that Application No. A-14-04-Z.OP – 12, 14, 20 and 22 Blake Street – Mor-Pel Limited BE DEFERRED to the May 31, 2004 Council Meeting at the request of the solicitor for the applicant. CARRIED.

6. (6)
(a)

Mover - Councillor D. Amaroso
Seconder - Councillor J. Curran

Resolved that the report of the Planning Division dated 2004 05 10 concerning Application No. A-14-04-Z.OP – Mor-Pel Limited be accepted and the recommendation that City Council approve the request subject to the 5 conditions contained in the report be endorsed. OFFICIALLY READ NOT DEALT WITH.

(b) **Application No. A-15-04-Z – 210 Allen’s Side Road – Dino Biasucci - Request in Order to Build a New Single Family Home**

The report of the Planning Division was accepted by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that the report of the Planning Division dated 2004 05 10 concerning Application No. A-15-04-Z – Dino Biasucci be accepted and the recommendation that City Council approve the request to rezone the subject property from “P.D.” (Planned Development) to “R.6” (Single Detached Residential) be endorsed. CARRIED.

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

(a) Mover - Councillor D. Celetti
Seconder - Councillor F. Manzo

Whereas there are new reasons to reconsider the consequences of the new Smoking By-law 2003-7;

Now therefore be it resolved that the effective date of June 1, 2004 for Smoking By-law 2003-7 be postponed pending Provincial legislation to permit further review and to minimize any damage to the local economy. OFFICIALLY READ NOT DEALT WITH. MOVER REMOVED HIS NAME FROM RESOLUTION.

Mover - Councillor F. Manzo
Seconder - Councillor D. Celetti

Whereas there is quite a controversy between the non smokers and the smokers regarding the Smoking By-law as the present smoking by-law is 100% for no smoking; and whereas smokers do not have any designated room or provision within the smoking by-law and whereas smokers are requesting a suitable designated area to be amended within the present by-law;

Therefore be it resolved that City Council support a friendly amendment to the existing smoking by-law that a designated area be established in all bars and establishments to split the bar rooms with a closed in glassed partition as a smoke room and the smoke room be power vented to remove the smoke from the smoking room, and further that if such bar establishments wish to have a designated smoking area that the established bar room is to comply with the regulations of controlling the smoke room according to building codes of the city

7. (a) inspection department and further be it resolved that if any bar establishment does not wish to have a smoke room, that the bar establishment make their own choice to make their established bar room smoke free at their own will, and further that the bar room can be split on 50-50 basis or a 75-25 basis making it either 75% smoke free and 25% designated smoke room well power ventilated. OFFICIALLY READ NOT DEALT WITH. SECONDER REMOVED NAME FROM RESOLUTION.

- (b) Mover - Councillor D. Celetti
Secunder - Councillor F. Manzo

Whereas there has been a lot of complaints from residents across the city regarding the garbage and bags, and whereas many residents are not happy with this system of garbage, and whereas garbage has been scattered all over in the rural areas, and is nothing but a disgrace;

Therefore be it resolved that City Council revisit this garbage bagging by-law so that City Council can review this issue again and come up with a much better solution to satisfy the residents across the city. DEFEATED.

Recorded Vote

For: Mayor J. Rowswell, Councillors D. Celetti, T. Sheehan, F. Manzo

Against: Councillors J. Caicco, P. Mick, L. Turco, J. Curran, J. Collins, S. Butland, B. Hayes, N. DelBianco, D. Amaroso

Absent: Nil

- (c) Moved by Councillor J. Collins
Seconded by Councillor N. DelBianco

Whereas healthcare is the top priority of Canadians; and

Whereas Sault Ste. Marie currently faces a critical shortage of medical specialists, family physicians, and thousands of local residents are without a family physician, some who have waited for upwards of five years to get a family doctor; and

Whereas the City of Sault Ste. Marie has wholeheartedly championed this cause and worked collaboratively with its local healthcare sector partners to lead Northeastern Ontario on this issue; and

Whereas the Northern Ontario Medical School will not produce new medical graduates for several years and, consequently, will not help to alleviate this crisis in the short-term; and

Whereas the Ontario Medical Association has offered recommendations on physician retention and recruitment to help address the physician shortage in Ontario including eliminating the disincentives for Ontario medical school graduates to return to Ontario; stopping the mandatory retirement of physicians; recruiting Canadian and International medical graduates by reducing red tape; integrating nurse practitioners into primary care teams and by taking immediate steps to address recruitment inequities at the Provincial level; and

7. (c) Whereas healthcare issues such as physician recruitment and retention have historically been the jurisdiction of the provincial and federal levels of government;
Be it resolved that the City of Sault Ste. Marie calls upon both the federal and provincial governments to participate in our made-in-the-Sault solution and consider other ways to provide more immediate relief to this crisis; and
Further be it resolved that this resolution be forwarded to Sault Ste. Marie's Member of Provincial Parliament, David Oraziotti, and Member of Parliament, Carmen Provenzano, so that they might be encouraged to seek out and identify solutions to the significant shortage of physicians in Sault Ste. Marie. CARRIED.

- (d) Moved by Councillor P. Mick
Seconded by Councillor T. Sheehan
Whereas private residences are being increasingly used for "grow-ops"; and
Whereas Sault Ste. Marie is not immune to this activity; and
Whereas these operations involve very serious health and safety implications;
Therefore be it resolved that Council requests the Legal Department in conjunction with the appropriate staff to report back as to what is in place or what should be in place to assist and advise occupants or future occupants from being victimized by these operations. CARRIED.

- (e) Moved by Councillor T. Sheehan
Seconded by Councillor D. Celetti
Whereas a petition of over 60 residents of the area of Bruce and Gladstone Streets has been submitted concerning retaining the traffic lights at the corner of Bruce and Gladstone Streets; and
Whereas the petition details a number of reasons for retaining the traffic lights;
Now therefore be it resolved that the Public Works and Transportation Department be requested to take the necessary action to have the traffic lights at this intersection retained and reactivated. DEFEATED.

- (f) Notice of Motion

Mover - Councillor T. Sheehan

Seconder - Councillor J. Curran

Whereas the City of Sault Ste. Marie and other areas of Northern Ontario are heavily reliant on Tourism, Transportation, Manufacturing, Natural Resource, Import and Export sectors of the economy; and

Whereas the people of Northern Ontario consume large amounts of gas in order to reach business and leisure destinations and the price of gas has increased rapidly and become cost prohibitive;

Therefore be it resolved that City Council request that the government of Ontario and the Canadian government reduce the price of gas by substantially reducing the provincial and federal portion of the "gas tax"; and

7. (f) Further be it resolved that this resolution be forwarded to Sault Ste. Marie's MPP and MP. as well as a copy be sent for support to other municipalities in Ontario, the Federation of Northern Ontario Municipalities and the Association of Municipalities of Ontario.
- (g) Moved by Councillor F. Manzo
Seconded by Councillor J. Collins
Be it resolved that City Council accept the petition from the residents of Laurier Avenue between Asquith Street and Wallace Terrace in support of Mr. Tullio Gualtieri of 286 Laurier Avenue regarding his culvert head walls and refer this petition to the Commissioner of Work to report on the repair and report back to City Council. CARRIED.
- (h) Moved by Councillor N. DelBianco
Seconded by Councillor L. Turco
Whereas City Council approved the closing of St. Mary's Avenue between Birch and Wilson Streets; and
Whereas Sal Dan Developments have purchased the former Cody School site to develop a subdivision; and
Whereas substantial green space and access to the green space will be diminished as a result of the development;
Therefore be it resolved that the 5% surcharge from the Park Development Fund to be received from the proposed subdivision be utilized to develop additional green space for the parkland and/or playground equipment for the Wilson Street city park. CARRIED.
- Moved by Councillor F. Manzo
Seconded by Councillor J. Collins
Resolved that Procedure By-law 99-100 Section 3(2) be suspended to allow for completing this evening's agenda beyond the 5 hours in length. CARRIED.

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**

Mover Councillor F. Manzo
Seconder Councillor D. Celetti
Be it resolved that By-law 2004-92 be referred to caucus for further discussion regarding all the correspondence all City Councillors have received from the Mayor's Office and C.A.O. over the weekend. OFFICIALLY READ NOT DEALT WITH. SECONDER REMOVED NAME FROM RESOLUTION.

10. Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that all the by-laws listed under item 10 of the Agenda under date 2004 05 10 be approved. CARRIED.
- (a) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2004-91 being a by-law to authorize an agreement between the City and Sault Amateur Soccer Association for the use of Strathclair Park for the period from April 1, 2004 to March 31, 2004 be read three times and passed in Open Council this 10th day of May, 2004. CARRIED.
- (b) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2004-92 being a by-law to appoint Jerry Dolcetti as Commissioner of Engineering and Planning be read three times and passed in Open Council this 10th day of May, 2004. CARRIED.

Recorded Vote

For: Councillors J. Caicco, P. Mick, L. Turco, J. Curran, D. Celetti, J. Collins, T. Sheehan, S. Butland, B. Hayes, N. DelBianco, D. Amaroso

Against: Mayor J. Rowswell, Councillor F. Manzo

Absent: Nil

- (c) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2004-93 being a by-law to appoint by-law enforcement officers to enforce the by-laws of the Corporation of the City of Sault Ste. Marie be read three times and passed in Open Council this 10th day of May, 2004. CARRIED.
- (d) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2004-94 being a by-law to authorize an agreement between the City and General Contracting (Sault Ste. Marie) Ltd. for the reconstruction of Bruce Street from Salisbury Avenue to Pim Street be read three times and passed in Open Council this 10th day of May, 2004. CARRIED.
- (e) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2004-95 being a by-law to permit the temporary closing of Bruce Street from Salisbury Avenue to Pim Street to facilitate road reconstruction from May 11th, 2004 to October 31st, 2004 be read three times and passed in Open Council this 10th day of May, 2004. CARRIED.

10. (f) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2004-96 being a by-law to amend By-laws 80-200 and 4100 dealing with the exemption from the noise control by-laws for the Relay for Life event to be held on June 18th and 19th, 2004 be read three times and passed in Open Council this 10th day of May, 2004. CARRIED.
- (g) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2004-97 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 regarding lands located at 210 Allen's Side Road be read three times and passed in Open Council this 10th day of May, 2004. (Meadow brook Land Developments Inc.) CARRIED.
- (h) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2004-98 being a by-law to designate Lots 9 to 24 inclusive, Lots 30 and 31, Part 2 on Plan IR-10747, in the Moffley "A" Subdivision, Plan 681 subject to part lot control be read three times and passed in Open Council this 10th day of May, 2004. CARRIED.

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

12. **ADJOURNMENT**

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

"Pat Mick"
ACTING MAYOR

"Donna P. Irving"
CLERK