

MINUTES

REGULAR MEETING OF CITY COUNCIL

2004 04 26

5:00 P.M.

COUNCIL CHAMBERS

PRESENT: Mayor J. Rowswell, Councillors J. Caicco, L. Turco, J. Curran, D. Celetti, J. Collins, T. Sheehan, S. Butland, B. Hayes, N. DelBianco, D. Amaroso

OFFICIALS: J. Fratesi, M. White, M. Brechin, B. Freiburger, D. McConnell, L. Bottos, P. McAuley, B. Strapp

ABSENT: Councillors P. Mick, F. Manzo

1. **ADOPTION OF MINUTES**

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that the Minutes of the Regular Council Meeting of 2004 04 05 be approved. CARRIED.

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

3. **PASSING OF ACCOUNTS**

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that the accounts of 2004 04 02 in the amount of \$8,007,436.93 and payrolls properly certified be passed and paid and the payrolls of the periods 2004 03 14 to 2004 03 27 in amounts of Hourly \$1,428,905.52 and Salaried \$322,317.60 as certified and paid be confirmed. CARRIED.

Councillor D. Amaroso declared a pecuniary interest – spouse employed by Algoma Steel Inc.

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that the accounts of 2004 04 09 in the amount of \$1,402,188.71 be passed and paid. CARRIED.

3. Councillor J. Curran declared a pecuniary interest – spouse employed by Algoma District School Board.

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that the accounts of 2004 04 16 in the amount of \$971,457.00 and payrolls properly certified be passed and paid and the payrolls of the periods 2004 03 28 to 2004 04 10 in amounts of Hourly \$1,400,159.54 and Salaried \$323,915.76 as certified and paid be confirmed. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Fire Chief Lynn McCoy was in attendance to present a Certificate of Commendation on behalf of the Governor General to Firefighter Richard Pihlaja.
- (b) Agnes McCarthy, Helen Pereira and members of the Algoma Conservatory Children's Choir were in attendance concerning Proclamation – Ontario Sings Day.
- (c) Captain Stephen McNeilly was in attendance concerning Proclamation – Salvation Army Red Shield Month.
- (d) Lorraine Patterson-Gravelle, Public Health Nurse, Algoma Health Unit was in attendance concerning Proclamation - Green Ribbon of Hope Month.
- (e) Joanne Cain, Team MS Coordinator was in attendance concerning Proclamation – Multiple Sclerosis Month.
- (f) Representatives from St. Francis School, Huron Superior School Board were in attendance concerning Proclamation – Catholic Education Week.
- (g) Margaret Nicholson, Coordinator, Royal Purple Lodge was in attendance concerning Proclamation – Hearing Awareness Month.
- (h) Ian MacMillan and Bill Durnford were in attendance concerning The Tourism Sault Ste. Marie 2004 Business Plan.
- (i) Jennifer Dimma was in attendance concerning Katimavik (national youth volunteer service program).
- (j) Dan Lewis was in attendance concerning Day of Mourning.

- 4. (k) Mike Wozny and Peter Bortolussi were in attendance concerning agenda item 5.(z).
- (l) Brian Curran was in attendance concerning agenda item 6.(8)(a).

PART ONE – CONSENT AGENDA

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

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that all the items listed under date 2004 04 26 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from Ontario Sings was received by Council.
- (b) Correspondence from Enterprise Centre Sault Ste. Marie concerning Katimavik was received by Council.

Moved by Councillor L. Turco

Seconded by Councillor B. Hayes

Resolved that City Council express its support for the Enterprise Centre Sault Ste. Marie to pursue a Katimavik project and further that Jennifer Dimma of the Enterprise Centre be appointed as the Community Liaison for this project. CARRIED.

- (c) Correspondence from the Association of Municipalities of Ontario concerning the Judson Street Ambulance Supply Centre, Planning Reform Recommendations, Road Salts Code of Practice, Affordable Housing Program, Family Medical Leave and Environmental Assessment Process Review was received by Council.
- (d) Correspondence from the Town of Iroquois Falls (concerning MNR fishing regulations); the Town of North Perth (concerning O. Reg 170/03); and the City of Kingston (concerning the Rent Supplement/Rent Bank programs) was received by Council.
- (e) Correspondence from the City of Peterborough (concerning Health Unit funding) was accepted by Council.

5. (e) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that City Council support the resolution from the City of Peterborough concerning petitioning the Province of Ontario to cover 75% of Health Unit funding with municipalities covering the remaining 25%. CARRIED.
- (f) Correspondence from the Association of Municipal Tax Collectors of Ontario (AMTCO) concerning the participation of the Municipal Property Assessment Corporation in certain tax appeals was accepted by Council.
- Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that City Council support the resolution of the Association of Municipal Tax Collectors of Ontario concerning the participation of the Municipal Property Assessment Corporation in certain tax appeals and further that this resolution of support be circulated to all organizations listed in the AMTCO resolution. CARRIED.
- (g) Correspondence from the Ministry of Municipal Affairs and Housing concerning legislation to reduce rent hikes was received by Council.
- (h) The letter from Great Lakes Environmental Services concerning the Great Lakes Power Transmission Line Project (Sault Section) was received by Council.
- (i) The copy of a letter and e-mail to the Chief Administrative Officer from Danieli Corus concerning the recent meeting held regarding their relocation to Burlington was received by Council.
- (j) The letter from the Mayor of Brantford and correspondence from Mayor J. Rowsell concerning a meeting with the Minister of Finance was received by Council.
- (k) **Staff Travel Requests**
The report of the Chief Administrative Officer was accepted by Council.
- Moved by - Councillor N. DelBianco
Seconded by - Councillor B. Hayes
Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 2004 04 26 be approved as requested. CARRIED.
- (l) **Tenders for Lease of One (1) Mid-Size Cargo Van and One (1) Mid-Size Compact Sedan**
The report of the Manager of Purchasing was accepted by Council.

5. (l) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that the report of the Manager of Purchasing, dated April 26, 2004 be endorsed and that the tenders for the Lease of One (1) Mid-Size Cargo Van, required by the Parking Division, and the Lease of One (1) Mid-Size Compact Sedan, required by the Engineering and Planning Department, be awarded as recommended. CARRIED.

(m) **Property Tax Appeals**

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

Moved by Councillor L. Turco

Seconded by Councillor B. Hayes

Resolved that pursuant to Section 357 and 358 of the Municipal Act, 2001, the adjustments for tax accounts outlined on the City Tax Collector's report of 2004 04 26 be approved and the tax records be amended accordingly. CARRIED.

(n) **Sault Ste. Marie Sports Hall of Fame Inductees – 2004**

The report of the Recreation Assistant was accepted by Council.

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that the report of the Recreation Assistant dated 2004 04 26 concerning Sault Ste. Marie Sports Hall of Fame Inductees – 2004 be accepted and the recommendation that Frank Nolan Sr., John Mealey, Rocky DiPietro and Raymond Smillie be inducted into the Sault Ste. Marie Sports Hall of Fame for 2004 be approved. CARRIED.

(o) **East End Water Pollution Control Plant Upgrade and Secondary Treatment Tender Closing Date**

The report of the Commissioner of Engineering and Planning was accepted by Council.

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that the report of the Commissioner of Engineering and Planning dated 2004 04 26 concerning East End Water Pollution Control Plant Upgrade and Secondary Treatment Tender Closing Date be accepted as information. CARRIED.

Councillor T. Sheehan declared a pecuniary interest – employed by Ministry of Training Colleges and Universities, Apprenticeship Branch.

(p) **Bristol Place Roadside Ditch Drainage**

The report of the Director of Engineering Design and Buildings was accepted by Council.

5. (p) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that the report of the Director of Engineering Design and Buildings dated 2004 04 26 concerning Bristol Place Roadside Ditch Drainage be accepted as information. CARRIED.

(q) **Reconstruction of Queen Street Between Simpson Street and Church Street**

The report of the Director of Engineering Design and Buildings was accepted by Council.

Moved by Councillor L. Turco
Seconded by Councillor B. Hayes

Resolved that the report of the Director of Engineering Design and Buildings dated 2004 04 26 concerning Reconstruction of Queen Street Between Simpson Street and Church Street be accepted and the recommendation that the reconstruction of Queen Street between Simpson Street and Church Street be postponed until the final outcome of the Sault Area Hospital relocation has been determined be approved. CARRIED.

Moved by Councillor T. Sheehan
Seconded by Councillor S. Butland

Whereas the reconstruction of Queen Street East from Simpson to Church Streets has been in the city's capital construction plans since 1998 but has been delayed pending final announcements by the Provincial Government allowing the new hospital to be built; and

Whereas City Council has remained committed that a new state-of-the-art hospital is this community's first priority; and

Whereas City Council has committed to finance a significant portion of the community's share of required funding through the tax levy and with the use of casino proceeds; and

Whereas it is important for good transportation and land use planning of both the area surrounding the existing hospital and the area surrounding the proposed new site that decisions be made in a timely fashion;

Therefore be it resolved that City Council request an update on the status of the new hospital from the Sault Area Hospital Board, our Provincial member of the Legislature, David Oraziotti and the appropriate officials of the Ministry of Health and Long Term Care and that such information be presented at City Council at the earliest possible opportunity. CARRIED.

(r) **Resurfacing of City Streets – 2004**

The report of the Manager of Construction and Environmental Engineering was accepted by Council.

5. (r) Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that the report of the Manager of Construction and Environmental Engineering dated 2004 04 26 concerning Resurfacing of City Streets – 2004 be accepted as information. CARRIED.

(s) **Contract 2004-1E - Reconstruction of Second Line West – Peoples Road to Farwell Terrace**

The report of the Manager of Construction and Environmental Engineering was accepted by Council. The relevant By-law 2004-88 is listed under item 10 of the Minutes.

Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes

Whereas the reconstruction of Second Line West is a large project to be accomplished in Sault Ste. Marie's traditional short construction season; and
Whereas several letters confirming the approval of Provincial funding for this project have been received, notwithstanding the letter of approval from the Minister of Northern Development and Mines, which has been delayed pending the approval of the Provincial budget;

Therefore be it resolved that Council authorize the entering into Contract 2004-1E with Ellwood Robinson as soon as possible if necessary prior to the receipt of the Minister's letter of approval. CARRIED.

(t) **Transportation Corridor Consultant Selection**

The report of the Director of Engineering Design and Buildings was accepted by Council.

Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes

Resolved that the report of the Director of Engineering Design and Buildings dated 2004 04 26 concerning Transportation Corridor Consultant Selection be accepted and the recommendation to assign the Transportation Corridor engineering consulting work as follows:

1) Totten Sims Hubicki Associates/M. R. Wright and Associates Co. Ltd. for section (a) – Truck Route between the International Bridge and Wellington Street;

2) Wm. R. Walker Engineering Inc. for section (b) – Truck Route between Wellington Street and Second Line be approved. CARRIED.

(u) **Willow Avenue Extension – Don Nelson Concept**

The report of the Director of Engineering Design and Buildings was accepted by Council.

5. (u) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that the report of the Director of Engineering Design and Buildings dated 2004 04 26 concerning Willow Avenue Extension – Don Nelson Concept be accepted and the recommendation to review the Willow Avenue extension concept as part of the Pine Street extension Environmental Assessment be approved. CARRIED.
- (v) **Business Solutions for an Extraordinary Community Need for a Business Facilitator**
The report of the Commissioner of Engineering and Planning and the President and C.E.O., Economic Development Corporation was accepted by Council.
- Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that the report of the Commissioner of Engineering and Planning and the President and C.E.O., Economic Development Corporation dated 2004 04 26 concerning Business Solutions for an Extraordinary Community Need for a Business Facilitator be accepted and the recommendations contained therein be approved. CARRIED.
- (w) **Amendment of By-law 2004-68 for the Control and Management of Waste and Recycling**
The report of the Assistant City Solicitor was accepted by Council. The relevant By-law 2004-83 is listed under item 10 of the Minutes.
- (x) **Agreement with PUC Services Inc. for the Operation and Maintenance of Pointe Des Chenes Water Supply and Distribution System**
The report of the City Solicitor was accepted by Council. The relevant By-law 2004-84 is listed under item 10 of the Minutes.
- (y) **Establishing a Price for Industrial Land to be Acquired on Yates Avenue and Leigh's Bay Road**
The report of the City Solicitor was accepted by Council.
- Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that the report of the City Solicitor dated 2004 04 26 concerning Establishing a Price for Industrial Land to be Acquired on Yates Avenue and Leigh's Bay Road be accepted and the recommendation to authorize the per acre price for property at the Yates Avenue and Leigh's Bay/Base Line sites be established at \$25,000.00 be approved. CARRIED.

5. (z) **By-law 2004-52 – Closing of St. Mary's Avenue Between Birch and Wilson Streets**

The report of the City Solicitor was accepted by Council. The relevant By-law 2004-52 is listed under item 10 of the Minutes.

Moved by Councillor L. Turco

Seconded by Councillor N. DelBianco

Whereas By-law 2004-52 Closing of St. Mary's Avenue between Birch Street and Wilson Street appears on the agenda for a third reading; and

Whereas this portion of St. Mary's Avenue was never conveyed to the Algoma District School Board and whereas it was determined that the property was still in the hands of the city when the School Board sold the property to Sal Dan Developments to develop a new subdivision on the site; and

Whereas the residents in the area surrounding said property support the development; and

Whereas the residents also request that the city maintain the St. Mary's Avenue access to Cody Hill Park which has been enjoyed by the residents for many years;

Now be it resolved that the City continue to maintain this non-vehicular access to Cody Hill Park. OFFICIALLY READ NOT DEALT WITH.

(aa) **RFP Transport Canada – Multi Modal**

The report of the Director of Industrial Marketing was accepted by Council.

Moved by Councillor L. Turco

Seconded by Councillor B. Hayes

Resolved that the report of the Director of Industrial Marketing dated 2004 04 26 concerning RFP Transport Canada – Multi Modal be accepted as information. CARRIED.

(bb) **2004 Physician Recruitment Program**

The minutes of the Finance Committee Meeting of 2004 04 20, the report of the Commissioner of Finance and Treasurer, the report of the Physician Recruitment and Retention Committee and correspondence from Mayor Rowswell were accepted by Council. The relevant By-law 2004-90 is listed under item 10 of the Minutes.

Moved by Councillor T. Sheehan

Seconded by Councillor S. Butland

Resolved that City Council accepts the recommendations of the Finance Committee, the Commissioner of Finance and Treasurer and the Physician Recruitment and Retention Committee that \$611,161.00 from the 2003 Casino revenue be allocated to the Physician Recruitment Reserve in order for the Physician Recruitment and Retention Committee to complete their proposed agenda for 2004. CARRIED.

5. (bb) Jody Curran declared a pecuniary interest – family member is a potential recruit.
- (cc) Correspondence from the Ontario and Gaming Corporation concerning Quarterly Payment was received by Council.
- (dd) **Council Travel**
- Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that Councillor Lou Turco be authorized to attend the FONOM/NEOM Conference to be held in Mindemoya, Manitoulin Island, May 4 to 7, 2004 at an estimated cost of \$960.00. CARRIED.
- (ee) The report from the Commissioner of Finance and Treasurer concerning 2004 Budget was received by Council.
- (ff) Correspondence from the Ministry of Natural Resources concerning Bear Control Protocol with Police was received by Council.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (8) BOARDS AND COMMITTEES

(a) 2003 PUC Inc. and 2003 Public Utilities Commissioner Annual Reports

The 2003 PUC Inc. Annual Report and 2003 Public Utilities Commission Annual Report were received by Council.

Mayor J. Rowswell declared a pecuniary interest – son employed by Great Lakes Power.

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that Council appoint Mayor Rowswell as Council's proxy to vote on the resolution of the shareholder of PUC Inc. CARRIED.

Moved by Councillor S. Butland

Seconded by Councillor B. Hayes

Resolved that Council support PUC Inc. in its effort to recover \$2 million in lost rate hike revenue; and

Further that PUC Inc. request a meeting with appropriate Ministry of Energy officials through the office of M.P.P. D. Oraziatti. CARRIED.

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

- (a) Moved by Councillor S. Butland
Seconded by Councillor L. Turco
Be it resolved that By-law 76-185 and any other by-laws which may apply to non-operational vehicles parked in private driveways be forwarded to the Legal Department with consideration of making the enforcement of the intent of the above by-laws more stringent and therefore more enforceable;
Be it further resolved that a report be prepared for Council's consideration.
CARRIED.

- (b) Correspondence and information from Councillor S. Butland was accepted by Council.

Moved by Councillor S. Butland
Seconded by Councillor N. DelBianco
Be it resolved that Council request the Commissioner of Finance in corroboration with the City Solicitor to make appropriate representation to the Ministry of Consumer and Business Services to enact desired amendments to the Cemetery Act and also that the same request be forwarded to AMO through Councillor Turco. 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**

Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that all the by-laws listed under item 10 of the Agenda under date 2004 04 26, save and except By-law 2004-52, be approved. CARRIED.

- (a) Moved by Councillor D. Amaroso
Seconded by Councillor B. Hayes
Resolved that By-law 2004-52 being a by-law to stop up, close and authorize the conveyance of the unopened portion of St. Mary's Avenue be read a third time and passed in Open Council this 26th day of April, 2004. CARRIED.

10. (a) Recorded Vote

For: Mayor J. Rowswell, Councillors J. Caicco, J. Curran, J. Collins,
T. Sheehan, S. Butland, B. Hayes, D. Amaroso

Against: Councillors L. Turco, D. Celetti, N. DelBianco

Absent: Councillors P. Mick, F. Manzo

- (b) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-82 being a by-law to amend By-law 2002-194, being a by-law to establish non-union job classifications, be read three times and passed in Open Council this 26th day of April, 2004. CARRIED.
- (c) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-83 being a by-law to amend By-law 2004-68 for the management of waste and recycling in the City of Sault Ste. Marie be read three times and passed in Open Council this 26th day of April, 2004. CARRIED.
- (d) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-84 being a by-law to authorize an agreement between the City and PUC Services Inc. for the operation and maintenance of Pointe des Chenes Park water supply and distribution system be read three times and passed in Open Council this 26th day of April, 2004. CARRIED.
- (e) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-85 being a by-law to appoint or re-appoint a Property Standards Officer and Property Standards Inspectors and to repeal By-law 2002-222 be read three times and passed in Open Council this 26th day of April, 2004. CARRIED.
- (f) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-86 being a by-law to appoint or re-appoint Municipal Law Enforcement Officers to enforce the by-laws of the Corporation and to repeal By-law 2002-221 be read three times and passed in Open Council this 26th day of April, 2004. CARRIED.

10. (g) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-87 being a by-law to establish as streets and assume for public use various parcels of land conveyed to the City be read three times and passed in Open Council this 26th day of April, 2004. CARRIED.
- (h) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-88 being a by-law to authorize an agreement with the City and Ellwood Robinson Limited for the reconstruction of Second Line West – Phase I be read three times and passed in Open Council this 26th day of April, 2004. CARRIED.
- (i) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-89 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 and 4501 concerning lands located at 44 Great Northern Road be read three times and passed in Open Council this 26th day of April, 2004. (Canadian Tire) CARRIED.
- (j) Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that By-law 2004-90 being a by-law to authorize an agreement between the City, the City of Sault Ste. Marie Physician Recruitment and Retention Committee, Group Health Centre, Sault Area Hospital and Algoma West Academy of Medicine for the recruitment of physicians and health care professionals be read three times and passed in Open Council this 26th day of April, 2004. CARRIED.

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

- (a) Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that this Council shall now go into Caucus to discuss one labour relations and one property matter. CARRIED.

12.

ADJOURNMENT

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that this Council shall now adjourn. CARRIED.

"John Rowswell"

MAYOR

"Donna P. Irving"

CLERK