

## **MINUTES**

### **REGULAR MEETING OF CITY COUNCIL**

**2005 06 13**

**4:30 P.M.**

### **COUNCIL CHAMBERS**

**PRESENT:** Mayor J. Rowswell, 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, M. White, B. Freiburger, L. Bottos, J. Dolcetti, N. Apostle, P. McAuley, M. Kukoraitis, B. Wierzbicki, C. Belsito

1. **ADOPTION OF MINUTES**

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the Minutes of the Regular Council Meeting of 2005 05 30 be approved. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Evelyn Kuchma, Support Group Member, ALS was in attendance concerning Proclamation - Lou Gehrig Walkathon.
- (b) Darryl Bender, Account Manager, Zone 6 North; Mary Dawson-Cole, Manager of Customer Service Sault Ste. Marie and Sudbury Area; and Joanne West, Municipal Relations Representative, Municipal Property Assessment Corporation (MPAC) was in attendance at the invitation of Council.
- (c) Antonio Soave of Capistrano Films and Phil Esposito were in attendance concerning agenda item 5.(g).
- (d) Brian Curran, President and C.E.O., Public Utilities Inc. 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 J. Collins

Seconded by Councillor S. Butland

Resolved that all the items listed under date 2005 06 13 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from A.M.O. was received by Council.
- (b) The petition from residents of Churchill Avenue and Farwell Terrace requesting the relocation of overhead power lines near the new transportation route was received by Council.

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the petition from the residents of Churchill Avenue and Farwell Terrace requesting the relocation of overhead power lines near the transportation route BE REFERRED to appropriate staff for review and report back to Council. CARRIED.

- (c) The letter from the Minister of Community Safety and Correctional Services concerning municipal emergency management program was received by Council.
- (d) The letter from the President, Sault Ste. Marie Chamber of Commerce inviting City Council to participate in the 19<sup>th</sup> Annual International Bridge Walk was received by Council.
- (e) The request for a Special Occasion Permit for an event at a municipal facility was accepted by Council.

Moved by Councillor F. Manzo

Seconded by Councillor S. Butland

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

1) Roberta Bondar Tent

Pinetree Line Reunion 2005

July 7 to 10, 2005 from 6:00 p.m. to 1:00 a.m. CARRIED.

- (f) Correspondence from the City of North Bay and the City of Cambridge (concerning amendments to the Occupiers Liability Act and trail systems); Town of Niagara-on-the-Lake (concerning Property Assessment System) was received by Council.

5. (f) Moved by Councillor J. Caicco  
Seconded by Councillor J. Collins  
Resolved that Sault Ste. Marie City Council supports the resolutions from the Cities of North Bay and Cambridge concerning public use of Recreational Trail Systems and requests that the Minister of Municipal Affairs and Housing move to amend the Occupiers Liability Act so as to clearly establish that those using trail systems are deemed to do so at their own risk so that owners and volunteer organizations will not be held liable in any way for any damages arising from the use of trails by the public; and  
Further that a copy of this resolution be forwarded to Sault Ste. Marie M.P.P. David Oraziatti and to A.M.O. CARRIED.
- (g) Correspondence from Councillor S. Butland concerning the filming of "Ice Time" by Capistrano Films in Sault Ste. Marie was accepted by Council.
- Moved by Councillor S. Butland  
Seconded by Councillor T. Sheehan  
Be it resolved that City Council authorize an in-kind contribution not to exceed \$50,000.00 from the Economic Development Fund towards the filming of 'Ice Time' by Capistrano Films in Sault Ste. Marie. CARRIED.
- (h) Correspondence from the Ministry of Labour concerning Mandatory Retirement was received by Council.
- (i) Correspondence from Diane DeBello concerning the cat control by-law was received by Council.
- Moved by Councillor F. Manzo  
Seconded by Councillor J. Caicco  
Be it resolved that the correspondence from Diane DeBello concerning the cat control by-law BE REFERRED to the Legal Department for review and report back to Council. CARRIED.
- (j) Correspondence from Mayor J. Rowswell concerning the recent Mayors Conference was received by Council.
- Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Resolved that the correspondence from Mayor J. Rowswell concerning the recent Mayors of the Great Lakes and St. Lawrence Seaway Conference be accepted and the recommendation that an appropriate engineering staff member review the water level situation and report back to Council be approved. CARRIED.

5. (k) The letter from the Chief Executive Officer, Passport Canada concerning the establishment of a full passport office in Sault Ste. Marie was received by Council.
- (l) The letter from the Minister of Municipal Affairs concerning changes to the Building Code Act was received by Council.
- (m) **Council Travel**
- Moved by Councillor F. Manzo  
Seconded by Councillor S. Butland  
Resolved that Mayor John Rowswell and a representative of the Multi-Modal Transportation Committee be authorized to travel to North Bay, Ontario to make a presentation on behalf of the committee to a North Bay Economic Development Group in June 2005 at an estimated cost of \$500.00. CARRIED.
- Moved by Councillor J. Collins  
Seconded by Councillor J. Caicco  
Resolved that Councillor Lou Turco be authorized to travel to an Association of Municipalities of Ontario (AMO) Board of Directors Meeting being held in Oshawa, Ontario (two days in June) at an estimated cost of \$1,000.00 to the City. CARRIED.
- (n) **Staff Travel Requests**
- The report of the Chief Administrative Officer was accepted by Council.
- Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2005 06 13 be approved as requested. CARRIED.
- (o) **The Great Tugboat Race (Sault Ste. Marie) Inc. - Request for Financial Assistance**
- The report of the Manager of Finance and Audits was accepted by Council.
- Moved by Councillor F. Manzo  
Seconded by Councillor J. Caicco  
Resolved that the report of the Manager of Finance and Audits dated 2005 06 13 concerning the Great Tugboat Race (Sault Ste. Marie) Inc. - Request for Financial Assistance be accepted and the recommendation that assistance be provided be approved. CARRIED.

5. (p) **Five Year Investment Plan - Ontario Ministry of Public Infrastructure Renewal**

The report of the Commissioner of Finance and Treasurer was accepted by Council.

Moved by Councillor F. Manzo

Seconded by Councillor S. Butland

Resolved that the report of the Commissioner of Finance and Treasurer dated 2005 06 06 concerning Five Year Investment Plan - Ontario Ministry of Public Infrastructure Renewal be accepted as information. CARRIED.

(q) **Citizen Appreciation Day**

The report of the Corporate Affairs Officer was accepted by Council.

Moved by Councillor F. Manzo

Seconded by Councillor S. Butland

Resolved that the report of the Corporate Affairs Officer dated 2005 06 13 concerning Citizen Appreciation Day be accepted and the recommendation that Citizen Appreciation Day be held September 23, 2005 at an estimated cost of \$5,000.00 with funding from the Unforeseen Expense Account be approved. CARRIED.

(r) **Tender for IBM Storage Expansion Unit**

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

Moved by Councillor J. Collins

Seconded by Councillor S. Butland

Resolved that the report of the Manager of Purchasing dated 2005 06 13 be endorsed and that the tender for the supply and delivery of an IBM Storage Expansion Unit, required by the Information Technology Division, be awarded as recommended. CARRIED.

(s) **Tender for Exterior and Garden Window Units - Civic Centre**

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

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the report of the Manager of Purchasing dated 2005 06 13 be endorsed and that the tender for the supply and installation of Exterior and Garden Window Units at the Civic Centre, required by the Building Services Division, be awarded as recommended. CARRIED.

(t) **RFP - Building and Equipment Appraisal Services**

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

5. (t) Moved by Councillor F. Manzo  
Seconded by Councillor S. Butland  
Resolved that the report of the Manager of Purchasing dated 2005 06 13 be endorsed and that the proposal for the provision of Building and Equipment Appraisal Services, required by the Legal Department, be awarded as recommended. CARRIED.
- (u) **Tender for RS2 Emulsified Asphalt and M.T.O. Prime**  
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor J. Collins  
Seconded by Councillor J. Caicco  
Resolved that the report of the Manager of Purchasing dated 2005 06 13 be endorsed and that the tender for the supply and delivery of RS2 Emulsified Asphalt and M.T.O. Prime, required by the Public Works and Transportation Department, be awarded as recommended. CARRIED.
- (v) **Tender for Refurbishing of One (1) SSM Transit Coach**  
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Resolved that the report of the Manager of Purchasing dated 2005 06 13 be endorsed and that the tender for Refurbishing One (1) SSM Transit Coach, required by the Transit Division of the Public Works and Transportation Department, be awarded as recommended. CARRIED.
- (w) **RFP - Digital Photocopier Equipment Lease**  
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor F. Manzo  
Seconded by Councillor J. Caicco  
Resolved that the report of the Manager of Purchasing dated 2005 06 13 be endorsed and that the proposal to replace Four (4) Decentralized Convenience Copiers, required by Office Services of the Clerk's Department, be awarded as recommended. CARRIED.
- (x) **Sault Ste. Marie Sports and Entertainment Centre - Sale of Alcohol During Events**  
The report of the Commissioner of Community Services was accepted by Council.

5. (x) Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Resolved that the report of the Commissioner of Community Services dated 2005 06 13 concerning Sault Ste. Marie Sports and Entertainment Centre - Sale of Alcohol During Events be accepted and the recommendation that Council approve the sale of alcohol at the new Centre and that staff be authorized to take the next steps to make application to the Provincial Government for this to occur be approved. CARRIED.

Recorded Vote

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

Against: Councillors D. Celetti, F. Manzo, D. Amaroso

Absent: Nil

(y) **Sault Ste. Marie Truck Route Costs**

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

Moved by Councillor J. Collins

Seconded by Councillor J. Caicco

Resolved that the report of the Director of Engineering Design and Buildings dated 2005 06 13 concerning Sault Ste. Marie Truck Route Costs be accepted as information. CARRIED.

(z) **OMB Appeal - Application A-13-05-Z - J. Lucas - 7 North Eden Street**

The petition concerning this item was accepted by Council.

Moved by Councillor J. Collins

Seconded by Councillor S. Butland

Whereas Zoning By-law 2005-74 was passed by City Council on April 25, 2005 concerning lands located on Part of Lot 17, Plan M-112 being part of part 31, Plan AR-148 being part of parcel 7853, AWS and having civic address 7 North Eden Street; and

Whereas after public notice was given in accordance with the Planning Act, R.S.O., an appeal for this by-law, of which a copy is attached to this resolution, was presented to City Council and was duly considered by Council at its meeting on June 13, 2005;

Now therefore be it resolved that application be made to the Ontario Municipal Board for dismissal of this appeal. (John Lucas) CARRIED.

5. (aa) **Parking Meters at Sault Area Hospital and Group Health Centre**  
The report of the City Solicitor was accepted by Council. The relevant By-law 2005-101 is listed under item 10 of the Minutes.
- (bb) **Surface Treatment Program - 2005**  
The report of the Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor F. Manzo  
Seconded by Councillor J. Caicco  
Resolved that the report of the Commissioner of Public Works and Transportation dated 2005 06 13 concerning the Surface Treatment Program - 2005 be accepted and that the program as recommended be approved. CARRIED.
- (cc) **2005 Sidewalk and Curb Repair Programs**  
The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor F. Manzo  
Seconded by Councillor S. Butland  
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2005 06 13 concerning the 2005 Sidewalk and Curb Repair Programs be accepted and that the programs as recommended be approved. CARRIED.
- (dd) **Retail Sales of Refuse Tags**  
The report of the Waste Diversion Supervisor was accepted by Council.
- Moved by Councillor F. Manzo  
Seconded by Councillor J. Caicco  
Resolved that the report of the Waste Diversion Supervisor dated 2005 06 13 concerning the Retail Sales of Refuse Tags and the recommendation to authorize the Commissioner of Finance and Treasurer to sign individual Letters of Understanding with retail establishments be approved. CARRIED.
- (ee) **Municipalities of Algoma - Use of Household Special Waste Facility**  
The report of the Waste Diversion Supervisor was accepted by Council. The relevant By-laws 2005-111 and 2005-112 are listed under item 10 of the Minutes.
- (ff) **First Draft of the New Comprehensive Zoning By-law**  
The report of the Planning Division was accepted by Council.



5. (ff) Moved by Councillor J. Collins  
Seconded by Councillor S. Butland  
Resolved that the report of the Planning Division dated 2005 06 13 concerning the First Draft of the New Comprehensive Zoning By-law be accepted and the Planning Director's recommendation that City Council accept this report as information be endorsed. CARRIED.
- (gg) Correspondence from Mayor J. Rowswell concerning Lowestoft - Sault Ste. Marie: The Tale of Two Cities was received by Council.

## **PART TWO – REGULAR AGENDA**

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

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

##### **(a) 2004 PUC Inc. and 2004 Public Utilities Commission Annual Reports**

The 2004 PUC Inc. Annual Report and 2004 Public Utilities Commission Annual Report were received by Council.

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

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 B. Hayes

Seconded by Councillor N. DelBianco

Whereas regulatory burden in both the electrical and water sectors continues to increase; and

Whereas the need for a higher rate of capital replacement in our electrical distribution system will put additional pressure on the P.U.C. cash flow; and

Whereas it has been noted in the President and C.E.O.'s Annual Report that if the financial structure to reduce the debt load does not change it will be extremely difficult to meet future cash flow obligations; and

Whereas the sustainability of the dividend to the City may be in jeopardy;

Therefore be it resolved that Council refer the financial report and statements of the P.U.C. to the Finance Committee for review and report back to Council. CARRIED.

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

- (a) Moved by Councillor T. Sheehan  
Seconded by Councillor S. Butland  
Whereas the Film and Television Industry (A&E) contributes millions of dollars annually to Ontario's economy; and  
Whereas more production companies continue to look for film locations outside of the City of Toronto; and  
Whereas the Northern Ontario Heritage Fund has now implemented a program to make funding available to assist in the making of films in Northern Ontario; and  
Whereas the City of Sault Ste. Marie has proven that it can successfully partner with film and television companies, i.e. "Looking For Angelina" and SportsNet's "Eco Challenge North American Championships", etc.; and  
Whereas the City of Sault Ste. Marie is now delighted to have the opportunity for further filming in our community in partnership with the makers of "Ice Time";  
Now therefore be it resolved that City Council receives and supports the following recommendations from the A&E Economic Opportunities Working Committee:
1. That the Economic Development Corporation be asked to report back to City Council in the near future with recommendations on a Film and TV Marketing Attraction Campaign for Council's consideration, to be funded from the Economic Diversification Fund.
  2. That the EDC apply to the senior levels of government for funding assistance in the implementation of such a campaign including funding for a Film/TV Development Intern to be utilized for the research and development and servicing of the film industry.
  3. That the Ontario Media Development Corporation be contacted with a request to provide assistance to the film makers prior to and during the filming of "Ice Time".
  4. That the appropriate City staff review the need for licensing and/or permits for any commercial filming to be done in our community as a way of controlling and assisting in the organization of such activity.
  5. That the City's Corporate Affairs Officer be requested to develop a communications plan which will inform the citizens of Sault Ste. Marie about possible street closures and other disruptions which may occur during any filming in our community including for the upcoming movie, "Ice Time".
  6. That the EDC be requested to assign Patti Kidd as the Interim Film Facilitator for one-stop service until such time as other staff, including possibly an intern, are hired for such purpose. 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 F. Manzo

Seconded by Councillor J. Caicco

Resolved that all the by-laws listed under Item 10 of the Agenda and Addendum #1 under date 2005 06 13 be approved. CARRIED.

(a) Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that By-law 2005-101 being a by-law to amend the TEXT of Traffic By-law 77-200 with respect to parking meters be read three times and passed in Open Council this 13<sup>th</sup> day of June, 2005. CARRIED.

(b) Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that By-law 2005-103 being a by-law to adopt Amendment No. 81 to the Official Plan be read three times and passed in Open Council this 13<sup>th</sup> day of June, 2005. CARRIED.

(c) Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that By-law 2005-104 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 regarding lands located at 219 Great Northern Road and further be it resolved that By-law 2005-105 being a by-law to designate 219 Great Northern Road as an area of site plan control be read three times and passed in Open Council this 13<sup>th</sup> day of June, 2005. (Fausto DiTommaso) CARRIED.

(d) Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that By-law 2005-106 being a by-law to amend Sault Ste. Marie Zoning By-law 4500 and 4501 concerning lands located at 534 Great Northern Road be read three times and passed in Open Council this 13<sup>th</sup> day of June, 2005. (Fausto DiTommaso) CARRIED.

(e) Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that By-law 2005-110 being a by-law to authorize an agreement between the City and Her Majesty the Queen in Right of Ontario as represented by the Minister of Municipal Affairs and Housing to fund the Supervisory Control and Data Acquisition (SCADA) system for the water pollution control plants and pumping stations be read three times and passed in Open Council this 13<sup>th</sup> day of June, 2005. CARRIED.

10. (f) Moved by Councillor F. Manzo  
Seconded by Councillor J. Caicco  
Resolved that By-law 2005-111 being a by-law to authorize the Commissioner of Public Works and Transportation or his designate, to sign standard form Household Waste Facility agreements be read three times and passed in Open Council this 13<sup>th</sup> day of June, 2005. CARRIED.
- (g) Moved by Councillor F. Manzo  
Seconded by Councillor J. Caicco  
Resolved that By-law 2005-112 being a by-law to authorize an agreement with the City and the Municipality of Tarbutt and Tarbutt Additional, The Incorporated Village of Hilton Beach and The Corporation of the Township of Johnson for the use of the Household Special Waste Facility be read three times and passed in Open Council this 13<sup>th</sup> day of June, 2005. CARRIED.

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

12. **ADDENDUM TO THE AGENDA**

13. **ADJOURNMENT**

Moved by Councillor F. Manzo  
Seconded by Councillor S. Butland  
Resolved that this Council shall now adjourn. CARRIED.

\_\_\_\_\_  
"John Rowswell"

**MAYOR**

\_\_\_\_\_  
"Donna P. Irving"

**CLERK**