

MINUTES

REGULAR MEETING OF CITY COUNCIL

2005 05 09

5:00 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, D. Irving, N. Kenny, P. McAuley, N. Apostle, B. Freiburger, K. Streich-Poser, J. Dolcetti, L. McCoy, D. McConnell, M. Kukoraitis, B. Strapp, J. Elliott, D. Elliott

1. **ADOPTION OF MINUTES**

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that the Minutes of the Regular and Budget Council Meetings of 2005 04 25 be approved. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Kevin Lamour, Financial Advisor, Algoma Financial Services was in attendance concerning Proclamation - Financial Planning Week.
- (b) Margaret Nicholson, Elks and Royal Purple of Canada was in attendance concerning Proclamation - Hearing and Speech and Hearing Awareness Month.
- (c) Sue Kinnard, Representative of Falun Dafa was in attendance concerning Proclamation - Falun Dafa Day.
- (d) Linda Crockford, Marketing Coordinator, Victorian Order of Nurses was in attendance concerning Proclamation - VON Week.
- (e) Joyce Milligan, Women's President of Princess Marie Jose Lodge, Order Sons of Italy of Canada was in attendance concerning Proclamation - Order Sons of Italy of Canada Week.

4. (f) Jerry Dolcetti, Commissioner of Engineering and Planning was in attendance concerning Proclamation - International Building Safety Week.
- (g) David Stokes, Manager Emergency Medical Services, Sault Ste. Marie Fire Services was in attendance concerning Proclamation - Emergency Medical Services Week.
- (h) Don Mitchell, President, Chamber of Commerce Board of Directors and on behalf of Multi Modal Transportation Committee was in attendance concerning Proclamation - Customer Service Week and 7.(c).
- (i) Dina Guido, Public Relations Coordinator, Community Living Algoma was in attendance concerning Proclamation - Community Living Awareness Week.
- (j) Bill Walker, Chair, Sault Area Hospital Board of Directors was in attendance with a timeline update on the new Hospital Project.
- (k) Pierrette Brown was in attendance concerning agenda item 5.(u).
- (l) Helen Girard was in attendance concerning agenda item 6.(5)(a).
- (m) Peter Bortolussi, Kathy Lemieux, Rick Talvitie and Roy Bertolo were in attendance concerning agenda item 6.(6)(a).
- (n) Michael O'Shea, Sault/Sudbury Passenger Train Initiative 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 D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that all the items listed under date 2005 05 09 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO and FCM was received by Council.
- (b) Letters from Sault Area Hospital to the Minister of Health and Long-Term Care and to David Oraziatti, M.P.P. Sault Ste. Marie were received by Council.

5. (b) Moved by Councillor D. Amaroso
Seconded by Councillor S. Butland
Whereas a new Hospital has been City Council's highest priority for several years; and
Whereas City Council recognizes that a new Hospital is the highest priority for the entire community of Sault Ste. Marie and surrounding area; and
Whereas Council has committed a contribution and financing towards the new Hospital totalling \$29.5 million;
Now therefore be it resolved that Council expresses its sincere appreciation to the Minister of Health and Long-Term Care the Honourable George Smitherman; M.P.P. Sault Ste. Marie David Oraziatti; M.P.P. Algoma-Manitoulin Michael Brown; and Sault Area Hospital's Board of Directors and staff for their dedication and support for the new Hospital Project and the recent announcement of the functional program approval. CARRIED.
- (c) The letter from the M.P.P. Oshawa concerning private members legislation Bill 165 The Elected Officials Immunity Act 2004 was received by Council.
- (d) Correspondence from Contact North concerning the document "Creating Our Future - A New Vision for Northern Ontario" released in March 2005 by the Northern Ontario Large Urban Mayors, Northwestern Ontario Municipal Association and the Federation of Northern Ontario Municipalities was received by Council.
- (e) The letter from the Minister of State (FedNor), Minister Responsible for COMRIF announcing that the Government of Canada and Ontario will each invest up to \$1,226,667.00 in funding toward City Project 11627 - installation of Supervisory Control and Data Acquisition Systems for Water Pollution Control Plants and Sewage Pumping Stations, Rehabilitation of Overflow Structures was received by Council.
- (f) The letter from the Minister of Economic Development and Trade in response to a Council resolution concerning Casino Sault Ste. Marie was received by Council.
- Councillor B. Hayes declared a pecuniary interest - employed by Ontario Lottery and Gaming Corporation.
- (g) Correspondence from the Township of King (concerning Career Firefighters Working as Volunteers - "Two Hatters"); the County of Prince Edward (concerning MOE municipal responsibility agreements and private single-owner sewage works); Town of Parry Sound (concerning Policing Costs); the Town of East Gwillimbury (concerning royalty payments to lower tier municipalities under the Aggregates Act; the COMRIF Program funding eligibility; the formula for Gasoline Tax Rebates); Algoma District Municipal Association (concerning a

5. (g) Township of Macdonald Merrideth and Aberdeen Additional resolution about construction of new four-lane highway; an ADMA resolution concerning population decline in Northern Ontario; an ADMA resolution concerning the Cap-Site Program; an ADMA resolution concerning Algoma Manor Nursing Home) was received by Council.
- (h) The letter from the Minister of Finance concerning the 2005 Federal Budget and the New Deal for Cities and Communities was received by Council.
- (i) The letter from CN Railway concerning Proposed Sault Ste. Marie Intermodal Facility was received by Council.
- (j) Requests for Special Occasion Permits for events at municipal facilities were accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor J. Curran

Resolved that the following requests to hold Special Occasion Permit events at municipal facilities on the stated dates and times be endorsed by City Council:

- 1) Roberta Bondar Pavilion
Baber/Mazzuca Wedding
August 20, 2005 - 4:00 p.m. to 1:00 a.m.
- 2) Roberta Bondar Pavilion
Marconi Club Italian Festival
July 31, 2005 - 1:00 p.m. to 11:00 p.m.
- 3) Roberta Bondar Pavilion
Skinner Wedding Reception
May 21, 2005 - 8:00 p.m. to 1:00 a.m.
- 4) Strathclair Park Ballfield "A"
Smack Daddy's Slo-Pitch Tournament
June 3, 2005 - 4:00 p.m. to 10:00 p.m.; June 4, 2005 - 11:00 a.m. to 10:00 p.m.

(k) **Council Travel**

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that Mayor John Rowswell be authorized to travel to Quebec City, Quebec to attend the Annual Conference of the Great Lakes and St. Lawrence Mayors in May, 2005 at an estimated cost of \$2,700.00. CARRIED.

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that Mayor John Rowswell be authorized to attend Algoma Steel Inc. Annual General Meeting being held in Toronto (one day in May) at an estimated cost of \$1,300.00. CARRIED.

5. (l) **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 2005 04 25 be approved as requested. CARRIED.

(m) **Municipal Heritage Committee Travel**

The memo from the Manager of Recreation and Culture was received by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that Kelly Marshall, Chairperson Historic Sites Board and member Municipal Heritage Committee be authorized to attend a seminar on Regulations and Guidelines under the new Ontario Heritage Act being held in Sudbury (one day in May) at no cost to the City. CARRIED.

(n) **Tender for Maintenance Hole and Catchbasin Frames and Covers**

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

Moved by Councillor D. Celetti

Seconded by Councillor J. Curran

Resolved that the report of the Manager of Purchasing dated 2005 05 09 be endorsed and that the tender for the supply and delivery of Maintenance Hole and Catchbasin Frames and Covers, required by the Public Works and Transportation Department, be awarded as recommended. CARRIED.

(o) **Property Tax Appeals**

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

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that pursuant to Section 357 of the Municipal Act 2001, the adjustments for tax accounts outlined on the City Tax Collector's report of 2005 05 09 be approved and the tax records be amended accordingly. CARRIED.

(p) **2005 Tax Billing**

The report of the City Tax Collector was accepted by Council. The relevant By-laws 2005-80 to 2005-83 and 2005-87 to 2005-90 are listed under item 10 of the Minutes.

(q) **Rotaryfest - Request for Financial Assistance**

The report of the Manager of Finance and Audits was accepted by Council.

5. (q) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that the report of the Manager of Finance and Audits dated 2005 05 09 concerning 2005 Rotaryfest - Request for Financial Assistance be accepted and the recommendation to provide municipal financial support to Rotaryfest through in-kind services valued at a total estimated cost of \$11,350.00 be approved. CARRIED.
- (r) **Council Travel Policy**
The report of the Commissioner of Finance and Treasurer was accepted by Council.
- Moved by Councillor B. Hayes
Seconded by Councillor T. Sheehan
Resolved that the report of the Commissioner of Finance and Treasurer dated 2005 05 09 concerning Council Travel Policy be received and that the amendments and updates as recommended by the Finance Committee be approved AS AMENDED. CARRIED.
- Moved by Councillor D. Amaroso
Seconded by Councillor S. Butland
Resolved that the report of the Commissioner of Finance and Treasurer dated 2005 05 09 concerning Council Travel Policy be received and that the amendments and updates, minus the first statement regarding not requiring Council resolution for travel within Canada and the U.S., be approved. CARRIED.
- (s) **Ontario Works Intake Function Returns to Local Office**
The report of the Commissioner of Social Services was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor J. Curran
Resolved that the report of the Commissioner of Social Services dated 2005 05 04 concerning Ontario Works Intake Function Returns to Local Office be accepted as information. CARRIED.
- (t) **Financial Assistance Request From Algoma Family Services - Family Life Theatre Program**
The report of the Manager of Recreation and Culture was accepted by Council.

5. (t) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Manager of Recreation and Culture on behalf of the Cultural Advisory Board dated 2005 05 09 concerning Financial Assistance Request From Family Life Theatre Program be accepted and the recommendation to provide a \$1,250.00 grant to Family Life Theatre Program (participating in Theatre Ontario Festival - Belleville, ON, May 18 - 22) be approved. CARRIED.

(u) **Sault North Rotary Club - Dragon Boat Festival Committee Request for Financial Assistance**

The reports of the Commissioner of Community Services and the Manager of Finance and Audits were accepted by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that the reports of the Commissioner of Community Services and the Manager of Finance and Audits dated 2005 05 09 concerning Sault North Rotary Club - Dragon Boat Festival - Committee Request for Financial Assistance be accepted and the recommendation that Council deny the request for waiving the rental rate and percentage of the food and beverage sales for the 2005 Dragon Boat Festival be approved. CARRIED.

Recorded Vote

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

Against: Mayor J. Rowswell, Councillors L. Turco, T. Sheehan, F. Manzo

Absent: Nil

(v) **Ermatinger-Clergue National Historic Site - Ermatinger Old Stone House Interpretation/Restoration Project**

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 on behalf of the Historic Sites Board dated 2005 05 09 concerning Ermatinger-Clergue National Historic Site - Ermatinger Old Stone House Interpretation/Restoration Project be accepted and the recommendation to enter into an agreement with Commonwealth Historic Resource Management for an amount not to exceed \$30,000.00 for the design portion of the Interpretation Program for the Ermatinger Old Stone House be approved. CARRIED.

5. (w) **Contract 2005-4E - Northern Avenue Pumping Station Diversion**
The report of the Commissioner of Engineering and Planning was accepted by Council. The relevant By-law 2005-85 is listed under item 10 of the Minutes.
- (x) **Contract 2005-1E - Reconstruction of Second Line West - Farwell Terrace to Korah Road**
The report of the Manager of Construction and Environmental Engineering was accepted by Council. The relevant By-law 2005-86 is listed under item 10 of the Minutes.
- (y) **Resurfacing of City Streets - 2005**
The report of the Manager of Construction and Environmental Engineering was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor J. Curran
Resolved that the report of the Manager of Construction and Environmental Engineering dated 2005 05 09 concerning Resurfacing of City Streets 2005 be accepted as information. CARRIED.
- (z) **Landfill Site, Operations and Monitoring - Environmental Monitoring Committee**
The report of the Manager of Construction and Environmental Engineering was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Manager of Construction and Environmental Engineering dated 2005 05 09 concerning Landfill Site Operations and Monitoring - Environmental Monitoring Committee be accepted as information. CARRIED.
- (aa) **Development of the New Sault Area Hospital Property**
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 2005 05 09 concerning Development of the New Sault Area Hospital Property be accepted and the recommendation contained therein be approved. CARRIED.
- (bb) **Ontario Fire Services Grant**
The report of the Fire Chief was accepted by Council.

5. (bb) Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that the report of the Fire Chief dated 2005 05 09 concerning Ontario Fire Services Grant be accepted and the recommendation that the grant in the amount of \$178,000.00 be placed in a Reserve Account to be used as determined for Fire Services training, equipment and fire prevention education programs be approved. CARRIED.
- (cc) **Lease Renewal - Lions Club - Pointe des Chenes Park**
The report of the City Solicitor was accepted by Council. The relevant By-law 2005-84 is listed under item 10 of the Minutes.
- (dd) **2005 Ditching Program**
The report of the Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor J. Curran
Resolved that the report of the Commissioner of Public Works and Transportation dated 2005 05 09 concerning the 2005 Ditching Program be accepted as information. CARRIED.
- (ee) **Ontario Heritage Act Designation - Sault Ste. Marie Cenotaph and the Rotary Welcome Cairns**
The report of the Chairperson, Sault Ste. Marie Municipal Heritage Committee was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Chairperson, Sault Ste. Marie Municipal Heritage Committee dated 2005 05 09 concerning Ontario Heritage Act Designation - Sault Ste. Marie Cenotaph and Rotary Welcome Cairns be accepted and further that the request that City Council support the designation reports and resolutions of the Heritage Committee to designate the Sault Ste. Marie Cenotaph and the Rotary Welcome Cairns under Part IV of the Ontario Heritage Act be approved. CARRIED.
- (ff) **Sale of Former F. J. Davey Home**
The report of the Commissioner of Finance and Treasurer was accepted by Council.

5. (ff) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that the report of the Commissioner of Finance and Treasurer dated 2005 05 09 concerning Sale of Former F. J. Davey Home be accepted and the recommendation that the proceeds from the sale of the former F. J. Davey Home property be transferred to the 2005 Economic Diversification Fund be approved. CARRIED.
- (gg) The letter from the Leader, New Democratic Party of Canada in response to Mayor Rowsell's letter concerning "New Deal for Municipalities and Share of Federal Gas Tax" was received by Council.

PART TWO – REGULAR AGENDA

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

6. (5) **LEGAL**

(a) **Municipal Jurisdiction and Bee Keeping**

The report of the Assistant City Solicitor was received by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that the report of the Assistant City Solicitor dated 2005 05 09 concerning Municipal Jurisdiction and Bee Keeping be accepted as information. CARRIED.

Moved by Councillor S. Butland

Seconded by Councillor J. Caicco

Resolved that City Council request immediate action to remediate the abandoned "apiary" located at 2625 Queen Street East; and
Further that appropriate staff with further affidavit evidence from the neighbours determine whether or not the property ever did or continues to enjoy legal non-conforming status, with appropriate action to follow. CARRIED.

6. (6) **PLANNING**

(a) **Proposed Amendment to Section 2.4 of Part VI and Schedule "D" of the City of Sault Ste. Marie Official Plan – A-10-05-OP – Transportation**

The report of the Planning Division was accepted by Council.

6. (6)

- (a) Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that the report of the Planning Division dated 2005 05 09 concerning Application No. A-10-05-OP - Transportation be accepted and the Planning Director's recommendation that City Council approve Official Plan Amendment No. 81 to Section 2.4 of Part VI, and Transportation Schedule (Schedule "D") of the City of Sault Ste. Marie Official Plan be endorsed. CARRIED.

Recorded Vote

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

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

Absent: Nil

- (b) **Application No. A-15-05-Z – 2125 Great Northern Road – Brandes Aggregates Limited – Request to add a Composting Yard for Leaf and Yard Waste**

The report of the Planning Division was received by Council.

Moved by Councillor N. DelBianco

Seconded by Councillor J. Curran

Resolved that the report of the Planning Division dated 2005 05 09 concerning Application No. A-15-05-Z - Brandes Aggregates Limited be accepted and the Planning Director's recommendation that Council approve rezoning the subject property by way of a Special Exception to add a "Municipal Leaf and Yard Waste Composting Site" as a permitted use subject to the 5 conditions contained in the report be endorsed. DEFEATED.

Recorded Vote

For: Mayor J. Rowswell, Councillors J. Caicco, J. Curran, J. Collins, N. DelBianco

Against: Councillors P. Mick, L. Turco, D. Celetti, T. Sheehan, S. Butland, B. Hayes, F. Manzo, D. Amaroso

Absent: Nil

6. (6)
(b) Moved by Councillor T. Sheehan
Seconded by Councillor J. Curran
Resolved that the City Public Works and Transportation Department undertake the 2005 Yard and Waste Composting Program at the City's landfill site at an estimated cost of about \$15.00 per tonne under a provisional Certificate of Approval to do so; and
Further be it resolved that a full report to Council on the final costs and efficacy of the program be brought to Council early in the new year. DEFEATED.

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

(a) **Request for Financial Assistance - Feasibility Study for Re-Establishment of a Passenger Rail Service Between Sault Ste. Marie and Sudbury**

The report of the C.E.O., Economic Development Corporation was accepted by Council. The report from Michael O'Shea, Sault/Sudbury Passenger Train Initiative was received by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that the report of the C.E.O., Economic Development Corporation dated 2005 05 05 concerning Passenger Rail Service Feasibility Study From Sault Ste. Marie to Sudbury be accepted and the 4 recommendations contained therein be approved and that the \$5,000.00 budget for the feasibility study come from the Economic Diversification Fund. CARRIED.

Councillor D. Celetti declared a pecuniary interest - employed by CN Rail.

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

(a) Moved by Councillor S. Butland

Seconded by Councillor J. Caicco

Whereas the functional plan for the new hospital has been approved; and

Whereas any infrastructure improvement funds have already been allocated;

Be it resolved that Council request staff to proceed with the necessary infrastructure preparations (eg., roadways, sewers, etc.) to complement whatever other immediate infrastructure initiatives may be taken by the Sault Area Hospitals. (WITHDRAWN BY THE MOVER/SECONDER) OFFICIALLY READ NOT DEALT WITH.

7. (b) Moved by Councillor P. Mick
Seconded by Councillor D. Amaroso
Whereas Council dedicated at least 40 hours/week ice time at John Rhodes Arena as well as \$15,000.00 grant money; and
Whereas Dr. S. Buehner requested additional hours (several months ago) for the Sault Female Hockey Association, and has yet to receive a response; and
Whereas we have received a petition from organizers, parents and volunteers with the S.F.H.A.;
Be it resolved that the City of Sault Ste. Marie give the S.F.H.A. fair and equitable consideration with a report from the Parks and Recreation Advisory Committee back to Council. CARRIED.

The letter from the Sault Female Hockey Association to the Parks and Recreation Advisory Committee was received by Council.

- (c) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that representatives of City Council, the Multi-Modal Transportation Committee, Chamber of Commerce, Economic Development Corporation and City staff along with Bill Therriault of Destiny Sault Ste. Marie meet to prepare an appropriate response to CN's letter dated April 27, 2005. CARRIED.

Councillor D. Celetti declared a pecuniary interest - employed by CN Rail.

Moved by Councillor B. Hayes
Seconded by Councillor D. Amaroso
Resolved that agenda item 7.(c) [Butland/Caicco resolution regarding CN Meeting] BE DEFERRED to the May 30th Council Meeting. CARRIED.

Councillor D. Celetti declared a pecuniary interest - employed by CN Rail.

Moved by Councillor S. Butland
Seconded by Councillor J. Caicco
Be it resolved that a Committee of Council and appropriate staff request an opportunity to meet with CN officials to discuss recent communications, media coverage, prospective CN - City initiatives with the intent of reaching some level of understanding on how best to move forward on several fronts in cooperation with CN. OFFICIALLY READ NOT DEALT WITH.

Councillor D. Celetti declared a pecuniary interest - employed by CN Rail.

7. (d) Notice of Motion

Mover Councillor J. Collins

Seconder

Whereas employees and councillors of the City of Sault Ste. Marie have encountered numerous problems with accessibility and reliability regarding current Information Technology (IT) infrastructure; and

Whereas these set backs may be affecting the efficiency in which City employees and councillors are able to conduct daily operations;

Therefore be it resolved that the IT department engage an outside IT consultant to perform an assessment of our existing IT infrastructure; this report is to include an overview of the problems users experience with the IT equipment, the quality of existing IT equipment, and the ability of internal IT staff to address the IT support requirements of city employees; and

Further be it resolved that staff bring this report back to Council by June 27th.

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 J. Curran

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2005 05 09, [save and except 2005-94 (Brandes Zoning By-law)] be approved.

(a) Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that By-law 2005-79 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 9th day of May, 2005. CARRIED.

(b) Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that By-law 2005-80 being a by-law to provide for the adoption of taxation transition ratios be read three times and passed in Open Council this 9th day of May, 2005. CARRIED.

(c) Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that By-law 2005-81 being a by-law to provide for the adoption of property tax rates for 2005 be read three times and passed in Open Council this 9th day of May, 2005. CARRIED.

10. (d) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2005-82 being a by-law to provide for the adoption of education taxation rates as established by the Province of Ontario be read three times and passed in Open Council this 9th day of May, 2005. CARRIED.
- (e) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2005-83 being a by-law to provide for the adoption of property tax rates for 2005 for both municipal and education be read three times and passed in Open Council this 9th day of May, 2005. CARRIED.
- (f) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2005-84 being a by-law to renew the lease agreement between the City and the Lions Club for the operation of Pointe des Chenes Park for a period of five years be read three times and passed in Open Council this 9th day of May, 2005. CARRIED.
- (g) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2005-85 being a by-law to authorize an agreement between the City and Possamai Construction for the reconstruction of a sanitary sewer for the Northern Avenue pumping station diversion (Contract No. 2005-4E) be read three times and passed in Open Council this 9th day of May, 2005. CARRIED.
- (h) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2005-86 being a by-law to authorize an agreement between the City and Pioneer Construction Ltd. for the reconstruction of Second Line West from Farwell Terrace to Korah Road (Contract No. 2005-1E) be read three times and passed in Open Council this 9th day of May, 2005. CARRIED.
- (i) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2005-87 being a by-law to provide for the adoption of recovery percentages for the 2005 taxation year be read three times and passed in Open Council this 9th day of May, 2005. CARRIED.
- (j) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2005-88 being a by-law to provide for 2005 Final Tax Billing be read three times and passed in Open Council this 9th day of May, 2005. CARRIED.

10. (k) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2005-89 being a by-law to adopt optional tools for the purposes of administering limits for eligible properties within the meaning of Section 331 (New Construction) for the commercial, industrial and multi-residential property classes be read three times and passed in Open Council this 9th day of May, 2005. CARRIED.
- (l) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2005-90 being a by-law to adopt optional tools for the purposes of administering limits for the commercial, industrial and multi-residential property classes be read three times and passed in Open Council this 9th day of May, 2005. CARRIED.
- (m) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2005-91 being a by-law to adopt Amendment No. 98 to the Official Plan be read three times and passed in Open Council this 9th day of May, 2005. (Andre Riopel) CARRIED.
- (n) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2005-92 being a by-law to amend Sault Ste. Marie Zoning By-laws 4500 and 4501 concerning lands located at 162 Old Garden River Road and further be it resolved that By-law 2005-93 being a by-law to designate 162 Old Garden River Road as an area of site plan control be read three times and passed in Open Council this 9th day of May, 2005. (Andre Riopel) CARRIED.
- (o) Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that By-law 2005-94 being a by-law to amend Sault Ste. Marie Zoning By-laws 4500 and 4501 concerning lands located at 2125 Great Northern Road be read three times and passed in Open Council this 9th day of May, 2005. (Brandes Aggregates Limited). OFFICIALLY READ NOT DEALT WITH.

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. Collins
Resolved that Council suspend By-law 99-100 Procedure By-law to allow for completion of this evening's agenda exceeding the 5 hour time limit. CARRIED.

12. **ADJOURNMENT**

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

"John Rowswell"

MAYOR

"Donna Irving"

CLERK