

MINUTES

REGULAR MEETING OF CITY COUNCIL

2005 01 24

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, L. Bottos, P. McAuley, N. Apostle, B. Freiburger, J. Dolcetti, K. Streich-Poser, J. Luszka

1. **ADOPTION OF MINUTES**

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

Resolved that the Minutes of the Regular Council Meeting of 2005 01 10 be approved. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Benita Brogno, President; Donna Gregg, General Manager and Mr. Bon Soo were in attendance concerning Proclamation – Ontario Winter Carnival Bon Soo Time.
- (b) Peter Vaudry and Mary Jane Yorke, Sault Ste. Marie Physician Recruitment and Retention Committee were in attendance concerning agenda item 5.(a).
- (c) Carol Wierzbicki, on behalf of local bar owners; and Bill O'Donnell, Algoma Health Unit were in attendance concerning agenda item 5.(t).
- (d) Lois Sutton was in attendance concerning agenda item 5.(w).
- (e) Kathy Lemieux was in attendance concerning agenda item 5.(x).

PART ONE – CONSENT AGENDA

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

Moved by Councillor J. Caicco

Seconded by Councillor J. Collins

Resolved that all the items listed under date 2005 01 24 - Part One - Consent Agenda [save and except 5.(x) deferred to February 7th Council Meeting] be approved as recommended. CARRIED.

- (a) The report of the Sault Ste. Marie Physician Recruitment and Retention Committee dated January 2005 was received by Council.

Moved by Councillor S. Butland

Seconded by Councillor F. Manzo

Resolved that the report of the Sault Ste. Marie Physician Recruitment and Retention Committee dated January 2005 be accepted as information. CARRIED.

- (b) The letter from the President, Algoma West Academy of Medicine concerning the Physician Recruitment and Retention Committee was received by Council.
- (c) The copy of a Press Release dated January 11, 2005 announcing the appointment of the new Commissioner of Social Services was received by Council.
- (d) The letter from the M.P.P. Oshawa concerning the proposed “Elected Officials Immunity Act 2004” was received by Council.

Moved by Councillor B. Hayes

Seconded by Councillor J. Collins

Resolved that the letter from the M.P.P. Oshawa dated December 14, 2004 requesting that City Council support the Private Member’s Bill: the “Elected Officials Immunity Act 2004” which was introduced in the Legislative Assembly of Ontario on December 15, 2004 BE REFERRED to the Legal Department for review and report back to Council. CARRIED.

- (e) The letter from the Sault Trails Advocacy Committee thanking Council for its support and interest of the committee’s activities was received by Council.
- (f) The letter from the Minister of Transportation in response to a Council resolution concerning the current level of intercity bus service between Sault Ste. Marie and North Bay was received by Council.

5. (g) The letter from the Sault Amateur Soccer Association requesting a one-time grant of \$40,000.00 toward an irrigation system to be installed at Strathclair soccer facility in 2005 was accepted by Council.

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

Resolved that the request from Sault Amateur Soccer Association for a one-time municipal grant of \$40,000.00 to be used toward the cost of installation of an irrigation system in 2005 at Strathclair soccer facility BE REFERRED to the 2005 Budget Deliberations. CARRIED.

- (h) The letter from the Downtown Association requesting \$75,000.00 in funding from the City toward the Downtown Development Initiative was received by Council.

Moved by Councillor J. Caicco

Seconded by Councillor J. Collins

Resolved that the request from Downtown Association for funding in the amount of \$75,000.00 (\$50,000.00 in 2005 and \$25,000.00 in 2006) to be used toward the cost of a Downtown Development Initiative Project BE REFERRED to Planning staff for a report for Council's consideration during the 2005 Budget Deliberations. CARRIED.

- (i) Correspondence from the Town of Minto (concerning petitioning the federal government to revive Bill C15A concerning illegal and offensive content on-line); Municipality of Central Elgin (concerning delays in the Ministry of Health's Central Ambulance Communication Centre notification of other emergency services) was received by Council.

- (j) Correspondence from the Ontario Lottery and Gaming Corporation advising that the quarterly payment of the 5% allocation from October 1 to December 31, 2004 is \$424,448.00 was received by Council.

- (k) **Staff Travel Requests**

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

Moved by Councillor S. Butland

Seconded by Councillor F. Manzo

Resolved that the staff travel requests contained in the report of the Chief Administrative Officer dated 2005 01 24 be approved as requested. CARRIED.

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

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

5. (l) Moved by Councillor S. Butland
Seconded by Councillor J. Collins
Resolved that the report of the Manager of Purchasing dated 2005 01 24 be endorsed and that the tender for the supply and delivery of Uniform Clothing, required by Fire Services, be awarded as recommended. CARRIED.
- (m) **Property Tax Appeals**
The report of the City Tax Collector was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
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 01 24 be approved and the tax records be amended accordingly. CARRIED.
- (n) **Review of the Budget Open House**
The report of the Manager of Budgets and Revenue was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor J. Collins
Resolved that the report of the Manager of Budgets and Revenue dated 2005 01 24 concerning Review of the Budget Open House be accepted as information. CARRIED.
- (o) **2002 Economic Diversification Fund**
The report of the Commissioner of Finance and Treasurer was accepted by Council.
- Moved by Councillor S. Butland
Seconded by Councillor F. Manzo
Resolved that the report of the Commissioner of Finance and Treasurer dated 2005 01 24 concerning 2002 Economic Diversification Fund be accepted as information. CARRIED.
- (p) **2005 Community Reinvestment Fund Grant (CRF)**
The report of the Commissioner of Finance and Treasurer was accepted by Council.
- Moved by Councillor S. Butland
Seconded by Councillor J. Collins
Resolved that the report of the Commissioner of Finance and Treasurer dated 2005 01 24 concerning 2005 Community Reinvestment Fund Grant (CRF) be accepted and the recommendation that Sault Ste. Marie City Council support the request of AMO to have the Province immediately reconcile the 2003 CRF be approved. CARRIED.

5. (q) **Sault Ste. Marie Sports and Entertainment Centre – Letter From Lock City Dairies**
The report of the Commissioner of Community Services was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor D. Amaroso
Resolved that the report of the Commissioner of Community Services dated 2005 01 24 concerning Sault Ste. Marie Sports and Entertainment Centre – Letter from Lock City Dairies be accepted and the recommendation that the letter which contains an offer to commission a statue of Wayne Gretzky for the new Centre BE REFERRED to the Sault Ste. Marie Sports and Entertainment Centre Steering Committee and to the Cultural Advisory Board for review and report back to City Council. CARRIED.
- (r) **Request for Financial Assistance for Sports Competitions**
The report of the Assistant Manager Recreation and Culture was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor J. Collins
Resolved that the report of the Assistant Manager Recreation and Culture dated 2005 01 24 concerning Request for Financial Assistance for Sports Competitions be accepted and the recommendation to provide a \$200.00 grant to Kyle Matthews (2004 Canadian Long Course Club Swimming Championship) be approved. CARRIED.
- (s) **Varsity Avenue Pumping Station Replacement**
The report of the Manager of Construction and Environmental Engineering was accepted by Council.
- Moved by Councillor S. Butland
Seconded by Councillor F. Manzo
Resolved that the report of the Manager of Construction and Environmental Engineering dated 2005 01 24 concerning Varsity Avenue Pumping Station Replacement be accepted and the recommendations contained therein be approved. CARRIED.
- (t) **Amendment to Smoking By-law 2003-7 – Definition of “Patio”**
The report of the Assistant City Solicitor was accepted by Council. The relevant By-law 2005-13 is listed under item 10 of the Minutes.
- (u) **Ontario Municipal Board Hearing – Pure Platinum Zoning Appeal – 119 Gore Street**
The report of the Assistant City Solicitor was accepted by Council.

5. (u) Moved by Councillor S. Butland
Seconded by Councillor J. Collins
Resolved that the report of the Assistant City Solicitor dated 2005 01 24 concerning Ontario Municipal Board Hearing – Pure Platinum Zoning Appeal – 119 Gore Street be accepted as information. CARRIED.
- (v) **Amendments to the Planning Act Enacted by the Strong Communities (Planning Amendment) Act, 2004**
The report of the City Solicitor was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that the report of the City Solicitor dated 2005 01 24 concerning Amendments to the Planning Act Enacted by the Strong Communities (Planning Amendment) Act, 2004 be accepted as information. CARRIED.
- (w) **Pigeon Control By-law**
The report of the Assistant City Solicitor was received by Council.
- Moved by Councillor D. Amaroso
Seconded by Councillor N. DelBianco
Resolved that the issue of pigeon control BE REFERRED back to the Legal Department to develop an appropriate by-law modelled after the Hamilton by-law. CARRIED.
- Moved by Councillor J. Caicco
Seconded by Councillor J. Collins
Resolved that the report of the Assistant City Solicitor dated 2005 01 24 concerning Pigeon Control By-law be accepted as information and the recommendation that Council take NO action to pass a pigeon control by-law be approved. OFFICIALLY READ NOT DEALT WITH. (MOVER AND SECONDER REMOVED THEIR NAMES FROM RESOLUTION.)
- (x) **2005 Enhanced Leaf and Yard Waste Program**
The report of the Deputy Commissioner of Public Works and Transportation was received by Council.
- Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Given the confusion on item 5.(x), resolved that Council DEFER a decision until February 7th Meeting so that Council could have more information. CARRIED.

5. (x) Moved by Councillor S. Butland
Seconded by Councillor F. Manzo
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2005 01 24 concerning 2005 Enhanced Leaf and Yard Waste Program be accepted and the recommendation that Council approve the Program and that And-Son be the selected contractor for the processing of the leaf and yard waste, and that City forces carry out the collection portion of the Program; and
Further that the annual funds for the Program come from the Tipping Fee Reserve Account and the City Refuse Collection Budget. OFFICIALLY READ NOT DEALT WITH.

(y) **Christmas Refuse Collection**

The report of the Waste Diversion Supervisor was accepted by Council.

Moved by Councillor J. Caicco
Seconded by Councillor S. Butland
Resolved that the report of the Waste Diversion Supervisor dated 2005 01 24 concerning Christmas Refuse Collection be accepted and the recommendation that Council approve a suspension of the bag/container limit for the two collection weeks following Christmas Day with the stipulation that additional refuse will only be collected from the residents that are actively recycling be approved. CARRIED.

PART TWO – REGULAR AGENDA

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

- (a) Moved by Councillor F. Manzo
Seconded by Councillor S. Butland
Whereas the residents across the City are complaining about the system of the snow plow operators when plowing snow on city streets; and
Whereas the snowplow operators are plowing 3/4 of the streets and depositing the snow on one side of the street, and the other side of the street is only getting 1/4 of the snow; and
Whereas this makes it frustrating for the residents by having to shovel 3/4 of the snow while across the street only gets 1/4 of the snow;
Now therefore be it resolved that City Council request to the Commissioner and Superintendent of the Works Centre to inform and instruct the snowplow operators when plowing snow to attempt to plow 1/2 of the street to make it equal to all residents and report back to City Council. CARRIED.

7. (b) Moved by Councillor F. Manzo
Seconded by Councillor S. Butland
Resolved that Council endorse in principle a Citizen Appreciation Day(s) to be held in the month of July or August and that activities be scheduled that celebrate our many facilities and attractions with the premise of thanking our citizens for their ongoing contribution to our great city.
Some suggestions:
1) free swim at the John Rhodes Sports Complex
2) free day of transit ridership
3) free skate at any facility should ice be available
4) free tours at various facilities: city hall, fire halls, Old Stone House, Museum, Art Gallery, Police Services building, Public Works and Transportation, Public Library, etc.
5) vocation shadowing day – spend a half or 1 day with Mayor, C.A.O., Police Chief, Fire Chief and various Commissioners
6) other activities as suggested by staff, councillors or residents of Sault Ste. Marie; and
Be it further resolved that a report be prepared for Council approval by May 2005 detailing activities and costs associated with this initiative. CARRIED.
- (c) Moved by Councillor B. Hayes
Seconded by Councillor D. Amaroso
Whereas correspondence is received from AMO, FONOM and FCM on a regular basis; and
Whereas there is currently no separate agenda item specific to this correspondence received; and
Whereas the City of Sault Ste. Marie pays combined annual membership fees in the amount of \$19,397.26 as well as covering the cost of travel for councillors who are on the specific boards; and
Whereas all 3 organizations represent the unified voice of municipalities in Ontario, Northern Ontario and Canada respectively;
Therefore be It resolved that in order to heighten the awareness of these organizations and their work to the citizens in Sault Ste. Marie that all correspondence received be placed on the consent agenda for consideration by Council. CARRIED.
- (d) Moved by Councillor S. Butland
Seconded by Councillor J. Caicco
Resolved that the report on a policy of animal control as submitted by Paul Labelle be forwarded to the Board of Directors of the Humane Society and appropriate staff to comment on the practicality, positives and negatives of the concept, cost implications and the likelihood of the positive application of the concept; and
Be it further resolved that similar policies from other municipalities be considered when preparing this report. CARRIED.

7. (e) Moved by Councillor L. Turco
Seconded by Councillor N. DelBianco
Whereas the Association of Municipalities of Ontario (AMO) is considering the matter of 4-year terms of office for municipal council members and has conducted a survey of elected officials from across the Province with results indicating that 80% of the respondents were in favour of 4-year terms; and
Whereas Provincial elections are held every four years; and
Whereas the position of municipal councillor is becoming more complicated; and
Whereas 4-year terms would realize a cost savings to the municipality compared to the current 3-year term of office;
Now therefore be it resolved that Sault Ste. Marie City Council petition the Province of Ontario to amend the Municipal Elections Act to provide for 4-year terms of office for municipal councils and that the first 4-year term commence after the November 2006 election; and
Further that a copy of this resolution be forwarded to the Premier of Ontario, the Minister of Municipal Affairs, AMO, AMCTO, and to David Oraziotti, M.P.P. Sault Ste. Marie. CARRIED.

Recorded Vote

For: Mayor J. Rowswell, Councillors J. Caicco, P. Mick, L. Turco, J. Collins, S. Butland, N. DelBianco

Against: Councillors J. Curran, D. Celetti, T. Sheehan, B. Hayes, F. Manzo, D. Amaroso

Absent: Nil

- (f) Moved by Councillor B. Hayes
Seconded by Councillor S. Butland
Whereas from time to time a vacancy may occur on Council between election years for miscellaneous reasons; and
Whereas in the past Council has filled the vacancy by either bi-election or through an appointment process; and
Whereas movement to a 4 year term may increase the likelihood of councillor vacancies occurring during a term;
Now therefore be it resolved that City Council direct staff to develop a policy for approval by Council that establishes the parameters surrounding filling Council vacancies that may occur between election periods. CARRIED.

- (g) Moved by Councillor F. Manzo
Seconded by Councillor D. Celetti
Resolved that City Council expresses its deepest condolences to the Positano family for the tragic loss of their daughter, Sarah. 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 S. Butland
Seconded by Councillor J. Collins
Resolved that all the by-laws listed under Item 10 of the Agenda under date 2005 01 24 be approved. CARRIED.

(a) Moved by Councillor S. Butland
Seconded by Councillor J. Collins
Resolved that By-law 2005-13 being a by-law to amend By-law 2003-7 (a by-law to regulate smoking in public places) be read three times and passed in Open Council this 24th day of January, 2005. CARRIED.

(b) Moved by Councillor S. Butland
Seconded by Councillor J. Collins
Resolved that By-law 2005-14 being a by-law to appoint Kim Streich-Poser as Commissioner of Social Services and to repeal By-law 2001-151 be read three times and passed in Open Council this 24th day of January, 2005. CARRIED.

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

(a) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that this Council shall now go into Caucus to discuss one property (potential acquisition of land) and one labour relations matter. CARRIED.

12. **ADJOURNMENT**

Moved by Councillor J. Caicco
Seconded by Councillor J. Collins
Resolved that this Council shall now adjourn. CARRIED.

"John Rowswell"

MAYOR

"Donna P. Irving"

CLERK