

## **MINUTES**

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

**2005 07 25**

**4:30 P.M.**

### **COUNCIL CHAMBERS**

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

**ABSENT:** Councillor J. Collins

**OFFICIALS:** J. Fratesi, D. Irving, N. Kenny, M. White, N. Apostle, B. Freiburger, J. Dolcetti, J. Dolcetti, B. Wierzbicki, D. McConnell, P. McAuley, L. Rosso, B. Strapp, P. Tonazzo

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 07 11 be approved. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Joe Cain was in attendance concerning Proclamation - National Marina Day.
- (b) Steve and Raea Caruso were in attendance concerning agenda item 6.(6)(a).
- (c) Norman West and Dorothy Macnaughton were in attendance concerning agenda item 6.(6)(b).
- (d) Dr. Sylvana Spadafora and Dr. Art Perlini were in attendance concerning agenda item 7.(a).

## **PART ONE – CONSENT AGENDA**

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

Moved by Councillor S. Butland

Seconded by Councillor F. Manzo

Resolved that all the items listed under date 2005 07 25 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.
- (b) The News Release from the Ministry of Municipal Affairs and Housing was received by Council.
- (c) Correspondence from the County of Frontenac (concerning paramedics); the Region of York and the Town of Newmarket (concerning violent video games); the Township of King (concerning Ontario Library Services); the Township of Opatika (concerning the Council of Forest Sector Competitiveness); the Townships of Springwater and Clearview and Town of Wasaga (concerning non-contract policing); and the City of Clarence Rockland (concerning municipal debt capacity) was received by Council.
- (d) The letter from CAA South Central Ontario was received by Council.
- (e) The letter from the Minister of Human Resources and Skills Development concerning a Local Training Board was received by Council.
- (f) Correspondence concerning the ACGO Lotteries review was received by Council.
- (g) Correspondence from the Ontario Lottery and Gaming Corporation advising that the quarterly payment of the 5% allocation from April 1, 2005 to June 30, 2005 is \$403,218.00 was received by Council.

#### **(h) Council Travel**

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

Resolved that Councillors Lou Turco and Terry Sheehan be authorized to attend the AMO Conference being held in Toronto (3 days in August 2005) at an estimated cost of \$1,500.00 each. CARRIED.

#### **(i) Staff Travel Requests**

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

5. (i) Moved by Councillor J. Caicco  
Seconded by Councillor F. Manzo  
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2005 07 25 be approved as requested. CARRIED.
- (j) **Tax Sale Extension Agreement - 257 Trunk Road - Roll Number 010-013-027-01**  
The report of the Assessment and Collections Supervisor was accepted by Council. The relevant By-law 2005-127 is listed under item 10 of the Minutes.
- (k) **Property Tax Appeals**  
The report of the Assessment and Collections Supervisor was accepted by Council.  
  
Moved by Councillor S. Butland  
Seconded by Councillor F. Manzo  
Resolved that pursuant to Section 357 and 358 of the Municipal Act, 2001, the adjustments for tax accounts outlined on the Assessment and Collections Supervisor's report of 2005 07 25 be approved and the tax records be amended accordingly. CARRIED.
- (l) **Alcohol and Gaming Commission Meeting With the Charities and Not-For-Profit Funding Review Committee**  
The report of the Assessment and Collections Supervisor was accepted by Council. The relevant By-law 2005-129 is listed under item 10 of the Minutes.  
  
Moved by Councillor S. Butland  
Seconded by Councillor F. Manzo  
Resolved that the report of the Assessment and Collections Supervisor dated 2005 07 25 concerning Alcohol and Gaming Commission Meeting With the Charities and Not-For-Profit Funding Review Committee be accepted as information. CARRIED.
- (m) **2006 Preliminary Assessment Roll**  
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 07 25 concerning 2006 Preliminary Assessment Roll be accepted as information. CARRIED.

5. (n) **Sault Ste. Marie Sports and Entertainment Centre Financial Update**  
The report of the Commissioner of Finance and Treasurer was accepted by Council. The relevant By-law 2005-128 is listed under item 10 of the Minutes.
- (o) **RFP - Main Electrical Switch Gear/Ground Fault - Civic Centre**  
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor J. Caicco  
Seconded by Councillor F. Manzo  
Resolved that the report of the Manager of Purchasing dated 2005 07 25 be endorsed and that the proposal for the replacement of the Main Electrical Switch Gear/Ground Fault at the Civic Centre, required by the Building Services Division of the Engineering and Planning Department, be awarded as recommended. CARRIED.
- (p) **Tender for 7,500 Tonnes Bulk Coarse Highway Salt**  
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor J. Caicco  
Seconded by Councillor F. Manzo  
Resolved that the report of the Manager of Purchasing dated 2005 07 25 be endorsed and that the tender for the supply and delivery of Bulk Coarse Highway Salt, required by the Public Works and Transportation Department, be awarded as recommended. CARRIED.
- (q) **Tenders for Equipment - Public Works and Transportation Department**  
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor S. Butland  
Seconded by Councillor F. Manzo  
Resolved that the report of the Manager of Purchasing dated 2005 07 25 be endorsed and that the tenders for the supply and delivery of various pieces of equipment, required by the Public Works and Transportation Department, be awarded as recommended. CARRIED.
- (r) **Request for Financial Assistance - Project Little Wolf**  
The report of the Manager of Finance and Audits was accepted by Council.
- Moved by Councillor S. Butland  
Seconded by Councillor F. Manzo  
Resolved that the report of the Manager of Finance and Audits dated 2005 07 25 concerning Request for Financial Assistance - Project Little Wolf be accepted and the recommendation that the request for Financial Assistance be denied be endorsed. CARRIED.

5. (s) **Outstanding Barriers in Council Chambers**  
The report of the Municipal Accessibility Plan Coordinator was accepted by Council.
- Moved by Councillor J. Caicco  
Seconded by Councillor F. Manzo  
Resolved that the report of the Municipal Accessibility Plan Coordinator dated 2005 07 06 concerning Outstanding Barriers in Council Chambers be accepted and the recommendation that an FM System for Hard of Hearing People be purchased and installed in the Council Chambers (for potential use in all Civic Centre meeting rooms) at an estimated cost of \$5,054.00 with funds to come from the 2005 Corporate Barrier Removal Budget be approved. CARRIED.
- (t) **Corporate Strategic Plan Update 2005**  
The report of the Deputy City Clerk and Manager of Quality Improvement was accepted by Council.
- Moved by Councillor J. Caicco  
Seconded by Councillor F. Manzo  
Resolved that the report of the Deputy City Clerk and Manager of Quality Improvement dated 2005 07 25 concerning Corporate Strategic Plan Update 2005 be accepted and the recommendation that Council approve the proposed process to update Leading The Way - Naturally, our Corporate Strategic Plan be endorsed. CARRIED.
- (u) **Contract 2005-1E - Reconstruction of Second Line West - Farwell Terrace to Second Avenue**  
The report of the Supervisor of Construction was accepted by Council. The relevant By-law 2005-126 is listed under item 10 of the Minutes.
- (v) **Urban Service Line Extension for Watermain Extensions**  
The report of the Director of Engineering and Buildings was accepted by Council.
- Moved by Councillor S. Butland  
Seconded by Councillor F. Manzo  
Resolved that the report of the Director of Engineering and Buildings dated 2005 07 25 concerning Urban Service Line Extension for Watermain Extensions be accepted and that the Legal Department be authorized to apply to the Ontario Municipal Board to extend the Urban Service Line as outlined in the report, be approved. CARRIED.
- (w) **Possible Development of Property Bounded by St. Mary's River, Trunk Road and Fournier Road**  
The report of the City Solicitor was accepted by Council.

5. (w) Moved by Councillor S. Butland  
Seconded by Councillor F. Manzo  
Resolved that the report of the City Solicitor dated 2005 07 25 concerning Possible Development of Property Bounded by St. Mary's River, Trunk Road and Fournier Road be accepted and the recommendation that the Mayor and Clerk be authorized to sign a deed conveying title in the property legally described as lots 53 and 106 on Registrar's Compiled Plan H-714 to the developer of the abutting property be approved. CARRIED.
- (x) **Parking Signs on Alexandra Street**  
The report of the City Solicitor was accepted by Council. The relevant By-law 2005-125 is listed under item 10 of the Minutes.
- (y) **Smoking in Entrancesways**  
The report of the Assistant City Solicitor was accepted by Council.
- Moved by Councillor J. Caicco  
Seconded by Councillor F. Manzo  
Resolved that the report of the Assistant City Solicitor dated 2005 07 25 concerning Smoking in Entrancesways be accepted as information. CARRIED.
- (z) **Possible Revisions in Municipal Act Dealing With Openness of Meetings of Designated Public Bodies - Bill 123 (Transparency in Public Matters Act, 2005)**  
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 07 25 concerning Possible Revisions in Municipal Act Dealing With Openness of Meetings of Designated Public Bodies - Bill 123 (Transparency in Public Matters Act, 2005) be accepted as information. CARRIED.
- (aa) **Expanded Hours of Operation - Household Special Waste Facility**  
The report of the Waste Diversion Supervisor was accepted by Council.
- Moved by Councillor S. Butland  
Seconded by Councillor F. Manzo  
Resolved that the report of the Waste Diversion Supervisor dated 2005 07 25 concerning Expanded Hours of Operation at the Household Special Waste Facility and the recommendation to extend the hours of operation of the Household Special Waste Facility be approved. CARRIED.
- (bb) **2005 Cultural Financial Assistance Grants - Round 2**  
The report of the Chairperson, Cultural Advisory Board was accepted by Council.

5. (bb) Moved by Councillor S. Butland  
Seconded by Councillor F. Manzo  
Resolved that the report of the Chairperson, Cultural Advisory Board dated 2005 07 25 concerning 2005 Cultural Financial Assistance Grants - Round 2 be accepted as information. CARRIED.
- (cc) **Sault Ste. Marie Taxi By-law 2005-154**  
The report of the Police Services was accepted by Council. The relevant By-law 2005-154 is listed under item 10 of the Minutes.
- Councillor L. Turco declared a pecuniary interest - spouse employed by Police Services.
- (dd) **Interest Arbitration Award - City and Paramedics (Canadian Automobile Workers Local 1120)**  
The report of the Commissioner of Human Resources was accepted by Council.
- Mover Councillor S. Butland  
Seconded Councillor F. Manzo  
Resolved that the report of the Commissioner of Human Resources dated 2005 07 25 concerning Interest Arbitration Award - City and Paramedics (Canadian Automobile Workers Local 1120) be accepted and further that the Interest Arbitration Award between the Canadian Automobile Workers Local 1120 and the City of Sault Ste. Marie be approved for ratification by City Council and that the appropriate by-law be presented at a future Council Meeting.

## **PART TWO – REGULAR AGENDA**

6. **REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES**
6. (5) **LEGAL**
- (a) **Defining Roles of the Mayor and the Chief Administrative Officer - Item From Council Retreat of 2004 02 28**  
The report of the City Solicitor was accepted by Council. The report of the Assistant City Solicitor was received by Council.
- Moved by Councillor J. Caicco  
Seconded by Councillor F. Manzo  
Resolved that the report of the City Solicitor dated 2005 07 25 concerning Defining Roles of the Mayor and the Chief Administrative Officer - Item From Council Retreat of 2004 02 28 be accepted as information. CARRIED.

6. (5)

(a) Moved by - Councillor J. Caicco

Seconded by - Councillor L. Turco

Resolved that the report of the Assistant City Solicitor dated 2005 07 25 concerning Mayor and CAO Duties be accepted and that the Legal Department make the necessary arrangements to have George Cuff speak to Council and senior staff at an estimated cost of \$10,000.00 (\$7,500.00 from the Mayor's Office Budget and \$2,500.00 from the Corporate Training Account) be approved. DEFEATED.

Recorded Vote

For: Mayor J. Rowswell, Councillors J. Caicco, L. Turco

Against: Councillors P. Mick, J. Curran, D. Celetti, T. Sheehan, S. Butland, B. Hayes, F. Manzo, N. DelBianco

Absent: Councillors J. Collins, D. Amaroso

6. (6)

**PLANNING**

(a) **Application No. A-22-05-OP – 1471 and 1503 Base Line - Steve and Raea Caruso - Request an Amendment in Order to Create Three (3) Rural Residential Lots from Two of the Existing Lots**

The report of the Planning Division was accepted by Council.

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

Resolved that the report of the Planning Division dated 2005 07 25 concerning Application No. A-22-05-OP - Steve & Raea Caruso be accepted and the Planning Director's recommendation that City Council approve Official Plan Amendment No. 102 to the City of Sault Ste. Marie Official Plan be endorsed. CARRIED.

(b) **New Comprehensive Zoning By-law**

The report of the Planning Division was accepted by Council. The relevant By-law 2005-150 is listed under item 10 of the Minutes.



6. (6)

(b) Moved by Councillor J. Caicco  
Seconded by Councillor F. Manzo

Resolved that the report of the Planning Division dated 2005 07 25 concerning the New Comprehensive Zoning By-law be accepted in principle, and that the Planning Director's recommendation to approve the New Comprehensive Zoning By-law be endorsed subject to a review of the setback requirements abutting Manitou Park neighbourhood and a review of the potential for future light industrial uses on the ORC property west of Black Road while maintaining the "parks and recreation" zoning on the escarpment area. Area of review and By-law 2005-150 scheduled for August 29, 2005 Council Meeting. CARRIED.

(c) **Repeal of Those Special Exceptions in By-law 4501 that are Shown to be Discarded in the By-law Review Table**

The report of the Planning Division was received by Council.

Moved by Councillor S. Butland  
Seconded by Councillor F. Manzo

Resolved that the report of the Planning Division dated 2005 07 14 concerning Repeal of Those Special Exceptions in By-law 4501 that are Shown to be Discarded in the By-law Review Table be accepted as information. TABLED FOR 5 WEEKS TO AUGUST 29, 2005 COUNCIL MEETING.

(d) **Official Plan Amendment No. 100 is an Amendment to the General Text of the Official Plan and Schedule C the Land-Use Plan (The amendments are Necessary in Order to Implement Changes Resulting From the Creation of the New Comprehensive Zoning By-law)**

The report of the Planning Division was received by Council. The relevant By-law 2005-149 is listed under item 10 of the Minutes. TABLED FOR 5 WEEKS TO AUGUST 29, 2005 COUNCIL MEETING.

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 there exists considerable synergy in Sault Ste. Marie with regards to health-related initiatives in scientific and clinical research as well as an imminent requirement for a physical presence to accommodate Sault Ste. Marie's role in the Northern Ontario School of Medicine; and

Whereas there have been ongoing discussions by various individuals/organizations concerning the above initiative; and

7. (a) Whereas a Medical Faculty Association has coalesced to take a lead in any medical school initiative;  
Be it resolved that Council endorse a study which would determine the need, location, business case, funding mechanisms for such a facility in Sault Ste. Marie; and  
Be it further resolved that an upset limit of \$25,000.00 be established for City's financial involvement;  
It would be anticipated that:
- 1) much information could be accessed from SHI Consulting presently completing a Northern Ontario study under the auspices of the Northern Ontario School of Medicine and entitled "Creating a Sustainable Health Research Industry"
  - 2) that other interested parties be requested to financially participate in the study if necessary and if possible
  - 3) that Destiny Sault Ste. Marie facilitate a meeting whereby all parties can participate in the above planning process, i.e., AUC, Sault College, OFRI, ULERN, EDC, GLFC, SEA, Physician Recruitment and Retention Committee, Group Health Association, Sault Area Hospital, Algoma District Medical Group and a representative from First Nations. CARRIED.
- (b) Moved by Councillor T. Sheehan  
Seconded by Councillor J. Curran  
Whereas there are many children and students active in the neighbourhood below "Mount St. Joseph's Hill" (between Pim and Pine and north of Wellington); and  
Whereas there has been a number of people reporting speeding and other traffic issues in this neighbourhood;  
Therefore Be It Resolved that appropriate staff analyse any traffic issues in this neighbourhood and report back to Council at a future time with appropriate recommendations to reduce traffic issues, i.e., signage, reduced speed zones, etc.; and  
Further that a copy of this resolution be sent to School Boards and Police Department for their input. CARRIED.
- (c) The letter from Mayor Rowsell concerning Sault Ste. Marie Multimodal Initiative was received by Council.
- Moved by Councillor P. Mick  
Seconded by Councillor T. Sheehan  
Resolved that appropriate staff, EDC, and Destiny SSM be requested to assist the Multimodal Transportation Committee in fast tracking a funding application for the Multimodal Initiative Business Case to various funding partners and further that the funding application be presented to Council for its review on August 15<sup>th</sup>, be approved. 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 F. Manzo

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2005 07 25 [save and except 2005-149 and 2005-150 - tabled for 5 weeks to the August 29, 2005 Council Meeting] be approved. CARRIED.

(a) Moved by Councillor S. Butland

Seconded by Councillor F. Manzo

Resolved that By-law 2005-124 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 25<sup>th</sup> day of July, 2005. CARRIED.

(b) Moved by Councillor S. Butland

Seconded by Councillor F. Manzo

Resolved that By-law 2005-125 being a by-law to amend Schedule "A" of Traffic By-law 77-200 be read three times and passed in Open Council this 25<sup>th</sup> day of July, 2005. CARRIED.

(c) Moved by Councillor S. Butland

Seconded by Councillor F. Manzo

Resolved that By-law 2005-126 being a by-law to authorize a Temporary Street Closing of Farwell Terrace, Brunswick Avenue, Korah Road and Second Avenue to facilitate the reconstruction of Second Line West from Farwell Terrace to Second Avenue be read three times and passed in Open Council this 25<sup>th</sup> day of July, 2005. CARRIED.

(d) Moved by Councillor S. Butland

Seconded by Councillor F. Manzo

Resolved that By-law 2005-127 being a by-law to authorize a Tax Arrears Extension Agreement between the City and Woodbrook Properties Ltd. be read three times and passed in Open Council this 25<sup>th</sup> day of July, 2005. CARRIED.

(e) Moved by Councillor S. Butland

Seconded by Councillor F. Manzo

Resolved that By-law 2005-128 being a by-law to authorize debentures for the construction of a Sports and Entertainment Centre and also for additional luxury suites be read three times and passed in Open Council this 25<sup>th</sup> day of July, 2005. CARRIED.

10. (f) Moved by Councillor S. Butland  
Seconded by Councillor F. Manzo  
Resolved that By-law 2005-129 being a by-law to establish the temporary reduction of lottery licence fees for the period commencing July 25, 2005 to September 12, 2005 be read three times and passed in Open Council this 25<sup>th</sup> day of July, 2005. CARRIED.
- (g) Moved by Councillor S. Butland  
Seconded by Councillor F. Manzo  
Resolved that By-law 2005-149 being a by-law to adopt Amendment No. 100 to the Official Plan be read three times and passed in Open Council this 25<sup>th</sup> day of July, 2005. TABLED FOR 5 WEEKS TO THE AUGUST 29, 2005 COUNCIL MEETING.
- (h) Moved by Councillor S. Butland  
Seconded by Councillor F. Manzo  
Resolved that By-law 2005-150 being a by-law to regulate the use of land and the erection, use, bulk, height and location of buildings in the City of Sault Ste. Marie, be read three times and passed in Open Council this 25<sup>th</sup> day of July, 2005. TABLED FOR 5 WEEKS TO THE AUGUST 29, 2005 COUNCIL MEETING.
- (i) Moved by Councillor S. Butland  
Seconded by Councillor F. Manzo  
Resolved that By-law 2005-154 being a by-law to regulate, licence and govern vehicles used for hire, including brokers, owners and drivers of taxicabs, sightseeing buses, limousines and hotel shuttle buses be read three times and passed in Open Council this 25<sup>th</sup> day of July, 2005. CARRIED.

Councillor L. Turco declared a pecuniary interest - spouse employed by Police Services.

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

12. **ADJOURNMENT**

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

\_\_\_\_\_  
"Stephen Butland"

**ACTING MAYOR**

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

**CLERK**