

MINUTES

REGULAR MEETING OF CITY COUNCIL

2006 07 10

4:30 P.M.

COUNCIL CHAMBERS

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

ABSENT: Councillors D. Celetti, N. DelBianco

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, N. Apostle, B. Freiburger, J. Dolcetti, D. McConnell, P. McAuley, D. Elliott

1. **ADOPTION OF MINUTES**

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

Resolved that the Minutes of the Regular Council Meeting of 2006 06 26 be approved. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Brian Christie, Executive Director, Lake Superior Conservancy and Watershed Council was in attendance concerning Proclamation - Lake Superior Day.
- (b) The 2006/07 Chamber of Commerce Executive (Robert J. Dumanski, President; Bill Shepherd, 1st Vice-President; Sergio Saccucci, Treasurer; and Shelley Barich, General Manager) were in attendance for the annual Swearing-In Ceremony by Mayor Rowswell.
- (c) Peter Vaudry, Chair, Sault Ste. Marie Physician Recruitment and Retention Committee and Dave Pitcher were in attendance concerning agenda item 6.(8)(a).
- (d) Dan Ingram, Area Manager Heart and Stroke Foundation was in attendance on behalf of Algoma Health Unit, Lung Association, Heart and Stroke Foundation and Canadian Cancer Society concerning agenda item 6.(5)(a).

4. (e) Vince Moreau was in attendance concerning agenda item 6.(6)(a).

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 2006 07 10 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.

Moved by Councillor S. Butland

Seconded by Councillor F. Manzo

Resolved that Sault Ste. Marie City Council supports the position paper prepared by the AMO/AMRC Waste Management Task Force entitled "Improving the Efficiency of the Blue Box Program June 2006"; and

Further that a copy of this resolution be provided to the Association of Municipalities of Ontario and to Sault Ste. Marie M.P.P. David Oraziotti be approved. CARRIED.

- (b) Correspondence from York Region (concerning international trained physicians); Municipality of Clarington (concerning Ontario Clean Water Act); Country of Frontenac (concerning request for paramedic exemption from Part VII of the Employment Standards Act); Municipality of Brockton (concerning child care); Town of Milton (concerning aggregate license fees) was received by Council.

- (c) The letter requesting permission for a private property liquor license extension was accepted by Council.

Moved by Councillor S. Butland

Seconded by Councillor F. Manzo

Resolved that City Council has no objection to the proposed extended licensed area as detailed in the written request for a liquor license extension on private property for an outdoor event on the following stated date and times:

Annual Family Fun Day

Great Northern Retirement Home

760 Great Northern Road

Thursday, July 27, 2006 from 2:00 to 7:00 p.m. CARRIED.

5. (d) Correspondence concerning requests for Special Occasion Permits for events at a municipal facility was accepted by Council.

Moved by Councillor S. Butland

Seconded by Councillor J. Collins

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

Queen Elizabeth Park

Smack Daddy's/Steelers Football Game

July 15th and 22nd from 6:00 to 10:00 p.m.

Strathclair Park

Smack Daddy's/Sault Ste. Marie Slowpitch League

Bud Lite Ball Bash Slow Pitch Tournament

July 21st from 6:00 to 9:00 p.m.

July 22nd and 23rd from 11:00 a.m. to 9:00 p.m. CARRIED.

- (e) Letters from Municipal Property Assessment Corporation (concerning the Minister of Finance's decision to cancel province-wide assessment updates for 2006 and 2007); the M.P.P. Oshawa (concerning a Private Member's Bill, the Motor Vehicle Origin and Component Disclosure Act 2005); Honourable Senator Mac Harb (concerning a motion passed in the Senate calling for a Smoke-Free Canada) were received by Council.

- (f) The letter from Councillor Steve Butland concerning his attendance at a meeting between Enquest Power and various Ministry of Environment officials was received by Council.

- (g) **Staff Travel Requests**

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

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 2006 07 10 be approved as requested. CARRIED.

- (h) **Tenders for Equipment - Public Works and Transportation Department**

The report of the Manager of Purchasing was accepted by Council. The report of the Commissioner of Public Works and Transportation concerning the Salt Storage Dome was received by Council.

Moved by Councillor J. Caicco

Seconded by Councillor J. Collins

Resolved that the report of the Manager of Purchasing dated 2006 07 10 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.

5. (i) **Vacant Unit Tax Rebate Program - Commercial and Industrial Properties**
The report of the Acting City Tax Collector was accepted by Council.

Moved by Councillor S. Butland

Seconded by Councillor F. Manzo

Resolved that pursuant to Section 364 of the Municipal Act, 2001, the adjustments, under the vacant unit tax rebate program for tax accounts outlined on the Acting City Tax Collector's reports of 2006 07 10 be approved and the tax records be amended accordingly. CARRIED.

- (j) **Reserve Balances**

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 2006 05 29 concerning Reserve Balances be accepted as information. CARRIED.

- (k) **Cancellation of Re-assessments for 2006 and 2007**

The report of the Manager of Budgets and Revenue was accepted by Council.

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

Resolved that the report of the Manager of Budgets and Revenue dated 2006 07 10 concerning Cancellation of Re-Assessment for 2006 and 2007 be accepted as information. CARRIED.

- (l) **2005 Consolidated Financial Statements**

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

Moved by Councillor J. Caicco

Seconded by Councillor J. Collins

Resolved that the report of the Commissioner of Finance and Treasurer dated 2006 07 10 be accepted and the 2005 Consolidated Financial Statements be approved. CARRIED.

- (m) **East End Wastewater Treatment Plant Effluent Discharge to the St. Mary's River**

The report of the Director of Engineering Services was accepted by Council.

5. (m) Moved by Councillor S. Butland
Seconded by Councillor F. Manzo
Resolved that the report of the Director of Engineering Services dated 2006 07 10 concerning East End Wastewater Treatment Plant Effluent Discharge to the St. Mary's River be accepted as information. CARRIED.
- (n) **Snow Dump - Adjacent to East End Wastewater Treatment Plant - Potential Toboggan Hill**
The report of the Director of Engineering Services was accepted by Council.

Moved by Councillor S. Butland
Seconded by Councillor J. Collins
Resolved that the report of the Director of Engineering Services dated 2006 07 10 concerning Snow Dump Adjacent to East End Wastewater Treatment Plant - Potential Toboggan Hill be accepted and the recommendation that this property not be developed as a toboggan hill until such time as funds are identified to develop the property as park and snow dumping facilities are provided elsewhere be approved. CARRIED.
- (o) **Third Line Extension - Old Goulais Bay Road to Great Northern Road - Environmental Assessment**
The report of the Director of Engineering Services was accepted by Council.

Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that the report of the Director of Engineering Services dated 2006 07 10 concerning Third Line Extension - Old Goulais Bay Road to Great Northern Road - Environmental Assessment be accepted and the recommendations to:
1. authorize the firm of TSH to proceed with final design of the box culvert with the intent to tender construction in 2007;
2. authorize TSH to conduct the environmental assessment for the widening of Third Line east of Great Northern Road to the new hospital entrance; and
3. Engineering to report back to Council with a recommendation for the preferred project for the third round of COMRIF funding be approved. CARRIED.
- (p) **Contract 2006-4E - Reconstruction of Russ Ramsay Way (Bay Street to Foster Drive)**
The report of the Design and Construction Engineer was accepted by Council. The relevant By-laws 2006-157 and 2006-158 are listed under Item 10 of the Minutes.
- (q) **Changes to the Municipal Act - Bill 130 and the Law Enforcement and Forfeited Property Management Statute Law Amendment Act, 2005**
The report of the Assistant City Solicitor was accepted by Council.

5. (q) Moved by Councillor J. Caicco
Seconded by Councillor J. Collins
Resolved that the report of the Assistant City Solicitor dated 2006 07 10 concerning Changes to the Municipal Act - Bill 130 and the Law Enforcement and Forfeited Property Management Statute Law Amendment Act 2005 be accepted as information. CARRIED.

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

- (r) **Agreement Releasing the City from Repaying the Province the Outstanding Balance on the Ontario Downtown Revitalization Program Loan from 1980**

The report of the City Solicitor was accepted by Council. The relevant By-law 2006-162 is listed under Item 10 of the Minutes.

- (s) **Zoning By-law 2005-150 - Wind Turbines Review**

The report of the Planning Division was accepted by Council.

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

Resolved that the report of the Planning Division dated 2006 07 10 concerning Wind Turbines Review be received as information only at this time and that the Planning Director be authorized to give public notice of the proposed amendment to Zoning By-law 2005-150 for the August 28, 2006 meeting of Council be endorsed. CARRIED.

- (t) **GPS (Global Positioning System)/AVL (Automatic Vehicle Location) System - Public Works and Transportation Department**

The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.

Moved by Councillor S. Butland
Seconded by Councillor J. Collins

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2006 07 10 concerning GPS (Global Positioning System)/AVL (Automatic Vehicle Location) System - Public Works and Transportation Department be accepted and the recommendation that Council approve a Request for Proposals for a GPS/AVL System for the Public Works and Transit Divisions and that staff report back with a recommendation be approved. CARRIED.

- (u) **Sault Ste. Marie Public Library 2005 Annual Report**

The report of the Director of Public Libraries was accepted by Council.

5. (u) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that the report of the Director of Public Libraries dated 2006 06 29 concerning Sault Ste. Marie Public Library 2005 Annual Report be accepted as information. CARRIED.
- (v) **Sault Ste. Marie Police Service 2005 Annual Report**
The report of the Chief of Police was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor J. Collins
Resolved that the report of the Chief of Police dated 2006 06 22 concerning Sault Ste. Marie Police Service 2005 Annual Report be accepted as information. CARRIED.
- Councillor L. Turco declared a pecuniary interest - spouse employed by Police Service.
- (w) **Proposed Sale of 583 Northland Road**
The report of the City Solicitor was accepted by Council. The relevant By-law 2006-163 is listed under Item 10 of the Minutes.
- (x) **Wake Up a Winner Community Challenge**
The report of the Commissioner of Community Services was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that the report of the Commissioner of Community Services dated 2006 07 10 concerning Wake Up a Winner Community Challenge be accepted and the recommendation that Council approve preparation of a submission to the CTV Canada AM Community Challenge; and
Further that a budget of up to \$6,000.00 for professional services to prepare the submission with funds to come from the Economic Diversification Fund be approved. CARRIED.

PART TWO – REGULAR AGENDA

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

6. (5) **LEGAL**

(a) **Repeal of Smoking Control By-law 2003-7**

The report of the City Solicitor was received by Council. The relevant By-law 2006-138 is listed under Item 10 of the Minutes.

6. (5)
(a) Moved by Councillor F. Manzo
Seconded by Councillor D. Amaroso
Resolved that City Council defer or delay the repeal of Smoking Control By-law 2003-7 for one year as requested by the Algoma Health Unit. CARRIED.

6. (6) **PLANNING**

- (a) **Application No. A-15-06-OP - Vince and Patti-Jo Moreau - 1532 Third Line West - Request to Rezone in Order to Permit the Creation of One New Rural Residential Lot**

The report of the Planning Division was accepted by Council.

Moved by Councillor S. Butland

Seconded by Councillor F. Manzo

Resolved that the report of the Planning Division dated 2006 07 10 concerning Application No. A-15-06-OP - Vince and Patti-Jo Moreau be accepted and the Planning Director's recommendation that City Council approve Official Plan Amendment No. 112 be endorsed. CARRIED.

- (b) **Application No. A-16-06-Z.OP - Algoma Residential Community Hospice - Southwest Corner of Fourth Line and Brule Road - Request to Rezone to Permit a Rural Area Severance for Residential/Institutional Purposes**

The report of the Planning Division was accepted by Council.

Moved by Councillor S. Butland

Seconded by Councillor J. Collins

Resolved that the report of the Planning Division dated 2006 07 10 concerning Application No. A-16-06-Z.OP - Algoma Residential Community Hospice be accepted and the Planning Director's recommendation that City Council approve the application subject to the 2 conditions contained in the report be endorsed. CARRIED.

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

- (a) **Physician Recruitment Program**

The report of the Physician Recruitment Committee and the Manager of Finance and Audits were accepted by Council.

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

Resolved that the report of the Physician Recruitment Coordinator dated 2006 07 10 concerning Program Status Report to City Council be accepted as information; and

6. (8)
(a)

Further resolved that the report of the Manager of Finance and Audits dated 2006 06 26 concerning Physician Recruitment Program be accepted and the recommendation that the 2006 Physician Recruitment Program be funded from the following sources:

1. unallocated 2005 casino revenue reserve	\$242,911.00
2. contributions from Group Health Centre and Sault Area Hospital	\$150,000.00
3. Physician Recruitment Reserve	<u>\$417,217.00</u>
Total:	\$810,128.00

be approved. CARRIED.

Moved by Councillor S. Butland

Seconded by Councillor D. Amaroso

Whereas Sault Ste. Marie Health Care appears to be at a critical stage; and
There is no apparent representative group to address a Sault Ste. Marie - specific strategy;

Be it resolved that City Council endorse the formation, membership, mandate and direction of the Sault Ste. Marie Health Care Solutions Committee.
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 City of Sault Ste. Marie has been very proactive in its efforts to recycle over the past few years;

Therefore be it resolved that the Public Works Department be asked to update Council on the recycling program; and

Further resolved that the Public Works Department also be asked to solicit feedback from home owners, renters, condo owners, and private/public businesses about the program and report its findings at said meeting; and

Further that the Public Works Department make recommendations for the future at that time. CARRIED.

(b)

Moved by Councillor S. Butland

Seconded by Councillor P. Mick

Whereas the by-law which controlled the parking of mobile homes, travel trailers, work trailers on residential properties has been rescinded and has results in ongoing neighbourhood complaints;

Therefore be it resolved that appropriate staff revisit this previous by-law and identify the rationale for its discontinuance and provide this information for the consideration of Council. CARRIED.

7. (c) Moved by Councillor T. Sheehan
Seconded by Councillor J. Curran
Whereas some of the residents of Pine Street on the east side between McDonald and Cunningham are experiencing difficulty with exiting their driveways due to cars parked on the roadway; and
Whereas there is currently a ban on parking on this stretch of Pine Street during the months of July and August;
Now therefore be it resolved that the Public Works and Transportation Traffic Division prepare a report to Council, after consultation with neighbouring residents, with recommendations on the feasibility of an extension of the current July and August parking ban on the east side of Pine Street between McDonald and Cunningham. 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 J. Caicco
Seconded by Councillor F. Manzo
Resolved that all the by-laws listed under Item 10 of the Agenda under date 2006 07 10, save and except By-law 2006-138 be approved. CARRIED.

- (a) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2006-138 being a by-law to repeal smoking control By-law 2003-7 be read three times and passed in Open council this 10th day of July, 2006. OFFICIALLY READ NOT DEALT WITH. DEFERRED FOR ONE YEAR.

- (b) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2006-149 being a by-law to authorize an agreement with the City and the Association of Municipalities of Ontario to allow the City to participate in the transfer of Federal Public Transit Funds for Public Transit Infrastructure to support primarily environmental sustainability objectives be read three times and passed in Open Council this 10th day of July, 2006. CARRIED.

- (c) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2006-154 being a by-law to authorize a street assumption to assume for public use and establish as a public street the Sault Ste. Marie Transportation Corridor known as "Carmen's Way" be read three times and passed in Open Council this 10th day of July, 2006. CARRIED.

10. (d) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2006-156 being a by-law to amend Schedule K to Traffic By-law 77-200 be read three times and passed in Open Council this 10th day of July, 2006. CARRIED.
- (e) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2006-157 being a by-law to authorize a contract between the City and Mid Canada Construction Corporation for the reconstruction of Russ Ramsay Way from Bay Street to Foster Drive be read three times and passed in Open Council this 10th day of July, 2006. CARRIED.
- (f) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2006-158 being a by-law to authorize a temporary street closing of Russ Ramsay Way from Bay Street to Foster Drive from July 17, 2006 until September 30, 2006 be read three times and passed in Open Council this 10th day of July, 2006. CARRIED.
- (g) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2006-159 being a by-law to amend Sault Ste. Marie Zoning By-law 2005-150 regarding lands located at 231 and 233 Turner Avenue be read three times and passed in Open Council this 10th day of July, 2006. CARRIED.
- (h) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2006-160 being a by-law to designate 231 and 233 Turner Avenue as an area of site plan control be read three times and passed in Open Council this 10th day of July, 2006. CARRIED.
- (i) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2006-161 being a by-law to authorize the execution of an infrastructure and community development program agreement between the City and the Northern Ontario Heritage Fund Corporation for the Steelback Centre be read three times and passed in Open Council this 10th day of July, 2006. CARRIED.

10. (j) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2006-162 being a by-law to authorize the execution of a novation agreement between the City and the Minister of Municipal Affairs and Housing for Ontario be read three times and passed in Open Council this 10th day of July, 2006. CARRIED.

(k) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2006-163 being a by-law to authorize the sale of 583 Northland Road to Tino Ficociello be read three times and passed in Open Council this 10th day of July, 2006. CARRIED.

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

(a) Moved by Councillor L. Turco
Seconded by Councillor D. Amaroso
Resolved that the 2006 Council Meeting Schedule BE AMENDED by cancelling the August 14th Council Meeting. CARRIED.

12. **ADJOURNMENT**

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

"John Rowswell"

MAYOR

"Donna P. Irving"

CLERK