

MINUTES

REGULAR MEETING OF CITY COUNCIL

2006 04 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, M. White, L. Bottos, P. McAuley, N. Apostle, B. Freiburger, J. Dolcetti, D. Elliott, D. McConnell

1. **ADOPTION OF MINUTES**

Moved by Councillor N. DelBianco

Seconded by Councillor P. Mick

Resolved that the Minutes of the Regular Council Meeting of 2006 04 10 be approved. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Ashley Gregoire, Volunteer, Sault Ste. Marie Chapter of Child Find Ontario was in attendance concerning Proclamation - Missing Children's Month.
- (b) Mildred Brodie, Salvation Army, was in attendance concerning Proclamation - Red Shield Month.
- (c) Sue Celetti, Education Director, Multiple Sclerosis, was in attendance concerning Proclamation - Multiple Sclerosis Month.
- (d) Kendra Komsa and Jake Huckson of the Huron Superior Catholic District School Board were in attendance concerning Proclamation - Catholic Education Week.
- (e) Rob Pihlaja was in attendance concerning Proclamation - Navy League Week.

4. (f) Gary Premo, President, Sault Ste. Marie and District Labour Council will be in attendance concerning Proclamation - Day of Mourning.
- (g) Dr. David Walde and John Hollingsworth, Co-Chairs, New Sault Area Hospital Campaign were in attendance concerning the new hospital fundraising drive.
- (h) Dr. Robert Ewing was in attendance concerning agenda item 5.(q).
- (i) Fausto DiTommaso and Andre Messier were in attendance concerning agenda item 6.(6)(b).

PART ONE – CONSENT AGENDA

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

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that all the items listed under date 2006 04 24 - Part One - Consent Agenda [save and except 5.(o)] be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.
- (b) Correspondence from the Town of Thessalon, Town of Gore Bay, Town of Spanish, Township of St. Joseph, Township of Terrace Bay, Township of Machar, Township of McMurrich/Montieth, Municipality of Callander, Municipality of Temagami, Village of Sundridge, Township of Alberton, Town of Latchford and the Township of Armour (concerning Northern Physician Retention Initiative); and the Township of South Algonquin (concerning Request for Changes to the Current Value Assessment System) was received by Council.
- (c) The letter from Tony Martin, M.P.P. concerning federal gas tax funding was received by Council.
- (d) The letter from Michael Sifton, President and CO, Osprey Media Group, concerning a recent Council resolution was received by Council.
- (e) Letters from the Chair, Municipal Property Assessment Corporation (MPAC) concerning the recent Ombudsman of Ontario report and Preliminary List of Electors and the letter from the local MPAC representative were received by Council.
- (f) The news release from the Bridge Authority was received by Council.

5. (g) The letter from the Executive Director, Waste Diversion Ontario concerning 2006 Blue Box Funding was received by Council.
- (h) The letter from the Chair, Relay for Life Steering Committee requesting an exemption to the Noise By-law for the annual Relay for Life event at the John Rhodes Community Centre was accepted by Council. The relevant By-law 2006-82 is listed under Item 10 of the Minutes.
- (i) The Outstanding Council Resolutions List dated 2006 04 11 was received by Council.
- (j) Correspondence from the Ontario Lottery and Gaming Corporation advising that the quarterly payment of the 5% allocation from January 1, 2006 to March 31, 2006 is \$344,906.00 was received by Council.

(k) **Staff Travel Requests**

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

Moved by Councillor N. DeBianco

Seconded by Councillor P. Mick

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2006 04 24 be approved as requested. CARRIED.

(l) **2006 Tax Capping Options**

The report of the Acting City Tax Collector was accepted by Council. The relevant By-laws 2006-73, 2006-74 and 2006-75 are listed under Item 10 of the Minutes.

(m) **Tender for Selected Granular Materials**

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

Moved by Councillor L. Turco

Seconded by Councillor B. Hayes

Resolved that the report of the Manager of Purchasing dated 2006 04 24 be endorsed and that the tender for the supply of Selected Granular Materials, required by the City Corporation, be awarded as recommended. CARRIED.

(n) **Proposal for the Dredging of Holiday Inn Marina Storm Outfall**

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

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that the report of the Manager of Purchasing dated 2006 04 24 be endorsed and that the Proposal for the Dredging of Holiday Inn Marina Storm Outfall, required by the Public Works and Transportation Department, be awarded as recommended. CARRIED.

5. (o) **Tender for One (1) 40' Low Floor Transit Bus**

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

Moved by Councillor N. DelBianco

Seconded by Councillor B. Hayes

Resolved that the report of the Manager of Purchasing dated 2006 04 24 be endorsed and that the tender for the supply and delivery of One (1) Additional 40' Low Floor Transit Bus, required by the Transit Division, be awarded as recommended. TABLED.

(p) **Memorial Tower**

The report of the Commissioner of Community Services on behalf of the Sault Ste. Marie Sports and Entertainment Centre Steering Committee was accepted by Council.

Moved by Councillor N. DelBianco

Seconded by Councillor P. Mick

Resolved that the recommendation of the Sports and Entertainment Centre Steering Committee to rename the Memorial Tower the Sault Ste. Marie Memorial Tower be approved. CARRIED.

(q) **Ontario Heritage Act Designation - Memorial Tower of the Sault Memorial Gardens**

The report of the Chairperson, Sault Ste. Marie Municipal Heritage Committee was accepted by Council.

Moved by Councillor L. Turco

Seconded by Councillor B. Hayes

Resolved that the report of the Chairperson, Sault Ste. Marie Municipal Heritage Committee dated 2006 04 24 concerning Ontario Heritage Act Designation - Memorial Tower of the Sault Memorial Gardens be accepted and the recommendation to designate the Sault Ste. Marie Memorial Tower under Part IV of the Ontario Heritage Act be approved. CARRIED.

(r) **Sault Amateur Soccer Association - Strathclair Park**

The report of the Commissioner of Community Services was accepted by Council.

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that the report of the Commissioner of Community Services dated 2006 04 24 concerning Sault Amateur Soccer Association - Strathclair Park be accepted as information. CARRIED.

5. (s) **Financial Assistance Request From Theatre S.M.C.**
The report of the Manager of Recreation and Culture was accepted by Council.
- Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that the report of the Manager of Recreation and Culture dated 2006 04 24 concerning Financial Assistance Request From Theatre S.M.C. be accepted and the recommendation to provide a \$1,000.00 grant to Theatre S.M.C. (participating in Theatre Ontario Festival - Sarnia, Ontario, May 19th) be approved. CARRIED.
- (t) **Request for Financial Assistance for National/International Sports Competitions**
The report of the Assistant Manager of Recreation and Culture was accepted by Council.
- Moved by Councillor N. DelBianco
Seconded by Councillor P. Mick
Resolved that the report of the Assistant Manager Recreation and Culture dated 2006 04 24 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide a \$200.00 grant to Shayne McGaughey (2006 World Hap Kido Championships) be approved. CARRIED.
- (u) **Location for Memorial Plaque Dedicated to Those Killed While Riding Their Motorcycle**
The report of the Commissioner of Community Services was accepted by Council.
- Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that the report of the Commissioner of Community Services dated 2006 04 24 concerning Location for Memorial Plaque Dedicated to Those Killed While Riding Their Motorcycle be accepted and the recommendation to permit the location of a memorial plaque produced by the Bikers Rights Organization, Region 22, at Strathclair Park be approved. CARRIED.
- (v) **Civic No. 774 Dymont Street**
The report of the Residential Standards Appeal Secretary was accepted by Council.

5. (v) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Residential Standards Appeal Secretary dated 2006 04 24 concerning Civic No. 774 Dymont Street be accepted and the recommendation that the Corporation hire the forces necessary to remove any debris, remove the fire damaged rear porch and secure all openings in the dwelling and the garage adding the costs of this action to the taxes of the subject property be approved. CARRIED.
- (w) **Civic No. 481 Lake Street**
The report of the Building Inspector was accepted by Council.
- Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that the report of the Building Inspector dated 2006 04 24 concerning Civic No. 481 Lake Street be accepted and the recommendation that the Corporation hire the forces necessary to remove the fence, junk, appliances, discarded materials and debris, cut and remove overgrown grass and weeds and secure the building adding the costs of this action to the taxes of the subject property be approved. CARRIED.
- (x) **Sanitary Sewage System Infrastructure Upgrades - OSTAR Funding Agreement Amendment**
The report of the Director of Engineering Services was accepted by Council.
The relevant By-law 2006-72 is listed under Item 10 of the Minutes.
- (y) **Incident Update - East End Sewage Plant Construction Site**
The report of the Commissioner of Engineering and Planning was accepted by Council.
- Moved by Councillor N. DelBianco
Seconded by Councillor P. Mick
Resolved that the report of the Commissioner of Engineering and Planning dated 2006 04 24 concerning Incident Update - East End Sewage Plant Construction Site be accepted as information. CARRIED.
- (z) **Set Fines for Skateboarding and Rollerblading at City Bus Terminal - By-law 2005-180**
The report of the Assistant City Solicitor was accepted by Council.
- Moved by Councillor L. Turco
Seconded by Councillor B. Hayes
Resolved that the report of the Assistant City Solicitor dated 2006 04 24 concerning set fines for contraventions of By-law 2005-180 be accepted and that Legal Department be authorized to make application to the Ontario Ministry of the Attorney General for such set fines. CARRIED.

5. (aa) **Extension of Urban Service Line in Two Locations on Fourth Line East and Old Garden River Road - AND - Repeal of By-law 2005-179**
The report of the Assistant City Solicitor was accepted by Council. The relevant By-law 2006-54 is listed under Item 10 of the Minutes.
- (bb) **Offer to Purchase 590 Second Line East - Mario Coccimiglio**
The report of the City Solicitor was accepted by Council. The relevant By-law 2006-80 is listed under Item 10 of the Minutes.
- (cc) **Habitat for Humanity**
The report of the City Solicitor was accepted by Council. The relevant By-law 2006-84 is listed under Item 10 of the Minutes.
- (dd) **Planning Advisory Committee 2005 Annual Report**
The report of the Planning Advisory Committee was accepted by Council.
- Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Planning Advisory Committee dated 2006 04 24 concerning the Planning Advisory Committee 2005 Annual Report be accepted and the Planning Advisory Committee's recommendation that City Council accept this report as information be endorsed. CARRIED.
- (ee) **Municipal Mausoleum Master Plan and Expansion**
The report of the Acting Manager of Administration, Public Works and Transportation Department, was accepted by Council.
- Moved by Councillor N. DelBianco
Seconded by Councillor B. Hayes
Resolved that the report of the Acting Manager of Administration, Public Works and Transportation Department, dated 2006 04 24 concerning the Municipal Mausoleum Master Plan and Expansion and the recommendation to adopt the Municipal Mausoleum Master Plan, to proceed with registration and tender of Phase XI and to increase the associated design and contract administration fees to \$56,000.00 exclusive of taxes be approved. CARRIED.
- (ff) Correspondence from the Minister of Health (concerning COMRIF Funding) was received by Council.
- (gg) **Sports and Entertainment Centre Update**
The report of the Commissioner of Community Services was accepted by Council.

5. (gg) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Commissioner of Community Services under date 2006 04 24 concerning Sports and Entertainment Centre Update be accepted as information. CARRIED.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (6) PLANNING

- (a) **Application No. A-5-06-Z - Tony and Gail Marziale - 323 Huron Street - Request to Rezone in Order to Permit the Sale of Baby Clothes and Accessories Within the Existing Residential Unit**

The report of the Planning Division was accepted by Council.

Moved by Councillor N. DelBianco

Seconded by Councillor P. Mick

Resolved that the report of the Planning Division dated 2006 04 24 concerning Application No. A-5-06-Z - Tony and Gail Marziale be accepted and the Planning Director's recommendation that City Council approve the application subject to the 1 condition contained in the report be endorsed. CARRIED.

- (b) **Application No. A-9-06-OP - Blake Avenue Official Plan Amendment From Residential to Commercial**

The report of the Planning Division was accepted by Council.

Moved by Councillor L. Turco

Seconded by Councillor B. Hayes

Resolved that the report of the Planning Division dated 2006 04 24 concerning Application No. A-9-06-OP - Blake Avenue Official Plan Amendment From Residential to Commercial be accepted and the Planning Director's recommendation that City Council approve the Planning Advisory Committee's recommendation be endorsed. CARRIED.

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

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 L. Turco

Seconded by Councillor P. Mick

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2004 04 24 be approved. CARRIED.

(a) Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that By-law 2006-54 being a by-law to instruct the City Solicitor to apply to the Ontario Municipal Board for an order to alter the boundaries of the urban service area be read three times and passed in Open Council this 24th day of April, 2006. CARRIED.

(b) Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that By-law 2006-67 being a by-law to assume for public use and establish as public streets various parcels of land conveyed to the City be read three times and passed in Open Council this 24th day of April, 2006. CARRIED.

(c) Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that By-law 2006-72 being a by-law to authorize an addendum to the OSTAR funding agreement between the City and the Minister of Agriculture, Food and Rural Affairs concerning the sanitary sewage system infrastructure upgrades be read three times and passed in Open Council this 24th day of April, 2006. CARRIED.

(d) Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that By-law 2006-73 being a by-law to provide for the adoption of taxation transition ratios be read three times and passed in Open Council this 24th day of April, 2006. CARRIED.

(e) Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that By-law 2006-74 being a by-law to adopt optional tools for the purposes of administering limits for eligible properties within the meaning of Section 331 of the Municipal Act, 2001 (New Construction) for the commercial industrial and multi-residential property classes be read three times and passed in Open Council this 24th day of April, 2006. CARRIED.

10. (f) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2006-75 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 24th day of April, 2006. CARRIED.
- (g) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2006-76 being a by-law to amend the text of Sault Ste. Marie Zoning By-law 2005-150 be read three times and passed in Open Council this 24th day of April, 2006. (City) CARRIED.
- (h) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2006-77 being a by-law to adopt Amendment No. 110 to the Official Plan be read three times and passed in Open Council this 24th day of April, 2006. CARRIED.
- (i) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2006-78 being a by-law to amend the text of Sault Ste. Marie Zoning By-law 2005-150 be read three times and passed in Open Council this 24th day of April, 2006. (City) CARRIED.
- (j) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2006-79 being a by-law to amend Sault Ste. Marie Zoning By-law 2005-151 be read three times and passed in Open Council this 24th day of April, 2006. CARRIED.
- (k) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2006-80 being a by-law to authorize the conveyance of surplus City property located at 590 Second Line East to Mario Coccimiglio be read three times and passed in Open Council this 24th day of April, 2006. CARRIED.
- (l) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2006-81 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 24th day of April, 2006. CARRIED.

10. (m) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2006-82 being a by-law to amend By-laws 80-200 and By-law 4100 dealing with the exemption from the noise control by-laws for the Canadian Cancer Society's 6th Annual Relay for Life Event be read three times and passed in Open Council this 24th day of April, 2006. CARRIED.
- (n) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2006-83 being a by-law to adopt Amendment No. 109 to the Official Plan be read three times and passed in Open Council this 24th day of April, 2006. CARRIED.
- (o) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2006-84 being a by-law to authorize the conveyance of 958 People's Road to Habitat for Humanity Sault Ste. Marie and Area be read three times and passed in Open Council this 24th day of April, 2006. CARRIED.

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

- (a) Moved by Councillor N. DelBianco
Seconded by Councillor P. Mick
Resolved that this Council shall now go into Caucus prior to the May 8, 2006 meeting of Council to discuss one personal matter. CARRIED.

12. **ADJOURNMENT**

Moved by Councillor N. DelBianco
Seconded by Councillor P. Mick
Resolved that this Council shall now adjourn. CARRIED.

"John Rowswell"

MAYOR

"Donna P. Irving"

CLERK