

MINUTES

REGULAR MEETING OF CITY COUNCIL

2006 11 27

4:00 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, B. Strapp

1. **ADOPTION OF MINUTES**

Moved by - Councillor D. Amaroso

Seconded by - Councillor J. Curran

Resolved that the Minutes of the Regular Council Meeting of 2006 10 30 be approved. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Iris Bertrand, Community Education and Prevention Worker, Access Aids Network was in attendance concerning Proclamation - Aids Awareness Week.

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 2006 11 27 - Part One - Consent Agenda [save and except 5.(b) - Officially Read Not Dealt With] be approved as recommended. CARRIED.

5. (a) The letter from Duane Jones, Ward 5 municipal election candidate requesting that Council authorize a recount of the Ward 5 ballots was accepted by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that pursuant to Section 57 of the Municipal Elections Act 1996, Council hereby requires a recount for the November 13, 2006 election votes cast for the candidates for Ward 5 Councillor who received the second and third highest number of votes, specifically the candidates are Frank Fata and Duane Jones, and further that this recount be conducted on Thursday, November 30, 2006 commencing at 9:00 a.m. in the Biggings Room, Civic Centre, be approved. CARRIED.

- (b) The letter from the resident of 1549 Leigh's Bay Road concerning a request for temporary approval to keep horses at 1549 Leigh's Bay Road until the end of June 2007 was received by Council. Correspondence from two nearby property owners on Leigh's Bay Road was also received by Council.

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that the letter dated November 16, 2006 from Lisa Devincenzo regarding 1549 Leigh's Bay Road and her request to be heard by Council BE DEFERRED to the new Council to be dealt with on December 11th, 2006, provided that a resolution to do so is presented at that time by two members of the new Council and passed by a majority; and

Further that should the new Council wish to hear from Ms. Devincenzo, that they do so at the Council Meeting of January 15th, 2007 and that all interested parties who attended the original rezoning application be notified and be given an opportunity to be heard as well. (Mover and Seconder removed their names from motion) OFFICIALLY READ NOT DEALT WITH.

- (c) Correspondence from AMO and OGRA was received by Council.
- (d) Correspondence from the City of Niagara Falls (concerning Bill 111 Workplace Safety and Insurance Amendment Act); the County of Prince Edward (concerning freezing the levy to MPAC at 2006 rates) was received by Council.
- (e) The request for a temporary street closing on Queen Street and Simpson Street in conjunction with the 2006 Rotary Santa Claus Parade being held Saturday, December 2nd, 2006 was accepted by Council. The relevant By-law 2006-245 is listed under Item 10 of the Minutes.

5. (f) Letters from the Minister of Transportation (concerning gas tax funding for public transit); the Federal Minister of Finance (in response to a Council resolution concerning the federal/provincial fiscal imbalance); the Deputy Minister of Northern Development and Mines (concerning two senior staff changes); the Minister of Municipal Affairs and Housing (concerning congratulations to Mayor Rowswell and Councillors on re-election); and the Premier of Ontario (concerning the LCBO deposit return system) were received by Council.
- (g) The letter from Algoma University College thanking the city for placing directional university and college signs around the city was received by Council.
- (h) Correspondence concerning the President and C.E.O., Algoma Steel Inc. receiving the Ontario Professional Engineers Award 2006 was received by Council.

Moved by Councillor D. Amaroso

Seconded by Councillor J. Curran

Resolved that Sault Ste. Marie City Council expresses its sincere congratulations to Denis Turcotte, P. Eng., President and Chief Executive Officer, Algoma Steel Inc. on the occasion of his receiving the 2006 Ontario Professional Engineers Award 'The Engineering Medal - Management' and for his being named the Canadian Business Magazine 'Top C.E.O. in 2006' in recognition of his very successful management of Algoma Steel Inc. since 2002. CARRIED.

(i) **Staff Travel Requests**

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

Moved by Councillor D. Amaroso

Seconded by Councillor T. Sheehan

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2006 10 30 be approved as requested. CARRIED.

(j) **Tenders for Automotive Supplies and Tire Services**

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 2006 11 27 be endorsed and that the tenders for the supply of Automotive Supplies and Tire Services, required by the various City Departments and cooperatively PUC Services Inc. for the year 2007 be awarded as recommended. CARRIED.

5. (k) **Tender for One (1) Utility Step Van as Part of Equipment - Public Works and Transportation Department**

A report of the Manager of Purchasing is attached for the consideration of Council.

Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan

Resolved that the report of the Manager of Purchasing dated 2006 11 27 be endorsed and that the tender for the supply and delivery of One (1) Utility Step Van, required by the Public Works and Transportation Department be awarded as recommended. CARRIED.

(l) **Property Tax Appeals**

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

Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran

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 2006 11 27 be approved and the tax records be amended accordingly. CARRIED.

(m) **Vacant Unit Tax Rebate Program - Commercial and Industrial Properties**

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

Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan

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 City Tax Collector's report of 2006 11 27 be approved and the tax records be amended accordingly. CARRIED.

(n) **Fire Association Correspondence November 8, 2006**

The report of the Commissioner of Human Resources was accepted by Council.

Moved by Councillor D. Celetti
Seconded by Councillor J. Curran

Resolved that the report of the Commissioner of Human Resources dated 2006 11 27 concerning Fire Association Correspondence November 8, 2006 be accepted as information. CARRIED.

(o) **Agreement With Canadian Red Cross for Emergency Social Services**

The report of the Commissioner of Social Services was accepted by Council.
The relevant By-law 2006-238 is listed under Item 10 of the Minutes.

5. (p) **National Communities in Bloom Competition**
The report of the Assistant Manager, Recreation and Culture was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Assistant Manager, Recreation and Culture dated 2007 11 27 concerning National Communities in Bloom Competition be accepted and the recommendation that Council approve an application to Services Canada to hire an administrative assistant to provide support for the 2007 Communities in Bloom National Competition be approved. CARRIED.
- (q) **965 Leigh's Bay Road - Property Standards**
The report of the Chief Building Official was accepted by Council.
- Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that the report of the Chief Building Official/Property Standards Officer dated 2006 11 27 concerning civic number 965 Leigh's Bay Road be accepted and the recommendation that the corporation hire the forces necessary to remove the inoperative vehicles, automobile parts and debris throughout the property adding the costs of this action to the taxes of the subject property be approved. CARRIED.
- (r) **Engineering Services - Design of Trunk Road - Black Road to Wellington Street**
The report of the Director of Engineering Services was accepted by Council.
The relevant By-law 2006-242 is listed under Item 10 of the Minutes.
- (s) **Engineering Services - Bruce Street, Queen Street to Bay Street**
The report of the Director of Engineering Services was accepted by Council.
The relevant By-law 2006-241 is listed under Item 10 of the Minutes.
- (t) **Designated Fire Route at Steelback Centre - 269 Queen Street East**
The report of the City Solicitor was accepted by Council. The relevant By-law 2006-240 is listed under Item 10 of the Minutes.
- (u) **City Purchase From Acciavatti - 156 Black Road**
The report of the City Solicitor was accepted by Council. The relevant By-law 2006-244 is listed under Item 10 of the Minutes.
- (v) **PUC Inc. 2006 Third Quarter Shareholder Report**
The report of the President and C.E.O., PUC Inc. was accepted by Council.

5. (v) Moved by Councillor D. Amaroso
Seconded by Councillor T. Sheehan
Resolved that the report of the President and C.E.O., PUC Inc. dated 2006 10 20 concerning 2006 Third Quarter Shareholder Report be accepted as information. CARRIED.
- (w) The letter from James Loney thanking the City for its support during his captivity was received by Council.
- (x) **Council Travel**

Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the Councillor Lou Turco be authorized to travel to (1) an AMO MOU meeting being held in Toronto (one day in December) at a cost of \$300.00 to the City; (2) an AMO Executive meeting being held in Toronto (one day in December) at a cost of \$300.00 to the City; and (3) a Northern Ontario School of Medicine meeting being held in Sudbury (two days in December) at no cost the City. CARRIED.
- (y) **December Council Meeting Schedule**
The report of the City Clerk was accepted by Council.
- Moved by Councillor B. Hayes
Seconder Councillor J. Collins
Resolved that Council shall meet on December 11th, 2006 at 3:30 p.m. to discuss the process and policy for making 2007 appointments to boards and committees. CARRIED.
- Moved by Councillor D. Celetti
Seconder Councillor T. Sheehan
Resolved that the report of the City Clerk dated 2006 11 27 concerning December Council Meeting Schedule be accepted as information. CARRIED.

PART TWO – REGULAR AGENDA

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 appears to be very nearly unanimous consensus that the Memorial Tower light be lit at the Steelback Centre on a continual daily basis;
Be it resolved that Council instruct the Commissioner of Community Services to initiate a “dusk to dawn” policy as soon as practically possible. CARRIED.

7. (b) **Notice of Motion**

Moved by Councillor S. Butland

Seconded by Councillor D. Celetti

Whereas Council has commissioned an all-encompassing, phased-in study to evaluate in a systematic manner the economic potential for Sault Ste. Marie to become a transportation corridor to the U.S.A. by land, sea and air; and

Whereas this study is to recommend strategies to pursue the economic benefits of this initiative; and

Whereas the first phase of the study will be tabled in early 2007; and

Whereas Council approved the \$550,000.00 expenditure which hopefully will provide a definitive blueprint to follow in this exercise;

Be it resolved that Council not approve any further interim expenditures on the air cargo, multi/intermodal initiative until such time as the study results are tabled for Council's consideration; and

Be it further resolved that Council request of the Economic Development Corporation Board to adopt a similar policy.

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. Celetti

Seconded by Councillor T. Sheehan

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2006 11 27 be approved. CARRIED.

(a) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan

Resolved that By-law 2006-231 being a by-law to stop up, close and authorize the conveyance of a road allowance described as Lot 106, Registrar's Compiled Plan H-714, Rankin Location and Part 1 on Plan IR-11117 be read a third time in Open Council this 27th day of November, 2006 after notice thereof had been published once a week for two consecutive weeks and after Council had met to hear every person who claims that his or her land will be prejudicially affected by the by-law and who had applied to be heard. CARRIED.

(b) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan

Resolved that By-law 2006-235 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 27th day of November, 2006. CARRIED.

10. (c) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2006-236 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 27th day of November, 2006. CARRIED.
- (d) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2006-237 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 1159 and 1171 Trunk Road be read three times and passed in Open Council this 27th day of November, 2006. (Ruscio) CARRIED.
- (e) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2006-238 being a by-law to authorize an agreement with the City and The Canadian Red Cross for Emergency Social Services be read three times and passed in Open Council this 27th day of November, 2006. CARRIED.
- (f) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2006-239 being a by-law to authorize a Letter of Agreement with the City and Her Majesty the Queen as represented by the Minister of Transportation for funding provided by the province to the municipality under the Dedicated Gas Tax funds for public transit be read three times and passed in Open Council this 27th day of November, 2006. CARRIED.
- (g) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2006-240 being a by-law to amend Fire Route By-law 81-404 be read three times and passed in Open Council this 27th day of November, 2006. CARRIED.
- (h) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2006-241 being a by-law to authorize an agreement between the City and Wm. R. Walker Engineering Inc. for the design and contract administration of the reconstruction of Bruce Street from Queen to Bay be read three times and passed in Open Council this 27th day of November, 2006. CARRIED.

10. (i) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2006-242 being a by-law to authorize an agreement between the City and M. R. Wright and Associates Co. Ltd. for the provision of design services for the resurfacing and widening of Trunk Road from Black to Wellington be read three times and passed in Open Council this 27th day of November, 2006. CARRIED.
- (j) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2006-243 being a by-law to amend By-law 2005-166 being a by-law to regulate signs within the City of Sault Ste. Marie be read three times and passed in Open Council this 27th day of November, 2006. CARRIED.
- (k) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2006-244 being a by-law to authorize the acquisition of 156 Black Road and further that monies for the acquisition be taken from the Property Purchases Reserve Fund Account 290-000-003-1 be read three times and passed in Open Council this 27th day of November, 2006. CARRIED.
- (l) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2006-245 being a by-law to permit the temporary closing of Queen Street and Simpson Street to facilitate the annual Santa Claus Parae be read three times and passed in Open Council this 27th day of November, 2006. CARRIED.

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

12. **ADJOURNMENT**

Moved by Councillor D. Amaroso
Seconded by Councillor J. Curran
Resolved that this Council shall now adjourn. CARRIED.

"John Rowswell"
MAYOR

"Donna P. Irving"
CLERK