

## **MINUTES**

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

**2007 07 23**

**4:30 P.M.**

### **COUNCIL CHAMBERS**

**PRESENT:** Mayor J. Rowswell, Councillors J. Caicco, L. Turco, B. Hayes, D. Celetti, O. Grandinetti, S. Myers, L. Tridico, F. Fata, T. Sheehan, S. Butland, F. Manzo, P. Mick

**OFFICIALS:** J. Fratesi, D. Irving, L. Bottos, B. Freiburger, P. McAuley, N. Apostle, J. Dolcetti, S. Turco, R. Tyczinski

1. **ADOPTION OF MINUTES**

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

Resolved that the Minutes of the Regular Council Meeting of 2007 07 09 be approved. CARRIED.

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

3. **APPROVE AGENDA AS PRESENTED**

Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that the Agenda for the 2007 07 23 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Lisa Durnford, Sarah Fortais, Jennifer Payne and Adam Proulx, recipients of the Canadian Millennium Scholarship Foundation were in attendance for special recognition by Mayor Rowswell.
- (b) Susan Milne, Communities in Bloom Co-Chair was in attendance concerning agenda item 5.(f).
- (c) Sharon Mosker on behalf of Bell Canada was in attendance concerning agenda item 5.(k).

- 4. (d) Andrew Ross, Youth Development Coordinator, Enterprise Centre Sault Ste. Marie and participants in the Summer Company program were in attendance concerning agenda item 5.(r).
- (e) A representative of Sault Area Hospital 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 S. Butland

Seconded by Councillor O. Grandinetti

Resolved that all the items listed under date 2007 07 23 - Part One - Consent Agenda, [save and except 5.(l) - Tabled to August 13<sup>th</sup>] be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.
- (b) The letter from McCormick Rankin Corporation concerning a study to investigate options for four-laning Highway 17 from Black Road at Second Line East to the East Boundary of the City of Sault Ste. Marie at Highway 17 (New) through Batchewana First Nation was received by Council.
- (c) Correspondence from the City of Owen Sound (concerning a request that the provincial government pay for 100% of court security costs); and the Municipality of Greater Sudbury (concerning a request to increase the Ontario minimum wage to \$10.00 per hour) was received by Council.

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

Resolved that Sault Ste. Marie City Council supports and endorses the July 10, 2007 resolution of the City of Owen Sound in which it requests that the Provincial Government pay for 100% of Court Security Costs; and

Further that a copy of this resolution be forwarded to Association of Municipalities of Ontario (AMO); Chair, Sault Ste. Marie Police Services Board; and Sault Ste. Marie M.P.P. David Oraziatti. CARRIED.

- (d) The letter from the Sault Buskerfest Committee requesting a by-law to prohibit uninvited vendors from locating on the grounds of Buskerfest (Queenstown Square 1) on August 10, 11 and 12, 2007 was accepted by Council. The relevant By-law 2007-138 is listed under Item 10 of the Minutes.

5. (e) Correspondence concerning a request for permission to hold a Special Occasion permit event at an outdoor municipal facility was accepted by Council.

Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that the following request to hold a Special Occasion permit event at a municipal facility on the stated dates and times be endorsed by City Council:

Roberta Bondar Pavilion

Stewart-Coughlin Wedding Reception

August 25, 2007 - 5:00 p.m. to 1:00 a.m. CARRIED.

Correspondence concerning a request for permission to hold a Special Occasion permit event at an outdoor municipal facility was accepted by Council.

Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that the following request to hold a Special Occasion permit event at a municipal facility on the stated dates and times be endorsed by City Council (pending approvals from necessary officials):

Rocky DiPietro Field

Sault Steelers Playoff games

August 4, 11 & 18 – 7:00 p.m. to 10:00 p.m. CARRIED.

(f) **Boards/Committees Travel**

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

Moved by Councillor S. Butland

Seconded by Councillor F. Manzo

Resolved that Parks and Recreation Advisory Committee Member Susan Milne be authorized to attend the 2007 National Educational Symposium and Awards Ceremony being held in Moncton, New Brunswick in September at an estimated cost of \$2,530.00 with funds to come from the 2007 Communities in Bloom Budget. CARRIED.

(g) **Staff Travel Requests**

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

Moved by Councillor S. Butland

Seconded by Councillor O. Grandinetti

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 07 23 be approved as requested. CARRIED.

(h) **Tender for Two (2) Para-Transit Mini Buses (2007CK06)**

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

5. (h) Moved by Councillor J. Caicco  
Seconded by Councillor F. Manzo  
Resolved that the report of the Manager of Purchasing dated 2007 07 23 be endorsed and that the tender for the supply and delivery of Two (2) Para-Transit Mini Buses, required by the Transit Division of the Public Works and Transportation Department be awarded as recommended. CARRIED.
- (i) **Tender for HVAC Replacement - Seniors Drop-In Centre**  
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor J. Caicco  
Seconded by Councillor O. Grandinetti  
Resolved that the report of the Manager of Purchasing dated 2007 07 23 be endorsed and that the tender for the Replacement of the HVAC System at the Seniors Drop-In Centre, required by the Community Services Department be awarded as recommended. CARRIED.
- (j) **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 2007 07 23 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.
- (k) **Loss of 911/Cellular/Internet/Long Distance Service**  
The report of the Chief Administrative Officer was accepted by Council.
- Moved by Councillor S. Butland  
Seconded by Councillor O. Grandinetti  
Resolved that the report of the Chief Administrative Officer dated 2007 07 23 concerning Loss of 911/Cellular/Internet/Long Distance Service be accepted as information. CARRIED.
- (l) **Pedestrian Crossing on Northern Avenue**  
The report of the Commissioner of Engineering and Planning was received by Council.

5. (l) Moved by Councillor J. Caicco  
Seconded by Councillor F. Manzo  
Resolved that the report of the Commissioner of Engineering and Planning dated 2007 07 23 concerning Pedestrian Crossing on Northern Avenue be accepted and the recommendation that Council accept the preferred option (a primary pedestrian crossing be provided by an intersection traffic signal on Northern Avenue at the A & P driveway and the west Pee Wee Arena driveway and that the lane configuration on Northern Avenue be changed to three lanes) to be considered under a Capital Work project for possible implementation in 2008 or later and that this project be rated/prioritized along with other projects and that staff proceed with a public meeting with interested parties in order to consider an interim measure in 2007 (pedestrian refuge islands and associated improvements) subject to shared available funding being established from the Unforeseen Account and potential savings in the Capital Construction Contingency allowance be approved. (TABLED TO AUGUST 13<sup>TH</sup> FOR A FURTHER STAFF REPORT.) OFFICIALLY READ NOT DEALT WITH.

- (m) **Sugar Island Township Beach Closure - Bacteria in St. Mary's River**  
The report of the Director of Engineering Services was accepted by Council.

Moved by Councillor J. Caicco  
Seconded by Councillor O. Grandinetti  
Resolved that the report of the Director of Engineering Services dated 2007 07 23 concerning Sugar Island Township Beach Closure - Bacteria in St. Mary's River be accepted as information. CARRIED.

- (n) **Fire Services 2006 Annual Report**  
The report of the Fire Chief was accepted by Council.

Moved by Councillor S. Butland  
Seconded by Councillor F. Manzo  
Resolved that the report of the Fire Chief dated 2007 07 23 concerning Sault Ste. Marie Fire Services 2006 Annual Report be accepted as information. CARRIED.

- (o) **Ministry of Environment Odour Charge at Fifth Line Landfill**  
The report of the City Solicitor was accepted by Council.

Moved by Councillor S. Butland  
Seconded by Councillor O. Grandinetti  
Resolved that the report of the City Solicitor dated 2007 07 23 concerning Ministry of Environment Odour Charge at Fifth Line Landfill be accepted as information. CARRIED.

5. (p) **Lane Closing Application - Bell and Brown Subdivision**  
The report of the City Solicitor was accepted by Council. The relevant By-laws 2007-139 and 2007-140 are listed under Item 10 of the Minutes.
- (q) **City Sale of 579 Northland Road**  
The report of the City Solicitor was accepted by Council. The relevant By-law 2007-135 is listed under Item 10 of the Minutes.
- (r) **Summer Company Program**  
The report of the Youth Development Coordinator, Enterprise Centre Sault Ste. Marie was accepted by Council.
- Moved by Councillor J. Caicco  
Seconded by Councillor F. Manzo  
Resolved that the report of the Youth Development Coordinator, Enterprise Centre Sault Ste. Marie dated 2007 07 16 concerning Summer Company Program be accepted as information; and  
Further resolved that City Council expresses its support for the Summer Company Program and the participating students from the Algoma region who are operating their own businesses this summer through the program.  
CARRIED.
- (s) **Accreditation of City Coat of Arms by the Canadian Heraldic Authority**  
The report of the Coat of Arms Committee was accepted by Council.
- Moved by Councillor J. Caicco  
Seconded by Councillor O. Grandinetti  
Resolved that the report of the Coat of Arms Committee dated 2007 07 23 concerning Accreditation of City Coat of Arms by the Canadian Heraldic Authority be accepted and the recommendation that accreditation of the City Coat of Arms by the Canadian Heraldic Authority NOT be pursued at this time be approved. CARRIED.
- (t) **Reduction of Polystyrene in the Waste System**  
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 2007 07 23 concerning Reduction of Polystyrene in the Waste System be accepted as information. CARRIED.
- (u) Correspondence from Ontario Lottery and Gaming advising that the quarterly payment of the 5% allocation from April 1, 2007 to June 30, 2007 is \$386,432.00 was received by Council.

## **PART TWO – REGULAR AGENDA**

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

#### **6. (6) PLANNING**

##### **(a) Application No. A-14-07-Z - Robert McLean - 1100 Wellington Street East - Request to Rezone to Permit a Group Residence (a 10-Bed Social Rehabilitation Home for Adults Diagnosed With Mental Illness)**

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 2007 07 23 concerning Application No. A-14-07-Z - 1704611 Ontario Inc. be accepted and the Planning Director's recommendation that City Council approve the rezoning of the subject property from "R-2" (Single Detached Residential) zone to "R-2" with a Special Exception to permit a group residence for up to 10 residents, subject to the 4 conditions contained in the report be endorsed. CARRIED.

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

(a) Moved by Councillor B. Hayes

Seconded by Councillor S. Myers

Whereas there have been several complaints regarding the deteriorated state of the cemetery grounds; and

Whereas the complaints include such things as an abundance of dandelions, sparse to no grass, bird droppings on head stones, overgrown hedges and general lack of care on certain plots;

Now therefore be it resolved that appropriate staff prepare a report that identifies the current ground maintenance program and the associated budget, the reasons for the current state of the cemetery grounds, fees generated, the responsibility of staff with respect to those fees, the responsibility of the plot owner with respect to ground maintenance and the cemetery reserve balance as well as fund restrictions and pending use of those funds. CARRIED.

(b) Moved by Councillor S. Butland

Seconded by Councillor J. Caicco

Whereas residents of Eastern Avenue have been requesting on a regular, isolated basis, asphalt patching between the roadway and the end of their driveways; and

Whereas the situation is partially created by the less than ideal width of the roadway; and

7. (b) Whereas Eastern Avenue is likely to be listed as a roadway to be pulverized and resurfaced on next year's slate;  
Now therefore be it resolved that staff prepare a report on completing the above but also including the additional cost of widening the road to a more acceptable level. CARRIED.

- (c) Moved by Councillor S. Butland  
Seconded by Councillor J. Caicco  
Whereas there have been numerous wolf sightings within the City limits and subsequent calls of concern to Councillors, Police Services and the Ministry of Natural Resources;  
Now therefore be it resolved that Council request of the Ministry of Natural Resources an advisory on how best to deal with the situation when it arises. CARRIED.

- (d) Moved by Councillor S. Butland  
Seconded by Councillor S. Myers  
Whereas the present Memorandum of Agreement regarding the operation and maintenance of the Sault Ste. Marie Canal (Locks) (see attached) between the Federal Government and the City of Sault Ste. Marie expires in July 2008; and  
Whereas there has been no allowance for increases in the budget (except for salaries) for increased maintenance or infrastructure improvements; and  
Whereas the Ministry of Environment does not approve the transfer of the site to Batchewana First Nation; and  
Whereas there is now in place a Master Plan for the site; and  
Whereas there are presently some structural deficiencies that require immediate attention in addition to the aesthetic deficiencies; and  
Whereas various clauses of the current agreement merit immediate consideration prior to its expiration (eg., 6.3);  
Now therefore be it resolved that Council requests, through appropriate staff, the initiation of discussions regarding all of the above. Such meeting should include Mayor (or designate), M.P. Tony Martin, officials from Ministry of Environment, Batchewana First Nation, Indian and Northern Affairs Canada, E.D.C. representative and local Supervisor of the Lock site. 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 O. Grandinetti  
Resolved that all the by-laws listed under Item 10 of the Agenda under date 2007 07 23 be approved. CARRIED.



10. (a) Moved by Councillor S. Butland  
Seconded by Councillor O. Grandinetti  
Resolved that By-law 2007-134 being a by-law to appoint by-law enforcement officers to enforce the by-laws of the Corporation of the City of Sault Ste. Marie be read three times and passed in Open Council this 23<sup>rd</sup> day of July, 2007. CARRIED.
- (b) Moved by Councillor S. Butland  
Seconded by Councillor O. Grandinetti  
Resolved that By-law 2007-135 being a by-law to authorize the sale of 579 Northland Road to Murray Raisanen be read three times and passed in Open Council this 23<sup>rd</sup> day of July, 2007. CARRIED.
- (c) Moved by Councillor S. Butland  
Seconded by Councillor O. Grandinetti  
Resolved that By-law 2007-136 being a by-law to authorize a contract agreement with the City and The District of Sault Ste. Marie Social Services Administration Board (DSSMSSAB) be read three times and passed in Open Council this 23<sup>rd</sup> day of July, 2007. CARRIED.
- (d) Moved by Councillor S. Butland  
Seconded by Councillor O. Grandinetti  
Resolved that By-law 2007-138 being a by-law to prohibit vendors from locating on or near the Buskerfest grounds in Queenstown Square 1 area during the 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> days of August, 2007 be read three times and passed in Open Council this 23<sup>rd</sup> day of July, 2007. CARRIED.
- (e) Moved by Councillor S. Butland  
Seconded by Councillor O. Grandinetti  
Resolved that By-law 2007-139 being a by-law to assume for public use and establish as a public lane a lane in the Bell and Brown Subdivision be read three times and passed in Open Council this 23<sup>rd</sup> day of July, 2007. CARRIED.
- (f) Moved by Councillor S. Butland  
Seconded by Councillor O. Grandinetti  
Resolved that By-law 2007-140 being a by-law to stop up, close and authorize the conveyance of a lane in the Bell and Brown Subdivision be read the first and second time in Open Council this 23<sup>rd</sup> day of July, 2007. CARRIED.

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

(a) **Mayors of the Great Lakes and St. Lawrence Cities Initiative**

Mayor Rowswell provided a verbal report on the Mayors of the Great Lakes and St. Lawrence Cities Initiative Annual Meeting held recently in Grand Rapids, Michigan.

- (b) Moved by Councillor J. Caicco  
Seconded by Councillor F. Manzo  
Resolved that this Council shall now go into Caucus to discuss one legal matter (possible land acquisition and disposition); and  
Further be it resolved that should the said Caucus meeting be adjourned, Council may reconvene in Caucus prior to the next meeting of Council to discuss the same matter(s). CARRIED.

12. **ADJOURNMENT**

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

\_\_\_\_\_  
"John Rowswell"

**MAYOR**

\_\_\_\_\_  
"Malcolm White"

**DEPUTY CLERK**