

## **MINUTES**

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

**2007 02 12**

**4:30 P.M.**

### **COUNCIL CHAMBERS**

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

**ABSENT:** Councillors F. Manzo (illness), B. Hayes (father-in-law passed away)

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

1. **ADOPTION OF MINUTES**

Moved by Councillor S. Myers

Seconded by Councillor F. Fata

Resolved that the Minutes of the Regular Council Meeting of 2007 01 29 be approved. CARRIED.

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

4. **DELEGATIONS/PROCLAMATIONS**

(a) Vanessa Gastaldo, Peer Leader, Algoma Youth Action Alliance was in attendance concerning Proclamation - Through With Chew Week.

(b) David Orazietti, M.P.P. Sault Ste. Marie was in attendance to provide Council with a Queen's Park Progress presentation.

Mayor Rowswell declared a pecuniary interest concerning a question put to Mr. Orazietti about St. Mary's Paper Co. - St. Mary's Paper is a client of engineering firm.

(c) Agnes McCarthy was in attendance concerning agenda item 5.(a).

4. (d) Celia Ross, President and Deborah Loosemore, Director of Advancement and External Relations, Algoma University College were in attendance concerning support for AUC scholarships and an update on the status of the university. See agenda item 5.(k).
- (e) Mark Mageran was in attendance concerning agenda item 6.(6)(a).
- (f) Rob Greve, President, Firefighters Association and Richard Bennetti, Paramedic Unit Chair, Emergency Medical Services (EMS) were in attendance concerning agenda item 11.(a).
- (g) Joanne Katzur and Eileen Headrick on behalf of Scouts Canada were in attendance with a presentation to Mayor John Rowswell and concerning Scout/Guide Week.

### **PART ONE – CONSENT AGENDA**

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

Moved by Councillor S. Myers

Seconded by Councillor D. Celetti

Resolved that all the items listed under date 2007 02 12 - Part One - Consent Agenda (save and except 5.(z) - Tabled until Councillor F. Manzo is present) be approved as recommended. CARRIED.

- (a) The letter from the Algoma Conservatory of Music Advanced Choir requesting \$25,000.00 in funding towards the choir's April 2007 participation in the Verona International Choir competition was accepted by Council.

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that the letter dated 2007 01 05 from the Algoma Conservatory of Music Advanced Choir in which Council is requested to approve financial support in the amount of \$25,000.00 for the choir's April 2007 participation in the Verona International Choir competition be received and given that this request does not qualify under the City's "Financial Assistance Grants Policy" but has a significant economic development focus for Sault Ste. Marie, that the amount requested be funded from the 2006 Economic Diversification Fund with appropriate reporting and accounting back to Council to follow be approved. CARRIED.

- (b) The letter from Waste Diversion Ontario (concerning marketing of blue box materials) was received by Council.

5. (c) The letter from the Founder, House of Kin organization concerning the possibility of municipal financial support for the program which provides low cost accommodation to families of medical patients who travel to Sudbury for treatment was received by Council.

Moved by Councillor T. Sheehan

Seconded by Councillor D. Celetti

Resolved that the letter dated 2007 01 05 from the Founder, House of Kin organization in which Council is requested to consider future municipal financial support for the program BE REFERRED to the Commissioner of Finance and Treasurer for review and report back to Council. CARRIED.

- (d) Correspondence from AMO and FONOM was accepted by Council.
- (e) Correspondence from the Town of Minto (concerning COMRIF applications and concerning exemption of Royal Canadian Legions from the education portion of property taxes); the Township of Lanark Highlands (concerning regulations regarding the use of off-road vehicles); the Town of Newmarket (concerning the use of fluorescent yellow green school signs); the Town of Thessalon (concerning MPAC's 2007 funding requirements); and the Township of Scugog (concerning the Joint Emergency Preparedness Program) was received by Council.
- (f) Correspondence concerning a request for a Special Occasion Permit for events at a municipal facility was accepted by Council.

Moved by Councillor S. Myers

Seconded by Councillor F. Fata

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

Bondar Pavilion

Elettra Society - Italian Festival

July 29, 2007 from 1:00 to 11:00 p.m. CARRIED.

- (g) **Staff Travel Requests**

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

Moved by Councillor S. Myers

Seconded by Councillor D. Celetti

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 02 12 be approved as requested. CARRIED.

- (h) **Tender for Processing and Off-Site Removal of Wood Waste - Municipal Landfill Site**

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

5. (h) Moved by Councillor T. Sheehan  
Seconded by Councillor F. Fata  
Resolved that the report of the Manager of Purchasing dated 2007 02 12 be endorsed and that the tender for Processing and Off-Site Removal of Wood Waste from the Municipal Landfill Site, required by the Public Works and Transportation Department be awarded as recommended. CARRIED.
- (i) **Tender for Thirteen (13) Radiant Tube Heaters - Transit Garage**  
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor T. Sheehan  
Seconded by Councillor D. Celetti  
Resolved that the report of the Manager of Purchasing dated 2007 02 12 be endorsed and that the tender for the supply and installation of Thirteen (13) Radiant Tube Heaters, required by the Transit Division of the Public Works and Transportation Department be awarded as recommended. CARRIED.
- (j) **Tender for Removal of Used Tires - Municipal Landfill Site**  
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that the report of the Manager of Purchasing dated 2007 02 12 be endorsed and that the tender for Removal of Used Tires from the Municipal Landfill Site, required by the Public Works and Transportation Department be awarded as recommended. CARRIED.
- (k) **Financial Assistance Grants - Algoma University College**  
The report of the Manager of Finance and Audits was accepted by Council.
- Moved by Councillor S. Myers  
Seconded by Councillor D. Celetti  
Resolved that the report of the Manager of Finance and Audits dated 2007 02 12 concerning Financial Assistance Grants - Algoma University College be accepted and the recommendation that the current annual grant of \$40,000.00 to the University be 'grandfathered' and thus exempt from the Financial Assistance Policy criteria be approved. CARRIED.
- (l) **2007 Budget Schedule**  
The report of the Commissioner of Finance and Treasurer was accepted by Council.

5. (l) Moved by Councillor T. Sheehan  
Seconded by Councillor F. Fata  
Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 02 12 concerning 2007 Budget Schedule be accepted and the 2007 Budget Schedule be approved as recommended including the following new Council meeting dates:  
1) March 8<sup>th</sup> - 4:30 p.m. - Special Council meeting to allow presentations from Outside Agencies; and  
2) April 4<sup>th</sup> - 4:30 p.m. - Committee of the Whole Council Budget Meeting; and  
3) April 11<sup>th</sup> - 4:30 p.m. - Committee of the Whole Council Budget Meeting (only if necessary).  
Note: Councillor B. Hayes to chair the March 8<sup>th</sup> meeting if Mayor Rowsell is absent. CARRIED.
- (m) **Corporation of the City of Sault Ste. Marie - User Fees - By-law 2007-11**  
The reports of the Manager of Budgets and Revenue and the Commissioner of Finance and Treasurer were accepted by Council. The relevant By-law 2007-11 is listed under Item 10 of the Minutes.
- (n) **Physician Recruitment Program**  
The report of the Manager of Finance and Audits was accepted by Council.  
  
Moved by Councillor T. Sheehan  
Seconded by Councillor D. Celetti  
Resolved that the report of the Manager of Finance and Audits dated 2007 02 12 concerning Physician Recruitment Program be accepted and the recommendation that Council authorize the allocation of \$200,000.00 from the unspent 2006 Physician Recruitment Program budget to be used for the period January 1 to March 31, 2007 and that this funding be considered as part of the total 2007 Physician Recruitment Program budget be approved. CARRIED.
- (o) **Council Communications**  
The report of the Corporate Affairs Officer was accepted by Council.  
  
Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that the report of the Corporate Affairs Officer dated 2007 02 12 concerning Council Communications be accepted and the recommendation to proceed with the purchase of laptop computers and multi-function copier/fax/printer/scanner units for members of Council at an estimated cost of \$33,206.00 plus annual operating costs of \$11,700.00 BE REFERRED to the 2007 Budget Deliberations. CARRIED.
- (p) **Funding Application - Celebrate Canada Program**  
The report of the Assistant Manager, Recreation and Culture was accepted by Council.

5. (p) Moved by Councillor S. Myers  
Seconded by Councillor D. Celetti  
Resolved that the report of the Assistant Manager, Recreation and Culture dated 2007 02 12 concerning Funding Application - Celebrate Canada Program be accepted and the recommendation that Council authorize staff to apply to the Department of Canadian Heritage for the 2007 Celebrate Canada Program to assist in funding the City's Canada Day Celebration be approved. CARRIED.

(q) **Wastewater Treatment Facilities Operations Agreement - Amendment to Include East End Wastewater Treatment Plant Operations**

The report of the Director of Engineering Services was accepted by Council. The relevant By-law 2007-33 is listed under Item 10 of the Minutes.

Moved by Councillor T. Sheehan  
Seconded by Councillor F. Fata

Resolved that the report of the Director of Engineering Services dated 2007 02 12 concerning Wastewater Treatment Facilities Operations Agreement - Amendment to Include East End Wastewater Treatment Plant Operations be accepted and the recommendation that the operations contract between the City and PUC Services Inc. be amended to include operation of the expanded works at the East End Wastewater Treatment Plant beginning January 1, 2007 for an annual price of \$2,214,570.89 be approved. CARRIED.

(r) **Boxing Day Store Closing Survey**

The report of the City Solicitor was accepted by Council.

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

Resolved that the report of the City Solicitor dated 2007 02 12 concerning Boxing Day Store Closing Survey be accepted as information. CARRIED.

(s) **Recent Amendments to the Municipal Act**

The report of the City Solicitor was accepted by Council.

Moved by Councillor S. Myers  
Seconded by Councillor F. Fata

Resolved that the report of the City Solicitor dated 2007 02 12 concerning Recent Amendments to the Municipal Act be accepted as information and further that the recommendation that Council appoint a committee to review the Municipal Act changes and report back to Council be approved. CARRIED.

(t) **City Sale of Northern Avenue Property to Sault College of Property Located on Northern Avenue at Top End of Willow Avenue**

The report of the City Solicitor was accepted by Council.

5. (t) Moved by Councillor S. Myers  
Seconded by Councillor D. Celetti  
Resolved that the report of the City Solicitor dated 2007 02 12 be accepted as information; and that the City agree to sell the property located on Northern Avenue (as identified in that report) having an area of approximately 4.9 acres to Sault College:
- 1) at a price of \$100,000.00 despite the appraised value of \$350,000.00;
  - 2) that the property being conveyed be divided into 2 parcels with a controlled access driveway servicing the Fire/EMS Centre being located between the two parcels;
  - 3) if Sault College at any time ceases to use the property being conveyed by the City for College purposes that the College will convey the property back to the City for \$100,000.00; and
  - 4) the City is recognized as having made a \$250,000.00 donation to the College being the difference between the appraised value and the sale price be approved. CARRIED.

(u) **Extension of Lease Between the City and Enquest Power Corporation**

The report of the City Solicitor was accepted by Council.

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that the report of the City Solicitor dated 2007 02 12 be accepted and that paragraph two of the lease between the City and Enquest Power Corporation be amended by adding the following sentence as part of paragraph two: The Parties of the subject lease agree that the duration of the term of the lease shall continue and extend for a period of 365 days commencing at the date of "commencement date of operation": as defined in Page 2 of the Certificate of Approval of the Ministry of Environment Number 9050-6VYLXZI dated December 1, 2006 be approved. CARRIED.

(v) **By-law 2007-34 - Appointment of By-law Enforcement Officers for the Snowmobile Trail Officer Patrol Program**

The report of the City Solicitor was accepted by Council. The relevant By-law 2007-34 is listed under Item 10 of the Minutes.

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

(w) **Concerns - Existing Condition of the Waterfront Walkway**

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

5. (w) Moved by Councillor T. Sheehan  
Seconded by Councillor D. Celetti  
Resolved that the report of the Manager of Parks dated 2007 02 12 concerning Existing Condition of the Waterfront Walkway be accepted as information. CARRIED.
- (x) **Advanced Turn Signal at Intersection of Pine and Queen Street East**  
The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2007 02 12 concerning Advanced Turn Signal at Intersection of Pine and Queen Street East be accepted and the recommendation that an advanced left turn signal for westbound traffic not be installed at this time; and  
Further that the Engineering Department advance construction of turning lanes under the Miscellaneous Construction Program when budget funds can be allocated be approved. CARRIED.
- (y) **Proposal for Preparation of Specifications to Replace the Roof - Transit Services Building, 111 Huron Street**  
The report of the Transit Manager was accepted by Council.
- Moved by Councillor S. Myers  
Seconded by Councillor D. Celetti  
Resolved that the report of the Transit Manager dated 2007 02 12 concerning Proposal for Preparation of Specifications to Replace the Roof at Transit Services Building, 111 Huron Street be accepted and the recommendation that the firm of M. R. Wright and Associates be retained to undertake the preparation of specifications for the roof replacement at an estimated cost of \$10,000.00 to \$15,000.00 be approved. CARRIED.
- (z) **Spring Clean-Up**  
The report of the Commissioner of Public Works and Transportation was received by Council.
- Moved by Councillor T. Sheehan  
Seconded by Councillor F. Fata  
Resolved that the report of the Commissioner of Public Works and Transportation dated 2007 01 29 concerning Spring Clean-Up be accepted as information. TABLED until Councillor F. Manzo is present.
- (aa) **Report of the Committee to Review the Agawa Tour Train Operation**  
The report of Councillor James Caicco was accepted by Council.



5. (aa) Moved by Councillor T. Sheehan  
Seconded by Councillor D. Celetti  
Resolved that the report of Councillor James Caicco on behalf of a Committee to Review the Agawa Tour Train Operation dated 2007 02 12 concerning an update to Council on the progress of the Agawa Tour Train Initiative be accepted as information; and  
Further that a copy of the report and resolution be forwarded to the Minister of Northern Development and Mines and David Oraziotti, M.P.P. Sault Ste. Marie.  
CARRIED.
- (bb) **Council Travel**  
  
Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that Councillor Lou Turco be authorized to travel to an AMO Executive Meeting (two days in February) being held in Toronto at a cost of \$300.00 to the City. CARRIED.
- (cc) The news release concerning Northern Mayors develop a unified municipal position on provincial policies and issues was received by Council.

## **PART TWO – REGULAR AGENDA**

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

#### 6. (5) **LEGAL**

- (a) **Council Resolution of October 30, 2006 Regarding Chronic Eyesores**  
The report of the City Solicitor was received by Council.

Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that the report of the City Solicitor dated 2007 02 12 concerning Council Resolution of October 30, 2006 Regarding Chronic Eyesores be accepted and the recommendation that Council adopt Option 2 Property Standards Procedure be approved. TABLED for two weeks at staff's request.

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

- (a) **Application No. A-3-07-Z.OP - Mark Mageran - 588 Airport Road - Request to Create an Additional Rural Area Lot for Rural Residence, a Personal Storage Facility and a Campground With Housekeeping Cottages**  
The report of the Planning Division was accepted by Council.

6. (6)  
(a) Moved by Councillor S. Myers  
Seconded by Councillor D. Celetti  
Resolved that the report of the Planning Division dated 2007 02 12 concerning Application No. A-3-07-Z.OP - Mark Mageran be accepted and the Planning Director's recommendation that City Council approve the application subject to the 3 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 T. Sheehan  
Seconded by Councillor S. Butland  
Whereas the federal Conservative government has cancelled the "The One Tonne Challenge" which was likely the best known of the dozens of past federal government efforts to fight global warming; and  
Whereas it had been heavily publicized through television ads featuring comedian Rick Mercer as pitch man for a program that took steps to forestall climate change; and  
Whereas environmental groups that received contracts to urge people in local communities to participate in the challenge were hastily contacted by Environment Canada, and told that their efforts were no longer being funded;  
Now therefore be it resolved that City Council request the federal Minister of the Environment to provide information on how his government plans on replacing the one tonne challenge, outlining specific programs/action that the federal government will be taking to work with communities like Sault Ste. Marie to reduce pollution and specifically outlining any funding programs for communities, organizations, businesses and private citizens to take action against climate change and pollution; and  
Further that a copy of this resolution be forwarded to the Prime Minister, Leaders of the Opposition and to the Federation of Canadian Municipalities (FCM). 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. Myers  
Seconded by Councillor F. Fata  
Resolved that all the by-laws listed under Item 10 of the Agenda under date 2007 02 12 [save and except Schedule 'B' By-law 2007-11 dealing with Historic Sites Board fees - DEFERRED for two weeks for further staff report] be approved. CARRIED.

10. (a) Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that By-law 2007-11 being a by-law to establish user fees and service charges [save and except Schedule 'B' dealing with Historic Sites Board fees - DEFERRED for two weeks for further staff report] be read three times and passed in Open Council this 12<sup>th</sup> day of February, 2007. CARRIED.
- (b) Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that By-law 2007-30 being a by-law to stop up, close and authorize the conveyance of a portion of the Black Road road allowance to the abutting owner of 498 Black Road be read a third time and passed in Open Council this 12<sup>th</sup> day of February, 2007 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.
- (c) Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that By-law 2007-32 being a by-law to amend Schedule "A" to By-law 77-200 be read three times and passed in Open Council this 12<sup>th</sup> day of February, 2007. CARRIED.
- (d) Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that By-law 2007-33 being a by-law to authorize an agreement to amend the agreement between the City and PUC Services Inc. dated July 1, 2003 for the City's wastewater treatment facilities be read three times and passed in Open Council this 12<sup>th</sup> day of February, 2007. CARRIED.
- (e) Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that By-law 2007-34 being a by-law to appoint By-law Enforcement Officers to enforce By-law 69-6 as amended, being a By-law to prohibit the operation of a motorized snow vehicle on highways be read three times and passed in Open Council this 12<sup>th</sup> day of February, 2007. CARRIED.

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

- (a) **Clarification of What Council Approved for the Renovated No. 4/EMS Centre**  
The report to Council from Mayor Rowswell and the letter from Bruce Caughill, Consulting Engineer/Architect were received by Council.

11. (a) Moved by Councillor S. Myers  
Seconded by Councillor L. Turco  
Resolved that the report of Mayor John Rowswell dated 2007 02 12 concerning Clarification of What Council Approved for the Renovated No. 4/EMS Centre be accepted as information. CARRIED.
- (b) Moved by Councillor S. Myers  
Seconded by Councillor D. Celetti  
Resolved that this Council shall now go into Caucus to discuss one legal matter (solicitor-client privilege); 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.

Mayor Rowswell, Councillors D. Celetti, L. Tridico and F. Fata each declared a pecuniary interest concerning one matter at the 2007 02 12 Council Caucus Meeting.

12. **ADJOURNMENT**

Moved by Councillor T. Sheehan  
Seconded by Councillor F. Fata  
Resolved that this Council shall now adjourn. CARRIED.

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

**MAYOR**

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

**DEPUTY CLERK**