

MINUTES

REGULAR MEETING OF CITY COUNCIL

2007 11 13

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, S. Butland, P. Mick

ABSENT: Councillors F. Manzo (illness), T. Sheehan (out of town on business)

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

1. **ADOPTION OF MINUTES**

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that the Minutes of the Regular Council Meeting of 2007 10 29 be approved. CARRIED.

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

3. **APPROVE AGENDA AS PRESENTED**

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the Agenda for the 2007 11 13 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Joanne Elvy, Director, Sault Program for English Learning was in attendance concerning Proclamation - English as a Second Language Week.
- (b) Janie Bringleston, Branch Coordinator, Canadian Diabetes Association was in attendance concerning Proclamation - World Diabetes Day.
- (c) Louisa Vanlith, Member, Bahai Community was in attendance concerning Proclamation - Unity in Diversity Week.

4. (d) Stefan Shynkorenko, President, Sault College Student Administrative Council was in attendance concerning Proclamation - Spread the Net Weekend.
- (e) Frank Fata was in attendance concerning agenda item 6.(6)(a).
- (f) Errol Caldwell, Executive Director, Science Enterprise Algoma was in attendance concerning agenda item 6.(8)(a).

PART ONE – CONSENT AGENDA

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

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that all the items listed under date 2007 11 13 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO and from the Ombudsman of Ontario was received by Council.
- (b) The letter of request for a temporary street closing on Queen Street East from Simpson to Gore and Pine to Church and on Simpson Street from Victoria to Queen Street in conjunction with the Rotary Santa Claus Parade (December 1, 2007) was accepted by Council. The relevant By-law 2007-193 is listed under Item 10 of the Minutes.
- (c) The letter from the Sault College Student Administrative Council concerning "Spread the Net", a nationwide fundraiser to purchase bed nets for families in African nations, was received by Council.

(d) **Council Travel**

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that Councillor Lou Turco be authorized to travel to a FONOM Board Meeting being held in Sturgeon Falls, Ontario (2 days in November) at no cost to the City; and to an AMO Board of Directors Meeting being held in Toronto, Ontario (2 days in November) at a cost of \$300.00 to the City. CARRIED.

(e) **Staff Travel Requests**

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

5. (e) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 11 13 be approved as requested. CARRIED.

(f) **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 S. Myers

Resolved that the report of the Manager of Purchasing dated 2007 11 13 be endorsed and that the tenders for the supply of Automotive Supplies and Tire Services, required by the various City Departments and cooperatively for PUC Services Inc., be awarded as recommended. CARRIED.

(g) **Proposal for Computerized Access Control Solution at Public Works and Transportation Department**

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

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that the report of the Manager of Purchasing dated 2007 11 13 be endorsed and that the proposal for the supply and installation of a Computerized Access Control Solution, required by the Public Works and Transportation Department, be accepted as recommended. CARRIED.

(h) **Renewal of Security Services Contract for Civic Centre Parking Division and Public Library**

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

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Manager of Purchasing dated 2007 11 13 be endorsed and that the contract for Security Services, required by the Civic Centre, Parking Division and Public Library, be awarded as recommended. CARRIED.

(i) **Tender for the Waterfront Lighting System Renovations**

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

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that the report of the Manager of Purchasing dated 2007 11 13 be endorsed and that the tender for the Waterfront Lighting System Renovations, required by the Parks Division of the Public Works and Transportation Department, be awarded as recommended. CARRIED.

5. (j) **Tender for Petroleum Products**

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

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Manager of Purchasing dated 2007 11 13 be endorsed and that the tender for the supply and delivery of Petroleum Products, required by the various City Departments and cooperatively Public Utilities Inc., be awarded as recommended. CARRIED.

(k) **Property Tax Appeals**

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

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

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 2007 11 13 be approved and the tax records be amended accordingly. CARRIED.

(l) **Algoma Tubes Inc. - Minutes of Settlement**

The reports of the City Tax Collector and the Commissioner of Finance and Treasurer were accepted by Council. The relevant By-law 2007-194 is listed under Item 10 of the Minutes.

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the reports of the City Tax Collector and the Commissioner of Finance and Treasurer dated 2007 11 13 concerning Algoma Tubes Inc. - Minutes of Settlement be accepted and the recommendation that Council approve the Minutes of Settlement for Algoma Tubes Inc. in the amount of \$734,548.00 with funds to be provided from the Assessment Reserve, Vacancy Rebates and Tax Write-Off accounts be approved. CARRIED.

Councillor F. Fata declared a pecuniary interest - employed by MPAC.

(m) **2006 Municipal Performance Measurement Program**

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

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 11 13 concerning 2006 Municipal Performance Measurement Program be accepted as information. CARRIED.

5. (n) **Corporate Strategic Plan 2007 - 2010**

The report of the Deputy City Clerk and Manager of Quality Improvement was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Deputy City Clerk and Manager of Quality Improvement dated 2007 11 13 concerning Corporate Strategic Plan 2007 - 2010 be accepted and the recommendation that Council approve the draft plan in principle, and that the plan and appropriate feedback documents be circulated to Council, staff, associated boards and committees and the community at large for consultation and feedback prior to final approval by Council be approved. CARRIED.

(o) **Operation of Outdoor Ice Rinks - Policy Update**

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

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that the report of the Commissioner of Community Services dated 2007 11 13 concerning Operation of Outdoor Ice Rinks - Policy Update be accepted and the recommendation that Council approve a change to the Policy that would discontinue permits for exclusive use and that the wording of the section on Restricted Hockey Use be reworded "Local hockey organizations will no longer be permitted to have exclusive use of the outdoor rinks except for those organizations that have had permitted use prior to December 21, 2007" be approved. CARRIED.

(p) **Biosolids Management Study**

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

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Director of Engineering Services dated 2007 11 13 concerning Biosolids Management Study be accepted and the recommendation that the team of TSH/Dillon be retained to conduct the Biosolids Management Study be approved. CARRIED.

(q) **Replacement of Gas Boilers at #1 Fire Station**

The report of the Fire Chief was accepted by Council.

5. (q) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that the report of the Fire Chief dated 2007 11 13 concerning Replacement of Gas Boilers at #1 Fire Station be accepted and the recommendation that the gas boilers be replaced at an estimated cost of \$13,700.00 with funds to come from the Fire Capital Reserve account be approved. CARRIED.

(r) **New Ontario Soldiers' Reunion and Discovery Week Monuments and Plaques**

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

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Chairperson, Sault Ste. Marie Municipal Heritage Committee dated 2007 11 13 concerning New Ontario Soldiers' Reunion and Discovery Week Monuments and Plaques be accepted and the recommendation that Council approve:

1) the designation of the free standing monuments and plaques on private and public property under Part IV of the Ontario Heritage Act as listed in item 'B' of the report; and

2) the registration of property and buildings bearing plaques which are considered of cultural heritage value or interest to the City as listed in item 'C' of the report be endorsed. CARRIED.

(s) **Sault Ste. Marie Emergency Response Plan**

The report of the Community Emergency Management Coordinator was accepted by Council. The relevant By-law 2007-192 is listed under Item 10 of the Minutes.

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

(t) **Report of the Council Committee Reviewing Changes in the Municipal Act**

The report of the Council Committee Reviewing Changes in the Municipal Act was accepted by Council.

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that the report of the Council Committee Reviewing Changes in the Municipal Act dated 2007 11 13 be accepted as information and further that the recommendation that the Office of the Ombudsman be used to investigate complaints under Section 239.1 of the Municipal Act be approved. CARRIED.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (3) ENGINEERING

(a) Revoked Connecting Links

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

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Director of Engineering Services dated 2007 11 13 concerning Revoked Connecting Links be accepted and the recommendation that Council approve the following:

- 1) proceed to final design and tendering of the first phase of Wellington Street reconstruction from Trunk to Simpson in 2008; and
 - 2) proceed to resurface Trunk from Black to Wellington in 2008, using the present low bidder, with a premium of up to 1.5% on unit prices if justified, and conditional upon receipt of a letter from the MOE denying the Part II order requests; and
 - 3) report back to Council on feasibility of including Wellington Street Phase II from Simpson to East in the 2009 Capital Construction Program be endorsed.
- CARRIED.

6. (5) LEGAL

(a) Legacy Quest Contract Status

The report of the Assistant City Solicitor was accepted by Council.

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that the report of the Assistant City Solicitor dated 2007 11 13 concerning Legacy Quest Contract Status be accepted and the recommendation that Council authorize:

- 1) the Legal Department to write to both Legacy Quest and the Economic Development Corporation and indicate the City has terminated the contractual relationships it has with them; and
 - 2) the Legal Department to write to Frank Mantello refusing the Offer of Purchase and Sale for the Gateway site and return the bank draft to him; and
 - 3) that Council direct the Gateway Committee to convene a meeting for the purpose of discussing options for the possible development of the Gateway site; and
 - 4) that Council direct staff to advise NOHFC of the City's termination of the contracts and confirm NOHFC's commitment to the funding should the City be able to continue with the development of the site be approved.
- CARRIED.

6. (5)
(a)

Recorded Vote

For: Councillors J. Caicco, L. Turco, B. Hayes, D. Celetti, O. Grandinetti, S. Myers, L. Tridico, F. Fata, S. Butland, P. Mick

Against: Mayor J. Rowsell

Absent: Councillors F. Manzo, T. Sheehan

6. (6)

PLANNING

- (a) **Application No. A-19-07-Z.OP - Frank Fata - 92 and 100 Second Line West - Request to Rezone to Permit a Contractor's Yard on the Subject Property**

The report of the Planning Division was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Planning Division dated 2007 11 13 concerning Application No. A-19-07-Z.OP - Frank Fata be accepted and further that City Council approve the application to permit a Contractor's Yard as an additional permitted use to the "C-4" (General Commercial) zoning subject to the 5 conditions contained in the report be approved. CARRIED.

Councillor J. Caicco declared a pecuniary interest - acted as realtor when applicant acquired the property.

- (b) **Downtown Development Initiative Grants Program**

The report of the Planning Division was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Planning Division dated 2007 11 13 concerning the Downtown Development Initiative Grants Program be accepted and the Planning Director's recommendation that City Council approve the 8 funding requests described in this report be endorsed. CARRIED.

6. (8)

BOARDS AND COMMITTEES

- (a) **Science Enterprise Algoma (seA) - Application to Economic Development Fund - Invasive Species Research Institute (ISRI) - Securing Partnership Agreements**

The report of the C.E.O., Economic Development Corporation was accepted by Council.

6. (8)

- (a) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that the report of the C.E.O., Economic Development Corporation dated 2007 10 29 concerning Science Enterprise Algoma - Application to Economic Development Fund - Invasive Species Research Institute (ISRI) - Securing Partnership Agreements be accepted and the recommendation:
1) that Council support this initiative and the application for funding from the 2007 Economic Development Fund in the amount of \$35,000.00; and
2) that Science Enterprise Algoma report to Council on a quarterly basis and that a full report be presented to Council in July 2008 or sooner if this project is successfully expedited be approved. CARRIED.

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

- (a) Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Whereas the new section of Highway 17 East around Echo Bay and Garden River First Nation is now open to traffic; and
Whereas the Garden River First Nation community has stated that it wishes to have old Highway 17 East named "Highway 17B";
Now therefore be it resolved that Sault Ste. Marie City Council expresses its support for naming the old section of Highway 17 East "Highway 17B"; and
Further that a copy of this resolution be forwarded to Chief Lyle Sayers, Garden River First Nation Council; Jim Bradley, Ontario Minister of Transportation; David Oraziatti, MPP Sault Ste. Marie; Mike Brown, MPP Algoma Manitoulin and to North Shore Municipal Councils. CARRIED.
- (b) Moved by Councillor S. Butland
Seconded by Councillor J. Caicco
Whereas the Household Special Waste Facility has become a significant component of our waste diversion program; and
Whereas there may be sufficient demand for a year-round operation;
Be it resolved that Public Works and Transportation Department prepare a report on the advisability, costs associated and operational issues as to the consideration of the above. CARRIED.
- (c) Moved by Councillor J. Caicco
Seconded by Councillor S. Butland
Whereas fluoridation of the water supply is commonplace in many municipal jurisdictions in Ontario; and
Whereas the issue has not been considered since a referendum over twenty years ago and only another referendum could overturn the decision of that date;
and

7. (c) Whereas health care individuals and agencies (Algoma Health Unit, Dental Association) may have information to contribute to a decision of Council;
Therefore be it resolved that Algoma Health Unit be asked to prepare a report in corroboration with the PUC, appropriate City Staff, other Health Agencies as to what other cities are doing in the Province, the process and associated costs that would be followed to implement the fluoridation of the City's water supply.
DEFEATED.

Recorded Vote

For: Councillors J. Caicco, L. Turco, S. Myers, S. Butland, P. Mick

Against: Mayor J. Rowsell, Councillors B. Hayes, D. Celetti, O. Grandinetti, L. Tridico, F. Fata

Absent: Councillors F. Manzo, T. Sheehan

- (d) Moved by Councillor D. Celetti
Seconded by Councillor O. Grandinetti
Whereas with the increased volume of customers in local restaurants on Queen Street during the lunch hour 11:30 to 1:00 p.m.;
Be it resolved that staff be instructed to investigate and report back to Council concerning giving free parking in front of these local businesses so patrons not be fined for parking or patrons would be exempt from paid parking between the hours of 11:30 a.m. and 1:00 p.m. This should encourage patrons to frequent our downtown restaurants, eat and enjoy their lunch without being fearful of being ticketed and/or fined during the lunch hour. 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 F. Fata

Seconded by Councillor S. Myers

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2007 11 13 be approved. CARRIED.

10. (a) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2007-188 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 13th day of November, 2007. CARRIED.
- (b) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2007-189 being a by-law to adopt Amendment No. 134 to the Official Plan be read three times and passed in Open Council this 13th day of November, 2007. (510127 Ontario Limited) CARRIED.
- (c) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2007-190 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 432 Great Northern Road and further be it resolved that By-law 2007-191 being a by-law to designate 432 Great Northern Road as an area of site plan control be read three times and passed in Open Council this 13th day of November, 2007. (51027 Ontario Limited) CARRIED.

Recorded Vote

For: Mayor J. Rowswell, Councillors J. Caicco, L. Turco, B. Hayes, D. Celetti, O. Grandinetti, S. Myers, S. Butland, P. Mick

Against: Councillors L. Tridico, F. Fata

Absent: Councillors F. Manzo, T. Sheehan

- (d) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2007-192 being a by-law requiring an Emergency Management Program for the protection of public safety, health, the environment, the critical infrastructure and property within the municipality be read three times and passed in Open Council this 13th day of November, 2007. CARRIED.

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

10. (e) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2007-193 being a by-law to permit the temporary street closing of Queen Street and Simpson Street to facilitate the 2007 Rotary Santa Claus Parade be read three times and passed in Open Council this 13th day of November, 2007. CARRIED.
- (f) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that By-law 2007-194 being a by-law to approve the Minutes of Settlement between the City, MPAC and Algoma Tubes Inc. for the 2003, 2004, 2005, 2006 and 2007 tax years be read three times and passed in Open Council this 13th day of November, 2007. CARRIED.

Councillor F. Fata declared a pecuniary interest - employed by MPAC.

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

- (a) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that Council shall now go into Caucus to discuss one labour relations item - Fire Services Staffing Complement; and
Further be it resolved that should the said Caucus meeting be adjourned, Council may reconvene in Caucus to continue to discuss the same matter without the need for a further authorizing resolution. CARRIED.

12. **ADJOURNMENT**

Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that this Council shall now adjourn. CARRIED.

"John Rowswell"

MAYOR

"Donna P. Irving"

CLERK