

MINUTES

REGULAR MEETING OF CITY COUNCIL

2007 07 09

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, P. McAuley, B. Freiburger, J. Dolcetti, D. McConnell

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 06 25 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 09 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

(a) The 2007/08 Chamber of Commerce Executive (Bill Shepherd, 2007/08 President; Katherine MacRae, First Vice President; Sergio Saccucci, Treasurer; and Shelley Barich, General Manager) were in attendance for the annual Swearing-In Ceremony by Mayor Rowswell.

(b) Brian Curran, President and C.E.O. PUC Inc. was in attendance concerning agenda item 5.(a) AMO correspondence concerning Transitioning Municipalities to the Electricity Market.

4. (c) Brian Curran, President and C.E.O.; Dominic Parrella, Vice President Operations and Engineering; and Andrew Hallett, Water Distribution Engineer, PUC Inc.; and Sheri Cleaves and Lindsay Nicholson, Algoma Public Health were in attendance concerning agenda item 5.(x).

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 09 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO, FONOM and OGRA was received by Council.
- (b) Correspondence from the Municipality of Huron East (concerning MOE process for Certificates of Approval and Permits to Take Water) was received by Council.
- (c) The Outstanding Council Resolution List dated 2007 06 25 was received by Council.
- (d) Letters from the Office of the Minister of Transport (dated 2007 06 22 in response to a Council resolution concerning Highway 17); and the Minister of the Environment (dated 2007 06 21 in response to a Council resolution concerning action against climate change and pollution) were received by Council.
- (e) The letter from Laidlaw Paciocco Melville, Barristers and Solicitors in response to a Council resolution dated 2007 06 25 concerning the status of the Borealis Project was received by Council.
- (f) The request for a temporary street closing on lower East Street from Bay Street to Art Gallery of Algoma in conjunction with the 2007 Rotaryfest, The Sault's Summer Festival being held July 21st, 2007 was accepted by Council. The relevant by-law 2007-133 is listed under Item 10 of the Minutes.
- (g) **Staff Travel Requests**
The report of the Chief Administrative Officer was accepted by Council.

5. (g) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 07 09 be approved as requested. CARRIED.

(h) **Tender for 25 KW Diesel Generator**

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 09 be endorsed and that the tender for a 25 KW Diesel Generator, required by the Engineering and Planning Department, be awarded as recommended. CARRIED.

(i) **Tender for Duct Cleaning - Civic Centre**

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 09 be endorsed and that the tender for Duct Cleaning at the Civic Centre, required by Building Services, Engineering and Planning Department, be awarded as recommended. CARRIED.

(j) **Tender for Fire Services Uniform Clothing (2007FA01)**

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

Moved by Councillor S. Butland

Seconded by Councillor O. Grandinetti

Resolved that the report of the Manager of Purchasing dated 2007 07 09 be endorsed and that the tender for Fire Services Uniform Clothing, required by Fire Services Department, be awarded as recommended. CARRIED.

(k) **Property Tax Appeals**

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

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

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 07 09 be approved and the tax records be amended accordingly. CARRIED.

(l) **Ticketing System - Steelback Centre**

The report of the Commissioner of Community Services was accepted by Council. The relevant By-law 2007-129 is listed under Item 10 of the Minutes.

5. (m) **Audit Financial Statements - DSSMSSAB and SSMHC**

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

Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that the report of the Commissioner of Social Services dated 2007 07 09 concerning Audit Financial Statements (DSSMSSAB and SSMHC) be accepted as information. CARRIED.

(n) **Waste Management Environmental Assessment - Regulation 101/07**

The report of the Land Development and Environmental Engineer was accepted by Council.

Moved by Councillor S. Butland

Seconded by Councillor F. Manzo

Resolved that the report of the Land Development and Environmental Engineer dated 2007 07 09 concerning Waste Management Environmental Assessment Regulation 101/07 be accepted as information and further that an additional report be prepared following the determination of the preferred solution for the City's solid waste management project be approved. CARRIED.

(o) **Provision of Trees in New Residential Developments**

The report of the Land Development and Environmental Engineer was accepted by Council.

Moved by Councillor S. Butland

Seconded by Councillor O. Grandinetti

Resolved that the report of the Land Development and Environmental Engineer dated 2007 07 09 concerning Provision of Trees in New Residential Developments be accepted as information and further that all Subdivision Agreements entered into from this point forward shall include the provision of trees by Public Works and Transportation with a fee collected from the developer be approved. CARRIED.

(p) **Council Resolution Regarding Steps and Time Frames of Putting a Question on the Ballot in November 2010 Election**

The report of the City Solicitor was accepted by Council.

Moved by Councillor J. Caicco

Seconded by Councillor F. Manzo

Resolved that the report of the City Solicitor dated 2007 07 09 Regarding the Steps and Time Frames of Putting a Question on the Ballot in the November 2010 Election be accepted as information. CARRIED.

5. (q) **Decision From Ontario Municipal Board on Temporary Use By-law 2006-34 (Sam Rainone of 99 Gibb Street)**
The report of the City Solicitor was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that the report of the City Solicitor dated 2007 07 09 concerning Decision From Ontario Municipal Board on Temporary Use By-law 2006-34 (Sam Rainone of 99 Gibb Street) be accepted as information. CARRIED.
- (r) **City Purchase of 35 Cedar Street for Snow Dump Site Purposes From R. M. Elliott Construction Sault Ste. Marie Limited**
The report of the City Solicitor was accepted by Council. The relevant By-law 2007-128 is listed under Item 10 of the Minutes.
- (s) **Proposed Sale of Vacant City Owned Property Abutting 553 Nelson Street to Charles and Jacqueline Boudah**
The report of the City Solicitor was accepted by Council.
- Moved by Councillor S. Butland
Seconded by Councillor F. Manzo
Resolved that the report of the City Solicitor dated 2007 07 09 be accepted and the property identified as civic numbers 561, 565 and 569 Nelson Street and the road allowance abutting those civic addresses and 553 Nelson Street be declared surplus and offered for sale to Charles and Jacqueline Boudah be approved. CARRIED.
- (t) **Conversion of Pinecrest Apartment at 313 MacDonald Avenue to Condominium**
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 09 concerning the conversion of 313 MacDonald Avenue (Pinecrest Apartments) to a condominium be accepted and the Mayor and the Clerk be authorized to execute a Certificate of Exemption from sections 51 and 51.1 of the Planning Act as provided for in section 9(3)(b) of the Condominium Act be approved. CARRIED.
- (u) **Building of New Condominium at 711 Bay Street - Silver Homes Limited**
The report of the City Solicitor was accepted by Council.

5. (u) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that the report of the City Solicitor dated 2007 07 09 be accepted concerning the Building of New Condominium by Silver Homes Limited at 711 Bay Street and that the Mayor and the Clerk be authorized to execute a Certificate of Exemption from sections 51 and 51.1 of the Planning Act as provided for in section 9(3)(b) of the Condominium Act be approved. CARRIED.

(v) **Downtown Development Initiative Update (2)**

The report of the Planning Division was accepted by Council.

Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that the report of the Planning Division dated 2007 07 09 concerning Downtown Development Initiative Update (2) be accepted and the recommendation that Council authorize a three-year municipal property tax increment rebate resulting from the increased assessment at both 719 Bay Street and 60 Church Street and that this rebate be for 70 percent of the tax increase in 2008, 50 percent in 2009, and 25 percent in 2010 be approved. CARRIED.

Councillor L. Tridico declared a pecuniary interest - family owns property in downtown area.

(w) **No-Parking Zone - Cooper Street**

The report of the Commissioner of Public Works and Transportation was accepted by Council. The relevant By-law 2007-131 is listed under Item 10 of the Minutes.

(x) **Lead Testing in Drinking Water**

The report of the President and C.E.O., PUC Inc. was accepted by Council.

Moved by Councillor S. Butland

Seconded by Councillor F. Manzo

Resolved that the report of the President and C.E.O., PUC Inc. dated 2007 07 04 concerning Lead Testing in Drinking Water be accepted as information. CARRIED.

(y) **Sault Ste. Marie Police Service's 2006 Annual Report**

The report of the Chief of Police was accepted by Council.

5. (y) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that the report of the Chief of Police dated 2007 06 22 concerning the Sault Ste. Marie Police Service's 2006 Annual Report be accepted as information. CARRIED.

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

- (z) **Sault Ste. Marie Public Library 2006 Annual Report**
The report of the Chairperson, Sault Ste. Marie Public Library Board was accepted by Council.

Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that the report of the Chairperson, Sault Ste. Marie Public Library Board dated 2007 07 09 concerning Sault Ste. Marie Public Library 2006 Annual Report be accepted as information. CARRIED.

- (aa) Two memos to Council from Mayor John Rowsell concerning (1) Trip Report - Montreal January 7 - 8, 2007 - Minister of Transport, Igor Levitin - Russian Federation; and (2) Trip Report - Ottawa March 25 - 27, 2007 - Meeting: Arctic and North Working Group - Subgroup Polar Air Cargo were received by Council.

- (bb) **Queensgate Subdivision - Phase IV - Sanitary Sewer From the Termination of Queensgate Subdivision to Trunk Road**
The report of the Municipal Services Engineer was accepted by Council.

Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that the report of the Municipal Services Engineer dated 2007 07 09 concerning Queensgate Subdivision - Phase IV - Sanitary Sewer From the Termination of Queensgate Subdivision to Trunk Road be accepted and the recommendation that Council approve payment of the actual sanitary sewer construction costs to Major Contracting (Algoma) Ltd. at the estimated cost of \$22,000.00 with funds to come from the Sewer Surcharge budget, be approved. CARRIED.

- (cc) The letter requesting permission for a private property liquor license extension was accepted by Council.

5. (cc) Moved by Councillor S. Butland
Seconded by Councillor F. Manzo
Resolved that City Council has no objection to the proposed extended licensed area as detailed in the written request for a liquor license extension on private property for an outdoor event on the following stated date and times:
Holiday Inn
208 St. Mary's River Drive
Algoma Steel Customer Appreciation Event
Wednesday, August 8, 2007
6:30 p.m. – 1:00 a.m. CARRIED.
- (dd) **Cycling Master Plan Update**
The report of the Engineering and Planning Division is attached for the consideration of Council.
- Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that the report of the Planning Division dated 2007 07 09 concerning the Cycling Master Plan Update be accepted and the Planning Director's Recommendation that City Council accept this report as information and that members of City Council are invited to attend a public open house for the Cycling Master Plan update, be endorsed. 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 F. Manzo
Whereas the Parks Canada site at the Sault Ste. Marie lock is in a state of general lack of aesthetics, security, staff, maintenance, attention to tourism, etc.;
Be it resolved that Council express these concerns through M.P. Tony Martin to the Minister Responsible for Parks Canada, Honourable John Baird; and
Be it further resolved that Field Unit Superintendent Sharon Ostberg be invited to attend Council to elaborate on the above apparent deficiencies. CARRIED.

7. (b) Moved by Councillor S. Myers
Seconded by Councillor P. Mick
Whereas the City of Sault Ste. Marie has citizens currently serving with troops in action as part of the Canadian Armed Forces, both in regular and reserve status; and
Whereas City Council in April of this year recognized the contribution of reservists who have returned from such action;
Therefore be it resolved that the City of Sault Ste. Marie further indicate our support for our Troops by placing "Support Our Troops" magnets on all City Emergency Vehicles as has been done in other Canadian cities. CARRIED.

Correspondence concerning this resolution was received by 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 J. Caicco
Seconded by Councillor F. Manzo
Resolved that all the by-laws listed under Item 10 of the Agenda under date 2007 07 09 be approved. CARRIED.

- (a) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2007-128 being a by-law to authorize the City acquisition of a portion of 35 Cedar Street from R.M. Elliott Construction Sault Ste. Marie Limited be read three times and passed in Open Council this 9th day of July, 2007. (Account No. 631-602-359-4). CARRIED.

- (b) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2007-129 being a by-law to authorize an agreement with the City and New Era Ticketing to provide a Box Office Ticketing System to the Steelback Centre be read three times and passed in Open Council this 9th day of July, 2007. CARRIED.

- (c) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2007-130 being a temporary special use zoning by-law to permit a pedal plane and car manufacturing at 26 Grandville Crescent be read three times and passed in Open Council this 9th day of July, 2007. (Michael and Assunta Shepherd). CARRIED.

10. (d) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2007-131 being a by-law to amend Schedule "A" of Traffic By-law 77-200 be read three times and passed in Open Council this 9th day of July, 2007. CARRIED.
- (e) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2007-132 being a by-law to amend Schedule "A" of Traffic By-law 77-200 be read three times and passed in Open Council this 9th day of July, 2007. CARRIED.
- (f) Moved by Councillor J. Caicco
Seconded by Councillor F. Manzo
Resolved that By-law 2007-133 being a by-law to permit the temporary street closing of lower East Street to facilitate Rotaryfest 2007 on July 21, 2007 be read three times and passed in Open Council this 9th day of July, 2007. CARRIED.

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

- (a) Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that this Council shall now go into Caucus to discuss two legal items (Solicitor-Client privilege and Potential Litigation); 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 S. Butland
Seconded by Councillor F. Manzo
Resolved that this Council shall now adjourn. CARRIED.

"John Rowswell"

MAYOR

"Donna P. Irving"

CLERK