

MINUTES

REGULAR MEETING OF CITY COUNCIL

2008 09 22

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, J. Dolcetti, D. McConnell, L. Bottos, P. McAuley, R. Travaglini, P. Tonazzo, T. Elgie

1. **ADOPTION OF MINUTES**

Moved by Councillor B. Hayes

Seconded by Councillor L. Tridico

Resolved that the Minutes of the Regular Council Meeting of 2008 09 08 be approved. CARRIED.

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

3. **APPROVE AGENDA AS PRESENTED**

Moved by Councillor B. Hayes

Seconded by Councillor L. Turco

Resolved that the Agenda for the 2008 09 22 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

(a) Tracy Willoughby, Director of Services, Children's Aid Society was in attendance concerning Proclamation - Child Abuse and Neglect Prevention Month.

(b) Lou St. Jules, Public Relations Coordinator, Elks Lodge #341 was in attendance concerning Proclamation - Elks and Royal Purple Oncology Van Program Week.

4. (c) Ellie Love, Co-Run Director was in attendance concerning Proclamation - Breast Health Awareness Month and CIBC Run for the Cure.

- (d) Kathy Lake, representative of Canadian Kennel Club was in attendance concerning Proclamation - Responsible Dog Ownership Week.
- (e) Bob Denham on behalf of Community Soup Kitchen, Salvation Army and Vincent Place was in attendance concerning Proclamation - Fall Harvest Food Drive.
- (f) Dan Fraser, Fire Prevention Officer, Fire Services was in attendance concerning Proclamation - Fire Prevention Week.
- (g) Andre Riopel, World Car Free Day organizer was in attendance concerning agenda item 5.(b).
- (h) Bruce Strapp, C.E.O. and Greg Punch, President, Sault Ste. Marie Economic Development Corporation Board of Directors were in attendance to present the EDC 2007 annual report "Powering a Better Tomorrow" and a new micro website which highlights some EDC projects and opportunities.
- (i) Marilyn Brideaux and Carol Lebrun were in attendance concerning agenda item 5.(u).
- (j) Brian Hamilton, Canadian Food Inspection Agency; and Taylor Scarr, Ministry of Natural Resources were in attendance concerning agenda item 5.(v).
- (k) Allan Ross was in attendance concerning agenda item 6.(6)(b).
- (l) Ken Gilmour was in attendance concerning agenda item 6.(6)(c).
- (m) Frank Provenzano, Rob Fleming, Mark Edwards and Anita Niessen were in attendance concerning agenda item 6.(6)(d).
- (n) Michael Gaudette, President, Safe Communities Partnership 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 P. Mick

Seconded by Councillor L. Tridico

Resolved that all the items listed under date 2008 09 22 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.
- (b) The letter from Andre Riopel, World Care Free Day organizer concerning WCFD on September 22nd was received by Council.
- (c) Correspondence from the Council of Canadians (concerning the Great Lakes St. Lawrence River Basin Compact); Humane Society International/Canada (concerning support for organic free-range eggs and opposition to battery cage egg production); Township of Elizabethtown-Kitley (concerning requesting an amendment to the Assessment Act to exempt municipally-owned property located in neighbouring municipalities from all municipal and education taxes); City of Orillia (concerning continued use of coal generation in Ontario); Municipality of Tweed (concerning requesting government to reduce taxes on petroleum products including provincial road taxes and federal excise tax); and the Town of Fort Erie (concerning public election of all hospital boards and protection of small hospitals in Ontario) was received by Council.
- (d) The letter from Councillor Steve Butland concerning the results of the "Solar Dryer" initiative was received by Council.
- (e) The letter from the Minister of Natural Resources concerning a strategy for preventing and managing human-wildlife conflicts in Ontario was received by Council.
- (f) **Appointment of Acting Mayor**

Moved by Councillor B. Hayes

Seconded by Councillor L. Tridico

Pursuant to Section 242 of the Municipal Act 2001, resolved that Councillor Pat Mick be appointed Acting Mayor during the absence of Mayor John Rowswell for the period September 26th to October 16th (or until Mayor Rowswell's return from vacation). CARRIED.

5. (g) **Council Travel**

Moved by Councillor B. Hayes

Seconded by Councillor L. Tridico

Resolved that Councillor Lou Turco be authorized to travel to an Association of Municipalities of Ontario (AMO) Board of Directors Meeting being held in Toronto, Ontario (2 days in September) at a cost of \$300.00 to the City. CARRIED.

(h) **Staff Travel Requests**

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

Moved by Councillor P. Mick

Seconded by Councillor L. Tridico

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2008 09 22 be approved as requested. CARRIED.

(i) **Comparator Cities**

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

Moved by Councillor P. Mick

Seconded by Councillor L. Tridico

Resolved that the report of the Chief Administrative Officer dated 2008 09 22 concerning Comparator Cities be accepted and the recommendation to not select a specific set of comparator cities for all comparisons when dealing with municipal matters and that Council authorize continuing the current practice of doing comparisons with other cities that have the closest 'fit' to Sault Ste. Marie on the matter at hand be approved. CARRIED.

(j) **Canadian Red Cross - Sault Ste. Marie Home Maintenance Snow Removal Program**

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

Moved by Councillor B. Hayes

Seconded by Councillor L. Tridico

Resolved that the report of the Commissioner of Community Services dated 2008 09 22 concerning Canadian Red Cross - Sault Ste. Marie Home Maintenance Snow Removal Program be accepted as information. CARRIED.

(k) **Request for Financial Assistance for National/International Sports Competitions**

The report of the Manager of Recreation and Culture was accepted by Council.

5. (k) Moved by Councillor B. Hayes
Seconded by Councillor L. Tridico
Resolved that the report of the Manager of Recreation and Culture dated 2008 09 22 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide a \$400.00 grant to the Mixed Curling Team of Chris Fortin, Caleb Flaxey, Lindsay Miners and Ian Fisher (Canadian Mixed Curling Championships) be approved. CARRIED.

(l) **Contract 2008-8E - Great Northern Road/Second Line Northeast Quadrant Right Turn Lane - Project Delay**

The report of the Design and Construction Engineer was accepted by Council.

Moved by Councillor P. Mick
Seconded by Councillor L. Tridico
Resolved that the report of the Design and Construction Engineer dated 2008 09 22 concerning Contract 2008-8E Great Northern Road/Second Line Northeast Quadrant Right Turn Lane - Project Delay be accepted as information. CARRIED.

(m) **Infrastructure Building Canada Fund**

The report of the Commissioner of Engineering and Planning was accepted by Council.

Moved by Councillor P. Mick
Seconded by Councillor L. Tridico
Resolved that the report of the Commissioner of Engineering and Planning dated 2008 09 22 concerning Infrastructure Building Canada Fund be accepted and the recommendation that Council endorse the Third Line project as a Community Component of the Building Canada Fund and further that approval be given to retain TSH, the project's Consulting Engineer to prepare the funding application for submission be approved. CARRIED.

(n) **Hub Trail Update**

The report of the Planning Division was accepted by Council.

Moved by Councillor B. Hayes
Seconded by Councillor L. Tridico
Resolved that the report of the Planning Division dated 2008 09 22 concerning the Hub Trail Update be accepted and the Planning Director's recommendation that Council authorize the re-tendering of Contract 2008-10E (as revised) for construction of the Finn Hill to Pine Street portion of the Hub Trail for winter construction; and that Kresin Engineering be retained to complete all necessary construction drawings and documents for those portions of the Hub Trail as identified in this report at an upset limit of \$120,000.00 excluding G.S.T. be endorsed. CARRIED.

5. (o) **Downtown Development Initiative Laneway Improvements**

The report of the Planning Division was accepted by Council.

Moved by Councillor B. Hayes

Seconded by Councillor L. Tridico

Resolved that the report of the Planning Division dated 2008 09 22 concerning the Downtown Development Initiative Laneway Improvements be accepted and the Planning Director's recommendation that City Council authorize the inclusion of the Downtown Laneway Improvement Project as part of the 2009 Miscellaneous Construction Contract be endorsed. CARRIED.

(p) **Pinecrest Apartments Condominium Conversion - 313 MacDonald Avenue**

The report of the Planning Division was accepted by Council.

Moved by Councillor P. Mick

Seconded by Councillor L. Tridico

Resolved that the report of the Planning Division dated 2008 09 22 concerning the Pinecrest Apartments Condominium Conversion - 313 MacDonald Avenue be accepted and the Planning Director's recommendation that City Council accept this report on the status of the conversion of the Pinecrest Apartment building (313 MacDonald Avenue) to condominiums as information be endorsed. CARRIED.

(q) **Sale of Property on Bruce Street Between Pim and Melrose Streets**

The report of the City Solicitor was accepted by Council. The relevant By-laws 2008-172 and 2008-173 are listed under Item 10 of the Minutes.

(r) **Proposed Sale of 444 Sydenham Road**

The report of the City Solicitor was accepted by Council.

Moved by Councillor P. Mick

Seconded by Councillor L. Tridico

Resolved that the report of the City Solicitor dated 2008 09 22 concerning Proposed Sale of 444 Sydenham Road be accepted and the recommendation that the property be sold to the highest bidder - Odena Reload Centre Ltd. for the offered price of \$21,000.00 be approved. CARRIED.

(s) **Firearms Discharge By-law - Update**

The report of the City Solicitor was accepted by Council. The relevant By-law 2008-168 is listed under Item 10 of the Minutes.

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

5. (t) **Plowing of Waterfront Boardwalk**

The report of the Commissioner of Public Works and Transportation was accepted by Council.

Moved by Councillor B. Hayes

Seconded by Councillor L. Tridico

Resolved that the report of the Commissioner of Public Works and Transportation dated 2008 09 22 concerning Plowing of Waterfront Boardwalk be accepted and the recommendation that winter plowing of the bike path from Canal Drive to the Library at an estimated cost of \$15,000.00 annually BE REFERRED to the 2009 Budget Deliberations. CARRIED.

(u) **Transit Service for the Pawating Place**

The report of the Transit Manager was accepted by Council.

Moved by Councillor B. Hayes

Seconded by Councillor J. Caicco

Resolved that the report of the Transit Manager dated 2008 09 22 concerning Transit Service for Pawating Place be accepted and the recommendation that Transit Services implement the following plan to provide transit service to the Pawating Place area:

1. effective November 3, 2008 the Community Bus to provide service to Pawating Place on Tuesdays and Thursdays with scheduled service at 9:00 a.m.; 10:30 a.m.; 12:00 noon; 2:00 p.m.; 3:30 p.m. and 5:00 p.m.; and
 2. effective the week of January 4, 2009 the Community Bus service to Pawating Place expanded to include Fridays; and
 3. upon completion of the South Market extension project, staff will confirm the possibility of re-routing the McNabb bus to travel north on Lake Street turning left onto Pentagon Boulevard and returning to McNabb Street; and
 4. that staff report back to Council in 9 months on the effectiveness of the pilot community bus service to Pawating Place
- be approved. CARRIED.

(v) **Emerald Ash Borer**

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

Moved by Councillor P. Mick

Seconded by Councillor S. Butland

Resolved that the report of the Manager of Parks dated 2008 09 22 concerning Emerald Ash Borer (Beetle) be accepted as information. CARRIED.

5. (v) Moved by Councillor B. Hayes
Seconded by Councillor S. Butland
Whereas the Emerald Ash Borer is a wood boring beetle originally native to Asia and which arrived in North America in 2002 in the Windsor/Detroit area; and
Whereas this alien invasive species has been observed attacking and killing all species of ash trees which grow in Ontario; and
Whereas the infestation in Southern Ontario has proven to be highly destructive, with this pest being seen as a major economic and environmental threat to urban and forested areas; and
Whereas the greatest risk of spreading the Emerald Ash Borer is through the movement of ash nursery stock and forest products such as firewood and logs; and
Whereas the first findings of the presence of the Emerald Ash Borer have now been made in Sault Ste. Marie, which has a significant population of ash trees, including those which line Queen Street; and
Whereas City staff have little experience or knowledge in the appropriate management of this pest which has now become a national threat to many urban and forested regions;
Now therefore be it resolved that City Council requests the Canadian Food Inspection Agency and Natural Resources Canada (Canadian Forest Service) with the assistance of the Ontario Ministry of Natural Resources to take the lead role in dealing immediately with this serious problem in Sault Ste. Marie.
CARRIED.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (6) PLANNING

(a) Application No. A-21-08-Z - D. S. Urso Surveying Ltd. - 309 East Balfour Street - Request to Rezone to Facilitate the Construction of Semi-Detached Residential Units

The report of the Planning Division was accepted by Council.

Moved by Councillor P. Mick
Seconded by Councillor L. Tridico

Resolved that the report of the Planning Division dated 2008 09 22 concerning Application No. A-21-08-Z - D. S. Urso Surveying Ltd. be accepted and the Planning Director's recommendation that City Council DEFER the application to the November 3, 2008 Council Meeting to allow notices outlining the new request to be circulated be endorsed. CARRIED.

6. (6)

(a) Councillor L. Turco declared a pecuniary interest - spouse is a Trustee on Huron Superior Catholic District School Board.

(b) **Application No. A-22-08-OP - Allan Ross - 755 Airport Road - Request to Amend Official Plan to Facilitate the Creation of One Additional Rural Residential Lot**

The report of the Planning Division was accepted by Council.

Moved by Councillor P. Mick

Seconded by Councillor L. Turco

Resolved that the report of the Planning Division dated 2008 09 22 concerning Application No. A-22-08-OP - Allan Ross be accepted and the Planning Director's recommendation that City Council approve Official Plan Amendment No. 154, which facilitates the severance of the subject property by way of a notwithstanding clause to the Rural Area policies, for one (1) additional rural residential lot be endorsed. CARRIED.

(c) **Application No. A-23-08-Z - Dorothy M. Modritsch - 200 Simpson Street - Request to Rezone to Facilitate the Construction of a Semi-Detached Residential Unit**

The report of the Planning Division was accepted by Council.

Moved by Councillor B. Hayes

Seconded by Councillor L. Tridico

Resolved that the report of the Planning Division dated 2008 09 22 concerning Application No. A-23-08-Z - Dorothy M. Modritsch be accepted and the Planning Director's recommendation that City Council approve the application and rezone the eastern 18.79m (61.64') of the subject property from "R2" (Single Detached Residential) zone to "R3" (Low Density Residential) zone to facilitate the construction of a semi-detached dwelling be endorsed. CARRIED.

(d) **Application No. A-25-08-Z - Palmer Construction Group - 690 Black Road - Request to Rezone to Permit the Existing Contractor's Yard Supporting Heavy and Civil Engineering Construction**

The report of the Planning Division was received by Council.

Moved by Councillor J. Caicco

Seconded by Councillor S. Butland

Resolved that Application No. A-25-08-Z - Palmer Construction Group - 690 Black Road BE AMENDED by approving a 2 year temporary use only for its existing use as a contractor's transfer yard and that the land remain zoned as Rural Area during this period of time. CARRIED.

Mayor John Rowswell declared a pecuniary Interest - Bethel Bible Chapel is client of engineering firm.

6. (6)

(d) Moved by - Councillor B. Hayes

Seconded by - Councillor L. Tridico

Resolved that the report of the Planning Division dated 2008 09 22 concerning Application No. A-25-08-Z - Palmer Construction Group be accepted and the Planning Director's recommendation that City Council approves the application **as amended**. CARRIED.

Mayor John Rowswell declared a pecuniary Interest - Bethel Bible Chapel is client of engineering firm.

(e) **Official Plan Review 2008 - Part 1 - Population and Household Projections**

The report of the Planning Division was accepted by Council.

Moved by Councillor P. Mick

Seconded by Councillor L. Tridico

Resolved that the report of the Planning Division dated 2008 09 22 concerning the Official Plan Review 2008, Part 1 - Population and Household Projections be accepted and the Planning Director's recommendation that City Council accept the Population and Household Projections as information be endorsed. CARRIED.

6. (8) **BOARDS AND COMMITTEES**

(a) **Safe Community Partnerships: Community Safety Village of Sault Ste. Marie**

The report of Mayor John Rowswell was accepted by Council.

Moved by Councillor J. Caicco

Seconded by Councillor T. Sheehan

Resolved that the report of Mayor John Rowswell dated 2008 09 22 concerning Safe Communities Partnerships - Community Safety Village of Sault Ste. Marie be accepted and the recommendation that Council support:

1. that staff be requested to identify 2 - 3 acres of land that will eventually be leased for the Community Safety Village project;

2. that this project be provided with some seed money to assist Safe Community Partnerships with professional design services in the amount of \$20,000.00 with the funds to come from Council's Community Fund be approved. CARRIED.

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

- (a) Moved by Councillor P. Mick
Seconded by Councillor S. Myers
Whereas the City of Sault Ste. Marie strives to increase ridership on public transit; and
Whereas more funding has been made available through the gas tax rebate plan; and
Whereas Pawating Place is comprised of 80 units and was promised service in the past; and
Whereas Pawating Place is the only public housing complex within the city that is not served by nearby city busing; and
Whereas many residents do not own vehicles to access appointments, shopping, post-secondary education and employment; and
Whereas many housing clients on the wait list have had to turn down this complex because of lack of transportation;
Now therefore be it resolved that the City of Sault Ste. Marie provides Transit Service for the Pawating Place area. DEFEATED.

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 P. Mick
Seconded by Councillor L. Tridico
Resolved that all the by-laws listed under Item 10 of the Agenda under date 2008 09 22 be approved. CARRIED.
- (a) Moved by Councillor P. Mick
Seconded by Councillor L. Tridico
Resolved that By-law 2008-168 being a by-law to prohibit the discharge of firearms in the municipality be read three times and passed in Open Council this 22nd day of September 2008. CARRIED.

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

10. (b) Moved by Councillor P. Mick
Seconded by Councillor L. Tridico
Resolved that By-law 2008-169 being a by-law to authorize an agreement between the City and Conestoga-Rovers and Associates Limited for the preparation of applications for certificates of approval from the Ministry of the Environment for various City facilities be read three times and passed in Open Council this 22nd day of September 2008. CARRIED.
- (c) Moved by Councillor P. Mick
Seconded by Councillor L. Tridico
Resolved that By-law 2008-170 being a by-law to adopt Amendment No. 153 to the Official Plan be read three times and passed in Open Council this 22nd day of September 2008. (Wal-Mart Canada Corp.) CARRIED.

Recorded Vote

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

Against: Councillor L. Tridico

Absent: Mayor J. Rowsell, Councillors T. Sheehan, F. Manzo

- (d) Moved by Councillor P. Mick
Seconded by Councillor L. Tridico
Resolved that By-law 2008-171 being a by-law to amend Sault Ste. Marie Zoning By-law 2005-151 concerning lands located at 446 Great Northern Road be read three times and passed in Open Council this 22nd day of September 2008. (Wal-Mart Canada Corp.) CARRIED.

Recorded Vote

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

Against: Councillor L. Tridico

Absent: Mayor J. Rowsell, Councillors T. Sheehan, F. Manzo

- (e) Moved by Councillor P. Mick
Seconded by Councillor L. Tridico
Resolved that By-law 2008-172 being a by-law to authorize the sale of Parts 3 to 9 on Plan IR 11571 to Don Valley Real Estate Services Ltd., in Trust be read three times and passed in Open Council this 22nd day of September 2008. CARRIED.

10. (f) Moved by Councillor P. Mick
Seconded by Councillor L. Tridico
Resolved that By-law 2008-173 being a by-law to authorize the sale of Part 1 on Plan IR 11571 to Major Contracting (Algoma) Limited be read three times and passed in Open Council this 22nd day of September 2008. CARRIED.

(g) Moved by Councillor P. Mick
Seconded by Councillor L. Tridico
Resolved that By-law 2008-174 being a by-law to adopt Amendment No. 154 to the Official Plan be read three times and passed in Open Council this 22nd day of September 2008. (Allan Ross) CARRIED.

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

12. **ADJOURNMENT**

Moved by Councillor B. Hayes
Seconded by Councillor L. Tridico
Resolved that this Council shall now adjourn. CARRIED.

"Pat Mick"
ACTING MAYOR

"Donna P. Irving"
CLERK