

MINUTES

REGULAR MEETING OF CITY COUNCIL

2008 05 26

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, T. Sheehan, S. Butland, F. Manzo, P. Mick

ABSENT: Councillor F. Fata (work)

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

1. **ADOPTION OF MINUTES**

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the Minutes of the Regular Council Meeting of 2008 05 12 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 T. Sheehan

Resolved that the Agenda for the 2008 05 26 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

(a) Janelle and Annie Martin were in attendance concerning Proclamation - Spina Bifida and Hydrocephalus Month.

(b) Brian Curran, President and CEO, PUC was in attendance concerning Proclamation - Energy Conservation Week.

4. (c) Brian Curran, President and CEO, PUC Inc. was in attendance concerning agenda item 5(ff) and for the PUC Inc. Annual Shareholder Meeting.
- Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that City Council is now authorized to meet in Open Session as the sole shareholder of PUC Inc.; and
Further resolved that City Council appoints Mayor John Rowswell as Council's proxy to vote on the resolutions of the shareholder of PUC Inc. CARRIED.
- (d) John Smale and Donna Hilsinger were in attendance concerning agenda item 6.(6)(c).
- (e) Greg Punch, President Board of Directors and Bruce Strapp CEO, Economic Development Corporation were 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 D. Celetti
Seconded by Councillor S. Myers
Resolved that all the items listed under date 2008 05 26 - Part One - Consent Agenda [save and except 5.(x) - TABLED to June 9th] be approved as recommended. CARRIED.
- (a) Correspondence from AMO was received by Council.
- (b) Correspondence from the Village of Point Edward (concerning Policing Costs at Border Crossings) was received by Council.
- (c) The letter from the Mayor of Belleville Ontario concerning the Change for the Environment Challenge was received by Council.
- (d) The letter from the Minister of Transportation concerning the 2008 Ontario Bus Replacement Program funding allocation for Sault Ste. Marie in the amount of \$166,500.00 was received by Council.
- (e) Correspondence concerning requests for permission to hold special occasion permit events at outdoor municipal facilities was accepted by Council.

5. (e) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
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:
Rocky Dipietro Field
Sault Steelers Football
June 7, 28; July 12, 26; Aug. 2, 9, 16 from 5:00 p.m. - 10:00 p.m. CARRIED.

Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
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:
Roberta Bondar Pavilion
Sault Symphony Association Musicfest XV - Bratwurst, Beer and Beethoven
June 8, 2008 - 12:00 noon to 10:00 p.m. CARRIED.

- (f) Correspondence from Councillor Steve Butland concerning the Sault Ste. Marie Innovation Centre was received by Council.

Moved by Councillor L. Tridico
Seconded by Councillor D. Celetti
Resolved that Council request the staff of the Innovation Centre make a presentation before Council to address the many questions Council may have at a time suitable to both parties. OFFICIALLY READ NOT DEALT WITH. (Ruled as a reconsideration by Head of Council because it was about accountability of Innovation Centre and at budget accountability agreements were passed by Council.)

- (g) Correspondence from Councillor Terry Sheehan concerning a CQI forum on the issue of rising gas/oil prices being held June 12th and 13th was received by Council.

- (h) The letter of request for a temporary street closing was accepted by Council.
1) On Lake Street south of Queen Street in conjunction with Rotary North Dragon Boat Festival (June 11th). The relevant By-law 2008-107 is listed under Item 10 of the Minutes.

- (i) **Staff Travel Requests**

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

Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2008 05 26 be approved as requested. CARRIED.

5. (j) **Revision of the 2008 Winter Control Budget Allocation**
The report of the Commissioner of Finance and Treasurer was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Commissioner of Finance and Treasurer dated 2008 05 26 concerning Revision of the 2008 Winter Control Budget Allocation be accepted and the recommendation that the 2008 budget allocation for winter control be revised as recommended in the report be approved. CARRIED.
- (k) **2008 Final Tax Billing**
The report of the City Tax Collector was accepted by Council. The relevant By-law 2008-105 is listed under Item 10 of the Minutes.
- Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the City Tax Collector regarding the 2008 final tax billing for properties within the Residential, Multi-Residential, Commercial and Industrial classes be approved. CARRIED.
- (l) **Unsold Tax Sale Properties**
The report of the City Tax Collector was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that pursuant to Section 354 of the Municipal Act 2001, that the taxes as outlined on the City Tax Collector's report of 2008 05 26 be written off and the properties be vested to the City of Sault Ste. Marie. CARRIED.
- (m) **Tender for 7,500 Tonnes Bulk Coarse Highway Salt**
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Manager of Purchasing dated 2008 05 26 be endorsed and that the tender for the supply and delivery of Bulk Coarse Highway Salt, required by the Public Works and Transportation Department, be awarded as recommended. CARRIED.
- (n) **Tender for RS2 Emulsified Asphalt & M.T.O. Prime**
The report of the Manager of Purchasing was accepted by Council.

5. (n) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the Manager of Purchasing dated 2008 05 26 be endorsed and that the tender for the supply and delivery of RS2 Emulsified Asphalt and M.T.O. Prime, required by the Public Works and Transportation Department, be awarded as recommended. CARRIED.
- (o) **Tender for Asphaltic Concrete**
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Manager of Purchasing dated 2008 05 26 be endorsed and that the tender for the supply of Asphaltic Concrete, required by the Public Works and Transportation Department, be awarded as recommended. CARRIED.
- (p) **Tender for Ready-Mix Concrete**
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Manager of Purchasing dated 2008 05 26 be endorsed and that the tender for the supply and delivery of Ready-Mix Concrete, required by the Public Works and Transportation Department, be awarded as recommended. CARRIED.
- (q) **Request for Financial Assistance for National/International Sports Competitions**
The report of the Manager of Recreation and Culture was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Manager of Recreation and Culture dated 2008 05 26 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide a \$200.00 grant to Myrica Hinich (Canadian Nationals for Snowboarding) be approved. CARRIED.
- (r) **Indoor Play Structure - Proposal**
The report of the Manager of Recreation and Culture was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Manager of Recreation and Culture dated 2008 05 26 concerning Indoor Play Structure be accepted as information. CARRIED.

5. (s) **Historic Sites Board Request for a Part-Time Employee – Supplementary Budget Request**

The reports of the Commissioner of Community Services and Vice-Chair Historic Sites Board were accepted by Council.

Moved by Councillor S. Myers

Seconded by Councillor L. Turco

Whereas at the 2008 Budget Deliberations Meeting, City Council approved an additional \$300,000.00 to the Community Services Department; and

Whereas Historic Sites Board requested \$15,346.00 for a part-time interpreter at the Ermatinger-Clergue National Historic Site from City Council through C.S.D.'s supplemental budget; and

Whereas C.S.D. uses global budgeting and did receive a new \$300,000.00 for 2008; and

Whereas some members of Council did ask that this item be approved from those funds for 2008, and members of the Historic Sites Board understood that to be the case;

Therefore be it resolved that the funds be approved now for the 2008 Budget.
DEFEATED.

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the reports of the Commissioner of Community Services and Vice-Chair Historic Sites Board be accepted and the recommendation that Council consider the request for one part-time interpreter as a supplementary item in the 2009 Budget be approved. CARRIED.

(t) **Wildlife Viewing Platform**

The report of the Manager of Recreation and Culture was accepted by Council.
The relevant By-law 2008-109 is listed under Item 10 of the Minutes.

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that the report of the Manager of Recreation and Culture dated 2008 05 26 concerning Wildlife Viewing Platform be accepted and the recommendation that Council approve entering into a Memorandum of Understanding with Sault Naturalists of Michigan and Ontario to have a wildlife viewing platform built at Bellevue Marine Park; and further that the Sault Naturalists pay the City a total of \$5,637.66 to cover the agreed upon costs; and further that the Parks Division construct and maintain the platform and walkway, be approved. CARRIED.

(u) **92 Second Line West**

The report of the Chief Building Official was accepted by Council.

5. (u) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the Chief Building Official dated 2008 05 26 concerning 92 Second Line West be accepted and the recommendation that failure to substantially commence work within 30 days from the issuance of the building permit, that the Corporation proceed under the authority of the Building Code Act to hire the forces necessary to undertake the required work adding the costs of this action to the taxes of the subject property, be approved. CARRIED.

Councillor James Caicco declared a pecuniary interest - realtor for the property.

- (v) **Miscellaneous Construction – 711 Bay Street Sea Wall**
The report of the Director of Engineering Services was accepted by Council.

Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Director of Engineering Services dated 2008 05 26 concerning Miscellaneous Construction – 711 Bay Street Sea Wall be accepted and the recommendation that the firm of M. R. Wright and Associates be retained to complete an engineering inspection of the Sea Wall at an estimated cost of \$11,000.00 with funds to come from the 2008 Miscellaneous Construction budget be approved. CARRIED.

- (w) **Gateway Project Update**
The report of the Commissioner of Engineering and Planning was accepted by Council.

Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the Commissioner of Engineering and Planning dated 2008 05 26 concerning Gateway Project Update be accepted and the recommendation that Council agree to have CCI Development Group of Companies be invited to submit a Proposal for the Gateway Development Project be approved. CARRIED.

- (x) **Amendments to By-law 2005-154 - City's Taxi By-law**
The report of the Assistant City Solicitor was received by Council. The relevant By-law 2008-104 is listed under item 10 of the Minutes. NOTE: TABLED TO JUNE 9TH.

Mayor J. Rowswell declared a pecuniary interest - engineering firm does business with RBB Innovations.

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

5. (y) **Exclusivity and Transit**
The report of the Assistant City Solicitor was accepted by Council. The relevant By-law 2008-28 is listed under item 10 of the Minutes.
- (z) **Regional Hazmat Response Team**
The report of the Fire Chief was accepted by Council. The relevant By-law 2008-106 is listed under item 10 of the Minutes.
- (aa) **Community Development Award 2008**
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 2008 05 26 concerning Community Development Award 2008 be accepted and the Planning Advisory Committee's recommendation that City Council honour TenarisAlgoma Tubes with the 2008 Community Development Award for the development of this truly unique office space, and continued investment into the community be endorsed.
CARRIED.
- (bb) **Downtown Development Initiative**
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 2008 05 26 concerning the Report of the Downtown Development Initiative Grant Evaluation Committee be accepted and the Planning Director's Recommendation that City Council approve the six funding requests described in this report be endorsed.
CARRIED.
- Councillor L. Tridico declared a pecuniary interest - family member has applied for a Downtown Development Initiative Grant.
- (cc) **2008 Ditching Program**
The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2008 05 26 concerning the 2008 Ditching Program be accepted as information. CARRIED.

5. (dd) **2008 Sidewalk and Curb Repair Programs**
The report of the Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the Commissioner of Public Works and Transportation dated 2008 05 26 concerning 2008 Sidewalk and Curb Repair Programs be accepted as information. CARRIED.
- (ee) **Certificates of Approval (Air) for Public Works and Transportation Department Facilities**
The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2008 05 26 concerning Certificates of Approval (Air) for Public Works and Transportation Department Facilities be accepted and the recommendation that :
1. a consultant be hired to prepare the applications for Certificates of Approval (Air);
 2. based on previous experience, the firm of Conestoga Rovers be hired to carry out the work;
 3. an upset limit for carrying out the work be set at \$45,000.00 with funds to come from the Gas Tax Revenue and the sale of Carpin Beach Road Pit;
- be approved. CARRIED.
- (ff) **2008 First Quarter Shareholder Report**
The report of the President and CEO, PUC Inc. was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the President and CEO, PUC Inc. dated 2008 04 24 concerning 2008 First Quarter Shareholder Report be accepted as information. CARRIED.
- (gg) The letter from the CEO, OLG in response to Councillor Terry Sheehan's recent letter concerning television productions in or near Sault Ste. Marie was received by Council.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (6) PLANNING

(a) Application No. A-13-08-OP - Randy Deschamps and Kelly Blake – 73 - 103 Wardell Road - Request to Amend Official Plan In order to Create an Additional Lot for Rural Residential Purposes

The report of the Planning Division was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that the report of the Planning Division dated 2008 05 26 concerning Application No. A-13-08-OP – Randy Deschamps & Kelly Blake be accepted and the Planning Director's Recommendation that City Council approve Official Plan Amendment No. 149, to facilitate the Committee of Adjustment's consideration of a severance application to create an additional lot for rural residential purposes be endorsed. CARRIED.

(b) Industrial Community Improvement Plan

The report of the Planning Division was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that the report of the Planning Division dated 2008 05 26 concerning the Industrial Community Improvement Plan be accepted and the Planning Director's recommendation that City Council approve the proposed Industrial Community Improvement Plan be endorsed. CARRIED.

(c) Hub Trail Development along Shannon Road/Shingwauk Street

The report of the Planning Division was received by Council. The letter from residents of Shannon Road was received by Council.

Moved by Councillor L. Turco

Seconded by Councillor S. Myers

Resolved that the report of the Planning Division dated 2008 05 26 concerning the Hub Trail Development along Shannon Road/Shingwauk Street be accepted and the Planning Director's Recommendation that City Council support the construction of the Hub Trail portion of the Shannon Road reconstruction project, as recommended by staff and MMM Group, utilizing a 2.7 meter asphalt surface within the northerly boulevard of Shingwauk Street and the easterly boulevard of Shannon Road be endorsed. DEFEATED.

6. (6)

(c) Moved by Councillor F. Manzo
Seconded by Councillor D. Celetti

Resolved that the safety concerns of residents of Shannon Road regarding the Hub Trail Development along Shannon Road detailed in a letter received May 26, 2008 be accepted by Council and further that engineering staff be directed to take the necessary steps to amend the design of the Hub Trail Development along Shannon Road by keeping the existing sidewalks and having a marked area on the roadway for Hub Trail users be approved. DEFEATED.

Moved by Councillor S. Myers

Seconded by Councillor O. Grandinetti

Be it resolved that staff come back to City Council in two weeks with a report specifically addressing safety concerns raised by Councillors, i.e., residents exiting driveways onto Shannon Road. CARRIED.

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

(a) **Sault Ste. Marie Economic Development Corporation Review – Final Report**

The report of the Economic Development Corporation was accepted by Council.

Moved by Councillor S. Myers

Seconded by Councillor T. Sheehan

Resolved that the report of the Economic Development Corporation dated May 26, 2008 concerning SSMEDC Review – Final Report be accepted as information. CARRIED.

Recorded Vote

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

Against: Councillors D. Celetti, L. Tridico, F. Manzo

Absent: Councillor F. Fata

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

- (a) Moved by Councillor S. Butland
Seconded by Councillor J. Caicco
Resolved that Public Works and Transportation review the walkway proceeding from Boundary Road to the Wellington Square Mall (between civic #'s 617 & 621) and make recommendation as to providing more protection and privacy for the affected neighbours. CARRIED.
- (b) Moved by Councillor F. Manzo
Seconded by Councillor D. Celetti
Resolved that the concerns of the residents of 171 Millcreek Drive (Cliff and Doreen Oppen) expressed in a letter dated May 21, 2008 to Councillor Frank Manzo about the condition of the property at Greenwood Cemetery BE REFERRED to John King, Manager of Cemeteries for review and report back to City Council. CARRIED.

The letter from the residents of 171 Millcreek Drive concerning the condition of the property at Greenwood Cemetery was received by Council.

- (c) Moved by Councillor F. Manzo
Seconded by Councillor O. Grandinetti
Resolved that the petition from residents of Rushmere Drive (submitted by Aldo Maniacco, 25 Rushmere Drive) concerning vehicles travelling at excessive speeds on Rushmere Drive and a request for speed limit signs or flashing lights BE REFERRED to the Commissioner of Public Works and Transportation and City Police for review and report back to Council. CARRIED.

The petition from residents of Rushmere Drive concerning vehicles travelling at excessive speeds on Rushmere Drive was received by Council.

- (d) Moved by Councillor D. Celetti
Seconded by Councillor B. Hayes
Whereas with traffic flow moving in a westerly direction on McNabb Street coming up to Black Road; and there is no signage directing traffic that wishes to exit in the right hand lane to merge onto Black Road to go in a northerly direction;
The two lanes on McNabb Street heading west block out the availability to extreme right to exit onto Black Road;
Be it resolved that Council instruct the appropriate staff to study and report back to Council on the feasibility of a sign saying "Traffic in right lane must exit". 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 D. Celetti

Seconded by Councillor T. Sheehan

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2008 05 26, [save and except 2008-104 - TABLED to June 9th] be approved. CARRIED.

(a) Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that By-law 2008-28 being a by-law to amend By-law 85-93 being a by-law dealing with the operation of a public bus transportation system be read three times and passed in Open Council this 26th day of May, 2008. CARRIED.

(b) Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that By-law 2008-104 being a by-law to amend the Taxi By-law 2005-154 be read three times and passed in Open Council this 26th day of May, 2008. OFFICIALLY READ NOT DEALT WITH. (TABLED TO JUNE 9TH.)

Mayor J. Rowsell declared a pecuniary interest - engineering firm does business with RBB Innovations.

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

(c) Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that By-law 2008-105 being a by-law to provide for the adoption of recovery percentages for the 2008 taxation year be read three times and passed in Open Council this 26th day of May, 2008. CARRIED.

(d) Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that By-law 2008-106 being a by-law to authorize an agreement between the City and the Minister of Community Safety and Correctional Services to establish and operate a level 2 Provincial CBRNE/HAZMAT team be read three times and passed in Open Council this 26th day of May, 2008. CARRIED.

10. (e) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2008-107 being a by-law to permit the temporary closing of Lake Street from Queen Street to its south end at Bellevue Park to facilitate the Dragon Boat Festival on June 14th, 2008 be read three times and passed in Open Council this 26th day of May, 2008. CARRIED.
- (f) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2008-108 being a by-law to adopt Amendment No. 149 to the Official Plan be read three times and passed in Open Council this 26th day of May, 2008. CARRIED.
- (g) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2008-109 being a by-law to authorize a Memorandum of Understanding between the Sault Naturalists of Ontario and Michigan and The City of Sault Ste. Marie concerning a wildlife viewing platform to be constructed at Bellevue Park be read three times and passed in Open Council this 26th day of May, 2008. CARRIED.

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

12. **ADJOURNMENT**

Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that this Council shall now adjourn. CARRIED.

"J. Rowswell"

MAYOR

"Malcolm White"

DEPUTY CLERK