

MINUTES

REGULAR MEETING OF CITY COUNCIL

2008 02 25

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, P. Mick

ABSENT: Councillor F. Manzo (illness)

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

1. **ADOPTION OF MINUTES**

Moved by Councillor S. Myers

Seconded by Councillor F. Fata

Resolved that the Minutes of the Regular Council Meeting of 2008 02 11 and the Special Council Meeting of 2008 02 19 be approved. CARRIED.

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

3. **APPROVE AGENDA AS PRESENTED**

Moved by Councillor S. Myers

Seconded by Councillor D. Celetti

Resolved that the Agenda for the 2008 02 25 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Hilda Odom, Science Fair Chairperson was in attendance concerning Proclamation – March is Youth Science Month.
- (b) Roger Kinghorn, Chair Municipal Heritage Committee was in attendance concerning agenda item 5.(h) Heritage Award 2007.

4. (c) Mark Lucuik, P. Eng. LEED AP, principal and corporate lead in the Green Buildings and Sustainability service area within Morrison Hershfield Consulting Engineers and lead author of 'A Business Case of Green Buildings in Canada' was in attendance to address Council about Green Buildings.
- (d) Kevin McGrath on behalf of the Sault Ste. Marie Model Aircraft Radio Control Club was in attendance concerning agenda item 5.(k).
- (e) Ann Marie McPhee, Chair Accessibility Advisory Committee was in attendance concerning item 5.(l).
- (f) Franco Pastore was in attendance concerning item 6.(2)(a).
- (g) Bob Dumanski was in attendance concerning item 6.(6)(a).
- (h) Bill Therriault, Chair Multimodal Task Force and Oscar Poloni on behalf of KPMG were in attendance concerning item 6.(8)(a).

PART ONE – CONSENT AGENDA

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

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that all the items listed under date 2008 02 25 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.
- (b) Correspondence from the Township of Machar and Village of South River (concerning funding of rural schools); Town of Northeastern Manitoulin and the Islands (concerning municipal drinking water systems); the City of Brampton (concerning the impact on public transit of provincial no-fault and accident benefit legislation); Western Ontario Wardens Caucus (concerning farm tax rebate program); Town of Newmarket (concerning access to disabled parking spaces); and the Town of Amherstburg (concerning lead testing mandated by province for municipal drinking water) was received by Council.
- (c) The letter from the Deputy Minister for Emergency Planning and Management commending the City for fulfilling the municipal requirement of the Emergency Management and Civil Protection Act was received by Council.
- (d) **Staff Travel Requests**
The report of the Chief Administrative Officer was accepted by Council.

5. (d) Moved by Councillor F. Fata
Seconded by Councillor T. Sheehan
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2008 02 25 be approved as requested. CARRIED.
- (e) **Property Tax Appeals**
The report of the City Tax Collector was accepted by Council.
- Moved by Councillor S. Myers
Seconded by Councillor D. Celetti
Resolved that pursuant to Section 357 of the Municipal Act, 2001, the adjustments for tax accounts outlined on the City Tax Collector's reports of 2008 02 25 be approved and the tax records be amended accordingly. CARRIED.
- (f) **Registration of Tax Arrears Certificate and Sale**
The report of the City Tax Collector was accepted by Council.
- Moved by Councillor S. Myers
Seconded by Councillor D. Celetti
Resolved that the report of the City Tax Collector be accepted to commence Tax Sale Proceedings in accordance with the report. CARRIED.
- (g) **Contract Renewal – Group Health Centre Employee Assistance Program (EAP)**
The report of the Commissioner of Human Resources was accepted by Council.
The relevant By-law 2008-36 is listed under Item 10 of the Minutes.
- (h) **Sault Ste. Marie Municipal Heritage Committee Heritage Award 2007**
The report of the Manager Recreation and Culture was accepted by Council.
- Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that the report of the Manager Recreation and Culture dated 2008 02 25 concerning Sault Ste. Marie Municipal Heritage Committee – Heritage Award 2007 be accepted; and
Further resolved that City Council endorses the Municipal Heritage Committee's nomination of Dr. Timothy Best and Dr. Marilyn Leahy, owners of the 1902 family residence at 115 Upton Road as the recipients of the 2007 award. CARRIED.
- (i) **Soo Minor Baseball Association (SMBA) – Request for Financial Consideration**
The report of the Commissioner Community Services was accepted by Council.

5. (i) Moved by Councillor T. Sheehan
Seconded by Councillor D. Celetti
Resolved that the report of the Commissioner Community Services 2008 02 25 concerning Soo Minor Baseball Association (SMBA) – Request for Financial Consideration be accepted and the recommendation that the letter from the Soo Minor Baseball Association dated February 11, 2008 BE REFERRED to the Parks and Recreation Advisory Committee for review and report back to Council providing a recommendation on each of the items identified in the letter, be approved. CARRIED.
- (j) **Steelback Centre – Uncovered Stairs**
The report of the Commissioner Community Services was accepted by Council.

Moved by Councillor S. Myers
Seconded by Councillor D. Celetti
Resolved that the report of the Commissioner Community Services dated 2008 02 25 concerning Steelback Centre – Uncovered Stairs be accepted and the recommendation that the Steelback Centre SW and SE Stair Enclosures Project at an estimated cost of \$215,000. BE REFERRED to the 2008 Budget as a capital expense item. CARRIED.
- (k) **Sault Ste. Marie Model Aircraft Radio Control Club Lease for New Location South End of Leigh's Bay Road, South of Base Line**
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 2008 02 25 concerning Sault Ste. Marie Model Aircraft Radio Control Club Lease for New Location South End of Leigh's Bay Road, South of Base Line be accepted and the recommendation that the City enter into a lease or licence of occupation with the Model Aircraft Control Club not to exceed 10 years at an annual rent of \$400.00 be approved. CARRIED.
- (l) **Sault Ste. Marie Accessibility Advisory Committee – Accessible Parking By-Law 2008-26**
The report of the Assistant City Solicitor was accepted by Council. The relevant By-law 2008-26 is listed under Item 10 of the Minutes.
- (m) **Lease – The Corporation of the City of Sault Ste. Marie and the Sault Area Hospital for Property at 65 Old Garden River Road**
The report of the City Solicitor was accepted by Council. The relevant By-law 2008-32 is listed under item 10 of the Minutes.

5. (n) **Historic Sites Board – Ermatinger•Clergue Year End Report 2007**
The report of the Curator Ermatinger•Clergue National Historic Sites Board was accepted by Council.
- Moved by Councillor S. Myers
Seconded by Councillor D. Celetti
Resolved that the report of the Curator Ermatinger•Clergue National Historic Site dated 2008 02 25 concerning Historic Sites Board – Ermatinger•Clergue Year End Report 2007 be accepted as information. CARRIED.
- (o) Correspondence from Councillor Susan Myers concerning the FONOM-MMAH Conference being held in Sault Ste. Marie May 14 to 16, 2008 was received by Council.
- (p) **Steelback Centre - Nominated for Canadian Music Industry Award**
The report of the Commissioner of Community Services was accepted by Council.
- Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that the report of the Commissioner of Community Services dated 2008 02 25 concerning Steelback Centre - Nominated for Canadian Music Industry Award be accepted as information. CARRIED.

PART TWO – REGULAR AGENDA

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

6. (2) **COMMUNITY SERVICES**

(a) **Steelback Centre – Phase 2 and 3 – Suites Project**

The reports of the Commissioner Community Services and the Commissioner of Finance and Treasurer were accepted by Council.

Moved by Councillor T. Sheehan

Seconded by Councillor L. Turco

Resolved that the reports of the Commissioner Community Services and the Commissioner of Finance and Treasurer dated 2008 02 25 concerning Steelback Centre – Phase 2 and 3 Suites Project be accepted and the recommendation of the Steelback Centre Working Committee that Council authorize proceeding to tender for the Steelback Centre Phase 2 and 3 Suites Project as detailed in the reports, be approved. CARRIED.

6. (2)
(a)

Recorded Vote

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

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

Absent: Councillor F. Manzo

6. (6)

PLANNING

- (a) **Application No. A-2-08-Z.OP – Sar-Gin Developments (Sault) Ltd. Located on the West Side of Great Northern Road, Approximately 90m (295.3') South of its Intersection with Drive-In Road. Civic No. 671, 671A & 683 Great Northern Road - Request a Rezoning and Official Plan Amendment to Increase the Allowable Office Space**

The report of the Planning Division was accepted by Council.

Moved by Councillor T. Sheehan

Seconded by Councillor P. Mick

Resolved that the report of the Planning Division dated 2008 02 25 concerning Application No. A-2-08-Z.OP – Sar-Gin Developments (Sault) Limited be accepted and the Planning Director's Recommendation that City Council approve the rezoning of the subject property, subject to the following:

1. That Council approve Official Plan Amendment 142.

2. That Special Exception 215 be amended as follows:

(Provision) 6. Office Uses. Up to a maximum of 30% of the gross leaseable floor area of the total development on Block A on Schedule 867 attached hereto.

(Provision) 8. Delete. (Professional, scientific and technical services as separate permitted use), be endorsed. CARRIED.

6. (8)

BOARDS AND COMMITTEES

- (a) The report of the Chair/Coordinator, Multi-Modal Task Force, Destiny Sault Ste. Marie was accepted by Council.

Moved by Councillor S. Myers

Seconded by Councillor L. Turco

Resolved that the report of the Chair/Coordinator, Multi-Modal Task Force, Destiny Sault Ste. Marie concerning Multi-Modal Initiative Phase 3 Business Case and Implementation Analysis Final Report dated February 19, 2008 be accepted and the recommendation that City Council approve the allocation of \$50,000. over the next six months towards the continuance of the Committee's management and administration of the initiative including expanding the

6. (8)

- (a) mandate of the committee to include the addition of regional government, railway, logistical and other private sector representation, refining implementation strategies, preliminary services of a logistics consultant and pursuing strategic funding; and furthermore working in partnership with Federal and Provincial governments in securing additional funding of \$400,000. to assist in the full implementation of the initiative including securing customer base, working with railway and working with intermodal champions over the next four year period, be approved. CARRIED.

Councillor D. Celetti declared a pecuniary interest - employed by CN Rail.

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 Boniferro Mill Works was successful before Mr. Justice Tranmer in having the residual value charge (RVC) imposed on the company by the Ministry of Natural Resources ordered returned to Boniferro Mill Works as having been collected unlawfully; and
Whereas the Province of Ontario has claimed in the past to be in support of the forest industry in Ontario; and
Whereas the Province of Ontario, despite its public statements of support for the forest industry in Ontario, has decided to appeal the decision of Mr. Justice Tranmer;
Now therefore be it resolved that the Council of the Corporation of the City of Sault Ste. Marie hereby requests the government of Ontario to enact legislation that cancels any purported residual value charge levied on companies such as Boniferro Mill Works, retroactive to 2003; and
Further that a copy of this resolution be forwarded to the Minister of Natural Resources, our area M.P.P.s David Oraziotti and Mike Brown, and other municipalities in Northern Ontario that have companies in the same situation as Boniferro Mill Works. 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 T. Sheehan
Seconded by Councillor D. Celetti
Resolved that all the by-laws listed under Item 10 of the Agenda under date 2008 02 25 be approved. CARRIED.

10. (a) Moved by Councillor T. Sheehan
Seconded by Councillor D. Celetti
Resolved that By-law 2008-9 being a by-law to authorize the construction of sanitary sewer and private drain connections on Korah Road from Cooper Street to Lamming Road under Section 3 of the Municipal Act, 2001, Ontario Regulation 119/03 be read a third time and passed in Open Council this 25th day of February, 2008. CARRIED.
- (b) Moved by Councillor T. Sheehan
Seconded by Councillor D. Celetti
Resolved that By-law 2008-26 being a by-law to authorize the provision of certain designated parking spaces for the sole use of vehicles operated by or conveying persons with a disability and to repeal By-law 81-367 be read three times and passed in Open Council this 25th day of February, 2008. CARRIED.
- (c) Moved by Councillor T. Sheehan
Seconded by Councillor D. Celetti
Resolved that By-law 2008-31 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located on the southeast corner of Landslide Road and Fifth Line East at Civic 756 Landslide Road be read three times and passed in Open Council this 25th day of February, 2008. (Bible Fellowship Assembly) CARRIED.
- (d) Moved by Councillor T. Sheehan
Seconded by Councillor D. Celetti
Resolved that By-law 2008-32 being a by-law to authorize a lease dated January 1, 2008 between The Corporation of the City of Sault Ste. Marie as the Landlord and the Sault Area Hospital as the Tenant for a portion of a building located at 65 Old Garden River Road, Sault Ste. Marie, Ontario for the purpose of operating a central ambulance communication centre be read three times and passed in Open Council this 25th day of February, 2008. CARRIED.
- (e) Moved by Councillor T. Sheehan
Seconded by Councillor D. Celetti
Resolved that By-law 2008-33 being a by-law to adopt Amendment No. 125 to the Official Plan be read three times and passed in Open Council this 25th day of February, 2008. (Avery - Country Estates Phase 3) CARRIED.
- (f) Moved by Councillor T. Sheehan
Seconded by Councillor D. Celetti
Resolved that By-law 2008-34 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at Civic No. 150 Palomino Drive be read three times and passed in Open Council this 25th day of February, 2008. (Avery - Country Estates Phase 3) CARRIED.
10. (g) Moved by Councillor T. Sheehan

Seconded by Councillor D. Celetti

Resolved that By-law 2008-35 being a by-law to designate plaques and monuments as being of architectural or historic value or interest be read times and passed in Open Council this 25th day of February, 2008. CARRIED.

(h) Moved by Councillor T. Sheehan

Seconded by Councillor D. Celetti

Resolved that By-law 2008-36 being a by-law to authorize the renewal of the Employee Assistance Program between the City and The Sault Ste. Marie and District Group Health Association for the year 2008 be read three times and passed in Open Council this 25th day of February, 2008. CARRIED.

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

(a) Moved by Councillor S. Myers

Seconded by Councillor D. Celetti

Pursuant to Section 6(2) of City Council Procedure By-law 99-100, resolved that Councillor James Caicco be appointed as the Acting Mayor during the absence of Mayor Rowswell for the period March 2 to 10, 2008. CARRIED.

12. **ADJOURNMENT**

Moved by Councillor T. Sheehan

Seconded by Councillor D. Celetti

Resolved that this Council shall now adjourn. CARRIED.

"John Rowswell"

MAYOR

"Donna P. Irving"

CLERK