

MINUTES

REGULAR MEETING OF CITY COUNCIL

2008 11 17

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 (work)

OFFICIALS : J. Fratesi, D. Irving, P. McAuley, B. Freiburger, N. Apostle, J. Dolcetti, D. Scott, L. Bottos, M. Wozny, D. McConnell

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 11 03 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 2008 11 17 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Ian Ganton, Youth Program Director, Y.M.C.A. was in attendance concerning Proclamation – Y.M.C.A. World Peace Week.
- (b) Maureen Dodd, Resource Development Manager, United Way of Sault Ste. Marie; and Stan Kupferschmidt, Project Leader, Katimavik Local Council were in attendance concerning the Katimavik Program activities in Sault Ste. Marie.

- 4. (c) Linda Whalen, General Manager Sault Ste. Marie Region Conservation Authority was in attendance concerning agenda item 5.(w).
- (d) Sarah Orchard was in attendance concerning agenda item 6.(6)(a).
- (e) Mr. Urso was in attendance concerning agenda item 6.(6)(c).
- (f) David Hornstein on behalf of the Searchmont Ski Association Board of Directors was in attendance concerning agenda item 6.(7)(a).
- (g) Joanne Kovich on behalf of the Sault Youth Association was in attendance concerning agenda item 7.(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 11 17 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO and OGRA was received by Council.
- (b) Correspondence from the City of Kingston (concerning a review of the Mining Act) was received by Council.
- (c) The letter of request for a temporary street closing was accepted by Council.
1) on Queen Street and Simpson Street in conjunction with the 2008 Santa Claus Parade (December 6th). The relevant By-law 2008-205 is listed under Item 10 of the Minutes.
- (d) The petition from residents of lower Birch Street requesting sidewalk snowplowing this winter was received by Council.

Moved by Councillor L. Turco

Seconded by Councillor S. Myers

Resolved that the petition from residents of lower Birch Street requesting sidewalk snowplowing commencing this winter BE REFERRED to the Commissioner of Public Works and Transportation for review and report back to Council. CARRIED.

- (e) The letter from the Minister of Northern Development and Mines concerning an update on the Northern Ontario Growth Plan was received by Council.

5. (f) **Council Travel**

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that Mayor John Rowswell be authorized to travel to the Toronto Forum for Global Cities Conference being held in Toronto (2 days in December) at an estimated cost to the City of \$2,500.00 be approved. CARRIED.

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that Councillor Lou Turco be authorized to travel to (1) a FONOM Board Meeting being held in Temiskaming, Ontario (2 days in November) at no cost to the City; and (2) an AMO Board Meeting being held in Toronto (2 days in November) at a cost of \$300.00 to the City. CARRIED.

(g) **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 11 17 be approved as requested. CARRIED.

(h) **Tender for One (1) 40' Low Floor Transit Bus**

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 2008 11 17 be endorsed and that the tender for One (1) 40' Low Floor Transit Bus, required by the Transit Division of the Public Works and Transportation Department be awarded as recommended. CARRIED.

(i) **Tender for One (1) Para-Transit Mini Bus (2008CK03)**

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 2008 11 17 be endorsed and that the tender for the supply and delivery of One (1) Para-Transit Mini Bus, required by the Transit Division of the Public Works and Transportation Department be awarded as recommended. CARRIED.

(j) **Request for Proposal – Professional Collection Services**

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

5. (j) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the Manager of Purchasing dated 2008 11 17 be endorsed and that the proposal for the provision of Professional Collection Services, required by the Provincial Offences Division of the Legal Department be awarded as recommended. CARRIED.

(k) **Unsold Tax Sale Properties**

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

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that pursuant to Section 354 of the Municipal Act, 2001, the adjustments for tax accounts as outlined on the City Tax Collector's report of 2008 11 17 be approved and that the tax records be amended accordingly. CARRIED.

(l) **Mayor and Council Travel Expenses – January 1 to June 30, 2008**

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

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Commissioner of Finance and Treasurer dated 2008 11 17 concerning Mayor and Council travel expenses for the period January 1 to June 30, 2008 be accepted as information. CARRIED.

(m) **Sault Ste. Marie Municipal Heritage Committee – Designated Property Grant – Wellington Square Townhouses Roof Replacement**

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

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Manager of Recreation and Culture on behalf of the Municipal Heritage Committee dated 2008 11 17 concerning Designated Property Grant – Wellington Square Townhouses Roof Replacement be accepted and the recommendation that a grant of \$1,400.00 to each of the five owners of the Wellington Square Townhouses (total grant of \$7,000.00) for the Wellington Square Townhouses roof replacement with the funds to come from the Designated Property Grant account be approved. CARRIED.

(n) **Class A and B Truck Route Update**

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

5. (n) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the Commissioner of Engineering and Planning dated 2008 11 17 concerning Class A and B Truck Route Update be accepted as information. CARRIED.

(o) **The City and Pod Generating – Transfer of Property in the Area of (1) Leigh’s Bay and Base Line and (2) Black Road**

The report of the City Solicitor was accepted by Council. The relevant By-laws 2008-199 and 2008-200 are listed under Item 10 of the Minutes.

Mayor J. Rowsell declared a pecuniary interest – Pod Solar is client of engineering firm.

Councillor J. Caicco declared a pecuniary interest – Pod Solar is client of real estate firm.

(p) **Removal of Certain Lots in the Forest Glen and Forest Glen B Subdivisions Plan H-547 and H-505 From the Effects of By-law 69-214**

The report of the City Solicitor was accepted by Council. The relevant By-law 2008-203 is listed under Item 10 of the Minutes.

(q) **Part Lot Control By-law for Lots in the Forest Glen and Forest Glen B Subdivisions (in the Area of Peach Drive and Paradise Avenue)**

The report of the City Solicitor was accepted by Council. The relevant By-law 2008-194 is listed under Item 10 of the Minutes.

(r) **By-law 2008-202 – 1425 Old Garden River Road Explanatory Note**

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 11 17 concerning By-law 2008-202 – 1425 Old Garden River Road – Explanatory Note be accepted and the Planning Director’s recommendation that City Council accepts this report as information be endorsed. CARRIED.

(s) **Langdon Road Turn Around**

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 11 17 concerning Langdon Road Turn Around be accepted as information. CARRIED.

5. (t) **Reduced Bus Fare for Youth 13 to 18 Years of Age – “2008 – Year of the Youth” Pilot Project – Interim Report**

The report of the Transit Manager was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Transit Manager dated 2008 11 17 concerning Reduced Bus Fare for Youth 13 to 18 “2008 Year of the Youth” Pilot Project – Interim Report be accepted and the recommendation that:

1. the monthly Youth Pass remain at \$10.00 per month (based on 40 rides per month or 25 cents per ride); and
2. the monthly Youth Pass be valid at all times of the day; and
3. the monthly Youth Pass only be sold to individual youth, not publicly funded school boards, government agencies or medical institutions; and
4. the regular cash fare for youth return to \$2.00 per ride effective January 2, 2009

be approved. CARRIED.

(u) **Non Payment by Transit Riders**

The report of the Transit Manager was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Transit Manager dated 2008 11 17 concerning Non Payment by Transit Riders be accepted as information. CARRIED.

(v) **Transit Stop Announcements**

The report of the Transit Manager was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Transit Manager dated 2008 11 17 concerning Transit Stop Announcements be accepted and the recommendation to spend \$300,000.00 of the 2008-09 allocation of Provincial gas tax revenue to support the cost to purchase and install an Automated Bus Stop Announcement System for the Transit Services Division fleet of 28 conventional buses be approved. CARRIED.

(w) **Clark Creek Remediation Project**

The report of the General Manager Sault Ste. Marie Region Conservation Authority was accepted by Council.

5. (w) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the General Manager Sault Ste. Marie Region Conservation Authority dated 2008 11 17 concerning Clark Creek Remediation Project be accepted as information. CARRIED.

(x) **Red Light Cameras – Feasibility**

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

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Chief of Police dated 2008 10 31 concerning Red Light Cameras – Feasibility BE REFERRED to the Commissioner of Public Works and Transportation for review and report back to Council. CARRIED.

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

(y) **Boniferro Mill Works (BMW) Loan Extension**

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

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the C.E.O., Economic Development Corporation dated 2008 11 17 concerning Boniferro Mill Works (BMW) Loan Extension be accepted and the recommendation of the EDC Board of Directors that:

1. due to economic conditions in the marketplace today, an additional six-month extension to Boniferro Mill Works \$60,000.00 interest free loan be granted by City Council; and

2. Boniferro Mill Works continue to pay \$1,500.00/month which the balance as of November 30, 2008 would be \$51,000.00 and the additional six-month extension would bring the balance down to \$42,000.00 to be repaid by May 30, 2009; and

3. continue to use the Promissory Note dated May 23, 2007 as security to the loan

be approved. CARRIED.

(z) **Property Assessment Notices**

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

5. (z) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the Commissioner of Finance and Treasurer dated 2008 11 17 concerning Property Assessment Notices be accepted as information. CARRIED.
- (aa) The News Release concerning Judy McGonigal and Gail Nelson this year's recipients of the Community Recognition Award was received by Council.
- (bb) **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 Engineering and Planning dated 2008 11 17 concerning Gateway Project Update be accepted and the recommendation that Council accepts EDC's interest to continue efforts in securing potential proponents for the Gateway Project over the course of six months (June 2009); and that EDC provide a task oriented update to the Gateway Committee by mid-January 2009 and regular status updates to Council as required, be approved. CARRIED.

PART TWO – REGULAR AGENDA

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

6. (6) **PLANNING**

- (a) **Application No. A-30-08-Z.OP – 1531169 Ontario Inc. (J & B Security Shredding) – 395 Korah Road - Request to Rezone to Permit the Existing Building to be Utilized as a Construction Trades Training Facility**
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 11 17 concerning Application No. A-30-08-Z.OP – Local Union 1036 be accepted and the Planning Director's recommendation that City Council approve Official Plan Amendment No. 157 and rezone the subject property from Low Density Residential Zone with a Special Exception (R3S-176) by repealing Special Exception 176 and replacing it with a Special Exception subject to the 5 conditions contained in the report be endorsed. CARRIED.

6. (6)
(b)

Application No. A-31-08-OP – Alfonso and Lena Scornaienchi – 930 Leigh’s Bay Road - Request to Rezone to Permit the Severance of the Subject Property to Create One Additional Rural Residential Lot

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 11 17 concerning Application No. A-31-08-OP – Alfonso and Lena Scornaienchi be accepted and the Planning Director’s recommendation that City Council approve Official Plan Amendment No. 156, 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-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 D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Planning Division dated 2008 11 17 concerning Application No. A-21-08-Z – D.S. Urso Surveying Ltd. on behalf of the Huron-Superior Catholic District School Board be accepted and the Planning Director’s recommendation that City Council rezone the subject property in two parts as follows:

1. That Block “A” be rezoned from “R2” (Single Detached Residential) to “R3” (Low Density Residential); and
2. That Block “B” be rezoned from “R2” (Single Detached Residential) to “R3” (Low Density Residential) with a Special Exception subject to:
 - (a) That “Multiple attached dwellings” be added as an additional permitted use; and
 - (b) That the total number of dwelling units on Block “B” shall not exceed 20 be endorsed. CARRIED.

Mayor J. Rowsell declared a pecuniary interest – engineering firm undertook a building inspection on subject property.

Councillor L. Turco declared a pecuniary interest – spouse is a trustee on Huron-Superior Catholic District School Board.

6. (7) **PUBLIC WORKS AND TRANSPORTATION**

(a) **Reduction of Charter Bus Service**

The report of the Transit Manager and the letter from the Sault Youth Association were received by Council.

Moved by Councillor S. Myers

Seconded by Councillor P. Mick

Resolved that Agenda item 6.(7)(a) – Reduction of Charter Bus Service BE DEFERRED for two weeks to permit the EDC to identify possible alternative transportation for Searchmont Ski Resort. CARRIED.

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Transit Manager dated 2008 11 17 concerning Reduction of Charter Bus Service be accepted and the recommendation that the City Transit Division no longer provide charter bus service to Buttermilk and Searchmont Ski Resorts for the reasons cited in the report be approved. OFFICIALLY READ NOT DEALT WITH.

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

(a) Moved by Councillor S. Myers

Seconded by Councillor B. Hayes

Whereas City Council supported a recommendation from a Council Youth Committee to support youth through a request for resources for the Sault Youth Association in year one of a two-year project; and

Whereas Council's support was part of a private/public sector partnership to improve the quality of life of youth in our community by moving a number of deliverables forward, this was outlined in a report received by Council; and

Whereas one of these very important deliverables was a submission to Play Works for a Provincially recognized designation as a Youth Friendly community;

Now therefore be it resolved that City Council expresses its very strong support for a Youth Friendly Community designation. CARRIED.

(b) Moved by Councillor S. Butland

Seconded by Councillor J. Caicco

Resolved that Council request that Rod Stewart, Supervisor, Northern Region of the Ministry of Environment be requested to address Council on the issue of Air Quality in Sault Ste. Marie and area. CARRIED.

7. (c) Moved by Councillor S. Butland
Seconded by Councillor J. Caicco
Resolved that Council write the Minister of Environment for a response to the Environmental Commissioner's annual report indicating that the air quality rating system may be "flawed"; and
Further be it resolved that the letter request consideration of the Ministry to invest in street level air quality monitoring devices which will more accurately monitor the quality of air in Ontario cities. CARRIED.

- (d) Moved by Councillor S. Butland
Seconded by Councillor P. Mick
Whereas the global financial crisis has various and considerable impacts on municipalities; one being commodity prices for blue box materials such as newsprint has bottomed out and that Ontario municipalities will be needing to stockpile this newsprint without any financial assistance; and
Whereas the time frame for the above is indefinite; and
Whereas the Waste Diversion Act prohibits certain actions to be taken by municipalities in the short term;
Therefore be it resolved that this Council request of the Ministry of Environment some flexibility in amending Certificates of Approval or suggest other alternatives to stockpiling newsprint and potentially other blue box commodities; and
Be it further resolved that this resolution be forwarded to the Ministry of Environment and Waste Diversion Ontario. 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 S. Myers
Resolved that all the by-laws listed under Item 10 of the Agenda under date 2008 11 17 be approved. CARRIED.

- (a) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that By-law 2008-194 being a by-law to designate certain lots in the Clearview Heights Subdivision as an area not subject to part lot control be read three times and passed in Open Council this 17th day of November, 2008. CARRIED.

10. (b) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that By-law 2008-199 being a by-law to authorize the execution of an Agreement to Purchase and Sale entered into between the City and Pod Generating for the sale by the City of approximately 29.9 acres of property at Leigh's Bay Road south of Base Line be read three times and passed in Open Council this 17th day of November, 2008. CARRIED.

Mayor J. Rowswell declared a pecuniary interest – Pod Solar is client of engineering firm.

Councillor J. Caicco declared a pecuniary interest – Pod Solar is client of real estate firm.

- (c) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that By-law 2008-200 being a by-law to authorize the execution of an Agreement to Purchase and Sale entered into between the City and Pod Generating for the sale by the City of approximately 500 acres in the area of Black Road be read three times and passed in Open Council this 17th day of November, 2008. CARRIED.

Mayor J. Rowswell declared a pecuniary interest – Pod Solar is client of engineering firm.

Councillor J. Caicco declared a pecuniary interest – Pod Solar is client of real estate firm.

- (d) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that By-law 2008-202 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 regarding lands located at Civic No. 1425 Old Garden River Road be read three times and passed in Open Council this 17th day of November, 2008. (Gordon) CARRIED.

- (e) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that By-law 2008-203 being a by-law to remove certain lots in the Clearview Heights Subdivision from the effects of By-law 69-214 be read three times and passed in Open Council this 17th day of November, 2008. CARRIED.

- (f) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that By-law 2008-205 being a by-law to permit the temporary closing of Queen Street and Simpson Street to facilitate the annual Santa Claus Parade on December 6, 2008 be read three times and passed in Open Council this 17th day of November, 2008. CARRIED.

10. (g) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that By-law 2008-206 being a by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties and to amend Schedule "A" to By-law 90-305 be read three times and passed in Open Council this 17th day of November, 2008. CARRIED.
- (h) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that By-law 2008-207 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 regarding lands located at 309 East Balfour Street be read three times and passed in Open Council this 17th day of November, 2008. (Huron-Superior Catholic District School Board) CARRIED.

Mayor J. Rowsell declared a pecuniary interest – engineering firm undertook a building inspection on subject property.

Councillor L. Turco declared a pecuniary interest – spouse is a trustee on Huron-Superior Catholic District School Board.

- (i) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that By-law 2008-208 being a by-law to adopt Official Plan Amendment No. 156 to the Official Plan be read three times and passed in Open Council this 17th day of November, 2008. (Scornaienchi) CARRIED.
- (j) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that By-law 2008-209 being a by-law to assume for public use and establish as a public street parts 16, 17, 57 and 58 Plan 1R11522 portion of Paradise Avenue road allowance be read three times and passed in Open Council this 17th day of November, 2008. CARRIED.
- (k) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that By-law 2008-210 being a by-law to stop up, close and authorize the conveyance of a portion of Paradise Avenue road allowance being parts 16, 17, 57 and 58 Plan 1R11522 be read the first and second time in Open Council this 17th day of November, 2008. CARRIED.
- (l) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that By-law 2008-212 being a by-law to appoint by-law enforcement officers to enforce the by-laws of the Corporation of the City of Sault Ste. Marie be read three times and passed in Open Council this 17th day of November, 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.

MAYOR

CLERK