

MINUTES

REGULAR MEETING OF CITY COUNCIL

2008 06 23

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, N. Apostle, B. Freiburger, J. Dolcetti, L. Bottos, P. McAuley, S. Schell, D. McConnell, D. Elliott

1. **ADOPTION OF MINUTES**

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that the Minutes of the Regular Council Meeting of 2008 06 09 be approved, as amended. CARRIED.

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

3. **APPROVE AGENDA AS PRESENTED**

Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Resolved that the Agenda for the 2008 06 23 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Mary Anderson, Community Centres Division employee was in attendance to receive a 50-year service award.
- (b) The 2008/09 Chamber of Commerce Executive (Katherine MacRae, President; Cale Krezek, First Vice President; Ron Spadoni, Treasurer; and Shelley Barich, General Manager) were in attendance for the annual Swearing-In Ceremony by Mayor Rowswell.

4. (c) Carolyn Hepburn, Director Native Education and Training, Sault College of Applied Arts and Technology was in attendance concerning a multimedia presentation prepared in partnership with Algoma University College and the Algoma Workforce Investment Committee promoting the Algoma District for post-secondary education and employment opportunities including quality of life within the community.
- (d) Stephanie Blaney; Cherrie O'Brien; Jerry Bumbacco, Chair, PRAC; and Susan Milne, Chair, PRAC Leash-Free Dog Park Subcommittee were in attendance concerning agenda item 5.(i).
- (e) Ian McMillan, Executive Director and Rosalie Graham, Coordinator Meetings/Conventions/Travel Trade, Tourism Sault Ste. Marie were in attendance concerning agenda item 5.(v).
- (f) Peter Berlingieri and Frank Provenzano were in attendance concerning agenda item 6.(5)(a).
- (g) Scott Howard was in attendance concerning agenda item 6.(6)(a).

PART ONE – CONSENT AGENDA

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

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that all the items listed under date 2008 06 23 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.
- (b) Correspondence from the City of Waterloo (concerning 2008 municipal road and bridge infrastructure investment); and County of Lambton (concerning an Ontario economic and environmental strategies summit) was received by Council.
- (c) Letters requesting permission for private property liquor license extensions were accepted by Council.

5. (c) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that City Council has no objection to the proposed extended licensed area as detailed in the written requests for liquor license extensions on private properties for outdoor events on the following stated dates and times as amended:
- 1) Portuguese Club Picnic {WITHDRAWN BY APPLICANT}
5 Cornwall Street
June 28, 2008
 - 2) Loplop Gallery Lounge
651 Queen Street East
July 18 and 19, 2008
(in conjunction with Downtown Lemonade Days and Rotaryfest). CARRIED.
- (d) The letter of request for a temporary street closing was accepted by Council.
1) on Crawford Avenue from Cunningham to Smale in conjunction with Kids Being Kids Grand Opening (July 4th)
The relevant By-law 2008-128 is listed under Item 10 of the Minutes.
- (e) The letter from Parks Canada thanking Council and City staff for its support in assisting Parks Canada efforts to replace the computerized locking system at the Sault Ste. Marie Canal was received by Council.
- (f) **Tender for One Hundred (100) Desktop Personal Computers**
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor O. Grandinetti
Seconded by Councillor J. Caicco
Resolved that the report of the Manager of Purchasing dated 2008 06 23 be endorsed and that the tender for the supply and delivery of One Hundred (100) Desktop Personal Computers, required by the Information Technology Division be awarded as recommended. CARRIED.
- (g) **Financial Software and Hardware Upgrade**
The report of the Commissioner of Finance and Treasurer was accepted by Council.
- Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that the report of the Commissioner of Finance and Treasurer dated 2008 06 23 concerning Financial Software and Hardware Upgrade be accepted and the recommendation that the financial software and hardware upgrade project be allocated up to an additional \$200,000.00 with funds to come from COMRIF 4 \$76,049.00; Electronic Reserve \$75,000.00; and Finance Department operating budget \$48,951.00 be approved. CARRIED.

5. (h) **Ratification - Memorandum of Settlement - City of Sault Ste. Marie (Fire Services Department) and Canadian Auto Workers Local 1120 (Paramedics) 2008 to 2011**

The report of the Commissioner of Human Resources was accepted by Council.

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that the report of the Commissioner of Human Resources dated 2008 06 23 concerning Ratification - Memorandum of Settlement be accepted and further that the Memorandum of Settlement between Canadian Auto Workers Local 1120 (Paramedics) and the City of Sault Ste. Marie (Fire Services Department) 2008 to 2011 be approved for ratification by City Council and that the appropriate by-law be presented at a future Council Meeting. CARRIED.

(i) **Leash-Free Park for Dogs**

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

Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Resolved that the report of the Commissioner of Community Services dated 2008 06 23 concerning Leash-Free Park for Dogs be accepted and the recommendation of the Parks and Recreation Advisory Committee against establishing a leash-free dog park at Topsail Island now or in the future; and further that the site on the municipal property next to the Humane Society be considered for a leash-free dog park pending community interest and funding be approved. CARRIED.

(j) **Skatepark Update**

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

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that the report of the Commissioner of Community Services dated 2008 06 23 concerning Skatepark Update be accepted as information. CARRIED.

Moved by Councillor S. Myers

Seconded by Councillor T. Sheehan

Whereas the Skatepark initiative is very important to the youth of our community; and

Whereas 2008 has been declared the year of the youth; and

Whereas a goal of \$38,000.00 is yet to be reached in fundraising due to changes in the Superior Community Skatepark Association (SCSA); and

5. (j) Whereas the PRAC Sub-Committee along with SCSA and now the Youth Association is preparing to aggressively reach this target through a new fundraising plan; and
Whereas in April, City Council directed staff to proceed to tender for Phase 1;
Be it resolved that the PRAC Sub-Committee, SCSA and Youth Association fundraising group come back to Council in one month with a detailed fundraising plan with identified targets to raise these funds; and
Further be it resolved that staff be directed to proceed with the tender to ensure the financial target of \$38,000.00 is still the amount sufficient to proceed with Phase One. CARRIED.
- (k) **Environmental Assessment - North/South Access Between Second and Third Line**
The report of the Director of Engineering Services was accepted by Council.
- Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that the report of the Director of Engineering Services dated 2008 06 23 concerning Environmental Assessment - North/South Access Between Second and Third Line be accepted and the recommendation that Kresin Engineering be retained to conduct a Municipal Class Environmental Assessment for North/South access between Second Line and Third Line west of Great Northern Road at an estimated cost of \$25,000.00 with funds to come from the 2008 Miscellaneous Construction Budget be approved. CARRIED.
- (l) **Biannual Bridge Inspections - Engineering Agreement**
The report of the Director of Engineering Services was accepted by Council.
The relevant By-law 2008-126 is listed under Item 10 of the Minutes.
- (m) **2008 Bridge Rehabilitation - Engineering Agreement**
The report of the Director of Engineering Services was accepted by Council.
The relevant By-law 2008-127 is listed under Item 10 of the Minutes.
- (n) **Contract 2008-7E - Great Northern Road Resurfacing (Fourth Line to Fifth Line) and Contract 2008-8E - Great Northern Road/Second Line Northeast Quadrant Right Turn Lane**
The report of the Design and Construction Engineer was accepted by Council.
The relevant By-laws 2008-123 and 2008-124 are listed under Item 10 of the Minutes.
- (o) **Purchase of Computer Server - Building Division**
The report of the Commissioner of Engineering and Planning Department was accepted by Council.

5. (o) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that the report of the Commissioner of Engineering and Planning Department dated 2008 06 23 concerning Purchase of Computer Server - Building Division be accepted and the recommendation to purchase a computer server for the Building Division at an expenditure of up to \$3,000.00 with funds to come from the Building Permit Fees Reserve Fund be approved. CARRIED.

(p) **New Building By-law and Revised Permit Fees**

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

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that the report of the Chief Building Official dated 2008 06 23 concerning New Building By-law and Revised Permit Fees be accepted as information; and

Further resolved that the Building Industry and any interested public be invited to make written comment on the recommendations on or before July 31, 2008; and that the matter be put back on Council's agenda on August 18, 2008 (after due consideration of comments received) where Council will be asked to approve the following:

- 1) amend the Building By-law to reflect the recent changes to the Building Code Act; and
 - 2) amend the Permit Fee structure to be based on a service index calculation method; and
 - 3) proceed to advertise a new position of By-law Enforcement Officer.
- CARRIED.

(q) **Revised Capital Works Program - 2008 Including Hub Trail**

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

Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Resolved that the report of the Chief Administrative Officer dated 2008 06 23 concerning Revised Capital Works Program - 2008 Including Hub Trail be accepted and the recommendation that the following AMENDMENT be made to the 2008 Capital Works Program that was approved at the 2008 06 09 Council Meeting:

2008 Capital Works Program:

include Shannon/Retta/Franklin shortfall - \$452,000.00

include Korah Road reconstruction - \$620,000.00

and further resolved that Council commits now for future spending out of the 2009/10 Capital Programs allocation, to ensure that all the Hub Trail financing requirements can be met prior to the end of 2010 and directs staff to proceed accordingly be approved. CARRIED.

5. (r) **Air Quality Monitoring Station**
The report of the City Solicitor was accepted by Council. The relevant By-law 2008-122 is listed under Item 10 of the Minutes.
- (s) **Proposed Sale of Land Abutting 606 Douglas Street to Susan and Michael Greeley**
The report of the City Solicitor was accepted by Council. The relevant By-law 2008-129 is listed under Item 10 of the Minutes.
- (t) **Demolition of City Owned Building at 740 Allen's Side Road**
The report of the City Solicitor was accepted by Council.
- Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that the report of the City Solicitor dated 2008 06 23 concerning Demolition of City Owned Building at 740 Allen's Side Road be accepted and the recommendation that tenders be called and the building be demolished and that the funds for the demolition come from the Property Division maintenance account be approved. CARRIED.
- (u) **Trans-Cab Pilot Project**
The report of the Transit Manager was accepted by Council.
- Moved by Councillor O. Grandinetti
Seconded by Councillor J. Caicco
Resolved that the report of the Transit Manager dated 2008 06 23 concerning Trans-Cab Pilot Project be accepted and the recommendation that the Trans-Cab Program continue to operate on a year-to-year basis and be funded, subject to the availability of provincial gas tax revenue and annual City budget approval be approved. CARRIED.
- (v) **Sault Ste. Marie Arts and Entertainment Economic Opportunities Committee**
The report of the Executive Director, Tourism Sault Ste. Marie was accepted by Council.
- Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that the report of the Executive Director, Tourism Sault Ste. Marie concerning Sault Ste. Marie Arts and Entertainment Economic Opportunities Committee Report in response to:
2005 02 21 Council resolution - Terms of Reference for new Arts and Entertainment Economic Opportunities Committee, and
2005 06 13 Council resolution - Report on recommendation of the Arts and Entertainment Economic Opportunities Working Committee regarding making films in Sault Ste. Marie be accepted as information. CARRIED.

5. (w) The letter from the Ministry of Health and Long-term Care thanking staff for support of James Bay First Nations communities was received by Council.
- (x) Correspondence concerning the International Bridge Walk on June 28th was received by Council.
- (y) The News Release and list of participating Sault Ste. Marie organizations concerning Ring Out Together a nationwide celebration of the 400th Anniversary of the founding of Quebec City was received by Council.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (5) LEGAL

(a) Request From Mar-Li Investments Inc. (Northside Toyota) to Close Champlain Street From Great Northern Road to Blake Avenue

The report of the City Solicitor was accepted by Council. Letters concerning this item and a petition signed by 98 individuals were received by Council.

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that the report of the City Solicitor dated 2008 06 23 concerning Request From Mar-Li Investments Inc. (Northside Toyota) to close Champlain Street from Great Northern Road to Blake Avenue be accepted as information and further that Council is requested to provide DIRECTION to staff on how it wishes to proceed with this request. CARRIED.

Councillor T. Sheehan declared a pecuniary interest - mother-in-law resides in neighbourhood area.

Moved by Councillor L. Turco

Seconded by Councillor L. Tridico

Whereas City Council has received and considered a request from Mar-Li Investments (Northside Toyota) to close Champlain Street from Great Northern Road to Blake Avenue; and

Whereas there is strong opposition to this proposed street closing from the neighbourhood residents and businesses who have expressed their opposition in a petition and letters stating that it would have a negative impact on the neighbourhood;

Now therefore be it resolved that City Council does NOT support the request, and directs that staff NOT proceed to the next step in the process of closing this portion of Champlain Street and conveyance to Mar-Li Investments. CARRIED.

6. (5)
(a)

Recorded Vote

For: Mayor J. Rowsell, Councillors J. Caicco, L. Turco, B. Hayes, S. Myers, L. Tridico, F. Fata, S. Butland, F. Manzo, P. Mick

Against: Councillors D. Celetti, O. Grandinetti

Absent: Nil

Councillor T. Sheehan declared a pecuniary interest - mother-in-law resides in neighbourhood area.

6. (6)

PLANNING

- (a) **Application No. A-16-08-OP - Scott and Sheri Howard - 714 Town Line Road - Request to Amend Official Plan to Facilitate a Severance Application to the Committee of Adjustment**

The report of the Planning Division was accepted by Council.

Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Resolved that the report of the Planning Division dated 2008 06 23 concerning Application No. A-16-08-OP - Scott Howard be accepted and the Planning Director's recommendation that City Council approve Official Plan Amendment No. 151 by way of a notwithstanding clause to the Rural Area Policies of the Official Plan, which will facilitate a severance application to the Committee of Adjustment for one (1) additional rural residential lot be endorsed. CARRIED.

- 7.

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

- (a)

Moved by Councillor J. Caicco

Seconded by Councillor S. Butland

Whereas there continues to be problems with loitering, vandalism and mischief in neighbourhood playgrounds throughout the city; and

Whereas in some instances due to the configuration of the park, enforcement by the Police Department is difficult and ongoing problems persist; and

Whereas this problem adversely affects the neighbours and the enjoyment of the park for residents of the Community;

Therefore be it resolved that City staff report back to Council on the option of No Trespassing Signs during late-night hours in certain parks as suggested by Police Services. CARRIED.

7. (b) Moved by Councillor D. Celetti
Seconded by Councillor O. Grandinetti
Whereas the widening of Second Line and the narrowing of boulevards to 30 inches, and the speed increased from 50 km/h to 60 km/h put pedestrians within less than 2 feet of traffic traveling 70 plus km/h; and
This includes children, bikes, elderly and children who walk to and from school; and
The dirt and spray from vehicular traffic engulfs all who use this sidewalk from traffic travelling at very high speed; and
Whereas traffic lights are constantly ignored by transports travelling at high speed and are unable to stop for red lights; and
Further there is NO noise abatement for locals on Second Line as there is on Carmen's Way literally putting high speed truck traffic within 40 feet of these residences' living rooms and bedrooms; and
Whereas more trucks use Second Line than Carmen's Way; and
Lowering the speed limit on Second Line would make life liveable again for residences, not to mention the millions saved in fuel, and making this street much safer for our children and seniors;
Be it resolved that Council instruct the appropriate staff to report back to Council in a timely fashion what considerations are available to resolve this issue.
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 O. Grandinetti
Seconded by Councillor S. Butland
Resolved that all the by-laws listed under Item 10 of the Agenda under date 2008 06 23 be approved. CARRIED.

- (a) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2008-119 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 23rd day of June, 2008. CARRIED.

- (b) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2008-121 being a by-law to amend Schedule "K" of Traffic By-law 77-200 be read three times and passed in Open Council this 23rd day of June, 2008. CARRIED.

10. (c) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2008-122 being a by-law to authorize a licence of occupation between the City and the Ontario Realty Corporation for the installation of an air quality monitoring station on City property (Bonney Street pumping station) be read three times and passed in Open Council this 23rd day of June, 2008. CARRIED.
- (d) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2008-123 being a by-law to authorize an agreement between the City and Ellwood Robinson Limited for the resurfacing of Great Northern Road from Fourth Line to Fifth Line including rejuvenating the existing pavement and placing a new layer of hot mix asphalt on the surface be read three and passed in Open Council this 23rd day of June, 2008. CARRIED.
- (e) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2008-124 being a by-law to authorize an agreement between the City and Pioneer Contruction Inc. for construction of a 200 metre right turn lane at the northeast quadrant of Great Northern Road and Second Line East be read three times and passed in Open Council this 23rd day of June, 2008. CARRIED.
- (f) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2008-126 being a by-law to authorize an agreement between the City and the firm of M.R. Wright and Associates to perform the biannual bridge inspection services and reports be read three times and passed in Open Council this 23rd day of June, 2008. CARRIED.
- (g) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2008-127 being a by-law to authorize an agreement between the City and the firm of M.R. Wright and Associates to provide design and contract administration services for the widening of four single lane bridges located in the Township of Prince be read three times and passed in Open Council this 23rd day of June, 2008. CARRIED.
- (h) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2008-128 being a by-law to permit the temporary street closing of Crawford Avenue from Cunningham Road to Smale Avenue on the 4th of July, 2008 between the hours of 12:00 noon and 5:00 p.m. be read three times and passed in Open Council this 23rd day of June, 2008. CARRIED.

10. (i) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2008-129 being a by-law to authorize the sale of land abutting 606 Douglas Street to Susan and Michael Greeley be read three times and passed in Open Council this 23rd day of June, 2008. CARRIED.
- (j) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2008-130 being a by-law to adopt Official Plan Amendment No. 151 to the Official Plan be read three times and passed in Open Council this 23rd day of June, 2008. (Scott Howard) CARRIED.

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

- (a) Moved by Councillor O. Grandinetti
Seconded by Councillor J. Caicco
Resolved that Council shall now go into Caucus to discuss:
1. potential purchase of property located on Black Road
2. a Board vacancy; and
Further be it resolved that should the said Caucus meeting be adjourned, Council may reconvene in Caucus to continue to discuss the same matters without the need for a further authorizing resolution. CARRIED.

Mayor J. Rowswell and Councillor J. Caicco each declared a pecuniary interest concerning one matter at the 2008 06 23 Council Caucus Meeting.

12. **ADJOURNMENT**

Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that this Council shall now adjourn. CARRIED.

"John Rowswell"

MAYOR

"Donna P. Irving"

CLERK