

MINUTES

REGULAR MEETING OF CITY COUNCIL

2008 07 07

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

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, B. Freiburger, D. Elliott, N. Apostle, J. Luszka

1. **ADOPTION OF MINUTES**

Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that the Minutes of the Regular Council Meeting of 2008 06 23 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. Butland

Seconded by Councillor O. Grandinetti

Resolved that the Agenda for the 2008 07 07 City Council Meeting as presented be approved.

4. **DELEGATIONS/PROCLAMATIONS**

(a) Proclamation - Lake Superior Day

(b) Frank Dunn, 103 Retta Street was in attendance concerning agenda item 5.(a) and 5.(r).

(c) Mike Kornell, Jim Mihell and Kevin Hogan, Members of the Soo Finnish Nordic Ski Club were 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 J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that all the items listed under date 2008 07 07 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) The letter from Frank Dunn, 103 Retta Street requesting that two trees on the boulevard in front of his property be removed by the City was received by Council.
- (b) Correspondence from AMO was received by Council.
- (c) Correspondence from the City of Greater Sudbury (concerning mining property assessment); Town of Caledon (concerning tax exempt allowances); the City of Toronto (concerning the 25 in 5 campaign to reduce Ontario poverty levels); and Municipality of Kincardine (concerning Physician Shortage) was received by Council.

Moved by Councillor S. Butland

Seconded by Councillor O. Grandinetti

Resolved that City Council supports and endorses the report of the City of Greater Sudbury Advisory Panel on Resource Revenues entitled "A Refined Argument", and requests that the Province of Ontario enter into negotiations as recommended in the report; and

Further be it resolved that Sault Ste. Marie City Council request the Province of Ontario to use any revenue-sharing framework established with Greater Sudbury as a model to address the similar needs of other mining municipalities in Ontario; and

Further that a copy of this resolution be forwarded to John Rodriguez, Mayor City of Greater Sudbury; David Oraziotti, MPP Sault Ste. Marie; Michael Brown, MPP Algoma-Manitoulin; FONOM and AMO. CARRIED.

- (d) Letters from the Minister of Transportation concerning 2008 Highway Connecting Link Projects funding of \$1,143,750.00 and funding of \$1,465,401.00 for municipal road and bridge capital investment needs were received by Council.
- (e) The letter from the Co-Chairs, Lake Superior Binational Forum concerning Lake Superior Day was received by Council.

5. (f) The letter from Muscular Dystrophy Canada thanking the Sault Ste. Marie Professional Fire Fighters Association who raised \$4,430.13 during their Muscular Dystrophy Canada fundraising event was received by Council.
- (g) The letter from the Sault Ste. Marie Professional Fire Fighters Association thanking the Corporation's negotiating team was received by Council.
- (h) The letter from Councillor Steve Butland to Canada Post concerning maintenance of community mail boxes was received by Council.
- (i) Letters requesting permission for private property liquor license extensions were accepted by Council.

Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that City Council has no objection to the proposed extended licensed areas as detailed in the written requests for liquor license extensions on private properties for outdoor events on the following stated dates and times:

- 1) Student Administrative Council of Sault College

443 Northern Avenue

August 26 to September 7, 2008 from 12:00 noon to 11:00 p.m.

- 2) Portuguese Canadian Association Picnic

5 Cornwall Street

August 2, 2008 from 12:00 noon to 6:00 p.m. CARRIED.

- (j) Correspondence concerning requests for permission to hold special occasion permit events at outdoor municipal facilities was accepted by Council.

Moved by Councillor S. Butland

Seconded by Councillor O. Grandinetti

Resolved that the following requests to hold Special Occasion Permit Events at municipal facilities on the stated date and times be endorsed by City Council:

Clergue Park

Rotary Club - Carnival Capers

July 17, 2008 from 7:00 to 10:00 p.m.

Strathclair Field

Ontario Slow Pitch/Wingnuts Eatery - Ontario Slow Pitch Tournament

July 26 and 27, 2008 from 11:00 a.m. to 11:00 p.m. CARRIED.

- (k) The Outstanding Council Resolutions List dated 2008 06 23 was accepted by Council.

5. (l) **Appointment to F. J. Davey Home Board of Directors**

Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Pursuant to an agreement between the F. J. Davey Home and the City of Sault Ste. Marie in which one of the conditions is that all Directors of the Davey Home shall be elected from the members approved by the City;

Resolved that City Council accepts the recommendation of the F. J. Davey Board of Directors and approves the appointment of Anne Gregory to fill a vacancy on the Board of Directors. CARRIED.

(m) **Council Travel**

Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that Councillor S. Butland be authorized to travel to Toronto 2 days in July to meet with the Recycling Council of Ontario, Green Roofs for Healthy Cities Organization, G.T.A. Environmental Solutions and Jonathan Cocker of Baker and Mackenzie regarding Carbon Neutrality for Municipalities with the cost of the above not to exceed \$500.00. CARRIED.

(n) **Staff Travel Request**

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

Moved by Councillor S. Butland

Seconded by Councillor O. Grandinetti

Resolved that the Staff Travel Request contained in the report of the Chief Administrative Officer dated 2008 07 07 be approved as requested. CARRIED.

(o) **Property Tax Appeals**

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

Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that pursuant to Section 357 of the Municipal Act, 2001, the adjustments for tax accounts outlined on the City Tax Collector's report of 2008 07 07 be approved and the tax records be amended accordingly. CARRIED.

(p) **Memorandum of Settlement - Fire Association - 2006 to 2010**

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

5. (p) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that the report of the Commissioner of Human Resources dated 2008 07 07 concerning Memorandum of Settlement Fire Association - 2006 to 2010 be accepted and further that the Memorandum of Settlement between the Sault Ste. Marie Professional Firefighters' Association, Local 529 and the City of Sault Ste. Marie (Fire Services Department) 2006 to 2010 be approved for ratification by City Council and that the appropriate by-law be presented at a future Council Meeting. CARRIED.
- (q) **Seniors Drop-In Centre, 615 Bay Street - HVAC System Replacement**
The report of the Manager of Recreation and Culture was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that the report of the Manager of Recreation and Culture dated 2008 07 07 concerning Seniors Drop-In Centre, 615 Bay Street - HVAC System Replacement be accepted and the recommendation that Council authorize staff to tender for the replacement of the HVAC unit at the Seniors Drop-In Centre at an estimated cost of \$15,0000.00 to \$20,000.00 with funds to come from the Unforeseen Expenses Account be approved. CARRIED.
- (r) **Tree Removal Due Construction - Reconstruction of Retta Street (Mark Street to Wellington Street)**
The report of the Design and Construction Engineer was accepted by Council.
- Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that the report of the Design and Construction Engineer dated 2008 07 07 concerning Request for Tree Removal - Reconstruction of Retta Street be accepted as information. CARRIED.
- (s) **Contract 2008-6E - Miscellaneous Asphalt Repaving**
The report of the Design and Construction Engineer was accepted by Council.
The relevant By-law 2008-134 is listed under Item 10 of the Minutes.
- (t) **Gateway Project Update**
The report of the Commissioner of Engineering and Planning was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that the report of the Commissioner of Engineering and Planning dated 2008 07 07 concerning Gateway Project Update be accepted as information. CARRIED.

5. (u) **Zoning By-law 2008-31 - 756 Landslide Road - Proposed Use as a Place of Worship**
The report of the City Solicitor was accepted by Council.
- Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that the report of the City Solicitor dated 2008 07 07 concerning Zoning By-law 2008-31 - 756 Landslide Road - OMB Appeal Withdrawn be accepted as information. CARRIED.
- (v) **Update of Streets By-law 69-150**
The report of the City Solicitor was accepted by Council. The relevant By-law 2008-131 is listed under Item 10 of the Minutes.
- (w) **Easement Agreement - 1046-1048 North Street**
The report of the Assistant City Solicitor was accepted by Council. The relevant By-law 2008-132 is listed under Item 10 of the Minutes.
- (x) **By-law Enforcement Officers - Bellevue Park**
The report of the Assistant City Solicitor was accepted by Council. The relevant By-law 2008-125 is listed under Item 10 of the Minutes.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (5) LEGAL

- (a) **Amendments to Taxi By-law 2005-154**
The report of the Assistant City Solicitor was accepted by Council. The Minutes of the Police Services Board Meeting held 2008 06 24 were received by Council. The relevant By-law 2008-104 is listed under Item 10 of the Minutes.
- 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.

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

- (a) Moved by Councillor S. Butland
Seconded by Councillor B. Hayes
Whereas the Soo Finnish Nordic Ski Club has become a successful, independent, 1,200 member strong non-profit organization; and
Whereas the Hiawatha Highlands has remained a recreational hub for decades dating back to 1926; and
Whereas recreational opportunities, all within the city limits of Sault Ste. Marie are present: cross-country skiing, mountain biking, hiking and snowshoeing; and
Whereas amicable relationships have been established amongst the Conservation Authority, Kinsmen Club, Soo Finnish Nordic Ski Club and the Bible Fellowship Assembly Church; and
Whereas the Soo Finnish Nordic Ski Club wishes to pursue a feasibility study for the construction of a new lodge through a local initiatives CDC grant; and
Whereas the group wishes to incorporate "Leed" green building design into the new structure;
Be it resolved that City Council strongly endorses this initiative through a letter of offer any support, counsel from appropriate staff and possibly the Parks and Recreation Advisory Committee. CARRIED.

- (b) Moved by Councillor S. Myers
Seconded by Councillor T. Sheehan
Whereas the issue of Social Housing is a serious matter of concern to all three levels of Government; and
Whereas a number of members of City Council will be in Ottawa in August for AMO;
Now therefore be it resolved that City Council supports a request for representatives from Sault Ste. Marie City Council to meet with the appropriate provincial and federal ministry staff to discuss the need to find "go forward" solutions and to request a report as to any plans in the process from the other levels of government, to address this growing problem throughout Northern Ontario and further that a copy of this resolution be forwarded to FONOM for their awareness and support. 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 J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2008 07 07 be approved. CARRIED.

(a) Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

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 7th day of July, 2008. CARRIED.

Recorded Vote

For: Councillors J. Caicco, B. Hayes, D. Celetti, O. Grandinetti, S. Myers, T. Sheehan, S. Butland, P. Mick

Against: Councillors L. Tridico, F. Fata

Absent: Councillor F. Manzo

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.

(b) Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that By-law 2008-125 being a by-law to appoint Municipal Law Enforcement Officers to enforce the dog control by-laws in the area of Bellevue Park be read three times and passed in Open Council this 7th day of July, 2008. CARRIED.

(c) Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that By-law 2008-131 being a by-law respecting streets and related matters in the City of Sault Ste. Marie be read three times and passed in Open Council this 7th day of July, 2008. CARRIED.

10. (d) Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that By-law 2008-132 being a by-law to authorize an easement agreement for 1046-1048 North Street between the City and 920939 Ontario Inc. be read three times and passed in Open Council this 7th day of July, 2008. CARRIED.
- (e) Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that By-law 2008-133 being a by-law to authorize a collective agreement between the City and the United Steel Workers of America (Transit) for the period February 1, 2008 to January 31, 2008 be read three times and passed in Open Council this 7th day of July, 2008. CARRIED.
- (f) Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that By-law 2008-134 being a by-law to authorize an agreement between the City and Pioneer Construction Inc. for the purpose of miscellaneous asphalt repaving throughout the City of Sault Ste. Marie be read three times and passed in Open Council this 7th day of July, 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. Butland
Seconded by Councillor O. Grandinetti
Resolved that Council shall now go into Caucus to:
- 1) discuss proposed acquisition of property located in the area of Black Road; and
 - 2) to discuss proposed disposition of property located in the west end of the City; and
 - 3) to discuss proposed disposition of property located in the area of Bruce Street; and
 - 4) to discuss proposed acquisition and disposition of property required for the McNabb/South Market Street project; and
 - 5) to discuss employee negotiations - Performance Appraisal System; 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 07 07 Council Caucus Meeting.

12.

ADJOURNMENT

Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that this Council shall now adjourn. CARRIED.

"John Rowsell"

MAYOR

"Donna P. Irving"

CLERK