

MINUTES

REGULAR MEETING OF CITY COUNCIL

2009 09 28

4:30 P.M.

COUNCIL CHAMBERS

PRESENT: Mayor J. Rowsell, Councillors L. Turco, B. Hayes, D. Celetti, O. Grandinetti, S. Myers, L. Tridico, F. Fata, T. Sheehan, S. Butland, F. Manzo, P. Mick

ABSENT: Councillor J. Caicco (out of town)

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, J. Elliott, N. Apostle, S. Schell, J. Dolcetti, J. Luszka, J. Cain, D. McConnell, B. Strapp, I. McMillan

1. **ADOPTION OF MINUTES**

Moved by Councillor B. Hayes

Seconded by Councillor L. Tridico

Resolved that the Minutes of the Regular Council Meeting of 2009 09 14 be approved. CARRIED.

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

3. **APPROVE AGENDA AS PRESENTED**

Moved by Councillor B. Hayes

Seconded by Councillor L. Turco

Resolved that the Agenda for the 2009 09 28 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Ellie Love, Volunteer, Run Director, Run for the Cure was in attendance concerning Proclamation – Breast Health Awareness Month and Algoma's CIBC Run for the Cure.
- (b) Tracy Willoughby, Director of Services, Children's Aid Society of Algoma was in attendance concerning Proclamation – Child Abuse Prevention Month.

4. (c) Dan Fraser, Fire Prevention Officer was in attendance concerning Proclamation – Fire Prevention Week.
- (d) Kathy Fisher, Curator, Ermatinger-Clergue National Historic Site was in attendance concerning Proclamation – 1812 Rendezvous.
- (e) Karen Belanger, Algoma Dairy Educator was in attendance concerning Proclamation – World School Milk Day.
- (f) Dr. Allan Northan, Medical Officer of Health; and Jonathon Bouma, Public Health Program Director for Infection Control and Outbreak Management; Algoma Public Health were in attendance at the request of City Council with information concerning the H1N1 flu virus.
- (g) Jeff Holmes, Chair, Community Quality Improvement was in attendance concerning agenda item 6.(8)(a).
- (h) Greg Punch, President Sault Ste. Marie Economic Development Corporation Board; Bruce Strapp, C.E.O., Economic Development Corporation; and Ian McMillan, Executive Director, Tourism Sault Ste. Marie were in attendance concerning agenda item 6.(8)(b).
- (i) Janice Miller was in attendance concerning agenda item 5.(s).

PART ONE – CONSENT AGENDA

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

Moved by Councillor P. Mick

Seconded by Councillor L. Tridico

Resolved that all the items listed under date 2009 09 28 – Part One – Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.
- (b) Letters from the Premier of Ontario (in response to Council resolutions concerning Huron Central Rail and St. Mary's Paper co-generation facility); and the Minister of Municipal Affairs and Housing (concerning Provincial-Municipal Fiscal and Service Delivery Review Update) were received by Council.
- (c) The News Release dated 2009 09 16 concerning Stakeholders Continue Efforts to Establish Permanent Rail Line Between Sault Ste. Marie and Sudbury was received by Council.

5. (d) The News Release dated 2009 09 23 concerning provincial funding in the amount of \$448,500.00 for capital repairs to Conservation Authority infrastructure was received by Council.
- (e) The letter from Councillor Steve Butland concerning the Founding Nations Flag Project was received by Council.
- (f) Recent correspondence between the City of Sault Ste. Marie and the Northern Ontario School of Medicine was received by Council.
- (g) The letter from the Association of Municipal Managers Clerks and Treasurers of Ontario concerning municipal staff with longstanding years of service to AMCTO was received by Council.

Moved by Councillor P. Mick

Seconded by Councillor L. Turco

Resolved that City Council expresses its congratulations and appreciation to Bill Freiburger, Commissioner of Finance and Treasurer; and to Enrico Pino, Manager of Accounting on their achievement of receiving the Association of Municipal Managers Clerks and Treasurers of Ontario 20-year service award for longstanding commitment to the Association and to the municipal profession. CARRIED.

(h) **Staff Travel Requests**

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

Moved by Councillor B. Hayes

Seconded by Councillor L. Tridico

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2009 09 28 be approved as requested. CARRIED.

(i) **Tender for Lighting Upgrades – Civic Centre (2009AD02)**

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

Moved by Councillor B. Hayes

Seconded by Councillor L. Turco

Resolved that the report of the Manager of Purchasing dated 2009 09 28 be endorsed and that the tender for Lighting Upgrades at the Civic Centre, required by Building Services Division, Engineering and Planning Department, be awarded as recommended. CARRIED.

(j) **Renewal 2009-2011 Civic Centre Security Duties – Parking By-law Enforcement Officers – Public Library Security Duties**

The reports of the Manager of Purchasing and the Commissioner of Engineering and Planning were accepted by Council.

5. (j) Moved by Councillor P. Mick
Seconded by Councillor L. Tridico
Resolved that the reports of the Manager of Purchasing and the Commissioner of Engineering and Planning dated 2009 09 28 be endorsed and that the contract for Security Services – Civic Centre, required by Building Services Division, Engineering and Planning Department be renewed as recommended. CARRIED.
- (k) **Tender for Refuse Collection – Multi-Residential Contract (2009WA01)**
The report of the Manager of Purchasing was accepted by Council.
- Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that the report of the Manager of Purchasing dated 2009 09 28 be endorsed and that the tender to provide Multi-Residential Refuse Collection for a period of six (6) years, required by the Public Works and Transportation Department be awarded as recommended. CARRIED.
- (l) **Property Tax Appeals**
The report of the City Tax Collector was accepted by Council.
- Moved by Councillor B. Hayes
Seconded by Councillor L. Tridico
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 2009 09 28 be approved and the tax records be amended accordingly. CARRIED.
- (m) **2008 Financial Statements**
The report of the Commissioner of Finance and Treasurer was accepted by Council.
- Moved by Councillor B. Hayes
Seconded by Councillor L. Turco
Resolved that the report of the Commissioner of Finance and Treasurer dated 2009 09 28 be accepted and the 2008 Consolidated Financial Statements be approved. CARRIED.
- (n) **Mayor and Council Travel Expenses – January 1 to June 30, 2009**
The report of the Commissioner of Finance and Treasurer was received by Council.
- Moved by Councillor P. Mick
Seconded by Councillor L. Tridico
Resolved that the report of the Commissioner of Finance and Treasurer dated 2009 09 28 concerning Mayor and Council travel expenses for the period January 1 to June 30, 2009 be received as information. CARRIED.

5. (o) **Accountability Agreement With the Sault Ste. Marie Economic Development Corporation**

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

Moved by Councillor P. Mick

Seconded by Councillor L. Turco

Resolved that the report of the Commissioner of Finance and Treasurer dated 2009 09 28 concerning Accountability Agreement With the Sault Ste. Marie Economic Development Corporation be accepted and the recommendation that Council approve the Memorandum of Understanding with the Sault Ste. Marie Economic Development Corporation be approved. CARRIED.

(p) **Financing of the Algoma Public Health Building**

The reports of the Commissioner of Finance and Treasurer and the Manager of Finance and Audits were accepted by Council.

Moved by Councillor B. Hayes

Seconded by Councillor L. Tridico

Resolved that the report of the Commissioner of Finance and Treasurer dated 2009 09 28 concerning Financing of the Algoma Public Health Building be received as information. CARRIED.

Moved by Councillor B. Hayes

Seconded by Councillor L. Tridico

Resolved that the report of the Manager of Finance and Audits dated 2009 09 28 concerning Financing of the Algoma Public Health Building be accepted and the recommendation that the City now enter into the agreements, award the construction tender and proceed with the construction of the Algoma Public Health Building, be approved. CARRIED.

(q) **Collective Bargaining – February 1, 2009 to January 31, 2012 – Memorandum of Settlement – United Steelworkers Local 2251 - Transit**

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

Moved by Councillor B. Hayes

Seconded by Councillor L. Turco

Resolved that the report of the Commissioner of Human Resources dated 2009 09 28 concerning Collective Bargaining - February 1, 2009 to January 31, 2012 - Memorandum of Settlement be accepted and further that the Memorandum of Settlement for United Steelworkers Local 2251 - Transit and the City of Sault Ste. Marie be approved for ratification by City Council and that the appropriate by-law be presented at a future Council meeting be approved. CARRIED.

5. (r) **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 P. Mick
Seconded by Councillor L. Tridico

Resolved that the report of the Manager of Recreation and Culture dated 2009 09 28 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide a \$200.00 grant to Lana Perry (World 3D Archery Championships) be approved. CARRIED.

(s) **Naming of Finn Hill Trailhead**

The report of the Manager of Recreation and Culture on behalf of the Parks and Recreation Advisory Committee was accepted by Council.

Moved by Councillor P. Mick
Seconded by Councillor L. Turco

Resolved that the report of the Manager of Recreation and Culture on behalf of the Parks and Recreation Advisory Committee dated 2009 09 28 concerning Naming of Finn Hill Trailhead be accepted and the recommendation that the application by the Sault Trails Action Committee to name the proposed trailhead shelter on the Finn Hill section of the Hub Trail the "James S. Miller Trailhead" be approved. CARRIED.

(t) **Contract 2009-14E – Third Line Extension – Great Northern Road to 1,000 Metres Easterly**

The report of the Design and Construction Engineer was accepted by Council. The relevant By-laws 2009-165 and 2009-166 are listed under Item 10 of the Minutes.

(u) **Engineering Services – Haviland Crescent Sanitary Sewer Reconstruction**

The report of the Director of Engineering Services was accepted by Council. The relevant By-law 2009-158 is listed under Item 10 of the Minutes.

(v) **Awarding of Tender for Algoma Public Health Facility (APH)**

The report of the Commissioner of Engineering and Planning was accepted by Council. The relevant By-law 2009-168 is listed under Item 10 of the Minutes.

5. (v) Moved by Councillor B. Hayes
Seconded by Councillor L. Tridico
Resolved that the report of the Commissioner of Engineering and Planning dated 2009 09 28 concerning Awarding of Tender for Algoma Public Health Facility (APH) be accepted and the recommendation that Council award the contract to Bondfield Construction subject to the final approved confirmation of loan arrangements with APH's bank to finance the project be approved. CARRIED.

(w) **New Algoma Public Health Building on Willow Avenue – Agreements Involving the City, Algoma Public Health and Sault College of Applied Arts and Technology**

The report of the City Solicitor was accepted by Council. The relevant By-laws 2009-161, 2009-162 and 2009-163 are listed under Item 10 of the Minutes.

- (x) **Proposed Sale of 254-258 Queen Street East to James R. McAuley In Trust**
The report of the City Solicitor was accepted by Council. The relevant By-law 2009-164 is listed under Item 10 of the Minutes.

Councillor L. Tridico declared a pecuniary interest – family owns property in subject area.

- (y) **Carbon Monoxide By-law - Amendment**
The report of the Assistant City Solicitor was accepted by Council. The relevant By-law 2009-167 is listed under Item 10 of the Minutes.

(z) **Downtown Development Initiative – Municipal Tax Increment Rebate Program**

The report of the Planning Division was accepted by Council.

Moved by Councillor P. Mick
Seconded by Councillor L. Turco

Resolved that the report of the Planning Division dated 2009 09 28 concerning the Downtown Development Initiative – Municipal Tax Increment Rebate Program be accepted and the Planning Director's recommendation that City Council authorize a three-year municipal property tax rebate for 719 Bay Street, for the years 2010, 2011 and 2012, with the annual rebate totalling 75%, 50% and 25% respectively be endorsed. CARRIED.

Councillor L. Tridico declared a pecuniary interest – family owns property in downtown area.

- (aa) **Federal Gas Tax for Transit**
The report of the Transit Manager was accepted by Council.

5. (aa) Moved by Councillor B. Hayes
Seconded by Councillor L. Tridico
Resolved that the report of the Transit Manager dated 2009 09 21 concerning Federal Gas Tax for Transit be accepted and the recommendation that Council authorize \$211,000.00 in federal gas tax funding, that was previously approved in the 2009 budget for roof repairs to the Transit vehicle storage building at 111 Huron Street, to now be allocated to capital upgrades to extend the operating life of five buses and for repairs to three bus hoists at 111 Huron Street be approved. CARRIED.

Mayor J. Rowsell declared a pecuniary interest – engineering firm undertook inspection of Transit building.

- (bb) **Tender for One (1) Sewer Maintenance Easement Machine c/w Trailer**
The report of the Manager of Equipment and Building Maintenance, Public Works and Transportation was accepted by Council.

Moved by Councillor B. Hayes
Seconded by Councillor L. Turco
Resolved that the report of the Manager of Equipment and Building Maintenance dated 2009 09 28 concerning Tender for One Sewer Maintenance Easement Machine c/w Trailer be accepted and the recommendation that Council authorize staff to tender for a Sewer Maintenance Easement Machine c/w Trailer at an estimated cost of \$70,000.00 with funds to come from 2009 new equipment reserve fund and 2009 sewer surcharge account be approved. CARRIED.

PART TWO – REGULAR AGENDA

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

6. (6) **PLANNING**

- (a) **Application No. A-22-09-OP – City of Sault Ste. Marie – Request to Amend Rural Area Policies of Official Plan to Permit the Creation of Not More than One Severance Per Lot**
The report of the Planning Division was accepted by Council.

6. (6)
(a) Moved by Councillor P. Mick
Seconded by Councillor L. Tridico
Resolved that the report of the Planning Director dated 2009 09 28 concerning Application No. A-22-09-OP – City of Sault Ste. Marie – amendment to the rural area policies of the Official Plan to permit the creation of not more than one severance per lot BE DEFERRED to the October 26, 2009 City Council Meeting in order to allow staff to further review comments of the Ministry of Municipal Affairs and Housing be approved. CARRIED.

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

(a) **Residential Refuse Collection Contract**

The report of the Commissioner of Public Works and Transportation was accepted by Council.

Moved by Councillor B. Hayes

Seconded by Councillor L. Turco

Resolved that the reports of the Commissioner of Public Works and Transportation dated 2009 09 14 and 2009 09 28 concerning residential refuse collection contract for January 1st, 2010 be accepted and the recommendation that Council authorize:

1. continuing with a 'manual collection service' for the contract portion of the City's residential refuse collection; and
2. that Municipal Waste and Recycling Consultants (MWRC) be awarded the residential refuse collection contract for a period of eight (8) years starting January 1st, 2010 at a first year cost of \$408,413.00 or \$2.40 per stop per month, be approved. CARRIED.

Recorded Vote

For: Councillors B. Hayes, D. Celetti, O. Grandinetti, S. Myers, L. Tridico, F. Fata, T. Sheehan, S. Butland, F. Manzo, P. Mick

Against: Mayor J. Rowsell, Councillor L. Turco

Absent: Councillor J. Caicco

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

(a) **Community Quality Improvement – Request for Increase in Funding**

The report of the Chair and Executive Director, Community Quality Improvement was accepted by Council.

6. (8)

(a) Moved by Councillor S. Myers
Seconded by Councillor B. Hayes

Whereas Community Quality Improvement (CQI) has implemented continuous quality improvement methods and practices for our community which create a high standard of living for all citizens and is a valuable selling tool for all businesses and industry; and

Whereas CQI is recognized by the National Quality Institute having received Silver Level status from the Canada Awards of Excellence "Community Building Award" category; and

Whereas through such, Sault Ste. Marie is now viewed as a leader in this trend of measuring community excellence by having a system of continuous measuring and improving through the established Civic Indicators; and

Whereas due to changes in FedNor funding criteria that resulted in reduced funding for CQI and has left a gap in operational funding for the balance of this year; and

Whereas \$40,000.00 is in the city budget and is usually transferred to CQI in January and an advance of a portion of those funds would prevent the closing of the CQI office that is imminent (September 30, 2009);

Be is resolved that \$20,000.00 be advanced immediately from this year's unforeseen fund and any additional funding request be referred to the 2010 budget and further a full presentation by CQI to City Council be scheduled for early 2010 prior to budget in order that Council might know the status of CQI, be approved. CARRIED.

(b) **Sault Ste. Marie – Gateway to Northern Ontario**

The reports of Mayor J. Rowswell and the Sault Ste. Marie Economic Development Corporation Tourism Gateway Committee were accepted by Council.

Moved by Councillor L. Tridico

Seconded by Councillor F. Fata

Resolved that the recommendations of the EDC Gateway Committee for the 'next steps' for the Gateway Site dated September 8, 2009 BE AMENDED to delete items #1 and #2 to be replaced with:

1. City Gateway Committee be provided with an extended mandate for an additional two years to continue their efforts on the Gateway Site as outlined in the June 1, 2009 EDC Gateway Committee report; and

2. that the EDC appoints two representatives, either Board or Staff members to participate on the City Gateway Committee. DEFEATED.

Councillor B. Hayes declared a pecuniary interest – employed by Ontario Lottery and Gaming.

6. (8)
(b)

Moved by Councillor F. Fata
Seconded by Councillor S. Myers

Resolved that the report of Mayor J. Rowswell dated 2009 09 28 concerning Gateway to Northern Ontario and the report of the SSMECD Tourism Gateway Committee dated 2009 09 21 be accepted and the recommendations:

1. that the EDC Gateway Committee report be received as information and the resolutions of the Gateway Committee dated June 1, 2009 and September 8, 2009 be accepted as 'next steps'; and

2. that Council agrees to support Mayor Rowswell and the EDC Gateway Committee to request that NOHFC do the following:

i) verify with the Province that they still intend to support Sault Ste. Marie as a key gateway to Northern Ontario; and

ii) extend the \$15 million for a minimum of two years to facilitate a Gateway tourist attraction; and

iii) examine the possible relocation of the ACR-CN train station to the Gateway site opposite the Casino;
be approved. CARRIED.

Councillor B. Hayes declared a pecuniary interest – employed by Ontario Lottery and Gaming.

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

(a) Moved by Councillor T. Sheehan
Seconded by Councillor S. Myers

Whereas in June 2007 City Council endorsed a resolution requesting a report on how a plebiscite/referendum question could be placed on the 2010 Municipal ballot deciding whether or not stores should be open or closed on Boxing Day; and

Whereas the City Solicitor reported back to Council in July of the same year advising that Council had to give notice to the community that a question would be on the ballot six months prior to the election (May 2010); and

Whereas the preparation for this type of notice should start now giving all involved in the process time to get it right;

Therefore be it resolved that City Council now vote to begin the process of placing the Boxing Day question on the next Municipal Ballot. CARRIED.

7. (a) Recorded Vote

For: Councillors L. Turco, B. Hayes, O. Grandinetti, S. Myers, F. Fata, T. Sheehan, S. Butland, P. Mick

Against: Mayor J. Rowsell, Councillors D. Celetti, F. Manzo

Absent: Councillor J. Caicco

Councillor L. Tridico declared a pecuniary interest – family owns a retail business.

(b) Moved by Councillor O. Grandinetti

Seconded by Councillor F. Manzo

Whereas City Council is currently reviewing Procedure By-law 99-100; and
Whereas, in the interest of completing all of the City's business by a reasonable hour, Council is being asked to consider starting caucus meetings prior to the regular open Council meeting; and

Whereas having a caucus meeting is not always required and in any event requires a resolution of Council passed in open session to legally allow a caucus meeting; and

Whereas it is important for any level of government to ensure stable access to meetings for the public;

Now therefore be it resolved that City Council amend Procedure By-law 99-100 Section 3 (1) so that the regular meetings of City Council shall be held at 3:00 p.m. commencing the first regular meeting of 2010. (TABLED TO OCTOBER 13TH COUNCIL MEETING) OFFICIALLY READ NOT DEALT WITH.

(c) Moved by Councillor P. Mick

Seconded by Councillor B. Hayes

Whereas many residents of Old Garden River Road, Cedar Heights, Bianchi Estates and now Windsor Farms have complained about the length of timing on the traffic light at Old Garden River Road and Second Line; and

Whereas only three cars are able to get through the intersection from Old Garden River Road at one time; and

Whereas many of the cars travelling this road are making a left turn onto Second Line and have to wait for cars proceeding straight through resulting in the passage of only one vehicle; and

Whereas the right lane is for right turns only and the centre lane is for turning left or proceeding straight through and many frustrated drivers are using the turning lane to go straight through; and

Whereas cyclists and pedestrians are having an even more difficult time in crossing as they cannot cross without the light turning red before they reach the other side; and

Whereas transports sometimes run the red light on Second Line;

7. (c) Now therefore be it resolved that staff report back on possible solutions for the safety concerns (problems) at this corner. CARRIED.

(d) Moved by Councillor S. Butland
Seconded by Councillor T. Sheehan
Be it resolved that Council through the Office of the Mayor extend congratulations to the Smack Daddy Renegades who recently captured the Slo-Pitch "D" Division Provincial Championships held in St. Catharines, Ontario (first provincial championship in 20 years). 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 P. Mick
Seconded by Councillor L. Turco
Resolved that all the by-laws listed under Item 10 of the Agenda under date 2009 09 28 be approved. CARRIED.

(a) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2009-158 being a by-law to authorize an agreement between the City and STEM Engineering for the design and contract administration of the reconstruction of the sanitary sewer on Haviland Crescent be read three times and passed in Open Council this 28th day of September, 2009. CARRIED.

(b) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2009-159 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 312 Alexandra Street be read three times and passed in Open Council this 28th day of September, 2009. CARRIED.

Recorded Vote

For: Mayor J. Rowswell, Councillors B. Hayes, D. Celetti, O. Grandinetti, S. Myers, F. Fata, S. Butland, P. Mick

Against: Councillors L. Turco, L. Tridico, F. Manzo

Absent: Councillor J. Caicco

10. (b) Councillor T. Sheehan declared a pecuniary interest – owns property on Alexandra Street.
- (c) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2009-160 being a by-law to designate the lands located at 312 Alexandra Street an area of site plan control be read three times and passed in Open Council this 28th day of September, 2009. CARRIED.

Recorded Vote

For: Mayor J. Rowsell, Councillors B. Hayes, D. Celetti, O. Grandinetti, S. Myers, F. Fata, S. Butland, P. Mick

Against: Councillors L. Turco, L. Tridico, F. Manzo

Absent: Councillor J. Caicco

Councillor T. Sheehan declared a pecuniary interest – owns property on Alexandra Street.

- (d) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2009-161 being a by-law to authorize an agreement of purchase and sale between the City and The Sault College of Applied Arts and Technology for the transfer of the property necessary for Algoma Public Health's new facility be read three times and passed in Open Council this 28th day of September, 2009. CARRIED.
- (e) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2009-162 being a by-law to authorize an agreement with the City and Algoma Public Health for the use of facilities in the Willow Avenue side of Sault College Centre be read three times and passed in Open Council this 28th day of September, 2009. CARRIED.
- (f) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2009-163 being a by-law to authorize an agreement with the City and Algoma Public Health to provide for the City assigning the design and construction of project for Algoma Public Health be read three times and passed in Open Council this 28th day of September, 2009. CARRIED.

10. (g) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2009-164 being a by-law to authorize the conveyance of 254-258 Queen Street East to James R. McAuley, in Trust for the price of \$55,000.00 subject to the usual adjustments be read three times and passed in Open Council this 28th day of September, 2009. CARRIED.

Councillor L. Tridico declared a pecuniary interest – family owns property in subject area.

- (h) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2009-165 being a by-law to authorize a contract between the City and General Contracting (Sault Ste. Marie) Ltd. for the reconstruction of Third Line East from Great Northern Road to 1,000 metres westerly (Contract 2009-14E) be read three times and passed in Open Council this 28th day of September, 2009. CARRIED.
- (i) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2009-166 being a by-law to permit the temporary street closing of Third Line East (for extended periods) from Great Northern Road to 1,000 metres westerly be read three times and passed in Open Council this 28th day of September, 2009. CARRIED.
- (j) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2009-167 being a by-law to amend By-law 2009-82 (a by-law to require the installation and maintenance of carbon monoxide alarms in all residential occupancies containing fuel fired appliances and/or attached garages) be read three times and passed in Open Council this 28th day of September, 2009. CARRIED.
- (k) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2009-168 being a by-law to authorize an agreement between the City of Sault Ste. Marie and Bondfield Construction Company Limited for awarding tender for the Algoma Public Health Facility (APH) be read three times and passed in Open Council this 28th day of September, 2009. CARRIED.

10. (l) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that By-law 2009-169 being a by-law to authorize the vesting of 254-258 Queen Street East in the name of The Corporation of the City of Sault Ste. Marie pursuant to Section 379 of the Municipal Act be read three times and passed in Open Council this 28th day of September, 2009. CARRIED.

Councillor L. Tridico declared a pecuniary interest – family owns property in subject area.

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

- (a) Moved by Councillor B. Hayes
Seconded by Councillor L. Turco
Resolved that Council shall now go into caucus to:
1. discuss one labour relations matter about identifiable individual; and
2. discuss proposed acquisition of property for McNabb/South Market Streets extension; 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.

12. **ADJOURNMENT**

Moved by Councillor B. Hayes
Seconded by Councillor L. Turco
Resolved that this Council shall now adjourn. CARRIED.

"John Rowswell"

MAYOR

"Donna P. Irving"

CLERK