

## **MINUTES**

### **REGULAR MEETING OF CITY COUNCIL**

**2009 08 24**

**4:30 P.M.**

### **COUNCIL CHAMBERS**

**PRESENT:** Mayor J. Rowswell, Councillors J. Caicco, L. Turco, O. Grandinetti, S. Myers, L. Tridico, F. Fata, T. Sheehan, S. Butland, F. Manzo, P. Mick

**ABSENT:** Councillors B. Hayes (vacation), D. Celetti (work)

**OFFICIALS:** J. Fratesi, D. Irving, L. Bottos, J. Elliott, N. Apostle, B. Freiburger, J. Dolcetti, D. McConnell

1. **ADOPTION OF MINUTES**

Moved by Councillor S. Myers

Seconded by Councillor F. Fata

Resolved that the Minutes of the Regular Council Meeting of 2009 07 27 and Special Meeting of 2009 08 13 be approved. CARRIED.

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

3. **APPROVE AGENDA AS PRESENTED**

Moved by Councillor S. Myers

Seconded by Councillor F. Fata

Resolved that the Agenda for the 2009 08 24 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

(a) Dr. Arthur Perlini, Academic Dean, Algoma University was in attendance concerning Proclamation – Algoma University Week.

(b) Eileen Fagan on behalf of the local 2009 Terry Fox Run organizers was in attendance concerning the upcoming Terry Fox Run on September 13<sup>th</sup>.

- 4. (c) Greg Punch, President; and Bruce Strapp, C.E.O., Economic Development Corporation were in attendance concerning agenda item 5.(t) 2008 Annual Report.
- (d) Susan Milne on behalf of PRAC and Janet Allen on behalf of APH were in attendance concerning agenda item 6.(8)(a).

### **PART ONE – CONSENT AGENDA**

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

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that all the items listed under date 2009 08 24 - Part One - Consent Agenda, [save and except 5.(q) (tabled to September 14<sup>th</sup>)] be approved as recommended. CARRIED.

- (a) Correspondence from AMO and OGRA was received by Council.
- (b) Correspondence from the Township of Huron-Kinloss (concerning designating giant hogweed under the Weed Control Act); City of Kingston (concerning Housing Network of Ontario declaration on affordable housing); City of Greater Sudbury (concerning employment insurance reform and concerning a proposed Workplace Fatalities Family Bill of Rights); Community Schools Alliance (concerning a 'smart moratorium' on disputed school closings); and Township of Madawaska Valley (concerning Home Care Services and funding for personal support workers) was received by Council.
- (c) The letters from Canada's Minister of Transport Infrastructure and Communities concerning projects approved for funding under the Infrastructure Stimulus Fund; and from the Minister of Northern Development, Mines and Forestry concerning an update on the Northern Growth Plan were received by Council.
- (d) The News Release concerning the deal reached to operate Huron Central Rail Line until August 14, 2010 was received by Council.
- (e) Letter of request for a temporary street closing was accepted by Council.
  - 1) on Fields Square in conjunction with a Neighbourhood Party (September 13<sup>th</sup>; rain date September 20<sup>th</sup>).The relevant By-law 2009-149 is listed under Item 10 of the Minutes.
- (f) **Staff Travel Requests**  
The report of the Chief Administrative Officer was accepted by Council.

5. (f) Moved by Councillor T. Sheehan  
Seconded by Councillor F. Fata  
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2009 08 24 be approved as requested. CARRIED.
- (g) **Court Ruling on Bank Tower Assessment**  
The report of the Commissioner of Finance and Treasurer was accepted by Council.  
  
Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that the report of the Commissioner of Finance and Treasurer dated 2009 08 24 concerning Court Ruling on Bank Tower Assessment be received as information. CARRIED.
- (h) **Tender for Screened Street Sand**  
The report of the Manager of Purchasing was accepted by Council.  
  
Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that the report of the Manager of Purchasing dated 2009 08 24 be endorsed and that the tender for the supply of Screened Street Sand, required by the Public Works and Transportation Department be awarded as recommended. CARRIED.
- (i) **Tenders for Equipment – Public Works and Transportation Department**  
The report of the Manager of Purchasing was accepted by Council.  
  
Moved by Councillor T. Sheehan  
Seconded by Councillor F. Fata  
Resolved that the report of the Manager of Purchasing dated 2009 08 24 be endorsed and that the tenders for the supply and delivery of various pieces of equipment, required by the Public Works and Transportation Department be awarded as recommended. CARRIED.
- (j) **Collective Bargaining – February 1, 2009 to January 31, 2012 – Memorandum of Settlement – Amalgamated Transit Union Local 1767**  
The report of the Commissioner of Human Resources was accepted by Council.

5. (j) Moved by Councillor T. Sheehan  
Seconded by Councillor F. Fata  
Resolved that the report of the Commissioner of Human Resources dated 2009 08 24 concerning Collective Bargaining - February 1, 2009 to January 31, 2012 - Memorandum of Settlement be accepted and further that the Memorandum of Settlement for Amalgamated Transit Union Local 1767 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.
- (k) **2010 Scotties Tournament of Hearts (STOH) – Municipal Sponsorship Program**  
The report of the Commissioner of Community Services was accepted by Council.
- Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that the report of the Commissioner of Community Services dated 2009 08 24 concerning the 2010 Scotties Tournament of Hearts (STOH) - Municipal Sponsorship Program be accepted and the recommendation that the Municipal Sponsorship Package for the 2010 STOH at the cost of \$70,000.00 be approved. CARRIED.
- (l) **Soo Thunderbirds Hockey Club - Agreement**  
The report of the Commissioner of Community Services was accepted by Council. The relevant By-law 2009-150 is listed under Item 10 of the Minutes.
- Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that the report of the Commissioner of Community Services dated 2009 08 24 concerning Soo Thunderbirds Hockey Club Agreement be accepted and the recommendation that the agreement with the Soo Thunderbirds for the time period September 1, 2009 to April 30, 2010 with the option to renew the agreement on a year-to-year basis subject to successful negotiations between the City and the Club on a renewal basis be approved. CARRIED.
- (m) **Recreational Infrastructure Canada Program in Ontario (RIInC of Ontario)**  
The report of the Commissioner of Community Services was accepted by Council.

5. (m) Moved by Councillor T. Sheehan  
Seconded by Councillor F. Fata  
Resolved that the report of the Commissioner of Community Services dated 2009 08 24 concerning Recreational Infrastructure Canada Program in Ontario (RInC Ontario) be accepted and the recommendation that Council authorize staff to proceed with implementing the projects that were approved under the RInC Program and further that the replacement of the Roberta Bondar Pavilion fabric be sole sourced to Birdair Inc. at an estimated price of \$900,000.00 be approved. CARRIED.
- (n) **Contract 2009-12E – Town Line Road Bridge Replacement**  
The report of the Design and Construction Engineer was accepted by Council. The relevant By-laws 2009-101 and 2009-147 are listed under Item 10 of the Minutes.
- (o) **Contract 2009-13E – Haviland Crescent Ravine Sewer Replacement**  
The report of the Design and Construction Engineer was accepted by Council. The relevant By-law 2009-148 is listed under Item 10 of the Minutes.
- (p) **Hub Trail 2009-2010 Priorities**  
The report of the Planning Division was accepted by Council.
- Moved by Councillor T. Sheehan  
Seconded by Councillor F. Fata  
Resolved that the report of the Planning Division dated 2009 08 24 concerning the Hub Trail 2009-2010 Priorities be accepted and the Planning Director's recommendation:
- 1) that City Council accepts this report as information and that Council approves the following Hub Trail priorities: from the Hospital site to the new EMS Centre; the Sutton Park area from South Market Street to Bennett Boulevard; from Anna McRae School to Churchill Boulevard; and Finn Hill area trailhead;
  - 2) that City Council authorize the use of the approved \$1,295,000.00 for Hub Trail development for the selected priorities be endorsed. CARRIED.
- (q) **Residential Refuse Collection Contract for January 1, 2010**  
The report of the Commissioner of Public Works and Transportation was received by Council.

5. (q) Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that the report of the Commissioner of Public Works and Transportation dated 2009 08 24 concerning Residential Refuse Collection Contract for January 1, 2010 be accepted and the recommendation that Municipal Waste and Recycling be awarded the residential refuse collection contract for an eight (8) year period at an initial cost of \$408,413.00 per year or \$2.40 per stop per month be approved.  
OFFICIALLY READ NOT DEALT WITH – Tabled to next Council meeting for further detailed staff report

- (r) **Sault Ste. Marie Police Services 2008 Annual Report**  
The report of the Chief of Police was received by Council.

Moved by Councillor S. Myers  
Seconded by Councillor D. Celetti  
Resolved that the report of the Chief of Police dated 2009 06 26 concerning the Sault Ste. Marie Police Services 2008 Annual Report be received as information. CARRIED.

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

- (s) **2009 Second Quarter Shareholder Report**  
The report of the President and C.E.O., PUC Inc. was received by Council.

Moved by Councillor T. Sheehan  
Seconded by Councillor F. Fata  
Resolved that the report of the President and C.E.O., PUC Inc. dated 2009 08 04 concerning 2009 Second Quarter Shareholder Report be received as information. CARRIED.

- (t) **2008 Annual Report of the Sault Ste. Marie Economic Development Corporation**  
The report of the President and C.E.O., EDC was received by Council.

Moved by Councillor T. Sheehan  
Seconded by Councillor F. Fata  
Resolved that the 2008 Annual Report of the Sault Ste. Marie Economic Development Corporation be received as information. CARRIED.

- (u) Correspondence concerning the St. Mary's Paper Co-generation Project was received by Council.

5. (v) The letter from Mayor J. Rowsell to Premier D. McGinty concerning St. Marys Paper Corp./St. Marys Renewable Energy Corp. Biomass Fueled Renewable Energy Co-generation Project was received by Council.
- (w) Correspondence concerning the Closure of the Church and Pim Street Intersections was received by Council.
- (x) **Potential Air Services**  
The report of the Chief Administrative Officer was accepted by Council.

Moved by Councillor J. Caicco

Seconded by Councillor F. Fata

Whereas the Council of the City of Sault Ste. Marie, through its Sault Ste. Marie Air Services Committee, continues to be pro-active in working towards the development of potential partnerships with several airline carriers, including Porter Airlines who could provide increased air services to our community; and Whereas the City of Sault Ste. Marie has been invited to provide an updated Route Evaluation Study to confirm the potential passenger loads that might be available for another provider operating out of Sault Ste. Marie; and

Whereas Intervistas has done satisfactory work in the past for both the City of Sault Ste. Marie and the Airport Development Corporation and have expressed an interest in undertaking such a Route Evaluation Study;

Now therefore be it resolved that City Council authorizes the Sault Ste. Marie Air Services Committee to retain Intervistas to undertake a Route Evaluation Study of potential air passenger loads to and from Sault Ste. Marie and further that the cost of such study, not exceed \$10 thousand, be funded from the balance which remains in the 2008 Economic Diversification Funding under the heading of "New Airport Carrier". CARRIED.

## **PART TWO – REGULAR AGENDA**

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

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

##### (a) **Report of the Committee Reviewing Outdoor Smoking at City-Owned Property, Parks and Playgrounds**

The report of the Committee Reviewing Outdoor Smoking at City-Owned Property Parks and Playgrounds was accepted by Council.

6. (8)

(a) Moved by Councillor S. Myers  
Seconded by Councillor F. Fata

Resolved that the report of the Committee Reviewing Outdoor Smoking at City-Owned Property Parks and Playgrounds dated 2009 08 24 be accepted and the recommendation that Council:

1) direct the City Solicitor to bring forward a by-law in the form of the draft by-law attached to the Committee report; and

2) authorize the required no-smoking signs be posted as soon as possible at an estimated cost of between \$7,500.00 - \$10,000.00 with the funds to come from the Algoma Public Health \$5,000.00 contribution, and the balance to come from the 5% Subdividers Fee Reserve account be approved. CARRIED.

7.

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

(a) Moved by Councillor S. Myers  
Seconded by Councillor P. Mick

Whereas in the spirit of good governance, elected representatives and appointed representatives of the City of Sault Ste. Marie should follow the highest standards of ethical behaviour in the course of their duties to ensure that public confidence and trust is maintained; and

Whereas there is no specific Council Code of Conduct policy, recognizing Council's conduct is partly informed by the Municipal Government Act, and Procedures and Committees By-law; and

Whereas developing a Council Code of Conduct is a growing trend among municipal governments in Ontario, the most recent being London in 2008 and St. Catharines in 2009; and

Whereas a Code of Conduct does exist for City employees and the same should exist for municipally-elected officials and members of boards and committees directly appointed by City Council;

Now therefore be it resolved that a committee of Council be formed to bring forward a draft Council Code of Conduct for the consideration of Council based upon receiving input from other municipalities that have developed such and solicit input from all members of City Council and further that the Committee be comprised of Councillor Myers (Chair), Councillor Mick, and two others (L. Tridico, F. Fata) with Mayor Rowswell and staff to be included as resource when needed. CARRIED.

**Recorded Vote**

For: Mayor J. Rowswell, Councillors L. Turco, O. Grandinetti, S. Myers, L. Tridico, F. Fata, P. Mick

Against: Councillors J. Caicco, T. Sheehan, S. Butland, F. Manzo



Absent: Councillors B. Hayes, D. Celetti

7. (b) Moved by Councillor J. Caicco  
Seconded by Councillor S. Butland

Whereas the new ownership of St. Mary's Paper Corporation clearly articulated, when acquiring the bankrupt assets of St. Mary's Paper Ltd. that approval of a multi-million dollar co-generation facility was an essential part of the company's business plan for future success; and

Whereas because of the recent downturn in the world economy and the strong Canadian dollar, the company continues to struggle in its paper-making operations with the future of more than 300 employees depending on the success of the company; and

Whereas approval to proceed with the proposed 35MW co-generation plant would allow the mill to transition from being a single-product mill into a multi-purpose site that would produce energy and value-added bioforest economy products, in addition to the traditional supercalendar paper for publishers and retailers; and

Whereas the co-generation plant, which would be fueled by wood waste (biomass), would create both electricity and steam for heating and operational use; and

Whereas the City of Sault Ste. Marie has clearly demonstrated its commitment and support to projects which promote alternative green energy;

Now therefore be it resolved that the Council of the Corporation of the City of Sault Ste. Marie reiterates and reconfirms its strong support for the St. Mary's Paper proposal as presented by its subsidiary corporation, St. Mary's Renewal Energy Corp. and urges the Ontario Power Authority and the Province of Ontario to reconsider this Sault Ste. Marie application or in the alternative, to ensure this project receives approval in the next round of procurement; and

Further be it resolved that copies of this resolution be forwarded to the Honourable Dalton McGuinty, Premier of the Province of Ontario; the Honourable George Smitherman, Minister of Energy and Infrastructure; David Oraziotti, MPP - Sault Ste. Marie; Michael Brown, MPP - Algoma-Manitoulin; Honourable Donna Cansfield, Minister of Natural Resources; Honourable Michael Gravelle, Minister of Northern Development, Mines and Forestry; Honourable Dwight Duncan, Minister of Finance; and Honourable Sandra Pupatello, Minister of Economic Trade and Development. CARRIED.

Councillor L. Tridico declared a pecuniary interest – resides adjacent to subject property.

7. (c) Moved by Councillor P. Mick  
Seconded by Councillor L. Turco  
Whereas the Sault Steelers won the Northern Football championship game by defeating the Tri-City Outlaws 31-18; and  
Whereas the Steelers will now host the Alberta champion in the Canadian championship game on September 19<sup>th</sup> at Rocky DiPetro field;  
Now therefore be it resolved that City Council, on behalf of the citizens of the City of Sault Ste. Marie, congratulates the Sault Steelers on their Northern Football championship win and wishes them the very best on their upcoming Canadian Major football championship game. 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 S. Myers  
Seconded by Councillor F. Fata  
Resolved that all the by-laws listed under Item 10 of the Agenda under date 2009 08 24 be approved. CARRIED.

- (a) Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that By-law 2009-101 being a by-law to authorize a contract between the City and Avery Construction Limited for the removal and replacement of the Town Line Road bridge south of Base Line (Contract 2009-12E) be read three times and passed in open Council this 24<sup>th</sup> day of August, 2009. CARRIED.
- (b) Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that By-law 2009-147 being a by-law to authorize the temporary closing of Town Line Road at the bridge, necessary for the removal and replacement of the Town Line Road bridge be read three times and passed in open Council this 24<sup>th</sup> day of August, 2009. CARRIED.
- (c) Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that By-law 2009-148 being a by-law to authorize a contract between the City and 786222 Ontario Inc. o/a Harold Phillips Haulage for the replacement of the Haviland Crescent Ravine sewer (Contract 2009-13E). be read three times and passed in open Council this 24<sup>th</sup> day of August, 2009. CARRIED.

10. (d) Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that By-law 2009-149 being a by-law to permit the temporary closing of Fields Square and Meadow Lane from 95 Fields Square to 107 Fields Square to 24 Meadow Lane be read three times and passed in open Council this 24<sup>th</sup> day of August, 2009. CARRIED.
- (e) Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that By-law 2009-150 being a by-law to authorize an agreement with the City and Soo Thunderbirds Hockey Club Inc. for the use of facilities in the John Rhodes Community Centre and the Essar Centre be read three times and passed in open Council this 24<sup>th</sup> day of August, 2009. CARRIED.

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

12. **ADJOURNMENT**

Moved by Councillor S. Myers  
Seconded by Councillor F. Fata  
Resolved that this Council shall now adjourn. CARRIED.

\_\_\_\_\_  
"John Rowswell"

**MAYOR**

\_\_\_\_\_  
"Donna P. Irving"

**CLERK**