

MINUTES

REGULAR MEETING OF CITY COUNCIL

2009 09 14

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, L. Bottos, N. Apostle, J. Elliott, B. Freiburger, J. Dolcetti, D. McConnell, L. Girardi

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 08 24 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 14 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Leslie Smith, representative of Women for Social Justice was in attendance concerning Proclamation – Take Back the Night.
- (b) Bill Thornton, 2009 United Way Campaign Chair was in attendance concerning Proclamation – 2009 United Way Campaign.
- (c) Anna Boyonoski, Manager Downtown Association was in attendance concerning Proclamation - Walk of Fame Day.

4. (d) Lou St. Jules, Public Relations Coordinator, Elks Lodge #341 was in attendance concerning Proclamation – Elks and Royal Purple Oncology Van Program Week.
- (e) Cecil Mah; Irma Giovanatti, resident of 176 Huron Street; and Otello Erme, resident of 319 Alexandra Street were in attendance concerning agenda item 6.(6)(a).
- (f) Paul Beach, Manager Community Geomatics Centre and Kristen Hoffman, Sault Ste. Marie Innovation Centre 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 P. Mick

Seconded by Councillor L. Tridico

Resolved that all the items listed under date 2009 09 14 - Part One - Consent Agenda [save and except 5.(p) OFFICIALLY READ NOT DEALT WITH and 5.(s) TABLED TO SEPTEMBER 28TH] be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.
- (b) Correspondence from the Town of Amherstburg (concerning MPAC evaluation of solar energy development); and Land Use Council (concerning Endangered Species Act regulations) was received by Council.
- (c) Letters from the Office of the Prime Minister (in response to a Council resolution dated July 27th); and the Haldimand County Disaster Relief Committee (thanking Council for the contribution of \$250.00 to the relief effort) were received by Council.
- (d) The letter from the Scotties Tournament of Hearts Host Committee Chair requesting a resolution of Council designating the Tournament as a significant municipal event was received by Council.

5. (d) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that the 2010 Scotties Tournament of Hearts being held in Sault Ste. Marie January 30 to February 7, 2010 be designated as an event of municipal significance, for purposes of obtaining an LCBO special occasion permit for the sale of alcoholic beverages at the HeartStop Lounge for the duration of the Tournament of Hearts event, be approved. CARRIED.

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

Moved by Councillor B. Hayes
Seconded by Councillor L. Tridico
Resolved that the following requests to hold Special Occasion Permit events at a municipal facility on the stated dates and times be endorsed by City Council:

- 1) Rocky DiPietro Field
Queen Elizabeth Sports Complex
Canadian Championship Football Game
September 19th from 2:00 to 9:00 p.m. (outdoors)
and from 6:00 p.m. to 1:00 a.m. (indoors)
- 2) Roberta Bondar Pavilion
RBC Financial Group Chilifest
September 20th from 12:00 noon to 4:00 p.m. CARRIED.

- (f) The letter from Mayor Rowswell to the Chair, Tourism Sault Ste. Marie concerning Sault Ste. Marie's Tourism Industry was received by Council.

Moved by Councillor B. Hayes
Seconded by Councillor L. Tridico
Whereas the Tourism Industry in Sault Ste. Marie is facing challenging times as is the tourism industry in all Ontario; and
Whereas the Sault Ste. Marie tourism industry has been very proactive by developing a strategic plan, attracting conventions, sporting and entertainment at the Essar Centre, investing in hotel upgrades and infrastructure improvements for Searchmont Resort and Agawa Canyon Tour Train; and
Whereas City Council wishes to help the Sault Ste. Marie tourism industry in its efforts to increase tourism visitation to our city;
Now therefore be it resolved that the Chair, Tourism Sault Ste. Marie be requested to provide a list of top ten priorities for the coming years for City Council's information and discussion on how to work together to grow the tourism industry in our City. CARRIED.

- (g) The News Release concerning Huron Central Railway was received by Council.

5. (h) **Appointment to Accessibility Advisory Committee**

Moved by Councillor B. Hayes

Seconded by Councillor L. Turco

Resolved that citizen Tom Iley be appointed to the Ontarians with Disabilities Accessibility Advisory Committee from September 14, 2009 to December 31, 2010. CARRIED.

(i) **Council Travel**

Moved by Councillor P. Mick

Seconded by Councillor L. Tridico

Resolved that Councillor Terry Sheehan be authorized to travel to Toronto (two days in October) to attend an Awards Ceremony at Queen's Park hosted by the Hon. M. Best, M.P.P. to receive the City of Sault Ste. Marie Youth Friendly Designation - Gold Recipient Award, at an estimated cost of \$550.00 to the City. CARRIED.

Moved by Councillor P. Mick

Seconded by Councillor L. Tridico

Resolved that Councillor Lou Turco be authorized to travel to an Association of Municipalities of Ontario (AMO) Board of Directors Meeting being held in Toronto, Ontario (2 days in September) at a cost of \$300.00 to the City. CARRIED.

(j) **Staff Travel Requests**

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

Moved by Councillor P. Mick

Seconded by Councillor L. Turco

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2009 09 14 be approved as requested. CARRIED.

(k) **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 14 be approved and the tax records be amended accordingly. CARRIED.

(l) **Ticket Service Charges – Community Centres Division**

The report of the Manager of Community Centres was received by Council.

5. (l) Moved by Councillor B. Hayes
Seconded by Councillor L. Turco
Resolved that the report of the Manager of Community Centres dated 2009 09 14 concerning Ticket Service Charges – Community Centres Division be received as information. CARRIED.
- (m) **Strathclair Park – Lighting for Slo-Pitch Field “A”**
The report of the Commissioner of Community Services was received by Council.
- Moved by Councillor P. Mick
Seconded by Councillor L. Tridico
Resolved that the report of the Commissioner of Community Services dated 2009 09 14 concerning Strathclair Park – Lighting for Slo-Pitch Field “A” be received as information. CARRIED.
- (n) **Root River Bridges – Great Northern Road**
The report of the Director of Engineering Services was received by Council.
- Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that the report of the Director of Engineering Services dated 2009 09 14 concerning Root River Bridges – Great Northern Road be received as information. CARRIED.
- (o) **Coldwater Creek Culvert – Old Garden River Road**
The report of the Director of Engineering Services was accepted by Council.
- Moved by Councillor B. Hayes
Seconded by Councillor L. Tridico
Resolved that the report of the Director of Engineering Services dated 2009 09 14 concerning Coldwater Creek Culvert - Old Garden River Road be accepted and the recommendation that the firm of M. R. Wright and Associates be retained to complete the hydrology, design and approval applications for the replacement of the Coldwater Creek culvert at Old Garden River Road at a cost of \$3,800.00 with funds to come from the bridge portion of the 2009/10 capital works program, be approved. CARRIED.
- (p) **By-law 2009-155 – A By-law Amending Smoking Control By-law 2003-7 – Dealing With Smoking Outdoors**
The report of the City Solicitor was received by Council. The relevant By-law 2009-155 is listed under Item 10 of the Minutes.

5. (q) **Infrastructure Stimulus Fund Contribution Agreement Between the City and Province (Ministry of Energy and Infrastructure) for (1) the New Algoma Public Health Building; and (2) the Extension of the Waterfront Walkway and Hub Trail**

The report of the City Solicitor was accepted by Council. The relevant By-law 2009-154 is listed under Item 10 of the Minutes.

- (r) **F. J. Davey Home – Disposal of Assets Upon Dissolution**

The report of the City Solicitor was accepted by Council. The relevant By-law 2009-152 is listed under Item 10 of the Minutes.

Councillor L. Turco declared a pecuniary interest – serves on the Davey Home Board of Directors.

- (s) **Residential Refuse Collection Contract for January 1st, 2010**

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

Moved by Councillor B. Hayes

Seconded by Councillor L. Turco

Resolved that the report of the Commissioner of Public Works and Transportation dated 2009 09 14 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. OFFICIALLY READ NOT DEALT WITH (TABLED TO SEPTEMBER 28TH COUNCIL MEETING FOR FURTHER REPORT FROM PUBLIC WORKS AND TRANSPORTATION)

- (t) **Request from Residents Living on the East Side of Town Line Between Second Line and Base Line to Have Public Works and Transportation Take Over Road Maintenance**

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

5. (t) Moved by Councillor P. Mick
Seconded by Councillor L. Tridico
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2009 09 14 concerning request from residents living on the east side of Town Line between Second Line and Base Line to have PWT take over road maintenance be accepted and the recommendation that the City continue with the existing maintenance agreement with Prince Township for boundary roads and that no further action be taken, be approved. CARRIED.
- (u) **Sault Ste. Marie Museum – Budget**
The report of the President, Management Board of Directors, Sault Ste. Marie Museum was accepted by Council.
- Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Resolved that the report of the President, Management Board of Directors, Sault Ste. Marie Museum dated 2009 09 10 concerning 2009 Supplementary Budget of \$7,500.00 be accepted and the request that the Museum be authorized to use the remaining supplementary budget funds in the amount of \$3,565.91 for unexpected repair work on two of the HVAC units in the museum building be approved. CARRIED.
- (v) The letter of request for a temporary street closing was accepted by Council.
1) on Queensgate Boulevard in conjunction with a Street Barbecue on September 26th.
The relevant By-law 2009-157 is listed under Item 10 of the Minutes.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (6) PLANNING

- (a) **Application No. A-21-09-Z. – Cecil Mah – 312 Alexandra Street - Request to Permit a Taxi Yard With Reduced Parking Aisles in Conjunction with the Taxi Yard Only**
The report of the Planning Division was accepted by Council.

6. (6)
(a)

Moved by Councillor P. Mick
Seconded by Councillor S. Myers

Resolved that the report of the Planning Division dated 2009 09 14 concerning Application No. A-21-09-Z – Cecil Mah be accepted and the Planning Director's recommendation that City Council approve the application and rezone the subject property from "R.3" (Low Density Residential) zone to "C.I.S." (Traditional Commercial) zone with a Special Exception to permit in addition to those uses permitted in the Traditional Commercial zone, a taxi yard, subject to the following conditions:

- 1) that more than 50% of the required parking may be supplied as stacked parking for the taxi yard only,
- 2) that the parking aisle width adjacent to Alexandra Street and in association with the stacked spaces be reduced to 0m for the tax yard only,
- 3) that the subject property be deemed subject to Site Plan control, pursuant to Section 41 of the Planning Act be endorsed. CARRIED.

Recorded Vote

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

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

Absent: Nil

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

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

(a) **Youth Crime in Sault Ste. Marie**

The report of the Sault Ste. Marie Innovation Centre entitled Youth Crime in Sault Ste. Marie 2006 – 2008 was accepted by Council.

Moved by Councillor B. Hayes
Seconded by Councillor J. Caicco

Whereas several possible recommendations to curb youth crime have been identified as a result of the report by the Sault Ste. Marie Innovation Centre's Community Geomatics Centre; and

Whereas these recommendations need to be evaluated and prioritized; and

6. (8)
(a)

Whereas next possible steps identify the need for the Youth Crime Committee of Council to remain intact to complete such tasks as soliciting funding from the Government of Ontario from the Youth Crime and Violence Initiative for evaluating service programs including gaps in service and duplication, developing programs to prevent and decrease youth crime, as well as monitoring youth crime on an annual basis to determine whether or not implemented programs are successful;

Now therefore be it resolved that City Council endorses the continuation of the Youth Crime Committee of Council and furthermore that Council endorses the addition of the Commissioner of Social Services and the Commissioner of Community Services as staff representation on the committee, be approved. CARRIED.

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. Myers
Seconded by Councillor T. Sheehan

Whereas a number of normally quiet residential streets have become speed lanes for motorists who simply will not obey the posted speed limits and Police Services is unable to provide 24/7 monitoring; and

Whereas this poses an ongoing risk and danger for residents of said streets and pedestrians using the streets especially children on streets near school routes; and

Whereas McGregor Avenue is clearly one such example; and

Whereas residents on this street would like to see speed bumps introduced in this community similar to other communities such as Ottawa; and

Whereas there are temporary speed bump structures such as what is used in many big box parking lots;

Therefore be it resolved that appropriate city staff prepare a report as soon as possible regarding undertaking a pilot project for the use of speed bumps on McGregor Avenue, indicating the time frame, cost and feasibility of such a pilot project. CARRIED.

7. (b) Moved by Councillor S. Myers
Seconded by Councillor P. Mick
Whereas there is a great deal of media attention both nationally and internationally as to the possibility of impacts around H1N1 and other flu illnesses this coming fall and winter; and
Whereas a degree of “fear of the unknown” can easily lead to actions such as keeping children home from school and employees staying home from work when it is not necessary and result in some negative affects; and
Whereas Algoma Public Health is the agency with the most accurate information in terms of steps that can be taken by all of us to minimize the impacts in Sault Ste. Marie and who can provide information as to what is the correct course of action if symptoms do arise;
Now therefore be it resolved that Council requests a presentation from Algoma Public Health at our next City Council meeting that will address these matters.
CARRIED.
- (c) Moved by Councillor L. Tridico
Seconded by Councillor J. Caicco
Whereas the Federal Government has recently announced substantial funding for the redevelopment of the Sault Ste. Marie Ontario International Bridge Plaza; and
Whereas City Council has attempted for the last 10 years to redevelop the vacant property coming off the bridge, which formerly housed a scrap metal business into a new and exciting welcome into our community, our province and our country; and
Whereas City Council and the Economic Development Corporation continue to investigate potential new uses for the Gateway site which would be conducive to the downtown area and inviting for guests visiting our city; and
Whereas in the meantime the Gateway property has become unsightly and local citizens such as Marty McCarthy have asked that it be cleaned up and made useable, at least in part, for the passive enjoyment of local taxpayers and tourists alike; and
Whereas the reuse of the site will require appropriate consideration of any potential environmental concerns which the site might suffer;
Now therefore be it resolved that staff report back to Council on the cost of making the Gateway site more presentable and possibly useable, at least in part, and at least temporarily as a passive area for the enjoyment of those currently using the City's waterfront, taking into account appropriate concerns for the health and safety of such users. CARRIED.

7. (d) Moved by Councillor J. Caicco
Seconded by Councillor S. Butland
Whereas pedestrian travel near Pinewood School has always been difficult as there are no sidewalks; and
Whereas Public Works and Transportation has previously reviewed in the area and has no immediate plans of a sidewalk in the area; and
Whereas the surrounding students can be put in a dangerous and unsafe situation in the winter months;
Now therefore be it resolved that Public Works and Transportation report back to Council on the possibility of a School Crossing Guard in the Pinewood School area to better improve safety of the students. CARRIED.

The neighbourhood petition requesting a school crossing guard at Pinewood School was received by Council.

- (e) Moved by Councillor J. Caicco
Seconded by Councillor S. Butland
Be it resolved that St. Mary's River Marine Heritage Centre be requested to provide Council an update as to its progress with the Destiny Sault Ste. Marie's recommendations of January 2007. A copy of the report is enclosed for the information and consideration of Council. CARRIED.
- (f) Moved by Councillor S. Butland
Seconded by Councillor J. Caicco
Be it resolved that Council accept the petition of residents of Frontenac Street and request that Public Works and Transportation take appropriate action to address the concerns of these residents (post signs – no jake brakes). CARRIED.
- (g) Moved by Councillor T. Sheehan
Seconded by Councillor S. Myers
Whereas the City of Sault Ste. Marie and Ward 2 have and will be undergoing an unprecedented amount of construction; and
Whereas many City Councillors including the representatives from Ward 2 have received a number of complaints from residents in construction zones and from residents living on road detours, in regards to traffic violations, which have been relayed to City Police and City Staff for action; and
Whereas many people continue to drive dangerously in these construction zones and detour areas;
Now therefore be it resolved that City Council requests that City Police redouble its efforts of traffic enforcement in and around construction areas, and
Further that fines/penalties be appropriately displayed through street signage; and

7. (g) Further that the City Solicitor in consultation with City Police and others report back to City Council on how we might be able to substantially increase penalties for traffic violations in construction zones and construction detours. CARRIED.

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

- (h) Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Be it resolved that Councillor Steve Butland be authorized to serve on the Northeastern Ontario Cancer Therapeutics Research Initiative Advisory Committee in order to represent Sault Ste. Marie interests on this potentially significant initiative; and
Be it further resolved that Councillor Steve Butland be authorized to attend the initial Advisory Board Meeting in Sudbury one day in September. CARRIED.

Project details were received by Council.

- (i) Moved by Councillor S. Butland
Seconded by Councillor J. Caicco
Be it resolved that Randy Roy, Waste Diversion Supervisor provide comment on the advisability of introducing windproof nets for recycling boxes in Sault Ste. Marie. CARRIED.
- (j) Moved by Councillor T. Sheehan
Seconded by Councillor S. Myers
Whereas Greyhound Canada has announced its intention of discontinuing service from/to Sault Ste. Marie to/from Northwestern Ontario and Manitoba. (Note: Greyhound Canada is also reviewing service cuts for all Western Canada); and
Whereas this decision will have an extremely negative effect on many people who use Greyhound Canada bus transportation from/to Sault Ste. Marie and other areas of Canada particularly those travelling to educational institutions like Sault College/Algoma University, people supporting their families via travel for economic opportunities, seniors who cannot or choose not to drive, individuals receiving much needed health care, tourists, and those that travel via Greyhound for various other reasons;
Now therefore be it resolved that City Council expresses its extreme displeasure at this announcement by Greyhound Canada which will negatively effect the City of Sault Ste. Marie and many other parts of Canada; and

7. (j) Further resolved that City Council calls on Greyhound Canada to reconsider its position and continue this very important service.
copy resolution to: Greyhound Canada; Prime Minister of Canada; Premier of Ontario; Premier of Manitoba; Federation of Canadian Municipalities (FCM); Association of Municipalities of Ontario (AMO); Association of Manitoba Municipalities (AMM); Federation of Northern Ontario Municipalities (FONOM); and Northwestern Ontario Municipal Association (NOMA). CARRIED.
- (k) Moved by Councillor T. Sheehan
Seconded by Councillor S. Butland
Whereas Sault Ste. Marie is the Alternative Energy Capital of North America; and
Whereas at a recent AMO Conference, various strategies were employed by attending members of City Council to accelerate this claim; and
Whereas a meeting was held after the conference with high ranking officials of Federation of Canadian Municipalities (FCM)'s Green Fund; and
Whereas FCM's "Green Fund" (see attachment) has an aim of helping ideas, projects and green businesses such as Alternative Energy projects grow;
Now therefore be it resolved that City Council requests that Mayor John Rowswell write a letter to the Director of the Green Fund to officially request that employees from FCM's Green Fund located in Ottawa travel to Sault Ste. Marie with a purpose of growing existing Alternative Energy projects and looking at ways to spark the start-up of new jobs in the green economy. CARRIED.
- (l) Moved by Councillor T. Sheehan
Seconded by Councillor L. Tridico
Whereas City Council has received consent report 5.(p) from the City Solicitor in regards to 10.(f) By-law 2009-155 (dealing with smoking outdoors); and
Whereas Section 41(3) of Procedure By-law 99-100 allows City Council to carry out a third reading of the by-law at a future date; and
Whereas no consultation has taken place with the citizens of Sault Ste. Marie, public/private stakeholders and permit purchasers (City's customers) on this important matter;
Now therefore be it resolved that City Council invoke section 41(3) of the Procedure By-law and DEFER the third reading of By-law 2009-155 to allow for proper public consultation; and
Further be it resolved that City staff advertise By-law 2009-155 and that any feedback regarding the By-law be welcomed and if appropriate the contents of the By-law in question be amended to reflect the results of the public consultation. CARRIED.

7. (l) Recorded Vote

For: Mayor J. Rowswell, Councillors B. Hayes, I. Tridico, F. Fata, T. Sheehan, S. Butland, F. Manzo

Against: Councillors J. Caicco, L. Turco, D. Celetti, O. Grandinetti, S. Myers, P. Mick

Absent: Nil

(m) Notice of Motion

Mover Councillor T. Sheehan

Seconder Councillor J. Caicco

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.

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 B. Hayes

Seconded by Councillor L. Tridico

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2009 09 14 [save and except 2009-155 – DEFERRED to future meeting following public consultation] be approved. CARRIED.

(a) Moved by Councillor B. Hayes

Seconded by Councillor L. Tridico

Resolved that By-law 2009-151 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 14th day of September, 2009. CARRIED.

10. (b) Moved by Councillor B. Hayes
Seconded by Councillor L. Tridico
Resolved that By-law 2009-152 being a by-law to authorize an agreement between the City and the F. J. Davey Home to provide that upon dissolution of the F. J. Dave Home corporation the property remaining after the payment of all debts and liabilities shall be distributed to the City be read three times and passed in Open Council this 14th day of September, 2009. CARRIED.

Councillor L. Turco declared a pecuniary interest – serves on the Davey Home Board of Directors.

- (c) Moved by Councillor B. Hayes
Seconded by Councillor L. Tridico
Resolved that By-law 2009-153 being a by-law to authorize amendments to the text and the tariff rates of By-law 99-208 be read three times and passed in Open Council this 14th day of September, 2009. CARRIED.
- (d) Moved by Councillor B. Hayes
Seconded by Councillor L. Tridico
Resolved that By-law 2009-154 being a by-law to authorize a contribution agreement between the City and Her Majesty the Queen as represented by the Minister of Energy and Infrastructure (Ontario) for funding for the Algoma Public Health building and the Waterfront Walkway and Hub Trail extension be read three times and passed in Open Council this 14th day of September, 2009. CARRIED.
- (e) Moved by Councillor B. Hayes
Seconded by Councillor L. Tridico
Resolved that By-law 2009-155 being a by-law to amend By-law 2003-7 (a by-law to regulate smoking in public places) be read three times and passed in Open Council this 14th day of September, 2009. OFFICIALLY READ NOT DEALT WITH. (NOTE: 3RD READING DEFERRED TO A FUTURE COUNCIL MEETING FOLLOWING PUBLIC CONSULTATION)
- (f) Moved by Councillor B. Hayes
Seconded by Councillor L. Tridico
Resolved that By-law 2009-156 being a by-law to authorize an agreement between the City and Her Majesty the Queen in Right of Canada, as represented by the Minister of Citizenship and Immigration for the purpose of funding be read three times and passed in Open Council this 14th day of September, 2009. CARRIED.

10. (g) Moved by Councillor B. Hayes
Seconded by Councillor L. Tridico
Resolved that By-law 2009-157 being a by-law to permit the temporary street closing of Queensgate Boulevard from 81 Queensgate Boulevard to 147 Queensgate Boulevard on September 26, 2009 to facilitate a neighbourhood street gathering be read three times and passed in Open Council this 14th day of September, 2009. CARRIED.

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 proposed disposition of property located on Queen Street East; and
2. discuss proposed acquisition of property located on Albert Street West; 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 P. Mick
Seconded by Councillor L. Tridico
Resolved that this Council shall now adjourn. CARRIED.

"John Rowswell"

MAYOR

"Donna P. Irving"

CLERK