

MINUTES

REGULAR MEETING OF CITY COUNCIL

2009 06 22

4:30 P.M.

COUNCIL CHAMBERS

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

ABSENT: Mayor J. Rowswell (illness), Councillor D. Celetti

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, P. McAuley, N. Apostle, B. Freiburger, J. Dolcetti, M. Provenzano, P. Tonazzo

1. **ADOPTION OF MINUTES**

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the Minutes of the Regular Council Meeting of 2009 06 08 and Special Meeting of 2009 06 12 be approved. CARRIED.

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

3. **APPROVE AGENDA AS PRESENTED**

Moved by Councillor F. Manzo

Seconded by Councillor S. Butland

Resolved that the Agenda for the 2009 06 22 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Local Canadian Forces members recently returned from Afghanistan were in attendance to receive recognition plaques from the City.
- (b) Dr. Celia Ross, President, Algoma University was in attendance with an update on developments at Algoma University.
- (c) Dana Peterson and Paul Beach, Members of the Best for Kids Committee were in attendance with an update on the Committee activities.

4. (d) Bill Therriault, Chair Multi-Modal Steering Committee was in attendance concerning Huron Central Railway.

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Whereas on Tuesday, June 16, 2009, the Huron Central Railway (HCR) announced their intention to discontinue operations this summer and fall and that timing is of the essence, and

Whereas Canadian Pacific (CP) owner of this shortline has stated they have no intention of operating this line and that unless it is purchased and/or operated by another party, their intention is to initiate steps to discontinue this line; and

Whereas the Multi Modal Task Force Committee has stated that this railway is essential to the economic and environmental stability and growth of Northern Ontario; and

Whereas the major affected industries requiring the services of this line will have to develop their approaches to addressing this announcement; and

Whereas Mayor John Rowswell has initiated communications with other affected communities;

Therefore be it resolved that in the absence of Mayor Rowswell, that the CAO of the Corporation of the City of Sault Ste. Marie contact the major industries to identify their intentions and initiate actions necessary to coordinate a common approach to saving the line by the affected Northern Ontario municipalities, and that the Multi Modal Task Force be authorized to provide the CAO with the appropriate logistical assistance as required be approved. CARRIED.

- (e) John Rose, 567 Cooper Street was in attendance concerning agenda item 6.(6)(b).
- (f) Cathy Megginson was in attendance concerning agenda item 6.(6)(c).

PART ONE – CONSENT AGENDA

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

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that all the items listed under date 2009 06 22 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO and OGRA was received by Council.

5. (b) Correspondence from the Township of Bonnechere Valley (concerning grants to public libraries); City of Sarnia (concerning provincial financial assistance for implementation of Accessibility Standards); and Municipality of Hastings Highlands (concerning Hydro One power lines) was received by Council.
- (c) Letters of request for temporary street closings were accepted by Council:
- 1) on downtown streets in conjunction with ROTARYFEST 2009 (July 17th and 18th) and also to request a by-law to prohibit vendors from locating near the grounds of ROTARYFEST 2009;
 - 2) on Doncaster Road in conjunction with a Street Gathering (August 8th);
- The relevant By-laws 2009-126, 2009-127 and 2009-128 are listed under Item 10 of the Minutes.

Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Resolved that City Council approves the use of Clergue Park green space (July 11th to 19th); the Civic Centre north green space (July 11th to 19th); and the Civic Centre north and south parking lots (July 17th evening and July 18th) for events in conjunction with Rotaryfest 2009. CARRIED.

- (d) Letters requesting permission for private property liquor license extensions were accepted by Council.

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

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 property for outdoor events on the following stated dates and times:

- 1) Great Northern Retirement Home

760 Great Northern Road

Family Fun Day

July 17, 2009 from 2:00 to 7:00 p.m.

- 2) Kinsmen Club of Sault Ste. Marie/Sault Cycling Club

Kinsmen Park

8 Hours of Superior Single Track

July 25, 2009 from 12:00 noon to 9:00 p.m.

- 3) Loplop Gallery Lounge

651 Queen Street East

Downtown Days and Rotaryfest

July 17 and July 18, 2009

6th Annual Buskerfest

August 7 and August 8, 2009

- 4) ServiceMaster of Sault Ste. Marie

105 Black Road

ServiceMaster Clean Racing Hospitality Area

August 10, 2009 from 1:30 p.m. to 9:00 p.m. CARRIED.

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

Moved by Councillor F. Manzo

Seconded by Councillor S. Butland

Resolved that the following request to hold Special Occasion Permit Events at a municipal facility on the stated dates and times be endorsed by City Council:

1) Strathclair Park

Smack Daddy's Bar and Grill

June 27 and 28; July 25 and 26; August 15 and 16; August 22 and 23, 2009

11:00 a.m. to 7:00 p.m.

2) Clergue Park

Rotary Club of Sault Ste. Marie

July 16, 2009

6:30 to 11:00 p.m. CARRIED.

- (f) The letter from the Facilitator, Sault Ste. Marie Military Family Support Group concerning plaque presentations to reservists and regular forces members who are stationed in Sault Ste. Marie was received by Council.
- (g) The report of Sault Area Hospital entitled '2009/09 A Year in Review' and the Sault Area Hospital June Newsletter were received by Council.
- (h) The Press Release concerning the Sault Ste. Marie and Algoma region (SSMARt) Innovation Awards Ceremony held June 10, 2009 was received by Council.
- (i) The letter requesting an exemption to the City's noise by-law from the Sault Ste. Marie Airport Development Corporation for events at the Airport Fairgrounds in July and August was accepted by Council. The relevant By-law 2009-130 is listed under Item 10 of the Minutes.
- (j) The letter from Pelmorex Media Inc., The Weather Network concerning CRTC approval of the application to stay on basic TV service was received by Council.
- (k) **Staff Travel Requests**
The report of the Chief Administrative Officer was accepted by Council.

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2009 06 22 be approved as requested. CARRIED.

5. (l) **Acting Mayor**

Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Pursuant to Section 242 of the Municipal Act, 2001, resolved that Councillor Pat Mick be appointed Acting Mayor during the absence of Mayor John Rowsell for the period June 22, 2009 to July 31, 2009 (or until Mayor Rowsell's earlier return). CARRIED.

(m) **West End Community Centre – Need for Steering Committee**

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

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the report of the Commissioner of Community Services dated 2009 06 22 concerning West End Community Centre - Steering Committee be accepted and the recommendation that the West End Community Centre Steering Committee be formed; and

Further resolved that Councillors Butland, Caicco, Grandinetti and Manzo; two representatives from Sault Amateur Soccer Association; one representative from Parks and Recreation Advisory Committee; one representative from City Finance Department; one representative from Tourism Sault Ste. Marie; one representative from Library Board; and Commissioner of Community Services be appointed to the Steering Committee until completion of the project. CARRIED.

(n) **Sault Ste. Marie Fire Services 2008 Annual Report**

The report of the Acting Fire Chief was received by Council.

Moved by Councillor F. Manzo

Seconded by Councillor S. Butland

Resolved that the report of the Acting Fire Chief dated 2009 06 22 concerning Sault Ste. Marie Fire Services 2008 Annual Report be received as information. CARRIED.

(o) **Lofstrom Appeal to the Ontario Municipal Board – Official Plan Amendment and Zoning By-law Amendment**

The report of the City Solicitor was received by Council.

Moved by Councillor O. Grandinetti

Seconded by Councillor J. Caicco

Resolved that the report of the City Solicitor dated 2009 06 22 concerning Lofstrom Appeal to the Ontario Municipal Board – Official Plan Amendment and Zoning By-law Amendment be received as information. CARRIED.

5. (p) **Encroachment Agreement – Former Royal Hotel**
The report of the City Solicitor was accepted by Council. The relevant By-law 2009-133 is listed under Item 10 of the Minutes.

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

- (q) **City Purchase From Helga Perkins of 580 Fifth Line East (at the Great Northern Road Intersection)**
The report of the City Solicitor was accepted by Council. The relevant By-law 2009-125 is listed under Item 10 of the Minutes.

- (r) **Request From the St. Mary's River Bridge Company to Acquire City-Owned Property Stretching From Huron to Hudson Street on the South Side of Queen Street**
The report of the Assistant City Solicitor was accepted by Council.

Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Resolved that the report of the Assistant City Solicitor dated 2009 06 22 concerning a Request From St. Mary's River Bridge Company to Acquire City-Owned Property be accepted and the recommendation that Council authorize that the property having a frontage of 662 feet (202 metres) on Queen Street by a depth of 94 feet (29 metres) between Huron and Hudson Streets be conveyed to the St. Mary's River Bridge Company in order to facilitate the redevelopment of the Canadian Bridge Plaza at a price to be negotiated, be approved. CARRIED.

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

- (s) **Agreement – Algoma Farmers' Market – Roberta Bondar Park**
The report of the City Solicitor was accepted by Council. The relevant By-law 2009-132 is listed under Item 10 of the Minutes.

- (t) **Community Development Award**
The report of the Planning Division was accepted by Council.

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the report of the Planning Division dated 2009 06 22 concerning the Community Development Award be accepted and the Planning Advisory Committee's recommendation that City Council award the 2009 Community Development Award to Muio's Restaurant, for substantial exterior improvements that have enhanced the façade, while maintaining the original character of the building be endorsed. CARRIED.

5. (u) **2009 Sidewalk and Curb Repair Programs**
The report of the Commissioner of Public Works and Transportation was received by Council.
- Moved by Councillor F. Manzo
Seconded by Councillor S. Butland
Resolved that the report of the Commissioner of Public Works and Transportation dated 2009 06 22 concerning 2009 Sidewalk and Curb Repair Programs be received as information. CARRIED.
- (v) The letter to the Minister of Energy and Infrastructure from Councillor Steve Butland concerning the possibility of establishing a Renewable Energy Facilitation Office in Sault Ste. Marie was received by Council.
- (w) **Council Travel**
- Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that Councillor Lou Turco be authorized to travel to an AMO President's Board Meeting being held in Ganonoque, Ontario (3 days in June) at an approximate cost of \$1,300.00 to the City. CARRIED.

PART TWO – REGULAR AGENDA

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

6. (6) **PLANNING**

- (a) **Application No. A-12-09-Z.OP & 57T-09-501 – Ruscio Masonry and Construction Limited – 184 Queensgate Boulevard – Request to Redesignate the Property From Parks and Recreation to Residential and Requesting Draft Plan Approval for a Ninety-Four Lot Subdivision**

The report of the Planning Division was accepted by Council.

Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland

Resolved that the report of the Planning Division dated 2009 06 22 concerning Application No. A-12-09-Z.OP & 57T-09-501 – filed by Ruscio Masonry and Construction Ltd. be accepted and the Planning Director's recommendation that City Council DEFER the application until such time that the applicant can address the issues raised in the Planning Report dated 2009 05 25 be endorsed. CARRIED.

6. (6)

(a) Councillor J. Caicco declared a pecuniary interest – realtor – currently has property listed with Ruscio Construction.

(b) **Application No. A-18-09-Z – The City of Sault Ste. Marie – 556 Goulais Avenue – Request to Rezone to Facilitate the Construction of a New Community Recreational Facility**

The report of the Planning Division was accepted by Council.

Moved by Councillor O. Grandinetti

Seconded by Councillor S. Butland

Resolved that the report of the Planning Division dated 2009 06 22 concerning Application No. A-18-09-Z – filed by The City of Sault Ste. Marie be accepted and the Planning Director's recommendation that City Council approve the application and rezone the subject property from "R.2" (Single Detached Residential) zone and "R.4" (Medium Density Residential) zone to "PR" (Parks and Recreation) zone be endorsed. CARRIED.

(c) **Application No. A-19-09-Z – Cathy Megginson – 467 Korah Road – Request to Rezone to Facilitate the Relocation of an Accounting/Bookkeeping Business**

The report of the Planning Division was accepted by Council.

Moved by Councillor F. Manzo

Seconded by Councillor J. Caicco

Resolved that the report of the Planning Division dated 2009 06 22 concerning Application No. A-19-09-Z – filed by Cathy Megginson 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 "CT.2" (Commercial Transitional) zone to facilitate the relocation of an accounting/bookkeeping business be endorsed. CARRIED.

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

(a) Moved by Councillor S. Butland

Seconded by Councillor S. Myers

Whereas the purchase of on-line tickets for events at the Essar or John Rhodes Centres may result in surcharges of 40% above the original ticket price;

Be it resolved that Council request a copy of the present policy be tabled for information and possible discussion. It is requested that the rationale for said policy be outlined for Council's consideration. CARRIED.

7. (b) Moved by Councillor S. Butland
Seconded by Councillor P. Mick
Whereas the City of Sault Ste. Marie through the Algoma Public Health Building has achieved its first Gold Leed designated structure and it is advisable to continue encouraging this specific "green" initiative;
Be it resolved that Council encourage the Public Utilities and Federal Government (FedNor) to pursue a likewise designation for their new proposed buildings. CARRIED.
- (c) Moved by Councillor T. Sheehan
Seconded by Councillor S. Myers
Whereas the Pittsburgh Penguins are the 2009 Stanley Cup Champions; and
Whereas Tyler Kennedy is a proud Saultite and his great play helped the Penguins win the Cup;
Now therefore be it resolved that Sault Ste. Marie City Council on behalf of all citizens of Sault Ste. Marie expresses sincere congratulations to Tyler and to his family on this momentous occasion and further that Sault Ste. Marie looks forward to the Stanley Cup coming to our city once again. CARRIED.
- (d) Moved by Councillor S. Myers
Seconded by Councillor L. Turco
Whereas the report of the 2007 Boards and Committees Review Committee identifies two categories of external boards as category "A" (no Council nominee) and category "B" (Council to nominate a member for appointment); and
Whereas Algoma University is listed among eight external boards in category "A"; and
Whereas Algoma University in light of their newly acquired independence has requested City Council recommend a member for nomination to this Board;
Therefore be it resolved that said report be amended and reflect a reclassification of Algoma University from external boards list "A" (no nominee) to external boards list "B" (nominee). CARRIED.
- (e) Moved by Councillor L. Tridico
Seconded by Councillor F. Manzo
Whereas the James Street Mall area and Anna Marinelli Park are in need of overall improvements and immediate cleanup and there is a desire by area residents and business owners to improve the overall appearance of the area;
Now therefore be it resolved that City Parks staff be requested to undertake a cleanup including grass cutting, trimming overgrown shrubbery and general debris removal in the James Street Mall area and at the Anna Marinelli Park. CARRIED.

7. (f) Moved by Councillor L. Tridico
Seconded by Councillor F. Manzo
Whereas there have been recent reports involving Freedom of Information requests to the Ontario Privacy Commission regarding the Sault Ste. Marie Economic Development Corporation and their criteria in sole sourcing contracts; and
Whereas the Sault Ste. Marie Economic Development Corporation is publicly funded by local tax dollars;
Now therefore be it resolved that Council requests a report from the Legal Department regarding the right of City Council members and the right of community members in accessing information from the Sault Ste. Marie Economic Development Corporation through Freedom of Information via Ontario Privacy Commission. DEFEATED.

Recorded Vote

For: Councillors L. Tridico, F. Fata, T. Sheehan, F. Manzo

Against: Acting Mayor P. Mick, Councillors J. Caicco, L. Turco, B. Hayes, O. Grandinetti, S. Myers, S. Butland

Absent: Mayor J. Rowsell, Councillor D. Celetti

8. **COMMITTEE OF THE WHOLE FOR THE PURPOSE OF SUCH MATTERS AS ARE REFERRED TO IT BY THE COUNCIL BY RESOLUTION**

9. **ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE**

10. **CONSIDERATION AND PASSING OF BY-LAWS**

Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that all the by-laws listed under Item 10 of the Agenda under date 2009 06 22 be approved. CARRIED.

- (a) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2009-121 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 1351 Great Northern Road (Stanghetta) be read three times and passed in Open Council this 22nd day of June, 2009. CARRIED.

10. (b) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2009-124 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 22nd day of June, 2009. CARRIED.
- (c) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2009-125 being a by-law to authorize the City's acquisition from Helga Perkins of 580 Fifth Line East be read three times and passed in Open Council this 22nd day of June, 2009. CARRIED.
- (d) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2009-126 being a by-law to permit the temporary street closing of various streets to facilitate Rotaryfest 2009 be read three times and passed in Open Council this 22nd day of June, 2009. CARRIED.
- (e) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2009-127 being a by-law to prohibit vendors from locating near the grounds of Rotaryfest 2009 be read three times and passed in Open Council this 22nd day of June, 2009. CARRIED.
- (f) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2009-128 being a by-law to permit the temporary street closing of Doncaster Road to permit a street gathering be read three times and passed in Open Council this 22nd day of June, 2009. CARRIED.
- (g) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2009-130 being a by-law to amend By-laws 80-200 and By-law 4100 dealing with the exemption from the noise control by-laws for various events to be held at the Airport Fairgrounds be read three times and passed in Open Council this 22nd day of June, 2009. CARRIED.
- (h) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2009-131 being a by-law to amend Sault Ste. Marie Zoning By-law 2005-150 concerning lands located at 467 Korah Road (Megginson) be read three times and passed in Open Council this 22nd day of June, 2009. CARRIED.

10. (i) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2009-132 being a by-law to authorize the renewal of the agreement between the City and the New Algoma Farmers' Market be read three times and passed in Open Council this 22nd day of June, 2009. CARRIED.
- (j) Moved by Councillor O. Grandinetti
Seconded by Councillor S. Butland
Resolved that By-law 2009-133 being a by-law to repeal By-law 82-098 being a by-law to authorize an agreement with Royal Hotel (Sault) Limited be read three times and passed in Open Council this 22nd day of June, 2009. CARRIED.

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

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

- (a) Moved by Councillor F. Manzo
Seconded by Councillor J. Caicco
Resolved that Council shall now go into Caucus to:
1. discuss one matter concerning identifiable individual – Appointment to Board; and
 2. discuss one labour relations/personal matter about identifiable individual; 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 F. Manzo
Seconded by Councillor S. Butland
Resolved that this Council shall now adjourn. CARRIED.

"Frank Manzo"

ACTING MAYOR

"Donna P. Irving"

CLERK