

MINUTES

REGULAR MEETING OF CITY COUNCIL

2009 11 09

4:30 P.M.

COUNCIL CHAMBERS

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

ABSENT: Mayor J. Rowsell (illness)

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, N. Apostle, J. Elliott, B. Freiburger, J. Dolcetti, J. Febbraro, D. McConnell, M. Provenzano, B. Davies, J. Bruzas

1. **ADOPTION OF MINUTES**

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that the Minutes of the Regular Council Meeting of 2009 10 26 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. Fata

Seconded by Councillor T. Sheehan

Resolved that the Agenda for the 2009 11 09 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Dree Pauze, Community Coordinator, Social Services Department was in attendance concerning Proclamation – Homelessness Awareness Week.
- (b) Janine Brody, Denny Wilkinson and Rosalind Ennis on behalf of Habitat for Humanity were in attendance concerning presentation of a painted door mural.
- (c) Linda Ryan, Rob Coleman and Tara Lappage, Sault Youth Association were in attendance concerning the Youth Friendly Community Recognition Program.

4. (d) Curtis Collins, Director, Art Gallery of Algoma was in attendance concerning agenda item 5.(d).
- (e) Jack McGoldrick, Executive Director, Algoma Workforce Investment Committee; and John Febbraro, Economic Development Corporation were in attendance concerning agenda item 5.(aa).
- (f) Brian Curran, President and C.E.O.; Dominic Parella; and Terry Greco, PUC Inc. were in attendance concerning agenda item 5.(o) and 5.(bb).
- (g) Bob Davies, Chief of Police; and Marcel Provenzano, Fire Chief were in attendance concerning agenda item 5.(z).
- (h) Roy Hele, 676 Fourth Line East was in attendance concerning agenda item 6.(6)(b).

PART ONE – CONSENT AGENDA

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

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that all the items listed under date 2009 11 09 – Part One – Consent Agenda [save and except 5.(e); 5.(f); 7.(d) Tabled to November 23, 2009] be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.
- (b) Correspondence from the County of Lambton (concerning Moratorium on Major Health Care Restructuring); and the Township of Frontenac Islands (concerning Closing of Prison Farms) was received by Council
- (c) Excerpts from the Minister of Environment report on the Waste Diversion Act, 2002 provided by Councillor Butland were received by Council.
- (d) The letter from the Chair, Art Gallery of Algoma Board of Directors was accepted by Council.

5. (d) Moved by Councillor B. Hayes
Seconded by Councillor L. Turco
Whereas a request for funding for insurance of present and future collections with an upset limit of \$10,000.00 was requested by the Art Gallery of Algoma;
Now therefore be it resolved that this request BE REFERRED to the 2010 Budget. DEFEATED.
- Moved by Councillor S. Butland
Seconded by Councillor T. Sheehan
Be it resolved that Council support the financial request from the Art Gallery of Algoma for insurance coverage of present and future collections with an upset limit of \$10,000.00 (one-time) funds to be accessed from the unforeseen account be approved. CARRIED.
- (e) The letters from the CEO, Essar Steel Algoma concerning a visit to Essar, India was received by Council. (Tabled to November 23, 2009 Council Meeting.)
- (f) The memo from Mayor Rowswell to Council concerning Sister/Friendship Cities – Italy was received by Council.
- Moved by Councillor L. Tridico
Seconded by Councillor F. Fata
Resolved that the memo from Mayor Rowswell concerning Sister/Friendship Cities – Italy be accepted and the recommendations to 1) authorize preliminary discussions with Dalmine/Bergamo about a possible sister city relationship; 2) request Development Sault Ste. Marie to report back to Council outlining the financial implications of an exploratory trade mission to occur next spring and; 3) to request our local Italian community to identify towns in the region of Calabria that contacts can be made be approved. (TABLED TO NOVEMBER 23, 2009 COUNCIL MEETING) OFFICIALLY READ NOT DEALT WITH.
- (g) The letter from Brookfield Power concerning the sale of distribution assets was received by Council.
- (h) The letter from the Rotaryfest 2009 Chair was received by Council.
- (i) The letter of request for a temporary street closing on Queen Street East from Simpson to Gore Street, Simpson Street from Victoria Avenue to Queen Street East and Queen Street East from Pine Street to Church Street in conjunction with the 2009 Rotary Santa Claus Parade (November 21st) was accepted by Council. The relevant By-law 2009-188 is listed under Item 10 of the Minutes.
- (j) **Staff Travel Requests**
The report of the Chief Administrative Officer was accepted by Council.

5. (j) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2009 11 09 be approved as requested. CARRIED.

(k) **Tenders for Automotive Supplies and Tire Services**

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

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that the report of the Manager of Purchasing dated 2009 11 09 be endorsed and that the tender for the supply of Automotive Supplies and Tire Services, required by various City Departments and cooperatively for PUC Services Inc. be awarded as recommended. CARRIED.

(l) **2008 Municipal Performance Measurement Program**

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

Moved by Councillor F. Fata

Seconded by Councillor T. Sheehan

Resolved that the report of the Commissioner of Finance and Treasurer dated 2009 11 09 concerning 2008 Municipal Performance Measurement Program be received as information. CARRIED.

(m) **Property Tax Appeals**

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

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that pursuant to Sections 354 and 357 of the Municipal Act, 2001, the adjustments for tax accounts outlined on the City Tax Collector's report of 2009 11 09 be approved and the tax records be amended accordingly. CARRIED.

(n) **2010 Budget Timetable**

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

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that the report of the Commissioner of Finance and Treasurer dated 2009 11 09 concerning 2010 Budget Timetable be received as information. CARRIED.

5. (o) **Public Utilities Commission Request for Additional Debt Financing**
The report of the Commissioner of Finance and Treasurer was accepted by Council.
- Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that the report of the Commissioner of Finance and Treasurer dated 2009 11 09 concerning Public Utilities Commission Request for Additional Debt Financing be accepted and the recommendation that City Council authorize the borrowing of an additional \$2.7 million of debt for the Public Utilities Commission to finance capital works projects be approved. CARRIED.
- (p) **Funding Application Submitted – Natural Resources Canada ecoENERGY for Personal Vehicles**
The report of the Environmental Initiatives Coordinator, Engineering and Planning Department was received by Council.
- Moved by Councillor F. Fata
Seconded by Councillor T. Sheehan
Resolved that the report of the Environmental Initiatives Coordinator, Engineering and Planning Department dated 2009 11 09 concerning Funding Application Submitted – Natural Resources Canada ecoENERGY for Personal Vehicles be received as information. CARRIED.
- (q) **Connecting Link Funding for Resurfacing of Second Line Between North Street and Great Northern Road**
The report of the Director of Engineering Services was accepted by Council.
The relevant By-law 2009-186 is listed under Item 10 of the Minutes.
- (r) **Contract 2008-15E – SCADA Automation and Implementation – Consultant Fee Amendment**
The report of the Land Development and Environmental Engineer was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the Land Development and Environmental Engineer dated 2009 11 09 concerning Contract 2008-15E – SCADA Automation and Implementation – Consultant Fee Amendment be accepted and the recommendation that the consultant fees be increased as follows: \$717,828.00 (Engineering Design and Contract Administration); \$613,650.00 (Programming/Construction); and \$30,000.00 (contingency) – Total \$1,361,478.00 be approved. CARRIED.

5. (s) **Amendments to Sewer Use By-law 2009-50**
The report of the Land Development and Environmental Engineer was accepted by Council. The relevant By-law 2009-185 is listed under Item 10 of the Minutes.
- (t) **Sunnyside Beach Road – Replacement of Road Cross Culvert**
The report of the Director of Engineering Services was accepted by Council.
- Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Director of Engineering Services dated 2009 11 09 concerning Sunnyside Beach Road – Replacement of Road Cross Culvert be accepted and the recommendation to purchase materials and retain the contractor with the lowest quote to complete the project at an estimated cost of \$60,000.00 with funding from the Miscellaneous Construction account be approved. CARRIED.
- (u) **Request for a Deeming By-law for Lots 1, 2, 43 and 44 on Plan M-384 (Parkinworth Subdivision) Located on River Road, Muriel Drive and Falldien Road**
The report of the City Solicitor was accepted by Council. The relevant By-law 2009-184 is listed under Item 10 of the Minutes.
- Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that the report of the City Solicitor dated 2009 11 09 concerning Request for a Deeming By-law for Lots 1, 2, 43 and 44 on Plan M-384 (Parkinworth Subdivision) Located on River Road, Muriel Drive and Falldien Road be accepted and the recommendation that Lots 1 and 2 on Plan M-384 be released from escrow be approved. CARRIED.
- (v) **Draft Northern Ontario Growth Plan**
The report of the Planning Division was received by Council.
- Moved by Councillor F. Fata
Seconded by Councillor T. Sheehan
Resolved that the report of the Planning Division dated 2009 11 09 concerning Draft Northern Ontario Growth Plan be received as information. CARRIED.
- (w) **Downtown Development Initiative – Grant Recommendations**
The report of the Planning Division was accepted by Council.

5. (w) Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that the report of the Planning Division dated 2009 11 09 concerning the Downtown Development Initiative – Grant Recommendations be accepted and the Planning Director’s recommendation that City Council approve the ten (10) funding requests described in this report be endorsed. CARRIED.

Councillor L. Tridico declared a pecuniary interest – family member is an applicant for Downtown Development Initiative Funding.

- (x) **Pilot Project for the Use of Speed Bumps/Humps on McGregor Avenue**
The report of the Commissioner of Public Works and Transportation was accepted by Council.

Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that the report of the Commissioner of Public Works and Transportation dated 2009 11 09 concerning Pilot Project for the Use of Speed Bumps/Humps on McGregor Avenue be accepted and Council approve the pilot project as outlined in the report and that the estimated implementation cost of \$6,000.00 BE REFERRED to the 2010 Budget. CARRIED.

- (y) **Installation of a Gate at the East End Wastewater Treatment Plant Snow Dump**
The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.

Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2009 11 09 concerning Installation of a Gate at the East End Wastewater Treatment Plant Snow Dump be accepted and the recommendation that a portable gate be installed at the site and the cost of this gate BE REFERRED to the 2010 Budget. CARRIED.

- (z) **Funding Resources for 2010 Community Emergency Preparedness Program**
The report of the Chief of Police was accepted by Council.

Moved by Councillor F. Fata
Seconded by Councillor T. Sheehan
Resolved that the report of the Chief of Police dated 2009 11 09 concerning Funding Resources for 2010 Community Emergency Preparedness Program be accepted and the costs of approximately \$40,000.00 BE REFERRED to the 2010 Budget. CARRIED.

5. (z) Councillor L. Turco declared a pecuniary interest – spouse employed by Police Services.

(aa) **Report on Labour Force Development – Algoma Workforce Investment Committee**

The report of the C.E.O., Economic Development Corporation was received by Council.

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the C.E.O., Economic Development Corporation dated 2009 11 09 concerning Report on Labour Force Development – Algoma Workforce Investment Committee be received as information; and

Further that Council express its appreciation to the Algoma Workforce Investment Committee and staff for their work in developing the report.
CARRIED.

(bb) **2009 Third Quarter Shareholder Report**

The report of the President and C.E.O., PUC Inc. was received by Council.

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that the report of the President and C.E.O., PUC Inc. dated 2009 11 04 concerning 2009 Third Quarter Shareholder Report be received as information. CARRIED.

(cc) **Upcoming Retirements and Promotions**

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

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Chief Administrative Officer dated 2009 11 09 concerning Upcoming Retirements and Promotions be received as information.
CARRIED.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (6) PLANNING

(a) Application No. A-23-09-Z – John Millar – 61 Glengary Gate Crescent – Request to Permit One Additional Dwelling Unit Within the Existing Residence

The report of the Planning Division was received by Council.

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that Application No. A-23-09-Z – John Millar – 61 Glengary Gate Crescent BE DEFERRED to a future Council meeting date at the request of the applicant. CARRIED.

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that the report of the Planning Division dated 2009 11 09 concerning Application No. A-23-09-Z – filed by John Millar be accepted and the Planning Director's recommendation that City Council DENY the applicant's request to rezone the property from "R.1"(Estate Residential) zone to "R.1.S" (Estate Residential) zone with a Special Exception to permit a duplex, or 2 dwelling units within the existing residence be endorsed. (DEFERRED TO A FUTURE MEETING) OFFICIALLY READ NOT DEALT WITH.

(b) Application No. A-25-09-Z.OP – Vidya Sagar Aggarwal – 1032 Great Northern Road – Request to Rezone to Permit the Development of a Full Service Truck Stop and the Future Development of an Industrial Plaza

The report of the Planning Division was accepted by Council.

Moved by Councillor F. Fata

Seconded by Councillor T. Sheehan

Resolved that the report of the Planning Division dated 2009 11 09 concerning Application No. A-25-09-Z.OP – filed by Vidya Sagar Aggarwal – 1032 Great Northern Road be accepted and the Planning Director's recommendation that City Council approves Official Plan Amendment No. 168 and re-designate the front 375m (1230') of the subject property from Rural Area to Commercial and a portion of the property between the 'Commercial' designation and the creek from Rural Area to Industrial, on Land Use Schedule "C" of the Official Plan; It is further recommended that 'Block A' be rezoned from "RA" (Rural Area) zone to "HZ" (Highway) zone, and that 'Block B' be rezoned from "RA" (Rural Area) zone to "M.2" (Medium Industrial) zone;

6. (6) Seconded by Councillor T. Sheehan
(b) It is also recommended that by way of a Special Exception, the buffer requirements of Section 4.9 of Zoning By-law 2005-150 are hereby waived for 'Blocks A and B', in lieu of a combination of appropriate buffers and setbacks, to be reviewed and approved as part of the Site Plan Control process be endorsed. CARRIED.

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

- (a) Moved by Councillor J. Caicco
Seconded by Councillor B. Hayes
Whereas the Hub Trail is expected to be 85% completed by the end of next year; and
Whereas the initiative has been extremely well received by the community and the project has been recognized as very successful; and
Whereas a second phase of the Hub Trail should be investigated as a natural extension of the initiative. This would involve trails connecting parks, attractions or points of interest to the Trail. These connectors are commonly known as "spokes" in the Trail; and
Whereas any extension or addition to the Trail will require extensive time to consult the community, neighbourhoods, PRAC, STAC and other community groups;
Therefore be it resolved that the appropriate staff report back to Council on the feasibility and process of adding to the Hub Trail and the process outlined to do so. CARRIED.
- (b) Moved by Councillor B. Hayes
Seconded by Councillor P. Mick
Whereas residential sewer backups are becoming more common due to aging infrastructure; and
Whereas there is a difference in terms of repair costs and responsibilities dependent upon whether the break or blockage occurs on city property versus residential property; and
Whereas there is confusion in terms of the process to follow in the event of a sewer backup; and
Whereas the city is only capable of identifying the location of the blockage dependent upon access and the limitations of city-owned equipment;
Now therefore be it resolved that appropriate staff report back to Council identifying 1) the process a constituent should follow in the event of a sewer backup, 2) the fees charged by the city and the limitations of city equipment, 3) the anticipated repair time and any other associated policies; and

7. (b) Furthermore that staff provide a report showing a 2 year history of breaks/blockages and who ultimately was responsible for payment as well as any associated fees paid to the city by constituents. The report should also identify an estimate of costs that would be paid if handled by a plumber as opposed to the city. CARRIED.

- (c) Moved by Councillor T. Sheehan
Seconded by Councillor S. Myers
Whereas the City of Sault Ste. Marie has won Gold in its quest to be a Youth Friendly community; and
Whereas Sault Ste. Marie is the only city in Northern Ontario with a Gold Youth Friendly award which was designated by Play Works an independent third party organization; and
Whereas this Youth Friendly Gold designation is in place for up to five years and is a great asset for marketing our community internally and externally;
Now therefore be it resolved that City Council request that the Economic Development Corporation, Doctor Recruitment Committee, Community Quality Initiative, City Departments, and other private and public sector players in the community use the Youth Friendly Gold designation (when appropriate) in their effort to promote the City of Sault Ste. Marie. CARRIED.

- (d) Moved by Councillor T. Sheehan
Seconded by Councillor P. Mick
Whereas City Council recently discussed the merit of implementing either a rotating "Acting Mayor" or rotating "Deputy Mayor";
Now therefore be it resolved that the City Clerk's Department and Legal Department report back to Council on defining the different roles and responsibilities for these two positions. (TABLED TO NOVEMBER 23, 2009 COUNCIL MEETING) OFFICIALLY READ NOT DEALT WITH.

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 F. Fata
Seconded by Councillor S. Myers
Resolved that all the by-laws listed under item 10 of the Agenda under date 2009 11 09 be approved. CARRIED.

10. (a) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2009-180 being a by-law to appoint by-law enforcement officers to enforce the by-laws of the Corporation of the City of Sault Ste. Marie be passed in Open Council this 9th day of November, 2009. CARRIED.
- (b) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2009-181 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 passed in Open Council this 9th day of November, 2009. CARRIED.
- (c) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2009-182 being a by-law to adopt Amendment No. 167 to the Official Plan (City of Sault Ste. Marie) be passed in Open Council this 9th day of November, 2009. CARRIED.
- (d) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2009-183 being a by-law to authorize the conveyance of 3 acres on the south side of Yates Avenue, being Part 1 on Plan 1R-11773 to Ellsin Environmental Limited and granting a first right of refusal to Ellsin on additional property on the south side of Yates Avenue be passed in Open Council this 9th day of November, 2009. CARRIED.
- (e) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2009-184 being a by-law to deem not registered for purposes of subdivision control certain lots in the Parkinworth Subdivision, being lots 1, 2, 43 and 44 Plan M-384, pursuant to Section 50(4) of The Planning Act be passed in Open Council this 9th day of November, 2009. CARRIED.
- (f) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2009-185 being a by-law to amend By-law 2009-50, which regulates the chemical and physical characteristics of water and wastewater discharges into the sanitary or storm sewer system in the City of Sault Ste. Marie be passed in Open Council this 9th day of November, 2009. CARRIED.

10. (g) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2009-186 being a by-law to authorize an agreement between the City and the Minister for connecting link funding for the resurfacing of Second Line East from North Street to Great Northern Road be passed in Open Council this 9th day of November, 2009. CARRIED.

(h) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that By-law 2009-188 being a by-law to permit the temporary closing of Queen Street and Simpson Street to facilitate the annual Santa Claus Parade on November 21, 2009 be passed in Open Council this 9th day of November, 2009. CARRIED.

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

(a) Moved by Councillor F. Fata
Seconded by Councillor T. Sheehan
Resolved that Council shall now go into Caucus to:
1. discuss one labour relations matter about an identifiable individual; and
2. discuss one proposed disposition of property on Bay Street; 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 D. Celetti
Seconded by Councillor S. Myers
Resolved that this Council shall now adjourn. CARRIED.

"John Rowswell"

MAYOR

"Donna P. Irving"

CLERK