

## **MINUTES**

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

**2010 04 12**

**4:30 P.M.**

### **COUNCIL CHAMBERS**

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

**ABSENT:** Councillor J. Caicco (vacation)

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

1. **ADOPTION OF MINUTES**

Moved by - Councillor L. Tridico

Seconded by - Councillor B. Hayes

Resolved that the Minutes of the Regular Council Meeting of 2010 03 22 be approved. CARRIED.

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

3. **APPROVE AGENDA AS PRESENTED**

Moved by - Councillor L. Turco

Seconded by - Councillor P. Mick

Resolved that the Agenda for the 2010 04 12 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

(a) Wayne Greco, President – YMCA Board of Directors was in attendance to present a plaque to Mayor Rowswell.

(b) Theresa Sharp, Chair Volunteer Appreciation Dinner & Awards Evening was in attendance concerning Proclamation - National Volunteer Week.

4. (c) Randy Schuran, Regional Chair for Catholic School Councils was in attendance concerning Proclamation - Catholic Priest Day.
- (d) Evelyn Theriault, Past Diocesan President was in attendance concerning Proclamation - Catholic Women's League Week.
- (e) Mike Murphy was in attendance concerning Proclamation – Parental Alienation Week.
- (f) Patti-Jo Duggan, Liver Recipient and Member of the Provincial Volunteer Committee for Trillium Gift of Life Network, was in attendance concerning Proclamation – National Organ & Tissue Donation Awareness Week.
- (g) Chief Bob Davies was in attendance concerning agenda item 6. (8)(a).
- (h) Tom Vair was in attendance concerning agenda item 5. (o).

### **PART ONE – CONSENT AGENDA**

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

Moved by - Councillor L. Turco

Seconded by - Councillor B. Hayes

Resolved that all the items listed under date 2010 04 12 Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.
- (b) Correspondence from the Township of Burpee and Mills (concerning Manitoulin Island land claims implementation); City of Timmins (concerning request to expedite permitting for new resource developments) was received by Council.
- (c) Correspondence from a citizen concerning the waterfront boardwalk was received by Council.
- (d) Correspondence from the Algoma Residential Community Hospice concerning an upcoming fundraiser was received by Council.
- (e) A memo from Mayor Rowswell and a copy of an article from Sootoday.com concerning wage freeze was received by Council.
- (f) A letter from the Minister of Transportation concerning 2010 Highway Connecting Link Allocation was received by Council.

5. (f) Moved by - Councillor T. Sheehan  
Seconded by - Councillor B. Hayes  
Resolved that a maximum of \$862,500 allocated to the City of Sault Ste. Marie by the Province of Ontario will be used for the rehabilitation of the Root River Bridge on Great Northern Road, 0.4 km north of Fourth Line, being part of the Connecting Link Capital Improvements; and  
Further that the City agrees that funds intended for this project that are not used in accordance with MTO Connecting Link guidelines or not expended by March 31, 2012 will be returned to the Province; and  
Further that a final project summary report detailing expenditures, use of Provincial funding, and outcomes achieved shall be attested to by the Chief Administrative Officer and submitted to the Ministry on the understanding that the Ministry may request an independent audit of the project, be approved. CARRIED.
- (g) A letter from the Deputy Minister of Transportation concerning a one time grant of \$356,796 for the replacement of transit buses and notice of the termination of the Ontario Bus Replacement Program was received by Council.
- (h) A media communication from David Oraziotti MPP concerning investment of \$15 Million to Upgrade Short-Line Railway was received by Council.
- (i) **Council Travel**  
Moved by - Councillor L. Tridico  
Seconded by - Councillor P. Mick  
Resolved that Councillor Terry Sheehan be authorized to travel to the Algoma District Municipal Association meeting being held in Elliot Lake, Ontario (1.5 days in April) at an estimated cost of \$300 to the City. CARRIED.
- (j) **Staff Travel Requests**  
The report of the Chief Administrative Officer was accepted by Council.  
  
Moved by - Councillor L. Turco  
Seconded by - Councillor P. Mick  
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2010 04 12 be approved as requested. CARRIED.
- (k) **Tender for Selected Granular Materials**  
The report of the Manager of Purchasing was accepted by Council.  
  
Moved by - Councillor L. Turco  
Seconded by - Councillor B. Hayes

5. (k) Resolved that the report of the Manager of Purchasing, dated 2010 04 12 be endorsed and that the tender for the supply of Selected Granular Materials required by the Public Works & Transportation Department be awarded as recommended. CARRIED.

(l) **Property Tax Appeals**

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

Moved by - Councillor L. Turco

Seconded by - Councillor P. Mick

Resolved that Pursuant to Section 357 of the Municipal Act, 2001, the adjustments to the tax accounts as outlined in the City Tax Collector's report of 2010 04 12 be approved and the tax roll be amended accordingly. CARRIED.

(m) **2010 Budget Meeting**

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

(n) **Corporation of the City of Sault Ste. Marie – User Fees – By-law 2010-2**

The report of the Manager of Budgets and Revenue was accepted by Council.  
The relevant By-law 2010-2 is listed under Item 10 of the Minutes.

(o) **Accountability Agreement with the Sault Ste. Marie Innovation Centre (SSMIC)**

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

Moved by - Councillor L. Turco

Seconded by - Councillor P. Mick

Resolved that the report of the Commissioner of Finance and Treasurer, dated 2010 04 12 concerning Accountability Agreement with the Sault Ste. Marie Innovation Centre be accepted and the recommendation that Council approve the Memorandum of Understanding with the Sault Ste. Marie Innovation Centre be approved. CARRIED.

(p) **Day Care – Service Agreement**

The report of the Commissioner Community Services was accepted by Council.  
The relevant By-law 2010-73 is listed under Item 10 of the Minutes.

(q) **Youth Crime Committee - Update**

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

Moved by - Councillor L. Tridico

Seconded by - Councillor B. Hayes

5. (q) Resolved that the report of the Commissioner Community Services, dated 2010 04 12 concerning Youth Crime Committee - Update be accepted as information. CARRIED.

(r) **Affordable Access to Recreation - Update**

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

Moved by - Councillor L. Turco

Seconded by - Councillor B. Hayes

Resolved that the report of the Commissioner Community Services dated 2010 04 12 concerning Affordable Access to Recreation - Update be received as information. CARRIED.

(s) **Request for Financial Assistance for National/International Sports Competitions**

The report of the Manager Recreation and Culture was accepted by Council.

Moved by - Councillor L. Tridico

Seconded by - Councillor P. Mick

Resolved that the report of the Manager Recreation and Culture dated 2010 04 12 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide a \$400.00 grant to Team Jacobs (Tim Horton's Brier) be approved. CARRIED.

(t) **Landfill Site, Operations and Monitoring 2009 Environmental Monitoring Committee**

The report of the Land Development & Environmental Engineer was accepted by Council.

Moved by - Councillor L. Turco

Seconded by - Councillor B. Hayes

Resolved that the report of the Land Development & Environmental Engineer, dated 2010 04 12 concerning Landfill Site, Operations and Monitoring 2009 be accepted as information. CARRIED.

(u) **Landfill Gas Collection Project**

The report of the Land Development & Environmental Engineer was accepted by Council.

Moved by - Councillor L. Turco

Seconded by - Councillor P. Mick

Resolved that the report of the Land Development & Environmental Engineer, dated 2010 04 12 concerning Landfill Gas Collection Project be accepted as information and the recommendation that an additional \$300,000 from the Landfill Reserve be used to fund the completion of the project. CARRIED.

5. (v) **Resurfacing of City Streets – 2010 Miscellaneous Construction Program**  
The report of the Director of Engineering Services was accepted by Council.
- Moved by - Councillor L. Tridico  
Seconded by - Councillor P. Mick  
Resolved that the report of the Director of Engineering Services, dated 2010 04 12 concerning Resurfacing of City Streets – 2010 Miscellaneous Construction Program be accepted as information. CARRIED.
- (w) **Contract 2009-12E – Town Line Road Bridge Replacement – Waive Half Load Restrictions on Base Line and Town Line Road**  
The report of the Design & Construction Engineer was accepted by Council.  
The relevant By-law 2010-77 is listed under Item 10 of the Minutes.
- (x) **Contract 2007-4E – Trunk Road Improvements – Closure of Lake Street at Trunk Road**  
The report of the Design & Construction Engineer was accepted by Council.  
The relevant By-law 2010-75 is listed under Item 10 of the Minutes.
- (y) **Palmer Construction Group – A-5-10-Z – 2325 Great Northern Road – By-law 2010-57**  
The report of the City Solicitor was accepted by Council.
- Moved by - Councillor L. Tridico  
Seconded by - Councillor B. Hayes  
Whereas Zoning By-law 2010-57 was passed by City Council on March 8, 2010 concerning lands located at 2325 Great Northern Road;  
And Whereas after public notice was given in accordance with the Planning Act, R.S.O., an appeal for this by-law, of which a copy is attached to this resolution, was presented to City Council and was duly considered by Council at its meeting on April 12, 2010;  
Now Therefore Be It Resolved that application be made to the Ontario Municipal Board for dismissal of this appeal. CARRIED.
- (z) **Request from Joe Spina and Sons Enterprises Ltd. To Deem The South Half Lot 8 and Lot 9, Plan 5240, Lots 7, 8 and 9 Plan 4250 as Not Being Part of a Plan of Subdivision (Farewell Subdivision) – Between Spring and March North of Bay Street**  
The report of the City Solicitor was accepted by Council. The relevant By-law 2010-71 is listed under Item 10 of the Minutes.
- (aa) **Acquisition of 1.47 Acres from Ontario Realty Corporation – Part 1 on 1R-11700 – McNabb and South Market Realignment**  
The report of the City Solicitor was accepted by Council. The relevant By-law 2010-76 is listed under Item 10 of the Minutes.

5. (bb) **Request to Extend the Urban Service Line – Allen’s Side Road**  
The report of the Planning Division was accepted by Council.
- Moved by - Councillor L. Tridico  
Seconded by - Councillor P. Mick  
Resolved that the report of the Planning Division dated 2010 04 12 concerning the request to extend the Urban Service Line – Allen’s Side Road be accepted and the Planning Director’s Recommendation that City Council approve the request to extend the Urban Service Line 110m north along the east side of Allen’s Side Road, be endorsed. CARRIED.
- (cc) **Signs By-law 2005-166 – Amendments to Portable Signs Regulations**  
The report of the Planning Division was accepted by Council.
- Moved by - Councillor L. Turco  
Seconded by - Councillor B. Hayes  
Resolved that the report of the Planning Division dated 2010 04 12 concerning Signs By-law 2005-166 - Amendments to Portable Signs Regulations be accepted and the Planning Director’s Recommendation that City Council accept this report as information, and authorize staff to proceed with public notice for the 3 amendments to Signs By-law 2005-166 contained in the report; and;  
That City Council approve a policy eliminating the placement of portable signs on public property, except where it can be demonstrated to the satisfaction of the Planning Director that it is not appropriate, or physically possible to locate such signage on private property, be endorsed. CARRIED.
- (dd) **2010 Budget**  
The report of the Commissioner of Finance & Treasurer was accepted by Council.
- Moved by - Councillor L. Turco  
Seconded by - Councillor B. Hayes  
Resolved that the report of the Commissioner of Finance & Treasurer dated 2010 04 12 concerning 2010 Budget be received as information. CARRIED.
- (ee) The email from the CAO to City Council concerning request from Polish Canadian Community was received by Council.

## **PART TWO – REGULAR AGENDA**

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

6. (1) **ADMINISTRATIVE**

(a) **Acting Mayor**

The memo from Mayor Rowswell and the report from the Chief Administrative Officer were received by Council.

6. (3) **ENGINEERING**

**Contract 2010-1E – Hub Trail Construction – Fort Creek Conservation Area**

The report of the Director of Engineering Services and the memo to Council from Mayor Rowswell were accepted by Council.

- (a) Mover - Councillor S. Myers  
Seconded - Councillor T. Sheehan  
Resolved that the questions now be put. CARRIED.

**Recorded Vote**

For: Mayor J. Rowswell, Councillors D. Celetti, S. Myers, F. Fata, T. Sheehan, S. Butland, F. Manzo, P. Mick

Against: Councillor L. Turco, B. Hayes, O. Grandinetti, L. Tridico

Absent: Councillor J. Caicco

Moved by - Councillor L. Turco  
Seconded by - Councillor B. Hayes

Resolved that the report of the Director of Engineering Services dated 2010 04 12 concerning Contract 2010-1E – Hub Trail Construction – Fort Creek Conservation Area be accepted and the recommendation that Council award contract 2010-1E to R.M. Belanger Limited in the amount of \$2,779,862.45 (including GST) and that the contracts be delivered and acted upon, and that copies of all site meeting minutes be circulated to members of Council, be approved. CARRIED.

Mover - Councillor S. Myers  
Seconded - Councillor T. Sheehan

Whereas Mayor Rowswell is on record as stating due to professional reasons, he is unable to sign contract 2010-1E concerning Hub Trail Construction – Fort Creek Conservation Area; and

Whereas the contract documents were signed in March by the Acting Mayor in the month of March prior to the matter coming back to City Council on April 12; Therefore Be It Resolved that a new signature page be prepared for the immediate signature of April Acting Mayor Pat Mick.



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

(a) **Business Plan 2010-2012**

The report of the Chief of Police was accepted by Council.  
The Business Plan 2010-2012 is provided under separate cover.

Moved by - Councillor L. Tridico

Seconded by - Councillor P. Mick

Resolved that the report of the Chief of Police be accepted as information.

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 2010 "Change the World" Ontario Youth Volunteer Challenge is in its third year;

And Whereas this event has grown to include 21 communities across Ontario and this year Volunteer Sault Ste. Marie and United Way Youth Empowerment Committee have joined the challenge;

And Whereas Sault Ste. Marie youth will do their part to Change the World three hours at a time by participating in the first Ontario Youth Community Charity Car Wash Challenge;

And Whereas our youth will engage in a friendly competition to win trophies for their high school while raising funds for a charity of their choice, making this a great way to get involved and to start their volunteer experience;

And Whereas this year's campaign kicks off at the start of National Volunteer Week;

Now Therefore Be It Resolved that all members of City Council and the citizens of Sault Ste. Marie be encouraged to support our youth by going to a local high school location on Saturday April 24 between 10:00 a.m. – 4:00 p.m. to have their cars washed, witness great school spirit, and see unique themes.  
CARRIED.

(b) Moved by - Councillor B. Hayes

Seconded by - Councillor P. Mick

Whereas a number of individuals have expressed interest in a municipally built and maintained multi-use gravity park;

And Whereas multi-use gravity parks for the use of non-motorized bicycles in summer and snowboards in winter can range from the very simple to the very complex;

And Whereas many municipalities operate multi-use gravity parks as a component of community services;

7. (b) Now Therefore Be It Resolved that appropriate staff be requested to report back to Council as to: the cost to the City of building and maintaining a multi-use gravity park, including the cost of insurance; and identifying potential locations for a multi-use gravity park. CARRIED.
- (c) Moved by - Councillor S. Myers  
Seconded by - Councillor P. Mick  
Whereas the existing procedure for dealing with derelict property complaints is for the By-law Enforcement Officer to perform an inspection, followed by a letter of warning to the property owner(s) (if deemed necessary);  
And Whereas the current procedure does not provide for a face-to-face discussion with the property owner(s) at the time of inspection;  
And Whereas some residents, particularly seniors, may benefit from an explanation of the process at the time of inspection;  
And Whereas the City of Sault Ste. Marie's mission statement is "to provide quality and cost-effective services in a responsible and supportive manner";  
Now Therefore Be It Resolved that the existing procedure for inspection of derelict properties be amended to require a telephone call prior to the inspection, or an on-site conversation at the time of inspection, identifying the staff member by position, explaining the reason for attending at the property, and describing the City's process. CARRIED.
- (d) Moved by - Councillor S. Butland  
Seconded by - Councillor B. Hayes  
Be It Resolved that Parks staff be requested to report back to Council with a cost analysis for: soil preparation, seeding, cultivation, and any other associated costs to ensure a sunflower crop for the summer of 2010 on the 11.6 acres east-end snow dump site. CARRIED.
- (e) Moved by - Councillor S. Butland  
Seconded by - Councillor L. Turco  
Whereas Sir James Dunn played an integral and seminal role in the history of Sault Ste. Marie;  
And Whereas his time, energy, resources and considerable entrepreneurial skills were significantly dedicated to the survival and prosperity of the Algoma Steel Corporation;  
And Whereas upon the closure of Sir James Dunn Collegiate and Vocational School, the last vestige of tangible recognition of this man's contributions to the very existence of Sault Ste. Marie will be lost;  
Now Therefore Be It Resolved that the City of Sault Ste. Marie, in consultation with Sir James Dunn Collegiate and Vocational School, Essar Steel Algoma, Sault Ste. Marie Museum, and any other pertinent body, determine how best to commemorate this extraordinary individual's unparalleled contributions to our great City. CARRIED.

7. (f) Moved by - Councillor T. Sheehan  
Seconded by - Councillor S. Myers

Whereas the American non-profit agency “KaBOOM!” recently held a “Promote Your Project” video contest wherein forty-four communities created videos to show why they needed new playgrounds;

And Whereas only ten communities were chosen to compete in the final competition;

And Whereas thousands of family members, area residents and out-of-town supporters voted every day for a month to help the Queen Elizabeth School win this competition;

And Whereas Queen Elizabeth School successfully garnered 39,886 votes and placed first;

And Whereas this incredible effort has resulted in up to \$5,000 in grants towards equipment for the new playground being built in honour of Master Corporal Scott Vernelli;

Now Therefore Be It Resolved that City Council offer a big congratulations to Queen Elizabeth School and a thank-you to all who voted. CARRIED.

- (g) Moved by - Councillor T. Sheehan  
Seconded by - Councillor S. Myers

Whereas graffiti negatively effects the entire City of Sault Ste. Marie;

And Whereas the City has been working with police, citizens, Community Quality Initiative (CQI), and other organizations to lower the incidence of graffiti in Sault Ste. Marie;

Now Therefore Be It Resolved that City Council request that the Youth Crime Committee review the CQI report and report back to Council on a program which requires individuals guilty of graffiti-related crimes to remove graffiti as part of their rehabilitation. DEFERRED FOR TWO WEEKS.

- (h) Mover L. Turco  
Seconder S. Butland

Whereas the city of Sault Ste. Marie and in particular, Sault Ste. Marie’s Polish community made up of more than 100 families, is deeply saddened by the plane crash Saturday that killed the eastern European country’s president and many of its highest ranking officials;

Whereas the plane’s occupants were on their way to a ceremony marking the 70<sup>th</sup> anniversary of the Katyn massacre, which occurred in April of 1940 when Russian troops took 22,000 captured Polish soldiers, civilians, and police officers to the Katyn Forest in Russia where they were killed;

Whereas the Country of Poland has declared a week of mourning to express the country’s profound sadness in their loss;

Whereas a book of condolences is available today (Monday) at St. Andrew Bobola Polish Catholic Church and a mass will be held this evening at 7 p.m. The book of condolences will be brought to City Hall to allow citizens of Sault

7. (h) Ste. Marie to express their sympathy between Tuesday, April 13th until Friday, April 16th after which it will be sent to Poland;  
Whereas Poland is recognized as one of the founding nations of Sault Ste. Marie, Ontario and the country's flag flies proudly with 24 other founding nations;  
Whereas, in recognition of Poland's profound loss, the City of Sault Ste. Marie has lowered our flags and Poland's flag out of respect of the profound loss during this time from today to Wednesday, April 14;  
Therefore, the City of Sault Ste. Marie offers its condolences to the people of Poland and families of the Polish Canadian Community in Sault Ste. Marie.  
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 L. Turco

Seconded by Councillor B. Hayes

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2010 04 12 be approved. CARRIED.

Resolved that By-law 2010-2 being a by-law to establish user fees and service charges be PASSED in Council this 12th day of April, 2010.

Resolved that By-law 2010-62 being a by-law to provide access for the renovation of a dwelling at 104 Edmonds Avenue be PASSED in Council this 22<sup>nd</sup> day of March, 2010.

Resolved that By-law 2010-71 being a by-law to deem not registered for purposes of subdivision control certain lots in the Dunn "A" Subdivision and Farwell Subdivision, being South half Lot 8 and Lot 9, Plan 5240, Dunn "A" Subdivision and Lots 7, 8, and 9, Plan 4250, Farwell Subdivision pursuant to Section 50(4) of The Planning Act be PASSED in Council this 12th day of April, 2010.

Resolved that By-law 2010-72 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 Council this 12th day of April, 2010.

10. Resolved that By-law 2010-73 being a by-law to authorize a service contract between the District of Sault Ste. Marie Social Services Administration Board and the City for Municipal Day Nurseries effective January 1, 2010 be PASSED in Council this 12th day of April, 2010.

Resolved that By-law 2010-75 being a by-law to authorize the temporary closing of Lake Street along the south side of Trunk Road from April 21, 2010 to June 12, 2010 to facilitate the reconstruction of a section of the municipal watermain be PASSED in Council this 12th day of April, 2010.

Resolved that By-law 2010-76 being a by-law to authorize the City's acquisition from Ontario Realty Corporation acting as agent on behalf of Her Majesty the Queen in Right of Ontario as represented by the Minister of Energy and Infrastructure of the property described as Part 1 on Plan 1R-11700 be PASSED in Council this 12th day of April, 2010.

Resolved that By-law 2010-77 being a by-law to lift half load restrictions on a portion of Base Line and a portion of Town Line be PASSED in Council this 12th day of April, 2010.

Resolved that By-law 2010-78 being a by-law to authorize a licence of occupation between the City and The Batters Edge Inc. for the use of the batting cage operation being a portion of Strathclair Park be PASSED in Council this 12th day of April, 2010.

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

12. **ADDENDUM TO THE AGENDA**

13. **ADJOURNMENT**

Moved by - Councillor L. Turco

Seconded by - Councillor P. Mick

Resolved that this Council shall now adjourn. CARRIED.

\_\_\_\_\_  
"Pat Mick"

**ACTING MAYOR**

\_\_\_\_\_  
"Malcolm White"

**CLERK**