

MINUTES

REGULAR MEETING OF CITY COUNCIL

2010 04 26

4:30 P.M.

COUNCIL CHAMBERS

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

ABSENT: Mayor J. Rowsell (illness)

OFFICIALS: J. Fratesi, M. White, N. Apostle, J. Elliott, B. Freiburger, J. Dolcetti, D. McConnell, N. Kenny, M. Provenzano, F. Coccimiglio

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 04 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 L. Turco

Seconded by - Councillor B. Hayes

Resolved that the Agenda for the 2010 04 26 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Joe Krmpotich, Executive Board Member of Sault Ste. Marie & District Labour Council and USW Local 2251 Union Coordinator was in attendance concerning Proclamation – Day of Mourning

4. (b) Bill Howe, Communication Technology Program teacher as well as Dan Viotto V.P. of St. Mary's College accompanied by students, past and present, presented a premiere showing of an environmental video highlighting some Sault Ste. Marie initiatives.
- (c) Terry Caporossi, Regional Supervisor Client Services was in attendance concerning Proclamation – May Vision Month.
- (d) Lisa Chlebus, Chair of Community Living Algoma's Council was in attendance concerning Proclamation – Community Living Awareness Week.
- (e) Dr. Lynn Ryan MacKenzie, Executive Director of Algoma Family Services was in attendance concerning Proclamation – Children's Mental Health Week.
- (f) Margaret Nicholson – Representative of Elks and Royal Purple was in attendance concerning Proclamation – Hearing & Speech and Hearing Awareness Month.
- (g) A representative of Child Find was in attendance concerning Proclamation – Missing Children's Month.
- (h) Diane Morrell, Regional Services Coordinator – Canadian Paraplegic Association Ontario was in attendance concerning agenda item 5. (c).
- (i) Chief Petty Officer Debbie Eisan was in attendance concerning agenda item 5. (d).
- (j) Debbie Amaroso, Chair and Mary Jane Yorke, Coordinator, Sault Ste. Marie Physician Recruitment and Retention Committee were in attendance concerning agenda item 6.(8)(a).
- (k) Ken Coulter was in attendance concerning agenda item 7. (b).
- (l) Cathy and Dennis Pepin were in attendance concerning agenda item 6. (6)(a).
- (m) Frank Fata 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 L. Turco
Seconded by - Councillor B. Hayes

5. Resolved that all the items listed under date 2010 04 26 Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from MMAH, OGRA and ADMA was received by Council.
- (b) Correspondence from the City of Oshawa (concerning the Public Sector Salary Disclosure Act) was received by Council.
- (c) Correspondence from the Canadian Paraplegic Association Ontario concerning the Chair-Leader Program was received by Council.
- (d) Correspondence from the Director Navy Public Affairs concerning the Namesake Community Partner Ship Program was received by Council.
- (e) Correspondence from Ontario Lottery and Gaming advising that the quarterly payment of the 5% allocation from January 1, 2010 to March 31, 2010 is \$347,646.85 was received by Council.

Moved by - Councillor T. Sheehan

Seconded by - Councillor S. Butland

Whereas the Casino Sault Ste. Marie has been in operation for a number of years;

And Whereas a "partnership" was created when the Casino was located in Sault Ste. Marie which gave 5% of the slot revenue to the City;

And Whereas the City's revenue from this partnership has decreased by 23 percent since 2003 for a variety of reasons;

Now Therefore Be It Resolved that the Province of Ontario be requested to review this downward trend and the City of Sault Ste. Marie's revenue share be increased to 8%. CARRIED.

Councillor B. Hayes declared a pecuniary interest – employed by the Ontario Lottery and Gaming Corporation.

- (f) A letter from the General Manager, NetCentral Community Communications Network was received by Council.
- (g) A letter from President and Chief Administrative Officer, Property Assessment Corporation (MPAC) (concerning service delivery of MPAC) was received by Council.
- (h) **Council Travel**

Moved by - Councillor L. Turco

Seconded by - Councillor B. Hayes

5. (h) Resolved that Councillor Lou Turco be authorized to travel to the FONOM Annual Meeting being held in Kapuskasing (3 days in May) at an estimated cost to the City of \$525.00 and the Northern Ontario School of Medicine Retreat being held in Elk Lake (3 days in May) at no cost to the City. CARRIED.

(i) **Staff Travel Requests**

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

Moved by - Councillor L. Turco

Seconded by - Councillor B. Hayes

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2010 04 26 be approved as requested. CARRIED.

(j) **Tender for Seasonal Security (2010CT01)**

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

Moved by - Councillor L. Turco

Seconded by - Councillor B. Hayes

Resolved that the report of the Manager of Purchasing, dated 2010 04 26 be endorsed and that the tender for Seasonal Security Service, required by various City Departments, be awarded as recommended. CARRIED.

(k) **Quotation for Maintenance Hole and Catchbasin Frames & Covers**

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

Moved by - Councillor L. Turco

Seconded by - Councillor B. Hayes

Resolved that the report of the Manager of Purchasing, dated 2010 04 26, be endorsed and that the quotation for the supply and delivery of Maintenance Hole and Catchbasin Frames & Covers, required by the Public Works & Transportation Department, be awarded as recommended. CARRIED.

(l) **Registration of Tax Arrears Certificate and Sale**

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

Moved by - Councillor L. Tridico

Seconded by - Councillor B. Hayes

Resolved that the report of the City Tax Collector be accepted to commence Tax Sale Proceedings in accordance with the report. CARRIED.

(m) **Queenstown Board of Management (O/A The Downtown Association) 2010 Budget Estimates and 2009 Audit Report**

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

5. (m) Moved by - Councillor L. Tridico
Seconded by - Councillor B. Hayes
Resolved that City Council acknowledge receipt of the Queenstown Board of Management (O/A The Downtown Association) Audit for the year 2009, as prepared by KPMG LLP Chartered Accountants and that Council approve the Downtown Association Budget Estimates for the year 2010. CARRIED.
- (n) **Contract 2010-2E – Third Line Extension – Fort Creek Ravine to Peoples Road**
The report of the Design & Construction Engineer was accepted by Council. The relevant By-laws 2010-84 and 2010-85 are listed under Item 10 of the Minutes.
- (o) **Sault Ste. Marie Municipal Landfill Site Purge Well Maintenance and Replacement**
The report of the Land Development & Environmental Engineer was received by Council.

Moved by - Councillor L. Tridico
Seconded by - Councillor B. Hayes
Resolved that the report of the Land Development & Environmental Engineer dated 2010 04 26 concerning Landfill Purge Well Maintenance and Replacement be accepted and the recommendation to undertake the emergency work program outlined in the report at an estimated cost of \$45,000 with funding from the Landfill Site Reserve be approved. CARRIED.
- (p) **7 Westridge Road**
The report of the Chief Building Official was accepted by Council.

Moved by - Councillor L. Tridico
Seconded by - Councillor B. Hayes
Resolved that the report of the Chief Building Official/Property Standards Officer dated 2010 04 26 concerning Civic No. 7 Westridge Road be accepted and the recommendation that the Corporation hire the forces necessary to remove all exterior brickwork that is dislodged and shore the dwelling to make safe as a temporary measure and that time, if further assessment reveals that a permanent restoration is not possible by the owner, then the City undertakes to have the structure demolished; cost of this action will be added to the taxes of the subject property, be approved. CARRIED.
- (q) **Fire Services' Revised Deployment Plan**
The report of the Fire Chief was accepted by Council.

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

5. (q) Resolved that the report of the Fire Chief dated 2010 04 26 concerning Fire Services' Revised Deployment Plan, be accepted as information. CARRIED.

(r) **Martin's Trailers 626 Fifth Line East**

The report of the Assistant City Solicitor was accepted by Council.

Moved by - Councillor L. Turco

Seconded by - Councillor B. Hayes

Resolved that the report of the Assistant City Solicitor dated 2010 04 26 concerning Martin's Trailers 626 Fifth Line East, be accepted as information. CARRIED.

(s) **Amendment to Cemetery By-law #99-208**

The report of the Manager, Cemeteries Division was accepted by Council. The relevant By-law 2010-80 is listed under Item 10 of the Minutes.

(t) **A By-law to Authorize a Policy for Sault Ste. Marie Transit Services**

The report of the Transit Manager, Public Works and Transportation was accepted by Council. The relevant By-law 2010-79 is listed under Item 10 of the Minutes.

(u) **Ontario Heritage Act Registration – 162 Cathcart**

The report of the Chair, Sault Ste. Marie Municipal Heritage Committee was accepted by Council.

Moved by - Councillor L. Turco

Seconded by - Councillor B. Hayes

Resolved that the report of Chair, Sault Ste. Marie Municipal Heritage Committee dated 2010 04 26 concerning Ontario Heritage Act Registration – 162 Cathcart Street be accepted and the recommendation that the residence at 162 Cathcart Street be removed from being registered under Part IV of the Ontario Heritage Act sub-section 21(1.2) as having cultural value or interest be approved. CARRIED.

(v) **GIS Proposed Increase Cost and Payment**

The report of the Manager, Information Technology Division was accepted by Council.

Moved by - Councillor L. Tridico

Seconded by - Councillor B. Hayes

Resolved that the report of the Manager, Information Technology Division dated 2010 04 26 concerning GIS Proposed Increase Cost and Payment be accepted and the recommendation that:

1. The proposed contract between the City and the Innovation Centre for the next five years.

5. (v) 2. Information Technology Division become the administrator of this contract along with the "point of contact" for the Innovation Centre GIS services.
3. Finance Breakdown:
- a. Maintain current budget allocation of \$253,000.
 - b. 9% of the total cost comes from the Building Permit Reserve Fund.
 - c. Remaining balance funded from the Sanitary Sewer Surcharge.
- be approved. CARRIED.

(w) The letter from Denise Savoie, MP (NDP) concerning Federal legislation for transit and other green commuter choices was received by Council.

(x) The letter requesting permission for a private property liquor license extension was received by Council.

Mover - Councillor L. Tridico

Seconder - Councillor B. Hayes

Resolved that City Council has no objection to the proposed extended licensed area as detailed in the written request for a liquor license extension on private property for an outdoor event on the following stated dates and times:

Docks Riverfront Grill

89 Foster Drive

July 1, July 4 and August 28, 2010 from 12:00 noon to 2:00 a.m.

August 29, 2010 from 12:00 noon to 11:00 p.m. CARRIED.

(y) **Elton John Ticket Sales**

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

Mover - Councillor L. Turco

Seconder - Councillor B. Hayes

Resolved that the report of the Commission of Community Services dated 2010 04 26, be accepted as information. CARRIED.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (6) PLANNING

(a) **Application No. A-7-10-OP – Denis Pepin – Located 165 Avery Road – Requesting Official Plan Amendment to Create Seven New Rural Residential Lots**

The report of the Planning Division dated 2010 04 26 was accepted by Council.

6. (6)(a) Moved by - Councillor L. Tridico
Seconded by - Councillor B. Hayes
Resolved that the report of the Planning Division dated 2010 04 26 concerning Application No. A-7-10-OP – Denis Pepin – 165 Avery Road be accepted and the Planning Director’s recommendation that City Council deny the applicant’s request to amend Rural Area Policy 11 of the Official Plan to create seven (7) new rural residential lots on the subject property, be endorsed. DEFERRED FOR TWO WEEKS.

(b) **Application No. A-8-10-Z – Frank Fata – Located 392 Second Line West Requesting Rezoning from R.3 (Low Density Residential) to C.4 (General Commercial) to Permit a Chiropractor Clinic**

The report of the Planning Division dated 2010 04 26 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 26 concerning Application No. A-8-10-Z – Frank Fata – 392 Second Line West 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.4” (General Commercial) zone, subject to the following Special Exception:

- a) That the buffering requirements outlined in Section 4.9 of Zoning By-law 2005-150 are hereby waived for any office uses conducted within the existing building upon the subject property, and further;
- b) That a 5m strip across the frontage be transferred to the City for future road widening purposes; and further
- c) That Council designate the property as subject to Site Plan Control, be endorsed. CARRIED.

Councillor J. Caicco declared a pecuniary interest – applicant is a client of real estate firm.

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

(a) **Sault Ste. Marie Physician Recruitment and Retention**

The report of the Physician Recruitment and Retention Office – April 2010 was received by Council.

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

Resolved that the report of the Sault Ste. Marie Physician Recruitment and Retention Office dated April 2010 concerning the Sault Ste. Marie Physician Recruitment and Retention Activity Report and Proposed 2010/2011 Budget

6. (8)(a) request to the City in the amount of \$464,850.00 for the period April 1, 2010 to March 31, 2011 BE REFERRED to the 2010 Budget deliberations for Council's consideration and decision. CARRIED.

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

- (a) Moved by - Councillor F. Fata
Seconded by - Councillor D. Celetti
Whereas a request has been received from the Algoma Residential Community Hospice (ARCH) for signage on Fourth Line to the east and to the west of the entrance to the hospice to assist the public in identifying/accessing the property;
Now Therefore Be It Resolved that appropriate staff report back to Council as to the feasibility and costs of providing this signage. CARRIED.
- (b) Moved by - Councillor T. Sheehan
Seconded by - Councillor S. Myers
Whereas graffiti negatively affects the entire community of Sault Ste. Marie;
And Whereas the City has been working with the 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 receives a verbal report on a program which works with young offenders to reduce the incidents of graffiti by having the individuals guilty of graffiti related crimes having to remove graffiti in the City of Sault Ste. Marie as part of their rehabilitation;
And Further that CQI be requested to implement such a program in the City of Sault Ste. Marie. CARRIED.
- (c) Mover - Councillor J. Caicco
Seconded - Councillor S. Butland
Whereas it has been over twenty years since the City of Sault Ste. Marie Sign By-law has been comprehensively reviewed and more than ten years since it was last amended; and
Whereas there continues to be many outstanding issues regarding billboards and portable signs and emerging issues with respect to new digital signage; and
Whereas the existing By-law when written, did not anticipate the possible use of digital electronic technology for portable and permanent signage and therefore the control of such signage is questionable , at best;
Now Therefore Be It Resolved that the City's Planning Division be asked to report back to Council with recommendations on a Committee of Council reviewing the current By-law with a view to including the regulation of all types of signage throughout various locations of the City. CARRIED.
- (d) Mover - Councillor B. Hayes
Seconded - Councillor S. Butland

7. (d) Whereas the Public Salary Disclosure Act commonly known as the Sunshine List became law in 1996; and
Whereas the Public Salary Disclosure Act requires organizations that receive public funding from the province of Ontario to disclose annually the names, positions, salaries and total taxable benefits of employees paid \$100,000 or more annually; and
Whereas since 1997 the annual rate of inflation has averaged 2.1%; and
Whereas the value of \$100,000 in 1997 is closer to 131,000 in 2009 dollars;
Now Therefore Be It Resolved that the council of the City of Sault Ste. Marie request the Premier of the Province of Ontario to enact legislation to adjust the required salary disclosure level to approximately \$131,000 to account for the impact of inflation;
And Furthermore that this disclosure level be adjusted accordingly every 5 years.
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 26 be approved. CARRIED.

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that By-law 2010-56 being a by-law to authorize the construction of a concrete sidewalk on Second Line East from Great Northern Road to Old Garden River Road under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06 be read a THIRD time and PASSED in open Council this 26th day of April, 2010. CARRIED.

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that By-law 2010-74 being a by-law to amend the TEXT and certain schedules to Sault Ste. Marie Zoning By-law 2005-150 be PASSED in Council this 26th day of April, 2010. CARRIED.

10.

Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2010-79 being a by-law to authorize a policy for Sault Ste. Marie Transit Services be PASSED in Council this 26th day of April, 2010. CARRIED.

Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2010-80 being a by-law to authorize amendments to the text and the tariff rates of By-law 99-208 be PASSED in Council this 26th day of April, 2010. CARRIED.

Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved by By-law 2010-81 being a by-law to instruct the City Solicitor to apply to the Ontario Municipal Board for an order to alter the boundaries of the urban service area be PASSED in Council this 26th day of April, 2010. CARRIED.

Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2010-82 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 26th day of April, 2010. CARRIED.

Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2010-83 being a by-law to assume for public use and establish as public streets various parcels of land conveyed to the City be PASSED in Council this 26th day of April, 2010. CARRIED.

Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2010-84 being a by-law to authorize a contract between the City and Palmer Construction Group Inc. for the Third Line extension – Fort Creek Ravine to Peoples Road (Contract 2010-2E) be PASSED in Council this 26th day of April, 2010. CARRIED.

Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2010-85 being a by-law to permit the temporary street closing of Third Line East from the Fort Creek Ravine to Peoples Road for extended periods when necessary between April 27, 2010 to September 30, 2011 for road extension/reconstruction be PASSED in Council this 26th day of April, 2010. CARRIED.

10. Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2010-86 being a by-law to authorize an agreement between the City, the City of Sault Ste. Marie Physician Recruitment and Retention Committee, Group Health Centre, Sault Area Hospital and Algoma West Academy of Medicine for the continued recruitment of physicians and health care professionals be PASSED in Council this 26th day of April, 2010.
CARRIED.

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

12. **ADDENDUM TO THE AGENDA**

Mover - Councillor L. Turco
Seconded - Councillor B. Hayes
Resolved that the Addendum for the 2010 04 26 City Council meeting as presented be approved.

13. **ADJOURNMENT**

Moved by - Councillor L. Turco
Seconded by - Councillor B. Hayes
Resolved that this Council shall now adjourn. CARRIED.

"Frank Manzo"
ACTING MAYOR

"Malcolm White"
CLERK