

MINUTES

REGULAR MEETING OF CITY COUNCIL

2010 02 22

4:30 P.M.

COUNCIL CHAMBERS

PRESENT: Mayor J. Rowswell (left meeting at 7:00 p.m.), Acting Mayor L. Turco
Councillors J. Caicco, B. Hayes, O. Grandinetti, L. Tridico, F. Fata, T. Sheehan, S. Butland, F. Manzo, P. Mick

ABSENT: Councillor S. Myers (recovering after hospitalization), D. Celetti (vacation)

OFFICIALS: J. Fratesi, D. Irving, N. Apostle, J. Elliott, L. Bottos, B. Freiburger, J. Dolcetti,
D. McConnell, D. Elliott, S. Hamilton-Beach, J. Cain, M. Zuppa, N. Fera, B. Strapp, I. McMillan, J. Febbraro

1. **ADOPTION OF MINUTES**

Moved by - Councillor T. Sheehan

Seconded by - Councillor F. Fata

Resolved that the Minutes of the Regular Council Meeting of 2010 02 08 be approved. CARRIED.

Mover - Councillor T. Sheehan

Seconder - Councillor F. Fata

Resolved that the Addendum for the 2010 02 22 City Council meeting as presented be approved. CARRIED.

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

3. **APPROVE AGENDA AS PRESENTED**

Moved by - Councillor T. Sheehan

Seconded by - Councillor F. Fata

Resolved that the Agenda for the 2010 02 22 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

Roger Kinghorn, Chair Municipal Heritage Committee and Bob Plotycia on behalf of the Ukrainian Cultural Centre were in attendance concerning the 2009

4. (a) Heritage Award to the Ukrainian Cultural Centre of Sault Ste. Marie, agenda item 5. (t).
- (b) Franco Pastore, EPOH Architects Inc., members of the Library Board, Tourism Sault Ste. Marie, and Sault Amateur Soccer Association were in attendance concerning agenda item 6. (2)(a).
- (c) Tom Vair, Executive Director Sault Ste. Marie Innovation Centre and Denis Turcotte, on behalf of the Alternative Energy Task Team were in attendance concerning agenda item 6. (8)(a).
- (d) Terry Rainone was in attendance concerning agenda Item 6. (6)(a).
- (e) Terry Rainone and James and Terry Agnew was in attendance concerning agenda item 6. (6)(b).
- (f) Jeff Holmes, Chair and Ken Coulter, Executive Director, Community Quality Institute were in attendance concerning agenda item 6. (8)(b).

PART ONE – CONSENT AGENDA

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

Moved by - Councillor T. Sheehan

Seconded by - Councillor F. Fata

Resolved that all the items listed under date 2010 02 22 Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.
- (b) Correspondence from the Township of West Lincoln (concerning the cost of illegally dumped and/or spilled material); Town of Richmond Hill (concerning declaring the David Dunlap Observatory Site a National Historic Site); City of Kingston (concerning Haiti relief efforts and debt forgiveness) was received by Council.
- (c) Letters of request for temporary street closings were accepted by Council.
1. On Lake Street from Queen to south-east Bellevue Park entrance in conjunction with 2010 Sault Dragon Boat Festival (June 12th); and
2. On St. Mary's River Drive from Waterfront Delta Hotel to Apartment Building (Station #49) in conjunction with Heart and Stroke Foundation's Walk, Car and Motorcycle Show (August 21st, rain date August 22nd).
- The relevant By-laws 2010-39 and 2010-43 are listed under item 10 of the Minutes.

5. (d) The letter from the Airport Manager Sault Ste. Marie Airport Development Corporation requesting an exemption to the Noise By-law for events at the Airport Fairgrounds for the winter season was accepted by Council. The relevant By-law 2010-44 is listed under Item 10 of the Minutes.

(e) **Council Travel**

Moved by - Councillor S. Butland

Seconded by - Councillor F. Fata

Resolved that Councillor Terry Sheehan be authorized to travel to the Federation of Canadian Municipalities (FCM) 73rd Annual Conference being held in Toronto, Ontario (4 days in May) at an estimated cost of \$2,500. to the City. CARRIED.

(f) **Staff Travel Requests**

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

Moved by - Councillor T. Sheehan

Seconded by - Councillor F. Fata

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2010 02 22 be approved as requested. CARRIED.

(g) **Property Tax Appeals**

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

Moved by - Councillor T. Sheehan

Seconded by - Councillor F. Fata

Resolved that pursuant to Section 357 of the Municipal Act, 2001, the adjustments to the tax account as outlined in the City Tax Collector's report of 2010 02 22 be approved and the tax roll be amended accordingly. CARRIED.

(h) **Request for Financial Assistance for National/International Sports Competitions – Richard MacLennan – Speed Skating**

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

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that the report of the Manager of Recreation and Culture dated 2010 02 22 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide a \$200.00 grant to Richard MacLennan (World Junior Speed Skating Championships in Moscow Russia March 12 – 14, 2010) be approved. CARRIED.

(i) **Funding Application – Celebrate Canada Program**

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

5. (l) Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that the report of the Supervisor Community Services dated 2010 02 22 concerning Funding Application – Celebrate Canada Program be accepted and the recommendation that Council authorizes staff to apply to the Department of Canadian Heritage for the 2010 Celebrate Canada Program to assist in funding the City's Canada Day Celebration, be approved. CARRIED.

(j) **Renewal of Lease – Pro Shop Lease John Rhodes Community Centre**

The report of the Manager Community Centres was accepted by Council. The relevant By-law 2010-47 is listed under Item 10 of the Minutes.

(k) **Firearms By-law Exemption - Ermatinger•Clergue National Historic Site – Special Events**

The report of the Curator Ermatinger•Clergue National Historic Site was accepted by Council. The relevant By-law 2010-42 is listed under Item 10 of the Minutes.

(l) **Extension of Lease with Elementa at the Sault Ste. Marie Landfill Site**

The report of the City Solicitor was accepted by Council. The relevant By-law 2010-37 is listed under Item 10 of the Minutes.

(m) **Third Line Extension from Great Northern Road Through to Peoples Road – Acquisition of Property from 920939 Ontario Inc.**

The report of the City Solicitor was accepted by Council. The relevant By-law 2010-41 is listed under Item 10 of the Minutes.

(n) **Controlling Traffic in Construction Zones**

The report of the City Solicitor was received by Council.

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that the report of the City Solicitor dated 2010 02 22 concerning Controlling Traffic in Construction Zones be received as information. CARRIED.

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

(o) **Notice of Vesting Regarding Northern Breweries Property at 503 Bay Street and Subsequent Conveyance to Robert Dumanski in Trust for a Company to be Incorporated**

The report of the City Solicitor was accepted by Council. The relevant By-law 2010-46 is listed under Item 10 of the Minutes.

5. (p) **Downtown Development Initiative - Grant Recommendations**

The report of the Planning Division was accepted by Council.

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that the report of the Planning Division dated 2010 02 22 concerning the Downtown Development Initiative – Grant Recommendations be accepted and the Planning Director's Recommendation that City Council approve the twelve 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.

(q) **Report from the Lions Club-Pointe Des Chenes Campground**

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

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that the report of the Commissioner of Public Works and Transportation dated 2010 02 22 concerning Lions Club Pointe Des Chenes Campground be received as information and further that City Council expresses its appreciation to the Lions Club for operating the campground and providing a facility that is available for the enjoyment of both local residents and tourists alike. CARRIED.

(r) **Changes to the Municipal Hazardous and Special Waste Program**

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

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that the report of the Commissioner of Public Works and Transportation dated 2010 02 22 concerning Changes to the Municipal Hazardous and Special Waste Program be received as information; and Further resolved that Council authorizes City staff to meet with Stewardship Ontario to initiate an agreement for the transition from a City operated Municipal Hazardous Waste Program to a private sector program operated under the direction of Stewardship Ontario, be approved. CARRIED.

(s) **Installation of No Parking Signs on Base Line**

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

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

5. (s) Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2010 02 22 concerning installation of No Parking signs on Base Line be accepted and the recommendation that permanent No Parking signs be installed in the Spring of 2010 on Base Line (north side from West Davignon Creek to 240m fronting Essar property; south side from West Davignon Creek to 450m to Flakeboard entrance); and further that Leigh's Bay Road south of Base Line be plowed starting in winter of 2010/2011, be approved. CARRIED.

- (t) **Sault Ste. Marie Municipal Heritage Committee – Heritage Award 2009**
The report of the Chair Sault Ste. Marie Municipal Heritage Committee was accepted by Council.

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that the report of the Chair Sault Ste. Marie Municipal Heritage Committee dated 2010 02 22 concerning Heritage Award 2009 be accepted and further that City Council expresses its sincere congratulations to the Ukrainian Cultural Centre of Sault Ste. Marie in being selected as the recipient of the 2009 Heritage Award. CARRIED.

PART TWO – REGULAR AGENDA

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

6. (2) **COMMUNITY SERVICES**

(a) **West End Community Centre (WECC) - Update**

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

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that the reports of the Commissioner Community Services on behalf of the West End Community Centre Steering Committee and the Commissioner of Finance and Treasurer dated 2010 02 22 concerning West End Community Centre (WECC) be accepted and the recommendation that Council authorize proceeding with Phases 1 and 2 (indoor turf facility and library) of the West End Community Centre project at an estimated cost of no more than \$10.7 million with funding to come from revenue received from the Invest in Ontario grant and the issue of long term debt in the amount of \$5.1 million, be approved; and Further resolved that Council acknowledges that the City will not be in a position to proceed with Phase 3 (replacement of the McMeeken Centre) for up to 5 years in the absence of substantial funding from the senior levels of government or other outside sources. CARRIED.

6. (2)(a) Moved by Councillor B. Hayes
Seconded by Councillor L. Turco
Whereas the West End Community Centre was identified as a key project in the City's application for economic stimulus funding; and
Whereas the City application for funding was declined; and
Whereas in order to proceed with Phase 1 and 2 of the West End Community Centre it will be necessary to issue \$5.1 million in debt; and
Whereas the cost to the taxpayers of the City to finance this debt will be \$630,000/year for 10 years; and
Whereas the City debt load on approval of this funding will be \$28 million;
Now Therefore be it resolved that the City recommend the hospital levy and current share of casino funds be used to pay down debt once the City share of the hospital funding has been satisfied. CARRIED.

6. (6) **PLANNING**

(a) **Applicant No. A-4-10-Z – McRain Developments Inc. – 520 Allen's Side Road – Request Rezoning in Order to Facilitate Future Development of a Manufacturing and Assembly Facility for Solar Panels**

The report of the Planning Division was accepted by Council.

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that the report of the Planning Division dated 2010 02 22 concerning Application No. A-4-10-Z – McRain Developments Inc. – 520 Allen's Side Road be accepted and the Planning Director's recommendation that City Council deny the applicant's request for "M2: (Medium Industrial) zoning and approve Official Plan Amendment No. 171, deem the property under site plan control, and rezone the subject property from "RA" (Rural Area) zone to "M1" (Light Industrial) zone with the following Special Exception:

1) That a facility for the manufacture and assembly of solar panels is permitted on the subject property, in addition to those uses permitted in an "M1" (Light Industrial) zone;

2) That the following uses, as defined in Zoning By-law 2005-150, be prohibited from operating on the subject property:

- a. Contractor's Yards
- b. Delivery and Courier Services
- c. Dry Cleaning and Laundry Plants
- d. Manufacture of Food and Beverages
- e. Rental and Leasing
- f. Warehousing, Wholesaling and Distribution Services,

be endorsed. CARRIED.

6. (6)(a) Recorded Vote

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

Absent: Councillor D. Celetti, S. Myers

(b) **Applicant No. A-5-10-Z – Palmer Construction Group – 2325 Great Northern Road – Request Rezoning to Permit Portable Asphalt Plant**

The report of the Planning Division was accepted by Council.

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that the report of the Planning Division dated 2010 02 22 concerning Application No. A-5-10-Z – Palmer Construction Group – 2325 Great Northern Road be accepted and the Planning Director's recommendation that City Council approve the application and rezone the subject property from "REX" (Rural Aggregate Extraction) zone to "REX.S" (Rural Aggregate Extraction) zone with a Special Exception to permit a portable asphalt plant, subject to the 2 conditions contained in the report be endorsed. CARRIED.

(c) **Hub Trail Construction - Fort Creek Conservation Area – City Contract 2010-E**

The reports of the Planning Division were accepted by Council. The relevant By-law 2010-45 is listed under Item 10 of the Minutes.

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that the report of the Planning Division dated 2010 02 22 concerning the Hub Trail Construction – Fort Creek Conservation Area – City Contract 2010-1E be accepted and the Planning Director's recommendation that City Council award Contract 2010-1E (Hub Trail Construction - Fort Creek Conservation Area) to R.M. Belanger Limited, in the amount of \$2,779,863.45 (including GST) subject to a further review of the bridge and foundation materials, design and alignment be endorsed. CARRIED.

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

(a) **Alternative Energy Task Team – Position Paper**

The report of the Alternative Energy Task Team was received by Council.

Moved by Councillor S. Butland

Seconded by Councillor F. Fata

6. (8)(a) Resolved that the report of the Alternative Energy Task Team concerning Alternative Energy Position Paper be received as information; and Further resolved that City Council supports the Alternative Energy Committee in its efforts to accomplish the following recommended next steps:
1. to develop a governing structure for the Committee
 2. to develop a strategy that enables continued growth in the alternative energy sector and report back to Council; and
 3. to ensure appropriate community entities are aligned in their efforts to support the strategy and develop an action plan, be approved. CARRIED.

(b) **CQI – Request for Increase in Funding**

The report of the Chair and Executive Director, Community Quality Institute was received by Council.

Moved by Councillor B. Hayes

Seconded by Councillor T. Sheehan

Whereas in September 2009, \$20,000 municipal funding was transferred to the Community Quality Initiative (CQI) from the 2009 Unforeseen Expense fund as temporary funding support; and

Whereas at that time, City Council requested that a full presentation by CQI be made to Council early in 2010 prior to budget in order that Council could know the status of CQI and consider further funding; and

Whereas at the time, Council also stated that any additional funding request would be referred to the 2010 budget;

Now Therefore be it resolved that the CQI request, contained in The report to City Council dated February 22, 2010, for an increase in annual funding in the amount of \$40,000 (total \$80,000 annually) BE REFERRED to the 2010 Budget deliberations, be approved. CARRIED.

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

(a) Moved by Councillor P. Mick

Seconded by Councillor B. Hayes

Whereas traffic on Black Road has become increasingly heavy, including a high proportion of truck traffic; and

Whereas there is very active residential, commercial and institutional construction in the surrounding area; and

Whereas both residential and commercial users have had inordinately long waits (reported at times to be from 7 - 21 minutes) in order to turn north onto Black Road from eastbound Second Line;

Now Therefore be it resolved that Council requests the Commissioner of Public Works and Transportation to report on the feasibility of traffic lights for the Black Road - Second Line intersection. CARRIED.

7. (b) Moved by Councillor P. Mick
Seconded by Councillor L. Turco
Whereas Sault Ste. Marie product, Brigitte Action, will be competing in downhill skiing this week at the Vancouver Olympics; and
Whereas the City of Sault Ste. Marie is extremely proud of Brigitte's accomplishments and hard work;
Therefore be it resolved that City Council sends best wishes and thanks to Brigitte on behalf of all area citizens. CARRIED.

- (c) Moved by Councillor S. Butland
Seconded by Councillor F. Manzo
Whereas Donna Pearl Irving commenced employment with the Corporation of the City of Sault Ste. Marie in 1981 as an Office Clerk in the Public Works & Transportation Department; and
Whereas she was promoted to the position of Executive Secretary to the Chief Administrative Officer in 1984, and
Whereas she was promoted to the position of Assistant City Clerk in 1988, a position which she held until the retirement of the former City Clerk at the end of 1995; and
Whereas she was promoted to the position of City Clerk in January 1996; and
Whereas the said Donna Pearl Irving, having decided that she will retire at the end of February 2010, has devoted almost 29 years as a truly dedicated employee in our organization; and
Whereas she will be missed by all of the co-workers, elected officials and colleagues throughout the Province of Ontario who have had the privilege of working with her;
Now Therefore be it resolved that City Council on behalf of City staff and citizens of Sault Ste. Marie, expresses its sincerest gratitude to Donna Pearl Irving and wishes her, her husband Gary and her whole family all the best in her retirement. 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 T, Sheehan
Seconded by Councillor F. Fata
Resolved that all the by-laws listed under Item 10 of the Agenda under date 2010 02 22 be approved. CARRIED.

10. Resolved that By-law 2010-36 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 22nd day of February, 2010. CARRIED.

Resolved that By-law 2010-37 being a by-law to authorize the execution of a Lease Extension Agreement dated the 22nd day of February, 2010 between the City and Elementa Group Inc. be PASSED in open Council this 22nd day of February, 2010. CARRIED.

Resolved that By-law 2010-38 being a by-law to provide for Interim Tax Levies be PASSED in open Council this 22nd day of February, 2010. CARRIED.

Resolved that By-law 2010-39 being a by-law to permit the temporary closing of Lake Street from Queen Street East to its south end at Bellevue Park to facilitate the Dragon Boat Festival be PASSED in open Council this 22nd day of February, 2010. CARRIED.

Resolved that By-law 2010-40 being a by-law to amend Schedule "Q" to Traffic By-law 77-200 regarding parking on Ken Danby Way be PASSED in open Council this 22nd day of February, 2010. CARRIED.

Resolved that By-law 2010-41 being a by-law to authorize the City's acquisition from 920939 Ontario Inc. of Part 1 on Plan IR-11776 for the Third Line extension be PASSED in open Council this 22nd day of February, 2010. CARRIED.

Resolved that By-law 2010-42 being a by-law to exempt the Ermatinger-Clergue National Historic Site from By-law 2008-168 being Resolved that by-law to prohibit the discharge of firearms in the municipality be PASSED in open Council this 22nd day of February, 2010. CARRIED.

Resolved that By-law 2010-43 being a by-law to permit the temporary closing of St. Mary's River Drive from the Delta Sault Ste. Marie Waterfront Hotel to 49 St. Mary's River Drive to facilitate the Heart & Stroke Foundation Car, Walk & Motorcycle Show be PASSED in open Council this 22nd day of February, 2010. CARRIED.

Resolved that By-law 2010-44 being a by-law to amend By-law 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 PASSED in open Council this 22nd day of February, 2010. CARRIED.

10. Resolved that By-law 2010-46 being a by-law to authorize the vesting in the City's name and subsequent sale to Robert Dumanski In Trust for a company to be incorporated of the property known municipally as 503 Bay Street be PASSED in open Council this 22nd day of February, 2010. CARRIED.

Resolved that By-law 2010-47 being a by-law to authorize the execution of a Lease Extension Agreement dated the 1st day of March, 2010 between the City and 882206 Ontario Inc. be PASSED in open Council this 22nd day of February, 2010. CARRIED.

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

Moved by Councillor T, Sheehan

Seconded by Councillor F. Fata

Resolved that Council shall now go into Caucus to discuss one matter concerning proposed disposition of City-owned property on Dacey Road; and Further be it resolved that should the said Caucus meeting be adjourned, Council may reconvene in Caucus to continue to discuss the same matter without the need for a further authorizing resolution. CARRIED.

12. **ADDENDUM TO THE AGENDA**

13. **ADJOURNMENT**

Moved by - Councillor T. Sheehan

Seconded by - Councillor F. Fata

Resolved that this Council shall now adjourn. CARRIED.

"James Caicco"

ACTING MAYOR

"Malcolm White"

CLERK