

MINUTES

REGULAR MEETING OF CITY COUNCIL

2010 06 14

4:30 P.M.

COUNCIL CHAMBERS

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

OFFICIALS: J. Fratesi, M. White, B. Freiburger, J. Dolcetti, N. Kenny, J. Elliott

1. **ADOPTION OF MINUTES**

Moved by - Councillor F. Manzo

Seconded by - Councillor J. Caicco

Resolved that the Minutes of the Regular Council Meeting of 2010 05 31 be approved. CARRIED.

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

3. **APPROVE AGENDA AS PRESENTED**

Moved by - Councillor O. Grandinetti

Seconded by - Councillor S. Butland

Resolved that the Agenda for the 2010 06 14 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

(a) Josh Pringle, ChangeCamp Sault Coordinator was in attendance concerning Proclamation – ChangeCamp.

(b) Taylor Foisy, Miss Teen Sault Ste. Marie and a Miss Teen Canada World contestant; and Ashley Fecteau, Miss Algoma District and a Miss Earth Canada contestant were in attendance to make a presentation concerning their upcoming events.

(c) Brian Curran, President and CEO, PUC Inc. was in attendance concerning the PUC Inc. Annual Shareholder Meeting.

Moved by - Councillor O. Grandinetti

Seconded by - Councillor J. Caicco

4. (c) Resolved that City Council is now authorized to meet in Open Session as the sole shareholder of PUC Inc.; and
Further resolved that City Council appoints Mayor John Rowswell as Council's proxy to vote on the resolutions of the shareholder of PUC Inc. CARRIED.
- (d) Robert Reid, 1st Vice President of the Chamber of Commerce was in attendance concerning Proclamation – Dr. Celia Ross Day.

PART ONE – CONSENT AGENDA

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

Moved by - Councillor F. Manzo

Seconded by - Councillor S. Butland

Resolved that all the items listed under date 2010 06 14 - Part One - Consent Agenda and Addendum #1, save and except 5. (f) be approved as recommended. CARRIED.

- (a) Correspondence from the Association of Municipalities of Ontario was accepted by Council.
- (b) Correspondence from the City of Kingston (concerning parallel transit as an essential service and payments in lieu of taxes); the Town of New Tecumseth (concerning the harmonized goods and services tax); Muscular Dystrophy Canada (concerning the efforts of Sault Ste. Marie Professional Firefighters Association who raised \$4,918.78 for Muscular Dystrophy Canada between April 1, 2009 and March 31, 2010); Ontario Lottery and Gaming Corporation (slot machine revenue); was accepted by Council.

Moved by - Councillor J. Caicco

Seconded by - Councillor O. Grandinetti

Resolved that Sault Ste. Marie City Council supports and endorses the City of Kingston resolution dated May 26, 2010 which was forwarded to the Province of Ontario as follows:

Whereas in a unanimous decision on 15 April the Supreme Court of Canada clearly and unequivocally stated that the federal government and its Crown Corporations must pay for the services municipalities provide in the same way private owners pay;

Therefore Be It Resolved that Kingston City Council urges the government of the Province of Ontario to follow this decision, with respect to all properties for which it makes payments in lieu of taxes (including heads and beds). CARRIED.

Moved by - Councillor T. Sheehan

Seconded by - Councillor S. Butland

5. (b) Whereas revenues from Charity Casinos have decreased over many years;
Therefore Be It Resolved that the Sault Ste. Marie City Council invite representatives of the Cities which host Charity Casinos to participate in a teleconference to discuss a resolution to this extremely important issue.
CARRIED.
Councillor B. Hayes declared a pecuniary interest – employed by the Ontario Lottery and Gaming Corporation.
- (c) Correspondence requesting permission for private property liquor license extensions was accepted by Council.
- Moved by - Councillor O. Grandinetti
Seconded by - Councillor S. Butland
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 date and times:
Great Northern Retirement Home
760 Great Northern Road
Family Fun Day – July 16, 2010 from 2:00 p.m. to 7:00 p.m. CARRIED.
- (d) A letter of request for a temporary street closing was accepted by Council.
1) on Queen Street (East to Brock) in conjunction with the 2010 Buskerfest Festival being held August 6, 7 and 8, 2010.
2) on Doncaster Road (85 Nichol to 403 Doncaster) – Street Gathering – being held August 14, 2010.
The relevant By-laws 2010-113 and 2010-116 are listed under Item 10 of the Minutes.
- (e) **Staff Travel Requests**
The report of the Chief Administrative Officer was accepted by Council.
- Moved by - Councillor O. Grandinetti
Seconded by - Councillor S. Butland
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2010 06 14 be approved as requested. CARRIED.
- (f) **Building Permit Reserve Fund**
The report of the Commissioner of Finance and Treasurer was accepted by Council.
- Moved by - Councillor F. Manzo
Seconded by - Councillor S. Butland
Resolved that the report of the Commissioner of Finance and Treasurer dated 2010 06 14 concerning Building Permit Reserve Fund be accepted and the recommendation that the \$300,000 surplus from the Building Permits Reserve be allocated to the Contingency Reserve to finance future potential costs relating to ongoing tax appeals, be approved. CARRIED.

5. (f) Moved by - Councillor T. Sheehan
Seconded by - Councillor S. Myers
Whereas City Staff has identified \$300,000 in revenue from the building reserve fund which is being paid to the City for retroactive rent charges; and
Whereas jobs and community development are very important to the citizens of Sault Ste. Marie;
Now Therefore Be It Resolved that City Council discuss moving an appropriate amount of funds to both the Economic Diversification Fund (EDF) and Community Development Fund (CDF) to be used for projects which will create jobs and also impact community development through out the City of Sault Ste. Marie. OFFICIALLY READ NOT DEALT WITH.
- (g) **Biennial Bridge Inspections – Agreement for Engineering Services**
The report of the Director of Engineering Services was accepted by Council. The relevant By-law 2010-115 is listed under Item 10 of the Minutes.
- (h) **Lease Agreement – Sault Ste. Marie Airport Development Corporation – Land Adjacent to Pointe Des Chenes Park**
The report of the Assistant City Solicitor was accepted by Council. The relevant By-law 2010-114 is listed under Item 10 of the Minutes.
- (i) **2010 Sidewalk and Curb Repair Programs**
The report of the Commissioner of Public Works and Transportation Department was accepted by Council.
- Moved by - Councillor F. Manzo
Seconded by - Councillor S. Butland
Resolved that the report of the Commissioner of Public Works and Transportation Department dated 2010 06 14 concerning 2010 Sidewalk and Curb Repair Programs, be accepted as information. CARRIED.
- (j) **Community Theatre Centre Management Board**
The report of the City Clerk was accepted by Council.
- Moved by - Councillor O. Grandinetti
Seconded by - Councillor J. Caicco
RESOLVED that Karen Montgomery Jones be appointed to the Community Theatre Management Board from June 14, 2010 to December 31, 2010. CARRIED.
- (k) Correspondence requesting permission for a private property liquor license extension was accepted by Council.
- Mover - Councillor F. Manzo
Seconder - Councillor S. Butland
Resolved that City Council has no objection to the proposed extended licensed areas as detailed in the written requests for liquor license extension on private

5. (k) property for outdoor events on the following stated dates and times:
1) Loplop Gallery Lounge
651 Queen Street East
Downtown Days and Rotaryfest
July 16th and July 17th, 2010
Other Dates
July 9th to 22nd
July 23rd to August 5th
August 6th to August 19th
August 20th to September 2nd
CARRIED.
- (l) **City of Sault Ste. Marie Credit Rating**
The report of the Commissioner of Finance and Treasurer was accepted by Council.
- Moved by - Councillor O. Grandinetti
Seconded by - Councillor S. Butland
Resolved that the report of the Commissioner of Finance and Treasurer dated 2010 06 14 concerning City of Sault Ste. Marie Credit Rating, be accepted as information. CARRIED.
- (m) **Installing of Stakes, Pickets, Etc. by the Public on the City's Right-Of-Way**
The report of the Commissioner of Public Works and Transportation Department was accepted by Council.
- Moved by - Councillor O. Grandinetti
Seconded by - Councillor J. Caicco
Resolved that the report of the Commissioner of Public Works and Transportation Department dated 2010 06 14 concerning Installing of Stakes, Pickets, Etc. by the Public on the City's Right-Of-Way, be accepted as information. CARRIED.

PART TWO – REGULAR AGENDA

6. **REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES**
7. **UNFINISHED BUSINESS, NOTICE OF MOTIONS AND RESOLUTIONS PLACED ON AGENDA BY MEMBERS OF COUNCIL**
- (a) Moved by - Councillor J. Caicco
Seconded by - Councillor S. Butland
Whereas the Provincial Government has recently introduced the Water Opportunities and Water Conservation Act; and
Whereas the legislation would help municipalities improve the efficiency and infrastructure of services; and
Whereas the Province will support municipalities in investigating innovative,

7. (a) cost effective solution to water challenges including water conservation. As well as identifying opportunities to implement new and emerging Ontario water technologies; and
Whereas this initiative will be a priority for Government in the coming years; and
Whereas given our community's strategic location at the centre of the Great Lakes and our positive synergies related to these initiatives;
Therefore Be It Resolved that City staff in conjunction with the EDC coordinate an information session or conference call with representation from the appropriate Provincial Ministry and government agencies or organizations who may benefit from participating in a discussion on the proposed Water Opportunities and Water Conservation Act. CARRIED.

- (b) Moved by - Councillor S. Myers
Seconded by - Councillor T. Sheehan
Whereas the City of Toronto has implemented a Graffiti Transformation Program and Graffiti Abatement Program;
Therefore Be It Resolved that appropriate staff investigate the particulars of the City of Toronto graffiti programs and report back to Council with recommendations as to how such programs might be implemented in Sault Ste. Marie and identify any potential costs. CARRIED.

(c) **Notice of Motion**

Moved by - Councillor J. Caicco
Seconded by - Councillor S. Myers
Whereas Algoma University and Sault College are in a phase of unprecedented expansion and positive growth; and
Whereas the post secondary institutions will strive to continue their expansion of infrastructure with new proposed buildings which are now being planned for; and
Whereas a Post Secondary Expansion will have a positive affect on the community including the Downtown as well as an economic generator for the community. Both institutions are an essential element of the future success of the City of Sault Ste. Marie, and
Whereas the Post Secondary institutions have approached the City for a contribution to make this expansion possible;
Therefore Be It Resolved that representatives from Sault College and Algoma University make presentation to City Council regarding their expansion plans;
Further Be It Resolved that City Council refer this matter to the EDC and the Economic Development Fund for their recommendation on this initiative.

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. Manzo
Seconded by - Councillor J. Caicco
Resolved that By-law 2010-110 being a by-law to adopt Amendment No. 173 to the Official Plan (Mageran) be PASSED in open Council this 14th day of June, 2010. CARRIED.

Moved by - Councillor F. Manzo
Seconded by - Councillor J. Caicco
Resolved that By-law 2010-111 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 regarding the lands located at 626 Airport Road (Mageran) be PASSED in open Council this 14th day of June, 2010. CARRIED.

Moved by - Councillor F. Manzo
Seconded by - Councillor J. Caicco
Resolved that By-law 2010-112 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 14th day of June, 2010. CARRIED.

Moved by - Councillor F. Manzo
Seconded by - Councillor J. Caicco
Resolved that By-law 2010-113 being a by-law to permit the temporary street closing of Queen Street from East Street to Brock Street to facilitate the 2010 Buskerfest be PASSED in open Council this 14th day of June, 2010. CARRIED.

Moved by - Councillor F. Manzo
Seconded by - Councillor J. Caicco
Resolved that By-law 2010-114 being a by-law to authorize the execution of a renewal of a Lease Agreement between the City and the Airport Development Corporation for land adjacent to Pointe Des Chenes Park be PASSED in open Council this 14th day of June, 2010. CARRIED.

Moved by - Councillor F. Manzo
Seconded by - Councillor J. Caicco
Resolved that By-law 2010-115 being a by-law to authorize an agreement between the City and M.R. Wright and Associates to complete the 2010 biennial bridge inspections be PASSED in open Council this 14th day of June, 2010. CARRIED.

Moved by - Councillor F. Manzo
Seconded by - Councillor J. Caicco
Resolved that By-law 2010-116 being a by-law to permit the temporary street closing of Doncaster Road from 85 Nichol Avenue to 403 Doncaster Road for the purpose of a street gathering be PASSED in open Council this 14th day of June, 2010. CARRIED.

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

Moved by - Councillor O. Grandinetti

Seconded by - Councillor S. Butland

Resolved that this Council shall now go into Caucus to discuss:

1. A proposed property acquisition on Great Northern Road

2. A legal matter concerning potential litigation; 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 session. CARRIED.

12. **ADDENDUM TO THE AGENDA**

13. **ADJOURNMENT**

Moved by - Councillor O. Grandinetti

Seconded by - Councillor J. Caicco

Resolved that this Council shall now adjourn. CARRIED.

"Steve Butland"

ACTING MAYOR

"Malcolm White"

CLERK