

AGENDA

REGULAR MEETING OF CITY COUNCIL

2009 08 24

4:30 P.M.

COUNCIL CHAMBERS

1. **ADOPTION OF MINUTES**

Mover - Councillor S. Myers

Seconded - Councillor F. Fata

Resolved that the Minutes of the Regular Council Meeting of 2009 07 27 and Special Meeting of 2009 08 13 be approved.

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

3. **APPROVE AGENDA AS PRESENTED**

Mover - Councillor S. Myers

Seconded - Councillor D. Celetti

Resolved that the Agenda for the 2009 08 24 City Council Meeting as presented be approved.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Dr. Arthur Perlini, Academic Dean, Algoma University will be in attendance concerning Proclamation – Algoma University Frosh Week.
- (b) Eileen Fagan and Don McDonald on behalf of the local 2009 Terry Fox Run organizers will be in attendance concerning the upcoming Terry Fox Run on September 13th.
- (c) Greg Punch, President; and Bruce Strapp, C.E.O., Economic Development Corporation will be in attendance concerning agenda item 5.(t) 2008 Annual Report.

PART ONE – CONSENT AGENDA

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

Mover - Councillor T. Sheehan

Seconder - Councillor F. Fata

Resolved that all the items listed under date 2009 08 24 - Part One - Consent Agenda be approved as recommended.

- (a) Correspondence from AMO and OGRA is attached for the information of Council.
- (b) Correspondence from the Township of Huron-Kinloss (concerning designating giant hogweed under the Weed Control Act); City of Kingston (concerning Housing Network of Ontario declaration on affordable housing); City of Greater Sudbury (concerning employment insurance reform and concerning a proposed Workplace Fatalities Family Bill of Rights); Community Schools Alliance (concerning a 'smart moratorium' on disputed school closings); Township of Madawaska Valley (concerning Home Care Services and funding for personal support workers) is attached for the information of Council.
- (c) Letters from Canada's Minister of Transport Infrastructure and Communities concerning projects approved for funding under the Infrastructure Stimulus Fund; and from the Minister of Northern Development, Mines and Forestry concerning an update on the Northern Growth Plan is attached for the information of Council.
- (d) A News Release concerning deal reached to operate Huron Central Rail Line until August 14, 2010 is attached for the information of Council.
- (e) A letter of request for a temporary street closing is attached for the consideration of Council.
 - 1) on Fields Square in conjunction with a Neighbourhood Party (September 13th; rain date September 20th).The relevant By-law 2009-149 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (f) **Staff Travel Requests**
A report of the Chief Administrative Officer is attached for the consideration of Council.

Mover - Councillor T. Sheehan

Seconder - Councillor D. Celetti

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2009 08 24 be approved as requested.

5. (g) **Court Ruling on Bank Tower Assessment**

A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.

Mover - Councillor S. Myers

Seconder - Councillor F. Fata

Resolved that the report of the Commissioner of Finance and Treasurer dated 2009 08 24 concerning Court Ruling on Bank Tower Assessment be received as information.

(h) **Tender for Screened Street Sand**

A report of the Manager of Purchasing is attached for the consideration of Council.

Mover - Councillor S. Myers

Seconder - Councillor D. Celetti

Resolved that the report of the Manager of Purchasing dated 2009 08 24 be endorsed and that the tender for the supply of Screened Street Sand, required by the Public Works and Transportation Department be awarded as recommended.

(i) **Tenders for Equipment – Public Works and Transportation Department**

A report of the Manager of Purchasing is attached for the consideration of Council.

Mover - Councillor T. Sheehan

Seconder - Councillor F. Fata

Resolved that the report of the Manager of Purchasing dated 2009 08 24 be endorsed and that the tenders for the supply and delivery of various pieces of equipment, required by the Public Works and Transportation Department be awarded as recommended.

(j) **Collective Bargaining – February 1, 2009 to January 31, 2012 – Memorandum of Settlement – Amalgamated Transit Union Local 1767**

A report of the Commissioner of Human Resources is attached for the consideration of Council.

Mover - Councillor T. Sheehan

Seconder - Councillor D. Celetti

Resolved that the report of the Commissioner of Human Resources dated 2009 08 24 concerning Collective Bargaining - February 1, 2009 to January 31, 2012 - Memorandum of Settlement be accepted and further that the Memorandum of Settlement for Amalgamated Transit Union Local 1767 and the City of Sault Ste. Marie be approved for ratification by City Council and that the appropriate by-law be presented at a future Council Meeting be approved.

5. (k) **2010 Scotties Tournament of Hearts (STOH) – Municipal Sponsorship Program**

A report of the Commissioner of Community Services is attached for the consideration of Council.

Mover - Councillor S. Myers

Seconder - Councillor F. Fata

Resolved that the report of the Commissioner of Community Services dated 2009 08 24 concerning the 2010 Scotties Tournament of Hearts (STOH) - Municipal Sponsorship Program be accepted and the recommendation that the Municipal Sponsorship Package for the 2010 STOH at the cost of \$70,000.00 be approved.

(l) **Soo Thunderbirds Hockey Club - Agreement**

A report of the Commissioner of Community Services is attached for the consideration of Council. The relevant By-law 2009-150 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

Mover - Councillor S. Myers

Seconder - Councillor D. Celetti

Resolved that the report of the Commissioner of Community Services dated 2009 08 24 concerning Soo Thunderbirds Hockey Club Agreement be accepted and the recommendation that the agreement with the Soo Thunderbirds for the time period September 1, 2009 to April 30, 2010 with the option to renew the agreement on a year-to-year basis subject to successful negotiations between the City and the Club on a renewal basis be approved.

(m) **Recreational Infrastructure Canada Program in Ontario (RIInC of Ontario)**

A report of the Commissioner of Community Services is attached for the consideration of Council.

Mover - Councillor T. Sheehan

Seconder - Councillor F. Fata

Resolved that the report of the Commissioner of Community Services dated 2009 08 24 concerning Recreational Infrastructure Canada Program in Ontario (RIInC Ontario) be accepted and the recommendation that Council authorize staff to proceed with implementing the projects that were approved under the RIInC Program and further that the replacement of the Roberta Bondar Pavilion fabric be sole sourced to Birdair Inc. at an estimated price of \$900,000.00 be approved.

5. (n) **Contract 2009-12E – Town Line Road Bridge Replacement**

A report of the Design and Construction Engineer is attached for the consideration of Council. The relevant By-laws 2009-101 and 2009-147 are listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

(o) **Contract 2009-13E – Haviland Crescent Ravine Sewer Replacement**

A report of the Design and Construction Engineer is attached for the consideration of Council. The relevant By-law 2009-148 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

(p) **Hub Trail 2009-2010 Priorities**

A report of the Planning Division is attached for the consideration of Council.

Mover - Councillor T. Sheehan

Second - Councillor D. Celetti

Resolved that the report of the Planning Division dated 2009 08 24 concerning the Hub Trail 2009-2010 Priorities be accepted and the Planning Director's recommendation:

1) that City Council accepts this report as information and that Council approves the following Hub Trail priorities: from the Hospital site to the new EMS Centre; the Sutton Park area from South Market Street to Bennett Boulevard; from Anna McRae School to Churchill Boulevard; and Finn Hill area trailhead;

2) that City Council authorize the use of the approved \$1,295,000.00 for Hub Trail development for the selected priorities be endorsed.

(q) **Residential Refuse Collection Contract for January 1, 2010**

A report of the Commissioner of Public Works and Transportation is attached for the consideration of Council.

Mover - Councillor S. Myers

Second - Councillor F. Fata

Resolved that the report of the Commissioner of Public Works and Transportation dated 2009 08 24 concerning Residential Refuse Collection Contract for January 1, 2010 be accepted and the recommendation that Municipal Waste and Recycling be awarded the residential refuse collection contract for an eight (8) year period at an initial cost of \$408,413.00 per year or \$2.40 per stop per month be approved.

(r) **Sault Ste. Marie Police Services 2008 Annual Report**

A report of the Chief of Police is attached for the consideration of Council. The Annual Report is provided under separate cover.

5. (r) Mover - Councillor S. Myers
Second - Councillor D. Celetti
Resolved that the report of the Chief of Police dated 2009 06 26 concerning the Sault Ste. Marie Police Services 2008 Annual Report be received as information.
- (s) **2009 Second Quarter Shareholder Report**
A report of the President and C.E.O., PUC Inc. is attached for the consideration of Council.
- Mover - Councillor T. Sheehan
Second - Councillor F. Fata
Resolved that the report of the President and C.E.O., PUC Inc. dated 2009 08 04 concerning 2009 Second Quarter Shareholder Report be received as information.
- (t) **2008 Annual Report of the Sault Ste. Marie Economic Development Corporation**
The Annual Report is provided under separate cover for Council.
- Mover - Councillor T. Sheehan
Second - Councillor D. Celetti
Resolved that the 2008 Annual Report of the Sault Ste. Marie Economic Development Corporation be received as information.
- (u) Correspondence concerning the St. Mary's Paper Co-generation Project is attached at the request of Councillor Sheehan for the information of Council.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (8) BOARDS AND COMMITTEES

- (a) **Report of the Committee Reviewing Outdoor Smoking at City-Owned Property, Parks and Playgrounds**
A report of the Committee Reviewing Outdoor Smoking at City-Owned Property Parks and Playgrounds is attached for the consideration of Council. Susan Milne on behalf of PRAC and Janet Allen on behalf of APH will be in attendance for any questions from Council.

6.

(8)
(a)

Mover - Councillor S. Myers

Seconder - Councillor F. Fata

Resolved that the report of the Committee Reviewing Outdoor Smoking at City-Owned Property Parks and Playgrounds dated 2009 08 24 be accepted and the recommendation that Council:

1) direct the City Solicitor to bring forward a by-law in the form of the draft by-law attached to the Committee report; and

2) authorize the required no-smoking signs be posted as soon as possible at an estimated cost of between \$7,500.00 - \$10,000.00 with the funds to come from the Algoma Public Health \$5,000.00 contribution, and the balance to come from the 5% Subdividers Fee Reserve account be approved.

7.

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

(a)

Mover - Councillor S. Myers

Seconder - Councillor P. Mick

Whereas in the spirit of good governance, elected representatives and appointed representatives of the City of Sault Ste. Marie should follow the highest standards of ethical behaviour in the course of their duties to ensure that public confidence and trust is maintained; and

Whereas there is no specific Council Code of Conduct policy, recognizing Council's conduct is partly informed by the Municipal Government Act, and Procedures and Committees By-law; and

Whereas developing a Council Code of Conduct is a growing trend among municipal governments in Ontario, the most recent being London in 2008 and St. Catharines in 2009; and

Whereas a Code of Conduct does exist for City employees and the same should exist for municipally-elected officials and members of boards and committees directly appointed by City Council;

Now therefore be it resolved that a committee of Council be formed to bring forward a draft Council Code of Conduct for the consideration of Council based upon receiving input from other municipalities that have developed such and solicit input from all members of City Council and further that the Committee be comprised of Councillor Myers (Chair), Councillor Mick, and two others with Mayor Rowswell and Legal Department staff.

7. (b) Mover - Councillor J. Caicco
Seconded - Councillor S. Butland

Whereas the new ownership of St. Mary's Paper Corporation clearly articulated, when acquiring the bankrupt assets of St. Mary's Paper Ltd. that approval of a multi-million dollar co-generation facility was an essential part of the company's business plan for future success; and

Whereas because of the recent downturn in the world economy and the strong Canadian dollar, the company continues to struggle in its paper-making operations with the future of more than 300 employees depending on the success of the company; and

Whereas approval to proceed with the proposed 35MW co-generation plant would allow the mill to transition from being a single-product mill into a multi-purpose site that would produce energy and value-added bioforced economy products, in addition to the traditional supercalendar paper for publishers and retailers; and

Whereas the co-generation plant, which would be fueled by wood waste (biomass), would create both electricity and steam for heating and operational use; and

Whereas the City of Sault Ste. Marie has clearly demonstrated its commitment and support to projects which promote alternative green energy;

Now therefore be it resolved that the Council of the Corporation of the City of Sault Ste. Marie reiterates and reconfirms its strong support for the St. Mary's Paper proposal as presented by its subsidiary corporation, St. Mary's Renewal Energy Corp. and urges the Ontario Power Authority and the Province of Ontario to reconsider this Sault Ste. Marie application or in the alternative, to ensure this project receives approval in the next round of procurement; and

Further be it resolved that copies of this resolution be forwarded to the Honourable Dalton McGuinty, Premier of the Province of Ontario; the Honourable George Smitherman, Minister of Energy and Infrastructure; David Oraziotti, MPP - Sault Ste. Marie; Michael Brown, MPP - Algoma-Manitoulin; Honourable Donna Cansfield, Minister of Natural Resources; Honourable Michael Gravelle, Minister of Northern Development, Mines and Forestry; Honourable Dwight Duncan, Minister of Finance; and Honourable Sandra Pupatello, Minister of Economic Trade and Development.

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

By-laws before Council for THREE readings which do not require more than a simple majority.

AGREEMENTS

- (a) 2009-101 A by-law to authorize a contract between the City and Avery Construction Limited for the removal and replacement of the Town Line Road bridge south of Base Line (Contract 2009-12E).

A report from the Design and Construction Engineer is on the agenda.
- (b) 2009-148 A by-law to authorize a contract between the City and 786222 Ontario Inc. o/a Harold Phillips Haulage for the replacement of the Haviland Crescent Ravine sewer (Contract 2009-13E).

A report from the Design and Construction Engineer is on the agenda.
- (c) 2009-150 A by-law to authorize an agreement with the City and Soo Thunderbirds Hockey Club Inc. for the use of facilities in the John Rhodes Community Centre and the Essar Centre.

A report from the Commissioner of Community Services is on the agenda.

TEMPORARY STREET CLOSINGS

- (d) 2009-147 A by-law to authorize the temporary closing of Town Line Road at the bridge, necessary for the removal and replacement of the Town Line Road bridge.
- (e) 2009-149 A by-law to permit the temporary closing of Fields Square and Meadow Lane from 95 Fields Square to 107 Fields Square to 24 Meadow Lane.

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

Mover - Councillor S. Myers

Seconder - Councillor D. Celetti

Resolved that this Council shall now adjourn.

MAYOR

CLERK

MINUTES

REGULAR MEETING OF CITY COUNCIL

2009 07 27

4:30 P.M.

COUNCIL CHAMBERS

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

ABSENT: Mayor J. Rowsell, Councillors D. Celetti, P. Mick

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, J. Elliott, N. Apostle, B. Freiburger, J. Dolcetti, R. Cobean, K. Streich-Poser, B. Strapp, D. McConnell, R. Travaglini, M. Saunders

1. **ADOPTION OF MINUTES**

Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that the Minutes of the Regular Council Meeting of 2009 06 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 J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that the Agenda for the 2009 07 27 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) The 2009/10 Chamber of Commerce Executive (Cale Krezek, President; Robert W. Reid, First Vice-President; Ron Spadoni, Treasurer; and Shelley Barich, General Manager) were in attendance for the annual Swearing-In Ceremony by Acting Mayor Manzo.
- (b) Alexander Porter, recipient of a Canada Millennium Scholarship Foundation Award was in attendance for special recognition by Acting Mayor Manzo.

4. (c) Bob Paciocco was in attendance concerning agenda items 5.(hh) and 6.(6)(a).
- (d) Judy McGonigal, Chair Historic Sites Board; Kathy Fisher, Curator Ermatinger-Clergue National Historic Site; Joe Melisek and Jacob Barton, BDO; and Chris Tossell Architect were in attendance concerning agenda item 6.(8)(a).
- (e) Dr. Martha Scott, Manager Research and Partnerships; Dwayne Hammond, Adjunct Faculty; and Dr. Celia Ross, President; Algoma University were in attendance concerning agenda item 6.(8)(b).
- (f) Errol Caldwell, Sault Ste. Marie Innovation Centre was in attendance concerning agenda item 6.(8)(c).

PART ONE – CONSENT AGENDA

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

Moved by Councillor S. Butland

Seconded by Councillor O. Grandinetti

Resolved that all the items listed under date 2009 07 27 - Part One - Consent Agenda be approved as recommended. CARRIED.

- (a) Correspondence from AMO and OGRA was received by Council.
- (b) Correspondence from the Town of Innisfil (concerning harmonized sales tax – electricity rates); Town of Stirling-Rawdon (concerning municipal drinking water licensing plan); City of Welland (concerning health services provided through the hospital system); and Township of Woolwich (concerning review of the Development Charges Act) was received by Council.
- (c) The letter requesting permission for a private property liquor license extension was accepted by Council.

Moved by Councillor S. Butland

Seconded by Councillor O. Grandinetti

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

1) Waterfront Inn and Conference Centre

208 St. Mary's River Drive

Essar Algoma Steel Customer Appreciation Night

August 5, 2009 from 5:00 p.m. to 1:00 a.m.

5. (c) 2) Waterfront Inn and Conference Centre
208 St. Mary's River Drive
Ontario First Nations Technical Services BBQ Lunch Banquet
August 26, 2009 from 11:00 a.m. to 2:00 p.m. CARRIED.
- (d) The letter from the Ministry of Natural Resources (concerning annual wildlife rabies control operations); and the Minister of Natural Resources (in response to a Council resolution concerning St. Marys Renewable Energy Centre) was received by Council.
- (e) Correspondence concerning another alternative energy project (to convert scrap tires into usable and sustainable by-products) in Sault Ste. Marie attached at the request of Councillor Steve Butland was received by Council.
- (f) Correspondence from Ontario Lottery and Gaming advising that the quarterly payment of the 5% allocation from April 1, 2009 to June 30, 2009 is \$372,517.00 was received by Council.
- (g) The Outstanding Council Resolutions List as of June 22, 2009 was received by Council.
- (h) **Council Travel**
- Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that Councillor Lou Turco be authorized to travel to a FONOM Board Meeting being held in North Bay, Ontario (3 days in July) at no cost to the City. CARRIED.
- Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that Mayor John Rowsell (replacing Councillor Bryan Hayes) be authorized to travel to the 2009 AMO Annual Conference being held in Ottawa (4 days in August) at an estimated cost to the City of \$2,300.00. CARRIED.
- (i) **Boards and Committees – Algoma University Board of Governors**
- Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that Councillor James Caicco be nominated to the Algoma University Board of Governors from July 27, 2009 to December 31, 2010. CARRIED.
- (j) **Staff Travel Requests**
- The report of the Chief Administrative Officer was accepted by Council.

5. (j) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2009 07 27 be approved as requested. CARRIED.

(k) **Huron Central Railway**

The report of the Chief Administrative Officer and correspondence from the Chief Administrative Officer concerning Huron Central Rail Northshore Stakeholders Meeting of July 14, 2009 was received by Council.

Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that the report of the Chief Administrative Officer dated 2009 07 27 concerning Huron Central Railway be received as information. CARRIED.

Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Whereas the Huron Central Rail line between Sault Ste. Marie and Sudbury has announced it will discontinue operations commencing August 15, 2009; and

Whereas a group of key stakeholders including representatives from affected industries, municipalities, First Nations, federal and provincial representatives, FedNor and Ministry of Northern Development Mines and Forestry representatives unanimously agree that the rail line must not be allowed to close and that the loss of the line would have lasting negative impacts on Northern Ontario's industrial base, particularly steel, forestry/paper and mining and the businesses that support those operations; and

Whereas the closure of the line could mean as many as 50,000 more transports annually for the highway between Sault Ste. Marie and Sudbury;

Now therefore be it resolved that Sault Ste. Marie City Council expresses its full support for finding a solution to saving the Huron Central Rail line and expresses that there is an urgent need for government involvement in finding a solution; and

Further that a copy of this resolution be forwarded to Tony Martin M.P.; David Oraziotti, M.P.P.; Honourable Tony Clement, Federal Minister of Industry; Honourable Jim Prentice, Federal Minister of Environment; Honourable John Baird, Federal Minister of Transportation, Infrastructure and Communities; Prime Minister Stephen Harper; Honourable George Smitherman, Provincial Minister of Energy and Infrastructure; Honourable Michael Gravelle, Provincial Minister of Northern Development and Mines; Honourable Rick Bartolucci, Provincial Minister of Community Safety and Correctional Services; Honourable John Gerretsen, Provincial Minister of Environment; Honourable Jim Bradley, Provincial Minister of Transportation; and Premier Dalton McGinty. CARRIED.

(l) **Tender for Replacement Parking Meter Lower Vault Housings**

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

5. (l) Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that the report of the Manager of Purchasing dated 2009 07 27 be endorsed and that the tender for the supply and delivery of Replacement Lower Vault Housings for Parking Meters, required by the Parking Division of the Public Works and Transportation Department be awarded as recommended. CARRIED.

- (m) **Tender for RS2 Emulsified Asphalt and M.T.O. Prime**
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that the report of the Manager of Purchasing dated 2009 07 27 be endorsed and that the tender for the supply and delivery of RS2 Emulsified Asphalt and M.T.O. Prime, required by the Public Works and Transportation Department be awarded as recommended. CARRIED.

- (n) **Tender for Seventy-Five (75) Desktop Personal Computers**
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that the report of the Manager of Purchasing dated 2009 07 27 be endorsed and that the tender for the supply and delivery of Seventy-Five (75) Desktop Personal Computers, required by the Information Technology Division be awarded as recommended. CARRIED.

- (o) **Tender for One (1) Para-Transit Mini Buses (2009CK01)**
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that the report of the Manager of Purchasing dated 2009 07 27 be endorsed and that the tender for the supply and delivery of One (1) Para-Transit Mini Bus, required by the Transit Division of the Public Works and Transportation Department be awarded as recommended. CARRIED.

- (p) **Tender for One (1) Freestanding Columbarium (2009C101)**
The report of the Manager of Purchasing was accepted by Council.

5. (p) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that the report of the Manager of Purchasing dated 2009 07 27 be endorsed and that the tender for the supply and delivery of One (1) Freestanding Modular Columbarium, required by the Cemeteries Division of the Public Works and Transportation Department be awarded as recommended. CARRIED.
- (q) **Tender for Roof Replacement – Maycourt Children’s Centre**
The report of the Manager of Purchasing and the Commissioner of Community Services was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that the reports of the Manager of Purchasing and the Commissioner of Community Services dated 2009 07 27 be endorsed and that the tender for Roof Replacement at the Maycourt Children’s Centre, required by the Community Services Department be awarded as recommended. CARRIED.
- (r) **Sault Ste. Marie International Youth Association - Buskerfest**
The report of the Manager of Finance and Audits was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that the report of the Manager of Finance and Audits dated 2009 07 27 concerning Sault Ste. Marie International Youth Association – Buskerfest be accepted and the recommendation that Buskerfest’s request for financial assistance from the City by providing in-kind services of street cleaning and garbage/recycling pickup during Buskerfest being held August 7, 8, 9, 2009 on Queen Street at East Street be approved. CARRIED.
- (s) **Collective Bargaining – February 1, 2009 to January 31, 2012 Memorandum of Settlement – (1) CUPE Local 3 Public Works and Transportation; (2) CUPE Local 3 Community Services Group (Parks, Arenas, Pools, Cemeteries); CUPE Local 67 Day Care Group**
The report of the Commissioner of Human Resources was accepted by Council.

5. (s) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that the report of the Commissioner of Human Resources dated 2009 07 27 concerning Collective Bargaining - February 1, 2009 to January 31, 2012 - Memorandum of Settlement be accepted and further that the Memorandum of Settlement for:
1. CUPE Local 3 Public Works and Transportation; and
 2. CUPE Local 3 Community Services Group (Parks, Arenas, Pools, Cemeteries); and
 3. CUPE Local 67 Day Care Group
- and the City of Sault Ste. Marie be approved for ratification by City Council and that the appropriate by-laws be presented at a future Council Meeting be approved. CARRIED.

(t) **Essar Centre – FedNor Project Update**

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

Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti

Resolved that the report of the Commissioner Community Services dated 2009 07 27 concerning Essar Centre - FedNor Project Update be accepted and the recommendation that the extra costs for the Rigging System (\$40,000.00); Breakout Room (\$25,000.00); Media/IT Centre (\$8,000.00) be approved with the funds to come from the project contingency allowance; and further that staff be authorized to proceed with implementing the infill and elephant seating and that staff formalize the participation of the Soo Greyhounds organization in the implementation of the extra seating. CARRIED.

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

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

Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti

Resolved that the report of the Manager of Recreation and Culture dated 2009 07 13 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide a \$400.00 grant each to (1) Ried's Martial Arts team; and (2) Korean Martial Arts team (2009 World Karate and Kickboxing Canadian Championships) be approved. CARRIED.

(v) **Sault Ste. Marie Canal Recreational Lock Memorandum of Agreement**

The report of the Manager of Recreation and Culture was accepted by Council. The relevant By-law 2009-141 is listed under Item 10 of the Minutes.

5. (w) **West End Community Centre (WECC) – Steering Committee**
The report of the Commissioner of Community Services was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that the report of the Commissioner of Community Services dated 2009 07 27 concerning West End Community Centre (WECC) – Steering Committee be accepted; and
Further resolved that the recommendation that one representative from the Sports Council be appointed to the West End Community Centre Steering Committee until completion of the project be approved. CARRIED.
- (x) **Contract 2009-7E – Miscellaneous Construction/Paving**
The report of the Design and Construction Engineer was accepted by Council.
The relevant By-law 2009-144 is listed under Item 10 of the Minutes.
- (y) **Contract 2009-11E – Connecting Link – Second Line East Resurfacing – North Street to Old Garden River Road**
The report of the Design and Construction Engineer was accepted by Council.
The relevant By-law 2009-145 is listed under Item 10 of the Minutes.
- (z) Correspondence from the Design and Construction Engineer to Councillors Myers and Sheehan concerning a planned closure of Lake Street on the south side of Trunk Road for construction of a watermain was received by Council.
- (aa) **Contract 2008-8E – Connecting Link – Second Line East at Great Northern Road – Westbound Right Turn Lane**
The report of the Director of Engineering Services was received by Council.
- Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that the report of the Director of Engineering Services dated 2009 07 27 concerning Contract 2008-8E - Connecting Link - Second Line East at Great Northern Road - Westbound Right Turn Lane be received as information. CARRIED.
- (bb) **Storm Sewer/Aqueduct Repair and Replacement – Urban Only Levy Surplus**
The report of the Director of Engineering Services was accepted by Council.

5. (bb) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that the report of the Director of Engineering Services dated 2009 07 27 concerning Storm Sewer/Aqueduct Repair and Replacement Urban Only Levy Surplus be accepted and the recommendation that:
1. the annual urban only levy budget remain at \$1.5M; and
 2. \$1.75M of the \$2.4M urban only surplus be allocated to complete replacement of the culvert under North Street, the storm sewer on Broadview Drive, the aqueduct crossings on Alexandra Street and Young Street, and the remainder be allocated to future stormwater infrastructure improvements, and that the City retain the firm of STEM Engineering to provide design and contract administration services be approved. CARRIED.
- (cc) **Engineering Services – Landfill Gas Collection Project**
The report of the Land Development and Environmental Engineer was accepted by Council. The relevant By-law 2009-140 is listed under Item 10 of the Minutes.
- (dd) **Toilet Replacement Rebate Program**
The report of the Environmental Initiatives Coordinator was accepted by Council.
- Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that the report of the Environmental Initiatives Coordinator dated 2009 07 27 concerning Toilet Replacement Rebate Program be received as information and further resolved that City staff work with PUC staff, who would act as the lead on the project, to develop a Water Conservation Strategy to include specific rebate programs, associated costs and potential funding sources. CARRIED.
- (ee) **Homecoming – EDC Response to Council Resolution**
The report of the Executive Director, Tourism Sault Ste. Marie was received by Council.
- Moved by Councillor S. Myers
Seconded by Councillor T. Sheehan
Resolved that the report of the Executive Director, Tourism Sault Ste. Marie dated 2009 07 27 concerning Homecoming – EDC Response to Council Resolution be received as information. CARRIED.
- (ff) **West End Community Centre and Korah Library Branch**
The report of the Chair, Sault Ste. Marie Public Library Board was received by Council.

5. (ff) Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that the report of the Chair, Sault Ste. Marie Public Library Board dated 2009 06 19 concerning West End Community Centre and Korah Library Branch be received as information. CARRIED.
- (gg) **Toilet Replacement Rebate Program**
The report of the General Manager, Public Utilities Commission was received by Council.
- Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that the report of the General Manager, Public Utilities Commission dated 2009 06 25 concerning Toilet Replacement Rebate Program be received as information. CARRIED.
- (hh) **2009 Extension of the Canada-Ontario Affordable Housing Program (AHP)**
The report of the Manager of Housing Programs was accepted by Council. The relevant By-law 2009-143 is listed under Item 10 of the Minutes.
- (ii) The News Release from Natural Resources Canada announcing the new Invasive Species Centre being built in Sault Ste. Marie was received by Council.
- (jj) The letter of request for a temporary street closing on Queen Street East from East Street to Brock Street (in conjunction with the Grand Opening of Next Level Fitness Studio) was accepted by Council. The relevant By-law 2009-146 is listed under Item 10 of the Minutes.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (6) PLANNING

- (a) **Application No. A-20-09-Z. – 285W Limited – 285 Wilson Street - Request to Permit a Recycling Centre for Furniture, Mattresses, Electronics, Styrofoam and Orphan Plastics that are Not Currently Part of the Curb Side Program**
The report of the Planning Division was accepted by Council.

6.

(6)
(a)

Moved by Councillor S. Butland

Seconded by Councillor O. Grandinetti

Resolved that the report of the Planning Division dated 2009 07 27 concerning Application No. A-20-09-Z - filed by 285W Limited be accepted and the Planning Director's recommendation that City Council approve the applicant's request, and rezone the subject property from "M.2" (Medium Industrial) zone to "M.2.S" (Medium Industrial) zone with a Special Exception to permit a recycling centre for electronics, furniture, mattresses, styrofoam and orphan plastics with the following conditions to be applied to outdoor storage in association with the recycling centre:

1. That outdoor storage is limited to the southwest portion of the subject property, shown as 'outdoor storage area' on the site plan attached;

2. That the outdoor storage of loose items that have not been properly secured and could blow off site is prohibited.

For the purposes of the implementing by-law, the following definition shall apply:

Recycling Centre - Shall mean a facility primarily engaged in the receiving, shipping, dismantling, sorting and bailing, of electronics, furniture, mattresses, styrofoam and orphan plastics, which are those plastics that are not currently part of the Municipal curb side program be endorsed. CARRIED.

6.

(8)

BOARDS AND COMMITTEES

(a)

Ermatinger-Clergue National Historic Site – Visitor Centre Legacy Project for the War of 1812 Bi-Centennial Commemoration

The report of the Chair, Historic Sites Board was accepted by Council.

Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that the report of the Chair, Historic Sites Board dated 2009 07 27 concerning Visitor Centre Legacy Project for the War of 1812 Bi-Centennial Commemoration be accepted and the recommendation that Council endorse and support the Heritage Discovery Centre as follows:

1) commit the required municipal property to the west of the Ermatinger-Clergue National Historic Site on which to build the Centre;

2) authorize the submission of applications for significant capital funding to various Federal and Provincial programs;

3) commit to support the ongoing annual operations of the proposed Centre should it be built (this assumes that the cost to operate the site nets to zero if projected revenues are realized; the additional operating costs to the City in 2012 would range from \$12,000.00 to \$105,000.00 based on best-case and worst-case scenarios)

be approved. CARRIED.

6.

(8)
(b)

Algoma Games for Health (AGH) – Application to City's EDF – Sault Ste. Marie Economic Development Corporation Board Recommendations to Support \$50,000.00 Contribution

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

Moved by Councillor J. Caicco

Seconded by Councillor O. Grandinetti

Resolved that the report of the C.E.O., Sault Ste. Marie Economic Development Corporation dated 2009 07 10 concerning Algoma University application to City's Economic Development Fund (EDF) - \$50,000.00 for the Algoma Games for Health Initiative be accepted and the recommendation of the Sault Ste. Marie Economic Development Corporation Board that one-time funding of \$50,000.00 from the City's EDF to support the costs related to developing the Game Prototype be approved; and

Further that Algoma University provide the City with a working Game Prototype at its completion and provide reports on the Algoma Games for Health Centre project in June and August 2010 and an annual or update report thereafter.
CARRIED.

(c)

Sault Ste. Marie Innovation Centre (SSMIC) – Application to the City's Economic Development Fund (EDF)

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

Moved by Councillor S. Butland

Seconded by Councillor O. Grandinetti

Resolved that the report of the C.E.O., Sault Ste. Marie Economic Development Corporation dated 2009 07 10 concerning Sault Ste. Marie Innovation Centre application to City's Economic Development Fund (EDF) - \$30,000.00 for establishment of a Biofuel Cooperative and Sustainable Biomass Production Zone Projects be accepted and the recommendation of the Sault Ste. Marie Economic Development Corporation Board that funding in the amount of \$30,000.00 from the City's EDF be approved with the following conditions:

1) that \$20,000.00 be used for the establishment of the Biofuel Cooperative and that Sault Ste. Marie Innovation Centre report to the Sault Ste. Marie Economic Development Corporation and City Council semi-annually on this project (results and financial) and provide a final report once the project is complete; and

2) that \$10,000.00 be used for the Sustainable Biomass Projection Zone project in partnership with the Sault Ste. Marie Economic Development Corporation; and

Further that these funds be conditional upon securing agreements for the balance of funds required from other partners be approved. CARRIED.

6. (8)
(c) Councillor B. Hayes declared a pecuniary interest – son is employed by Innovation Centre.

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

- (a) Moved by Councillor S. Myers
Seconded by Councillor T. Sheehan
Whereas 2012 marks the 100 year anniversary of the City of Sault Ste. Marie;
and
Whereas significant investment is already being made by the province of Ontario with the War of 1812 celebrations; and
Whereas Councillor Sheehan has asked for a report around another Homecoming event and the recommendation from TSSM/EDC is to tie such to a 100 year celebration; and
Whereas it is important to begin early to engage all community festival and event groups who might participate in a 100 year celebration throughout 2012;
and
Whereas such celebrations will require a planning framework and possibly committed resources of staff and finances;
Now therefore be it resolved that Council authorizes Councillors Myers and Sheehan to co-chair a working group in conjunction with EDC/TSSM to report back to Council in late spring 2010 and to do the following:
1. In conjunction with TSSM/EDC, and appropriate City staff, meet with community organizations who might be interested in hosting a 100 Anniversary special event such as Bon Soo, Rotaryfest, Algoma Fall Festival, the Legion and other service organizations and prepare a very preliminary draft framework of events.
2. Establish a preliminary draft budget identifying potential costs to the City and further, identify potential outside funding sources that would offset these costs.
3. Seek input from the members of City Council as to ideas for celebrating the City's 100th anniversary and a possible legacy project of Council, be approved.
CARRIED.

Copy of resolution to M.P.P. David Oraziatti and M.P. Tony Martin, FedNor, NOHFC and Ministry of Tourism.

- (b) Moved by Councillor S. Myers
Seconded by Councillor O. Grandinetti
Resolved that the petition from the resident homeowners living on the east side of Town Line between Second Line and Base Line (contact resident is Robert Marshall, 606 Town Line) requesting that responsibility for the maintenance and any upgrading on this portion of Town Line be transferred from Prince Township to the City of Sault Ste. Marie BE REFERRED to appropriate City staff and to Prince Township for review and report back to City Council. CARRIED.

7. (c) Moved by Councillor L. Tridico
Seconded by Councillor F. Fata
Resolved that the petition, received July 2, 2009, from residents of St. Andrew's Terrace requesting reconstruction or resurfacing of St. Andrew's Terrace between North Street and John Street BE REFERRED to the Commissioner of Engineering and the Commissioner of Public Works and Transportation for review and report back to City Council with recommendations. CARRIED.
- (d) Moved by Councillor F. Fata
Seconded by Councillor L. Tridico
Resolved that the petition from residents of Rossmore Road requesting that City staff create a pedestrian opening in the fence across from civic #11 on Rossmore Road in the area of the Elliot baseball field to allow pedestrian access to the hill area, BE REFERRED to the Manager of Parks for appropriate followup action at the earliest opportunity. CARRIED.
- (e) Moved by Councillor S. Butland
Seconded by Councillor L. Turco
Whereas there remains no definitive answer as to NOSM's involvement or lack thereof in a proposed Clinical Research Institute in Sault Ste. Marie (as endorsed by NOSM in December 2006); and
Whereas there is a scheduled meeting between the principals from Algoma University and the Northern Ontario School of Medicine on August 27th; and
Whereas NOSM recently extended its Strategic Plan 2006 - 2009 for one year with the following additional initiatives:
1) build on existing initiatives to develop an integrated research program which has laboratory, clinical and community dimensions;
2) to enhance the participation and engagement of clinical faculty;
3) continue development of the Clinical Research Business Plan;
4) establishment of specific mechanisms to support and implement community based and clinical research levels of external funding;
Be it resolved that Council endorse the above strategic principles and further that Council strongly encourage NOSM to respond positively, substantively and in a timely manner to the entreaties of Algoma University on behalf of the citizens of Sault Ste. Marie. CARRIED.
- (f) Moved by Councillor S. Butland
Seconded by Councillor J. Caicco
Whereas crack filling traditionally was believed to be an effective and widespread road maintenance program; and
Whereas many of our roadways are replete with cracks of different widths and lengths;

7. (f) Be it resolved that Council request of Public Works and Transportation a report on the rationale for discontinuing this practice, as well as practices employed in other municipalities and outline any new technologies if existent.
(WITHDRAWN BY MOVER/SECONDER) OFFICIALLY READ NOT DEALT WITH.
- (g) Moved by Councillor S. Butland
Seconded by Councillor J. Caicco
Whereas the Emerald Ash Borer has now been found present in at least one ash tree in the downtown area;
Be it resolved that Canada Forestry Service in cooperation with Canadian Food Inspection Agency and City Staff take immediate action to prohibit the spread of this invasive beetle; and
Further resolved that Council approve up to \$20,000.00 from the Unforeseen Expenses account to treat trees for the Emerald Ash Borer. It is anticipated a report on any action taken would be provided to Council as soon as available and placed on the next Council Agenda. CARRIED.
- (h) Moved by Councillor S. Butland
Seconded by Councillor J. Caicco
Whereas the snow dump site adjacent to the East End Wastewater Treatment Plant has become an area for:
1) illegal refuse dumping
2) snow dumping by private firms in the winter
3) recreational and other vehicular traffic;
Be it resolved that Council request a report from Public Works and Transportation and the advisability, effectiveness and cost of installing a gate to discourage entry into the site. CARRIED.
- (i) Moved by Councillor T. Sheehan
Seconded by Councillor S. Myers
Whereas the Town of Elk Lake (Township of James) located in North Eastern Ontario is celebrating their one hundred year anniversary of incorporation this year; and
Whereas Elk Lake has and will play an important role in helping shape the fabric of their region and that of Northern Ontario (website www.elklake.ca);
Now therefore be it resolved that Sault Ste. Marie City Council offers its sincere congratulations to the Town of Elk Lake on their momentous 100 year anniversary. CARRIED.

copy to: Town of Elk Lake

7. (j) Moved by Councillor S. Myers
Seconded by Councillor L. Turco
Whereas there are a number of commercial and residential properties around town that are abandoned or vacant for sale and being neglected; and
Whereas in one recent incident, an elderly private citizen undertook to tidy a property under tax sale with the City that was unsafe; and
Whereas it is a community concern that all commercial, public areas and neighbourhoods remain tidy and pleasing in appearance;
Now therefore be it resolved that the Commissioner of Engineering and Building Division report back to City Council within one month providing information as to the process and jurisdiction the City has to ensure these categories of properties are maintained. 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 S. Butland
Seconded by Councillor O. Grandinetti
Resolved that all the by-laws listed under Item 10 of the Agenda under date 2009 07 27 be approved. CARRIED.

- (a) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that By-law 2009-134 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 read three times and passed in Open Council this 27th day of July, 2009. CARRIED.
- (b) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that By-law 2009-135 being a by-law to appoint Marcel Provenzano as Fire Chief and to repeal By-law 96-200 be read three times and passed in Open Council this 27th day of July, 2009. CARRIED.
- (c) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that By-law 2009-137 being a by-law to amend Sault Ste. Marie Zoning By-law 2005-150 concerning lands located at 556 Goulais Avenue (City) be read three times and passed in Open Council this 27th day of July, 2009. CARRIED.

10. (d) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that By-law 2009-138 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 read three times and passed in Open Council this 27th day of July, 2009. CARRIED.
- (e) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that By-law 2009-139 being a by-law to authorize the execution of a Letter of Agreement between the City and the Ontario Minister of Transportation for funding under the Ontario Bus Replacement Program be read three times and passed in Open Council this 27th day of July, 2009. CARRIED.
- (f) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that By-law 2009-140 being a by-law to authorize an agreement between the City and AECOM Canada Ltd. for the provision of engineering services for the design and construction of the landfill gas collection system be read three times and passed in Open Council this 27th day of July, 2009. CARRIED.
- (g) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that By-law 2009-141 being a by-law to authorize an agreement between the City of Sault Ste. Marie and the Parks Canada Agency for the operation and maintenance of the Recreational Lock at the Sault Ste. Marie Canal National Historic Site be read three times and passed in Open Council this 27th day of July, 2009. CARRIED.
- (h) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that By-law 2009-142 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 285 Wilson Street (285W Limited) be read three times and passed in Open Council this 27th day of July, 2009. CARRIED.
- (i) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that By-law 2009-143 being a by-law to provide for a grant for affordable housing projects that have been classed as municipal capital facilities under Section 110 of the Municipal Act, 2001 and Regulation 603/06 be read three times and passed in Open Council this 27th day of July, 2009. CARRIED.

10. (j) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that By-law 2009-144 being a by-law to authorize a contract between the City and Ellwood Robinson Limited for the reconstruction of Wellington Street from East Street to Gore Street, resurfacing of Bingham Street, various asphalt patches for PWT and our annual crack-filling allowance (Contract 2009-7E) be read three times and passed in Open Council this 27th day of July, 2009. CARRIED.
- (k) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that By-law 2009-145 being a by-law to authorize a contract between the City and Pioneer Construction Inc. for the reconstruction of Second Line from North Street to Old Garden River Road (Contract 2009-11E) be read three times and passed in Open Council this 27th day of July, 2009. CARRIED.
- (l) Moved by Councillor S. Butland
Seconded by Councillor O. Grandinetti
Resolved that By-law 2009-146 being a by-law to permit the temporary closing of Queen Street East from East Street to Brock Street to facilitate the Grand Opening of the Next Level Fitness Studio be read three times and passed in Open Council this 27th day of July, 2009. CARRIED.

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

12. **ADJOURNMENT**

Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti
Resolved that this Council shall now adjourn. CARRIED.

MAYOR

CLERK

MINUTES

SPECIAL MEETING OF CITY COUNCIL

2009 08 13

4:30 P.M.

COUNCIL CHAMBERS

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

ABSENT: Councillors L. Turco, D. Celetti

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, N. Apostle, B. Freiburger, J. Dolcetti, E. Rossnagel, J. Febraro

1. **Huron Central Railway**

The report of the Chief Administrative Officer was accepted by Council. Bill Therriault was in attendance with a presentation concerning this item. Representatives of Essar Algoma Steel, Armando Plastino; NOHFC, Tom Marcolini; and FedNor, Tom Dodds were in attendance for any questions from Council.

Moved by Councillor S. Myers

Seconded by Councillor F. Fata

Resolved that the report of the Chief Administrative Officer dated 2009 08 13 concerning Huron Central Railway be accepted and the recommendations that Council:

- 1) Approve expenditures of up to \$250,000.00 from EDF funds;
- 2) Authorize the CAO to sign the Memorandum of Understanding currently being developed and referred to as "Term Sheet" to commit the City's participation in the short term arrangement. In effect, this underwrites the capital expenditure requirements of up to \$3 million to be provided by the City until the Federal and Provincial grants are fully processed;
- 3) Authorize the CAO to continue to satisfy the requirements of both FedNor and NOHFC for the \$1.5 million grants from each;
- 4) Authorize the CAO to continue participating on behalf of the City of Sault Ste. Marie in the development and implementation of the long term strategy;

1. 5) Authorize the CAO on behalf of the City of Sault Ste. Marie, Huron Central Rail and/or any successor and all stakeholders of the HCR line to proceed with applications for \$33 million of major capital improvement under both the Infrastructure Stimulus Fund and the Major Infrastructure Component of the Build Canada Fund
be approved. CARRIED.

Recorded Vote

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

Against: Nil

Absent: Councillors L. Turco, D. Celetti

2. **Sault Family YMCA Rebuild – Municipal Funding Request**

The report of the Sault Family YMCA Board of Directors was received by Council. Martin Wyant, Chief Executive Officer, Sault Family YMCA was in attendance with a presentation concerning this item.

Moved by Councillor T. Sheehan

Seconded by Councillor L. Tridico

Resolved that Sault Ste. Marie City Council offers its support to the YMCA in their rebuild project and for their plan to apply for funds under the Non-Profit Infrastructure Stimulus Fund. CARRIED.

Recorded Vote

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

Against: Nil

Absent: Councillors L. Turco, D. Celetti

2. Moved by Councillor B. Hayes
Seconded by Councillor J. Caicco
Whereas the YMCA has been serving the community of Sault Ste. Marie for over 100 years; and
Whereas the YMCA provides services at a subsidized rate to those who may otherwise not be in a position to enjoy those activities provided by the YMCA; and
Whereas the YMCA is interested in entering into a purchase of service agreement with the City of Sault Ste. Marie to ensure services are provided in the most cost effective manner;
Now therefore be it resolved that Council authorize staff to form a committee including representatives of the City of Sault Ste. Marie, the YMCA and City Council (Councillor B. Hayes, Chair) to explore this possibility. CARRIED.

3. **Adjournment**

Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that this Council shall now adjourn. CARRIED.

MAYOR

CLERK



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E-mail: amo@amo.on.ca

5(a)

ALERT

MEMBER COMMUNICATION

ALERT N°: 09/061

To the attention of the Clerk and Council
August 14, 2009

FOR MORE INFORMATION CONTACT:
Milena Avramovic, AMO Senior Policy Advisor
(416) 971-9856 ext 342

Waste Electronics and Electrical Equipment (WEEE)

Issue:

Minister Gerretson approves Phase 2 of the Waste Electronics and Electrical Equipment Plan (WEEE)

Background:

The first phase of the WEEE program was approved in July of 2008 and came into effect on April 1, 2009. The second phase which was just approved is to take effect on April 1, 2010.

The program, with an estimated cost of \$74 million in the first year of operation, is fully paid for by Producers (manufacturers, brand owners and first importers) of electronics introduced into the Ontario marketplace. This is a shift of costs of managing waste from municipal taxpayers onto those who are responsible for the design and introduction of products into the marketplace.

Phase 2 of the program revises and builds on Phase 1 of the program. Phase 1 captures computers and peripherals (mice, keyboards), monitors, printers and televisions. Phase 2 expands the program to also capture telephones, copiers, stereos, radios, MP3 players and other audio-visual equipment.

Both Phases of the program:

- Collect, transport and process e-waste according to best practices;
- Promote the program and educate Ontarians on their options to manage e-waste;
- Increase the number of convenient options for consumers and businesses to return their electronics for reuse and recycling;
- Directs used electronics for recycling based primarily on environmental criteria (e.g., recycling rate achieved by processors);
- Tracks waste electronics from collection through transportation and processing to final destination to ensure accountability; and
- Researches and develops better ways to manage difficult materials.

The collection, reuse and recycling targets established by the program will ensure that strong environmental benefits will be realized. The revised (Phase 1 and Phase 2) program aims to increase the collection of used electronics for reuse and recycling to over 60% in year 5.



There are now over 300 new drop-off options up from the 167 locations prior to the start of the first phase of the program. The revised program sets a goal of more than 750 drop-off locations and collection events by the end of year five.

Drop-off locations include municipally-run centres, Salvation Army stores and retail outlets such as Best Buy and Staples Canada. Since the program began, special collection events, other than municipal events, have been held by Sears Canada, Habitat for Humanity, Leon's Furniture and private companies.

Action:

FYI

This information is available in the Policy Issues section of the AMO website at www.amo.on.ca.



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5(a)
ALERT

MEMBER COMMUNICATION

ALERT N°: 09/060

To the attention of the Clerk and Council
August 12, 2009

FOR MORE INFORMATION CONTACT:
Matthew Wilson, AMO Senior Policy Advisor
(416) 971-9856 ext 323

AMO Welcomes Court Decision on Bank Tower Assessment

Issue: On August 11, 2009, the Divisional Court released its unanimous decision regarding the Toronto Bank Towers. The Court found that the Assessment Review Board's interpretation of "current value" and "fee simple if unencumbered" is wrong in law.

Background:

The Court's decision upholds the Municipal Property Assessment Corporation's (MPAC) longstanding practice of including a tenant's leasehold improvements in determining office tower property values. Given the province wide implications of this decision, the municipalities of Atikokan, Brant, Ear Falls, Goderich, Lambton, Lincoln, Ottawa, Quinte West, Red Lake, Sarnia, South Bruce Peninsula, and Windsor were intervenors in the case.

In 2008, MPAC and the City of Toronto sought leave to appeal the interim decision of the Assessment Review Board on the City of Toronto Bank Tower ruling. On November 14, 2008, the Divisional Court granted leave to appeal the decision of the Assessment Review Board. In response to an appeal by the bank tower owners, yesterday's second Divisional Court decision.

The Court found the Board's determination that required buildings to be assessed as vacant, undermines the purpose of assessment. In reaching this conclusion, the Court states that, *"to value these Bank Towers on the basis that they are vacant, when all (parties) agree that that is an entirely hypothetical scenario, is to significantly undervalue them compared to other real property..."*. The Court concluded that the Board's, *"interpretation does not promote the legislative purpose"*.

If the Board's decision had been upheld, it would have significant implications for municipal assessment bases across the province. After the first Board decision, AMO wrote to the Minister of Finance urging that the government clarify assessment practices. Although a positive development at this time, a further appeal of this decision by those representing the bank towers is possible within the next 15 days.

Action: For your information.

This information is available in the Policy Issues section of the AMO website at www.amo.on.ca.

5(a)

FYI



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E-mail: amo@amo.on.ca

MEMBER COMMUNICATION

FYI N°: 09-011

To the attention of the Clerk and Council
August 7, 2009

FOR MORE INFORMATION CONTACT:
Craig Reid, Senior Policy Advisor
(416) 971-9856 ext 334

Creating Jobs: Delivering Results – 2nd Edition

Infrastructure Canada has released the second edition, Volume 1, No. 2, Summer 2009, of its e-newsletter *Creating Jobs: Delivering Results*. It reports to Canadians on the steps that the Government of Canada is taking to accelerate infrastructure funding and stimulate the economy through the infrastructure components of Canada's Economic Action Plan. The Government of Canada is working with provinces, territories and municipalities to speed up project funding, streamline approvals and get shovels in the ground faster.

To view the newsletter in English:

<http://www.buildingcanada-chantierscanada.gc.ca/media/newsletter-bulletin/vol01/index-eng.html>

To view the newsletter in French:

<http://www.buildingcanada-chantierscanada.gc.ca/media/newsletter-bulletin/vol01/index-fra.html>

This information is available in the Policy Issues section of the AMO website at www.amo.on.ca.





200 University Ave, Suite 801
Toronto, ON M5H 3C6
Tel.: (416) 971-9856 | Fax: (416) 971-6191
E-mail: amo@amo.on.ca

5(a)
ALERT

MEMBER COMMUNICATION

ALERT N°: 09/058

To the attention of the Clerk and Council
July 28, 2009

FOR MORE INFORMATION CONTACT:
Scott Vokey, AMO/LAS Energy Coordinator
(416) 971-9856 ext 357

AMO Encourages Municipalities to Join the Count Me In! Community Challenge

To date, 74 municipalities and more than 12,000 Ontario residents have accepted the Mayor of Woodstock's dare to participate in the Count Me In! Community Challenge.

These municipalities are competing to see who can:

- Achieve the highest percentage drop in electricity use on August 14, 2009, and
- Inspire the highest community participation, per capita, in a Count Me In! pledge drive between now and August 14 (Dryden is leading this one so far).

The winners of both competitions will be announced by Ontario's Minister of Energy and Infrastructure, George Smitherman, on the morning of Wednesday, August 16, at the 2009 AMO Conference in Ottawa. However, all participating municipalities are guaranteed to gain from their effort by reducing their electricity consumption on August 14, and by helping to provide residents with helpful advice that will last a lifetime.

August 14 is the anniversary of the North American blackout of 2003 and the Community Challenge builds on a 'Blackout Challenge' that more and more municipalities have participated in each year. This year's competition is a joint initiative of the Ontario Power Authority (OPA), the City of Woodstock, AMO, the Independent Electricity System Operator (IESO) and the Electricity Distributors Association (EDA).

AMO encourages all municipalities to join the Challenge and engage their residents in its efforts. Please visit www.countmeinontario.ca for details.

It is easy for municipalities to join in and there are readymade tools to engage your residents, such as Facebook, Flickr and MySpace web pages, and on-line YouTube videos. Count Me In! will even email a reminder to its list of participants on August 12 make sure your residents are engaged on Challenge Day.

Between July 31 and August 14, Woodstock Mayor Michael Harding will be available for radio interviews with participating municipal government leaders in communities across the province. If you're interested in having some "radio banter" between your head of council and Mayor Harding, email info@countmeinontario.ca for more information.

Finally, if your municipality has anything planned for Challenge Day, Count Me In! will help to feature it in province-wide media coverage.





Working for Municipalities

Heads UP



Keeping members informed.

August 18, 2009

HARMONIZED SALES TAX STATEMENT

On July 1, 2010 the Harmonized Sales Tax (HST) will take effect in Ontario. This change will have implications on infrastructure projects that will bridge the July 1st, 2010 implementation date.

OGRA is advising all municipalities to amend their **Request for Proposals (RFP)** and **Construction Call Documents** to reflect this change. As an example, the City of Toronto is including the following statement in all construction call documents:

"Changes in taxes, due to the introduction of the new Harmonized Sales Tax (HST), are set to take effect starting July 1, 2010. Effective July 1, 2010, the tendered unit prices will be adjusted to account for new HST tax change. The adjusted unit prices will reflect your lower costs as you can claim full HST on your purchases. Currently, you cannot claim the Ontario retail sales tax recovery on your purchases. After July 1, 2010, you can claim full HST recovery on your purchases. Accordingly, contract payments for work performed after the HST takes effect, will be based on the adjusted unit prices.

Provide necessary detailed documentation as requested by the City, to support changes to the unit prices due to the implementation of the new HST in advance of requesting payment. Contract payments after July 1, 2010 will not be made without the necessary HST support documentation."

Generally speaking, the new HST will be applied in the same manner as the GST.

OGRA will continue to updates its members on the HST.

ONTARIO GOOD ROADS ASSOCIATION

6355 KENNEDY ROAD, UNIT #2, MISSISSAUGA, ON L5T 2L5
TEL: 905-795-2555 FAX: 905-795-2660 EMAIL: info@ogra.org

PREMIER SPONSOR:



A Customer Care Company!



The Corporation of the Township of Huron-Kinloss

P.O. Box 130
21 Queen St.
Ripley, Ontario
N0G2R0

Phone: (519) 395-3735
Fax: (519) 395-4107

E-mail: hurontwp@hurontel.on.ca

5(b)

FILE: 100 resolutions

July 21, 2009

To All Ontario Municipalities

Copy of Resolution #224

Please find a copy of the resolution adopted by the Township of Huron-Kinloss Council at its July 20th, 2009 session. We request your support.

Moved by Murray
Seconded by Abbott

GIANT
HOGWEED

224

WHEREAS the weed known as Giant Hogweed has been located in numerous agricultural and residential locations throughout the Township of Huron-Kinloss; and

WHEREAS Giant Hogweed can be a serious health hazard for humans when in contact with the human skin and has been implicated as a cause of severe dermatitis in a few susceptible individuals; and

WHEREAS Giant Hogweed is not defined as a noxious weed under the Weed Control Act R.R.O. 1990, Regulation 1096 and therefore any immediate actions to rid the area of the weed by an appointed weed inspector are limited;

NOW THEREFORE IT BE RESOLVED THAT Huron-Kinloss Council, requests the Province of Ontario designate Giant Hogweed as one of the plants in the Schedule R.R.O. 1990, Reg. 1096 under the Weed Control Act so that immediate action to destroy by an appointed weed inspector can be taken.

AND FURTHER THAT; this resolution be circulated to all municipalities in the Province of Ontario, Minister of Agriculture Food and Rural Affairs, AMO, MP, MPP, and the County of Bruce for their support.

Carried.

I trust you will take the comments of our municipality into consideration.

Sincerely,

Sonya Watson
Clerk

DISCLAIMER

This material is provided under contract as a paid service by the originating organization and does not necessarily reflect the view or positions of the Association of Municipalities of Ontario (AMO), its subsidiary companies, officers, directors or agents.

5(b)



Office of the City Clerk

July 15, 2009

TO ALL MUNICIPALITIES WITH A POPULATION OVER 50,000

Dear Sirs:

**RE: CLAUSE c), REPORT 72, KINGSTON CITY COUNCIL MEETING – JULY 14, 2009
HOUSING NETWORK OF ONTARIO DECLARATION ON THE AVAILABILITY OF
AFFORDABLE HOUSING**

I would confirm that Kingston City Council at its regular meeting held on July 14, 2009, the following resolution, being Clause c), Report No. 72, was approved:

- c) **WHEREAS** the City of Kingston endorsed the principles for a poverty reduction strategy contained in the 25-in-5 Founding Declaration, and
WHEREAS the Housing Network of Ontario is linked to the 25-in-5 Network for Poverty Reduction, and
WHEREAS the Ontario government has promised to develop a comprehensive plan to ensure everyone has "adequate, suitable and affordable housing", and
WHEREAS Breaking the Cycle: Ontario's Poverty Reduction Strategy document recognizes that all three levels of government are required to work collaboratively on the issue of adequate, suitable and affordable housing,
THEREFORE BE IT RESOLVED THAT the City of Kingston endorses the Housing Network of Ontario Declaration,

- and further -

THAT this resolution be forwarded to other municipalities with over 50,000 residents; Dalton McGuinty, Premier of Ontario; Jim Watson, Minister of Municipal Affairs and Housing; Deb Matthews, Minister of Children and Youth Services; and John Gerretsen, MPP for Kingston and the Islands.

CARRIED

Yours truly,

Carolyn Downs
City Clerk

/ki
File No.

RECEIVED
CITY CLERK
JUL 31 2009
NO.: _____
DIST.: _____

The Corporation of the City of Kingston
216 Ontario Street, Kingston, ON K7L 2Z3
Phone: (613) 546-4291 ext. 1245 Fax: (613) 546-5232

cdowns@cityofkingston.ca



5(b)

July 6, 2009

All Ontario Municipalities

Re: Employment Insurance Reform

The following resolution #2009-251 was passed by Council of the City of Greater Sudbury on June 10, 2009:

WHEREAS a healthy unemployment insurance system is the most powerful of all economic stabilizers. In the recessions of the early 1980s and 1990s, Unemployment Insurance (UI) prevented deeper, longer downturns and reduced the shock of job and Gross Domestic Product losses;

AND WHEREAS we have entered a new economic crisis with a much weaker Employment Insurance (EI) system that provides benefits to only 40 percent of the unemployed; and there is a large regional discrepancy in EI allocation that provides uneven coverage to workers across the country, and leaves many with fewer numbers of weeks and lower benefits;

AND WHEREAS the federal government stopped contributing to EI and diverted EI premiums to other spending (\$54 Billion between 1994 and 2007 instead of restoring EI benefits);

AND WHEREAS even the US government has shown leadership through major improvements in the duration of UI benefits and a universal benefit top-up as part of a stimulus package to deal with the crisis;

AND WHEREAS 350,000 Canadians have been laid off since last October, and Canada currently has one of the least effective employment insurance systems and among the highest rates of poverty and income inequality in the Western world;

AND WHEREAS there will be a negative fiscal impact on all municipalities if residents are unable to access EI benefits or otherwise maintain incomes during this economic downturn, due to the increased reliance on locally provided social programs,

THEREFORE BE IT RESOLVED THAT the City of Greater Sudbury call upon the Government of Canada to introduce the following changes to the Employment Insurance system:

1. 360 hours to qualify for EI benefits in all regions of Canada;
2. Increase benefit duration to at least 50 weeks in all regions, and provide an additional year of "Special Extension" benefits if national unemployment exceeds 6.5% - paid from federal general revenues;
3. Extend EI Part 1 benefits while a worker is in approved training;
4. Increase benefits to at least 60% of normal earnings, using workers' 12 best weeks, and raise the maximum;
5. Suspend the calculation of severance pay for receiving EI benefits, and eliminate the 2 week waiting period.

AND THEREFORE BE IT FURTHER RESOLVED THAT this resolution be sent to the Association of Municipalities of Ontario for distribution and support from all municipalities in Ontario.

Yours truly

A. Haché

/fb

Angie Haché, City Clerk

PO BOX 500 STN A
200 BRADY STREET
SUDBURY ON P3A 5P3

CP500 SUCC A
200, RUE BRADY
SUDBURY ON P3A 5P3

705-671-2489

www.greatersudbury.ca
www.grandsudbury.ca



5(b)

July 6, 2009

All Ontario Municipalities

Re: Proposed Workplace Fatalities Family Bill of Rights

The following resolution #2009-251 was passed by Council of the City of Greater Sudbury on June 10, 2009:

WHEREAS a Proposed Workplace Fatalities Family Bill of Rights would provide fundamental information to the family of victims of workplace fatalities and serious injuries;

AND WHEREAS such Bill of Rights would ensure that:

1. Family members must have the right to designate a representative to act on their behalf in all matters related to the investigation and any follow-up legal actions related to the investigation.
2. Family members must be notified of all meetings, phone calls, hearings or other communications involving the accident investigation team and the employer, and be given the opportunity to participate in these events.
3. Family members must have the opportunity to recommend names of individuals to be interviewed by the accident investigation team and to submit questions to the investigators for response by the interviewees. Family members should be given the access to all transcripts of interview, affidavits, or written statements made by witnesses and others interviewed for the investigation.
4. Family members must have the right to be kept routinely informed (no less than once every 14 days) by the Minister of Labour and their investigators on the progress of the incident investigation, including an estimate of when the investigation will be completed.
5. Family members should have access to all documents gathered and produced as part of the accident investigation, including records prepared by first responders, police and Ministry officials. Information mentioning the deceased family member's name and condition should not be redacted from documents provided to family members. All fees related to the production of document should be waived for family members.

THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury lends its full support to a Proposed Workplace Fatalities Family Bill of Rights;

AND FURTHER THAT this resolution be sent to the Association of Municipalities of Ontario for distribution and support from all municipalities in Ontario; The Honourable Peter Fonseca, Minister of Labour; The Honourable Rick Bartolucci, Minister of Community Safety and Correctional Services, and France G  linas, MPP for Nickel Belt.

Yours truly

A. Hach  

Angie Hach  
City Clerk

/fb

PO BOX 500 STN A
200 BRADY STREET
SUDBURY ON P3A 5P3

CP500 SUCC A
200, RUE BRADY
SUDBURY ON P3A 5P3

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5(b)

Doug Reycraft
Chair, Community Schools Alliance
399 Ridout Street North, London, Ontario N6A 2P1
519-287-2015
reycraft@sympatico.ca
www.communityschoolsalliance.ca

July 21, 2009.

RE: Community Schools Alliance

Dear Municipal Colleagues:

On behalf of the founding Executive Committee of the Community Schools Alliance, I am pleased to provide you with the attached resolution and fact sheet.

As a recent AMO president, I have had the opportunity to travel the province and listen to the concerns of Ontario's municipalities. During my travels, I have heard many concerns about the accommodation review committee (ARC) process which was developed by the province to determine which schools in a municipality stay open, which ones get closed and where new schools will be located. In response to these common concerns, the Community Schools Alliance was established.

As municipal leaders, we believe our community schools are vital pieces of our public infrastructure; our schools are as important to our communities as the municipal infrastructure for water, transportation and recreation that we build and maintain. Clearly we would not allow our municipal water systems to be taken away without strong public input into the decision making process. Likewise, we believe municipalities, parents and students should have a strong voice at the table where school accommodation decisions are made. This is especially true considering there are 100 schools in Ontario currently undergoing accommodation reviews and 146 schools closing or recommended to be closed.

While the challenge may be complex, our goal is simple. We are asking the Minister to impose a "smart moratorium". The goal of the "smart moratorium" is to provide time for the Ministry, school boards and municipalities to work together to develop policies addressing issues such as planning for declining enrolments, a mutually agreed upon Accommodation Review Committee (ARC) process, a review of funding to rural and small community schools and establishing a working relationship between municipalities and school boards that provides transparency and accountability.

I invite you to assist us with this challenge by encouraging your council to review the attached material and vote in favour of passing the resolution of support.

As well, the Community Schools Alliance has invited Ontario Education Minister Kathleen Wynne to address our inaugural meeting. Please encourage your colleagues to attend this meeting on August 17th from 4:45 PM – 5:30 PM in the Governor General I room - 4th floor, Westin Hotel during the AMO conference in Ottawa.

Yours truly,

Doug Reycraft
Chair, Community Schools Alliance



www.communityschoolsalliance.ca

FACT SHEET

BACKGROUND

- The Community Schools Alliance was formed in 2009 by a number of Ontario municipalities concerned with the flawed process used by school boards in making decisions about student accommodation, especially school closures

GOALS

- The Community Schools Alliance is asking Minister Wynne to support a "smart moratorium" on all school closings that are disputed by municipalities
- The goal of the smart moratorium is for the Ministry, schools boards and municipalities to work together and develop policies addressing such issues as planning for declining enrolments, a mutually agreed upon Accommodation Review Committee (ARC) process, a review of funding to rural and small community schools and establishing a working relationship between municipalities and school boards that provides transparency and accountability
- The development of a municipal appeals mechanism for school board decisions on accommodation

A BETTER SYSTEM IS NEEDED

- The Community Schools Alliance believes that a better system is needed and should:
 - Ensure that school boards and municipal councils work together on decisions regarding education infrastructure,
 - Provide greater accountability for school board decisions on student accommodation, including school closures,
 - Review the governance model for school board decisions on student accommodation which must include the opportunity to appeal those decisions,
 - Respect and value the input of students, parents, the communities and municipalities during the ARC process.

FOUNDING EXECUTIVE COMMITTEE MEMBERS

- | | |
|---|--|
| • Doug Reycraft, Mayor, Southwest Middlesex | • Doug Shearer, Councillor, Cobalt |
| • Gary Burroughs, Lord Mayor, Niagara-on-the-Lake | • Michael Power, Mayor, Greenstone |
| • John R. Wilson, Mayor, Malahide Township | • Ron Emond, Mayor, Hastings Highlands |
| • Jim Collard, Councillor, Niagara-on-the Lake | • Allen Taylor, Chair of ROMA |
| • Tony Guergis, Warden, Simcoe County | |

COMMUNITY SCHOOLS ALLIANCE MEETING WITH MINISTER WYNNE

- Minister Wynne has been invited to attend the inaugural meeting and discuss the accommodation review process and the impact of this flawed process on the socio-economic fabric of our communities
- The meeting will be held on August 17th from 4:45 PM – 5:30 PM in the Governor General I room - 4th floor, Westin Hotel during the AMO conference in Ottawa

The Community Schools Alliance encourages your council to adopt the following resolution.

Please forward a copy of your resolution to The Honourable Kathleen Wynne, Minister of Education, Mowat Block, 900 Bay Street, Toronto, Ontario M7A 1L2, Canada and the Community Schools Alliance, 399 Ridout Street N, London, Ontario, N6A 2P1, reycraft@mdlsx.ca

DRAFT RESOLUTION

WHEREAS communities across Ontario are concerned with the Accommodation Review Committee process and the impact this flawed process has on the socio-economic fabric of our municipalities;

AND WHEREAS many schools are the hubs of their communities, a better accommodation review system is needed to address the educational facility needs of our residents;

AND WHEREAS a system to address the educational facility needs in Ontario must ensure that school boards and municipal councils partner on decisions regarding education infrastructure;

AND WHEREAS greater accountability for school board decisions is needed;

AND WHEREAS a thorough review of the governance model for school accommodation decisions must include an opportunity to appeal these decisions;

AND WHEREAS the accommodation review process should respect and value the input of students, parents, the community and municipality;

THEREFORE BE IT RESOLVED that the Province of Ontario be petitioned to implement a "smart moratorium" on disputed school closings to provide the opportunity for the Ministry of Education, school boards and municipalities to work together to develop policies addressing such issues as planning for declining enrolments, a mutually agreed upon Accommodation Review Committee process, a review of funding to rural and small community schools, and transparency and accountability between municipalities and school boards.



Come for a Visit. Stay for a Lifetime

Township of Madawaska Valley
85 Bay Street, PO Box 1000
Barry's Bay, ON K0J 1B0
P: 613-756-2747 x 212
F: 613-756-0553
E: ahudder@madawaskavalley.on.ca

5(b)

Moved By: Bonnie Mask
Seconded by: Phil Conway

#20-0804-09
Date: August 4th, 2009

WHEREAS Home Care Service is an essential service in rural Ontario in assisting in the well-being of seniors and individuals with physical and mental disabilities;

AND WHEREAS Roy Romanow, Head of the *Royal Commission of the Future of Health Care in Canada* in 2002 dubbed Home Care Services "**the next essential service**";

AND WHEREAS Home Care Service responds to the needs of the patients and assists children, parents, spouses and siblings and the broader community by supporting quality of life and ensuring quality health care so that citizens can continue to participate in and contribute to the economic and social life of their community;

AND WHEREAS the Personal Support Workers that provide the home care service create a climate that promotes the optimal physical, social and emotional well being of their clients;

AND WHEREAS the need for Home Care Service in Renfrew County is so great that the Personal Support Workers that provide this essential service are overburdened with the amount of clients that they are only able to provide 2 hour visits to their clients;

AND WHEREAS Home Care Service clients require a minimum of 4 hours of attention per visit;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the Township of Madawaska Valley is seeking support from all municipalities and request that they forward a resolution of support to their local MP, Premier Dalton McGuinty, the Ministry of Health and Long-Term Care, and the County of Renfrew to ensure an increase in funding for additional Personal Support Workers to be hired to relieve the stresses related to a shortage of staff;

AND FURTHER THAT Personal Support Workers providing Home Care Service be required to provide a minimum of 4 hours of service per client visit which, not only benefits the client, but also allows the primary caregivers the opportunity to maintain a level of normalcy in their daily lives.

CARRIED.

DISCLAIMER

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1 Stone Road West, 4NW
Guelph ON N1G 4Y2

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Facsimile: 519 826-4336

1, chemin Stone Ouest, 4N.-O.
Guelph ON N1G 4Y2

Site Web: www.fccontario.ca
Courriel: bcf.cc@ontario.ca
Téléphone: 1 866 306-7827
Télécopieur: 519 826-4336

July 17, 2009

RECEIVED

JUL 24 2009

MAYOR'S OFFICE

Mayor John Rowswell
City of Sault Ste. Marie
Box 580, 99 Foster Drive
Sault Ste. Marie, ON P6A 5N1

Dear Mayor Rowswell:

The current economic crisis is of great concern to all Canadians. Both the governments of Canada and Ontario have undertaken and are committed to making significant investments to help communities create jobs, weather this economic storm, and get much needed stimulus money into the economy.

Through the recent federal and provincial budgets, our governments have recognized that improving Ontario's infrastructure will also help to boost the economy and improve the daily quality of life in communities across the province.

On April 14th, our two governments launched a first of its kind on-line application process, based upon a one-page application, and invited municipalities across Ontario to put forward projects for funding consideration under the Infrastructure Stimulus Fund. We were very pleased with the response – over 2700 projects with a total value of in excess of \$6 billion were submitted. Each one of these projects has been reviewed and on June 5, 2009, both Governments announced the results of this process, and in so doing, authorized over \$2.7 billion in joint federal-provincial-municipal funding for close to 1200 projects in Ontario to begin immediately.

For the City of Sault Ste. Marie, the following projects were selected and approved for funding under the Infrastructure Stimulus Fund. As per your applications and attestations, these projects are of profound importance to your municipality and will generate significant economic activity over the course of the next two years helping Ontario and Canada weather the economic storm.

Project Title	Federal Contribution	Provincial Contribution	Total Eligible Costs
New Municipal Building for Algoma Public Health	\$7,333,333	\$7,333,333	\$22,000,000
Hub Trail & Waterfront Walkway Expansion	\$1,666,667	\$1,666,667	\$5,000,000

The list of approved projects has now been posted on the infrastructure website at http://www.bcfontario.ca/english/communities/docs/BCF-CC_ISF_Lists.pdf and municipalities are encouraged to do their part and get the projects underway as soon as possible. Effective June 5, 2009 the costs associated with these projects are now eligible and reimbursable.

Over the coming weeks, staff from the Canada-Ontario Infrastructure Secretariat will develop a Contribution Agreement with you to ensure that these funds can be reimbursed quickly and without delay.

5(c)

This entire process has been one of partnership and collaboration between all three levels of government. We look forward to working with you on the implementation of these important projects.



John Baird

Canada's Minister of Transport,
Infrastructure and Communities



George Smitherman
Ontario's Deputy Premier and
Minister of Energy and Infrastructure

Hon. Michael Gravelle
Minister

Ministry of Northern Development,
Mines and Forestry

99 Wellesley Street West
Whitney Block, Room 5630
Toronto ON M7A 1W3
Tel: 416 327-0633
Fax: 416 327-0665

189 Red River Road, Suite 404
Thunder Bay ON P7B 1A2
Tel: 807 343-7808
Fax: 807 343-7680

L'hon. Michael Gravelle
Ministre

Ministère du Développement du
Nord, des Mines et des Forêts

99, rue Wellesley Ouest
Édifice Whitney, bureau 5630
Toronto ON M7A 1W3
Tél. : 416 327-0633
Téléc. : 416 327-0665

189, chemin Red River, bureau 404
Thunder Bay ON P7B 1A2
Tél. : 807 343-7808
Téléc. : 807 343-7680



Ontario

R09-0183

July 31, 2009

Re: Update on the Northern Growth Plan

Dear northerners,

I am pleased to provide an update on the development of a Growth Plan for Northern Ontario – an initiative I am co-leading with the Honourable George Smitherman, Deputy Premier and Minister of Energy and Infrastructure.

The Northern Ontario Growth Plan is a plan that will help us build a stronger, more competitive and sustainable North over the next 25 to 30 years. Minister Smitherman and I want to thank you for your input and let you know that we are driving hard to complete a draft plan for release this fall.

Over the past several months we have been working to consolidate and analyze inputs received from more than 2,500 northerners through 80 meetings, conferences, workshops and technical sessions. We are examining the comments from the Think North conference, as well as incorporating views and advice from a number of reports prepared by external researchers. And we are working across the Ontario government to make sure that this plan is comprehensive in scope and aligns provincial investment and policy priorities with Growth Plan directions.

This Plan will address a spectrum of short, medium and long term directions. Based on what we have learned and heard to date, it will incorporate the following elements:

- Northern Ontario's economy will continue to be built upon its mineral, forest, tourism and agricultural resource strengths but will do so through new practices that add value and create diverse opportunities from the solid resource-based industry foundations of the region. It will also embrace and advance the development of emerging clusters such as health research and green energy innovation.
- The North's strength is its people, their resourcefulness and their entrepreneurial spirit. Harnessing these qualities in a collaborative way that involves all residents including Francophone and Aboriginal peoples will be essential for a prosperous region of the future. At the heart of achieving this success is the need to strengthen educational and training capacity.

- Attracting and retaining newcomers and long-term residents and providing opportunities for youth to make their future in Northern Ontario will contribute to, as well as be reflective of, a growing regional economy.
- Innovation will lead to the commercialization of new northern-based products in emerging industries—bioproducts, health technologies and products, new mineral and metal products, and whole new areas of businesses responding to the green economy—and must be an integral part of a province-wide innovation network responsive to regional opportunities.
- Extensive and available broadband service is an essential enabler of an integrated, collaborative economy that connects all northerners, their communities and industries, and which supports excellent public services and e-business opportunities.
- The North cannot be viewed as one large homogeneous area and consequently zones or corridors in planning for economic development must be considered.
- Transportation is key to ensuring access to markets and developing stronger ties between communities. A multi-modal approach for the future will require concerted and collaborative effort to bring investments into the region, and capitalize on the region's important location as a crossroads for national, continental and global transportation and communications patterns.
- Northern communities and industries will benefit from a green, renewable energy economy that increases efficiency, drives new investments and supports competitive industries.
- Collaboration among northern cities and rural and Aboriginal communities is vital for mutual success, Northern cities act as growth and service centres with concentrations of economic and cultural activity; rural and remote communities make diverse contributions to both the economic and social sustainability of the region.
- Programs that have traditionally supported northern development, such as the Northern Ontario Heritage Fund, will continue and increase in importance as a means of recognizing the unique requirements of this region in support of a strong Ontario. New initiatives will be needed to support a growing economy.
- Federal-provincial coordination will be key to supporting the growth opportunities in the future.

We appreciate the urgency for this plan and look forward, as you do, to the next stage of its development. The release of the draft Growth Plan for Northern Ontario will trigger a phase of extensive public consultation. In meetings that will be organized across the region, northerners will have further opportunity to provide thoughts and ideas on the draft and to shape our final plan.

Sincerely,



Michael Gravelle, MPP, Thunder Bay-Superior North
Minister

c: The Honourable George Smitherman
Deputy Premier, Minister of Energy and Infrastructure

5(d)



NEWS RELEASE
FOR IMMEDIATE RELEASE
2009 08 14

**DEAL REACHED TO OPERATE HURON CENTRAL
RAIL LINE UNTIL AUGUST 14, 2010**

(Sault Ste. Marie, ON) The Corporation of the City of Sault Ste. Marie is pleased to announce that a working committee, consisting of representatives from Essar Steel Algoma Inc., Domtar and the City of Sault Ste. Marie, have arrived at an interim agreement with Huron Central Railway Inc. that guarantees the continued operation of the short line railway otherwise scheduled to close on August 15, 2009.

During the interim period, the parties will work towards the execution of a final agreement that will crystallize the continued operation of the rail line through to August 14, 2010. All parties will focus efforts on a long term solution to ensure the permanent sustainability of this rail line.

-30-

For more information please contact:

Joseph M. Fratesi
Chief Administrative Officer
Phone: (705) 759-5347
E-mail: j.fratesi@cityssm.on.ca

*"The Corporation of the City of Sault Ste. Marie will be a leader
in the provision of efficient, affordable and quality services supporting
a progressive and sustainable community."*

The Corporation of the City of Sault Ste. Marie
P.O. Box 580 ~ 99 Foster Drive ~ Sault Ste. Marie, ON P6A 5N1
Telephone: (705) 759-2500 ~ Fax: (705) 759-2310
www.cityssm.on.ca

5(e)

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: Alana Brassard
Tricia Killoran TELEPHONE: 942-2128
253-0924
ADDRESS: 99 Fields Square
24 Meadow Lane POSTAL CODE: P6B6H2
P6B6H2

The above person hereby makes application for the closing of

Fields Square + Meadow Lane
(Name of street to be closed)

from 95 Fields Square to 107 Fields Square to 24 Meadow Lane
(reference points - street numbers, cross streets, etc.)

on the 13th day of September 2009 from 3:00 am/pm to 10:00 am/pm
for the purpose of Neighbourhood Get together

APPROVALS SECTION: Rain Date: 20th day of September 2009 from 3:00pm to 10:00pm

- | | |
|--|--|
| 1. Police Services, Traffic Dept.
Telephone 949-6300 ext 348
Fax 759-7820
580 Second Line East
<u>[Signature]</u>
Signature of Official | 2. Fire Services/Emergency Medical Services (EMS)
Telephone 949-3335/949-3387
Fax 949-2341
72 Tanager Street
<u>[Signature]</u>
Signature of Official |
| 3. Public Works & Transportation Dept.
Telephone 541-7000
Fax 541-7010
128 Sackville Road
<u>[Signature]</u>
Signature of Official | 4. Transit/Parking
Telephone 759-5320
Fax 759-5834
111 Huron Street
<u>[Signature]</u>
Signature of Official |
| 5. Central Ambulance Communication
Centre (C.A.C.C.)
Telephone 946-1227
Fax 945-6883
65 Old Garden River Road
<u>[Signature]</u>
Signature of Official | ☒ Downtown Association
Telephone 942-2919
Fax 942-6368
496 Queen Street East
(QUEEN STREET CLOSINGS ONLY)
<u>[Signature]</u>
Signature of Official |

CITY CLERK SECTION:

City Council approval was received on _____ (date) _____ (By-law No.)

5(f)

Joseph M. Fratesi, B.A. LL.B.
Chief Administrative Officer



99 Foster Drive
P.O. Box 580, Civic Centre
Sault Ste. Marie, Ontario
Canada. P6A 5N1
(705) 759-5347
(705) 759-5952 (Fax)
E-Mail:
j.fratesi@cityssm.on.ca
b.berlingieri@cityssm.on.ca

2009 08 24

Mayor John Rowswell and
Members of City Council
Civic Centre

RE: STAFF TRAVEL REQUESTS

Dear Council:

The following staff travel requests are presented to you for approval:

1. **Robert Rushworth – Fire Services**
2009 AMEMSO Conference
September, 2009
Whitby, ON
Estimated total cost to the City - \$ 1,175.00
Estimated net cost to the City - \$ 1,175.00
2. **Shelley Schell – Finance**
Diamond Client Conference
September, 2009
Ottawa, ON
Estimated total cost to the City - \$ 1,170.00
Estimated net cost to the City - \$ 1,170.00
3. **Colleen Murphy – Finance**
Diamond Client Conference
September, 2009
Ottawa, ON
Estimated total cost to the City - \$ 1,170.00
Estimated net cost to the City - \$ 1,170.00
4. **John Luszka – Human Resources**
OMHRA Fall Conference
September, 2009
Orillia, ON
Estimated total cost to the City - \$ 1,442.50
Estimated net cost to the City - \$ 1,442.50

5. **Michelle Kelly – Engineering & Planning – Planning Division**
OACA Secretary-Treasurers Workshop Seminar
September, 2009
Mississauga, ON
Estimated total cost to the City - \$ 738.00
Estimated net cost to the City - \$ 738.00
6. **Don McConnell – Engineering & Planning – Planning Division**
Senior Land Use Policy Planning Meeting
August, 2009
Sudbury, ON
Estimated total cost to the City - \$ 424.00
Estimated net cost to the City - \$ 424.00
7. **Don McConnell – Engineering & Planning – Planning Division**
CIP/OPPI Annual Conference
September, 2009
Niagara Falls, ON
Estimated total cost to the City - \$ 1,975.00
Estimated net cost to the City - \$ 1,975.00
8. **Jim Beach – Fire Services**
Application of Adult Education Practices
September, 2009
Gravenhurst, ON
Estimated total cost to the City - \$ 225.00
Estimated net cost to the City - \$ 225.00
9. **Jim St. Jules – Fire Services**
Fire Service Executive Development
September, 2009
Gravenhurst, ON
Estimated total cost to the City - \$ 175.00
Estimated net cost to the City - \$ 175.00
10. **Dave Lang – Fire Services**
Hazmat Exercise
September, 2009
Huntsville, ON
Estimated total cost to the City - \$ 322.00
Estimated net cost to the City - \$ 322.00

11. Jim St. Jules – Fire Services

Pre-paint inspection – New Pumper/Rescue

September, 2009

Omaha, Nebraska, USA

Estimated total cost to the City - \$132.00

Estimated net cost to the City - \$ 132.00

12. Kathy Fisher – Community Services – Recreation & Culture Division

War 1812 - Meeting

August, 2009

Toronto, ON

Estimated total cost to the City - \$379.00

Estimated net cost to the City - \$ 379.00

13. Rachel Tyczinski – Clerks Department

Municipal Communications Conference

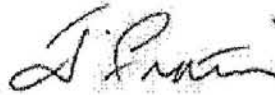
October, 2009

Toronto, ON

Estimated total cost to the City - \$2,484.95

Estimated net cost to the City - \$ 2,484.95

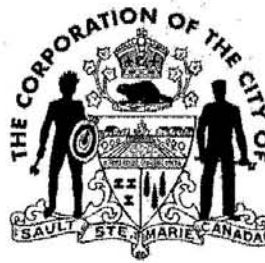
Yours truly,



JMF: bb

Joseph M. Fratesi
Chief Administrative Officer

William Freiburger, CMA
Commissioner of Finance
and Treasurer



5(g)
Finance Department

2009 08 20

Mayor John Rowswell and
Members of City Council

Re: Court Ruling on Bank Tower Assessment

The attached AMO Alert indicates the Bank Tower Assessment decision was received from the Divisional Court.

The Assessment Review Board (ARB) had previously ruled that leasehold improvements were not part of the value of an office building which would result in significant reductions in property valuations for office buildings. Leasehold improvements are currently included in the value of office buildings.

The ARB decision was appealed to the Divisional Court who ruled that the ARB interpretation of "fee simple, if unencumbered" was wrong in law.

An appeal can be made within the next 15 days and then the case will be sent back to a newly-constituted ARB panel.

This decision will affect the value of all office buildings in Ontario.

This report is provided for the information of Council.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer



200 University Ave, Suite 801
Toronto, ON M5H 3C6
Tel.: (416) 971-9856 | Fax: (416) 971-6191
E-mail: amo@amo.on.ca

5(g)
ALERT

MEMBER COMMUNICATION

ALERT N°: 09/060

To the attention of the Clerk and Council
August 12, 2009

FOR MORE INFORMATION CONTACT:
Matthew Wilson, AMO Senior Policy Advisor
(416) 971-9856 ext 323

AMO Welcomes Court Decision on Bank Tower Assessment

Issue: On August 11, 2009, the Divisional Court released its unanimous decision regarding the Toronto Bank Towers. The Court found that the Assessment Review Board's interpretation of "current value" and "fee simple if unencumbered" is wrong in law.

Background:

The Court's decision upholds the Municipal Property Assessment Corporation's (MPAC) longstanding practice of including a tenant's leasehold improvements in determining office tower property values. Given the province wide implications of this decision, the municipalities of Atikokan, Brant, Ear Falls, Goderich, Lambton, Lincoln, Ottawa, Quinte West, Red Lake, Sarnia, South Bruce Peninsula, and Windsor were intervenors in the case.

In 2008, MPAC and the City of Toronto sought leave to appeal the interim decision of the Assessment Review Board on the City of Toronto Bank Tower ruling. On November 14, 2008, the Divisional Court granted leave to appeal the decision of the Assessment Review Board. In response to an appeal by the bank tower owners, yesterday's second Divisional Court decision.

The Court found the Board's determination that required buildings to be assessed as vacant, undermines the purpose of assessment. In reaching this conclusion, the Court states that, "*to value these Bank Towers on the basis that they are vacant, when all (parties) agree that that is an entirely hypothetical scenario, is to significantly undervalue them compared to other real property...*". The Court concluded that the Board's, "*interpretation does not promote the legislative purpose*".

If the Board's decision had been upheld, it would have significant implications for municipal assessment bases across the province. After the first Board decision, AMO wrote to the Minister of Finance urging that the government clarify assessment practices. Although a positive development at this time, a further appeal of this decision by those representing the bank towers is possible within the next 15 days.

Action: For your information.

This information is available in the Policy Issues section of the AMO website at www.amo.on.ca.



Ralph Robertson
Manager of Purchasing



5(h)
Finance Department
Purchasing Division

2009 08 24

Mayor John Rowswell and
Members of City Council,
Civic Centre.

Re: Tender for Screened Street Sand

Attached hereto for your information and consideration is a summary of the tenders received for the supply of Screened Street Sand as required by the Public Works and Transportation Department for the 2009-2010 and 2010-2011 winter seasons.

The tender was publicly advertised and tender documents mailed to all firms on our bidders list. A public opening of tenders was held August 12, 2009, with Councillor Steve Butland representing City Council.

The tenders received have been evaluated and reviewed with Mr. Jim Elliott, P. Eng., Commissioner of Public Works and Transportation and the low tendered prices, meeting specifications, have been indicated on the attached summary.

Funding for this material comes from the Winter Sand account.

RECOMMENDATION

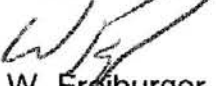
It is therefore my recommendation that the low tendered prices, under both Alternatives 1 and 2, firm prices for Two (2) years, submitted by Pioneer Construction Inc., be accepted.

This report is submitted for Council's approval.

Respectfully submitted,

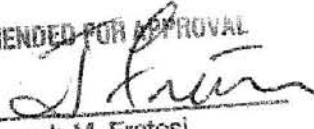

Ralph Robertson
Manager of Purchasing

Recommended for approval,


W. Freiburger
Commissioner of Finance & Treasurer

RR:nt
Attach.

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Deputy City Clerk

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
P.O. BOX 580 * CIVIC CENTRE * SAULT STE. MARIE, ONTARIO, CANADA P6A 5N1
TEL: (705) 759-5299 * FAX: (705) 759-1842

FINANCE DEPARTMENT
PURCHASING DIVISION
Budget: \$113,920.00 per year

Received: August 12, 2009
File: 2009WA06

SUMMARY OF TENDERS
SCREENED STREET SAND

<u>Description</u>	<u>Brandes Const. Sault Ste. Marie, ON</u>	<u>Pioneer Const. Sault Ste. Marie, ON</u>
<u>PRICING FOR ONE YEAR</u>		
<u>Alternative 1</u> Firm price for year one (commencing Oct. 1, 2009) to supply, load and weigh material to trucks under the employ of the City.	\$5.22 per tonne plus taxes	<u>\$4.30 per tonne</u>
<u>Alternative 2</u> Firm price for year one (commencing Oct. 1, 2009) to supply, weigh and deliver material to the City Stockpile.	\$7.22 per tonne	<u>\$6.20 per tonne</u>
<u>OPTION FOR SECOND YEAR</u>		
<u>Alternative 1</u> Firm price for year two (commencing Oct. 1, 2010) to supply, load and weigh material to trucks under the employ of the City.	\$6.40 per tonne	<u>\$4.40 per tonne</u>
<u>Alternative 2</u> Firm price for year two (commencing Oct. 1, 2010) to supply, weigh and deliver material to the City Stockpile.	\$8.60 per tonne	<u>\$6.40 per tonne</u>

NOTE: The low tendered prices, meeting specifications, are boxed above.

The average of the low tendered prices for two years represents a 23.9% increase from the previous 2 years for supply and loading of sand (Alt. 1);
and 19.8% for supply, loading and delivery of sand (Alt. 2).

It my recommendation that the low tendered prices, including the OPTION for year two, submitted by Pioneer Construction Inc., be accepted.

Ralph Robertson
Manager of Purchasing

5(h)

Ralph Robertson
Manager of Purchasing



5(i)
Finance Department
Purchasing Division

2009 08 24

Mayor John Rowswell and
Members of City Council,
Civic Centre.

RE: TENDERS FOR EQUIPMENT – PUBLIC WORKS & TRANSPORTATION DEPT.

Attached hereto for your information and consideration are the summaries of the tenders received for the supply and delivery of various pieces of equipment required by the Public Works and Transportation Department. This equipment replaces aging and failing equipment currently in use.

The tenders were publicly advertised and tender documents forwarded to all firms on our bidders list. A public opening of the tenders received was held August 6, 2009, with Councillor Steven Butland representing City Council.

The tenders received have been thoroughly evaluated and reviewed with Mr. M. Blanchard, Manager - Equipment/Building Maintenance, and the low tendered prices, meeting specifications, have been identified on their respective summaries.

The budget allocation for this equipment, identified in the 2009 P.W. & T. Equipment Reserve is \$1,067,500 and the total purchase price amounts to \$949,028.66.

RECOMMENDATION

It is therefore my recommendation that the tenders for equipment be awarded as follows:

Item	Supplier	Amount
One (1) Motor Grader c/w Snow Wing & Front Blade	Strongco Equipment Mississauga, ON	\$209,050.00
Three (3) Sidewalk Sanders	Joe Johnson Equipment Inc. Innisfil, ON	\$ 58,758.87
Two (2) Diesel Riding Mower c/w Front Mower Decks	Northshore Tractor Ltd. Echo Bay, ON	\$ 46,330.00
Two (2) 40 Cu. Yard Roll-Off Containers	Precision Waste Systems Ltd. Bracebridge, ON	\$ 14,181.50
One (1) Municipal Tractor c/w Snowblower, Plow & Broom	Work Equipment Limited Courtland, ON	\$125,345.25

One (1) Detachable Loader Mounted Snowblower	J.A. LaRue Inc. Sainte-Foy, QC	\$149,666.24
One (1) 58000 GVW Tandem Truck c/w Plow, Wing, Harness & 14' Dump Box	Lakeway Truck Centre Sault Ste. Marie, ON	\$209,617.68
One (1) Excavator	Tracks & Wheels Sault Ste. Marie, ON	\$136,079.12

This report is submitted for Council's approval.

Respectfully submitted,



Ralph Robertson
Manager of Purchasing

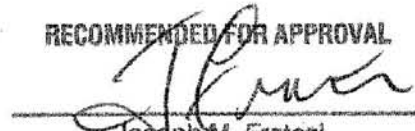
RR:nt
Attach.

Recommended for approval,



W. Freiburger
Commissioner of Finance & Treasurer

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer

FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$210,000.00

Received: August 6, 2009
File: 2009WA09

SUMMARY OF TENDERS
ONE (1) MOTOR GRADER C/W SNOW WING & FRONT BLADE

<u>Firm</u>	<u>Make & Model</u>	<u>Delivery</u>	<u>Warranty</u>	<u>Total Tendered Price</u> <u>(Including trade-in</u> <u>and taxes</u>	<u>Remarks</u>
Equipment Sales & Service Limited Toronto, ON	2009 Komatsu GD655-3	60 w/days	12 months/ Unlimited Hrs.	\$231,367.50	Does not meet Specifications Operating weight less than required Other minor variances noted.
Strongco Equipment Mississauga, ON	2010 Volvo G960	120 w/days	12 months/ 1500 Hrs.	\$209,050.00	Meets Specifications
Toromont Cat Sault Ste. Marie, ON	2010 Caterpillar 140M	80 w/days	12 months/ 1500 Hrs.	\$268,546.76	Does not meet Specifications Machine tendered not as specified Needed to tender Model 160M
Tracks & Wheels Equipment Sault Ste. Marie, ON	2009 Case 885	150 w/days	12 months/ Unlimited Hrs.	\$227,527.76	Meets Specifications Minor Variances Noted

Note: The low tendered price, meeting specifications, is boxed above.

It is my recommendation that the tendered price, submitted by Strongco Equipment, be accepted.

Ralph Robertson
Manager of Purchasing

561)

FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$60,000.00

Received: August 6, 2009
File: 2009WA10

SUMMARY OF TENDERS
THREE (3) SIDEWALK SANDERS

<u>Firm</u>	<u>Make & Model</u>	<u>Delivery</u>	<u>Warranty</u>	<u>Total Tendered Price for Three Units (Including taxes)</u>	<u>Remarks</u>
Joe Johnson Equipment Inc. Innisfil, ON	2009 Epoke SKE 8	20-40 w/days	1 year	\$58,758.87	Meets specifications.

Notice of No Bid

G.C. Duke Equipment Ltd.
Strongco Equipment

Note: Although only one bidder has submitted pricing, the price is deemed to be fair and equitable.

The low tendered price, meeting specifications, is boxed above.

It is my recommendation that the tendered price, submitted by Joe Johnson Equipment Inc., be accepted.

Ralph Robertson
Manager of Purchasing

5(1)

FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$40,000.00

Received: August 6, 2009
File: 2009WA11

SUMMARY OF TENDERS
TWO (2) DIESEL RIDING MOWER C/W FRONT MOWER DECKS

<u>Firm</u>	<u>Opt.</u>	<u>Make & Model</u>	<u>Delivery</u>	<u>Warranty</u>	<u>Total Tendered Price for Two Units (Including trade-in & taxes)</u>	<u>Remarks</u>
G.C. Duke Equipment Ltd. Bracebridge, ON		2009 Jacobsen 628 Turfcut	20 w/days	2 years	\$40,397.50	Does not meet Specifications Not equipped with Cruise Control Not equipped with Disk Brakes Not equipped with Electric PTO Coupler Smaller Gas Tank Than Spec'd
Northshore Tractor Ltd. Echo Bay, ON	1	2009 John Deere 1435 Series II	30 w/days	2 years	\$48,590.00	Meets Specifications
	2	2009 Kubota F2680E	10 w/days	2 years	\$46,330.00	Meets specifications.
Tracks & Wheels Hamilton, ON		2009 A. Carraro TTR 4400HST	120 w/days	1 year	\$69,474.66	Does not meet Specifications Not equipped with Electric PTO Coupler Smaller Gas Tank Than Spec'd Mower Deck not equipped with Rear Discharge Caster Tires not Foam Filled

Notice of No Bid

Construction Equipment Co.
Bannerman Limited

Note: The low tendered price, meeting specifications, is boxed above.

It is my recommendation that the tendered price, submitted by Northshore Tractor Ltd. - Option #2, be accepted.

Ralph Robertson
Manager of Purchasing

5(i)

FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$17,500.00

Received: August 6, 2009
File: 2009WA12

SUMMARY OF TENDERS
TWO (2) 40 CU. YARD ROLL-OFF CONTAINERS

<u>Firm</u>	<u>Make & Model</u>	<u>Delivery</u>	<u>Warranty</u>	<u>Total Tendered Price for Two Units (Including taxes)</u>	<u>Remarks</u>
Fanotech Waste Equipment Bracebridge, ON	2009 Fanotech R0-40-20.5B	28 w/days	1 year	\$14,972.50	Meets specifications.
Precision Waste Systems Limited Bracebridge, ON	2009 Ultra Duty 40 yard	15 w/days	2 years	\$14,181.50	Meets specifications.
Universal Handling Equipment Hamilton, ON	2009 UHE ORO-40	15 w/days	1 year	\$14,667.40	Meets specifications.

Note: The low tendered price, meeting specifications, is boxed above.

It is my recommendation that the tendered price, submitted by Precision Waste Systems Ltd., be accepted.

Ralph Robertson
Manager of Purchasing

5(i)

FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$140,000.00

Received: August 6, 2009
File: 2009WA14

SUMMARY OF TENDERS
ONE (1) MUNICIPAL TRACTOR C/W SNOWBLOWER, PLOW & BROOM

<u>Firm</u>	<u>Opt.</u>	<u>Make & Model</u>	<u>Delivery</u>	<u>Warranty</u>	<u>Total Tendered Price</u> <u>(Including trade-in</u> <u>and taxes</u>	<u>Remarks</u>
Work Equipment Ltd. Courtland, ON	1	2009 Trackless MT6	45 w/days	1 year	\$149,075.25	Meets specifications.
	2	2009 Trackless MT6	45 w/days	1 year	\$125,345.25	Meets specifications. Trade Show Demonstrator Less than 5 hours on Tractor New Accessories to be Supplied

Notice of No Bid

G.C. Duke Equipment Ltd.
Strongco Equipment

Note: Although only one tender was considered, the pricing is deemed to be fair and equitable.

The Demonstrator Unit meets all Requirements of the Tender and is available at substantial savings.

The low tendered price, meeting specifications, is boxed above.

It is my recommendation that the tendered price, submitted by Work Equipment Ltd., for Opt. 2 be accepted.

Ralph Robertson
Manager of Purchasing

561)

FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$185,000.00

Received: August 6, 2009
File: 2009WA15

SUMMARY OF TENDERS
ONE (1) DETACHABLE LOADER MOUNTED SNOWBLOWER

<u>Firm</u>	<u>Opt.</u>	<u>Make & Model</u>	<u>Delivery</u>	<u>Warranty</u>	<u>Total Tendered Price (including trade-in and taxes)</u>	<u>Remarks</u>
HD Equipment Sault Ste. Marie, ON		2009 RPM 227	30 w/days	1 yr Blower 2 yr Engine	\$199,720.57	Meets specifications.
J.A. LaRue Inc. Sainte-Foy, QC		2009 LaRue D60	45 w/days	1 yr Blower 2 yr Engine	\$149,866.24	Meets specifications.
RPM Tech Inc. Laval, QC						Tender not Considered Received Late
Tenco Ontario St. Thomas, ON		2009 Tenco VOHL DV4000	75 w/days	1 yr Blower 1 yr Engine	\$161,420.50	Does not meet Specifications Horsepower less than Spec'd Alternator Capacity less than Spec'd Snow Moving Performance less than Spec'd Chute not as spec'd (smaller diameter) Impeller not as spec'd
Tracks & Wheels Equipment Sault Ste. Marie, ON	1	2010 RPM 227	150 w/days	1 year	\$186,265.81	Meets specifications.
	2	2009 Snogo MP-318	150 w/days	1 yr Blower 2 yr Engine	\$338,545.74	Does not meet Specifications Snow Moving Performance less than Spec'd Impeller Rotation less than Spec'd Augers not as Spec'd (3-piece)

Notice of No Bid
Strongco Equipment

Note: The low tendered price, meeting specifications, is boxed above.
It is my recommendation that the tendered price, submitted by J.A. LaRue Inc., be accepted.

Ralph Robertson
Manager of Purchasing

5(i)

FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$195,000.00

Received: August 6, 2009
File: 2009WA07

SUMMARY OF TENDERS
ONE (1) 58,000 GVW TANDEM TRUCK C/W PLOW, WING, HARNESS & 14' FOUR SEASONS TYPE DUMP BOX

<u>Firm</u>	<u>Opt.</u>	<u>Make & Model</u>	<u>Delivery</u>	<u>Warranty</u>	<u>Total Tendered Price</u> <u>(Including trade-in</u> <u>and taxes</u>	<u>Remarks</u>
Lakeway Truck Centre Sault Ste. Marie, ON	1	2010 International 7400 Workstar SBA Gin-Cor Equip. Pkg.	120 w/days	1 year Unlimited Mileage - Truck 7 year/150,000 miles - Engine 1 year - Equip. Pkg.	\$212,270.78	Meets specifications.
	2	2010 International 7400 Workstar SBA JC Hydraulics Equip. Pkg.	120 w/days	1 year Unlimited Mileage - Truck 7 year/150,000 miles - Engine 1 year - Equip. Pkg.	\$209,617.68	Meets specifications with minor variances.
TMS Truck Centre Sault Ste. Marie, ON	1	2010 Freightliner M2 106V Gin-Cor Equip. Pkg.	115 w/days	2 year Unlimited Mileage - Truck 7 year/150,000 miles ESCII on Engine 1 year - Equip. Pkg.	\$218,898.68	Meets specifications.
	2	2010 Freightliner M2 106V JC Hydraulics Equip. Pkg.	115 w/days	2 year Unlimited Mileage - Truck 7 year/150,000 miles ESCII on Engine 1 year - Equip. Pkg.	\$216,245.58	Meets specifications with minor variances.

Note: The low tendered price, meeting specifications, is boxed above.
It is my recommendation that the tendered price, submitted by Lakeway Truck Centre, for Opt. 2 be accepted.

Ralph Robertson
Manager of Purchasing

561)

FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$220,000.00

Received: August 6, 2009
File: 2009WA08

SUMMARY OF TENDERS
ONE (1) EXCAVATOR

<u>Firm</u>	<u>Make & Model</u>	<u>Delivery</u>	<u>Warranty</u>	<u>Total Tendered Price</u> <u>(Including trade-in</u> <u>and taxes</u>	<u>Remarks</u>
Construction Equipment Co. Sault Ste. Marie, ON	2008 Hyundai R160LC-7A	20 w/days	24 months/ 2,000 Hrs.	\$155,883.50	Meets specifications with minor variances.
Equipment Sales & Service Limited Toronto, ON	2009 Komatsu PC160LC-7EO	60 w/days	12 months/ Unlimited Hrs.	\$138,990.00	Does not meet specifications. Min. operating weight less than specified. Max. digging depth less than specified.
HD Equipment Sault Ste. Marie, ON	2009 Kobelco SK170LC	90 w/days	12 months/ 1500 Hrs.	\$175,175.99	Meets specifications with minor variances.
Hood Equipment Thunder Bay, ON	2009 LinkBelt 160X2	not stated	12 months/ 1800 Hrs.	\$173,116.00	Meets specifications with minor variances.
McDowell Brothers Industries Sudbury, ON	2009 LinkBelt 160X2	30 w/days	12 months/ 1800 Hrs.	\$120,056.85	Does not meet specifications. No local service. Service time unacceptable from Sudbury.
Strongco Equipment Mississauga, ON	2010 Volvo EC160C	120 w/days	12 months/ 1500 Hrs.	\$141,250.00	Meets specifications with minor variances.
Toromont Cat Sault Ste. Marie, ON	2010 Caterpillar 315D L	80 w/days	12 months/ 1500 Hrs.	\$137,295.00	Meets specifications.
Tracks & Wheels Equipment Sault Ste. Marie, ON	2009 Case CX160B	90 w/days	12 months/ 1800 Hrs.	\$136,079.12	Meets specifications.

Note: The low tendered price, meeting specifications, is boxed above.

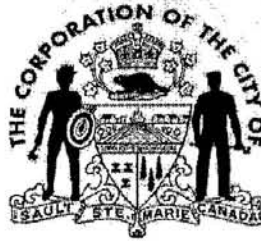
It is my recommendation that the tendered price, submitted by Tracks & Wheels, be accepted.

Ralph Robertson
Manager of Purchasing

5(1)

HUMAN RESOURCES DEPARTMENT

John R. Luszka, Commissioner
Peter Niro, Manager
Roy Dewar, Health & Safety Manager
Della-Marie Iley, Disability Case Manager



5(j)
CIVIC CENTRE
99 Foster Drive,
Sault Ste. Marie, ON.
P6A 5X6
Tel: (705) 759-5361
Fax: (705) 541-7177

2009 08 24

Mayor John Rowsell
And Members of City Council

**RE: COLLECTIVE BARGAINING
FEBRUARY 1, 2009 TO JANUARY 31, 2012
MEMORANDUM OF SETTLEMENT
AMALGAMATED TRANSIT UNION LOCAL 1767**

I am pleased to provide to City Council the above noted Memorandum for renewal collective agreement for a three (3) year term.

This follows the same general trend in wages and benefits as established earlier by the CUPE Groups.

Specifically, that represents wage increases of:

- 3% Effective February 1, 2009
- 2.5% Effective February 1, 2010
- 2.5% Effective February 1, 2011.

Improvements in vision care and prescription drug coverage are also consistent across all groups.

Council ratification of the Memorandum is requested.

Yours truly,

John Luszka
Commissioner
Human Resources Department

JL:ef

c.c. J. Fratesi

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(j)

MEMORANDUM OF SETTLEMENT

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

&

THE AMALGAMATED TRANSIT UNION LOCAL 1767

1. The parties herein agree to the terms of the memorandum as constituting full and final settlement of all matters in dispute.
2. The undersigned representatives of the parties do hereby agree to recommend complete acceptance of all the terms of this memorandum to their respective principals.
3. The parties herein agree that the term of the collective agreement shall be from February 1, 2009 to January 31, 2012.
4. The parties herein agree that the said collective agreement shall include the terms of the previous collective agreement which expired on January 31, 2009, provided, however, that the following amendments are incorporated: *SR*

Appendix 1.

Signed this 13th day of August, 2009.

For the Union

[Signature]

[Signature]

For the City

[Signature]

[Signature]

5(j)

**COLLECTIVE BARGAINING
CITY OF SAULT STE MARIE**

&

**ATU Local 1767
TRANSIT OPERATORS**

2009

Appendix A

- **LANGUAGE PROPOSALS AGREED BY THE PARTIES**
- **MONETARY PACKAGE**

UNION LANGUAGE PROPOSALS

Article 8 Probationary Period

8:01 Union agreed to City Original Proposal. Amended clause to read as follows:

Amend clause to read as follows:

8:01 **It is agreed and understood that for new employees there shall be a probation period of one hundred and sixty hours (160) for the initial operator training period and one thousand and forty (1040) hours in active service. If the new employee is not satisfactory and/or does not show aptitude for the work, the employee may be released at any time within that limit without constituting a cause for grievance.**

Article 11 Hours of Work and Overtime

11:03 Union agreed to City Counter Proposal

Amend clause to read as follows:

11:03 The Overtime Call List will be posted with the regular run pick and will remain in effect for the duration of the pick. Regular operators must sign this list to be eligible to work overtime. Operators who sign off the Overtime Call List will not be eligible to sign on until they notify the Chief Inspector/Scheduler or the designate in writing of their intent. Such Operators will have their names placed at the bottom of the Overtime List. Spareboard operators will automatically be placed on the Overtime Call List.

Operators who have signed the overtime call list will be called in seniority rotation so that overtime turns are distributed as equitably as possible. A turn of overtime will be equal to **ten (10)** hours worked or refused.

When an Operator is called for overtime service and fails to respond, the Operator loses their overtime turn, except those Operators on vacation, on **W.S.I.B.**, or on paid sick leave, will not be charged a turn of overtime. Refusing short changes (less than 8 hours) or double shifting will not be recorded as a refusal.

A chart will be posted weekly for each pick period indicating the hours of overtime worked or refused by each Operator. The hours of worked or refused overtime will be active for the duration of the pick period. Any

imbalances in the equitable distribution of overtime hours will be corrected as soon as practically possible.

Article 16 Pensions

16:02 Proposal re Employee Paid Life Insurance upon Early Retirement.

See Monetary Package Proposal

16:03 Mandatory retirement Age 65

The City agrees with the deletion of this clause based upon the understanding by the parties that employee benefits pursuant to Article 15 Welfare continue to cease at age 65.

Should any issues arise with respect to this matter during the course of the collective agreement; the parties agree to meet using the Joint Consultation process.

Article 18 General Rules

18:09 The Union withdraws its proposal and the following will be added to the collective agreement as a new Letter of Understanding to read as follow:

Video Security Surveillance Cameras

The City confirms the following general principles that are the guidelines that would be used with respect to the use of video security surveillance cameras at Transit:

- Cameras are not used to monitor employee performance.
- Cameras will not be situated in areas where employee has a reasonable expectation of privacy e.g. change areas, wash rooms.
- Access to recorded information is restricted through the Commissioner of Public Works or Commissioner of Human Resources.
- Employees who are observed and recorded by video technology engaging in conduct that is in violation of City Policy/Procedures and/or law are advised that such information may be used by the City with respect to disciplinary action up to and including discharge.
- The City has no plans at this time with respect to the installation of video security surveillance cameras on City

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buses and, in any event, the Union would be advised in advance of such action.

For the Union

For the City

Dated this XX day of XXXX, 2009.

Letter #7 Letter of Understanding – Vacation Scheduling

The Union Agreed to the City Counter Proposal as outlined below.

Renew the Letter but amend the Letter to read as follows:

LETTER OF UNDERSTANDING

VACATION SCHEDULING

Employees who schedule a week of vacation containing a Specified Paid Holiday will be permitted to elect to hold one (1) vacation day as a floating holiday.

Employees will be permitted to hold only a maximum of **three (3)** floating holidays.

Instead of receiving a vacation pay on the Specified Paid Holiday the employee would be paid such vacation pay on the floating holiday.

Employees will make a declaration to take such floating holidays at the normal vacation selection time.

Requests for booking the floating holiday will be submitted for approval by the Chief Inspector/Scheduler or designate no later than one (1) week before taking the paid holiday. Approval will be at the sole discretion of the Chief Inspector/Scheduler or designate.

Agreed to this xxth day of March, 2009.

FOR THE UNION

FOR THE CITY

Proposals Regarding Committees and Joint Consultation Committee Letter #3

To appear in the Memorandum of Settlement Only:

The parties agree that terms and conditions of the Joint Consultation Committee are flexible enough to encompass the Union requesting items such as equipment or concerns with mechanical maintenance of vehicles to be put on a Consultation Committee agenda.

The Transit Manager would ensure the appropriate persons are invited to attend to address matters of mutual concern in the workplace and that would include representatives from another bargaining unit if necessary to properly address the topic of concern.

CITY LANGUAGE PROPOSALS

General "Housekeeping" Changes

The Union agreed to the City's original proposals.

1. Change "Statutory Holidays" to read "Specified Paid Holidays" wherever it occurs in the collective agreement.
2. Change "worker's Compensation" to read "WSIB" where it occurs in the collective agreement.

Article 8 Probationary Period

The Union agreed to the City's original proposal. See 8:01 above.

Article 10 :00 Leave of Absence

Bereavement Leave

10:06 Amend clause to read as follows:

When death occurs to a member of an employee's immediate family, the employee will be granted leave of absence on compassionate grounds and will be granted time off with pay up to a maximum of four (4) working days for any days which are normally straight time working days and fall within the period from the day of the death up to and including the day of the funeral. **If the funeral is more than two hundred kilometres (200 km) from Sault Ste. Marie, the four (4)**

working days shall be any days which are normally straight time working days and fall within the period from the day of the death up to and including the day following the funeral.

Immediate family means: mother, father, sister, brother, spouse, common-law spouse, son, daughter, grandchildren, grandparents, mother-in-law, and father-in-law. Leave of absence without loss of pay for **four (4) working days** shall be granted to an employee to attend the funeral of **a child of a spouse as defined under per part (b) sections (i) and (iii) below.**

Leave of absence without loss of pay for one (1) working day shall be granted to an employee to attend the funeral of the employee's brother-in-law or sister-in-law

Non attendance at the funeral regardless of distance disqualifies the employee from funeral leave.

"spouse" means a person

- (a) **to whom the person is married, or**
 - (b) **with whom the person is living outside marriage in a conjugal relationship, if the two persons,**
 - (i) **have cohabited for at least one year,**
 - (ii) **are together the parents of a child, or**
 - (iii) **have together entered into a cohabitation agreement under section**
- 53 of the *Family Law Act*; ("conjoint")**

Article 11:00 Hours of Work and Overtime

Amend 11:02 to read as follows:

11:02

- (a) Ten (10) hours will constitute a days work for all Regular Operators with the exception of those Regular Operators on Parabus assignments who will have a regular workday of eight (8) hours. Rates of time and one half to the closest 5 minutes will be paid for all:
 - hours worked or held for duty in excess of ten hours per day **or eight (8) hours per day if a Regular Para bus Operator;**
 - in excess of 80 hours in a two week pay period;

Pay period earnings will be calculated with one-week vacation equalling 40 hours in the calculation of overtime.

There will be no pyramiding of overtime hours.

- (b) Spareboard Operators assigned to Parabus duties may work up to ten (10) hours per day at straight time.

To appear in the Memorandum of Settlement Only:

Clarification

A Regular Assigned Operator who has worked more than 10 hours in a day or 80 hours in a pay period will be eligible for overtime.

If called into work on a scheduled day off, an Operator would be paid straight time unless the Operator has worked more than 80 hours within the pay period.

Where a Specified Paid Holiday falls on an Operator's working day or a Vacation is approved, and provided the employee works their regularly scheduled assignments during the pay period, overtime rates would apply to hours worked beyond 80 hours in the pay period.

Where a Specified Paid Holiday falls on a Non-Working Day resulting in more than 80 hours pay in a pay period, all such pay shall be at straight time.

Specified Paid Holiday hours on a Non-Working Day shall not be used in the calculation of hours for overtime eligibility purposes.

11:04 The Union agreed to the City's amended proposal:

Amend clause to read as follows:

*Provided Spareboard Operators are available within the two (2) week scheduling period as determined by the Employer, and prior approval of the Employer is obtained, an Operator may request **time off without pay** only within the current posted assignment period up to a maximum of forty (40) hours per calendar year. **This excludes requested time off without pay for "short changes" (i.e. "short changes" are 8 hours or less)***

Note: The amended language proposal above does not change the practice that RTO will only be given final approval twenty-four (24) hours in advance of the requested time off.

ARTICLE 13:00 SPECIFIED PAID HOLIDAYS

- 13:01

The Union agreed to the City Original proposal to amend this clause to read as follows:

13:01 Regular route runs on a Specified Paid Holiday will be paid what the run would normally have paid had it not been a holiday. Spareboard employees on a regular run will be paid what the run would pay a regular assigned Operator. Unassigned employees on the spareboard will receive eight hours pay for all Specified Paid Holidays.

The following shall be considered paid holidays:

New Year's Day
Good Friday
Easter Sunday
Civic Holiday
Thanksgiving Day
Christmas Day

Family Day (3rd Monday in February)
Victoria Day
Canada Day *
Labour Day
Remembrance Day
Boxing Day

* When Canada Day falls on a Sunday, it shall be considered a regular work day and the Holiday will be the Monday.

- New Letter of Understanding – Scheduling of Parabus on Specified Paid Holidays

As a matter of clarification, the parties agree to add the following as a new Letter of Understanding to the collective agreement:

LETTER OF UNDERSTANDING # NEW

RE

PARA BUS RUNS ON PAID HOLIDAYS

- The City has the sole discretion to cancel any work on a Paid Holiday.
- In assigning available work on that day the following will apply:

1. If any work falls during a currently existing work assignment the operator is required to complete that assignment.

2. If any work falls outside a picked run the senior operator on a Para Bus run that has had their work assignment cancelled will be offered the work
3. All other remaining work will be assigned to spareboard as per the collective agreement.

For the Union

For the City

Dated this day _____

INFORMATION ITEM

It is agreed and understood that the Division will administer Article 17 Uniforms and Letter #5- Uniform Point System strictly in accordance with its intent to provide a cleaning allowance and uniforms for active Transit Operators only.

For example, Operators who, due to disability, are assigned for greater than thirty (30) calendar days to work outside of the Division are no longer eligible for the provisions under Article 17 or Letter #5

Letter #5 Renewed for term of collective agreement.

LETTERS OF UNDERSTANDING

- | | | |
|----|------------------------------------|-----------------|
| 2. | Loss of Driver's Licence | Agreed to renew |
| 3. | Joint Consultation Committee | Agreed to renew |
| 4. | Benefit Cost Containment Provision | Agreed to renew |
| 6. | Clarification of Practice | Agreed to renew |

MONETARY PACKAGE

Article 11 Hours of Work and Overtime

11:07 Charter Work

Amend clause to provide for a minimum of **two (2) hour payment effective February 1, 2010.**

Article 12 Rates of Pay

Increase rate of pay as follows

Effective February 1, 2009	+ 3%
Effective February 1, 2010	+ 2.5%
Effective February 1, 2011	+ 2.5%

Retroactivity to active employees and any employees who retired between February 1, 2009 and the date of ratification of the Memorandum of Settlement by the parties.

12:02 Note: Administrative change only

Change "9 hours and 40 minutes" in this clause to read "ten (10) hours".

12:08 Parabus Operators

Increase premium to **\$0.50 effective the 1st of the month following ratification of the Memorandum of Settlement by the parties. Increase to \$0.75 effective February 1, 2011.**

Article 14 Vacations

14:08 Discussion Item only

The City wishes to discuss Unused Vacation Payout in a labour management forum during the term of the collective agreement. The objective of the parties will be to define a process to ensure unused vacation is paid out to the respective employee without increasing budgetary costs.

Article 15 Welfare

15:01 Amend first sentence of this clause to read as follows:

15:01 The City agrees to provide the following welfare benefits to **employees classified as Operator II** with the City paying 100% of the premiums for such benefits:.....

15:01 Extended Health Care Benefit

City Amended Proposal

Benefit changes effective the first of the month following ratification of the Memorandum of Settlement by the parties:

- Green Shield Extended Healthcare Benefit
 - **Prescription Drug Benefit Plan** – Drug card : **\$6.00** Drug Card System effective the first of the month following ratification of the Memorandum of Settlement by the parties (drug plan is voluntary generic substitution)
 - Vision Care (eyeglass subsidy **\$250.00** every two years **effective the first of the month following ratification of the Memorandum of Settlement by the parties and to \$300 effective February 1, 2011.**)
 - One (1) eye examination by a licensed ophthalmologist or optometrist every twenty four (24) consecutive months.
 - Pharmacy dispensing fees ;

Effective the 1st of the month following ratification of the Memorandum of Settlement by the parties amend dispensing fee cap from \$8 to \$9. Effective February 1, 2011, amend dispensing fee cap to \$10.

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Dental Plan

Increase Orthodontic Limit to \$1,500 effective the first of the month following ratification of the Memorandum of Settlement by the Parties.

NEW – EMPLOYEES WORKING BEYOND AGE 65

The City is prepared to offer the following benefits to employees in the Operator II classification who continue to work beyond age 65:

- **Active Employees Over Age 65**

Effective the 1st of the month following ratification of the Memorandum of Settlement by the parties, provide the following benefits to employees who continue to be actively employed beyond age 65:

- **Limited Extended Health Care to retirement or age 70 max. No dependent coverage with the exception of spouse.**
 1. **Drug plan capped at \$1000 per annum at 90%/10% co-insurance; \$8 dispensing fee cap; no OTC. Dependent Spouse under age 65 not subject to \$1000 per annum cap.**
 2. **Paramedical capped \$500 per annum.**
 3. **Vision Care - \$200/24months. No eye examination coverage.**
 4. **No coverage of medical items.**
- **Life: Reduce to \$10,000 fixed to retirement or age 70 max.**

Benefits implemented effective the first of the month following the date the employee attains age 65.

15:10(a)

Amend existing clauses to read as follows:

15:10 (a) **Operator I**

New Operators *hired on or after April 1, 2003* will be provided with the following Welfare benefits during the first **four thousand one hundred and sixty (4,160) hours of work with 100% of the premium paid by the City:**

- Prescription Drug Benefit Plan at 90/10% Co-insurance*
* Drug benefit subject to elimination of OTC's & \$8 dispensing fee cap.
- Vision Care \$100 per 24 months

15:10 Spareboard II

Delete this clause in its and entirety and amend clause to read as follows:

15:10 (b) While it is understood that employees in the Operator I and II classifications may work on an as required basis, the inclusion of this clause is not to be interpreted as Part-time Employees.

Article 16 Pensions

16:02

Amend clause to provide that employees who retire under this clause will be permitted to purchase *at their expense* a \$10,000 Life Insurance policy at Group Rates up to the Age of 65.

Note: The City has a standing policy of a \$2000 death benefit for retirees. This benefit is available without cost to the employee.

Article 17 Uniforms

17:02 City Counter-proposal

Amend clause to read as follows:

The City agrees to provide all active Operators who have successfully completed their probationary period with an annual allowance of one hundred and ten dollars (\$110) payable each October 1st. Such allowance is understood to be in-lieu of uniform cleaning and licensing costs.

Article 18 General Rules

18:06 Amend to **eleven dollars (\$11.00)** effective the first of the month following ratification of the Memorandum of Settlement by the parties.

Amend meal allowance amount to \$11.50 effective February 1, 2012.

Note: As a matter of information, the City may replace the current voucher system with a reimbursement through the payroll system on the employees' pay cheques.

NEW Clause 18:07 – Accident & Incident Reports

Add new 18:07 to read as follows:

When an employee is retained before or after a shift to complete an Accident/Incident Report, the employee shall be paid fifteen (15) minutes at straight time.

Article 19 Duration

19:01 Amend to read *February 1, 2009 to January 31, 2012.*

Letter #1 Renew for term of agreement.

Letter #5 Uniform Point System

City Counter-proposal

- Amend effective year to read **2009.**
- Delete 1 Cardigan
- Add : Half Zip Pullover – 2 points
- Amend second paragraph to read:

*Every new operator will receive 2 pairs of trousers, 4 dress shirts, 2 polo shirts, 1 three season coat, 2 ties, 1 **wind breaker, 2 pairs of shorts, 1 rain coat and 1 baseball cap.***

- Balance of Letter remains unchanged.
- Renew letter for term of agreement as amended.



2009 08 24

Mayor John Rowswell
and Members of City Council

SCOTTIES TOURNAMENT OF HEARTS (STOH) – MUNICIPAL SPONSORSHIP PROGRAM

Background

At the February 9, 2009 Council meeting the following recommendation was approved:

It is recommended that Council approve the following:

- *Staff to continue discussions with the CCA on sponsorship packages for the municipality.*
- *Include in the 2009 Budget an request for \$70,000. (maximum) cash sponsorship to the STOH for the following sponsorship packages that will be reported to Council once they are confirmed:*
 - *A Municipal Sponsorship Package*
 - *Co-sponsoring the Opening Banquet*
 - *Co-sponsoring the Volunteer Recognition Event*
- *Waiving of the City's percentage of Food/Beverage for "The Patch" (tent facility in Essar Centre's parking lot).*

The STOH have developed a Municipal Sponsorship package that is used for each of the host cities. Our package is slightly enhanced from the 2009 version for Victoria B.C.

Ian MacMillan, Director of Tourism Sault Ste. Marie and I were involved in the discussions with STOH for the Municipal Sponsorship Package. We are both very satisfied with the sponsorship package that is being recommended. A colour copy of the package is provided at your Council seat in Council Chambers.

There will not be a need to waive the City's percentage of Food/Beverage for "The Patch" as the STOH will be using the Soo Curlers facility for this part of their event. If STOH requests any other in-kind services staff will evaluate them and report to Council.

Highlights of the Sponsorship Package

- In-ice logos on each sheet of the four (4) sheets of ice.
- Prominent display of the City logo in event materials (posters, brochures, tent cards)
- Corporate recognition in newspaper campaign
- Website recognition
- City can provide information in the STOH ticket mailouts
- ½ page full-colour advertisement in Official Souvenir Program
- Welcome message from the Mayor in the Official Souvenir Program
- Many other recognition mediums
- Four (4) VIP ticket packages – Council will need to decide how to use these.

Recommendation

It is recommended that Council approve the Municipal Sponsorship Package for the STOH at the cost of \$70,000. which amount was approved and set aside as part of the 2009 budget.

Respectfully submitted,



Nicholas J. Apostle
Commissioner of Community Services

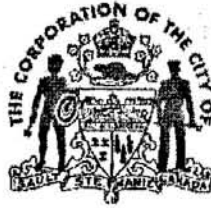
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cc: S. Randa, STOH Local Committee Chair
I. MacMillan, TSSM

attachments

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer



2009 02 09

Mayor John Rowsell
and Members of City Council

SCOTTIES TOURNAMENT OF HEARTS - FUNDING

At the December 1, 2008 Council Meeting, the following resolution was approved:

Agenda Item 6 (8) (a)

MOVED BY Councillor O. Grandinetti
SECONDED BY Councillor J. Caicco

Resolved that the report of the Chair, Conferences and Major Special Events Committee dated 2008 12 01 concerning Funding Request – 2010 Canadian Ladies Curling Championships Scotties Tournament of Hearts be accepted and the recommendation that the request for municipal assistance for the Tournament being held in Sault Ste. Marie February 2010 BE REFERRED to the Commissioner of Community Services and other appropriate staff for review and report back to City Council with recommendations of what contributions the City can provide for both in-kind services and the level of funding for this prestigious event, be approved.

In addition to this matter being reviewed by staff, meetings were held with the Local Committee for the Scotties Tournament of Hearts (STOH) and Canadian Curling Association staff.

The City hosted the 1990 Brier at the former Sault Ste. Marie Memorial Gardens. Exact figures on the level of funding were not obtainable since the event was 19 years ago. Information was available on facility expenses; they were approximately \$87,000. and the facility revenue from all sources including rent and food/beverage was approximately \$60,000. for a total loss of \$27,000. This did not include the waiving of the percentage of food and beverage sales in the "Brier Patch". It is not clear if this loss was in addition to the \$32,000. City contribution that was reported to Council by the STOH Committee on December 1, 2008. It is logical to assume that the City participated through direct and in-kind sponsorship in addition to the \$27,000. facility deficit.

It is important to note that an agreement, with the Canadian Curling Association, for the use of the Essar Centre, has been signed and includes normal rental rates for the event including ticket surcharge rates and food/beverage revenues.

The Canadian Curling Association has stated that recently municipalities have been participating to the STOH in the range of \$80,000. to \$100,000. combined direct and in-kind contributions. Staff is working with the Canadian Curling Association to determine the exact level of funding.

Preliminary conversations have revolved around the scope of funding:

1. Municipal Sponsorship Package (to be consistent with what other host municipalities received)
2. Co-sponsorship of Opening Banquet
3. Co-sponsorship of Volunteer Recognition Event
4. Waiving of City's percentage of Food/Beverage for "The Patch" (tent facility in Essar Centre's parking lot)

The cost of these items is estimated at \$70,000. of direct sponsorship (cash) and \$20,000. of in-kind sponsorship.

Due to the magnitude and significance of this event it is recommended that the Conventions and Special Events Funding not be used and instead that Council fund this event separately. In addition, the local committee has stated that any profits that are realized to them will be shared amongst the local curling clubs. Staff's opinion on the sharing of the profit to the local curling clubs is that it is a very good approach, mainly because the local clubs are self-sufficient and do not rely on any tax dollars for their operations.

If this matter is approved by Council, staff will prepare a Supplementary Budget Request Form for Council's consideration.

Recommendation

It is recommended that Council approve the following:

- Staff to continue discussions with the CCA on sponsorship packages for the municipality.
- Include in the 2009 Budget an request for \$70,000 (maximum) cash sponsorship to the STOH for the following sponsorship packages that will be reported to council once they are confirmed:
 - A Municipal Sponsorship Package
 - Co-sponsoring the Opening Banquet
 - Co-sponsoring the Volunteer Recognition Event
- Waiving of the City's percentage of Food/Beverage for "The Patch" (tent facility in Essar Centre's parking lot).

Respectfully submitted,



Nicholas J. Apostle
Commissioner of Community Services

jbl/council/report to council stoh funding request feb 9

cc: S. Randa, STOH Local Committee Chair



SECRETARY OF THE COUNCIL



August 24, 2009

Mayor John Rowswell
and Members of City Council

Soo Thunderbirds Hockey Club – Agreement

Background

The current agreement with the Soo Thunderbirds Hockey Club (Club) expired in April 2009. Council may recall that for many years the Club continually had a considerable outstanding debt with the City. I am pleased to report that as of June 20, 2009 the Club has paid off their entire outstanding debt with the City.

A new agreement has been signed by the Club and a bylaw authorizing the Mayor and City Clerk to sign the agreement appears elsewhere on your agenda.

Highlights of the Agreement

- The agreement shall be in force from September 1, 2009 to April 30, 2010 with an option to renew the agreement on a year-to-year basis subject to successful negotiations between the City and the Club on a renewal basis.
- The Club agrees to remain current with regards to their 2009/10 ice rental fees. This means that they will pay their invoice in full within 30 days of receiving their invoice, as required by the City.
- In the event that the Club does not abide by the agreement with regards to the payment of their current ice time, staff will report to Council for their consideration.

Recommendation

It is recommended that Council approve the agreement with the Soo Thunderbirds for the time period of September 1, 2009 to April 30, 2010 with the option to renew the agreement on a year-to-year basis subject to successful negotiations between the City and the Club on a renewal basis.

Respectfully submitted,

Nicholas J. Apostle
Commissioner Community Services

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

jplcouncilbirds 2009/2010 agreement

cc: J. Bumbacco, Chair, Parks and Recreation Advisory Committee
L. Bottos, City Solicitor
B. Freiburger, Commissioner of Finance & Treasurer



August 24, 2009

Mayor John Rowswell
and Members of City Council

Recreational Infrastructure Canada Program in Ontario (RIInC Ontario)

At the May 25, 2009 meeting Council approved staff to apply for funding for the following projects under the RIInC program:

1. Roberta Bondar Park – Tent Pavilion Exterior Fabric Replacement.
2. Strathclair Park – Additional Lighting for Slowpitch Diamonds.
3. Replacement of the mechanical systems at the Peter G. Manzo Outdoor Pool.
4. Replacement of the mechanical systems at the V. E. Greco Outdoor Pool.
5. John Rhodes Community Centre – Arena 1 (built in 1978) - HVAC replacement and replacement of arena boards and glass.

We have received written confirmation that four of the five projects have been approved for funding: the Roberta Bondar Park Pavilion Fabric; the Peter G. Manzo Outdoor Pool mechanical systems replacement; The V. E. Greco Pool mechanical system replacement; and the John Rhodes Community Centre Arena 1 HVAC and board and glass replacement. Copies of the press release and confirmation letter are attached.

With regards to the Strathclair Park project for additional lighting for the slowpitch main field, a report will be presented to Council at their next meeting regarding this project.

Staff will proceed to implement the approved projects. It is expected that they will be completed in the spring of 2010 which is well ahead of the deadline of March 31, 2011.

Funding for the projects were previously identified as part of the City Funding for the Infrastructure Stimulus Fund.

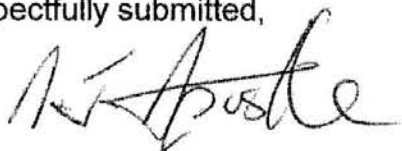
City purchasing policies will be followed for all of the projects, however staff is seeking approval to single source the replacement of the Roberta Bondar Pavilion fabric to the original manufacturing company – Birdair Inc. – as they have all of the technical specifications on the fabric and anchoring components which will save time and money. Also, they have been involved, almost annually, in the maintenance of the fabric and anchoring components. Birdair Inc's portion of the project is expected to be approximately \$900,000.

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Recommendation

It is recommended that Council authorize staff to proceed with implementing the projects that were approved under the RInC Program and further that the replacement of the Roberta Bondar Pavilion fabric be sole sourced to Birdair Inc. at an estimated price of \$900,000.

Respectfully submitted,



Nicholas J. Apostle
Commissioner Community Services

\\council\2009\inc funding update aug 24

cc: W. Freiburger, Commissioner Finance & Treasurer
R. Robertson, Manager Purchasing

attachments

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi

Chief Administrative Officer

July 31, 2009

Nic Apostle
Commissioner Community Services
City of Sault Ste. Marie
99 Foster Dr.
Sault Ste. Marie, Ontario P6A 5X6

Attention: Nic Apostle

Further to the letter from Federal Minister of Industry Tony Clement and Ontario Minister of Energy and Infrastructure George Smitherman dated July 8, 2009, we would like to confirm that you may begin incurring eligible costs for the projects listed therein.

Only eligible costs incurred as of June 26, 2009 for the approved projects will be eligible for reimbursement through the Recreational Infrastructure Canada (RinC) Program in Ontario and the Ontario Recreation (Ontario REC) Program.

Over the coming weeks, staff from the Sports, Culture and Tourism Partnerships Secretariat will develop a Contribution Agreement with you to provide an implementation framework and contracting details, as well as outline communication opportunities for your funded project. Details regarding signage requirements and templates will be posted to the website at www.rinc-on.ca as soon as they are available. We encourage you to visit this site regularly for the latest information related to project implementation.

For more details, please contact us by telephone at 1-888-300-9308, by email at infrastructure@ic.gc.ca, or by visiting the website at www.rinc-on.ca.

Le 31 juillet 2009

Nic Apostle
Commissionnaire des services communautaires
Ville de Sault Ste. Marie
99, promenade Foster
Sault Ste. Marie (Ontario) P6A 5X6

Attention : Nic Apostle

Pour faire suite à la lettre du 8 juillet 2009 du ministre fédéral de l'Industrie, M. Tony Clement, et du ministre de l'Énergie et de l'Infrastructure de l'Ontario, M. George Smitherman, nous aimerions vous confirmer que vous pouvez commencer à engager les coûts admissibles des projets mentionnés dans cette lettre.

Seuls les coûts admissibles engagés à compter du 26 juin 2009 pour les projets approuvés seront admissibles à un remboursement dans le cadre du programme d'Infrastructures de loisirs Canada en Ontario (ILC en Ontario) et du programme Loisirs Ontario.

Au cours des prochaines semaines, le personnel du Secrétariat pour les sports, la culture et le tourisme mettra au point un accord de contribution avec vous pour fournir un cadre de mise en œuvre et les détails contractuels, ainsi que pour brosser les grandes lignes des possibilités de communications afin de promouvoir votre projet financé. Des précisions au sujet des exigences en matière d'enseignes et des modèles à cet effet seront diffusés dans le site Web www.inlc-on.ca dès qu'ils seront disponibles. Nous vous invitons à visiter régulièrement ce site pour obtenir les plus récentes informations sur la mise en œuvre des projets.

Pour obtenir de plus amples informations, veuillez communiquer avec nous par téléphone, au numéro 1-888-300-9308, ou par courriel à l'adresse infrastructure@ic.gc.ca, ou consulter le site Web www.inlc-on.ca.

COMMUNITY SERVICES DEPT.

AUG 10 2009

RECEIVED

We look forward to working with you as you implement these projects.

Sincerely,

Nous anticipons avec plaisir la possibilité de travailler avec vous alors que vous mettrez en œuvre ces projets.

Nous vous prions d'agréer l'expression de nos sentiments les meilleurs.



Jeff Moore
Director General/Directeur général
Southern Ontario Regional Economic
Development Branch, Industry Canada/
Direction générale du développement
économique régional du Sud de l'Ontario,
Industrie Canada



Oliver Jerschow
Manager/Gestionnaire
Inter-Governmental Policy, Ministry of Energy
and Infrastructure/
Politique intergouvernementale,
Ministère de l'Énergie et de l'Infrastructure

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Nick Apostle

From: Biasucci_Carmine [cbiasucci@liberal.ola.org]
Sent: Friday, June 26, 2009 2:25 PM
To: John Rowsell; j.fratesi (Internet); Nick Apostle
Cc: Orazietti_David-MPP-CO
Subject: Media Release - RInC / REC funding



David Orazietti, M.P.P. Sault Ste. Marie **News Release**

For Immediate Release
 Date: June 26, 2009

ORAZIETTI ANNOUNCES OVER \$3.2 MILLION TO IMPROVE RECREATION FACILITIES IN SAULT STE. MARIE

McGuinty Government Investments Making Community Healthier While Boosting the Economy

Sault Ste. Marie - The McGuinty government is joining with the federal government to provide \$3,296,666 to improve recreational facilities in Sault Ste. Marie David Orazietti, MPP announced today.

"Our government's important infrastructure investments to improve local recreational facilities will continue to deliver economic stimulus funding to create new jobs and help Sault Ste. Marie prosper," said Orazietti. "By enhancing recreational opportunities in community centres such as the YMCA and the John Rhodes Arena we are making our city a healthier place for all residents."

Recreation facilities in Sault Ste. Marie will receive needed upgrades and repairs with equal funding from the federal Recreational Infrastructure Canada (RInC) program and the provincial Ontario Recreation Program (Ontario REC). Community investments supporting active lifestyles in Sault Ste. Marie include:

- \$2 million to the Sault Ste. Marie YMCA for facility renewal
- \$1,296,666 to the City of Sault Ste. Marie for the following projects:
 - \$846,666 Roberta Bondar Park Tent
 - \$250,000 John Rhodes Arena
 - \$100,000 Greco Pool
 - \$100,000 Manzo Pool

"Improving our soccer pitches, hockey rinks, baseball fields, community centres, swimming pools and local parks are all projects that not only bring together our communities, but also create jobs and boost local economies," said Gary Goodyear, Minister of State (Science and Technology). "Thanks to these investments, municipalities, not-for-profits and First Nations will be able to offer improved services for their residents to encourage active, healthy lifestyles."

758 Hockey rinks, soccer fields, pools, parks, playgrounds, trails and community centres across Ontario will benefit from \$380 million in combined provincial and federal funding. The RInC Program in Ontario and Ontario REC will provide timely, targeted stimulus to the economy through investments that will spur

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construction activity related to existing recreational infrastructure. Beyond economic stimulus and job creation, renewing, rehabilitating and modernizing our recreational infrastructure has the added benefit of encouraging higher levels of participation in physical activity and community building.

This is one more example of how the McGuinty government is continuing to improve services and support economic development in Sault Ste. Marie. Other examples include:

- \$408 million New Sault Area Hospital
- \$71 million New Schools as well as repairs and upgrades
- \$32 million for New infrastructure at Sault College and Algoma University
- Provincial power purchase agreement to support \$400 million Brookfield Renewable Power wind farm
- Provincial power purchase agreement to support \$360 million POD solar farm
- Provincial power purchase agreement to support \$135 million co-generation plant at ASI
- \$130 million Pollard-OLG Ticket Printing Plant
- \$20 million to reopen St. Mary's Paper
- \$7.8 million Donald Doucet Youth Centre
- \$5.6 million New OPP forensic lab
- \$4.7 million Essar Centre
- \$3.6 million Flakeboard Ltd. expansion
- \$3.5 million Sault area cellular service infrastructure
- \$3 million for Sutherland Group
- \$2.7 million Algoma Residential Community Hospice
- \$570,000 for Downtown improvements

LEARN MORE

- Get more information about [recreational infrastructure funding in Ontario](#)
- Learn how the [Government of Canada is investing in infrastructure](#)
- Learn how the [Government of Ontario is helping to build and revitalize infrastructure across the province](#)

-30-

Contact David Oraziotti at (705) 949-6959.

Constituency Office: 726 Queen St. E., Sault Ste. Marie, ON P6A 2A9 Tel: 705-949-6959 Fax: 705-946-6269
Queen's Park: 22nd Floor, Mowat Block, 900 Bay Street, Toronto ON M7A 1L2 Tel: 416-325-5496 Fax: 416-212-3720
Email: doraziotti.mpp.co@liberal.ola.org

Jerry D. Dolcetti, RPP
Commissioner

Don J. Elliott, P. Eng.
Director of Engineering Services



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ENGINEERING & PLANNING DEPARTMENT

Engineering & Construction Division

Tel: (705) 759-5378
Fax: (705) 541-7165

2009 08 24
Our File: Contract 2009-12E

Mayor John Rowswell and
Members of City Council
Civic Centre

**RE: CONTRACT 2009-12E
TOWN LINE ROAD BRIDGE REPLACEMENT**

Tenders received for Contract 2009-12E were opened at a public meeting Thursday, June 18, 2009 in the Korah Room of the Civic Centre. Present at the opening was Councilor Jamie Caicco as well as City staff and contractor representatives.

The work consists of supplying all materials, labour and equipment necessary for the removal and replacement of the Town Line Road Bridge, south of Base Line. It is a single lane bridge which will be replaced with a two lane bridge.

A total of three (3) tenders were received. Each tender has been checked as shown on the attached report from M.R. Wright and Associates Co. Ltd. The low tender of **\$673,526.00 (excluding GST)** received from Avery Construction Limited is slightly above the pretender estimate of **\$651,603.00** and can be accommodated by the underrun of previous projects.

Due to time constraints and coordination with work on the Carpin Beach Road Bridge, we feel that it is not in our best interest to start this work this year. One of these 2 bridges must remain open at all times. We are recommending that Council award the project to the low bidder but we restrict work this year to just installing piles and then construct the bridge in the spring 2010.

Accordingly, we recommend that Contract 2009-12E be awarded to Avery Construction Limited. By-Law **2009-101** authorizing execution of the Contract and By-Law **2009-147** authorizing closure of Town Line Road from May 1, 2010 to July 31, 2010 have been placed on the Agenda for your consideration.

Respectfully submitted,

Carl Rumel, P. Eng.
Design & Construction Engineer

CR/al
attachment

Recommended for approval,

Jerry D. Dolcetti, RPP
Commissioner Engineering & Planning

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer



Structural Civil & Municipal Environmental Geotechnical Mechanical & Electrical Inspection & Testing

7907

June 22, 2009

Mr. Carl Rumiel, P.Eng
Design and Construction Engineer
Engineering and Planning Department
The Corporation of the City of Sault Ste. Marie
Civic Centre - 99 Foster Drive
Sault Ste. Marie, ON. P6A 5X6

Re: Contract 2009-12E, Town Line Bridge Replacement - Tender Report

Dear Mr. Rumiel,

We have reviewed the Form of Tenders, Bonding Certificates, Proposed Equipment Forms, Tender's Experience, and the List of Subcontractors with respect to the above noted project and herein provide the following for your information.

Submissions

Eleven (11) general contractors took tender packages and of the eleven (11), three (3) general contractors submitted bids for the above mentioned project.

M.R. Wright and Associates Pre-Tender Estimate

Prior to tendering MRW completed a pretender construction cost estimate and estimated the project cost to be \$651,603.00 excluding GST. (\$684,183.15 including GST)

Submitted Price

Avery Construction Ltd. has submitted the lowest bid, \$673,526.00 excluding GST (\$707,202.30 including GST). Avery Construction Ltd's bid was free of errors and omissions. R. M. Belanger Ltd. was the second lowest bidder. The tender price submitted by R. M. Belanger Ltd. was mistake free and totalled \$789,665.00 excluding GST (\$829,148.25 including GST). This submitted price by R. M. Belanger Ltd. is an additional \$116,139.00 from the amount submitted by Avery Construction Ltd.

Cost Breakdown

The submitted price is \$21,923.00 (3.36 %) over MRW's pretender estimate. The submitted price includes an extra \$16,000.00 for Mobilization and Demobilization and an extra \$9,500.00 for the Static Load Test on a Trial Pile as compared to our tender estimate. Further, the Demolition, Removal and Disposal of the Existing Bridge price was \$4,955.00 above our tender estimate. All other unit prices were within the expected range of MRW's estimate.

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Tenders Experience

In the opinion of MRW, Avery Construction Ltd. has sufficient experience in similar projects to warrant no concerns.

Secondly, Avery Construction Ltd. is currently constructing a similar bridge on Sussex Road for the City of Sault Ste. Marie

Subcontractors

NAME OF CONTRACTOR	WORK TO BE PERFORMED
Newman Construction	Concrete
H. Avery Construction	Piling
Fisherwavy	Concrete Supply
Curbwalk	Waterproofing
Harris Rebar	Rebar
Steel Speed	Structural Steel
Northern Fencing	Guard Rails

All subcontractors indicated above, in the opinion of M.R. Wright and Associates, have suitable experience to warrant no concerns.

Proposed Equipment

A list of equipment was not provided within the submission. In accordance with the Special Provisions section 1.1, the contractor will be required, before the commencement of the work, to submit a complete inventory of all equipment expected to be used on the project in accordance with OPSS Form 127.

Time Line

Prior to tender closing, MRW distributed an Addendum on June 12, 2009 in regards to Special Provisions, Section 1.3, Commencement and Completion. The addendum states that the timing of The Town Line Bridge Replacement is dependant upon the completion or road opening of the adjacent Carpin Beach Road Bridge Replacement Project.

Consequently, there will be two construction seasons allocated for the Town Line Bridge Replacement Project. The 2009 construction season will be primarily concerned with the pile driving and steel structural steel fabrication while any bridge demolition and construction is expected to be completed during the 2010 construction season. Town Line Road shall be re-opened for the winter season.

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Recommendation

MRW recommends that the Corporation of the City of Sault Ste. Marie accept the terms and conditions as set out in the Town Line Road Bridge Replacement, Contract No. 2009-12E Tender Documents and award Avery Construction Limited the Contract for the proposed works.

We trust you will find the above acceptable for your consideration. Please find attached a copy of the submitted Form of Tender and accompanying documents for the three submissions. Additionally, please find attached the tender cost comparison form for your information. Should you have any questions please feel free to contact the undersigned at your convenience.

Yours truly,



John McDonald, P.Eng.

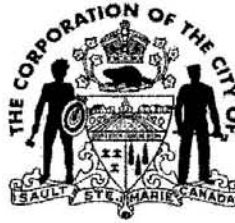
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Encl.

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Jerry D. Dolcetti, RPP
Commissioner

Don J. Elliott, P. Eng.
Director of Engineering Services



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ENGINEERING & PLANNING DEPARTMENT

Engineering & Construction Division

Tel: (705) 759-5378
Fax: (705) 541-7165

2009 08 24

Our File: Contract 2009-13E

Mayor John Rowswell and
Members of City Council
Civic Centre

**RE: CONTRACT 2009-13E
HAVILAND CRESCENT RAVINE SEWER REPLACEMENT**

Tenders received for Contract 2009-13E were opened at a public meeting Thursday, August 13, 2009 in the Steelton Room of the Civic Centre. Present at the opening was councilor Jamie Caicco as well as City staff and contractor representatives.

The work generally consists of supplying all materials, labour and equipment for the full installation of approximately 100 metres of 200mm HDPE sanitary sewer by directional boring including removals, manholes, service connections, and restoration of surface features.

A total of four (4) tenders were received. Each tender has been checked as shown on the attached report from STEM Engineering. The low tender of **\$221,693.55 (including GST)** was received from 786222 Ontario Inc. o/a Harold Phillips Haulage. When GST is removed and an allowance for engineering is added, the City's projected cost to complete the entire project is \$260,000, which is over the budget amount of \$200,000.00. In light of how other tenders have come in this year it is not likely that deferring this project and tendering again next year would result in any savings. Further, included in the tender price is a \$50,000 contingency allowance that may not be spent in its entirety, which would decrease the overrun. The remainder of the overrun will be covered under the sewer surcharge account.

Recommendation

It is recommended that Contract 2009-13E be awarded to 786222 Ontario Inc. o/a Harold Phillips Haulage. By-Law **2009-148** authorizing execution of the Contract has been placed on the Agenda for your consideration.

Respectfully submitted,

Recommended for approval,

for
Carl Rumiell, P. Eng.
Design & Construction Engineer

Jerry D. Dolcetti, RPP
Commissioner Engineering & Planning

CR/al
attachment

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

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875 Queen Street East, Ste. 2
Sault Ste. Marie, Ontario
P6A 2B3 Canada

p. 705.942.6628
f. 705.942.7515

www.stemeng.ca
mail@stemeng.ca

August 14, 2009

Project No. 09019

Corporation of the City of Sault Ste. Marie
P.O. Box 580
Sault Ste. Marie, Ontario
P6A 5N2

Attention: Mr. Carl Rumiel, P. Eng.
Design and Construction Engineer

Subject: Haviland Crescent Ravine Sanitary Sewer Replacement
TENDER AWARD – Contract 2009-13E

On Thursday, August 13, 2009 tenders were received for the **Haviland Crescent Ravine Sanitary Sewer Replacement** Project. Present at the opening were representatives of the City – Carl Rumiel, Bev Alisch and Councilor Jamie Callico who opened the tenders, and STEM Engineering Group – Randy Beltramin and Dan Bertolo.

A total of four bids were received and following are the total tender prices, including G.S.T., that were presented at the opening:

Harold Phillips Haulage.....	\$ 340,359.00
General Contracting.....	\$ 300,917.77
R.M. Belanger Ltd.....	\$ 275,171.72
Palmer Construction Group Inc.....	\$ 346,338.42

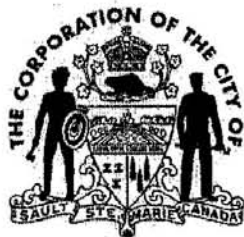
The tenders were checked for correctness and inclusion of all required submissions. A mathematical error for the Total Tender Value on the R.M. Belanger Tender increased their bid value by \$7.88. However, a mathematical error for the Total Tender Value on the Harold Phillips Haulage Tender decreased their bid value by \$118,665.45 thereby making them the lowest bidder at **\$ 221,693.55** including G.S.T. We have contacted Harold Phillips Haulage and they accept their corrected base bid. We therefore confirm that all is in order with the lowest bid. Our estimate for the project was \$271,304.00.

Accordingly, we recommend Harold Phillips Haulage be awarded the contract. The form of agreement for the contract is attached.

A handwritten signature in black ink, appearing to read 'R. Beltramin', written over a horizontal line.

for
Randy Beltramin, P. Eng.
Principal

attachments



2009 08 24

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO:

Mayor John Rowswell
and Members of City Council

SUBJECT:

Hub Trail 2009-2010 Priorities

Previous Hub Trail Reports

On April 27, 2009, staff recommended a number of proposed works to complete the Hub Trail network. Since that time, \$5 million in federal and provincial stimulus funding has been granted for two specific sections of the Hub Trail: through the Fort Creek Conservation Area, and; along Bay Street from the Main Branch of the Public Library to the easterly edge of the Hospital site. As well, the City has recently been informed that \$83,764 has been granted for trail development through the National Trails Coalition (NTC). An agreement for the NTC funding is currently being finalized.

The City of Sault Ste. Marie has also committed \$1,295,000, which was approved at the April 6, 2009 Council meeting, as part of the 2009 Capital Works Plan. Already included in the Capital Works Plan are the McNabb/South Market and the Third Line sections of the Hub Trail, which are part of the planned road reconstruction works. The McNabb/South Market section will be approximately 1.27 km, while the Third Line section will be approximately 1.7 km. Both sections are expected to be completed by Fall 2010.

The resolution from the April 27, 2009 report authorized staff to initiate discussions with the Sault Trails Action Committee (STAC) to determine trail priorities for 2009, and to utilize the approved \$1,295,000 for selected priorities, subject to final approval from Council.

On August 6, 2009, staff met with STAC to discuss possible trail projects. At this meeting, three sections were identified as priorities. These sections of the Hub Trail include: from the new Hospital site to the new EMS centre; the Sutton Park area from South Market Street to Bennett Boulevard; and from Anna McCrae School to Churchill Boulevard. The sections were identified as priorities based on available funds, connections to current or imminent Hub Trail development and construction administration and logistics (i.e. the ability to tender and manage all projects under one contract). In addition to this, STAC identified the construction of a Hub Trail trailhead at

Finn Hill to be a priority. This trailhead was originally in the current Finn Hill Hub Trail contract but was omitted due to costs.

The following is a brief discussion of the proposed works. Also, trail layout plans are attached to this report for Council's review.

Hospital Site to EMS Centre (2.1 km)

Route Description

Beginning from Third Line, the trail continues south from the Hospital property, through the Tarentorus Public School property, and connects into Eric Nystedt Park. From there, the trail will utilize a small portion of Eastwood Street, and then follow Terrance Avenue to Old Garden River Road. Once on Old Garden River Road, the trail will continue south through the Second Line intersection and into the new EMS centre.

Within the Hospital, Tarentorus School and Eric Nystead Park, the trail will be an off-road multi-use path. From Eastwood Street to the intersection of Second Line and Old Garden River Road, the trail will utilize the existing paved shoulders. Approximately 50 meters of sidewalk will be constructed north of the Second Line and Old Garden River Road intersection. South of the Second Line intersection, approximately 280 meters of shoulder improvements will be required to facilitate the connection to the EMS Centre.

To facilitate construction of this section, an easement agreement is currently being formulated between the City and both the Sault Area Hospital and the Algoma District School Board to allow the City to use both properties for the trail purposes.

Sutton Park Area (1.1 km)

Route Description

Along Cambridge Place, the Hub Trail will utilize the existing sidewalks and road and will be signed for pedestrians and cyclists respectively. The northerly sidewalk along Cambridge Place will be replaced with an asphalt path with concrete banding, similar to Shannon Road. An asphalt path will then continue west through a small portion of the Eastview School property and into Sutton Park, continuing south along the easterly edge of the St. Patrick School property to Bennett Boulevard. The trail will continue along Bennett Boulevard with an asphalt path and concrete banding west to Shannon Road.

An easement agreement is currently being finalized with both the Huron-Superior Catholic and the Algoma District School Boards to facilitate trail construction on the school sites.

Mark Street to Churchill Boulevard (1.1 km)

Route Description

From the Anna McCrae School property to Hugill Street, approximately 370 meters of asphalt trail will be constructed. At this time, staff is recommending that along Mark Street to Churchill Boulevard, pedestrians use the existing sidewalk, and cyclists utilize the road. Staff will evaluate in the future as to whether the southerly sidewalk on Mark

Street should be replaced with an asphalt path, as was the original Hub Trail design standard.

From Churchill Boulevard heading south to Queen Street, approximately 170 meters of asphalt trail will be constructed on the west side of the street.

Again, an easement agreement with the Algoma District School Board is being finalized to facilitate construction of the trail in this area.

Trailhead at Finn Hill

As part of the original Hub Trail Finn Hill contract, a trailhead structure was proposed. This structure was to provide a temporary respite as well as to be a way-finding station for trail users. Due to higher than expected costs when the Finn Hill section was originally tendered, the trailhead structure was omitted from the contract.

Trailhead structures are proposed at various locations throughout the Hub Trail system, as identified in the original Hub Trail Concept and Design study. These trailheads serve both as an information resource, such as mapping and trail etiquette, as well as providing a key identifying feature for trail users on the Hub Trail system.

The trailhead proposed will be a covered structure with a peaked roof. Also, a masonry foundation and seat walls will be constructed (see attached). Staff from the City's Public Works Department has offered to install both the structure and masonry elements.

It is STAC's intention to recommend the naming of the trailhead in honour of James S. Miller, former chair of STAC and a key contributor to development of the Hub Trail concept and design study. A submission to the City's Parks and Recreation Advisory Committee will be forthcoming.

SUMMARY

Three sections of the Hub Trail have been identified by both City staff and STAC as priorities for 2009. These include: from the new Hospital site to the new EMS centre; the Sutton Park area from South Market Street to Bennett Boulevard; and from Anna McRae School to Churchill Boulevard. The sections were identified as priorities based on available funds, connections to current or imminent Hub Trail development and construction administration and logistics. In addition, a trailhead structure is proposed for the Finn Hill area of the Hub Trail.

City staff are recommending to tender these three sections this fall (early October, 2009), with construction of the three areas to be organized to ensure that operations at the three school sites will not be hampered. The trailhead structure is also proposed for a fall construction.

In the meantime, staff is continuing to work with Kresin Engineering and MMM Group on finalizing the engineering drawings for both the Fort Creek and Bay Street/Hospital sections of the Hub Trail. It is staff's recommendation to tender these projects in the late fall (November, 2009).

Staff is also recommending that a public open house be hosted by the City to invite residents whose homes abut the proposed trail works. This open house is proposed for September 10, 2009, prior to tendering the any of the above-mentioned projects.

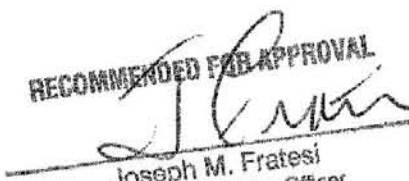
Staff is also recommending the development of a comprehensive signage plan for the Hub Trail network. Signage will be a key identifier for trail users and will help promote overall usage along the Hub Trail network. A Hub Trail logo has been developed by a local graphic design firm which will be utilized on the signage.

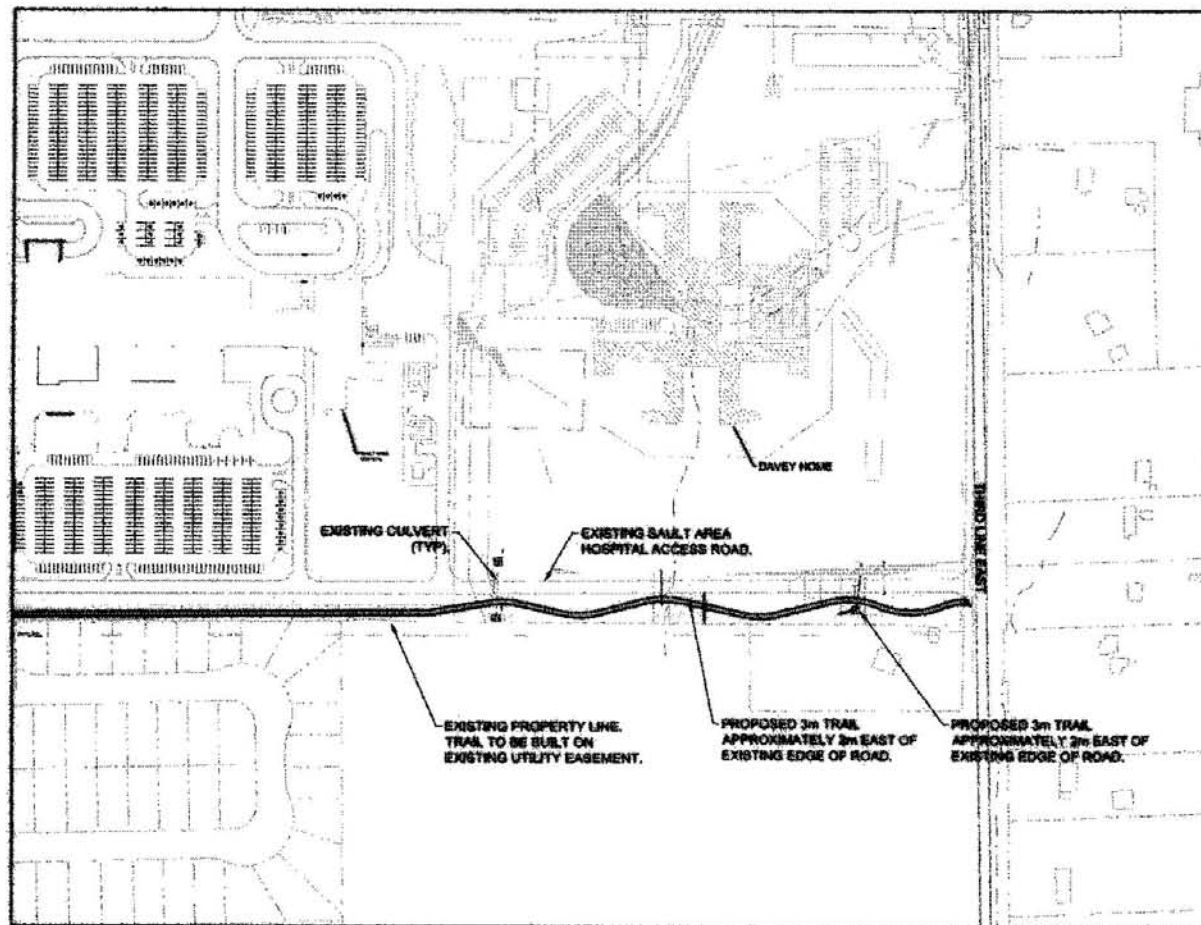
A number of different signs are recommended along the route. These include: distance markers (e.g. kilometer markers), trailhead signs (showing maps, trail etiquette, other general information), as well as some regulatory signs (i.e. cyclist use the road, shared pathway, etc.).

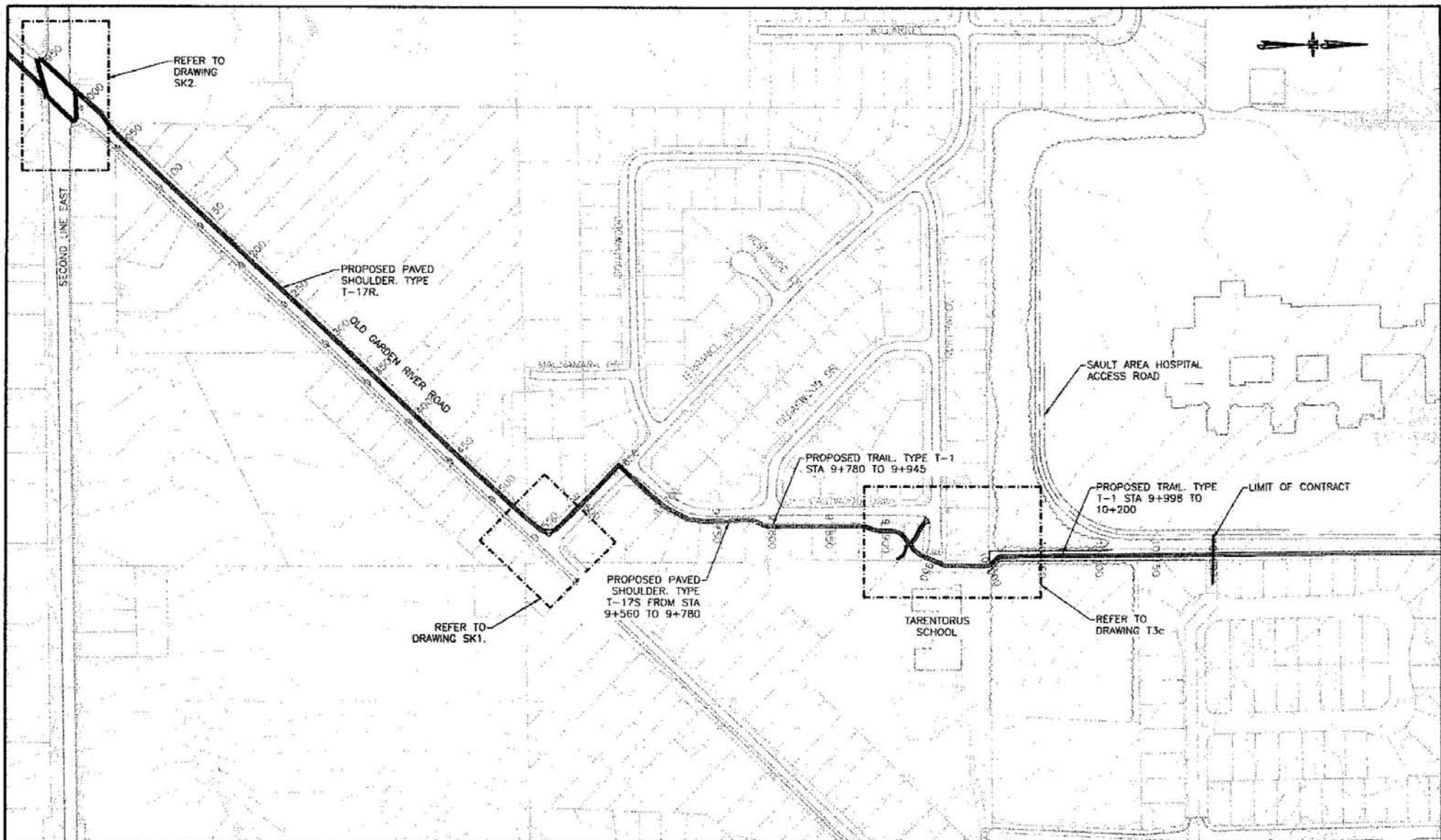
Planning Director's Recommendation

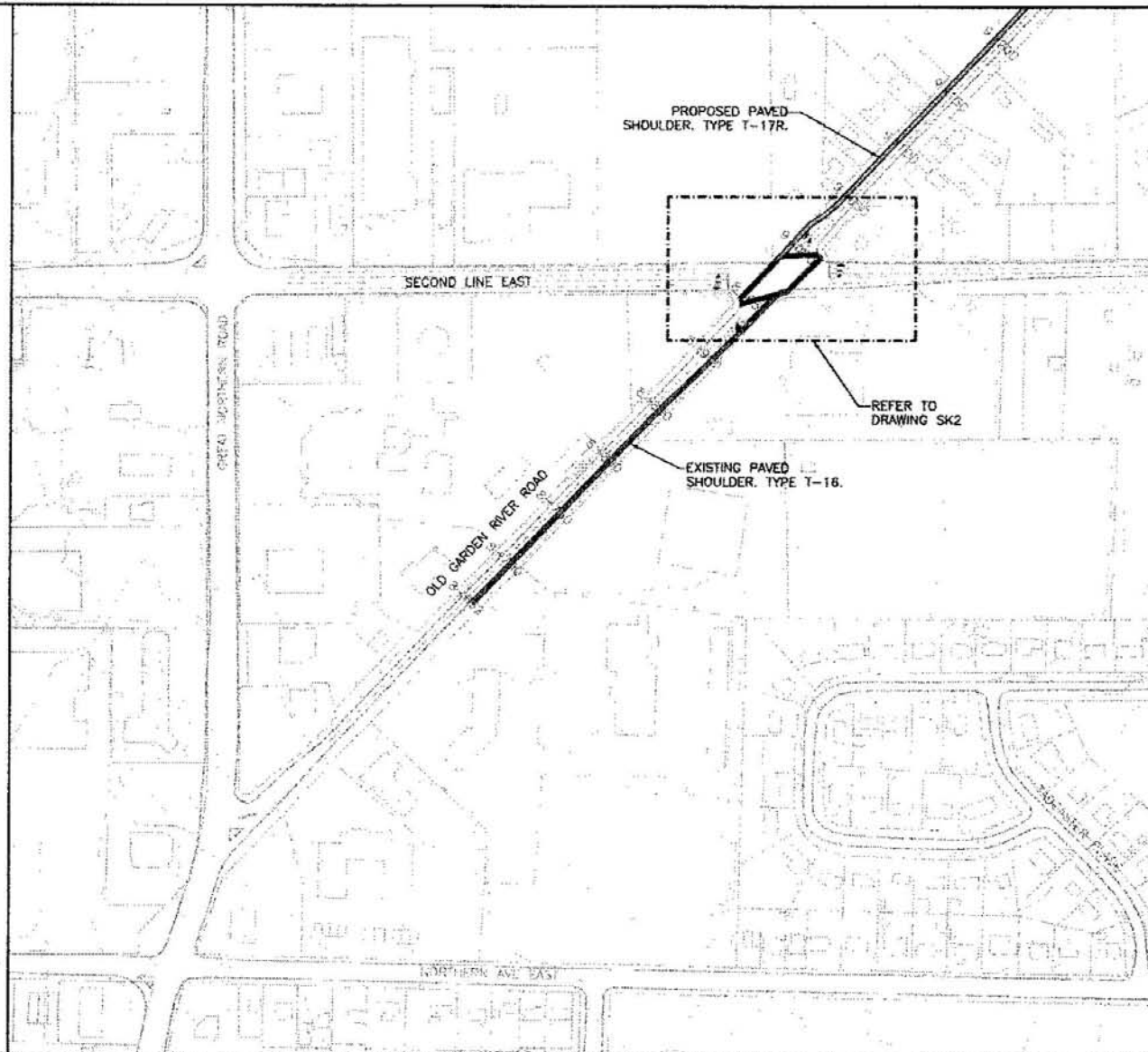
1. That City Council accepts this report as information and that Council approves the following Hub Trail priorities: from the Hospital site to the new EMS centre; the Sutton Park area from South Market Street to Bennett Boulevard; from Anna McRae School to Churchill Boulevard, and; the Finn Hill area trailhead.
2. That City Council authorize the use of the approved \$1,295,000 for Hub Trail development for the selected priorities.

SDT/pms

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer







K KRESIN
Engineering Corporation
Sault Ste. Marie, Ontario
(705) 944-1000

NOTES

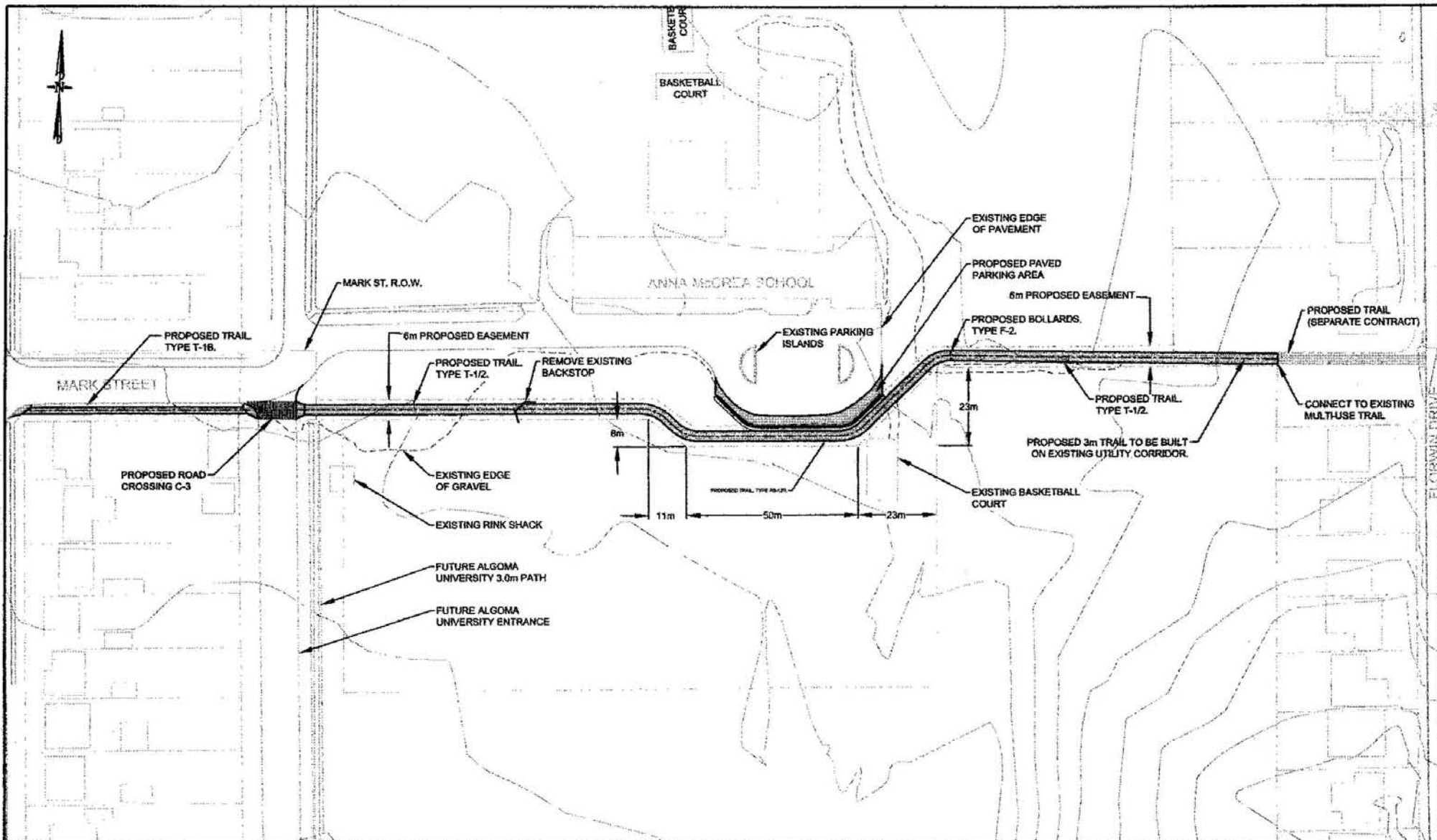
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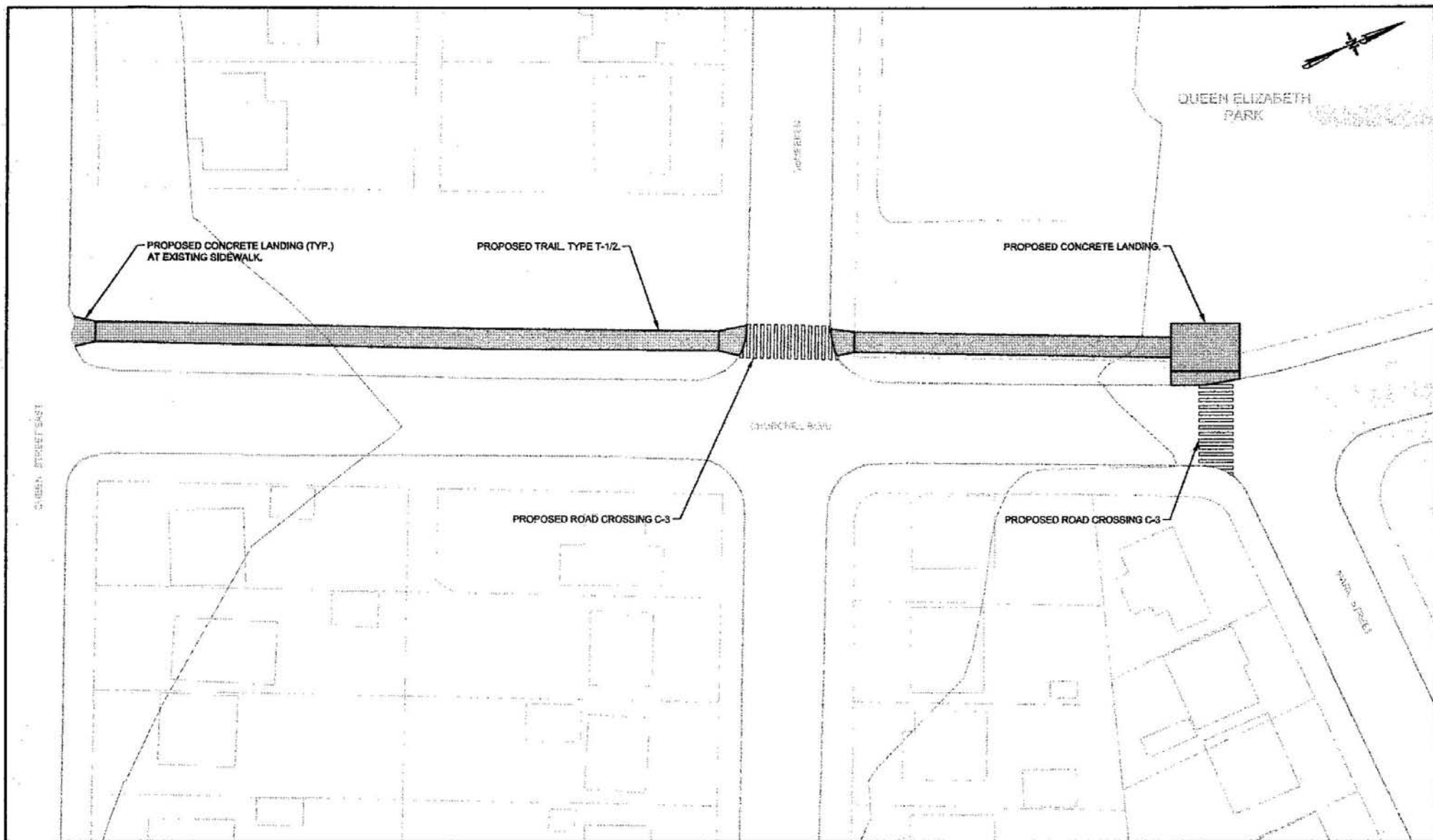
TRAIL - TARENTORUS AREA
THE CORPORATION OF THE CITY OF SAULT STE. MARIE
SECOND LINE TO STA 8+662

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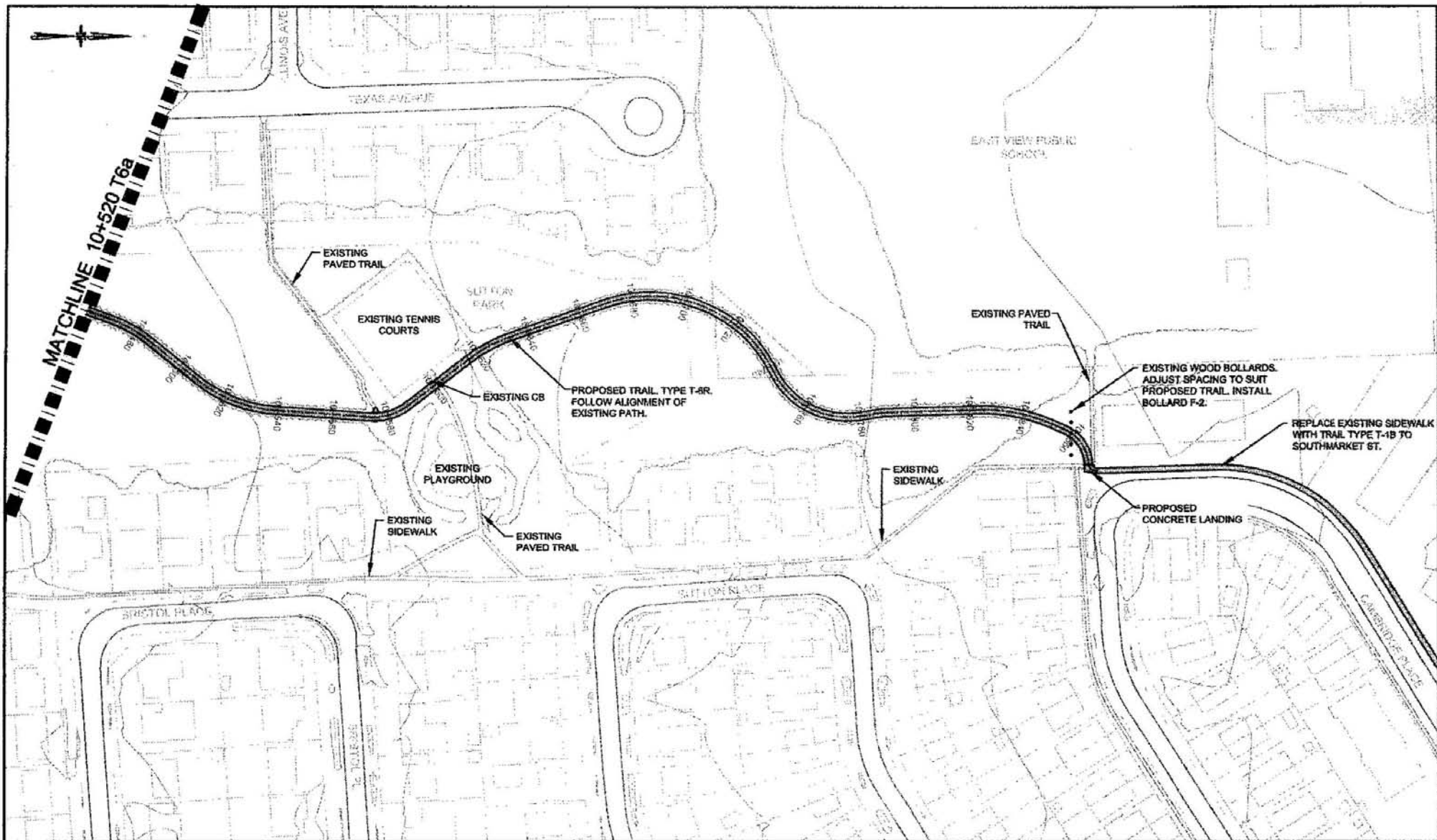
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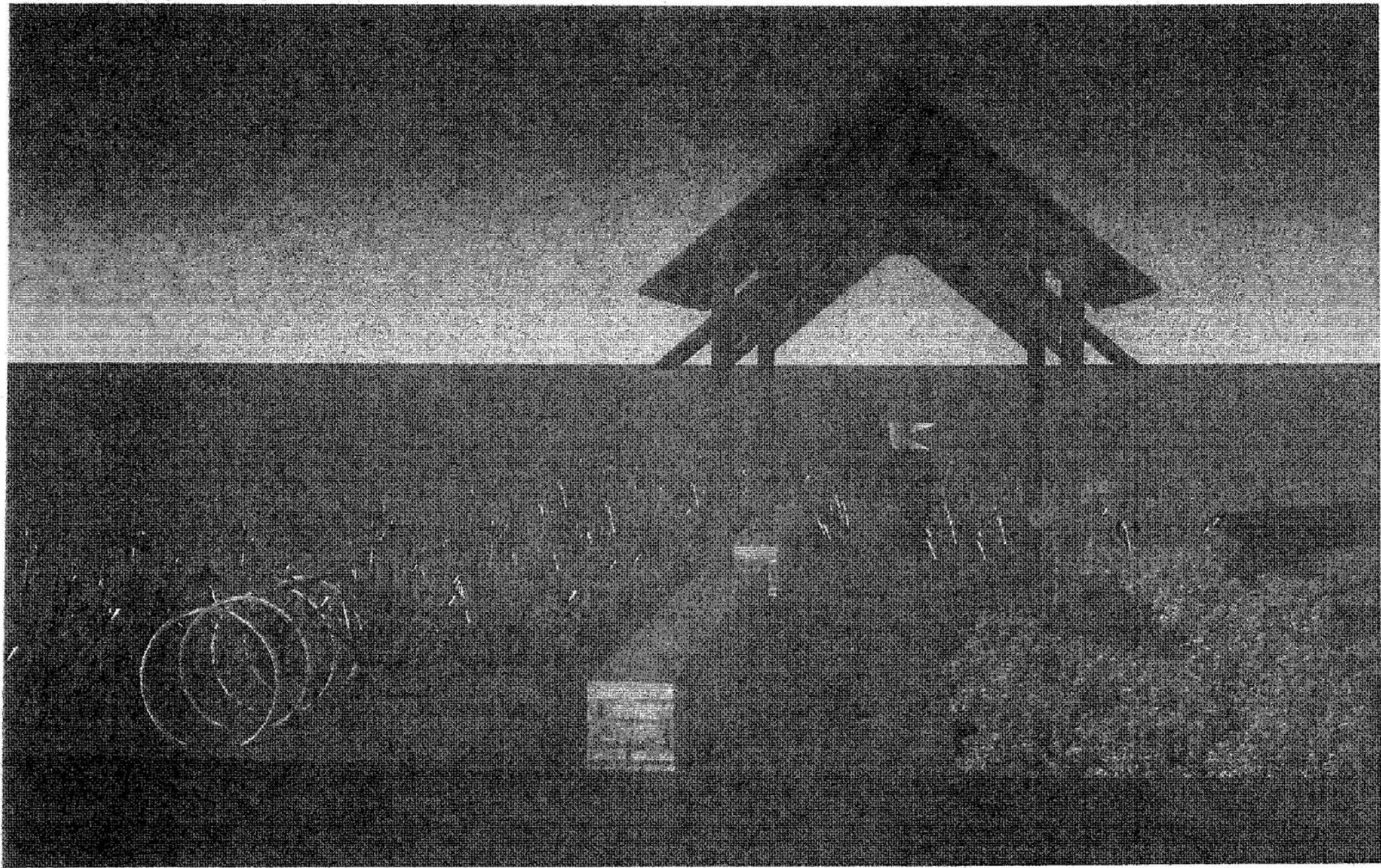
K KRESIN
Engineering Corporation

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CHECKED	11/1/2010	11/1/2010
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TRAIL - SUTTON PARK AREA
THE CORPORATION OF THE CITY OF SAULT STE MARIE
SUTTON PARK GENERAL PLAN

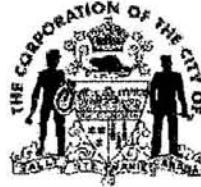
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J. M. Elliott, P. Eng.
Commissioner



Public Works &
Transportation Department

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2009 08 24

Mayor John Rowswell
And Members of Council
Civic Centre

**RE: RESIDENTIAL REFUSE COLLECTION CONTRACT
FOR JANUARY 1, 2010**

Background

In May of this year, staff was given the authority by Council to continue pursuing mechanical refuse collection through an RFP process with the possibility of introducing mechanical pickup to the residential refuse collection area now served by Municipal Waste and Recycling. This contract is due to expire on December 31, 2009.

The RFP's have been reviewed by Public Works and Engineering staff as well as the consultant AECOM. In addition, the results have been discussed with the Manager of Purchasing.

As a result of this review, recommendations have been prepared on the mechanical versus manual refuse collection as well as the contractor.

Discussion

Due to worker compensation claims as well as Ministry of Labour's emphasis on worker safety, City staff felt it was an appropriate time to consider a mechanical system for refuse collection. It was felt that through the RFP process and the private sector, the City could determine whether a mechanical type collection system would be an economically viable alternative to manual collection.

The City received RFP's from three (3) companies that included both mechanical and manual collection proposals with leaf and yard waste as an add-on. These companies included Palmer Construction Group, Green Circle Environmental and Municipal Waste and Recycling Consultants.

These proposals were evaluated according to the following criteria:

- contractors experience
- staff assigned to the project and their experience
- accuracy and quality of equipment provided
- description of operations including safety aspects
- ability to commence operations in a timely manner
- knowledge and ideas: and
- Price.

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2009 08 24

Page 2

Conclusions

The review of the RFP's resulted in the following conclusions.

- In order to implement a mechanical collection system, the City would have to pay a premium in the range of \$193,000 - \$225,000.
- The cost of a manual system is significantly lower than that of a mechanical system and is in line with what the City is now paying for residential refuse collection.

Summary

It is staff's opinion that manual collection should be the method considered as the means of collecting residential refuse under the collection contract and that Municipal Waste and Recycling is awarded the contract as of January 1, 2010, for the next eight (8) years. The RFP prepared by Municipal Waste and Recycling provides a unit cost of \$2.40 per stop, per month or \$408,413 per year. The City's present cost is \$2.23 per stop, per month.

Recommendation

It is recommended that Municipal Waste and Recycling be awarded the residential refuse collection contract for an eight (8) year period at an initial cost of \$408,413 per year or \$2.40 per stop, per month.

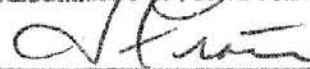
Respectfully submitted



J. M. Elliott, P. Eng
Commissioner
Public Works and Transportation Department

JME:sf

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer



SAULT STE. MARIE POLICE SERVICE

5(r)

580 Second Line East
Sault Ste. Marie, Ontario P6B 4K1

ROBERT D. DAVIES
Chief of Police

BOB KATES
Deputy Chief of Police

EMERGENCY DIAL: 9-1-1
TELEPHONE: (705) 949-6300

EXECUTIVE FAX: (705) 949-3082
OPERATIONS FAX: (705) 759-7820

June 26, 2009

Mayor J. Rowswell and Members of City Council
City of Sault Ste. Marie
Civic Centre, 99 Foster Drive
Sault Ste. Marie ON P6A 5X6

Dear Mayor Rowswell and Councillors:

As per our protocol agreement between Council and the Sault Ste. Marie Police Service with respect to the sharing of information, I have enclosed copies of the Sault Ste. Marie Police Service's 2008 Annual Report for members of Council. The annual report outlines a positive and successful year of policing in our Community.

One cannot overlook the extra efforts put forth by each and every member of our Police Service in 2008. We have been extremely successful in reducing crime through our partnerships with various community organizations and agencies, proving we are indeed a community Police Service.

A special note of appreciation is extended to the members of Council and city staff who have supported our Service through some demanding times. It is with your support that we are able to maintain a high level of effective and efficient policing services for the citizens of Sault Ste. Marie and Prince Township.

Yours truly,

Robert D. Davies
Chief of Police

RDD:ah

Enclosures

cc: Mr. J. Fratesi, C.A.O.
Mrs. D. Irving, City Clerk

MEMORANDUM

TO: CITY OF SAULT STE. MARIE
MAYOR AND COUNCILLORS

FROM: H. J. BRIAN CURRAN, PRESIDENT & C.E.O.
PUC INC.

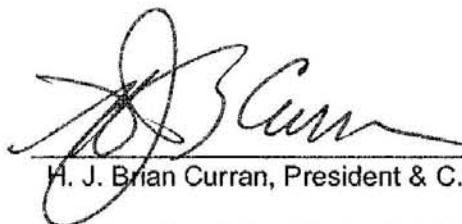
DATE: AUGUST 4, 2009

SUBJECT: 2009 SECOND QUARTER SHAREHOLDER REPORT

Attached is the second quarter Shareholder Report for the period April 1 to June 30, 2009 and unaudited financial statements for the month of June.

I will be available to answer any questions on the report at the August 24, 2009 council meeting.

If you have any questions prior to the council meeting, please do not hesitate to call me at 759-6538.



H. J. Brian Curran, President & C.E.O.

c.c. City of Sault Ste. Marie, C.A.O.

Attachments 1. 2009 Second Quarter Report
 2. Summary of Operations ending June 30, 2009

RECEIVED CITY CLERK AUG - 6 2009 NO.: _____ DIST.: _____
--

PUC INC. 2009 SECOND QUARTER REPORT

PUC SERVICES

As of the end of June 30, 2009 PUC Services had achieved 282 days without a lost time accident.

The two city wastewater treatment plants remained in compliance with provincial requirements during the past quarter.

Shareholder approval was given to proceed with the detailed design of a new corporate building. The new building will bring together staff that now works out of three buildings. Location of the new building will be immediately west of the Service Centre. The new building will be designed and constructed to a LEEDS certification standard. Construction is expected to begin in the spring of 2010.

PUC DISTRIBUTION

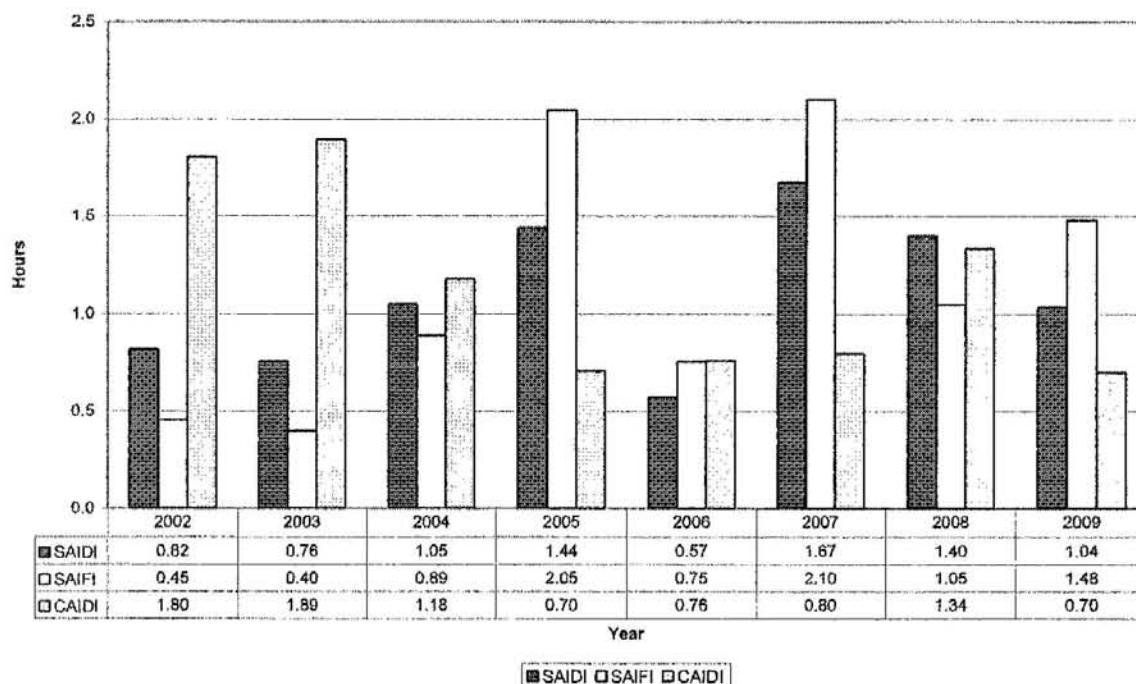
Electricity consumption was up 0.5% over the first half of 2008. The number of heating degree days was 2% higher in the first six months 2009 than in the first half of 2008.

The first smart meter was installed at the home of the Mayor on April 27, 2009. To the end of June 7,605 meters have been installed. We received approximately 57 calls from our customers regarding smart meters during the month of June, less than one percent of our general inquiry calls. The majority of the calls expressed concern regarding the cost of the meters and potential impact of time-of-use pricing.

The PUC Community Conservation Team carried out several initiatives for Ontario's 2nd Annual Celebration of Conservation Awareness & Action Week. Peter Love, Provincial Chief Energy Conservation Officer, kicked off the event as the guest speaker at a City Council meeting with the Mayor proclaiming May 17th to 23rd as Energy Conservation Week. All non-essential lighting, devices and equipment was turned off at PUC Services facilities during the week and electrical appliances were surveyed to identify opportunities to change out older units to more energy efficient Energy Star rated appliances. A series of print and radio messages went out to the public encouraging customers to focus on the value of energy conservation and to take action at home and in the workplace.

The duration of major outages continued to decline during the second quarter. The frequency, however, increased. A three minute interruption to 16,001 customers on June 9th contributed to the increase in outage frequency.

Reliability Indices - January 1 to June 30
(excluding Loss of Supply)



WATER SYSTEM

Annual water consumption was down 6% from the same period in 2008. We experienced 99 watermain breaks to date compared to our five year average of 85.

Staff is working with road reconstruction contractors to replace aging watermain on the numerous road projects underway in the city. A program to measure the flow at individual hydrants throughout the city is underway. The information is necessary for Fire Services. A leak detection study is also being conducted to determine the presence of leaks in our distribution system. Any leaks that are detected will be repaired.

Staff completed a round of lead sampling in April. This was the third round of sampling. One hundred and seventy four homes were sampled and 31 exceeded the provincial limit of 10 parts per billion (ppb). The highest concentration measured was 81 parts ppb.

Work began on the installation of a 45 kW turbine at the water treatment plant. The turbine will use the pressure of the water coming into the plant to generate electricity. The turbine is expected to be operating by August.

PUC TELECOM

The PUC Telecom network continued to provide reliable high speed broadband service in the city. Quotes for service were provided to several businesses in the service area.

PUC ENERGIES

Business activity was minimal, limited only to sentinel lighting rentals.

FINANCIAL STATUS

PUC Inc. had an unconsolidated YTD loss of \$346,642 compared to a loss of \$17,700 for the first six months of 2008. Interest revenue was \$552,871 lower and interest expense was \$293,141 lower than last year as a result of the financial restructuring that was completed in December 2008.

PUC Distribution Inc. had net income of \$1,807,224 compared to \$725,428 in the first half of 2008. Distribution revenue was up 25% over the second quarter of last year primarily as a result the OEB approved rate increase effective July 1, 2008; electrical consumption also increased. Interest expense as a result of financial restructuring in December 2008 was \$555,493 less than the previous period.

Net income for the water utility was \$97,569 compared to \$1,129,912 in 2008. Revenue was up only 1.9% despite the 5% rate increase at the beginning of the year. Operating, maintenance and administration expenses were up 16% due to the much higher than normal watermain breaks that have occurred to date. Capital expenditures were \$1,387,928 compared to \$809,598 in the same period last year.

PUC Services' net income was \$738,092 compared to \$473,276 in 2008. Revenue is up due increases in management fee revenues received from other PUC affiliates and from an increase in contract revenues. PUC Telecom had net income of \$209,791 compared to \$73,102 in 2008. Revenue from the Algoma District School Board contract is the major reason for the increase in net income. PUC Energies' net income was \$900 compared to \$20,333 in 2008 due to a reduction in investment income.

2009

Summary of Operations



June

5(s)

PUC Inc.
2009 Summary of Operations



June

	Budget	YTD Budget	YTD Actual
Miscellaneous Revenue	\$100,000	\$52,030	\$7,810
Related Party Interest	\$1,544,017	\$771,700	\$809,288
	\$1,644,017	\$823,730	\$817,098
Related Party Interest	\$1,600,000	\$799,680	\$979,359
Administrative Expenses	\$575,368	\$288,263	\$184,381
	\$2,175,368	\$1,087,943	\$1,163,740
Net Income (Loss)	(\$531,351)	(\$264,213)	(\$346,642)

Monday, July 13, 2009

Page 1 of 6

5(s)

PUC Distribution Inc.**2009 Summary of Operation****June**

	Budget	YTD Budget	YTD Actual
Distribution Revenue	\$14,989,592	\$7,691,070	\$7,900,438
Miscellaneous Revenue	\$1,078,325	\$487,378	\$515,982
	\$16,067,917	\$8,178,448	\$8,416,420
Cost of Power Revenue	\$47,194,730	\$25,485,154	\$25,787,701
Cost of Power Expense	\$47,194,730	\$25,485,154	\$25,787,700
	\$0	\$0	\$0
Operating and Maintenance Expenses	\$5,487,092	\$2,587,426	\$2,009,941
Administrative Expenses	\$4,265,424	\$1,957,419	\$2,128,757
Depreciation	\$3,250,000	\$1,624,350	\$1,624,998
Interest Expense	\$1,851,653	\$925,509	\$845,501
	\$14,854,169	\$7,094,704	\$6,609,197
Net Income (Loss)	\$1,213,748	\$1,083,744	\$1,807,224

Monday, July 13, 2009

Page 2 of 6

5(s)

Public Utilities Commission - Water Utility

2009 Summary of Operations

June



	Budget	YTD Budget	YTD Actual
Water Revenue	\$11,374,990	\$5,636,496	\$5,341,454
Miscellaneous Revenue	\$463,266	\$238,584	\$173,364
	\$11,838,256	\$5,875,080	\$5,514,818
Appropriations from W/C	\$3,700,000	\$0	\$0
	\$3,700,000	\$0	\$0
Operating and Maintenance Expenses	\$6,773,630	\$3,336,132	\$2,982,027
Administrative Expenses	\$2,375,874	\$1,174,084	\$1,047,294
Interest Expense	\$201,873	\$100,937	\$0
	\$9,351,378	\$4,611,152	\$4,029,321
Capital Expenditures	\$6,809,877	\$1,504,771	\$1,387,928
	\$6,809,877	\$1,504,771	\$1,387,928
Net Income (Loss)	<u>(\$622,999)</u>	<u>(\$240,843)</u>	<u>\$97,569</u>

Monday, July 13, 2009

Page 3 of 6

5(s)

PUC Services Inc.**2009 Summary of Operations****June**

	Budget	YTD Budget	YTD Actual
Streetlight Revenue	\$650,000	\$325,000	\$325,000
Contract Revenue	\$4,360,503	\$2,161,922	\$2,154,042
Management Fee Revenue	\$6,809,275	\$3,282,303	\$3,217,060
Miscellaneous Revenue	\$56,500	\$26,703	\$69,212
	<u>\$11,876,278</u>	<u>\$5,795,928</u>	<u>\$5,765,315</u>
Operating and Maintenance Expenses	\$4,303,853	\$1,936,366	\$1,832,996
Administrative Expenses	\$5,504,381	\$2,765,572	\$2,396,688
Depreciation	\$1,595,078	\$797,223	\$797,538
Interest Expense	\$0	\$0	\$0
	<u>\$11,403,312</u>	<u>\$5,499,160</u>	<u>\$5,027,222</u>
Net Income (Loss)	<u>\$472,966</u>	<u>\$296,768</u>	<u>\$738,092</u>

Monday, July 13, 2009

Page 4 of 6

5(s)

PUC Telecom Inc.
2009 Summary of Operations



June

	Budget	YTD Budget	YTD Actual
Telecommunication Revenue	\$563,180	\$281,797	\$331,807
Miscellaneous Revenue	\$149,933	\$74,632	\$59,641
	\$713,113	\$356,428	\$391,448
Operating and Maintenance Expenses	\$93,168	\$43,864	\$24,346
Administrative Expenses	\$141,678	\$71,412	\$29,810
Depreciation	\$255,000	\$127,449	\$127,500
	\$489,846	\$242,725	\$181,657
Net Income (Loss)	\$223,267	\$113,703	\$209,791

Monday, July 13, 2009

Page 5 of 6

5(s)

PUC Energies Inc.
2009 Summary of Operations



June

	Budget	YTD Budget	YTD Actual
Rental Revenue	\$71,500	\$35,750	\$32,458
Miscellaneous Revenue	\$50,000	\$24,000	\$3,828
	\$121,500	\$59,750	\$36,286
Operating and Maintenance Expenses	\$54,355	\$28,190	\$29,834
Administrative Expenses	\$19,458	\$9,205	\$4,153
Depreciation	\$2,800	\$1,399	\$1,400
	\$76,613	\$38,795	\$35,386
Net Income (Loss)	\$44,887	\$20,955	\$900

Monday, July 13, 2009

Page 6 of 6

5(u)

From: Terry Sheehan
Sent: August 20, 2009 11:19 AM
To: Donna Irving
Subject: FW: AMO - St. Mary's Co-generation

Hi Donna,

Please place the following email exchange on the agenda.

Ben Chin is the V.P. of Corporate Communications at the Ontario Power Authority.

Thank you,
Terry

From: Ben Chin [mailto:Ben.Chin@powerauthority.on.ca]
Sent: Wed 8/19/2009 1:31 PM
To: Terry Sheehan
Cc: Steve Butland
Subject: Re: AMO - St. Mary's Co-generation

Dear Councillor Sheehan, great to meet both of you. And thank you for helping us understand the community context.

We hope there's reason to be optimistic, and that we can start to do the work with St Mary's to explore the CHP potential as soon the current contract process is completed (within an 8 business day period).

The Power Authority is committed to procuring 1000 MW of CHP and we believe cogeneration projects are great for industry, energy efficiency, and for the ratepayers.

We may not have anything new to say on a day to day basis, but I think both parties will be working to achieve an agreement that supports reliable, sustainable and cost-effective power for Ontario.

Please feel free to contact me anytime, and again, it was a pleasure meeting and speaking with you.

Best Regards,

Ben

This e-mail message and any files transmitted with it are intended only for the named recipient(s) above and may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. If you are not the intended recipient(s), any dissemination, distribution or copying of this e-mail message or any files transmitted with it is strictly prohibited. If you have received this message in error, or are not the named recipient(s), please notify the sender immediately and delete this e-mail message.

☒ Count Me In!

Count Me In! Community Challenge Day is August 14th.

**Make your pledge to save energy today at:
countmeinontario.ca**

-----Original Message-----

From: Terry Sheehan <t.sheehan@cityssm.on.ca>
To: Ben Chin

08/20/09

5(u)

CC: Steve Butland <s.butland@cityssm.on.ca>
Sent: Wed Aug 19 12:25:52 2009
Subject: AMO - St. Mary's Co-generation

Greetings Mr. Chin,

Thank you for taking the time to speak with Councillor Steve Butland and myself about the St. Mary's paper co-generation project.

As you are fully aware this project is important from an Alternative Energy perspective and also from an economic stand point as St. Mary's Paper provides much needed employment for the City of Sault Ste. Marie.

You have made us extremely optimistic about St. Mary's Paper's opportunity to repeal and get it's co-generation project approved. City Council and for that matter the entire community is 100 percent behind this project.

If there is anything more that you need from us do not hesitate to contact us as we are at your service.

Thank you,

Terry Sheehan
Ward 2
City Councillor
Sault Ste. Marie



REPORT TO: Mayor John Rowswell and Members of Council

REPORT FROM: Councillor Susan Myers and
Susan Milne, Representative, Parks and Recreation Advisory
Committee

DATE: 2009 08 24

**Re: Report of the Committee Reviewing Outdoor Smoking at
City-owned Property, Parks and Playgrounds**

PURPOSE

The purpose of this report is for the Committee established by council to respond to the following Council resolution which was passed on March 23rd, 2009:

"Resolved that the report of the City Solicitor dated 2009 03 23 concerning Prohibiting Smoking in the area of the Skateboard Facility be accepted and the recommendation that a committee, comprised of a member of the Parks and Recreation Advisory Committee and a board or staff member of the Algoma Public Health review and report back to City Council with a recommendation on dealing with outdoor smoking at City-owned property, parks and playgrounds; and

Further resolved that City Council requests the Minister of Health and Long Term Care review this issue on a Province-wide basis for possible amendments to the Smoke-Free Ontario Act to address smoking near outdoor recreational facilities, be approved."

ATTACHMENTS

Attached is:

1. Proposed by-law that the Committee recommends to Council;
2. Current smoking control By-law 2003-7;
3. Letter from Lorie Bottos to the Minister of Health Promotion, the Honourable Margaret Best dated 2009 30 26; and

4. Minister Best's responding letter dated June 19, 2009.

BACKGROUND

The Committee was comprised of Councillor Myers and Susan Milne representing the Parks and Recreation Advisory Committee, with Janet Allen from Algoma Public Health, Nick Apostle and Lorie Bottos as staff resource people to the Committee. The Committee met on April 28th and again on August 4th. This is the report of the Committee.

Council will recall that this issue arose with a request received by Council from Algoma Public Health asking for a prohibition on smoking in and around the then soon to be completed skateboard park. Instead of looking at just the skateboard park Council asked in the resolution quoted above to look at all City parks and other City-owned property.

Janet Allen provided to the Committee a number of sample by-laws from other municipalities. It seems that the trend across the province is to restrict outdoor smoking in and around playground equipment as well as sports fields.

As Council will see from Minister Best's response, the Province has no plans to deal with this issue on a province-wide basis. This is consistent with the approach taken by the Province for over thirty years on the issue of indoor smoking. The Province let municipalities pass their own by-laws and finally the Province passed the Smoke-Free Ontario Act to deal with the issue on a Province-wide basis. Perhaps eventually the Province will address this issue on a province-wide basis.

COMMENT

The by-law that is proposed by the Committee to Council adds certain definitions to Part I of the existing smoking control By-law 2003-7. The proposed by-law then goes on in Part II to prohibit smoking on or within 15 metres of a playground area, recreation field or the Roberta Bondar Park Tent Pavilion.

The proposed section 2.3(ii) has a requirement that No Smoking signs be posted in accordance with Part III of the by-law at the locations where smoking is prohibited.

As for the cost of the signs, the estimate is between \$7,500 and \$10,000. Of this amount Algoma Public Health has committed to contribute \$5,000. The balance would have to come from either the 5% Subdividers Reserve Account or be referred to the 2010 budget.

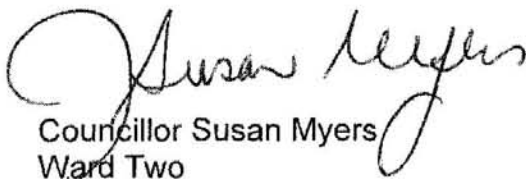
One issue that always arises with these types of by-laws is enforcement. People who call with a complaint that someone is smoking in contravention of the by-law expect enforcement. Enforcement will be through the two inspectors employed by Algoma Public Health. Police Services will not be involved unless problems arise in a particular

situation. Janet Allen feels that enforcement, either through warnings or eventually tickets, can be handled with the current staff. So far in 2009 Algoma Public Health has issued eight charges for smoking on school property and three charges for smoking in a bus shelter. There have been twenty-one warnings issued in 2009. The focus with implementation of the by-law will be on public awareness and a change in social norms around outdoor smoking around outdoor playground areas and recreational fields.

RECOMMENDATION

The recommendation of the Committee is that Council pass the attached by-law at a future meeting of Council.

Respectfully submitted,


Councillor Susan Myers
Ward Two


Susan Milne
Representative
Parks and Recreation Advisory
Committee

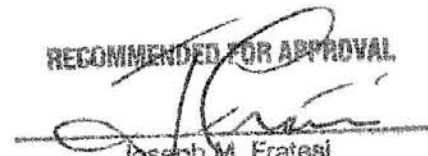
/dh

Attachments

cc: Mr. Nick Apostle, Commissioner, Community Services
Mr. Lorie Bottos, City Solicitor
Ms. Janet Allen, Public Health Nurse, Algoma Public Health

Council Reports\2009\Smoking Amendment 24 August

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer

Draft

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2009-XXX

REGULATIONS: (R.1.2.1.) A by-law to amend By-law 2003-7 (a by-law to regulate smoking in public places).

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 115 of the Municipal Act, 2001, S.O. 2001, c. 25 and amendments thereto **ENACTS** as follows:

1. **BY-LAW 2003-7 AMENDED**

Part I of By-law 2003-7 is amended by adding thereto the following in Section 1:

- "1.4.A **"parkland"** means any and all lands owned by the City that has been or hereafter may be set apart, designated, dedicated or established by Council as public parkland
- 1.4.B **"permitted event"** means an event for which a permit has been issued by the Community Services Department of the City of Sault Ste. Marie for City property.
- 1.5.A **"playground area"** means an outdoor area established within parkland fitted with equipment such as, but not limited to, slides, swings and climbing equipment. The area is usually identified by a defined border which encloses an area of sand, rubber or any similar safety surface.
- 1.7.A **"recreation field"** means any portion of parkland that is used for athletic, recreational or musical purposes to conduct organized activities. This includes, but is not limited to, a ball field, soccer pitch, football field, tennis court, player bench area, spectator area, food and beverage concession, skateboard park, outdoor rink or permitted events. This does not include parking facilities located adjacent or near the recreation field.
- 1.7.B **"Roberta Bondar Park Tent Pavilion"** refers to the large outdoor tent pavilion located at 65 Foster Drive."

Part II of By-law 2003-7 is amended by adding thereto the following:

- "2.1.2. No person shall smoke on or within 15 metres of any playground area.
- 2.1.3. No person shall smoke on or within 15 metres of any recreation field.
- 2.1.4. No person shall smoke while under the Roberta Bondar Park Tent Pavilion, or within 15 meters of any entrance to the Roberta Bondar Park Tent Pavilion."

Section 2.3(ii) of Part II of By-law 2003-7 is repealed and replaced with the following:

- "(ii) post No Smoking signs in accordance with Part III of this bylaw in conspicuous locations at every entrance and washrooms in City buildings as well as at playground areas and recreational fields indicating that smoking is prohibited in these locations;"

Part V of By-law 2003-7 (INSPECTIONS) is repealed and replaced with the following:

"PART V**6. ENFORCEMENT**

- 5.1 The provisions of this By-law respecting the designation of non-smoking areas, the posting of signs and the duties imposed on the proprietor, employer or other person in charge of a playground area, recreation field, Roberta Bondar Park Tent Pavilion, public place or workplace shall be enforced by inspectors.
- 5.2 An inspector may, at any reasonable time, enter any designated public place for the purposes of determining compliance with this By-law."

2. EFFECTIVE DATE

This by-law takes effect on the date of its final passing.

Read THREE times and PASSED in open Council this day of , 2009.

DRAFT ONLY!

MAYOR – JOHN ROWSWELL

CLERK – DONNA P. IRVING

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NUMBER 2003-7

SMOKING: (R.1.2.1) - A by-law to regulate smoking in public places and city buildings in the City of Sault Ste. Marie.

WHEREAS Subsection 213(2) of the *Municipal Act*, R.S.O. 1990, C. M.45 as amended, authorizes the council of a local municipality to pass a by-law regulating the smoking of tobacco in public places and workplaces within the municipality and designating public places or workplaces or classes or parts of such places as places in which smoking tobacco or holding lighted tobacco is prohibited;

AND WHEREAS section 115 of the *Municipal Act*, 2001 will continue to provide this authority when it comes into force on January 1, 2003;

AND WHEREAS it has been determined that second-hand smoke is a serious health hazard because of its adverse effects and risk to the health of all of the inhabitants in the Corporation of the City of Sault Ste. Marie;

AND WHEREAS it is desirable for the purpose of promoting and protecting the health, safety and welfare of the inhabitants of the City of Sault Ste. Marie to ensure that all public places and City buildings will be free from second hand smoke;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE ENACTS AS FOLLOWS:

PART I

1. DEFINITIONS

1.0 In this by-law,

1.1 "**City**" means the Corporation of the City of Sault Ste. Marie;

1.2 "**City building**" means any building, owned, operated or leased by the City;

1.2(a) "**City entranceway**" means an area within a four metre radius surrounding the public entrances to John Rhodes Centre located at 280 Elizabeth Street, the McMeeken Centre Arena at 616 Goulais Avenue;
[AMENDED by By-law 2007-154]

1.3 "**inspector**" means any employee or class of employee of the Algoma Health Unit authorized by the Medical Officer of Health to carry out an inspection under and to enforce the provisions of this by-law, or a person or class of person appointed by Council of the City as a municipal by-law enforcement officer to enforce this by-law or a police officer;

1.4 "**outdoor patio**" means an outdoor area or partially enclosed outdoor area that is adjacent to an establishment where food or beverages are sold and where food or beverages or both are consumed by the public;

(a) "**Outdoor area**" means an area that:

(a) is not covered by a temporary or permanent roof; or

(b) if covered by a temporary or permanent roof,

- (i) at least 35 percent of the total wall area, calculated from the floor to a height of 2.44 metres above the floor, must be open to the movement of outdoor air;
- (ii) does not share open doors with a public place except when being opened to enter or exit the indoor area;
- (iii) does not share open windows with a public place;
- (iv) must not be used as the main entrance to the public place; and
- (v) does not share thermostat controlled heating or air conditioning with a public place.

[AMENDED by By-law 2005-13]

- (c) There shall be no structure or part thereof located within .3 m. of the exposed perimeter walls.

[AMENDED by By-law 2005-33]

- (d) If covered by a temporary or permanent roof, there shall be no structure within .5 metres of such temporary or permanent roof."

[AMENDED by By-law 2005-33]

- 1.5 "person" includes a corporation;
- 1.6 "proprietor" means the person who ultimately controls, governs or directs the activity carried on within a public place and includes the person actually in charge of the premises at any particular time;
- 1.7 "public place" means any building, structure, vessel, vehicle or conveyance, or part thereof, whether covered by a roof or not, to which the public has access as of right or by invitation, expressed or implied, whether or not a fee is charged for entry but does not include an outdoor patio or a street, road or highway.
- 1.8 "smoke" or "smoking" includes the carrying of a lighted cigar, cigarette, pipe or any other lighted smoking equipment, but does not include smoke or smoking where smoke or smoking is used in a stage production of a theatrical performance and does not include or prohibit the holding of lit tobacco if the activity is carried out for traditional Aboriginal cultural or spiritual purposes.

PART II

2. PUBLIC PLACES AND CITY BUILDINGS

- 2.1 No person shall smoke in any public place within the City, or in a City building, whether or not a No Smoking sign is posted.
 - 2.1.1. No person shall smoke at any City entranceway.
[AMENDED by By-law 2007-154]
- 2.2 Every proprietor of a public place shall:
 - (i) ensure compliance with this bylaw;
 - (ii) prohibit smoking in the public place;
 - (iii) post No Smoking signs in accordance with Part III of this bylaw in conspicuous locations at every entrance and washrooms in the public place indicating that smoking is prohibited in the public place;
 - (iv) ensure that no smoking related paraphernalia including ashtrays or matches are placed or permitted to remain in the public place.

2.3 The City shall:

- (i) prohibit smoking in City buildings;
- (ii) post No Smoking signs in accordance with Part III of this bylaw in conspicuous locations at every entrance and washrooms in City buildings indicating that smoking is prohibited in City buildings;
- (iii) ensure that no smoking related paraphernalia including ashtrays or matches are placed or permitted to remain in City buildings.

PART III**3. SIGNAGE REQUIRED**

- 3.1 Every proprietor and the City shall post and maintain in conspicuous locations at each entrance to the facility and in the washrooms, a sign at least 14 centimetres (5.5 inches) by 14 centimetres (5.5 inches) in size that includes a depiction of the international No Smoking symbol at least 7.5 centimetres (3 inches), and lettering at least 0.8 centimetres (5/16 inch) high and at least 0.2 centimetres (1/16 inch) wide at the narrowest point, with the rest of the letter sized proportionately, which reads "No Smoking - The Corporation of the City of Sault Ste. Marie".
- 3.2 Where a No Smoking sign is required to be placed or posted under this by-law, the sign shall have the proportions, characteristics and minimum measurements as set out in Section 3.1 as depicted in "Schedule A" and consist of two (2) contrasting colours, or if the lettering and graphic symbol are to be applied directly to surface or to be mounted on a clear panel, the lettering and graphic symbol shall contrast with the background.
- 3.3 Despite the fact that the symbol referred to in Schedule "A" is a cigarette, it is deemed to include a lighted cigar, cigarette, pipe or any other lighted smoking instrument.
- 3.4 Deviations from the colour or content of the sign prescribed by this section that do not affect the substance or that are not calculated to mislead do not vitiate the sign.
- 3.5 Any sign prohibiting smoking that refers to an old bylaw of the City is deemed to be referring to this by-law.

PART IV**4. WORKPLACES**

- 4.1 Where an employer, within the meaning of the *Smoking in the Workplace Act*, R.S.O. 1990, C. S.13, designates a lunch room or cafeteria for employees as a smoking area, the employer shall also designate an area of equal or greater size as a lunch room or cafeteria for workers who do not smoke.
- 4.2 Despite section 4.1, no person shall smoke in any part of a workplace that is a public place.

PART V**5. INSPECTIONS**

- 5.1 An inspector may, at any reasonable time, enter any public place or City building for the purpose of determining compliance with this by-law.

PART VI**6. OFFENCES AND ENFORCEMENT**

- 6.1 Any person who contravenes any of the provisions of this by-law, or who hinders or obstructs an inspector lawfully carrying out the enforcement of this by-law, is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, chapter 33, as amended.

PART VII**7. CONFLICTS**

- 7.1 If a provision of this by-law conflicts with an Act or Regulation or another by-law, the provision that is the most restrictive of smoking shall prevail.

PART VIII**8. SEVERABILITY**

- 8.1 If any section or sections of this by-law or part thereof, is found in any court of law to be illegal or void or beyond the power of the City to enact, such section or sections or part thereof shall be deemed to be severable and all other sections or parts of the by-law shall be deemed to be separate and independent thereof and to be enacted as such.

PART IX**9. REPEAL**

- 9.1 By-law 2000-140 is repealed, effective May 31st, 2004.

PART X**10. EFFECTIVE DATE**

- 10.1 This by-law comes into effect on June 1st, 2004.

READ THREE TIMES and PASSED in Open Council this 13th day of January, 2003.

"John Rowswell"

MAYOR – JOHN ROWSWELL

"Donna Irving"

CLERK – DONNA P. IRVING

SCHEDULE "A" TO BY-LAW 2003-7

Office Consolidation

SMOKING BY-LAW 2003-7

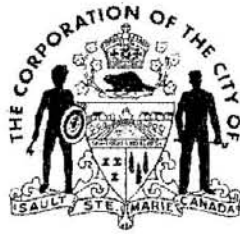
passed 13 January 2003
effective 1 June 2004

AMENDING BY-LAWS	DATE PASSED	AMENDMENT
2005-13	24 January 2005	Addition of 1.4(a) - definition of "patio"
2005-33	21 February 2005	Addition of 1.4(a)(c) and 1.4(a)(d) re outdoor structures
2007-154	10 September 2007	Addition of: 1.2(a) definition of City entranceway at John Rhodes and McMeeken Centres 2.1.1 prohibition – smoking at City entranceways

6(8)(a)

LORIE BOTTOS
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

2009/03/26

File No. R.1.2.1

2009 03 26

By fax transmission to 1-416-326-8520

Page 1 of 2

The Honourable Margaret R. Best
Ministry of Health Promotion
18th Floor, 777 Bay Street
Toronto ON M7A 1S5

Dear Minister Best:

Re: Regulating Smoking in Outdoor Municipally-owned Facilities

Recently, City Council in Sault Ste. Marie had a request from Algoma Public Health to amend the City's smoking control by-law to deal with smoking at outdoor City-owned facilities such as parks and skateboard facilities. As you no doubt know, many Ontario municipalities are moving in this direction to control outdoor smoking at recreational facilities.

City Council has asked me to write to you to inquire as to whether the Province is intending to amend the Smoke-Free Ontario Act to deal with this issue on a province-wide basis. It would seem to be better to have a province-wide consistent approach to smoking in outdoor facilities instead of different requirements in different municipalities.

As you no doubt know, municipalities were in the forefront of dealing with smoking in enclosed public places through by-laws that were passed over many years. This led to different requirements in different municipalities. The Province did step in and pass the Smoke-Free Ontario Act to bring a more consistent approach to smoking in enclosed public places.

..../2

In summary, is the Province looking at amending the Smoke-Free Ontario Act to deal with smoking around outdoor recreational facilities?

Yours truly,

A handwritten signature in black ink, appearing to read "Lorie Bottos". The signature is written in a cursive, flowing style.

Lorie A. Bottos
City Solicitor

LAB/dh

Ministry of
Health Promotion

Office of the Minister

777 Bay Street, 18th Floor
Toronto ON M7A 1S5
Tel.: 416 326-8500
Fax: 416 326-8520
TTY: 416 212-5723
TTY Toll Free: 1 866 263-1410
www.mhp.gov.on.ca

Ministère de la
Promotion de la santé

Bureau de la ministre

777, rue Bay, 18^e étage
Toronto ON M7A 1S5
Tél. : 416 326-8500
Téléc. : 416 326-8520
ATS : 416 212-5723
ATS sans frais : 1 866 263-1410
www.mhp.gov.on.ca



6(8)(a)

MHP3034MC-2009-660

JUN 19 2009

Ms. Lorie A. Bottos
City Solicitor
City of Sault Ste. Marie
PO Box 580
99 Foster Drive
Sault Ste. Marie ON P6A 5N1

THE CORPORATION OF THE
CITY OF SAULT STE. MARIE

JUN 22 2009

LEGAL DEPARTMENT

Dear Ms. Bottos:

Thank you for your correspondence regarding smoking in outdoor municipal facilities. I am advised by ministry staff that they do not have a record of your March 26 letter; however, I welcome your comments and appreciate the opportunity to respond to your concerns.

As you know, the *Smoke-Free Ontario Act* (SFOA) prohibits smoking in enclosed workplaces and enclosed public places in order to protect workers and the public from the hazards of second-hand smoke.

The SFOA is designed to strike a balance between the need to protect the health of Ontarians and the need to respect their personal freedoms. That is why smoking outside buildings is only addressed by the Act in limited and specific circumstances. The SFOA represents our commitment to protect workers and the public from the deadly effects of second-hand smoke. It is an integral part of our government's plan to improve the health of Ontarians and reduce pressures on the health care system.

While the SFOA sets a minimum standard across Ontario, it allows municipalities to develop by-laws that go beyond the requirements of the Act, such as prohibiting smoking in outside venues or outside building entrances and exits.

Thank you for taking the time to share your concerns with us.

Sincerely,

Margarett R. Best
Minister

10(a)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2009-101

AGREEMENTS: (E.3.4) A by-law to authorize a contract between the City and Avery Construction Limited for the removal and replacement of the Town Line Road Bridge south of Base Line (Contract 2009-12E).

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENTS**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to a contract in the form of Schedule "A" hereto dated the 24th day of August, 2009 for and made between the City and Avery Construction Limited for the removal and replacement of the Town Line Road Bridge south of Base Line (Contract 2009-12E).

2. **SCHEDULE "A"**

Schedule "A" hereto forms part of this by-law.

3. **EFFECTIVE DATE**

This by-law takes effect on the day of its final passing.

READ THREE TIMES and **PASSED** in open Council this 24th day of August, 2009.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

DA \staff\by-laws\2009\2009-101 Construction Contract 2009-12E

NOTICE

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CITY SOLICITOR

CORPORATION OF THE CITY OF SAULT STE. MARIE

CONTRACT 2009-12E

FORM OF AGREEMENT

This Agreement made (in triplicate) this 24th day of August in the year 2009 by and between Avery Construction Limited hereinafter called the "Contractor"

AND

The Municipal Corporation of the City of Sault Ste. Marie, Ontario hereinafter called the "Corporation".

WITNESSETH: That the Contractor and the Corporation undertake and agree as follows:

1. The Contractor will provide all the materials and all the works shown and described in the contract documents entitled:

CONTRACT 2009 - 12E - TOWN LINE ROAD BRIDGE REPLACEMENT

which have been signed in triplicate by both parties and which were prepared under the supervision Jerry Dolcetti, R.P.P., Commissioner of Engineering and Planning, acting as and herein entitled, the Engineer.

2. The Contractor will do and fulfill everything indicated by the Agreement, the General Conditions, the Specifications, the Special Provisions and the Drawings.
3. The Contractor will complete all the work to the entire satisfaction of the Engineer within the period of time specified.
4. The Corporation shall pay to the Contractor the contract price as set forth in the Form of Tender in accordance with the provisions as set forth in the General Conditions and the Special Provisions. The quantities contained in the Form of Tender are approximate only and the final payment shall be made for the actual quantities that are incorporated in or made necessary by the work covered by the contract.
5. The Corporation shall pay the Contractor for work that is ordered in writing by the Engineer and that cannot be classified as coming under any of the contract units and for which no unit price, lump sum, or other basis can be agreed upon, on a time and material basis as set out in the General Conditions.
6. The Contractor shall indemnify and save harmless the Corporation, its officers, employees and agents, from all loss, damages, costs, charges and expenses of every nature and kind whatsoever which may be made or brought against the Corporation, its officers, employees and agents, by reason or in consequence of the execution and performance or maintenance of the work by the Contractor, its employees, agents or officers.
7. All communications in writing between the Corporation, the Contractor and the Engineer shall be deemed to have been received by the Addressee if delivered to the individual, a member of the firm or an officer of the Corporation for whom they are intended or if sent by post or by facsimile as follows:

10(a)

THE CORPORATION:

The Corporation of the City of Sault Ste. Marie
P.O. Box 580
Civic Centre
99 Foster Drive
Sault Ste. Marie, Ontario
P6A 5N1

THE CONTRACTOR:

Avery Construction Limited
940 Second Line West
Sault Ste. Marie, ON P6C 2L3

THE ENGINEER:

Mr. Jerry Dolcetti, R.P.P.
Commissioner
Engineering & Planning
P.O. Box 580, 99 Foster Drive
Sault Ste. Marie, ON P6A 4N1
Facsimile (705) 541-7165

IN WITNESS WHEREOF the parties hereto have executed this Agreement by the day and year first above written.

Signed, Sealed and Delivered in the presence of

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

MAYOR – John Rowswell

(seal)

CITY CLERK - DONNA P. IRVING

THE CONTRACTOR

Avery Construction Limited
COMPANY NAME

(seal)

SIGNATURE

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2009-148

AGREEMENTS: (E.3.4) A by-law to authorize a contract between the City and 786222 Ontario Inc. o/a Harold Phillips Haulage for the replacement of the Haviland Crescent Ravine sewer (Contract 2009-13E).

THE COUNCIL of the Corporation of the City of Sault Ste. Marie,
ENACTS as follows:

1. **EXECUTION OF DOCUMENTS**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to a contract in the form of Schedule "A" hereto dated the 24th day of August, 2009 for and made between the City and 786222 Ontario Inc. o/a Harold Phillips Haulage for the replacement of the Haviland Crescent Ravine sewer (Contract 2009-13E).

2. **SCHEDULE "A"**

Schedule "A" hereto forms part of this by-law.

3. **EFFECTIVE DATE**

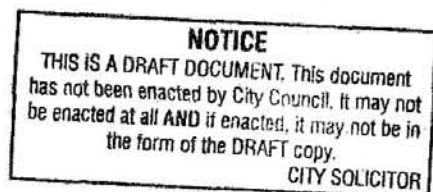
This by-law takes effect on the day of its final passing.

READ THREE TIMES and PASSED in open Council this 24th day of August, 2009.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

D:\staff\by-laws\2009\2009-148 Construction Contract 2009-13E



10(b)

SCHEDULE "A"

CORPORATION OF THE CITY OF SAULT STE. MARIE

CONTRACT 2009-13E

FORM OF AGREEMENT

This Agreement made (in triplicate) this 24th day of August in the year 2009 by and between 786222 Ontario Inc. o/a Harold Phillips Haulage hereinafter called the "Contractor"

AND

The Municipal Corporation of the City of Sault Ste. Marie, Ontario hereinafter called the "Corporation".

WITNESSETH: That the Contractor and the Corporation undertake and agree as follows:

1. The Contractor will provide all the materials and all the works shown and described in the contract documents entitled:

**HAVILAND CRESCENT RAVINE SEWER REPLACEMENT
CONTRACT 2009-13E**

which have been signed in triplicate by both parties and which were prepared under the supervision of Jerry D. Dolcetti, RPP, Commissioner of Engineering & Planning, acting as and herein entitled, the Engineer.

2. The Contractor will do and fulfill everything indicated by the Agreement, the General Conditions, the Specifications, the Special Provisions and the Drawings.
3. The Contractor will complete all the work to the entire satisfaction of the Engineer within the period of time specified.
4. The Corporation shall pay to the Contractor the contract price as set forth in the Form of Tender in accordance with the provisions as set forth in the General Conditions and the Special Provisions. The quantities contained in the Form of Tender are approximate only and the final payment shall be made for the actual quantities that are incorporated in or made necessary by the work covered by the contract.
5. The Corporation shall pay the Contractor for work that is ordered in writing by the Engineer and that cannot be classified as coming under any of the contract units and for which no unit price, lump sum, or other basis can be agreed upon, on a time and material basis as set out in the General Conditions.
6. The Contractor shall indemnify and save harmless the Corporation, its officers, employees and agents, from all loss, damages, costs, charges and expenses of every nature and kind whatsoever which may be made or brought against the Corporation, its officers, employees and agents, by reason or in consequence of the execution and performance or maintenance of the work by the Contractor, its employees, agents or officers.

10(b)

7. All communications in writing between the Corporation, the Contractor and the Consultant shall be deemed to have been received by the Addressee if delivered to the individual, a member of the firm or an officer of the Corporation for whom they are intended or if sent by post or by facsimile addressed as follows:

THE CORPORATION: The Corporation of the City of Sault Ste. Marie
P.O. Box 580
99 Foster Drive
Sault Ste. Marie, ON P6A 5N1

THE CONTRACTOR: 786222 Ontario Inc. o/a Harold Phillips Haulage
565 Second Line East
Sault Ste. Marie, ON P6B 4K2

THE CONSULTANT: STEM Engineering Group Incorporated
875 Queen Street East, Suite 2
Sault Ste. Marie, ON P6A 2B3

IN WITNESS WHEREOF the parties hereto have executed this Agreement by the day and year first above written.

Signed, Sealed and Delivered
in the presence of

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

MAYOR - JOHN ROWSWELL

(seal)

CITY CLERK - DONNA P. IRVING

THE CONTRACTOR

786222 Ontario Inc.
Harold Phillips Haulage

COMPANY NAME

(seal)

SIGNATURE

10(c)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2009-150

AGREEMENTS: (L.5.2.) A by-law to authorize an agreement with the City and Soo Thunderbirds Hockey Club Inc. for the use of facilities in the John Rhodes Community Centre and the Essar Centre.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, **ENACTS** as follows:

1. EXECUTION OF DOCUMENTS

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement in the form of Schedule "A" hereto dated the 1st day of September, 2009 and made between the City and Soo Thunderbirds Hockey Club Inc. for the use of the John Rhodes Community Centre and the Essar Centre for a period of one year from September 1st, 2009 to April 30th, 2009.

2. SCHEDULE "A"

Schedule "A" hereto forms part of this by-law.

3. EFFECTIVE DATE

This by-law takes effect on the day of its final passing.

READ THREE TIMES and PASSED in open Council this 24th day of August, 2009.

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CITY SOLICITOR

MAYOR – JOHN ROWSWELL

CLERK – DONNA IRVING

10(d)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2009-147

TEMPORARY STREET CLOSING: (S.2.) A by-law to authorize the temporary closing of Town Line Road at the bridge, from May 1, 2010 to July 31, 2010, necessary for the removal and replacement of the Town Line Road Bridge.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25 and amendments thereto **ENACTS** as follows:

1. **TEMPORARY CLOSING OF TOWN LINE ROAD**

The Council of The Corporation of the City of Sault Ste. Marie hereby authorizes the temporary closing to vehicular traffic of Town Line Road at the bridge, from May 1, 2010 to July 31, 2010, necessary for the removal and replacement of the Town Line Road Bridge.

2. **EFFECTIVE DATE**

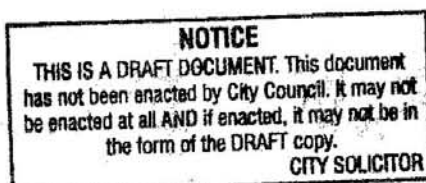
This by-law takes effect on the day of its final passing.

Read THREE times and PASSED in open Council this 24th day of August, 2009.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA IRVING

DA\Staff\Bylaws\2009\2009-147 Temp St closing – Town Line Road.doc



10(e)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2009-149

TEMPORARY STREET CLOSING: (S.2.) A by-law to permit the temporary closing of Fields Square and Meadow Lane from 95 Fields Square to 107 Fields Square to 24 Meadow Lane for a neighbourhood get-together.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25 and amendments thereto **ENACTS** as follows:

1. **TEMPORARY CLOSING OF FIELDS SQUARE AND MEADOW LANE FROM 95 FIELDS SQUARE TO 107 FIELDS SQUARE TO 24 MEADOW LANE**

The Council of The Corporation of the City of Sault Ste. Marie hereby authorizes the closing to vehicular traffic of Fields Square and Meadow Lane from 95 Fields Square to 107 Fields Square to 24 Meadow Lane to facilitate a neighbourhood get-together on September 13, 2009 (September 20, 2009 rain date) from 3:00 p.m. to 10:00 p.m.

2. **EFFECTIVE DATE**

This by-law takes effect on the day of its final passing.

Read THREE times and PASSED in open Council this 24th day of August, 2009.

MAYOR - JOHN ROWSWELL

CLERK - DONNA IRVING

DA BYLAWS\2009\2009-149 - TEMP ST CLOSING - FIELDS SQ AND MEADOW LANE

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CITY SOLICITOR