

REGULAR MEETING OF CITY COUNCIL REVISED AGENDA

Monday, February 22, 2016

4:30 p.m.

Council Chambers

Civic Centre

	Pages
1. ADOPTION OF MINUTES	10 - 22
Mover Councillor S. Hollingsworth Seconder Councillor M. Bruni	
Resolved that the Minutes of the Regular Council Meeting of 2016 02 08 be approved.	
2. QUESTIONS AND INFORMATION ARISING OUT OF THE MINUTES AND NOT OTHERWISE ON THE AGENDA	
3. DECLARATION OF PECUNIARY INTEREST	
4. APPROVE AGENDA AS PRESENTED	
Mover Councillor S. Hollingsworth Seconder Councillor F. Fata	
Resolved that the Agenda for 2016 02 22 City Council Meeting as presented be approved.	
5. PROCLAMATIONS/DELEGATIONS	
5.1 2015 Heritage Award Presentation	
Cindy Parniak, 2015 Heritage Award recipient.	
6. COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES	
Mover Councillor S. Hollingsworth Seconder Councillor F. Fata	

A report of the Chief Administrative Officer is attached for the consideration of Council.

Resolved that the report of the Chief Administrative Officer dated 2016 02 22 concerning 2016 Budget Deliberations be received and that the staff recommendation of Option 1 be approved.

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

Resolved that the joint report of the Commissioner of Finance and Treasurer and Acting City Solicitor dated February 22, 2016 regarding the approval of a \$175,000 upset limit for the services of a restructuring lawyer to represent the City's interest in the CCAA protection proceedings of Essar Steel Algoma be approved and that these services be funded from the Contingency Reserve.

A report of the City Tax Collector is attached for the consideration of Council.

Resolved that the report of the City Tax Collector dated 2016 02 22 concerning Property Tax Appeals be received and the recommendation that the tax records be amended pursuant to Section 357 of the Municipal Act be approved.

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

Resolved that the report of the Commissioner of Human Resources dated 2016 02 22 concerning Administration of the Retiree Death Benefit be received and the recommendation that staff begin the necessary steps required to

discontinue the practice of issuing the “Retiree Death Benefit” be approved.

6.5 Request for Financial Assistance for National/International Sports Competitions-Kieran Desjardins-Speed Skating 38 - 42

A report of the Manager of Recreation and Culture is attached for the consideration of Council.

Mover Councillor S. Hollingsworth
Seconder Councillor M. Bruni

Resolved that the report of the Manager of Recreation and Culture dated 2016 02 22 concerning Request for Financial Assistance for National/International Sports Competitions – Kieran Desjardins – Speed Skating be received and that Council approve a \$200 financial assistance grant for participation at the Canadian Age Class Long Track Speed Skating Championships, February 6 & 7, 2016 in Quebec City be approved.

6.6 RFP for Sensory Play Equipment (2016CSD-PK-01-P) 43 - 44

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

Mover Councillor S. Hollingsworth
Seconder Councillor M. Bruni

Resolved that the report of the Manager of Purchasing dated 2016 02 22 be received and that the proposal submitted by A.B.C. Recreation Ltd. to supply and deliver Sensory Play Equipment, as required by the Recreation & Culture Division of the Community Services Department, be approved.

6.7 Request for Financial Assistance for National/International Sports Competitions-Richard MacLennan-Speed Skating 45 - 49

A report of the Manager of Recreation and Culture is attached for the consideration of Council.

Mover Councillor S. Hollingsworth
Seconder Councillor F. Fata

Resolved that the report of the Manager of Recreation and Culture dated 2016 02 22 concerning Request for Financial Assistance for National/International Sports Competitions – Richard MacLennan – Speed Skating be received and that Council approve a \$200 financial assistance grant for participation at the International Skating Union’s World Cup Championships to be held from January 29 to January 31, 2016 in Stavanger, Norway be approved.

6.8 West End Sewage Treatment Plant – Phase 1 Upgrades Request for Proposal 50 - 51

A report of the Land Development and Environmental Engineer is attached for the consideration of Council.

Mover Councillor S. Hollingsworth
Seconder Councillor M. Bruni

Resolved that the report of the Land Development and Environmental Engineer dated 2016 02 22 concerning the West End Sewage Treatment Plant Phase 1 Upgrades be received and that issuance of a Request for Proposal for consulting services be approved.

6.9 Queen Street Tree Replacement Strategy 52 - 57

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

Mover Councillor S. Hollingsworth
Seconder Councillor M. Bruni

Resolved that the report of the Planning Division dated 2016 02 22 concerning a Queen Street tree replacement strategy be received and that Council refer the recommendation to replace all the trees on Queen Street (\$2 million) and the installation of pedestrian scale lights (\$1.2 million) to the 2016 budget deliberations.

6.10 Gateway Signature Park – Preliminary Steps 58 - 65

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

Mover Councillor S. Hollingsworth
Seconder Councillor M. Bruni

Resolved that the report of the Planning Division dated 2016 02 22 concerning the preliminary steps required to investigate the redevelopment of the easterly section of the Gateway site for the purposes of a signature park be received and that Council refer the recommendation to conduct a Phase One and Phase Two environmental assessment, as well as an overall park design, at an estimated cost of \$150,000, to the 2016 budget deliberations.

6.11 Downtown Community Improvement Plan – Financial Incentive Applications 66 - 70

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

Mover Councillor S. Hollingsworth
Seconder Councillor F. Fata

Resolved that the report of the Planning Division dated 2016 02 22 concerning the Downtown Community Improvement Plan Financial Incentive applications be received and the grant applications listed in this report be approved.

6.12 Household Special Waste ('HSW') Facility – Relocation to the Landfill Site 71 - 72

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

Mover Councillor S. Hollingsworth
Seconder Councillor F. Fata

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

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2016 02 22 concerning Landfill Operations – Effects of Free Week be received and that Council approve discontinuing the practise of free week; and furthermore that Council refer the \$5,000 advertising budget request for organizations that encourage the 3R's (reduce, reuse and recycle) in the 2016 budget deliberations.

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

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2016 02 22 concerning PWT – Operations – Sidewalk Winter Maintenance Policy be received and that Option 2 be endorsed by Council; and further that Council direct staff to prepare a new policy based on the framework outlined in Option 2.

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

The relevant By-law 2016-29 is listed under item 11 of the Agenda and will be read with all by-laws under that item.

A report of the City Clerk is attached for the consideration of Council.

Mover Councillor S. Hollingsworth
 Seconder Councillor F. Fata

Resolved that the report of the City Clerk dated 2016 02 22 concerning Council Board and Committee Appointments be received as information.

7.2 COMMUNITY SERVICES DEPARTMENT

7.3 ENGINEERING

7.4 FIRE

7.5 LEGAL

7.6 PLANNING

7.7 PUBLIC WORKS AND TRANSPORTATION

7.8 BOARDS AND COMMITTEES

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

8.1 Notice of Motion – Economic Development Review Motion

Mover Mayor C. Provenzano

Seconder _____

Whereas the Corporation of the City of Sault Ste. Marie (City) has a Memorandum of Understanding with the Sault Ste. Marie Economic Development Corporation (SSMEDC) dated September 28, 2009 naming the EDC as the City's lead agency on economic development; and

Whereas the City provides annual funding to the SSMEDC in the approximate amount of \$1.7 million per annum; and

Whereas the City has a Memorandum of Understanding with the Sault Ste. Marie Innovation Centre (SSMIC) dated April 12, 2010 that identifies the mission of SSMIC as, "to drive business growth, facilitate research, and commercialize innovation in globally significant areas of science and technology"; and

Whereas the City provides annual funding to the SSMIC in the amount of \$277,890 per annum; and

Whereas the City allocates an additional \$500,000.00 per annum to the Economic Development Fund (EDF) for the purposes of supporting new job creation, tax assessment and economic development projects; and

Whereas the funds allocated to the SSMEDC, SSMIC and the EDF represents the majority of the City's investment in economic development; and

Whereas the City recognizes the importance of effective economic development and the need to diversify its economy and grow its assessment base; and

Whereas the City has a responsibility to ensure that it is making the most effective and efficient use of its economic development funds;

Now Therefore Be It Resolved that City Council direct the Chief Administrative Officer to undertake an assessment, either directly and/or with the assistance of an independent third party, of the City's economic development and provide a report to Council outlining the following:

1. Best practices and models for effective economic development;
2. How the City's economic development model compares to best practices; and
3. Recommendations on what the City could and/or should be doing to ensure that its economic development efforts are producing the best results.

8.2 Notice of Motion – Committee to Review Winter Maintenance, Parks Maintenance and Waste Collection

Mover Councillor M. Shoemaker
Second _____

Whereas the 2016 proposed budget for the Public Works Department contains cost increases for the Winter Maintenance, Parks Maintenance and Waste Collection divisions; and

Whereas in the last three years, the costs for Winter Maintenance, Parks Maintenance and Waste Collection have increased more than \$1 million; and

Whereas in 2015 the budgets for Winter Maintenance, Parks Maintenance and Waste Collection represented a total cost to City taxpayers of over \$11 million; and

Whereas the Council of the City of Sault Ste. Marie must determine how to most effectively deliver services; and

Whereas the Council of the City of Sault Ste. Marie is committed to finding cost savings in the delivery of services in order to maintain a level of service that residents deem appropriate; and

Whereas it is essential for the City of Sault Ste. Marie to be a leader in the delivery of services in Ontario;

Now Therefore Be It Resolved that the Council of the City of Sault Ste. Marie strike a committee consisting of three councillors, being Councillor Shoemaker, Councillor _____, and Councillor _____, with appropriate staff acting as resources to the committee, to:

1. Review the existing cost of delivering Winter Maintenance, Parks Maintenance and Waste Collection services and how, if at all, costs can be reduced while maintaining the same or a similar level of service;
2. Provide information to any service provider who requests information regarding winter maintenance, parks maintenance and waste collection in order for providers to estimate the costs of delivering the same level service as is currently provided;
3. Ensure that Sault Ste. Marie taxpayer dollars are being maximized by

making the City a leader in the delivery of municipal services.

9. COMMITTEE OF THE WHOLE FOR THE PURPOSE OF SUCH MATTERS AS ARE REFERRED TO IT BY THE COUNCIL BY RESOLUTION

10. ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

11. CONSIDERATION AND PASSING OF BY- LAWS

Mover Councillor S. Hollingsworth

Seconder Councillor M. Bruni

Resolved that all By-laws under item 11 of the Agenda under date 2016 02 22 be approved.

11.1 By-laws before Council TO BE PASSED which do not require more than a simple majority

11.1.1 By-law 2016-23 (Finance) Amend By-law 2016-3 (User Fees) 93 - 94

Mover Councillor S. Hollingsworth

Seconder Councillor M. Bruni

Resolved that By-law 2016-23 being a by-law to amend By-law 2016-3 (User Fees and Service Charges by-law) be passed in open Council this 22nd day of February, 2016.

11.1.2 By-law 2016-24 (Council Procedure) Amend By-law 2014-250 Acting Mayor Rotation 95 - 96

Mover Councillor S. Hollingsworth

Seconder Councillor M. Bruni

Resolved that By-law 2016-24 being a by-law to amend By-law 2014-250 being a by-law to adopt the rotation list for Acting Mayor for the current Council session be passed in open Council this 22nd of February, 2016.

11.1.3 By-law 2016-25 (Street Assumption) Various 97 - 98

Mover Councillor S. Hollingsworth

Seconder Councillor M. Bruni

Resolved that By-law 2016-25 being a by-law to assume for public use and establish as public streets various parcels of land conveyed to the City be passed in open Council this 22nd day of February, 2016.

11.1.4 By-law 2016-28 (Zoning) 57 Market Street (Chilelli) 99 - 101

Council Report was passed by Council resolution on February 8, 2016.

Mover Councillor S. Hollingsworth

Seconder Councillor M. Bruni

Resolved that By-law 2016-28 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands at 57 Market Street (Chilelli) be passed in open Council this 22nd day of February, 2016.

11.1.5 By-law 2016-29 (Agreement) Ontario Healthy Kids Community Challenge 102 - 113

Mover Councillor S. Hollingsworth
Seconder Councillor M. Bruni

Resolved that By-law 2016-29 being a by-law to authorize the execution of an Amending Services Agreement between the City and The Board of Health for the District of Algoma Health Unit operating as Algoma Public Health regarding the Ontario Healthy Kids Community Project be passed in open Council this 22nd day of February, 2016.

11.2 By-laws before Council for FIRST and SECOND reading which do not require more than a simple majority

11.3 By-laws before Council for THIRD reading which do not require more than a simple majority

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

13. CLOSED SESSION

Mover Councillor S. Hollingsworth
Seconder Councillor M. Bruni

Resolved that this Council proceed into closed session to one item concerning collective bargaining;

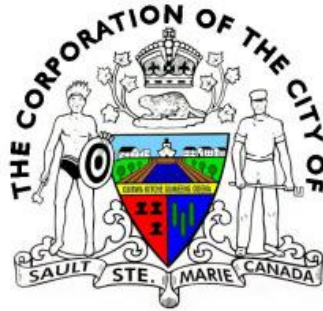
Further be it resolved that should the said closed session be adjourned, the Committee may reconvene in closed session to continue to discuss the same matter without the need for a further authorizing resolution.

(Labour relations or employee relations – section 239(2)(d))

14. ADJOURNMENT

Mover Councillor S. Hollingsworth
Seconder Councillor M. Bruni

Resolved that this Council now adjourn.



REGULAR MEETING OF CITY COUNCIL MINUTES

Monday, February 8, 2016

4:30 p.m.

Council Chambers

Civic Centre

Present: Mayor C. Provenzano, Councillor S. Butland, Councillor P. Christian, Councillor S. Myers, Councillor J. Hupponen, Councillor M. Shoemaker, Councillor L. Turco, Councillor R. Niro, Councillor M. Bruni, Councillor F. Fata, Councillor J. Krmpotich, Councillor R. Romano, Councillor S. Hollingsworth

Officials: A. Horsman, M. White, M. Borowicz-Sibenik, L. Girardi, N. Apostle, S. Schell, J. Dolcetti, M. Figliola, M. Nadeau, D. McConnell, F. Coccimiglio

1. ADOPTION OF MINUTES

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the Minutes of the Regular Council Meeting of 2016 01 25 be approved.

Carried

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

Councillor Myers provided a verbal update concerning Canada 150.

3. DECLARATION OF PECUNIARY INTEREST

3.1 Councillor L. Turco – Municipal Law Enforcement Officers (Parking)

Spouse employed by Police Services.

3.2 Councillor L. Turco – By-law 2016-2 (Parking) Municipal Law Enforcement Officers

Spouse is employed by Police Services.

3.3 Councillor R. Niro – Fire/Emergency Medical Services Realignment

Brother employed by Fire Services.

3.4 Councillor R. Romano – Rental Housing Incentive Program – 4

One of the applicants is a personal friend.

3.5 Mayor C. Provenzano – A-3-16-Z.OP – 445 Sherbourne Street

Two objectors are clients of law firm.

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the Agenda and the Addendum for the 2016 02 08 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 Declaration of Office – 2016 Municipal By-Election

Sandra Hollingsworth, Councillor, Ward 2

5.2 Special Olympics Week

Len Donnelly was in attendance.

5.3 National 211 Day

Jamie Caicco, United Way Campaign Chair was in attendance.

5.4 Refugee 705 Committee

Moved by: Councillor R. Romano

Seconded by: Councillor M. Shoemaker

Whereas 'Refugee 705' is a website that links citizens of the Algoma District with local refugee settlement initiatives, raises awareness of how people can help, and raises funds to help bring refugees to the Algoma District.

Therefore be it resolved that City Council endorse the efforts of the Refugee705 Committee in assisting to provide the resources needed to welcome refugees from around the world to Sault Ste. Marie and the Algoma District.

Carried

5.5 HPS Point-In-Time Homeless Count 2016

Emma Caicco, PIT Co-ordinator was in attendance.

5.6 Solid Waste Management EA - Agenda Item 6.4

Rick Talvitie, Manager – Northern Ontario, AECOM was in attendance.

5.7 7.6.1 – A-2-16-Z – 57 Market Street

Jason Chillelli (applicant) was in attendance.

5.8 7.6.2 – A-3-16-Z.OP – 445 Sherbourne Street

Wayne Chorney (representing the applicant) and Eugene Poirier were in attendance.

6. COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that all the items listed under date 2016 02 08 – Part One – Consent Agenda be approved as recommended.

Carried

6.2 Pinty's Grand Slam Of Curling – 2016 and 2017

The report of the Commissioner of Community Services was received by Council.
The relevant By-law 2016-22 is listed under item 11 of the Minutes.

6.3 Roberta Bondar Marina Capital Requirements

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Manager of Recreation and Culture dated 2016 02 08 concerning Roberta Bondar Marina's 2016 Capital from Current Requests be received as information.

Carried

6.4 Solid Waste Management Environmental Assessment

The report of the Landfill and Environmental Engineer was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Landfill and Environmental Engineer dated 2016 02 08 concerning the Solid Waste Management Environmental Assessment be received as information.

Carried

6.5 Carbon Monoxide By-law (Housekeeping)

The report of the Assistant City Solicitor is attached for the consideration of Council.

The relevant By-law 2016-19 is listed under item 11 of the Minutes.

6.6 Lane Closing Application – Browns Subdivision

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

The relevant By-laws 2016-20 and 2016-21 are listed under item 11 of the Minutes.

6.7 Telecommunications Tower Policy (2)

The report of the Planner was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Planner dated 2016 02 08 concerning Telecommunications Tower Policy (2) be received as information.

Carried

6.8 Sourcewater Protection – Risk Management Inspector Appointment

The report of the Planner was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Planner dated 2016 02 08 concerning Sourcewater Protection – Risk Management Inspector Appointment be received and that Council appoint Marlene McKinnon as the Risk Management Inspector subject to completing the necessary training programs.

Carried

6.9 Rental Housing Incentive Program – 4

Councillor R. Romano declared a conflict on this item. (One of the applicants is a personal friend.)

The report of the Planning Director was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Planning Director dated 2016 02 08 be received and that Council authorize a four-year incremental tax rebate program (including incentive) for 309 East Balfour Street subject to:

- municipal rebate shall apply only to the increase in assessment resulting from new construction, and
- after the rebate program is completed, the full municipal taxes will apply.

Carried

6.10 Municipal Law Enforcement Officers (Parking)

Councillor L. Turco declared a conflict on this item. (Spouse employed by Police Services.)

The report of the Manager of Parking and Transit was received by Council.

The relevant By-law 2016-02 is listed under item 11 of the Minutes.

6.11 Allocation of Accessibility Reserve Funds for Raised Toilet Fixtures at Seniors Centres

The report of the Accessibility Co-ordinator was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Accessibility Co-ordinator dated 2016 02 08 concerning Allocation of Accessibility Reserve Funds for Raised Toilet Fixtures at Senior Centres be received and that Council approve approximately \$8,000 for the installation of a total of thirteen (13) raised toilet fixtures at the Seniors Centres to be allocated from accessibility reserves.

Carried

6.1 Prioritization of Supplementary Budget Items

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Commissioner of Finance and Treasurer dated 2016 02 08 concerning Prioritization of Supplementary Budget Items be received as information.

Carried

Moved by: Councillor P. Christian

Seconded by: Councillor M. Shoemaker

Resolved that Councillors Christian, Shoemaker and Romano be appointed to a committee to develop a proposed matrix to prioritize supplementary budget items, with the assistance of appropriate staff, and to report back to Council.

Carried

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1 ADMINISTRATION

7.2 COMMUNITY SERVICES DEPARTMENT

7.2.1 Recognition of Ron Francis

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Commissioner of Community Services dated 2016 02 08 concerning the recognition of Ron Francis be received and that Council provide direction regarding how Council wishes to proceed on this matter.

Carried

Moved by: Councillor P. Christian

Seconded by: Councillor S. Butland

Resolved that the lower portion of Bruce Street, from Queen Street East to Bay Street, be renamed after Ron Francis.

Carried

7.3 ENGINEERING

7.4 FIRE

7.5 LEGAL

7.6 PLANNING

7.6.1 A-2-16-Z – 57 Market Street

The report of the Planner was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Planner dated 2016 02 08 concerning A-2-16-Z – 57 Market Street be received and that Council approve rezoning of the subject property from Single Detached Residential Zone (R2) to Single Detached Residential Zone (R2.S) with a Special Exception to permit a duplex dwelling, in addition to the uses permitted in an R2 Zone, subject to the following special provisions:

1. That one required parking space be permitted to project into the required front yard of the subject property.
2. That stacked parking be permitted.

and that the Legal Department be directed to prepare the necessary by-law to effect this approval.

Carried

7.6.2 A-3-16-Z.OP – 445 Sherbourne Street

Mayor C. Provenzano declared a conflict on this item. (Two objectors are clients of law firm.)

The report of the Planner was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Planning Division dated 2016 02 08 concerning A-3-16-Z – 445 Sherbourne Street be received and that Council approve the following:

1. That City Council approves Official Plan Amendment No. 216, re-designating the property, by way of a special exception, to permit a limited number of commercial and light industrial uses, as stipulated in the associated Zoning By-law;
2. That City Council amend Special Exception 86 (747), adding repair and maintenance as a permitted use;
3. That repair and maintenance be permitted, subject to the following: That a 3 metre (10') by 18 metre (59') landscape strip be provided along the frontage, beginning at the southerly property line;
4. That a minimum of four (4) trees (a minimum of 1.82 metres (6') in height) be planted and maintained
5. That no garbage bins are permitted to be stored within 3 metres (10') from the southerly property line;
6. That no outdoor storage be permitted, excluding vehicles awaiting repair; and
7. That all repair and maintenance be conducted entirely within the existing building.

and that the Legal Department be directed to prepare the necessary by-laws to effect this approval.

Carried

7.7 PUBLIC WORKS AND TRANSPORTATION

7.8 BOARDS AND COMMITTEES

7.9 PRELIMINARY 2016 BUDGET

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the preliminary 2016 budget be received as information.

Carried

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Commissioner of Finance and Treasurer dated 2016 02 08 be received and that the recommended budget deliberations meeting schedule be approved.

Carried as Amended

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that agenda item 7.9 be amended by deleting the text after 'received' and inserting 'that staff be directed to bring revised budget meeting schedules back to the February 22, 2016 council meeting for the consideration of Council.

Carried

7.9.1 Mayor and Council

7.9.2 Chief Administrative Officer

7.9.3 Human Resources Department

7.9.4 Finance Department

7.9.5 City Clerk's Department

7.9.6 Legal Department

7.9.7 Fire Services

7.9.8 Engineering and Planning Department

7.9.9 Public Works and Transportation Department

7.9.10 Community Services Department

7.9.11 Social Services Department

7.9.12 Outside Agencies and Grants

7.9.13 Corporate Financials

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

8.1 Fire/Emergency Medical Services Realignment

Councillor R. Niro declared a conflict on this item. (Brother employed by Fire Services.)

Moved by: Councillor J. Hupponen

Seconded by: Councillor M. Shoemaker

Whereas City Council approved the Fire/Emergency Medical Services realignment plan October 26, 2015; and

Whereas Senior Management Team has begun implementing said plan since October 26, 2015; and

Whereas it has recently been suggested publicly that the Ontario Fire Marshal can be retained to do a 'comprehensive risk assessment' in Sault Ste. Marie at the request of City Council; and
Whereas City Council should receive an update on the Fire/Emergency Medical Services realignment plan from staff; and

Whereas City Council should receive a report from staff about what a comprehensive risk assessments is and how and when it would recommend one is undertaken;

Now Therefore Be It Resolved that the Chief Administrative Officer be requested to report back to City Council providing City Council with the following information outlining:

1. A 90-day update of how the Fire/Emergency Medical Services realignment is proceeding; and
2. An explanation, outline and update on Fire/Emergency Medical Services ongoing risk assessment; and
3. An explanation of what a 'comprehensive risk assessment' is and when one should be undertaken by a municipality; and
4. A recommendation on whether City Council should direct that a comprehensive risk assessment is undertaken; and
5. If so recommended, recommendations on when and how the comprehensive risk assessment should be undertaken.

Carried

8.2 Graffiti

Moved by: Councillor S. Myers

Seconded by: Councillor S. Butland

Whereas City Council is desirous of projecting the best possible image of Sault Ste. Marie to our residents and visitors; and

Whereas the City Council Community Committee on Graffiti has met over the last couple of years and has membership from a number of community organizations; and
Whereas the committee adopted a two-pronged approach around the issue of graffiti including support for positive initiatives such as the Nordik Institute Graffiti Reframed and enforcement initiatives such as Police Services Downtown targeted cleanup; and
Whereas the presence of illegal graffiti detracts from our property standards; and
Whereas many other communities are also dealing with the issue and most recently the Town of Orillia introduced a plan to proactively enforce the removal of graffiti; and
Whereas in Sault Ste. Marie we want to curb the presence of graffiti and make it less enticing for vandals to tag areas within our naturally gifted city
Now Therefore Be It Resolved that the appropriate staff report back to City Council by early May with recommendations including the following:

- suggestions around possible standards of enforcement that would address illegal graffiti
- tips for the public on how to remove graffiti and any other public education ideas.

Carried

8.3 Shadows of the Mind

Moved by: Councillor R. Niro

Seconded by: Councillor L. Turco

Whereas the Shadows of the Mind Film Festival runs from Monday, February 22 to Sunday, February 28, 2016; and

Whereas the Shadows of the Mind Film Festival “is a film festival that showcases films and other art forms for two purposes: to entertain and to educate. By attracting audiences through the entertainment value of film, the film festival uses select films and events to increase awareness and education on mental health and addiction issues as well as other prevalent social topics as decided each year”; and

Whereas the Shadows of The Mind Film Festival is a not-for-profit organization; and

Whereas the primary venue for the film festival is the Grand Theatre; and

Whereas on some days during the week, the film festival will have films and panel discussions from 9:00 a.m. to midnight; and

Whereas many patrons of the film festival attend in the morning and stay for the entire day, having lunch and dinner in the downtown area;

Now Therefore Be It Resolved that the 2 hour daily parking limit be waived at the Brock Albert Parking Lot to permit full free parking on Tuesday, February 23, 2016, Thursday, February 25, 2016, and Friday, February 26, 2016, all during the week of the Shadows of the Mind Film Festival.

Carried

9. **COMMITTEE OF THE WHOLE FOR THE PURPOSE OF SUCH MATTERS AS ARE REFERRED TO IT BY THE COUNCIL BY RESOLUTION**
10. **ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE**
11. **CONSIDERATION AND PASSING OF BY- LAWS**

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that all By-laws under item 11 of the Agenda under date 2016 02 08 be approved, save and except 2016-2.

Carried

- 11.1 **By-laws before Council TO BE PASSED which do not require more than a simple majority**

11.1.2 By-law 2016-13 (Streets) Amend Streets By-law 2008-131

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-13 being a by-law to amend Streets By-law 2008-131 be passed in open Council this 8th day of February, 2016.

Carried

11.1.3 By-law 2016-19 (Regulations) Repeal By-law 2009-167

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-19 being a by-law to repeal By-law 2009-167 (a by-law amending previously repealed Carbon Monoxide By-law 2009-82) be passed in open Council this 8th day of February, 2016.

Carried

11.1.4 By-law 2016-20 (Lane Assumption) Browns Subdivision Plan 453

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-20 being a by-law to assume for public use and establish as a public lane, a lane in the Browns Subdivision, Plan 453 be passed in open Council on the 8th day of February, 2016.

Carried

11.1.5 By-law 2016-22 (Agreement) Grand Slam of Curling

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-22 being a by-law to authorize the execution of an agreement between the Essar Centre and Rogers Media Inc. to co-promote the 2016 and 2017 Nationals, part of the Pinty's Grand Slam of Curling Series be passed in open Council on the 8th day of February, 2016.

Carried

11.1.6 By-law 2016-21 (Lane Closing) Browns Subdivision Plan 453

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-21 being a by-law to stop up, close and authorize the conveyance of a lane in the Browns Subdivision, Plan 453 be passed in open Council on the 8th day of February, 2016.

Carried

11.1.1 By-law 2016-2 (Parking) Municipal Law Enforcement Officers

Councillor L. Turco declared a conflict on this item. (Spouse is employed by Police Services.)

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-2 being a by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties and to amend Schedule "A" to By-law 90-305 be passed in open Council on the 8th day of February, 2016.

Carried

11.2 By-laws before Council for FIRST and SECOND reading which do not require more than a simple majority

11.3 By-laws before Council for THIRD reading which do not require more than a simple majority

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

13. CLOSED SESSION

Moved by: Councillor S. Myers

Seconded by: Councillor R. Niro

Resolved that this Council proceed into closed session to discuss two matters concerning potential acquisition of property; and

Further be it resolved that should the said closed session be adjourned, Council may reconvene in closed session to continue to discuss the same matters without the need for a further authorizing resolution.

(proposed or pending acquisition of land – section 239(3)(c) Municipal Act)

Carried

14. ADJOURNMENT

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that this Council now adjourn.

Carried

Mayor

City Clerk



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Al Horsman

DEPARTMENT: Chief Administrative Officer

RE: 2016 Budget Deliberation

PURPOSE

The purpose of this report is to respond to the following resolution from Council:

“Resolved that the report of the Commissioner of Finance and Treasurer dated 2016 02 08 be received that staff be directed to bring revised budget meeting schedules back to the February 22, 2016 council meeting for the consideration of Council.”

BACKGROUND

A preliminary schedule was circulated and as a result Council requested a compressed schedule to allow these meetings to take place over a week. City staff also gave consideration to local boards and outside agencies when developing the schedule. Council was then asked to provide their availability for the evenings of March 7-11 and March 14-18, 2016 inclusive.

ANALYSIS

For the initial proposed 2016 Budget Deliberation Schedule, it was suggested that 4-5 meetings 2 hours in length (4:30 p.m. – 9:30 p.m.) take place. A copy of the correspondence is found as Appendix A Option 1.

Appendix B (Option 2) outlines a compressed schedule of meetings to take place over one week from February 29, 2016 to March 8, 2016.

Appendix C (Option 3) outlines a compressed schedule of meetings to take place over a two-week period from March 8, 2016 to March 17, 2016.

In each option, Council would retain quorum. Option 2 represents the most aggressive earlier schedule per the sentiment that Council initiated during its deliberations on February 8, 2016. However, staff still recommends the original

schedule due to concerns over providing revised materials on a timely basis, potential fatigue on council and staff and opportunity to adjust totals for previous decisions. In each option, staff will still need to present on March 22, 2016 which is the earliest all levies will be known including the District Social Services Administration Board (DSSAB).

IMPACT

Not applicable

STRATEGIC PLAN

Not applicable

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Chief Administrative Officer dated February 22, 2016 be received and the staff recommendation of Option 1 be approved.

Respectfully submitted,



Al Horsman,
CAO

Attach.

2016 Budget Deliberation Schedule

Option 1

MONDAY, FEBRUARY 29, 2016

- Fire Services
- Community Services
- Social Services

TUESDAY, MARCH 1, 2016

- Engineering & Planning
- Public Works and Transportation

MONDAY, MARCH 7, 2016 (regular Council meeting)

- Mayor & Council
- CAO
- Human Resources
- Clerks
- Finance
- Legal

TUESDAY, MARCH 8, 2016

- Local Boards and Grants to Outside Agencies
 - Library
 - Police
 - Art Gallery of Algoma
 - Sault Ste Marie Museum
 - Bushplane Museum
 - Agencies requesting grants

TUESDAY, March 22, 2016

- Capital and Long Term Debt
- Reserves and Reserve Fund Transfer
- Corporate Financials
- Accountability Agreements
 - Economic Development Corporation
 - Innovation Centre
- Levy Boards
 - Algoma Public Health
 - DSSAB
 - Conservation Authority

2016 Budget Deliberation Schedule

Option 2

MONDAY, MARCH 14, 2016

- Fire Services
- Community Services
- Social Services

TUESDAY, MARCH 15, 2016

- Engineering & Planning
- Public Works and Transportation

WEDNESDAY, MARCH 16, 2016 (regular Council meeting)

- Mayor & Council
- CAO
- Human Resources
- Clerks
- Finance
- Legal

TUESDAY, MARCH 17, 2016

- Local Boards and Grants to Outside Agencies
 - Library
 - Police
 - Art Gallery of Algoma
 - Sault Ste Marie Museum
 - Bushplane Museum
 - Agencies requesting grants

TUESDAY, March 22, 2016

- Capital and Long Term Debt
- Reserves and Reserve Fund Transfer
- Corporate Financials
- Accountability Agreements
 - Economic Development Corporation
 - Innovation Centre
- Levy Boards
 - Algoma Public Health
 - DSSAB
 - Conservation Authority

2016 Budget Deliberation Schedule

Option 3

TUESDAY, MARCH 8, 2016

- Fire Services
- Community Services
- Social Services

MONDAY, MARCH 14, 2016

- Engineering & Planning
- Public Works and Transportation

WEDNESDAY, MARCH 16, 2016 (regular Council meeting)

- Mayor & Council
- CAO
- Human Resources
- Clerks
- Finance
- Legal

TUESDAY, MARCH 17, 2016

- Local Boards and Grants to Outside Agencies
 - Library
 - Police
 - Art Gallery of Algoma
 - Sault Ste Marie Museum
 - Bushplane Museum
 - Agencies requesting grants

TUESDAY, March 22, 2016

- Capital and Long Term Debt
- Reserves and Reserve Fund Transfer
- Corporate Financials
- Accountability Agreements
 - Economic Development Corporation
 - Innovation Centre
- Levy Boards
 - Algoma Public Health
 - DSSAB
 - Conservation Authority



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Shelley J. Schell, CPA, CA Commissioner of Finance and Treasurer
Melanie Borowicz-Sibenik, Acting City Solicitor

DEPARTMENT: Finance Department

RE: Retention of Restructuring Lawyer

PURPOSE

The purpose of the report is to seek Council approval for expenditures up to \$175,000 to retain legal services to represent the City's interests in relation to Essar Steel Algoma's Companies' Creditors Arrangement Act (CCAA) protection proceedings and the approval of using the Contingency Reserve to fund the expense.

BACKGROUND

Essar Steel Algoma entered into CCAA protection proceedings on November 9, 2015. At that time, the City was owed approximately \$14 million for 2014/15 property taxes.

ANALYSIS

The City of Sault Ste. Marie is a priority lien holder and as such the City's claim will supersede most creditors. It was nonetheless staff's opinion that due to the size of the City's claim and total debt owed by Essar Steel Algoma, it was in the City's best interests to retain expert advice to represent the City's interests at the CCAA proceedings and minimize the risk exposure to the City collecting on its' claims.

To secure representative counsel through a competitive process, the Finance and Legal Departments drew upon existing vendors of record for provision of legal services as well as the recommendations from other municipalities and knowledgeable colleagues. This exercise produced the names of firms numbering approximately 20 which were then reviewed by an evaluation team consisting of the Commissioner of Finance, Acting City Solicitor and Chief

Administrative Officer to identify experienced reputable firms to contact and invite submissions of a Letter of Interest in representing the City. A copy of the correspondence sent to all potential bidders is found as Appendix A.

A total of five responses were received and each was evaluated based upon the staffing personnel offered, experience in a similar industry, whether the firm had a Municipal Law practice, potential conflict in representing other parties in the CCAA process and estimated costs. From this evaluation staff retained Aird & Berlis, LLP to represent the City in its claims process and potential restructuring discussions, up to an upset limit of \$50,000.

Currently, Aird & Berlis, LLP are preparing the City's proof of claim as well as monitoring the proceedings and providing status updates. The ongoing costs for representation can potentially reach up to \$175,000 if a more active role is required during the proceedings. For example a motion to request payment of post-filing obligations could potentially be \$30,000.

IMPACT

The Finance Department budget allows \$50,000 for assessment appeals, of which some is currently committed for another ongoing appeal. Due to the size and unique circumstances, staff recommends that the Contingency Reserve be utilized in the absence of funding being available through the assessment appeals budget allocation.

STRATEGIC PLAN

Not applicable.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the joint report of the Commissioner of Finance and Treasurer and Acting City Solicitor dated February 22, 2016 regarding the approval of a \$175,000 upset limit for the services of a restructuring lawyer to represent the City's interest in the CCAA protection proceedings of Essar Steel Algoma be approved and that these services be funded from the Contingency Reserve.

Respectfully submitted,



Shelley J. Schell, CPA, CA
Commissioner of Finance &
Treasurer

Respectfully Submitted,



Melanie Borowicz-Sibenik
Assistant City Solicitor/Senior Litigation
Counsel & Acting City Solicitor

NUALA KENNY
City Solicitor

MELANIE BOROWICZ-SIBENIK
Assistant City Solicitor/
Senior Litigation Counsel



LEGAL DEPARTMENT

RE: ESSAR STEEL ALGOMA – CCAA PROCEEDINGS

The Corporation of the City of Sault Ste. Marie, Ontario (the “City”) seeks to retain the services of a Restructuring Lawyer to represent the City’s interests as a priority lien holder in relation to Essar Steel Algoma’s CCAA protection proceedings.

Essar Steel Algoma entered into CCAA protection proceedings on November 9, 2015. At that time, the City was a priority lien holder and was owed approximately \$14 Million for 2014/2015 property taxes. Since then, approximately \$1 Million was also added for water and sewer. Interest at the rate of 1.25% monthly is further being added to these totals. The current balance owed by Essar Steel Algoma to the City is \$15.1 Million.

If you/another lawyer at your Firm is interested in representing the City with respect to this matter, we would ask that you submit a Letter of Interest which answers the following questions/provides the following particulars:

1. Please identify all lawyers/staff intended to be involved in this assignment and provide a biography for all lawyers proposed to be engaged.
2. Please provide a list of references of previous restructuring matters handled in a similar industry. Please highlight any experience handling restructuring matters on behalf of a municipality or other government entity.
3. Please advise if your firm has a Municipal Law practice area and direct access to a Municipal Lawyer, as needed to ensure the City’s interests/obligations as a municipality are protected and complied with.
4. Please provide your estimated costs for representation and hourly rates for all personnel proposed to be involved in this assignment.
5. Is a retainer required and if so, please advise of the amount required for same.

January 8, 2016

Page 2

Please note:

No lawyer/firm shall have the right to review or receive any information with respect to a Letter of Interest, proposal, documentation or information submitted by any other lawyer/firm in relation to this matter. The content of the Letter of Interest and all documentation and information shall be held in confidence by the City and its advisors subject only to the provisions of freedom of information and privacy legislation, including without limitation, the *Municipal Freedom of Information and Protection of Privacy Act*.

The City reserves the right, in its sole and absolute discretion, to select the preferred Lawyer/Firm with which to negotiate a final contract for Professional Services or reject any and all Letters of Interest. There is no recourse to submitting a Letter of Interest.

If so interested, kindly forward your Letter of Interest to me via email at m.borowiczsibenik@cityssm.on.ca on or before January 13, 2016. We thank you in advance for your interest. Following our review of the Letters of Interest received, we will contact those individuals/firms that are being considered.

Yours truly,

Melanie Borowicz-Sibenik
Assistant City Solicitor/Senior Litigation Counsel &
Acting City Solicitor

MBS/md

\\citydata\LegalDept\Legal\Staff\LEGAL\CORPORATION\C2.14(3) Essar Steel Algoma CCAA Protection Proceedings\Essar CCAA Letter -
Phoenix 2016 01 07.doc



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council
AUTHOR: Peter Liepa, City Tax Collector
DEPARTMENT: Finance Department
RE: Property Tax Appeals

PURPOSE

Staff is seeking Council approval of property tax appeals as required pursuant to Section 357 of the Municipal Act.

BACKGROUND

A listing of applications received for adjustment of realty taxes pursuant to Section 357 of the Municipal Act is attached to this report.

ANALYSIS

The Municipal Property Assessment Corporation has recommended the amount of the assessment to be adjusted.

IMPACT

There is an annual budget allocation for tax write-offs.

STRATEGIC PLAN

Not applicable

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the City Tax Collector dated 2016 02 22 concerning Property Tax Appeals be received and the recommendation that the tax records be amended pursuant to Section 357 of the Municipal Act be approved.

Report to Council – Property Tax Appeals

2016 02 22

Page 2.

Respectfully submitted,

Recommended for approval

A handwritten signature in black ink, appearing to read 'Peter A. Liepa'.

Peter A. Liepa
City Tax Collector

APPLICATION TO COUNCIL TO CANCEL
OR REFUND PROPERTY TAXES PURSUANT TO SECTION 357
OF THE MUNICIPAL ACT, 2001

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
PROPERTY TAX APPEALS

DATE: 2016 02 22
PAGE: 1 of 1

2014

ROLL NUMBER	PROPERTY ADDRESS	PERSON ASSESSED	TAX CLASS	REASON	APPEAL NO.	TAXES	INTEREST	TOTAL
020-042-172	659 Queen St E	1704768 Ontario Inc	CT/RT	A	14-033	3,097.71	139.73	3,237.44

2015

ROLL NUMBER	PROPERTY ADDRESS	PERSON ASSESSED	TAX CLASS	REASON	APPEAL NO.	TAXES	INTEREST	TOTAL
010-070-032	1427 Trunk Rd	City of Sault Ste Marie	RT	B	15-019	2,122.57	323.88	2,446.45
020-042-172	659 Queen St E	1704768 Ontario Inc	CT/RT	A	15-020	3,260.14	99.40	3,359.54
050-050-033	211 Moss Rd	Dahl Jonathan	RT	D	15-021	432.63	4.00	436.63
060-010-041	127 Vivian Ave	Moro-Franzisi Maria	RT	D	15-022	136.97	1.51	138.48

DOWNTOWN ASSOCIATION TAX ADJUSTMENTS

2014

020-042-172	659 Queen St E	1704768 Ontario Inc			14-033	534.66		534.66
-------------	----------------	---------------------	--	--	--------	--------	--	--------

2015

020-042-172	659 Queen St E	1704768 Ontario Inc			15-020	545.95		545.95
-------------	----------------	---------------------	--	--	--------	--------	--	--------

Certified Correct:

REPORT TOTAL 10,130.63 568.52 10,699.15

Peter A. Liepa
Tax Collector

- A. REALTY TAX CLASS CONVERSION
- B. BECAME EXEMPT AFTER RETURN OF ROLL
- C. RAZED BY FIRE AFTER RETURN OF ROLL

- D. DEMOLISHED AFTER RETURN OF ROLL
- E. OVERCHARGED BY REASON OF GROSS OR MANIFEST CLERICAL ERROR
- F. REAL PROPERTY THAT COULD NOT BE USED FOR A PERIOD OF AT LEAST 3 MONTHS DUE TO REPAIRS OR RENOVATIONS



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Peter Niro, Commissioner, Human Resources

DEPARTMENT: Human Resources Department

RE: Administration of the Retiree Death Benefit

PURPOSE

The report is in response to the following resolution from Council.

“Now Therefore Be It Resolved that Council request staff to review and report on the administration of the Retired Employee Death Benefit and that said report include the following information:

The amount of money disbursed by the Corporation in death benefit payments for the 2015 year to date;

The amounts of money disbursed in death benefit payments for the 2013 and 2014 municipal fiscal years;

An overview of how common it is for municipal governments in Ontario to issue such death benefit payments upon the death of retirees;

An analysis as to the appropriateness of continuing to pay the death benefit given the present-day financial tools, tax policies and resources available to retirees and their families.”

BACKGROUND

The Policy of providing a retiree death benefit was originated in 1975 at a time where similar types of coverage were either unavailable or very expensive to

purchase. The original value of the coverage was one thousand dollars (\$1000) funded through dividends from the City's Insurer – London Life.

The Policy was reviewed by the Mayor and CAO of the day in 1992. At that point in time the Commissioner of Personnel reported that this type of coverage was common and made reference to similar coverage provided at that time by Algoma Steel and the City of Thunder Bay. Presently both organizations continue with the practice.

ANALYSIS

A review of the pertinent historical information was conducted in conjunction with a survey of other Municipalities asking if a similar practice existed. In addition a review of the financial impact was conducted as asked by the Mayor and Council.

The survey results support that this is not a common practice among Ontario Municipalities. Only two (2) Municipalities responding to a survey of nine (9) currently maintain the practice.

As a result of the application of the Policy, over the last three (3) years the Corporation has dispersed the following benefit payments:

2013	\$24,000
2014	\$32,000
2015	\$26,000

IMPACT

The elimination of this benefit, while saving annual associated disbursements, would require an effective date of termination of this benefit with a legal obligation to maintain such benefit for current retirees.

There is a slight possibility that the Corporation may be stopped from eliminating this benefit for bargaining unit employees as this issue was proposed during bargaining (early 1990's) but later withdrawn in response to the Corporation developing such a policy.

In addition, there is widespread knowledge of the benefit and the removal of such may affect employee morale. However the advent of various types of popular, cost-effective insurance policies mitigates the potential impact.

STRATEGIC PLAN

Not applicable with the Strategic Plan at the present time.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Commissioner of Human Resources dated 2016 02 22 concerning Administration of the Retiree Death Benefit be accepted and the recommendation that staff begin the necessary steps required to discontinue the practice of issuing the “Retiree Death Benefit” be approved.

Respectfully submitted,



Peter Niro
Commissioner of Human Resources



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Virginia McLeod, Manager Recreation & Culture

DEPARTMENT: Community Services Department

RE: Request for Financial Assistance for National/International Sports Competitions-Kieran Desjardins-Speed Skating

PURPOSE

This report is to seek City Council's approval of an application under the Parks and Recreation Advisory Committee's Financial Assistance Program for National /International Sports Competitions. The Parks and Recreation Advisory Committee is recommending approval of the application.

BACKGROUND

The Parks and Recreation Advisory Committee's Financial Assistance Program for National International Sports Competitions is a program endorsed by City Council to support local athletes, including teams and individuals who excel at their given sport on the national or international level. The program has a set of criteria by which applications are accessed and specific levels of financial assistance are governed. City Council gives final approval of all applications.

ANALYSIS

The attached application was received from Kieran Desjardins of Sault Ste. Marie Speed Skating Club. The application is for financial assistance to attend the 2016 Canadian Age Class Long Track Speed Skating Championship in Quebec City February 6 & 7, 2016 sanctioned by Speed Skating Canada. The Parks and Recreation Advisory Committee reviewed the application at their February 2, 2016 meeting and found she meets the eligibility requirements of the Financial Assistance Policy.

The following resolution was passed:

Moved by: M. Kontulainen

Seconded by: B. Lindsay

“Resolved that the Parks and Recreation Advisory Committee endorse the application by Kieran Desjardins for financial assistance for participation at the Canadian Age Class Long Track Speed Skating Championships February 6 & 7, 2016 in Quebec City in the amount of \$200 and that a report be sent to City Council for their approval.”

IMPACT

Core funding for various financial assistance programs is provided in the City’s budget.

STRATEGIC PLAN

This is not part of the City’s Corporate Strategic Plan.

RECOMMENDATION

It is therefore recommended that Council take the following action:

That the report of the Manager of Recreation and Culture concerning Kieran Desjardins be received and that the recommendation of the Parks and Recreation Advisory Committee that City Council approve a \$200 financial assistance grant for participation at the the Canadian Age Class Long Track Speed Skating Championships February 6 & 7, 2016 in Quebec City be approved.

Respectfully submitted on behalf of the Parks & Recreation Advisory Committee, Recommended for approval,



Virginia McLeod,
Manager Recreation & Culture



Nicholas J. Apostle
Commissioner Community Services

Attachment



REQUEST FOR FINANCIAL ASSISTANCE FOR
NATIONAL/INTERNATIONAL SPORTS COMPETITIONS
APPLICATION FORM

PLEASE PRINT

Name and Address of Applicant:

Correspondence will be directed to this name and address.

Name: Kieran Desjardins
Address: ~~1000 10th Avenue~~
Sault Ste. Marie Postal Code: ~~70000~~

Phone: ~~709-270-7000~~ (H) _____ (W) Fax: _____

Email: ~~kdesjardins@rogers.com~~

Name and Address of Athlete(s): (if different from applicant)

Attach team list to application form if applicable. (athletes only)

Name: Sault Speed Skating Club
Address: ~~1000 10th Avenue~~ Dr. Sault Ste. Marie ON ~~70000~~
Postal Code: ~~70000~~

Name of Team or Club (if applicable):

Name of National or International Sporting Competition:

Canadian Age Class Long Track Championships

Date(s) of Competition:

February 6 and 7, 2016

Location of Competition:

Quebec City

Name of Sports Governing Body:

Speed Skating Canada

Please append correspondence (email or letter) that confirms individual or team eligibility as a Northern Ontario, Ontario or Canadian representative from the applicable sport governing body.
APPLICATIONS WILL NOT BE PROCESSED OR APPROVED WITHOUT PROOF OF ELIGIBILITY.

Total Amount of Assistance Requested:
(See Policy for application limits)

\$ 200.00

Please specify, as accurately as possible, how the financial assistance will be used if approved.

Transportation

Have you previously requested financial assistance from the City?

No ☒ Yes ☐ Amount \$ _____

If yes, please indicate the year(s):

If this application for funding is approved, the payment cheque should be payable to:

Sault Ste. Marie Skating Club

- For recipients under the age of 18, payment will generally be provided to a parent or guardian, as circumstances dictate.
- Funding for sports teams will be payable to the coordinating group, sport association or financial representative.

I CERTIFY that to the best of my knowledge, the information provided in the Request for Financial Assistance for National/International Sports Competitions Application Form is accurate and complete and is endorsed by the individual or the not-for-profit sports team I represent.

DATE: 2016 01 25th
Year Month Day

Home: [REDACTED]

Kieran Desjardins Skater
Name Title
(Applicant) (If applicable)

Kieran Desjardins
Signature

[REDACTED]
Phone Number

Tam Overman Coach
Name Title
(Club Official)

[Signature]
Signature

[REDACTED]
Phone Number

- Two signatures are required.
- Applications submitted with only one signature will not be accepted.
- Applications received after the date of the competition will not be accepted.

PLEASE RETURN THIS FORM IN PERSON OR BY MAIL TO:

Recreation and Culture Division
Community Services Department
Civic Centre,
99 Foster Drive,
Sault Ste. Marie, ON
P6A 5X6

For additional information:

Please call 759-5310 between the hours of 8:30 a.m. to 4:30 p.m., Monday to Friday.

The information requested above is being collected pursuant to the Municipal Act and in accordance with the Municipal Freedom of Information and Protection of Privacy Act. The information collected will be strictly used to determine eligibility for a financial assistance grant to attend a national or international sporting competition as defined in the Financial Assistance Policy. For more information or if you have any questions regarding its collection and use please contact the Recreation and Culture Division of the Community Services Department at 759-5310.

Margaret Hazelton

From: Patrick Charbonneau <pcharbonneau@fpvq.org>
Sent: Tuesday, February 02, 2016 12:51 PM
To: Margaret Hazelton
Subject: RE: Canadian Age Class Long Track Championship

Hi Margaret,

Here is the entry for Kieran :

7	111223	DESJARDINS	Kieran	Ontario	10	2	2000	F	F Open	NT	NT	0,48160	NT	NT	NT
---	--------	------------	--------	---------	----	---	------	---	--------	----	----	---------	----	----	----

She will participate this weekend.

Patrick Charbonneau

Coordonnateur aux compétitions

Fédération de patinage de vitesse du Québec

930 avenue Roland-Beaudin

Québec (Québec), G1V 4H8

Tel : 418-651-1973 poste 27 – Sans frais : 1-877-651-1973

Fax : 418-651-1977

Cellulaire : ~~418-651-1973~~

www.fpvq.org



Viens vivre le patinage de vitesse

Embarque sur tes lames!

www.fpvq.org

Facebook.com/FPVQ.org

Twitter.com/PatinVitesseQc

Instagram : Patinvitesse Qc

Hissons le patinage de vitesse parmi les plus grands sports grâce à l'innovation, le respect et l'excellence.

Pour ne plus recevoir de message de la part de la Fédération de patinage de vitesse du Québec, vous n'avez qu'à nous le faire savoir en répondant simplement à ce courriel.

De : Margaret Hazelton [<mailto:m.hazelton@cityssm.on.ca>]

Envoyé : 2 février 2016 09:40

À : 'pcharbonneau@fpvq.org' <pcharbonneau@fpvq.org>

Objet : FW: Canadian Age Class Long Track Championship

Margaret Hazelton
Supervisor of Recreation
Community Services Department
City of Sault Ste. Marie



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Tim Gowans, Manager of Purchasing

DEPARTMENT: Finance Department

RE: RFP for Sensory Play Equipment (2016CSD-PK-01-P)

PURPOSE

Attached hereto for your information and consideration is a report prepared on behalf of the Evaluation Committee concerning proposals received for the supply and delivery of Sensory Play Equipment for use at Bellevue Park, as required by the Recreation & Culture Division of the Community Services Department. Staff is seeking Council approval of the Evaluation Committee's recommendation.

BACKGROUND

The Request for Proposal was publicly advertised and RFP documents forwarded to all firms on our bidders list. Proposals were required to be submitted for consideration no later than 4:00 p.m. on January 15, 2016.

ANALYSIS

Proposals from five (5) proponents were received prior to the closing date:

A.B.C. Recreation Ltd., Paris, ON
KSL Design Inc., Brantford, ON
New World Park Solutions, Brantford, ON
Open Space Solutions Inc., Waterloo, ON
Park N Play Design Co. Ltd., Rocky View County, AB

The proposals received have been evaluated by a committee comprised of staff from the Recreation & Culture Division – Community Services Department, with assistance from the Purchasing Division – Finance Department.

It is the consensus of the Evaluation Committee that the proponent scoring the highest in the evaluation process is A.B.C. Recreation Ltd. of Paris, ON. A.B.C. Recreation Ltd. is an established firm which has supplied playground equipment to Municipalities and School Boards in Ontario.

IMPACT

The proposed cost for the supply and delivery of the Sensory Play Equipment is \$64,922.13, inclusive of the non-refundable portion of the HST. The allocation for this project is \$65,000.00, consisting of a \$50,000.00 Grant from Economic & Social Development Canada and contributions of \$5,000.00 each from the following local service clubs and agencies – Algoma Autism Association, Community Living Algoma and the Rotary Club of Sault Ste. Marie.

Installation will be made by City Staff.

STRATEGIC PLAN

Provision of Sensory Play Equipment is not an activity listed in the Corporate Strategic Plan.

RECOMMENDATION

Resolved that the report of the Manager of Purchasing dated 2016 02 22 be received, and the recommendation that the proposal submitted by A.B.C. Recreation Ltd. to supply and deliver Sensory Play Equipment, as required by the Recreation & Culture Division of the Community Services Department, be approved.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tim Gowans', with a stylized flourish at the end.

Tim Gowans
Manager of Purchasing

TG:nt



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Virginia McLeod, Manager Recreation & Culture

DEPARTMENT: Community Services Department

RE: Request for Financial Assistance for National/International Sports Competitions-Richard MacLennan-Speed Skating

PURPOSE

This report is to seek City Council's approval of an application under the Parks and Recreation Advisory Committee's Financial Assistance Program for National/International Sports Competitions. The Parks and Recreation Advisory Committee is recommending approval of the application.

BACKGROUND

The Parks and Recreation Advisory Committee's Financial Assistance Program for National/International Sports Competitions is a program endorsed by City Council to support local athletes, including teams and individuals who excel at their given sport on the national or international level. The program has a set of criteria by which applications are accessed and specific levels of financial assistance are governed. City Council gives final approval of all applications.

ANALYSIS

The attached application was received from Richard MacLennan for a financial assistance grant to attend the International Skating Union's World Cup Championships from January 29 to January 31, 2016 in Stavanger, Norway. The Parks and Recreation Advisory Committee reviewed the application from Richard MacLennan at their meeting on February 2, 2016 and found that it meets the criteria of the Financial Assistance Policy. The following resolution was passed:

Moved by: M. Kontulainen

Seconded by: B. Lindsay

"Resolved that the Parks and Recreation Advisory Committee endorse the application by Richard MacLennan for financial assistance for participation at the International Skating Union's World Cup Championships to be held from January 29 to January 31, 2016 in Stavanger, Norway in the amount of \$200. and that a report be sent to City Council for their approval." **CARRIED.**

IMPACT

Core funding for various financial assistance programs is provided in the City's budget.

STRATEGIC PLAN

This is not part of the City's Corporate Strategic Plan.

RECOMMENDATION

It is therefore recommended that Council take the following action:

That the report of the Manager of Recreation and Culture concerning Richard MacLennan be received and that the recommendation of the Parks and Recreation Advisory Committee that City Council approve a \$200 financial assistance grant for participation at the International Skating Union's World Cup Championships to be held from January 29 to January 31, 2016 in Stavanger, Norway be approved.

Respectfully submitted on behalf of the Parks & Recreation Advisory Committee, Recommended for approval,



Virginia McLeod,
Manager Recreation & Culture



Nicholas J. Apostle,
Commissioner of Community Services

Attachment



REQUEST FOR FINANCIAL ASSISTANCE FOR
NATIONAL/INTERNATIONAL SPORTS COMPETITIONS
APPLICATION FORM

PLEASE PRINT

Name and Address of Applicant:

Correspondence will be directed to this name and address.

Name: Richard MacLennan

Address: ~~2000 Highway 101~~

Sault Ste. Marie Postal Code: ~~P6P 6G5~~

Phone: ~~705-946-1117~~ (H) _____ (W) Fax: _____

Email: ~~richard.maclennan@ymail.com~~

Name and Address of Athlete(s): (if different from applicant)
Attach team list to application form if applicable. (athletes only)

Name: Same as above

Address: _____

Postal Code _____

Name of Team or Club (if applicable):

Name of National or International Sporting Competition:

ISU World Cup

Date(s) of Competition:

January 29 to January 31, 2016

Location of Competition:

Stavanger, Norway

Name of Sports Governing Body:

International Skating Union (ISU)

Please append correspondence (email or letter) that confirms individual or team eligibility as a Northern Ontario, Ontario or Canadian representative from the applicable sport governing body.
APPLICATIONS WILL NOT BE PROCESSED OR APPROVED WITHOUT PROOF OF ELIGIBILITY.

Total Amount of Assistance Requested: \$ 200.00
(See Policy for application limits)

Please specify, as accurately as possible, how the financial assistance will be used if approved.

Transportation, meals and incidentals

Have you previously requested financial assistance from the City?

No _____ Yes ☒ Amount \$ 200.00

If yes, please indicate the year(s):

2015, 2014, 2013, 2012, 2011

If this application for funding is approved, the payment cheque should be payable to:

Richard MacLennan

- For recipients under the age of 18, payment will generally be provided to a parent or guardian, as circumstances dictate.
- Funding for sports teams will be payable to the coordinating group, sport association or financial representative.

I CERTIFY that to the best of my knowledge, the information provided in the Request for Financial Assistance for National/International Sports Competitions Application Form is accurate and complete and is endorsed by the individual or the not-for-profit sports team I represent.

DATE: 2016 01 19
Year Month Day

<u>Richard MacLennan</u> Name (Applicant)	<u>Skater</u> Title (If applicable)	<u>[Signature]</u> Signature	<u>[Redacted]</u> Phone Number
<u>Tan Overman</u> Name (Club Official)	<u></u> Title	<u>[Signature]</u> Signature	<u>[Redacted]</u> Phone Number

- Two signatures are required.
- Applications submitted with only one signature will not be accepted.
- Applications received after the date of the competition will not be accepted.

PLEASE RETURN THIS FORM IN PERSON OR BY MAIL TO:

Recreation and Culture Division
Community Services Department
Civic Centre,
99 Foster Drive,
Sault Ste. Marie, ON
P6A 5X6

For additional information:

Please call 759-5310 between the hours of 8:30 a.m. to 4:30 p.m., Monday to Friday.

Virginia McLeod

From: ~~Bart Schouten@scs.ca~~
Sent: Tuesday, January 19, 2016 10:20 AM
To: Virginia McLeod
Subject: Richard MacLennan

Dear Ms. McLeod,

Please be advised that Richard MacLennan has qualified to attend the upcoming ISU sanctioned World Cup competition in Stavanger, Norway, January 29 - 31, 2016.

Please note that this is not an open competition. Entry is restricted to skaters who have met qualifying standards and are selected by Speed Skating Canada to represent Canada.

Additional information is available on the Speed Skating Canada website, <http://www.speedskating.ca/>

If you have any questions please call me at ~~416-924-1976~~

Regards,

Bart Schouten

National Team Coach Canada

Speed Skating Canada



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Catherine Taddo, P. Eng., Land Development and Environmental Engineer

DEPARTMENT: Engineering and Planning Department

RE: West End Sewage Treatment Plant - Phase 1 Upgrades
Request for Proposal

PURPOSE

The purpose of the report is to obtain approval to proceed with a Request for Proposal for Professional Engineering services for Phase 1 upgrades to the West End Sewage Treatment Plant.

BACKGROUND

On December 13, 2010 Council approved retention of AECOM Canada Ltd. to complete conceptual level design for the West End Wastewater Plant upgrades in the amount of \$120,000, under by-law 2010-182.

ANALYSIS

The West End Wastewater Treatment Plant upgrading study is now complete. The implementation strategy includes three potential phases, over a 20 year schedule for consideration, and includes a high level budget estimate only, based on a conceptual level of design. A budget range of approximately \$30 to \$53 million is estimated for all phases. This value will be revised subsequent to the preliminary and final design stages.

It is recommended that the City proceed with Phase 1 upgrades at this time. The conceptual level budget estimate for Phase 1 upgrades ranges from \$12 to \$25.3 million. This estimate will require revision subsequent to further design.

A request for proposal for consulting fees is recommended for Phase 1. It is proposed that the fee for finalization of preliminary design phase be requested, in addition to a range of costs for the detailed design phase. The detailed design phase costs will be further defined once a Consultant is selected, and the preliminary design phase is complete.

IMPACT

It is anticipated that the proposed upgrades will be funded from the sanitary sewer account. Once final costs are determined for Phase 1, they will be incorporated into the sewer fee forecast utilized to establish the user rate.

STRATEGIC PLAN

The West End Sewage Treatment Plant upgrade is linked to Strategic Direction 1, Developing Solid Infrastructure, and Objective 1A, Environmental Leadership.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Be it resolved that the report of the Land Development and Environmental Engineer dated 2016 02 22 concerning the West End Sewage Treatment Plant Phase 1 Upgrades be received and that issuance of a Request for Proposal for consulting services be approved.

Respectfully submitted,



Catherine Taddo, P. Eng.
Land Development and
Environmental Engineer

Recommended for approval



Jerry Dolcetti, RPP
Commissioner of Engineering & Planning



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Stephen Turco, MCIP, RPP, Planner

DEPARTMENT: Engineering and Planning Department

RE: Queen Street Tree Replacement Strategy

PURPOSE

The purpose of this report is to advise Council on the process and potential costs to replace the trees along the Queen Street commercial corridor.

BACKGROUND

The majority of trees along the Queen Street commercial corridor, between Bruce and East Street, have been devastated by the Emerald Ash Borer. Over the next two years (or sooner), all of the ash trees will need to be removed as once the tree is infested, they are susceptible to a catastrophic failure (while they may appear healthy, they are structurally weak and may break up in a weather event).

In addition, for the blocks between Gore and Dennis Streets, and between East and Pim Streets, these sections contain a variety of different species; however, these trees have not thrived and should be replaced.

ANALYSIS

It is commonly agreed that the loss of trees along Queen Street will have a detrimental impact on the character of this area. In an effort to address the eventual loss of the Ash trees, City staff, as part of the City's Downtown Development Initiative, undertook a project to replace the trees along Queen Street between Dennis and Bruce Streets. The existing trees were replaced by a variety of trees that could tolerate urban growing conditions, and were planted in root trenches, which will allow the tree roots to spread within an area of un-compacted soil.

This planting exercise was valuable in that it allowed staff to explore different planting strategies that could be applied to other areas of Queen Street, and

determined a number of adequate tree species that could thrive within a streetscape environment.

In addition, as part of this exercise, discussions with both Public Works and Transportation staff as well as the Downtown Association has shed light on the fact that the existing planter boxes are not an appropriate method for tree planting. From a maintenance perspective, they are a major obstruction for service vehicles, and from business owner perspective, it reduces the amount of “spill out” space where the sidewalk can be used for outdoor displays or patio space.

It is recommended that the future blocks implement either a root trenching system (see attached photo), or where limited space exists to achieve proper soil volumes for tree growth, utilizing tree grates with a soil structure system (see attached photo). The soil structure system allows for adequate soil volumes to be achieved, while at the same time, provides a structural base that can support service vehicles.

IMPACT

Given the level of tree removal anticipated over the next two years, staff is recommending that Council consider funding to replace trees, as well as implement a series of street furnishings that would enhance the character and function of Queen Street.

Based on costs to implement the tree replacement strategy between Dennis and Bruce Streets, replacing the remaining trees along the entire stretch of Queen Street will cost approximately \$2 million. This estimate includes an allowance for street furnishings.

It should also be noted that for budget reasons, pedestrian scale lighting was removed from the Dennis-Bruce tree replacement project. Should Council wish to proceed with a lighting strategy for all of Queen Street, it is estimated to cost approximately \$1.2 million (see attached photo of potential pedestrian scale lighting).

In an effort to replace the trees in a timely fashion so that the character of the street can be maintained, staff is recommending that the tree replacement strategy be implemented over the next three years. Should Council approve, funding for this project will need to be considered as part of the 2016 Budget deliberations.

STRATEGIC PLAN

The City’s Downtown Development Initiative has been identified as a priority under Strategic Direction 1: Developing Solid Infrastructure.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Planning Division, dated February 22, 2016 regarding a Queen Street tree replacement strategy be accepted, and that Council refer the recommendation to replace all the trees on Queen Street (\$2 million) and the installation of pedestrian scale lights (\$1.2 million) to the 2016 budget deliberations.

Respectfully submitted,



Stephen Turco, MCIP, RPP
Planner

Recommended for approval,



Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval,



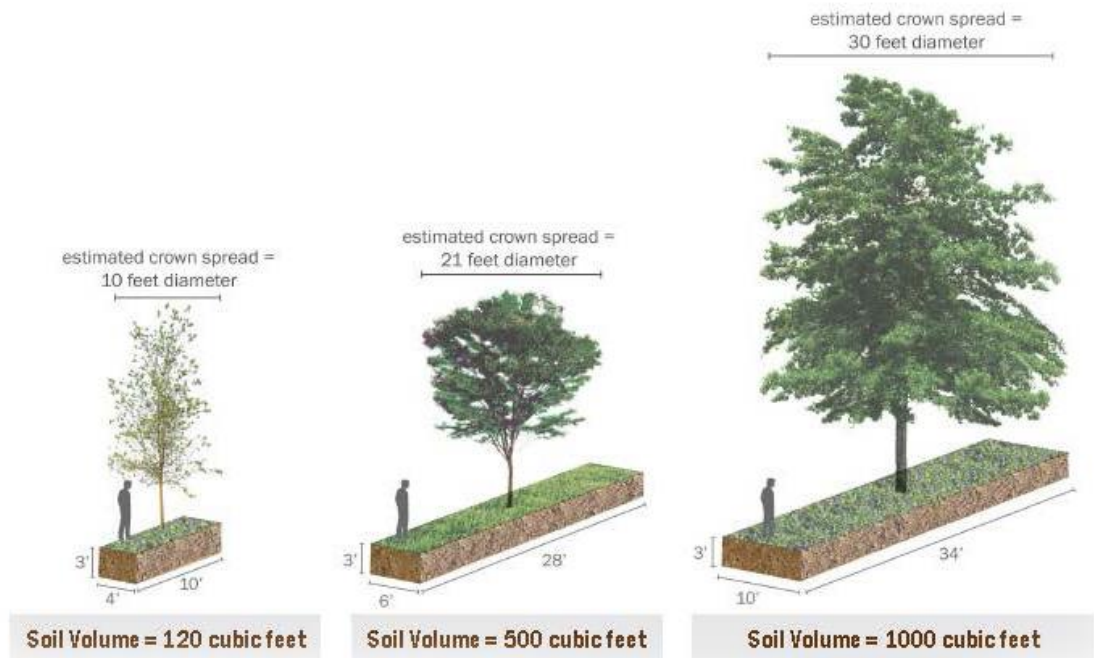
Jerry Dolcetti, RPP
Commissioner Engineering & Planning

ST:ps

Attachment(s)



Root Trench System Implemented between Dennis Street and Bruce Street



The greater amount of soil volume, the greater potential for the tree to grow larger.



Alternative approach for boulevard tree planting. Trees are planted within a soil structure (called soil cells) which allows trees to be planted in confined areas or where hard surfaces are planned, such as a boulevard sidewalk.



Soil structure within an urban boulevard. The use of soil structures allows for adequate soil volumes to be achieved to support tree growth, and provides the structural support for paving stones and maintenance vehicles



Pedestrian Scale Lighting. Lighting can be used to accentuate pedestrian areas or public spaces, and would compliment a comprehensive tree planting program.



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Stephen Turco, MCIP, RPP, Planner

DEPARTMENT: Engineering and Planning Department

RE: Gateway Signature Park – Preliminary Steps

PURPOSE

The purpose of this report is to respond to a Council resolution, dated September 8, 2014, which states:

Moved by: Councillor P. Mick, Seconded by: Councillor R. Niro: Whereas a small easterly portion of the Gateway site has been identified as potential parkland; and Whereas there is possible brownfields restoration funding available should this site require remediation; and Whereas there is a need for parkland that is accessible; and Whereas this initiative could be started cost effectively with little more than an accessible pathway; and Whereas organizations such as Children's Rehabilitation Algoma and the Accessibility Advisory Committee could provide valuable input; Therefore Be It Resolved that Council request appropriate staff to review and report back to Council concerning possible timelines and funding for such development.

BACKGROUND

In July 2014, City Council approved the Canal District Neighbourhood Plan, which provided a framework for development in the westerly portion of the Downtown. As part of that plan, it was identified that the portion of the Gateway site, east of the Fort Creek, would be ideal for a signature park.

Developing the easterly portion of the Gateway site as a park would serve a number of positive benefits. First, it would initiate development on an underutilized, but strategic Downtown waterfront site. Second, a signature park at this location will establish an important link between the Downtown waterfront walkway, the Casino and the Gore Street commercial corridor. Finally, the development of a park could be a catalyst that sparks additional development on the remainder of the Gateway site.

As part of the Canal District Neighbourhood Plan, a preliminary concept of the park was presented. This plan will need to be refined based on stakeholder consultation and public engagement strategy. Although conceptual, it is recommended that the final plan should include a number of design recommendations, including: flexible public spaces, multi-use paths, the re-naturalization and stabilization of the Fort Creek banks, as well as opportunities for public art (see section 3.5 of the Canal District Neighbourhood Plan, attached to this report). However, the final design will largely be dependent on the level, and process of environmental remediation required on the site.

In the past, there were a number of significant industrial uses that occurred on or around the Gateway site. West of the Fort Creek, the site was used as the settling basins for Algoma Steel. North of the site (now, the Casino property) was the former Trader's Metal operation, as well as a chromium plant. The portion of the site east of the creek has been vacant since at least the 1930's.

Although all buildings and activities associated with these uses have been removed, the entire Gateway site is considered contaminated, and will need to be remediated prior to the development of a park or any other sensitive land use (e.g. residential).

ANALYSIS

In repurposing the easterly portion of the Gateway site, the first step would be to do an environmental assessment for the purpose of filing a Record of Site Condition with the Ministry of the Environment and Climate Change (MOECC). City Planning staff met with a local environmental engineering consultant to provide insight on the process of filing a Record of Site Condition.

Given the level of industrial activity in and around the site, it is expected that a comprehensive analysis, known as an Environmental site assessment, would be required. There are two levels of assessment; a Phase One and a Phase Two Environmental site assessment. A Phase One assessment will identify areas of potential environment concern on the site. This typically involves a review of historical land uses and aerial photography, as well as an assessment of any previous studies for the site. If a certain concern is identified, a Phase Two assessment will be required.

The Phase Two assessment will determine the location and concentration of contaminants, and will determine what standards the site should be cleaned to, if required, based on the intended use.

If the property does not meet the applicable site condition standards, the site will need to be remediated before a Record of Site Condition can be filed with the Ministry. If contaminants need to be removed, this will involve the development of a remediation plan, which would be done in conjunction with the overall design of the future park. Based on the overall park design, there may be two options for remediation: first, a site specific risk assessment where contaminants can be

managed on site (i.e. capping the contaminants via a hard surface like asphalt or concrete); or, the removal of soil for off-site disposal (i.e. excavating the soil for disposal at an approved landfill).

IMPACT

At this time, staff is recommending Council's approval to conduct both a Phase One and Phase Two environmental assessment. Staff is also recommending proceeding with the overall design of the signature park. It is estimated that the costs associated with design and environmental assessment will be approximately \$150,000. Funds for this project have not been identified and will be considered as part of the 2016 budget deliberations.

This analysis will inform staff and Council on the level of clean up required, establish estimated costs to conduct any required remediation and assist in determining an overall budget for the eventual development of the park. Developing a design for the park will also allow staff to begin consultation with other City staff, stakeholders and the public.

Should Council approve this funding, the City may be eligible for up to 50% matching funding through the Federation of Municipalities' Green Municipal Fund.

STRATEGIC PLAN

The Gateway site is identified as a priority Under Strategic Direction 3: Enhancing Quality of Life Objective 3B – Planning for the Future.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Planning Division, dated February 22, 2016, regarding the preliminary steps required to investigate the redevelopment of the easterly section of the Gateway site for the purposes of a signature park be accepted, and that Council refer the recommendation to conduct a Phase One and Phase Two environmental assessment, as well as an overall park design, at an estimated cost of \$150,000, to the 2016 budget deliberations.

Respectfully submitted,



Stephen Turco, MCIP, RPP
Planner

Recommended for approval,



Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval,

A handwritten signature in blue ink, appearing to read 'Jerry Dolcetti', with a stylized, cursive script.

Jerry Dolcetti, RPP
Commissioner Engineering & Planning

ST:ps

Attachment(s)

Priority Project 4

3.5 Signature Park Design and Construction

Description

The east side of the Gateway offers a tremendous opportunity for establishing a signature greenspace that will provide a new attraction and destination on the Sault Ste. Marie waterfront and act as an important piece that links several areas to the downtown. Furthermore, the site offers important interfaces with the primary road, the St. Mary's River, Fort Creek Conservation Area, and the John Rowsell HUB Trail.

Character

This new important park space should be developed as a flexible space, accommodating a range of uses, user groups and seasonal activities. The design should incorporate several landscape types, including but not limited to open meadow and/or lawn for recreation, areas of dense canopy cover, a series of trails and interconnected paths, hardscape or plaza areas able to accommodate seasonal markets, events, demonstrations, etc.

New Defining Design Characteristics

- Ensure points of access are at grade, have appropriate and clear signage, and emphasize the character and prominence of this park space as a signature park space within the downtown;
- Account for the sensitivity of the Fort Creek tributary, and include measures to guide and control access points to control erosion and other detrimental effects;
- Ensure interface with Bay Street and St. Mary's River Drive is properly buffered while still being inviting and fully accessible;
- Require that adjacent built form have primary and active frontages facing the Park, where appropriate;
- Provide sculptural elements and/or feature plantings at important view termini;
- Provide promontory points along Fort Creek for observing the creek as well as add distinct architectural elements and shade structures that can be multifunctional;
- Incorporate soft surfaced design with limited hard surface elements;
- Include seating and a full furniture program, including lighting, opportunities for outdoor cafes and restaurants, facilities that promote a passive, relaxing atmosphere, water features and public art;
- Resolve contamination issues as part of the design process.



Signature Park cont'd



Rugged natural terrain incorporated into the urban environment, New York City, NY



Montreal PQ



A mix of rough and manicured public space, Grant Park, Chicago IL



View promontory/sculptural park element - Houtan China



Improved access to the water with integrated seating, lighting, paths - New York City NY



Integration of public art - Seattle WA



A mix of hard and soft spaces for a range of uses - New York City NY



Flexible plaza spaces for festivals, markets, and events - Don Mills ON



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Victoria Prouse, Planning Coordinator
Downtown Development Initiative

DEPARTMENT: Engineering and Planning Department

RE: Downtown Community Improvement Plan – Financial
Incentive Applications

PURPOSE

Sault Ste. Marie's Downtown Community Improvement Plan (DCIP) incorporates a series of financial incentive grant programs. The purpose of this report is to recommend a number of grant applications for Council's approval.

BACKGROUND

In February 2014, City Council approved a Downtown Community Improvement Plan. The DCIP is a collaborative initiative which seeks to encourage new, private sector investment in the downtown.

The DCIP has two key elements. The first is a public realm improvement strategy, which looks at improving areas such as streets, sidewalks, as well as park space in the downtown. The second element is a series of financial incentive grant programs which are meant to encourage direct new investment into the downtown. This investment helps to restore or repurpose both functional and aesthetic components of the existing built form to improve the downtown's building quality and public realm, contributing to its viability as a competitive commercial neighbourhood.

The DCIP includes the following three grant programs:

Building Improvement Grant (BIG): The BIG is a matching grant that provides up to 50% to a maximum of \$15,000 towards functional renovation projects and structural repairs. This program is generally used for interior renovations to repurpose an existing commercial unit or to convert vacant upper floor spaces to residential. Major building systems upgrades (i.e., HVAC systems), modifications to allow barrier-free access, renovations for environmental efficiency, and roof repairs are also eligible for this program.

Façade Improvement Grant (FIG): The FIG matches funding up to 50% to a maximum of \$10,000 towards exterior improvements to building facades. The objective of this program is to facilitate the restoration of historic facades and improve the visual appearance and character of non-heritage buildings. Projects must align with existing urban design guidelines. Although innovative designs are encouraged, for buildings that exhibit heritage qualities or details (i.e., masonry facades, cornice lines, etc.), the purpose is to preserve and enhance those heritage features.

Professional Design Grant (PDG): The PDG operates in two ways. First, it is a \$2,500 grant provided to eligible applicants investigating redevelopment options for their buildings. Generally, the grant is used to develop initial concept renderings associated with interior or exterior renovations and cost estimation. Second, the PDG can be used as a matching grant up to \$2,500 when paired with the above-mentioned programs to cover design costs associated with renovations (e.g., building permit drawings, construction management, etc.).

The Downtown Community Improvement Plan includes additional details and eligibility criteria for each of these programs. This information is also available at <http://www.saultstemarie.ca/downtowndevelopment>.

ANALYSIS

In the November 9, 2015 report to Council, the Planning Division committed to a final intake period in the New Year to utilize the remaining program funding. January 29, 2016 marked the end of the final intake period for grant applications under this initiative. Due to limited funding available, grant applications were evaluated on a first-come-first-served basis. The Planning Division accepted ten (10) applications for consideration. The Grants Review Committee – comprised of staff from the City's Planning, Building, and Finance (including Tax) Divisions – reviewed the applications based on submission date to ensure compliance with eligibility criteria of the programs, and to determine if there are any outstanding work orders, by-law infractions, or tax arrears. Two of the applications did not meet criteria for funding. Eight properties are recommended for grant approvals. A description of each application is below:

Building Improvement Grant Applicants:

495 Queen Street East Applicant: Jennifer Ruscio Business: Laser Advantage	The applicant seeks to install a new furnace and air conditioner and replace insulation. Total Project Cost: \$16,405 Grant Requested: \$8,203
853 Queen Street East Applicant: Katrina Francis Business: RE/MAX	This property requires a complete roof replacement. Total Project Cost: \$29,900 Grant Requested: \$14,950

177 McDougald Street Applicant: Phil Bourgeois Organization: Algoma Crisis Pregnancy Centre	The organization is wishing to build a new porch with proper foundation, new windows, and more efficient insulation and heating. The new porch will keep the same lines and look of the original and allow for accessible entry into the main building. Total Project Cost: \$31,104 Grant Requested: \$15,000
130 Gore Street Applicant: Volkmar Fuerer	The applicant is replacing the existing roof. Total Project Cost: \$10,705 Grant Requested: \$5,353

Façade Improvement Grant Applicant:

123 East Street Applicant: Gordon Smedley	The applicant is upgrading the existing façade to better reflect the aesthetics of the property's original exterior. Total Project Cost: \$39,100 Grant Requested: \$10,000
---	---

Building Improvement Grant and Façade Improvement Grant Applicant:

612 Queen Street East Applicant: Richard Kim Business: Studio Dance Arts	The applicant recently purchased the building and is planning a façade upgrade as well as roof repairs and installing a new HVAC system. Total Project Cost: \$75,711 Grant Requested: \$25,000
--	---

Building Improvement Grant and Professional Design Grant Applicant:

167 Elgin Street Applicant: William Dovigi Business: Dovigi and Glibota Dentistry	The applicant is proceeding with a full renovation of the existing dental office. Proposed work includes renovating the reception area, labs, and operation rooms as well as electrical and plumbing work and technical design drawings. Total Project Cost: \$240,010 Grant Requested: \$15,900
---	--

Building Improvement, Façade Improvement, and Professional Design Grant Applicant:

674 Queen Street East Applicant: Joshua Jansen Business: The Wine Barrel	The applicant seeks to transform a defunct walk-in fridge into a fermentation room to expand the business and install barrier-free access at the rear of the building. The design grant will be utilized to create building permit drawings. The applicant is also planning a façade revitalization that will restore the building's historic character. Total Project Cost: \$49,004 Grant Requested: \$25,717
--	---

IMPACT

The total budget to implement the DCIP is \$2,650,000. FedNor, NOHFC, the City and a small contribution from the Queenstown BIA comprise the funding sources for this program. The funding allocation for the financial incentive grant programs is \$600,000. The total value of grant applications outlined in this report is \$120,123. To date, funding for the grant programs has totalled approximately \$452,671. Following the previous intake period, \$102,329 remained. In January 2016, four grants were forfeited, allowing an additional \$45,000 to be reallocated to prospective applicants during this intake period.

STRATEGIC PLAN

Strategic Direction 1: Developing Solid Infrastructure, Objective 1-C, Property Management and Development in the City of Sault Ste. Marie's Corporate Strategic Plan identifies the implementation of the Downtown Development Initiative (DCIP).

SUMMARY

The Downtown Financial Incentive Program has been immensely successful, with forty two (42) properties receiving grants for construction projects totalling over \$1.48 million. The 8 applicants above are proposing projects totalling an additional \$514,803. This intake period marks the end of the program and the \$27,206 remaining in the budget will be reserved for contingency purposes.

Grants are eligible for one year from the date that City Council approves the grants. If at this point the funding is unused, the grant money is forfeited. Any money from forfeited grants will be redirected to downtown public realm projects.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Planning Division dated 2016 02 22, concerning the Downtown Community Improvement Plan Financial Incentive applications be accepted, and the grant applications listed in this report be approved.

Respectfully submitted,



Victoria Prouse, MPI, MSc
Planning Coordinator
Downtown Development Initiative

Recommended for approval



Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval



Jerry Dolcetti, RPP
Commissioner Engineering & Planning

VP:ps



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Susan Hamilton Beach, Deputy Commissioner

DEPARTMENT: Public Works and Transportation Department

RE: Household Special Waste ('HSW') Facility– Relocation to the Landfill Site

PURPOSE

The purpose of this report is to seek Council approval for the relocation of the HSW facility and to refer the funding of the relocation to the 2016 budget deliberations.

BACKGROUND

A report dated November 10, 2014 presented to Council the potential of relocating the Household Special Waste Facility ('HSW') to the former Elementa building located at the landfill site. This move would resolve the two (2) criticisms that have been heard over the years regarding the existing location:

- That the facility should be open year-round; and
- That generally visitors need to divide their waste into that going to the Landfill Site and that waste going to the Household Special Waste Facility.

Since September, 2001 the HSW has operated seasonally at 115 Industrial Park Crescent.

ANALYSIS

Staff recommends this move, primarily to resolve the complaints above, however, there are other operational efficiencies that will also result. Those efficiencies include the following:

- More efficient staffing – the HSW facility is managed and staffed from the Landfill Division. All of the landfill staff will be trained to operate the facility allowing for more flexibility and better coverage based on daily needs;
- A combined "one-stop" shop waste management facility may bring about a greater capture rate as customers of the landfill may currently be tempted to place household hazardous waste into the bins at the landfill instead of delivering it to the separate location;

- Access to the HSW facility will remain free of charge ie. Customers will not have to cross over the scales if they do not have waste to dispose of in the landfill. The free services at the landfill may be expanded to include many of the curbside recycling products. Bins will be included in this area to capture paper (including cardboard) and container products (plastics and metal).
- The existing building located on the PWT property is planned to be re-purposed and will bring about overall efficiencies in the Carpentry Division within the Works Operation.

In Fall, 2015 an application was presented to the Ministry of the Environment and Climate Change ('MOECC') and an amendment to the Environmental Compliance Approval for the landfill site has been obtained. Through this application process, residents abutting the landfill site were circulated for comment or concerns. The move has also been discussed at a number of Environmental Monitoring Committee meetings which is a public liaison group for landfill and includes representatives from the MOECC, Conservation Authority and the general public.

IMPACT

Based on the design requirements as per the MOECC approval, it is estimated approximately \$180,000 is required for capital improvements to the building. It is anticipated that PWT, Carpentry staff will be able to accomplish much of work necessary to accomplish the project. The efficiencies and increased service level will be long-term improvements to the overall waste management program.

STRATEGIC PLAN

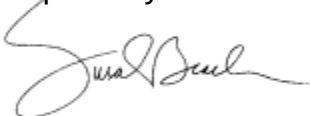
The focus of this report is not an item specifically found within the Corporate Strategic Plan, however, it is linked to Strategic Direction 1: Developing Solid Infrastructure, Objective 1A – Environmental Leadership.

RECOMMENDATION

It is therefore recommended that Council take the following action:

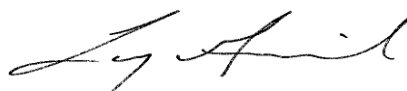
That the report of the Deputy Commissioner be received as information; and furthermore that Council approve the relocation of the Household Special Waste Facility to the former Elementa building and furthermore that the capital costs of \$180,000 be referred and considered in the 2016 budget deliberations.

Respectfully submitted,



Susan Hamilton Beach, P. Eng.
Deputy Commissioner, PWT

Recommended for approval



Larry Girardi
Commissioner



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Susan Hamilton Beach, P. Eng.

DEPARTMENT: Public Works and Transportation Department

RE: Landfill Operations – Effects of Free Week

PURPOSE

The purpose of this report is to inform Council of the impacts of Free Week at the landfill site and to seek approval to end this practise. This report also seeks approval of a \$5000 advertising budget to support events such as “Freecycle”.

BACKGROUND

For over a decade the City has offered “free weeks” at the landfill as a substitute of the previous practice of Spring Clean-up. Historically, spring clean-up involved the pick-up of unwanted household material at the curb by City and contracted forces and over the years had grown to cost the municipality in excess of \$180,000 per event. Free weeks have involved any citizen of Sault Ste. Marie transporting their own waste to the landfill during the two specified weeks of the year (one week in the Spring and one week in the Fall) and the gate fee has been waived.

Since February 2012, the gate fee has been set to \$10 per visit with an allowable waste limit of 300kg.

The trend for the annual tonnage of waste being landfilled is generally decreasing. Each year the weekly volumes are included in the annual report with both Free Weeks (Spring and Fall) seeing a significant spike in vehicular traffic and volume disposed.

ANALYSIS

In recent years, the practise of “free week” has caused a number of operational issues. Most “free weeks” result in long line ups for the better part of each work day.



These line-ups have caused traffic issues at the intersection with Fifth Line East as traffic was blocked in both directions. Drivers have also changed their mind based on wait time and have completed a u-turn along the access road.



Staff has requested the assistance of Police Services to keep traffic flowing properly and avoid confrontation and potential hazards for the area. As line-ups have been extraordinary, the exception has to be made for commercial vehicles. As commercial vehicles jockey to the front of the line, this creates frustrated residential customers. In too many cases, this frustration has been taken out on the scale house staff and/or has resulted in confrontation amongst customers.

There is also another source of confusion as any customer that exceeds the 300kg of allowable “free waste” limit must pay the rate of \$70/tonne on the balance of the weight. Source separation, which is also a mandated requirement for several materials (ie cardboard, metals, hazardous material, etc.), becomes much more of a challenge to enforce with the large number of customers at the bins at any one time.

IMPACT

It is staff’s opinion, from the standpoint of efficient labour and financial management, that the practise of “free week” is no longer relevant. In order for operations to remain safe and effective, more staff are required and typically overtime hours are involved to meet the regulatory requirements of our

Environmental Compliance Approval (ie. ensuring waste is covered as soon as possible, odour control procedures are carried out, etc.).

While the extra labour is required to meet the demands of the week – revenue for the time period is minimal. Over the last five (5) years, an average of \$61,000 in revenue is lost **annually** due to “free weeks”.

As Council is aware, there has been an organized citizen effort to run a “Freecycle” event throughout the community over the last several years. Organizers, who have sought support from Council and Staff, would recommend a more enhanced public education program for events such as this. It is recommended that a \$5,000 advertising budget be referred to the 2016 budget process for Council’s consideration to enhance public education of such events.

STRATEGIC PLAN

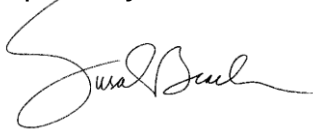
The focus of this report is not an item specifically found within the Corporate Strategic Plan, however, it is linked to Strategic Direction 1: Developing Solid Infrastructure, Objective 1A – Environmental Leadership.

RECOMMENDATION

It is therefore recommended that Council take the following action:

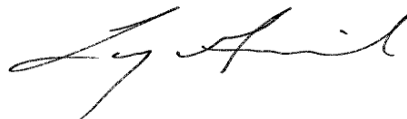
Resolved that the report of the Deputy Commissioner be received and that Council approve discontinuing the practise of free week; and furthermore that Council refer the \$5,000 advertising budget request for organizations that encourage the 3R’s (reduce, reuse and recycle) in the 2016 budget deliberations.

Respectfully submitted,



Susan Hamilton Beach, P. Eng.
Deputy Commissioner, PWT

Recommended for approval



Larry Girardi
Commissioner, PWT



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Susan Hamilton Beach, P. Eng.

DEPARTMENT: Public Works and Transportation Department

RE: PWT – Operations – Sidewalk Winter Maintenance Policy

PURPOSE

This report has been prepared in response to the Council resolution dated January 26, 2015, which reads as follows:

“Whereas the City of Sault Ste. Marie has 232 kms of sidewalks being serviced by snow removal and;

Whereas the City’s budget for sidewalk snow removal is approximately \$610,000 and;

Whereas, in 2013 the City spent approximately \$850,000 on sidewalk snow removal and;

Whereas, local boards of education have combined many elementary and secondary schools in an effort to achieve operational efficiencies which has resulted in many students being bussed to larger area schools and;

Whereas, over the last few months Council has asked city departments to look for operational efficiencies in an attempt to reduce costs.

Now therefore Be It Resolved that Council ask Public Works and Transportation staff to prepare a report for council, outlining possible efficiencies within their sidewalk snow removal operations;

Further that the Public Works and Transportation Department review their current policies and those of other municipalities and recommend a set of criteria that can be used in the future to determine which city sidewalks warrant snow removal.”

BACKGROUND

As every Councillor is well aware, winter in Sault Ste. Marie can be a challenge. The variations in our winters are even more of an obstacle. Historically, the City of Sault Ste. Marie has provided winter maintenance on a portion of its sidewalk network. Appendix A of this report is a copy of the Sidewalk Snowplowing Policy dated 2012 01 23.

From the 2012 policy it is stated that the program should be maintained in a manner to give the pedestrian user a continuous network of plowed sidewalks that originate and terminate in neighbourhoods, school or commercial areas. In recent years, the City is motivated to provide an “active transportation network” across the community.

As the Council resolution notes, several factors have recently changed including:

- School closures – Etienne Brule, William Merrifield, St. John’s School, St. Marys College and St. Basil’s Secondary;
- Super schools have been opened – Holy Cross, F. H. Clergue; and
- Schools have been amalgamated – Our Lady of Lourdes and St. John’s School at the Our Lady of Lourdes site.

All of the above has occurred prior to 2015. Four additional schools are slotted for closure in 2017 (St. Bernadette’s, St. Pius, St. Ann’s and St. Theresa’s). The opening of an additional ‘super’ school at the existing St. Basil’s site is planned for the same year.

Our observations and meetings with School Boards and the Transportation Consortium also indicate that most students are not walking to school, but, rather they are being bussed or driven by an adult. This has created traffic concerns in several neighbourhoods where previously none existed.

Historically, the criteria considered if a request to add or delete a sidewalk was received, was the following:

- Street classification;
- School route;
- Student age;
- City bus route;
- Proximity to shopping centres, seniors centres, hospital, etc.;
- Pedestrian age;
- Vehicular volume; and
- School crossing guards, sidewalks on hills, sidewalks plowed on opposite side of streets, connection to existing plowing network.

Another aspect of the City’s policy is the right to petition to add or delete a sidewalk to the maintenance program. The reality is this option has resulted in

sidewalks being plowed that do not meet the City's intent of providing a continuous network of maintained sidewalks. In many cases, this process is requiring an operator to plow a residential street in advance of a higher priority sidewalk and thus delaying the higher pedestrian areas from being done. Typically, each year 2 – 5 petitions are received by the October 31st deadline.

ANALYSIS

In order to evaluate our current system and recommend efficiencies, much research was conducted. As is summed up in the report - *Sidewalk Design, Construction and Maintenance - A Best Practice By the National Guide to Sustainable Municipal Infrastructure*, "Winter maintenance of sidewalks varies significantly among municipalities across Canada. Some municipalities plow, salt, and sand the sidewalks, while others view it as the property owners' responsibility. If this method is chosen for the abutting owner to clear the municipal sidewalk of snow and ice and keep it clear, the municipality must realize that they cannot transfer their liability for damages from a slip and fall to an abutting property owner."

Staff has reviewed the guidelines used by other communities and present three (3) options to Council.

Option 1 - A number of municipalities have the abutting property owner responsible for the maintenance and care of the sidewalk abutting their property. There is an administration system in place in most of these municipalities that allow for the enforcement of this by-law. If the sidewalk is not plowed within a certain time period after an event, penalties/fines are applied. Although this would reduce the size of the City's program considerably, Staff does not recommend we proceed in this direction for four (4) key reasons:

- Typically, Sault Ste. Marie receives considerable snowfall each year;
- The rules would require strict enforcement and administrative personnel to effect the rules;
- Demographics (ie. many seniors); and
- The City's liability would remain.

Option 2 - Ontario municipalities have adopted criteria or guidelines which they apply to their sidewalk network to determine whether or not a sidewalk shall be maintained.

This is the backbone of our current program, however, over the years the program has grown – at times, not in compliance with the spirit of the criteria listed on page 2 of this report. In 2016, Staff recommends the criteria be simplified to consider the following:

1. Street classification and traffic volumes;
2. School route, areas surrounding senior homes or sensitive land uses; and
3. Transit routes.

Residential streets with low traffic volumes shall not be maintained unless it is a school route or transit route. Also, considering guidelines from other communities – “if a sidewalk exists on both sides of a residential street, only one shall be plowed. The selection of which side of the sidewalk receives winter maintenance will be determined on an individual basis to ensure a smooth sidewalk transportation network” or it can be rotated each year.

Staff recommends the other key factors be considered which will have some effect on our program:

- Pedestrian age should not be considered. We do not have the right to ask a petitioner their age, neighbourhoods are generally a mixture of many age groups and are dynamic – the predominant age of owners in a neighbourhood may fall within one age bracket at one point in time and change considerably in years to come.
- Any walkway, sidewalk, staircase, or pathway that terminates mid-block or does not provide a continuous connection to another component of the sidewalk network shall not be maintained. Once again, an active transportation network is the ideal goal.
- Any curb-faced sidewalk along a narrow roadway that could better be utilized for roadway snow storage shall not be maintained as long as it does not impede the natural flow of pedestrian traffic. The design of a roadway is critical to allow for efficient winter maintenance. A curb-faced sidewalk leaves no snow storage space if the sidewalk is plowed during winter months. Applying this factor would affect the maintenance of several streets in the City. Savings would not only be observed from not plowing and sanding the sidewalk, but, in snow removal – as well.
- Any sidewalk, walkway or pathway adjacent to a vertical drop or along a steep grade where the public and operator’s safety is compromised shall not be maintained. Operators experience difficulties where a shallow ditch abuts the sidewalk. This criterion would not affect much of the existing network, but, there is potential for future requests (ie. Second Line East opposite of the entrance into Strathclair Park) as new roads have been constructed with deep ditches.
- Sidewalks in residential areas within a subdivision that circle back to the place of origin shall not be maintained as the sidewalk does not contribute to the overall goal of establishing an active transportation network.

Many communities establish a business or downtown district which has a ‘higher’ level of service than those beyond its limits. Staff recommends the level of service continue as it has in the past for the Downtown Association limits.

Staff also recommends the option for a petition be removed. This process in many cases has led to a compromise of the criteria for consideration of

democratic rights. Currently, the taxpayer on a Class 'A' road (sidewalk, curb and gutter) pays the same level of taxes and yet receives varying level of service (may have a year round maintained sidewalk, may not have a sidewalk on their side of the road, may not have any sidewalk maintained). If the criteria is established and applied city-wide, the City can defend against claims, etc. With the petition being an option – if neighbours prefer to not have the sidewalk plowed – public safety may be compromised in order to avoid lawn damage, etc.

It is recommended that sidewalk winter maintenance requests be directed to PWT for review and assessment based on the revised criteria. It is recommended that the October 31st deadline which has been applied for years remain the deadline for changes to the winter program.

Option 3 – The current program remains, as is. Currently, the budget allotment is \$610,000 with overspending occurring in recent (more severe) winters. As is previously stated, it is becoming increasingly difficult to accomplish established routes within an 8 hour shift, resulting in overtime and thus in 2013 spending \$850,000 in sidewalk snow removal.

Ultimately, as the City grows – if changes are not considered to past practise – the program is required to grow. Since the early 1990's, it is estimated that approximately 30 kilometres of roads have been constructed. Although not all are constructed with a sidewalk - this is beyond the size of a single plow route with no additional budget to provide the service for these areas.

Sidewalks are not automatically added, however, to defend against claims there are sidewalks that may meet the criteria and should be considered. In order to service additional sidewalks, additional funds will need to be identified.

IMPACT

The corporate impact will be assessed, at a high level, option by option.

Option 1 – It is estimated in the range of 30-40% of the program could be reduced, if the residential sector were responsible for the maintenance of the sidewalk abutting their property. This would result in an annual savings of approximately \$250,000 – 350,000 depending on the type of winter.

However, the administration of the program would require the addition of a position to inspect, police and enforce this by-law for the winter months only (approximately \$40,000). The maintenance of the existing fleet, with regular upgrades would continue.

As the City cannot redirect their liability, claim management would be critical and may result in more serious litigation against the corporation.

Option 2 – It is estimated approximately 12 – 15 kilometres of sidewalks may be removed with the application of the criteria recommended by Staff and applied in a number of similar municipalities. The winter maintenance of these sidewalks would be cease, starting in 2017 based on school closures and the application of the criteria. This equates to approximately half of the size of an existing route. This would allow for the addition of those sidewalks meeting the criteria now and in the near future. We would be maintaining the number of trackless machines in our fleet as per its regular replacement schedule instead of requiring new and more machines to accomplish the program.

Most importantly, the routes could be adjusted so that there would be a greater opportunity to complete the route within normal hours, thus, saving on overtime costs. It is suggested that this option could potentially save \$40,000 annually and eliminate the requirement of additional capital expenditures, expanding our fleet at a value of \$180,000 for a trackless and additional labour of \$60,000.

Option 3 – In order to responsibly fund the existing program, an additional \$120,000 should be allotted to this area. Recent winters have seen this area overbudget in an effort to maintain minimum maintenance standards. Also, consideration will have to be given to expanding the fleet by one trackless machine and one operator in order to add a route to allow for the completion of the program within normal operating hours. This value is \$240,000.

STRATEGIC PLAN

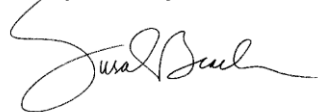
The topic of this report is tied to the Corporate Strategic Plan, Direction 2: Delivering Excellent Services. The activity “review of corporate programs and services on a department basis to ensure effective and efficient delivery” has included PWT reviewing its sidewalk maintenance program in comparison to other communities and determining efficiencies.

RECOMMENDATION

It is therefore recommended that Council take the following action:

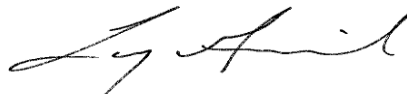
Resolved that the report of the Deputy Commissioner dated February 22, 2016 be received and that Option 2 be endorsed by Council; and further that Council direct staff to prepare a new policy based on the framework outlined in Option 2.

Respectfully submitted,



Susan Hamilton Beach, P. Eng.
Deputy Commissioner, PWT

Recommended for approval



Larry Girardi
Commissioner, PWT



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Mike Nadeau, Commissioner Social Services

DEPARTMENT: Social Services Department

RE: Healthy Kids Community Challenge – Contract Amendment

PURPOSE

The purpose of this report is to request Council's authorization to amend the original 2015-2018 Purchase of Service Agreement with Algoma Public Health to employ the Project Manager and administer the day to day activities of the Healthy Kids Community Challenge Initiative.

BACKGROUND

As you are aware Ontario's Healthy Kids Community Challenge is a community-led program where partners from different sectors work together to implement activities to promote healthy weights for kids in Sault Ste. Marie. Algoma Public Health has expertise related to these themes and is an active partner in this Initiative.

Council was originally provided with a report regarding the Initiative on January 12, 2015. On August 10, 2015 Council approved entering into an Agreement with the Ministry of Health to secure funding for the Initiative. On October 13, 2015 Council entered into a 3 year Purchase of Service Agreement with Algoma Public Health to employ the Project Manager and to administer the day to day activities of the Healthy Kids Community Challenge Initiative.

The original Purchase of Service Agreement with Algoma Public Health requires amendments related to the inclusion of the approved municipal contribution (up to \$50,000.00 per year towards Salary and Benefits of the Project Manager) which is cost shared with the Province, as well as clarification of reporting requirements required by the City.

ANALYSIS

N/A

IMPACT

The Challenge is a three (3) year initiative.

The total annual funding contributions will be:

2015-2016 \$50,000 municipal \$175,000 provincial

2016-2017 \$50,000 municipal \$175,000 provincial

2017-2018 \$50,000 municipal \$175,000 provincial

Total \$150,000 municipal \$525,000 provincial

This amendment provides further clarification for all parties with respect to funding and reporting expectations.

STRATEGIC PLAN

The Challenge is not part of the current Strategic plan.

RECOMMENDATION

It is therefore recommended that Council take the following action:

By-law 2016-29 can be found elsewhere on the agenda and is recommended for approval.

Respectfully submitted,

Mike Nadeau
Commissioner of Social Services



COUNCIL REPORT

February 22, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Malcolm White, City Clerk

DEPARTMENT: City Clerk's Department

RE: Council Board and Committee Appointments

PURPOSE

The purpose of this report is to provide information to Council concerning appointments to various boards and committees to fill vacancies created by the resignation of Terry Sheehan.

BACKGROUND

The resignation from Council last fall of Terry Sheehan created vacancies on several boards and committees of Council. These include the Cultural Advisory Board, Dangerous Dog Committee, Environmental Initiatives Committee, Municipal Freedom of Information and Protection of Privacy Act (Head) and the Algoma District Municipal Association.

In addition, I have been advised that Councillor Myers wishes to vacate her position on the Economic Development Corporation Board of Directors. These vacancies are all for terms ending December 31, 2016.

Now that the by-election is complete and Councillor Hollingsworth has been sworn in, Council should proceed to fill these vacancies.

ANALYSIS

These appointments will be conducted according to the Appointments to Boards and Committees policy. The board and committee vacancies listed above are currently filled by a member of Council. Data sheets for each board and committee are attached to this report.

IMPACT

There is no significant impact associated with making these appointments.

STRATEGIC PLAN

This item is not linked to a current activity in the strategic plan.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the City Clerk dated 2016 02 22, concerning Council Board and Committee Appointments be received as information.

Respectfully submitted,



Malcolm White
City Clerk

**APPOINTMENTS
TO
CULTURAL ADVISORY BOARD**

APPOINTEE	REPRESENTS	APPOINTED DATE	YEAR(S)	TERM FROM	TO
Terry Sheehan	City Council	Jan 12, 2015	2	Jan 1, 2015	resigned
Elspeth Belair	Citizen	Jan 12, 2015	2	Jan 1, 2015	Dec 31, 2016
Nora Ann Harrison	Citizen	Jan 12, 2015	2	Jan 1, 2015	Dec 31, 2016
Desiree Ostrowski	Citizen	Jan 12, 2015	2	Jan 1, 2015	Dec 31, 2016
Christopher Rous - Chair	Citizen	Jan 12, 2015	2	Jan 1, 2015	Dec 31, 2016

Board/Committee Data			
Staff Contact: Joe Cain 705-759-5312			
Usual Meeting Day:	At the call of the chair (usually on a Tues.)	Usual Meeting Time:	4:30 p.m.
Usual Meeting Location:	Civic Centre	Average Number of Meetings/year	8
Remuneration (if applicable):			
Additional Comments: By-law 2003-112. 2007 Boards/Committees Review – reduced from two members of Council to one. 2008 and thereafter composition: 1 Councillor; 4 Citizens; 2 year term No applications were received for a Youth Delegate for the 2010-2012 term.			

**APPOINTMENTS
TO
DANGEROUS DOG COMMITTEE**

[illegible]

Board/Committee Data			
Staff Contact: Nuala Kenny 705-759-5407			
Usual Meeting Day:	As required	Usual Meeting Time:	Afternoon
Usual Meeting Location:	Civic Centre	Average Number of Meetings/year	1
Remuneration (if applicable):			
Additional Comments: By-law 98-211			

**APPOINTMENTS
TO
ECONOMIC DEVELOPMENT CORPORATION**

APPOINTEE	REPRESENTS	APPOINTED DATE	YEAR(S)	TERM FROM	TO
Christian Provenzano – Ex Officio	City Council	Jan 12, 2015	2	Jan 1, 2015	Dec 31, 2016
Susan Myers	City Council	Jan 12, 2015	2	Jan 1, 2015	Resigned

Board/Committee Data

Board/Committee Data			
Staff Contact: Tom Dodds, CEO 705-759-5436			
Usual Meeting Day:	First Monday of each month	Usual Meeting Time:	11:30 a.m. to 1:30 p.m.
Usual Meeting Location:	Civic Centre	Average Number of Meetings/year	12
Remuneration (if applicable):			
Additional Comments: Board of Directors is comprised of 13 members, which includes one City Councillor and the Mayor (ex officio), along with individuals who represent the Sault's public, private and non-profit sectors.			

Page 89 of 113

**APPOINTMENTS
TO**

**MUNICIPAL ENVIRONMENTAL INITIATIVES COMMITTEE
(Green Committee)**

APPOINTEE	REPRESENTS	APPOINTED DATE	YEAR(S)	TERM FROM	TO
Steve Butland	City Council	Jan 12, 2015	2	Jan 1, 2015	Dec 31, 2016
Susan Myers	City Council	Jan 12, 2015	2	Jan 1, 2015	Dec 31, 2016
Terry Sheehan	City Council	Jan 12, 2015	2	Jan 1, 2015	resigned

Board/Committee Data			
Staff Contact/Co-Chair: Madison Zuppa, Environmental Initiatives Co-ordinator 705-541-7175			
Usual Meeting Day:	monthly	Usual Meeting Time:	Lunch
Usual Meeting Location:	Civic Centre	Average Number of Meetings/year	10
Remuneration (if applicable):			
Additional Comments: 			

**APPOINTMENTS
TO
MUNICIPAL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT (HEAD)**

APPOINTEE	REPRESENTS	APPOINTED DATE	YEAR(S)	TERM FROM	TO
Marchy Bruni	City Council	Jan 12, 2015	2	Jan 1, 2015	Dec 31, 2016
Frank Fata	City Council	Jan 12, 2015	2	Jan 1, 2015	Dec 31, 2016
Judy Hupponen	City Council	Jan 12, 2015	2	Jan 1, 2015	Dec 31, 2016
Rick Niro	City Council	Jan 12, 2015	2	Jan 1, 2015	Dec 31, 2016
Terry Sheehan	City Council	Jan 12, 2015	2	Jan 1, 2015	resigned
Lou Turco	City Council	Jan 12, 2015	2	Jan 1, 2015	Dec 31, 2016

Board/Committee Data			
Staff Contact: Nuala Kenny, City Solicitor 705-759-5407			
Usual Meeting Day:	As required	Usual Meeting Time:	Afternoon
Usual Meeting Location:	Civic Centre	Average Number of Meetings/year	
Remuneration (if applicable):			
Additional Comments: By-law 79-336 Minimum of 5 members Appointment by-law required Closed meetings pursuant to Act			

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2016-23

FINANCE: (F1.1) A by-law to amend By-law 2016-3 (User Fees and Service Charges by-law).

WHEREAS Section 391(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, states that despite any Act, a municipality and local board may pass by-laws imposing fees or charges on any class of persons, for services or activities provided or done by on behalf of it, and, for the use of its property including property under its control;

AND WHEREAS it is deemed necessary to charge user fees and service charges;

NOW THEREFORE the Council of the Corporation of the City of Sault Ste. Marie hereby pursuant to Section 391(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended **ENACTS** as follows:

1. **SCHEDULE “C” TO BY-LAW 2016-3 AMENDED**

Schedule “C” to By-law 2016-3 is hereby amended by adding the following:

	2015	2016	
“SEWER CONNECTIONS	Current Fee	Proposed Fee	HST
-CCTV Mainline Sewer Inspection	\$180.00/hour	\$185.00/hour	Inc.”

2. **SCHEDULE “G” TO BY-LAW 2016-3 AMENDED**

Schedule “G” to By-law 2016-3 is hereby amended by:

(a) deleting the following:

	2015	2016	
“SEWER CONNECTIONS	Current Fee	Proposed Fee	HST
-CCTV Mainline Sewer Inspection	\$170.00/hour	\$175.00/hour	Inc.”

(b) deleting the following:

	2015	2016	
“SEWER RODDING	Current Fee	Proposed Fee	HST
-CCTV Lateral Inspection	\$180.00/hour	\$185.00/hour	Inc.”

(c) adding the following:

	2015	2016	
“SEWER RODDING	Current Fee	Proposed Fee	HST
-CCTV Lateral Inspection	\$170.00	\$175.00	Added”

3. **EFFECTIVE DATE**

This By-law takes effect on the 1st day of February, 2016.

PASSED in open Council this 22nd day February, 2016.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2016-24

COUNCIL PROCEDURE: (A1.6) A by-law to amend By-law 2014-250 being a by-law to adopt the rotation list for Acting Mayor for the current Council session.

WHEREAS on June 24, 2013, City Council passed By-law 2013-100, the "Procedure By-law" for the Council of the City of Sault Ste. Marie;

AND WHEREAS Section 2.5 of By-law 2013-100 requires that a rotation list for Acting Mayor be created at the first regular meeting of Council in its term;

AND WHEREAS By-law 2014-250 passed on December 15, 2015 being the by-law to adopt the rotation list for the current City Council has to be amended;

NOW THEREFORE The Council of The Corporation of the City of Sault Ste. Marie, pursuant to Section 238 of the *Municipal Act, 2001*, S.O. 2001, c. 25, and amendments thereto **ENACTS** as follows:

1. **BY-LAW 2014-250 AMENDED**

By-law 2014-250 is amended by replacing the Rotation List for Acting Mayor with the following:

ROTATION LIST FOR ACTING MAYOR

During the month indicated in column 1, the Councillor indicated in column 2 shall be the Councillor who shall act as Acting Mayor in accordance with Section 2.5 of By-law 2013-100.

MONTH	COUNCILLOR NAME
JANUARY	JOE KRMPOTICH
FEBRUARY	PAUL CHRISTIAN
MARCH	RICK NIRO
APRIL	STEVE BUTLAND
MAY	ROSS ROMANO
JUNE	MARCHY BRUNI
JULY	MATTHEW SHOEMAKER
AUGUST	JUDY HUPPONEN
SEPTEMBER	SUSAN MYERS
OCTOBER	FRANK FATA
NOVEMBER	SANDRA HOLLINGSWORTH
DECEMBER	LOU TURCO

2. **EFFECTIVE DATE**

This by-law shall be effective from the date of its final passing.

PASSED in open Council this 22nd day of February, 2016.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

da LEGAL\STAFF\BYLAWS\1. 2016\2016-24 AMEND BY-LAW 2014-250 ROTATION LIST FOR ACTING
MAYOR..DOC

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2016-25

STREET ASSUMPTION: (PR4) A by-law to assume for public use and establish as public streets various parcels of land conveyed to the City.

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

1. **STREETS ESTABLISHED AND ASSUMED**

The streets or parts of streets more particularly described in Schedule "A" to this by-law are hereby established as public streets and are assumed for public use.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

PASSED in open Council this 22nd day of February, 2016.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

SCHEDULE "A" TO BY-LAW 2016-25

1) TOWN LINE ROAD

PIN 31616-0222 (LT)
PT SEC 1 PARKE, DESIGNATED AS PT 2 PL 1R12992; SAULT STE. MARIE

2) PINE STREET

- (a) PIN 31514-0081 (LT)
PT SEC 32 TARENTORUS AS IN T250294; SAULT STE. MARIE
- (b) PIN 31514-0130 (LT)
PART OF SECTION 32 TARENTORUS DESIGNATED AS PART 4 ON 1R13126; S/T AN EASEMENT OVER PART 4 ON 1R13126 IN FAVOUR OF PART OF SECTION 32 TARENTORUS, PARTS 1, 2 AND 3 ON PLAN 1R13126 AS IN AL150999; SAULT STE. MARIE

3) GOULAIS AVENUE

PART PIN 31593-0549 (LT)
PT LT 15 RCP H730 KORAH AKA GOULAIS AV

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2016-28

ZONING: A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 57 Market Street (Chilelli).

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c. P.13 and amendments thereto, **ENACTS** as follows:

1. **57 MARKET STREET; LOCATED ON THE SOUTH SIDE OF MARKET STREET, APPROXIMATELY 38M WEST OF ITS INTERSECTION WITH CENTRE STREET; CHANGE FROM R2 TO R2.S WITH A “SPECIAL EXCEPTION”**

The zone designation on the lands described in section 2 of this by-law, which lands are shown on Map 1-35 of Schedule “A” to By-law 2005-150, is changed from R2 (Single Detached Residential) zone to R2.S (Single Detached Residential) zone with a “Special Exception”.

2. **BY-LAW 2005-151 AMENDED**

Section 2 of By-law 2005-151 is amended by adding the following subsection 2(358) and heading as follows:

“2(358) 57 Market Street

Despite the provisions of By-law 2005-150, the zone designation on the lands located on the south side of Market Street, approximately 38m west of its intersection with Centre Street and having civic no. 57 Market Street and outlined and marked “Subject Property” on the map attached as Schedule 358 hereto is changed from R2 (Single Detached Residential) zone to R2.S (Single Detached Residential) zone with a “Special Exception” to permit, in addition to those uses permitted in an R2 zone, a duplex dwelling, subject to the following special provisions:

- a) That one required parking space be permitted to project into the required front yard of the subject property; and
- b) That stacked parking be permitted.”

3. **SCHEDULE “A”**

Schedule “A” hereto forms a part of this by-law.

4. **CERTIFICATE OF CONFORMITY**

It is hereby certified that this by-law is in conformity with the Official Plan for the City of Sault Ste. Marie authorized and in force on the day of the passing of this by-law.

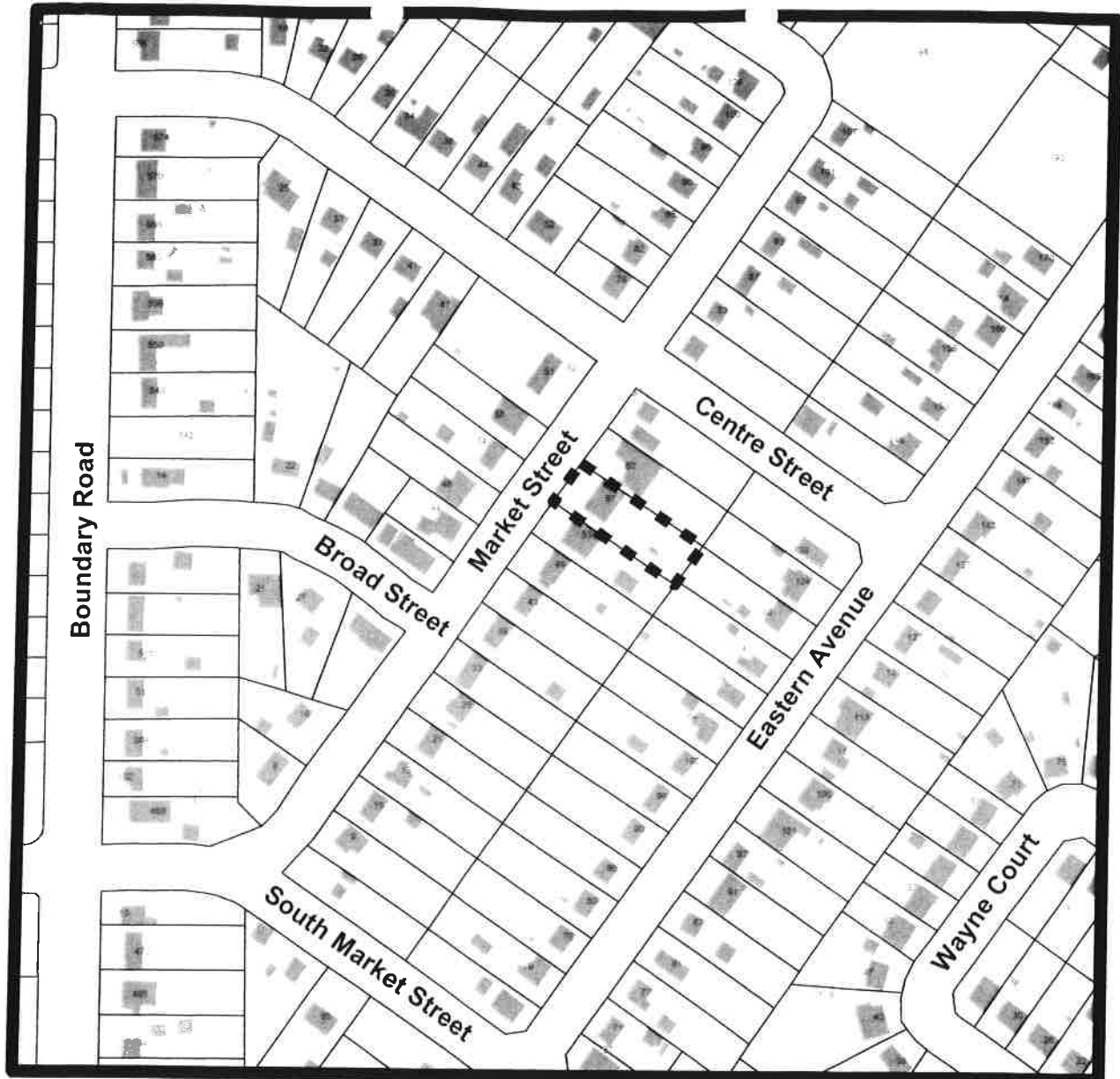
PASSED in Open Council this 22nd day of February, 2016.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

da legal\Staff\LEGAL\ZONING\2016\2016-28(Z) 57 Market\By-law 2016-28.doc

SCHEDULE "A" TO BY-LAW 2016-28 AND
SCHEDULE 358 TO BY-LAW 2005-151



SUBJECT PROPERTY MAP

57 MARKET STREET

Planning Application: A-2-16-Z

Legend

 Subject Property = 57 Market Street



METRIC SCALE
1 : 2300

ROLL NUMBER
010-046-059-00

MAP NUMBERS
32 & 1-35

MAIL LABEL ID
A-2-16-Z

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2016-29

AGREEMENT: (C2.13(6)) A by-law to authorize the execution of an Amending Services Agreement between the City and The Board of Health for the District of Algoma Health Unit operating as Algoma Public Health regarding the Ontario Healthy Kids Community Challenge Project.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENT**

The Mayor and City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an Amending Services Agreement dated February 22, 2016 between the City and The Board of Health for the District Of Algoma Health Unit operating as Algoma Public Health, a copy of which is attached as Schedule "A" hereto.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

PASSED in open Council this 22nd day of February, 2016.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

da LEGAL\STAFF\BYLAWS\1. 2016\2016-29 EXECUTION AGREEMENT HEALTHY KIDS COMMUNITY CHALLENGE.DOC

AMENDING SERVICES AGREEMENT

This Amending Agreement made this 22nd day of February, 2016,

BETWEEN:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

(hereinafter referred to as the "City")

– and –

**THE BOARD OF HEALTH FOR THE DISTRICT OF ALGOMA HEALTH UNIT OPERATING
AS ALGOMA PUBLIC HEALTH**

(hereinafter referred to as the "Service Provider")

WHEREAS the City applied to Her Majesty the Queen in Right of Ontario as represented by the Minister of Health and Long-Term Care (the "Province") for funds to assist the City in carrying out the Ontario Healthy Kids Community Challenge (the "Project"), a community-led program where partners from different sectors work together to implement activities to reduce and prevent childhood overweight and obesity;

AND WHEREAS the Province approved the City's application for funding, subject to specified terms and conditions, as outlined in an Agreement between the Province and the City made effective April 1, 2015 (the "Contribution Agreement"), the said Contribution Agreement being executed by the Province on September 15, 2015 and by the City as authorized by By-law 2015-149 passed on August 10, 2015;

AND WHEREAS the Service Provider expressed its desire to administer the Project in accordance with the terms and conditions of the Contribution Agreement, thereby resulting in a Services Agreement being entered into between the City and the Service Provider on October 13, 2015;

AND WHEREAS in addition to the funds to be provided by the Province, the City shall also be providing funds in respect of the Project, the particulars of which were not set forth in the Services Agreement;

AND WHEREAS the parties also agreed to dates wherein the Funds would be paid by the City to the Service Provider, the particulars of which were not set forth in the Services Agreement;

AND WHEREAS Section 41.2 of the Services Agreement allows for the Services Agreement to be amended by the express prior written consent of the City;

NOW THEREFORE in consideration of the promises, covenants and agreements herein contained and hereby assumed, the parties for themselves and their respective successors and assigns do hereby covenant and agree with one another as follows:

1. Section 1.2 of the Services Agreement is hereby amended by deleting the definition of "Budget" and replacing it with the following:

“ **“Budget”** means the budget attached as Schedule “B” to Appendix “A” of this Services Agreement and the budget attached as Appendix “B” to this Services Agreement.”

2. Section 1.2 of the Services Agreement is hereby amended by deleting the definition of “Funds” and replacing it with the following:

“ **“Funds”** mean the money the Province provides to the City pursuant to the Contribution Agreement and the additional funds provided by the City for its 50% share of the actual Salary and Benefit Costs for the Project Manager, the particulars all of which are set out in Section 4.2 of this Services Agreement.”

3. Section 1.2 of the Services Agreement is hereby amended by deleting the definition of “Maximum Funds” and replacing it with the following:

“ **“Maximum Funds”** means \$675,000.00, consisting of:

- (a) the total maximum of \$525,000.00 to be provided by the Province to the City in accordance with the Contribution Agreement and thereafter by the City to the Service Provider in accordance with the terms and conditions set out in this Services Agreement, and
- (b) the total maximum of \$150,000.00 to be provided by the City to the Service Provider in accordance with the terms and conditions set out in this Services Agreement.”

4. Section 1.2 of the Services Agreement is hereby amended by deleting the definition of “Reports” and replacing it with:

“ **“Reports”** means the reports described in Schedule “D” of Appendix “A” to this Services Agreement, the quarterly reports to be provided by the Service Provider to the City pursuant to Section 4.2 of this Services Agreement, and any other reports required to be completed by the City in its sole discretion.”

5. The second sentence of Section 4.1(a) of the Services Agreement is hereby amended by adding the words “and this Services Agreement” after the words “Contribution Agreement”.

6. Section 4.2 of the Services Agreement is hereby amended by deleting same and replacing it with the following:

“ 4.2 **Funds Provided.** The parties hereto acknowledge and agree as follows:

- (a) The City shall pay the Service Provider the actual costs for the Project up to the maximum of \$225,000.00 during each Funding Year in the Term of this Services Agreement, which amount shall be comprised of the following:
 - (i) the actual Program Costs as that term is particularized in Schedule “B” to Appendix “A” of the Contribution Agreement, the components of which shall be determined by the City in its sole discretion, up to the maximum of \$125,000.00 for each Funding Year in the Term of this Services

Agreement, which shall be payable from the funds provided by the Province to the City in accordance with the Contribution Agreement and thereafter by the City to the Service Provider in accordance with the terms and conditions set out in this Services Agreement; and

- (ii) the actual Salary and Benefit Costs for the Project Manager up to the maximum of \$100,000.00 for each Funding Year in the Term of this Services Agreement, which shall be payable as follows:

- (A) 50% or up to \$50,000.00 payable from the funds provided by the Province to the City in accordance with the Contribution Agreement and thereafter by the City to the Service Provider in accordance with the terms and conditions set out in this Services Agreement; and

- (B) 50% or up to \$50,000.00 payable by the City to the Service Provider in accordance with the terms and conditions set out in this Services Agreement.

- (b) The City shall pay the aforesaid Funds as set out in Section 4.2(a) above based on the following schedule:

- (i) Regarding that portion of the first Funding Year, from April 1, 2015 to December 31, 2015;

- (A) the City shall forthwith release \$93,750.00, representing 9/12ths (April through to December 2015) of the \$125,000 annual Program Costs as set out in Section 4.2(a)(i) of this Services Agreement;

- (B) the Service Provider shall forthwith provide the City with an estimate of the total 2015 Salary and Benefit Costs for the Project Manager up to the maximum sum of \$100,000.00. The City shall forthwith thereafter pay the Service Provider 50% of the amount estimated by the Service Provider as set out herein, up the sum of \$50,000.00, representing the amount set out in Section 4.2(a)(ii)(A), specifically those funds provided by the Province to the City in accordance with the Contribution Agreement and thereafter by the City to the Service Provider in accordance with the terms and conditions set out in this Services Agreement for Salary and Benefits;

- (C) the Service Provider shall provide the City with quarterly reports for this entire period no later than January 31, 2016, which shall contain all necessary reports to satisfy the obligations set out in the Contribution Agreement and any other necessary reports or particulars as may be requested by the City in its sole discretion, to the satisfaction of the City; and

- (D) upon receipt of the quarterly reports as set out in Section 4.2(b)(i)(C) above to the satisfaction of the City in its sole

discretion, the City shall reconcile all amounts actually incurred by the Service Provider against those payable pursuant to this Services Agreement. Upon such reconciliation:

- (1) the City shall pay to the Service Provider its 50% share of the actual Salary and Benefit Costs for the Local Project Manager up to the maximum sum of \$50,000.00, representing the amount payable in accordance with Section 4.2(a)(ii)(A) herein; and
 - (2) any amounts the City determines from its reconciliation that were paid by the City to the Service Provider in excess of actual costs incurred, the determination of which shall be made by the City in its sole discretion ("Excess Paid"), shall be forthwith payable by the Service Provider in accordance with the options set out in Section 17 of this Services Agreement.
- (ii) Regarding that portion of the first Funding Year, from January 1, 2016 to March 31, 2016, and thereafter for each Funding Year subsequent to the first Funding Year in the Term:
- (A) in January of each contracted calendar year in the Term, the Service Provider shall provide the City with written confirmation, of the annual Salary and Benefit costs for the Project Manager, up to the maximum of \$100,000.00, the said written confirmation being provided on the letterhead and signed by the Chief Financial Officer for the Service Provider;
 - (B) commencing January 1, 2016 and thereafter the 1st day of every month in the Term, the City shall pay to the Service provider:
 - (1) 1/12th of the \$125,000 annual Program Funds, specifically the sum of \$10,416.67; and
 - (2) 1/12th of the estimated Salary and Benefit costs for the Project Manager for the applicable Funding Year as estimated in accordance with Section 4.2(b)(ii)(A) herein;
 - (C) the Service Provider shall provide the City with quarterly reports for this period in accordance with Appendix "C", which quarterly reports shall contain all necessary particulars to satisfy the obligations set out in the Contribution Agreement and any other necessary reports or particulars as may be requested by the City in its sole discretion, to the satisfaction of the City;
 - (D) the City, in its sole discretion, shall reconcile all amounts actually incurred by the Service Provider against those payable pursuant to this Services Agreement upon the following basis:

- (1) with respect to the City's share of the actual Salary and Benefit costs for the Project Manager as set out in Section 4.2(a)(ii)(B) herein, the City shall complete the reconciliation based on the actual costs incurred at the end of each calendar year in the Term and in May 2018 for the 2018 calendar year; and
 - (2) with respect to the Province's contribution to the actual Program Costs as set out in Section 4.2(a)(ii)(A) herein, the City shall complete the reconciliation based on the actual costs incurred in the fiscal year April 1st to March 31st for each fiscal year in the Term; and
- (E) any amounts the City determines from its reconciliation that were paid by the City to the Service Provider in excess of actual costs incurred, the determination of which shall be made by the City in its sole discretion ("Excess Paid"), shall be forthwith payable by the Service Provider in accordance with the options set out in Section 17 of this Services Agreement.
- (c) The Service Provider and City shall adhere to the Schedule set out in Appendix "C" to this Service Agreement, which Schedule sets for the Funding Release Dates, Quarter Numbers, Report Due Date and Report Period due dates for all matters as set out in Section 4.2 herein, and
- (d) The City shall deposit the Funds into an account designated by the Service Provider provided that the account:
 - (i) resides at a Canadian financial institution; and
 - (ii) is in the name of the Service Provider."
- 7. The first sentence of Section 4.3(a) of the Services Agreement is amended by adding the words "along with Section 4.2, Appendix "B" and Appendix "C" of the Service Agreement" after the words "Contribution Agreement".
- 8. Section 4.3 of the Services Agreement is amended by deleting the reference to "Consolidated Monthly Package" and replacing same with "Consolidated Reporting Package".
- 9. Section 4.3(b) of the Services Agreement is amended by deleting same and replacing it with the following:
 - "(b) The Service Provider undertakes to track and maintain the progress of the Project and all fees and expenses related to same, along with supporting documentation and invoices. In addition to any reporting required pursuant to the Contribution Agreement and this Services Agreement, the Service Provider shall provide a consolidated Reporting Package that sets out the deliverables completed (Schedule "A" to the Contribution Agreement")) and correlates same to the deliverables, Budget (Schedule "B" to the Contribution Agreement and Appendix "B" to this Service Agreement) and Payment plan (Schedule "C" to the

Contribution Agreement and Appendix “B” to this Service Agreement) for the City. The consolidated Reporting Package shall also contain any and all supporting documents and invoices. In the event that the City has any questions or requests clarification of a consolidated Reporting Package or at any time, the Service Provider shall forthwith answer such questions and clarify matters to the satisfaction of the City. The Service Provider shall provide the City with the consolidated Reporting Package by the last day of each month in the Term.”

10. Section 4.3(d) of the Services Agreement is amended by deleting same and replacing it with the following:

“(d) The Service Provider acknowledges and agrees that the actual expenses associated with the deliverables and administration of the Project may be greater than or less than the amounts associated with same as provided in the Budget and Payment Schedule, appended as Schedules “B” and “C” respectively to the Contribution Agreement and Section 4.2, Appendix “B” and Appendix “C” to this Services Agreement. To this end, the Service Provider acknowledges that:

- (i) If the actual expenses associated with completing the Project deliverable is less than the amount provided for the applicable deliverable, the amount payable by the City to the Service Provider shall only be the actual costs for completing the deliverable, and not the higher cost; and
- (ii) If the actual expenses associated with completing the deliverable is greater than the amount provided for the applicable deliverable, the Maximum Funds payable by the City to the Service Provider shall only be the amount as set out in Schedules “B” and “C” to the Contribution Agreement and Section 4.2, Appendix “B” and Appendix “C” to this Service Agreement.

Essentially, the Service Provider hereby undertakes to complete all deliverables for the Project (Schedule “A” to the Contribution Agreement) in accordance with the Budget and Payment Schedules (specifically Schedules “B” and “C” to the Contribution Agreement and Section 4.2, Appendix “B” and Appendix “C” to this Services Agreement).”

11. Section 4.11 of the Services Agreement is amended by deleting the second sentence.
12. Section 7.1 of the Services Agreement is amended by adding subsection (a.1) as follows:

“(a.1) submit to the City in accordance with the timelines set out in Section 4.2 and Appendix “C” to the Services Agreement the quarterly reports and any other reports as requested by the City, in its sole discretion;”

13. Section 31.1 of the Services Agreement is amended by deleting same and replacing it with the following:

“31.1 **Appendix “A”**. Any reference to the term “Services Agreement” in this Services Agreement includes the Contribution Agreement attached as Appendix “A” hereto, inclusive of the following schedules appended thereto:

- (a) Schedule “A” – Project Description and Timelines;
- (b) Schedule “B” – Budget;
- (c) Schedule “C” - Payment; and
- (d) Schedule “D” – Reports,

and Appendix “B” and “C” to the Services Agreement.”

14. Section 41.3 of the Services Agreement is amended by deleting same and replacing it with the following:

“41.3 Recitals and Appendices. The Parties hereto acknowledge and agree that the Recitals and Appendix “A”, along with Schedules “A” through “D” inclusive, and Appendices “B” and “C” inclusive have formed part of the Services Agreement.”

15. The Parties hereby confirm that except as amended by this Amending Agreement, the terms and conditions of the Services Agreement shall continue in full force and effect, unamended.
16. This Amending Agreement may be executed in counterparts, each of which shall be deemed an original and all of which, taken together, shall constitute one and the same instrument.

REST OF PAGE INTENTIONALLY LEFT BLANK

17. This Amending Agreement is governed by the laws of the Province of Ontario and the laws of Canada applicable therein.

IN WITNESS WHEREOF, the Parties have executed this Amending Agreement effective as of the date first above written.

**THE CORPORATION OF THE
CITY OF SAULT STE. MARIE**

Per: _____
Mayor – Christian Provenzano

Per: _____
City Clerk – Malcolm White

I/We have authority to bind the City

**The Board of Health for the District of
Algoma Health Unit Operating as
Algoma Public Health**

Per: _____

Per: _____

I/We have authority to bind The Board of
Health for the District of Algoma Health Unit
Operating as Algoma Public Health

APPENDIX “B”

PAYMENT – CITY’S 50% SHARE OF THE ACTUAL SALARY & BENEFIT COSTS FOR THE PROJECT MANAGER

FUNDING YEAR 1: APRIL 1, 2015 – MARCH 31, 2016

50 % OF ACTUAL SALARY AND BENEFIT COSTS PROJECT MANAGER	up to \$50,000.00 (based on actual costs incurred as confirmed by the City, up to \$50,000.00)
--	--

FUNDING YEARS 2-3: APRIL 1, 2016 – MARCH 31, 2018

50 % OF ACTUAL SALARY AND BENEFIT COSTS PROJECT MANAGER	up to \$50,000.00 (based on actual costs incurred as confirmed by the City, up to \$50,000.00) for each year (2016-2017 and 2017-2018)
--	---

TOTAL	UP TO \$150,000.00
--------------	---------------------------

APPENDIX “C”

2015 – 2016

Month	Funding Release Date	Quarter	Report Due Date	Report Period
April	April 1	1		
May	May 1	1		
June	June 1	1		
July	July 1	2		
August	August 1	2	N/A	Quarter 1
September	September 1	2		
October	October 1	3		
November	November 1	3	N/A	Quarter 2
December	December 1	3		
January	January 1	4		
February	February 1	4	January 31	Quarter 3
March	March 1	4		

2016-2017

Month	Funding Release Date	Quarter	Report Due Date	Report Period
April	April 1	1		
May	May 1	1	May 15	2015/16 Fiscal
June	June 1	1		
July	July 1	2		
August	August 1	2	August 15	Quarter 1
September	September 1	2		
October	October 1	3		
November	November 1	3	November 15	Quarter 2
December	December 1	3		
January	January 1	4		
February	February 1	4	February 15	Quarter 3
March	March 1	4		

2017-2018

Month	Funding Release Date	Quarter	Report Due Date	Report Period
April	April 1	1		
May	May 1	1	May 15	2016/17 Fiscal
June	June 1	1		
July	July 1	2		
August	August 1	2	August 15	Quarter 1
September	September 1	2		
October	October 1	3		
November	November 1	3	November 15	Quarter 2
December	December 1	3		
January	January 1	4		
February	February 1	4	February 15	Quarter 3
March	March 1	4		

2018

Month	Funding Release Date	Quarter	Report Due Date	Report Period
April	-	-		
May	-	-	May 15	2017/18 Fiscal
			May 31	Final Project Report