



REGULAR MEETING OF CITY COUNCIL MINUTES

Monday, September 12, 2016
4:30 p.m.
Council Chambers
Civic Centre

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

Absent: Councillor F. Fata

Officials: A. Horsman, M. White, N. Kenny, L. Girardi, S. Schell, J. Barban, M. Figliola, D. Elliott, D. McConnell, F. Coccimiglio, T. Gowans, V. McLeod, T. Dodds

1. ADOPTION OF MINUTES

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the Minutes of the Regular Council Meeting of 2016 08 22 be approved.

Carried

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

3. DECLARATION OF PECUNIARY INTEREST

3.1 Councillor L. Turco - Municipal Law Enforcement Officers – Appointment

Spouse employed by Police Services.

3.2 Councillor L. Turco - Municipal Law Enforcement Officers – Removals

Spouse employed by Police Services.

3.3 Councillor L. Turco - By-law 2016-137 (Parking)

Spouse employed by Police Services.

3.4 Councillor L. Turco - By-law 2016-138 (Parking)

Spouse employed by Police Services.

3.5 Councillor P. Christian - Ontario 150 Community Partnership Program – Funding Application

Employee of Algoma District School Board

3.6 Councillor M. Shoemaker - Sault Ste. Marie Economic Development Corporation – Algoma Passenger Train

A partner in this initiative is a client of law firm.

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that the Agenda and Addendum for the 2016 09 12 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 City Beautification Awards

5.2 Ovarian Cancer Awareness Month

Gayle Manley, Past President, Zonta was in attendance.

5.3 Childhood Cancer Awareness Month

Dayna Caruso, Executive Director, Northern Ontario Families of Children with Cancer was in attendance.

5.4 Franco-Ontarian Day

Marcel Bouchard, President, Francophone Centre of Sault Ste. Marie was in attendance.

5.5 Terry Fox Week

Colette Michel-Fall, Organizer, 2016 Terry Fox Run was in attendance.

5.6 Legion Week

Wayne Paulencu, President, Royal Canadian Legion Branch 25 was in attendance.

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

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that all the items listed under date 2016 09 12 – Agenda item 6 – Consent Agenda and the Addendum be approved as recommended save and except agenda item 6.12 and 6.17.

Carried

6.1 Council Travel

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that Mayor Provenzano be authorized to travel to Calgary, Alberta for three days in October to attend the Smart Cities Conference at an estimated cost to the City of \$2,500.

Carried

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that Councillor L. Turco be authorized to travel to Toronto, Ontario for two days in September to attend the Association of Municipalities of Ontario Board Meeting at an estimated cost to the City of \$300.

Carried

6.2 Tender for Screened Street Sand (2016PWT-27-T)

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the report of the Manager of Purchasing dated 2016 09 12 concerning Tender for Screened Street Sand be received and that the tender submitted by Palmer Construction for the supply of Screened Street Sand at the tendered pricing of \$5.48 per tonne, HST extra, for the 2016-2017 Winter Season; and \$5.58 per tonne, HST extra, for the 2017-2018 Winter Season be approved.

Carried

6.3 RFP – Economic Development Investments and Best Practices

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the report of the Manager of Purchasing dated 2016 09 12 be received and that the proposal submitted by MDB Insight, to provide a Review of Economic Development Investments and Best Practices for Sault Ste. Marie be approved; Further that the CAO is authorized to sign the Agreement with MDB Insight for provision of this study in accordance with the proposal as submitted; Further that the allocation of \$70,000 from the Economic Development Fund to be applied to this study as follows:

1. Reallocate \$70,000 from Invest in Sault Ste. Marie funding approved September 8, 2014 to Review of Economic Development Investments and Best Practices for Sault Ste. Marie
2. Reallocate \$70,000 2017 commitment for Ontario Winter Games approved May 30, 2016 to Invest in Sault Ste. Marie.

be approved.

Carried

6.4 Procurement Policies & Procedures Purchasing Approval Levels

The report of the Chief Financial Officer/Treasurer was received by Council.

The relevant By-law 2016-143 is listed under item 11 of the Minutes.

6.5 Municipal Capital Facilities Agreement – 844 Queen Street East and 531 Trunk Road

The report of the Acting Commissioner of Social Services was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that the report of the Acting Commissioner dated 2016 09 12 concerning Municipal Capital Facilities Agreement – 844 Queen Street East and 531 Trunk Road be received that the Legal Department be requested to prepare by-laws naming 844 Queen Street East and 531 Trunk Road each as a Housing Project Facility authorizing a property tax reduction to a rate equivalent to, or lower than, the single residential rate for the area for a twenty (20) year period.

Carried

6.6 Algoma Farmers' Market Agreement – Date Amendment

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

The relevant By-law 2016-140 is listed under item 11 of the Minutes.

6.7 Kiwanis Club of Lakeshore – Disc Golf Course

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

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Recreation and Culture dated 2016 09 12 concerning the Disc Golf Course Donation be received and that staff be authorized to enter into a memorandum of agreement with the Kiwanis Club of Lakeshore in reference to the new Disc Golf project.

Carried

6.8 Ontario 150 Community Partnership Program – Funding Application

Councillor P. Christian declared a conflict on this item. (Employee of Algoma District School Board)

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the report of the Manager of Recreation and Culture dated 2016 09 12 concerning Ontario 150 Community Partnership Program – Funding Application be received

and that staff be authorized to apply to The Province of Ontario – Ontario 150 Community Partnership Program for financial assistance for the City's Canada 150 Celebrations in 2017.

Carried

6.9 Connecting Link Funding – 2017

The report of the Director of Engineering was received by Council.

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that the report of the Director of Engineering dated 2016 09 12 concerning Connecting Links be received and that the 2017 candidate projects be the resurfacing of Second Line between Carmen's Way and North Street and between Great Northern Road and Old Garden River Road.

Carried

6.10 Northern Avenue Environmental Assessment

The report of the Director of Engineering was received by Council.

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that the report of the Director of Engineering dated 2016 09 12 concerning the Northern Avenue environmental assessment be received and that the fee limit be increased to \$70,000.

Carried

6.11 2015 Annual Fee Report

The report of the Chief Building Official was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the report of the Chief Building Official dated 2016 09 12 concerning the 2015 Annual Fee Report be received as information.

Carried

6.13 Agreement with Soo Thunderbirds Hockey Club Inc.

The report of the City Solicitor was received by Council.

The relevant By-law 2016-136 is listed under item 11 of the Minutes.

6.14 Licence to Occupy City Property Agreement for the Soo Greyhounds Season Opener Party

The report of the Assistant City Solicitor/Senior Litigation Counsel was received by Council.

The relevant By-laws 2016-134 and 2016-141 are listed under item 11 of the Minutes.

6.15 Property Declared Surplus – 1393 Peoples Road

The report of the City Solicitor was received by Council.

The relevant By-law 2016-135 is listed under item 11 of the Minutes.

6.16 Rental Housing Incentive Program – 7

The report of the Director of Planning and Enterprise Services was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the report of the Director of Planning and Enterprise Services dated 2016 09 12 concerning Rental Housing Incentive Program – 7 be received and that City Council authorize a three-year incremental tax rebate program for 69 Elmwood Avenue subject to:

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

Carried

6.18 Municipal Law Enforcement Officers – Appointment

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

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

The relevant By-law 2016-137 is listed under item 11 of the Minutes.

6.19 Municipal Law Enforcement Officers – Removals

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

The report of the Manager of Transit and Parking is attached for the consideration of Council.

The relevant By-law 2016-138 is listed under item 11 of the Minutes.

6.20 Land Ambulance Service Contract

The report of the Fire Chief was received by Council.

The relevant By-law 2016-145 is listed under item 11 of the Minutes.

6.12 BK Marketing Services Assignment Agreement

The report of the Assistant City Solicitor/Senior Litigation Counsel was received by Council.

The relevant By-law 2016-142 is listed under item 11 of the Minutes.

6.17 Huron Street Welcome Feature Update

The report of the Senior Planner was received by Council.

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that the report of Senior Planner dated 2016 09 12 concerning an update to the Huron Street Welcome Feature be received and that staff be authorized to proceed with the Contemplative Change Order, as outlined in this report, with the additional \$125,000 to be sourced from the 2016 Capital Works Budget.

Defeated

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1 ADMINISTRATION

7.1.1 Appointment of Deputy CAO Community Development and Enterprise Services

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

The relevant By-law 2016-150 is listed under item 11 of the Minutes.

7.2 COMMUNITY SERVICES DEPARTMENT

7.3 ENGINEERING

7.4 FIRE

7.5 LEGAL

7.6 PLANNING

7.6.1 A-12-16-Z – 289 Bay Street

The report of the Senior Planner was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that the report of the Senior Planner dated 2016 09 12 concerning A-12-16-Z – 289 Bay Street be received and that the application to rezone a portion of the subject property, as shown on the maps attached, from Shopping Centre Zone ("C.5") to Central Commercial Zone

("C.2") be approved and that the Legal Department be directed to prepare the necessary by-law to effect this approval.

Carried

7.6.2 A-11-16-Z – 899 Second Line West

The report of the Senior Planner was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that the report of the Senior Planner dated 2016 09 12 concerning Application A-11-16-Z – 899 Second Line West be received and that Council postpone this application to September 26, 2016.

Carried

7.7 PUBLIC WORKS AND TRANSPORTATION

7.8 BOARDS AND COMMITTEES

7.8.1 Sault Ste. Marie Economic Development Corporation – Algoma Passenger Train

Councillor M. Shoemaker declared a conflict on this item. (A partner in this initiative is a client of law firm.)

The report of the CEO, Sault Ste. Marie Economic Development Corporation was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the CEO, Sault Ste. Marie Economic Development Corporation dated 2016 08 30 regarding Algoma Passenger Train Service be received and that City Council supports the efforts of the Algoma Passenger Service Working Group and requests that the Government of Canada:

- recognize the mission of Transport Canada and support immediate resumption of the Algoma passenger train service by:
 - requiring and compensating CN Rail to immediately resume scheduled service to support the social, economic, employment and remote access needs of First Nations, communities, residents, business and socio-economic stakeholders of the Algoma passenger train corridor;

- supporting the Missanabie Cree First Nation and the Working Group in their co-operative development of Mask-wa Oo-ta-ban, the bear train, to assume responsibility for and optimize long-term operations of the passenger train so the economic, employment, remote access and other public interests and values of the Algoma passenger train can be optimized and maximized;
- base future decisions concerning support, scheduling and maintenance of the passenger train service be based on the economic, employment, environmental, social, public safety and other needs dependent on the passenger train services including consultation with First Nations, communities, residences, businesses and socio-economic stakeholder interests;

Further that the Governments of Canada and Ontario be requested to recognize the Algoma Central Railway passenger train services, and the rail access corridor it serves, as a unique and valuable cultural, historic, recreational, environmental and economic asset where Federal and Provincial planning and investment needs to consider its value to the economic, employment, cultural and social viability of the Algoma region;

Further that this resolution be distributed to Algoma District municipalities for support, with copies to the MPs and MPPs serving the Algoma District; Minister of Transport Marc Garneau; Minister of Indigenous and Northern Affairs Carolyn Bennett; Ontario Minister of Northern Development Michael Gravelle; Prime Minister Justin Trudeau and Ontario Premier Kathleen Wynne.

Carried

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

8.1 Conditions of City Funding

Moved by: Councillor M. Shoemaker

Seconded by: Councillor J. Hupponen

Whereas the Sault Ste. Marie Council requires a full understanding of where taxpayer dollars are being spent to ensure the best allocation of limited resources; and

Whereas Council has recently changed the timelines and budget process for the City of Sault Ste. Marie; and

Whereas the new budgeting process requests that presentations be made by each outside agency (not covered by a City policy) that receives annual funding from the City of Sault Ste. Marie; and

Whereas it is critical that Council knows how such taxpayers funds are being utilized;

Now Therefore Be It Resolved that each outside agency (not covered by a City policy) that receives annual funding from the City of Sault Ste. Marie shall receive such funding only once a formalized funding arrangement is in place that specifies, among other things, that annual budget presentations or summaries are required, as well as year-end financial statements.

Carried

8.2 Regulating Drones

Moved by: Councillor S. Butland

Seconded by: Councillor P. Christian

Whereas the use of drones has become very popular both for recreational and commercial pursuits; and

Whereas Transport Canada and some municipalities have prescribed certain regulations pertaining to their use;

Now Therefore Be It Resolved that the Legal Department be requested to prepare an information report regarding the use of drones and any recommended action/non-action be taken.

Carried

8.3 Diversion of Water from the Great Lakes

Moved by: Councillor S. Butland

Seconded by: Councillor S. Hollingsworth

Resolved that Council authorize Mayor Provenzano to write a letter of protest to the International Joint Commission opposing the decision by eight state governors to allow the diversion of up to 8.2 million gallons of water per day from Lake Michigan by the City of Waukesha, Wisconsin.

Carried

8.4 Aviation Opportunities in Sault Ste. Marie

Moved by: Councillor S. Butland

Seconded by: Councillor P. Christian

Resolved that the information item as presented by Mike Delfre, Executive Director, Canadian Bushplane Heritage Centre be received as information and that it be forwarded to EDC for consideration and response.

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 J. Hupponen

Seconded by: Councillor L. Turco

Resolved that all By-laws under item 11 of the Agenda and Addendum under date 2016 09 12 be approved, save and except 2016-137, 2016-138, 2016-142 and 2016-150.

Carried

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

- 11.1.1 By-law 2016-134 (Regulations) Exemption to Noise Control By-law 80-200 (Soo Greyhounds Season Opener Event)**

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2016-134 being a by-law to amend Noise Control By-law 80-200, to exempt from the By-law the "Soo Greyhounds Season Opener" event from 3:00 p.m. to 9:00 p.m. on September 23, 2016 be passed in open Council this 12th day of September, 2016.

Carried

- 11.1.2 By-law 2016-135 (Property) Surplus Property - 1393 Peoples Road**

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2016-135 being a by-law to declare the City owned property legally described as Part PIN 31566-0275 (LT) PT SEC 24 KORAH PT 6 1R1216; SAULT STE. MARIE being part civic 1393 Peoples Road, as surplus to the City's needs and to authorize the disposition of the said property be passed in open Council this 12th day of September, 2016.

Carried

- 11.1.3 By-law 2016-136 (Agreement) Soo Thunderbirds Hockey Club Inc.**

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2016-136 being a by-law to authorize the execution of an agreement between the City and the Soo Thunderbirds Hockey Club Inc. dated September 12, 2016 for

the use of the Essar Centre and the John Rhodes Centre be passed in open Council this 12th day of September, 2016.

Carried

11.1.6 By-law 2016-139 (Parking)

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2016-139 being a by-law to repeal By-law 2016-120 (a by-law amending Schedule "A" to By-law 93-165) be passed in open Council this 12th day of September, 2016.

Carried

11.1.7 By-law 2016-140 Farmers' Market Tent

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2016-140 being a by-law to authorize the execution of an agreement between the City and The Algoma Farmers' Market for the erection of a tent structure in the parking lot of the City owned Roberta Bondar Park be passed in open Council on the 12th day of September, 2016.

Carried

11.1.8 By-law 2016-141 (Agreement) Soo Greyhounds Season Opener Event

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2016-141 being a by-law to authorize the execution of an agreement between the City and Downtown Association and Stephen Alexander, operating as Loplop Lounge & Gallery to grant Downtown Association and Stephen Alexander, operating as Loplop Lounge & Gallery the right to occupy the property of the City identified as a section of Queen Street East from Bruce Street to Dennis Street for the Soo Greyhounds Season Opener Event be passed in open Council this 12th day of September, 2016.

Carried

11.1.10 By-law 2016-143 Procurement Policies & Procedures

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2016-143 being a by-law to impose the obligation to adopt policies with

respect to the procurement of goods and services be passed in open Council on the 12th day of September, 2016.

Carried

11.1.11 By-law 2016-145 (Agreement) Land Ambulance Service

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

By-law 2016-145 being a by-law to authorize the execution of a contract between the City and the District of Sault Ste. Marie Social Services Administration Board (DSSMSSAB) for the establishment of local land ambulance service standards and the delivery of the forgoing services be passed in open Council this 12th day of September, 2016.

Carried

11.1.4 By-law 2016-137 (Parking)

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that By-law 2016-137 being a by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties to amend Schedule "A" to By-law 90-305 be passed in open Council this 12th day of September, 2016.

Carried

11.1.5 By-law 2016-138 (Parking)

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that By-law 2016-138 being a by-law to remove Municipal Law Enforcement Officers to amend Schedule "A" to By-law 90-305 be passed in open Council this 12th day of September, 2016.

Carried

11.1.9 By-law 2016-142 BK Marketing Services Assignment Agreement

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2016-142 being a by-law to authorize the execution of an Assignment Agreement between the City, BK Marketing Services and the Sudbury Wolves Hockey Club

Ltd. for the assignment of the Agreement dated February 19, 2013 between BK Marketing Services and the City be passed in open Council on the 12th day of September, 2016.

Officially Read and Not Dealt With

11.1.12 By-law 2016-150 (Appointment) Deputy CAO Community Development and Enterprise Services

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that By-law 2016-150, being a by-law to appoint Tom Vair as Deputy CAO Community Development and Enterprise Services be passed in open Council this 12th day of September 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

Council passed the following resolution at 4:15 p.m. to authorize entering in to closed session prior to the start of the regular Council meeting at 4:30 p.m.

Moved by: Councillor L. Turco

Seconded by: Councillor S. Butland

Resolved that this Council proceed into closed session to discuss one matter concerning - Appointment of Deputy CAO - Community Development and Enterprise Services.

(personal matters about an identifiable individual – section 239 (2)(b) Municipal Act).

Carried

14. ADJOURNMENT

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that this Council now adjourn.

Carried

Christian Provenzano

Mayor

Malcolm White

City Clerk