



REGULAR MEETING OF CITY COUNCIL MINUTES

Monday, July 18, 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 F. Fata, Councillor J. Krmpotich, Councillor R. Romano

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

1. **ADOPTION OF MINUTES**

Moved by: Councillor S. Butland
Seconded by: Councillor R. Romano

Resolved that the Minutes of the Regular Council Meeting of 2016 06 27 be approved.

Carried

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the Agenda for 2016 07 18 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 Pridefest

Susan Rajamaki was in attendance.

5.2 Muscular Dystrophy

Ben MacDonald was in attendance.

5.3 Algoma Autism Foundation

Jamie Boston, Algoma Autism Foundation was in attendance.

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor S. Myers

Whereas Autism Spectrum Disorder (ASD) is a lifelong developmental disability,

Whereas the Ministry of Children and Youth Services states that the prevalence rate of ASD in Canada has risen by 123% in the last decade, with 1 in 68 children currently being diagnosed with ASD,

Whereas Ministry of Children and Youth Services data showed that in 2010 the rates of autism diagnosis among school age children in Algoma was the highest in Ontario,

Therefore be it resolved that the City Council encourages the Algoma Autism Foundation, Autism Ontario and any other local agency/group associated with ASD to work with the Accessibility Advisory Committee to ensure that any barriers to City programs for those suffering from ASD are addressed, and

Further Be It Resolved that City Council thank the Provincial Government for their recent announcement of \$533 million in funding to improve autism services and encourage the Ministry of Children and Youth Services to ensure that the prevalence of ASD in the District of Algoma is considered when allocating specific services and funding for ASD in this area.

Carried

5.4 Community Poverty Reduction Strategy

Jennifer Miller, Algoma Public Health; Gary Vipond, United Way; Gayle Broad, Nordik Institute were in attendance.

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the presentation - Community Poverty Reduction Strategy be referred to staff for review and report back to Council at the August 22, 2016 Council meeting.

Carried

5.5 Chamber of Commerce Executive Swearing In

Paul Johnson, President; Jason Naccarato, First Vice-President; Karli Mazzer, Treasurer; and Rory Ring; Recording Secretary/Executive Director; Sault Ste. Marie Chamber of Commerce swore their oaths of office.

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that all the items listed under date 2016 07 18 – Agenda item 6 – Consent Agenda be approved as recommended, save and except 6.15.

Carried

6.1 Temporary Street Closure – ARCH Hospice Fundraiser

The letter of request for a temporary street closing in conjunction with Reggie's West Fundraiser for ARCH was received by Council.

- Korah Road from Old Wallace Terrace to Douglas Street – August 20, 2016 – 12 noon to 11 p.m.

The relevant By-law 2016-109 is listed under item 11 of the Minutes.

6.2 Extension of Liquor Licenced Area – ARCH Hospice Fundraiser

The request for a letter of non-objection for extension of a liquor licenced area (City property and private property) was received by Council.

Moved by: Councillor P. Christian
Seconded by: Councillor R. Romano

Resolved that City Council has no objection to the proposed extended licenced area as detailed in the written request for a liquor licence extension on City property and private property for an outdoor event on the following date and time:

Reggie's West – ARCH Hospice Fundraiser

- August 20, 2016 – 306 Korah Road – 11 a.m. to 11 p.m.

Carried

6.3 RFP – Supply of Soft Drink Concession Supplies

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

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich

Resolved that the report of the Manager of Purchasing dated 2016 07 18 concerning RFP – Supply of Soft Drink Concession Supplies be received and that the proposal submitted by PepsiCo Beverages Canada for exclusivity in the supply of soft drink concession supplies and beverage vending at various Community Services facilities and locations be approved.

Carried

6.4 Tenders for Equipment

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

Moved by: Councillor S. Butland
Seconded by: Councillor J. Krmpotich

Resolved that the report of the Manager of Purchasing dated 2016 07 18 concerning Tenders for Equipment be received and that the tenders for the supply and delivery of various pieces of equipment be awarded as follows:

- One (1) utility work machine – McDowell Brothers Industries Inc. – \$88,922.00
- One (1) 4-wheel vacuum sweeper – FST Canada Inc. (Opt, C) – \$299,156.00
- One (1) 58000 GVW tandem truck c/w underbody plow and dump box – TMS Truck Centre Ltd. (Opt. 1) – \$195,789.00

for a total amount of \$583,867.00, HST extra.

Carried

6.5 RFP – Security Services – Transit Terminal

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

Moved by: Councillor P. Christian

Seconded by: Councillor R. Romano

Resolved that the report of the Manager of Purchasing dated 2016 07 18 concerning Security Services – Transit Terminal be received and that the proposal submitted by North East Regional Security Services Inc. to provide security services for the transit terminal, as required by the Transit and Parking Division of the Public Works and Transportation Department, be approved. The contract will commence August 1, 2016 and continue for a period of three (3) years allowing for two (2) further one (1) year extensions by mutual agreement.

Carried

6.6 Tender for Roof Replacement – Civic Centre

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

The relevant By-law 2016-112 is listed under item 11 of the Minutes.

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that the report of the Manager of Purchasing dated 2016 07 18 concerning Tender for Roof Replacement – Civic Centre be received and that the tender be awarded to 1372055 Ontario Limited o/a Pro North Roofing at their low tendered price, meeting specifications, of \$470,000.00 plus allowances of \$29,000.00 and HST; further that the City's consultant, Elliott Engineering Inc., be authorized to provide a letter of intent formally authorizing 1372055 Ontario Limited o/a Pro North Roofing to proceed with this project.

Carried

6.7 Tender for Roof Replacement – CWC Storage Building G

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

The relevant By-law 2016-113 is listed under item 11 of the Minutes.

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Manager of Purchasing dated 2016 07 18 concerning Tender for Roof Replacement – Storage Building “G”, City Works Centre be received and that the tender be awarded to Maverick & Son Exteriors and Consulting Services Inc. at their low tendered price, meeting specifications, of \$369,104.00 plus allowances of \$29,000.00 and HST be approved; further that the City's consultant, Elliott Engineering Inc., be authorized to provide a letter of intent formally authorizing Maverick & Son Exteriors and Consulting Services Inc. to proceed with this project further that \$37,000 from the PWT Equipment Reserve be applied to this project.

Carried

6.8 Tenders for Equipment – Leases

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Manager of Purchasing dated 2016 07 18 concerning tenders for equipment be received and that the tender for the lease of two (2) graders c/w snow wings and front blades, as required by the Public Works and Transportation Department, be awarded to Toromont CAT at their tendered price including Maintenance Agreement and Extended Warranty of \$6,830.55 plus HST per unit for each periodic payment.

Carried

6.9 Registration of Tax Arrears Certificates and Sale

The report of the City Tax Collector was received by Council.

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that the report of City Tax Collector dated 2016 07 18 concerning Registration of Tax Arrears Certificates and Sale be received and that the City Tax Collector be authorized to commence tax sale proceedings in accordance with the *Municipal Act, 2001*.

Carried

6.10 Homemakers and Nursing Services (HNS)

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

The relevant By-law 2016-107 is listed under item 11 of the Minutes.

6.11 Enabling Accessibility in Communities – Grant Application

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Manager of Recreation and Culture dated 2016 07 18 concerning Enabling Accessibility in Communities Grant Application be received and that staff be authorized to apply to Employment and Social Development Canada – Enabling Accessibility in Communities funding program for improving the accessibility of the Strathclair Sports Complex.

Carried

6.12 Fort Creek Aqueduct Phase 2 – Engineering Fees

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Director of Engineering Services dated 2016 07 18 concerning engineering fees for the Fort Creek aqueduct project be received and that the fee limit be increased to \$566,545.

Carried

6.13 Black Road Letter of Licence Agreement

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

The relevant By-law 2016-111 is listed under item 11 of the Minutes.

6.14 Energy Management Software Update

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Environmental Initiative Co-ordinator dated 2016 07 18 concerning Energy Management Software Update be received as information.

Carried

6.16 Bellevue Park – Accessible Playground Equipment – Financial Donation

The report of the Solicitor/Prosecutor was received by Council.

The relevant By-law 2016-117 is listed under item 11 of the Minutes.

6.17 Property Declared Surplus – 317 Bloor Street West

The report of the City Solicitor was received by Council.

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that the report of the City Solicitor dated 2016 07 18 concerning Property Declared Surplus – 317 Bloor Street West be received and that the Legal Department be authorized to bring forward the necessary by-laws to declare the City owned property described as PIN 31579-0025 (LT) LT 36 BLK 4 PL 402 Korah; Sault Ste. Marie, being civic 317 Bloor Street West as surplus to the City's needs and to authorize disposition of the said property.

Carried

6.18 Licence to Occupy City Property Agreement for Reggie's

The report of the Student at Law was received by Council.

The relevant By-laws 2016-115 and 2016-116 are listed under item 11 of the Minutes.

6.19 Etienne Brulé School Community Partnership Project

The report of the Solicitor/Prosecutor was received by Council.

The relevant By-law 2016-118 is listed under item 11 of the Minutes.

6.20 Relocation of Transit Operations – Engineering Agreement

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

The relevant By-law 2016-119 is listed under item 11 of the Minutes.

6.15 Rodent Abatement Program

The report of the Engineering Department was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor R. Romano

Resolved that the report dated 2016 07 18 concerning the Rodent Abatement Program be received and that Council approve the following recommendations:

- discontinue the Rodent Abatement Program for private properties;
- co-ordinate the services of City staff, Sault Ste. Marie Innovation Centre, and Algoma Public Health to explore implementation of a program as proposed by Sault Ste. Marie Innovation Centre in assessing and tracking “hot spots” (similar to the nuisance bear program in 2004).

Officially Read and Not Dealt With

Moved by: Councillor P. Christian

Seconded by: Councillor R. Romano

Resolved that item 6.15 – Rodent Abatement Program be referred to staff for further review and report back to Council.

Carried

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1 ADMINISTRATION

7.2 COMMUNITY SERVICES DEPARTMENT

7.3 ENGINEERING

7.4 FIRE

7.5 LEGAL

7.6 PLANNING

7.6.1 A-10-16-Z – 235 Dacey Road

The report of the Planner was received by Council.

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report dated 2016 07 18 concerning Application A-10-16-Z be received and that Council rezone the subject property from Single Detached Residential Zone ("R2") to Low Density Residential Zone ("R3") subject to the following special provisions:

1. That a semi-detached dwelling, duplex dwelling and single detached dwelling be permitted to be located upon the same lot.
2. That the interior side yard requirement along the south east lot line be reduced from 3m to 1.8m.
3. That the property be deemed subject to site plan control, pursuant to Section 41 of the *Planning Act*; and

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

Carried

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 East Street Parking Meters

Moved by: Councillor L. Turco

Seconded by: Councillor R. Niro

Whereas there have been many concerns from residents on East Street and the area of East Street and Bay Street in regard to the parking meters located on the west side of East Street between Queen Street East and Bay Street; and

Whereas this has been partially addressed by Public Works and Transportation removing one parking meter outside 676 Bay Street; and

Whereas there continue to be safety issues expressed by the residents with the existing parking meters, particularly the parking meter located outside Gary's Appliance Repair on East Street; and

Whereas the residents of 676 Bay Street have created a petition which was signed by many residents expressing that when a person is exiting from the side of the building onto East Street there are three parking meters, which are usually occupied. Because of this, it is impossible to see cars coming down East Street which creates a dangerous situation; and

Whereas the residents are asking to have the meter in front of Gary's Appliance Repair removed and a no parking sign placed there;

Now Therefore Be It Resolved that City staff be requested to review and report back to City Council with a recommendation.

Carried

8.2 Reciprocal Trade Policy

Moved by: Councillor S. Butland

Seconded by: Councillor L. Turco

Whereas Canadian municipalities are strong supporters of free and fair trade between the USA and Canada; and

Whereas the 'Buy American' policy has significantly restricted Canadian products from the American market, most notably in steel and softwood lumber; and

Whereas 'Buy American' provisions are an integral component of all national and state infrastructure projects,

Therefore be it resolved that the City of Sault Ste. Marie request the Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM) to endorse the principle of a 'reciprocal trade policy' between the two countries and that they circulate such resolution to their member municipalities for their consideration and approval.

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. Butland

Seconded by: Councillor R. Romano

Resolved that all By-laws under item 11 of the Agenda under dated 2016 07 18 be approved, save and except 2016-114.

Carried

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

11.1.1 By-law 2016-107 (Social Services) Homemakers and Nursing Services Program

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that By-law 2016-107 to accept the authority from the District of Sault Ste. Marie Social Services Administration Board (DSSMSSAB) to act, manage and sign as the Welfare Administrator for purposes of delivering the Homemakers and Nursing Services Program within the City of Sault Ste. Marie to eligible residents of the community be passed in open Council this 18th day of July, 2016.

Carried

11.1.2 By-law 2016-108 (Zoning) 992 Old Garden River Road

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that By-law 2016-108 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 992 Old Goulais Bay Road (Cormier) be passed in open Council this 18th day of July, 2016.

Carried

11.1.3 By-law 2016-109 (Temporary Street Closing) Korah Road

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that By-law 2016-109 being a by-law to permit the temporary closing of Korah Road, from Douglas Street to Wallace Terrace on August 20, 2016 to facilitate the Reggie's West Ride for ARCH event be passed in open Council this 18th day of July, 2016.

Carried

11.1.4 By-law 2016-110 (Street Assumption) Various

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that By-law 2016-110 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 18th day of July, 2016.

Carried

11.1.5 By-law 2016-112 (Agreement) 1372055 Ontario Limited o/a Pro North Roofing

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that By-law 2016-112 being a by-law to authorize the execution of an agreement between the City and 1372055 Ontario Limited O/A Pro North Roofing for the replacement of the roof at the Civic Centre be passed in open Council this 18th day of July, 2016.

Carried

11.1.6 By-law 2016-113 (Agreement) Maverick and Son Exterior

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that By-law 2016-113 being a by-law to authorize the execution of an agreement between the City and Maverick & Son Exterior & Consulting Services for the replacement of the roof on Storage Building "G" at the City Works Centre be passed in open Council this 18th day of July, 2016.

Carried

11.1.8 By-law 2016-115 (Regulations) Exemption Reggie's West Ride for ARCH Noise By-law

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that By-law 2016-115 being a by-law to amend Noise Control By-law 80-200, to exempt from the By-law the Reggie's West Ride for ARCH event from noon to 11:00 p.m. on August 20, 2016 be passed in open Council this 18th day of July, 2016.

Carried

11.1.9 By-law 2016-116 (Agreement) 882215 Ontario Inc. (Reggie's)

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that By-law 2016-116 being a by-law to authorize the execution of an agreement between the City and 882215 Ontario Inc. (Reggie's West) for the use of a portion of Korah Road from Wallace Terrace to Douglas Street for Reggie's West Ride for ARCH Event and Programming be passed in open Council this 18th day of July, 2016.

Carried

11.1.1 By-law 2016-117 (Agreement) Rotary Club re Bellevue Park

Moved by: Councillor S. Butland
Seconded by: Councillor R. Romano

Resolved that By-law 2016-117 being a by-law to authorize the execution of an agreement between the City and the Rotary Club of Sault Ste. Marie for the very generous donation of \$80,000.00 for the purchase and installation and maintenance of inclusive and accessible playground equipment at Bellevue Park be passed in open Council this 18th day of July, 2016.

Carried

11.1.1 By-law 2016-118 (Agreement) Etienne Brulé Community Partnership Project

Moved by: Councillor S. Butland
Seconded by: Councillor R. Romano

Resolved that By-law 2016-118 being a by-law to authorize the execution of an agreement between the City and the Algoma District School Board for items identified as the City's responsibility vis-à-vis the Etienne Brulé School Community Partnership Project be passed in open Council this 18th day of July, 2016.

Carried

11.1.1 By-law 2016-119 (Agreement) Tulloch Engineering

Moved by: Councillor S. Butland
Seconded by: Councillor R. Romano

Resolved that By-law 2016-119 being a by-law to authorize the execution of an agreement between the City and Tulloch Engineering Inc. for engineering services be passed in open Council this 18th day of July, 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. Butland
Seconded by: Councillor R. Romano

Resolved that this Council proceed into closed session to discuss:

- an issue under the *Companies' Creditors Arrangement Act*
- an issue concerning solicitor/client privilege
(advice that is subject to solicitor/client privilege – section 239(2)(f) Municipal Act;

Further Be it Resolved that should the said closed session be adjourned, the Council may reconvene in closed session to continue to discuss the same matter(s) without the need for a further authorizing resolution.

Carried

14. ADJOURNMENT

Moved by: Councillor P. Christian
Seconded by: Councillor R. Romano

Resolved that this Council now adjourn.

Carried

Christian Provenzano

Mayor

Malcolm White

City Clerk