



REGULAR MEETING OF CITY COUNCIL

MINUTES

Monday, June 12, 2017

4:30 pm

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

Absent: Councillor R. Romano

Officials: A. Horsman, M. White, L. Girardi, T. Vair, P. Milosevich, N. Kenny, S. Schell, D. McConnell, F. Coccimiglio, M. Borowicz-Sibenik, V. McLeod, E. Elliott, J. Bruzas

1. **ADOPTION OF MINUTES**

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the Minutes of the Regular Council Meeting of 2017 05 29 be approved.

Carried

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

3. **DECLARATION OF PECUNIARY INTEREST**

eSCRIBE Minutes

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that the Agenda and Addendum for the 2017 06 12 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 Queen Street Cruise Committee

Joseph Bisceglia and Gary Trembinski, Committee Chairs were in attendance.

5.2 Canada 150 Update

Susan Myers, Chair, Mayor's Committee, Canada 150 was in attendance.

5.3 Why Do You Love Canada Elementary School Contest

Maya Odber was in attendance.

5.4 Create a Logo and Market Your Thoughts

Ashlee Gerard, Program Co-ordinator, Community Development Corporation of Sault Ste. Marie and Area was in attendance.

5.5 Head Start in Business

Ashlee Gerard, Program Co-ordinator, Community Development Corporation of Sault Ste. Marie and Area was in attendance.

5.6 Elder Abuse Awareness Day – June 15, 2017

Evelyn Theriault, Member of Senior Rights Protection Council was in attendance.

5.7 World Refugee Day – June 20, 2017

Danny Krmpotich, Co-ordinator, Sault Ste. Marie and Area Local Immigration Partnership was in attendance.

5.8 Multiculturalism Day – June 27, 2017

Helena Huopalainen was in attendance.

5.9 Recreation and Parks Month

Virginia McLeod, Manager of Recreation and Culture was in attendance.

5.10 60th Reunion – Plummer Memorial Public Hospital School of Nursing

Karen Bishop, graduate, was in attendance.

5.11 Steel Industry Synopsis

Peter Warrian, PhD, University of Toronto was in attendance.

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that all the items listed under date 2017 06 12 – Agenda item 6 – Consent Agenda and the Addendum be approved as recommended.

Carried

6.1 Council Travel

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that Councillor Turco be authorized to travel to Barrie for 2 days in June to attend the AMO Board of Director's Meeting at an estimated cost to the City of \$800.

Carried

6.2 Street Closure Request

Queen Street Cruise

- Queen Street East from East Street to Pim Street – Saturday, June 17, 2017 – 8 a.m. to 5 p.m.

Gore Street Neighbourhood Party

- Gore Street from Queen Street West to Wellington Street East; Albert Street West from Gore Street to Andrew Street (Andrew Street and Albert Street stays open); Andrew Street from South of Albert Street West to Queen Street West; Local Traffic Only Central Park Avenue from Andrew Street to John Street; John Street from Albert Street West to Queen Street West; Regulated Flow Eastbound Albert Street to Andrew Street – Thursday, July 6, 2017 from 11:30 a.m. to 3 p.m.

The relevant By-law 2017-124 and 2017-130 are listed under item 11 of the Minutes.

6.3 Tender for Lease of One (1) Motor Grader

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Manager of Purchasing dated 2017 06 12 be received and the recommendation that the tender for the Lease of One (1) Grader c/w Snow Wing and Front Blade, as required by the Public Works Department, be awarded to Toromont CAT at their tendered price including Maintenance Agreement and Extended Warranty of \$7,501.81 plus HST, per unit for each periodic payment, be approved.

Carried

6.4 Vacant Unit Rebate Review

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Chief Financial Officer and Treasurer dated 2017 06 12 concerning the Vacant Unit Rebate Review be received and that City Council approve the attached vacancy rebate guidelines effective July 1, 2017 with the following recommended amendments:

- End industrial and shopping centre eligibility
- Limit the eligibility period to three years in a ten-year cycle for all other commercial uses
- Temporary uses as defined in the guidelines will not impact eligibility for a rebate

Carried

6.5 Audited Financial Statements – 2016

The report of the Manager of Audits and Capital Planning was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Manager of Audits and Capital Planning dated 2017 06 12 concerning 2016 Financial Statements be received and the recommendation that the audited Consolidated Financial Statements for 2016 be approved.

Carried

6.6 Agreement with the Soo Thunderbirds Hockey Club Inc.

The report of the Manager of Community Centres was received by Council.

The relevant By-law 2017-123 is listed under item 11 of the Minutes.

6.7 Gore Street Neighbourhood Party

The report of the Community Development and Enterprise Services was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Community Development and Enterprise Services Division dated 2017 06 12 concerning Gore Street Neighbourhood Party be received as information and that Council approve the road closure request which appears elsewhere in the agenda.

Carried

6.8 Landfill Site Operations and Monitoring 2016 – Environmental Monitoring Committee

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Land Development and Environmental Engineer dated 2017 06 12 concerning the annual operations and monitoring reports for the municipal landfill be received as information.

Carried

6.9 Miscellaneous Construction/Paving – Contract 2017-7E

The report of the Design and Construction Engineer was received by Council.

The relevant By-law 2017-125 is listed under item 11 of the Minutes.

6.10 Second Line East Resurfacing – Contract 2017-8E

The report of the Design and Construction Engineer was received by Council.

The relevant By-law 2017-126 is listed under item 11 of the Minutes.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Design and Construction Engineer dated 2017 06 12 concerning the resurfacing of Second Line East be received and the recommendation that contract 2017-8E be awarded to Pioneer Construction Inc. conditional on the Provincial Government entering into a Connecting Link funding agreement with the City, be approved.

Carried

6.11 Surface Treatment – Contract 2017-9E

The report of the Design and Construction Engineer was received by Council.

The relevant By-law 2017-127 is listed under item 11 of the Minutes.

6.12 Licence to Occupy City Property Agreement and Noise By-law Exemption request for the Queen Street Cruise Event

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

The relevant By-laws 2017-128 and 2017-129 are listed under item 11 of the Minutes.

6.13 Review of Municipal Parking Operations

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Manager of Transit and Parking dated 2017 06 12 concerning the following recommendations from the committee of council regarding the review of parking operations in Sault Ste. Marie's downtown be received as information and that City Council:

1. Maintain the current 2 hour free parking in municipal lots;
2. Discuss the concept of lease to own thirteen (13) pay and display machines at the capital priority setting workshop with City Council for the 2018 budget; customers will then be able to purchase \$1.25 per hour up to a \$5 maximum if parking in any of the 10 municipal parking lots for longer than 2 hours.
 - a. If necessary, implement the \$1.25 per hour up to a \$5 maximum in municipal parking lots when parking in those lots for longer than 2 hours as the pay and display machines are installed on a yearly basis.
3. All future user fee rate increases to parking fines for municipal parking will be included in the recommendations from HEMSON Consulting Ltd. current Comprehensive User Fee Review for the City of Sault Ste. Marie;
4. Implement in 2017, a mobile payment solution whereby customers can pay for municipal parking with the use of a mobile phone, tablet, or computer;
5. Continue to support the downtown merchants and residents by:
 - a. Reconfigure the parking layout in the Bingham Lot to create an improved flow for traffic and pedestrians.
 - b. Repurpose the north-east corner of the Brock/Albert parking lot to include a 4,250 square foot multi use court for the local community.
 - c. Reconvene the Parking Review committee once annually to:
 - d. Explore the possibility for a pilot project to include gates to control entry and access to one or any of the existing municipal parking lots.

- e. Review current enhancements to parking enforcement.

Carried

6.14 Kiwanis Community Theatre Centre Appointment

The report of the Deputy CAO / City Clerk – Corporate Services was received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Deputy CAO / City Clerk – Corporate Services dated 2017 06 12 concerning Kiwanis Community Theatre Centre Appointment be received and the recommendation of the Board and Committee Nominating Committee to appoint Dr. Richard Anderson to the Kiwanis Community Theatre Centre Board of Directors for a two year term effective June 20, 2017 be approved.

Carried

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1 ADMINISTRATION

7.1.1 Council Vacancy

The report of the Deputy CAO / City Clerk Corporate Services was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Deputy CAO / City Clerk Corporate Services dated 2017 06 12 be received; and

Further that Council accept the resignation of Ross Romano and declare the seat of Councillor – Ward 6 vacant.

Carried

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that the Councillor - Ward 6 vacancy be filled by appointment.

Carried

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 Congratulate Ross Romano

Moved by: Councillor M. Shoemaker

Seconded by: Councillor M. Bruni

Whereas Ross Romano was elected as the City's Member of Provincial Parliament on June 1, 2017; and

Whereas Ross Romano has served as Ward 6 Sault Ste. Marie City Councillor since 2014; and

Whereas Ross Romano is the first Progressive Conservative elected provincially in Sault Ste. Marie since 1981;

Now Therefore Be It Resolved that the Council of the City of Sault Ste. Marie express to Ross Romano their immense gratitude for his commitment to Council over the course of his term and wish him all the best in his service to our community and Province as our Member of Provincial Parliament.

Carried

8.2 Charging for Civic Centre Parking

Moved by: Councillor M. Shoemaker

Seconded by: Councillor F. Fata

Whereas the Parking Review Committee has studied downtown parking and recommended changes to modernize our downtown parking system; and

Whereas during the community input portion of their investigations, the Parking Review Committee received significant feedback from residents; and

Whereas many residents noted that Algoma University, Sault College, the Sault Area Hospital, Ontario Lottery and Gaming, Group Health Centre and many other entities within the City charge employees for parking; and

Whereas the City must collect revenue wherever possible to offset tax increases;

Now Therefore Be It Resolved that staff bring forward to City Council a report on charging municipal employees for parking at all City-owned buildings including the Civic Centre.

Recorded	For	Against	Absent
Mayor C. Provenzano	X		
Councillor S. Butland	X		
Councillor P. Christian	X		
Councillor S. Myers		X	
Councillor S. Hollingsworth		X	
Councillor J. Hupponen	X		
Councillor L. Turco		X	
Councillor M. Shoemaker	X		
Councillor R. Niro	X		
Councillor M. Bruni	X		
Councillor F. Fata	X		
Councillor J. Krmpotich		X	
Councillor R. Romano			
Results	8	4	0
Carried			

8.3 Animal Exhibitions and Performances

Moved by: Councillor J. Hupponen

Seconded by: Councillor M. Shoemaker

Whereas a by-law to prohibit wild or exotic animal exhibitions and performances in the City of Sault Ste. Marie was passed November 19, 2012; and

Whereas not included in the list of animals in Schedule "A" to by-law 2012-2013, are domestic animals such as horses and dogs; and

Whereas travelling circuses claim that "positive reinforcement" is the method of training the animals used to entertain an audience; and

Whereas "positive reinforcement" for animals being trained in a circus endure varying levels of punishment, neglect and deprivation, with limited access to food and water; and

Whereas touring circuses cover thousands of miles a year, carrying animals from site to site in transports and cages with their only respite being rehearsals or performing; and

Whereas an animal is an animal regardless of whether it is classified as domestic or exotic;

Now Therefore Be It Resolved that the Legal Department be directed to prepare an amending by-law to the existing by-law which incorporates the concerns raised in this resolution.

Carried

8.4 Fire Services Reserve List

Moved by: Councillor P. Christian

Seconded by: Councillor M. Bruni

Whereas Sault Ste. Marie fire services routinely maintained an active reserve list of qualified candidates to fill vacant positions within the department and;

Whereas the department recently eliminated the active reserve list and;

Whereas the current make up and demographic profile of the department indicates that there will likely be more retirements within the next few years and;

Whereas it may be prudent for the city to reestablish a reserve list of qualified candidates to fill the anticipated openings and;

Whereas the establishment of such a list will make the process of filling these positions more efficient and timely.

Now therefore be it resolved that council ask appropriate city staff to report on the feasibility of reestablishing a qualified reserve list to meet the anticipated needs within fire services and to identify measures that will ensure that any potential list and its implementation will be fair and equitable to all potential candidates.

Recorded	For	Against	Absent
Mayor C. Provenzano		X	
Councillor S. Butland	X		
Councillor P. Christian	X		
Councillor S. Myers	X		
Councillor S. Hollingsworth	X		
Councillor J. Hupponen	X		
Councillor L. Turco		X	

Councillor M. Shoemaker		X	
Councillor R. Niro	X		
Councillor M. Bruni	X		
Councillor F. Fata	X		
Councillor J. Krmpotich	X		
Councillor R. Romano			
Results	9	3	0

Carried

8.5 Notice of Motion – Tax Ratio and Tax Policy Budgeting Session

Moved by: Mayor C. Provenzano

Whereas tax ratios are used to establish the municipal tax rates to be paid annually by multi-residential, commercial, and industrial class properties; and,

Whereas the legislated regulations governing the use of tax ratios and associated changes in tax payments from property owners are complex; and,

Whereas it is desirable for Council to have as detailed an understanding as possible of how its decisions will impact local ratepayers in all property classes;

Now Therefore Be It Resolved that the Finance and Tax Department staff be directed to set aside one meeting during the 2018 budget schedule to explain the following:

- Current tax policy and how it distributes the tax levy across property classes;
- Provincial thresholds, ranges of fairness, and levy restrictions and how these affect the use of tax ratios for different classes;
- The financial impact of hypothetical changes to the tax ratios for commercial and industrial classes and how such changes might affect the taxes levied from other property classes; and,
- How capping and clawback regulations and policies affect the taxes owing for individual properties when there are substantial shifts in assessment or tax rate changes within a class.

8.6 Notice of Motion - Peddler Licencing By-law

Moved by: Mayor C. Provenzano

WHEREAS on March 17, 2003 the Corporation of the City of Sault Ste. Marie enacted a Peddler By-law to license, govern, and regulate peddlers operating within the City; and,

WHEREAS over the past several years there have been repeated complaints made by local businesses to the City, the Sault Ste. Marie Police Service, and Algoma Public Health regarding the operations of an out-of-town peddler who frequents the City and sells a variety of foodstuffs from a truck without license; and,

WHEREAS the actions of this peddler have had a negative effect on local businesses and are potentially putting residents who consume the peddler's products at an elevated risk of obtaining food-borne illnesses; and,

WHEREAS despite the actions of this peddler being well-known and informally advertised, the party has yet to be charged or otherwise sanctioned for breaching the peddler by-law;

THEREFORE BE IT RESOLVED that the City Legal Department be directed to review the Peddler By-Law and report back on how its compliance and enforcement provisions could be strengthened so as to deter peddlers from operating illegally within the City and thereby ensure greater fairness for local businesses.

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 M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that all By-laws under item 11 of the Agenda under date 2017 06 12 be approved.

Carried

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

11.1.1 By-law 2017-123 (Agreement) Soo Thunderbirds Hockey Club Incorporated

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Butland

Resolved that By-law 2017-123 being a by-law to authorize the execution of the Agreement between the City and Soo Thunderbirds Hockey Club Incorporated for the use of the John Rhodes Community Centre be passed in open Council this 12th day of June, 2017.

Carried

11.1.2 By-law 2017-124 (Temporary Street Closing) Queen Street Cruise

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Butland

Resolved that By-law 2017-124 being a by-law to permit the temporary closing of various City streets in the downtown core of Sault Ste. Marie on June 16th and June 17th, 2017 to facilitate the Queen Street Cruise event be passed in open Council this 12th day of June, 2017.

Carried

11.1.3 By-law 2017-125 (Agreement) Miscellaneous Construction/Paving - Contract 2017-7E

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Butland

Resolved that By-law 2017-125 being a by-law to authorize the execution of the Contract between the City and Ellwood Robinson Limited for Miscellaneous Construction/Paving (Contract 2017-7E) be passed in open Council this 12th day of June, 2017.

Carried

11.1.4 By-law 2017-126 (Agreement) Second Line East Resurfacing - Contract 2017-8E

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Butland

Resolved that By-law 2017-126 being a by-law to authorize the execution of the Contract between the City and Pioneer Construction Inc. for Second Line East Repaving (Contract 2017-8E) be passed in open Council this 12th day of June, 2017.

Carried

11.1.5 By-law 2017-127 (Agreement) Surface Treatment - Contract 2017-9E

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Butland

Resolved that By-law 2017-127 being a by-law to authorize the execution of the Contract between the City and MSO Construction Limited for Surface Treatment (Contract 2017-9E) be passed in open Council this 12th day of June, 2017.

Carried

11.1.6 By-law 2017-128 (Agreement) Downtown Association Queen Street Cruise Event

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Butland

Resolved that By-law 2017-128 being a by-law to authorize the execution of an agreement between the City and the Downtown Association for the use of the March Street Stage at March Street and Queen Street East, Sault Ste. Marie, the Essar Centre parking lot at Queen Street East and Dennis Street, Sault Ste. Marie, and Queen Street East from Pim Street to Bruce Street, Sault Ste. Marie for the Queen Street Cruise Programming be passed in open Council this 12th day of June, 2017.

Carried

11.1.7 By-law 2017-129 (Regulations) Noise Exemption Queen Street Cruise Event

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Butland

Resolved that By-law 2017-129 being a by-law to amend Noise Control By-law 80-200, to exempt from the By-law the Queen Street Cruise event on June 16th, 2017 and June 17th, 2017 be passed in open Council on this 12th day of June, 2017.

Carried

11.1.8 By-law 2017-130 (Temporary Street Closings) Gore Street Neighbourhood Party

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Butland

Resolved that By-law 2017-130 being a by-law to permit the temporary closing of various streets on July 6, 2017 to facilitate the Gore Street Neighbourhood Party be passed in open Council this 12th day of June, 2017.

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 M. Bruni

Seconded by: Councillor S. Myers

Resolved that this Council proceed into closed session to discuss:

1. two proposed dispositions of property

2. an issue under the *Companies' Creditors Arrangement Act*

Municipal Act R.S.O. 2002 – section 239(2)(c) – a proposed or pending acquisition or disposition of land by the municipality; section 239(2)(f) - advice that is subject to solicitor/client privilege;

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 M. Bruni

Seconded by: Councillor S. Myers

Resolved that this Council shall now adjourn.

Carried

Christian Provenzano

Mayor

Malcolm White

City Clerk