



REGULAR MEETING OF CITY COUNCIL

MINUTES

Monday, June 3, 2019

4:30 pm

Council Chambers

Civic Centre

Present: Mayor C. Provenzano, Councillor P. Christian, Councillor S. Hollingsworth, Councillor L. Vezeau-Allen, Councillor D. Hilsinger, Councillor M. Shoemaker, Councillor M. Bruni, Councillor R. Niro, Councillor C. Gardi, Councillor M. Scott

Absent: Councillor L. Dufour

Officials: A. Horsman, M. White, T. Vair, L. Girardi, P. Johnson, K. Fields, S. Schell, D. Elliott, B. Lamming, V. McLeod, C. Rumeil

1. Adoption of Minutes

Moved by: Councillor P. Christian

Seconded by: Councillor C. Gardi

Resolved that the Minutes of the Regular Council Meeting of 2019 05 21 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 M. Shoemaker – PUC Inc. Acquisition

PUC is a client of law firm.

4. Approve Agenda as Presented

Moved by: Councillor P. Christian

Seconded by: Councillor M. Scott

Resolved that the Agenda and Addendum for 2019 06 03 City Council Meeting as presented be approved.

Carried

5. Proclamations/Delegations

5.1 Queen Street Cruise Committee

Joe Bisceglia, Gary Trembinski and Josh Ingram were in attendance.

5.2 World Elder Abuse Awareness Day

Sandra Greef, Chair, Seniors' Rights Protection Council of Sault Ste. Marie and Area was in attendance.

5.3 Asset Management Policy

Peter Simcisko, Manager, Watson & Associates Economists Ltd. was in attendance.

5.4 Historic Sites Board Annual Report

Kathy Fisher, Curator, Ermatinger-Clergue National Historic Site was in attendance.

5.5 June is Recreation and Parks Month

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

5.6 PUC Inc. Acquisition

Councillor M. Shoemaker declared a conflict on this item. (PUC is a client of law firm.)

Rob Brewer, President & CEO, PUC Services Inc. was in attendance.

6. Communications and Routine Reports of City Departments, Boards and Committees – Consent Agenda

In the absence of Mayor Provenzano, Councillor D. Hilsinger assumed the chair as Acting Mayor.

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor C. Gardi

Resolved that all the items listed under date 2019 06 03 – Agenda item 6 – Consent Agenda and Addendum be approved as recommended, save and except 6.5.

Majority	For	Against	Absent
Mayor C. Provenzano			X
Councillor P. Christian	X		
Councillor S. Hollingsworth	X		
Councillor L. Dufour			X
Councillor L. Vezeau-Allen	X		
Councillor D. Hilsinger	X		
Councillor M. Shoemaker	X		
Councillor M. Bruni	X		
Councillor R. Niro	X		
Councillor C. Gardi	X		
Councillor M. Scott	X		
Results	9	0	2

Carried

6.1 Korah Collegiate Relay for Life – June 13 and 14, 2019

The relevant By-law 2019-134 is listed under item 11 of the Minutes.

6.2 Community Museum Operating Grant Application

The report of the Curator, Ermatinger-Clergue National Historic Site was received by Council.

The relevant By-law 2019-113 is listed under item 11 of the Minutes.

6.3 Firearms By-law Exemptions – Ermatinger-Clergue National Historic Site

The report of the Curator, Ermatinger-Clergue National Historic Site was received by Council.

The relevant By-law 2019-114 is listed under item 11 of the Minutes.

6.4 Municipal By-Law Enforcement Officers

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

The relevant By-law 2019-124 is listed under item 11 of the Minutes.

6.6 Landfill Operations and Monitoring 2018 – Environmental Monitoring Committee

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

Moved by: Councillor P. Christian

Seconded by: Councillor C. Gardi

Resolved that the report of the Land Development and Environmental Engineer dated 2019 06 03 concerning annual operations and monitoring reports for the municipal landfill be received as information.

Carried

6.7 Ditching Program – 2019

The report of the Director of Public Works was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor M. Scott

Resolved that the report of the Director of Public Works dated 2019 06 03 concerning Public Works 2019 Ditching Program be received as information.

Carried

6.8 Fox Run Subdivision (Part Lot Control)

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

The relevant By-law 2019-126 is listed under item 11 of the Minutes.

6.9 Licence to Occupy City Property – Outspoken Brewing Inc.

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

The relevant By-laws 2019-127 and 2019-128 are listed under item 11 of the Minutes.

6.10 Deeming By-law – Des Chene Park Subdivision “A” (221 Sunnyside Beach Road)

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

The relevant By-law 2019-121 is listed under item 11 of the Minutes.

6.11 Deeming By-law – Des Chene Park Subdivision (209 Sunnyside Beach Road)

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

The relevant By-law 2019-120 is listed under item 11 of the Minutes.

6.12 Correspondence

6.5 Asset Management Policy

Mayor Provenzano was in the chair for this item.

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

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Scott

Resolved that the report of the Director of Engineering dated 2019 06 03 concerning the Strategic Asset Management policy be received and that the policy be approved.

Carried

7. Reports of City Departments, Boards and Committees

7.1 Administration

7.2 Corporate Services

7.3 Community Development and Enterprise Services

7.4 Public Works and Engineering Services

7.4.1 Bay Street Improvements

Mayor Provenzano was in the chair for this item.

The report of the Manager of Design and Transportation Engineering was received by Council.

The relevant By-laws 2019-132 and 2019-133 are listed under item 11 of the Minutes.

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor C. Gardi

Resolved that the report of the Manager of Design and Transportation Engineering dated 2019 06 03 concerning Bay Street Improvements be received and that Contract 2019-6E be awarded to Pioneer Construction Inc.;

Further that the reduced scope of work described in this report be removed from the contract in order to reduce cost;

Further that the engineering fee limit for Kresin Engineering previously approved be increased from \$477,650 to \$580,000;

Further that the PUC be sole-sourced for the associated electrical relocations and street lighting upgrades;

And that \$1,900,000 of the Special 2019 Gas Tax funds originally allocated to the Downtown Initiative and \$600,000 originally allocated to resurfacing projects be redirected to the Bay Street project.

Majority	For	Against	Absent
Mayor C. Provenzano	X		
Councillor P. Christian		X	
Councillor S. Hollingsworth	X		
Councillor L. Dufour			X
Councillor L. Vezeau-Allen	X		
Councillor D. Hilsinger	X		
Councillor M. Shoemaker		X	
Councillor M. Bruni	X		
Councillor R. Niro	X		
Councillor C. Gardi	X		
Councillor M. Scott		X	
Results	7	3	1

Carried

7.5 Fire Services

7.6 Legal

7.7 Planning

7.8 Boards and Committees

8. Unfinished Business, Notice of Motions and Resolutions Placed on Agenda by Members of Council

8.1 Employee Parking

Moved by: Councillor M. Shoemaker

Seconded by: Councillor M. Bruni

Whereas in June 2017 Council requested that staff review paid parking options for municipal staff; and

Whereas in May 2018 staff reported on various options for paid parking options for municipal staff; and

Whereas a system for paid parking options for municipal staff could not be agreed upon at that time;
and

Whereas the City of Sault Ste. Marie remains one of the few public institutions within Sault Ste. Marie that does not charge for employee parking;

Now Therefore Be It Resolved that Council strike a sub-committee to review the report of May 2018 and further study the issue of paid parking for municipal staff, and come to Council with a recommendation for paid parking for municipal staff;

Further Be It Resolved that the said committee consist of Councillor M. Shoemaker, Councillor M. Bruni, a representative of the C.A.O's office, a representative from Corporate Services, a representative from Community Development and Enterprise Services, a representative from one of the City's larger bargaining units and a community member from the public at large.

Majority	For	Against	Absent
Mayor C. Provenzano			X
Councillor P. Christian		X	
Councillor S. Hollingsworth		X	
Councillor L. Dufour			X
Councillor L. Vezeau-Allen		X	
Councillor D. Hilsinger		X	
Councillor M. Shoemaker	X		
Councillor M. Bruni	X		
Councillor R. Niro		X	
Councillor C. Gardi		X	
Councillor M. Scott	X		
Results	3	6	2

Defeated

8.2 Property Standards / Yard Maintenance / Sewer By-law Enforcement

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor R. Niro

Whereas at its 2019 01 28 meeting, Council accepted as information a report concerning property standards and yard maintenance by-law enforcement which outlined various means of reducing the amount of time for properties to reach compliance; and

Whereas the 2019 budget included increased funding for a second By-Law Enforcement Inspector to increase compliance; and,

Whereas there is a need to increase enforcement efforts related to the sewer use by-law and drainage agreements; and,

Whereas there continues to be a strong direction by Council to improve the effectiveness of property standards, yard maintenance, sewer use and drainage by-law enforcement efforts across the City;

Now Therefore Be It Resolved that a task force including Councillors Dufour, Niro and Vezeau-Allen, as well as representatives from Legal, Public Works, Engineering and Building Division staff be formed to review the property standards, yard maintenance, sewer use by-laws, and drainage agreements, and compare with best practices in order to obtain improved and timely compliance, and report back to Council with recommendations.

Majority	For	Against	Absent
Mayor C. Provenzano			X
Councillor P. Christian	X		
Councillor S. Hollingsworth	X		
Councillor L. Dufour			X
Councillor L. Vezeau-Allen	X		
Councillor D. Hilsinger	X		
Councillor M. Shoemaker	X		
Councillor M. Bruni	X		
Councillor R. Niro	X		
Councillor C. Gardi	X		
Councillor M. Scott	X		
Results	9	0	2

Carried

8.3 Fan-Friendly Pricing – GFL Memorial Gardens

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Whereas balancing the cost of concessions must always strike a balance between satisfying fans and turning a profit for the concession stands; and

Whereas a recent trend in major league sports has been to implement fan-friendly pricing on the most popular menu items available at sporting events; and

Whereas fan-friendly pricing at major league sports venues across North America has resulted in increased revenue because it has increased the sale of concessions at major sporting events;

Now Therefore Be It Resolved that staff be requested to investigate and report to Council regarding the implementation of fan-friendly pricing at the GFL Memorial Gardens for the 2019-2020 Soo Greyhound Season, and, if it is proposed that a fan-friendly menu be implemented, that a review be conducted after said season to determine the success of the fan-friendly pricing.

Majority	For	Against	Absent
Mayor C. Provenzano			X
Councillor P. Christian	X		
Councillor S. Hollingsworth	X		
Councillor L. Dufour			X
Councillor L. Vezeau-Allen	X		
Councillor D. Hilsinger	X		
Councillor M. Shoemaker	X		
Councillor M. Bruni	X		
Councillor R. Niro	X		
Councillor C. Gardi	X		
Councillor M. Scott	X		
Results	9	0	2

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 P. Christian

Seconded by: Councillor C. Gardi

Resolved that all By-laws under item 11 of the Agenda under date 2019 06 03 be approved.

Majority	For	Against	Absent
Mayor C. Provenzano			X
Councillor P. Christian	X		
Councillor S. Hollingsworth	X		
Councillor L. Dufour			X
Councillor L. Vezeau-Allen	X		
Councillor D. Hilsinger	X		
Councillor M. Shoemaker	X		
Councillor M. Bruni	X		
Councillor R. Niro	X		
Councillor C. Gardi	X		
Councillor M. Scott	X		
Results	9	0	2

Carried

11.1 By-laws before Council to be passed which do not require more than a simple majority

11.1.1 By-law 2019-113 (Agreement) Community Museums Operating Grant

Moved by: Councillor P. Christian

Seconded by: Councillor C. Gardi

Resolved that By-law 2019-113 being a By-law to authorize the approval for the annual Community Museums Operating Grant (CMOG) Ministry of Culture, through Grants Ontario be passed in open Council this 3rd day of June, 2019.

Carried

11.1.2 By-law 2019-114 (Regulations) Firearms and Noise Exemptions

Moved by: Councillor P. Christian

Seconded by: Councillor C. Gardi

Resolved that By-law 2019-114 being a By-law to exempt the Ermatinger-Clergue National Historic Site, from By-law 2008-168 being a firearms by-law to prohibit the discharge of firearms in the municipality and from By-law 80-200 being a by-law respecting noises in the City of Sault Ste. Marie be passed in open Council this 3rd day of June, 2019.

Carried

11.1.3 By-law 2019-120 (Subdivision Control) Des Chene Park

Moved by: Councillor P. Christian

Seconded by: Councillor C. Gardi

Resolved that By-law 2019-120 being a by-law to deem not registered for purposes of subdivision control certain lots in the Des Chene Park Subdivision, pursuant to section 50(4) of the *Planning Act* be passed in open Council this 3rd day of June, 2019.

Carried

11.1.4 By-law 2019-121 (Subdivision Control) Des Chene Park "A"

Moved by: Councillor P. Christian

Seconded by: Councillor C. Gardi

Resolved that By-law 2019-121 being a by-law to deem not registered for purposes of subdivision control certain lots in the Des Chene Park "A" Subdivision pursuant to section 50(4) of the *Planning Act* be passed in open Council this 3rd day of June, 2019.

Carried

11.1.5 By-law 2019-124 (Parking) Municipal By-law Enforcement Officers

Moved by: Councillor P. Christian

Seconded by: Councillor C. Gardi

Resolved that By-law 2019-124 being a By-law to appoint by-law enforcement officers to enforce the by-laws of The Corporation of the City of Sault Ste. Marie be passed in open Council this 3rd day of June, 2019.

Carried

11.1.6 By-law 2019-126 (Part Lot Control) Fox Run Subdivision

Moved by: Councillor P. Christian

Seconded by: Councillor C. Gardi

Resolved that By-law 2019-126 being a by-law to amend By-law 2013-95 to extend the time period specified for the expiration of the by-law as provided in Section 4 of by-law 2013-95 so as to continue to designate Lots 1 to 24 inclusive, Plan 1M589 in the Fox Run Subdivision, Phase I, Sault Ste. Marie as an area not subject to part lot control be passed in open Council this 3rd day of June, 2019.

Carried

11.1.7 By-law 2019-127 (Delegation) OutSpoken Delegation

Moved by: Councillor P. Christian

Seconded by: Councillor C. Gardi

Resolved that By-law 2019-127 being a by-law to delegate to the Assistant City Solicitor/Senior Litigation Counsel, or his/her designate to enter into Amending Agreements if so requested, between the City, OutSpoken Brewing Inc. and a Third Party (as applicable) for the OutSpoken Patio located on the laneway adjacent to OutSpoken's property located at 360 Queen Street East be passed in open Council this 3rd day of June, 2019.

Carried

11.1.8 By-law 2019-128 (Agreement) Vera Pizza OutSpoken Brewery

Moved by: Councillor P. Christian

Seconded by: Councillor C. Gardi

Resolved that By-law 2019-128 being a by-law to authorize the execution of the Agreement between the City, Vera Pizza and OutSpoken Brewing Inc. to permit a pizza oven and accompanying structures on the OutSpoken patio located on City property, specifically a laneway adjacent to OutSpoken's property located at 360 Queen Street East and thereafter prepare and serve pizza on same be passed in open Council this 3rd day of June, 2019.

Carried

11.1.9 By-law 2019-129 (Zoning) 726 Wellington Street West

Moved by: Councillor P. Christian

Seconded by: Councillor C. Gardi

Resolved that By-law 2019-129 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 726 Wellington Street West (BDI Holdings Inc. c/o Brandon Stubbs) be passed in open Council this 3rd day of June, 2019.

Carried

11.1.10 By-law 2019-130 (Delegation) Electrical Safety Authority Contractor License

Moved by: Councillor P. Christian

Seconded by: Councillor C. Gardi

Resolved that By-law 2019-130 being a by-law to delegate to the Director of Public Works, or his/her delegate to be identified as a Director of the Corporation on the application for the Electrical Safety Authority ("ESA") Contractor License Application and to thereafter have signing authority on behalf of the City of Sault Ste. Marie with regard to the ESA Contractor License agreement and renewals be passed in open Council this 3rd day of June, 2019.

Carried

11.1.11 By-law 2019-132 (Agreement) Contract 2019-6E

Moved by: Councillor P. Christian

Seconded by: Councillor C. Gardi

Resolved that By-law 2019-132 being a by-law to authorize the execution of the Contract between the City and Pioneer Construction Inc. for the reconstruction of Bay Street from Andrew Street to Pim Street (Contract 2019-6E) be passed in open Council this 3rd day of June, 2019.

Carried

11.1.12 By-law 2019-133 (Temporary Street Closing) Bay Street

Moved by: Councillor P. Christian

Seconded by: Councillor C. Gardi

Resolved that By-law 2019-133 being a by-law to permit the intermittent partial road closure of Bay Street between Andrew Street and Pim Street from June 4, 2019 to October 31, 2019 to facilitate the partial reconstruction and resurfacing of Bay Street between Andrew Street and Pim Street be passed in open Council this 3rd day of June, 2019.

Carried

11.1.13 By-law 2019-134 (Regulations) Korah Relay for Life Noise Exemption

Moved by: Councillor P. Christian

Seconded by: Councillor C. Gardi

Resolved that By-law 2019-134 being a by-law to amend Noise Control By-law 80-200 dealing with the exemption from the Noise Control By-law to accommodate a fundraising event held by the Korah Relay for Life team from 7:00 p.m. on June 13, 2019 to 7:00 a.m. on June 14, 2019 be passed in open Council this 3rd day of June, 2019.

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 P. Christian

Seconded by: Councillor M. Scott

Resolved that this Council proceed into closed session to discuss two items 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 without the need for a further authorizing resolution.

Municipal Act section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose

Majority	For	Against	Absent
Mayor C. Provenzano			X
Councillor P. Christian	X		
Councillor S. Hollingsworth	X		
Councillor L. Dufour			X
Councillor L. Vezeau-Allen	X		

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Councillor D. Hilsinger	X		
Councillor M. Shoemaker	X		
Councillor M. Bruni	X		
Councillor R. Niro	X		
Councillor C. Gardi	X		
Councillor M. Scott	X		
Results	9	0	2

Carried

14. Adjournment

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Scott

Resolved that this Council now adjourn.

Majority	For	Against	Absent
Mayor C. Provenzano			X
Councillor P. Christian	X		
Councillor S. Hollingsworth	X		
Councillor L. Dufour			X
Councillor L. Vezeau-Allen	X		
Councillor D. Hilsinger	X		
Councillor M. Shoemaker	X		
Councillor M. Bruni	X		
Councillor R. Niro	X		
Councillor C. Gardi	X		
Councillor M. Scott	X		
Results	9	0	2

Carried

"Donna Hilsinger"

Acting Mayor

"Malcolm White"

City Clerk