



REGULAR MEETING OF CITY COUNCIL

MINUTES

Monday, October 7, 2019

4:30 pm

Council Chambers

Civic Centre

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

Officials: M. White, R. Tyczinski, L. Girardi, T. Vair, P. Johnson, K. Fields, M. Zuppa, D. Elliott, P. Niro, B. Lamming, F. Coccimiglio, T. Vecchio, F. Pozzebon, C. Pascall, J. Bruzas, P. Tonazzo, P. Lo, T. Anderson, I. Bruno

1. Adoption of Minutes

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the Minutes of the Regular Council Meeting of 2019 09 23 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. Bruni – Property Declared Surplus – City Owned Property Abutting 1 McGregor Avenue**
Son and daughter-in-law are purchasers.
- 3.2 Councillor M. Bruni – By-law 2019-198 (Property Acquisition) 1' by 1' Strip of Land 1 McGregor Avenue**
Son and daughter-in-law are property owners.
- 3.3 Councillor M. Bruni – By-law 2019-197 (Property) Declare City Property Abutting 1 McGregor Avenue Surplus**
Son and daughter-in-law are purchasers.
- 3.4 Councillor M. Shoemaker – Assume, Close and Convey Part Blake Avenue and Part Atlantic Street**
Purchaser is a client of law firm.
- 3.5 Councillor M. Shoemaker – Surplus Property Abutting 415 Pim Street – Sault North Holdings Ltd. (operating as Great Lakes Honda)**
Purchaser is client of law firm.
- 3.6 Councillor M. Shoemaker – By-law 2019-199 (Property) Sault North Holdings Ltd. (operating as Great Lakes Honda)**
Purchaser is client of law firm.
- 3.7 Councillor M. Shoemaker – By-law 2019-196 (Street Closing) Part Blake Avenue and Part Atlantic Street**
Purchaser is client of law firm.
- 3.8 Councillor L. Vezeau-Allen – P Patch Access Road – Northern Avenue to Princeton Drive**
Owner of property in close proximity to proposed road.
- 3.9 Councillor R. Niro – Interest Arbitration Award – SSMPFFA Local 529 (Firefighters)**
Brother was employed by Sault Ste. Marie Fire Services and is still impacted by outstanding agreements.
- 4. Approve Agenda as Presented**
Moved by: Councillor M. Bruni
Seconded by: Councillor D. Hilsinger
Resolved that the Agenda for 2019 10 07 City Council Meeting as presented be approved.

Carried

5. Proclamations/Delegations

5.1 Northern Ontario Italian Ladies Auxiliary Week

Ida Simon, President, Elettra Marconi Society was in attendance.

5.2 Access to Justice Week

Kathryn Orydzuk, Mona Jones and Gwen MacDonald, members, Access to Justice Committee were in attendance.

5.3 Scare Hunger

Judith Kovala, Dealership Operations, Maitland Motors and student representatives Avy Bowman and Sara van Roenn were in attendance.

5.4 Christmas Cheer 2019

Diane Marshall, Convenor was in attendance.

5.5 A-17-19-Z 1274 and 1276 Queen Street East

Harald Prenzel was in attendance with respect to Agenda item 7.7.2.

5.6 A-18-19-Z 90 Chapple Avenue

Jeff Barban, Director of Housing Services and Carla Fairbrother, Director of Early Years Services were in attendance with respect to Agenda item 7.7.3.

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

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that all the items listed under date 2019 10 07 – Agenda item 6 – Consent Agenda be approved as recommended.

Carried

6.1 2020 Council Meeting Schedule

The report of the City Clerk was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor M. Shoemaker

Resolved that the report of the City Clerk dated 2019 10 07 regarding 2020 Council meeting schedule be received and that the proposed schedule be approved.

Carried

6.2 Tender for One (1) Tandem Plow Truck c/w Wing, Sander and Dump Box

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

Moved by: Councillor M. Bruni

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Manager of Purchasing dated 2019 10 07 be received and that the tender for the supply and delivery of one (1) 58000 GVW Tandem Plow Truck c/w Wing, Sander and 14' Four Seasons Type Dump Box as required by Public Works, be awarded to TMS Truck Centre Ltd. at their total tendered price of \$289,892.00 plus HST after the enhanced extended engine warranty is included.

Carried

6.3 Vesting of Unsold Tax Sale Properties

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

Moved by: Councillor R. Niro

Seconded by: Councillor D. Hilsinger

Resolved that the report of the Manager of Accounting and City Tax Collector dated 2019 10 07 concerning Vesting of Unsold Tax Properties be received and that the City Tax Collector be authorized to vest these properties in the City's name.

Carried

6.4 Memorandum of Settlement – UNIFOR Local 1359 (Paramedics)

The report of the Director of Human Resources was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the report from the Director of Human Resources dated 2019 10 07 concerning Memorandum of Settlement – UNIFOR Local 1359 (Paramedics) be received and that City Council approve ratification of the Memorandum of Settlement.

Carried

6.5 Interest Arbitration Award – SSMPFFA Local 529 (Firefighters)

Councillor R. Niro declared a conflict on this item. (Brother was employed by Sault Ste. Marie Fire Services and is still impacted by outstanding agreements.)

The report of the Director of Human Resources was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that the report of the Director of Human Resources dated 2019 10 07 concerning Interest Arbitration Award – SSMPFFA Local 529 (Firefighters) be received as information.

Carried

6.6 FutureSSM Project Update

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

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that the report of the Deputy CAO, Community Development and Enterprise Services dated 2019 10 07 concerning FutureSSM Project Update be received as information.

Carried

6.7 Videoboard – Score Clock GFL Memorial Gardens

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

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Director of Community Services dated 2019 10 07 concerning Videoboard – Score Clock GFL Memorial Gardens be received and that staff be directed to:

1. obtain a structural analysis report (at the cost of the Soo Greyhounds);
2. issue a request for proposal for procurement and installation of a new videoboard (at the cost of the Soo Greyhounds);
3. enter into negotiations with the Soo Greyhounds for a new 10-year lease agreement of the videoboard

A lease agreement and authorizing by-law will appear on a future Agenda for Council approval.

Carried

6.8 Property Standards Compliance Action for Jamestown

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

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Chief Building Official dated 2019 10 07 concerning Property Standards Compliance Action for Jamestown be received as information.

Carried

6.9 Assume, Close and Convey Part Blake Avenue and Part Atlantic Street

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

The report of the City Solicitor was received by Council.

The relevant By-laws 2019-195 and 2019-196 are listed under item 11 of the Minutes.

6.10 Ridesharing

The report of the City Solicitor was received by Council.

The relevant By-law 2019-194 is listed under item 11 of the Minutes.

6.11 Sale 540 Albert Street East

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

The relevant By-law 2019-184 is listed under item 11 of the Minutes.

6.12 Waste Management – Cart Inventory

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

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that the report of the Director of Public Works dated 2019 10 07 concerning Waste Management Cart Inventory be received and that Council approve the purchase of carts and storage containers with funding from the Landfill Reserve (total cost \$123,500).

Carried

6.13 Surplus Property Abutting 415 Pim Street – Sault North Holdings Ltd. (operating as Great Lakes Honda)

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

The report of the City Solicitor was received by Council.

The relevant By-law 2019-199 is listed under item 11 of the Minutes.

6.14 Property Declared Surplus – City Owned Property Abutting 1 McGregor Avenue

Councillor M. Bruni declared a conflict on this item. (Son and daughter-in-law are purchasers.)

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

The relevant By-laws 2019-197 and 2019-198 are listed under item 11 of the Minutes.

6.15 Tripartite Agreement – Paramedics Transfer to DSSMSSAB

The report of the Director of Human Resources was received by Council.

The relevant By-law 2019-193 is listed under item 11 of the Minutes.

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

7.5 Fire Services

7.6 Legal

7.7 Planning

7.7.1 A-11-19-Z 412 Second Line West and 236 Prentice Avenue – Pasquale Lento – Postponement Request

The report of the Senior Planner was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor D. Hilsinger

Resolved that the report of the Senior Planner dated 2019 10 07 concerning application A-11-19-Z be received and that the application be postponed indefinitely until the applicant submits a finalized proposal to Planning staff.

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	11	0	0

Carried

7.7.2 A-17-19-Z 1274 and 1276 Queen Street East (Prenzel)

The report of the Planner was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor M. Shoemaker

Resolved that the Report of the Planner dated 2019 10 07 concerning rezoning application A-17-19-Z be received, and that City Council approve the application and rezone the subject properties from Single-Detached Residential Zone (R2) to Single-Detached Residential Zone (R2.S) with a special exception to permit a triplex to locate on 1274 Queen Street East and another Triplex to locate on 1276 Queen Street East, in addition to the uses currently permitted, subject to the following provisions:

1. 1274 Queen Street East
 1. The required east side yard be reduced from 1.8 to 1.3 metres.
2. 1276 Queen Street East
 1. The required frontage be reduced from 15 to 13.5 metres.
 2. The required west side yard be reduced from 3 to 2.75 metres

3. The required east side yard be reduced from 1.8 to 1.2 metres.

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

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	11	0	0

Carried

7.7.3 A-18-19-Z 90 Chapple Avenue (Sault Ste. Marie Housing Corporation)

The report of the Planning Intern and Senior Planner was received by Council

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that the report of the Planning Intern and Senior Planner dated 2019 10 07 concerning Rezoning Application A-18-19-Z be received, and that Council approve the application and rezone a southeasterly portion of the subject property, approximately 147m by 114m, from Parks and Recreation Zone (PR) to Medium Density Residential Zone (R4.S) with a special exception to:

1. Permit a community hub as an additional permitted use;
 - a. For the purposes of this by-law, a community hub shall be defined as an establishment containing programming that serves as a central access point for health, social, cultural, recreational and other resources.
2. Permit required parking to be located within the required front yard; and

3. Reduce required parking spaces from 86 spaces to 68 spaces.

Further Be It Resolved that Council deem the portion of the subject property proposed to be rezoned as 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 effect this approval.

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	11	0	0

Carried

7.8 Boards and Committees

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

8.1 Indoor Mausoleum Feasibility

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Whereas a number of residents have expressed the desire for indoor mausoleums at the City’s cemeteries as can be found in many cities throughout Ontario; and

Whereas it is prudent for the City to test the demand in the market for indoor mausoleums;

Now Therefore Be It Resolved that staff be requested to review the feasibility of indoor mausoleums and attempt, through community outreach, to gauge the demand that might exist in Sault Ste. Marie

for indoor mausoleums, and report back to Council with a recommendation on whether or not to pursue indoor mausoleums as a future expansion option in Sault Ste. Marie’s cemeteries.

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	11	0	0

Carried

8.2 P Patch Access Road – Northern Avenue to Princeton Drive

Councillor L. Vezeau-Allen declared a conflict on this item. (Owner of property in close proximity to proposed road.)

Moved by: Councillor M. Shoemaker

Seconded by: Councillor D. Hilsinger

Whereas the P Patch access road from Northern Avenue to Princeton Drive is slated for completion in the 2022 capital budget; and

Whereas it may be possible to identify funds at budget time or through under-runs in response to requests for tender in the 2020 capital budget to provide for the work to be completed sooner than 2022; and

Whereas in order to be in a position to complete the work sooner than 2022, the Engineering Department needs to complete surveying and design works for the P Patch access road;

Now Therefore Be It Resolved that the Engineering Department be requested to complete surveying and design work for the P Patch access road throughout the winter of 2019 so that the project is ready to be completed if funds can be identified in 2020.

Majority	For	Against	Absent
Mayor C. Provenzano	X		
Councillor P. Christian		X	
Councillor S. Hollingsworth		X	
Councillor L. Dufour		X	
Councillor L. Vezeau-Allen			
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	5	5	0
			Tied, Defeated

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 D. Hilsinger

Resolved that all By-laws under item 11 of the Agenda under date 2019 10 07 save and except By-laws 2019-196, 2019-197, 2019-198 and 2019-199 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 2019-184 (Property) 540 Albert Street East

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-184 being a by-law to declare the City owned property legally described as PIN 31542-0155 (LT) LT 1-8 PL 5884 ST. MARY'S; PT LANE PL 5884 ST. MARY'S, PT 1 1R9748, CLOSED BY RY160; PT LT 45 PL 5884 ST. MARY'S PT 2 1R9748, SAULT STE. MARIE being civic 540 Albert Street East, Sault Ste. Marie (Building), as surplus to the City's needs and to authorize the disposition of the said property be passed in open Council this 7th day of October, 2019.

Carried

11.1.2 By-law 2019-194 (Taxi) Ridesharing Amendment

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-194 being a by-law to amend By-law 2011-161 (being a by-law to regulate, licence and govern vehicles used for hire to convey passengers, including brokers, owners, and drivers of taxicabs, limousines, wheelchair accessible vehicles and hotel shuttles) by adding Schedule "B" Ridesharing (regulating of Personal Transportation providers) to By-law 2011-161 be passed in open Council this 7th day of October, 2019.

Carried

11.1.3 By-law 2019-195 (Street Assumption) Part Blake Avenue and Part Atlantic Street

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-195 being a by-law to assume for public use and establish as a public street that portion of Blake Avenue described as part PIN 31546-0012 (LT) Blake Av Plan 285 St. Mary's being Parts 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 Plan 1R13599 and that portion of Atlantic Street described as part PIN 31546-0031 Part Atlantic Street Plan 285 St. Mary's being Parts 16 and 17 Plan 1R13599 be passed in open Council this 7th day of October, 2019.

Carried

11.1.7 By-law 2019-193 (Agreement) Paramedics Transfer to DSSMSSAB

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-193 being a by-law to approve the required execution by-law for the labour relations terms and conditions as they relate to the City of Sault Ste. Marie Paramedic Services transition from the Corporation of the City of Sault Ste. Marie to the District of Sault Ste. Marie Social Services Administration Board be passed in open Council this 7th day of October, 2019.

Carried

11.1.4 By-law 2019-198 (Property Acquisition) 1' by 1' Strip of Land 1 McGregor Avenue

Councillor M. Bruni declared a conflict on this item. (Son and daughter-in-law are property owners.)

Moved by: Councillor C. Gardi

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-198 being a by-law to authorize the acquisition of property being a 1 foot by 1 foot strip of lands located at 1 McGregor Avenue (Meeka Tomasic and Michael Bruni) be passed in open Council this 7th day of October, 2019.

Carried

11.1.5 By-law 2019-197 (Property) Declare City Property Abutting 1 McGregor Avenue Surplus

Councillor M. Bruni declared a conflict on this item. (Son and daughter-in-law are purchasers.)

Moved by: Councillor R. Niro

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-197 being a by-law to declare the City owned property legally described as Part PIN 31539-0019 (LT) PCL 153 SEC AWS; PT WATER LT IN FRONT OF LT 11 CON 1 SST. MARY'S AS IN A1488 EXCEPT LT23601; SAULT STE. MARIE, as surplus to the City's needs and to authorize the disposition of the said property be passed in open Council this 7th day of October, 2019.

Carried

11.1.6 By-law 2019-199 (Property) Sault North Holdings Ltd. (operating as Great Lakes Honda)

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

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-199 being a by-law to declare the City owned property legally described as PIN 31546-0029 Lot 1 Block 7 Plan 285 being Parts 14 and 15 1R13599 and Part PIN 31546-0030 Part Lot 13 and 14 Block 8 Plan 285 being Parts 18 and 19 1R13599, as surplus to the City's needs and to authorize the disposition of the said property to Sault North Holdings Ltd. operating as Great Lakes Honda be passed in open Council this 7th day of October, 2019.

Carried

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

11.2.1 By-law 2019-196 (Street Closing) Part Blake Avenue and Part Atlantic Street

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

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-196 being a by-law to stop up, close and authorize the conveyance of a portion of Blake Avenue and a portion of Atlantic Street, in the Plummer Subdivision, Plan 285 be read a FIRST and SECOND time this 7th day of October, 2019.

Carried

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 R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that this Council proceed into closed session to discuss:

- an issue regarding labour relations or employee negotiations; and
- one item 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 matters without the need for a further authorizing resolution.

Municipal Act sections 239(2)(d) labour relations or employee negotiations; and 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose

Carried

14. Adjournment

Moved by: Councillor M. Bruni

Seconded by: Councillor M. Shoemaker

Resolved that this Council now adjourn.

Carried

“Christian Provenzano”

Mayor

“Rachel Tyczinski”

City Clerk