



REGULAR MEETING OF CITY COUNCIL

MINUTES

Monday, December 2, 2019

4:30 pm

Council Chambers

Civic Centre

Present: Acting Mayor M. Shoemaker, Councillor P. Christian, Councillor L. Dufour, Councillor D. Hilsinger, Councillor M. Bruni, Councillor R. Niro, Councillor C. Gardi, Councillor M. Scott

Absent: Mayor C. Provenzano, Councillor S. Hollingsworth, Councillor L. Vezeau-Allen

Officials: M. White, M. Zuppa, L. Girardi, T. Vair, K. Fields, P. Johnson, S. Schell, P. Niro, D. McConnell, D. Elliott, F. Coccimiglio, M. Borowicz-Sibenik, B. Lamming, T. Vecchio, T. Anderson

1. Adoption of Minutes

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the Minutes of the Regular Council Meeting and the Budget Meeting of 2019 11 18 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 Acting Mayor M. Shoemaker – Huron Hub Trail Spoke – Machine Shop Property – Easement Agreement

Applicant is a client of law firm.

3.2 Acting Mayor M. Shoemaker – By-law 2019-245 (Agreement) 1188004 Ontario Inc. (Tony Porco) Funding for Hub Trial

Agreement is with client of law firm.

3.3 Acting Mayor M. Shoemaker – A-20-19-Z.OP 35 Cedar Street (2135166 Ontario Inc. c/o Stan Elliott)

Applicant is a client of law firm.

3.4 Councillor M. Bruni – Sale of the Portion of Property Abutting 1 McGregor Avenue

Purchasers are son and daughter-in-law.

3.5 Councillor M. Bruni – By-law 2019-234 (Property Sale) Sale Abutting 1 McGregor Avenue

Purchasers are son and daughter-in-law.

4. Approve Agenda as Presented

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the Agenda for 2019 12 02 City Council Meeting as presented be approved.

Carried

5. Proclamations/Delegations

5.1 Community Christmas For Children

Marisa Jarrell, Planning Committee was in attendance.

5.2 World AIDS Day, HIV Awareness Week, Aboriginal AIDS Awareness Week

Shana Shipperbottom and Aja Fera, Group Health Centre were in attendance.

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

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that all the items listed under date 2019 12 02 – Agenda item 6 – Consent Agenda be approved as recommended save and except Agenda item 6.15 and 6.20.

Carried

6.1 Tender for Façade Upgrades – RESC Storage Building

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

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

6.2 Tender for CCTV Inspection Equipment and Vehicle

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

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the report of the Manager of Purchasing dated 2019 12 02 be received and that the tender for the supply and delivery of CCTV Inspection Equipment and Vehicle as required by Engineering Services be awarded to Ratech Electronics Ltd. at their total tendered price of \$259,192.92 plus HST after the trade-in allowance is applied and that the allocation of \$9,628 from sanitary sewer revenue and \$4,127 from the Engineering Equipment Reserve to fund this equipment and vehicle be approved.

Carried

6.3 RFP – Parking By-law Enforcement – Municipal Parking Lots and Meters

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

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the report of the Manager of Purchasing dated 2019 12 02 be received and that the proposal submitted by Commissionaires Ottawa to provide Parking By-law Enforcement for Municipal Parking Lots and Meters, as required by the Transit and Parking Division of Community Development and Enterprise Services be approved for a period of one (1) year commencing January 1, 2020.

Carried

6.4 Payment of Property Taxes by Credit Card

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

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the report of the Chief Financial Officer and Treasurer dated 2019 12 02 regarding payment of property taxes by credit card be received as information.

Carried

6.5 2020 Borrowing By-laws

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

The relevant By-laws 2019-235 and 2019-236 are listed under item 11 of the Minutes.

6.6 Christmas Lighting Award Program Policy Updates

The report of the Corporate Communications Officer was received by Council.

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the report of the Corporate Communications Officer dated 2019 12 02 be received and that Council approve the updated Christmas Lighting Award Program Policy as outlined in Appendix B.

Carried

6.7 Wayfinding Master Plan

The report of the Project Manager, FutureSSM was received by Council.

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the report of the Project Manager, FutureSSM dated 2019 12 02 concerning implementation of wayfinding strategy be received as information.

Carried

6.8 Sault Gymnastics Club Lease

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

The relevant By-law 2019-233 is listed under item 11 of the Minutes.

6.9 Revenue Generated from Advertising

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

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the report of the Director of Community Services dated 2019 12 02 concerning Revenue Generated from Advertising be approved.

Carried

6.10 Designated Heritage Property Tax Rebates

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

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the report of the Manager of Recreation and Culture dated 2019 12 02 concerning Designated Heritage Property Tax Rebates be received and that the recommendation of the Sault Ste. Marie Municipal Heritage Committee that designated heritage property tax rebates for the 2018 tax year be paid to the qualified owners of designated heritage properties enrolled in the program be approved.

Carried

6.11 Biggings Avenue Conversion to One-Way Traffic Flow

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

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the report of the Manager of Design and Transportation Engineering dated 2019 12 02 concerning Biggings Avenue Conversion to One-Way Traffic Flow be received and that the conversion of Biggings Avenue to one-way southbound from Wellington Street East to Queen Street East be approved.

An amendment to the Traffic By-law will be brought to Council at a future meeting.

Carried

6.12 Investing in Canada Infrastructure Program Candidate Project

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

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the report of the Land Development and Environmental Engineer dated 2019 12 02 be received and that MacDonald Avenue drainage improvements be designated as the candidate project for the Investing in Canada Infrastructure Program.

Carried

6.13 Land Ambulance Maintenance Agreement

The report of the Fire Chief was received by Council.

The relevant By-law 2019-242 is listed under item 11 of the Minutes.

6.14 Tiered Medical Response Agreement

The report of the Fire Chief was received by Council.

The relevant By-law 2019-241 is listed under item 11 of the Minutes.

6.16 Third Amending Agreement – The Federal Bridge Corporation Limited

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

The relevant By-law 2019-232 is listed under item 11 of the Minutes.

6.17 Acquisition of Part 864 Fifth Line East

The report of the City Solicitor was received by Council.

The relevant By-law 2019-243 is listed under item 11 of the Minutes.

6.18 Deeming By-law – 25 Donna Drive & 468 Second Line West (Steve Ficociello/1890714 Ontario Inc.)

The report of the City Solicitor was received by Council.

The relevant By-law 2019-238 is listed under item 11 of the Minutes.

6.19 Housekeeping – Amend Payday Loan By-law 2019-164

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

The relevant By-law 2019-239 is listed under item 11 of the Minutes.

6.15 Sale of the Portion of Property Abutting 1 McGregor Avenue

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

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

The relevant By-law 2019-234 is listed under item 11 of the Minutes.

6.20 Huron Hub Trail Spoke – Machine Shop Property – Easement Agreement

Acting Mayor M. Shoemaker declared a conflict on this item. (Applicant is a client of law firm.)

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

The relevant By-law 2019-245 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

7.3.1 Revised Economic Development and Tourism Model

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

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that the report of the Chief Administrative Officer dated 2019 12 02 be received and that Council approve a new model for tourism and economic development.

Further that Council authorize staff to create a new, tourism non-share capital corporation and solicit applications for Board members which will be returned to Council for approval.

Further that staff work with the Sault Ste. Marie Economic Development Corporation Board to support the transition to its new mandate and solicit applications for vacant seats on the Board of Directors which will be returned to Council for approval.

Further that Council approve the migration of economic development and tourism staff to the City within Community Development and Enterprise Services.

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	8	0	3

Carried

7.3.2 Municipal Transient Accommodation Tax

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

The relevant By-law 2019-244 is listed under item 11 of the Minutes.

7.4 Public Works and Engineering Services

7.5 Fire Services

7.6 Legal

7.7 Planning

7.7.1 A-20-19-Z.OP 35 Cedar Street (2135166 Ontario Inc. c/o Stan Elliott)

Acting Mayor M. Shoemaker declared a conflict on this item. (Applicant is a client of law firm.)

The report of the Planner was received by Council.

The applicant, Stan Elliott, was in attendance.

Acting Mayor P. Christian assumed the Chair due to Acting Mayor M. Shoemaker's pecuniary interest.

Moved by: Councillor D. Hilsinger

Seconded by: Councillor M. Scott

Resolved that the Report of the Planner dated 2019 12 02 concerning Official Plan and Zoning amendment application A-20-19-Z.OP be received and that City Council approve the application as follows:

1. Approve Official Plan Amendment No. 225 to re-designate the subject property (35 Cedar Street) from Industrial to Commercial.
2. Rezone the subject property from Medium Industrial Zone (M2) to Traditional Commercial Zone (C1.S), with the following special exceptions:
 - i. Reduce the north east lot-line setback (fronting Cedar Street) from 5 metres to 2.9 metres for the eastern most building (building 1).
 - ii. Exclude "nursing and residential care facilities", "residential dwellings", and "rooming houses" as permitted uses on the subject property.
3. Designate the subject property as an area of site plan control pursuant to section 41 of the *Planning Act*.

And that the Legal Department be directed to prepare the necessary by-laws 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 (Conflict)			
Councillor M. Bruni	X		
Councillor R. Niro	X		
Councillor C. Gardi	X		
Councillor M. Scott	X		
Results	7	0	3

Carried

7.8 Boards and Committees

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

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 D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that all By-laws under item 11 of the Agenda under date 2019 12 02 save and except By-law 2019-234 and By-law 2019-245 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 2019-232 (Agreement) Federal Bridge

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2019-232 being a by-law to authorize the execution of the Third Amending Agreement between the City and The Federal Bridge Corporation Limited to amend the Licence Agreement dated December 11, 2017, as amended by an Amending Agreement dated December 10, 2018 and as amended by the Second Amending Agreement dated May 6, 2019 to extend the expiry date of this Licence Agreement to permit the occupation and use of the City lands designated to be transferred to The Federal Bridge Corporation Limited be passed in open Council this 2nd day of December, 2019.

Carried

11.1.2 By-law 2019-233 (Agreement) Sault Ste. Marie Gymnastic Club

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2019-233 being a by-law to authorize the execution of the Agreement between the City and Sault Ste. Marie Gymnastic Club to lease 10,724.321 square feet for the gymnasium facilities including adjoining washroom and change rooms at the John Rhodes Centre for the term commencing January 1, 2020 to December 31, 2024 be passed in open Council this 2nd day of December, 2019.

Carried

11.1.4 By-law 2019-235 (Financing) Borrowing Current Expenditures

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2019-235 being a by-law to authorize temporary borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2020 be passed in open Council this 2nd day of December, 2019.

Carried

11.1.5 By-law 2019-236 (Financing) Borrowing Capital Expenditures

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2019-236 being a by-law to authorize the borrowing of \$15,000,000 to finance capital expenditures for short and long term purposes for The Corporation of the City of Sault Ste. Marie and \$6,200,00 for the Public Utilities Commission of the City of Sault Ste. Marie be passed in open Council this 2nd day of December, 2019.

Carried

11.1.6 By-law 2019-238 (Subdivision Control) Deeming for 25 Donna Drive & 468 Second Line West

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2019-238 being a by-law to deem not registered for purposes of subdivision control certain lots in the Pleasant Acres Subdivision, pursuant to section 50(4) of the *Planning Act* be passed in open Council this 2nd day of December, 2019.

Carried

11.1.7 By-law 2019-239 (Regulations) Amend Payday Loan By-law 2019-164

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2019-239 being a by-law to amend Schedule "A" to payday Loan By-law 2019-164 being a by-law to licence, govern and regulate payday loan businesses within the City of Sault Ste. Marie be passed in open Council this 2nd day of December, 2019.

Carried

11.1.8 By-law 2019-240 (Agreement) Façade Upgrades RESC Storage Building

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2019-240 being a by-law to authorize the execution of the Agreement between the City and Jobst Brothers Construction for Façade Upgrades for the RESC Storage Building at 65 Old Garden River Road be passed in open Council this 2nd day of December, 2019.

Carried

11.1.9 By-law 2019-241 (Agreement) Fire Services Tiered Response

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2019-241 being a by-law to authorize the execution of the Agreement between the City and the District of Sault Ste. Marie Social Services Administration Board for tiered medical responses and allows Fire Services to provide emergency response to specific calls for assistance to Emergency Medical Services (EMS) be passed in open Council this 2nd day of December, 2019.

Carried

11.1.10 By-law 2019-242 (Agreement) Fire Services Land Ambulance

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2019-242 being a by-law to authorize the execution of the Agreement between the City and the District of Sault Ste. Marie Social Services Administration Board for Fire Services Support Services Division to perform maintenance and repairs on Emergency Medical Services (EMS) vehicles be passed in open Council this 2nd day of December, 2019.

Carried

11.1.11 By-law 2019-243 (Property Acquisition) Portion of 864 Fifth Line East (Schamp)

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2019-243 being a by-law to authorize the acquisition of a portion of property located at civic 864 Fifth Line East (Schamp) be passed in open Council this 2nd day of December, 2019.

Carried

11.1.12 By-law 2019-244 (Agreement) Municipal Transient Accommodation Tax (MAT)

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2019-244 being a by-law to authorize the execution of a Memorandum of Understanding between the City and the Sault Ste. Marie Economic Development Corporation to authorize the distribution of funds from the 2020 Municipal Transient Accommodation Tax (MAT) until such time as the new TourismSSM non-profit is incorporated be passed in open Council this 2nd day of December, 2019.

Carried

11.1.14 By-law 2019-246 (Agreement) Downtown Civic Plaza

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2019-246 being a by-law to authorize the execution of the Agreement between the City and Brook McIlroy Inc. for the multidisciplinary design services associated with the planning, design, tendering and contract administration of the Downtown Civic Plaza be passed in open Council this 2nd day of December, 2019.

Carried

11.1.3 By-law 2019-234 (Property Sale) Sale Abutting 1 McGregor Avenue

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

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2019-234 being a by-law to authorize the sale of surplus property, legally described as Part PIN 31539-0019 (LT) to Meeka Tomasic and Michael Bruni be passed in open Council this 2nd day of December, 2019.

Carried

11.1.13 By-law 2019-245 (Agreement) 1188004 Ontario Inc. (Tony Porco) Funding for Hub Trail

Acting Mayor M. Shoemaker declared a conflict on this item. (Agreement is with client of law firm.)

Acting Mayor P. Christian assumed the Chair due to Acting Mayor M. Shoemaker's pecuniary interest.

Moved by: Councillor D. Hilsinger

Seconded by: Councillor M. Scott

Resolved that By-law 2019-245 being a by-law to authorize the execution of the Funding Agreement between the City and 1188004 Ontario Inc. (Tony Porco) to establish the Huron Spoke trail on The Machine Shop property be passed in open Council this 2nd day of December, 2019.

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 (Conflict)			
Councillor M. Bruni	X		
Councillor R. Niro	X		
Councillor C. Gardi	X		
Councillor M. Scott	X		
Results	7	0	3

Carried

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

Acting Mayor M. Shoemaker resumed the Chair.

11.2.1 By-law 2019-237 (Local Improvement) Sixth Avenue From Devon Road to Wallace Terrace

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2019-237 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" pavement on Sixth Avenue from Devon Road to Wallace Terrace under Section 3 of the *Municipal Act, 2001*, Ontario Regulation 586/06 be read a FIRST and SECOND time in open Council this 2nd day of December, 2019.

Carried

11.3 By-laws before Council for THIRD reading which do not require more than a simple majority

11.3.1 By-law 2018-166 Lane Closing

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that By-law 2018-166 being a by-law to stop up, close and authorize the conveyance of a portion of a lane in the Sault Ste. Marie Park Subdivision, PIN 31587-0269 (LT) LANE PL 7602 KORAH W OF PT 1, 5 1R6799; SAULT STE. MARIE be read the THIRD time in open Council this 2nd day of December, 2019.

Carried

12. Questions By, New Business From, or Addresses by Members of Council Concerning Matters Not Otherwise on the Agenda

13. Closed Session

Acting Mayor P. Christian was in the Chair.

Moved by: Councillor D. Hilsinger

Seconded by: Councillor M. Scott

Resolved that this Council proceed into closed session to discuss two proposed issues concerning acquisitions / disposition of land and a matter 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)(c) a proposed or pending acquisition or disposition of land by the municipality or local board and 239 (2)(f) advice that is subject to solicitor / client privilege including communications necessary for that purpose

Carried

14. Adjournment

Acting Mayor M. Shoemaker resumed the Chair.

Moved by: Councillor D. Hilsinger

Seconded by: Councillor P. Christian

Resolved that this Council now adjourn.

Carried

“Matthew Shoemaker”

Acting Mayor

“Madison Zuppa”

Deputy City Clerk