



REGULAR MEETING OF CITY COUNCIL MINUTES

Monday, January 30, 2023

4:30 pm

Council Chambers and Video Conference

Present: Mayor M. Shoemaker, Councillor S. Hollingsworth, Councillor L. Dufour, Councillor L. Vezeau-Allen, Councillor A. Caputo, Councillor R. Zagordo, Councillor M. Bruni, Councillor S. Kinach, Councillor C. Gardi, Councillor M. Scott

Absent: Councillor S. Spina

Officials: M. White, R. Tyczinski, L. Girardi, T. Vair, K. Fields, S. Schell, P. Johnson, S. Hamilton Beach, C. Rumiel, N. Ottolino, B. Lamming, T. Anderson, F. Coccimiglio, T. Vecchio, M. Zuppa, M. Borowicz-Sibenik, P. Tonazzo, S. Facey, E. Cormier

1. Land Acknowledgement

2. Medal of Merit Award 2022 – Dr. Gary Sibbald

Dr. Gary Sibbald was in attendance to receive the 2022 Medal of Merit.

Darrell Boissoneau was in attendance to perform a smudging ceremony.

3. Adoption of Minutes

Moved by: Councillor L. Dufour

Seconded by: Councillor C. Gardi

Resolved that the Minutes of the Regular Council Meeting of January 9, 2023 and the Budget Meeting of January 23, 2023 be approved.

Carried

4. Declaration of Pecuniary Interest

4.1 Mayor M. Shoemaker – Zoning Appeal – 130 Wellington Street East

Property owner is a client of law firm.

5. Approve Agenda as Presented

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor M. Scott

Resolved that the Agenda and Addendum #1 for January 30, 2023 City Council Meeting as presented be approved.

Carried

6. Proclamations/Delegations

6.1 Missing and Murdered Indigenous Women, Girls, 2 Spirit and Gender Diverse Persons Memorial Day

Jennifer Syrette, Executive Director, Nimkii-Naabkawagan Family Crisis Centre was in attendance.

6.2 Black History Month

Jane Omollo and Dave Mornix were in attendance.

6.3 Lake Superior Watershed Conservancy

Joanie McGuffin, Executive Director was in attendance.

6.4 Kiwanis Clubs – Rosedale Park

Jim St. Jules, President, and Serge Viau, Treasurer, were in attendance.

6.5 Bon Soo

Jeany White, Manager and Mr. Bon Soo were in attendance.

6.6 Greenhouse Gas Inventory Update

E. Cormier, Sustainability Coordinator was in attendance regarding Agenda item 8.3.2.

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

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Scott

Resolved that all the items listed under date January 30, 2023 – Agenda item 7 – Consent Agenda be approved as recommended save and except agenda item 7.4 and 7.14.

Carried

7.1 Correspondence

7.1.1 Minister of Municipal Affairs and Housing

7.2 Ombudsman Report – Cultural Vitality Committee and Tourism Board

Moved by: Councillor L. Dufour

Seconded by: Councillor C. Gardi

Whereas Council of the City of Sault Ste. Marie received a report of the Ombudsman dated January 2023 concerning complaints about meetings held by the City of Sault Ste. Marie's Cultural Vitality Committee on November 17, 2021 and Tourism Board on November 25, 2021; and

Whereas the Ombudsman of Ontario has made recommendations in the said report

Now Therefore Be It Resolved that Council for the City of Sault Ste. Marie intends to address those recommendations as follows:

1. All members of the City's boards and committees will be advised to be vigilant in adhering to their individual and collective obligation to ensure that the municipality complies with its responsibilities under the *Municipal Act, 2001* and its procedure by-law.
2. The City requires that all resource staff to board and committee meetings ensure compliance with the open meeting requirements set out in the *Municipal Act, 2001* and the City's procedure by-law.
3. All meeting notices will include accurate information about the time and location of the meeting, including how the public can access electronic meetings.

Carried

7.3 Tender for Carpeting Ronald A. Irwin Civic Centre Levels 2, 4 and 5

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

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor C. Gardi

Resolved that the report of the Manager of Purchasing concerning Tender for Carpeting Ronald A. Irwin Civic Centre Levels 2, 4 and 5 dated January 30, 2023 be received and that the tender for the supply and installation of carpeting for the Ronald A. Irwin Civic Centre Levels 2, 4 and 5 be awarded to Carpet One and Home at their low tendered price meeting specifications of \$160,000 plus HST.

Carried

7.5 Universal Transit Pass Partnership with Algoma University

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

The relevant By-law 2023-12 is listed under item 12 of the Minutes.

7.6 Designated Property Grant – 10 Kensington Terrace Roof Replacement

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

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor M. Scott

Resolved that the report of the Manager of Recreation and Culture dated January 30, 2023 concerning Designated Heritage Property Grant – 10 Kensington Terrace Roof Replacement be received and that \$15,000 be awarded to Condo 6 Corp. to support the replacement of the cedar shake roof with Enviroshake be approved; and further that payment be rendered upon submission of paid invoices and final approval of the project by the Sault Ste. Marie Municipal Heritage Committee.

Carried

7.7 Tourism Development Fund Applications Received January 2022

The report of the Director of Tourism and Community Development was received by Council.

Moved by: Councillor L. Dufour

Seconded by: Councillor C. Gardi

Resolved that the report of the Director of Tourism and Community Development dated January 30, 2023 concerning Tourism Development Fund Applications for The Beaver Freezer Marathon, Runway Park Drag Race Series and 2023 Regional Convention of Jehovah's Witnesses be received and that the recommendation of the Tourism Sault Ste. Marie Board of Directors to allocate \$23,500 be approved for the following projects:

- The Beaver Freezer Marathon (\$6,500);
- Runway Park Drag Race Series (\$5,000); and
- 2023 Regional Convention of Jehovah's Witnesses (\$12,000)

Carried

7.8 Delegated Authority for City Property Offers

The report of the Deputy CAO, Community Development and Enterprise Services and the Assistant City Solicitor/Senior Litigation Counsel was received by Council.

The relevant By-law 2023-17 is listed under item 12 of the Minutes.

7.9 328 Queen Street – Removal of Restrictive Covenant

The report of the Deputy CAO, Community Development and Enterprise Services and the Assistant City Solicitor/Senior Litigation Counsel was received by Council.

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor C. Gardi

Resolved that the report of the Deputy CAO, Community Development and Enterprise Services and Assistant City Solicitor/Senior Litigation Counsel dated January 30, 2023 regarding the removal of a restrictive covenant on 328 Queen Street be received and that Council authorize staff to take the necessary steps to remove the restrictive covenant to renovate the exterior façade from the subject property, and to confirm that this condition is satisfied.

Carried

7.10 Overtime and Staffing Fire Services

The report of the Fire Chief was received by Council.

Moved by: Councillor L. Dufour

Seconded by: Councillor C. Gardi

Resolved that the report of the Fire Chief dated January 30, 2023 concerning Overtime and Staffing Fire Services be received and that potential staffing changes and equipment purchase be referred to 2023 budget deliberations.

Carried

7.11 Extreme Cold Warning Notification Process

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor M. Scott

Resolved that the report of the Community Emergency Management Coordinator dated January 30, 2023 concerning Extreme Cold Weather Notification Process be received as information.

Carried

7.12 Update on Carpenters' Constitutional Challenge Case

The report of the City Solicitor was received by Council.

Moved by: Councillor L. Dufour

Seconded by: Councillor C. Gardi

Resolved that the report the City Solicitor dated January 30, 2023 concerning Update of Carpenters' Constitutional Challenge Case be received as information.

Carried

7.13 Zoning Appeal 204 South Market

The report of the Solicitor was received by Council.

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor M. Scott

Resolved that the report of the Solicitor dated January 30, 2023 concerning Zoning Appeal – 204 South Market Street be received as information.

Carried

7.15 Outdoor Merchandise Display on Downtown Sidewalks

The report of the Planner was received by Council.

7.16 Purchase of Accessible Pool Lift – John Rhodes Community Centre

The report of the Accessibility Coordinator was received by Council.

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor C. Gardi

Resolved that the report of the Accessibility Coordinator dated January 30, 2023 concerning Purchase of Accessible Pool Lift – John Rhodes Community Centre be received and that Council approve spending \$16,740 from the Barrier Removal Reserves for the purchase of the accessible pool lift for the John Rhodes Community Centre.

Carried

7.4 Open Data Costing Information

The report of the Manager of Information Technology was received by Council.

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Scott

Resolved that the report of the Manager of Information Technology dated January 30, 2023 concerning Open Data Costing Information be received as information.

Amendment:

Moved by: Councillor M. Scott

Seconded by: Councillor M. Bruni

Resolved that following words be added "and the cost of the Open Data Plan outlined in the report be referred to the 2024 budget".

	For	Against	Conflict	Absent
Mayor M. Shoemaker	X			
Councillor S. Hollingsworth				X
Councillor S. Spina				X
Councillor L. Dufour		X		
Councillor L. Vezeau-Allen	X			
Councillor A. Caputo	X			
Councillor R. Zagordo	X			
Councillor M. Bruni	X			
Councillor S. Kinach	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	8	1	0	2
				Carried

Motion as Amended

Moved by: Councillor L. Dufour
 Seconded by: Councillor M. Scott

Resolved that the report of the Manager of Information Technology dated January 30, 2023 concerning Open Data Costing Information be received and that the cost of the Open Data Plan outlined in the report be referred to the 2024 budget.

	For	Against	Conflict	Absent
Mayor M. Shoemaker	X			
Councillor S. Hollingsworth				X
Councillor S. Spina				X
Councillor L. Dufour		X		
Councillor L. Vezeau-Allen	X			
Councillor A. Caputo	X			
Councillor R. Zagordo	X			
Councillor M. Bruni	X			
Councillor S. Kinach	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	8	1	0	2
				Carried

7.14 Zoning Appeal – 130 Wellington Street East

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

The report of the Solicitor was received by Council.

Moved by: Councillor L. Dufour

Seconded by: Councillor C. Gardi

Resolved that the report of the Solicitor dated January 30, 2023 concerning Zoning Appeal Update – 130 Wellington Street East be received as information.

	For	Against	Conflict	Absent
Mayor M. Shoemaker			X	
Councillor S. Hollingsworth				X
Councillor S. Spina				X
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor A. Caputo	X			
Councillor R. Zagordo	X			
Councillor M. Bruni	X			
Councillor S. Kinach	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	8	0	1	2
				Carried

8. Reports of City Departments, Boards and Committees

8.1 Administration

8.2 Corporate Services

8.3 Community Development and Enterprise Services

8.3.1 Rosedale Park Revitalization Update

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

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Scott

Resolved that the report of the Director of Community Services dated January 30, 2023 concerning Rosedale Park Revitalization Update be received and that in-kind installation costs amounting to \$10,000 be approved.

	For	Against	Conflict	Absent
Mayor M. Shoemaker	X			
Councillor S. Hollingsworth				X
Councillor S. Spina				X
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor A. Caputo	X			
Councillor R. Zagordo	X			
Councillor M. Bruni	X			
Councillor S. Kinach	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	9	0	0	2
				Carried

8.3.2 Corporate Greenhouse Gas Emissions Inventory Update: 2022

The report of the Sustainability Coordinator was received by Council.

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor M. Scott

Resolved that the report of Sustainability Coordinator dated January 30, 2023 concerning Corporate Greenhouse Gas Emissions Inventory Update 2022 be received as information.

	For	Against	Conflict	Absent
Mayor M. Shoemaker	X			
Councillor S. Hollingsworth				X
Councillor S. Spina				X
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor A. Caputo	X			
Councillor R. Zagordo	X			
Councillor M. Bruni	X			
Councillor S. Kinach	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	9	0	0	2
				Carried

8.3.3 Downtown Plaza Update

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor C. Gardi

Resolved that the report of the Deputy CAO, Community Development and Enterprise Services dated January 30, 2023 concerning the Downtown Plaza be received and that Council authorize an increase of the project budget to \$11,609,464;

Further, that Council authorize an increase to the construction contract with Avery Construction to \$9,785,681.17 plus applicable HST to provide funding for fees related to project delays and to establish additional contingency funds;

Further that Council authorize an increase to the contract with Brook McIlroy to \$865,890 plus applicable HST;

Further that Council authorize \$660,000 from the asset management reserve to be sourced from funds returned from the Mill Market's successful funding application;

Further that \$675,000 from the 2023 Capital Budget to be confirmed with 2023 Budget deliberations;

Further that \$41,667 from the 2022 operating budget for the plaza be transferred to the plaza project.

The following motion was substituted for the original.

Moved by: Councillor A. Caputo

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Deputy CAO, Community Development and Enterprise Services dated January 30, 2023 concerning the Downtown Plaza be received and that Council authorize an increase of the project budget to \$10,949,464;

Further, that Council authorize an increase to the construction contract with Avery Construction up to \$9,135,681.75 plus applicable HST to provide funding for fees related to project delays and to establish additional contingency funds;

Further, that Council authorize an increase to the contract with Brook McIlroy up to \$865,890 plus applicable HST;

Further that Council authorize \$675,000 from the asset management reserve to be sourced from funds returned from the Mill Market's successful funding application (\$660,000) plus an additional \$15,000;

Further, that Council request staff return at the February 13 budget meeting with a report on options to potentially reduce the funds being requested for the downtown plaza;

Further that \$41,667 from the 2022 operating budget for the plaza be transferred to the plaza project.

	For	Against	Conflict	Absent
Mayor M. Shoemaker	X			
Councillor S. Hollingsworth	X			
Councillor S. Spina				X
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen		X		
Councillor A. Caputo	X			
Councillor R. Zagordo	X			
Councillor M. Bruni		X		
Councillor S. Kinach	X			
Councillor C. Gardi		X		
Councillor M. Scott		X		
Results	6	4	0	2
				Carried

8.4 Public Works and Engineering Services

8.5 Fire Services

8.6 Legal

8.7 Planning

8.8 Boards and Committees

8.8.1 Algoma Public Health Board

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Scott

Resolved that citizens Loretta O'Neill and Sonia Tassone be appointed to the Algoma Public Health Board from January 30, 2023 to December 31, 2024.

	For	Against	Conflict	Absent
Mayor M. Shoemaker	X			
Councillor S. Hollingsworth	X			
Councillor S. Spina				X
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor A. Caputo	X			
Councillor R. Zagordo	X			
Councillor M. Bruni	X			
Councillor S. Kinach	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	10	0	0	1
				Carried

8.8.2 Downtown Business Improvement Area

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor C. Gardi

Resolved that Kristi Cistaro, Stephanie Harmon, Micheal McAdams, Jacob Rendell, Angela Romano, Nicholas Rosset, Paul Scornaienchi and Marnie Stone be appointed to the Downtown Business Improvement Area (Downtown Association).

	For	Against	Conflict	Absent
Mayor M. Shoemaker	X			
Councillor S. Hollingsworth	X			
Councillor S. Spina				X
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor A. Caputo	X			
Councillor R. Zagordo	X			
Councillor M. Bruni	X			
Councillor S. Kinach	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	10	0	0	1
				Carried

8.8.3 Noise By-Law Review Task Force

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Scott

Resolved that Councillor S. Kinach be appointed to the Noise By-law Review Task Force.

	For	Against	Conflict	Absent
Mayor M. Shoemaker	X			
Councillor S. Hollingsworth	X			
Councillor S. Spina				X
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor A. Caputo	X			
Councillor R. Zagordo	X			
Councillor M. Bruni	X			
Councillor S. Kinach	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	10	0	0	1
				Carried

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

9.1 Free Parking for the Shadows of the Mind Film Festival

Moved by: Councillor L. Dufour
 Seconded by: Councillor L. Vezeau-Allen

Whereas the Shadows of the Mind Film Festival runs from February 23 to February 26, 2023; and

Whereas the Shadows of the Mind Film Festival “is a film festival that showcases films and other art forms for two purposes: to entertain and to educate. By attracting audiences through the entertainment value of film, the film festival uses select films and events to increase

awareness and education on mental health and addiction issues as well as other prevalent social topics as decided each year”; and

Whereas the Shadows of The Mind Film Festival is a not-for-profit organization; and

Whereas the primary venue for the film festival is the Grand Theatre; and

Whereas on some days during the week, the film festival will have films and panel discussions from 9:00 a.m. to 11 p.m.; and

Whereas many patrons of the film festival attend in the morning and stay for the entire day, having lunch and dinner in the downtown area;

Now Therefore Be It Resolved that the 2 hour daily parking limit be waived at the Brock-Albert parking lot to permit full free parking from February 23 to February 26, 2023 during the week of the Shadows of the Mind Film Festival.

	For	Against	Conflict	Absent
Mayor M. Shoemaker	X			
Councillor S. Hollingsworth	X			
Councillor S. Spina				X
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor A. Caputo	X			
Councillor R. Zagordo	X			
Councillor M. Bruni	X			
Councillor S. Kinach	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	10	0	0	1
				Carried

9.2 Trash to Treasure Day

Moved by: Councillor C. Gardi

Seconded by: Councillor S. Kinach

Whereas it is in our community's best interest to prolong the life of our local landfill; and

Whereas one of the best ways to prolong the life of a landfill site is to divert items from it; and

Whereas many residents in Sault Ste. Marie take advantage of weekends each spring to declutter and clean around their homes, sending many items to our local landfill; and

Whereas residents across the community have items in good condition that they often do not want any longer, but could be of use and benefit to other residents in the community; and

Whereas in recent years one way communities have facilitated the exchange of these items is by holding "Trash to Treasure Days" across their cities, when residents are encouraged to leave reusable household items, including, but not limited to, furniture, toys, and small appliances by the roadside of their property for others to take for free; and

Whereas communities across Ontario and Canada, including Cornwall, ON, Thunder Bay, ON and Nelson, BC have held their own successful, annual Trash to Treasure day(s);

Now Therefore Be It Resolved, that City Staff be requested to explore the opportunity to work with community partners to organize Sault Ste. Marie's own "Trash to Treasure Day" on a Saturday or Sunday in late May or early June of 2023.

	For	Against	Conflict	Absent
Mayor M. Shoemaker	X			
Councillor S. Hollingsworth	X			
Councillor S. Spina				X
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor A. Caputo	X			
Councillor R. Zagordo	X			
Councillor M. Bruni	X			
Councillor S. Kinach	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	10	0	0	1
				Carried

10. Committee of the Whole for the Purpose of Such Matters as are Referred to it by the Council by Resolution

11. Adoption of Report of the Committee of the Whole

12. Consideration and Passing of By-laws

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Scott

Resolved that all By-laws under item 12 of the Agenda under date January 30, 2023 be approved.

Carried

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

12.1.1 By-law 2023-12 (Agreement) Universal Transit Pass Partnership with Algoma University

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor M. Scott

Resolved that By-law 2023-12 being a by-law to authorize the execution of the Agreement between the City and Algoma University for the Universal Transit Pass Partnership be passed in open Council this 30th day of January, 2023.

Carried

12.1.2 By-law 2023-14 (Streets) Amend Streets By-law 2008-131

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor M. Scott

Resolved that By-law 2023-14 being a by-law to amend By-law 2008-131 being a by-law respecting streets and related matters be passed in open Council this 30th day of January, 2023.

Carried

12.1.3 By-law 2023-16 (Street Assumptions)

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor M. Scott

Resolved that By-law 2023-16 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 30th day of January, 2023.

Carried

12.1.4 By-law 2023-15 (Agreement) Bondar Marina Boardwalk Extension

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor M. Scott

Resolved that By-law 2023-15 being a By-law to authorize the execution of the Agreement between the City and Poralu Marine Inc. for the Bondar Marina Boardwalk Extension be passed in open Council this 30th day of January, 2023.

Carried

12.1.5 By-law 2023-17 (Delegation) Assistant City Solicitor/Senior Litigation Counsel Agreements of Purchase & Sale

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor M. Scott

Resolved that By-law 2023-17 being a by-law to authorize the Assistant City Solicitor/Senior Litigation Counsel or his/her designate to execute and bind the Corporation to Agreements of Purchase and Sale with certain conditions (referenced below) in order to facilitate the sale of City properties with the recommendation for Council review and direction at the next available Closed Council session be passed in open Council this 30th day of January, 2023.

Carried

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

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

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

14. Closed Session

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Scott

Resolved that this Council move into closed session to consider one item concerning a proposed acquisition of land and three items concerning proposed disposition of land.

Further Be It Resolved that should the said closed session be adjourned, the Council may reconvene in closed session to discuss the same matters without the need for a further authorizing resolution.

Municipal Act R.S.O. 2002 – section 239 2(c) a proposed or pending acquisition or disposition of land by the municipality

Carried

15. Adjournment

Moved by: Councillor L. Dufour

Seconded by: Councillor C. Gardi

Resolved that this Council now adjourn.

Carried

“Matthew Shoemaker”

Mayor

“Rachel Tyczinski”

City Clerk