



REGULAR MEETING OF CITY COUNCIL

MINUTES

Monday, May 1, 2023

4:30 pm

Council Chambers and Video Conference

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

Absent: Councillor L. Vezeau-Allen, Councillor S. Kinach

Officials: M. White, M. Zuppa, L. Girardi, T. Vair, S. Schell, P. Johnson, S. Hamilton Beach, B. Lamming, R. Tyczinski, M. Borowicz-Sibenik, P. Tonazzo, C. Rumiell, T. Anderson, J. King, L. Petrocco, D. Olar, E. Cormier

1. Land Acknowledgement

2. Adoption of Minutes

Moved by: Councillor M. Bruni

Seconded by: Councillor R. Zagordo

Resolved that the Minutes of the Regular Council Meeting of April 11, 2023 be approved.

Carried

3. Questions and Information Arising Out of the Minutes and not Otherwise on the Agenda

4. Declaration of Pecuniary Interest

4.1 Councillor S. Spina – Tourism Development Fund Applications March – April 2023

Councillor is chair of the charity foundation for the Community Strong Festival

4.2 Councillor A. Caputo – Changes to Temporary Outdoor Patios Under the Liquor Licence and Control Act (Update)

Owns establishment with a temporary outdoor patio.

4.3 Councillor C. Gardi – Transit Pass Partnership with Huron-Superior Catholic District School Board

Employed by Huron Superior Catholic District School Board.

4.4 Councillor A. Caputo – By-law 2023-71 (Delegated Authority and Agreement) Outdoor Patio and Liquor Licence Extension

Owns establishment with a temporary outdoor patio.

5. Approve Agenda as Presented

Moved by: Councillor M. Bruni

Seconded by: Councillor R. Zagordo

Resolved that the Agenda for May 1, 2023 City Council Meeting as presented be approved.

Carried

6. Proclamations/Delegations

6.1 Menstrual Health Day

6.2 Jewish Heritage Month

Tova Arbus, Congregation Beth Jacob were in attendance.

6.3 World Migratory Bird Day

Ron Prickett, President, Sault Naturalists was in attendance.

6.4 Doctors' Day

Dr. Adrienne Kelly, Ontario Medical Association was in attendance.

6.5 Child and Youth Care Week

Donna Mansfield and Karen Hudson, Sault College were in attendance.

6.6 World Press Freedom Day

6.7 Falun Dafa Day

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

Moved by: Councillor M. Bruni

Seconded by: Councillor A. Caputo

Resolved that all the items listed under date May 1, 2023 – Agenda item 7 – Consent Agenda save and except Agenda item 7.10, 7.11 and 7.18 be approved as recommended.

Carried

7.1 Integrity Commissioner Annual Report

The Annual Report of the Integrity Commissioner July 1, 2021 to December 31, 2022 was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor A. Caputo

Resolved that the Annual Report of the Integrity Commissioner for the period July 1, 2021 to December 31, 2022 be received as information.

Carried

7.2 Municipally Significant Events

The report of the City Clerk was received by Council.

The relevant By-law 2023-75 is listed under item 12 of the Minutes.

7.3 By-law to Issue Debenture for Twin Pad Arena

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

The relevant By-law 2023-61 is listed under item 12 of the Minutes.

7.4 RFP – Banking Services

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

The relevant By-law 2023-67 is listed under item 12 of the Minutes.

7.5 Tenders for Equipment Purchase – Public Works

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

Moved by: Councillor M. Bruni

Seconded by: Councillor A. Caputo

Resolved that the report of the Manager of Purchasing dated May 1, 2023 concerning Equipment Purchases as required by Public Works be received and that the tenders for the supply and delivery of various pieces of equipment be awarded as follows:

- One (1) Articulated Wheeled Loader – Toromont CAT \$345,259.23;
- One (1) Farm Tractor w/Loader – Northshore Tractor Ltd. \$128,136.09;
- One (1) Aerial Platform Truck – Commercial Truck Equipment Corp. \$205,254.00; and
- One (1) Utility Step Van – TMS Truck Centre Ltd. \$148,197.00

for a total amount of \$826,846.32 plus HST.

Carried

7.6 Vacant Unit Rebate By-law

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

The relevant By-law 2023-73 is listed under item 12 of the Minutes.

7.7 2023 Property Tax Capping Options

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

The relevant By-law 2023-63 is listed under item 12 of the Minutes.

7.8 2023 Tax Policy and Rates

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

The relevant By-laws 2023-64, 2023-65 and 2023-66 are listed under item 12 of the Minutes.

7.9 Lease Contract Extension John Rhodes Community Centre – Superior Osteo Postural Clinic Inc.

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

The relevant By-law 2023-68 is listed under item 12 of the Minutes.

7.12 Heritage Property Tax Rebate Program Applications 2023

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

Moved by: Councillor S. Kinach

Seconded by: Councillor R. Zagordo

Resolved that the report of the Manager of Recreation and Culture dated May 1, 2023 concerning Heritage Property Tax Rebate Program Applications 2023 be received and that the

recommendation of the Sault Ste. Marie Municipal Heritage Committee to enroll the following four (4) properties into the Heritage Property Tax Rebate Program be approved:

- 3-10 Kensington Terrace;
- 193 Pim Street;
- 708-710 Queen Street East (Dawson Block); and
- 119 Woodward Avenue

Carried

7.13 Firearms By-law Exemptions Ermatinger Clergue National Historic Site 2023

The report of the Curator of the Ermatinger National Historic Site was received by Council.
The relevant by-law 2023-62 is listed under item 12 of the Minutes.

7.14 2022 Annual Report – Ermatinger Clergue National Historic Site

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

Moved by: Councillor M. Bruni
Seconded by: Councillor R. Zagordo

Resolved that the report of the Curator of the Ermatinger Clergue National Historic Site dated May 1, 2023 concerning the 2022 Annual Report Ermatinger Clergue National Historic Site be received as information.

Carried

7.15 Traffic Calming Policy

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

Moved by: Councillor M. Bruni
Seconded by: Councillor R. Zagordo

Resolved that the report of the Municipal Services and Design Engineer dated May 1, 2023 concerning Traffic Calming Policy be received and that the Procedure for Traffic Calming/Traffic Management Studies be replaced with the Traffic Calming Policy.

Carried

7.16 Community Safety Zone Policy

The report of the Municipal Services and Design Engineering was received by Council.

Moved by: Councillor M. Bruni
Seconded by: Councillor R. Zagordo

Resolved that the report of the Municipal Services and Design Engineer dated May 1, 2023 concerning Community Safety Zone Policy be received and that the Community Safety Zone Policy be approved.

Carried

7.17 Sault Area Hospital Lease Agreement

The report of the Fire Chief is attached for the consideration of Council.

The relevant By-law 2023-60 is listed under item 12 of the Minutes.

7.10 Transit Pass Partnership with Huron-Superior Catholic District School Board

Councillor C. Gardi declared a conflict on this item. (Employed by Huron Superior Catholic District School Board.)

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

Moved by: Councillor M. Bruni
Seconded by: Councillor A. Caputo

Resolved that the report of the Director of Community Services dated May 1, 2023 concerning Expanded Transit Pass Partnership with Huron-Superior District School Board be received and that a one (1) year pilot program be approved to coincide with the Algoma District School Board pilot program that runs through until June 30, 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	8	0	1	2
				Carried

7.11 Tourism Development Fund Applications March – April 2023

Councillor S. Spina declared a conflict on this item. (Councillor is chair of the charity foundation for the Community Strong Festival)

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

Moved by: Councillor M. Bruni

Seconded by: Councillor A. Caputo

Resolved that the report of the Director of Tourism and Community Development dated May 1, 2023 concerning Tourism Development Fund applications received March-April 2023 be received, and that the recommendation of the Tourism Sault Ste. Marie Board of Directors to allocate \$77,830 be approved to the following projects:

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- Canadian Youth Championship National Bowling Tournament (\$2500);
- Community Strong Festival (\$5000);
- Curling Classic (\$53,000);
- Voyageur Trail Association (\$6330);
- Sault Ste. Marie Kennel Club (\$3000);
- Ontario Pickleball Championship Series (\$3000); and
- Queen Street Cruise (\$5000)

	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

7.18 Changes to Temporary Outdoor Patios Under the Liquor Licence and Control Act (Update)

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Councillor A. Caputo declared a conflict on this item. (Owns establishment with a temporary outdoor patio.)

The report of the Solicitor was received by Council.

The relevant By-law 2023-71 is listed under item 12 of the Minutes.

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Bruni

Resolved that the insurance requirements for outdoor patios listed in By-law 2023-71 Schedule 'A', Section 13 be amended from Five Million (\$5,000,000) to Two Million (\$2,000,000) and;

Further that staff be directed to review the possibility of implementing a tiered approach to insurance requirements for patios and report back to the next meeting of Council.

	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	5	3	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

8.4 Public Works and Engineering Services

8.5 Fire Services

8.6 Legal

8.6.1 Off-Road Vehicle and Motorized Snow Vehicle By-laws

The report of the Solicitor was received by Council.

The relevant By-laws 2023-69 and 2023-70 are listed under item 12 of the Minutes.

8.7 Planning

8.8 Boards and Committees

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

9.1 Soo Greyhounds Tailgate Events

Moved by: Councillor S. Spina

Seconded by: Councillor S. Hollingsworth

Whereas the City of Sault Ste. Marie has a long and celebrated history with the Soo Greyhounds Hockey Club; and

Whereas Soo Greyhounds hockey events provide an entertaining and engaging atmosphere for residents of and visitors to Sault Ste. Marie; and

Whereas attendance at Soo Greyhounds hockey events have a positive impact on our community and our economy by:

- Attracting visitors to Sault Ste. Marie;
- Increasing nights of hotel stays;
- Helping to build a sense of community and pride in our community;
- Helping to build a brand sense with the hockey club as well as a sense of tradition and pride for the hockey club and its supporters;

- Allowing for fans and supporters to be surrounded by and to create their own entertainment related to the sporting events;
- Helping to increase the social interactions of people in our community; and

Whereas other communities have created an environment for tailgating to form part of their culture and have been able to safely allow for tailgating at events in their community; and

Whereas ownership of the Soo Greyhounds Hockey club are supportive of the City creating a tailgating environment for fans to help enhance the fan experience; and

Whereas the City of Sault Ste. Marie is responsible for parking at the GFL Memorial Gardens and will be able to generate revenue for the City by charging a reasonable fee for access to tailgating parking spots for sporting events

Now Therefore Be It Resolved that staff be requested to review the process to allocate and rent or provide parking spaces at the GFL Memorial Gardens and create a tailgating environment for a limited number of Soo Greyhounds home games. In that review, staff would engage with the Soo Greyhounds Hockey Club and other stakeholders in order to create a positive fan environment. In addition, staff report on the ability for the City to provide free bus service, (perhaps by showing a game ticket) to and from the GFL Memorial Gardens during these events for the transportation of people to and from the site.

	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

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 M. Bruni

Seconded by: Councillor A. Caputo

Resolved that all By-laws under item 12 of the Agenda under date May 1, 2023 save and except Agenda item 12.1.12 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 2023-60 (Agreement) Sault Area Hospital Lease

Moved by: Councillor M. Bruni

Seconded by: Councillor A. Caputo

Resolved that By-law 2023-60 being a by-law to authorize the execution of the Lease Agreement between the City and Sault Area Hospital for the property at 65 Old Garden River Road, Sault Ste. Marie, Ontario.

Carried

12.1.2 By-law 2023-61 (Debenture – Twin Pad Arena)

Moved by: Councillor M. Bruni

Seconded by: Councillor A. Caputo

Resolved that By-law 2023-61 being a by-law to authorize the borrowing upon amortizing debentures in the principal amount of \$14,500,000.00 towards the cost of the Twin Pad Arena Project W J McMeeken Centre Replacement be passed in open Council this 1st day of May, 2023.

Carried

12.1.3 By-law 2023-62 (Noise and Firearms Exemption) Ermatinger

Moved by: Councillor M. Bruni

Seconded by: Councillor A. Caputo

Resolved that By-law 2023-62 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 1st day of May, 2023.

Carried

12.1.4 By-law 2023-63 (Taxes) Tax Capping Optional Tools

Moved by: Councillor M. Bruni

Seconded by: Councillor A. Caputo

Resolved that By-law 2023-63 being a by-law to adopt optional tools for the purposes of administering limits for the Commercial and Industrial Property Classes be passed in open Council this 1st day of May, 2023.

Carried

12.1.5 By-law 2023-64 (Taxes) Final Billing 2023

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Moved by: Councillor M. Bruni
Seconded by: Councillor A. Caputo

Resolved that By-law 2023-64 being a by-law to provide for 2023 final tax billing be read in open Council and passed this 1st day of May, 2023.

Carried

12.1.6 By-law 2023-65 (Taxes) Tax Ratios

Moved by: Councillor M. Bruni
Seconded by: Councillor A. Caputo

Resolved that By-law 2023-65 being a by-law to provide for the adoption of tax ratios be passed in open Council this 1st day of May, 2023.

Carried

12.1.7 By-law 2023-66 (Taxes) Tax Rates

Moved by: Councillor M. Bruni
Seconded by: Councillor A. Caputo

Resolved that By-law 2023-66 being a by-law to provide for the adoption of property tax rates for 2023 be passed in open Council this 1st day of May, 2023.

Carried

12.1.8 By-law 2023-67 (Agreement) The Bank of Nova Scotia (Scotiabank) Banking Services

Moved by: Councillor M. Bruni
Seconded by: Councillor A. Caputo

Resolved that By-law 2023-67 being a by-law to authorize the execution of the Agreement between the City and The Bank of Nova Scotia (Scotiabank) to provide the services as required by the Finance Accounting Division for an initial five (5) year term, with option to extend for a second five (5) year term upon mutual consent through Service Level Agreement be passed in open Council this 1st day of May, 2023.

Carried

12.1.9 By-law 2023-68 (Agreement) Superior Osteo Postural Clinic Inc. Second Extension (Lease)

Moved by: Councillor M. Bruni
Seconded by: Councillor A. Caputo

Resolved that By-law 2023-68 being a by-law to authorize the execution of the Second Extension Agreement between the City and Superior Osteo Postural Clinic Inc. to extend the current lease at the John Rhodes Community Centre for one year.

Carried

12.1.10 By-law 2023-69 (Off-Road Vehicles) Operation of Off-Road Vehicles

Moved by: Councillor M. Bruni

Seconded by: Councillor A. Caputo

Resolved that By-law 2023-69 being a by-law to restrict and permit the operation of off-road vehicles prescribed herein on designated highways within the City of Sault Ste. Marie be passed in open Council this 1st day of May, 2023.

Carried

12.1.11 By-law 2023-70 (Motorized Snow Vehicles) Operation of Motorized Snow Vehicles

Moved by: Councillor M. Bruni

Seconded by: Councillor A. Caputo

Resolved that By-law 2023-70 being a by-law to restrict and permit the operation of motorized snow vehicles prescribed herein on designated highways within the City of Sault Ste. Marie be passed in open Council this 1st day of May, 2023.

Carried

12.1.13 By-law 2023-72 Delegated Authority Chief Financial Officer or Chief Administrative Officer to Execute Agreements Related to Banking Services

Moved by: Councillor M. Bruni

Seconded by: Councillor A. Caputo

Resolved that By-law 2023-72 being a by-law to delegate to the Chief Financial Officer (CFO) or Chief Administrative Officer (CAO), the authority to enter into various agreements on behalf of the City of Sault Ste. Marie to complete the transition of banking services and subsequent legal documentation required for accounts, products and services be passed in open Council this 1st day of May, 2023.

Carried

12.1.14 By-law 2023-73 (Taxes) Vacant Unit Rebate (Housekeeping)

Moved by: Councillor M. Bruni

Seconded by: Councillor A. Caputo

Resolved that By-law 2023-73 being a by-law to confirm changes to The Corporation of the City of Sault Ste. Marie's Tax Rebate Program regarding property in the Commercial Property Class or the Industrial Property Class as established under By-Law 2002-124 be passed in open Council this 1st day of May, 2023.

Carried

12.1.15 By-law 2023-74 (Agreement) Amend By-law 2021-5 – Twin Pad Arena Project

Moved by: Councillor C. Gardi

Seconded by: Councillor A. Caputo

Resolved that By-law 2023-74 being a by-law to amend By-law 2021-5, being a by-law to authorize certain new capital work(s) of The Corporation of the City of Sault Ste. Marie (the "Municipality"); which was a by-law to authorize the submission of an application to Ontario Infrastructure and Lands Corporation ("OILC") for financing of such capital work(s); to authorize temporary borrowing from OILC to meet expenditures in connection with such capital work(s); and to authorize long-term borrowing for such capital work(s); through the issue of debentures to OILC be passed in open Council this 1st day of May, 2023.

Carried

12.1.16 By-law 2023-75 (Policy and Delegated Authority) Municipally Significant Events (AGCO Special Occasion Permits)

Moved by: Councillor M. Bruni

Seconded by: Councillor A. Caputo

Resolved that By-law 2023-75 being a by-law to approve the Municipally Significant Events (AGCO Special Occasion Permits) policy be passed in open Council this 1st day of May, 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

12.3.1 By-law 2021-26 (Local Improvements) Mark Street from Churchill Boulevard to Lake Street

Moved by: Councillor M. Bruni

Seconded by: Councillor A. Caputo

Resolved that By-law 2021-26 being a by-law to authorize the construction of Class "A" pavement on Mark Street from Churchill Boulevard to Lake Street under Section 3 of the *Municipal Act, 2001*, Ontario Regulation 586/06 be read a THIRD time this 1st day of May, 2023.

Carried

12. Consideration and Passing of By-laws

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

12.1.12 By-law 2023-71 (Delegated Authority and Agreement) Outdoor Patio and Liquor Licence Extension

Councillor A. Caputo declared a conflict on this item. (Owns establishment with a temporary outdoor patio.)

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2023-71 being a by-law to approve the standard form of an Outdoor Patio Agreement and further to delegate to the Director of Planning and Enterprise Services, or his/her delegate, signing authority to execute same on behalf of the City of Sault Ste. Marie and further make minor variations from the standard Outdoor Patio Agreement and Sidewalk Patios Requirements and Guidelines to suit the needs of the particular user and circumstances, and further, authorize and appoint the Director of Planning and Enterprise Services to extend a liquor licence to a private temporary patio or a temporary patio on City property in accordance with section 153.1 of the O.Reg 746/21 under the *Liquor Licence and Control Act, 2019*, as amended be passed as amended in open Council this 1st day of May, 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	8	0	1	2
				Carried

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 M. Bruni
 Seconded by: Councillor A. Caputo

Resolved that this Council move into closed session to consider one item concerning a 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 section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board)

Carried

15. Adjournment

Moved by: Councillor M. Bruni

Seconded by: Councillor R. Zagordo

Resolved that this Council now adjourn.

Carried

Mayor

Deputy City Clerk