

MINUTES

REGULAR MEETING OF CITY COUNCIL

2013 11 18

4:30 P.M.

COUNCIL CHAMBERS

Present: Mayor D. Amaroso, P. Mick, Councillors L. Turco, S. Butland, S. Myers, M. Bruni, J. Krmpotich, B. Watkins, R. Niro, P. Christian, F. Fata, T. Sheehan

Absent: Councillor F. Manzo (illness), Councillor F. Fata (vacation)

Officials: J. Fratesi, M. White, N. Kenny, L. Girardi, S. Schell, P. Liepa, J. Dolcetti, D. McConnell

1. ADOPTION OF MINUTES

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the Minutes of the Regular Council Meeting of 2013 11 04 be approved. CARRIED

2. QUESTIONS AND INFORMATION ARISING OUT OF THE MINUTES AND NOT OTHERWISE ON THE AGENDA

3. APPROVE AGENDA AS PRESENTED

Moved by: Councillor M. Bruni

Seconded by: Councillor T. Sheehan

Resolved that the Agenda for 2013 11 18 City Council meeting as presented be approved. CARRIED

4. PROCLAMATIONS/DELEGATIONS

- a) Sean Pritchard was in attendance to receive a Red Cross Rescuer award and a Good Samaritan award for his actions in the September flood event.
- b) Carrie Oliver – Co-chair, Freedom Sisters was in attendance concerning proclamation – Shine the Light.
- c) Carolyn Kargiannakis and Toni Scobie – Algoma Public Health were in attendance concerning proclamation – World AIDS Day.
- d) Rob Coleman – Sault Youth Association was in attendance to provide an update to City Council.

Moved by: Councillor T. Sheehan

Seconded by: Councillor S. Myers

Whereas the Sault Youth Association is about to be wound up; and

Whereas this organization has facilitated a variety of programs and services for the youth of Sault Ste. Marie for many years; and

Whereas the accomplishments of the Sault Youth Association include a gold youth-friendly youth designation for the City, as well as *Buskerfest*, *Fresh Magazine*, *Fresh Art Project*, *Memoirs of a Century*; and more;

Now Therefore Be it Resolved that Sault Ste. Marie City Council sincerely thank present and past Sault Youth Association board members and staff for all of their work over the years; as well as all private and public sector partners who have teamed with the Sault Youth Association to create success for youth in our community. CARRIED

Mover: Councillor T. Sheehan

Seconder: Councillor S. Myers

Resolved that Rob Coleman and David Thompson be requested to act as a resource with respect to the City of Sault Ste. Marie's re-application for a gold youth-friendly designation through the *Youth Friendly Community Recognition Program*. CARRIED

Mover: Councillor T. Sheehan

Seconder: Councillor S. Myers

Resolved that the Commissioner of Community Services be requested to report to Council as to how a youth forum to identify the needs of Sault Ste. Marie's current and future youth (and to offer possible solutions) could be undertaken. CARRIED

- e) Marianne Cox was in attendance concerning agenda item 6.(6)(d).

PART ONE – CONSENT AGENDA

5. COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that all the items listed under date 2013 11 18 – Part One – Consent Agenda and Addendum #1 be approved as recommended. CARRIED

- a) Correspondence from AMO was received by Council.
- b) Correspondence from the Mayor of Ville De Lac-Mégantic thanking City Council for its donation was received by Council.
- c) Correspondence from the City of Greater Sudbury and Ontario North Economic Development Corporation concerning the Ring of Fire was received by Council.
- d) Correspondence and a news release from the Ministry of Natural Resources, a news release from David Oraziatti, M.P.P., and correspondence from a resident concerning a black bear management pilot program in Northern Ontario was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor T. Sheehan

Whereas Sault Ste. Marie has experienced increased incidents of human-bear interaction in recent years, with bear sightings being reported in urban as well as rural areas; and

Whereas bears have been sighted at and around school yards in our community; and

Whereas public safety is of paramount concern; and

Whereas the Ministry of Natural Resources has recently announced its intent to conduct a two-year pilot program “Managing Human-Bear Conflicts”;

Now Therefore Be It Resolved that Council of the City of Sault Ste. Marie confirm to Minister of Natural Resources David Oraziatti that the City of Sault Ste. Marie agrees to opt into the pilot program “Managing Human-Bear Conflicts”. CARRIED

e) Council Travel

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that Mayor Debbie Amaroso be authorized to travel to the Northern Leaders Forum (2 days in December) in Timmins at an estimated cost of \$1000. CARRIED

Moved by: Councillor M. Bruni
Seconded by: Councillor T. Sheehan
Resolved that Councillor Steve Butland be authorized to travel to the Connections Energy Symposium 2013 (2 days in December) in Toronto at an estimated cost of \$500. CARRIED

f) **Staff Travel**

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

Moved by: Councillor M. Bruni
Seconded by: Councillor T. Sheehan
Resolved that the report of the Chief Administrative Officer dated 2013 11 18 concerning Staff Travel requests be approved as requested. CARRIED

g) **Financial Assistance to the Philippines**

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

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Myers
Whereas on November 8, 2013 the Philippines suffered severe devastation from Typhoon Haiyan, with as many as 10,000 people estimated to have been killed; and
Whereas the people of this country have suffered a significant loss of homes and businesses on these small islands; and
Whereas the City of Sault Ste. Marie has always helped its neighbours from around the world when in need,
Now Therefore Be It Resolved that the City of Sault Ste. Marie extend its sincerest condolences to the people of the Philippines, and further that Council authorize a donation in the amount of \$7,500 to the Canadian Red Cross to assist in both the disaster relief and rebuilding of the Philippines. CARRIED

h) **Property Tax Appeals**

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

Moved by: Councillor M. Bruni
Seconded by: Councillor T. Sheehan
Resolved that pursuant to Section 357 of the *Municipal Act, 2001*, that the adjustments for the tax accounts outlined on the City Tax Collector's report of 2013 11 18 be approved and that the tax records be amended accordingly. CARRIED

Pecuniary Interest – Councillor R. Niro – spouse employed by Huron Superior Catholic District School Board

i) **2014 User Fees – By-law 2013-204**

The report of the Manager of Finance and Budgets was received by Council.

The relevant By-law 2013-204 is listed under Item 10 of the Minutes.

j) **2014 Building Permit Fee Increase**

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

The relevant By-law 2013-224 is listed under Item 10 of the Minutes.

k) **2014 Engineering Agreements**

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

The relevant By-laws 2013-217, 2013-218, 2013-219, 2013-220 and 2013-221 are listed under Item 10 of the Minutes.

l) **Environmental Assessment – Third Line East and Black Road Revision to Project Limits**

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Design and Construction Engineer dated 2013 11 18 concerning Environmental Assessment – Third Line East and Black Road Revision to Project Limits be accepted and the recommendation to authorize an increase in the scope of the work at an additional cost of \$25,000 with funding from the existing 2013 Miscellaneous Construction allocation be approved. CARRIED

m) **Building Condition Report for 503 Bay Street (former Northern Brewery)**

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

Moved by: Councillor M. Bruni

Seconded by: Councillor T. Sheehan

Resolved that the report of the Chief Building Official dated 2013 11 18 concerning Building Condition Report for 503 Bay Street (former Northern Brewery) be accepted and the recommendation to issue orders under the Building Standards by-law as outlined in the report be approved. CARRIED

n) **Removal of Rubber Sidewalk – Queen Street East**

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Design and Construction Engineer dated 2013 11 18 concerning Removal of Rubber Sidewalk – Queen Street East be received as information. CARRIED

o) **Hub Trail and Cycling Master Plan – Additional Spokes and “Gaps” Assessment**

The report of the Planning Division was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor T. Sheehan

Resolved that the report of the Planning Division dated 2013 11 18 concerning the Hub Trail and Cycling Master Plan – Additional Spokes and “Gaps” Assessment be received and the recommendation that the John Rowswell Hub Trail and the proposed east, north and west routes be endorsed for inclusion as part of the Trans Canada Trail. CARRIED

The relevant By-law 2013-223 is listed under Item 10 of the Minutes.

p) **Solar Photovoltaic FIT Applications**

The report of the Environmental Initiatives Co-ordinator was received by Council.

The relevant By-law 2013-222 authorizing five municipal council support resolutions appears under Item 10 of the Minutes.

q) **Moonlight Magic – November 20-21, 2013**

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

The relevant By-law 2013-213 is listed under Item 10 of the Minutes.

r) **Winter Operations at Public Works**

The report of the Commissioner of Public Works and Transportation was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Commissioner of Public Works and Transportation dated 2013 11 18 concerning Winter Operations at Public Works be received as information. CARRIED

s) **2014 Ontario Municipal Partnership Fund (OMPF) Grant**

The report of the Manager of Finance and Budgets was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor T. Sheehan

Resolved that the report of the Manager of Finance and Budgets dated 2013 11 18 concerning the 2014 Ontario Municipal Partnership Fund (OMPF) grant be received as information. CARRIED

t) Correspondence between the Commissioner of Engineering and Planning to Chris Raikou, Terminal Manager, Shell Canada Limited concerning Distribution Terminal Property at 1010 McNabb Street was received by Council.

u) **1743503 Ontario Inc. – 496 Second Line West – Ontario Municipal Board Appeal**

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

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Myers
Resolved that the report of the Solicitor/Prosecutor concerning 1743503 Ontario Inc. – 496 Second Line West – Ontario Municipal Board Appeal dated 2013 11 18 be received as information. CARRIED

- v) Correspondence from the Federation of Canadian Municipalities concerning Sault Ste. Marie Water Treatment Plant Energy Efficiency Project was received by Council.
- w) Moved by: Councillor J. Krmpotich
Seconded by: Councillor M. Bruni
Resolved that Council, pursuant to section 259(1)(c) of the *Municipal Act, 2001*, authorizes the absence from Council meetings of Councillor Manzo due to illness for a period in excess of three successive months and that such authorization be extended to February 28, 2014 and reviewed again at that time. CARRIED

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

(1) ADMINISTRATION

(2) COMMUNITY SERVICES DEPARTMENT

(3) ENGINEERING

(4) FIRE

(5) LEGAL

(6) PLANNING

- a) **Application A-15-13-Z – Minor Amendments No. 7 – Filed by the City of Sault Ste. Marie**

The report of the Planning Division was received by Council.

Moved by: Councillor M. Bruni
Seconded by: Councillor T. Sheehan

Resolved that the report of the Planning Division dated 2013 11 18 concerning Application No. A-15-13-Z – Minor Amendments No. 7 – filed by the City of Sault Ste. Marie be received and that City Council approves the minor amendments proposed in this report. CARRIED

b) **Application No. A-21-13-OP – Steven Roberts – 1325 Old Garden River Road**

The report of the Planning Division was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Planning Division dated 2013 11 18 concerning Application No. A-21-13-OP – filed by Steven Roberts – 1325 Old Garden River Road be received as information. CARRIED

c) **Application No. A-22-13-Z – Rita Marie Sopha – 23 Ferris Avenue**

The report of the Planning Division was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor T. Sheehan

Resolved that the report of the Planning Division dated 2013 11 18 concerning Application No. A-22-13-Z – filed by Rita Marie Sopha – 23 Ferris Avenue be received and that City Council postpone this application to its January 6, 2014 meeting. CARRIED

d) **Application No. A-26-13-Z – filed by Major Contracting (Algoma) Ltd. – 46 Melrose Avenue**

The report of the Planning Division was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Planning Division dated 2013 11 18 concerning Application No. A-26-13-Z – filed by Major Contracting (Algoma) Ltd. – 46 Melrose Avenue be received and that City Council approves this application and rezones the subject property from “R3.S-284” (Low Density Residential Zone with Special Exception 284) to “R3.S-284” (Low Density Residential Zone with an amended Special Exception 284) to permit the construction of two 4-plexes on the subject property in addition to the uses permitted within an “R3” Zone, subject to the four special provisions contained in the report. CARRIED

(7) PUBLIC WORKS AND TRANSPORTATION

(8) BOARDS AND COMMITTEES

7. UNFINISHED BUSINESS, NOTICE OF MOTIONS AND RESOLUTIONS PLACED ON AGENDA BY MEMBERS OF COUNCIL

a) Moved by: Councillor S. Myers

Seconded by: Councillor S. Butland

Whereas graffiti or tagging is a community wide-problem; and

Whereas it will require a community-wide strategy in order to reduce or eliminate this "mischief crime"; and

Whereas the presence of graffiti detracts from the attractiveness of our naturally gifted community; and

Whereas there are examples of effective and creative solutions in other municipalities which engage a number of community organizations,

Therefore Be It Resolved that City Council takes the lead in establishing a committee of Council made up of members of Council, appropriate City staff and representation from Police Services, the Downtown Association, the Art Gallery of Algoma and others, to review best practices in other communities; and

Further Be It Resolved that the task force reports back to City Council within six months with preliminary findings regarding a made-in-Sault Ste. Marie approach to reducing this problem activity. CARRIED

Pecuniary Interest – Councillor L. Turco – spouse employed by Police Services

- b) Moved by: Councillor R. Niro
Seconded by: Councillor M. Bruni

Whereas a meeting with the Gore Street area business community was held on October 30, 2013 to discuss common concerns, solutions, and possible actions; and

Whereas several business owners expressed concern with safety in this area; and

Whereas the Gore Street area includes a large residential component, and residents are also concerned about safety in their neighbourhood; and

Whereas safety concerns create a disincentive for revitalization of the Gore Street area; and

Whereas police are very aware of the issues in this area; and

Whereas one solution to decreasing crime in this area is to have a strong police presence;

Now Therefore Be it Resolved that the Police Chief be requested to report as to the feasibility (including cost analysis) of locating a Police Service satellite office in the Gore Street area as a pilot project, such report to be submitted to Council prior to 2014 budget deliberations. CARRIED

- c) Moved by: Councillor R. Niro
Seconded by: Councillor L. Turco

Whereas the City has recently completed a very successful Downtown Development initiative that included more than \$20 million of private sector investment; and

Whereas the City is proposing a second phase of this initiative with additional incentives for the Gore Street area; and

Whereas a meeting with the Gore Street area business community was held on October 30, 2013 to discuss common concerns, solutions, and possible actions; and

Whereas several business owners expressed concern with the deteriorating condition of some buildings in the Gore Street area; and

Whereas this creates a disincentive for neighbouring properties to invest;

Now Therefore Be it Resolved that the Building Division be requested to report as to actions required to ensure compliance of all buildings in the Gore Street area with the property standards by-law. CARRIED

- d) Moved by: Councillor R. Niro
Seconded by: Councillor L. Turco
Resolved that the Building Division be requested to report on the status of enforcement activities with respect to 206 Cathcart Street. CARRIED
- e) Moved by: Councillor R. Niro
Seconded by: Councillor L. Turco
Whereas since the opening of Carmen's Way, vehicular traffic on Bainbridge Street has increased; and
Whereas the speed of said traffic has also increased; and
Whereas a school bus makes daily stops at the top of Bainbridge hill to pick up and return children to their homes; and
Whereas the combination of vehicles speeding up Bainbridge hill and school bus activity at the top of the hill creates a very dangerous situation;
Now Therefore Be It Resolved that the Manager of Traffic and Communications be requested to review the movement and speed of traffic on Bainbridge Street, particularly at the hill section, and report back to Council with possible remedies. CARRIED
- f) Moved by: Councillor B. Watkins
Seconded by: Councillor M. Bruni
Whereas the Chamber of Commerce Young Professional Award recognizes an exceptional young man or woman (aged 19 to 40) who successfully demonstrates excellence in their field in addition to maintaining a positive contribution and commitment to the Sault Ste. Marie community; and
Whereas Stephanie Pagnucco, Community Engagement Assistant in the Mayor's Office was recently presented with the 2013 Young Professional Award; and
Whereas Stephanie is the first recipient of this award;
Now Therefore Be It Resolved that City Council offer its sincere congratulations to Stephanie Pagnucco on this significant achievement. CARRIED
- g) Moved by: Councillor B. Watkins
Seconded by: Councillor M. Bruni
Whereas the Chamber of Commerce ATHENA award is an internationally recognized award, presented to an individual who is recognized for their professional excellence, for providing valuable service to their community and for actively assisting women in attainment of their professional goals and leadership skills; and
Whereas the ATHENA award was recently presented to Sault Ste. Marie Mayor Debbie Amaroso;
Now Therefore Be It Resolved that City Council offer its sincere congratulations to Mayor Debbie Amaroso on this significant achievement. CARRIED

8. COMMITTEE OF THE WHOLE FOR THE PURPOSE OF SUCH MATTERS AS ARE REFERRED TO IT BY THE COUNCIL BY RESOLUTION

9. ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

10. CONSIDERATION AND PASSING OF BY-LAWS

By-laws before Council TO BE PASSED which do not require more than a simple majority.

Moved by: Councillor M.Bruni

Seconded by: Councillor T. Sheehan

Resolved that all by-laws listed under Item 10 of the AGENDA under date 2013 11 18 be approved. CARRIED

Moved by: Councillor M.Bruni

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-204 being a by-law to establish user fees and service charges be Passed in open Council this 18th day of November, 2013. CARRIED

Moved by: Councillor M.Bruni

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-213 being a by-law to authorize an agreement between the City and Downtown Association, Loplop Lounge & Gallery and Searchmont Ski Association Inc. as Licencees to permit the Licencees to occupy various portions of Queen Street East for the Moonlight Magic Event taking place on November 20 – 21, 2013 be Passed in open Council this 18th day of November, 2013. CARRIED

Moved by: Councillor M.Bruni

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-214 being a by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties and to amend Schedule "A" to By-law 90-305 be Passed in open Council this 18th day of November, 2013. CARRIED

Moved by: Councillor M.Bruni

Seconded by: Councillor T. Sheehan

Resolved that By-law 2013-217 being by-law to authorize an agreement between the City and AECOM Canada Ltd. for services for the Queen Street East Improvements from Pine Street to 200 m east of Gravelle Street be Passed in open Council this 18th day of November, 2013. CARRIED

Moved by: Councillor M.Bruni
Seconded by: Councillor T. Sheehan
Resolved that By-law 2013-218 being a by-law to authorize an agreement between the City and GENIVAR Inc. for the reconstruction of Forest Avenue from The Crescent to Simpson Street be Passed in open Council this 18th day of November, 2013. CARRIED

Moved by: Councillor M.Bruni
Seconded by: Councillor T. Sheehan
Resolved that By-law 2013-219 being a by-law to authorize an agreement between the City and Kresin Engineering Corporation for the reconstruction of St. Andrew's Terrace between North Street and John Street be Passed in open Council this 18th day of November, 2013. CARRIED

Moved by: Councillor M.Bruni
Seconded by: Councillor T. Sheehan
Resolved that By-law 2013-220 being a by-law to authorize an agreement between the City and AECOM Canada Ltd. for the reconstruction of March Street between Queen Street and Wellington Street be Passed in open Council this 18th day of November, 2013. CARRIED

Moved by: Councillor M.Bruni
Seconded by: Councillor T. Sheehan
Resolved that By-law 2013-221 being a by-law to authorize an agreement between the City and Kresin Engineering Corporation for an Environmental Assessment for Improvements to Bay Street between Pim Street and Andrew Street be Passed in open Council this 18th day of November, 2013. CARRIED

Moved by: Councillor M.Bruni
Seconded by: Councillor T. Sheehan
Resolved that By-law 2013-222 being a by-law to authorize the execution of five (5) municipal Council support resolutions to support five (5) solar photovoltaic Feed-In-Tariff (FIT) applications being submitted to the Ontario Power Authority Feed-In-Tariff Program be Passed in open Council this 18th day of November, 2013. CARRIED

Pecuniary Interest – Councillor S. Butland – relative is an applicant

Moved by: Councillor M.Bruni
Seconded by: Councillor T. Sheehan
Resolved that By-law 2013-223 being a by-law to authorize an agreement between the City and MMM Group, in association with Kresin Engineering for preparation of preliminary design and cost estimation services for four additional cycling routes and Hub Trail "gaps" be Passed in open Council this 18th day of November, 2013. CARRIED

Moved by: Councillor M.Bruni
Seconded by: Councillor T. Sheehan
Resolved that By-law 2013-224 being a by-law to amend Schedule "A" to By-law 2008-148 (a by-law respecting construction, demolition and change of use

permits, inspections and related matters for the City of Sault Ste. Marie) be
Passed in open Council this 18th day of November, 2013. CARRIED

**11. QUESTIONS BY, NEW BUSINESS FROM, OR ADDRESSES BY MEMBERS
OF COUNCIL CONCERNING MATTERS NOT OTHERWISE ON THE AGENDA**

12. ADDENDUM TO THE AGENDA

13. ADJOURNMENT

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Myers
Resolved that this Council now adjourn. CARRIED

"Debbie Amaroso"
Mayor

"Malcolm White"
City Clerk