

MINUTES

REGULAR MEETING OF CITY COUNCIL

2013 02 04

4:30 P.M.

COUNCIL CHAMBERS

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

Officials: J. Fratesi, M. White, N. Kenny, L. Girardi, N. Apostle, B. Freiburger, J. Dolcetti, C. Taddo, M. Zuppa, F. Coccimiglio, P. Milosevich

1. ADOPTION OF MINUTES

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the Minutes of the Regular Council Meeting of 2013 01 21 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 S. Myers

Seconded by: Councillor M. Bruni

Resolved that the Agenda and Addendum #1 for 2013 02 04 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) Don Mitchell, Chair – Transportation Infrastructure Committee and Oscar Poloni, KPMG were in attendance concerning agenda item 6.(8)(a) – Sault Ste. Marie Regional Harbour Market and Business Analysis.
- b) Michael Howell – Ipsos Reid, Chris Kresin – Kresin Engineering and Dominic Parella – PUC Inc. were in attendance concerning agenda item 6.(8)(b) – PUC Inc. – Water Quality Survey.

PART ONE – CONSENT AGENDA

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

Moved by: Councillor T. Sheehan

Seconded by: Councillor F. Fata

Resolved that all the items listed under date 2013 02 04 – Part One – Consent Agenda be approved as recommended. CARRIED

- a) Correspondence from AMO, FONOM was received by Council.
- b) A letter from the Minister of Transportation was received by Council.

Moved by: Councillor T. Sheehan

Seconded by: Councillor M. Bruni

Resolved that the letter from the Minister of Transportation concerning the discontinuance of the Connecting Link Program be referred to staff for review and report back to Council.

- c) Correspondence from Ontario Lottery and Gaming advising that the quarterly payment of the 5% allocation from October 1 to December 31, 2012 is \$317,813 was received by Council.

d) Council Travel

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that Councillor Steve Butland be authorized to travel to the Sustainable Communities Conference being held in Windsor (2 days in February) at an estimated cost to the City of \$1,650. CARRIED

e) Staff Travel

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

Moved by: Councillor S. Myers
Seconded by: Councillor M. Bruni
Resolved that the report of the Chief Administrative Officer dated 2013 02 04 concerning Staff Travel requests be approved as requested. CARRIED

f) **Tender for Rental of Four (4) Loader/Backhoes**

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

Moved by: Councillor T. Sheehan
Seconded by: Councillor F. Fata
Resolved that the report of the Manager of Purchasing, dated 2013 02 04, be endorsed and that the tender for the supply and delivery of Four (4) Loader/Backhoes on a rental basis, as required the Public Works and Transportation Department, be awarded as recommended. CARRIED

g) **Property Tax Appeals**

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

Moved by: Councillor T. Sheehan
Seconded by: Councillor M. Bruni
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 02 04 be approved and that the tax records be amended accordingly. CARRIED

h) **Biofilter Project – Contract 2011-7E**

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

Moved by: Councillor S. Myers
Seconded by: Councillor F. Fata
Resolved that the report of Land Development and Environmental Engineer dated 2013 02 04 concerning Biofilter Project – Contract 2011-7E be received as information. CARRIED

i) **Contract 2012-11E – Reconstruction of Small Central Creek Aqueduct – Additional Work**

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

The relevant By-law 2013-032 is listed under Item 10 of the Minutes.

j) **Transmission Capacity Constraints**

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

Moved by: Councillor S. Myers
Seconded by: Councillor M. Bruni

Resolved that the report of the Environmental Initiatives Co-ordinator dated 2013 02 04 concerning Transmission Capacity Constraints be accepted and the recommendation that Council authorize a letter of support for a study by Great Lakes Power Transmission on transmission access for renewable energy projects and a proposed generation rejection pilot project be approved. CARRIED

k) **Bible Fellowship Church Request for Exemption from Dates in Fireworks By-law**

The report of the Assistant Fire Chief, Fire Prevention and Public Education was received by Council.

The relevant By-law 2013-31 is listed under Item 10 of the Minutes.

l) **Fireworks By-law**

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

Moved by: Councillor T. Sheehan

Seconded by: Councillor F. Fata

Resolved that the report of the Assistant City Solicitor dated 2013 02 04 concerning Fireworks By-law be accepted and the recommendation to direct the Legal Department to draft a new fireworks by-law be approved. CARRIED

m) **Request for a Deeming By-law for Lots 18, 19 and 20 Plan 7234, Model City Subdivision**

The report of the City Solicitor was received by Council.

The relevant By-law 2013-29 is listed under Item 10 of the Minutes.

n) **Travel Request for Wawa Provincial Offences Court**

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

Moved by: Councillor T. Sheehan

Seconded by: Councillor M. Bruni

Resolved that the report of the Municipal Solicitor/Prosecutor dated 2013 02 04 concerning Travel Request - Wawa Provincial Offences Court be accepted and the recommendation to authorize the Solicitor/Prosecutor's travel to Wawa on various dates in 2013 at an estimated annual cost of \$2,400 be approved. CARRIED

o) **Addition to Schedule "A" By-law 77-200 – Traffic By-law**

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Deputy Commissioner - Public Works and Transportation dated 2013 02 04 concerning Addition to Schedule 'A' - Traffic By-law 77-200 be accepted and the recommendation that the necessary by-law amendment as outlined in the report be prepared for a future meeting of Council be approved. CARRIED

p) **Vehicle Parking at 124 Dennis Street – Odd Fellows for Drop Off / Pick Up of Equipment from Loan Cupboard**

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

The relevant By-law 2013-30 is listed under Item 10 of the Minutes.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

(1) ADMINISTRATION

(2) COMMUNITY SERVICES DEPARTMENT

(3) ENGINEERING

(4) FIRE

(5) LEGAL

a) PUC/City Shareholder Agreement

The report of the City Solicitor was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the City Solicitor dated 2013 02 04 concerning PUC/City Shareholder Agreement be accepted and the recommendation to authorize the Legal Department to negotiate with PUC Inc. and PUC Services Inc. to amend the existing shareholder agreements be approved. CARRIED

Recorded Vote:

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

Against: Nil

(6) PLANNING

(7) PUBLIC WORKS AND TRANSPORTATION

(8) BOARDS AND COMMITTEES

a) Report from the Transportation Infrastructure Committee: Sault Ste. Marie Regional Harbour Market and Business Analysis – Final Report by KPMG – Committee’s Next Steps

Moved by: Councillor L. Turco

Seconded by: Councillor F. Fata

Whereas the development of an improved Regional Harbour in Sault Ste. Marie has been identified by City Council as the highest infrastructure priority for the City of Sault Ste. Marie; and

Whereas City Council has established the Transportation / Infrastructure Committee and approved the top priority of the Committee to be the Regional Harbour Improvement by resolution dated February 22, 2011; and

Whereas Council approved on February 6, 2012 the engagement of KPMG by way of contract to complete a market assessment and feasibility study for a Regional Harbour and directed the Transportation / Infrastructure Committee to manage accordingly; and

Whereas the Transportation / Infrastructure Committee has completed and fully endorses “The Sault Ste. Marie Regional Harbour Market and Business Analysis” completed by KPMG and has obtained endorsement of the Report in principle from Essar Steel Algoma; and

Whereas the results of the KPMG show very significant benefits and opportunities for an expanded Harbour Complex for the City of Sault Ste. Marie and region and clearly show the need to proceed with implementation recommendations;

Now Therefore Be It Resolved that City Council accepts and supports the KPMG Report “The Sault Ste. Marie Regional Harbour Market and Business Analysis” and approves the Transportation / Infrastructure Committee’s proposed “Next Steps” as reported to Council. CARRIED

Pecuniary Interest – Councillor J. Krmpotich – employed by Essar Steel

b) PUC Services Inc. – Water Quality Survey – Ipsos Reid

The report of the President & C.E.O. PUC Services Inc. was received by Council.

Moved by: Councillor T. Sheehan

Seconded by: Councillor M. Bruni

Resolved that the presentations concerning Water Quality Survey and Augmented Residential Sampling Program be received as information. CARRIED

c) **2012 Fourth Quarter Shareholder Report**

The report of the President and CEO of the PUC Inc. was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the President and CEO of the PUC Inc. dated 2013 01 24 concerning 2012 Fourth Quarter Shareholder Report be received as information. CARRIED

Recorded Vote:

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

Against: Nil

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

a) Moved by: Councillor P. Christian

Seconded by: Councillor R. Niro

That Council inform the PUC by way of this resolution that it would like to renegotiate the shareholder agreement with regard to an upset limit on corporate donations. CARRIED

Recorded Vote:

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

Against: Nil

b) Moved by: Councillor P. Christian

Seconded by: Councillor S. Butland

Whereas the St. Marys River has been a gathering place for First Nations People for centuries; and

Whereas over the past 100 years, thousands of European immigrants have made Sault Ste. Marie their home; and

Whereas hundreds of international students from across the globe are currently enrolled at Algoma University and Sault College; and

Whereas it is generally accepted that future economic growth in Canada will be driven, in large part, by the participation of foreign workers; and

Whereas Sault Ste. Marie has demonstrated its desire to enthusiastically welcome new immigrants to the community through initiatives like the immigration portal; and

Whereas the City is continually looking for new ways to diversify our local economy and re-energize our downtown core;

Now Therefore Be It Resolved that council request that the EDC conduct a preliminary study on the possible development of an international market place that could be situated on or near the waterfront, in close proximity to our downtown core. This market place could serve as a retail hub, showcasing merchandise, food products, and arts and crafts of the many countries that are now representative of our local population. Furthermore, Council requests that the EDC meet with potential stakeholders such as Rivers Edge Developments, the Downtown Association area tourism attractions, Algoma University and Sault College to gather input and additional information as part of this preliminary study. CARRIED

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

Whereas each year during parades city buses use Albert Street East just west of Dennis St. as a loading and unloading zone, as buses cannot access the main bus terminal; and

Whereas the use of Albert Street for this purpose has caused some concerns for some residents, including idling buses, blocked driveways, passengers using front lawns and driveways as waiting areas, and considerable narrowing of the street; and

Whereas on the day of parades City Transit carries hundreds of passengers to the downtown core to watch the parade; and

Whereas regular transit service to our community does not stop during parades;
Now Therefore Be It Resolved that the City Transit Department explore options to using Albert Street East as a bus staging area during parades and report back to Council. 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

- Moved by: Councillor S. Myers
Seconded by: Councillor F. Fata

Resolved that all by-laws listed under Item 10 of the AGENDA under date February 4, 2013 be approved. CARRIED

- Moved by: Councillor S. Myers
Seconded by: Councillor F. Fata

Resolved that By-law 2013-24 being a by-law to amend Committee of Adjustment By-law 2010-87 be PASSED in open Council this 4th day of February, 2013. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2013-26 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 4th day of February, 2013. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2013-28 being a by-law to authorize an agreement between the City and the Canadian Union of Public Employees Local No. 67 – Day Care Group for the period commencing June 1, 2012 to May 31, 2015 be PASSED in open Council this 4th day of February, 2013. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2013-29 being a by-law to deem not registered for purposes of subdivision control certain lots in the Model City Subdivision, pursuant to Section 50(4) of the *Planning Act* be PASSED in open Council this 4th day of February, 2013. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2013-30 being a by-law to amend Schedule "V" of Traffic By-law 77-200 regarding parking in front of the Odd Fellows site (124 Dennis Street) be PASSED in open Council this 4th day of February, 2013. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2013-31 being a by-law to exempt Bible Fellowship Church from By-law 73-107 being a by-law to prohibit the use of fireworks in the municipality be PASSED in open Council this 4th day of February, 2013. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2013-32 being a by-law to amend By-law 2012-161 (a by-law to authorize a contract between the City and Avery Construction Ltd. for the Central Creek West Aqueduct Replacement on Central Street (Contract 2012-11E)) be PASSED in open Council this 4th day of February, 2013. CARRIED

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that Council shall now go into Caucus to consider a personal matter about an identifiable individual concerning the filling of a senior staff vacancy; and

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

12. ADDENDUM TO THE AGENDA

13. ADJOURNMENT

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that this Council now adjourn. CARRIED

Debbie Amaroso
MAYOR

Rachel Tyczinski
DEPUTY CITY CLERK