

MINUTES

REGULAR MEETING OF CITY COUNCIL

2013 09 09

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, F. Fata, T. Sheehan, P. Mick

Absent: Councillors F. Manzo (illness), P. Christian (conference)

Officials: J. Fratesi, R. Tyczinski, N. Kenny, S. Hamilton Beach, N. Apostle, V. McLeod, B. Freiburger, J. Dolcetti, C. Taddo, J. Luszka, D. McConnell, J. St. Jules, F. Coccimiglio

1. ADOPTION OF MINUTES

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the Minutes of the Regular Council Meeting of 2013 08 12 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 P. Mick

Seconded by: Councillor R. Niro

Resolved that the Agenda and Addendum #1 for 2013 09 09 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) Lou St. Jules, Publicity Co-ordinator for Elks Lodge, Lady Pat Beek – Past Honoured Royal Lady, Ladies Lodge 155, Wayne Sherlock, Past Provincial

President and Eric Brauner, Exalted Ruler, Sault Ste. Marie Lodge 341 were in attendance concerning Proclamation – Elks & Royal Purple Oncology Van Program Week.

- b) Gayle Manley, President, Zonta Club of Sault Ste. Marie and Dorothy Motluk, Member were in attendance concerning proclamation – Ovarian Cancer Awareness Month.
- c) Dayna Caruso, Volunteer and Fundraising Co-ordinator for Northern Ontario Families of Children with Cancer was in attendance concerning proclamation – Childhood Cancer Awareness Month.
- d) Katie Hewgill was in attendance concerning the Sault Ste. Marie Muscular Dystrophy Walk. Please see agenda item 5.(f).
- e) Phil Becker, General Manager, International Bridge Authority was in attendance concerning Proposed Toll Rate Increase – International Bridge.
- f) Virginia McLeod, Supervisor, Community Services Department was in attendance concerning the best practice presentation – Clean Marine Program – Roberta Bondar Marina.
- g) Jerry Dolcetti, Commissioner of Engineering and Planning was in attendance to present the department's 2013 budget and year-to-date financial information – agenda item 6.(3)(a).
- h) Peter Vaudry and Stephanie Pagnucco – Age Friendly Community were in attendance concerning agenda item 6.(8)(a).
- i) Mark Brown was in attendance concerning agenda item 5.(a)(a).

PART ONE – CONSENT AGENDA

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

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that all the items listed under date 2013 09 09 – Part One – Consent Agenda be approved as recommended with the exception of agenda item 5.(o) and 5.(v). CARRIED

- a) Correspondence from AMO, FONOM was received by Council.
- b) Correspondence from the Minister of Energy concerning the Municipal Energy Plan and Long-Term Energy Plan was received by Council.

- c) Correspondence from the Minister of Rural Affairs concerning the renewed Rural Economic Development program was received by Council.
- d) Correspondence from the Minister of Community Safety and Correctional Services concerning Pic Mobert First Nation was received by Council.
- e) Correspondence from CN concerning the publication "CN in the Community" was received by Council. The full communication package is available in the Mayor's Office for viewing.
- f) Correspondence concerning the Sault Ste. Marie Walk for Muscular Dystrophy was received by Council.
- g) Correspondence from the Coalition for Algoma Passenger Trains was received by Council.
- h) Correspondence from the Sault Ste. Marie International Bridge Authority concerning a proposed toll increase was received by Council.
- i) Correspondence from the Alzheimer Society Sudbury-Manitoulin was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Whereas Alzheimer's disease and other dementias are progressive, degenerative diseases of the brain that cause thinking and memory to become seriously impaired; and

Whereas Alzheimer's disease and other dementias most often occur in people over the age of 65 but can strike adults at any age; and

Whereas Alzheimer's disease and other dementias affect more than 500,000 Canadians currently and that this figure is projected to reach 1.1 million within a generation; and

Whereas Alzheimer's disease and other dementias also take their toll on hundreds of thousands of families and care partners; and

Whereas an estimated further three million Canadians face the burden and challenges of providing care for those suffering with Alzheimer's disease and other dementias; and

Whereas there is no known cause or cure for this devastating illness; and

Whereas the cost related to the health care system is in the billions and only going to increase, at a time when our health care system is already facing enormous financial challenges; and

Whereas Canada, unlike many countries, does not have a national dementia strategy; and

Whereas there is an urgent need to plan and raise awareness and understanding about Alzheimer's disease and other dementias for the sake of improving the quality of life of the people it touches; and

Whereas MP Claude Gravelle Nickel Belt has introduced Bill C-356, "An Act Respecting a National Strategy for Dementia", as he works for broad, all party

and non-partisan support for an issue that touches us all. His legislation calls for a national plan that includes the development of strategies in primary health care, in health promotion and prevention of illness, in community development, in building community capacity and care partner engagement, investments in research and other (advisory board, objectives, investment in research, and caregivers and more);

Now Therefore Be It Resolved that the City of Sault Ste. Marie calls on all levels of government and the Federation of Municipalities to adopt a national dementia strategy, and urges all citizens of our communities to become more aware and engaged concerning the far-reaching effects of this devastating disease. CARRIED

- j) Information concerning Linking Municipalities and the Growth Plan for Northern Ontario was received by Council.

- k) Moved by: Councillor P. Mick
Seconded by: Councillor L. Turco
Resolved that Council, pursuant to Section 259(1)(c) Municipal Act, authorize 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 November 30, 2013 and reviewed again at that time. CARRIED

l) **Staff Travel**

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

Moved by: Councillor B. Watkins
Seconded by: Councillor R. Niro
Resolved that the report of the Chief Administrative Officer dated 2013 09 09 concerning Staff Travel requests be approved as requested. CARRIED

m) **Tender for Screened Street Sand (2013WA16T)**

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

Moved by: Councillor P. Mick
Seconded by: Councillor R. Niro
Resolved that the Report of the Manager of Purchasing dated 2013 09 09 be endorsed and that the tender for the supply and loading of Screened Street Sand, as required by the Public Works and Transportation Department, be accepted as recommended. CARRIED

n) **Mayor and Council Travel Expenses – January 1 – June 30, 2013**

The report of the Commissioner of Finance and Treasurer was received by Council.

Moved by: Councillor B. Watkins
Seconded by: Councillor L. Turco

Resolved that the report of the Commissioner of Finance and Treasurer dated 2013 09 09 concerning Mayor and Council Travel Expenses for the period January 1 to June 30, 2013 be received as information. CARRIED

o) **Supporting Resolution for the “Fair & Open Tendering Act” To End Labour Monopolies**

The report of the Commissioner of Human Resources was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Whereas public employers like municipalities are not businesses and have a different purpose and mandate from commercial enterprises; and

Whereas the OLRB treats many public employers as businesses for the purpose of the construction industry provision of the Labour Relations Act, 1955; and

Whereas when a public employer is organized by an affiliated construction craft union it creates a labour monopoly for construction work that is contracted out by the employer; and

Whereas the construction section of the Labour Relations Act should not apply to public employers like municipalities; and

Whereas some local qualified construction contractors are excluded from bidding on publicly funded City construction projects due to the existing construction union affiliation monopoly thereby forcing the City in many cases to contract work to out-of-town contractors; and

Whereas construction union labour monopolies significantly increase the cost of construction projects to the taxpayer; and

Whereas an amendment to the Labour Relations Act, 1995 would ensure public employers are able to tender construction work in a free and open competitive environment that would maximize fairness and value for construction expenditures;

Now Therefore Be It Resolved that the City of Sault Ste. Marie ask the Province of Ontario to amend Section 126 of the Ontario Labour Relations Act, 1995 so that it explicitly states municipalities are not construction employers.
POSTPONED TO SEPTEMBER 23, 2013

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

That agenda item 5.(o) be postponed to September 23, 2013. CARRIED

Recorded Vote:

For: Councillors S. Butland, M. Bruni, J. Krmpotich, B. Watkins, R. Niro, F. Fata, T. Sheehan, P. Mick

Against: Mayor D. Amaroso, Councillors L. Turco, S. Myers

Absent: Councillors P. Christian, F. Manzo

p) **Essar Centre – Pouring Rights Agreement with Molson Coors Canada**

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

The relevant By-law 2013-164 is listed under Item 10 of the Minutes.

q) **Firearms By-law Exemptions – Ermatinger•Clergue National Historic Site – Special Events**

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

The relevant By-law 2013-171 is listed under Item 10 of the Minutes.

r) **Bike Pump Park – Update**

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

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the Commissioner of Community Services dated 2013 09 09 concerning Bike Pump Park Update be received as information. CARRIED

s) **Stormwater Management Master Plan and Policy**

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

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Land Development and Environmental Engineer dated 2013 09 09 concerning Stormwater Management Master Plan and Policy be accepted and the recommendation that the Notice of Completion be issued, be approved. CARRIED

t) **Unforeseen Storm Sewer Repair – Denwood Drive**

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

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that the report of the Design and Construction Engineer dated 2013 09 09 concerning Unforeseen Storm Sewer Repair - Denwood Drive be accepted and the recommendation to add the necessary repair work to Contract 2013-9E as a change order in the amount of \$215,348.20 with funding from the 2013 Urban Only Capital Construction account, be approved. CARRIED

u) **New 75' Pumper/Aerial Truck**

The report of the Assistant Fire Chief – Support Services was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that the report of the Assistant Fire Chief - Support Services dated 2013 09 09 concerning New 75' Pumper/Aerial Truck be accepted and the

recommendation to issue a purchase order for equipment to be supplied by Safetek Emergency Vehicles/Smeal Fire Apparatus at a cost (including equipment) of \$869,000 with funding from the Fire Services Equipment account be approved. CARRIED

v) **Jeff and Patricia Avery – 179 & 227 Pointe Aux Pins Drive – Planning Application A-10-13-Z.OP and 57T-13-502**

The report of the City Solicitor was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor S. Butland

Resolved that the report of the City Solicitor dated 2013 09 09 concerning OMB Appeal – Application A-10-13-Z.OP and 57T-13-502 be accepted and that despite the appeal, Council confirms its decision to defeat the Application.

Recorded Vote:

For: Mayor D. Amaroso, Councillors S. Butland, S. Myers, M. Bruni, J. Krmpotich, R. Niro

Against: Councillors L. Turco, B. Watkins, F. Fata, T. Sheehan, P. Mick

Absent: Councillors P. Christian, F. Manzo

w) **Easement Required for Shell Canada for Access to City Owned Street – Property Triangle in Front of Shell Terminal – McNabb Street to South Market**

The report of the City Solicitor was received by Council.

The relevant By-law 2013-166 is listed under Item 10 of the Minutes.

x) **Easement Required for Union Gas for a Gas Line Through the Heritage Discovery Centre Lands**

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

The relevant By-law 2013-170 is listed under Item 10 of the Minutes.

y) **Licensing By-laws – Housekeeping**

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

The relevant By-law 2013-167 is listed under Item 10 of the Minutes.

z) **Amendment to Property Standards By-law 2012-9**

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

The relevant By-law 2013-165 is listed under Item 10 of the Minutes.

aa) **Proposed Rental Housing Community Improvement Plan**

The report of the Planning Division was received by Council.

The relevant By-law 2013-168 is listed under Item 10 of the Minutes.

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

The report of Planning Division was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Planning Division dated 2013 09 09 concerning application A-15-13-Z – Minor Amendments No. 7 – filed by the City of Sault Ste. Marie be received and that City Council accept this report as information and authorize staff to provide public notice. CARRIED

cc) **Sault Freecycle Initiative Waste Diversion**

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

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that the report Deputy Commissioner, Public Works and Transportation dated 2013 09 09 concerning Sault Freecycle Initiative Waste Diversion be received as information. CARRIED

dd) **Church Street – “Wrong Way” Signage**

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

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that the report Deputy Commissioner, Public Works and Transportation dated 2013 09 09 concerning Church Street – “Wrong Way” Signage be received as information. CARRIED

ee) **Municipal Coat of Arms**

The report of the City Clerk is attached for the information of Council.

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the City Clerk dated 2013 09 09 concerning Municipal Coat of Arms be received as information and the blazon be approved as recommended. CARRIED

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

(1) ADMINISTRATION

(2) COMMUNITY SERVICES DEPARTMENT

(3) ENGINEERING

a) Engineering Department Budget Update

The report of the Commissioner of Engineering and Planning was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the Commissioner of Engineering and Planning dated 2013 09 09 concerning Engineering and Planning Budget Update be received as information. CARRIED

(4) FIRE

(5) LEGAL

(6) PLANNING

(7) PUBLIC WORKS AND TRANSPORTATION

(8) BOARDS AND COMMITTEES

a) Age-Friendly Sault Ste. Marie – Phase Three – Social Participation & Respect and Social Inclusion

A copy of the recent survey was received by Council..

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the recent survey Age-Friendly Sault Ste. Marie – Phase Three – Social Participation & Respect and Social Inclusion be received as information. CARRIED

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

- a) Moved by: Councillor T. Sheehan
Seconded by: Councillor P. Christian
Whereas Sault Ste. Marie's public parks are thoroughly enjoyed by all of its citizens; and
Whereas the City of Sault Ste. Marie is approached with various offers of donations for public parks individuals, private businesses and public sector organizations,
Therefore Be It Resolved that City Council requests that appropriate City Staff advise how a policy could be developed that would cover both monetary and in-kind donations for our beautiful public parks. OFFICIALLY READ NOT DEALT WITH – WITHDRAWN UNTIL COUNCILLOR CHRISTIAN PRESENT
- b) Moved by: Councillor S. Myers
Seconded by: Councillor L. Turco
Whereas golf is growing in popularity among all age groups in Sault Ste. Marie; and
Whereas the outdoor golf season is short; and
Whereas the City is looking for new opportunities to maximize the use of the new West End Community Centre and generate additional revenue
Therefore Be It Resolved that appropriate staff be report back to Council as to the feasibility of providing indoor golf practice activity at the West End Community Centre. CARRIED
- c) Moved by: Councillor R. Niro
Seconded by: Councillor S. Butland
Whereas it is the City's wish to increase its waste diversion rate through recycling; and
Whereas the recycling collection system has changed from a blue and yellow box system to a cart based system; and
Whereas under our current by-law 2004-68, multi-family developments with 5 units or more must supply their own collection containers;
Now Therefore Be It Resolved that appropriate staff review by-law 2004-68 and consider increasing the cut off of 5 units or more for collection containers for multi-residential recycling. 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 B. Watkins

Seconded by: Councillor L. Turco

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

Pecuniary Interest – Councillor Niro - By-law 2013-160 – nephew is branch supervisor at Roofmart Canada's Sault Ste. Marie location. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2013-160 being a by-law to designate the lands located at 550 Second Line East an area of site plan control (Roofmart Canada Limited) be PASSED in open Council with 9th day of September, 2013. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2013-161 being a by-law to designate the lands located at 545 Second Line West (rear), 152, 155, 164, 169, 173 Vivian Avenue, and the unopened portion of Vivian Avenue an area of site plan control (Gervasi) be PASSED in open Council this 9th day of September, 2013. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2013-162 being a by-law to amend Sault Ste. Marie Zoning By-law 2005-150 concerning lands located at 720 Douglas Street (Guzzo) be PASSED in open Council this 9th day of September, 2013. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2013-163 being a by-law to designate the lands located at 720 Douglas Street an area of Site Plan Control (Guzzo) be PASSED in open Council this 9th day of September, 2013. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2013-164 being a by-law to authorize an agreement between the City and Molson Coors Canada for the exclusive beer pouring rights for the Essar Centre be PASSED in open Council this 9th day of September, 2013. CARRIED

Moved by: Councillor P. Mick
Seconded by: Councillor L. Turco
Resolved that By-law 2013-165 being a by-law to amend By-law 2012-9, the Property Standards By-law for The Corporation of the City of Sault Ste. Marie be PASSED in open Council this 9th day of September, 2013. CARRIED

Moved by: Councillor P. Mick
Seconded by: Councillor L. Turco
Resolved that By-law 2013-166 being a by-law to authorize an easement with Shell Canada from The Corporation of the City of Sault Ste. Marie over a portion of City owned property located on McNabb Street south of the Shell Canada tanks for access to a municipally owned street be PASSED in open Council this 9th day of September, 2013. CARRIED

Moved by: Councillor P. Mick
Seconded by: Councillor L. Turco
Resolved that By-law 2013-167 being a by-law to repeal Licensing By-laws 2473, 4300 and 70-117 of the City of Sault Ste. Marie be PASSED in open Council this 9th day of September, 2013. CARRIED

Moved by: Councillor P. Mick
Seconded by: Councillor L. Turco
Resolved that By-law 2013-168 being a by-law to implement the Rental Housing Community Improvement Plan be PASSED in open Council this 9th day of September. CARRIED

Moved by: Councillor P. Mick
Seconded by: Councillor L. Turco
Resolved that By-law 2013-169 being a by-law to permit the temporary closing of Denwood Drive from Chambers Avenue to Glen Avenue from September 10, 2013 until November 1, 2013 be PASSED in open Council this 9th day of September, 2013. CARRIED

Moved by: Councillor P. Mick
Seconded by: Councillor L. Turco
Resolved that by-law 2013-170 being a by-law to authorize an easement with Union Gas for a gas line through a portion of City owned property, namely the Heritage Discovery Centre be PASSED in open Council this 9th day of September 2013. CARRIED

Moved by: Councillor P. Mick
Seconded by: Councillor L. Turco
Resolved that By-law 2013-171 being a by-law to exempt the Ermatinger-Clergue National Historic Site and Friends of ECNHS from By-law 2008-168 being a firearms by-law to prohibit the discharge of firearms in the municipality be PASSED in open Council this 9th day of September, 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 B. Watkins

Seconded by: Councillor R. Niro

Resolved that this Council now adjourn. CARRIED

D. Amaroso

Mayor

Rachel Tyczinski

Deputy City Clerk