



REGULAR MEETING OF CITY COUNCIL MINUTES

Monday, May 26, 2014

4:30 p.m.

Council Chambers

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

Absent: Councillor T. Sheehan, Councillor F. Manzo

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

1. ADOPTION OF MINUTES

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the Minutes of the Regular Council Meeting of 2014 05 12 be approved.

Carried

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

3. DECLARATION OF PECUNIARY INTEREST

3.1. Councillor P. Christian – Surrender of Lease Agreement Algoma Public Health and Sault College and Offer to Purchase Agreement (294 Willow Avenue)

Member of the Sault College Board of Directors

3.2. Councillor L. Turco – By-law 2014-121 (Agreement) Community Policing Partnerships Program

Spouse is employed by Police Services

3.3. Councillor L. Turco – By-law 2014-122 (Agreement) Safer Communities – 1,000 Officers Partnership Program

Spouse is employed by Police Services

3.4. Councillor P. Christian – By-law 2014-94 (Agreement) Surrender of Lease Algoma Public Health and Sault College

Member of the Sault College Board of Directors

3.5. Councillor P. Christian – By-law 2014-95 (Agreement) Offer to Purchase Algoma Public Health 294 Willow Avenue

Member of the Sault College Board of Directors

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the Agenda and Addendum for 2014 05 26 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1. Red Cross – Rescuer Awards

Diane Lajambe, District Branch Manager, Sault Ste. Marie and District Canadian Red Cross was in attendance.

5.2. Local Food Week

David Thompson, RAIN Project Co-ordinator was in attendance.

5.3. Habitat for Humanity's upcoming fundraiser, HabiCache

Amie Woods, Affiliate Administrator was in attendance.

5.4. Chamber of Commerce 125th Anniversary

Mark Barsanti, President was in attendance.

5.5. Sault Ste. Marie International Bridge

Phil Becker, General Manager was in attendance to provide an update on the New Bridge Plaza Development.

5.6. Departmental Best Practices

Engineering and Planning – Road Construction Communication

6. 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 2014 05 26 - Part One - Consent Agenda and the Addendum be approved as recommended.

Carried

6.1. Extension of Absence – Councillor F. Manzo

Moved by: Councillor J. Krmpotich

Seconded by: Councillor M. Bruni

Resolved that Council, pursuant to Section 259 (1) (c) of the *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 August 11, 2014 and reviewed again at that time.

Carried

6.2. Street Closing – Eat Algoma – RAIN event

The letter of request for a temporary street closing in conjunction with "Eat Algoma – RAIN Event" was received by Council.

The relevant By-law 2014-120 is listed under item 11 of the Minutes.

6.3. Liquor Licence Extension Request

Correspondence requesting permission for private property liquor licence extension was received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that City Council has no objection to the proposed extended licenced area as detailed in the written request for a liquor licence extension on private property for an outdoor

event on the following date and time:

Loplops Gallery~Lounge – Queen Street East – Square 1

- Saturday, June 14, 2014 – 2:00 p.m. to 9:00 p.m. – The Eat Algoma Festival

Carried

6.4. Council Travel

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that Mayor Amaroso be authorized to travel to the Great Lakes and St. Lawrence Cities Initiative Annual Conference being held in Thunder Bay (3 days in June) at a cost of \$1,300.

Carried

6.5. Staff Travel

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Chief Administrative Officer dated 2014 05 26 concerning Staff Travel be approved as requested.

Carried

6.6. RFP for the Leasing of Space for Development of a Gift Shop – Heritage Discovery Centre (2014CL03P)

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Manager of Purchasing dated 2014 05 26 be received and that the proposal submitted by The Voyageurs' Lodge and Cookhouse Ltd. for Lease of Space to Operate a Gift Shop in the Heritage Discovery Centre be accepted. The agreement will commence June 16, 2014 and continue for a period of two (2) years allowing for further one (1) year extensions by mutual consent.

Carried

6.7. St. Mary's Paper Corp. Assessment Appeal 2009 – 2012

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Commissioner of Finance and Treasurer dated 2014 05 26 be received and the recommendation that City Council accept a proposed property tax assessment settlement regarding the St. Mary's Paper Corp. property at 75 Huron Street be approved.

Carried

6.8. Federal Gas Tax Funding Agreement

The report of the Commissioner of Finance and Treasurer was received by Council.
The relevant By-law 2014-106 is listed under item 11 of the Minutes.

6.9. Tall Ship "Liana's Ransom" Agreement to Host at Roberta Bondar Pavilion Dock

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

The relevant By-law 2014-120 is listed under item 11 of the Minutes.

6.10. Resurfacing of Great Northern Road (Second Line East to Third Line East) – Contract 2014-9E

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

The relevant By-law 2014-119 is listed under item 11 of the Minutes.

6.11. Reconstruction of March Street from Wellington St. East to Queen St. East

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

The relevant By-laws 2014-116, authorizing execution of contract and 2014-117, authorizing the road closure of March Street (Wellington Street East to Queen Street East) from May 27, 2014 until October 31, 2014 appear under item 11 of the Minutes.

6.12. Huron Central Railway Agreement for Laying of Pipe Lines Over Railway Lands – Simpson Street Rail Crossing

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

The relevant By-law 2014-118 is listed under item 11 of the Minutes.

6.13. Biennial Bridge Inspections – Engineering Agreement

A report of the Director of Engineering Services is attached for the consideration of Council.

The relevant By-law 2014-114 is listed under item 11 of the Minutes.

6.14. Second Line Widening Phase 2 – Contract 2014-8E

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

The relevant By-law 2014-115 is listed under item 11 of the Minutes.

6.15. Surrender of Lease Agreement Algoma Public Health and Sault College and Offer to Purchase Agreement (294 Willow Avenue)

Councillor P. Christian declared a conflict on this item. (Member of the Sault College Board of Directors)

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

The relevant By-laws 2014-94 and 2014-95 are listed under item 11 of the Minutes.

6.16. Lease Extension 540 Albert Street East

The report of the City Solicitor was received by Council.

The relevant By-law 2014-123 is listed under item 11 of the Minutes.

6.17. Road Closure – The Crescent from Church Street to Forest Avenue

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

The relevant By-law 2014-126 is listed under item 11 of the Minutes.

6.18. Liquor Licence Extension Request

Correspondence requesting permission for private property liquor licence extension was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that City Council has no objection to the proposed extended licenced area as detailed in the written request for liquor licence extension on private property for an outdoor event on the following date and time:

- Saturday June 7, 2014 – Outback Bar & Grill, Sault College (Local Ironworkers Competition) – 443 Northern Avenue East – 11:00 a.m. to 6:00 p.m.

Carried

6.19. Sale of City Owned Property – Rear of 340 Old Garden River Road

The report of the City Solicitor was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the City Solicitor dated 2014 05 26 concerning Sale of City Owned Property – Rear of 340 Old Garden River Road be received and the City sell the Subject Property to Tony Cavaliere for Forty-Three Thousand Fifty Four (\$43,054.00) Dollars plus GST and the “Daylighting Triangle” to Mr. and Mrs. Pidgen for Four Hundred and Forty-Six (\$446.00) Dollars plus GST.

Carried

6.20. Unsafe Order – 124 Andrew Street

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Chief Building Official dated 2014 05 26 concerning the Unsafe Order of 124 Andrew Street be received and the recommendation that any work deemed necessary to make the building safe, including possible demolition costing up to \$20,000 recoverable through municipal taxes, be approved.

Carried

6.21. OGRA Correspondence

Correspondence concerning litigation related to Minimum Maintenance Standards (MMS) was received by Council.

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1. ADMINISTRATION

7.2. COMMUNITY SERVICES DEPARTMENT

7.3. ENGINEERING

7.4. FIRE

7.5. LEGAL

7.6. PLANNING

a. RA Severances – A-8-14- OP

The report of the Planning Department was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Planning Department dated 2014 05 26 be accepted as information and that staff be authorized to provide public notice of the intention to bring this matter to Council for approval at the June 23, 2014 meeting.

Carried

b. 189 Elgin Street – A-10-14-Z

The report of the Planning Department was received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Planning Department dated 2014 05 26 be received and that Council approve the application and rezone the subject properties from 'Low Density Residential Zone' (R3) to 'Low Density Residential Zone' (R3.S) with a Special Exception to permit an animal shelter to be located upon the ground floor of the existing building, subject to the following conditions:

1. That the animal shelter be limited to housing cats only; and
2. That the total number of cats occupying the shelter at any one time not exceed 25.

Carried

7.7. PUBLIC WORKS AND TRANSPORTATION

7.8. BOARDS AND COMMITTEES

a. PUC Inc. and PUC Services Inc. – Annual Shareholder Meeting

The PUC Inc. (PUC Distribution Inc.) and PUC Services Inc. Annual Report to Shareholders; Financial Statements of PUC Distribution Inc. and the Draft Financial Statements of Public Utilities Commission of the City of Sault Ste. Marie, PUC Inc., PUC Services and PUC Telecom were received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that City Council is now authorized to meet in open session as the sole shareholder of PUC Inc. and PUC Services Inc.; and

Further be it resolved that City Council appoints Mayor Debbie Amaroso as Council's proxy to vote on the resolutions of the shareholder of PUC Inc. and PUC Services Inc.

Carried

b. PUC Inc. and PUC Services Inc. Quarterly Reports

The 2013 Fourth Quarter and 2014 First Quarter Shareholder reports were received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the PUC 2013 Fourth Quarter and 2014 First Quarter Shareholder Reports be received as information.

Carried

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

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

10. ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

11. CONSIDERATION AND PASSING OF BY- LAWS

Resolved that all by-laws under item 11 of the Agenda and Addendum under date 2014 05 26 be approved save and except By-laws 2014-94, 2014-95, 2014-121 and 2014-122.

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

a. By-law 2014-94 (Agreement) Surrender of Lease Algoma Public Health and Sault College

Councillor P. Christian declared a conflict on this item. (Member of the Sault College Board of Directors)

Moved by: Councillor M. Bruni

Seconded by:

Resolved that By-law 2014-94 being a by-law to authorize execution of a Surrender of Lease Agreement between The Corporation of the City of Sault Ste. Marie and The Board of Health

for The District of Algoma Health Unit Operating as Algoma Public Health and The Sault College of Applied Arts and Technology dated May 26, 2014 be passed in open Council this 26th day of May, 2014.

Carried

b. By-law 2014-95 (Agreement) Offer to Purchase Algoma Public Health 294 Willow Avenue

Councillor P. Christian declared a conflict on this item. (Member of the Sault College Board of Directors)

Moved by: Councillor M. Bruni

Seconded by:

Resolved that By-law 2014-95 being a by-law to authorize execution of an Offer to Purchase between Algoma Public Health and The Corporation of the City of Sault Ste. Marie dated May 26, 2014 for the property at 294 Willow Avenue be passed in open Council this 26th day of May, 2014.

Carried

c. By-law 2014-101 (Zoning) 365 Maki Road – Frees Johnson

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2014-101 being a by-law to amend Sault Ste. Marie Zoning By-law 2005-150 concerning lands located at 365 Maki Road (Frees Johnson) be passed in open Council this 26th day of May, 2014.

Carried

d. By-law 2014-106 (Agreement) AMO Federal Gas Tax Funding

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2014-106 being a by-law to authorize execution of an agreement between the City and the Association of Municipalities of Ontario (AMO) in order to receive federal gas tax funding for the next ten years be passed in open Council this 26th day of May, 2014.

Carried

e. By-law 2014-112 (Street Assumption)

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Butland

Resolved that By-law 2014-112 being a by-law to assume for public use and establish as

public streets various parcels of land within the City of Sault Ste. Marie be passed in open Council this 26th day of May, 2014

Carried

f. By-law 2014-113 (Temporary Street Closing) Queen Street East

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2014-113 being a by-law to permit the temporary closing of Queen Street East from East Street to Brock Street to facilitate the Eat Algoma Event be passed in open Council this 26th day of May, 2014.

Carried

g. By-law 2014-114 (Agreement) Tulloch Engineering Inc. – Biennial Inspection of Bridges

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2014-114 being a by-law to authorize the execution of an agreement between the City and Tulloch Engineering Inc. for the biennial inspection of bridges and related structures be passed in open Council this 26th day of May, 2014.

Carried

h. By-law 2014-115 (Agreement) Avery Construction Limited – Second Line Widening

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2014-115 being a by-law to authorize the execution of a contract between the City and Avery Construction Limited for the Second Line East widening Phase 2 (Contract 2014-8E) be passed in open Council this 26th day of May, 2014.

Carried

i. By-law 2014-116 (Agreement) EBC Inc. – Reconstruction of March Street

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2014-116 being a by-law to authorize the execution of a contract between the City and EBC Inc. for the reconstruction of March Street from Wellington Street East to Queen Street East (Contract 2014-4E) be passed in open Council this 26th day of May, 2014.

Carried

j. By-law 2014-117 (Temporary Street Closing) March Street

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2014-117 being a by-law to permit the temporary closing of March Street (Wellington Street East to Queen Street East) from May 27, 2014 until October 31, 2014 be passed in open Council this 26th day of May, 2014.

Carried

k. By-law 2014-118 (Agreement) Huron Central Railway Company

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2014-118 being a by-law to authorize the execution of an agreement between the City and Huron Central Railway Company for the laying of pipe lines over railway lands at the Simpson Street Rail Crossing be passed in open Council this 26th day of May, 2014.

Carried

l. By-law 2014-119 (Agreement) Ellwood Robinson Limited – Great Northern Road Resurfacing

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2014-119 being a by-law to authorize execution of a contract between the City and Ellwood Robinson Limited for Great Northern Road Resurfacing Second Line East to Third Line East (Contract 2014-9E) be passed in open Council this 26th day of May, 2014.

Carried

m. By-law 2014-120 (Agreement) Ship Appearance – Schooner "Liana's Ransom"

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2014-120 being a by-law to authorize execution of a Ship Appearance Agreement between the City and Joseph Tilley in order to have visitation from Schooner "Liana's Ransom" for sailing excursions, public visitation and hospitality events for the period of July 18 – 20, 2014 be passed in open Council this 26th day of May, 2014.

Carried

n. By-law 2014-121 (Agreement) Community Policing Partnerships Program

Councillor L. Turco declared a conflict on this item. (Spouse is employed by Police Services)

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2014-121 being a by-law to authorize the execution of an agreement between the City, the Province and the Sault Ste. Marie Police Services Board to renew the Community Policing Partnerships (CPP) Program effective April 1, 2014 to March 31, 2016 be passed in open Council this 26th day of May, 2014.

Carried

o. By-law 2014-122 (Agreement) Safer Communities – 1,000 Officers Partnership Program

Councillor L. Turco declared a conflict on this item. (Spouse is employed by Police Services)

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2014-122 being a by-law to authorize the execution of an agreement between the City, the Province and the Sault Ste. Marie Police Services Board to renew the Safer Communities – 1,000 Officers Partnership Program effective April 1, 2014 to March 31, 2016 be passed in open Council this 26th day of May, 2014.

Carried

p. By-law 2014-123 (Agreement) Lease Extension – 540 Albert Street East

Moved by: Councillor M. Bruni

Seconded by: Councillor T. Sheehan

Resolved that By-law 2014-123 being a by-law to authorize the execution of a Third Lease Extension and Amending Agreement between the City and Her Majesty the Queen in right of Ontario as represented by the Minister of Infrastructure for the lease of part of 540 Albert Street East for a term commencing July 16, 2014 to July 15, 2019 be passed in open Council this 26th day of May, 2014.

Carried

q. By-law 2014-124 (Parking) Appointment of Municipal By-law Enforcement Officers

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2014-124 being a by-law to appoint by-law enforcement officers to enforce the by-laws of The Corporation of the City of Sault Ste. Marie be passed in open Council this 26th day of May, 2014.

Carried

r. By-law 2014-125 (Parking) Appointment of Municipal Law Enforcement Officers

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2014-125 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 26th day of May, 2014.

Carried

s. By-law 2014-126 (Temporary Street Closing) The Crescent

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2014-126 being a by-law to permit the temporary closing of The Crescent (Church Street to Forest Avenue) from May 27, 2014 to June 30, 2014 be passed in open Council this 26th day of May, 2014.

Carried

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

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

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

13. CLOSED SESSION

14. ADJOURNMENT

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that this Council now adjourn.

Carried

Mayor

City Clerk

