



## **REGULAR MEETING OF CITY COUNCIL MINUTES**

Monday, July 13, 2015

4:30 p.m.

Council Chambers

Civic Centre

Present: Mayor C. Provenzano, Councillor S. Butland, Councillor P. Christian, Councillor S. Myers, Councillor T. Sheehan, Councillor J. Hupponen, Councillor M. Shoemaker, Councillor L. Turco, Councillor R. Niro, Councillor M. Bruni, Councillor F. Fata, Councillor J. Krmpotich, Councillor R. Romano

Officials: N. Apostle, S. Schell, J. Dolcetti, L. Girardi, N. Kenny, M. White, M. Figliola, R. Nenonen, P. Tonazzo, D. Scott, M. Blanchard, D. Scott, F. Coccimiglio

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### **1. ADOPTION OF MINUTES**

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the Minutes of the Regular Council Meeting of 2015 06 22 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 L. Turco – Additional Service to Industrial Park and New School**

Spouse is a trustee with the Huron-Superior Catholic District School Board.

**3.2 Councillor L. Turco – A-13-15-Z – 207 Dacey Road**

Spouse is a trustee with the Huron-Superior Catholic District School Board.

**3.3 Councillor M. Shoemaker – Miscellaneous Sewer Contract – 2015-8E**

Proposed work has the potential to affect personal property.

**3.4 Councillor J. Krmpotich – Community Festival – United Steelworkers**

United Steelworkers Union Co-ordinator.

**3.5 Councillor S. Butland – Northern Community Centre Rooftop Solar Photovoltaic Project Update**

Son-in-law is employed by Ethos Solar.

**3.6 Councillor S. Butland – Solar Photovoltaic Municipal Council Support Resolutions**

Son-in-law is employed by Ethos Solar.

**3.7 Councillor R. Niro – Downtown Community Improvement Plan – Financial Incentive Grant Applications – July 2015**

Daughter provided design work for upgrading the facade for one of the applicants (Synergy Naturopathic Clinic).

**3.8 Councillor R. Niro – Additional Service to Industrial Park and New School**

Spouse employed by the Huron-Superior Catholic District School Board.

**3.9 Councillor R. Niro – A-13-15-Z – 207 Dacey Road**

Spouse employed by the Huron-Superior Catholic District School Board.

**3.10 Councillor R. Romano – Licence to Occupy for The Art Gallery of Algoma**

Spouse is a member of the Art Gallery board of directors.

**3.11 Councillor R. Romano – By-law 2015-130 (Agreement) The Art Gallery of Algoma**

Spouse is a member of the Art Gallery board of directors.

**3.12 Councillor R. Romano – Downtown Community Improvement Plan – Financial Incentive Grant Applications – July 2015**

One of the applicants is a personal friend.

**3.13 Councillor R. Romano – A-13-15-Z – 207 Dacey Road**

Applicant is a personal friend.

**4. APPROVE AGENDA AS PRESENTED**

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the Agenda for 2015 07 13 City Council Meeting as presented be approved.

**Carried**

**5. PROCLAMATIONS/DELEGATIONS**

**5.1 Kiwanis International Year**

Vicky Roy, President of the Sault Ste. Marie Kiwanis Club and Ford Upton, President of the Kiwanis Club of Lakeshore were in attendance.

**6. COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES**

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that all the items listed under date 2015 07 13 – Part One – Consent Agenda be approved, save and except item 6.17.

**Carried**

**6.1 Street Closing – Back to School Carnival**

The letter of request for a temporary street closing in conjunction with The Summit Community Church – Back to School Carnival was received by Council.

- Queen Street East from Elgin Street to Bruce Street – August 29, 2015 from 10:30 a.m. to 1:30 p.m.

The relevant By-law 2015-132 is listed under item 11 of the Minutes.

**6.2 Tenders for Equipment**

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Manager of Purchasing dated 2015 07 13 be received and the recommendation that the tenders for the supply and delivery of various pieces of equipment be awarded as follows:

- One (1) Diesel Riding Mower – Northshore Tractor Ltd. \$21,678.53 c/w Front Mower Deck
- One (1) 15000 GVW Diesel – Allan Fyfe Equipment Ltd.\$153,782.00 Signalier Platform Lift
- One (1) Municipal Tractor – Work Equipment Ltd.\$162,055.0 c/w Snowblower, Plows & Sweeper
- Two (2) 58000 GVW Tandem Trucks – TMS Truck Centre Ltd. \$378,820.12 c/w Plow, Wing, Harness & Dump Box

for a total amount of \$716,335.65 (H.S.T. extra) be approved.

**Carried**

### **6.3 Tender for Municipal Mausoleum Phase XIV (2015CI01T)**

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

The by-law authorizing signature of a formal contract will appear on a future Council Agenda.

Moved by: Councillor P. Christian

Seconded by: Councillor R. Romano

Resolved that the report of the Manager of Purchasing dated 2015 07 13 be received and the recommendation that the tender for the Municipal Mausoleum Phase XIV be awarded to Gough Masonry Ltd. at their low tendered price, meeting specifications, of \$783,600.00 plus HST, be approved; and further that the City's Consultant, EPOH Inc., be authorized to provide a Letter of Intent formally authorizing Gough Masonry Ltd. to proceed with this project.

**Carried**

### **6.4 Tenders for Equipment – Leases**

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

The by-law authorizing signature of the required leases will appear on a future Council Agenda.

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that the report of the Manager of Purchasing dated 2015 07 13 be received and the recommendation that the tenders for the supply and delivery of various pieces of equipment be awarded as follows:

- Lease of Four (4) Front End Loaders – Tracks & Wheels Equipment \$3,008.80 (periodic payment per unit – HST extra)
- Lease of Three (3) Graders c/w Snow Wing and Front Blades – Nortrax Canada Inc. \$7,522.75 (periodic payment per unit – HST extra)

for a total amount of \$207,620.70 (HST extra) for the initial Winter Control Season be approved.

**Carried**

## **6.5 Vacancy Management Plan**

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Commissioner of Finance and Treasurer dated 2015 07 13 concerning the Vacancy Management Plan be received as information.

**Carried**

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Myers

Whereas the Commissioner of Finance has conducted a review of vacant positions within the Finance Department; and

Whereas that review has resulted in internal savings of nearly \$100,000 and a beneficial realignment of staffing resources; and

Whereas it is in the City's interests to operate efficiently, to find cost savings and to optimize staffing levels wherever possible; and

Whereas the City's current vacancy management policy is more than 25 years old and is in need of review to ensure that its provisions are adequate, appropriate and consistently applied;

Now Therefore Be It Resolved that the Commissioner of Human Resources and the CAO be directed to conduct a review of vacancy management policies across other municipalities or large organizations and report back to Council on ways to improve and implement an effective and consistently-used vacancy management policy in Sault Ste. Marie.

**Carried**

## **6.6 Property Tax Appeals**

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the City Tax Collector dated 2015 07 13 concerning Property Tax Appeals be received and the recommendation that the tax records be amended pursuant to Section 357 of the *Municipal Act* be approved.

**Carried**

**6.7 Miscellaneous Sewer Contract – 2015-8E**

Councillor M. Shoemaker declared a conflict on this item. (Proposed work has the potential to affect personal property.)

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Design and Construction Engineer dated 2015 07 13 concerning Miscellaneous Sewer Contract be received and that the work be deferred until 2016 when the City can re-tender within a larger contract in order to receive a more competitive bid; the Engineering Department also to explore the option of Public Works constructing portions of this contract.

**Carried**

**6.8 Northern Community Centre Rooftop Solar Photovoltaic Project Update**

Councillor S. Butland declared a conflict on this item. (Son-in-law is employed by Ethos Solar.)

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

The relevant By-law 2015-127 is listed under item 11 of the Minutes.

**6.9 Solar Photovoltaic Municipal Council Support Resolutions**

Councillor S. Butland declared a conflict on this item. (Son-in-law is employed by Ethos Solar.)

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

The relevant By-law 2015-128 is listed under item 11 of the Minutes.

**6.10 Deeming By-law Huron Subdivision – Lots 77 to 83, Plan 12983 St. Mary's (Blessed Sacrament)**

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

The relevant By-law 2015-129 is listed under item 11 of the Minutes.

**6.11 Lease – 363 Wellington Street West**

The report of the City Solicitor was received by Council.

The relevant By-law 2015-133 is listed under item 11 of the Minutes.

**6.12 Licence to Occupy for The Art Gallery of Algoma**

Councillor R. Romano declared a conflict on this item. (Spouse is a member of the Art Gallery board of directors.)

The report of the City Solicitor was received by Council.

The relevant By-law 2015-130 is listed under item 11 of the Minutes.

**6.13 Downtown Community Improvement Plan – Financial Incentive Grant Applications – July 2015**

Councillor R. Niro declared a conflict on this item. (Daughter provided design work for upgrading the facade for one of the applicants (Synergy Naturopathic Clinic).)

Councillor R. Romano declared a conflict on this item. (One of the applicants is a personal friend.)

The report of the Planning Division was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Planning Division dated 2015 07 13 concerning the Downtown Community Improvement Plan Financial Incentive applications be received and that the grant applications listed in this report be approved.

**Carried**

**6.14 Surveillance System for Transit Buses**

The report of the Manager of Transit and Parking was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor R. Romano

Resolved that the report of the Manager of Transit and Parking concerning the purchase and installation of on-board surveillance cameras on the fleet of conventional buses be approved; further that Council direct staff to proceed with the Request for Proposal following the City's purchasing policy.

**Carried**

**6.15 Additional Service to Industrial Park and New School**

Councillor L. Turco declared a conflict on this item. (Spouse is a trustee with the Huron-Superior Catholic District School Board.)

Councillor R. Niro declared a conflict on this item. (Spouse employed by the Huron-Superior Catholic District School Board.)

The report of the Manager of Transit and Parking was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Manager of Transit and Parking dated 2015 07 13 concerning Additional Service to Industrial Park and New School be received as information.

**Carried**

#### **6.16 CAO Recruitment**

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that the report of Mayor Provenzano dated 2015 07 13 concerning CAO Recruitment be received as information.

**Carried**

#### **6.17 Recognition of Sir William H. Hearst**

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Committee to Honour William H. Hearst dated 2015 07 13 be accepted and that Council approve the recommendation to henceforth rename the Civic Holiday in Sault Ste. Marie as Sir William H. Hearst Day; and

Further that the Committee report to Council at a future date concerning the possible establishment of academic scholarships at Algoma University and Sault College as further recognition of the legacy of Sir William H. Hearst.

**Carried**

### **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**



**7.6.1 A-12-15-Z – 342/346 John Street**

The report of the Planner was received by Council.

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Planner dated 2015 06 22 concerning A-12-15-Z – 342-346 John Street be accepted as information and that Council rezones the subject property from R.3 (Low Density Residential Zone) to R3.S (Low Density Residential Zone) with a Special Exception outlining the following provisions:

1. That in addition to the uses permitted in an R.3 zone, that an apartment building be permitted, consisting of not more than 25 dwelling units.
2. That the existing building footprint and height not be expanded in any way.
3. That additional landscaping be provided within the northwestern portion of the subject property, adjacent to John Street, as shown on the applicants' site plan.
4. That a fence be erected and maintained along the northern portion of the landscaped area adjacent to John Street, in accordance with the provisions of Zoning By-law 2005-150.
5. That a landscaped strip be provided along the Bush Street frontage to the satisfaction of the Planning Director.
6. That the front yard setback (John Street) be reduced to 0.5m.
7. That the exterior side yard setback (St. George's Avenue) be reduced to 1.2m.
8. That the interior side yard setback (north lot line) be reduced to 1.8m.
9. That required parking be permitted in the required exterior side yard.
10. That the property be deemed subject to Site Plan Control, pursuant to Section 41 of the *Planning Act*.

**Carried**

**7.6.2 A-13-15-Z – 207 Dacey Road**

Councillor L. Turco declared a conflict on this item. (Spouse is a trustee with the Huron-Superior Catholic District School Board.)

Councillor R. Niro declared a conflict on this item. (Spouse employed by the Huron-Superior Catholic District School Board.)

Councillor R. Romano declared a conflict on this item. (Applicant is a personal friend.)

The report of the Planner and correspondence from the Batchewana First Nation of Ojibways was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Planner dated July 13, 2015 concerning A-13-15-Z – St. Hubert's Postponement be accepted as information and that Council postpones this application to allow the current landowner to discuss the concerns raised with Batchewana First Nations.

**Carried**

## **7.7 PUBLIC WORKS AND TRANSPORTATION**

## **7.8 BOARDS AND COMMITTEES**

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

### **8.1 Canada 150**

Moved by: Councillor S. Myers

Seconded by: Councillor J. Hupponen

Whereas the country of Canada will be celebrating our 150th anniversary in 2017; and

Whereas Sault Ste. Marie is a city that recognizes and celebrates our rich heritage within Canada;

Now Therefore Be It Resolved that a Committee of Council be established known as Mayor's Committee on Celebrate Canada 150 to develop a Celebrate Canada 150 plan; and

Further Be It Resolved that appropriate staff from the City Clerk's Department, Community Services Department and the Finance Department along with members of City Council be part of the committee to be chaired by a member of City Council on behalf of the Mayor.

**Carried**

### **8.2 Wood Burning Stoves**

Moved by: Councillor F. Fata

Seconded by: Councillor M. Bruni

Whereas there are many residents in Sault Ste. Marie who use wood burning stoves to heat their homes; and

Whereas it is the opinion of most people that this is a good and efficient way to save on heating costs; and

Whereas concerns have been raised by some home owners that their neighbours are burning certain materials that are causing discomfort, poor air quality and potentially unsafe health conditions;

Now Therefore Be It Resolved that appropriate City staff be requested to research this matter and report to Council.

**Carried**

### **8.3 Utilization Survey**

Moved by: Councillor S. Butland

Seconded by: Councillor P. Christian

Be It Resolved that Council request appropriate staff to conduct a utilization survey on the new bicycle lanes on Queen Street East and report back to Council.

**Carried**

### **8.4 Littner Park**

Moved by: Councillor S. Butland

Seconded by: Councillor P. Christian

Whereas the structure (rink shack) at Littner Park has been vacant for several years and is in a state of deterioration and attracting night-time loitering and graffiti; and

Whereas it will not serve any short-term or long-term purpose for the city;

Now Therefore Be It Resolved that the City dismantle and remove the structure from its present site.

**Carried**

### **8.5 Employee Innovation Program Report**

Moved by: Councillor J. Krmpotich

Seconded by: Councillor J. Hupponen

Whereas the employees of the Corporation of the City of Sault Ste. Marie possess a wealth of knowledge, experience and a diversity of abilities and talents; and

Whereas municipal employees are a potential source of new ideas, creative approaches and process improvements that can in turn lead to cost-savings, better service delivery and improved value for taxpayers; and

Whereas many public sector employers have now instituted formal Employee Innovation Programs to encourage workers to identify and champion ideas that can yield such beneficial outcomes; and

Whereas having an Employee Innovation Program in place can also encourage creative thinking, a proactive approach to solving problems and lead to increased employee morale and engagement,

Now Therefore Be It Resolved that City staff be requested to prepare a report explaining how Employee Innovation Programs have been implemented by other public sector employers, said report to include comments on how such a program might be initiated at the City of Sault Ste. Marie.

**Carried**

**8.6 Community Festival – United Steelworkers**

Councillor J. Krmpotich declared a conflict on this item. (United Steelworkers Union Co-ordinator)

Moved by: Councillor M. Shoemaker

Seconded by: Councillor T. Sheehan

Resolved that appropriate staff review the costs and potential funding that would be associated with offering free transit services for community attendees to the United Steelworkers Community Festival on August 19, 2015.

**Carried**

**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**

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

**11.1.1 By-law 2015-127 (Agreement) PUC and Simcoe County Community Energy Co-Operative Inc.**

Moved by: Councillor P. Christian

Seconded by: Councillor R. Romano

Resolved that By-law 2015-127 being a by-law to authorize the execution of a Surrender of Sublease and Consent to Sublease Agreement between the City and PUC Services Inc. and Simcoe County Community Energy Co-Operative Inc. be passed in open Council this 13th day of July, 2015.

**Carried**

**11.1.2 By-law 2015-128 (Resolutions) Solar Photovoltaic FIT Applications**

Moved by: Councillor P. Christian

Seconded by: Councillor R. Romano

Resolved that By-law 2015-128 being a by-law to authorize the execution of four (4) Municipal Council Support Resolutions and nine (9) Municipal Council Confirmation Resolutions to support the solar photovoltaic applications being submitted to the Independent Electricity System Operator Feed-In-Tariff Program be passed in open Council this 13th day of July, 2015.

**Carried**

**11.1.3 By-law 2015-129 (Subdivision Control) Deeming Lots 77 to 83 Huron Subdivision**

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that By-law 2015-129 being a by-law to deem not registered for purposes of subdivision control certain lots in the Huron Subdivision, pursuant to section 50(4) of the *Planning Act* be passed in open Council this 13th day of July, 2015.

**Carried**

**11.1.4 By-law 2015-130 (Agreement) The Art Gallery of Algoma**

Councillor R. Romano declared a conflict on this item. (Spouse is a member of the Art Gallery board of directors.)

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that By-law 2015-130 being a by-law to authorize the execution of an agreement between the City and The Art Gallery of Algoma to permit The Art Gallery of Algoma to occupy the property of the City identified as part of PIN 31540-0094 (LT), being lands to the southwest of Ken Danby Way at civic no. 651 Bay Street be passed in open Council this 13th day of July, 2015.

**Carried**

**11.1.5 By-law 2015-131 (Exemption Certificate) 995 Queen Street East**

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that By-law 2015-131 being a by-law pursuant to Section 9(10) of the *Condominium Act, 1998*, S.O. 1998, c.19 exempting a portion of lands having civic address 995 Queen Street East, Sault Ste. Marie, Ontario, former Plummer Hospital Building [east wing] and consisting solely of the two-storey building on the aforesaid lands from Sections 51 and 51.1 of the *Planning Act*, R.S.O. 1990, c. P.13 and pursuant to Section 9(7) of the *Condominium Act, 1998*, authorizing the Mayor and City Clerk to execute an Exemption Certificate be passed in open Council this 13th day of July, 2015.

**Carried**

**11.1.6 By-law 2015-132 (Temporary Street Closing) Queen St. E.**

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that By-law 2015-132 being a by-law to permit the temporary closing of Queen Street East from Elgin Street to Bruce Street to facilitate the Back to School Carnival hosted by The Summit Community Church be passed in open Council this 13th day of July, 2015.

**Carried**

**11.1.7 By-law 2015-133 (Agreement) Belsito**

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that By-law 2015-133 being a by-law to authorize the execution of an agreement between the City and Kevin Belsito to permit Mr. Belsito to lease the property of the City at 363 Wellington Street West, being part of PIN 31572-0242 (LT) for the purpose of parking be passed in open Council this 13th day of July, 2015.

**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**

Moved by: Councillor S. Butland

Seconded by: Councillor R. Romano

Resolved that this Council proceed into closed session to discuss one tax item involving solicitor-client privilege, Further be it resolved that should the said closed session be adjourned, Council may reconvene in closed session to continue to discuss the same matter without the need for a further authorizing resolution (*Solicitor-Client privilege – section 239 (b)*).

**Carried**

**14. ADJOURNMENT**

Moved by: Councillor P. Christian

Seconded by: Councillor R. Romano

Resolved that this Council now adjourn.

**Carried**

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Mayor

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City Clerk

