



REGULAR MEETING OF CITY COUNCIL MINUTES

Monday, November 23, 2015

4:30 p.m.

Council Chambers

Civic Centre

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

Absent: Councillor J. Krmpotich

Officials: A. Horsman, M. White, N. Kenny, N. Apostle, L. Girardi, S. Schell, J. Dolcetti, M. Nadeau, P. Niro, D. McConnell, S. Hamilton Beach, F. Coccimiglio, T. Dodds, C. Fairbrother, S. Parr, D. Elliott, S. Hamilton-Beach, M. Lebel, M. Blanchard, D. Scott, A. Starzomski, M. Pinder, R. Nenonen, T. Reid, K. Stanghetta

1. ADOPTION OF MINUTES

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the Minutes of the Regular Council Meeting of 2015 11 09 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 – Ministry of Natural Resources Response to Wild Animals

Spouse is employed by Police Service.

3.2 Councillor R. Niro – Patrick R. Burke – Fire Service Consulting

Brother is employed by Fire Services.

3.3 Councillor R. Niro – Mike Figliola, Fire Chief – Fire Services Organizational Realignment

Brother is employed by Fire Services.

3.4 Councillor R. Romano – Parking – By-Law 90-305 Amendments

Brother-in-law is named in the report.

3.5 Councillor L. Turco – By-law 2015-212 (Parking) Municipal Law Enforcement Officers

Spouse employed by Police Service.

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the Agenda and Addendum for 2015 11 23 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 AMCTO Accessibility for Ontarians with Disabilities 10th Year Anniversary Awards

Recipients Ann Marie McPhee and Matt Trainor were in attendance.

5.2 World AIDS Day

Kristin Bateman, Public Health Nurse, Algoma Public Health and Jennifer Jolie, Healthy Sexuality/Prevention Program Co-Ordinator, Group Health Centre–HIV and AIDS Resource Program were in attendance.

5.3 Port of Algoma

Anshumali Dwivedi, CEO – Port of Algoma was in attendance concerning agenda item 7.3.1.

5.4 Canadian Bushplane Heritage Centre

Mike Delfre, Executive Director, Canadian Bushplane Heritage Centre; Dr. Ron Common, President, Canadian Bushplane Heritage Centre and Tom Dodds, CEO, Sault Ste. Marie Economic Development Corporation were in attendance concerning agenda item 7.8.1.

5.5 Municipal Day Care Operations

Sharon St. Pierre, Drew McBride, Rachel Punch, Jason Gauthier, Rebecca Piccolo, Danielle Heatley and Jill Hewgill were in attendance concerning agenda item 7.2.1.

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that all the items listed under date 2015 11 23 – Part One – Consent Agenda and Addendum be approved as recommended.

Carried

6.1 Correspondence

6.1.1 Patrick R. Burke – Fire Service Consulting

Councillor R. Niro declared a conflict on this item. (Brother is employed by Fire Services.)

6.1.2 Mike Figliola, Fire Chief – Fire Services Organizational Realignment

Councillor R. Niro declared a conflict on this item. (Brother is employed by Fire Services.)

6.1.3 Mayor's Correspondence – Infrastructure and Communities, International Trade

6.2 Council Travel

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that Councillor Turco be authorized to travel to Toronto for two days in November to attend the AMO Board of Director/Large Urban Caucus Meeting at an estimated cost to the City of \$300.

Carried

6.3 Immigration Action Committee – Additional Appointment

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that Sharon Mosker, representing the Sault Ste. Marie Career Centre be appointed to the Immigration Action committee.

Carried

6.4 Tender for Line Painting – Traffic Division (2015WA32T)

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Manager of Purchasing dated 2015 11 23 be received and that the tender submitted by 2228977 Ontario Inc. (o/a R & N Maintenance) to provide Line Painting services for City streets, as required by the Traffic Division of PWT, at their low tendered prices (subject to annual adjustment) for the 2016, 2017 and 2018 seasons and option extension be approved.

Carried

6.5 Nine Month Financial Report: September 30, 2015

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Commissioner of Finance and Treasurer dated 2015 11 23 concerning Nine Month Financial Report to September 30, 2015 be received as information.

Carried

6.6 Essar Centre – Arena Glass

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

Moved by: Councillor F. Fata

Seconded by: Councillor M. Bruni

Resolved that the report of the Commissioner of Community Services dated 2015 11 23 concerning installation of an acrylic glass system to NHL standards at the Essar Centre be received and that the estimated cost of between \$80,000 and \$90,000 be allocated from the previous Essar Centre Enhancement Project budget.

Carried

6.7 Wastewater Advisory Services Engineering Agreement

The report of the Land Development and Environmental Engineer was received by Council.
The relevant By-law 2015-209 is listed under item 11 of the Minutes.

6.8 Bay Street EA – Notice of Completion

The report of the Director of Engineering was received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Director of Engineering Services dated 2015 11 23 concerning the Notice of Completion for the Bay Street environmental assessment be received as information.

Carried

6.9 Fort Creek Aqueduct John Street Diversion – Revised Engineering Agreement

The report of the Design and Construction Engineer was received by Council.
The relevant By-law 2015-214 is listed under item 11 of the Minutes.

6.10 Property Declared Surplus – 253 and 193 Anna Street

The report of the City Solicitor was received by Council.

6.11 Lane Closing Application – Elkins Subdivision

The report of the City Solicitor was received by Council.
The relevant By-laws 2015-210 and 2015-211 are listed under item 11 of the Minutes.

6.12 Heritage Conservation Districts

The report of the Planning Director was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Planning Director dated 2015 11 23 concerning Heritage Conservation Districts be received and that City Council approve the recommended approach to heritage conservation relating to the Official Plan, new development approvals, and road reconstruction or other significant capital works projects.

Carried

6.13 Rental Housing Incentive Program – 3

The report of the Planning Director was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Planning Director dated 2015 11 23 concerning Rental Housing Incentive Program – 3 be received and that City Council authorize an incremental tax rebate program for the Silverbirch Developments Inc. property subject to:

1. That the municipal rebate apply only to the increase in assessment resulting from new construction, and
2. After the rebate program is completed, the full municipal taxes will apply.

Carried

6.14 Downtown Community Improvement Plan – Financial Incentive Grant Application

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 2015 11 23 concerning the Downtown Community Improvement Plan Financial Incentive Application be received and the grant application listed in this report be approved by Council.

Carried

6.15 Parking – By-Law 90-305 Amendments

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

Councillor R. Romano declared a conflict on this item. (Brother-in-law is named in the report.)

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

The relevant By-law 2015-212 is listed under item 11 of the Minutes.

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1 ADMINISTRATION

7.1.1 Finance Spending Review – Public Works and Transportation Department

7.2 COMMUNITY SERVICES DEPARTMENT

7.2.1 Day Care Review Committee Report

The report of the Day Care Review Committee was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Day Care Review Committee dated 2015 11 23 concerning the investigation of options on the future municipal provision of day care services be received as information.

Carried

7.2.2 Municipal Day Cares

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Commissioner of Community Services dated 2015 11 23 concerning Municipal Day Cares be received and that:

- The City transition out of being a day care provider;
- The City notify the District of Sault Ste. Marie Social Services Administration Board (DSSMSSAB) that it intends to transition out of providing day care;
- City staff commence a process in January 2016 to implement various transitional issues, including, but not limited to:
 - any and all requirements of the DSSMSSAB
 - any and all requirements of the Ministry of Education
 - proper and appropriate notification to parents of enrolled children
 - all financial aspects
 - potential uses of the existing municipal day care facilities
 - all legislative matters affecting staff and associated human resource matters

to be complete by December 31, 2016;

Further that staff report back to Council on a regular basis as to the status of the transition.

Postponed

Moved by: Councillor R. Niro

Seconded by: Councillor M. Bruni

Resolved that agenda item 7.2.2 be postponed to the December 7, 2015 Council meeting.

Recorded	For	Against
Mayor C. Provenzano		X
Councillor S. Butland	X	
Councillor P. Christian		X
Councillor S. Myers	X	
Councillor J. Hupponen	X	
Councillor M. Shoemaker		X
Councillor L. Turco	X	
Councillor R. Niro	X	
Councillor M. Bruni	X	
Councillor F. Fata	X	
Councillor R. Romano		X
Results	7	4
Carried		

For Councillor S. Butland, Councillor S. Myers, Councillor J. Hupponen, Councillor L. Turco, Councillor R. Niro, Councillor M. Bruni and Councillor F. Fata

Against Mayor C. Provenzano, Councillor P. Christian, Councillor M. Shoemaker and Councillor R. Romano

Absent Councillor J. Krmpotich

Carried

Moved by: Councillor R. Niro

Seconded by: Councillor M. Bruni

Whereas City Council has received the report of the Day Care Review Committee dated 2015 11 23 as information; and

Whereas City Council has postponed consideration of the staff recommendation that the city of Sault Ste. Marie transition out of being a day care provider; and

Whereas the Day Care Review Committee has identified an option to operate municipal day care centres out of schools, specifically called option #5; and

Whereas City Council requires more information as to what this model would look like,

Therefore Be It Resolved that appropriate staff review the said option #5 and report back to Council with the following considerations:

1. What this model would look like.
2. What cost savings would the City realize.
3. What kind of agreements would have to be in place between the City and the Boards of Education.
4. What increases can be applied to the 'full fee' to get closer to a break-even financial situation for the City.
5. Any other information pertinent to a City/Board of Education agreement that will impact the decision of moving municipal day care operations into schools; and

Further be it resolved that City Council thank staff and all members of the Day Care Review Committee for their time and effort given to this review.

Carried

7.3 ENGINEERING

7.3.1 Port of Algoma – Request for Extension to Consulting Agreement

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

The relevant By-law 2015-209 is listed under item 11 of the Minutes.

7.4 FIRE

7.5 LEGAL

7.6 PLANNING

7.7 PUBLIC WORKS AND TRANSPORTATION

7.8 BOARDS AND COMMITTEES

7.8.1 Sault Ste. Marie EDC – Canadian Bushplane Heritage Centre

The report of the CEO, Sault Ste. Marie Economic Development Corporation was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the CEO, Sault Ste. Marie Economic Development Corporation dated 2015 11 16 concerning Canadian Bushplane Heritage Centre Economic Diversification Fund application be received and that the application of the Canadian Bushplane Heritage Centre for Economic Diversification Fund funding in the amount of \$100,000 be approved.

Carried

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

8.1 Ministry of Natural Resources Response to Wild Animals

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

Moved by: Councillor S. Myers

Seconded by: Councillor J. Hupponen

Whereas there is an increased concern from residents regarding wild animals in the city, specifically bears and coyotes roaming in heavily populated residential areas; and

Whereas when contacted, the Ministry of Natural Resources did advise Sault Ste. Marie Police Service that the responsibility for trapping coyotes or wild mammals was downloaded to municipalities in June of 2013 and further advised that it is no longer MNR's responsibility to respond to the public, and MNR will no longer live trap animals, that the emphasis is on educating the public as to how to deal with wild animals in the city; and

Whereas in a situation of immediate danger to public safety, residents are instructed to call 911 (police) who will attend at the site; and

Whereas this is a costly approach for the municipality and yields less than desirable results because Sault Ste. Marie Police Service is not able to live trap and relocate wild animals; therefore, their only option when public safety is at risk is to use deadly force;

Now Therefore Be It Resolved that City Council send a letter to the Minister of Natural Resources conveying the concerns of City Council on behalf of the residents of Sault Ste. Marie and requesting a review of the role of the MNR in assisting with this serious matter of public safety.

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that all By-laws under item 11 of the Agenda save and except By-law 2015-212 under date 2015 11 23 be approved.

Carried

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

11.1.1 By-law 2015-208 (Agreement) KPMG and AECOM Port of Algoma Project

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2015-208 being a by-law to authorize the execution of an amending agreement between the City, KPMG LLP and AECOM Canada Ltd. for consulting services for the Port of Algoma Project be passed in open Council this 23rd day of November, 2015.

Carried

11.1.2 By-law 2015-209 (Agreement) Wastewater Advisory Services

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2015-209 being a by-law to authorize the extension to an annual Engineering Agreement for purposes of wastewater advisory services and that AECOM Canada Ltd. be retained for an additional one year period with an allowance of Fifty Thousand (\$50,000) Dollars be passed in open Council on the 23rd day of November, 2015.

Carried

11.1.3 By-law 2015-210 (Lane Assumption) Elkins Subdivision

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2015-210 being a by-law to assume for public use and establish as a public lane, a lane in the Elkins Subdivision, Plan 7882 be passed in open Council this 23rd day of November, 2015.

Carried

11.1.5 By-law 2015-213 (Zoning) 503 Trunk Road

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2015-213 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 503 Trunk Road and to further repeal Zoning-Temporary Use By-law 2013-2, being a by-law to temporarily permit a bus depot, taxi and limousine service, and public transportation yard use at 503 Trunk Road be passed in open Council this 23rd day of November, 2015.

Carried

11.1.6 By-law 2015-214 (Agreement) Fort Creek Aqueduct

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2015-214 being a by-law to authorize the execution of an amending agreement between the City and Stem Engineering Group Incorporated for the Fort Creek Aqueduct John Street Diversion – Albert Street to Cathcart Street be passed in open Council on the 23rd day of November, 2015.

Carried

11.1.4 By-law 2015-212 (Parking) Municipal Law Enforcement Officers

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

Councillor R. Romano declared a conflict on this item. (Brother-in-law is named in the report.)

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that By-law 2015-212 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 23rd day of November, 2015.

Carried

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

11.2.1 By-law 2015-211 (Lane Closing) Elkins Subdivision

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

By-law 2015-211 being a by-law to stop up, close and authorize the conveyance of a lane in the Elkins Subdivision, Plan 7882 be read a FIRST and SECOND time in open Council this 23rd day of November, 2015.

Carried

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