



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

Monday, June 22, 2015

4:30 p.m.

Council Chambers

Civic Centre

**Present:** Mayor C. Provenzano, Councillor S. Butland, 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

**Absent:** Councillor P. Christian, Councillor R. Romano

**Officials:** N. Apostle, J. Dolcetti, N. Kenny, P. Niro, M. White, D. Elliott, D. McConnell, S. Hamilton Beach, F. Coccimiglio, T. Dodds, S. Schell, M. Figliola

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the Minutes of the Regular Council Meeting of 2015 06 08 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 – Changes to Highway Traffic Act**

Spouse employed by the Police Service.

**3.2 Councillor L. Turco – By-law 2015-126 (Parking) Municipal Law Enforcement Officers**

Spouse employed by Police Services.

**3.3 Councillor M. Shoemaker – Tender for Hot and Chilled Water Systems Glycol Replacement Project – Essar Centre (2015CB03T)**

A proponent is a client of law firm.

**3.4 Councillor M. Shoemaker – Municipal Council Support Resolutions**

Certain applicants are clients of law firm.

**3.5 Councillor M. Shoemaker – By-law 2015-124 (Resolutions) Solar Photovoltaic Feed-In-Tariff (FIT)**

Certain applicants are clients are clients of law firm.

**3.6 Councillor M. Shoemaker – Sault Ste. Marie EDC – Passenger Rail Service**

Law firm acts for one of the parties involved in the potential agreement.

**3.7 Councillor R. Niro – Update on the New Fire Chief's First 90 Days**

Brother employed by the Fire Service.

**3.8 Councillor R. Niro – Condominium Approval 1-15 (Former Riverwalk Phase 2)**

Daughter 's employer provides services to applicant

**3.9 Councillor S. Butland – Municipal Council Support Resolutions**

Son-in-law employed by one of the applicants.

**3.10 Councillor S. Butland – By-law 2015-124 (Resolutions) Solar Photovoltaic Feed-In-Tariff (FIT)**

Son-in-law employed by one of the applicants.

**3.11 Mayor C. Provenzano – Heritage Property Tax Rebate Program**

Owner of property subject to the provisions of the program.

**4. APPROVE AGENDA AS PRESENTED**

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the Agenda and Addendum for 2015 06 22 City Council Meeting as presented be approved.

**Carried**

**5. PROCLAMATIONS/DELEGATIONS**

**5.1 Steelworker Days**

Joe Krmpotich, United Steelworkers Union Co-ordinator was in attendance.

**5.2 Canadian Multiculturalism Day**

Danny Krmpotich – Local Immigration Program Co-ordinator was in attendance.

**5.3 A-12-15-Z – 342-346 John Street**

Patty Bellerive (368 Bush Street) was in attendance.

**5.4 Old Garden River Road Technology Park Project**

Tom Vair, Executive Director, Sault Ste. Marie Innovation Centre was in attendance.

**5.5 Condominium Approval 1-15 (Former Riverwalk Phase 2)**

Councillor R. Niro declared a conflict on this item. (Daughter 's employer provides services to applicant)

Amit Sofer was in attendance.

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that all the items listed under date 2015 06 22 – Part One – Consent Agenda and Addendum, save and except 6.9 and 6.10 be approved.

**Carried**

**6.1 Correspondence**

**6.1.1 Federation of Northern Ontario Municipalities (FONOM)**

Electoral Reform Legislation

### **6.1.2 Truth and Reconciliation Commission Report**

Letter to Chief Dean Sayers and Chief Lyle Sayers from Mayor Provenzano was received by Council.

### **6.1.3 Habitat for Humanity Request**

Correspondence from the Executive Director was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the request from Habitat for Humanity be referred to appropriate staff for review and report back to Council.

**Carried**

### **6.2 Private Property Liquor Licence Extensions**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

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

- Lauzon Wedding – Canadian Bushplane Heritage Centre – July 4, 2015 – 4 p.m. – 1 a.m.
- G. Marconi Society Italian Festival – July 12, 2015 – noon – 1 a.m.
- Great Northern Retirement Home Family Fun Day – August 14, 2015 – 3 p.m. – 7 p.m.
- Royal Canadian Legion Car Show – July 4, 2015 – 11:00 a.m. – 11:00 p.m.
- Royal Canadian Legion Annual Horseshoe Tournament – August 15, 2015 – 11:00 a.m. – 11:00 p.m.

**Carried**

### **6.3 Street Closing – Annual Flower Bomb Street Clean-up**

The letter of request for a temporary street closing in conjunction with Annual Flower Bomb Street Clean-up for Neighbourhood is attached for the consideration of Council.

- Gore Street from Queen Street East to Albert Street East – June 27, 2015 – 10:00 a.m. to 3:00 p.m.

The relevant By-law 2015-125 is listed under item 11 of the Minutes.

#### **6.4 Council Travel**

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that Mayor Provenzano be authorized to travel to Thunder Bay for three days in July to attend the Northern Ontario Large Urban Mayors (NOLUM) meeting at a cost to the City of approximately \$1,100.

**Carried**

#### **6.5 Tender for Hot and Chilled Water Systems Glycol Replacement Project – Essar Centre (2015CB03T)**

Councillor M. Shoemaker declared a conflict on this item. (A proponent is a client of law firm.)

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Manager of Purchasing dated 2015 06 22 be received and the recommendation that the tender for the Hot and Chilled Water Systems Glycol Replacement Project at the Essar Centre be awarded to S & T Electrical Contractors Ltd. at their low tendered price, meeting specifications, of \$71,600.00 plus HST be approved.

**Carried**

#### **6.6 Algoma Public Health Appointments**

The report of the City Clerk was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the City Clerk dated 2015 06 22 concerning Algoma Public Health Appointments be accepted and that the City Clerk be authorized to communicate and liaise with the Ministry of Health and district municipalities concerning the appointments process for the Board of Health of the District of Algoma Health Unit.

**Carried**

#### **6.7 Memorandum of Settlement – ATU Local 1767, 2015-2019**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Commissioner of Human Resources dated 2015 06 22 concerning the Transit (ATU Local 1767) Memorandum of Settlement be received and the recommendation that City Council ratify the Memorandum of Settlement be approved.

**Carried**

#### **6.8 John Rhodes Community Centre – Restaurant – Renovation Costs**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Commissioner of Community Services dated 2015 06 22 concerning the JRCC Restaurant Renovation Costs be received and that Council authorize up to \$100,000 from the Parks Reserve Fund for the City's share of the renovation costs.

**Carried**

#### **6.11 Municipal Council Support Resolutions**

Councillor M. Shoemaker declared a conflict on this item. (Certain applicants are clients of law firm.)

Councillor S. Butland declared a conflict on this item. (Son-in-law employed by one of the applicants.)

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

The relevant By-law 2015-124 is listed under item 11 of the Minutes.

#### **6.12 2016 Capital Road Reconstruction Plan and Update on 2015 Plan**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Director of Engineering Services dated 2015 06 22 concerning the 2016 capital construction program be received and that the following be approved:

The attached 2016 capital works program;

The Engineering Department proceed with any remaining local improvement rolls and notices for 2016 works;

The Engineering Division report back to Council with a recommendation for retaining consulting engineers for the projects that will not be completed in house in order to ensure a timely construction start;

The Engineering Division report back to Council when more information is known about the Bay Street resurfacing project, and Gore Street reconstruction.

**Carried**

### **6.13 Queen Street Streetscape Project**

The report of the Planning Division was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Planning Division dated 2015 06 22 concerning Queen Street Streetscape Project be accepted and that City Council authorize the tendering of the Queen Street streetscape project.

**Officially Read and Not Dealt With**

#### **6.13.1 Supplementary Report**

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Planning Director dated June 22, 2015 be received and that City Council authorize the tendering of the Queen Street Streetscape Project for the Bruce – Dennis block subject to removal of the pedestrian scale lighting.

**Carried**

### **6.14 Etienne Brulé School Community Partnership Project**

The report of the Planning Director was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Planning Director dated 2015 06 22 concerning Etienne Brulé School Community Partnership Project be received and that City Council approve in principle the Etienne Brulé School Community Partnership Project and

1. Request the Legal Department to prepare an appropriate agreement with the Algoma District School Board for those items identified as the City's responsibility;
2. Approve funds from the unallocated capital surplus for the construction of the Hub Trail spoke from Huron Street to John Street through the Etienne Brulé property at a cost not to exceed \$160,000;
3. Approve an increase in the operating budget of \$10,000 to the PWT Parks Division ongoing maintenance budget once this project is complete;

4. Request City staff and appropriate community partners to explore all possible funding initiatives for this project and report to City Council no later than October 2015.

**Carried**

#### **6.15 Old Garden River Road Technology Park Project**

The report of the Planning Director was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Planning Director dated 2015 06 22 concerning Old Garden River Road Technology Park Project be accepted and that City Council authorize funding applications to FedNor and NOHFC for the extension of services for the Old Garden River Road Technology Park with the municipal funding share to be taken from the Serviced Industrial Land Reserve not to exceed \$350,000.

**Carried**

#### **6.16 Update on the New Fire Chief's First 90 Days**

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

The report of the Fire Chief was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the Report of the Fire Chief dated 2105 06 22 concerning Update of the New Fire Chief's First 90 Days be received as information.

**Carried**

#### **6.17 2015 Curb and Sidewalk Program**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2015 06 22 concerning the proposed 2015 curb and sidewalk program be received as information.

**Carried**



## **6.9 Heritage Property Tax Rebate Program**

Mayor C. Provenzano declared a conflict on this item. (Owner of property subject to the provisions of the program.)

The report of the Manager of Recreation and Culture was received by Council.  
The relevant By-laws 2015-121 and 2015-122 are listed under item 11 of the Minutes.

## **6.10 Designated Heritage Property Grant 1164 Queen Street East**

The report of the Manager of Recreation and Culture was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Manager of Recreation and Culture dated 2015 06 22 concerning Designated Property Grant application from Cindy Parniak, owner of 1164 Queen Street East be received and the recommendation of the Sault Ste. Marie Municipal Heritage Committee that a grant of \$6,000 be provided toward the replacement cost of fifteen (15) windows as outlined in the application; and further that payment be rendered upon submission of the paid contractor's invoices and upon final approval of the project by the Sault Ste. Marie Municipal Heritage Committee; and further that the funds come from the Designated Heritage Property Grant budget be approved.

**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 J. Krmpotich

Seconded by: Councillor S. Butland

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 St.) be reduced to 0.5m.
7. That the exterior side yard setback (St. Georges) 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.

**Postponed**

Moved by: Councillor R. Niro

Seconded by: Councillor L. Turco

Resolved that agenda item 7.6.1 - A-12-15-Z - 342-346 John Street be postponed to the July 13, 2015 Council meeting.

**Carried**

**7.6.2 Condominium Approval 1-15 (Former Riverwalk Phase 2)**

Councillor R. Niro declared a conflict on this item. (Daughter 's employer provides services to applicant)

The report of the Planning Director was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Planning Director dated 2015 06 22 concerning Condominium Approval 1-15 (Former Riverwalk Phase 2) be accepted and that the Legal Department be requested to bring the appropriate by-law forward for passage at a subsequent Council meeting.

**Carried**

## **7.7 PUBLIC WORKS AND TRANSPORTATION**

## **7.8 BOARDS AND COMMITTEES**

### **7.8.1 Sault Ste. Marie EDC- Passenger Rail Service**

Councillor M. Shoemaker declared a conflict on this item. (Law firm acts for one of the parties involved in the potential agreement.)

The report of the CEO, Sault Ste. Marie Economic Development Corporation and Interim Chair, ACR Passenger Service Stakeholder Working Group was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the CEO, Sault Ste. Marie Economic Development Corporation and Interim Chair, ACR Passenger Service Stakeholder Working Group dated 2015 06 22 concerning Sault Ste. Marie to Hearst Passenger Rail Service Contribution Agreements be received and the recommendations contained therein be approved.

<b>Recorded</b>	<b>For</b>	<b>Against</b>
Mayor C. Provenzano	X	
Councillor S. Butland	X	
Councillor S. Myers	X	
Councillor T. Sheehan	X	
Councillor J. Hupponen	X	
Councillor L. Turco	X	
Councillor R. Niro	X	
Councillor M. Bruni	X	
Councillor F. Fata	X	
Councillor J. Krmpotich	X	
<b>Results</b>	<b>10</b>	<b>0</b>

In Favour      Mayor C. Provenzano, Councillor S. Butland, Councillor S. Myers, Councillor T. Sheehan, Councillor J. Hupponen, Councillor L. Turco, Councillor R. Niro, Councillor M. Bruni, Councillor F. Fata and Councillor J. Krmpotich

**Carried**

### **7.8.2 Kiwanis Community Theatre Centre Appointments**

The report of the City Clerk was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the City Clerk dated 2015 06 22 concerning Kiwanis Community Theatre Centre Appointments be accepted and that citizens Robert Cooper, Karen Montgomery-Jones and Ben Pritchard be appointed to the Kiwanis Community Theatre Centre board of directors for a two year term.

**Carried**

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

**8.1 Changes to Highway Traffic Act**

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

Moved by: Councillor T. Sheehan

Seconded by: Councillor M. Shoemaker

Whereas there have been significant changes to laws regarding ATVs, distracted driving, school bus safety and bicycling;

Now Therefore Be It Resolved that appropriate City staff and City police report back at a future Council meeting regarding the impact of these changes on our community.

**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 J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that all By-laws under item 11 of the Agenda under date 2015 06 22 be approved, save and except 2015-121, 2015-122, 2015-124 and 2015-126.

**Carried**

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

**11.1.3 By-law 2015-123 (Agreement) EOS Canada Inc. Collections**

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that By-law 2015-123 being a by-law to authorize the execution of an agreement between the City and EOS Canada Inc. for the collection of fines, fees, costs and surcharges on behalf of the Municipality from June 15, 2015 to June 14, 2017 be passed in open Council this 22nd day of June, 2015.

**Carried**

**11.1.5 By-law 2015-125 (Temporary Street Closing) Gore Street (Queen to Albert)**

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that By-law 2015-125 being a by-law to permit the temporary closing of Gore Street from Queen Street to Albert Street to facilitate the Annual "Flower Bomb" Street Clean-Up for Neighbourhood be passed in open Council this 22nd day of June, 2015.

**Carried**

**11.1.1 By-law 2015-121 (Agreement) Heritage Property – 36 Herrick Street**

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that By-law 2015-121 being a by-law to authorize the execution of an agreement between the City and the owner of 36 Herrick Street for the conservation of the present historical, architectural, contextual, aesthetic, scenic and heritage characteristics and conditions of the property be passed in open council this 22nd day of June, 2015.

**Carried**

**11.1.2 By-law 2015-122 (Agreement) Heritage Property – 1164 Queen Street East**

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that By-law 2015-122 being a by-law to authorize the execution of an agreement between the City and the owner of 1164 Queen Street East for the conservation of the present historical, architectural, contextual, aesthetic, scenic and heritage characteristics and conditions of the property be passed in open Council this 22nd day of June, 2015.

**Carried**

**11.1.4 By-law 2015-124 (Resolutions) Solar Photovoltaic Feed-In-Tariff (FIT)**

Councillor M. Shoemaker declared a conflict on this item. (Certain applicants are clients are clients of law firm.)

Councillor S. Butland declared a conflict on this item. (Son-in-law employed by one of the applicants.)

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Myers

Resolved that By-law 2015-124 being a by-law to authorize the execution of twelve (12) Municipal Council Support Resolutions to support twelve (12) solar photovoltaic Feed-In-Tariff (FIT) applications being submitted to the Independent Electricity System Operator Feed-In-Tariff Program be passed in open Council this 22nd day of June, 2015.

**Carried**

#### **11.1.6 By-law 2015-126 (Parking) Municipal Law Enforcement Officers**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that By-law 2015-126 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 22nd day of June, 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 J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that this Council proceed into closed session to discuss human resource issues; 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 (*Personal matters about identifiable individuals – section 239 (b)*).

**Carried**

**14. ADJOURNMENT**

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that this Council now adjourn.

**Carried**

Christian Provenzano

Mayor

Malcolm White

City Clerk