



REGULAR MEETING OF CITY COUNCIL

MINUTES

Monday, November 7, 2016

4:30 pm

Council Chambers

Civic Centre

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

Officials: A. Horsman, M. White, L. Girardi, T. Vair, N. Kenny, M. Figliola, S. Schell, D. McConnell, D. Elliott

1. ADOPTION OF MINUTES

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the Minutes of the Regular Council Meeting of 2016 10 24 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 – Court Security and Prisoner Transportation Agreement

Spouse employed by Police Services.

3.2 Councillor L. Turco – Bennett Boulevard and Texas Avenue – Additional Crossing Guard

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

3.3 Councillor L. Turco – By-law 2016-174 (Agreement) Court Security and Prisoner Transportation Program

Spouse is employed by Police Services.

3.4 Councillor M. Shoemaker – Municipal Council Support Resolutions

An applicant is a client of law firm.

3.5 Councillor M. Shoemaker – Land Use Restriction Exemption – 540 Second Line East and 2059 Second Line West

An applicant is a client of law firm.

3.6 Councillor M. Shoemaker – By-law 2016-186 (Resolution) Municipal Council Support (4 Solar Projects)

An applicant is a client of law firm.

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that the Agenda and Addendum for 2016 11 07 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 Shine the Light

Libertine Wilson, Co-Chair Shine the Light campaign was in attendance.

5.2 Global Entrepreneurship Week

Heather Lewis, Entrepreneurship Co-ordinator, YouLaunch, Sault Ste. Marie Innovation Centre was in attendance.

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that all the items listed under date 2016 11 07 – Agenda item 6 – Consent Agenda and the Addendum be approved as recommended save and except agenda items 6.4, 6.5, 6.6 and 6.8.

Carried

6.1 Street Closure – Moonlight Magic

The letter of request for a temporary street closing in conjunction with Moonlight Magic – November 17, 2016 was received by Council.

- Pim Street to Dennis Street – from 3 p.m. to 12 a.m.

The relevant By-law 2016-181 is listed under item 11 of the Minutes.

6.2 One Year Extension of Contract for Petroleum Fuel Products (2016PWT-28-T)

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 2016 11 07 concerning One Year Extension of Contract for Petroleum Fuel Products be received and that the contract for the supply of petroleum fuel products as awarded to McDougall Energy Inc. be extended for a one (1) year period commencing January 1, 2017.

Carried

6.3 One Year Extension of Contract for Security Services at the Civic Centre

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Manager of Purchasing dated 2016 11 07 concerning One Year Extension of Contract for Security Services at the Civic Centre be received and that the contract for the provision of security services at the Civic Centre as awarded to the Commissionaires be extended for a one (1) year period commencing January 1, 2017.

Carried

6.7 Celebrate Canada Program – Funding Application 2017

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Supervisor of Community Services dated 2016 11 07 concerning Celebrate Canada Program funding be received and that staff be authorized to apply to the Department of Canadian Heritage for the 2017 Celebrate Canada Program to assist in funding the City of Sault Ste. Marie Canada Day Celebration.

Carried

6.9 Fort Creek John Street Diversion Aqueduct Phase 3 – Engineering Services

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Design and Construction Engineer dated 2016 11 07 concerning the Fort Creek John Street diversion aqueduct consultant selection be received and that Council authorize entering into an agreement for engineering services with STEM Engineering.

An individual engineering agreement with an estimate of engineering fees will be brought to Council for approval at a later date.

Carried

6.10 Municipal Council Support Resolutions

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

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

The relevant By-law 2016-186 is listed under item 11 of the Minutes.

6.11 Court Security and Prisoner Transportation Agreement

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

The report of the City Solicitor was received by Council.

The relevant By-law 2016-174 is listed under item 11 of the Minutes.

6.12 Mayor's Community Development Initiative

The reports of the Mayor and the Project Co-ordinator, Downtown Development Initiative were received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the reports of the Mayor and the Project Co-ordinator, Downtown Development Initiative dated 2016 11 07 concerning Mayor's Community Development Initiative be received and that the reports be referred to the Community Adjustment Committee.

Carried

6.13 Land Use Restriction Exemption – 540 Second Line East and 2059 Second Line West

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

The report of the Senior Planner was received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the Report of the Senior Planner dated 2016 11 07 concerning Land Use Restriction Exemption – 540 Second Line East and 2059 Second Line West be received and that Council exempts the projects on 540 Second Line East and 2059 Second Line West from any or all of the residential, commercial and industrial land-use restrictions as identified in Sections 2.3(e), 2.3(f), 2.3(g) and 2.3(h) of the FIT Rules, Version 5.0.1.

Carried

6.14 Bennett Boulevard and Texas Avenue – Additional Crossing Guard

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

The report of the Director of Public Works was received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Director of Public Works dated 2016 11 07 concerning Bennett Boulevard and Texas Avenue – Additional Crossing Guard be received and that the implementation of a second adult crossing guard at the intersection of Bennett Boulevard and Texas Avenue be approved.

Carried

6.4 2017 User Fees

The report of the Chief Financial Officer and Treasurer was received by Council.

This item was postponed to November 21, 2016 Council meeting.

6.5 Board – Committee Appointment Process

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Deputy CAO / City Clerk – Corporate Services dated 2016 11 07 concerning Board – Committee Appointment Process be received and that the revised Board – Committee Appointment Policy be approved.

Recorded	For	Against	Absent
Mayor C. Provenzano	X		
Councillor S. Butland		X	
Councillor P. Christian	X		
Councillor S. Myers	X		
Councillor S. Hollingsworth	X		
Councillor J. Hupponen	X		
Councillor L. Turco		X	
Councillor M. Shoemaker		X	
Councillor R. Niro	X		
Councillor M. Bruni	X		
Councillor F. Fata	X		
Councillor J. Krmpotich	X		
Councillor R. Romano	X		
Results	10	3	0
Carried			

6.6 Walk of Fame

The report of the Deputy City Clerk was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Deputy City Clerk dated 2016 11 07 regarding Walk of Fame be received and that option 4 – reclaiming the existing granite maple leaves and placing them in flower beds in the downtown area (\$20,605 plus \$2,000 ongoing for maintenance) be referred to the 2017 budget for consideration.

Carried as amended

6.6.1 Amendment to Main Motion

Moved by: Councillor S. Myers

Seconded by: Councillor S. Butland

Whereas Canada 150 is upon us and the Walk of Fame program initiated in 2006 does recognize people who have contributed to history and development of our community; and

Whereas the granite maple leaf awards which were embedded in the sidewalk suffered damage and stress such that they had to be removed in 2015; and

Whereas a review of their condition has been undertaken by the Deputy CAO of Public Works and Engineering and an option to redeem and replace all 38 awards has been found; and

Whereas the plan to reinstate the maple leaf stones will eliminate the risk of such damage recurring; and

Whereas the one-time cost to repair 33 and replace 5 and reinstate all 38 of the existing granite maple leaf stone awards is \$20,080;

Now Therefore Be It Resolved that the main motion be amended as follows:

DELETE the words "plus \$2,000 ongoing for maintenance"

ADD the words "be undertaken as soon as possible with funds to be taken from the unforeseen account; further that annual maintenance estimated at \$2,000"

(be referred to 2017 budget for consideration).

Recorded	For	Against	Absent
Mayor C. Provenzano			X
Councillor S. Butland	X		

Councillor P. Christian			X
Councillor S. Myers	X		
Councillor S. Hollingsworth	X		
Councillor J. Hupponen	X		
Councillor L. Turco	X		
Councillor M. Shoemaker	X		
Councillor R. Niro		X	
Councillor M. Bruni	X		
Councillor F. Fata	X		
Councillor J. Krmpotich	X		
Councillor R. Romano			X
Results	9	1	3

Carried

Motion as Carried:

Resolved that the report of the Deputy City Clerk dated 2016 11 07 regarding Walk of Fame be received and that option 4 – reclaiming the existing granite maple leaves and placing them in flower beds in the downtown area (\$20,605) be undertaken as soon as possible with funds to be taken from the unforeseen account; further that annual maintenance estimated at \$2,000 be referred to the 2017 budget for consideration.

6.8 Sackville Road Extension – Engineering Services

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Design and Construction Engineer dated 2016 11 07 concerning Sackville Road Extension consultant selection be received and that Council authorize entering into an agreement for engineering services with Kresin Engineering Corporation.

An individual engineering agreement with an estimate of engineering fees will be brought to Council for approval at a later date.

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

7.7 PUBLIC WORKS AND TRANSPORTATION

7.8 BOARDS AND COMMITTEES

7.8.1 PUC Third Quarter Shareholder Report

The PUC 2016 Third quarter shareholder report was received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that the PUC 2016 Third Quarter Shareholder Report be received as information.

Carried

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

8.1 Community Pride Initiative

Moved by: Councillor R. Romano

Seconded by: Councillor P. Christian

Resolved that the reports under agenda item 6.12 be referred to staff for review and report back to Council on the potential structure, activities and costs of a 'Community Pride Initiative'.

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 F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that all By-laws under item 11 of the Agenda and Addendum under date 2016 11 07 be approved, save and except 2016-174, 2016-180 and 2016-186.

Carried

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

11.1.2 By-law 2016-175 (Agreement) Lease Caterpillar Financial Services Limited

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2016-175 being a by-law to authorize the execution of two (2) Lease Agreements between the City and Caterpillar Financial Services Limited for two (2) 2016 Caterpillar Motor Graders complete with Snow Wings and Front Blades be passed in open Council this 7th day of November, 2016.

Carried

11.1.4 By-law 2016-181 (Temporary Street Closing) Moonlight Magic Event

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2016-181 being a by-law to permit the temporary closing of Queen Street East from Pim Street to Dennis Street on November 17, 2016 to facilitate the Moonlight Magic Event be passed in open Council this 7th day of November, 2016.

Carried

11.1.5 By-law 2016-183 (Zoning) 188 Kohler Street (Ruscio Masonry Construction)

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2016-183 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 188 Kohler Street (Ruscio Masonry Construction) be passed in open Council this 7th day of November, 2016.

Carried

11.1.7 2016-185 (Surplus Property) 13 Salisbury Avenue

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2016-185 being a by-law to declare the City owned property being civic 13 Salisbury Avenue as surplus to the City's needs and to authorize the disposition of the said property be passed in open Council this 7th day of November, 2016.

Carried

11.1.8 By-law 2016-186 (Resolution) Municipal Council Support (4 Solar Projects)

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2016-186 being a by-law to authorize the execution of two (2) Municipal Council Support Resolutions and two (2) Municipal Council Confirmation Resolutions to support two (2) rooftop solar photovoltaic systems at 556 Goulais Avenue and 500 Second Line East; and two (2) ground mounted solar photovoltaic systems to occupy a portion of 540 Second Line East and 2059 Second Line West submitted to the Independent Electricity System Operator Feed-In-Tariff Program be passed in open Council this 7th day of November, 2016.

Carried

11.1.9 By-Law 2016-187 (Administration) Non-Union Salary Freeze Amendment

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2016-187 being a by-law to amend By-law 2002-194, being a by-law to establish non-union job classifications, benefits, and salaries be passed in open Council this 7th day of November, 2016.

Carried

11.1.1 By-law 2016-174 (Agreement) Court Security and Prisoner Transportation Program

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2016-174 being a by-law to authorize the execution of an agreement between the City and Her Majesty the Queen in Right of Ontario as represented by the

Minister of Community Safety and Correctional Services to extend the Court Security and Prisoner Transportation (CSPT) Program to 2018 be passed in open Council this 7th day of November, 2016.

Carried

11.1.3 By-law 2016-180 (Finance) 2017 User Fees

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that By-law 2016-180 being a by-law to establish user fees and service charges be passed in open Council this 7th day of November, 2016.

Postponed

Amendment:

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Romano

Resolved that agenda item 11.1.3 (By-law 2016-180) be postponed to the November 21, 2016 Council meeting.

Carried

11.1.6 By-law 2016-184 (Development Control) 188 Kohler Street (Ruscio Masonry Construction)

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2016-184 being a by-law to designate the lands located at 188 Kohler Street an area of site plan control (Ruscio Masonry Construction) be passed in open Council this 7th day of November, 2016.

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 F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that this Council proceed into closed session to discuss:

one legal matter (potential renegotiation of a contract) (advice that is subject to solicitor/client privilege – section 239(2)(f) *Municipal Act*); and

Further Be It Resolved that should the said closed session be adjourned, the Council may reconvene in closed session to continue to discuss the same matter(s) without the need for a further authorizing resolution.

Carried

14. ADJOURNMENT

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that this Council now adjourn.

Carried

Christian Provenzano

Mayor

Malcolm White

City Clerk