



REGULAR MEETING OF CITY COUNCIL MINUTES

Monday, March 21, 2016

4:30 p.m.

Council Chambers

Civic Centre

Present: Mayor C. Provenzano, Councillor S. Butland, Councillor P. Christian, Councillor S. Myers, Councillor S. Hollingsworth, 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: A. Horsman, M. White, M. Borowicz-Sibenik, N. Apostle, J. Dolcetti, M. Figliola, L. Girardi, M. Nadeau, P. Niro, S. Schell, M. Figliola, F. Coccimiglio, C. Fairbrother, S. Parr, N. Scott

1. ADOPTION OF MINUTES

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the Minutes of the Regular Council Meeting of 2016 03 07 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 – Municipal Law Enforcement Officers

Spouse employed by Police Services.

3.2 Councillor P. Christian – Municipal Day Cares – Option 5 – Operating out of Schools

Specific to Option #5 only – employed by the Algoma District School Board.

3.3 Councillor J. Krmpotich – Provincial Support for Sault Ste. Marie Steel Industry

Employed by Essar Steel Algoma.

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that the Agenda and Addendum for 2016 03 21 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 National Volunteer Week

Elsbeth Belair, Volunteer Sault Ste. Marie, Planning Committee was present.

5.2 Change the World – Ontario Youth Volunteer

Seth Lucenay, Change the World was present.

5.3 World Autism Awareness Day

Tanya Running, representing the Sault Ste. Marie Chapter of Autism Ontario was present.

5.4 Parkinson Awareness Month

Anne Laidlaw, Treasurer, Sault Ste. Marie Parkinson's support group was present.

5.5 Easter Seals Telethon

Ben MacDonald, 2016 Sault Ste. Marie Easter Seals Ambassador was present.

5.6 Municipal Day Cares – Option 5 – Operating out of schools

Councillor P. Christian declared a conflict on this item. (Specific to Option #5 only – employed by the Algoma District School Board.)

Jill Micomonaco, parent; Sarah Miller, parent; Kayla Eddy, parent and Maria Braido, day care staff were in attendance regarding item 7.2.1.

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

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that all the items listed under date 2016 03 21 – Part One – Consent Agenda and Addendum be approved as recommended.

Carried

6.1 Correspondence

Correspondence from Mayor Provenzano to Hon. David Oraziotti, Minister of Consumer and Government Services concerning the importance of the continued operation of the integrated steel production facility in Sault Ste. Marie was received by Council.

6.2 Council Travel

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

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

Carried

6.3 2015 Honoraria and Expenses – Mayor & Council and Board & Committee Members

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that the report of the Commissioner of Finance and Treasurer dated 2016 03 21 concerning 2015 Honoraria and Expenses (Mayor, Council, Board and Committee Members) be received as information.

Carried

6.3.1 Amended Statement – 2015 Honoraria and Expenses

6.4 RFP for Specialized Services – Esposito Park Pump Track (2016CSD-04-P)

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

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that the report of the Manager of Purchasing dated 2016 03 21 concerning RFP for Specialized Services – Esposito Park Pump Track be received and that the proposal submitted

by Ontario Bike Park Construction for the provision of Specialized Services related to the construction of an asphalt paved Bicycle Pump Track at Esposito Park, as required by the Community Services Department, be approved.

Carried

6.5 Tender for Selected Granular Materials (2016PWT-03-T)

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Purchasing dated 2016 03 21 be received and that the tender for the supply of Selected Granular Materials for the 2016 and 2017 seasons be awarded on an as required basis; and

Further that the City's requirements for Blast Furnace Slag be awarded to Superior Slag Products for a period of one (1) year at the tendered price of \$6.80 per tonne.

Carried

6.6 Essar Centre – Acrylic Rink Shielding

The reports of the Commissioner of Community Services and Manager of Purchasing were received by Council.

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that the report of the Commissioner of Community Services dated 2016 03 21 concerning the Essar Centre – Acrylic Rink Shielding be received and that Council authorize allocating an additional \$12,000 from the Essar Centre Enhancement account for a total project allotment of \$102,000.

Carried

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that the report of the Manager of Purchasing dated 2016 03 21 concerning RFP for Acrylic Rink Shielding be received and that the proposal submitted by Welmar Recreational Products to supply, deliver and install an Acrylic Rink Shielding System at the Essar Centre, as required by the Community Services Department, be approved.

Carried

6.7 Bellevue Park Playground Donation

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

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Recreation and Culture dated 2016 03 21 concerning the very generous donation of \$80,000 from the Rotary Club of Sault Ste. Marie for inclusive and accessible playground equipment at Bellevue Park be received and that staff be authorized to enter into an agreement with the Rotary Club of Sault Ste. Marie outlining the ownership, replacement and maintenance of the equipment.

Carried

6.8 Bellevue Sanitary Sewer Overflow Tank Repairs

The report of the Land Development and Environmental Engineer was received by Council.

The relevant By-law 2016-33 is listed under item 11 of the Minutes.

6.9 Deeming Lots 106 and 109 Plan 1749 Dance Subdivision

The report of the Assistant City Solicitor/Senior Litigation Counsel was received by Council.

The relevant By-law 2016-31 is listed under item 11 of the Minutes.

6.10 Renewal of City's Insurance Program – Jardine Lloyd Thompson Canada Inc.

The report of the City Solicitor was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the report of the City Solicitor dated 2016 03 21 concerning Renewal of City's Insurance Program be accepted and that the City's insurance package for the period February 28, 2016 to February 28, 2017 be placed with Jardine Lloyd Thompson Canada Inc. through Algoma Insurance Brokers Limited at a cost of \$1,300,000.

Carried

6.11 Municipal Law Enforcement Officers

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

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

The relevant By-law 2016-30 is listed under item 11 of the Minutes.

6.12 Multi-Year Accessibility Plan

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the report of the Accessibility Co-ordinator dated 2016 03 07 regarding 2016-2021 Multi-Year Accessibility Plan be received and the plan adopted.

Carried

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1 ADMINISTRATION

7.2 COMMUNITY SERVICES DEPARTMENT

7.2.1 Municipal Day Cares – Option 5 – Operating out of Schools

Councillor P. Christian declared a conflict on this item. (Specific to Option #5 only – employed by Algoma District School Board.)

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

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that the report of the Commissioner of Community Services dated 2016 03 21 concerning the viability and feasibility of operating municipal daycares in schools (Option 5) be received as information.

Carried

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Myers

Be It Resolved That, in accordance with Option #2 presented by the Childcare Review Committee, the Council of the City of Sault Ste. Marie direct the Community Services Department to close the City operated childcare centres as and when the Community Services and the District Social Services Administration Board are able to find alternate childcare providers for the existing users within the City operated childcare centres; and

Be It Further Resolved that the Community Services Department and the District Social Services Administration Board make efforts to complete such transition no later than December 31, 2017.

Recorded	For	Against
Mayor C. Provenzano	X	
Councillor S. Butland		X
Councillor P. Christian	X	

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Councillor S. Myers	X	
Councillor S. Hollingsworth	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 J. Krmpotich		X
Councillor R. Romano	X	
Results	9	4

Carried

For Mayor C. Provenzano, Councillor P. Christian, Councillor S. Myers, Councillor S. Hollingsworth, Councillor J. Hupponen, Councillor M. Shoemaker, Councillor R. Niro, Councillor F. Fata and Councillor R. Romano

Against Councillor S. Butland, Councillor L. Turco, Councillor M. Bruni and Councillor J. Krmpotich

Carried

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 Downtown Association Budget

The 2016 Downtown Association budget was received by Council.

Duane Moleni, Manager, was in attendance.

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that the budget of the 2016 Downtown Association be approved.

Carried

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

8.1 Animal Control

Moved by: Councillor J. Hupponen

Seconded by: Councillor M. Shoemaker

Whereas the City of Sault Ste. Marie's existing dog and cat by-laws are 17 and 15 years old respectively; and

Whereas the existing by-laws provide the means to impound cats and dogs running at large, impose license fees on dog owners and enforce dangerous dog notices; and

Whereas the scope of the current by-laws only partially address the animal issues the Sault Ste. Marie and District SPCA is presented with on a daily basis; and

Whereas responsible pet ownership goes beyond confining dogs or cats to the owner's property and purchasing an annual license but rather, includes ensuring that all animals in our City are treated in a humane and responsible manner and are prevented from disturbing or harming people, animals or property; and

Whereas the Sault Ste. Marie and District SPCA has reviewed by-laws from sixty different communities and 62% of those communities surveyed have animal by-laws which contain such care provisions; and

Whereas enhancing Sault Ste. Marie's animal control by-laws to include such care provisions would be to the benefit of domestic animals, pet owners, the Sault Ste. Marie and District SPCA and the community at large,

Now Therefore Be It Resolved that the Legal Department, with assistance and input from the Sault Ste. Marie and District SPCA, review how Sault Ste. Marie's animal control by-laws could be strengthened and enhanced and report back to Council with findings and recommendations.

Carried

8.2 Buy Canadian

Moved by: Councillor S. Butland

Seconded by: Councillor P. Christian

Whereas Buy America policies have effectively excluded Canadian Steel producers from participating in American infrastructure projects since 2008; and

Whereas International Trade Agreements often prevent federal and provincial jurisdictions from over-riding any pertinent clauses; and

Whereas the Liberal government has dedicated \$125 billion over the next ten years for Canadian infrastructure projects, supplemented by \$200-\$300 million/year from the provincial government; and

Whereas municipalities may be exempt from some/all of the restrictions which could preclude a “Buy Canadian” policy; and

Whereas Sault Ste. Marie has put into place a 10% Canadian content policy which is rarely if ever utilized; and

Whereas this policy has never been contested and could serve as precedent setting; and

Whereas any trade laws applicable to steel dumping are seemingly ineffectual and also involve considerable cost and time to pursue;

Now Therefore Be It Resolved that this resolution with information be forwarded to our Legal and Purchasing departments to determine whether or not a municipality can implement a “*Buy Canadian Act*” not dissimilar to the “*Buy America Act*”.

Carried

8.3 Provincial Support for Sault Ste. Marie Steel Industry

Councillor J. Krmpotich declared a conflict on this item. (Employed by Essar Steel Algoma.)

Moved by: Councillor R. Niro

Seconded by: Councillor P. Christian

Whereas the integrated steel mill in Sault Ste. Marie (Essar Steel Algoma, formerly Algoma Steel) has been the lifeblood of our local economy since the turn of the 20th century; and

Whereas steel production was an integral part of Ontario’s own economic development over the same period; and

Whereas approximately 8,000 people are directly and indirectly employed at Essar Steel Algoma; and

Whereas Sault Ste. Marie has approximately 8,500 pensioners whose income is dependent upon the ongoing operation of the integrated steel mill; and

Whereas Essar Steel Algoma Inc. is in receivership in accord with the *Companies’ Creditors Arrangement Act*; and

Whereas an Order of the Ontario Superior Court of Justice outlines and provides for a Sale and Investment Solicitation Process ('SISP') which process will dictate the disposition of the Essar Steel Algoma Inc. assets including their ongoing operation; and

Whereas a transaction that would result in the ongoing operation of the integrated steel mill in Sault Ste. Marie will likely require the significant support of the Province of Ontario; and

Whereas the ongoing operation of the integrated steel mill in Sault Ste. Marie is vital to the community,

Now Therefore Be It Resolved that City Council calls on Premier Kathleen Wynne and the Province of Ontario to commit their support to the continued operation of the integrated steel mill in Sault Ste. Marie.

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. Hupponen

Seconded by: Councillor L. Turco

Resolved that all By-laws under item 11 of the Agenda under date 2016 03 21 be approved, save and except by-law 2016-30.

Carried

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

11.1.2 By-law 2016-31 (Subdivision Control) Dance Subdivision Lots 106 and 109 Plan 1R1749

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2016-31 being a by-law to deem not registered for purposes of subdivision control certain lots in the Dance Subdivision, pursuant to section 50(4) of the *Planning Act* be passed in open Council this 21st day of March, 2016.

Carried

11.1.3 By-law 2016-32 (Zoning) 127 Pilgrim Street

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that By-law 2016-32 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 127 Pilgrim Street be passed in open Council on the 21 day of March 2016.

Carried

11.1.4 By-law 2016-33 (Agreement) Bellevue Sanitary Sewer Overflow Tank (Contract 2016-8E)

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2016-33 being a by-law to authorize the execution of an agreement between the City and Commercial Concrete Limited for repairs to the Bellevue Sanitary Sewer Overflow Tank (Contract 2016-8E) be passed in open Council on the 21st day of March, 2016.

Carried

11.1.1 By-law 2016-30 (Parking) Municipal Law Enforcement Officers

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2016-30 being a by-law to authorize the appointment of 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 on the 21st day of March, 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 M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that this Council proceed into closed session to discuss an issue under the *Companies' Creditors Arrangement Act*;

Further be it resolved that should the said closed session be adjourned, the Committee may reconvene in closed session to continue to discuss the same matter without the need for a further authorizing resolution.

(Advice that is subject to solicitor-client privilege, including communications necessary for that purpose (Municipal Act s. 239(2)(f))

Carried

14. ADJOURNMENT

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that this Council now adjourn.

Carried

Christian Provenzano

Mayor

Malcolm White

City Clerk