



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

Monday, August 22, 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 L. Turco, Councillor M. Shoemaker, Councillor R. Niro, Councillor M. Bruni, Councillor F. Fata, Councillor J. Krmpotich, Councillor R. Romano

Officials: A. Horsman, R. Tyczinski, M. Figliola, L. Girardi, M. White, N. Kenny, P. Niro, S. Schell, D. McConnell, V. McLeod, D. Elliott, F. Coccimiglio, T. Dodds, T. Vair

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the Minutes of the Regular Council Meeting of 2016 07 18 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 P. Christian – Lottery and Gaming Pursuit Project Update**

Spouse is employed by OLG

**3.2 Councillor R. Niro – Lottery and Gaming Pursuit Project Update**

Son is employed by OLG

**3.3 Councillor M. Bruni – Lottery and Gaming Pursuit Project Update**

Employed by OLG

**3.4 Councillor M. Shoemaker – Port of Algoma – Request for Extension to Contribution Agreements**

Party is a client of law firm

**3.5 Councillor J. Krmpotich – Retention of Restructuring Lawyer Fee Update**

Employed by Essar Steel Algoma

**3.6 Councillor J. Krmpotich – By-law 2016-106 (Agreement) USW Local 2251**

Union co-ordinator for Local 2251

**3.7 Councillor L. Turco – Municipal Law Enforcement Officers – Appointment**

Spouse is employed by Police Service

**3.8 Councillor L. Turco – By-law 2016-120 (Parking) Municipal Law Enforcement Officers**

Spouse is employed by Police Service

**3.9 Councillor M. Shoemaker – Retention of Restructuring Lawyer Fee Update**

A party to the *Companies' Creditors Arrangement Act* proceedings is a client of law firm.

**4. APPROVE AGENDA AS PRESENTED**

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Bruni

Resolved that the Agenda for 2016 08 22 City Council Meeting as presented be approved.

Carried

**5. PROCLAMATIONS/DELEGATIONS**

**5.1 Lottery and Gaming Pursuit Project Update**

Councillor P. Christian declared a conflict on this item. (Spouse is employed by OLG)

Councillor R. Niro declared a conflict on this item. (Son is employed by OLG)

Councillor M. Bruni declared a conflict on this item. (Employed by OLG)

Leo Tiberi, Executive Lead, Lottery and Gaming Pursuit Project, Sault Ste. Marie Innovation Centre was in attendance.

## **5.2 Parks and Recreation Master Plan**

Virginia McLeod, Manager of Recreation and Culture was in attendance.

## **5.3 Animal Control Enforcement and Shelter Services**

Cindy Ross, Manager, Sault Ste. Marie Humane Society was in attendance.

## **5.4 Community Adjustment Program Update**

Gayle Broad, Chair, Community Adjustment Committee was in attendance.

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that all the items listed under date 2016 08 22 – Agenda item 6 – Consent Agenda be approved as recommended save and except Agenda items 6.12 and 6.21.

Carried

## **6.1 Correspondence**

### **6.1.1 Lieutenant Governor of Ontario**

## **6.2 Community Poverty Reduction Strategy**

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Bruni

Whereas numerous organizations in Sault Ste. Marie have been working to reduce the impact of poverty on the health and wellbeing of the City's citizens and have undertaken numerous consultations and studies to address this complex issue; and

Whereas a Poverty Roundtable was formed in the spring of 2015, chaired by representatives of the United Way of Sault Ste. Marie and District, Algoma Public Health and NORDIK (a community-based research institute affiliated with Algoma University) to facilitate development of an action plan to reduce poverty in Sault Ste. Marie; and

Whereas the Poverty Roundtable has established five priority areas: food security; essential services; community engagement; housing; and workforce participation; and

Whereas the Poverty Roundtable presented its draft Strategic Action Plan to City Council on July 18, 2016;

Now Therefore Be It Resolved that Sault Ste. Marie City Council endorse the draft Strategic Action Plan prepared by the Sault Ste. Marie Poverty Reduction Roundtable.

Carried

**6.3 Temporary Street Closure – District of Sault Ste. Marie Social Services Administration Board**

The letter of request for a temporary street closing in conjunction with the District of Sault Ste. Marie Social Services Administration Board neighbourhood street party was received by Council.

- Albion Street from Chapple Avenue to southern dead end of Albion Street – August 25, 2016 – 9 a.m. to 4 p.m.

The relevant By-law 2016-129 is listed under item 11 of the Minutes.

**6.4 Temporary Street Closure – Greyhound Season Opener Party**

The letter of request for a temporary street closing in conjunction with Greyhound Season Opener Party is attached for the consideration of Council.

- Queen Street East from Elgin Street to Dennis Street – September 23, 2016 – 3 p.m. to 9 p.m.

The relevant By-law 2016-133 is listed under item 11 of the Minutes.

**6.5 Extension of Liquor Licenced Areas – Greyhound Season Opener Party**

The request for a letter of non-objection for extension of a liquor licenced area on City property was received by Council.

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Bruni

Resolved that City Council has no objection to the proposed extended licenced areas as detailed in the written request for liquor licence extensions on City property for an outdoor event on the following date and time:

Greyhound Season Opener Party

- September 23, 2016 – various locations – Queen Street East between Elgin Street and Dennis Street – 4 p.m. to 7 p.m.

Carried

**6.6 Port of Algoma – Request for Extension to Contribution Agreements**

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

The report of the Chief Administrative Officer was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Chief Administrative Officer dated 2016 08 22 concerning a request to amend the Contribution Agreements with FedNor and NOHFC for the Port of Algoma project be approved; further that the project end date be extended from December 31, 2016 to December 31, 2017.

Carried

**6.7 Budget Formula Guideline – Annual Operating Budgets**

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor F. Fata

Resolved that the report of the Chief Administrative Officer dated 2016 08 22 concerning Budget Formula Guideline – Annual Operating Budget be received and that a budget formula of a 5 year average for the Ontario Consumer Price Index (excluding energy), 5 year average MPAC Market Change and a 0.25% investment factor be approved to guide development and consideration of the 2017 and future year annual operating budgets.

Carried

**6.8 Lottery and Gaming Pursuit Project Update**

Councillor P. Christian declared a conflict on this item. (Spouse is employed by OLG)

Councillor R. Niro declared a conflict on this item. (Son is employed by OLG)

Councillor M. Bruni declared a conflict on this item. (Employed by OLG)

The report of the Chief Administrative Officer was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Chief Administrative Officer dated 2016 08 22 concerning an update of the Sault Ste. Marie Innovation Centre's Lottery and Gaming Pursuit Project be received as information.

Carried

## **6.9 Property Tax Appeals**

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the City Tax Collector dated 2016 08 22 concerning Property Tax Appeals be received and that the tax records be amended pursuant to sections 354 and 357 of the *Municipal Act*.

Carried

## **6.10 Tender for Roof Replacement – Regional Emergency Services Centre Storage Building**

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

The relevant By-law 2016-132 is listed under item 11 of the Minutes.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Manager of Purchasing dated 2016 08 22 be received and that the tender for Roof Replacement for the Storage Building at the Regional Emergency Services Centre be awarded to Maverick & Son Exteriors & Consulting Services Inc. at their low tendered price, meeting specifications, of \$305,900.00 plus allowances of \$29,000.00 and HST; further that the City's Consultant, Elliott Engineering Inc., be authorized to provide a Letter of Intent formally authorizing Maverick & Son Exteriors & Consulting Services Inc. to proceed with this project; and further that the allocation of \$35,000.00 from the Fire Capital Equipment Reserve be approved.

Carried

## **6.11 Tender for Roof Replacement – Sault Ste. Marie Museum**

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

The relevant By-law 2016-131 is listed under item 11 of the Minutes.

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor F. Fata

Resolved that the report of the Manager of Purchasing dated 2016 08 22 be received and that the tender for Roof Replacement at the Sault Ste. Marie Museum be awarded to 1372055 Ontario Limited o/a Pro North Roofing at their low tendered price, meeting specifications, of \$250,000.00 and HST; further that the City's Consultant, Elliott Engineering Inc., be authorized

to provide a Letter of Intent formally authorizing 1372055 Ontario Limited o/a Pro North Roofing to proceed with this project.

Carried

**6.13 Outside Agency Budget Presentations**

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

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor F. Fata

Resolved that the report of the Chief Financial Officer/Treasurer dated 2016 08 22 concerning Outside Agency Budget Presentations be received as information.

Carried

**6.14 Animal Control Enforcement and Shelter Services**

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Chief Financial Officer/Treasurer dated 2016 08 22 concerning the review of the provision of animal control by-law enforcement and shelter services be received and that staff be directed to work with the current service provider, the Sault Ste. Marie and District SPCA, in recommending the preferred option.

Carried

**6.15 Six Month Financial Report – June 30, 2016**

The report of the Manager of Audits and Capital Planning was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Manager of Audits and Capital Planning dated 2016 08 22 concerning Six Month Financial Report to June 30, 2016 be received as information.

Carried

**6.16 Ombudsman Investigation – 2015 10 13 Closed Meeting**

The report of the Deputy CAO / City Clerk – Corporate Services was received by Council.

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor F. Fata

Resolved that the report of the Deputy CAO / City Clerk – Corporate Services dated 2016 08 22 concerning Ombudsman Investigation – 2015 10 13 Closed Meeting be received as information.

Carried

#### **6.17 Code of Conduct Review Committee**

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

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Bruni

Resolved that the report of the Deputy City Clerk dated 2016 08 22 concerning Code of Conduct Review Committee be received and that Mayor Christian Provenzano, three members of City Council (Councillors Myers, Hupponen and Shoemaker), City Solicitor Nuala Kenny, Deputy CAO and City Clerk – Corporate Services Malcolm White and Deputy City Clerk Rachel Tyczinski be appointed to the Code of Conduct Review Committee.

Carried

#### **6.18 Deputy CAO, Community Development and Enterprise Services**

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Deputy City Clerk dated 2016 08 22 regarding Deputy CAO, Community Development and Enterprise Services be received and that Council authorize the filling of this position through a selection process; further that Councillor R. Niro be appointed to the selection committee.

Carried

#### **6.19 Ontario 150 Community Celebration Program – Funding Application**

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Manager of Recreation and Culture dated 2016 08 22 concerning Ontario 150 Community Celebration Program – Funding Application be received



and that staff be authorized to apply to the Province of Ontario – Ontario 150 Community Celebration Program for financial assistance for the City's Canada 150 Celebrations in 2017.

Carried

**6.20 Ontario 150 Community Capital Program – Grant Application**

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Manager of Recreation and Culture dated 2016 08 22 concerning Ontario 150 Community Capital Program – Grant Application be received and that staff be authorized to submit an application for the Strathclair Sports Complex Lighting Project and Facility Updates.

Carried

**6.22 Huron Central Railway Agreements – Francis Street Crossing**

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

The relevant By-laws 2016-125 and 2016-127 are listed under item 11 of the Minutes.

**6.23 Biosolids Management**

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Land Development and Environmental Engineer dated 2016 08 22 concerning Biosolids Management be received and that a Statement of Interest Request be issued.

Carried

**6.24 McNabb Street and St. Georges Avenue Environmental Assessment – Engineering Agreement**

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

The relevant By-law 2016-128 is listed under item 11 of the Minutes.

**6.25 Amendment to User Fee By-law 2016-3**

The report of the Deputy Fire Chief was received by Council.

The relevant By-law 2016-130 is listed under item 11 of the Minutes.

**6.26 Ken Danby Art Loan Agreement**

The report of the Legal Department was received by Council.

The relevant By-law 2016-126 is listed under item 11 of the Minutes.

**6.27 Micro Focus Software Licensing Fees**

The report of the City Solicitor was received by Council.

The relevant By-law 2016-122 is listed under item 11 of the Minutes.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the City Solicitor dated 2016 08 22 concerning Micro Focus Software Licencing be received and that Council authorize the one-time payment to Micro Focus in the amount of \$178,073.34, such payment to come from the Contingency Reserve.

Carried

**6.28 Demolition – 127 and 129 Gore Street**

The report of the Director of Planning and Enterprise Services was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Director of Planning and Enterprise Services dated 2016 08 22 be received and that City Council authorize a contract change order to the Gore Street reconstruction project in the amount of \$139,000 plus non-refundable HST for the demolition of the buildings at 127 and 129 Gore Street with this cost to be taken from the Property Purchase Reserve Fund.

Carried

**6.29 Rental Housing Incentive Program – 6**

The report of the Director of Planning and Enterprise Services was received by Council.

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Bruni

Resolved that the report of the Director of Planning and Enterprise Services dated 2016 08 22 be received and that City Council authorize a three year incremental tax rebate program for 46 Melrose Avenue 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

### **6.30 Community Adjustment Program Update**

The report of the Director of Planning and Enterprise Services was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Director of Planning and Enterprise Services dated 2016 08 22 concerning Community Adjustment Program Update be received as information.

Carried

### **6.31 Community Development Award 2016**

The report of the Planner was received by Council.

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Bruni

Resolved that the report of the Planner dated 2016 08 22 concerning the Community Development Award 2016 be received and that City Council award the Community Development Award 2016 to The Heritage Discovery Centre, located at 800 Bay Street.

Carried

### **6.32 Municipal Law Enforcement Officers – Appointment**

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

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

The relevant By-law 2016-120 is listed under item 11 of the Minutes.

### **6.33 Traffic By-Law Amendment**

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

The relevant By-law 2016-114 is listed under item 11 of the Minutes.

### **6.12 Retention of Restructuring Lawyer Fee Update**

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

Councillor M. Shoemaker declared a conflict on this item. (A party to the *Companies' Creditors Arrangement Act* proceedings is a client of law firm)

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

Moved by: Councillor R. Romano

Seconded by: Councillor P. Christian

Resolved that the report of the Chief Financial Officer/Treasurer dated 2016 08 22 regarding the approval of an additional \$25,000 to the upset limit for the services of a restructuring lawyer to represent the City's interest in the CCAA protection proceedings of Essar Steel Algoma Inc. be approved and that the services be funded from the Contingency Reserve.

<b>Recorded (Voted)</b>	<b>For</b>	<b>Against</b>	<b>Absent</b>
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 (conflict)			
Councillor R. Niro		X	
Councillor M. Bruni		X	
Councillor F. Fata	X		
Councillor J. Krmpotich (conflict)			
Councillor R. Romano	X		
<b>Results</b>	<b>4</b>	<b>7</b>	<b>0</b>

### **Defeated**

Moved by: Councillor M. Bruni

Seconded by: Councillor F. Fata

Resolved that the report of the Chief Financial Officer/Treasurer dated 2016 08 22 regarding the approval of an additional \$50,000 to the upset limit for the services of a restructuring lawyer to represent the City's interest in the CCAA protection proceedings of Essar Steel Algoma Inc. be approved and that the services be funded from the Contingency Reserve.

<b>Recorded (Voted)</b>	<b>For</b>	<b>Against</b>	<b>Absent</b>
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 (conflict)			
Councillor R. Niro	X		
Councillor M. Bruni	X		
Councillor F. Fata	X		
Councillor J. Krmpotich (conflict)			
Councillor R. Romano	X		
<b>Results</b>	<b>9</b>	<b>2</b>	<b>0</b>
<b>Carried</b>			

**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**

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

## **8.1 Feeding Pigeons on Public Property**

Moved by: Councillor S. Myers

Seconded by: Councillor S. Hollingsworth

Whereas City By-law 2005-37 prohibits the feeding of pigeons on private property but not on City property; and

Whereas citizens have expressed a desire to minimize the pigeon population in parks and other public spaces to promote cleanliness and reduce nuisance;

Now Therefore Be It Resolved that the Legal Department be requested to review By-law 2005-37 and report back to City Council by October 24, 2016 with any recommendations to amend the by-law.

Carried

## **8.2 Funding Opportunities – Splash Park**

Moved by: Councillor S. Myers

Seconded by: Councillor P. Christian

Whereas the Mayor's Committee on Canada 150 has identified Provincial and Federal Canada 150 infrastructure funding programs; and

Whereas it is most desirable to use any and all eligible funding to create a new feature that can enhance our quality of life in community recreation facilities and be our City's Canada 150 legacy project; and

Whereas a splash park has been identified as a priority project by the public a number of times, most recently through public input sessions for the Parks and Recreation Master Plan; and

Whereas City Council has received preliminary information from previous staff reports about development of a splash park;

Now Therefore Be It Resolved that staff be directed to look into any funding opportunities for the development of a splash park feasibility study that would provide information including:

1. total project costs
2. funding sources
3. location of the splash park
4. time lines for "shovel-in-the-ground"

Carried

### **8.3 Textile Recycling**

Moved by: Councillor R. Niro

Seconded by: Councillor S. Butland

Whereas waste diversion directs garbage away from landfills through reuse, recycling, composting or gas production; and

Whereas waste diversion extends the life of landfills, creates jobs, and in some cases can create revenue; and

Whereas a recent study in Ontario concluded that 85% of discarded textiles end up in a landfill site, leaving only 15% that are recycled or reused; and

Whereas the recycling of textiles could be a reasonable addition to the City's present Waste Management program, both financially and logistically;

Now Therefore Be It Resolved that the Department of Public Works and Transportation be requested to investigate the feasibility of textile recycling being added to our present recycling program and report back to City Council.

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 S. Myers

Seconded by: Councillor F. Fata

Resolved that all By-laws under item 11 of the Agenda under date 2016 08 22 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 2016-102 (Agreement) ATU Local 1767**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-102 being a by-law to authorize the execution of an agreement between the City and Amalgamated Transit Union (Local 1767) for the term

commencing February 1, 2015 to January 31, 2019 be passed in open Council this 22nd day of August, 2016.

Carried

**11.1.2 By-law 2016-103 (Agreement) CUPE Local 3 CSD**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-103 being a by-law to authorize the execution of an agreement between the City and Local No. 3, Chartered by The Canadian Union of Public Employees – Community Services Department for the term commencing February 1, 2015 to January 31, 2019 be passed in open Council this 22nd day of August, 2016.

Carried

**11.1.3 By-law 2016-104 (Agreement) CUPE Local 67**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-104 being a by-law to authorize the execution of an agreement between the City and Local 67, Canadian Union of Public Employees for the term commencing February 1, 2015 to January 31, 2019 be passed in open Council this 22nd day of August, 2016.

Carried

**11.1.4 By-law 2016-105 (Agreement) CUPE Local 3 PWT**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-105 being a by-law to authorize the execution of an agreement between the City and Local 3, Canadian Union of Public Employees – Public Works and Transportation Department for the term commencing February 1, 2015 to January 31, 2019 be passed in open Council this 22nd day of August, 2016.

Carried

**11.1.5 By-law 2016-106 (Agreement) USW Local 2251**

Councillor J. Krmpotich declared a conflict on this item. (Union co-ordinator for Local 2251)



Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-106 being a by-law to authorize the execution of an agreement between the City and United Steel, Paper, Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (United Steelworkers) for the term commencing February 1, 2015 to January 31, 2018 be passed in open Council this 22nd day of August, 2016.

Carried

#### **11.1.6 By-law 2016-111 (Agreement) Black Road Widening**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-111 being a by-law to authorize the execution of a Letter of Licence between Her Majesty the Queen in the Right of the Province of Ontario, representative by the Minister of Transportation for the Province of Ontario (the Ministry) and the City to allow the City access to provincial lands for the widening of Black Road be passed in open Council this 22nd day of August, 2016.

Carried

#### **11.1.7 By-law 2016-114 (Traffic) 77-200**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-114 being a by-law to amend Schedule "V" of Traffic By-law 77-200 and to repeal By-law 2005-143 which amends Traffic By-law 77-200 be passed in open Council this 22nd day of August, 2016.

Carried

#### **11.1.8 By-law 2016-120 (Parking) Municipal Law Enforcement Officers**

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-120 being a by-law to appoint by-law enforcement officers to enforce the by-laws of The Corporation of the City of Sault Ste. Marie be passed in open Council on the 22nd day of August, 2016.

Carried

**11.1.9 By-law 2016-121 (Surplus Property) 317 Bloor Street West**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-121 being a by-law to declare the City owned property being civic 317 Bloor Street West as surplus to the City's needs and to authorize the disposition of the said property be passed in open Council on the 22nd day of August, 2016.

Carried

**11.1.10 2016-122 (Agreement) Micro Focus Licensing Fees**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-122 being a by-law to authorize the execution of a Mutual Final Release between the City and Micro Focus (Canada) Ltd. for the one-time final settlement of \$178,073.34 be passed in open Council this 22nd day of August, 2016.

Carried

**11.1.11 By-law 2016-123 (Zoning) 235 Dacey Road (Adshead)**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-123 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 235 Dacey Road be passed in open Council this 22nd day of August, 2016.

Carried

**11.1.12 By-law 2016-124 (Development Control) 235 Dacey Road (Adshead)**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-124 being a by-law to designate the lands located at 235 Dacey Road an area of site plan control.

Carried

**11.1.13 By-law 2016-125 (Agreement) Huron Central Railway Inc. (Webbwood Subdivision)**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-125 being a by-law to authorize the execution of an agreement between the City and Huron Central Railway Inc. for work required to construct, maintain and repair under railway lands a pipeline at mileage 180.02 of the Webbwood Subdivision be passed in open Council this 22nd day of August, 2016.

Carried

**11.1.14 By-law 2016-126 (Agreement) Art Gallery of Hamilton**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-126 being a by-law to authorize the execution of an agreement between the City and the Art Gallery of Hamilton to allow them to borrow the Ken Danby painting owned by the City entitled "Opening the Gates" be passed in open Council this 22nd day of August, 2016.

Carried

**11.1.15 By-law 2016-127 (Agreement) Huron Central Railway Inc. (Francis Street)**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-127 being a by-law to authorize the execution of an agreement between the City and Huron Central Railway Inc. for work required to reconstruct, maintain and use a Public Grade Crossing for vehicular traffic located on Francis Street in the Webbwood Subdivision be passed in open Council this 22nd day of August, 2016.

Carried

**11.1.16 By-law 2016-128 (Agreement) CIMA Canada Inc.**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-128 being a by-law to authorize the execution of an agreement between the City and CIMA Canada Inc. for consultation work regarding the McNabb Street/St. Georges Avenue/Algoma Street intersection be passed in open Council this 22nd day of August, 2016.

Carried

**11.1.17 By-law 2016-129 (Temporary Street Closing) Albion Street**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-129 being a by-law to permit the temporary closing of Albion Street - south side off Chapple Avenue from Chapple Avenue to southern dead end of Albion Street be passed in open Council this 22nd day of August, 2016.

Carried

**11.1.18 By-law 2016-130 (Finance) Amend User Fee By-law 2016-3**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-130 being a by-law to amend By-law 2016-3 (User Fees and Service Charges by-law) be passed in open Council this 22nd day of August, 2016.

Carried

**11.1.19 By-law 2016-131 (Agreement) 1372055 Ontario Limited O/A Pro North Roofing**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-131 being a by-law to authorize the execution of an agreement between the City and 1372055 Ontario Limited O/A Pro North Roofing for the replacement of the roof at the Sault Ste. Marie Museum be passed in open Council this 22nd day of August, 2016.

Carried

**11.1.20 By-law 2016-132 (Agreement) Maverick & Son Exterior & Consulting Services**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-132 being a by-law to authorize the execution of an agreement between the City and Maverick & Son Exterior & Consulting Services for the replacement of the roof at the Regional Emergency Services Centre Storage Building be passed in open Council this 22nd day of August, 2016.

Carried

**11.1.21 By-law 2016-133 (Temporary Street Closing) Queen Street East**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2016-133 being a by-law to permit the temporary street closing of Queen Street East from the west side of Elgin Street to the east side of Bruce Street and from the west side of Bruce Street to the east side of Dennis Street on September 23, 2016 to facilitate the Greyhound Season Opener event be passed in open Council on the 22nd day of August, 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 S. Hollingsworth

Seconded by: Councillor F. Fata

Resolved that this Council proceed into closed session to discuss:

- disposition of municipally owned property
- an issue under the *Companies' Creditors Arrangement Act*  
(a proposed or pending acquisition or disposition of land – section 239 (2)(c) *Municipal Act*; advice that is subject to solicitor/client privilege – section 239(2)(f) *Municipal Act*).

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 S. Hollingsworth

Seconded by: Councillor M. Bruni

Resolved that this Council now adjourn.

Carried

Christian Provenzano

Mayor

Rachel Tyczinski

Deputy City Clerk