

REGULAR MEETING OF CITY COUNCIL MINUTES

Monday, June 13, 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, N. Kenny, L. Girardi, N. Apostle, S. Schell, J.

Dolcetti, P. Niro, D. McConnell, F. Coccimiglio, P. Milosevich, V. McLeod,

D. Krmpotich, D. Hollingsworth, T. Dodds

1. ADOPTION OF MINUTES

Moved by: Councillor J. Krmpotich Seconded by: Councillor S. Butland

Resolved that the Minutes of the Regular Council Meeting of 2016 05 30 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 Economic Diversification Fund Request Sault College

Member of Sault College Board of Directors

3.2 Councillor M. Shoemaker – Economic Diversification Fund Request – Sault College

Member of Sault College Board of Directors

3.3 Councillor M. Shoemaker – Ontario Heritage Act – Part IV Designation of Machine Shop (83 Huron Street)

Owner of the property is client of law firm

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor J. Hupponen Seconded by: Councillor S. Butland

Resolved that the Agenda for 2016 06 13 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 Mayor for the Day

Muammar Amhalhal was in attendance.

5.2 Queen Street Cruise

Gary Trembinski and Joe Bisceglia were in attendance.

5.3 World Refugee Day and Canadian Multiculturalism Day

Danny Krmpotich, Local Immigration Partnership Co-ordinator; Jane Omollo, Supervisor, New to the Sault; and Helen Christenson, New Beginnings were in attendance.

5.4 Elder Abuse Awareness Day

Patricia Loftstrom, Senior Rights Protection Council was in attendance.

5.5 Economic Diversification Fund Request – Sault College

Councillor P. Christian declared a conflict on this item. (Member of Sault College Board of Directors)

Councillor M. Shoemaker declared a conflict on this item. (Member of Sault College Board of Directors)

Dr. Ron Common, President, Sault College of Applied Arts and Technology and Dan Hollingsworth, Executive Director, Business Development, Sault Ste. Marie Economic Development Corporation were in attendance regarding agenda item 7.8.1.

5.6 Canal District Trail and Pump Track

Deane Greenwood, Chair, Parks and Recreation Advisory Committee and André Riopel, private donor and committee member were in attendance regarding agenda item 6.19.

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

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that all the items listed under date 2016 06 13 – Part One – Consent Agenda be approved as recommended.

Carried

6.1 Council Travel

Moved by: Councillor J. Krmpotich Seconded by: Councillor S. Butland

Resolved that Councillor L. Turco be authorized to travel to Windsor, Ontario for 3 days in June to attend the Association of Municipalities of Ontario Board of Director's President's meeting at an estimated cost to the City of \$700.

Carried

Moved by: Councillor J. Krmpotich Seconded by: Councillor S. Butland

Resolved that Councillor L. Turco be authorized to travel to Windsor, Ontario for five days in August to attend the annual Association of Municipalities of Ontario conference and board meetings at an estimated cost to the City of \$2,000.

Carried

Moved by: Councillor R. Romano Seconded by: Councillor P. Christian

Resolved that Councillor S. Butland, Councillor S. Hollingsworth and Councillor J. Krmpotich be authorized to travel to Windsor, Ontario for three days in August to attend the annual Association of Municipalities of Ontario conference at an estimated cost to the City of \$1,500 each.

Carried

6.2 Liquor Licence Extension Request

Correspondence requesting permission for private property liquor licence extension was 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 request for a liquor licence extension on private property for an outdoor event on the following dates and times:

Royal Canadian Legion Branch 25 – 96 Great Northern Road

- July 2, 2016 Car Show 10 a.m. to 11 p.m.
- August 20, 2016 Annual Horseshoe Tournament 10 a.m. to 11 p.m.

Carried

6.3 Tender for Lighting Upgrades – Municipal Parking Lots

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 2016 06 13 be received and that the tender for the supply and installation of LED fixtures upgrading the lighting in various municipal parking lots, as requested by the Engineering and Planning Department, be awarded to S &T Electrical Contractors Ltd. at their total tendered price of \$78,388.24 plus HST.

Carried

6.4 Sole Sourcing Rebuild of Landfill Compactor

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

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that the report of the Manager of Purchasing dated 2016 06 13 concerning Sole Sourcing Rebuild of Landfill Compactor be received and that sole sourcing of the certified rebuild to Toromont CAT at their quoted price of \$742,049 plus HST be approved.

Carried

6.5 2017 Budget Meeting Schedule

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

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that the report of the Commissioner of Finance and Treasurer dated 2016 06 13 concerning 2017 Budget Meeting Schedule be received as information.

6.6 Ontario Heritage Act – Part IV Designation of Machine Shop (83 Huron Street)

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

The report of the Chair, Sault Ste. Marie Municipal Heritage Committee was received by Council.

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that the report of the Chair, Sault Ste. Marie Municipal Heritage Committee dated 2016 06 13 concerning designation of the Machine Shop, 83 Huron Street be received and that the property be designated under Part IV of the *Ontario Heritage Act*.

Carried

6.7 Acquisition of Property on River Road

The report of the Municipal Services Engineer was received by Council.

The relevant By-law 2016-84 is listed under item 11 of the Minutes.

6.8 International Plaza Pilot Project

The report of the Project Co-ordinator, Downtown Development Initiative was received by Council.

Moved by: Councillor R. Romano Seconded by: Councillor P. Christian

Resolved that the report of the Project Co-ordinator Downtown Development Initiative dated 2016 06 13 concerning the Plaza Pilot Project be received and that Council endorse the creation of a patio at the International Plaza Parking lot near Queen and Bruce Streets as a pilot project during the summer of 2016.

Carried

6.9 Licence to Occupy City Property Agreement and Noise By-law Exemption Request for the Pink Chandelier Fashion Show Extravaganza

The report of the Assistant City Solicitor was received by Council.

The relevant By-laws 2016-90 and 2016-79 are listed under item 11 of the Minutes.

6.10 Licence to Occupy City Property Agreement and Noise By-law Exemption Request for the Queen Street Cruise Event

The report of the Assistant City Solicitor was received by Council.

The relevant By-laws 2016-80 and 2016-89 are listed under item 11 of the Minutes.

6.11 Licence to Occupy (2261278 Ontario Limited – 8 Albert Street East)

The report of the Solicitor/Prosecutor was received by Council.

The relevant By-law 2016-78 is listed under item 11 of the Minutes.

6.12 Maintenance to the Foundation of the Existing Single Family Dwelling at 545 Dundas Street

The report of the Solicitor/Prosecutor was received by Council.

The relevant By-law 2016-81 is listed under item 11 of the Minutes.

6.13 Elementa Group Inc. Receivership Update

The report of the City Solicitor was received by Council.

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that the report of the City Solicitor dated 2016 06 13 concerning Elemanta Group Inc. Receivership Update be received and that City Council direct the Legal Department to provide formal notice to Elementa Group Inc. that the Waste Supply and Reformation Agreement between Elementa Group Inc. and the City is terminated; and further that Council take no further action at this time but rather consider marketing the Energy from Waste Contract to other interested bidders.

Carried

6.14 Draft Signs By-Law

The report of the Planner was received by Council.

Moved by: Councillor J. Krmpotich Seconded by: Councillor P. Christian

Resolved that the report of the Planner dated 2016 06 13 concerning the Draft Comprehensive Signs By-law be received as information.

Carried

6.15 Traffic By-law Update for Conmee Avenue and Wellington Street West Intersection

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

The relevant By-law 2016-85 is listed under item 11 of the Minutes.

6.16 Traffic By-law Update for Korah Road and Douglas Street Intersection

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

The relevant By-law 2016-86 is listed under item 11 of the Minutes.

6.17 Canal District Trail and Pump Track

The report of the Planning Director was received by Council.

The relevant By-law 2016-83 is listed under item 11 of the Minutes.

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that the report of the Planning Director dated 2016 06 13 concerning the Canal District Trail and Pump Track contract be received and that 1187839 Ontario Limited be awarded the construction contract in the amount of \$456,959 (excluding HST) and that City Council:

- 1. Approve the use of \$15,000 from the Barrier Removal Budget Reserve; and
- 2. Reallocate \$35,000 in uncommitted funding from the Downtown Development Program; and
- 3. Approve an additional \$60,000 to be allocated from the 5% Subdivider's Reserve Fund for this project.

Carried

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1 ADMINISTRATION

7.1.1 2016 Kiwanis Community Theatre Centre Appointment

The report of the City Clerk was received by Council.

Moved by: Councillor R. Romano Seconded by: Councillor P. Christian

Resolved that the report of the City Clerk dated 2016 06 13 concerning 2016 Kiwanis Community Theatre Centre Appointment be received as information and that Brian Wilson be appointed to the Kiwanis Community Theatre Centre board for a two year period.

Carried

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 Economic Diversification Fund Request – Sault College

Councillor P. Christian declared a conflict on this item. (Member of Sault College Board of Directors)

Councillor M. Shoemaker declared a conflict on this item. (Member of Sault College Board of Directors)

The report of the Chief Executive Officer, Sault Ste. Marie Economic Development Corporation is attached for the information of Council.

Moved by: Councillor S. Myers Seconded by: Councillor M. Bruni

Resolved that City Council direct staff to report back to City Council at its June 27, 2016 meeting outlining different funding options to support Sault College's Economic Diversification Fund request, including the consequences of those funding options for its decision.

Carried

7.8.2 PUC Inc. and PUC Services Inc. Shareholders Meeting

The PUC Inc. and PUC Services Inc. Annual Report to Shareholders and financial statements were received by Council.

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that City Council is now authorized to meet in open session as the sole shareholder of PUC Inc. and PUC Services Inc.; and

Further Be It Resolved that City Council appoints Mayor Christian Provenzano as Council's proxy to vote on the resolutions of the shareholder of PUC Inc. and PUC Services Inc.

Carried

The following members of Council were recommended for appointment to the Board of Directors of PUC Inc. and PUC Services Inc.:

Mayor C. Provenzano Councillor P. Christian

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The following individuals were nominated to the Board of Directors of PUC Inc. and PUC Services Inc.:

Jim Boniferro

Cecilia Bruno

Ron Gagnon

James Greco

Andy McPhee

Pat Mick

Elaine Pitcher

Robert Reid

Jim Rennie

Following a simultaneous recorded vote, the following individuals were recommended for appointment to the Board of Directors of PUC Inc. and PUC Services Inc.:

Jim Boniferro

Cecilia Bruno

Ron Gagnon

James Greco

Andy McPhee

Elaine Pitcher

Robert Reid

Jim Rennie

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

8.1 Tax Levy Adjustments

Moved by: Councillor R. Romano Seconded by: Councillor P. Christian

Whereas property taxpayers would like predictability in tax levy adjustments; and

Whereas there are several formulae that measure inflation (e.g. CPI, MPI, etc.); and

Whereas many residential taxpayers are on fixed incomes and are financially impacted by tax increases at inflation or above; and

Whereas the cost of municipal services is not tied directly to inflation; and

Whereas property taxes are impacted by provincial property assessment valuations; and

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Whereas inflation, however measured, does not consider growth, service increase or charged quality of service; and

Whereas Mayor, Council and administration should have a guideline to focus budget deliberations that considers minimum impact on the taxpayer;

Now Therefore Be It Resolved that staff develop a range of options to develop a budget guideline to target the development and deliberation of the 2017 and future year annual operating budgets; and that staff report back no later than August 2016 on a recommended budget guideline.

Carried

8.2 Best For Kids Committee

Moved by: Councillor S. Myers

Seconded by: Councillor J. Krmpotich

Whereas Best for Kids is a committee of City Council which was established in 2000; and

Whereas Best for Kids was established to bring together a number of agencies who partner to provide co-ordinated community based programs for children; and

Whereas Best for Kids support staff was provided by the City Social Services Department; and

Whereas effective September 25, 2016 those staff will become employees of the Sault Ste. Marie and District Social Services Administration Board; and

Whereas the Sault Ste. Marie and District Social Services Administration Board has within its mandate Community Child Care Services which ties in to the mandate of the Best for Kids committee of Council.

Now Therefore Be It Resolved that City Council requests the Sault Ste. Marie and District Social Services Administration Board to maintain the same support to the Best for Kids committee as Social Services City staff has done in the past.

Carried

8.3 Council Composition/Geographic (Ward) Division Review

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Whereas since 1965 when the townships of Korah and Tarentorus amalgamated with the City of Sault Ste. Marie, there have been 12 city councillors representing six wards at the City Council of the City of Sault Ste. Marie; and

Whereas since 1965 the population of the City of Sault Ste. Marie has ranged from a low of approximately 70,000 in 1965 to a high of approximately 81,000 in 1980, and currently sits at approximately 75,000; and

Whereas the Council of the City of Sault Ste. Marie last considered changes to its composition in 2002, which was 14 years ago; and

Whereas it is incumbent on the Council of the City of Sault Ste. Marie to ensure both effectiveness and efficiency in all City departments, including in their own composition; and

Now Therefore Be It Resolved that the Council of the City of Sault Ste. Marie strike a committee consisting of five councillors, being Councillors Shoemaker, Myers, Hollingsworth, Christian, and Bruni as well as Mayor Provenzano with the City Clerk as a resource to the Committee, to consider and make recommendations and report on:

- The recommended number of City Councillors for the City of Sault Ste. Marie; and
- 2. The best geographic division for the recommended council make-up; and
- 3. The foreseeable consequences, positive and negative, if a recommendation to change the current composition and geographic division is brought forward.

Carried

8.4 By-law Enforcement

Moved by: Councillor S. Butland Seconded by: Councillor S. Myers

Resolved that Council request a report from appropriate staff on the activities of the corporation's By-law Enforcement Officer, to include the following:

- 1. The number of cases in the past year;
- 2. The number of cases that require more than one communication;
- 3. The number of cases that need to be pursued beyond the normal process;
- 4. The number of unresolved or ongoing cases; and
- 5. The nature of the cases in separate categories, such as dirty yard, safety issues, drainage, property standards, etc.

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 R. Romano Seconded by: Councillor S. Butland

Resolved that all By-laws under item 11 of the Agenda under date 2016 06 13 be approved.

Carried

11.3 By-laws before Council for THIRD reading which do not require more than a simple majority

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

11.1.1 By-law 2016-78 (Agreement) 2261278 Ontario Limited (8 Albert Street East)

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that By-law 2016-78 being a by-law to authorize the execution of an agreement between the City and 2261278 Ontario Limited for the use of a portion of the City boulevard property located to the southeast of 8 Albert Street East for a ramp be passed in open Council this 13th day of June, 2016.

Carried

11.1.2 By-law 2016-79 (Regulations) Noise Exemption Pink Chandelier Fashion Extravaganza

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that By-law 2016-79 being a by-law to amend Noise Control By-law 80-200, to exempt from the by-law the Pink Chandelier Fashion Extravaganza from 6:00 p.m. to 10:00 p.m. on June 24, 2016 be passed in open Council this 13th day of June, 2016.

Carried

11.1.3 By-law 2016-80 (Regulations) Noise Exemption Queen Street Cruise

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that By-law 2016-80 being a by-law to amend Noise Control By-law 80-200, to exempt from the by-law the Queen Street Cruise event on June 17th and 18th, 2016 be passed in open Council this 13th day of June, 2016.

11.1.4 By-law 2016-81 Granting Neighbour Access 545 Dundas Street

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that By-law 2016-81 being a by-law to provide access for the maintenance of a single family dwelling at 545 Dundas Street be passed in open Council this 13th day of June, 2016.

Carried

11.1.5 By-law 2016-83 (Execution of Contract) 1187839 Ontario Limited (Esposito Park Pump Track and Extension of the Hub Trail) Contract 2016-12E

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that By-law 2016-83 being a by-law to authorize the execution of a contract between the City and 1187839 Ontario Limited for construction of the Esposito Park Pump Track and the extension of the Hub Trail through the Etienne Brulé Public School Property (Contract 2016-12E) be passed in open Council this 13th day of June, 2016.

Carried

11.1.6 By-law 2016-84 (Property Acquisition) Pt 440 River Road (1890628 Ontario Inc.)

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that By-law 2016-84 being a by-law to authorize the City's acquisition of property described as Part of 440 River Road, being Part 9 on 1R7949 (1890628 Ontario Inc.) be passed in open Council this 13th day of June, 2016.

Carried

11.1.7 By-law 2016-85 (Traffic 70-200) Amend Schedules "F" and "G"

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that By-law 2016-85 being a by-law to amend Schedules "F" and "G" of Traffic By-law 77-200 be passed in open Council this 13th day of June, 2016.

11.1.8 By-law 2016-86 (Traffic 70-200) Amend Schedules "A", "F" and "G"

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that By-law 2016-86 being a by-law to amend Schedules "A", "F", and "G" of Traffic

By-law 77-200 be passed in open Council this 13th day of June, 2016.

Carried

11.1.9 By-law 2016-87 (Street Assumption) Part of Corey Avenue and Part of Jean Avenue

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that By-law 2016-87 being a by-law to assume for public use and establish as a public street part Corey Avenue as described in PIN 31504-0349 and part Jean Avenue as described in PIN 31504-0351 be passed in open Council this 13th day of June, 2016.

Carried

11.1.10By-law 2016-89 (Agreement) Downtown Association (Queen Street Cruise)

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that By-law 2016-89 being a by-law to authorize the execution of an agreement between the City and the Downtown Association for the use of the March Street Stage at March Street and Queen Street East, Sault Ste. Marie, and the Essar Centre parking lot at Queen Street East and Dennis Street, Sault Ste. Marie for the Queen Street Cruise Programming be passed in open Council this 13th day of June, 2016.

Carried

11.1.11By-law 2016-90 (Agreement) Pink Chandelier

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that By-law 2016-90 being a by-law to authorize the execution of an agreement between the City and 1927417 Ontario Inc. o/a Pink Chandelier and The Barrel House Wine & Whiskey Bar Inc. for the use of a portion of Queen Street East from Spring Street to March Street for an outdoor fashion show and a pop up patio be passed in open Council on the 13th day of June, 2016.

11.1.12By-law 2016-91 (Agreement) Morrison Hershfield Limited (Replacement of Exterior Cladding and Windows at the Civic Centre)

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that By-law 2016-91 being a by-law to authorize the execution of an agreement between the City and Morrison Hershfield Limited for professional services for the assessment, design and contract administration for replacement of exterior cladding and windows at the Civic Centre be passed in open Council this 13th day of June, 2016.

Carried

11.1.13By-law 2016-93 (Temporary Street Closing) March Street

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that By-law 2016-93 being a by-law to permit the temporary closing of March Street at Albert Street East and March Street at Queen Street East and March Street to facilitate the Queen Street Cruise be passed in open Council this 13th day of June, 2016.

Carried

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

11.2.1 By-law 2016-88 (Street Closing) Corey Avenue and Jean Avenue

Moved by: Councillor R. Romano Seconded by: Councillor S. Butland

Resolved that By-law 2016-88 being a by-law to stop up, close and authorize the conveyance of part of Corey Avenue as described in PIN 31504-0349 and part of Jean Avenue as described in PIN 31504-0351 be read the FIRST and SECOND time in open Council this 13th day of June, 2016.

Carried

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 R. Romano Seconded by: Councillor P. Christian

Resolved that this Council proceed into closed session to discuss an issue under the Companies' Creditors Arrangement 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 J. Krmpotich Seconded by: Councillor P. Christian

Resolved that this Council now adjourn.

Carried

Christian Provenzano

Mayor

Rachel Tyczinski

Deputy City Clerk