



REGULAR MEETING OF CITY COUNCIL

MINUTES

November 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 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, N. Kenny, L. Girardi, S. Schell, M. Figliola, P. Niro, T. Vair, D. McConnell, D. Elliott, V. McLeod, D. Scott, P. Liepa, J. Bruzas

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 11 07 and Budget Meeting of 2016 11 03 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 M. Bruni – Sault Ste. Marie Lottery and Gaming Pursuit Team

Employed by OLG.

3.2 Councillor R. Niro – Sault Ste. Marie Lottery and Gaming Pursuit Team

Son employed by Ontario Lottery and Gaming.

3.3 Councillor R. Niro – Fire Services Realignment Plan Update

Brother employed by Fire Services.

3.4 Councillor R. Niro – Fire Services

Brother employed by Fire Services.

3.5 Councillor L. Turco – Amendments to the Peddler By-law to address aggressive solicitation

Spouse employed by Police Services.

3.6 Councillor L. Turco – City By-Law Enforcement Officers

Spouse employed by Police Services.

3.7 Councillor L. Turco – Municipal Law Enforcement Officers

Spouse employed by Police Services.

3.8 Councillor L. Turco – By-law 2016-189 (Licencing) Peddler Amendment

Spouse employed by Police Services.

3.9 Councillor L. Turco – By-law 2016-190 (Parking) Municipal Law Enforcement Officers

Spouse employed by Police Services.

3.10 Councillor L. Turco – By-law 2016-191 (Parking) City By-law Enforcement Officers

Spouse employed by Police Services.

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that the Agenda and the Addendum for 2016 11 21 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 Community Development Award

Heritage Discovery Centre, 800 Bay Street

5.2 Community Christmas for Children

Marisa Jarrell on behalf of Planning Committee was in attendance.

5.3 Sault Ste. Marie Lottery and Gaming Pursuit Team

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

Councillor R. Niro declared a conflict on this item. (Son employed by Ontario Lottery and Gaming.)

Leo Tiberi, Executive Lead was in attendance to provide an update to Council.

5.4 City Council Review

Malcolm White, Deputy CAO / City Clerk – Corporate Services presented an overview of information to be considered by the Committee and encouraged public input.

5.5 Downtown Development Initiative

Victoria Prouse, Project Co-ordinator 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 21 – Agenda item 6 – Consent Agenda be approved as recommended, save and except agenda items 6.5 and 6.15.

Carried

6.1 Council Travel

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that Mayor Provenzano be authorized to travel to Ottawa, Ontario for 2 days in November to attend the Northern Caucus Meeting and a meeting with the Minister of Innovation, Science and Economic Development at an estimated cost to the City of \$1,200.

Carried

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that Councillor Turco be authorized to travel to Toronto for 2 days in November to attend the AMO Board Meeting at an estimated cost to the City of \$300.

Carried

6.2 RFP – Parking By-law Enforcement – Municipal Parking Lots and Meters

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 21 be received and that the proposal submitted by Commissionaires Ottawa to provide Parking By-law Enforcement for Municipal Parking Lots and Meters, as required by the Transit and Parking Division of Community Development and Enterprise Services be approved. The contract will commence January 1, 2017 and continue for a period of three (3) years allowing for two (2) further one (1) year extensions by mutual agreement.

Carried

6.3 Property Tax Appeals

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the City Tax Collector dated 2016 11 21 concerning Property Tax Appeals be received and that the tax records be amended pursuant to Section 357 of the *Municipal Act*.

Carried

6.4 2017 Applications for Financial Assistance through the City's Financial Assistance Policy for Sustaining and Other Grants

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Manager of Audits and Capital Planning dated 2016 11 21 concerning 2017 applications for financial assistance through the City's Financial Assistance Policy for Sustaining and Other Grants be received and that grants to the Rotary Club of Sault

Ste. Marie; Canadian Cancer Society Relay for Life; Bon Soo Winter Carnival Inc.; Crime Stoppers; and Fringe North be approved as recommended.

Carried

6.5 Long Term Tax Policy

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

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Myers

Resolved that the report of the Chief Financial Officer and Treasurer dated 2016 11 21 regarding the Long Term Tax Policy be received and the following recommendations be incorporated into the Long Term Tax Policy:

1. The next reassessment year of 2021 be reviewed for assessment base stabilization to determine if directed tax ratio reduction to the Industrial and Commercial classes can be implemented.
2. Upon assessment base stabilization, directed reduction to the Industrial and Commercial classes from overall real net assessment growth in excess of 1% until tax ratios for Industrial and Commercial classes are equal to the Provincial Threshold levels.
3. Staff investigate and report to Council on the feasibility of implementing an Industrial Community Improvement Plan.

Carried

6.6 Nine Month Financial Report – September 30, 2016

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Manager of Audits and Capital Planning dated 2016 11 21 concerning the Nine Month Financial Report – September 30, 2016 be received as information.

Carried

6.7 Visual Identity Policy

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Deputy CAO / City Clerk – Corporate Services dated 2016 11 21 regarding Visual Identity Policy be received and that the policy be approved.

Carried

6.8 Employee Innovation Program

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Deputy CAO / City Clerk – Corporate Services dated 2016 11 21 concerning Employee Innovation Program be received and the recommendation that the Senior Management Team implement a three month program specifically focused on engaging staff at all levels to potential innovations and savings that will affect the 2017 budget and/or fiscal year, with a report to be provided to Council during the first quarter of 2017 be approved.

Carried

6.9 Mayor's Committee on Celebrate Canada 150 – Update

Reports of the Manager of Recreation and Culture and the Co-Chairs of the Mayor's Committee on Celebrate Canada 150 were received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the reports of the Manager of Recreation and Culture dated 2016 11 21 on behalf of the Mayor's Committee on Celebrate Canada 150 and the Co-Chairs of the Committee be received as information.

Carried

6.10 River Road Pump Station Modifications

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

The relevant By-law 2016-195 is listed under item 11 of the Minutes.

6.11 Engineering Agreements – Fort Creek Aqueduct and Sackville Road Extension

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

The relevant By-laws 2016-192 and 2016-193 are listed under item 11 of the Minutes.

6.12 Young Street and Main Pump Station Modifications

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

The relevant By-law 2016-194 is listed under item 11 of the Minutes.

6.13 McNabb Street – Pim Street Drainage Improvements

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 21 concerning the McNabb Street to Pim Street Drainage Improvements consultant selection be received and that Council authorize entering into an agreement for engineering services with Tulloch Engineering.

Carried

6.14 Fire Services Realignment Plan Update

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

The report of the Fire Chief was received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Fire Chief dated 2016 11 21 concerning Fire Services Realignment Plan Update be received as information.

Carried

6.16 Licence to Occupy City Property Agreement for the International Bridge Lands

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

The relevant By-law 2016-201 is listed under item 11 of the Minutes.

6.17 Streets By-law – Housekeeping

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

The relevant By-law 2016-188 is listed under item 11 of the Minutes.

6.18 Amendments to the Peddler By-law to address aggressive solicitation

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

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

The relevant By-law 2016-189 is listed under item 11 of the Minutes.

6.19 Firearms By-law – Housekeeping

The report of the Solicitor/Prosecutor is attached for the consideration of Council.

The relevant By-law 2016-182 is listed under item 11 of the Minutes.

6.20 DSSAB Lease Agreement 540 Albert Street East

The report of the City Solicitor was received by Council.

The relevant By-law 2016-196 is listed under item 11 of the Minutes.

6.21 2017 User Fee Bylaw – Building Division Permit Fees

The report of the Chief Building Official was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Chief Building Official dated 2016 11 21 concerning an increase to the 2017 Permit Fees be received as information in support of the User Fee Bylaw.

Carried

6.22 City By-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 2016-191 is listed under item 11 of the Minutes.

6.23 Downtown Strategy

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the report of the Project Coordinator, Downtown Development Initiative dated 2016 11 21 concerning Downtown Strategy be received and that Council:

- a. Approve the Downtown Strategy
- b. Authorize staff to develop a Community Improvement Plan
- c. Authorize staff to establish a Downtown Taskforce
- d. Authorize staff to explore alternative funding including NOHFC and FedNor

Carried

6.24 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 2016-190 is listed under item 11 of the Minutes.

6.15 Property Purchase 125 and 143 Gore Street

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

The relevant By-law 2016-198 is listed under item 11 of the Minutes.

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

7.9 2017 BUDGET

7.9.1 Mayor and Council

7.9.2 Chief Administrative Officer

7.9.3 Legal

7.9.4 Fire Services

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

7.9.5 Corporate Services

7.9.6 Public Works and Engineering Services

7.9.7 Community Development and Enterprise Services

7.9.8 Social Services

7.9.9 Outside Agencies

7.9.10 Corporate Financials

7.9.11 Supplementary Requests

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

8.1 Fire Services

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

Moved by: Councillor R. Romano

Seconded by: Councillor M. Bruni

Whereas the Ministry of Labour issued an Order on November 2, 2016 that The Corporation of the City of Sault Ste. Marie must ensure the Operating Guidelines, (O.G.) specifically in reference to O.G. #600-01 (Single Family Dwelling), be more clearly defined, with respect to:

‘Safe interior attack direction including when R.I.T. (Rapid Intervention Team) is activated’

‘Incident command roles and responsibilities’, and further noted that the Corporation must ensure workers are trained on the changes to the O.G.s

Whereas the Corporation shall provide information, instruction and supervision to a worker to protect the health and safety of the worker during fire suppression interior attack, given that the current O.G.s do not provide adequate direction for safe interior attack; and

Whereas the Corporation has been given a deadline of January 27, 2017 to comply with the Order; and

Whereas the present fire services realignment plan update to Council of November 21, 2016 notes that the Corporation intends to obtain a comprehensive risk assessment at the conclusion of 2018, at which time staff believes that the realignment plan will be fully operational,

Now Therefore Be It Resolved that staff be requested to report to Council by no later than the meeting of December 5, 2016 as to the new operating guideline that complies with the Ministry of Labour order of November 2, 2016; and

Further that such report include the feasibility and cost of conducting a comprehensive risk assessment in 2017.

| 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 – Pecuniary Interest | | | |
| Councillor M. Bruni | X | | |
| Councillor F. Fata | | X | |
| Councillor J. Krmpotich | X | | |
| Councillor R. Romano | X | | |
| Results | 4 | 8 | 0 |
| Defeated | | | |

8.2 Public Utility Commission Appointments

Moved by: Councillor P. Christian

Seconded by: Councillor M. Shoemaker

Whereas the Corporation of the City of Sault Ste. Marie delegated its authority to appoint representatives to the water utility (the Public Utility Commission) to the Board of Directors of PUC Inc. by way of By-law 2001-25; and

Whereas since the delegation of this authority the representatives who served on the PUC have also served on the Board of Directors of PUC Inc. and/or PUC Services Inc.; and

Whereas the PUC has a service agreement with PUC Services Inc.; and

Whereas the representatives who serve on the PUC are often also directors of PUC Services Inc.; and

Whereas as a matter of good governance the representatives who serve on the PUC should be independent of the directors of PUC Services Inc;

Now Therefore Be It Resolved that Council direct staff to prepare a by-law to repeal By-law 2001-25 for the December 12, 2016 Council meeting to ensure that the Corporation of the City of Sault Ste. Marie City Council shall hereafter appoint the representatives to the Public Utility Commission directly; and

Be It Further Resolved that the City Clerk advertise the vacancies to be filled with the current round of board and committee appointments.

Carried

8.3 Nominating Committee Appointments

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that the following persons be appointed to the Nominating Committee for the term beginning November 21, 2016 to November 30, 2018: Councillors Marchy Bruni, Sandra Hollingsworth and Judy Hupponen and the Deputy City Clerk, Secretary/Treasurer – Committee of Adjustment, Manager of Recreation and Culture, Curator – Ermatinger/Clergue National Historic Site and the Accessibility Co-ordinator.

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. Myers

Resolved that all By-laws under item 11 of the Agenda under date 2016 11 21 be approved, save and except by-laws 2016-189, 2016-190, 2016-191 and 2016-198.

Carried

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

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

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 21st day of November, 2016.

Carried

11.1.2 By-law 2016-182 (Regulations) Firearms Housekeeping

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that By-law 2016-182 being a by-law to repeal various by-laws that amend the repealed Firearms By-law 70-359 of the City of Sault Ste. Marie be passed in open Council this 21st day of November, 2016.

Carried

11.1.3 By-law 2016-188 (Regulations) Streets Housekeeping

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that By-law 2016-188 being a by-law to repeal various by-laws that amend the repealed Streets By-law 69-150 of the City of Sault Ste. Marie be passed in open Council this 21st day of November, 2016.

Carried

11.1.7 By-law 2016-192 (Agreement) Kresin Engineering

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that By-law 2016-192 being a by-law to authorize the execution of an Agreement between the City and Kresin Engineering Corporation for the Fort Creek Aqueduct and Sackville Road Extension be passed in open Council this 21st day of November, 2016.

Carried

11.1.8 By-law 2016-193 (Agreement) STEM Engineering

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that By-law 2016-193 being a by-law to authorize the execution of an Agreement between the City and STEM Engineering Group Incorporated for the Fort Creek Aqueduct and Sackville Road Extension be passed in open Council this 21st day of November, 2016.

Carried

11.1.9 By-law 2016-194 (Agreement) AECOM Canada Ltd.

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that By-law 2016-194 being a by-law to authorize the execution of an Agreement with AECOM Canada Ltd. for the electrical modifications to the Young Street and main pump stations and to proceed with a tender for the proposed work be passed in open Council this 21st day of November, 2016.

Carried

11.1.10 By-law 2016-195 (Agreement) George Stone & Sons Inc. Contract 2016-15E

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that By-law 2016-195 being a by-law to authorize the execution of Contract 2016-15E between the City and George Stone & Sons Inc. for the River Road Pump Station - 2016 Floor Modifications be passed in open Council this 21st day of November, 2016.

Carried

11.1.11 By-law 2016-196 (Agreement) District of Sault Ste. Marie Social Services Administration Board

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2016-196 being a by-law to authorize the execution of an agreement between the City and the District of Sault Ste. Marie Social Services Administration Board to lease part of the property of the City at 540 Albert Street East be passed in open Council this 21st day of November, 2016.

Carried

11.1.13 By-law 2016-201 (Agreement) International Bridge – Licence to Occupy City Lands

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that By-law 2016-201 being a by-law to authorize the execution of a Licence to Occupy Agreement between the City and the Federal Bridge Corporation Limited (FBC) and the International Bridge Administration (IBA) for the use of the City lands designated to be transferred to the FBC until such a time the land transfers are complete be passed in open Council on this 21st day of November, 2016.

Carried

11.1.4 By-law 2016-189 (Licencing) Peddler Amendment

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that By-law 2016-189 being a by-law to amend By-law 2003-53 to address incidents of aggressive solicitation be passed in open Council this 21st day of November, 2016.

Carried

11.1.5 By-law 2016-190 (Parking) Municipal Law Enforcement Officers

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that By-law 2016-190 being a by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties and to amend Schedule "A" to By-law 90-305 be passed in open Council this 21st day of November, 2016.

Carried

11.1.6 By-law 2016-191 (Parking) City By-law Enforcement Officers

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

Moved by: Councillor F. Fata

Seconded by: Councillor S. Myers

Resolved that By-law 2016-191 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 this 21st day of November, 2016.

Carried

11.1.12 By-law 2016-198 (Property Acquisition) 125 Gore Street and 143 Gore Street

Moved by: Councillor M. Bruni

Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2016-198 being a by-law to authorize the City's acquisition of property located at civic 125 Gore Street and 143 Gore Street (Kerns) be passed in open Council this 21st 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:

three legal matters (property acquisition negotiation, potential litigation, 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