



REGULAR MEETING OF CITY COUNCIL

MINUTES

Monday, March 20, 2017

4:30 pm

Council Chambers

Civic Centre

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

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

1. ADOPTION OF MINUTES

Moved by: Councillor R. Niro

Seconded by: Councillor L. Turco

Resolved that the Minutes of the Regular Council Meeting of 2017 03 06 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 – Appointment of Provincial Offences Officers for Enforcement of City By-laws Related to Animal Control

Spouse employed by the Police Service.

3.2 Councillor L. Turco – Municipal Law Enforcement Officers

Spouse employed by the Police Service.

3.4 Councillor M. Shoemaker – Downtown Community Improvement Plan: Municipal Tax Increment Rebate – 765 Queen Street East

Applicant is a client of law firm.

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that the Agenda and Addendum for 2017 03 20 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 Vimy 100th Memorial Days

Major Pierre Breckenridge, Battle of Vimy Ridge 100th Commemoration Committee Chair was in attendance.

5.2 International Day for the Elimination of Racial Discrimination

Danny Krmpotich, Co-ordinator, Sault Ste. Marie and Area Local Immigration Partnership was in attendance.

5.3 Be a Donor Month

Erica Tomlinson-Hogan was in attendance.

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that all the items listed under date 2017 03 20 – Agenda item 6 – Consent Agenda and Addendum be approved as recommended, save and except items 6.8, 6.9 and 6.11.

Carried

6.1 Correspondence

6.1.1 Donna Hilsinger, Executive Director, Algoma Arts Festival Association

6.1.1.1 You the Soo Resolution

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Be It Resolved that appropriate staff be requested to review and report back to Council by April 10, 2017 as to the use of the Essar Centre by *You the Soo 2017* at no charge on May 10 and May 11, 2017.

Carried

6.1.2 Outspoken Brewing – "By-the-Glass" Liquor Licence

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that Sault Ste. Marie City Council supports the issuance of a Manufacturer's Limited Liquor Sales "By-the-Glass" Licence to OutSpoken Brewing.

Carried

6.2 Council Travel

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

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

Carried

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that Mayor Provenzano be authorized to travel to Hamilton for 3 days in April to attend the Poverty Reduction Summit at an estimated cost to the City of \$1,200.

Carried

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that Mayor Provenzano be authorized to travel to Timmins for 2 days in June to attend the Northern Ontario Large Urban Mayors meeting at an estimated cost to the City of \$550.

Carried

6.3 Temporary Liquor Licence Extensions

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

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that the report of the Deputy City Clerk dated 2016 03 20 concerning Temporary Liquor Licence Extensions be received and that the Legal Department be requested to prepare the necessary by-law to delegate authority to the City Clerk / Deputy City Clerk to issue letters of non-objection to Temporary Liquor Licence Extensions when deemed appropriate.

Carried

6.4 Tax Collector Appointment

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

The relevant By-law 2017-50 is listed under item 11 of the Minutes.

6.5 Canadian Tire and Home Depot Minutes of Settlement

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that the report of the Chief Financial Officer/Treasurer dated 2017 03 20 concerning the Canadian Tire and Home Depot Minutes of Settlement be received as information.

Carried

6.6 Finance Committee Composition

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that the report of the Chief Financial Officer/Treasurer dated 2017 03 20 concerning the Finance Committee resolution recommending the increase in the composition of the Committee from three Council members to three or five Council members be approved.

Carried

6.7 Property Tax Appeals

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the report of the City Tax Collector dated 2017 03 20 concerning Property Tax Appeals be received and the recommendation that the tax records be amended pursuant to Section 357 of the *Municipal Act* be approved.

Carried

6.10 Splash Pad Project Update

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Recreation and Culture dated 2017 03 20 concerning the Splash Pad Project Update be received and that Council authorize staff to begin working on a funding plan for the development of a splash pad to be located at Bellevue Park;

Further that \$25,000 be allocated to the splash pad development from the 2017 capital budget.

Carried

6.12 Limiting Distance Agreement – 803 Queen Street East

The report of the City Solicitor was received by Council.

The relevant By-law 2017-49 is listed under item 11 of the Minutes.

6.13 Downtown Community Improvement Plan: Municipal Tax Increment Rebate – 765 Queen Street East

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

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

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that the report of the Project Co-ordinator, Downtown Development Initiative dated 2017 03 20 be received and that:

1. Council authorize an incremental tax rebate for 765 Queen Street East;
2. The rebate be 100% in year one, 75% in year two, 50% in year three, and 25% in year four;
3. All general eligibility requirements of the financial incentive programs, as outlined, in the approved Downtown CIP, approved February 18, 2014, apply to this proposal; and

4. After the four year rebate the property will pay its full municipal tax amount.

Carried

6.14 Downtown Patios

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

The relevant By-law 2017-51 is listed under item 11 of the Minutes.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the report of the Planning Division dated 2017 03 20 concerning Downtown Patios be received and that:

1. The revised Downtown Patio Guidelines be approved
2. Authority be delegated to the Director of Planning and Enterprise Services to enter into a Sidewalk Patio Agreement on behalf of the City of Sault Ste. Marie
3. Patio application fees be waived for the 2017 patio season; and
4. The use of on-street parking bays for patios or maintaining unobstructed pedestrian space be permitted on a case-by-case basis subject to approval by Public Works and Engineering Services and a Sidewalk Patio Agreement between the business and the City.

Carried

6.15 Municipal Law Enforcement Officers

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

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

The relevant By-law 2017-52 is listed under item 11 of the Minutes.

6.8 Request for Proposal – Fire Services Vehicles

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

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Purchasing dated 2017 03 20 be received and that the supply and delivery of the following vehicles:

2017 Kia Sorento for \$31,507.75 plus HST from World Cars KIA;

2017 Hyundai Tucson for \$24,221.75 plus HST from World Cars Hyundai;

2017 Ford F150 XL for \$32,670.00 plus HST from Maitland Ford; and

2017 Ford F250 XL for \$35,655.00 plus HST from Maitland Ford

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subject to the approval of the allocation of the necessary funding as outlined in the report of the Fire Chief be approved.

Recorded	For	Against	Absent
Mayor C. Provenzano	X		
Councillor S. Butland	X		
Councillor P. Christian		X	
Councillor S. Myers		X	
Councillor S. Hollingsworth		X	
Councillor J. Hupponen		X	
Councillor L. Turco	X		
Councillor M. Shoemaker		X	
Councillor R. Niro	X		
Councillor M. Bruni	X		
Councillor F. Fata	X		
Councillor J. Krmpotich	X		
Councillor R. Romano		X	
Results	7	6	0
Carried			

6.9 Fire Services Vehicles – Financing

The report of the Fire Chief was received by Council.

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that the report of the Fire Chief dated 2017 03 20 be received and that the supply and delivery of four (4) vehicles be funded through the 2017 Capital Budget allocation of \$120,000 and an additional \$6,237.90 from the Fire Capital Equipment reserve be approved.

Recorded	For	Against	Absent
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 L. Turco	X		
Councillor M. Shoemaker		X	
Councillor R. Niro	X		
Councillor M. Bruni	X		
Councillor F. Fata	X		
Councillor J. Krmpotich	X		
Councillor R. Romano		X	
Results	7	6	0

Carried

6.11 Appointment of Provincial Offences Officers for Enforcement of City By-laws Related to Animal Control

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

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

The relevant By-law 2017-45 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

7.6.1 A-4-17-OP – Sackville Road Extension

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the report of the Director of Planning and Enterprise Services dated 2016 03 20

be received and that Official Plan Amendment No. 218 concerning the extension of Sackville Road to Third Line be approved.

Postponed

Moved by: Councillor M. Bruni

Seconded by: Councillor R. Romano

Resolved that agenda item 7.6.1 be postponed to a future meeting of Council.

Carried

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 Trees on Municipal Property

Moved by: Councillor M. Shoemaker

Seconded by: Councillor J. Hupponen

Whereas the City is a Naturally Gifted community that is known for our landscapes and beautiful surroundings; and

Whereas many of the trees on municipally owned property have been ravaged by the emerald ash borer; and

Whereas our stock of trees forms part of our natural beauty;

Now Therefore Be It Resolved that staff be requested to report as to the current status of tree-planting in the City and provide recommendations regarding the development of a guideline for municipal property providing that when a tree is removed from municipally owned land, two trees must be planted to replace the tree removed on municipally owned land anywhere in the City.

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

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Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that all By-laws under item 11 of the Agenda under date 2017 03 20 be approved, save and except 2017-45 and 2017-52.

Carried

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

11.1.2 By-law 2017-47 (Street Assumption) Part Longview Avenue

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2017-47 being a by-law to assume for public use and establish as a public street that portion of Longview Avenue described as PIN 31493-0138 (LT) PT LONGVIEW AV PL 795 RANKIN LOCATION BEING PARTS 6 AND 7 ON PLAN 1R7904, in the Glenwood Subdivision, Plan 795 be passed in open Council this 20th day of March, 2017.

Carried

11.1.3 By-law 2017-48 (Street Closing) Part Longview Avenue

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2017-48 being a by-law to stop up, close and authorize the conveyance of a portion of Longview Avenue in the Glenwood Subdivision, Plan 795 be passed in open Council this 20th day of March, 2017.

Carried

11.1.4 By-law 2017-49 (Agreement) Rushon – 803 Queen Street East

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2017-49 being a by-law to authorize the execution of an Agreement between the City and Betty Rushon and Daniel Joseph Rushon for a limiting Distance Agreement for 803 Queen Street East be passed in open Council this 20th day of March, 2017.

Carried

11.1.5 By-law 2017-50 (Appointment) Tax Collector

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2017-50 being a by-law to appoint Christine Pascall as the Tax Collector for the City of Sault Ste. Marie be passed in open Council this 20th day of March, 2017.

Carried

11.1.6 By-law 2017-51 (Agreement) Sidewalk Patio Agreements

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2017-51 being a by-law to approve the standard form of a Sidewalk Patio Agreement and to delegate to the Director of Planning and Enterprise Services, or his/her delegate, signing authority to execute same on behalf of the City of Sault Ste. Marie be passed in open Council this 20th day of March, 2017.

Carried

11.1.1 By-law 2017-45 (Humane Society) Appointment of Provincial Offences Officers

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2017-45 being a by-law to appoint municipal by-law enforcement officers and provincial offences officers to enforce the City animal control by-laws be passed in open Council this 20th day of March, 2017.

Officially Read and Not Dealt With

11.1.7 By-law 2017-52 (Parking) Municipal Law Enforcement Officers

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2017-52 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 20th day of March, 2017.

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 J. Hupponen

Seconded by: Councillor R. Niro

Resolved that this Council proceed into closed session to discuss:

1. a proposed disposition of property
2. labour relations or employee negotiations

Municipal Act R.S.O. 2002 – section 239(2)(c) – a proposed or pending acquisition or disposition of land by the municipality; section 239(2)(d) – labour relations or employee negotiations

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. Hupponen

Seconded by: Councillor R. Niro

Resolved that this Council now adjourn.

Carried

Christian Provenzano

Mayor

Malcolm White

City Clerk