



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

Monday, July 17, 2017  
4:30 pm  
Council Chambers  
Civic Centre

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

**Absent:** Councillor S. Hollingsworth, Councillor M. Shoemaker

**Officials:** A. Horsman, R. Tyczinski, L. Girardi, T. Vair, M. White, N. Kenny, P. Milosevich, P. Niro, S. Schell, P. Johnson, R. Madonna, M. McCracken, V. Prouse, C. Rumiel, P. Tonazzo, T. Vecchio

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

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

Resolved that the Minutes of the Regular Council Meeting of 2017 06 26 be approved.

**Carried**

Councillor O. Grandinetti swore his Declaration of Office under the *Municipal Act*.

**2. QUESTIONS AND INFORMATION ARISING OUT OF THE MINUTES AND NOT OTHERWISE ON THE AGENDA**

**3. DECLARATION OF PECUNIARY INTEREST**

**3.1 Councillor L. Turco – Municipal Law Enforcement Officers**

Spouse employed by Police Service

**3.2 Councillor L. Turco – By-law 2017-143 (Parking) Municipal Law Enforcement Officers**

Spouse employed by Police Service

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

Employed by Essar Steel Algoma Inc.; USWA

**3.4 Councillor O. Grandinetti – Retention of Restructuring Lawyer Fee Update**

Employed by Essar Steel Algoma Inc.

**4. APPROVE AGENDA AS PRESENTED**

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the Agenda and Addendum #1 for 2017 07 17 City Council Meeting as presented be approved.

**Carried**

**5. PROCLAMATIONS/DELEGATIONS**

**5.1 2017 User Fee Study**

Andrew Mirabella, Hemson Consulting Ltd. was in attendance regarding Agenda item 7.1.1.

**5.2 Council Composition / Ward Boundaries**

Malcolm White, Deputy CAO Corporate Services / City Clerk was in attendance regarding Agenda item 7.1.2.

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that all the items listed under date 2017 07 17 – Agenda item 6 – Consent Agenda save and except Agenda item 6. 20 be approved as recommended.

**Carried**

**6.1 Outstanding Council Resolutions**

**6.2 Street Closure Request**

Letter of request for a temporary street closing was received by Council.

Reggie's West Fundraiser for ARCH

- Korah Road from Old Wallace Terrace to Douglas Street – Saturday, August 19, 2017 – 11 a.m. to 11:59 p.m.

The relevant By-law 2017-155 is listed under item 11 of the Minutes.

**6.3 Retention of Restructuring Lawyer Fee Update**

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

Councillor O. Grandinetti declared a conflict on this item. (Employed by Essar Steel Algoma Inc.)

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

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that the report of the Chief Administrative Officer dated 2017 07 17 concerning 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.

**Carried**

**6.4 Registration of Tax Arrears Certificate(s) and Sale**

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

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

Resolved that the report of the Manager of Accounting and City Tax Collector dated 2017 07 17 concerning Registration of Tax Arrears Certificate(s) and Sale be received and that Council authorize the City Tax Collector to commence Tax Sale Proceedings in accordance with the *Municipal Act, 2001*.

**Carried**

#### **6.5 Property Tax Appeals**

A report of the Manager of Accounting and City Tax Collector was received by Council.

Moved by: Councillor P. Christian  
Seconded by: Councillor O. Grandinetti

Resolved that the report of the Manager of Accounting and City Tax Collector dated 2017 07 17 concerning Property Tax Appeals be received and that the tax records be amended pursuant to section 357 of the *Municipal Act*.

**Carried**

#### **6.6 Ontario Municipal Commuter Cycling Program Funding**

The report of the Planner was received by Council.

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

Resolved that the report of the Planner dated 2017 07 17 concerning Ontario Municipal Commuter Cycling Program Funding be received and that Council authorize staff to submit an application to the Ontario Municipal Commuter Cycling Program with the City's share of \$62,500 to be taken from the 5% Subdivider Reserve Fund.

**Carried**

#### **6.7 Sault Ste. Marie Slo-Pitch League Agreement – Player Shelters**

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

The relevant By-law 2017-151 is listed under item 11 of the Minutes.

#### **6.8 Designated Heritage Property Grant – 36 Herrick St.**

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

Moved by: Councillor P. Christian  
Seconded by: Councillor O. Grandinetti

Resolved that the report of the Manager of Recreation and Culture dated 2017 07 17 concerning a designated heritage property grant application received from Jared MacKinnon and Marisha Caswell (owners of 36 Herrick Street) be received and that the recommendation of the Sault Ste. Marie Municipal Heritage Committee that a grant in the amount of \$3,000 be provided towards repairs of the foundation and brickwork as well as replacement of five windows be approved; further that payment be rendered upon submission of the paid contractor's invoices and final approval of the project by the Sault Ste. Marie Municipal Heritage Committee; and that the funds come from the Designated Heritage Property Grant budget.

**Carried**

#### **6.9 Official Plan Review – Population Projections**

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

The relevant By-law 2017-145 is listed under item 11 of the Minutes.

#### **6.10 Downtown Traffic Study**

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Design and Construction Engineer dated 2017 07 17 concerning the Downtown Traffic Study consultant selection be received and that Council authorize entering into an agreement for engineering services with IBI Group Professional Services (Canada) Inc.

A by-law authorizing execution of the agreement will appear on a subsequent Agenda.

**Carried**

#### **6.11 Drake Street Pump Station Upgrades**

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

The relevant By-law 2017-153 is listed under item 11 of the Minutes.

#### **6.12 2018 Capital – Engineering Procurement**

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

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that the report of the Director of Engineering dated 2017 07 17 concerning 2018 capital road projects be received and that engineering design services be procured for Bruce

Street between Queen and Wellington Streets, and Black Road between Second and Third Lines.

**Carried**

**6.13 Firefighter Recruitment Process**

The report of the Deputy Fire Chief is attached for the consideration of Council.

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Deputy Fire Chief dated 2017 07 17 concerning the Firefighter Recruitment Process be received as information.

**Carried**

**6.14 Licence of Occupation – Poker Run Event**

The report of the City Solicitor was received by Council.

The relevant By-law 2017-150 is listed under item 11 of the Minutes.

**6.15 Great Little Ones Film Inc. – Licence to Occupy City Property**

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

The relevant By-law 2017-154 is listed under item 11 of the Minutes.

**6.16 Amended Lease – 363 Wellington Street West**

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

The relevant By-law 2017-152 is listed under item 11 of the Minutes.

**6.17 BK Marketing Services Assignment Agreement**

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

The relevant By-law 2017-142 is listed under item 11 of the Minutes.

**6.18 Licence Extension on Provincial Lands**

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

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that the report of the Assistant City Solicitor/Senior Litigation Counsel dated 2017 07 17 concerning extension of a Licence Agreement between the City and the Ministry of Transportation regarding use of property at Black Road be received as information.

**Carried**

**6.19 Reggie's West Ride for ARCH on August 19, 2017**

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

The relevant By-laws 2017-148 and 2017-149 are listed under item 11 of the Minutes.

**6.21 Municipal Law Enforcement Officers**

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

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

The relevant By-law 2017-143 is listed under item 11 of the Minutes.

**6.22 Facility Crossing Agreement for Imperial Oil**

The report of the Director, Public Works and Transportation was received by Council.

The relevant By-law 2017-131 is listed under item 11 of the Minutes.

**6.20 Amendment to By-law 2012-213 Information Report**

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Solicitor/Prosecutor dated 2017 07 17 concerning Amendment to By-law 2012-213 be received and that no action at this time be taken with regard to the proposed amendment.

**Officially Read and Not Dealt With**

**7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES**

**7.1 ADMINISTRATION**

**7.1.1 2017 User Fee Study**

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

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Chief Financial Officer and Treasurer dated 2017 07 17 concerning the 2017 User Fee Study be received as information.

**Carried**

#### **7.1.2 Council Composition / Ward Boundaries**

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

Moved by: Councillor S. Butland

Seconded by: Councillor J. Krmpotich

Resolved that the report of the Deputy CAO / City Clerk, Corporate Services dated 2017 07 17 concerning Council Composition and Ward Boundaries be received and that two public open houses be held to obtain input from the community prior to the 2017 08 21 Council meeting.

**Carried**

#### **7.1.3 Committee Vacancies (Romano)**

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

Moved by: Councillor L. Turco

Seconded by: Councillor S. Butland

Resolved that the report of the Deputy City Clerk dated 2017 07 17 concerning Committee Vacancies be received as information and that Councillor O. Grandinetti be appointed to the Sault Ste. Marie and Region Conservation Authority (to December 31, 2018).

**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**

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



## 8.1 Splash Pad Funding

Moved by: Councillor P. Christian

Seconded by: Councillor S. Myers

Whereas City Council unanimously approved the construction of a splash pad to be located at Bellevue Park; and

Whereas both Council and the general public are anxious for the project to proceed as planned; and

Whereas as part of the funding strategy for the construction of the splash pad, the splash pad sub-committee will be making an application for a Trillium grant in the amount of \$150,000; and

Whereas as part of the Trillium application process, the remainder of the project funding must be in place before any grant is awarded; and

Whereas the City currently has \$300,000 of uncommitted funding in the sub- dividers reserve; and

Whereas the splash pad sub-committee currently has approximately \$60,000 committed to the splash pad project;

Now Therefore Be It Resolved that Council approve the use of \$240,000 from the subdividers reserve to support funding of the splash pad, resulting in a total of \$300,000 of City funding to serve as the basis for a Trillium grant application.

<b>Recorded</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Mayor C. Provenzano	X		
Councillor S. Butland	X		
Councillor P. Christian	X		
Councillor S. Myers	X		
Councillor S. Hollingsworth			
Councillor J. Hupponen	X		
Councillor L. Turco	X		
Councillor M. Shoemaker			
Councillor R. Niro	X		
Councillor M. Bruni	X		

Councillor F. Fata	X		
Councillor J. Krmpotich	X		
Councillor O. Grandinetti	X		
<b>Results</b>	<b>11</b>	<b>0</b>	<b>0</b>
<b>Carried</b>			

## **8.2 Zoos and Wildlife Sanctuaries**

Moved by: Councillor J. Hupponen

Seconded by: Councillor J. Krmpotich

Whereas the Municipal Act gives broad jurisdiction to municipalities to pass by-laws in several spheres of jurisdiction, one of which is animals; and

Whereas local municipalities have an inherent responsibility to keep their citizens safe; and

Whereas in accordance with Ontario's Fish and Wildlife Conservation Act the Ministry of Natural Resources and Forestry (OMNRF) issues zoo licences; and

Whereas the OMNRF has no jurisdiction over exotic animals such as lions and tigers; and

Whereas housing wild animals in facilities that do not support their biological and behavioral needs can create unnecessary stress, aggressive behavior and provide additional motivation to attempt escape, creating an even greater public safety risk; and

Whereas the municipality may be liable in the case of injury or death caused by an escaped animal from a licenced zoo; and

Whereas since the City of Sault Ste. Marie has not instituted a by-law banning privately owned menageries, it may bear some responsibility for the operation of zoos within the City; and

Whereas the Township of Muskoka Lakes passed a by-law in 2012 regulating zoos and wildlife sanctuaries;

Now Therefore Be It Resolved that staff be requested to report as to how best to regulate zoos and captive wildlife facilities in the municipality.

**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 P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that all By-laws under Agenda item 11 under date 2017 07 17 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 2017-131 (Agreement) Facility Crossing – Imperial Oil**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-131 being a by-law to authorize the execution of the Agreement between the City and Imperial Oil for a Facility Crossing Agreement and to seek approval for the Deputy Chief Administrative Officer ('DCAO') of Public Works and Engineering Services to have delegated signing authority for similar Facility Crossing Agreement(s) with Imperial Oil be passed in open Council this 17th day of July, 2017.

**Carried**

**11.1.2 By-law 2017-140 (Traffic) Amend By-law 77-200**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-140 being a by-law to amend Schedules "A" and "F" of Traffic By-law 77-200 be passed in open Council this 17th day of July, 2017.

**Carried**

**11.1.3 By-law 2017-141 (Walk of Fame) Amend By-law 2002-193**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-141 being a by-law to amend By-law 2002-193 be passed in open Council this 17th day of July, 2017.

**Carried**

**11.1.4 By-law 2017-142 (Agreement) Assignment to Sudbury Wolves Hockey Club**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-142 being a by-law to authorize the execution of the Assignment Agreement between the City, BK Marketing Services and Sudbury Wolves Hockey Club Ltd. in which the City consents to the assignment of the Agreement dated February 19, 2013 from BK Marketing Services to Sudbury Wolves Hockey Club Ltd. be passed in open Council this 17th day of July, 2017.

**Carried**

#### **11.1.5 By-law 2017-143 (Parking) Municipal Law Enforcement Officers**

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

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-143 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 17th day of July, 2017.

**Carried**

#### **11.1.6 By-law 2017-144 (Council Procedure) Amend Rotation List for Acting Mayor**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-144 being a by-law to adopt the rotation list for Acting Mayor for the current Council session and to repeal By-law 2014-250 being a by-law to adopt the rotation list for Acting Mayor for the current Council session and to repeal By-law 2016-24 being a by-law to amend By-law 2014-250 be passed in open Council this 17th day of July, 2017.

**Carried**

#### **11.1.7 By-law 2017-145 (Agreement) Dillon Consulting Limited Official Plan Review Population Projections**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-145 being a by-law to authorize the execution of the Agreement between the City and Dillon Consulting Limited for a report on population, employment and housing projections, and commercial and industrial land needs analysis be passed in open Council this 17th day of July, 2017.

**Carried**

**11.1.8 By-law 2017-146 (Street Closing) Amend By-law 2015-12 (Part Wawanosh Avenue)**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-146 being a by-law to amend Street Closing By-law 2015-12 (part Wawanosh Avenue) be passed in open Council this 17th day of July, 2017.

**Carried**

**11.1.9 By-law 2017-147 (Agreement) Risk Assessment for Fire Services**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-147 being a by-law to authorize the execution of the Agreement between the City and Dillon Consulting Limited for the provision of a Comprehensive Risk Assessment for Fire Services for Sault Ste. Marie be passed in open Council this 17th day of July, 2017.

**Carried**

**11.1.10 By-law 2017-148 (Agreement) Reggie's West Ride for ARCH**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-148 being a by-law to authorize the execution of an agreement between the City and 882215 Ontario Inc. ("Reggie's") for the use of a portion of Korah Road from Wallace Terrace to Douglas Street for Reggie's West Ride for ARCH event and programming be passed in open Council this 17th day of July, 2017.

**Carried**

**11.1.11 By-law 2017-149 (Regulations) Reggie's West Ride for ARCH**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-149 being a by-law to amend Noise Control By-law 80-200, to exempt from the By-law the "Reggie's West Ride for ARCH" event from 11:00 a.m. August 19, 2017 to 12:00 a.m. August 20, 2017 be passed in open Council this 17th day of July, 2017.

**Carried**

**11.1.12 By-law 2017-150 (Agreement) Poker Run Boat Parade Event**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-150 being a by-law to authorize the execution of an agreement between the City and the Sault Ste. Marie Economic Development Corporation Tourism Division for the use of Foster Drive, from St. Mary's River Drive to Brock Street for the Poker Run event be passed in open Council this 17th day of July, 2017.

**Carried**

**11.1.13 By-law 2017-151 (Agreement) Slo-Pitch League Player Shelters**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-151 being a by-law to authorize the execution of the Agreement between the City and Sault Ste. Marie Slo-Pitch League in reference to their contribution of materials required to build ten (10) new player shelters to be installed at five (5) slo-pitch fields at Strathclair Sports Complex be passed in open Council this 17th day of July, 2017.

**Carried**

**11.1.14 By-law 2017-152 (Agreement) Amend Lease for 363 Wellington Street West**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-152 being a by-law to authorize the execution of the Agreement between the City and Mr. Kevin Belsito to permit Mr. Belsito to make changes or improvements to City property located at 363 Wellington Street West within the scope of the intended use of the property be passed in open Council this 17th day of July, 2017.

**Carried**

**11.1.15 By-law 2017-153 (Agreement) AECOM Canada Ltd. Drake Street Pump Station Panel Upgrades**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-153 being a by-law to authorize the execution of the Agreement between the City and AECOM Canada Ltd. for engineering services for the Drake Street Pump Station panel upgrades be passed in open Council this 17th day of July, 2017.

**Carried**

**11.1.16 By-law 2017-154 (Agreement) Giant Little Ones Film Inc.**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-154 being a by-law to authorize the execution of an agreement between the City and Giant Little Ones Film Inc. for the use of various parcels of City owned land for the purpose of a film production be passed in open Council this 17th day of July, 2017.

**Carried**

**11.1.17 By-law 2017-155 (Temporary Street Closing) Reggie's West Ride for ARCH**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-155 being a by-law to permit the temporary closing of Korah Road, from Douglas Street to Wallace Terrace on August 19, 2017 to facilitate the "Reggie's West Ride for ARCH" event be passed in open Council this 17th day of July, 2017.

**Carried**

**11.1.18 By-law 2017-156 (Temporary Street Closing) Poker Run Boat Parade Event**

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-156 being a by-law to permit the temporary closing of Spring Street from Bay Street to Foster Drive on August 4, 2017 to facilitate the Poker Run Boat Parade event be passed in open Council this 17th day of July, 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 P. Christian

Seconded by: Councillor J. Krmpotich

Resolved that this Council proceed into closed session to discuss a proposed disposition of property;

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 without the need for a further authorizing resolution.

*Municipal Act – section 239(2)(c) – a proposed or pending acquisition or disposition of land by the municipality*

**Carried**

**14. ADJOURNMENT**

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that this Council now adjourn.

**Carried**

“Christian Provenzano”

Mayor

“Rachel Tyczinski”

Deputy City Clerk