



REGULAR MEETING OF CITY COUNCIL MINUTES

Tuesday, February 21, 2017

4:30 pm

Council Chambers

Civic Centre

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

Absent: Mayor C. Provenzano, Councillor S. Hollingsworth

Officials: A. Horsman, R. Tyczinski, L. Girardi, M. Figliola, T. Vair, F. Coccimiglio, V. McLeod, K. Fisher, C. Rumiell, M. Borowicz-Sibenik, P. Tonazzo

1. ADOPTION OF MINUTES

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the Minutes of the Regular Council Meeting of 2017 02 06 be approved.

Carried

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

3. DECLARATION OF PECUNIARY INTEREST

eSCRIBE Minutes

3.1 Councillor R. Niro – Economic Development Update

Family member employed by Economic Development Corporation

3.2 Councillor P. Christian – Leasing of McMeeken Centre

Family member is a member of the Soo Pee Wee Hockey League executive

3.3 Councillor R. Niro – Leasing of McMeeken Centre

Family member is a member of the Soo Pee Wee Hockey League executive

3.4 Councillor R. Romano – Leasing of McMeeken Centre

Law firm represents Soo Minor Hockey

3.5 Councillor Turco – Municipal Law Enforcement Officers

Spouse is employed by Police Service

3.6 Councillor L. Turco – By-law 2017-36 (Parking) Municipal Law Enforcement Officers

Spouse is employed by Police Service

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the Agenda for 2017 02 21 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 Ontario Heritage Week

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

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that all the items listed under date 2017 02 21 – Agenda item 6 – Consent Agenda be approved as recommended.

Carried

6.1 Correspondence

6.1.1 Special Fireworks Permission Request

Correspondence requesting permission for a fireworks display on Top Sail Island was received by Council.

The relevant By-law 2017-40 is listed under item 11 of the Minutes.

6.1.2 Withdrawal of Motion – Energy Report

6.2 Council Travel

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that Councillor S. Hollingsworth be authorized to travel to Ottawa for 4 days in June to attend the Community Heritage Ontario Conference at an estimated cost to the City of \$1,700.

Carried

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that Councillor Butland be authorized to travel to Marquette, Michigan for one day in February to attend an Energy Summit at an estimated cost to the City of \$350.

Carried

6.3 Economic Development Update

Councillor R. Niro declared a conflict on this item. (Family member employed by Economic Development Corporation)

The report of the Deputy CAO, Community Development and Enterprise Services was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Deputy CAO, Community Development and Enterprise Services dated 2017 02 21 concerning economic development be received as information.

Carried

6.4 Requests for Financial Assistance for National/ International Sports Competitions

The reports of the Manager of Recreation and Culture were received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the reports of the Manager of Recreation and Culture dated 2017 02 21 concerning Requests for Financial Assistance be received and that the recommendation of the Parks and Recreation Advisory Committee that City Council approve a \$200 financial assistance grant for:

- Richard MacLennan – Speed Skating Canada’s Single Distance Championship – January 4 – 6th, 2017 in Calgary, Alberta
- Kieran Desjardins – Speed Skating Canada's Canada Cup – January 27 – 29, 2017 in Saskatoon, Saskatchewan

be approved.

Carried

6.5 Enabling Accessibility Funding Agreement

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

The relevant By-law 2017-39 is listed under item 11 of the Minutes.

6.6 2017 Cultural Financial Assistance Grants

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Manager of Recreation and Culture dated 2017 02 21 concerning 2017 Cultural Financial Assistance Grants be received and that the recommendation of the Cultural Advisory Board to endorse the following grants:

- Algoma Arts Festival Association – \$7,000
- Algoma Conservatory of Music – \$7,500
- Algoma Festival Choir – \$4,400
- Arts Council of Sault Ste. Marie and District – \$10,000
- In Your Eyes Projects Performance Arts – \$2,000
- Living History of Algoma / Oral History of Sault Ste. Marie Project – \$5,000
- Over the Rainbow Children's Entertainment Series – \$2,000
- Kiwanis Community Theatre Centre – \$4,500
- Sault Theatre Workshop – \$4,500

- Shadows of the Mind Film Festival – \$5,000
 - Soo Pipe Band – \$2,000
- be approved.

Carried

6.7 Engineering Services – 711-719 Bay Street Seawall Replacement

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Design and Construction Engineer dated 2017 02 21 concerning engineering services for the 711-719 Bay Street Seawall Replacement be received and that Council authorize entering into an agreement for engineering services with WSP.

Carried

6.8 Sale of 1393 Peoples Road

The report of the City Solicitor was received by Council.

The relevant By-law 2017-37 is listed under item 11 of the Minutes.

6.9 Regulation of Drone Use

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Solicitor/Prosecutor dated 2017 02 21 concerning Regulation of Drone Use be received as information.

Carried

6.10 Municipal Law Enforcement Officers

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

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

The relevant By-law 2017-36 is listed under item 11 of the Minutes.

6.11 Winter Maintenance of Red Rock Road (Maki Road)

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

The relevant By-law 2017-30 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-2-17-Z – 413, 417, and 421 Old Garden River Road

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Senior Planner dated 2017 02 21 concerning Rezoning Application A-2-17-Z be received and that Council postpone this matter to April 24, 2017.

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 East Street and Albert Street Intersection

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Whereas the lane configuration of East Street between the intersections of Albert and East Streets and East Street and Wellington Street East has changed in recent years; and

Whereas there has been ongoing concern from users of the intersection as to the safety of said change; and

Whereas a traffic management company reviewed the change once implemented and made certain recommendations, some, but not all of which have been carried out;

Now Therefore Be It Resolved that staff be requested to report to Council explaining the change in the intersection, how it came to be, the reasoning behind the change and what information was relied upon to make said changes.

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	3	8	2
Defeated			

8.2 Leasing of McMeeken Centre

Councillor P. Christian declared a conflict on this item. (Family member is a member of the Soo Pee Wee Hockey League executive)

Councillor R. Niro declared a conflict on this item. (Family member is a member of the Soo Pee Wee Hockey League executive)

Councillor R. Romano declared a conflict on this item. (Law firm represents Soo Minor Hockey)

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Butland

Whereas the City has explored the option of building a new West End ice rink; and

Whereas any such construction would take several years to fund, build and complete; and

Whereas the McMeeken Centre operates at an annual cost to taxpayers of \$150,000; and

Whereas there has been interest expressed in a lease of the McMeeken Centre which could result in it becoming a profit centre for the City of Sault Ste. Marie;

Now Therefore Be It Resolved that staff report to Council as soon as practicable on the possibility of putting the McMeeken Centre out to the public for lease of the entire space and advise what benefits or detriments could result from such an arrangement.

Recorded	For	Against	Absent
Mayor C. Provenzano			X
Councillor S. Butland	X		
Councillor P. Christian			
Councillor S. Myers		X	
Councillor S. Hollingsworth			X
Councillor J. Hupponen		X	
Councillor L. Turco		X	
Councillor M. Shoemaker	X		
Councillor R. Niro			
Councillor M. Bruni	X		
Councillor F. Fata	X		
Councillor J. Krmpotich		X	
Councillor R. Romano			
Results	4	4	2
Defeated			

8.3 Connecting Link Funding

Moved by: Councillor R. Romano

Seconded by: Councillor F. Fata

Whereas on February 9, 2017 the Minister of Transportation, Steven DelDuca, was in Sault Ste. Marie to make an announcement in regard to gas tax funding following which the Minister met with local media; and

Whereas an article was released later that day in the Sault Star relating to connecting link funding for the Black Road widening project; and

Whereas the following was stated in the said article:

"Ontario's connecting link funding is not based on whether traffic on that roadway is local or transient.

Instead, he said, applications are assessed based on a number of factors including the condition of the infrastructure and the need in the community, among other things.

"The notion of whether the traffic is local or non-local shouldn't have a bearing on whether it qualifies for connecting link funding because connecting link is defined in a particular way. It's not a subjective definition," said Steven DelDuca, Ontario's Minister of Transportation.

That leaves the door open for the City of Sault Ste. Marie to consider reapplying for the funding for what it's called its priority project – the widening of Black Road.

DelDuca, in an exclusive interview with The Sault Star Thursday, said that Sault Ste. Marie's application for connecting fundings isn't the only one of the 77 eligible municipalities that have been turned down in its quest for the badly-needed dollar.

The challenge, he said, is that more applications have been submitted than money available in the annual fund and that problem was magnified because of the hiatus the designated funding program took for a number of years.

"When this program was reestablished, there was a significant pent up demand for the money, and that will likely be the case for a number of years, but we tell communities that this is an annual funding program, so communities like Sault Ste. Marie can apply again," he said.

Two weeks ago, city council was told that while city staff are continuing their efforts to press upon the province that Sault Ste. Marie is in a unique situation and needs connecting link funding to approve its cross-Canada links, it doesn't expect the MTO to reconsider its position on the \$5.4 million Black Road Widening project."

And Whereas the City of Sault Ste. Marie should do everything it can to pursue potential connecting link funding through the Provincial government.

Now Therefore Be It Resolved that the City Engineer be requested to contact the Ontario Ministry of Transportation to obtain a clear and concise opinion as to what is required in order to meet the threshold to receive Connecting Link funding and report to Council as soon as possible with respect to that opinion.

Carried

- 9. COMMITTEE OF THE WHOLE FOR THE PURPOSE OF SUCH MATTERS AS ARE REFERRED TO IT BY THE COUNCIL BY RESOLUTION**
- 10. ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE**

11. CONSIDERATION AND PASSING OF BY- LAWS

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that all By-laws under item 11 of the Agenda under date 2017 02 21 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 2017-30 (Agreement) Brookfield Power Wind Prince

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that By-law 2017-30 being a by-law to authorize the execution of the Agreement between the City and Brookfield Power Wind Prince L.P. for the City's winter maintenance of Maki Road/Red Rock Road north of Allard Lake to the northern City boundary be passed in open Council this 21st day of February, 2017.

Carried

11.1.2 By-law 2017-31 (Agreement) Jardine Lloyd Thompson Canada Inc.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that By-law 2017-31 being a by-law to authorize the execution of the Agreement between the City and Jardine Lloyd Thompson Canada Inc. for the renewal of the City's insurance program for a period of one (1) year commencing February 28, 2017 to February 28, 2018 be passed in open Council this 21st day of February, 2017.

Carried

11.1.3 By-law 2017-35 (Regulations) Signs

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that By-law 2017-35 being a by-law for regulating or prohibiting signs and other advertising devices be passed in open Council this 21st day of February, 2017.

Carried

11.1.4 By-law 2017-36 (Parking) Municipal Law Enforcement Officers

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that By-law 2016-36 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 on this 21st day of February, 2017.

Carried

11.1.5 By-law 2017-37 (Property Sale) 1393 Peoples Road

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that By-law 2017-37 being a by-law to authorize the sale of surplus property being legally described as Part PIN 31566-0275 (LT) PT SEC 24 KORAH PT 6 1R1216; SAULT STE. MARIE being part civic 1393 Peoples Road to Nick Palumbo be passed in open Council this 21st day of February, 2017.

Carried

11.1.6 By-law 2017-38 (Street Closing) Part Corey Avenue and Part Jean Avenue

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that By-law 2017-38 being a by-law to stop up, close and authorize the conveyance of part of Corey Avenue and part of Jean Avenue in the Manitou Park Subdivision, Plan H436 and to authorize the conveyance of the 1' reserves abutting this property be passed in open Council this 21st day of February, 2017.

Carried

11.1.7 By-law 2017-39 (Agreement) Enabling Accessibility Fund Agreement

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2017-39 being a by-law to authorize the execution of the Agreement between the City and Her Majesty the Queen in Right of Canada (Hereinafter Referred to as "Canada"), as represented by the Minister of Employment and Social Development for the

Strathclair Pathways to Accessibility project be passed in open Council this 21st day of February, 2017.

Carried

11.1.8 By-law 2017-40 (Regulations) Fireworks

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2017-40 being a by-law to approve the discharge of fireworks by David Whysall International Fireworks pursuant to Section 4 of the Fireworks By-law 2013-146 between 7:00 p.m. to 11:00 p.m. on March 1, 2017 for the Provincial Industry Conference ("PIC") sponsored by Festival and Events Ontario, together with Tourism Sault Ste. Marie and Northern Ontario Tourism be passed in open Council on this 21st day of February, 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 S. Myers

Seconded by: Councillor F. Fata

Resolved that this Council proceed into closed session to discuss:

- an acquisition of real property
- a labour relations issue
- an issue concerning an assessment appeal

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; 239(2)(f) solicitor/client privilege

Further Be It Resolved that should the said closed session be adjourned, the Council may reconvene in closed session to continue to discuss the same matter(s) without the need for a further authorizing resolution.

Carried

14. ADJOURNMENT

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that this Council now adjourn.

Carried

Paul Christian

Acting Mayor

Rachel Tyczinski

Deputy City Clerk