



REGULAR MEETING OF CITY COUNCIL MINUTES

Tuesday, October 10, 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 M. Shoemaker, Councillor R. Niro, Councillor M. Bruni, Councillor F. Fata, Councillor J. Krmpotich, Councillor O. Grandinetti

Absent: Councillor L. Turco

Officials: A. Horsman, R. Tyczinski, L. Girardi, T. Vair, P. Johnson, N. Kenny, S. Schell, D. Elliott, D. McConnell, F. Coccimiglio, V. McLeod, T. Vecchio

1. ADOPTION OF MINUTES

Moved by: Councillor R. Niro

Seconded by: Councillor J. Hupponen

Resolved that the Minutes of the Regular Council Meeting of 2017 09 25 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 Mayor C. Provenzano - Lane Assumption, Closing and Conveyance – Part of Cameron Lane

Recipient is a client of law firm.

3.2 Mayor C. Provenzano - By-law 2017-192 (Lane Assumption) Part of Cameron Lane

Recipient is a client of law firm.

3.3 Mayor C. Provenzano - By-law 2017-193 (Lane Closing) Cameron Subdivision

Recipient is a client of law firm.

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the Agenda for 2017 10 10 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 BDC Small Business Week

Lori Naccarato, Senior Account Manager, BDC (Business Development Bank) was in attendance.

5.2 Management for Long Term Management of Used Nuclear Fuel

Fred Kuntz, Manager, Corporation Relations and Communications, Ontario Power Generation was in attendance.

Jo-Ann Facella, Director, Community Well-Being, Assessment and Dialogue, Nuclear Waste Management Organization was in attendance.

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

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that all the items listed under date 2017 10 10 – Agenda item 6 – Consent Agenda save and except Agenda items 6.5, 6.6, 6.7 and 6.15 be approved as recommended.

Carried

6.1 Outstanding Resolutions

6.2 2017 City of Sault Ste Marie Credit Rating

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

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Chief Financial Officer/Treasurer dated 2017 10 10 concerning the 2017 City of Sault Ste Marie Credit Rating be received as information.

Carried

6.3 Property Tax Appeals

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

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Manager of Accounting and City Tax Collector dated 2017 10 10 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

6.4 Tender for Three 13,500 GVW Dump Trucks

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

Moved by: Councillor R. Niro

Seconded by: Councillor J. Hupponen

Resolved that the report of the Manager of Purchasing dated 2017 10 10 be received and the tender for the supply and delivery of Three (3) 13,500 GVW Dump Trucks, as required by Public Works, be awarded to Commercial Truck Equipment Corp. at their total tendered price of \$208,692.00 plus HST.

Carried

6.8 Municipal Law Enforcement Officer Appointment

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

The relevant By-law 2017-197 is listed under item 11 of the Minutes.

6.9 2018 Connecting Link Funding Application – Black Road

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

Moved by: Councillor R. Niro

Seconded by: Councillor J. Hupponen

Resolved that the report dated 2017 10 10 from the Director of Engineering concerning the widening of Black Road from McNabb Street to Second Line be received and that the project be designated as the candidate for the City's 2018 Connecting Link funding application.

Carried

6.10 Drake Street Pump Station Upgrades

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

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Land Development and Environmental Engineer dated 2017 10 10 concerning Drake Street Pump Station Upgrades be received and tendering be approved.

Carried

6.11 Stormwater Financing Study – Engineering Agreement

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

The relevant By-law 2017-198 is listed under item 11 of the Minutes.

6.12 Access to Property – 426 Bruce Street (Campana)

The report of the City Solicitor was received by Council.

The relevant By-law 2017-201 is listed under item 11 of the Minutes.

6.13 Licence to Occupy – 224 Pilgrim Street

The report of the City Solicitor was received by Council.

The relevant By-law 2017-191 is listed under item 11 of the Minutes.

6.14 Encroachment – 68 James Street

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

The relevant By-law 2017-199 is listed under item 11 of the Minutes.

6.16 Lane Assumption, Closing and Conveyance – Harris and Buckley Subdivision

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

The relevant By-laws 2017-194 and 2017-195 are listed under item 11 of the Minutes.

6.5 Queen Street Tree Replacement – 2018 Budget Request

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

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Director of Planning and Enterprise Services dated 2017 10 10 concerning a multi-year approach to Queen Street tree replacement be received as information.

Officially Read and Not Dealt With

6.6 Clergue Park Fountain – 2018 Budget Request

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

Moved by: Councillor R. Niro

Seconded by: Councillor J. Hupponen

Resolved that the report of the Director of Planning and Enterprise Services dated 2017 10 10 concerning the proposed Downtown Waterfront Fountain be received as information.

Officially Read and Not Dealt With

6.7 McMeeken Arena Mould Remediation

The report of the Manager of Community Centres was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor J. Hupponen

Resolved that the report of the Manager of Community Centres dated 2017 10 10 regarding McMeeken Arena Mould Remediation be received and that Council approve the use of the Facility Maintenance Reserve up to \$72,000 to fund the remediation.

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 O. Grandinetti		X	
Results	10	2	1
Carried			

6.15 Lane Assumption, Closing and Conveyance – Part of Cameron Lane

Mayor C. Provenzano declared a conflict on this item. (Recipient is a client of law firm.)

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

The relevant By-laws 2017-192 and 2017-193 are listed under item 11 of the Minutes.

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1 ADMINISTRATION

7.2 COMMUNITY SERVICES DEPARTMENT

7.2.1 Rodent Abatement Program

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that staff be directed to issue a Request for Proposal to seek a residential rodent abatement program with the funds to be identified in the 2018 budget in addition to the \$29,000 annual budget currently established for this program.

Carried

7.3 ENGINEERING

7.4 FIRE

7.5 LEGAL

7.5.1 Zoos and Wildlife Sanctuaries

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

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Solicitor/Prosecutor dated 2017 10 10 concerning possible ways to regulate zoos and wildlife in the City of Sault Ste. Marie be received and staff be directed to incorporate the attached Schedule into the Animal Control By-law to prohibit animal performances within the City of Sault Ste. Marie.

Carried

Moved by: Councillor J. Hupponen

Seconded by: Councillor S. Myers

Resolved that rodeos and greyhound racing be removed from the exceptions outlined in the Schedule.

Carried

Moved by: Councillor M. Shoemaker

Seconded by: Councillor J. Hupponen

Resolved that staff be directed to prepare a by-law prohibiting zoos (as outlined as option 3 in the 2017 10 10 staff report) including recommended time frames for implementation.

Carried

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 Smart Cities Challenge

Moved by: Councillor S. Butland

Seconded by: Councillor M. Shoemaker

Whereas Infrastructure Canada is developing and will be running a Smart Cities Challenge; and

Whereas the Smart Cities Challenge will be soliciting submissions from Cities and First Nation communities of all sizes across the country; and

Whereas there is are substantial funding opportunities for a City or First Nation if its submission wins the Smart Cities Challenge; and

Whereas Mayor and staff have met with a representative of the Smart Cities Challenge and expect the competition to begin by the end of the year; and

Whereas the City of Sault Ste. Marie has begun to prepare to participate in the Smart Cities Challenge and wants to ensure it submits the best bid possible;

Now Therefore Be It Resolved that City Council endorse the City of Sault Ste. Marie making a submission to the Smart Cities Challenge and directs the Mayor to strike a Smart Cities Challenge Task Force including City staff, the Sault Ste. Marie Innovation Centre and the Sault Ste. Marie Economic Development Corporation along with any other partners or parties necessary to develop a compelling Smart Cities submission.

Carried

8.2 Transient Accommodations Tax

Moved by: Councillor S. Myers

Seconded by: Councillor S. Hollingsworth

Whereas Tourism Sault Ste. Marie and participating hotels entered into a Destination Marketing Agreement in February 2014 to promote the Sault Ste. Marie area as a tourist, convention, and sports tournament destination; and

Whereas the Destination Marketing Agreement stipulates how participating hotels collect a Destination Marketing Fee (DMF) which is paid into a Destination Marketing Fund to be used in accordance with the objectives set out in the Agreement; and

Whereas *Bill 127, Stronger, Healthier Ontario Act (Budget Measures), 2017* (which has received Royal Assent but has yet to be proclaimed) amends the *Municipal Act* to enable local municipalities to impose a tax on the purchase of transient accommodation; and

Whereas the City of Sault Marie, Tourism Sault Ste. Marie and participating hotels wish to continue the work initiated through the Destination Marketing agreement; and

Whereas Tourism Sault Ste. Marie and participating hotels wish to establish an operating budget for 2018 on the understanding that the City will continue to fund the obligations budgeted by the hotels under the DMF and Tourism Sault Ste. Marie equal (at a minimum) to the amount that would be raised by the DMF and currently contributed to Tourism Sault Ste. Marie;

Now Therefore Be It Resolved that appropriate staff be requested to review and report back as to the potential impacts of the upcoming legislation and how the concerns of Tourism Sault Ste. Marie regarding the current DMF might be addressed.

Postponed

8.3 Norgoma and Bondar Marina

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Whereas in April 2013 City staff reported to Council on options to remove the M.S. Norgoma from the Bondar Marina; and

Whereas at the time, the water levels in the St. Marys River meant that the removal effort would require dredging the Bondar Marina in order to successfully remove the M.S. Norgoma from the Bondar marina; and

Whereas 2017 has seen high river and lake water levels across the Sault; and

Whereas the high water levels may provide an opportunity to remove the M.S. Norgoma from the Bondar Marina without the requirement to dredge the Marina; and

Whereas the M.S. Norgoma cannot be removed from the Bondar Marina without a plan in place for where the ship should go, and what improvements should be made to the Bondar Marina;

Now Therefore Be It Resolved that City Staff report back to City Council on the following:

1. Options for removing the M.S. Norgoma from the Bondar Marina, including the cost of removal, where the ship will be brought, and options for what can be done with the ship on a permanent basis and potential funding sources to achieve this;
2. Recommended improvements to the Bondar Marina, including the cost of implementing said improvements and identifying potential funding sources for those improvements.

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 O. Grandinetti	X		
Results	10	2	1
Carried			

8.4 M.S. Norgoma

Moved by: Councillor S. Myers

Seconded by: Councillor S. Hollingsworth

Whereas the City of Sault Ste. Marie has two well established advisory bodies of City Council each of which was created to advise City Council on matters pertaining to culture and heritage, and whose members are community volunteers appointed by City Council based on their expertise in culture and heritage, and said bodies as stated on the City's website are:

Cultural Advisory Board – as a Board of Council, whose primary purpose is to advise on all matters concerning the cultural life of the community and the implementation of the Cultural Policy for the Corporation of the City of Sault Ste. Marie;

Municipal Heritage Committee – The Sault Ste. Marie Municipal Heritage Committee advises City Council on matters relating to Part IV (Conservation of Buildings of Cultural Heritage Value or Interest); and

Whereas the Cultural Policy indicates that a Cultural Advisory Board be formed “to advise, assist and make recommendations to Council on cultural matters”; and

Whereas Section 1.2 of the Cultural Policy, Definition of Culture, includes a heritage arts component, which speaks to heritage conservation, identification, protection and interpretation of:

i. intangible heritage (dance, music, song, story, etc.)

ii. immovable heritage (buildings, cultural heritage landscapes, natural heritage, archaeological and traditional use sites)

iii. movable property (personal property art, artifacts, documents, natural objects and specimens) and

Whereas the M.S. Norgoma is a museum ship, an artifact referenced in the aforementioned section iii and meeting the Miriam Webster definition of an artifact being “an object remaining from a particular period”;

Now Therefore Be It Resolved that the Cultural Advisory Board and Municipal Heritage Committee be requested to provide City Council with a report providing an opinion as to the cultural and heritage value of the M.S. Norgoma to the community in its present state; and

Further Be It Resolved that such an opinion be viewed as advice only, provided to Council for consideration as to present and future value of the M.S. Norgoma within the context of community culture and heritage

said reports ideally to coordinate with the staff report to Council concerning the Norgoma and Bondar Marina (agenda item 8.4)

Carried

Mayor Provenzano left the Council Chamber. Councillor F. Fata assumed the role of Acting Mayor.

8.5 Works on Arterial Roads

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Whereas morning office rush hour times are between 8:00 a.m. and 9:30 a.m. on City streets; and

Whereas evening office rush hour times are between 4:30 p.m. and 6:00 p.m. on City streets; and

Whereas any impeding of traffic at these times amplifies congestion on the City streets; and

Whereas arterial roads are used by most residents to arrive to and from any destination in the City at all hours of the day, but in higher volumes during the morning and evening rush hours; and

Whereas in recent months both line painting and resurfacing have been undertaken on these arterial roads during the morning and evening rush hours, amplifying traffic congestion;

Now Therefore Be It Resolved that staff report back on the feasibility of ensuring any future City contracts awarded for construction works on arterial roads specify that, to the greatest degree possible, traffic not be impeded during the morning or evening rush hours set out

herein as long as the restrictions have no more than a minimal impact on the overall cost of the road works.

Carried

Mayor Provenzano returned to the Council Chamber.

8.6 Information Technology Infrastructure

Moved by: Councillor S. Myers

Seconded by: Councillor S. Butland

Whereas the recent capital priority plan had some capital projects for the Corporation of the City of Sault Ste. Marie's information technology (IT) requirements; and

Whereas technology and technical infrastructure can often assist in delivering services effectively; and

Whereas the Corporation of the City of Sault Ste. Marie has to ensure that it is delivering services as effectively as it can; and

Whereas the Corporation of the City of Sault Ste. Marie has developed and is working on initiatives with its economic development partners (SSMEDC and SSMIC) to make the City of Sault Ste. Marie attractive to information and communications technology (ICT) businesses and the ICT economy; and

Whereas the Corporation of the City of Sault Ste. Marie should be considering how to make strategic investments in its IT infrastructure to modernize and advance its infrastructure, to ensure effective service delivery and to create an innovative climate within the Corporation;

Now Therefore Be It Resolved that staff arrange for the provision of a service delivery review with the specific intention of developing a service delivery model focused on the modernization of the Corporation of the City of Sault Ste. Marie's IT infrastructure.

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. Niro

Seconded by: Councillor M. Shoemaker

Resolved that all By-laws under item 11 of the Agenda under date 2017 10 10 be approved save and except By-laws 2017-192 and 2017-193.

Carried

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

11.1.1 By-law 2017-191 (Agreement) Smallpiece – 224 Pilgrim Street

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that By-law 2017-191 being a by-law to authorize the execution of the Agreement between the City and Mr. Lloyd Smallpiece to allow a fence to encroach onto City Property on the Oakland Avenue Road Allowance abutting 224 Pilgrim Street be passed in open Council this 10th day of October, 2017.

Carried

11.1.3 By-law 2017-194 (Lane Assumption) Harris and Buckley Subdivision

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that By-law 2017-194 being a by-law to assume for public use and establish as a public lane, the lane more particularly described as PT PIN 31590-0266 (LT) PCL 17 SEC AWS; 12 FT LANE PL M30 KORAH BTN LT 208 AND LT A AND LT 113 TO PT LT 118; SAULT STE. MARIE, Harris and Buckley Subdivision be passed in open Council this 10th day of October, 2017.

Carried

11.1.4 By-law 2017-197 (Parking) Municipal Law Enforcement Officers

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that By-law 2017-197 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 10th day of October, 2017.

Carried

11.1.5 By-law 2017-198 (Agreement) Stormwater Financing Study

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that By-law 2017-198 being a by-law to authorize the execution of the Agreement between the City and AECOM Canada Ltd. for engineering services to complete a Stormwater Financing Study be passed in open Council this 10th day of October, 2017.

Carried

11.1.6 By-law 2017-199 (Property) Surplus and Sale Part James Street

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that By-law 2017-199 being a by-law to declare the City owned property described as part PIN 31578-0251 being a 7.011m² portion of James Street abutting civic 68 James Street, as surplus to the City's needs and to authorize the disposition of the said property to the owner of 68 James Street be passed in open Council this 10th day of October, 2017.

Carried

11.1.7 By-law 2017-201 (Agreement) 426 Bruce Street – Campana

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that By-law 2017-201 being a by-law to authorize the execution of the Access Agreement between the City and Ann Marie Campana to permit the City access to the Campana property being civic 426 Bruce Street, Sault Ste. Marie, in order to complete certain drainage improvements and storm water management works pursuant to the Revised McNabb Street to Pim Street Drainage Improvements be passed in open Council this 10th day of October, 2017.

Carried

Mayor Provenzano left the Council Chamber and Councillor F. Fata assumed the role of Acting Mayor.

11.1.2 By-law 2017-192 (Lane Assumption) Part of Cameron Lane

Mayor C. Provenzano declared a conflict on this item. (Recipient is a client of law firm.)

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that by-law 2017-192 being a by-law to assume for public use and establish as a public lane that portion of Cameron Lane described as PT PIN 31541-0279 (LT) PT 20 LANE PL 310 ST. MARY'S AKA CAMERON LANE S OF HERRICK STREET; SAULT STE. MARIE, Cameron Subdivision be passed in open Council this 10th day of October, 2017.

Carried

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

11.2.2 By-law 2017-195 (Lane Closing) Harris and Buckley Subdivision

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that By-law 2017-195 being a by-law to stop up, close and authorize the conveyance of a portion of a lane in the Harris and Buckley Subdivision, Plan M30 be read the FIRST and SECOND time in open Council this 10th day of October, 2017.

Carried

11.2.1 By-law 2017-193 (Lane Closing) Cameron Subdivision

Mayor C. Provenzano declared a conflict on this item. (Recipient is a client of law firm.)

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that By-law 2017-193 being a bylaw to stop up, close and authorize the conveyance of a portion of Cameron Lane in the Cameron Subdivision, Plan 310 be read the FIRST and SECOND time in open Council this 10th day of October, 2017.

Carried

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 R. Niro

Seconded by: Councillor J. Hupponen

Resolved that this Council proceed into closed session to discuss a proposed disposition of property and a proposed acquisition 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) – proposed or pending acquisition or disposition of land by the municipality.

Carried

14. ADJOURNMENT

Moved by: Councillor R. Niro

Seconded by: Councillor J. Hupponen

Resolved that this Council now adjourn.

Carried

Mayor

City Clerk