



REGULAR MEETING OF CITY COUNCIL MINUTES

Monday, April 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 L. Turco, Councillor M. Shoemaker, Councillor R. Niro, Councillor M. Bruni, Councillor F. Fata, Councillor R. Romano

Absent: Councillor J. Hupponen, Councillor J. Krmpotich

Officials: A. Horsman, M. White, N. Kenny, L. Girardi, P. Niro, S. Schell, T. Vair, D. McConnell, M. Figliola, F. Coccimiglio, D. Elliott, P. Tonazzo, J. Bruzas, C. Taddo, V. McLeod

1. ADOPTION OF MINUTES

Moved by: Councillor L. Turco
Seconded by: Councillor R. Romano

Resolved that the Minutes of the Regular Council Meeting of 2017 03 20 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 S. Hollingsworth - Noise By-law Exemption

Applicant is a friend

3.2 Councillor S. Hollingsworth – By-law 2017-53 (Regulations) Noise Exemption Oswin/Hutchison Wedding

Applicant is a friend

3.3 Councillor R. Niro – Fire Services Organizational Realignment Plan Updates

Brother is employed by Fire Services

3.4 Mayor C. Provenzano – A-3-17-Z – 100 Sixth Line East

Applicant is a client of law firm

3.5 Councillor M. Shoemaker – Agreement Between the City and the Sault Ste. Marie Airport Development Corporation

A party to the agreement is a client of law firm

3.6 Councillor M. Bruni – Negotiations – Accountability Agreements for Economic Development

Daughter employed by the Economic Development Corporation

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor R. Niro

Seconded by: Councillor R. Romano

Resolved that the Agenda and Addendum for 2017 04 10 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 Sault Ste. Marie Science Festival

Nicole Chiasson, Director of Education and Northern programs, Science North; Ashlee Gerard, Program Co-ordinator, Head Start in Business and John Dedes, Biologist and Insectarium Supervisor, Great Lakes Forestry Centre were in attendance.

5.2 National Volunteer Week

Rick Wark, Volunteer Sault Ste. Marie was in attendance.

5.3 Change the World – Ontario Youth Volunteer Challenge

5.4 Canada 150 Themed Mural

Students Kina Awiiya (Urban Aboriginal School) – Jayke Carter, Kady Manitowabi, Jerry Duncan, Carol Wilhelm-Harvey, Melissa Skouris, Dominic Migwans, Shilo Waboose and Marcy Bell, Superintendent of School Effectiveness and Student Success 7-12 were in attendance.

5.5 Emergency Medical Services

Mike Nadeau, Chief Administrative Officer, District of Sault Ste. Marie Social Services Board and Marvin Rubinstein, Principal, Apexpro Consulting Inc. were in attendance.

5.6 A-3-17-Z - 100 Sixth Line East

Wesley Lavergne (representing the applicant) was in attendance.

5.7 A-5-17-Z.OP - 1025 McNabb Street

Bob Dumanski (representing the applicant) was in attendance.

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

Moved by: Councillor L. Turco

Seconded by: Councillor M. Shoemaker

Resolved that all the items listed under date 2017 04 10 – Agenda item 6 – Consent Agenda and Addendum be approved as recommended, save and except 6.6 and 6.18.

Carried

6.2 Outstanding Council Resolutions

6.3 Street Closure Requests

Letters of request for temporary street closures were received by Council.

Classic Car and Motorcycle Show

- St. Mary's River Drive from 208 St. Mary's River Drive (Delta Hotel) to 49 St. Mary's River Drive (Apartment Building) – June 3, 2017 – 9 a.m. to 4 p.m. (Rain Day – June 4, 2017 – 9 a.m. to 4 p.m.)

Country Way Health Food Store – Annual BBQ / Customer Appreciation Day

- Brock Street from Queen Street East to 79 Brock Street – June 3, 2017 – 8 a.m. to 6 p.m.

The relevant By-laws 2017-54 and 2017-55 are listed under item 11 of the Minutes.

6.4 Council Travel

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that Mayor C. Provenzano, Councillor S. Butland, Councillor S. Myers, and Councillor L. Turco be authorized to travel to Ottawa, Ontario for three days in August to attend the annual Association of Municipalities of Ontario conference at an estimated cost to the City of \$1,500 each.

Carried

6.5 Local Immigration Partnership IRCC Funding

The report of the Co-ordinator Local Immigration Partnership was received by Council.

The relevant By-law 2017-59 is listed under item 11 of the Minutes.

6.7 OMERS Premium Reduction Reserve Funding Request – First Responder Peer Support Program

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Director of Human Resources be received and that Council authorize the transfer of up to \$25,000 from the OMERS Premium Reduction Reserve for completion of the Peer Support Program Development and Implementation.

Carried

6.8 2016 Honoraria and Expenses – Mayor & Council and Board & Committee Members

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

Moved by: Councillor L. Turco

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Chief Financial Officer and Treasurer dated 2017 04 10 concerning 2016 Honoraria and Expenses (Mayor, Council, Board and Committee Members) be received as information.

Carried

6.9 Donation Policy

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

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Chief Financial Officer and Treasurer dated 2017 04 10 regarding Donation Policy be approved.

Carried

6.10 Queenstown Board of Management (O/A The Downtown Association) 2016 Audit Report and 2017 Budget

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

Moved by: Councillor L. Turco

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Chief Financial Officer and Treasurer dated 2017 04 10 concerning the Queenstown Board of Management (o/a The Downtown Association) Audited Financial Statements for the year 2016 be received and that the Downtown Association Budget for the year 2017 be approved.

Carried

6.11 Year End Financial Report – December 31, 2016

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

Moved by: Councillor L. Turco

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Manager of Audits and Capital Planning dated 2017 04 10 concerning the Year End Financial Report to December 31, 2016 be received and that the recommended transfer from the Contingency Reserve of \$321,554 and recommended transfer to the Parks and Recreation Reserve of \$23,373 be approved.

Carried

6.12 Leasing of Space for Training/Fitness Centre within John Rhodes Community Centre

A report of the Deputy CAO, Community Development and Enterprise Service is attached for the consideration of Council.

The relevant By-law 2017-64 is listed under item 11 of the Minutes.

6.13 Renewal of Sault Amateur Soccer Association Agreement

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

The relevant By-law 2017-60 is listed under item 11 of the Minutes.

6.14 #youthesoo Event

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

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Manager of Recreation and Culture dated 2017 04 10 concerning support of the #youthesoo event taking place on May 10 and 11, 2017 be received and that Council endorse the recommendation of the Mayor's Youth Advisory Council to allocate \$7,500 of their funding towards this event to offset costs associated with the use of the Essar Centre.

Carried

6.15 Strathclair Lighting – Engineering Services

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

The relevant By-law 2017-62 is listed under item 11 of the Minutes.

6.16 Source Protection Municipal Implementation Fund Agreement Amendment

The report of the Senior Planner was received by Council.

The relevant By-law 2017-63 is listed under item 11 of the Minutes.

6.17 Stormwater Management – Full Cost Recovery

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

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Director of Engineering dated 2017 04 10 concerning stormwater management – full cost recovery be received and the recommendation to issue a request for proposal for professional services be approved.

Carried

6.19 Biosolids Management

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

Moved by: Councillor L. Turco

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Land Development and Environmental Engineer dated 2017 04 10 concerning biosolids management be received and that a Request for Proposal be issued.

Carried

6.20 Property Purchase – 564 Fifth Line East

The report of the Assistant City Solicitor/Senior Litigation Counsel was received by Council.

The relevant By-law 2017-61 is listed under item 11 of the Minutes.

6.21 Surplus Property Sale – 13 Salisbury Avenue

The report of the City Solicitor was received by Council.

The relevant By-law 2017-58 is listed under item 11 of the Minutes.

6.22 Agreement Between the City and the Sault Ste. Marie Airport Development Corporation

Councillor M. Shoemaker declared a conflict on this item. (A party to the agreement is a client of law firm)

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

The relevant By-law 2017-56 is listed under item 11 of the Minutes.

6.1 Noise By-law Exemption

Councillor S. Hollingsworth declared a conflict on this item. (Applicant is a friend)

Letter of request for noise by-law exemption was received by Council.

Oswin and Hutchison Wedding

- 68 Shannon Road – Saturday, July 29, 2017 – 5 p.m. to 11:59 p.m.

The relevant By-law 2017-53 is listed under item 11 of the Minutes.

6.6 Walk of Fame Redesign

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

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Deputy City Clerk dated 2017 04 10 regarding Walk of Fame Redesign be received as information.

Carried

6.6.1 Walk of Fame Motion

Moved by: Councillor S. Myers

Seconded by: Councillor S. Butland

Whereas the Sault Ste. Marie Walk of Fame was created in 2002 by City Council; and

Whereas the initial Walk of Fame awards, in the form of granite maple leaves embedded in the sidewalk in the downtown area suffered damage as a result of adverse weather conditions and snow removal; and

Whereas the granite maple leaves were removed from the sidewalk in the vicinity of the Essar Centre in the course of Queen Street streetscaping in 2015 and have now been cut out of concrete, cleaned and buffed; and

Whereas the Walk of Fame award program has been on hiatus since 2015; and

Whereas the following issues have arisen with respect to the program:

1. Criteria for the Walk of Fame award
2. Manner of display of granite maple leaves
3. Location of display(s) of granite maple leaves;

Now Therefore Be It Resolved that a Committee of Council be struck to research and make recommendations regarding Walk of Fame award criteria, display(s), and location of display(s) including budget required to effect the same; said Committee to include three members of City Council with appropriate staff and a Downtown Association representative as resource to the committee; and

Further that Councillors S. Myers, M. Shoemaker and S. Butland be appointed to said committee.

Carried

6.18 Sackville Road Extension – Status

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

Moved by: Councillor L. Turco

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Director of Engineering dated 2017 04 10 be received and the recommendations that Council:

- consider the Official Plan amendment at an upcoming meeting; and

- direct staff to conduct a joint workshop with Council regarding capital planning and Council identify capital priorities including Sackville Road as part of the 2018 or future budgets be approved.

Carried

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1 ADMINISTRATION

7.1.1 Fire Services Organizational Realignment Plan Updates

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

Moved by: Councillor L. Turco

Seconded by: Councillor M. Shoemaker

Resolved that the report of the CAO office dated 2017 04 10 concerning Fire Services Organizational Realignment Update be received as information and that Council approve proceeding with a request for proposal to secure an independent third party to conduct a comprehensive risk assessment with funding to come from the 2017 Fire Services operating budget (gapping / non-labour material savings).

Carried

7.2 COMMUNITY SERVICES DEPARTMENT

7.2.1 McMeeken Arena Carbon Monoxide Incident

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

Moved by: Councillor L. Turco

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Deputy CAO, Community Development and Enterprise Service dated 2017 04 10 regarding McMeeken Arena carbon monoxide incident be received and that Council approve the use of the Facility Maintenance Reserve for up to \$110,000 to fund the remediation.

Carried

7.3 ENGINEERING

7.4 FIRE

7.5 LEGAL

7.6 PLANNING

7.6.1 A-3-17-Z – 100 Sixth Line East

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

The report of the Senior Planner was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Senior Planner dated 2017 04 10 be received and that Council rezone the portion of the subject property shown on the maps attached, from Rural Precambrian Uplands Zone (RP) to Rural Area Zone (RA.S) with the following special exception:

1. That the portion of the subject property to be zoned Rural Area (RA) be permitted to be occupied by a single detached dwelling and buildings and structures accessory to a single detached dwelling only.
2. That the rezoned portion of the subject property be subject to the removal of a holding provision (hp). Therefore, prior to any site alteration or development, the proponent shall address the following technical concerns to the satisfaction of Council:
 - a. Slope Stability
 - i. That a geotechnical report be prepared, by a qualified geotechnical engineer, attesting the stability of slopes to support the development of the subject property, as well as any mitigating measures aimed at ensuring slope stability.
 - b. Emergency Vehicle Access
 - i. That the access driveway be constructed in a manner that will ensure emergency vehicle access to the dwelling, to the satisfaction of the Chief Building Official in consultation with Fire Services.
 - c. On-site Sewage System
 - i. That a septic permit be obtained from Algoma Public Health.
 - d. Minimum Distance Separation from Nearby Industrial Use
 - i. Where MOECC Minimum Distance Separation cannot be achieved, the proponent shall submit a sound attenuation study, prepared by a qualified professional, which ensures that MOECC indoor noise guidelines can be achieved.
 - e. Appropriate Mitigation Measures from the Rail Line, to the satisfaction of the railway operator (CN).
 - i. Where a minimum distance separation of 120m (394') is not achieved, the proponent shall submit a sound attenuation study, prepared by a qualified professional, which ensures that MOECC indoor noise guidelines can be achieved through.

- ii. That the following mitigation measures be installed and maintained, to the satisfaction of the railway operator. Where alternative measures are proposed, such measures shall be to the satisfaction of the appropriate railway:
 1. A 1.83m high chain-link fence installed and maintained by the owner, along the mutual property line.
 2. That a drainage plan be prepared by a qualified professional, showing no adverse drainage impacts to CN lands, and no new overland flow to CN lands in the event of a 100-year storm.
 3. That the dwelling unit be equipped with air-conditioning
 4. That sensitive rooms such as bedrooms be located on the opposite side of the railway.
 5. That a noise barrier be installed for outdoor living areas.
 6. That 4" rigid insulation be applied to foundation walls facing the railway.
3. That the portion of the subject property to be rezoned from Rural Precambrian Uplands Zone (RP) to Rural Area (RA) Zone be deemed subject to Site Plan Control.

Carried

7.6.2 A-5-17-Z.OP – 1025 McNabb Street

The report of the Senior Planner was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Senior Planner dated 2017 04 10 be received and that Council approve Official Plan Amendment 218 permitting a combination of commercial and industrial uses on the subject property and that Council rezone the subject property from Light Industrial Zone with a Special Exception (M1-S198) to Light Industrial Zone with an amended Special Exception (M1) subject to the following:

1. That the following additional uses be permitted:
 - a. Motor vehicle sales and parts dealership
 - b. Car wash facilities
 - c. Building hardware and garden supply stores
 - d. Heavy equipment sales, maintenance and repair
 - e. Rental and leasing services
 - f. Repair and maintenances services
 - g. Auto body repair establishments
 - h. Industrial plazas
2. That any auto body repair establishment be located a minimum of 70 metres from any residentially zoned lot.

3. That for any use located in Block A of the subject property, no openings larger than 1.5m by 2.2m shall be permitted on any building façade facing residential lots.

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 Re-allocation of Funds – Sackville Road Extension

Moved by: Councillor M. Shoemaker

Seconded by: Councillor M. Bruni

Whereas the Council of the City of Sault Ste. Marie deferred the Official Plan amendment for the Sackville Road extension; and

Whereas the 2017 capital budget included an allocation for the construction of the Sackville Road extension; and

Whereas it was clearly Council's wish to defer the program for at least one year;

Now Therefore Be It Resolved that \$820,000 of the funds allocated to the construction of the Sackville Road extension be re-allocated in 2017 to pothole repair and resurfacing as approved by Council in a future recommendation from staff;

Further Be It Resolved that staff be requested to bring forward recommendations on the allocation of the balance of the funds from the Sackville Road extension.

Carried

8.2 Scent, Air Quality and Environmental Factors Policy

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Myers

Whereas many suffer from various respiratory illnesses that can be triggered by scents, air quality and other environmental factors; and

Whereas those who suffer from various respiratory illnesses can experience shortness of breath, lightheadedness, drowsiness and many other symptoms; and

Whereas it is prudent for the City of Sault Ste. Marie to review and ensure its policies are appropriate and in line with those of other municipalities in Ontario;

Now Therefore Be It Resolved that staff be directed to determine if the City of Sault Ste. Marie has a policy on scents, air quality and environmental factors for City owned properties, and if so, to review it to ensure conformity with best practices across Ontario

Further Be It Resolved that if staff determine the City of Sault Ste. Marie has no policy on scents, air quality and environmental factors for City owned properties, that they be directed to draft and recommend a policy for approval.

Carried

8.3 Quarterly Reports on Outstanding Motions

Moved by: Councillor J. Hupponen

Seconded by: Councillor M. Shoemaker

Whereas in the past, regular reports on outstanding Council resolutions were brought to Council for an update on the status of said resolutions; and

Whereas in this term of Council only one update on outstanding Council resolutions has been brought to City Council;

Now Therefore Be It Resolved that staff, commencing as soon as practicable, bring quarterly reports to Council on the status of outstanding resolutions, as well as when they are expected to be completed, and any foreseeable issues that might delay their completion.

Moved to April 24, 2017 at request of Councillor J. Hupponen

8.4 Negotiations – Accountability Agreements for Economic Development

Councillor M. Bruni declared a conflict on this item. (Daughter employed by the Economic Development Corporation)

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Whereas the City of Sault Ste. Marie gave notice of its intention to terminate its accountability agreements with two economic development agencies it funds; and

Whereas the City is negotiating a new accountability agreement with the two economic development agencies it funds or a new agency over the course of 2017; and

Whereas on May 16, 2016 Council passed motions requesting salary disclosure of those making \$100,000 per year or more from the two economic development agencies it funds; and

Whereas in 2017, salary disclosure of those making \$100,000 per year or more was not provided to the City of Sault Ste. Marie by those agencies;

Now Therefore Be It Resolved that staff include a mandatory provision for annual salary disclosure of those making \$100,000 per year or more in any new accountability agreement with the existing economic development agencies, or any new economic development agency.

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			
Councillor F. Fata	X		
Councillor J. Krmpotich			X
Councillor R. Romano		X	
Results	4	6	0

Defeated

- 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 R. Romano

Resolved that all By-laws under item 11 of the Agenda under date 2017 04 10 be approved, save and except by-laws 2017-53 and 2017-56.

Carried

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

11.1.2 By-law 2017-53 (Regulations) Noise Exemption Oswin/Hutchison Wedding

Councillor S. Hollingsworth declared a conflict on this item. (Applicant is a friend)

Moved by: Councillor L. Turco

Seconded by: Councillor R. Romano

Resolved that By-law 2017-53 being a by-law to amend Noise Control By-law 80-200, to exempt from the By-law the wedding of Alison Oswin and Iain Hutchison at 68 Shannon Road from 5:00 p.m. to 11:59 p.m. on Saturday, July 29, 2017 be passed in open Council this 10th day of April, 2017.

Carried

11.1.3 By-law 2017-54 (Temporary Street Closing) The Country Way Health Store Annual BBQ

Moved by: Councillor L. Turco

Seconded by: Councillor M. Shoemaker

Resolved that By-law 2017-54 being a by-law to permit the temporary closing of Brock Street from Queen Street East to Bay Street on June 3, 2017 to facilitate The Country Way Health Food Store's Annual BBQ and Customer Appreciation Day be passed in open Council this 10th day of April, 2017.

Carried

11.1.5 By-law 2017-56 (Agreement) Sault Ste. Marie Airport Entrance Sign

Moved by: Councillor L. Turco

Seconded by: Councillor R. Romano

Resolved that By-law 2017-56 being a by-law to authorize the execution of the Agreement between the City and the Sault Ste. Marie Airport Development Corporation ('SSMADC') to continue the arrangement with the City entrance sign on SSMADC property be passed in open Council this 10th day of April, 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 L. Turco

Seconded by: Councillor R. Romano

Resolved that this Council proceed into closed session to discuss an issue under the *Companies' Creditors Arrangement Act*.

(advice that is subject to solicitor/client privilege – section 239(2)(f) Municipal Act).

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 L. Turco

Seconded by: Councillor R. Romano

Resolved that this Council now adjourn.

Carried

Christian Provenzano

Mayor

Malcolm White

City Clerk