



REGULAR MEETING OF CITY COUNCIL MINUTES

Monday, September 11, 2017

4:30 pm

Council Chambers

Civic Centre

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

Officials: A. Horsman, R. Tyczinski, M. White, L. Girardi, T. Vair, P. Johnston, N. Kenny, S. Schell, D. McConnell, D. Elliott, F. Coccimiglio, P. Milosevich, L. Perry, F. Pozzebon, T. Vecchio

1. ADOPTION OF MINUTES

Moved by: Councillor S. Myers

Seconded by: Councillor L. Turco

Resolved that the Minutes of the Regular Council Meeting of 2017 08 21 be approved.

Carried

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

eSCRIBE Minutes

3. DECLARATION OF PECUNIARY INTEREST

3.1 Councillor J. Krmpotich – Retention of Restructuring Lawyer Fee Update

Employed by Essar Steel Algoma Inc. and USWA

3.2 Councillor O. Grandinetti – Retention of Restructuring Lawyer Fee Update

Employed by Essar Steel Algoma Inc.

3.3 Councillor M. Shoemaker – Retention of Restructuring Lawyer Fee Update

Law firm represents a party to the proceedings

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that the Agenda for 2017 09 11 City Council Meeting and Addendum #1 as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 Ovarian Cancer Awareness Month

Sharon Kirkpatrick, Vice-President, Zonta Club was in attendance.

5.2 Veteran Family Program

Tessa Clermont, Executive Director Military Family Resource Centre, National Program Manager Veteran Family Program; Tina Thomason, Veteran Family Program Co-ordinator; Scott Clark, Hon. Col. Emeritus 22 Wing North Bay were in attendance.

5.3 Childhood Cancer Awareness Month

Dayna Caruso, Executive Director, Northern Ontario Families of Children with Cancer was in attendance.

5.4 Pridefest

Gaelyn Coleman was in attendance.

5.5 Algoma Fall Festival

Donna Hilsinger, Executive Director, Algoma Fall Festival was in attendance.

5.6 City Beautification Winners

Mayor Provenzano announced the winners of the 2017 City Beautification Awards.

5.7 Legion Week

Wilma Oliver, President, Royal Canadian Legion Branch 25 was in attendance.

5.8 Land Transfers between the City and Pointe Aux Pins Syndicate – Red Pine Drive

B. Rajnovich, President and N. Apostle, Secretary, East Pointe aux Pins Syndicate was in attendance.

S. Boniferro, Red Pine Drive resident was also in attendance.

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

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that all the items listed under date 2017 09 11 – Agenda item 6 – Consent Agenda save and except Agenda item 6.12 be approved as recommended.

Carried

6.1 Retention of Restructuring Lawyer Fee Update

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

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

Councillor M. Shoemaker declared a conflict on this item. (Law firm represents a party to the proceedings)

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that the report of the Chief Administrative Officer dated 2017 09 11 concerning the 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

6.2 Council Travel

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that Councillor L. Turco be authorized to travel to Ottawa for three days in August to attend an AMO board meeting at an estimated cost to the City of \$1,500.

Carried

6.3 Surplus Management Policy

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the report of the Chief Financial Officer and Treasurer dated 2017 09 11 regarding the Surplus Management Policy be received and the policy be approved.

Carried

6.4 Media Relations Policy

The report of the Corporate Communications Officer was received by Council.

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that the report the Corporate Communications Officer dated 2017 09 11 concerning the implementation of the Media Relations Policy be received and the policy be approved.

Carried

6.5 Event Development Fund for Venue Events

The report of the Manager, Essar Centre was received by Council.

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that the report of the Manager of the Essar Centre dated 2017 09 11 concerning a newly created Event Development Fund be received and that Council authorize staff to transfer up to one (1) dollar from the Facility Fee to create the Event Development Fund up to a maximum of \$50,000.

Carried

6.6 Essar Centre – Service Usage Agreement for Ticketing Systems

The report of the Manager, Essar Centre was received by Council.

The relevant By-law 2017-185 is listed under item 11 of the Minutes.

6.7 Prince Township Reciprocal Emergency Assistance Agreement

The report of the Assistant Chief, Emergency Management was received by Council.

The relevant By-law 2017-176 is listed under item 11 of the Minutes.

6.8 Surplus Property – 235 Wellington Street West

The report of the City Solicitor was received by Council.

The relevant By-law 2017-174 is listed under item 11 of the Minutes.

6.9 Surplus Property – Adjacent to 19 Highland Court

The report of the City Solicitor was received by Council.

The relevant By-law 2017-175 is listed under item 11 of the Minutes.

6.10 Part of Wawanosh Avenue – Street Assumption, Closing and Conveyance

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

The relevant By-laws 2017-187 and 2017-188 are listed under item 11 of the Minutes.

6.11 Municipal Insurance Program

The report of the Risk Manager was received by Council.

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that the report of the Risk Manager dated 2017 09 11 concerning Municipal Insurance Program be received and that Council direct the Legal Department to prepare a request for proposal for the City's insurance provider, the City's insurance policies and for adjusting services that are required from time to time for review and approval of Council.

Carried

6.13 Fox Run Subdivision Agreements

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

The relevant By-laws 2017-179 and 2017-180 are listed under item 11 of the Minutes.

6.14 2017 Connecting Link Agreement

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

The relevant By-law 2017-177 is listed under item 11 of the Minutes.

6.15 2016 Annual Building Fee Report

The report of the Chief Building Official was received by Council.

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that the report of the Chief Building Official dated 2017 09 11 regarding the 2016 Annual Building Fee Report be received as information.

Carried

6.12 Land Transfers between the City and Pointe Aux Pins Syndicate – Red Pine Drive

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the report of the Solicitor/Prosecutor dated 2017 09 11 concerning land transfers between the City and Pointe Aux Pins Syndicate – Red Pine Drive be received and that Council direct that:

1. The City accept title to Red Pine Drive only upon the road being upgraded to a minimum municipal standard Class D at the expense of the Pointe aux Pins Syndicate; after which
2. City forces will create a turnaround by way of easement over Sault Ste. Marie and Region Conservation Authority (SSMRCA) property to accommodate emergency vehicles and trucks, with any cost to the SSMRCA to be borne by the City; and
3. The Pointe aux Pins Syndicate will provide an easement over a one-foot reserve to the City upon transfer of Red Pine Drive to the City.

Officially Read and Not Dealt With

6.12.3 Red Pine Drive – Additional Resolution

Moved by: Councillor M. Shoemaker

Seconded by: Councillor J. Krmpotich

Whereas notwithstanding that Red Pine Drive did not meet a minimum municipal standard City Council directed staff to accept the deed to Red Pine Drive by way of resolution dated 2007 08 27; and

Whereas it has taken staff and the Red Pine Drive syndicate 10 years to make the necessary arrangements for the City to accept a transfer of Red Pine Drive;

Now Therefore Be It Resolved that City staff is hereby authorized by City Council to accept the transfer of Red Pine Drive in accord with the resolution dated 2007 08 27 and further authorized to undertake the work outlined as Schedule "C" in the report of the Solicitor/Prosecutor dated 2017 09 11 to complete the hammerhead turnaround at the end of Red Pine Drive;

Further staff is directed to develop a road assumption policy for Council's review and approval that outlines the City's requirements for a private road assumption which policy will be applied to any future request of the City to assume a private road.

| 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 | 13 | 0 | 0 |
| Carried | | | |

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1 ADMINISTRATION

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that this Council proceed into Committee of the Whole for the purpose of the item referred to it by Council (capital priority setting).

Carried

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that Committee of the Whole Council now rise without reporting on the matter referred to it (capital priority setting).

Carried

7.1.1 2018 Capital Prioritization

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the report of the Chief Financial Officer and Treasurer dated 2017 09 11 regarding the recommendations for the 2018 Capital Prioritization be received for information.

Carried

7.1.2 2018 Capital Road Reconstruction Plan

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

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that the report of the Director of Engineering dated 2017 09 11 concerning the 2018 capital works program be received as information.

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that Councillor S. Butland be appointed to the Sault Ste. Marie Innovation Centre Board of Directors until December 31, 2018.

Carried

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that Councillor O. Grandinetti be appointed to the Downtown Business Improvement Area (Downtown Association) until December 1, 2018.

Carried

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

8.1 Notice of Motion – Suncor Brownfield Site

Moved by: Councillor S. Butland

Seconded by: Councillor P. Christian

Whereas the future of the Bay Street tank farm site remains undetermined; and

Whereas discussions with Suncor beginning in 2011 (correspondence attached) have proven unsuccessful; and

Whereas the site would be appropriately designated a brownfield site and likely eligible for loans/grants from the Federation of Canadian Municipalities to remediate the property; and

Whereas Suncor has now expressed a willingness to sell the property for a nominal fee conditional upon the City signing a confidentiality agreement regarding the disclosure of the most recent environmental tests and results taken on the property

Now Therefore Be It Resolved that Council authorize appropriate staff to facilitate the above discussion and action required to proceed.

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 M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that all By-laws under item 11 of the Agenda under date 2017 09 11 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 2017-174 (Property) Declare Surplus 235 Wellington Street West

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2017-174 being a by-law to declare the City owned property legally described as 31572-0051(LT) LT 209-212 BLK 5 PL 402 KORAH EXCEPT PL J6061; SAULT STE. MARIE, being civic 235 Wellington Street West (Steelton Seniors Centre), as surplus to the City's needs and to authorize the disposition of the said property be passed in open Council this 11th day of September, 2017.

Carried

11.1.2 By-law 2017-175 (Property) Surplus Adjacent to 19 Highland Court

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2017-175 being a by-law to declare the City owned property legally described as PIN 31562-0096 (LT) BLK J PL H699 KORAH; SAULT STE. MARIE, being the property adjacent to 19 Highland Court, as surplus to the City's needs and to authorize the disposition of the said property be passed in open Council this 11th day of September, 2017.

Carried

11.1.3 By-law 2017-176 (Agreement) Prince Township Reciprocal Emergency Assistance

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2017-176 being a by-law to authorize the execution of the Agreement between the City and The Corporation of Prince Township for the Prince Township Reciprocal Emergency Assistance Agreement be passed in open Council this 11th day of September, 2017.

Carried

11.1.4 By-law 2017-177 (Agreement) Minister of Transportation Connecting Links Program funding

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2017-177 being a by-law to authorize the execution of the Agreement between the City and Her Majesty the Queen in Right of Ontario as represented by the Minister of Transportation for the Connecting Links Program funding be passed in open Council this 11th day of September, 2017.

Carried

11.1.5 By-law 2017-179 (Agreement) Limiting Fox Run Subdivision

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2017-179 being a by-law to authorize the execution of an Agreement between the City and Fox Run Developments (Sault) Inc. for a limiting Agreement for 159 Foxborough Trail be passed in open Council this 11th day of September, 2017.

Carried

11.1.6 By-law 2017-180 (Agreement) Secondary Fox Run Subdivision

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2017-180 being a by-law to authorize the execution of an Agreement between the City and Fox Run Developments (Sault) Inc. be passed in open Council this 11th day of September, 2017.

Carried

11.1.7 By-law 2017-183 (Zoning) 3876 Queen Street East (Guindon)

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2017-183 being a by-law to amend Sault Ste. Marie Zoning By-law 2005-150 concerning the lands located at 3876 Queen Street East (Guindon) be passed in open Council this 11th day of September, 2017.

Carried

11.1.8 By-law 2017-184 (Zoning) 120 Simpson Street (Estabrooks)

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2017-184 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 120 Simpson Street (Estabrooks) be passed in open Council this 11th day of September, 2017.

Carried

11.1.9 By-law 2017-185 (Agreement) Essar Centre Service Usage

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2017-185 being a by-law to authorize the execution of the Second Amendment to Service and Usage Agreement between the City and Patron Solutions, L.P. d/b/a New Era Tickets to extend the ticketing and marketing services for the Essar Centre be passed in open Council this 11th day of September, 2017.

Carried

11.1.10 By-law 2017-186 (Agreement) Amendment DSSMSSAB Land Ambulance

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2017-186 being a by-law to authorize the execution of Addendum Number 1, being an amendment to the Land Ambulance Service Contract between the City and District of Sault Ste. Marie Social Services Administration Board (DSSMSSAB) be passed in open Council this 11th day of September, 2017.

Carried

11.1.11 By-law 2017-187 (Street Assumption) Part Wawanosh Highland Park Subdivision

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2017-187 being a by-law to assume for public use and establish as a public street that portion of Wawanosh Avenue abutting civic 63 Wawanosh Avenue, Plan H516, Highland Park Subdivision be passed in open Council this 11th day of September, 2017.

Carried

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

11.2.1 By-law 2017-188 (Street Closing & Conveyance) Part Wawanosh

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that By-law 2017-188 being a by-law to stop up, close and authorize the conveyance of a portion of Wawanosh Avenue in the Highland Park Subdivision, Plan H516 be read a FIRST and SECOND time in open Council this 11th day of September, 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 M. Shoemaker

Seconded by: Councillor L. Turco

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 R.S.O. 2002 – Section 239 (c) – a proposed or pending acquisition or disposition of land by the municipality.

Carried

14. ADJOURNMENT

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that this Council now adjourn.

Carried

“Christian Provenzano”

Mayor

“Rachel Tyczinski”

Deputy City Clerk