



REGULAR MEETING OF CITY COUNCIL MINUTES

Monday, August 13, 2018
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 O. Grandinetti

Absent: Councillor J. Krmpotich

Officials: A. Horsman, R. Tyczinski, L. Girardi, T. Vair, P. Johnson, M. Borowicz-Sibenik, S. Schell, P. Niro, D. McConnell, S. Hamilton Beach, D. Elliott, F. Coccimiglio, B. Lamming, J. Bruzas, T. Vecchio, R. Santa Maria

1. Adoption of Minutes

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor F. Fata

Resolved that the Minutes of the Regular Council Meeting of 2018 07 16 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 L. Turco – Municipal By-Law Enforcement Officers

Spouse employed by Police Service

3.2 Councillor L. Turco – By-law 2018-174 (Parking) Municipal By-law Enforcement Officers

Spouse employed by Police Service

3.3 Councillor L. Turco – By-law 2018-135 (Traffic) Amend By-law 77-200

Spouse employed by Police Service

3.4 Councillor O. Grandinetti – Sale of Surplus Property – 236 Prentice Avenue

Owner of abutting property

3.5 Councillor O. Grandinetti – By-law 2018-169 (Property Sale) 236 Prentice Avenue

Owner of abutting property

3.6 Councillor M. Shoemaker – Ontario Municipal Commuter Cycling Funding – Implementation

One of the parties is a client of law firm

3.7 Councillor M. Shoemaker – Notice of Motion – Reconsideration – Great Northern Road/Second Line Traffic Studies

One of the proponents is a client of law firm

4. Approve Agenda as Presented

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the Agenda for 2018 08 13 City Council Meeting as presented be approved.

Carried

5. Proclamations/Delegations

5.1 Sovereign's Medal for Volunteers

Micheline Findlay and Steven Mullins were in attendance.

5.2 CEMa (APG) Energy Storage Project

Rob Brewer, President, CEO – PUC Services Inc. 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 2018 08 13 – Agenda item 6 – Consent Agenda save and except Agenda item 6.20 be approved as recommended.

Carried

6.1 Council Travel

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that Councillor S. Butland be authorized to travel to Ottawa for two days in August for the AMO Conference at an estimated cost to the City of \$1,500.

Carried

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that Mayor C. Provenzano be authorized to travel to North Bay for 2 days in September for the Northern Ontario Business Awards at an estimated cost to the City of \$545.

Carried

6.2 Second Quarter Financial Report – June 30, 2018

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Manager of Audits and Capital Planning dated 2018 08 13 concerning Second Quarter Financial Report to June 30, 2018 be received as information.

Carried

6.3 RFP – Utility Upgrades – Fort Creek Aqueduct Reconstruction

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

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor F. Fata

Resolved that the report of the Manager of Purchasing dated 2018 08 13 be received and that the proposal submitted by Union Gas Ltd. to share the cost of gas main relocation on a sole source basis at a net cost to the City of \$31,615 be approved.

Carried

6.4 Canadian Bushplane Heritage and Forest Fire Education Centre Economic Development Fund Agreement

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

The relevant By-law 2018-177 is listed under item 11 of the Minutes.

6.5 Industrial Technology Benefits (ITB) Capacity Building Program – Economic Development Fund Request

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

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Bruni

Resolved that the report of the Deputy CAO, Community Development and Enterprise Services be received and the request for funding from the SSM Economic Development Corporation for the Industrial Technology Benefits (ITB) Capacity Building Program project in the amount of \$50,000 from the Economic Development Fund be approved.

Carried

6.6 Historic Sault Ste. Marie Métis Council EDF Application

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 be received and the request for funding from the Historic Sault Ste. Marie Métis Council in the amount of \$30,000 from the Economic Development Fund to renovate and repurpose three buildings located at 134 John St., 136 John St., and 138 John St., to create a new, accessible and financially self-sustaining Métis Cultural Centre be approved.

Carried

6.7 John Rhodes Community Centre Restaurant

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

The relevant By-law 2018-179 is listed under item 11 of the Minutes.

6.8 Plaque Commemorating Algoma Central Engine House National Historic Site

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

The relevant By-law 2018-167 is listed under item 11 of the Minutes.

6.9 Renewal of Agreement – Sault Ste. Marie Museum

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

The relevant By-law 2018-175 is listed under item 11 of the Minutes.

6.10 Municipal By-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 is attached for the consideration of Council.

The relevant By-law 2018-174 is listed under item 11 of the Minutes.

6.11 Rental Housing Incentive Program – 10

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Director of Planning and Enterprise Services dated 2018 08 13 concerning the Rental Housing Incentive Program be received and that a three year incremental tax rebate program (75%, 50%, 25%) for 16 rental units to be constructed at 188 Kohler Street subject to:

1. That the municipal rebate apply only to the increase in assessment resulting from new construction, and
 2. After the rebate program is completed, the full municipal taxes will apply.
- be approved.

Carried

6.12 Rental Housing Incentive Program – Two Year Extension

The report of the Planning Director was received by Council.

The relevant By-law 2018-176 is listed under item 11 of the Minutes.

6.13 Downtown Development Update – August 2018

The report of the Planning Director was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Planning Director dated 2018 08 13 concerning Downtown Development Update be received as information.

Carried

6.14 Shape the Sault Update

The report of the Senior Planner was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the Report of the Senior Planner dated 2018 08 13 concerning Shape the Sault update and second unit housing regulations be received as information.

Carried

6.15 Ontario Municipal Commuter Cycling Funding - Implementation

Councillor M. Shoemaker declared a conflict on this item. (One of the parties is a client of law firm)

The report of the Senior Planner was received by Council.

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Bruni

Resolved that the report of the Senior Planner, dated 2018 08 13 concerning the Ontario Municipal Commuter Cycling Funding – Implementation, be received, and that Council authorize staff to proceed with the necessary work required to implement the priority cycling routes and the James Street/Machine Shop spoke, as recommended in this report.

Carried

6.16 2019 Connecting Link Funding Application – Black Road

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Director of Engineering dated 2018 08 13 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 2019 Connecting Link funding application.

Carried

6.17 Huron Street Pump Station Engineering Agreement

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

The relevant By-law 2018-134 is listed under item 11 of the Minutes.

6.18 Bloor Street West Exits

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

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Bruni

Resolved that the report of the Design and Construction Engineer dated 2018 08 13 be received and that when Bloor Street between Patrick Street and Lyons Avenue is reconstructed, bi-directional traffic be restored.

Carried

6.19 Acquisition of 604 Shannon Road

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

The relevant By-law 2018-170 is listed under item 11 of the Minutes.

6.21 Sale of Surplus Property – 236 Prentice Avenue

Councillor O. Grandinetti declared a conflict on this item. (Owner of abutting property)

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

The relevant By-law 2018-169 is listed under item 11 of the Minutes.

6.22 Lane Assumption, Closing and Conveyance – Sault Ste. Marie Park Subdivision

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

The relevant By-laws 2018-165 and 2018-166 are listed under item 11 of the Minutes.

6.23 Lease Agreement for 363 Wellington Street West

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

The relevant By-law 2018-178 is listed under item 11 of the Minutes.

6.20 Sale of 13 Salisbury Avenue – Former Maycourt Children's Centre

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

The relevant By-law 2018-168 is listed under item 11 of the Minutes.

7. Reports of City Departments, Boards and Committees

7.1 Administration

7.1.1 Update – Municipal Transient Accommodation Tax

The report of the CAO was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the Corporation of the City of Sault Ste. Marie implement a municipal transient accommodation tax effective January 1, 2019 consistent with the requirements prescribed under O Reg. 435/17 Transient Accommodation Tax; and

Further that the Chief Administrative Officer, Chief Financial Officer/Treasurer, Deputy CAO - Community Development and Enterprise Services and SSMEDC Executive Director develop the framework to administer and implement the tax; and

Further that an Advisory Committee consisting of City staff, SSMEDC staff and representatives from the accommodation partners report back for Council approval prior to actual allocation of the tax revenue in 2019 with a revised City/SSMEDC MOU to reflect the use of the tax revenue for promotion of tourism including product development; and,

Further that the revised City/SSMEDC MOU include a provision for affected short term accommodation stakeholders to have input on use of the funds to promote tourism.

Carried

7.2 Corporate Services

7.3 Community Development and Enterprise Services

7.3.1 GFL Memorial Gardens Private Management

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

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor F. Fata

Resolved that the report of the Director, Community Services, Community Development & Enterprise Services dated 2018 08 13 be received and the recommendation to continue to operate the GFL Memorial Gardens by City staff be approved.

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	9	3	1

Carried

7.4 Public Works and Engineering Services

7.5 Fire Services

7.6 Legal

7.7 Planning

7.8 Boards and Committees

8. Unfinished Business, Notice of Motions and Resolutions Placed on Agenda by Members of Council

8.1 Notice of Motion – Reconsideration – Great Northern Road/Second Line Traffic Studies

Councillor M. Shoemaker declared a conflict on this item. (One of the proponents is a client of law firm)

Moved by: Councillor M. Bruni

Seconded by: Councillor J. Hupponen

Whereas by Council resolution passed on 2018 07 16 City Council approved a recommendation not to proceed with a proposed boulevard trail on the south side of Second Line between Great Northern Road and Old Garden River Road, but to construct a concrete sidewalk instead,

Now Therefore Be It Resolved that the resolution be reconsidered.

Carried

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the provisions of procedure by-law 2013-100 requiring that a motion to reconsider shall be preceded by a Notice of Motion be suspended.

TwoThirdsPresent	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	(conflicted)		
Councillor R. Niro	X		
Councillor M. Bruni	X		
Councillor F. Fata	X		
Councillor J. Krmpotich			X
Councillor O. Grandinetti	X		
Results	11	0	1

Carried

Moved by: Councillor R. Niro

Seconded by: Councillor P. Christian

Resolved that the report of the Design and Construction Engineer dated 2018 07 16 concerning the Great Northern Road/Second Line Traffic Studies be received and that the

recommendations be used for planning future traffic improvements with the exception of construction of a concrete sidewalk on the south side of Second Line between Old Garden River Road and Great Northern Road; that the proposed construction of the said sidewalk be postponed and referred back to appropriate staff; further that staff report back on 2018 09 10 concerning the impact of construction of a 6-foot to 8-foot paved walkway instead of a concrete sidewalk.

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 F. Fata

Resolved that all By-laws under item 11 of the Agenda under date 2018 08 13 save and except By-law 2018-168 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 2018-134 (Agreement) Huron Street Pump Station

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-134 being a by-law to authorize the execution of the Agreement between the City and AECOM Canada Ltd. for engineering services for the Huron Street Pump Station be passed in open Council this 13th day of August, 2018.

Carried

11.1.2 By-law 2018-135 (Traffic) Amend By-law 77-200

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-135 being a by-law to amend Schedules "A", "B", "F", "G", "J" and "K" of Traffic By-law 77-200 be passed in open Council this 13th day of August, 2018.

Carried

11.1.3 By-law 2018-165 (Lane Assumption) Sault Ste. Marie Park Subdivision

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-165 being a by-law to assume for public use and establish as a public lane, the lane more particularly described as PIN 31587-0269 (LT) LANE PL 7602 KORAH W OF PT 1,5 1R6799; SAULT STE. MARIE, Sault Ste. Marie Park Subdivision be passed in open Council this 13th day of August, 2018.

Carried

11.1.4 By-law 2018-167 (Agreement) Parks Canada Agency – ACR Plaque

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-167 being a by-law to authorize the execution of the Agreement between the City and Her Majesty the Queen in right of Canada as represented by the Minister of the Environment for the purposes of the Parks Canada Agency for a bronze plaque and plaque stand commemorating the Algoma Central Engine House National Historic Site to be placed on City property known as the Carmen's Way Road Allowance be passed in open Council this 13th day of August, 2018.

Carried

11.1.6 By-law 2018-169 (Property Sale) 236 Prentice Avenue

Councillor O. Grandinetti declared a conflict on this item. (Owner of abutting property)

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-169 being a by-law to authorize the sale of surplus property being civic 236 Prentice Avenue, legally described in PIN 31594-0081 (LT) to Pasquale Lento be passed in open Council this 13th day of August, 2018.

Carried

11.1.7 By-law 2018-170 (Property Acquisition) 604 Shannon Road

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-170 being a by-law to authorize the acquisition of property located at civic 604 Shannon Road (Trans-Pro Investments Limited/Quality Transport Investments Limited be passed in open Council this 13th day of August, 2018.

Carried

11.1.8 By-law 2018-171 (Agreement) Huron Superior Catholic District School Board

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-171 being a by-law to authorize the execution of the Agreement between the City and Huron-Superior Catholic District School Board for the bulk purchase of ice and classroom time be passed in open Council this 13th day of August, 2018.

Carried

11.1.9 By-law 2018-172 (Zoning) 188 Kohler Street (1890685 Ontario Inc.)

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-172 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 188 Kohler Street (1890685 Ontario Inc.) be passed in open Council this 13th day of August, 2018.

Carried

11.1.10 By-law 2018-173 (Development Control) 188 Kohler Street (1890685 Ontario Inc.)

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-173 being a by-law to designate the lands located at 188 Kohler Street an area of site plan control (1890685 Ontario Inc.) be passed in open Council this 13th day of August, 2018.

Carried

11.1.11 By-law 2018-174 (Parking) Municipal By-law Enforcement Officers

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-174 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 13th day of August, 2018.

Carried

11.1.12 By-law 2018-175 (Agreement) Sault Ste. Marie Museum

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-175 being a by-law to authorize the execution of the Agreement between the City and The Sault Ste. Marie and 49th Field Regiment R.C.A., Historical Society for the maintenance and operation of the Sault Ste. Marie Museum commencing on August 13, 2018, and terminating on August 12, 2028, be passed in open Council this 13th day of August.

Carried

11.1.13 By-law 2018-176 (Planning) Rental Housing Community Improvement Plan Extension

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-176 being a by-law to extend the Rental Housing Community Improvement Plan for an additional two years be passed in open Council this 13th day of August, 2018.

Carried

11.1.14 By-law 2018-177 (Agreement) Canadian Bushplane EDF

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-177 being a by-law to authorize the execution of the Agreement between the City and The Ontario Bushplane Heritage and Forest Fire Educational Centre for the City's EDF contribution to the renovation project be passed in open Council this 13th day of August, 2018.

Carried

11.1.15 By-law 2018-178 (Agreement) 363 Wellington Street West

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-178 being a by-law to authorize the execution of the Agreement between the City and Mr. Kevin Belsito to lease the property of the City at 363 Wellington Street West, being part of PIN 31572-0242 (LT) for the purpose of parking be passed in open Council this 13th day of August, 2018.

Carried

11.1.16 By-law 2018-179 (Agreement) Icebreakers Sports Bar and Grill

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-179 being a by-law to authorize the execution of a lease agreement between the City and Jody Wilson carrying on business as Icebreakers Sports Bar and Grill for the operation of a restaurant/lounge at the John Rhodes Community Centre be passed in open Council this 13th day of August, 2018.

Carried

11.1.5 By-law 2018-168 (Property Sale) 13 Salisbury Avenue

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-168 being a by-law to authorize the sale of surplus property being civic 13 Salisbury Avenue, legally described in PIN 31548-0127 (LT) to The Lighthouse First Nations Church (Wendell Graber) and to repeal By-law 2017-58.

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 2018-166 (Lane Closing) Sault Ste. Marie Park Subdivision

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2018-166 being a by-law to stop up, close and authorize the conveyance of a portion of a lane in the Sault Ste. Marie Park Subdivision, Plan 7602 be read a FIRST and SECOND time in open Council this 13th day of August, 2018.

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 S. Myers

Seconded by: Councillor M. Bruni

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

Municipal Act R.S.O. 2002, section 239 (2)(f) advice that is subject to solicitor/client privilege

Carried

14. Adjournment

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that this Council now adjourn.

Carried

"Christian Provenzano"

Mayor

"Rachel Tyczinski"

Deputy City Clerk