

REGULAR MEETING OF CITY COUNCIL MINUTES

Monday, January 22, 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, M. White, T. Vair, L. Girardi, N. Kenny,

P. Niro, S. Schell, P. Johnson, D. Elliott, V. McLeod, P. Tonazzo,

T. Vecchio, R. Pihlaja

1. Adoption of Minutes

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that the Minutes of the Regular Council Meeting of 2018 01 08 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 M. Shoemaker A-2-18-Z 185 Pittsburgh Avenue eSCRIBE Minutes

Applicant is a client of law firm.

3.2 Mayor C. Provenzano - Animal Care and Control By-law

One of the parties is a former client.

3.3 Mayor C. Provenzano - By-law 2018-19 (Regulations) Animal Care and Control

One of the parties is a former client.

3.4 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 P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that the Agenda for 2018 01 22 City Council Meeting as presented be approved.

Carried

5. Proclamations/Delegations

5.1 Foundation Fighting Blindness Volunteer Awards

Dave Ostrowski-Gallant and Nicole Gallant were in attendance.

5.2 Bon Soo Winter Carnival

Jeany White, Manager, Bon Soo was in attendance.

5.3 Crime Stoppers Month

Carmine Biasucci, Vice-President, Board of Directors and Anita Paci, Executive Secretary/Treasurer were in attendance.

5.4 Coalition for Algoma Passenger Trains

Howie Wilcox, Co-chair, Dorothy McNaughton, Co-chair, Linda Savory-Gordon, Member and Riley Smith, First Nations & Stakeholder Engagement Assistant, Missanabie Cree First Nation were in attendance.

Moved by: Councillor P. Christian Seconded by: Councillor S. Myers

Whereas the Algoma passenger train has not been operating for more than two years, which has resulted in substantial hardships for residents, businesses, communities and other passengers; and

Whereas 75% of properties in proximity to the rail line are inaccessible except by rail service; and

Whereas alternate ways of access are not reliable, safe, year-round, or are non-existent; and

Whereas due to further economic downturns in Algoma district, we cannot afford this loss of train-related employment, economic impact and lack of safe, reliable access to continue, especially for small businesses; and

Whereas passenger train service is necessary for First Nations to access remote regions of their traditional territories, including spiritually significant locations; and

Whereas the Missinnabie Cree First Nation-led Mask-wa Oo-ta-ban (Bear Train) – Ontario's first First Nation train – would contribute to reconciliation through First Nation employment and economic opportunities; and

Whereas the passenger train has been the only safe, affordable, all-season access into the Algoma wilderness rail corridor for over 100 years;

Now Therefore Be It Resolved that Sault Ste. Marie City Council support the Coalition for Algoma Passenger Trains to call upon the Minister of Transport to put the Algoma passenger train back in service in order to ensure the mission of Transport Canada to "serve the public interest through promotion of a safe and secure, efficient and environmentally responsible transportation system in Canada" is fulfilled;

and further that the Mayor be authorized to work with North Eastern Ontario Rail Network in its efforts to reinstate Algoma passenger train service.

Carried

5.5 Ice Utilization Study

John Stevenson, Leisure Plan International Inc. was in attendance regarding Agenda item 6.6.

5.6 Animal Care and Control

Jonathan Poitras, Counsel for Spruce Haven Nature Park was in attendance was in attendance regarding Agenda item 7.6.1.

6. Communications and Routine Reports of City Departments, Boards and Committees – Consent Agenda

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that all the items listed under date 2018 01 22 – Agenda item 6 – Consent Agenda be approved as recommended save and except Agenda item 6.6.

Carried

6.1 2018 Outside Agency Grant Agreements

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

The relevant By-laws 2018-7, 2018-8, 2018-9, 2018-10, 2018-11 and 2108-12 are listed under item 11 of the Minutes.

6.2 RFP - General Insurance Services

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

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that the report of the Manager of Purchasing dated 2018 01 22 be received and that the proposal submitted by Algoma Insurance Brokers w-AON Insurance to provide General Insurance Services for the City of Sault Ste. Marie, as required by the Legal Department, be approved.

The contract will commence February 28, 2018 and continue for a period of three (3) years.

Carried

6.3 RFP – Independent Claims Adjusting Services

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

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that the report of the Manager of Purchasing dated 2018 01 22 be received and that the proposal submitted by Cunningham Lindsey Canada Claims Services Ltd. for the provision of Independent Claims Adjusting Services for the City of Sault Ste. Marie, as required by the Legal Department, be approved.

The contract will commence February 28, 2018 and continue for a period of three (3) years.

Carried

6.4 Tender for Rental of Four (4) Loader/Backhoes (2018PWE-PWT-01-T)

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

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that the report of the Manager of Purchasing dated 2018 01 22 be received and that the tender for the supply and delivery of Four (4) Loader/Backhoes on a rental basis for a 26-

week season annually, as required by Public Works, be awarded to Toromont CAT at their weekly rate of \$698.06 plus HST per machine.

The Contract will have a three (3) year term commencing April 30, 2018; with an option to extend for two (2) additional years by mutual consent.

Carried

6.5 Landfill Caterpillar D6T Bulldozer Deficiency Repairs

The report of the Manager – Waste Management was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that the report of the Manager – Waste Management dated 2018 01 22 be received and that additional funding of \$26,500 to cover the necessary repairs to the Landfill D6T Bulldozer from the Landfill Reserve be approved.

Carried

6.8 Local Improvements for Simpson Street and Bruce Street

The report of the City Solicitor was received by Council.

The relevant By-laws 2018-14 and 2018-16 are listed under item 11 of the Minutes.

6.9 Council Travel

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that Councillor L. Turco be authorized to travel to Toronto for two days in January 2018 to attend an AMO board meeting at an estimated cost to the City of \$300.

Carried

6.10 New Horizons Seniors Program Grant Agreement

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

The relevant By-law 2018-20 is listed under item 11 of the Minutes.

6.6 Ice Utilization Study

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that the report of the Deputy CAO, Community Development and Enterprise Services dated 2018 01 22 concerning a third party ice time utilization study be received.

Further that Council request staff complete a report that outlines facility options, the cost associated with these options and financing options (including sources of external funding) to add ice capacity to the City's current stock of ice rinks.

Carried

6.7 Street Assumption, Closing and Conveyance – Peer Street

The report of the City Solicitor was received by Council.

The relevant By-laws 2018-17 and 2018-18 are listed under item 11 of the Minutes.

7. Reports of City Departments, Boards and Committees

- 7.1 Administration
- 7.2 Corporate Services
- 7.3 Community Development and Enterprise Services
- 7.4 Public Works and Engineering Services
- 7.5 Fire Services
- 7.6 Legal

7.6.1 Animal Care and Control By-law

Mayor C. Provenzano declared a conflict on this item. (One of the parties is a former client.)

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

The relevant By-law 2018-19 is listed under item 11 of the Minutes. (See Agenda item 11.1.10 for postponement motion).

7.7 Planning

7.7.1 A-2-18-Z – 185 Pittsburgh Avenue

Councillor M. Shoemaker 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 S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that the Report of the Senior Planner dated 2018 01 22 concerning rezoning application A-2-18-Z be received and that Council rezone the subject property from Low Density Residential (R3) to Low Density (R3.S) with a special exception to permit not more than 15 dwelling units within the existing building upon the subject property, in addition to the uses currently permitted in an R3 Zone, subject to the following:

- 1. That the R4 building setbacks for an apartment building be utilized, and that the required rear yard setback be reduced from 10m to 9m; and
- 2. That the property be deemed subject to Site Plan Control. and that the Legal Department be directed to prepare the necessary by-law to effect this approval.

Carried

7.7.2 A-3-18-Z – 105 Allard Street

The report of the Senior Planner was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that the Report of the Senior Planner dated 2018 01 22 concerning rezoning application A-3-18-Z be received and that Council rezone the subject property from Industrial Zone (I) to Medium Density Residential Zone (R4.S) with a special exception to reduce the front yard setback from 7.5m to 5m for the proposed 24-unit apartment building only and that the Legal Department be directed to prepare the necessary by-law to effect this approval.

Carried

7.8 Boards and Committees

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

8.1 Warming Shelter Plan

Moved by: Councillor M. Shoemaker Seconded by: Councillor R. Niro

Whereas the City of Sault Ste. Marie's current Emergency Management Plan only provides for warming shelters in the event of widespread power outages; and

Whereas warming shelters protect the most vulnerable in the City, especially the homeless, in times of extreme cold across the City; and

Whereas the City of Sault Ste. Marie has recently experienced a significant period of extreme cold;

Now Therefore Be It Resolved that appropriate staff, in conjunction with any other service provider who wishes to participate, be directed to bring forward to Council a cold-weather response plan that aims to protect the most vulnerable people in the City from the extreme cold weather.

Carried

8.2 Letter to MPP and Minister of Labour Regarding Construction Employer Designation

Moved by: Councillor M. Shoemaker Seconded by: Councillor O. Grandinetti

Whereas the Ontario Labour Relations Board (OLRB) decision to designate the City of Sault Ste. Marie as a construction employer in1987 has meant that a monopoly on City construction work is held by two specific unions, to the exclusion of all other unionized and non-unionized businesses: and

Whereas the City of Sault Ste. Marie has directed its staff to prepare and implement the necessary changes to the City's practices in order for it to challenge its construction employer designation; and

Whereas the City of Sault Ste. Marie recognizes that a legislative fix to the Ontario Labour Relations Act would be the quickest and most inexpensive way for the City to shed its designation as a Construction Employer; and

Whereas the City of Sault Ste. Marie supports and encourages a change to the Ontario Labour Relations Act such as the one previously proposed by MPP Michael Harris of Kitchener-Conestoga;

Now Therefore Be It Resolved that the City of Sault Ste. Marie, through the Mayor's Office, set out in a letter to MPP Ross Romano and Minister of Labour Kevin Flynn the City's position and desire to see a change to the *Ontario Labour Relations Act* that would exclude the City of Sault Ste. Marie from the definition of a Construction Employer.

Carried

8.3 Traffic Lights Gore/Albert and Albert/Andrew Streets

Moved by: Councillor L. Turco

Seconded by: Councillor O. Grandinetti

Whereas in or about the fall of 2016 following construction in the Gore Street area traffic lights were removed from the intersections of Gore and Albert Streets and Albert and Andrew Streets; and

Whereas after the traffic lights were removed from these intersections, there appeared to be more accidents occurring in the immediate months following; and

Whereas City staff suggested that the drivers need time to get used to the new intersections; and

Whereas ample time has passed and this does not appear to be the case; and

Whereas the following actions were taken by Public Works as per the direction of City Council on August 21, 2017

- extra-large stop signs were installed replacing existing signs
- "New" starburst signs indicating the "STOP sign" were installed
- Thermoplastic wording was installed on the roadway stating "STOP AHEAD"; and Whereas PWT indicated that staff would continue to monitor the intersections and provide updates to Council; and

Whereas to date the situation has not improved and current statistics indicate that there are unprecedented numbers of accidents involving these intersections with the Gore and Albert Street intersection ranking first as having the most accidents for the year 2017 and Gore and Andrew Streets ranking second; and

Whereas on one day alone in January 2018, there were three accidents with personal injuries at the Albert and Gore Street intersection; and

Whereas the neighbours continue to be upset; and

Whereas the sightlines at Albert and Gore Streets continue to be a concern to drivers who park on the west side of Gore Street making it difficult to see oncoming traffic on Gore Street at the Albert Street intersection; and

Whereas the City has recently purchased properties on Gore Street that could provide offstreet parking to businesses on Gore Street to alleviate the sightline problem by removing some of the parking spots;

Now Therefore Be It Resolved that staff be requested to further investigate these scenarios and bring a recommendation back to Council by the March 5th Council meeting to rectify this problem including the reinstallation of the traffic lights at these two intersections.

Recorded	For	Against	Absent
Mayor C. Provenzano	Χ		
Councillor S. Butland	Χ		
Councillor P. Christian	Χ		
Councillor S. Myers	Χ		
Councillor S. Hollingsworth	Χ		
Councillor J. Hupponen	Χ		
Councillor L. Turco	Χ		
Councillor M. Shoemaker		Χ	

Councillor R. Niro X

Councillor M. Bruni X

Councillor F. Fata X

Councillor J. Krmpotich X

Councillor O. Grandinetti X

Results 11 1 1

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

11.1 By-laws before Council to be passed which do not require more than a simple majority

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that all By-laws under item 11 of the Agenda under date 2018 01 22 be approved save and except By-laws 2018-19, 2018-18, 2018-17 and 2017-193.

Carried

11.1.1 By-law 2018-6 (Agreement) Minister of Transportation Dedicated Gas Tax Funds

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2018-6 being a by-law to authorize the execution of the Agreement between the City and Her Majesty the Queen in right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario regarding Dedicated Gas Tax Funds for Public Transportation Program be passed in open Council this 22nd day of January, 2018.

Carried

11.1.2 By-law 2018-7 (Agreement) Sault Ste. Marie Museum (49th Field Regiment RCA Historical Society) Grant

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2018-7 being a by-law to authorize the execution of the Agreement between the City and Sault Ste. Marie & 49th Field Regiment R.C.A. Historical Society for a grant for up to One Hundred Eighty-One Thousand and Ninety-One (\$181,091.00) Dollars to assist with the collection, preservation, study and exhibits of the history of the people and the development of Sault Ste. Marie and immediate surrounding area be passed in open Council this 22nd day of January, 2018.

Carried

11.1.3 By-law 2018-8 (Agreement) Safe Communities Sault Ste. Marie Grant

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2018-8 being a by-law to authorize the execution of the Agreement between the City and Safe Communities Sault Ste. Marie for a grant in the amount of Forty Thousand (\$40,000.00) Dollars with the mission of making Sault Ste. Marie a safe place to live, learn, work and play by providing education and commitment to injury prevention be passed in open Council this 22nd day of January, 2018.

Carried

11.1.4 By-law 2018-9 (Agreement) Soo Pee Wee Arena Grant

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2018-9 being a by-law to authorize the execution of the Agreement between the City and Soo Pee Wee Arena for a grant equal to the total annual municipal and education property taxes for the Residential class assessed value once taxes are paid in full be passed in open Council this 22nd day of January, 2018.

Carried

11.1.5 By-law 2018-10 (Agreement) The Bushplane Museum Grant

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2018-10 being a by-law to authorize the execution of the Agreement between the City and The Ontario Bushplane Heritage and Forest Fire Educational Centre o/a The Bushplane Museum for a grant in the amount of One Hundred and Seventy-Five Thousand (\$175,000.00) Dollars to assist with the collection, preservation and exhibits of bushplanes and related material to promote public understanding of their historic significance, as well as serve as a centre for research and information on bushplane and forest fire fighting heritage be passed in open Council this 22nd day of January, 2018.

Carried

11.1.6 By-law 2018-11 (Agreement) Art Gallery of Algoma Grant

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2018-11 being a by-law to authorize the execution of the Agreement between the City and Art Gallery of Algoma for a grant in the amount of Two Hundred Eighty Thousand Seven Hundred Eighty-Five (280,785.00) Dollars to assist with the provision of art and culture to the residents of Sault Ste. Marie and other visitors be passed in open Council this 22nd day of January 2018.

Carried

11.1.7 By-law 2018-12 (Agreement) Algoma University Grant

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2018-12 being a by-law to authorize the execution of the Agreement between the City and Algoma University for a grant in the amount of Forty Thousand (\$40,000.00) Dollars to assist in the provision of library resources and financial scholarships for local students be passed in open Council this 22nd day of January 2018.

Carried

11.1.11 By-law 2018-20 (Agreement) New Horizons Seniors Program Grant

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2018-20 being a by-law for funding to support active healthy lifestyle programming be passed in open Council this 22nd day of January, 2018.

Carried

11.1.12 By-law 2018-21 (Regulations) Bon Soo Block Party Noise Exemption

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2018-21 being a by-law to exempt the Bon Soo Block Party on February 3, 2018 from 9:00 a.m. to 9:00 p.m. from Noise Control By-law 80-200 be passed in open Council this 22nd day of January, 2018.

Carried

11.1.13 By-law 2018-23 (Regulations) Bon Soo Ice Bar Noise Exemption

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2018-23 being a by-law to exempt the Bon Soo Winter Carnival - Ice Bar on Friday, February 2, 2018 from 5:00 p.m. to 12:00 a.m. and on Saturday, February 3, 2018 from 12:00 p.m. to 12:00 a.m. from Noise Control By-law 80-200 be passed in open Council this 22nd day of January, 2018.

Carried

11.1.8 By-law 2018-17 (Street Assumption) Peer Street

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that by-law 2018-17 being a by-law to assume for public use and establish as a public street Peer Street described as PIN 31486-0010 (LT) PCL STREETS-1 SEC 1M448; PEER ST PL 1M448 RANKIN LOCATION; SAULT STE. MARIE and 0.30m Reserve on the Easterly limit of Peer Street described as PIN 31486-0009 (LT) PCL 9-1 SEC 1M448; BLK 9 PL 1M448 RANKIN LOCATION; SAULT STE. MARIE, Peer Subdivision be passed in open Council this 22nd day of January, 2018.

Carried

11.1.10 By-law 2018-19 (Regulations) Animal Care and Control

Mayor C. Provenzano declared a conflict on this item. (One of the parties is a former client.)

Councillor P. Christian assumed the role of Acting Mayor in the absence of the Mayor due to a pecuniary interest.

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2018-19 being a by-law for responsible animal care and control for The Corporation of the City of Sault Ste. Marie.

Postponed

Postponement:

Moved by: Councillor J. Hupponen

Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2018-19 be postponed to February 5, 2018 to allow the party and the party's Counsel time to meet with City legal staff.

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 2018-14 (Local Improvement) Bruce Street

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2018-14 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" pavement on Bruce Street from Queen Street East to Wellington Street East under Section 3 of the *Municipal Act, 2001*, Ontario Regulation 586/06 and to repeal By-law 2017-219 be passed in open Council this 22nd day of January, 2018.

Carried

11.2.2 By-law 2018-16 (Local Improvement) Simpson Street

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2018-16 being a by-law to authorize the construction of sanitary sewer private drain connection and Class "A" pavement on Simpson Street from Wellington Street East to Queen Street East under Section 3 of the *Municipal Act, 2001,* Ontario Regulation 586/06 and to repeal By-law 2017-220 be read a FIRST and SECOND time in open Council this 22nd day of January, 2018.

Carried

11.1.9 By-law 2018-18 (Street Closing & Conveyance) Peer Street

Moved by: Councillor P. Christian

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2018-18 being a by-law to stop up, close and authorize the conveyance of Peer Street and a 0.30m Reserve on the Easterly limit of Peer Street in the Peer Subdivision, Plan 1M448 be passed in open Council this 22nd day of January, 2018.

Carried

11.3 By-laws before Council for THIRD reading which do not require more than a simple majority

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

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

Councillor P. Christian assumed the role of Acting Mayor in the absence of the Mayor due to a pecuniary interest.

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that By-law 2017-193 being a by-law to stop up, close and authorize the conveyance of a portion of Cameron Lane n the Cameron Subdivision, Plan 310, PT PIN 31541-0279 CAMERON LANE BEING PT 1 1R13380 SAULT STE. MARIE be read the THIRD time in open Council and finally passed this 22nd day of January, 2018.

Carried

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. Butland

Seconded by: Councillor O. Grandinetti

Resolved that this Council proceed into closed session to discuss:

a property disposition;

labour relations / employee negotiations

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 2 (c) proposed or pending acquisition or disposition of land by the municipality and section 239 (2)(d) labour relations / employee negotiations.

Carried

14. Adjournment

Moved by: Councillor S. Butland

Seconded by: Councillor O. Grandinetti

Resolved that this Council now adjourn.

Carried

"Christian Provenzano"

Mayor

"Rachel Tyczinski"

Deputy City Clerk