



## REGULAR MEETING OF CITY COUNCIL

### MINUTES

Monday, May 6, 2019

4:30 pm

Council Chambers

Civic Centre

Present: Mayor C. Provenzano, Councillor P. Christian, Councillor S. Hollingsworth, Councillor L. Dufour, Councillor L. Vezeau-Allen, Councillor D. Hilsinger, Councillor M. Shoemaker, Councillor M. Bruni, Councillor R. Niro, Councillor C. Gardi, Councillor M. Scott

Officials: A. Horsman, M. White, L. Girardi, T. Vair, K. Fields, P. Johnson, S. Schell, S. Hamilton Beach, D. Elliott, F. Coccimiglio, B. Lamming, C. Pascall, T. Vecchio, R. MacLachlan, M. Davey, N. Thibault, S. Bursche, R. Madonna

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#### 1. Adoption of Minutes

Moved by: Councillor M. Bruni

Seconded by: Councillor M. Shoemaker

Resolved that the Minutes of the Regular Council Meeting of 2019 04 15 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 – By-law 2019-110 (Agreement) Ruth Street Contract 2019-4E

Contract is being awarded to a client of law firm.

**3.2 Councillor M. Shoemaker – Ruth Street and Second Avenue Reconstruction**

Contract being awarded to a client of law firm.

**3.3 Councillor M. Shoemaker – Sault Ste. Marie PUC Inc. Share Capital**

PUC is a client of law firm.

**4. Approve Agenda as Presented**

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that the Agenda and Addendum for 2019 05 06 City Council Meeting as presented be approved.

**Carried**

**5. Proclamations/Delegations**

**5.1 Pediatric Brain Tumor Awareness Month**

Vicki Size was in attendance.

**5.2 Young Professionals Week**

Ashlee Gerard, Chair, STRIVE Young Professionals Group was in attendance.

**5.3 Economic Development Week**

John Febbraro, Manager, Business Development, Sault Ste. Marie Economic Development Corporation was in attendance.

**5.4 Emergency Preparedness Week**

Naomi Thibault, Emergency Management Coordinator was in attendance.

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

Moved by: Councillor R. Niro

Seconded by: Councillor M. Shoemaker

Resolved that all the items listed under date 2019 05 06 – Agenda item 6 – Consent Agenda be approved as recommended.

**Carried**

### **6.1 Special 2019 Gas Tax Funding – Project Allocations**

The report of the Chief Administrative Officer was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor D. Hilsinger

Resolved that the report of the CAO dated 2019 05 06 concerning Special 2019 Gas Tax Funding – Project Allocations be received and that the projects highlighted under Option 1 of Schedule A be approved to proceed as recommended.

**Carried**

### **6.2 2019 Property Tax Capping Options**

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

The relevant By-law 2019-101 is listed under item 11 of the Minutes.

### **6.3 Property Tax Appeals**

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

Moved by: Councillor M. Bruni

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Manager of Accounting and City Tax Collector dated 2019 05 06 concerning Property Tax Appeals be received and the recommendation that the tax records be amended pursuant to Sections 354 and 357 of the *Municipal Act* be approved.

**Carried**

### **6.4 First Quarter Financial Report to March 31, 2019**

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

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that the report of the Manager of Audits and Capital Planning dated 2019 05 06 concerning First Quarter Financial Report to March 31, 2019 be received as information.

**Carried**

### **6.5 2018 Municipal Election – Candidate Financial Filing Default**

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

Moved by: Councillor M. Bruni  
Seconded by: Councillor M. Shoemaker

Resolved that the report of the Deputy CAO / City Clerk dated 2019 05 01 concerning 2018 Municipal Election – Candidate Financial Filing Default be received as information.

**Carried**

#### **6.6 Parking By-Law Enforcement By Private Firm**

The report of the Director of Community Services was received by Council.

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

Resolved that the report of the Director of Community Services dated 2019 05 06 concerning Parking By-Law Enforcement by Private Firm be approved and that Council approve staff taking the next step to establish a one (1) year pilot for third party by-law enforcement and authorize staff to issue a Request for Proposal and that the results be brought back to Council as part of the 2020 Budget decision process.

An agreement for the pilot and by-law authorizing signature of the agreement will appear on a future Council agenda for approval.

**Carried**

#### **6.7 Superior Sports Training Inc. – Lease Extension**

The report of the Director of Community Services was received by Council.

The relevant By-law 2019-102 is listed under item 11 of the Minutes.

#### **6.8 Gore Street Parking Lot Proposal**

The report of the Director of Community Services was received by Council.

Moved by: Councillor L. Dufour  
Seconded by: Councillor L. Vezeau-Allen

Resolved that the report of the Director of Community Services dated 2019 05 06 concerning Gore Street Parking Lot Proposal be approved.

**Carried**

#### **6.9 St. George's Avenue East and McNabb Street Improvements**

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

The relevant By-laws 2019-108 and 2019-109 are listed under the item of the Minutes.

**6.10 Ruth Street and Second Avenue Reconstruction**

Councillor M. Shoemaker declared a conflict on this item. (Contract being awarded to a client of law firm.)

The report of the Manager of Design and Transportation Engineering was received by Council.

The relevant By-laws 2019-10 and 2019-11 are listed under item 11 of the Minutes.

**6.11 Lease Amending Agreement for 540 Albert Street East**

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

The relevant By-law 2019-104 is listed under item 11 of the Minutes.

**6.12 Second Amending Agreement – The Federal Bridge Corporation Limited**

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

The relevant By-law 2019-105 is listed under item 11 of the Minutes.

**6.13 Passport Agreement**

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

The relevant By-law 2019-107 is listed under item 11 of the Minutes.

**6.14 Appointment of Chief Weed Inspector**

The report of the Area Coordinator, Parks, was received by Council.

The relevant By-law 2019-106 is listed under item 11 of the Minutes.

**6.15 Construction Employer**

The report of the Director of Human Resources was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor M. Shoemaker

Resolved that the report of the Director of Human Resources dated 2019 05 06 be received as information.

**Carried**

**6.16 Correspondence**

Sault Ste. Marie Region Conservation Authority

**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**

**7.7 Planning**

**7.8 Boards and Committees**

**7.8.1 Sault Ste. Marie PUC Inc. Share Capital**

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

The report of the Chief Administrative Officer was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor D. Hilsinger

Resolved that the report of 2019 05 06 concerning Sault Ste. Marie PUC Inc. Share Capital be received and that Council as Shareholder approve Sault Ste. Marie PUC Inc.'s request to purchase or acquire shares in capital of a non-subsiary corporation as provided under Article "k" of Schedule A of the Shareholder Agreement (By-law 2000-185).

**Carried**

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

**8.1 Transient Accommodations**

Moved by: Councillor C. Gardi

Seconded by: Councillor M. Scott

Whereas short term/transient accommodation rentals have become more and more popular in recent years; and

Whereas short term/transient accommodation rentals are operated by owner occupants, tenants, property investors and management companies; and

Whereas many communities in North America have taken steps to regulate short term/transient rentals to address housing, nuisance and community issues; and

Whereas these types of rentals can impact the amenities, character and stability of a neighborhood;  
and

Whereas the City of Sault Ste. Marie currently has no regulations that apply to these types of accommodations;

Now Therefore Be It Resolved that City Staff consider best practices developed in other municipalities and report back to Council with recommendations on a framework that permits transient accommodation consistent with and respectful of our residential neighborhoods.

**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 M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that all By-laws under item 11 of the Agenda under date 2019 05 06 be approved save and except 2019-110.

**Carried**

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

**11.1.1 By-law 2019-101 (Tax) Adopt Optional Tools**

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-101 being a by-law to Adopt Option Tools for the Purposes of Administering Limits for the Commercial, Industrial and Multi-Residential Property Classes be passed in open Council this 6th day of May, 2019.

**Carried**

**11.1.2 By-law 2019-102 (Agreement) Superior Sports Training Inc.**

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-102 being a by-law to authorize the execution of the Agreement between the City and Superior Sports Training Inc. for the use of a portion of the John Rhodes Community

Centre, 260-280 Elizabeth Street, having a three (3) year term with the option to extend on a year-to-year basis at the agreed upon rent be passed in open Council this 6th day of May, 2019.

**Carried**

**11.1.3 By-law 2019-104 (Agreement) 540 Albert Street East Lease**

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-104 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 Government and Consumer Services for the lease of a portion of 540 Albert Street East be passed in open Council this 6th day of May, 2019.

**Carried**

**11.1.4 By-law 2019-105 (Agreement) Second Amendment Extending Expiry Date Federal Bridge**

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-105 being a by-law to authorize the execution of the Second Amending Agreement dated May 6, 2019 between the City and The Federal Bridge Corporation Limited to amend the Licence Agreement dated December 11, 2017, as amended by an Amending Agreement dated December 10, 2018 to extend the expiry date of this Licence Agreement to permit the occupation and use of the City lands designated to be transferred to The Federal Bridge Corporation Limited be passed in open Council this 6th day of May, 2019.

**Carried**

**11.1.5 By-law 2019-106 (Appointment) Weed Inspector**

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-106 being a by-law to appoint a Weed Inspector for the administration of the *Weed Control Act* be passed in open Council this 6th day of April, 2019.

**Carried**

**11.1.6 By-law 2019-107 (Agreement) Passport Mobile Parking Payment**

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger



Resolved that By-law 2019-107 being a by-law to authorize the execution of the Agreement between the City and Passport Labs, Inc. for the Mobile Payment Parking Solution one (1) year Pilot Program be passed in open Council this 6th day of May, 2019.

**Carried**

**11.1.7 By-law 2019-108 (Agreement) St. Georges Avenue & McNabb street Resurfacing/Reconstruction Contract 2019-3E**

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-108 being a by-law to authorize the execution of the Contract between the City and Trimount Construction Group Incorporated for the reconstruction of St. Georges Avenue from Grand Boulevard to Gladstone Avenue and reconstruction of McNabb Street from Gladstone Avenue to Great Northern Road (Contract 2019-3E) be passed in open Council this 6th day of May, 2019.

**Carried**

**11.1.8 By-law 2019-109 (Temporary Street Closing) McNabb Street**

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-109 being a by-law to permit the temporary closing of McNabb Street between Gladstone Avenue and Great Northern Road from May 30, 2019 until October 31, 2019 for the reconstruction of McNabb Street be passed in open Council this 6th day of May, 2019,

**Carried**

**11.1.10 By-law 2019-111 (Temporary Street Closure) Ruth Street**

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-111 being a by-law to permit the temporary closing of Ruth Street from Franklin Street to the east limit be passed in open Council this 6th day of May, 2019.

**Carried**

#### **11.1.9 By-law 2019-110 (Agreement) Ruth Street Contract 2019-4E**

Councillor M. Shoemaker declared a conflict on this item. (Contract is being awarded to a client of law firm.)

Moved by: Councillor M. Bruni

Seconded by: Councillor D. Hilsinger

Resolved that By-law 2019-110 being a by-law to authorize the execution of the Contract between the City and Avery Construction Limited for the reconstruction of Ruth Street from Franklin Street to the east limit (Contract 2019-4E) be passed in open Council this 6th day of May, 2019.

**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 M. Bruni

Seconded by: Councillor M. Shoemaker

Resolved that this Council proceed into closed session to discuss two items concerning property acquisition and disposition, one item concerning solicitor-client privilege and one item concerning a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality.

Further Be It Resolved that should the said closed session be adjourned, the Council may reconvene in closed session to continue to discuss the same matter without the need for a further authorizing resolution.

*Municipal Act section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality, (f) advice that is subject to solicitor-client privilege, including communications necessary for the purpose, (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26*

**Carried**

**14. Adjournment**

Moved by: Councillor M. Bruni

Seconded by: Councillor M. Shoemaker

Resolved that this Council now adjourn.

**Carried**

"Christian Provenzano"

Mayor

"Malcolm White"

City Clerk