



REGULAR MEETING OF CITY COUNCIL

MINUTES

Monday, July 13, 2020

4:30 pm

Council Chambers

Civic Centre

by teleconference

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: M. White, R. Tyczinski, L. Girardi, T. Vair, K. Fields, S. Schell, P. Milosevich, P. Niro, D. Elliott, D. McConnell, B. Lamming, T. Anderson, F. Pozzebon, M. Borowicz-Sibenik, J. King, F. Coccimiglio, T. Vecchio, M. Zuppa

13. Closed Session

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor M. Bruni

Resolved that this Council proceed into closed session to discuss:

- a proposed acquisition or disposition of land; and
- a matter subject to solicitor/client privilege

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 section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; and section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried

1. Adoption of Minutes

Moved by: Councillor L. Dufour

Seconded by: Councillor R. Niro

Resolved that the Minutes of the Regular Council Meeting of 2020 06 29 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 - Tender for LED Lighting Upgrades – GFL Memorial Gardens

Successful bidder is a client of law firm.

3.2 Councillor M. Shoemaker - Economic Growth Incentive Program – Agawa Canyon Tour Train Building

Recipient of the grant is a client of law firm.

3.3 Councillor M. Shoemaker - Cycling Lanes Line Painting and Pavement Symbols Contract

Contract is being awarded to a client of law firm.

4. Approve Agenda as Presented

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor M. Bruni

Resolved that the Agenda for 2020 07 13 City Council Meeting as presented be approved.

Carried

5. Proclamations/Delegations

5.1 Algoma Public Health – COVID-19 Update

Dr. Jennifer Loo, Associate Medical Officer of Health/Director of Health Protection was in attendance.

5.2 Pridefest Week

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

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that all the items listed under date 2020 07 13 – Agenda item 6 – Consent Agenda be approved as recommended.

Carried

6.1 Correspondence – Minister of Municipal Affairs

6.2 Tender for LED Lighting Upgrades – GFL Memorial Gardens

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

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

Moved by: Councillor L. Dufour

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Purchasing dated 2020 07 13 be received and that the tender for LED lighting upgrades in the arena bowl at GFL Memorial Gardens be awarded to S & T Electrical Contractors Limited at their low tendered price, meeting specifications, of \$228,000.00 plus HST, and that the City's consultant be authorized to issue the needed Letter of Intent for the project;

Further that an additional amount of up to \$28,000 from the Green Committee Reserve to fund this project be approved.

A by-law authorizing signature of the contract for this project will appear on a future Council Agenda.

Carried

6.3 Tender for Three Motor Graders

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

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor M. Bruni

Resolved that the report of the Manager of Purchasing dated 2020 07 13 be received and that the tender for the purchase of three (3) graders c/w snow wings and front blades as required by Public Works and Engineering Services be awarded to Brandt Tractor Ltd. at their tendered price including maintenance agreement of \$455,579.24 plus HST, per unit, be approved;

Further be it resolved that the purchase be funded from an annual repayment from Public Works and Engineering Services Operations Hired Equipment Operating account of \$185,000 for the next 7-1/2 years.

Carried

6.4 Tender for Lease of Four Loaders

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

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that the report of the Manager of Purchasing dated 2020 07 13 be received and that the tender for the lease of four (4) Articulated Front End Wheel Loaders as required by Public Works and Engineering Services be awarded to Toromont CAT at their tendered price including Maintenance Agreement and Extended Warranty of \$5,078.50 plus HST, per unit, for each periodic payment be approved.

Carried

6.5 Destination Marketing Strategy

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

Moved by: Councillor L. Dufour

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Purchasing dated 2020 07 13 be received and that acceptance of the proposal submitted by Doug & Partners Inc. for the provision of a Destination Marketing Strategy with fees of \$98,500.00 plus HST as outlined in the proposal as submitted, as required by Community Development and Enterprise Services be approved.

Carried

6.6 Property Tax Appeals

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

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Taxation dated 2020 07 13 concerning Property Tax Appeals be received and that the tax records be amended pursuant to sections 354 and 357 of the *Municipal Act*.

Carried

6.7 Carpenters Constitutional Challenge

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

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor M. Bruni

Resolved that the report of the Director of Human Resources dated 2020 07 13 be received and that an additional \$100,000 be approved to continue with the Constitutional Challenge (Carpenters); further that Mathews Dinsdale continue to represent the City in this process on a sole source basis.

Carried

6.8 Rainbow Crosswalk

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

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor R. Niro

Resolved that the report of the Deputy CAO, Community Development and Enterprise Services dated 2020 07 13 concerning the installation of a rainbow crosswalk be received and that staff be authorized to proceed with the painting of a rainbow crosswalk on the southern portion of the intersection of Bay Street and East Street at a cost of \$13,300 plus HST to come from the uncommitted funding from the 2020 capital budget.

Carried

6.9 Norgoma Sale Agreement

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

The relevant By-law 2020-140 is listed under item 11 of the Minutes.

6.10 COVID-19 Community Services Agreements and Permits

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

The relevant By-law 2020-139 is listed under item 11 of the Minutes.

6.11 Transit Route Optimization Update Supporting the Northern Transfer Point

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

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that the report of the Director of Community Services dated 2020 07 13 concerning Transit Route Optimization Update Supporting the Northern Transport Point be received as information.

Carried

6.12 Seniors Community Grant Application

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

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Recreation and Culture dated 2020 07 13 concerning Seniors Community Grant Application be received and that staff be authorized to apply to Ministry for Seniors and Accessibility – Seniors Community Grant Program.

Carried

6.13 Rental Housing Incentive Program Extension to 2022

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

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that the report of the Director of Planning and Enterprise Services dated 2020 07 13 concerning an extension of the Rental Housing Incentive Program be received and that Council authorize public notice for this matter to be heard on August 10, 2020.

Carried

6.14 DCIP – Financial Incentive Grant Applications – July 2020

The report of the Senior Planner was received by Council.

Moved by: Councillor L. Dufour

Seconded by: Councillor R. Niro

Resolved that the report of the Senior Planner dated 2020 07 13 concerning Downtown Community Improvement Plan Financial Incentive applications be received and that the grant applications identified in the report be approved.

Carried

6.15 Economic Growth Incentive Program – Agawa Canyon Tour Train Building

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

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

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor M. Bruni

Resolved that the report of the Director of Planning and Enterprise Services dated 2020 07 13 concerning the Economic Growth Incentive Program be received and that Council approve a 100% municipal property tax increment rebate for the new Agawa Canyon Tour Train station project for three years.

Carried

6.16 Cycling Lanes Line Painting and Pavement Symbols Contract

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

The report of the Senior Planner was received by Council.

Moved by: Councillor L. Dufour

Seconded by: Councillor R. Niro

Resolved that the report of Senior Planner dated 2020 07 13 concerning Cycling Lanes Line Painting and Pavement Symbols Contract be received and that the contract be awarded to Superior Asphalt; further that the Legal Department be requested to prepare an amendment to Traffic By-law 77-200.

Carried

6.17 Fleet Management Services Review – FCM Asset Management Funding

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

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that the report of the Director of Public Works dated 2020 07 13 be received and that staff be authorized to apply for a grant opportunity from the Federation of Canadian Municipalities Municipal Asset Management Program for the Fleet Management Services Review;

Further that the municipality commits to conducting the activities in its proposed project submitted to the Federation of Canadian Municipalities Municipal Asset Management Program to advance its asset management program: complete a fleet management services review;

Further that the municipality commits up to \$55,000 from its 2020 capital allocation for equipment through the Public Works Equipment Reserve toward the costs of this initiative.

Carried

6.18 Miscellaneous Paving – Contract 2020-9E

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

The relevant By-law 2020-139 is listed under item 11 of the Minutes.

6.19 West End Sewage Treatment Plant Dechlorination System Retrofit

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

The relevant By-law 2020-137 is 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

7.4.1 By-Law Enforcement Task Force

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

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor R. Niro

Resolved that the report of the Director of Engineering on behalf of the By-Law Enforcement Task Force dated 2020 07 13 be received and the recommendations that staff be authorized to proceed to:

- Map processes with anticipated timelines for: 1. Property Standards, 2. Yard Maintenance, 3. Sewer-Use, and 4. Drainage Agreements on title;
- Strike an ongoing task force (comprised of three members of Council (Councillors Dufour, Niro and Shoemaker), Building, Engineering, Legal and DSSAB staff with assistance from Police and Fire Services when required) to meet regularly to address repeat problems and regularly review processes for continuous improvement in expediting enforcement, and assemble an inventory of potential units for the DSSAB Affordable Home Ownership Pilot Program (task force to meet at least semi-annually);
- Amend Procurement By-law 2016-143 by raising the current \$2,500 threshold for low value purchases to \$5,000, and the current \$15,000 threshold for informal quotations to \$30,000, (amended by-law to follow at a future Council meeting for approval);
- Amend Property Standards By-law 2012-09 to enhance the regulation of vacant lands and buildings (amended by-law to follow at a future Council meeting for approval);

- Request an operating increase in the 2021 budget for a part-time by-law enforcement officer;
- Develop GIS applications for mapping and monitoring trends in the geographical components of enforcement;
- Develop more performance indicators to track successes and identify areas for improvement;
- Enhance complaint tracking system so that updates can be entered by the Legal Department as well as the Building Division to improve internal communications for all parties; and,
- Publish all process maps on the City web page to enhance external communications.

Majority	For	Against	Absent	
Mayor C. Provenzano	X			
Councillor P. Christian	X			
Councillor S. Hollingsworth	X			
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor D. Hilsinger	X			
Councillor M. Shoemaker	X			
Councillor M. Bruni	X			
Councillor R. Niro	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	11	0	0	Carried

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 Finn Hill

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Shoemaker

Whereas Sault Ste. Marie and the surrounding area offers fantastic, all-season recreation for all ages from hiking, camping, biking, skiing and tobogganing to name a few; and

Whereas children need to remain active throughout the day and year as a means to interact with others, explore their outdoor environment, and gain exercise; and

Whereas our community has a popular tobogganing hill known as Finn Hill where families for generations have enjoyed sledding as a fun activity that has allowed kids to remain active in the winter; and

Whereas there may be a potential opportunity to improve Finn Hill by studying ideas that have been brought to the attention of the Mayor, Councillor Christian, Councillor Hilsinger, Councillor Hollingsworth, and Councillor Shoemaker by Master Charlie Lachapelle-Smith, 9 year old student and frequent sledder; and

Whereas the suggested ideas may complement the 2016-2020 Sault Ste. Marie Corporate Strategic Plan and FutureSSM goals, especially with regard to improving the quality of life for the families of our community; and

Whereas Council is open to hearing and discussing ideas that make sense;

Now Therefore Be It Resolved that staff be requested to review input received, and seek further input on potential improvements to Finn Hill, and that the recommended improvements be brought forward in a report to Council.

Majority	For	Against	Absent	
Mayor C. Provenzano	X			
Councillor P. Christian	X			
Councillor S. Hollingsworth	X			
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor D. Hilsinger	X			
Councillor M. Shoemaker	X			
Councillor M. Bruni	X			
Councillor R. Niro	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	11	0	0	Carried

8.2 Canada/United States Border Closure

Moved by: Councillor C. Gardi

Seconded by: Councillor S. Hollingsworth

Whereas due to the COVID-19 pandemic Canada and the United States agreed to close their shared border on March 21, 2020 and that closure, with exceptions, has been extended to July 21, 2020; and

Whereas Canada has managed to slow the spread of COVID-19 across the country including our own community of Sault Ste. Marie and District of Algoma; and

Whereas the United States has not slowed the spread of COVID-19 and cases continue to grow in the United States at a much more significant rate than Canada; and

Whereas Canadians across the country including here in Sault Ste. Marie have made and continue to make many sacrifices to slow the spread of COVID-19 and minimize the risk to each other and our larger community; and

Whereas Mayor Provenzano has been working with his border city mayoral colleagues across Ontario to advocate for and support the continued closure of the Canada/United States border with the current terms and conditions;

Now Therefore Be It Resolved that this resolution shall serve to support the Federal Government's decision to close the Canada/US border and to request that the Federal Government maintain its current position until the risk of the COVID-19 travelling into Canada from the United States is minimized and there is objective data that indicates the growth and spread of the COVID-19 virus across the United States has slowed dramatically and is at a minimum consistent with the growth and spread of the virus in Canada;

Further Be It Resolved that this resolution shall serve to support the work that Mayor Provenzano has undertaken with his mayoral colleagues across Ontario and encourages that work to continue until Council directs otherwise.

Majority	For	Against	Absent	
Mayor C. Provenzano	X			
Councillor P. Christian	X			
Councillor S. Hollingsworth	X			
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor D. Hilsinger	X			
Councillor M. Shoemaker	X			
Councillor M. Bruni	X			
Councillor R. Niro	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	11	0	0	Carried

8.3 Chamber of Commerce – Property Tax

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor M. Bruni

Whereas the Sault Ste. Marie Chamber of Commerce and the Burlington Chamber of Commerce have drafted a policy resolution that is supported by numerous other Chambers and Boards of Trade across the province; and

Whereas the resolution has been submitted to the Ontario Chamber of Commerce to form part of its ongoing advocacy agenda for 2020; and

Whereas it is recognized that community-based economic prosperity comes from the retention and expansion of businesses that exist in the community and provide future job opportunities by investing in and expanding their market opportunities; and

Whereas the City of Sault Ste. Marie passed a Long Term Tax Policy on November 21, 2016 and a Long Term Tax Policy Review on March 19, 2018 to address the tax ratios between the residential, commercial and industrial tax classes; and

Whereas the Sault Ste. Marie Industrial Tax Class has been subject to significant property valuations shifts affecting the allocation, collection and shift of burden within the Industrial Class that has had a detrimental effect on the Industrial Tax Class; and

Whereas it has been identified that the existing tax tools available to municipalities do not provide enough targeted relief to specific areas/types of properties to assist in mitigating localized tax impact resulting from significant reassessment valuations;

Therefore Be It Resolved that, Sault Ste. Marie City Council endorses the policy resolution submitted to the Ontario Chamber of Commerce which urges the Government of Ontario to:

- Honour its 2019 Budget Commitment to ensure a modern and competitive property tax system and to develop an action plan to respect Ontario's property taxpayers based on meaningful and thoughtful consultation and collaboration with affected stakeholders including: residents, business, industry, municipalities, and subject matter experts; and
- Consider providing new revenue and/or property tax mitigation tools and flexibility to municipalities in order to manage property tax burdens in a fair and equitable manner, address new economic paradigms, and to target relief to business property owners/tenants in response to local tax policy priorities and objectives; and
- Address the significant disparity between residential and non-residential property tax rates for education tax purposes;

Further that a copy of this resolution be sent to the Minister of Energy Northern Development and Mines Greg Rickford, Minister of Finance, Rod Phillips, Minister of Municipal Affairs and Housing Steve Clark, Northern Municipal Association, Association of Municipalities of Ontario, the Federation of Canadian Municipalities, the Members of Provincial Parliament for Sault Ste. Marie, the Cities of Timmins, Thunder Bay, Sudbury and North Bay.

Majority	For	Against	Absent	
Mayor C. Provenzano	X			
Councillor P. Christian	X			
Councillor S. Hollingsworth	X			
Councillor L. Dufour	X			
Councillor L. Vezeau-Allen	X			
Councillor D. Hilsinger	X			
Councillor M. Shoemaker	X			
Councillor M. Bruni	X			
Councillor R. Niro	X			
Councillor C. Gardi	X			
Councillor M. Scott	X			
Results	11	0	0	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 L. Dufour

Seconded by: Councillor M. Bruni

Resolved that all By-laws under item 11 of the Agenda under date 2020 07 13 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 2020-137 (Agreement) AECOM Canada Ltd. West End Treatment Plant Dechlorination System

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2020-137 being a by-law to authorize the execution of the Agreement between the City and AECOM Canada Ltd. for the West End Sewage Treatment Plant Dechlorination System Retrofit be passed in open Council this 13th day of July, 2020.

Carried

11.1.2 By-law 2020-138 (Agreement) Miscellaneous Paving Contract (Contract 2020-9E)

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2020-138 being a by-law to authorize the execution of the Contract between the City and Ellwood Robinson Inc. for the Miscellaneous Paving Contract (Contract 2020-9E) be passed in open Council this 13th day of July, 2020.

Carried

11.1.3 By-law 2020-139 (Agreements and Signing Authority) COVID Delegation

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2020-139 being a by-law to approve the standard form Amending Agreement for Tier 1 Users of City Facilities and the Licence to Occupy City Property Agreement and delegate to the Assistant City Solicitor/Senior Litigation Council or his/her delegate signing authority to execute same on behalf of the City of Sault Ste. Marie ("City"); to approve the standard form Standard Terms and Conditions City of Sault Ste. Marie Outdoor Facility Contract and delegate to the Manager of Recreation & Culture or his/her delegate signing authority to execute same on behalf of the City; to approve the standard form Facility Use Agreement and delegate to the Director of Community Services or his/her delegate signing authority to execute same on behalf of the City; and to approve the standard form Licence to Occupy City Property Agreement (Community Events) and delegate to the Deputy CAO – Community Development & Enterprise Services or his/her delegate signing authority to execute same on behalf of the City, all for the purpose of adding necessary COVID-19 language to each agreement be passed in open Council this 13th day of July, 2020.

Carried

11.1.4 By-law 2020-140 (Agreement) Norgoma Asset Purchase Agreement (Tobermory Real Estate Investors Inc.)

Moved by: Councillor L. Dufour

Seconded by: Councillor M. Bruni

Resolved that By-law 2020-140 being a by-law to authorize the execution of the Agreement between the City and Tobermory Real Estate Investors Inc. for the sale of the M.S. Norgoma to Tobermory Real Estate Investors Inc. of Tobermory, ON be passed in open Council this 13th day of July, 2020.

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

14. Adjournment

Moved by: Councillor L. Vezeau-Allen

Seconded by: Councillor R. Niro

Resolved that this Council now adjourn.

Carried

Mayor

City Clerk