

# VOTING CHART

## Majority Vote

(7 Members of Council are required for quorum)

Number of Members Present and Voting	Majority Vote
13	7
12	7
11	6
10	6
9	5
8	5
7	4

\*

## **ARTICLE 36**

### **NOMINATION COMMITTEE - CITIZEN APPOINTMENTS**

#### **36.1 Made by Committee of the Whole- Procedure**

Appointments to the various local boards, Advisory Panels and corporations of the Corporation shall be recommended by the Committee of the Whole at a meeting called for that purpose. In making such appointments, the procedure set out in this article shall apply unless otherwise provided in a shareholders declaration.

#### **36.2 Advertising - position - requirements - to local citizens**

At least 30 days prior to the Committee meeting at which a Citizen appointment is scheduled to be considered the Clerk shall place an advertisement in a local newspaper to run on at least two occasions and place an advertisement on radio or television or both, as the Clerk deems advisable, on at least one occasion outlining the position to be filled and inviting applications from interested citizens. A copy of each advertisement shall be provided to each Member of Council.

#### **36.3 Applications - in writing - time limitation**

All Citizen applications for appointment must be in writing and received by the Clerk at least four clear days prior to the meeting of Council concerned.

#### **36.4 Applications - qualifying - included - Committee of the Whole Agenda**

Copies of all applications received for each position from qualifying applicants shall be included with the agenda material for the Committee of the Whole meeting concerned.

#### **36.5 Applicants - qualified - exact number - motion**

Where there are only the exact number of qualified applicants as required for any position or positions, a motion to appoint the applicants to the position or positions concerned shall be presented and voted upon.

#### **36.6 Applicants - qualified - more than required - selection**

If there are more qualified applicants than positions available, then the Committee of the Whole shall recommend from the qualified applicants the ones to fill the position or positions concerned.

**36.7 Roll call vote - Council - taken - regarding applicants**

A roll call vote of the Committee of the Whole shall be taken with respect to the qualified applicants for each position available.

**36.8 Appointment - determined - by vote - exception**

If upon the first roll call vote no applicant receives the votes of the majority of Members present, the name of the applicant receiving the least number of votes shall be dropped and the Members shall proceed to vote anew and so continue until either an applicant receives the votes of the majority of Members present, at which time such applicant shall be declared to be the recommended candidate; or, it becomes apparent by reason of an equality of votes that no applicant can be recommended by the voting process.

**36.9 Voting - unsuccessful - position selected - by lot**

Where by reason of an equality of votes, it becomes apparent that no applicant can be selected by the voting process, then the recommended applicant shall be the applicant selected by lot by the Clerk.

**36.10 Special vote - applicants tied - least number of votes**

In the case where no applicant receives the majority required for appointment on a roll call vote, and where two or more applicants are tied with the least number of votes, a special roll call vote shall be taken to decide which of the tied applicants with the least number of votes shall be dropped from the list of names to be voted on in the next roll call vote.

**36.11 Staff Member - appointment - conditions**

Except where prohibited by law, Committee of the Whole may recommend the appointment a Member of staff to a local board or outside agency in the place of a Member of Council when no Member of Council wishes to be appointed.

**36.12 Further votes**

If no person receives more than half the votes, the Clerk shall take another vote, excluding the person who received the fewest votes in the previous vote; if two or more persons received the fewest votes, the Clerk shall choose the person to be excluded by lot.

**36.13 Term of Appointment - Citizens**

Citizens appointed by Council to Advisory Panels, local boards and committees shall be appointed for the term of office coinciding with the term of Council, or the terms set out in such appointments, and until their successors are appointed unless otherwise provided by Council or by law.

**36.14 Council Appointments - ballots**

At the first regular meeting of a new Council, or as soon thereafter as is reasonable, Council shall appoint Members to Committees by way of simultaneous, written, signed ballots which will be read aloud by the Clerk and recorded in the minutes.

**36.15 Council Appointments - destruction of ballots**

These ballots, as well as ballots used for simultaneous roll-call votes generally, may be destroyed by the Clerk and need not be retained following the confirmation of the minutes.



**EXAMPLES OF TIE VOTES**  
**(All Members of Council Present - Four Nominees)**

Candidate	Votes Received
A	6
B	4
C	3
D	0

**Result: Candidate D is dropped from the next vote.**

Candidate	Votes Received
A	5
B	4
C	3
D	1

**Result: Candidate D is dropped from the next vote.**

**EXAMPLES OF VOTES**  
**(All Members of Council Present)**  
**(Three Nominees Remaining)**

Candidate	Votes Received
A	6
B	4
C	3

**Result: Candidate C is dropped from the next vote.**

Candidate	Votes Received
A	5
B	3
C	3
D	1

**Result:**

1. Candidate D is dropped.
2. A special roll call vote is taken to decide which of the tied Candidates B or C shall be dropped from the list of names to be voted on in the next roll call vote.
3. Then a roll call vote shall be taken of the remaining two Candidates: A and one of B or C.

**THE CONSEQUENCES OF SAMPLE TIE VOTES**  
**(All Members of Council Present -Five Nominees)**

Candidate	Votes Received
A	3
B	4
C	2
D	2
E	2

**Result:**

1. A special roll call vote is taken to decide which of the tied Candidates (C, D, or E) shall be dropped from the list of nominees to be voted on in the next roll call vote.
2. Then a roll call vote shall be taken of the remaining four Candidates: A, B and two of C, D or E.

**THE CONSEQUENCES OF SAMPLE ZERO VOTES**  
**(All Members of Council Present -Six Nominees)**

Candidate	Votes Received
A	4
B	4
C	2
D	3
E	0
F	0

**Result:**

1. Candidates E and F are dropped from the next vote.
2. Then a roll call vote shall be taken of the remaining four  
Candidates: A, B, C and D.



# Minutes

<b>City Council Minutes</b>	<b>2002-11-24</b>
<b>Planning Committee Minutes</b>	<b>2002-11-26</b>
<b>Priorities Committee Minutes</b>	<b>2002-11-27</b>
<b>Greater Sudbury Police Services Board</b>	<b>2002-10-21</b>
<b>Licensing Committee Minutes</b>	<b>2002-11-19</b>

**THE FORTIETH MEETING OF THE COUNCIL  
OF THE CITY OF GREATER SUDBURY**

**Committee Room C-11  
Tom Davies Square**

**Thursday, November 14<sup>th</sup>, 2002  
Commencement: 5:03 p.m.**

**DEPUTY MAYOR DOUG CRAIG, IN THE CHAIR**

Present Councillors Bradley; Callaghan; Courtemanche (A6:30 pm); Davey (A5:09 pm); Dupuis; Gainer; Kilgour; Lalonde; McIntaggart; Portelance; Petryna (A5:55 pm); Mayor Gordon

City Officials M. Mieto, Chief Administrative Officer; D. Belisle, General Manager of Public Works; C. Hallsworth, General Manager of Citizen & Leisure Services; D. Nadorozny, General Manager of Economic Development & Planning Services; C. Sandblom, Acting General Manager of Health & Social Services; D. Wuksinic, General Manager, Corporate Services and Acting General Manager, Emergency Services; H. Salter, Deputy City Solicitor; A. Orendorff, Co-ordinator of Human Resources; K. Matthies, Co-ordinator of Human Resources; W. Ropp, Interim Fire Chief; N. Charette, Manager of Corporate Communications and French-language Services; P. Aitken, Government Relations/Policy Analyst; P. Thomson, Director of Human Resources; G. Ward, Council Secretary

Others J. Braney and M. Barbeau, ALERTech Board

Declarations of Pecuniary Interest None declared.

"In Camera" 2002-637 637 McIntaggart/Dupuis: That we move "In Camera" to deal with litigation, property and personnel matters in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, R.S.O. 1990, c.M.45, s.55(5).

**CARRIED**

Recess At 6:45 p.m., Council recessed.

Reconvene At 7:07 p.m., Council moved to the **Council Chamber** to continue the regular meeting.

Chair **HIS WORSHIP MAYOR JAMES GORDON, IN THE CHAIR**

Present Councillors Bradley; Callaghan; Courtemanche; Craig (A8:15 pm-D8:24 pm); Davey; Dupuis; Gainer; Kilgour; Lalonde; McIntaggart; Portelance; Petryna

City Officials M. Mieto, Chief Administrative Officer; D. Belisle, General Manager of Public Works; C. Hallsworth, General Manager of Citizen & Leisure Services; D. Nadorozny, General Manager of Economic

City Officials  
(Continued)

Development & Planning Services; C. Sandblom, Acting General Manager of Health & Social Services; D. Wuksinic, General Manager, Corporate Services and Acting General Manager, Emergency Services; S. Jonasson, Director of Finance/City Treasurer; H. Salter, Deputy City Solicitor; J. Cunningham, Deputy Chief of Police, Sudbury Police Service; P. Aitken, Government Relations/Policy Analyst; C. Riutta, Administrative Assistant to the Mayor; N. Charette, Manager of Corporate Communications and French-language Services; K. Bowschar-Lische, Law Clerk; T. Mowry, City Clerk; G. Ward, Council Secretary

C.U.P.E. Local 4705

W. McKinnon, President

News Media

The Box; MCTV; CIGM; Sudbury Star; Northern Life; Le Voyageur

Moment of  
Silent Reflection

Mayor Gordon requested all to rise for a moment of Silent Reflection and extended the condolences of Council to the family of the late Marcel Noël, Councillor, West Nipissing who passed away November 7<sup>th</sup>, 2002.

Declarations of  
Pecuniary Interest

None declared.

National Anthem

Letter dated 2002-11-07 from Mayor Gordon regarding the performance of the National Anthem by the Greater Sudbury Fire Fighters Choir was received.

The Greater Sudbury Fire Fighters Choir performed the National Anthem, "O Canada".

Welcome

Mayor Gordon welcomed students and staff from the Canadian Hearing Society, Wanda Berrette, Literacy Instructor, and David Musico, Notetaker, who were in attendance.

Rules of Procedure

Council, by a two-thirds majority, agreed to dispense with the Rules of Procedure and deal with By-law 2002-300 (Smoking By-law), at this time.

By-law 2002-300

Mayor Gordon advised he had received correspondence from representatives of the bingo halls indicating they were not able to voice their concerns regarding the smoking by-law and requested an opportunity to address Council prior to the by-law being passed. A request was also received from Dr. Sutcliffe to allow her to make a brief presentation to Council should the bingo hall representative be granted permission.

Council, by a two-thirds majority, agreed to hear from the two delegations prior to consideration of By-law 2002-300.

Bingo Hall Owners

Mr. Garth Moote, Manager, Bingo Country, introduced Mr. Michael Orser, Owner, Bingo Country.

Mr. Orser addressed Council advising he had purchase Bingo Country last May for \$1.5 million believing the old by-law which provided exemptions for bingo halls, would remain in effect. The Health Unit then petitioned Council to prepare a by-law that would earn Sudbury a "Go-For-The-Gold" designation. Bingo halls in other communities, such as Kingston, were exempt from the by-law if their hall was equipped with specialized ventilation. Some bingo halls in Sudbury invested money to provide specialized ventilation in their halls and will lose this money once the by-law comes into effect. He requested the bingo halls be given an opportunity to get back their investment and then deal with the by-law.

Sudbury & District Health Unit

Dr. Penny Sutcliffe addressed Council reaffirming the position of the Sudbury & District Health Unit for a 100% smoke-free environment for the Citizens of the City of Greater Sudbury.

Point of Order

Councillor McIntaggart rose on a point of order advising Councillor Craig had requested that the voting of By-law 2002-300 be held until he was present.

It was the consensus of Council not to delay the vote on By-law 2002-300.

**BY-LAWS**

2002-300

3

BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO REGULATE SMOKING IN PUBLIC PLACES AND WORKPLACES

Priorities Committee Recommendation 2002-27

1<sup>st</sup> & 2<sup>nd</sup> Reading

2002-638 Bradley/Callaghan: That By-law 2002-300 be read a first and second time.

**CARRIED**

2002-639 Kilgour/Dupuis: That By-law 2002-300 be read a third time and passed.

**SIMULTANEOUS WRITTEN RECORDED VOTE:**

**YEAS**

**NAYS**

Bradley  
Callaghan  
Courtemanche  
Davey  
Dupuis  
Gainer  
Kilgour  
Lalonde  
McIntaggart  
Petryna  
Portelance  
Gordon

**CARRIED**

**PRESENTATIONS**

Item 4  
Certificates of  
Appreciation -  
Adopt-a-Road  
Program

Mayor Gordon presented Certificates of Appreciation to the following participants in the Adopt-a-Road Program:

Rotary Club of Sudbury (Lise Dutrisac)  
Red Lobster Employee Association (Diane Lebel)  
First Waters Scout Troop (Larry Bieronski)  
Greater Sudbury Chamber of Commerce (Laura Higgs)  
Rotary Club of Sudbury Sunrisers (Gary Choy)  
Onaping Falls Golden Age Club  
(Art Desrosiers and Rod Furchner)  
Friendship Lodge No. 691 A.F. & A.M. (Mr. Robert Lewis)  
PCO Services Inc. (Larry Bieronski)  
Sudbury Game & Fish Protective Assoc. (Ralph Toivonen)

**PART I**  
**CONSENT AGENDA**

The following resolution was presented to adopt Items C-1 to C-19 inclusive, contained in Part I, Consent Agenda:

2002-640 Dupuis/McIntaggart: That Items C-1 to C-19 inclusive, contained in Part I, Consent Agenda, be adopted, with the exception of Item C-3, otherwise dealt with.

**CARRIED**

## **MINUTES**

Item C-3  
Report No. 8  
Planning Committee  
2002-11-12

Councillor Bradley requested that Recommendation 2002-78 of the Planning Committee Minutes of November 12<sup>th</sup>, 2002 be **referred** to the November 26<sup>th</sup>, 2002 meeting of the Planning Committee in order to obtain clarification from the Public Works Department of the conditions requested by the Technical Services Section to be imposed by the Consent Official.

Council concurred with the above-noted request.

2002-641 Bradley/McIntaggart: That Report No. 8, Planning Committee Minutes of 2002-11-12 be adopted, with the exception of Recommendation 2002-78, otherwise dealt with.

**CARRIED**

Item C-1  
Report No. 39  
C.C.  
2002-10-24

2002-642 McIntaggart/Dupuis: That Report No. 39, City Council Minutes of 2002-10-24 be adopted.

**CARRIED**

Item C-2  
Report No. 7  
Priorities Committee  
2002-11-13

2002-643 Kilgour/McIntaggart: That Report No. 7, Priorities Committee Minutes of 2002-11-13 be adopted.

**CARRIED**

Item C-4  
Report No. 2  
Selection Committee  
to Appoint C.A.O.  
2002-10-31

2002-644 Kilgour/McIntaggart: That Report No. 2, Selection Committee to Appoint a Chief Administrative Officer, Minutes of 2002-10-31 be adopted.

**CARRIED**

Item C-5  
Report No. 13  
Special C.C.  
2002-11-07

2002-645 McIntaggart/Portelance: That Report No. 13, Special City Council Minutes of 2002-11-07 be adopted.

**CARRIED**

Item C-6  
T.O.C.  
2002-10-29

2002-646 McIntaggart/Portelance: That the Report of the Tender Opening Committee, Minutes of 2002-10-29 be received.

**CARRIED**

Item C-7  
T.O.C.  
2002-11-05

2002-647 Dupuis/McIntaggart: That the Report of the Tender Opening Committee, Minutes of 2002-11-05 be received.

**CARRIED**

Item C-8  
N.D.C.A.  
2002-10-16

2002-648 McIntaggart/Kilgour: That the Report of the Nickel District Conservation Authority, Minutes of 2002-10-16 be received.

**CARRIED**

Item C-9  
G.S.P.S.  
2002-09-23

2002-649 Portelance/McIntaggart: That the Report of the Greater Sudbury Police Services Board, Minutes of 2002-09-23 be received.

**CARRIED**

Item C-10  
Public Input Session  
Long Term Financial  
Plan  
2002-10-29

2002-650 McIntaggart/Portelance: That the Report of the Public Input Session - Long Term Financial Plan, Minutes of 2002-10-29 be received.

**CARRIED**

Item C-11  
Report No. 8  
S.D.B.H.  
2002-10-17

2002-651 Kilgour/McIntaggart: That Report No. 8, Sudbury & District Board of Health, Minutes of 2002-10-17 be received.

**CARRIED**

Item C-12  
G.S.H.C.  
2002-10-01

2002-652 McIntaggart/Kilgour: That the Report of the Greater Sudbury Housing Corporation, Minutes of 2002-10-01 be received.

**CARRIED**

Item C-13  
C.A.S.  
2002-09-05

2002-653 Portelance/McIntaggart: That the Report of the Children's Aid Society, Board of Directors' Meeting, Minutes of 2002-09-05 be received.

**CARRIED**

Item C-14  
S.G.P.L.B.  
2002-06-20

2002-654 McIntaggart/Portelance: That Report No. 10, City of Greater Sudbury Public Library Board, Minutes of 2002-06-20 be received.

**CARRIED**

Item C-15  
Report No. 11  
G.S.P.L.B.  
2002-09-19

2002-655 Kilgour/McIntaggart: That Report No. 11, City of Greater Sudbury Public Library Board, Minutes of 2002-09-19 be received.

**CARRIED**

Item C-16  
Public Input Session  
Licensing Task Force  
2002-11-06

2002-656 McIntaggart/Portelance: That the Report of the Public Input Session - Licensing Task Force regarding business Licensing in the City of Greater Sudbury, Minutes of 2002-11-06 be received.

**CARRIED**

## **TENDERS**

Item C-17  
Award of Tender  
Dump Trucks for  
Snow Clearing

Report dated 2002-11-06 from the General Manager of Public Works regarding Award of Tender: Rental of Operated Tandem/Tri-Axel Tractor Trailer Dump Trucks for Snow Clearing Operations and Occasional Haulage for 2002-2003 was received.

Item C-17  
(Continued)

The following resolution was presented:

2002-657 Kilgour/McIntaggart: That all the bidders for the supply of Tandem/Tri-Axle/Tractor Trailer Dump Trucks be placed in a pool of trucks available for call out for snow removal and occasional haulage as outlined in the report.

**CARRIED**

## **ROUTINE MANAGEMENT REPORTS**

Item C-18  
Economic  
Development Capital  
Envelope Funding  
Requests

Report dated 2002-10-30 from the General Manager of Economic Development & Planning Services regarding Economic Development Capital Envelope Funding Requests was received.

The following resolution was presented:

2002-658 McIntaggart/Kilgour: WHEREAS the Greater Sudbury Development Corporation has approved support for the following projects:

- A) Dynamic Earth Pre-Opening Market Plan - \$25,000
- B) Medical Research Industry Project - \$35,000
- C) Music and Film in Motion - \$50,000

THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury support the above mentioned projects with contributions from the 2002 Economic Development Capital Envelope.

**CARRIED**

Item C-19  
2003 Planning,  
Priorities & Council  
Meeting Dates

Report dated 2002-11-06 from the General Manager, Corporate Services and Acting General Manager, Emergency Services regarding 2003 Planning, Priorities and Council Meeting Dates was received.

The following resolution was presented:

2002-659 McIntaggart/Kilgour: That the 2003 Schedule of Meeting Dates for City Council and Committees, as outlined in the report dated November 6<sup>th</sup>, 2002 from the General Manager, Corporate Services and Acting General Manager, Emergency Services be adopted.

**CARRIED**

## **BY-LAWS**

- |           |   |   |
|-----------|---|---|
| 2002-296  | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF NOVEMBER 14, 2002   |
| 2002-292A | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE EXTENSION AGREEMENTS FOR COMMUNITY RINK BOARDS ADVERTISING WITH CORPORATE ADMINISTRATIVE SERVICES INC. C.O.B. BK. CORPORATE MARKETING SERVICES FOR TRANSIT PASSENGER SHELTERS AND THE SUDBURY WOLVES HOCKEY CLUB LTD.<br><br>Council Resolution 2002-607<br><br>(The report incorrectly identified the party in the agreement as BK. Advertising.) |
| 2002-297  | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE FUNDING FROM COMMUNITY PLACEMENT TARGET FUNDING TO VARIOUS SOCIAL SERVICE AGENCIES TO ASSIST IN DELIVERING COMMUNITY PROGRAMS DESIGNED TO REDUCE AND PREVENT HOMELESSNESS<br><br>Priorities Committee Recommendation 2002-22   |
| 2002-298A | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE ENTERING INTO AGREEMENTS TO PROVIDE FUNDING FROM THE COMMUNITY PLACEMENT TARGET FUND TO PURCHASE COUNSELLING SERVICES FROM EACH OF THE SUDBURY COMMUNITY SERVICE CENTRE, THE PASTORAL INSTITUTE OF NORTHERN ONTARIO AND LE SERVICE FAMILIAL DE SUDBURY INCORPORATED<br><br>Priorities Committee Recommendation 2002-23                             |
| 2002-299A | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-85, A BY-LAW TO APPOINT MUNICIPAL LAW ENFORCEMENT OFFICERS TO ENFORCE THE PRIVATE PROPERTY SECTIONS OF BY-LAW 2001-1<br><br>(This By-law updates the list of private property enforcement officers)  |

2002-301T	3	BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-1, BEING A BY-LAW TO REGULATE TRAFFIC AND PARKING ON ROADS IN THE CITY OF GREATER SUDBURY
		Report dated 2002-11-06 from the General Manager of Public Works
		(This By-law amends the school bus loading zones at various locations)
2002-302A	3	BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-38A TO DELEGATE SPECIFIC AUTHORITY TO CITY OFFICIALS TO CARRY ON CERTAIN MATTERS ON BEHALF OF THE CITY OF GREATER SUDBURY
		(This By-law changes the authorization for Lot Grading Agreements to be executed by the General Manager of Public Works and Clerk instead of the Mayor and Clerk.)
2002-303A	3	BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT BETWEEN THE CITY OF GREATER SUDBURY AND GREATER SUDBURY HOUSING CORPORATION FOR SPACE AT 720 BRUCE STREET FOR THE PURPOSE OF A POLICE SATELLITE OFFICE
		Planning Committee 2002-11-12
2002-304F	3	BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW BY-LAW 2002-280F RESPECTING THE PAYMENT OF REMUNERATION TO MEMBERS OF COUNCIL AND RESPECTING THE PAYMENT OF EXPENSES FOR MEMBERS OF COUNCIL, OFFICERS AND SERVANTS OF THE CITY OF GREATER SUDBURY AND LOCAL BOARDS
		(This By-law corrects a numerical mistake in By-law 2002-280F).
2002-305A	3	BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT BETWEEN THE CITY OF GREATER SUDBURY AND SCIENCE NORTH FOR THE DYNAMIC EARTH PROJECT
		Report dated 2002-10-17 from the General Manager of Economic Development and Planning
2002-306A	3	BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT BETWEEN THE CITY OF GREATER SUDBURY AND MUSIC AND FILM IN MOTION
		Report dated 2002-10-17 from the General Manager of Economic Development and Planning

1<sup>st</sup> & 2<sup>nd</sup> Reading

2002-660 McIntaggart/Kilgour: That By-law 2002-296, By-law 2002-292A, By-law 2002-297 to and including By-law 2002-299A, By-law 2002-301T to and including By-law 2002-306A be read a first and second time.

**CARRIED**

3<sup>rd</sup> Reading

2002-661 Dupuis/Kilgour: That By-law 2002-296, By-law 2002-292A, By-law 2002-297 to and including By-law 2002-299A, By-law 2002-301T to and including By-law 2002-306A be read a third time and passed.

**CARRIED**

**CORRESPONDENCE FOR INFORMATION ONLY**

Item C-20  
Update on Waste  
Diversion Organization

Report dated 2002-11-05 from the General Manager of Public Works regarding Update on the Waste Diversion Organization was received for information.

**PART II**  
**REGULAR AGENDA**

**MANAGERS' REPORTS**

Item R-1  
Pedestrian  
Countdown Signals

Report dated 2002-11-06 from the General Manager of Public Works regarding Pedestrian Countdown Signals was received.

The following resolution was presented:

Dupuis/McIntaggart: That the City of Greater Sudbury **not** install pedestrian countdown signals as set out in the attached report by staff dated November 6<sup>th</sup>, 2002.

Councillor Courtemanche requested the foregoing matter be **deferred** until the pedestrian countdown system could be tested in specific locations as a pilot project and an evaluation report brought back to Council.

Council concurred with the request for deferral, an evaluation and a report.

Item R-2  
Land Ambulance  
Response Time  
Framework

Report dated 2002-11-08, with attachment, from the General Manager, Corporate Services and Acting General Manager, Emergency Services regarding Land Ambulance Response time Framework was received.

Item R-2  
(Continued)

The following resolution was presented:

2002-662 McIntaggart/Portelance: THAT Council approve the Revised Land Ambulance 2002 Budget; with offsetting Provincial funding;

AND THAT Council authorize the Chief Administrative Officer to sign the following two Schedules:

- 1) Schedule A-1: 2001/2002 Ministry of Health and Long-Term Care Response Time Accountability agreement to Improve Land Ambulance Response time, SIGN-BACK Agreement for Upper-Tier Municipality/Designated Delivery Agent; and
- 2) Schedule A-2: 2001/2002 Ministry of Health and Long-Term Care Response Time Accountability Agreement to Improve Land Ambulance Response Time, SIGN-BACK Agreement for Upper-Tier Municipality/Designated Delivery Agent.

**CARRIED**

**ADDENDUM**

Addendum to Agenda

The following resolution was presented:

2002-663 Kilgour/Dupuis: That the Addendum to the Agenda be dealt with at this time.

**CARRIED**

Declarations of  
Pecuniary Interest

None declared.

**BY-LAWS**

2002-308A

3

BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH SOCIETE ALZHEIMER SOCIETY SUDBURY-MANITOULIN

Planning Committee Resolution

1<sup>st</sup> & 2<sup>nd</sup> Reading

2002-664 Portelance/Kilgour: That By-law 2002-308A be read a first and second time.

**CARRIED**

3<sup>rd</sup> Reading

2002-665 Portelance/Dupuis: That By-law 2002-308A be read a third time and passed.

**CARRIED**

## **CIVIC PETITIONS**

### **Councillor Dupuis**

Councillor Dupuis submitted a Petition to the City Clerk, signed by two hundred and ten (210) residents of Ward 3 requesting allocation of crews to conduct brushing and cleaning of the roadways, ditches, park areas and residential properties in the Val Caron area.

The foregoing petition was referred to the General Manager of Public Works for review.

### **Councillor Dupuis**

Councillor Dupuis submitted a Petition to the City Clerk, signed by seven hundred and fifty-six (756) residents of Ward 3 requesting the establishment of a skateboard park in the Hanmer area.

The foregoing petition was referred to the General Manager of Citizen & Leisure Services for review.

## **QUESTION PERIOD**

### **Smoking By-law**

Councillor Callaghan requested appropriate Staff keep Council informed, on an on-going basis, of the effect of implementing By-law 2002-300. He then asked for clarification of the manner of consultation that would occur between Staff, the bar owners and local charities.

Mayor Gordon requested that the Deputy City Solicitor respond to Councillor Callaghan's questions.

The Deputy City Solicitor advised Council that, with the assistance of the Sudbury & District Health Unit, discussions had taken place with the City of Ottawa regarding their terms of reference and the activities of their task force. A report would be brought back to Council with full terms of reference on what was learned from the Ottawa experience.

### **Pesticide By-laws**

Councillor Courtemanche requested clarification from Staff as to the power of a Municipal Council under the new Municipal Act, 2001, to ban the use of pesticides.

The Deputy City Solicitor advised an information report would be prepared to update Members of Council on the passing of pesticide by-laws.

### **Lease Agreement - Ukrainian Centre**

Councillor Courtemanche requested a meeting be arranged with Councillor Petryna, representatives of the Ukrainian Centre and himself regarding a possible leasing agreement with the City of Greater Sudbury to operate a long term care facility.

Mayor Gordon advised a meeting would be arranged.

### Hydro Deregulation

Councillor Davey expressed concern regarding the \$5 million the Greater Sudbury Utilities Inc. was committed to pay to prepare for market opening and requested a letter be sent from the Mayor's Office to the Honourable John Baird, Minister of Energy requesting reimbursement of these costs.

Mayor Gordon recommended that Councillor Davey bring forth a notice of motion on this matter.

In response to the Mayor's direction, Councillor Davey suggested this was a very important matter that should receive the immediate attention of Council.

As a result, the Mayor recommended that Councillor Davey draft a Notice of Motion and that the Clerk's Office proceed to conduct a telephone/e-mail poll of Council, prior to the next meeting of Council. The consensus of Council was received for the Clerk's Office to conduct the telephone/e-mail poll.

### By-law 2002-300

Councillor Dupuis referred to By-law 2002-300 (Smoking By-law) that was given third reading by Council, and requested that the Sudbury Community Foundation be included on the charities task force.

## **MATTERS ARISING FROM THE "IN CAMERA" SESSION**

### Rise and Report

Deputy Mayor Gainer reported Council met to deal with litigation, property and personnel matters falling within Article 15.5 of the City of Greater Sudbury Procedural By-law 2002-202 and the Municipal Act, R.S.O. 1990, c.M.45, s.55(5) and certain resolutions emanated therefrom.

### Loan Agreement - ALERTech

2002-666 Dupuis/McIntaggart: That By-law 2002-307A be passed authorizing an Agreement between the City of Greater Sudbury and Academy of Leading Emergency Response Technologies (ALERTech) for the loan of \$185,000, with the funding source for the loan being the Economic Development/Community Loan Reserve Fund, to be repaid on or before May 30<sup>th</sup>, 2003.

**CARRIED**

## **BY-LAWS**

2002-307A

3

BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT BETWEEN THE CITY OF GREATER SUDBURY AND ACADEMY OF LEADING EMERGENCY RESPONSE TECHNOLOGIES (ALERTECH)

### 1<sup>st</sup> & 2<sup>nd</sup> Reading

2002-667 McIntaggart/Dupuis: That By-law 2002-307A be read a first and second time.

**CARRIED**

3<sup>rd</sup> Reading

2002-668 Dupuis/McIntaggart: That By-law 2002-307A be read a third time and passed.

**CARRIED**

Amalgamation of  
City of Greater  
Sudbury Group  
Insurance Plans

2002-669 McIntaggart/Kilgour: THAT the Director of Human Resources be authorized to execute a Contract with Liberty Health for provision of Life, WI, LTD, Extended Health and Dental Group Insurance coverages;

AND THAT the Director of Human Resources be authorized to contract with ACE INA Inc. for the provision of AD&D Insurance coverages.

**CARRIED**

**BY-LAWS**

2002-309A                      3        BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH LIBERTY HEALTH FOR PROVISION OF LIFE, WEEKLY INDEMNITY, LONG TERM DISABILITY, EXTENDED HEALTH AND DENTAL GROUP INSURANCE COVERAGES

2002-310A                      3        BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH ACE INA INC. FOR PROVISION OF ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE BENEFITS

1<sup>st</sup> & 2<sup>nd</sup> Reading

2002-670 Portelance/Dupuis: That By-law 2002-309A and By-law 2002-310A be read a first and second time.

**CARRIED**

3<sup>rd</sup> Reading

2002-671 Dupuis/Portelance: That By-law 2002-309A and By-law 2002-310A be read a third time and passed.

**CARRIED**

Hydro Deregulation

Councillor Gainer expressed concern with the effect the roll back of hydro rates may have on the budget and requested a report be prepared addressing this issue.

The Chief Administrative Officer advised the City would be working with the Greater Sudbury Utilities Inc. Further research has to be done regarding this matter. Once the appropriate legislation has been tabled in the Provincial Legislature, a report would be brought back to Council.

Adjournment

2002-672 Portelance/McIntaggart: That this meeting does now adjourn. Time: 8:52 p.m.

**CARRIED**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**GREATER SUDBURY POLICE SERVICES BOARD MEETING**  
**MONDAY, OCTOBER 21, 2002 - 4:00 p.m.**  
**5<sup>th</sup> Floor Boardroom, Police Headquarters, Tom Davies Square**

**Present:**

Andy HUMBER, Chair  
Joanne FIELDING, Vice Chair  
Councillor Eldon GAINER  
Councillor Ron BRADLEY  
David Petryna

Rollande MOUSSEAU, Secretary

Ian DAVIDSON, Chief of Police  
Jim CUNNINGHAM, Deputy Chief  
Sharon BAIDEN, Director of Administration  
Staff Inspector Brian JARRETT  
Inspector Dan Markiewich

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**PUBLIC PORTION**

**News Media**

Todd Hamilton, Osprey Media/Star

**Declaration of Pecuniary Interest**

None

**Adoption of Minutes**

(2002-107) Fielding-Bradley: THAT the Greater Sudbury Police Services Board Minutes of September 23, 2002, be adopted as circulated and read.

CARRIED

**Matters Arising from September Board Meeting**

None

**Officer Reclassifications**

Letter from Chief Davidson dated October 15, 2002, advising that the following police personnel were recently reclassified to:

2<sup>nd</sup> Class Constable effective October 2, 2002:

Constable Stephane Brouillette  
Constable Alain Gagnon  
Constable Stephanie Duchene  
Constable Katherine Hucal

1<sup>st</sup> Class Constable effective September 17, 2002:

Constable Greg Major

**Delayed Priority One Calls**

Letter from Chief Davidson dated October 15, 2002, advising that there were no Delayed Priority One Calls during the month of September 2002.

**Departmental Statistics**

Letter from Chief Davidson dated October 11, 2002, attaching the Overview of Criminal Offences for the Month of June 2002, along with the detailed statistical report.

Chief Davidson and Inspector Dan Markiewich reviewed the statistics with board members.

**Promotion to Sergeant**

Letter from Chief Davidson dated October 15, 2002, advising that Richard Waugh was the successful candidate in the recent Constable to Sergeant promotional competition. Sergeant Richard Waugh commenced his new position on September 26, 2002.

Chief Davidson and board members congratulated Sergeant Richard Waugh on his promotion.

**Professional Standards Report**

Letter from Chief Davidson dated October 15, 2002, attaching a report submitted by the Professional Standards Branch relative to second quarter public complaints for 2002. For the information of the board.

**Business Plan Results 2001**

Letter from Chief Davidson dated October 11, 2002, advising that a document outlining business plan results for 2001 will be made available to board members and to City Council for information. A bound copy of the Business Plan 2001 Annual Report dated October 2002 was distributed to board members for the information of the board.

**Annual Awards Presentations**

Letter from Chief Davidson dated October 15, 2002, reminding board members of the Annual Awards Presentations scheduled for Thursday, November 7, 2002, 7:30 p.m., Hellenic Centre.

### **Tour of Courthouse Facilities**

Letter from Chief Davidson dated October 11, 2002, reminding board members of the Courthouse Facilities Tour scheduled for October 30, 2002, 9:00 a.m. Members to meet at Police Headquarters in the Main Lobby. Transportation to both the Elm Street and Cedar Street locations will be provided.

### **Police Museum**

Letter from Chief Davidson dated October 11, 2002, advising that the Sudbury Region Police Museum is moving towards Phase 2 which involves special exhibit areas, including weapons, forensics, communications, transportation, body armour and electronic media. Recently, the committee made application and has been approved by the Trillium Foundation for \$75,000 to offset costs associated with Phase 2.

On Sunday, October 27, 2002, an Applefest, a fund raiser in support of the Museum, will be held at the Steel Workers Hall.

### **Lions Eye in the Sky**

Letter from Chief Davidson dated October 11, 2002, attaching minutes of the Advisory Committee Meeting held on September 13, 2002, along with incidents of interest.

The Lions Eye in the Sky presentation has been deferred to the November Board Meeting.

### **Notes of Appreciation**

Letter from Chief Davidson dated October 15, 2002, advising his office has received letters of appreciation since the September Board Meeting. Two of these letters were attached for the review of the board.

### **New Business**

a) Chief Davidson reported that Rev. Elijah Lumbama is critically ill at Laurentian Hospital at the present time. Board members and Chief Davidson recognized Rev. Lumbama for his work in the community and with the race relations committee.

b) A letter from the Ontario Association of Police Services Board dated September 18, 2002, was distributed to board members. Mr. Chris Moran, President of the OAPSB, gave an update on the final outcome of the 40<sup>th</sup> Annual OAPSB Conference hosted by the Sudbury Police Services Board. Attendance in Sudbury - 360 delegates of which 180 were from police services boards from across the province. The conference was a great success and generated approximately \$70,200. Last year's conference held in Toronto generated approximately \$34,400. Board members were congratulated on a job well done and a special mention to Vice Chair Joanne Fielding and her team for their dedication and for the preparation of a conference resource binder.

**Next Meeting**

The next Board Meeting will be held on **MONDAY, NOVEMBER 18, 2002, AT 4:00 P.M., 5<sup>th</sup> Floor Boardroom, Police Headquarters, Tom Davies Square.**

**RETURN TO IN CAMERA**

(2002-108) Gainer-Petryna: THAT this board meets IN CAMERA. Time: 4:45 p.m.

CARRIED

**RETURN TO PUBLIC**

**Matters Arising from In Camera Portion**

Vice Chair Joanne Fielding reported that one motion dealing with legal issues resulted from In Camera discussions.

**Adjournment**

(2002-109) Bradley-Fielding: THAT this meeting be adjourned. Time: 6:40 p.m.

CARRIED

**THE SECOND MEETING OF THE LICENSING COMMITTEE  
OF THE CITY OF GREATER SUDBURY**

**Committee Room C-11  
Tom Davies Square**

**Tuesday, November 19<sup>th</sup>, 2002  
Commencement: 2:30 p.m.  
Adjournment: 3:25 p.m.**

**CHAIR KILGOUR PRESIDING**

Committee Members Councillor Dave Kilgour; Councillor Ron Dupuis

Staff R. Swiddle, Director of Legal Services/City Solicitor; B. Gutjahr, By-Law Enforcement Officer; D. Nicholson, Sudbury Chamber of Commerce; T. Worton, Manager of Health Protection Division, Sudbury & District Health Unit; M. Munro, Small Business Consultant, CGSCDC; S. Irwin, CGSCDC; S. Plexman, CGSCDC; K. Bowschar-Lische, Law Clerk, Legal Services

Declarations of  
Conflict of Interest None declared.

Licensing By-laws The City Solicitor indicated that the Licensing By-laws for the former Municipalities will expire at the end of the year but this means that they will come into effect before the new Municipal Act in effect on January 1, 2003. He stated that the Province has been approached to delay the expiry of the By-laws but as of yesterday, the staff at the Province cannot commit that this would occur. He said that the Committee needs to give direction today to pass the By-laws to ensure that these will be presented to Council at their next meeting on December 12, 2002, to become effective on December 31, 2002. He said that Council can hold back if Regulations are given so that there will not be two sets of changes. He advised that one recommendation was made that the Committee consider its ability to register trades and not licence them which would mean that registration would be a small fee with no inspections. This would make it easier for trades to get registered and would be a useful tool for public bodies once they are on the internet being that the public could view copies of the list of registered trades. These tools of registration are not yet available. He discussed recommendations for the Committee to consider regarding simplifying the list of trades to be licensed taking into consideration the concerns of the public, Sudbury & District Health Unit, Police Services Board and the Chief Building Official. The list has been reduced from the earlier Report by dropping 120 trades which no longer require to be licensed. Council must address concerns raised at the Public Hearing to continue various trades but also consider the three reasons required to exercise its licensing powers under the new Municipal Act those being health and safety, nuisance control and consumer protection. As per the Recommendation, fees will continue at rates formerly set by the Region and City of Sudbury.

Licensing By-laws  
cont'd

It is recommended the Treasurer look at what is involved in licensing, the number of inspections in a year, calculate the appropriate fees and come back to the Committee in one year for consideration.

The Chair opened the meeting to general discussions regarding the concerns of licensing or not licensing certain trades as per the simplified list.

The Committee discussed their concerns regarding non-resident Hawkers and Peddlars and transients. The City Solicitor advised that the municipality cannot distinguish between out-of-towners and locals.

The Small Business Consultant with CGSCDC pointed out that there was a misprint in the list for Hawkers & Pedlars wherein the licensing fee should be \$500.00 per day and not \$50.00. She also stated that various trades may be facing increases or decreases in fees.

D. Nicholson indicated that the public should be made aware that the City is not making any profit on licensing fees.

Councillor Dupuis indicated that we must look at the significant costs associated with the registration of businesses.

Recommendations

2002-03 Dupuis-Kilgour: THAT the recommendations contained in the report dated 2002-11-13 from the General Manager, Corporate Services and Acting General Manager, Emergency Services regarding the Licensing By-laws be adopted.

**CARRIED**

Discussions took place and the Committee concurred that they would support Resolution 2002-03 with the understanding that they reconvene in the new year to address the following issues:

1. Registration of various activities;
2. Fees;
3. A Comparison of fees in other communities.

**NEXT MEETING  
DATE**

Discussions took place and the Committee concurred that the next meeting would take place on Tuesday, February 11, 2003, at 2:30 p.m. in Committee Room C-40, **originally scheduled in Room C-11 but that Room was not available.**

Adjournment

2002-04 Kilgour-Dupuis: That this meeting does now adjourn.  
Time: 3:25 p.m.

**CARRIED**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary