

Report To: CITY COUNCIL

Report Date: Oct. 01, 2001

Meeting Date: Oct. 11, 2001

Subject:

A BYLAW TO APPOINT A DRAINAGE SUPERINTENDANT

Department Review:



D. Bélisle
General Manager of Public Works

Recommended for Agenda:



J.L. (Jim) Rule
Chief Administrative Officer

Report Authored by: Ron Norton, P. Eng., Co-Ordinator of Technical Services

Recommendation:

That Bylaw #2001-247A to appoint a Drainage Superintendent under the Drainage Act, RSO 1990, be approved.

Executive Summary:

The City of Greater Sudbury has 35 Municipal/Agricultural drains which provide drainage outlet to rural agriculture lands, some subdivision development and often municipal roads. These drains require regular scheduled maintenance to keep them functioning for their intended purpose.

Under the Drainage Act, RSO 1990, the maintenance of these drains is co-ordinated and supervised by a Drainage Superintendent appointed by a Bylaw of Council. This person is specialized in agricultural drainage and the Act.

The Ontario Ministry of Food and Agriculture provides a 50 percent grant to subsidize the cost of a Drainage Superintendent and the supervisory work of drain maintenance.

It is recommended that the firm of K. Smart Associates Limited be appointed the Drainage Superintendent for the City of Greater Sudbury.

The Drainage Superintendent will report to the Coordinator of Technical Services for work assignments, expenditure control and administrative review.

Background:

The City of Greater Sudbury has 35 Municipal/Agricultural drains with an additional 2 new drains in the implementation process. These drains serve agriculture rural lands and often provide outlet for drainage from subdivision development and municipal roads.

These drains are essentially large grassed open channels. Regular scheduled maintenance is required to ensure their effective operation. This work may include beaver dam removal, beaver control, brushing, grass cutting, snow removal, vegetation spraying, culvert work, bank repair/stabilization and bottom clean out, etc.

Many property owners rely on these drains. City roads also benefit from these drains.

The Province of Ontario long ago established the Drainage Superintendent Program to facilitate drain maintenance. Under this program, the Municipality appoints a Drainage Superintendent (a person or firm specialized in agricultural drainage) to deal with all the issues that arise from the Municipal/Agricultural drains in the municipality.

The Ontario Ministry of Food and Agriculture provides a grant to the municipality to cover 50 percent of the cost to hire a Drainage Superintendent and 50 percent of the cost of the administration expenses in evaluating drain problems, preparing work programs, making a grant application, and preparing administrative financial documentation.

It is proposed that the condition of all drains be evaluated in the field and a work program established for the coming and subsequent years. Based on these required work programs, the City will apply for a grant from the Province for 2002.

It is recommended that the City retain the services of a Drainage Superintendent specialized in this work.

It is recommended that K. Smart Associates Limited be appointed as the Drainage Superintendent for the City of Greater Sudbury. K. Smart Associates Limited were appointed the Drainage Superintendent for the former Municipalities of Valley East and Rayside-Balfour.

The City share of all expenses incurred through municipal/agricultural drain maintenance and the Drainage Superintendent program will be funded by an account in the current budget.

The Drainage Superintendent will report to the Coordinator of Technical Services for work assignments and administrative review.

A Bylaw to appoint a Drainage Superintendent under the Drainage Act, RSO 1990 is attached to this report as Exhibit 1.

THE CITY OF GREATER SUDBURY

BY-LAW 2001 - 247A

**BEING A BY-LAW TO APPOINT
A DRAINAGE SUPERINTENDENT
UNDER THE DRAINAGE ACT, RSO 1990**

WHEREAS Section 93, s.s.(1) of The Drainage Act,, RSO 1990, authorizes the Council of the local Municipality to appoint a drainage superintendent and to provide for his remuneration for the purposes in the manner set out therein;

AND WHEREAS the Municipal Act, RSO 1990, authorizes all Municipalities to appoint such officers and servants deemed necessary for carrying into effect the provisions of any Act and to fix their remuneration and prescribe their duties;

NOW THEREFORE the Council of the City of Greater Sudbury enacts as follows:

- 1) **THAT** K. Smart Associates Limited is hereby appointed Drainage Superintendent for the City of Greater Sudbury.
- 2) The Drainage Superintendent shall report to the Coordinator of Technical Services of the City of Greater Sudbury for work assignments and administrative review.
- 3) The Drainage Superintendent shall carry out the duties imposed upon him under the Drainage Act, RSO 1990, and shall submit such reports and carry out such other duties as may be required by Council from time to time.
- 4) This By-law shall come into force and take effect on the day it is passed.

READ THREE TIMES AND FINALLY PASSED IN OPEN COUNCIL THIS _____ DAY
OF OCTOBER 2001.

Mayor

SEAL

Clerk

J.L. (Jim) Rule

Chief Administrative Officer
Administrateur en chef

jim.rule@city.greatersudbury.on.ca



October 4th, 2001

City of Greater Sudbury
Ville du Grand Sudbury

His Worship Mayor Jim Gordon and
Members of the City of Greater Sudbury Council

Your Worship, Madam and Gentlemen:

Re: Bear Situation

At the Council meeting of August 14th, Council directed the Chief Administrative Officer to meet with the Ministry and report back to Council on the current bear problem in the City. Accordingly, on October 2nd City representatives (Deputy Police Chief Jim Cunningham, Police Uniform Inspector Susan Evans, Bill Lautenbach and myself) met with representatives from the Ministry of Natural Resources to discuss our concerns with respect to the bear problem.

The Ministry ensured us at the meeting that they are not backing away from their responsibility and they outlined the resources they have committed to the problem.

I have attached a letter from Ms. Cindy Blancher-Smith, District Manager, Ministry of Natural Resources which outlines their position with respect to bears. Representatives from the Ministry will be in attendance at the Council meeting on October 11th, 2001 to answer any questions Council may have relating to the current bear situation.

Yours truly

A handwritten signature in black ink, appearing to read 'J.L. Rule', with a long horizontal flourish extending to the right.

J.L. (Jim) Rule
Chief Administrative Officer

JLR/mc

Attach.



Ministry of
Natural Resources

Ministère des
Richesses naturelles

3767 Highway 69 South Suite 5
Sudbury, Ontario
P3G 1E7
Telephone: (705) 564-7872
Facsimile: (705) 564-7879

October 4, 2001

Jim Rule
Chief Administrative Officer
City of Greater Sudbury
P.O. Box 5000, 200 Brady Street
Sudbury, ON P3A 5P3

Dear Mr. Rule:

Subject: **Bears**

Thank you for meeting with the staff of M.N.R., Sudbury office, on October 2, 2001.
Following is the information you requested.

Background

- Sudbury is experiencing a particularly difficult year with nuisance bears because of a natural food shortage. The number of reported bear sightings varies from year to year. 1995 was the last difficult bear year and the spring bear hunt was still active.
- The increase of bear sightings/contact is a direct result of human attractants as a food source, being readily available. The failure of this year's blueberry crop (due to drought) has resulted in bears moving into the downtown core searching for food.
- The majority of the complaints that the Ministry has responded to have been due to an attractant being visible (bird feeder, garbage pile, dog food, compost, mature ornamental fruit trees etc.)

Sudbury M.N.R.'s involvement this year:

- M.N.R. has been working co-operatively with our partner Cambrian College and the City of Greater Sudbury Police, according to a protocol we developed early in June 2001.

- That Protocol has public emergency calls going directly to City Police (911). The police screen the call and if there is an immediate public threat, they respond. All other calls go to the Cambrian College pager; our agent assesses the call and responds or refers it to an on-call Conservation Officer (if after hours).

This district is treating this as a unique year in terms of the management of nuisance bears and other animals. As a result, we have increased our resources, to deal with the situation at hand. M.N.R. staff, as well as our partner, Cambrian College, is responding. In addition, Cambrian's resources have been increased.

Statistics (May 2001 to Present): In concert with Cambrian College

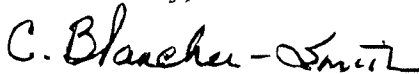
- Calls to date = 2600 +/-
- Trap nights to date = 964
- Bears captured/relocated to date = 135
- We have an active public education program (Conservation Officers in schools, brochures all over the city including Costco, Canadian Tire, Welcome Wagon, Corner Stores, and joint MNR/City Police media releases). We have also been offering prompt advice to the public on how to deal with nuisance animals.
- We have offered to provide training to the City of Greater Sudbury Police on responding appropriately to bear situations (e.g. cubs vs. adults), in order to better utilize their resources.

Why is Sudbury unique? Sudbury provides optimum bear habitat with its wildlife corridors intersecting with residential areas. The older urban areas provide mature ornamental fruit trees. The excellent blueberry crops provide for high bear reproduction. Sudbury is within the transition zone between the boreal forest and the Great Lakes/St. Lawrence Forests zone where deciduous trees are an excellent food source. Sudbury has a large urban area that is protected by a No Firearms Discharge by-law.

Again, I appreciate your designating Mr. Lautenback, on behalf of the City, to work with us this year and to plan for next year, should we be into a similar situation. I also appreciate your giving us the opportunity to explain how M.N.R. is dealing with this situation.

Please contact me if you have any questions.

Yours sincerely,



Cindy Blancher-Smith
District Manager
Sudbury

c.c. John Burke, Deputy Minister
Ernie Heerschap, Enforcement Supervisor
Ivan Filion, Vice President, Cambrian College

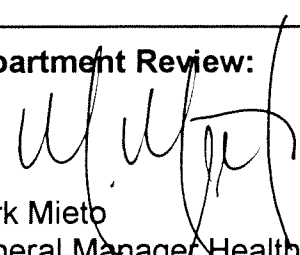
Report To: CITY COUNCIL

Report Date: September 21, 2001

Meeting Date: October 11, 2001

Subject: Accreditation - Pioneer Manor

Department Review:


Mark Mieto
General Manager, Health & Social
Services

Recommended for Agenda:


Jim Rule,
Chief Administrative Officer

Report Authored by: Lyne Côté Veilleux

Recommendation:

WHEREAS Pioneer Manor has made application and has been accepted for an accreditation survey by the Canadian Council on Health Services Accreditation (CCHSA); and,

WHEREAS selected teams have been established to evaluate Pioneer Manor's services compared to national standards in a self-assessment exercise; and,

WHEREAS representation and input from a governance representative is required on the Leadership and Partnerships Team;

THEREFORE BE IT RESOLVED THAT two City Councillors be appointed members of the Leadership and Partnerships Team in the accreditation process at Pioneer Manor.

Background:

In 2000, Pioneer Manor made application to the Canadian Council on Health Services Accreditation (CCHSA) with the goal of becoming a nationally accredited long term care facility. Such status would enable Pioneer Manor to position itself to become more marketable in an increasingly competitive environment while increasing communication, collaboration, and team building, expanding the involvement of clients and other community partners in Pioneer Manor's activities, as well as evaluate Pioneer Manor against national standards to improve its services.

In June, 2001, the CCHSA accepted and confirmed the dates for Pioneer Manor's 2002 accreditation survey visit set for April 23, 24, 25 and 26, 2002. Since that time, four teams comprising of staff, clients (families/residents), contracted service providers and community partners have been established to evaluate and rate Pioneer Manor's services to set national standards in what is called a self-assessment. Each of the four teams look at specific standards and criteria as they relate to Pioneer Manor's leadership and partnerships, its environment, its human resources and information management, and to the long term care services that it provides.

As the other teams' standards and criteria deal more with the operational and core services of Pioneer Manor, the Leadership and Partnerships' component aims at assessing and evaluating the Home's activities in the areas of management and governance. The team evaluates how Pioneer Manor addresses the needs of the population, how it forms positive relationships with the community outside the organization, and how it meets the organization's mandate. The standards and criteria also cover the topics of values and ethics, risk management, and strategic planning.

The Leadership and Partnerships Team is currently composed of nine members with representation from the Community Care Access Centre, the ACMS Health Council, the City's CAO's Office, the City's Council Support section, contracted services, and from clients, management and staff of Pioneer Manor. Council representation, as the governing body to Pioneer Manor, is required on this team in order to fully assess certain standards and criteria covered under this component as well as to participate in the actual survey in April, 2002. It is recommended that two Councillors be appointed members of the Leadership and Partnerships Team and that they participate on an ad hoc basis to assist the team in completing its self-assessment.

City Agenda Report

Report To: **CITY COUNCIL**

Report Date: October 3, 2001

Meeting Date: October 11, 2001

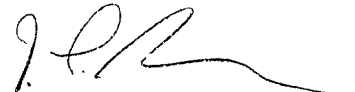
Subject: Miscellaneous Waste Management Items

Department Review:



D. Bélisle
General Manager of Public Works

Recommended for Agenda:



J.L. (Jim) Rule
Chief Administrative Officer

Report Authored by: Chantal Mathieu, Manager of Waste Management

Recommendation:

Item #1 - That Council provide staff with direction on one waste drop-off depot or consider the addition of a second depot as part of the 2002 budget deliberations.

Item #2 - That Council consider the collection of freon-containing appliances as detailed in this report and all related cost as part of the 2002 budget deliberations.

Item #3 - For Council's information.

Item #4 - That the reuse and recycling of electronic equipment as detailed in this report and all related costs be considered as part of the 2002 budget deliberations; and

That tipping fees be waived for source-separated electronic equipment upon implementation of the electronic equipment reuse and recycling program.

Item #5 - That the "Clean-up Greater Sudbury" program as detailed in this report and all related cost be considered as part of the 2002 budget deliberations.

Item #6 - That City departments be held responsible for their own waste collection and disposal and take the necessary steps to implement and budget for waste reduction and recycling at their facilities.

Items #7 - That upon confirmation of viable end-markets that consideration be given to the addition of milk/juice cartons & aseptic packaging and #5 plastics to the blue box recycling program and that this new service and related cost be considered as part of the 2002 budget deliberations.

Background:

Item #1 - Rathbun Waste Drop-off Depot

In late 2000, staff made the decision to place a waste drop-off depot in Rathbun Township to service the households in these annexed areas. The decision was based on the fact that residents were already using this site (operated by the Ministry of Natural Resources) and that the site was sized sufficiently and properly graded to accommodate the various waste disposal and diversion bins.

Since that time, several residents from the Ashigami area have requested that the drop-off depot be relocated to a more central location. Residents that participate in the Kukagami Cottagers Association disagree with the relocation, however are not opposed to the establishment of a second site.

Staff have identified a location south of the current site and have received permission from the land owner to use the site as a waste drop-off depot.

Staff is of the opinion that only one drop-off site is required for the residents of this area and that the current site is adequate for the waste disposal needs of the residents in this area.

If Council disagrees, then staff will present the options of relocating the site or the establishment of a second site and all related costs as part of the 2002 budget deliberations.

Item #2 - Freon Containing Appliances

It has been requested by staff that the freon-containing appliances such as refrigerators, freezers, air conditioners, water coolers, heat pumps and dehumidifiers be collected as bulky items from the low density residential sector and accepted at landfill sites (without a tag stating that the freon has been drained by a Provincially licensed technician).

This request is possible, however handling costs both on the collection side and disposal side will increase. Extra care in collecting the appliance to protect the refrigerant coil will be required and the cost to drain the appliance will be required prior to baling and recycling the item.

If Council approves the collection of these appliances, staff would continue to encourage residents to first try and trade in the appliance when purchasing a replacement or at least contact businesses that would collect these items for reconditioning or for scrap metal recycling.

That this additional service and related cost be considered as part of the 2002 budget deliberations.

Item #3 - Update on the Central Business District

The Central Business District (in the former City of Sudbury) has received twice weekly evening garbage collection services and has been exempt from disposal fees for a number of years. In order to create a level playing field with other businesses in the City, staff will be providing the Metro Centre with a list of waste management services and their related costs. Service options will range from complete discontinuation of municipal waste services to a full stream collection service including recycling. An update will follow later this year.

Item #4 - Electronic Equipment Recycling

Staff is proposing that the following items be added to the landfill diversion program in the next landfill operating contract(s):

Electronic Equipment

Electronic equipment such as personal computers (including keyboards, mouse); mini computers and components; mainframe computers and components; printers, scanners, drives and modems; telecommunications equipment (switchgear, switches and relays); instruments and controls (electronic thermostats, recorders, meters etc.); electronic relays; telephones (mobile/cellular and "hardwire"); electronic pagers; fax machines; electronic medical equipment (diagnostic & monitoring); photocopiers & printing/plotting equipment; electronic calculators; radio and stereo equipment; electronic cash registers; electronic games and video games consoles (ie. Sega, Nintendo etc.); digital cameras; VCRs and software (floppy disk, CD, etc.) be considered for recycling.

A drop-off area would be set-up at each landfill site for the electronic equipment. Equipment that is not sold for reuse would be packaged and then shipped to end-markets for complete recycling.

Electronic equipment recycling generally produces clean and separated streams of several recycled and reusable items including, steel and stainless steel used by mini mills or foundries for making new steel products and materials; aluminium, copper and brass which is re-smelted for new products and alloy metals; mixed plastics which are used in plastic lumber, noise panels and insulation products or recycled as a source of energy.

That the reuse and recycling of electronic equipment and their related costs be considered as part of the 2002 budget deliberations; and

That tipping fees be waived for source-separated electronic equipment upon implementation of the electronic equipment reuse and recycling program.

Item #5 Clean-Up Greater Sudbury

That a "Clean-Up Greater Sudbury" program be developed to plan, manage and promote clean-up activities within the new City.

The first step would be to hire a Co-ordinator (one year contract) to evaluate the needs of the community (litter containers, areas requiring special attention etc.); to develop an anti-littering educational program for school-aged children and to develop guidelines for a community-wide "Greater Sudbury Clean-Up Commitment".

The "Commitment" would seek proposals from non-profit corporations, schools or community groups to adopt sections of the City for an eight month period. The program would be similar to the Adopt a Road program but would be expanded to all public areas and litter clean-up would be as required and not just over a one day or a one weekend event.

In the first year Council would be requested to budget for the Co-ordinator's position and an amount for the educational development of the program. Starting in 2003, Council would be requested to budget for a part time employee for an eight month period, funds for additional litter containers and funds for the community groups awarded the work to clean-up public areas in the City.

The benefits of this program would not only help improve the image of the City but also assists community groups in raising the much needed funds to promote their own programs.

That the "Clean-up Greater Sudbury" program and its related cost be considered as part of the 2002 budget deliberations.

Item #6 "Practising What We Preach"

Significant changes in waste management have been implemented within the community to encourage waste responsibilities for greater waste reduction and diversion. With this notion in mind, waste management staff is recommending that all departments within the City be held responsible for their own waste collection and disposal and directed to take the necessary steps to implement and budget for waste reduction and recycling at their facilities. Waste management staff will be available to assist departments in implementing their waste diversion and recycling initiatives.

Item #7 - Additional Blue Box Recycling Materials

Staff is proposing that upon confirmation of viable end-markets that the following items be added to the Blue Box recycling program:

Milk/Juice Cartons and Aseptic Containers

Milk cartons are constructed from polycoated paperboard, a high grade white paper covered on both sides with polyethylene plastic. This provides the carton with its stiffness and strength, and liquid tight properties. Aseptic packaging "drink boxes" have a similar construction, with an added thin layer of aluminum that allows a vacuum seal to be applied to carton and contents. This eliminates the need for refrigeration.

These items are recycled in a process called hydropulping (The boxes are agitated in a vat of water until the paper is separated from the plastic and/or foil. The separated materials are then rinsed and screened and the material is sent for recycling.

#5 Plastics

#5 Plastics (polypropylene) is used to make margarine containers, yogurt tubs and ketchup bottles. The plastic is eventually ground into flakes, washed, dried and extruded into pellets for the production of new products.

J.L. (Jim) Rule
Chief Administrative Officer
Administrateur en chef

jim.rule@city.greatersudbury.on.ca



October 4th, 2001

His Worship Mayor Jim Gordon and
Members of the City of Greater Sudbury Council

Your Worship, Madam and Gentlemen:

**Re: Ontario SuperBuild and
Canada-Ontario Infrastructure Program**

As a follow up to previous correspondence in this regard, this is to advise that a meeting was held with Ministry representatives on October 1st, 2001 to review the above noted matter. The following individuals were in attendance at this meeting: Mr. Cal McDonald and Mr. Murray Morello from the Ministry of Northern Development & Mines; Mr. Brian Cameron from the Ministry of the Environment; Mr. Don Belisle, General Manager of Public Works; Mr. Doug Wuksinic, General Manager of Corporate Services; Ms. Caroline Hallsworth, General Manager of Citizen and Leisure Services and myself. At this meeting the Ministry reviewed with us their criteria as it relates to the projects that we have put forward for their consideration.

Attached, for your information, is a copy of a letter received from the Ministry requesting that the City prioritize its projects for Ontario SuperBuild consideration. You will also note that the Ministry has indicated that our accessible transit proposal may be more appropriately considered under the new \$9 billion transit plan announced by Premier Harris on September 27th.

I would ask that Council formally pass a resolution outlining the priorities with respect to our projects (David Street Water Treatment Plant, Rock Tunnel South End Sanitary Sewer Capacity, Rebuild and Expand Municipal Road 35, Expansion of Sewer and Water Service South Shore of Ramsey Lake, Accessible Transit Greater Sudbury Transit - buses) so that this information can be formally relayed to the Ministry.

If you have any questions in this regard please give me a call.

Yours truly

A handwritten signature in black ink, appearing to read 'J.L. Rule'.

J.L. (Jim) Rule
Chief Administrative Officer

JLR/mc

Attach.

**Ministry of Northern
Development and Mines****Ministère du Développement
du Nord et des Mines**

Regional Economic Development Branch

Direction du développement économique régional

159 Cedar Street, Suite 601
Sudbury, ON P3E 6A5
Tel: (705) 564-7569
Fax: (705) 564-7582

159, rue Cedar, local 601
Sudbury ON P3E 6A5
Téléphone: (705) 564-7569
Télécopieur: (705) 564-7582

October 3, 2001

Mr. Jim Rule
Chief Administrative Officer
City of Greater Sudbury
PO Box 5000
200 Brady Street
Sudbury ON P3A 5P3

Dear Mr. Rule:

Thank you for the opportunity to meet with you and your colleagues on September 19, 2001, to discuss the City of Greater Sudbury priority projects. I, and the other provincial and federal representatives, appreciated the thorough presentation you provided under the title "Building Communities and Partnerships".

As you are aware, staff of the Ministry of Northern Development and Mines, in conjunction with City staff, are currently evaluating your proposals. At this time, I can advise you that the City's *Accessible Transit* proposal may be more appropriately considered under the new \$9 billion transit plan announced by Premier Harris on September 27, 2001. Additional information on eligibility criteria and application procedures is expected to be available in the near future.

With regard to the other projects outlined in your presentation, it is incumbent upon the City to determine its priorities. Accordingly, please advise me of your priority list as soon as possible so that we may consult SuperBuild and provide you with guidance as to which projects meet the Millennium guidelines and could be eligible for funding under the \$15 million allocation approved for the City of Greater Sudbury.

Yours truly,

A handwritten signature in black ink, appearing to read "Cal McDonald", enclosed within a large, hand-drawn oval.

Cal McDonald
Director

City Agenda Report Form

Report To: **CITY COUNCIL**

Report Date: October 3, 2001

Meeting Date: October 11, 2001

**Subject: Appointment of 2002 Budget Chief
(Deputy Mayor - Chair of the Committee of the Whole - Budget Meetings)**

Department Review:


Doug Wuksinic,
General Manager of Corporate Services

Recommended for Agenda:


Jim Rule,
Chief Administrative Officer

Report Authored by: T. Mowry, City Clerk

Recommendation:

THAT Councillor _____ be appointed
Deputy Mayor, Chair of the Committee of the Whole -
Budget, for the year 2002 for the term ending November
30, 2002.

Executive Summary:

Council enacted By-law 2001-29A on January 9, 2001 appointing Councillor Gainer as Deputy Mayor to be the Chair of the Committee of the Whole-Budget Meeting for the term ending December 31st, 2001.

As part of the 2002 budget deliberations, a Public Input Session, has been scheduled for Tuesday, October 16th, 2001. In order to ensure continuity of the budget process it is recommended that Council appoint a Member of Council to be its "Budget Chief" for the 2002 Budget prior to the Public Input Session.

Background:

Deputy Mayor - Chair, Committee of the Whole-Budget:

Article 5 of the Procedural By-law provides that Council shall, by by-law appoint one Deputy Mayor to sit as the Chair of the Committee of the Whole - Budget Meetings, to hold office for a one year term, ending November 30, of each calendar year.

This Deputy Mayor may also act from time to time in the place and stead of the Mayor while the Mayor is absent from the municipality or is absent through illness or his/her office is vacant.

Selection:

The selection of the Deputy Mayor is conducted in accordance with Section 36 of the Procedural By-law. In the event of an equality of votes, then the successful candidate is to be determined by lot conducted by the Clerk. Council's procedure requires that in the event more than one individual is nominated, then a roll call vote of Members of Council shall be held.

Selection continued:

Where all Members of Council are in attendance, seven (7) votes are required to fill the vacancy. Each Member is entitled to one (1) vote for this position. It is always in order for a Member of Council to nominate themselves and to vote for themselves.

Under Robert's Rules of Order a nomination does not need a second.

A copy of Article 36 is attached to this report for the convenience of Members of Council.

A resolution will first be introduced appointing the successful candidate. Once this resolution has been passed by Council then the following by-law will be introduced for three readings confirming the appointment.

By-Law:

2001-253A 3 readings BEING A BY-LAW OF THE CITY OF GREATER SUDBURY
TO APPOINT A DEPUTY MAYOR TO BE THE CHAIR OF
THE COMMITTEE OF THE WHOLE - BUDGET MEETINGS
FOR THE YEAR 2002.

SUMMARY:

1. The following appointment is to be made: Deputy Mayor (Budgets)
2. Where One Member of Council is nominated, a motion to appoint the nominee shall be presented and voted upon; a by-law confirming the appointment will then be introduced for three readings.
3. If more than one Member of Council is nominated, then Council shall hold an election, in accordance with Article 36 of the Procedural By-law.
4. **Where all Members of Council are in attendance, seven (7) votes are required to fill the vacancy. Each Member is entitled to one (1) vote for this position. It is always in order for a Member of Council to nominate themselves and to vote for themselves.**

Under Robert's Rules of Order a nomination does not need a second.

ARTICLE 36

APPOINTMENTS - BOARDS - COMMISSIONS - COMMITTEES - ADVISORY PANELS - CORPORATIONS

36.1 Made - by Council - procedure - set out

Appointments to the various boards, commissions, committees, advisory panels and corporations of the Corporation shall be made by Council. In making such appointments, the procedure set out in this article shall apply unless otherwise provided in the shareholders declaration.

36.2 Advertising - position - requirements - to local citizens

At least 30 days prior to the Council meeting at which the appointment is scheduled for any board, commission or advisory committee, as the case may be, 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 on such board, commission or advisory committee and inviting applications from interested citizens.

36.3 Applications - in writing - time limitation

All 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 Qualifications - of applicants - determined - by Clerk

Unless otherwise authorized by by-law, all applicants must meet the same qualifications as electors in the municipality and the Clerk shall determine the qualifications of each applicant.

36.5 Applications - qualifying - included - Council agenda

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

36.6 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.

36.7 Applicants - qualified - more than required - selection

If there are more qualified applicants than positions available, then Council shall select from the qualified applicants the ones to fill the position or positions concerned.

36.8 Roll call vote - Council - taken - regarding applicants

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

36.9 Appointment - determined - by vote - exception

If upon the first roll call vote no applicant receives the votes and the majority of members are 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 appointed; or, it becomes apparent by reason of an equality of votes that no applicant can be appointed by the voting process.

36.10 Voting - unsuccessful - position selected - by lot

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

36.11 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.

36.12 Staff member - appointment - conditions

Except where prohibited by law, Council may appoint a member of staff to a board, commission or outside agency when no member of Council wishes to be appointed.

36.13 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.

36.14 Committee 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 Ballots - destruction

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.



October 1, 2001

His Worship Mayor James Gordon
and Members of Council

City of Greater Sudbury
Ville du Grand Sudbury

Your Worship and Members of Council:

PO BOX 5000 STN A
200 BRADY STREET
SUDBURY ON P3A 5P3

CP 5000 SUCC A
200 RUE BRADY
SUDBURY ON P3A 5P3

705.671.CITY

www.
city.greatersudbury
.on.ca

This community has been shocked and disgusted to learn that Clinton Suzack, sentenced in 1995 to a life term for the first degree murder of Constable Joseph MacDonald, was recently relocated to the medium-security facility of William Head Institution located on Vancouver Island, British Columbia. This facility, which has been nicknamed "Club Fed", prepares prisoners for early release.

Members of Council have before them a motion registering this Community's objections to this action by Corrections Canada and calls upon the Government of Canada to ensure that the remainder of Clinton Suzack's twenty-five year sentence be served in a maximum security prison as originally recommended by the trial judge.

I have taken the unusual step of asking that a picture of Constable Joseph MacDonald be placed at the top of this motion so that those who will receive it and read it will have before them the face of this young police officer.

Let them see what we saw: a young police officer, a son, a husband, a father of two young daughters, a man committed to the betterment of his community, who, in the pursuit of his rightful and sworn duty to protect and serve his community, was needlessly struck down, beaten and shot by bullets fired by two merciless attackers.

There is, in my opinion, a severe imbalance between the rights accorded the victims of violent crimes and the rights of the accused. Too often we forget the name and the face of the victim and, as a result, we experience revictimization under a justice system which appears to us distant, isolated, unresponsive and contemptuous of the needs of both victims and communities.

The motion before you does not ask that existing laws be amended. It does not ask that new laws be written. It simply asks that the existing law be applied. Observance of the rule of law is the glue that binds us with our community. Long ago a wise man wrote the words: "All under law. ... For us, it suffices to remember that all things are indeed under law. Three words, but enough."

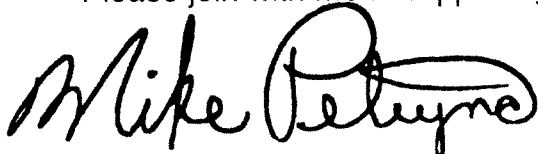
This act was described by the Ontario Court of Appeal as a "cold-blooded murder of a helpless police officer acting in the execution of his duties." Clinton Suzack's criminal past is extensive. It included 17 separate violent convictions, including cutting a man's throat with a beer bottle and assaulting his father and girlfriend. This is a man who has shown no remorse. Throughout his criminal life he has demonstrated his utter contempt for the law, for society, and his victims.

If evil has a face, it is Clinton Suzack.

Though the public faith in our justice system has been shattered many times, we must not allow ourselves to be discouraged and thereby permit this outrage to pass unchallenged. We cannot allow the possibility that another community will be victimized by the presence of this man without challenging those in authority who would permit it. Finally, we must, as a community, act to ensure the safety of those public servants, this "thin blue line", which maintains the separation between the rule of law and the rule of chaos.

On the morning of October 7, 1993 this community was made a victim. If we fail to make the voice of our community heard now, then we will allow ourselves and our community to become a victim a second time.

Please join with me in supporting this motion.

A handwritten signature in black ink that reads "Mike Petryna". The signature is fluid and cursive, with the first name "Mike" and last name "Petryna" clearly legible.

Councillor Mike Petryna