

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

**C-11
Tom Davies Square**

**Thursday, February 12, 2004
Commencement: 4:02 p.m.**

DEPUTY MAYOR CRAIG, IN THE CHAIR

Present Councillors Berthiaume; Bradley; Caldarelli; Callaghan; Gainer (A 4:19 p.m.); Gasparini (A 4:10 p.m.); Kett; Reynolds; Rivest; Thompson (A 4:14 p.m.); Mayor Courtemanche

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. Matheson, General Manager of Health & Social Services; D. Wuksinic, General Manager, Corporate Services; T. Beadman, Acting General Manager, Emergency Services; P. Thomson, Director of Human Resources; R. Swiddle, Director of Legal Services/City Solicitor; S. Jonasson, Director of Finance/City Treasurer; H. Salter, Deputy City Solicitor; G. Mazza, Director - Building Services/Chief Building Official; C. Riutta, Administrative Assistant to the Mayor; N. Charette, Manager of Corporate Communications and French-language Services; P. Aitken, Government Relations/Policy Analyst; T. Mowry, City Clerk; CJ Caporale, Council Secretary

"In Camera" 2004-58 Bradley-Berthiaume: That we move "In Camera" to deal with Labour, Legal and Personnel matters in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, 2001, s.239(2)(f).

CARRIED

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

Reconvene At 7:02 p.m., Council moved to the Council Chamber to continue the regular meeting.

Chair **HIS WORSHIP MAYOR DAVID COURTEMANCHE, IN THE CHAIR**

Present Councillors Berthiaume; Bradley; Caldarelli; Callaghan; Craig; Gainer (D 7:05 p.m.; A 8:19 p.m.); Gasparini; Kett (D 7:05 p.m.; A 8:20 p.m.); Reynolds; Rivest; Thompson

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. Matheson, General Manager of Health & Social Services; D. Wuksinic, General Manager, Corporate Services; T. Beadman, Acting General Manager, Emergency Services; Inspector A. Lekun, Acting Chief of Police, Greater Sudbury Police Services; R. Swiddle, Director of Legal Services/City Solicitor; S. Jonasson, Director of Finance/City Treasurer; C. Mahaffy, Manager of Financial Planning and Policy; G. Mazza, Director - Building Services/Chief Building Official; J.P. Graham, Plants Engineer; M.L. Gauvreau, Manager of Current Accounting Operations; E. Stankiewicz, Co-Ordinator of Current Budget; C. Riutta, Administrative Assistant to the Mayor; P. Aitken, Government Relations/Policy Analyst; T. Mowry, City Clerk; K. Bowschar-Lische, Planning Committee Secretary; CJ Caporale, Council Secretary

News Media

Sudbury Star; MCTV; EZ Rock; Channel 10 News; Le Voyageur; Northern Life; CBC Radio

Moment of Silent Reflection

The Mayor requested a moment of silence for the passing of Mr. Gaston Demers former Member of Parliament.

Declarations of Pecuniary Interest

Councillor Caldarelli announced that she had declared a pecuniary interest in a personnel matter considered by the Committee of the Whole in camera, and as a result, left the Committee Room prior to any discussion of the matter.

DELEGATIONS/PRESENTATIONS

Item 4
2003 Budget Overview

Councillor Callaghan and Mark Mieto, Chief Administrative Officer, gave an electronic presentation regarding an overview of the 2003 Budget. A copy of the budget was distributed to all present.

Councillor Callaghan advised Council that the 2004 budget involved the undertaking of the most comprehensive public participation process in the City's history. He outlined eight general themes of the public meetings (recreational facilities, City vehicles, borrowing money for infrastructure, tax increases, additional funding, increase revenues, efficiencies, in-migration and youth retention).

Mr. Mieto outlined the "Four Pillars of the Corporate Renewal Strategy" (realignment of corporate structure; invest in training of staff; organization wellness; performance measurement). He advised Council that there will be two pilot Solutions Teams to deal with City light vehicle fleet and the disposal of excess properties consisting of four members (1-2 public representatives). He discussed the Continuous Improvement Program, implementing the

Item 4
2003 Budget Overview
(continued)

Long Term Financial Plan, 2004 efficiencies, and “New Deal for Municipalities”.

MATTERS ARISING FROM THE “IN CAMERA” SESSION

Rise and Report

Deputy Mayor Craig, as Chair of the Committee of the Whole, reported Council met to deal with labour, legal and personnel matters falling within Article 15.5 of the City of Greater Sudbury Procedural By-law 2002-202 and the Municipal Act, 2001, s.239(2)(f) and one resolution emanated therefrom.

Older Adult Centre

2004-59 Berthiaume-Bradley: THAT the City of Greater Sudbury finalize matters with the Older Adult Centre for its contribution to the building on the basis of a payment of \$200,000 from the Centre to the City, and an undertaking by the Centre to perform an additional approximate \$33,500 in improvements; and

THAT the amount \$175,000 be removed from the City’s collectible list and that this be expensed in 2003.

CARRIED

PART I
CONSENT AGENDA

Consent Agenda

The following resolution was presented to adopt Items C-1 to C-12 inclusive, contained in Part I, Consent Agenda:

2004-60 Rivest-Reynolds: That Items C-1 to C-12 inclusive, contained in Part I, Consent Agenda, be adopted with the exception of Priorities recommendation 2004-13 (Physician Recruitment & Retention), Priorities minutes of February 11, 2004, as otherwise dealt with.

CARRIED

Recommendation
2004-13 (Physician
Recruitment &
Retention

At the request of Councillor Callaghan, Priorities Recommendation 2004-13 (Physician Recruitment & Retention), Priorities minutes of February 11, 2004, was removed to be dealt with separately.

2004-61 Bradley-Craig: WHEREAS the City of Greater Sudbury has committed \$550,000 to the development of a number of turnkey clinics in the former Town of Nickel Centre, Rayside Balfour and Valley East; and

WHEREAS the City of Greater Sudbury in its recruitment and retention efforts recognizes the need to implement community based solutions; and

Recommendation
2004-13 (Physician
Recruitment &
Retention
(continued)

WHEREAS the City of Greater Sudbury encourages the Ministry of Health and Long Term Care (MOHLTC) to improve and expand its Alternate Funding Plans (AFPs) for rural/outlying communities; and

WHEREAS Community Sponsored Contracts have been successful in recruiting and retaining physicians in smaller communities such as Onaping Falls and Capreol;

THEREFORE LET IT BE RESOLVED THAT the City of Greater Sudbury, in its efforts to enhance the delivery of primary care, and through its commitment in its turnkey operations, request that the Ministry of Health and Long Term Care (MOHLTC) partner with the City of Greater Sudbury for additional Community Sponsored Contracts, or similar Alternate Funding Plans.

RECORDED VOTES:

<u>YEAS</u>	<u>NAYS</u>

Berthiaume	
Bradley	
Caldarelli	
Craig	
Gasparini	
Reynolds	
Rivest	
Thompson	
Mayor Courtemanche	

_____ **CARRIED**

MINUTES

Item C-1
Report No. 4
City Council
2004-01-29

2004-62 Berthiaume-Bradley: THAT Report No. 4, City Council Minutes of 2004-01-29 be adopted.

CARRIED

Item C-2
Report No. 3
Priorities Committee
2004-02-11

2004-63 Rivest-Reynolds: THAT Report No. 3, Priorities Committee Minutes of 2004-02-11 be adopted, with the exception of Priorities recommendation 2004-13 (Physician Recruitment & Retention), Priorities minutes of February 11, 2004, as otherwise dealt with.

CARRIED

Item C-3
Report No. 3
Planning Committee
2004-02-10

2004-64 Rivest-Bradley: THAT Report No. 3, Planning Committee Minutes of 2004-02-10 be adopted.

CARRIED

C.C. 2004-02-12 (5TH)

(4)

<p>Item C-4 Report No. 1 S.D.H.U. <u>2004-01-15</u></p>	<p>2004-65 Bradley-Berthiaume : THAT Report No. 1, Sudbury & District Board of Health Minutes of 2004-01-15 be received.</p>	<p>CARRIED</p>
<p>Item C-5 Accessibility Advisory Committee <u>2004-01-26</u></p>	<p>2004-66 Berthiaume-Bradley: THAT the Report of the Accessibility Advisory Committee Minutes of 2004-01-26 be received.</p>	<p>CARRIED</p>
<p>Item C-6 G.S.P.S. Board <u>2003-12-15</u></p>	<p>2004-67 Bradley-Rivest: THAT the Report of the Greater Sudbury Police Services Board Minutes of 2003-12-15 be received.</p>	<p>CARRIED</p>
<p>Item C-7 N.D.C.A. <u>2004-01-28</u></p>	<p>2004-68 Bradley-Rivest: THAT the Report of the Nickel District Conservation Authority Minutes of 2004-01-28 be received.</p>	<p>CARRIED</p>
<p>Item C-8 T.O.C. <u>2004-02-03</u></p>	<p>2004-69 Berthiaume-Bradley: THAT the Report of the Tender Opening Committee Minutes of 2004-02-03 be received.</p>	<p>CARRIED</p>
<p>Item C-9 G.S.H.C. <u>2003-12-17</u></p>	<p>2004-70 Bradley-Rivest: THAT the Report of the Greater Sudbury Housing Corporation Minutes of 2003-12-17 be received.</p>	<p>CARRIED</p>

ROUTINE MANAGEMENT REPORTS

Item C-10
Appointment - Board of Directors - Sudbury Metro Centre Business Improvement Area

Report dated 2004-02-06, with attachments, from the General Manger of Corporate Services regarding Appointment of the Board of Directors of the Sudbury Metro Centre Business Improvement Area - Term 2003-2006 was received.

The following resolution was presented:

2004-71 Berthiaume-Bradley: THAT this Council hereby appoints the following persons to the Board of Management for the Sudbury Metro Centre Business Improvement Area for the term ending November 30th, 2006 or until such later time as their successors are appointed.

- | | |
|-----------------|-------------------|
| 1. Tony Anselmo | 6. Gary Robicheau |
| 2. Ray Hirani | 7. Cindy Schut |
| 3. John Arnold | 8. Bob Conlin |
| 4. Mark Palumbo | 9. Austin Davey |
| 5. John Fiorino | |

CARRIED

Item C-11
Appointment -
"Private" Directors -
Board of Greater
Sudbury Utilities Inc.

Report dated 2004-02-06, with attachments, from the General Manger of Corporate Services regarding Appointment of Six (6) "Private" Directors to the Board of Greater Sudbury Utilities Inc. was received.

The following resolution was presented:

2004-72 Bradley-Thompson: THAT the following Citizens be appointed to the Board of Directors of Greater Sudbury Utilities Inc.:

1. For the term February 12th, 2004 to and including February 11th, 2005, or until such later time as their successors are appointed: Les Lisk and Cindy Schut;
2. For the term February 12th, 2004 to and including February 11th, 2006, or until such later time as their successors are appointed: Austin Davey and Lionel Lalonde; and
3. For the term February 12th, 2004 to and including February 11th, 2007, or until such later time as their successors are appointed: Clary Felix Gatien and Brian Montgomery.

CARRIED

Item C-12
Additional 2003
Reserves

Report dated 2004-02-06 from the General Manger of Corporate Services regarding Additional 2003 Reserves was received.

The following resolution was presented:

2004-73 Bradley-Rivest: THAT the following be set aside in reserves in the approximate amounts of:

\$47,000 for purchases of equipment for Pioneer Manor;

\$6,600 for purchases of uniforms for Fire Services; and

THAT \$85,000 be transferred to the Police Capital Financing Reserve Fund for the Communications System.

CARRIED

BY-LAWS

2004-25F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2003-324F TO ESTABLISH MISCELLANEOUS USER FEES FOR CERTAIN SERVICES PROVIDED BY THE CITY OF GREATER SUDBURY

Report dated 2004-02-06, with attachments, from the General Manager of Corporate Services.

(This By-law deletes water service charges from the Public Works Schedule as these are now addressed in the Water and Wastewater Rates By-law. It also updates the By-law to reflect the reassignment of Centre Lionel E. Lalonde Centre from Economic Development and Planning to Corporate Services, and corrects some small errors in the fees.)

2004-26A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF FEBRUARY 12, 2004

2004-27T 3 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 2004-02-04, with attachments, from the General Manager of Public Works.

(This By-law prohibits parking on McCharles Lake Road east of Burr Oak Drive, Sudbury.)

2004-28Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-304, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF NICKEL CENTRE

Planning Committee Recommendation 2003-155.

(This By-law rezones the subject property to Rural Special to permit one dwelling and related accessory uses. This By-law recognizes the 3.2 acre property size and the existing accessory building setbacks from the property boundary. Related Consent Application B69/2003, which was approved by the Consent Official for the City of Greater Sudbury on July 14, 2003, gave conditional approval to the creation of the subject property by severing it from abutting lands. - Falconbridge Limited, Part of Parcels 3086 and 3085 SES, Lot 12, Concessions 3 and 4, Falconbridge Township (44 and 46 Edison Road, Falconbridge.)

- 2004-29Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500Z, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER CITY OF SUDBURY
- Planning Committee Recommendation 2004-06
- (This By-law rezones the subject property to Established Residential so that it can be consolidated with two abutting lots on Keziah Court which are also zoned Established Residential. The result of this rezoning will be a single zoning category applying to the expanded properties. City of Greater Sudbury (Agent: D. Dorland) Lots 249 and 250, Plan 35-S, being Parts 3 and 9, Plan 53R-17329, in Lot 4, Concession 3, McKim Township, St. Gabriel Street, Sudbury)
- 2004-30A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PART OF LOT 9, PLAN 35-S, PART 9 ON PLAN 53R-17329 TO KILLIAN AND AMELIA DEBLACAM
- Planning Committee Resolution 2003-13
- 2004-31A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF LOT 250, PLAN 35-S TO AUGOSTINO AND AMELIA DIGIOSEFFO
- Planning Committee Resolution 2003-13
- 2004-32F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE CANCELLATION, REDUCTION OR REFUND OF REALTY TAXES
- Council Resolution 2004-53
- 2004-33A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A CONTINUOUS IMPROVEMENT PROGRAM AGREEMENT WITH CANADIAN UNION OF PUBLIC EMPLOYEES
- Council Resolution 2004-55

- 2004-34A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH N.I.M. DISPOSALS LIMITED FOR THE SETTLEMENT OF TIPPING FEES
- Report dated 2004-02-06 from the General Manager of Corporate Services.
- (The City of Greater Sudbury entered various waste collection contracts with NIM Disposals Limited for the collection and disposal of residential waste and issued a blanket purchase order in respect to the collection and disposal of commercial waste from municipal facilities.)
- 2004-35 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO REGULATE THE FORTIFICATION OF LAND AND PROTECTIVE ELEMENTS APPLIED TO LAND WITHIN THE CITY OF GREATER SUDBURY
- Priorities Committee meeting of February 11, 2004
- 2004-36Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF ONAPING FALLS AND THE FORMER CITY OF VALLEY EAST
- Planning Committee Recommendation 2004-18
- (This By-law rezones the subject property to Medium Density Residential so it may be used for driveway access purposes to the existing Medium Density Residential lands. The subject property has been declared surplus to the City's road needs and is being consolidated with abutting Plan 53R-13608, which is zoned Medium Density Residential - Mario Whissell, Glenn Street off Lapointe Street, Hanmer.)
- 2004-37A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT MUNICIPAL LAW ENFORCEMENT OFFICERS TO ENFORCE THE PRIVATE PROPERTY AND DISABLED PARKING SECTIONS OF BY-LAW 2001-1 AND FIRE ROUTE BY-LAW 2003-30T
- (This By-law updates the list of enforcement officers.)
- 2004-38 2 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE AND DECLARE SURPLUS GLENN STREET SOUTH OF MAURICE STREET, HANMER
- Planning Committee Recommendation 2003-162

1ST & 2ND Reading

2004-74 Reynolds-Bradley: THAT By-law 2004-25F to and including By-law 2004-38 be read a first and second time.

CARRIED

3RD Reading

2004-75 Bradley-Berthiaume: THAT By-law 2004-25F to and including By-law 2004-37A be read a third time and passed.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-13
By-laws 87-340 and
87-341 - Water &
Wastewater Works
2004 Exemption

Report dated 2004-02-06 from the General Manager of Corporate Services regarding By-laws 87-340 and 87-341 - Requiring Owners to Connect to Water and Wastewater Works 2004 Exemption Amount was received for information only.

Item C-14
2004 Rates - Capital
Lot Levies

Report dated 2004-02-06 from the General Manager of Corporate Services regarding 2004 Rates - Capital Lot Levies was received for information only.

PART II
REGULAR AGENDA

REFERRED AND DEFERRED MATTERS

R-1
Technical Steering
Committee

Report dated 2004-02-02 from General Manager of Public Works regarding Public Members for the Technical Steering Committee was received.

Resolution 2004-46 (the re-appointment of Public Members for the Waste Optimization Technical Steering Committee) was deferred by Council at the meeting of January 29, 2004 for further review.

Council had the option of re-appointing the positions of Public Members for the Waste Optimization Technical Steering Committee or filling the positions by advertizing. Accordingly, the following resolution was presented:

2004-76 Caldarelli-Thompson: THAT Staff be given direction to fill the public member positions for the Technical Steering Committee on Waste Optimization by advertising for interested public members.

CARRIED

MOTIONS

R-2
Planning Committee
Dates

Presented by Councillor Bradley:

2004-77 Bradley-Caldarelli: WHEREAS the Planning Committee at their meeting of January 13, 2004 discussed and agreed that Planning Committee meeting dates should be changed to the week prior to the Priorities and Council meetings;

THEREFORE BE IT RESOLVED THAT staff prepare a report outlining the positive and negative aspects of changing the meeting date to the alternate week and that be input be sought from Development Liaison Committee.

CARRIED

Introduction of Motion
not on the Agenda -
Rules of Procedure

A request was received to dispense with the Rules of Procedure and deal with a motion not on the agenda, for which two-thirds majority is required. Two-thirds majority was not received.

QUESTION PERIOD

Budget - Snow
Removal

Councillor Callaghan asked the General Manager of Public Works what the status was regarding the budget for snow removal and Mr. Belisle advised Council that it was a normal winter and as of to date at a seasonal average.

Charitable
Organizations

Councillor Callaghan requested that staff clarify the situation regarding Charitable organizations and where the funding restrictions originate from (provincial or federal).

Capreol Ski Hill Road
Bridge

Councillor Callaghan requested a report from the General Manager of Public Works regarding the Capreol Ski Hill Road bridge and its safety for vehicle travel.

Anti-Idling Policy

Councillor Callaghan requested concurrence from Council to receive a report from staff explaining why the Anti-Idling Policy was not a by-law. In accordance with the Rules of Procedure, concurrence was not received.

Long Distance
Charges

Councillor Callaghan asked the City Solicitor what the status was regarding long distance charges for Nickel Centre.

Mr. Swiddle advised Council that the CRTC was still in the process of reviewing the policy and once this was approved, then the City can work with Bell Canada to implement it.

Sudbury Regional Hospital

Councillor Craig requested that a representative from the Sudbury Regional Hospital make a presentation to Council regarding an update on the construction status of the hospital. Mayor Courtemanche advised Council that he has been in contact with the C.E.O., Ms. Vickie Kaminski, and through the Clerk's Office will invite her to attend a Council meeting in the future.

Snow Removal of Sidewalks at Seniors' Residences

Councillor Craig asked the General Manager of Public Works what was being done regarding snow removal of sidewalks in the vicinity of seniors' residences. Mr. Belisle advised Council that this was a budget option.

Fortification By-law

Councillor Berthiaume asked Inspector Lekun, Greater Sudbury Police Services, to verify if the proposed Fortification By-law prohibits citizens from installing bars on the windows of their residence. Inspector Lekun advised Council that the Building Services Department, under the Building Code Act, would only enforce the use of bars if they affect the safety of the dwellers.

Falconbridge Strike

Councillor Berthiaume asked Inspector Lekun, Greater Sudbury Police Services, if there was any protocol in place regarding the Falconbridge Limited strike. Inspector Lekun advised Council that there is an Officer available, who will perform as a mediator, and who will address any issues that may arise with the union and non-union employees of Falconbridge Limited.

Councillor Berthiaume advised Council that they have to take notice because the strike has an impact on every aspect of the City of Greater Sudbury. He also stated that Council should take a stand and fight to have Bill C-328, Anti-scab Bill, re-instated.

Private Well Systems

Councillor Rivest asked the General Manager of Public Works if there was anything that prohibits the drilling of private wells on private property. Mr. Belisle advised Council that anyone can drill a well, providing they obtain a permit from the Sudbury & District Health Unit and there is no connection to the municipal water supply.

Motion to Reconsider

2004-78 Kett-Craig: THAT Council agree to reconsider its previous discussion not to deal with a motion not on the Agenda.

CARRIED

Rules of Procedure

Council, by two-thirds majority, agreed to dispense with the Rules of Procedure and deal with the following motion:

Appointment - National Board of Directors - FCM

2004-79 Berthiaume-Bradley: WHEREAS Councillor Ron Dupuis has resigned from the National Board of Directors (Ontario) of the Federation of Canadian Municipalities (FCM);

AND WHEREAS Councillor Dupuis was the only representative on the National Board of Directors from Northern Ontario;

AND WHEREAS it is important that the City of Greater Sudbury and Northern Ontario continue to be represented on FCM, as it is the only "national voice of municipal government";

NOW THEREFORE BE IT RESOLVED that the Council of the City of Greater Sudbury hereby recommends and supports the appointment of Councillor Terry Kett to fill the vacancy on the National Board of Directors (Ontario) for the unexpired term ending May, 2004 and further supports his appointment as a Member of the Executive Committee of the National Board of Directors.

_____ **CARRIED**

Adjournment

2004-80 Berthiaume-Bradley: THAT this meeting does now adjourn. Time: 8:48 p.m.

CARRIED

Mayor

City Clerk