

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

**Council Chamber  
Tom Davies Square**

**Thursday, October 14, 2004  
Commencement: 7:00 p.m.**

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

Present Councillors Berthiaume; Bradley; Caldarelli; Callaghan; Gainer; Gasparini; Kett; 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; C. Matheson, General Manager of Health & Social Services; D. Nadorozny, General Manager of Economic Development & Planning Services; A. Stephen, General Manager of Emergency Services; D. Wuksinic, General Manager of Corporate Services; I. Davidson, Chief of Police, Greater Sudbury Police Service; R. Swiddle, City Solicitor/Director of Legal Services; J. McKechnie, Executive Assistant to the Mayor; T. Mowry, City Clerk; F. Bortolussi, Planning Committee Secretary; CJ Caporale, Council Secretary

C.U.P.E. Local 4705 W. MacKinnon, President; G. Prieur, Vice-President; F. Posadowski, Recording Secretary

News Media Sudbury Star; MCTV; Channel 10 News; Le Voyageur; Northern Life

Declarations of Pecuniary Interest Councillor Gasparini declared a conflict regarding By-law 2004-280F and By-law 2004-281F (Revised Allocation of Funding for Homelessness Projects/Programs) as this matter may be of pecuniary interest to her.

Councillor Rivest declared a conflict of interest regarding a Civic Petition concerning sewer and water hook-ups along a portion of Dominion Drive, Hanmer, as he is a property owner in the area.

**MATTERS ARISING FROM THE PRIORITIES COMMITTEE**

Rise and Report Councillor Kett, Chair of the Priorities Committee, reported that the Priorities Committee met on 2004-10-13. He requested that Priorities Recommendations 2004-64 (Mental Health Advocates) and 2004-69 (Long-Term Care Facilities) be pulled and voted on by way of a recorded voted.

Priorities  
Recommendation  
2004-64 Mental Health  
Advocates

2004-513 Dupuis: WHEREAS the Mental Health Advocates have addressed the need to review the current governance model of the Northeast Mental Health Centre(NEMHC);

AND WHEREAS the current governance of the NEMHC does not adequately represent the needs of mental health clients in their individual program areas of the Sudbury/Manitoulin/East Algoma District;

AND WHEREAS there is a need for a new model of governance that would ensure a seamless and integrated standing mental health care delivery model;

AND WHEREAS a resolution was passed by the City of Greater Sudbury on March 25, 2004 calling upon the Minister of Health and Long Term Care to immediately set in motion a review of NEMHC, the purpose to cease the amalgamation of NEMHC and North Bay Psychiatric Hospital and return governance control of the mental health services back to the local areas;

AND WHEREAS the former Network North governed and managed all mental health and addiction programs which included the children's psychiatric program and all acute and complex care beds for the Sudbury/Manitoulin/East Algoma Districts;

AND WHEREAS George Lund, lead member of the Health Services Restructuring Commission, and Peter Birney, Chair of the Northeast Mental Health Implementation Task Force, are recommending that mental health and addiction programs and services as well as the thirty-one (31) complex care beds should be governed and managed at a local level;

AND WHEREAS votes of non confidence pertaining to the governance and management of the current NEMHC have been submitted by The Standing Committee of the NEMHC, Ontario Nursing Association (ONA), Ontario Public Services Employees Union (OPSEU) and the Anishinabek Nation Special Assembly.

THEREFORE LET IT RESOLVED THAT the City of Greater Sudbury urge the Minister of Health and Long-Term Care to immediately revise the "Regional" model of governance to a local model of governance, as was submitted to the Honourable George Smitherman, that will ensure a strong continuum of mental health and addiction services at the local level;

AND FURTHER THAT the regional children's mental health beds (12) and acute care beds remain in the Sudbury/Manitoulin/East Algoma District under a local governance and administration, and that the thirty-one (31) complex psychiatric care beds be divested to

Priorities  
Recommendation  
2004-64 Mental Health  
Advocates  
(continued)

the local district, the precedence for which was set out by communities such as London who divested beds to the Windsor/Kitchener-Waterloo area as well as Hamilton to St. Catherine's, all under a local governance structure.

AND FURTHER THAT this motion be forwarded to the Federation of Northern Ontario Municipalities (FONOM), the Sudbury & District Health Unit and all Local Members of the Legislative Assembly.

**RECORDED VOTE:**

<u>YEAS</u>	<u>NAYS</u>
_____ Berthiaume	
_____ Bradley	
_____ Caldarelli	
_____ Callaghan	
_____ Gainer	
_____ Gasparini	
_____ Kett	
_____ Reynolds	
_____ Rivest	
_____ Thompson	
_____ Mayor Courtemanche	

**CARRIED**

Declarations of  
Pecuniary Interest

Councillor Caldarelli declared a conflict regarding Priorities Recommendation 2004-69 (Long-Term Care Facilities) as this matter may affect a family member.

Priorities  
Recommendation  
2004-69 Long-Term  
Care Facilities

2004-514 Dupuis: WHEREAS the Ministry of Health and Long-Term Care has declared a "Crisis 1A" situation for patients in hospital awaiting long-term care beds in Sudbury;

AND WHEREAS the Ministry of Health and Long-Term Care will now move patients to any vacant long-term care bed within the District to resolve the critical shortage of long-term care beds in the City;

AND WHEREAS vacated space as a result of the completion of the capital redevelopment of Pioneer Manor enables the conversion of up to 30 long-term care beds;

AND WHEREAS the needs of patients waiting acute care, the needs of patients waiting long-term care, and the needs of family and community can be satisfied through a local solution;

Priorities  
Recommendation  
2004-69 Long-Term  
Care Facilities  
(continued)

THEREFORE BE IT RESOLVED THAT the Minister of Health and Long-Term Care be requested to respond to the unique and immediate needs of our community by funding 30 interim long-term care beds at Pioneer Manor for up to six months;

AND THAT further discussions ensue amongst the City of Greater Sudbury, the Minister of Health and Long-term Care, and the Sudbury Regional Hospital to arrive at alternate solutions.

**RECORDED VOTE:**

**YEAS**

**NAYS**

Berthiaume  
Bradley  
Callaghan  
Gainer  
Gasparini  
Kett  
Reynolds  
Rivest  
Thompson  
Mayor Courtemanche

**CARRIED**

Declaration of  
Pecuniary Interest

Councillor Caldarelli, having declared a pecuniary interest in the foregoing matter, did not take part in the discussion, vote on any matter or try to influence the vote in respect thereof.

**MATTERS ARISING FROM THE PLANNING COMMITTEE**

Rise and Report

Councillor Thompson, Chair of the Planning Committee, reported that the Planning Committee met on 2004-09-21 and there were no items requiring Council approval.

**MATTERS ARISING FROM THE INTERVIEW COMMITTEE (CONTRACT CA004-04)**

Rise and Report

Councillor Kett, Chair of the Interview Committee, reported that the Interview Committee met on 2004-10-14 and one recommendation emanated therefrom.

Interview Committee  
Recommendation  
2004-02 Award of RFP  
Contract CA004-04

2004-515 Reynolds-Berthiaume: THAT Contract CA004-04, Request for Proposal for a Review of the Organizational Structure and Practices of the City of Greater Sudbury be awarded to Berkley Consulting Group at an estimated fee of \$73,332.45, including GST;

AND FURTHER THAT the Chief Administrative Officer be authorized to enter into an Agreement with Berkley Consulting Group satisfactory to the Director of Legal Services.

**CARRIED**

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

Item C-14  
Traffic Signal  
Installations

The Mayor advised Council that the original motion for Item C-14 (Traffic Signal Installations) had been withdrawn and removed from the Consent Agenda. A new motion for Item C-14 had been substituted. The following motion was then presented:

2004-516 Bradley-Kett: THAT the tender for the installation of traffic signals at MR #35 and Pilon Street, and MR #55 and Hillcrest Drive, be awarded to R. M. Belanger Construction at the amended bid price of \$278,000, with funding in the amount of \$198,000 to be provided from the 2004 Capital Roads Budget, and funding in the amount of \$80,000 to be provided from the Reserve Fund for Capital Roads Expenditures.

**CARRIED**

Planning Committee  
Recommendation  
2004-233  
Proposed Clubhouse

Councillor Bradley asked that Planning Recommendation 2004-233 (Development of a Clubhouse, Martin Road, Hanmer - Peter Churan) be pulled from the Planning Committee minutes and voted on separately.

The following resolution was presented:

Dupuis-Caldarelli: THAT the application by Peter Churan to amend By-law 83-300 being the Zoning By-law for the former Town of Valley East by changing the zoning classification of Parcel 37982 SES, being Part of Part 1, Plan 53R-4813 in Lot 10, Concession 1, Hanmer Township from "A", Agricultural Reserve to "A-Special", Agricultural Reserve Special be approved subject to the following:

- a) That a golf course and related accessory uses be permitted in addition to normal agricultural uses;
- b) That prior to the passing of an amending by-law the applicant shall engage the services of a professional engineer and prepare a hydrogeological study indicating that the site can provide a potable water supply for the clubhouse to the satisfaction of the General Manager of Public Works and indicating that the site can accommodate private sewage disposal facilities to the satisfaction of the Sudbury and District Health Unit.
- c) That the amending by-law define the subject property as an area of site plan control pursuant to Section 41 of the Planning Act.

Planning Committee  
Recommendation  
2004-233  
Proposed Clubhouse  
(continued)

- d) That prior to the issuance of a building permit the applicant shall be required to enter into a Site Plan Control Agreement to deal with such matters as building location, entrance design, parking layout and treatment, drainage and stormwater management, the provision of a street light on Martin Road at the entrance, and waste disposal.

Motion for Deferral

Bradley: THAT Planning Committee Recommendation 2004-233 (Development of a Clubhouse, Martin Road, Hanmer - Peter Churan) be deferred until Councillor Dupuis is present in order to further discuss the matter.

**DEFEATED**

Planning Committee  
Recommendation  
2004-233  
Proposed Clubhouse  
(continued)

The following resolution was then presented:

2004-517 Dupuis-Caldarelli: THAT the application by Peter Churan to amend By-law 83-300 being the Zoning By-law for the former Town of Valley East by changing the zoning classification of Parcel 37982 SES, being Part of Part 1, Plan 53R-4813 in Lot 10, Concession 1, Hanmer Township from "A", Agricultural Reserve to "A-Special", Agricultural Reserve Special be approved subject to the following:

- a) That a golf course and related accessory uses be permitted in addition to normal agricultural uses;
- b) That prior to the passing of an amending by-law the applicant shall engage the services of a professional engineer and prepare a hydrogeological study indicating that the site can provide a potable water supply for the clubhouse to the satisfaction of the General Manager of Public Works and indicating that the site can accommodate private sewage disposal facilities to the satisfaction of the Sudbury and District Health Unit.
- c) That the amending by-law define the subject property as an area of site plan control pursuant to Section 41 of the Planning Act.
- d) That prior to the issuance of a building permit the applicant shall be required to enter into a Site Plan Control Agreement to deal with such matters as building location, entrance design, parking layout and treatment, drainage and stormwater management, the provision of a street light on Martin Road at the entrance, and waste disposal.

Planning Committee  
Recommendation  
2004-233  
Proposed Clubhouse  
(continued)

**RECORDED VOTE:**

**YEAS**

**NAYS**

Callaghan  
Gainer  
Kett  
Reynolds  
Rivest  
Thompson  
Mayor Courtemanche

Berthiaume  
Bradley  
Caldarelli  
Gasparini

**CARRIED**

Consent Agenda

The following resolution was presented to adopt the items contained in Part I, Consent Agenda:

2004-518 Berthiaume-Bradley: THAT Items C-1 to C-13 inclusive and Item C-15, contained in Part I, Consent Agenda, be adopted, with the exception of Planning Committee Recommendation 2004-233 (Proposed Golf Course, Martin Road at Dominion Drive, Hanmer) as otherwise dealt with.

**CARRIED**

**MINUTES**

Item C-1  
Report No. 18  
City Council  
2004-09-30

2004-519 Bradley-Berthiaume: THAT Report No. 18, City Council Minutes of 2004-09-30 be adopted.

**CARRIED**

Item C-2  
Report No. 17  
Planning Committee  
2004-10-05

2004-520 Berthiaume-Bradley: THAT Report No. 17, Planning Committee Minutes of 2004-10-05 be adopted, with the exception of Planning Committee Recommendation 2004-233 (Proposed Golf Course, Martin Road at Dominion Drive, Hanmer) as otherwise dealt with.

**CARRIED**

Item C-3  
Report No.1  
COW  
2004-10-05

2004-521 Bradley-Berthiaume: THAT Report No. 1, Committee of the Whole Minutes of 2004-10-05 be adopted.

**CARRIED**

Item C-4  
Report No. 5  
Ad Hoc Committee -  
Council Auditor  
2004-10-05

2004-522 Berthiaume-Bradley: THAT Report No. 5, Ad Hoc Committee - Council Auditor Minutes of 2004-10-05 be adopted.

**CARRIED**

**C.C. 2004-10-14 (19<sup>TH</sup>)**

**(7)**

<p>Item C-5 Report No. 5 Special Meeting of Council <u>2004-09-29</u></p>	<p>2004-523 Bradley-Berthiaume: THAT Report No. 5, Special Meeting of Council Minutes of 2004-09-29 be adopted.</p>	<p><b>CARRIED</b></p>
<p>Item C-6 Report No. 13 Priorities Committee <u>2004-10-13</u></p>	<p>2004-524 Berthiaume-Bradley: THAT Report No. 13, Priorities Committee Minutes of 2004-10-13 be adopted.</p>	<p><b>CARRIED</b></p>
<p>Item C-7 TOC <u>2004-09-27</u></p>	<p>2004-525 Bradley-Berthiaume: THAT the Report of the Tender Opening Committee Minutes of 2004-09-27 be received.</p>	<p><b>CARRIED</b></p>
<p>Item C-8 TOC <u>2004-09-28</u></p>	<p>2004-526 Berthiaume-Bradley: THAT the Report of the Tender Opening Committee Minutes of 2004-09-28 be received.</p>	<p><b>CARRIED</b></p>
<p>Item C-9 TOC <u>2004-10-05</u></p>	<p>2004-527 Bradley-Berthiaume: THAT the Report of the Tender Opening Committee Minutes of 2004-10-05 be received.</p>	<p><b>CARRIED</b></p>
<p>Item C-10 NDCA <u>2004-09-22</u></p>	<p>2004-528 Bradley-Berthiaume: THAT the Report of the Nickel District Conservation Authority Minutes of 2004-09-22 be received.</p>	<p><b>CARRIED</b></p>
<p>Item C-11 Report No. 7 Sudbury &amp; District Board of Health <u>2004-09-16</u></p>	<p>2004-529 Berthiaume-Bradley: THAT Report No. 7, Sudbury &amp; District Board of Health Minutes of 2004-09-16 be received.</p>	<p><b>CARRIED</b></p>
<p>Item C-12 Report No. 5 CGS Public Library Board <u>2004-06-17</u></p>	<p>2004-530 Bradley-Berthiaume: THAT Report No. 5, City of Greater Sudbury Public Library Board Minutes of 2004-06-17 be received.</p>	<p><b>CARRIED</b></p>
<p>Item C-13 Greater Sudbury Housing Corporation <u>2004-08-31</u></p>	<p>2004-531 Berthiaume-Bradley: THAT the Report of the Greater Sudbury Housing Corporation Minutes of 2004-08-31 be received.</p>	<p><b>CARRIED</b></p>



## **TENDERS**

Item C-15  
RFP - Uniform &  
Safety Shoes -  
Fire/Emergency  
Services

Report dated 2004-10-14 from the General Manager of Emergency Services regarding Request for Proposal - Uniform and Safety Shoes Fire Services Division/ Emergency Services Department was received.

The following resolution was presented:

2004-532 Bradley-Berthiaume: THAT the Request for Proposal for a Contract to purchase Uniforms and Safety Shoes be awarded to Soucie Salo Safety Inc. in the amount of \$31,174.79 for uniforms and \$9,197.72 for safety shoes, annually, for a 4-year term.

**CARRIED**

## **BY-LAWS**

### **THE FOLLOWING BY-LAWS APPEARED FOR THREE READINGS:**

2004-279A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF OCTOBER 14<sup>TH</sup>, 2004

2004-282 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT THE 2004-2005 GREATER SUDBURY TRANSIT ACCESSIBILITY PLAN

Council Resolution 2004-505

2004-283 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT THE 2004-2005 GREATER SUDBURY ACCESSIBILITY PLAN

Council Resolution 2004-505

2004-284Z 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 2004-218

(This By-law rezones the subject property to Single Residential to permit the subdivision of the site into 89 lots for single residential. - C. Paquette (Dalron Construction Ltd.), 1439 Dominion Drive, Hanmer.)

**BY-LAWS (continued)**

- 2004-285 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING FOR RECEIPT OF FUNDING UNDER THE RENT BANK PROGRAM

Report dated 2004-10-05 from the General Manager of Health & Social Services regarding Provincial Rent Bank Program and Emergency Energy Fund.

(The report will provide details of the Provincial government's Rent Bank Program and Emergency Energy Fund with a recommendation that the Canadian Red Cross - Sudbury Branch, administers the funds as part of the existing Housing Registry and Rent Bank Program.)

- 2004-286 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH THE CANADIAN RED CROSS SOCIETY FOR THE ADMINISTRATION OF FUNDING UNDER THE RENT BANK PROGRAM

Report dated 2004-10-05 from the General Manager of Health & Social Services regarding Provincial Rent Bank Program and Emergency Energy Fund.

(The report will provide details of the Provincial government's Rent Bank Program and Emergency Energy Fund with a recommendation that the Canadian Red Cross - Sudbury Branch, administers the funds as part of the existing Housing Registry and Rent Bank Program.)

- 2004-287 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH THE CANADIAN RED CROSS SOCIETY FOR THE ADMINISTRATION OF FUNDING UNDER THE PROVINCIAL EMERGENCY ENERGY FUND

Report dated 2004-10-05 from the General Manager of Health & Social Services regarding Provincial Rent Bank Program and Emergency Energy Fund.

(The report will provide details of the Provincial government's Rent Bank Program and Emergency Energy Fund with a recommendation that the Canadian Red Cross - Sudbury Branch, administers the funds as part of the existing Housing Registry and Rent Bank Program.)

**BY-LAWS (continued)**

**THE FOLLOWING BY-LAW APPEARED FOR FIRST AND SECOND READING:**

2004-288 2 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2002-202, THE PROCEDURE BY-LAW FOR THE CITY OF GREATER SUDBURY

Council Resolution 2004-505

(This By-law amends the Procedure By-law to include the terms of reference for the Accessibility Advisory Committee as adopted by Council at its meeting of September 30, 2004.)

1<sup>ST</sup> & 2<sup>ND</sup> Reading

2004-533 Berthiaume-Bradley: THAT By-law 2004-279A to and including By-law 2004-288 be read a first and second time, with the exception of By-law 2004-280F and By-law 2004-281F, as otherwise dealt with.

**CARRIED**

3<sup>RD</sup> Reading

2004-534 Bradley-Berthiaume: THAT By-law 2004-279A to and including By-law 2004-287 be read a third time and passed, with the exception of By-law 2004-280F and By-law 2004-281F, as otherwise dealt with.

**CARRIED**

2004-280F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE FUNDING FROM NATIONAL HOMELESSNESS INITIATIVE (NHI) PROGRAM FUNDING TO VARIOUS SOCIAL AGENCIES TO ASSIST IN DELIVERING COMMUNITY PROGRAMS DESIGNED TO REDUCE AND PREVENT HOMELESSNESS

Report dated 2004-10-06 from the General Manager of Health & Social Services Revised Allocation of Funding for Homelessness Projects/Programs.

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(The report will provide details of revised allocations of funds from the National Homelessness Initiative (SCPI) funding and the Community Placement Target Fund. The revised allocation of funds is necessary due to an unforeseen delay in the approval of the City's contract with the National Secretariate on Homelessness.)

## **BY-LAWS (continued)**

2004-281F 3 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

Report dated 2004-10-06 from the General Manager of Health & Social Services Revised Allocation of Funding for Homelessness Projects/Programs.

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(The report will provide details of revised allocations of funds from the National Homelessness Initiative (SCPI) funding and the Community Placement Target Fund. The revised allocation of funds is necessary due to an unforeseen delay in the approval of the City's contract with the National Secretariate on Homelessness.)

1<sup>ST</sup> & 2<sup>ND</sup> Reading

2004-535 Kett-Reynolds: THAT By-law 2004-280F and By-law 2004-281F be read a first and second time.

**CARRIED**

3<sup>RD</sup> Reading

2004-536 Kett-Reynolds: THAT By-law 2004-280F and By-law 2004-281F be read a third time and passed.

**CARRIED**

Declaration of Pecuniary Interest

Councillor Gasparini, having declared a pecuniary interest in the foregoing matter, did not take part in the discussion, vote on any matter or try to influence the vote in respect thereof.

## **PART II REGULAR AGENDA**

### **MANAGERS' REPORTS**

Item R-1  
Levack Water Supply  
GA - Phase II

Report dated 2004-10-06, with attachments, from the General Manager of Public Works regarding Levack Water Supply - Groundwater Assessment - Phase II was received.

The following resolution was presented:

2004-537 Bradley-Berthiaume: THAT Council authorize the Phase II Groundwater Assessment work for the proposed new Levack Water Supply as outlined in the letter proposal from Dennis Consultants dated October 1<sup>st</sup>, 2004, at an estimated cost of \$400,000;

AND THAT Dennis Consultants be authorized to carry out this work as an extension of the City's Contract Number PWD04-29SP for the development of a New Water Supply Strategy for the Community of Levack.

**CARRIED**

Item R-2  
New Traffic Signals

Report dated 2004-10-06, with attachments, from the General Manager of Public Works regarding New Traffic Signals: 1) Kingsway (MR 55) at Moonlight Avenue; 2) Falconbridge Hwy (MR 86) at Auger Avenue; 3) Regent Street at Armstrong Road/Remington Avenue was received.

The following resolution was presented:

2004-538 Berthiaume-Bradley: THAT new traffic signal locations be placed on a priority list;

AND THAT the locations which do not currently meet the warrants be monitored on an annual basis;

AND THAT when the warrants are satisfied;

AND THAT when funds become available, the locations be identified in the following order:

1. Kingsway (M.R. 55) at Moonlight Avenue
2. Falconbridge Hwy (M.R. 86) at Auger Avenue
3. Regent Street at Armstrong Street / Remington Avenue

**CARRIED**

Request to Monitor  
Traffic Volumes

At the request of Councillor Callaghan, the General Manager of Public Works advised Council that staff will continue to monitor traffic volumes at all intersections.

Item R-3  
Deaf Child Area Sign Program

Report dated 2004-10-06, with attachments, from the General Manager of Public Works regarding Proposed Discontinuance of Deaf Child Area Sign Program was received.

The following resolution was presented:

Bradley-Berthiaume: THAT in view of the fact this program was initiated at the request of the Canadian Hearing Society and based on input from our legal and insurance staff it is recommended that this program be discontinued for all new sign installations.

FURTHER IT IS RECOMMENDED THAT the City maintain the existing signs until such time as they are no longer required (ie. when either the child moves outside of the City or reaches the age of 15 years).

Motion for Deferral

Callaghan: THAT the foregoing motion be deferred to the next Priorities Committee meeting until further information is received from staff.

**CARRIED**

Item R-4  
Explanation of  
Shaughnessy Street  
Parking Lot

Report dated 2004-10-06 from the General Manager of Public Works regarding Explanation of Shaughnessy Street (Theatre Centre) Parking Lot Reconstruction Cost Overrun and Allocation from Parking Reserve Fund was received.

The following resolution was presented:

Berthiaume-Bradley: THAT Council approve an additional allocation of One Hundred Thousand Dollars (\$100,000) from the Parking Reserve Fund to cover over-expenditures on the project and the costs for enhanced landscaping of the parking lot, as discussed in the report dated 2004-10-06.

Division of Item R-4

At the request of the Mayor, the foregoing motion was divided and voted on separately.

Item R-4  
Landscaping -  
Shaughnessy Street  
Parking Lot Motion

The following resolution was presented:

Kett-Gasparini: THAT Council approve an additional \$41,000 to cover the costs of completing the landscaping on the Shaughnessy Street parking lot.

Friendly Amendment

With the concurrence of the mover, Councillor Gainer requested that the foregoing motion be amended to include the words "from the Parking Reserve Fund".

Item R-4  
Landscaping -  
Shaughnessy Street  
Parking Lot Motion  
(as amended)

2004-539 Kett-Gasparini: THAT Council approve an additional \$41,000 to cover the costs of completing the landscaping on the Shaughnessy Street parking lot from the Parking Reserve Fund.

**RECORDED VOTE:**

<u>YEAS</u>	<u>NAYS</u>
Bradley	Berthiaume
Gainer	Caldarelli
Gasparini	Callaghan
Kett	Reynolds
	Rivest
	Thompson
	Mayor Courtemanche

**DEFEATED**

Item R-4  
Over Expenditures -  
Shaughnessy Street  
Parking Lot Motion

The following resolution was presented:

2004-540 Berthiaume-Bradley: THAT Council approve an additional allocation of fifty-nine thousand (\$59,000) dollars to cover over-expenditures on the Shaughnessy Street parking lot;

AND THAT the allocation be funded from the Parking Reserve Fund.

**CARRIED**

Item R-5  
Renaming of Lily  
Creek Sports Complex

Report dated 2004-10-08 from the General Manager of Citizen & Leisure Services regarding Renaming of Lily Creek Sports Complex to Honourable James Jerome Sports Complex was received.

The following resolution was presented:

2004-541 Bradley-Berthiaume: WHEREAS the Sudbury Historical Preservation Association has requested that the City of Greater Sudbury re-name the Lily Creek Sports Complex the Honourable James Jerome Sports Complex;

AND WHEREAS the Honourable James Jerome served the community as the Member of Parliament for Sudbury for a period of eleven years, during which time he also served as Speaker of the House of Commons between 1974 - 1979;

AND WHEREAS the Honourable James Jerome served as the Associate Chief Justice in the Federal Court of Canada between 1980 - 1998;

AND WHEREAS the Honourable James Jerome is an individual of extraordinary prominence who has made lasting and significant contributions to public life in general, and to the City of Greater Sudbury;

AND WHEREAS the Honourable James Jerome was instrumental in securing the Taxation Data Centre for Sudbury;

AND WHEREAS the funds paid to the City of Sudbury by the Federal Government for the land on which the Sudbury Taxation Data Centre is situated were used to purchase and develop parks and playfields, including the Lily Creek property;

NOW THEREFORE BE IT RESOLVED THAT the Lily Creek Sports Complex be renamed the Honourable James Jerome Sports Complex.

**CARRIED**

Policy Review

With the concurrence of Council, Councillor Gasparini requested that By-law 2003-126 (Building, Property and Parks Naming Policy) be reviewed by staff so that a public consultation process could be incorporated into the Naming Policy.

Item R-6  
Street Naming  
Committee

Report dated 2004-09-23 from the General Manager of Corporate Services regarding Appointment to Street Naming Committee was received.

The following resolution was presented:

2004-542 Berthiaume-Bradley: THAT the Clerk be directed to advertise for three members of the public to be appointed as non-voting members to the Street Naming Committee for the term ending November 30, 2006.

**CARRIED**

Declarations of  
Pecuniary Interest

Councillor Rivest declared a conflict regarding Item R-7 (Municipal Act Reform) as it involves appeals for topsoil and which his family owns and operates a sand and gravel business.

Item R-7  
Municipal Act Reform

Report dated 2004-10-08 from the General Manager of Corporate Services regarding Municipal Act Reform was received.

Councillor Callaghan stated that there is a need to implement changes regarding slow moving vehicles using major roadways at peak traffic times and that the municipalities should be allowed to control the hours.

The following resolution was presented:

2004-543 Bradley-Berthiaume: THAT a resolution be passed endorsing the AMO paper on Municipal Act Reform and requesting the Minister of Municipal Affairs and Housing to consider the requests for amending legislation set out in this report.

**CARRIED**

Declaration of  
Pecuniary Interest

Councillor Rivest, having declared a conflict of interest in the foregoing matter, did not take part in the discussion, vote on any matter or try to influence the vote in respect thereof.

Change of Chair

At 8:30 p.m., His Worship Mayor David Courtemanche vacated the chair.

**COUNCILLOR GAINER, IN THE CHAIR**



## **MOTIONS**

### Item R-8 Provincial Job Postings

The following resolution was presented:

2004-544 Reynolds-Bradley: WHEREAS the Provincial government is moving one hundred twenty-two (122) net jobs to Sudbury from their Shared Services Bureau Operation from sixteen (16) municipalities across the Province;

AND WHEREAS these are excellent civil service positions;

AND WHEREAS since April 1, 2004, an **additional** fifty-five (55) Ontario Public Service ads have been posted for Sudbury;

AND WHEREAS these positions will have a positive economic impact on our community;

AND WHEREAS it is one of the priorities of this City to attract jobs to our community.

THEREFORE BE IT RESOLVED THAT this Council does formally acknowledge the benefits to our community by communicating its appreciation to the Member of Provincial Parliament for the riding of Sudbury, the Honourable Rick Bartolucci.

**CARRIED**

## **ADDENDUM**

### Addendum Resolution

The following resolution was presented:

2004-545 Kett-Caldarelli: THAT the Addendum to the Agenda be dealt with at this time.

**CARRIED**

### Declarations of Pecuniary Interest

None declared.

### Item AD-1 Noise By-law Exemption - Tesc Contracting - Allingham Subdivision

Report dated 2004-10-14, with attachments, from the General Manager of Corporate Services regarding Noise By-law Exemption - Tesc Contracting - Allingham Subdivision, Bancroft Drive, Sudbury was received.

The following resolution was presented:

Caldarelli-Kett: THAT this Council has no objection to the granting of an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) to Tesc Contracting for operational requirements at the Allingham Subdivision site to carry out intensive

Item AD-1  
Noise By-law  
Exemption - Tesc  
Contracting -  
Allingham Subdivision  
(continued)

surface construction such as preparing the site, including the moving of rock, drilling and excavating work;

AND THAT blasting be restricted to the following dates and times, October 13, 2004 to November 20, 2004 from 7:00 a.m. to 10:00 p.m.;

AND FURTHER THAT approval of this exemption be subject to Tesc Contracting providing public notice of this construction activity.

Friendly Amendment

With the concurrence of the mover, Councillor Caldarelli requested that the foregoing motion be amended by deleting "10:00 p.m." and inserting "9:00 p.m."

Main Motion  
(as amended)

The following resolution was then presented:

2004-546 Caldarelli-Kett: THAT this Council has no objection to the granting of an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) to Tesc Contracting for operational requirements at the Allingham Subdivision site to carry out intensive surface construction such as preparing the site, including the moving of rock, drilling and excavating work;

AND THAT blasting be restricted to the following dates and times, October 13, 2004 to November 20, 2004 from 7:00 a.m. to 9:00 p.m.

AND FURTHER THAT approval of this exemption be subject to Tesc Contracting providing public notice of this construction activity.

**CARRIED AS AMENDED**

Item AD-2  
Report No. 1  
Interview Committee  
(Contract CA004-04)  
2004-10-14

The following resolution was presented:

2004-547 Kett-Gainer: THAT Report No. 1, Interview Committee (Contract CA004-04) Minutes of 2004-10-14 be adopted.

**CARRIED**

## **CIVIC PETITIONS**

Councillor Reynolds

Councillor Reynolds submitted a petition to the City Clerk signed by approximately sixty-eight (68) residents along Dominion Drive, Hanmer (Ward 3), which will be forwarded to the General Manager of Public Works. The petition requests that the residents' names be removed from the current updated sewer and water priority list as they feel that the charges for sewer and water hook-ups are unreasonable.

Change of Chair

At 8:45 p.m., Councillor Gainer vacated the Chair.

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

**QUESTION PERIOD**

Canada Post - Courier Services

Councillor Berthiaume stated that he received complaints from taxi drivers regarding vehicles being used as transportation and courier service for Canada Post and whether or not these vehicles should be licensed as taxis.

The General Manager of Corporate Services advised Council that a taxi company was awarded a tender contract from Canada Post and will pick-up and deliver parcels and employees throughout the City of Greater Sudbury. The taxi company has purchased several vehicles for this purpose and do not require taxi licenses.

Removal of Hydro Poles - Paris Street Bridge Reconstruction

Councillor Berthiaume asked the General Manager of Public Works if the labour disruption with Greater Sudbury Hydro Plus Inc. has caused any delays or if there would be any potential cost increase for the removal of hydro poles on the Paris Street bridge.

Mr. Belisle indicated that the contractor has been working around the poles, some poles have been removed by Hydro, and that work may have to be contracted out to remove the remaining poles. He indicated that there have been no additional costs at this time.

Street Lights - Ramp - Lasalle Blvd at MR 35

Councillor Bradley asked the General Manager of Public Works what the status was regarding the installation of street lights on the ramp off Lasalle Boulevard at Municipal Road 35 (Highway 144).

Mr. Belisle advised Council that the concrete bases for the street lights have been constructed and will be completed this fall.

Topsoil By-law

Councillor Bradley asked the Chief Administrative Officer what the status was regarding the Topsoil By-law and when the Legal Department would have it finalized.

Mr. Mieto advised that the By-law is currently being revised in conjunction with the Planning and Development section. Mr. Swiddle advised Council that he will assign this task to the new solicitors.

Parking Lot - Paris Street and York Street Intersection

Councillor Caldarelli advised the General Manager of Public Works that the grassy knoll in the parking lot at the southwest corner of Paris Street and York Street intersection is in need of repair. She indicated that this be considered a Capital Budget item for 2005-2006.

Licensing Rest & Retirement Homes By-law

Councillor Callaghan asked the City Solicitor what the status was for the Licensing Rest and Retirement Homes By-law. Mr. Swiddle advised that this will be addressed by the Licensing Committee at the end of this year.

Taxi Driver Course

Councillor Kett asked the General Manager of Corporate Services how many times a taxi driver is required to take the Taxi Refresher Course at Cambrian College. Mr. Wuksinic advised Council that the course is to be taken only once and will contact Councillor Kett to confirm this.

Sidewalk/Trail - Dominion Drive between Notre Dame & Frost Avenues, Hanmer

Councillor Rivest requested that the General Manager of Public Works look into whether or not a sidewalk or trail could be constructed on Dominion Drive between Notre Dame Avenue and Frost Avenue, Hanmer. Mr. Belisle advised Council that there is no Capital Budget for sidewalks and that he would have to meet with the General Manager of Citizen & Leisure Services to determine whether or not a trail could be constructed. He indicated that he would have to report back to Councillor Rivest with a reply.

Sewer & Water Priority List - Survey

Councillor Thompson indicated that he received numerous telephone calls with respect to a survey that was sent by registered mail to residents regarding the Sewer and Water Priority List. He advised that this survey was a result of a request made by Council during last year's Budget process and suggested that a flyer be sent out to residents indicating the results of the survey.

Rock Face - Kingsway at Chapters

The General Manager of Public Works advised Council that two lanes will be closed on the Kingsway at Chapters due to some concerns regarding the vertical rock face and indicated that these repairs may entail blasting.

## **NOTICES OF MOTIONS**

Province-Wide Ban on Pit Bull Dogs

Presented by Councillor Bradley:

WHEREAS the Canada Safety Council estimates that there may be about 460,000 dog bites annually in Canada;

AND WHEREAS Health Canada's Injury Report states that:

- Injuries associated with dog bites and dog attacks were sustained more frequently by 5 to 9 year olds (28.5%).
- Of all injuries related to dog bites and dog attacks, 57.9% were to males.
- The majority of injuries occurred when the patient has no direct interaction with the dog, 28.9%:
- Overall, the most frequent types of injury were bites, 73.1%, and the body part most often affected was the face, 40.5%;

Province-Wide Ban on  
Pit Bull Dogs  
(continued)

AND WHEREAS according to the CBC's "Marketplace" Dangerous Dogs report, the City of Winnipeg was the first major Canadian city to ban pit bulls in 1990 and since the implementation of the ban, the number of serious dog attacks in Winnipeg has dropped from about 25 a year to one or two;

AND WHEREAS it has been reported that Ontario Attorney General Michael Bryant in the aftermath of several serious incidents involving pit bull dogs has started consultations to find out if the Province of Ontario should legislate the banning or restricting of pit bulls;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury hereby endorses legislation by the Government of Ontario which would impose a Province-wide ban on pit bull dogs and encourages the Government of Ontario to further legislate large minimum fines, including mandatory jail terms, for irresponsible owners of pit bulls and other vicious dog breeds, and to seek amendments to the Criminal Code of Canada which would require the laying of criminal negligence charges against owners in cases of vicious dog attacks;

AND FURTHER THAT copies of this resolution be forwarded to the Honourable Michael Bryant, Attorney General of the Province of Ontario, and to the Association of Municipalities of Ontario, the Federation of Northern Ontario Municipalities and all local Members of the Legislative Assembly of Ontario for their information.

Adjournment

2004-548 Bradley-Berthiaume: THAT this meeting does now adjourn. Time: 9:25 p.m.

**CARRIED**

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Mayor

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City Clerk