

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

**C-11
Tom Davies Square**

**Thursday, September 16, 2004
Commencement: 5:10 p.m.**

DEPUTY MAYOR CRAIG, IN THE CHAIR

Present Councillors Bradley; Caldarelli; Callaghan; Gasparini; Kett; Reynolds; Rivest; Thompson (A 5:12 p.m.); Mayor Courtemanche

City Officials M. Mioto, Chief Administrative Officer; C. Mathieu, Acting 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; S. Jonasson, Director of Finance/City Treasurer; R. Swiddle, City Solicitor/Director of Legal Services; P. Thomson, Director of Human Resources; J. Nicholls, Acting Director of Emergency Medical Services; D. Donaldson, Fire Chief; D. Braney, Property Negotiator/Appraiser; B. Battison, Deputy Fire Chief; M. Leduc, Deputy Fire Chief; K. Matthies, Acting Co-ordinator of Human Resources; T. Mowry, City Clerk; CJ Caporale, Council Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" 2004-455 Rivest-Bradley: That we move "In Camera" to deal with Property and Personnel Matters in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, 2001, s.239(2)(f).

CARRIED

Recess At 6:59 p.m., Council recessed.

Reconvene At 7:10 p.m., Council moved to the Council Chamber to continue the regular meeting.

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

Present Councillors Bradley; Caldarelli; Callaghan (D 9:10 p.m.); Craig; Gasparini; Kett; Reynolds; Rivest; Thompson

City Officials

M. Mieto, Chief Administrative Officer; C. Mathieu, Acting 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; J. Cunningham, Deputy Police Chief, Greater Sudbury Police Services; R. Swiddle, City Solicitor/Director of Legal Services; P. Demers, Community Relations and Policy Advisor; P. McCauley, Acting Manager of Corporate Communications and French-language Services; J. McKechnie, Executive Assistant to the Mayor; L. Henri, Community Development Officer; T. Mowry, City Clerk; F. Bortolucci, Planning Committee Secretary; CJ Caporale, Council Secretary

News Media

Sudbury Star; MCTV; CIGM; Channel 10 News; Le Voyageur, Northern Life; CBC Radio

Declarations of Pecuniary Interest

Councillor Gasparini declared a conflict regarding Information Item C-17 (Bingo Charities Advisory Progress Report) as this matter may be of pecuniary interest to her.

PRESENTATIONS/DELEGATIONS

Item 4
Nickel Centre
Community Association
Partnership

Report dated 2004-09-02 from the General Manager of Citizen & Leisure Services regarding Nickel Centre Community Association Partnership was received.

Councillor Thompson introduced the following members of the Nickel Centre Community Association Partnership, Jennifer Macdonald, President, Lee Jewell, Treasurer, and Kathie Castilloux, Member.

An electronic presentation entitled "Nickel Centre Community Association" was presented to Council and outlined the following:

- ▶ partnerships and community centre renewal
- ▶ program delivery
- ▶ fundraising
- ▶ Falconbridge Wellness Centre
- ▶ business plan
- ▶ budget & commitment

The following resolution was presented:

2004-456 Rivest-Bradley: WHEREAS the Nickel Centre Community Association has worked through community partnerships to create the Falconbridge Wellness Centre within the Falconbridge Community centre;

Item 4
Nickel Centre
Community Association
Partnership
(continued)

AND WHEREAS the Nickel Centre Community Association is requesting that City of Greater Sudbury operate the Falconbridge Wellness Centre with the Falconbridge Community Centre;

AND WHEREAS the Nickel Centre Community Association has committed that should memberships sold not reach projected targets, the hours of operation of the fitness centre will be adjusted accordingly so that 100% of the cost of staff salaries will be covered by revenues from memberships;

NOW THEREFORE BE IT RESOLVED THAT Council commend the volunteers from the Nickel Centre Community Centre and their community partners for their efforts in creating the Falconbridge Wellness Centre for the benefit of the residents of the community;

AND THAT a maximum of 2,816 part-time and temporary hours be added to the budget for the Falconbridge Community centre;

AND FURTHER THAT a Falconbridge Community Centre reserve fund be created and that any net profits from the operation of the Falconbridge Wellness Centre be deposited to this reserve fund and are to be used exclusively for capital projects at the Falconbridge Wellness Centre and Falconbridge Community Centre.

RECORDED VOTE:

YEAS

NAYS

Bradley
Caldarelli
Callaghan
Craig
Gasparini
Kett
Reynolds
Rivest
Thompson
Mayor Courtemanche

CARRIED

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 Property 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.

Relocation - EMS
& Police Services -
Centre Lionel E.
Lalonde Centre

2004-457 Bradley-Rivest: THAT the City enter into a contract agreement with an Architect to a maximum cost of \$25,000.00 for the purpose of preparing a feasibility study for the relocation of EMS and Police Services at the Centre Lionel E. Lalonde Centre with funding from the Reserve Fund Emergency Services - Ambulance (\$17,000.00) and the Police Services 2004 Current Budget - Professional Services (\$8,000.00)

CARRIED

MATTERS ARISING FROM THE PRIORITIES COMMITTEE

Rise and Report

Councillor Kett, Chair of the Priorities Committee, reported that the Priorities Committee met on 2004-09-15 and there were no items requiring Council approval.

MATTERS ARISING FROM THE PLANNING COMMITTEE

Rise and Report

Councillor Thompson, Chair of the Planning Committee, reported that the Planning Committee met on 2004-09-07 and there were no items requiring Council approval.

PART I CONSENT AGENDA

Consent Agenda

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

2004-458 Rivest-Bradley: THAT Items C-1 to C-16 inclusive, contained in Part I, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1
Report No. 16
City Council
2004-08-12

2004-459 Rivest-Bradley: THAT Report No. 16, City Council Minutes of 2004-08-12 be adopted.

CARRIED

Item C-2
Report No. 15
Planning Committee
2004-09-07

2004-460 Bradley-Rivest: THAT Report No. 15, Planning Committee Minutes of 2004-09-07 be adopted.

CARRIED

Item C-3
Ad Hoc Committee -
Council Auditor
2004-09-08

2004-461 Bradley-Rivest: THAT the Report of the Ad Hoc Committee - Council Auditor Minutes of 2004-09-08 be adopted.

CARRIED

<p>Item C-4 Hearing Committee <u>2004-09-08</u></p>	<p>2004-462 Rivest-Bradley: THAT the Report of the Hearing Committee Minutes of 2004-09-08 be adopted.</p>	<p>CARRIED</p>
<p>Item C-5 Report No. 3 Special Meeting of Council <u>2004-09-15</u></p>	<p>2004-463 Rivest-Bradley: THAT Report No. 3, Special Meeting of Council Minutes of 2004-09-15 be adopted.</p>	<p>CARRIED</p>
<p>Item C-6 Report No. 12 Priorities Committee <u>2004-09-15</u></p>	<p>2004-464 Rivest-Bradley: THAT Report No. 12, Priorities Committee Minutes of 2004-09-15 be adopted.</p>	<p>CARRIED</p>
<p>Item C-7 T.O.C. <u>2004-08-17</u></p>	<p>2004-465 Bradley-Rivest: THAT the Report of the Tender Opening Committee Minutes of 2004-08-17 be received.</p>	<p>CARRIED</p>
<p>Item C-8 T.O.C. <u>2004-08-31</u></p>	<p>2004-466 Bradley-Rivest: THAT the Report of the Tender Opening Committee Minutes of 2004-08-31 be received.</p>	<p>CARRIED</p>
<p>Item C-9 T.O.C. <u>2004-09-07</u></p>	<p>2004-467 Bradley-Rivest: THAT the Report of the Tender Opening Committee Minutes of 2004-09-07 be received.</p>	<p>CARRIED</p>
<p>Item C-10 Greater Sudbury Police Services Board <u>2004-06-21</u></p>	<p>2004-468 Bradley-Rivest: THAT the Report of the Greater Sudbury Police Services Board Minutes of 2004-06-21 be received.</p>	<p>CARRIED</p>
<p>Item C-11 Greater Sudbury Housing Corporation <u>2004-06-22</u></p>	<p>2004-469 Rivest-Bradley: THAT the Report of the Greater Sudbury Housing Corporation Minutes of 2004-06-22 be received.</p>	<p>CARRIED</p>

TENDERS

Item C-12
Contract Award
Adanac Master Plan
and Business Plan

Report dated 2004-08-20 from the General Manager of Citizen & Leisure Services regarding Contract Award for Adanac Master Plan and Business Plan was received.

The following resolution was presented:

2004-470 Gasparini-Bradley: THAT the contract for the Adanac Master Plan and Business Plan be awarded to D.R. Matthews and Associates Inc./Monteith Brown in the amount of \$39,886.75 plus \$2,792.07 G.S.T., this being the highest scoring proposal received meeting all proposal specifications.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-13
Extension of Contract
R00-42, Part C -
Waste Management

Report dated 2004-08-09, with attachments, from the General Manager of Public Works regarding Extension of Contract R00-42, Part C was received.

The following resolution was presented:

2004-471 Reynolds-Gasparini: THAT Contract R00-42, Part C be extended to April 8, 2006, under the terms and conditions in effect on the last day of the contract;

AND THAT the Director of Waste Management be given the authority to extend the contract on a month by month basis for an additional two years.

CARRIED

TELEPHONE POLLS

Item C-14
Municipal Outlet
Drainage Program

Report dated 2004-09-10, with attachments, from the General Manager of Corporate Services regarding Municipal Outlet Drainage (MOD) Program was received.

The following resolution was presented:

2004-472 Bradley-Rivest: WHEREAS the Ministry of Agriculture and Food has recently announced that they are phasing out grants under the Municipal Outlet Drainage (MOD) Program;

AND WHEREAS municipal drains have been a fixture in rural Ontario's infrastructure since the late 1800's and have historically been instrumental in developing farmlands in Ontario;

AND WHEREAS Ontario has had drainage legislation in place for approximately 150 years and the grant program has provided the impetus for the development of agricultural lands through the creation of new municipal drains;

AND WHEREAS the founders of the grant program established the program and financial partnership between the Province, the landowner and local municipalities in order to promote the supply of agricultural products to the residents of the Province and in order to promote the development of the Province;

AND WHEREAS the grant program has also provided Provincial support for the ongoing maintenance of municipal drains to ensure agricultural production is maintained;

AND WHEREAS municipal drains provide a vital role in the production and sustainability of agriculture production, food and livestock;

Item C-14
Municipal Outlet
Drainage Program
(continued)

AND WHEREAS municipal drains are a vital component of rural infrastructure and without them the environment in many areas would be adversely affected, including increased potential for flooding, public health risks and reduced support for wildlife, bird and fish habitat;

AND WHEREAS municipal drains provide the necessary drainage outlet for local roads and public highways in support of the public transportation system;

AND WHEREAS the withdrawal of the program will negatively impact the agricultural community; local municipalities; and engineering, construction and material supply businesses;

AND WHEREAS out of the 2003 Provincial budget of approximately \$68 billion funding provided for municipal drains was only \$6.46 million;

AND WHEREAS a successful agricultural identity and community is a significant part of the provincial economy;

AND WHEREAS the cancellation of these grants will affect municipal finances as property owners will look to municipalities to provide financial assistance;

THEREFORE BE IT RESOLVED THAT The Honourable Dalton McGuinty, Premier of Ontario and The Honourable Steve Peters, Minister of Agriculture and Food be requested to reconsider their decision to phase-out grants for this Program;

AND THAT this resolution be forwarded to the Association of Municipalities of Ontario, the Federation of Northern Ontario Municipalities, Local MPPs, the Drainage Superintendents Association, the Drainage Engineers Association and the Ontario Federation of Agriculture and the Municipal Engineers Association.

<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING</u>
Berthiaume		Dupuis
Bradley		Gainer
Caldarelli		Kett
Callaghan		Thompson
Craig		
Gasparini		
Reynolds		
Rivest		
Mayor Courtemanche		

CARRIED

Item C-15
Franco-Ontarian Flag

Report dated 2004-09-10, with attachments, from the General Manager of Corporate Services regarding Franco-Ontarian Flag was received.

The following resolution was presented:

2004-473 Gasparini-Caldarelli: WHEREAS on June 21, 2001, the Ontario Legislature adopted the Franco-Ontarian Flag as an Official Emblem;

AND WHEREAS the flag was first unveiled in 1975 at l'Université de Sudbury;

AND WHEREAS the Franco-Ontarian Community is proud of its flag;

AND WHEREAS the Flour Mill area has always been recognized as the Francophone section of the City of Greater Sudbury;

NOW THEREFORE BE IT RESOLVED THAT the Franco-Ontarian flag fly permanently on Notre Dame Avenue south of the railroad track at the site of the *Welcome to the Flour Mill* Monument;

AND FURTHER THAT a plaque explaining the origin of the Franco-Ontarian Flag also be erected.

<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING</u>
Berthiaume		Rivest
Bradley		Thompson
Caldarelli		
Callaghan		
Craig		
Dupuis		
Gainer		
Gasparini		
Kett		
Reynolds		
Mayor Courtemanche		
		CARRIED

Item C-16
Ad Hoc Committee -
Council Auditor

Report dated 2004-09-10 from the General Manager of Corporate Services regarding Ad Hoc Committee - Council Auditor Minutes was received.

2004-461 Bradley-Rivest: THAT the Report of the Ad Hoc Committee - Council Auditor Minutes of 2004-09-08 be adopted.

<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING</u>
Berthiaume		Craig
Bradley		Dupuis
Caldarelli		Gainer
Callaghan		Kett
Gasparini		
Reynolds		
Rivest		
Thompson		
Mayor Courtemanche		

CARRIED

BY-LAWS

THE FOLLOWING BY-LAW APPEARED FOR A THIRD AND FINAL READING:

2004-244 3RD A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE PART OF MAGILL STREET ABUTTING THE REMAINDER OF PARCEL 31084 S.W.S. AND PART OF PARCEL 27434 S.W.S. IN THE WALDEN INDUSTRIAL PARK AND TO AUTHORIZE THE SALE OF THIS LAND AND THE REMAINDER OF PARCEL 31084 S.W.S. TO L.S. KOSOWAN LIMITED

Planning Committee meeting of 2004-08-10

(This By-law has been advertised as required and no comments were received.)

THE FOLLOWING BY-LAWS APPEARED FOR THREE READINGS:

2004-245A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH FALCONBRIDGE LIMITED FOR HAULED SEWAGE ON THE FALCONBRIDGE TAILINGS AREA FOR A PERIOD OF TEN YEARS

Report dated 2004-07-30 from the General Manager of Public Works regarding Agreement: Falconbridge Hauled Sewage Site
(*Legal advised that a By-law is required for the above agreement.*)

BY-LAWS (continued)

2004-246A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH MYTHS AND MIRRORS COMMUNITY ARTS TO PAINT DECORATIVE DESIGNS ON ACCESS COVERS (MANHOLE COVERS) ON THE DURHAM STREET SIDEWALK

Report dated 2004-08-05, with attachments, from the General Manager of Public Works regarding Request to Paint Access Covers (Manhole Covers), Myths and Mirrors Community Arts.
(Legal advised that a By-law is required for the above agreement.)

2004-247A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS SEPTEMBER 16, 2004 MEETING

2004-248T 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-1, A BY-LAW TO REGULATE TRAFFIC AND PARKING ON ROADS IN THE CITY OF GREATER SUDBURY

Council Resolution 2004-453

(This By-law provides for a four-way stop sign at the intersection of Rideau and Lavoie Streets.)

2004-249 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND THE PROCEDURE BY-LAW 2002-202

Council Resolutions 2004-421 and 2004-442.

(This By-law has been advertised as required and no comments were received. It amends the Hearing Body Schedule and responsibilities. It also adds in a provision relating to the consideration of offers in land sales.)

2004-250 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2003-294 GOVERNING PROCEDURES FOR THE ACQUISITION AND SALE OF LAND

*(This By-law makes three small changes to the Property By-law. First, it adds in a provisions relating to consideration of offers in land sales as set out in By-law 2004-251 above. Second, it adds a provision to give the tenants of surplus property the first opportunity to purchase the land at market value. Third, two references to the *Municipal Act, 2001* are updated and made retroactive to the date the Property By-law was passed.)*

BY-LAWS (continued)

- 2004-251Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW OF THE FORMER TOWN OF ONAPING FALLS AND THE FORMER CITY OF VALLEY EAST

Planning Committee Recommendation 2004-05

(This By-Law rezones the subject property to Single Residential in order to recognize the existing single dwelling on site. Manoir Hotel Ltd., Ron Lalonde, Part of Parcel 10005 Sudbury East Section being Part 1, Plan 53R-17573 in Lot 6, Concession 5, Blezard Township, 2724 Highway 69 North, Val Caron.)

- 2004-252Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW OF THE FORMER TOWN OF ONAPING FALLS AND THE FORMER CITY OF VALLEY EAST

Planning Committee Recommendation 2004-193

(This By-law removes the "H", Holding Symbol from the subject property, so that the lands become available for development in accordance with their "R1.D18", Single Residential zoning which continues to apply. - 1582656 Ontario Ltd., Horizon Park Subdivision, Val Caron - Frank Veilleux, President)

- 2004-253Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500, THE COMPREHENSIVE ZONING BY-LAW OF THE FORMER CITY OF SUDBURY

Planning Committee Recommendation 2004-195

(This By-law rezones the subject property to Rural Special in order to permit a single dwelling together with an accessory guest residence on the subject property. This By-law also establishes a minimum building setback of 7.5m from the west boundary line. - Julie Barr, 1574 South Shore Road, Sudbury)

- 2004-254F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2004-129F TO INCLUDE THE ANNUAL GRANT IN THE AMOUNT OF \$1,500 TO THE CAVALCADE OF COLOURS COMMITTEE.

Report dated 2004-09-02 from the General Manager of Citizen and Leisure Services regarding Grant to Cavalcade of Colours Committee.

(An annual grant, which was originally provided by the former Town of Onaping Falls, in the amount of \$1,500, has been received by the Cavalcade of Colours Committee for many years and is now provided by the Leisure Services Department, City of Greater Sudbury.)

BY-LAWS (continued)

- 2004-255Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500Z, THE COMPREHENSIVE ZONING BY-LAW OF THE FORMER CITY OF SUDBURY

Planning Committee Meeting of 2004-09-07

(This by-law rezones the subject property to "M1-49", Special Mixed Light Industrial/Service Commercial to permit redevelopment of the subject lands. The "Special" provisions establish that only the following land uses shall be permitted: an automotive accessories store, an automotive dealership, a vehicle sales or rental establishment, a merchandise service shop, a service trade and a warehouse. - 724026 Ontario Limited and 979060 Ontario Limited, 314 Harrison Drive/Long Lake Road, Sudbury)

- 2004-256Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2004-20Z, BEING A BY-LAW 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 Meeting of 2004-09-07

(This By-law removes the "H", Holding Symbol from the subject lands so that they are zoned "C2-16", Special General Commercial. - Broder Sudbury Developments, Municipal Road # 80, Val Caron)

- 2004-257Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW OF THE FORMER TOWN OF ONAPING FALLS AND THE FORMER CITY OF VALLEY EAST

Planning Committee Meeting of 2004-09-07

(This By-Law rezones the subject property to Single Residential in order to recognize the existing single dwelling on site - Agent: Monique Woodley, 1597 Lakeshore Drive, Val Caron.)

- 2004-258Z 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 FORMER CITY OF VALLEY EAST

Planning Committee Meeting of 2004-09-07

(This by-law does not rezone the subject property. This by-law permits a second dwelling unit (garden suite) on the subject property for a maximum temporary period of ten years - Luc & Celine Legault, 277 Linden Drive, Hanmer)

BY-LAWS (continued)

THE FOLLOWING BY-LAWS APPEARED FOR THREE READINGS:

- 2004-261Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-304, THE COMPREHENSIVE ZONING BY-LAW OF THE FORMER TOWN OF NICKEL CENTRE

(This By-law rezones the subject property to Institutional Special in order to add an audio/visual studio and an office to the uses permitted within the existing building on site. This By-law also recognizes the existing building setbacks from the south and west lot lines which are less than the 10m requirement for new buildings. - Agent: 1264156 Ontario Inc., Parts 2 & 3, Plan 53R-17536, Lot 4, Concession 2, Garson Township, 190 Church Street, Garson.)

- 2004-262F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE CANCELLATION, REDUCTION OR REFUND OF REALTY TAXES

Report dated 2004-09-10, with attachments, from the General Manager of Corporate Services regarding Tax Adjustments Under Section 357 and 358 of the Municipal Act

(This report provides the quarterly tax adjustments under Sections 357 and 358 of the Municipal Act.)

THE FOLLOWING BY-LAW APPEARED FOR TWO READINGS:

- 2004-260 2 A BY-LAW OF THE CITY OF GREATER SUDBURY TO PROVIDE FOR THE TRILLIUM BRANCH "D" MUNICIPAL DRAINAGE WORKS IN THE CITY OF GREATER SUDBURY

Planning Committee meeting of 2004-09-07

1ST & 2ND Reading

2004-474 Rivest-Bradley: THAT By-law 2004-245A to and including By-law 2004-262F be read a first and second time.

CARRIED

3RD Reading

2004-475 Rivest-Bradley: THAT By-law 2004-244 to and including By-law 2004-258Z, By-law 2004-261Z and By-law 2004-262F be read a third time and passed, with the exception of By-law 2004-259 as otherwise dealt with.

CARRIED

BY-LAWS (continued)

By-law 2004-259 Councillor Rivest requested that By-law 2004-259 (Sale of Municipal property) be pulled and dealt with separately.

2004-259 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE TO 1357375 ONTARIO LTD. OF PART OF PARCEL 30457 S.W.S. BEING PARTS 5, 10 & 11 ON PLAN 53R-14004, AND PART 4 ON PLAN 53R-6274, PART OF LOT 4, CONCESSION 5, TOWNSHIP OF WATERS

Planning Committee meeting of 2004-09-07

3RD Reading 2004-476 Rivest-Thompson: THAT By-law 2004-259 be read a third time and passed.
By-law 2004-259

RECORDED VOTE:

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

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-17 Report dated 2004-09-09 from the Chief Administrative Officer regarding Bingo Charities Advisory Progress Report was received for information only.
Bingo Charities Advisory Progress Report

A letter dated 2004-09-16 from Councillor R. Bradley regarding an Invitation to Charities and Not-for-Profit Groups was tabled at the meeting.

Item C-18 Report dated 2004-09-10, with attachments, from the Chief Administrative Officer regarding Memorandum of Understanding Between the Association of Municipalities of Ontario and the Province of Ontario was received for information only.
Memorandum of Understanding - AMO & Province of Ontario

Item C-19
CANs Implementation

Report dated 2004-09-03 from the General Manager of Citizen & Leisure Services regarding Community Action Networks (CANs) Implementation was received for information only.

PART II
REGULAR AGENDA

MANAGERS' REPORTS

Item R-1
Appointment to the
Street Naming
Committee

Report dated 2004-07-23, with attachments, from the General Manager of Corporate Services regarding Appointment to Street Naming Committee was received.

The following resolution was presented:

Rivest-Bradley: THAT Councillor _____ be appointed to the Street Naming Committee for the term ending November 30, 2006 or until his/her successor is appointed.

Motion to Withdraw

With the consent of the majority of Members present, Council agreed to withdraw the foregoing motion. Council directed that a report be prepared for Council's consideration regarding the establishment of a Citizen Advisory Panel for street naming.

Item R-2
Spay/Neuter Report

Report dated 2004-08-24, with attachments, from the General Manager of Corporate Services regarding Animal Control Panel - Spay/Neuter Report was received.

The following resolution was presented:

2004-477 Rivest-Bradley: THAT Council accept the recommendation of the Animal Control Panel and direct staff to implement and administer a Pet Spay/Neuter Program for 2004.

RECORDED VOTE:

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

CARRIED

Item R-3
SWANA Membership

Report dated 2004-09-06 from the General Manager of Public Works regarding Solid Waste Association of North America (SWANA) Membership was received.

The following resolution was presented:

2004-478 Rivest-Bradley: THAT the following Councillors be named as members of the Solid Waste Association of North America (SWANA):

Councillor T. Kett
Councillor R. Dupuis

CARRIED

Item R-4
Paquette-Whitson
Municipal Drain

Report dated 2004-09-08, with attachments, from the General Manager of Public Works regarding Proposed Paquette-Whitson Municipal Drain was received.

The following resolution was presented:

2004-479 Bradley-Reynolds: THAT the City of Greater Sudbury accept the petition for a Municipal Drainage works submitted by a major landowner within the area described as Lot 4, Concession 1 and Lot 6, Concession 1 in the Township of Hanmer and Lot 6, Concession 6 in the Township of Blezard which was filed with the Clerk on the 8th day of September, 2004;

AND THAT the City of Greater Sudbury appoint the engineering firm of K. Smart Associates Limited as the drainage engineer for this project.

CARRIED

Item R-5
Lakeview Subdivision
Naming Request

Report dated 2004-09-02, with attachments, from the General Manager of Citizen & Leisure Services regarding Lakeview Subdivision - Naming Request was received.

The following resolution was presented:

2004-480 Bradley-Reynolds: WHEREAS the Sudbury Finnish Rest Home Society has requested that the City of Greater Sudbury Council consider its request that the trail and parkland in the Lakeview Subdivision be named Korpela Park in honour of Oliver Korpela;

AND WHEREAS Oliver Korpela donated 27 acres of land to the Sudbury Finnish Rest Home Society for Finlandia Village, which donation of land has made lasting and significant contribution to the City of Greater Sudbury and to the quality of life in this community;

Item R-5
Lakeview Subdivision
Naming Request
(continued)

AND WHEREAS the pedestrian bridge and trail system were constructed by Wesmak Lumber for the benefit of the community;

NOW THEREFORE BE IT RESOLVED THAT the trail and parkland in the Lakeview Subdivision be named Korpela Park.

CARRIED

Item R-6
Sudbury District
Restorative Justice

Report dated 2004-09-08 from the General Manager of Health & Social Services regarding Sudbury District Restorative Justice was received.

The following resolution was presented:

2004-481 Reynolds-Bradley: WHEREAS Council for the City of Greater Sudbury supports the request for funding by the Sudbury District Restorative Justice Project to ensure the continuation of this project;

AND WHEREAS the Health and Social Services Department has identified that this unmet human service need fits the criteria of the unallocated Community Placement Target Fund.

THEREFORE BE IT RESOLVED THAT up to \$17,000 be allocated, on a one time only basis for 2004/2005 to this project pending permanent funding, secured through the Attorney General.

CARRIED

MOTIONS

Item R-7
Centennial Welcome
Signs - Maintenance

The following resolution was presented:

Bradley-Reynolds: WHEREAS during 2004 Current budget discussions a request for re-painting and maintaining Centennial Welcome signs in Rayside-Balfour, Walden and Valley East was denied;

AND WHEREAS these signs are deteriorating and in need of maintenance;

THEREFORE BE IT RESOLVED THAT provision be included in the 2005 Current Budget to have these signs structurally inspected by a professional and funds provided on a annual basis should maintenance be required.

Motion for Deferral

Callaghan: THAT the foregoing motion be deferred to the 2004-10-14 Council meeting until staff can prepare a report on the maintenance of the Centennial Welcome Signs.

CARRIED

Item R-8
Diagnostic Services

The following resolution was presented:

2004-482 Bradley-Rivest: WHEREAS CML Healthcare Inc. is a Canadian based private medical diagnostic service provider which provides laboratory testing services in Ontario and medical imaging services through clinics located in five provinces.

AND WHEREAS a spokesperson for CML Healthcare Inc. has confirmed that its satellite offices situated in the communities of Azilda and Val Caron will be closing September 17, 2004;

AND WHEREAS accessibility to diagnostic services are basic things that family physicians need on a daily basis, especially x-rays which are often needed quickly for the old and frail;

AND WHEREAS the lack of availability of basic diagnostic services makes it difficult to attract and retain physicians in under serviced areas of the City of Greater Sudbury and thereby further erodes the sense of community;

NOW THEREFORE BE IT RESOLVED that the availability of diagnostic services in the under serviced areas of the City of Greater Sudbury be referred to the *Mayor and Council's Roundtable on Physician Recruitment and Retention* for positive action;

AND THAT the *Mayor and Council's Roundtable on Physician Recruitment and Retention* be requested to report back to the Priorities Committee of Council, through its Chair, Councillor Craig.

CARRIED

Letter from CML
Health Care

The Mayor advised he had written to CML Health Care asking that they reconsider the closure of their offices in Val Caron and Azilda.

Councillor Craig advised that he received a letter from the General Manager Imaging Services, CML Health Care, dated 2004-08-31. The letter indicated that the closure was due to "limited or static funding" and the ability to provide for "increased service levels".

Item R-9
Speed Limit -
Vermillion Lake Road

The following resolution was presented:

2004-483 Bradley-Reynolds: WHEREAS area residents have expressed safety concerns regarding the speed of vehicles on Vermillion Lake Road;

AND WHEREAS an Engineering Speed Study was undertaken which recommended that the existing speed limit should be maintained at 80 km/h;

AND WHEREAS pedestrians must walk on the road in the absence of sidewalks creating further safety concerns;

THEREFORE BE IT RESOLVED THAT the speed limit be lowered on Vermillion Lake Road from 80 km/h to 60 km/h from the existing 60 km/h zone (east of Charles Street) easterly to Gordon Lake Road.

AND FURTHER THAT Schedule "T" of Traffic and Parking By-Law 2001-1 be amended accordingly.

DEFEATED

Item R-10
City of Greater
Sudbury - Mining
Capital of Canada

The following resolution was presented:

2004-484 Reynolds-Rivest: WHEREAS the City of Greater Sudbury boasts more mines within its city limits than any other city in the world;

AND WHEREAS the export value of Northern Ontario minerals is at least \$10 billion and a key source of wealth for our province;

AND WHEREAS the City of Greater Sudbury is responsible for a full 1/8 of all Canadian metal production;

AND WHEREAS mining is the sole reason for our city's existence;

AND WHEREAS the City of Greater Sudbury is a world leader in its knowledge of deep mining, mine construction and mine safety;

AND WHEREAS mining represents a tremendous potential for future high-paying jobs in the areas of mining technology and skills, as well as in the mining supplies and services sector;

AND WHEREAS world markets are expanding and Sudburians have most specialized skills in all areas of mining;

AND WHEREAS the demand for nickel is rising, particularly in markets like China;

Item R-10
City of Greater
Sudbury - Mining
Capital of Canada
(continued)

BE IT THEREFORE RESOLVED THAT we hereby declare the City of Greater Sudbury as the Mining Capital of Canada;

AND FURTHERMORE, that we begin immediately to promote ourselves as such on our website and in all our communications;

AND FURTHERMORE, that this Council, on behalf of all its citizens, publicly acknowledges and welcomes every new mining enterprise that is established in our community.

RECORDED VOTE:

YEAS

NAYS

Bradley
Caldarelli
Craig
Gasparini
Kett
Reynolds
Rivest
Thompson
Mayor Courtemanche

CARRIED

ADDENDUM

Addendum Resolution

The following resolution was presented:

2004-485 Rivest-Bradley: THAT the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of
Pecuniary Interest

None declared.

Item AD-1
Service Agreement -
Lively Medical Clinic

Report dated 2004-09-03, with attachments, from the General Manager of Health & Social Services regarding Purchase of Service Agreements - Lively Medical Clinic was received.

The following resolution was presented:

2004-486 Kett-Bradley: WHEREAS the City of Greater Sudbury allocated \$150,000 as a one time expenditure towards the operation of a medical clinic in the former Town of Walden;

AND WHEREAS one of the four physicians previously practising in the area has relocated her practice to the Sudbury city core leaving a vacancy in the medical practice;

Item AD-1
Service Agreement -
Lively Medical Clinic
(continued)

AND WHEREAS the physicians are in the process of recruiting a fourth physician;

AND WHEREAS the clinic requires leasehold improvements for both the comfort of the patients and to assist with the attraction of new physicians to the clinic;

THEREFORE BE IT RESOLVED THAT purchase of service agreements be entered into with each of the three (3) existing physicians of the Lively Medical Clinic, Dr. Koop, Dr. Bayley, Dr. Carscadden in the value of \$10,000 per physician;

AND THAT the term of the agreements be for a 12 month period from July 1, 2004 to June 30, 2005;

AND THAT a condition of the agreements shall be that 50% of the funds to the physicians be utilized for leasehold improvements of the medical clinic that will accommodate and attract a fourth (4) family medicine practitioner;

AND THAT the necessary by-laws be established.

CARRIED

BY-LAWS

2004-263 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A PURCHASE OF SERVICE AGREEMENT WITH DOCTOR GARY KOOP.

Report dated 2004-09-03 from the General Manager of Health and Social Services

(This By-law authorizes an agreement to retain Dr. Gary Koop to provide a family medicine practice in the turnkey medical office at the Lively Medical Clinic in the former Town of Walden.)

2004-264 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A PURCHASE OF SERVICE AGREEMENT WITH DOCTOR PETER BAYLEY

Report dated 2004-09-03 from the General Manager of Health and Social Services

(This By-law authorizes an agreement to retain Dr. Peter Bayley to provide a family medicine practice in the turnkey medical office at the Lively Medical Clinic in the former Town of Walden.)

BY-LAWS (continued)

2004-265 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A PURCHASE OF SERVICE AGREEMENT WITH DOCTOR TERRY CARSCADDEN

Report dated 2004-09-03 from the General Manager of Health and Social Services

(This By-law authorizes an agreement to retain Dr. Terry Carscadden to provide a family medicine practice in the turnkey medical office at the Lively Medical Clinic in the former Town of Walden.)

1ST & 2ND Reading

2004-487 Bradley-Rivest: THAT By-law 2004-263 to and including By-law 2004-265 be read a first and second time.

CARRIED

3RD Reading

2004-488 Bradley-Rivest: THAT By-law 2004-263 to and including By-law 2004-265 be read a third time and passed.

CARRIED

2004-266 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT TO SUDBURY DISTRICT RESTORATIVE JUSTICE/JUSTICE RÉPARATRICE DU DISTRICT DE SUDBURY FOR FUNDING FOR THE RESTORATIVE JUSTICE PROJECT

Report dated 2004-09-08 from the General Manager of Health and Social Services.

1ST & 2ND Reading

2004-489 Rivest-Bradley: THAT By-law 2004-266 be read a first and second time.

CARRIED

3RD Reading

2004-490 Rivest-Bradley: THAT By-law 2004-266 be read a third time and passed.

CARRIED

Rules of Procedure

Council, by a two-thirds majority, agreed to dispense with the Rules of Procedure and deal with a motion, not on the Agenda, at this time.

Greater Sudbury
Utilities Inc - Labour
Negotiations

The following resolution was presented:

2004-491 Bradley-Gasparini: THAT the Council of the City of Greater Sudbury hereby expresses and confirms its confidence in the position taken by of the Board of Directors of Greater Sudbury Utilities Inc., in respect of its current labour negotiations and in their ability to bring these negotiations to a successful conclusion.

CARRIED

QUESTION PERIOD

Governance Structure in the CGS

Councillor Rivest tabled a letter dated 2004-07-16 from the Minister of Municipal Affairs and Housing which was in response to his letter dated 2004-05-25 regarding the current governance of the City of Greater Sudbury.

The Minister stated that he was willing “to consider proposals by municipal councils for improvements to local governance and service delivery systems that meet the reasonable criteria of property tax fairness for all residents and ratepayers”.

Councillor Rivest advised that a delegation from the former City of Valley East would be attending a meeting of the Priorities Committee on 2004-11-24.

Use of City Vehicles

Councillor Rivest asked staff when Council would receive the results of the Solutions Team regarding City vehicle usage.

The Chair advised that the Solutions Team has met several times and is ready to present a recommendation to the Priorities Committee at the 2004-10-13 meeting.

Motorized Vehicles - Canada Trail System

Councillor Kett stated that there are “Motorized Vehicles Prohibited” signs posted on the Canada Trail System and asked the Deputy Police Chief how these laws are enforced.

Deputy Police Chief Cunningham advised Council that the *All Terrain Vehicles Act* states that ATV's are not to utilize trails and if the Greater Sudbury Police Services is made aware of these problems, they will target that specific area and enforce the law.

Councillor Kett advised that there will be a public meeting held in his Ward regarding this matter and asked that a representative of the Greater Sudbury Police Services be present.

Welcome Signs - Rotary Club

Councillor Kett stated that on MR 55, between Lively and Copper Cliff, there is a “Welcome to the City of Greater Sudbury” sign and asked the General Manager of Economic Development & Planning Services who was responsible for this.

Mr. Nadorozny advised Council that the signs are part of the Rotary Clubs' 100th Anniversary and because the Rotary Clubs' emblem is on the sign, the MTO deemed the signs as “advertising”, therefore, they would not allow the signs to be posted adjacent to provincial highways.

Change of CGS Bus Services

Councillor Caldarelli stated that the New Sudbury Centre will be opening earlier on Sunday and asked the General Manager of Citizen & Leisure Services to look at the possibility of changing the routes and times of the transit buses to coincide with these new hours.

Member of AMMO

Councillor Bradley congratulated Councillor Reynolds on her appointment to the Board of Directors of the Association of Mining Municipalities of Ontario (AMMO).

NOTICE OF MOTIONS

Greater Sudbury Hydro Plus Inc. - Labour Disruption

Presented by Councillor Berthiaume:

WHEREAS the City of Greater Sudbury is the sole Shareholder and owner of Greater Sudbury Utilities and the subsidiary companies of Greater Sudbury Utilities;

AND WHEREAS Greater Sudbury Hydro Plus Inc. is a wholly subsidiary of Greater Sudbury Utilities;

AND WHEREAS the strike at Greater Sudbury Hydro Plus Inc. is now into a third month with no end in sight;

AND WHEREAS the main issue in dispute is the request of the Board of Directors of Greater Sudbury Hydro Plus Inc. to put in place a two-tier benefit program whereby employees hired after March 31, 2004 will not be entitled to retiree benefits after age 65;

AND WHEREAS two-tier benefit programs are known to lead to a divisive workplace that creates future labour relations problems for both an Employer and a Trade Union;

AND WHEREAS the position advanced in negotiations by the Board of Directors of Greater Sudbury Hydro Plus Inc. will not provide any cost savings to Greater Sudbury Hydro Plus Inc. for a minimum of fifteen years and most likely not for a period of forty years;

AND WHEREAS the position advanced in negotiations by the Board of Directors of Greater Sudbury Hydro Plus Inc. is a direct attack on future senior citizens in our community;

AND WHEREAS this attack on future senior citizens in our community is contrary to the good work performed by the "Mayor and Council's Committee on Senior's Issues";

AND WHEREAS the Council of the City of Greater Sudbury appoints the Board of Directors to Greater Sudbury Utilities and the subsidiary companies of Greater Sudbury Utilities;

Greater Sudbury
Hydro Plus Inc. -
Labour Disruption
(continued)

THEREFORE BE IT RESOLVED that the Council of the City of Greater Sudbury hereby immediately requests the resignation of the Board of Directors to Greater Sudbury Utilities and the subsidiary companies of Greater Sudbury Utilities;

AND BE IT FURTHER RESOLVED that the Management Negotiating Team for Greater Sudbury Hydro Plus Inc. is directed to remove from the collective bargaining table the request to put in place a two-tier benefit program whereby employees hired after March 31, 2004 will not be entitled to retiree benefits after age 65.

Adjournment

2004-492 Rivest-Bradley: THAT this meeting does now adjourn.
Time: 9:50 p.m.

CARRIED

Mayor

City Clerk