# THE FIFTY-SECOND MEETING OF THE COUNCIL OF THE CITY OF GREATER SUDBURY

Committee Room C-11 Tom Davies Square

Thursday, May 29<sup>th</sup>, 2003 Commencement: 6:00 p.m.

# **DEPUTY MAYOR MIKE PETRYNA, IN THE CHAIR**

Present

Councillors Bradley; Callaghan (A6:05 pm); Craig; Gainer; Kilgour;

Portelance; Mayor Gordon

City Officials

M. Mieto, Chief Administrative Officer; T. Beadman, General Manager, Emergency Services; D. Belisle, General Manager of Public Works; C. Hallsworth, General Manager of Citizen & Leisure Services; D. Nadorozny, General Manager of Economic Development & Planning Services; D. Wuksinic, General Manager, Corporate Services; R. Swiddle, Director of Legal Services/City Solicitor; P. Aitken, Government Relations/Policy Analyst; C. Riutta, Administrative Assistant to the Mayor; T. Mowry, City Clerk;

G. Ward, Council Secretary

Declarations of Pecuniary Interest None declared.

"In Camera"

2003-235 Kilgour/Callaghan: That we move "In Camera" to deal with litigation 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 6:50 p.m., Council recessed.

Reconvene

At 7:00 p.m., Council moved to the **Council Chamber** to continue the regular meeting.

<u>Chair</u>

# HIS WORSHIP MAYOR JAMES GORDON, IN THE CHAIR

Present

Councillors Bradley; Callaghan; Craig (A7:01 pm); Gainer; Lalonde; Petryna; Portelance

City Officials

M. Mieto, Chief Administrative Officer; T. Beadman, General Manager, Emergency Services; D. Belisle, General Manager of Public Works; C. Hallsworth, General Manager of Citizen & Leisure Services; D. Nadorozny, General Manager of Economic Development & Planning Services; H. Duff, Director of Social Services/Ontario Works; D. Wuksinic, General Manager, Corporate Services; R. Swiddle, Director of Legal Services/City Solicitor; Acting Inspector Toffoli, Sudbury Police Service; J.P. Graham, Plants Engineer; P. Aitken, Government Relations/Policy Analyst; S. Monet, Land Reclamation; C. Riutta, Administrative Assistant to the Mayor; K. Bowschar-Lische, Law Clerk; T. Mowry, City Clerk; G. Ward, Council Secretary

Sudbury & District Health Unit

Dr. P. Sutcliffe; E. Gardner, Manager, Health Protection Division

**News Media** 

My Town; MCTV; CIGM; Sudbury Star; Northern Life; le Voyageur

Declarations of Pecuniary Interest None declared.

#### **DELEGATIONS**

Item 4 Sudbury's Virtual <u>Library</u> Councillor Callaghan, Chair, Greater Sudbury Public Library Board, addressed Council introducing Ms. Laura Bryant, Virtual Librarian.

Ms. Bryant addressed Council with an electronic presentation of Sudbury's Virtual Library.

Item 5 West Nile Virus Preparedness & Response Plan 2003 Report dated 2003-05-23, with attachment, from the Chief Administrative Officer regarding City of Greater Sudbury - West Nile Virus Preparedness and Response Plan 2003 was received.

Mr. E. Gardner, Manager, Health Protection Division, Sudbury & District Health Unit, and Dr. S. Monet, Co-ordinator of Environmental Initiatives, addressed Council with an electronic presentation outlining what is known about the West Nile Virus, its health effects, the situation in Ontario and, in particular, the North, what can be done to prevent it and who will do what.

The following resolution was presented:

2003-236 Portelance/Callaghan: THAT Council endorse the proposed City of Greater Sudbury - West Nile Virus Preparedness and Response Plan 2003 that outlines the City's role in contending with the possibility of West Nile Virus becoming a human health risk in the area;

AND THAT the appropriate City officials be authorized and directed to take the necessary actions in preparing for the possibility of West Nile Virus in the area;

AND THAT Council approve the necessary funds associated with the City of Greater Sudbury - West Nile Virus Preparedness and Response Plan 2003 as needed.

CARRIED

# MATTERS ARISING FROM THE "IN CAMERA" SESSION

# Rise & Report

Deputy Mayor Petryna, as Chairman of the Committee of the Whole, reported Council met to deal with litigation 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 no resolutions emanated therefrom.

# MATTERS ARISING FROM THE PLANNING COMMITTEE: 2003-05-27

Rise & Report

Councillor Bradley, Chair, Planning Committee advised Item C-4 of the Planning Committee Agenda of 2003-05-27 (Pagnutti Developments Inc.) had not been dealt with as the consensus of the Committee was not received to proceed past the hour of 11:00 p.m. Because of the urgency of the matter, he requested that Council deal with the matter at this time.

Pagnutti

Developments Inc.

2003-237 Bradley/Portelance: That By-law 2003-117A, authorizing an Agreement with Pagnutti Developments Inc., for the possible acquisition of land for a stormwater retention pond be enacted.

**CARRIED** 

PART I CONSENT AGENDA The following resolution was presented to adopt Items C-1 to C-13 inclusive, contained in Part I, Consent Agenda:

2003-237 Callaghan/Portelance: That Items C-1 to C-13 inclusive, contained in Part I, Consent Agenda, be adopted, with the exception of Item C-8, otherwise dealt with.

**CARRIED** 

# **TENDERS**

Item C-8 Contract 2003-17 MR 35 Reconstruction Notre Dame Street to Clarabelle Road Report dated 2003-05-16 from the General Manager of Public Works regarding Contract 2003-17: MR 35 Reconstruction, Notre Dame Street (East Entrance) to Clarabelle Road was received.

The following resolution was presented:

2003-239 Bradley/Petryna: That Contract 2003-17, MR 35 Reconstruction, Notre Dame Street (East Entrance) to Clarabelle Road, be awarded to Pioneer Construction in the tendered amount of \$6,976,676.01, this being the lowest tender meeting all contract specifications;

And that funding in the amount of \$2.6 million be provided from the 2005 Capital Roads Program.

# **RECORDED VOTE:**

**YEAS** 

**NAYS** 

Bradley Callaghan Craig

Gainer Lalonde

Petryna

Portelance

Gordon

**CARRIED** 

# **MINUTES**

Item C-1 Report No. 51 C.C. 2003-240 Callaghan/Portelance: That Report No. 51, City Council Minutes of 2003-05-15 be adopted.

C.C. 20<u>03-05-15</u>

CARRIED

Item C-2 Report No. 18 Priorities Committee 2003-05-28 2003-241 Portelance/Callaghan: That Report No. 18, Planning Committee Minutes of 2003-05-28 be adopted

**CARRIED** 

Item C-3 Report No. 18 Planning Committee 2003-05-27 2003-242 Bradley/Portelance: That Report No. 18, Planning Committee Minutes of 2003-05-27 be adopted.

**CARRIED** 

Item C-4 T.O.C. 2003-05-20 2003-243 Callaghan/Portelance: That the Report of the Tender Opening Committee, Minutes of 2003-05-20 be received.

**CARRIED** 

# **TENDERS**

Item C-5 Contract 2003-1 Paris Street Trunk Watermain -Walford Road to Fire Hall (Long Lake Road) Report dated 2003-05-16 from the General Manager of Public Works regarding Tender Award: Contract 2003-1: Paris Street Trunk Watermain, Walford Road to Fire Hall (Long Lake Road) was received.

The following resolution was presented:

2003-244 Bradley/Portelance: That Contract 2003-1: Paris Street Trunk Watermain, Walford Road to Fire Hall (Long Lake Road), be awarded to R.M. Belanger Limited in the tendered amount of \$3,881,328.70, this being the lowest tender meeting all contract specifications;

And that funding be provided as follows:

2003 Capital Program for Water Services\$2,200,000Capital Financing Reserve Fund, Water\$1,047,0002003 Capital Road Program\$170,000Capital Financing Reserve Fund, Roads\$464,000

CARRIED

Item C-6 Contract 2003-2 Lasalle Blvd. Watermain Improvements (Auger to Sylvio) Report dated 2003-05-16 from the General Manager of Public Works regarding Tender Award: Contract 2003-2: Lasalle Boulevard Watermain Improvement (Auger to Sylvio) was received.

# Item C-6 (Continued)

The following resolution was presented:

2003-245 Portelance/Bradley: That Contract 2003-2: Lasalle Boulevard Watermain Improvements (Auger to Sylvio), be awarded to Garson Pipe Contractors Limited in the tendered amount of \$1,349,400.97, this being the lowest tender meeting all contract specifications;

And that funding be provided as follows:

2003 Capital Program for Water Services \$900,000 Capital Financing Reserve Fund, Water \$450,000

#### **CARRIED**

# Item C-7 Transit Centre Addition/Renovation

Report dated 2003-05-16 from the General Manager of Public Works regarding Award of Contract: Transit Centre Addition/Renovation was received.

The following resolution was presented:

2003-246 Portelance/Bradley: That the contract for the Transit Centre Addition/Renovations be awarded to Capital Construction in the tendered amount of \$444,000.00, this being the lowest tender meeting all contract specifications.

#### **CARRIED**

# Item C-9 Contract 2003-48 Sudbury Landfill Site Small Vehicle Transfer Station

Report dated 2003-05-21 from the General Manager of Public Works regarding Tender Award: Contract 2003-48: Sudbury Landfill Site, Small Vehicle Transfer Station was received.

The following resolution was presented:

2003-247 Bradley/Portelance: That Contract 2003-48, Small Vehicle Transfer Station, be awarded to Pioneer Construction Inc., in the amount of \$2,446,939.85, as determined by the unit prices and quantities involved, this being the lowest tender meeting all the requirements of the plans and specifications;

And that the commencement of certain aspects of the Contract be subject to Ministry of the Environment approval.

#### **CARRIED**

Item C-10 Municipal Groundwater Study -Consulting Services Report dated 2003-05-21, with attachments, from the General Manager of Public Works regarding Municipal Groundwater Study - Consulting Services was received.

Item C-10 (Continued) The following resolution was presented:

2003-248 Callaghan/Portelance: That Council authorize Golder Associates Limited to prepare a Municipal Groundwater Study in accordance with their proposal in the estimated value of \$588,467.90 in order to review the groundwater system supplying water to wells in Capreol, Valley East, Garson, Dowling, Falconbridge and Onaping and to include the evaluation of groundwater impact on Lake Wanapitei and Ramsey Lake.

**CARRIED** 

# **ROUTINE MANAGEMENT REPORTS**

Item C-11
Citizen Appointment
Greater Sudbury
Development
Corporation

Report dated 2003-05-22 from the General Manager of Economic Development & Planning Services regarding Citizen Appointment to the Greater Sudbury Development Corporation was received.

The following resolution was presented:

2003-249 Portelance/Callaghan: That the following be appointed to the Board of Directors for the City of Greater Sudbury Community Development Corporation:

Michael Luciw for the term ending June 2005

And further that the existing Board Members, Manfred Herold, Tom DiFrancesco and Richard Dupuis be re-appointed for a term ending June, 2006.

**CARRIED** 

Item C012 S.O.P. - Les Scouts du Canada Report dated 2003-05-23, with attachment, from the General Manager of Economic Development & Planning Services regarding Special Occasion Permit - Les Scouts du Canada was received.

The following resolution was presented:

2003-250 Portelance/Callaghan: This Council has no objection to the issuance of a Special Occasion Permit to Marc Forget on behalf of Les Scouts du Canada which will be held at the Chelmsford Golf Course at 99 Golf Course Road, Chelmsford, Ontario for the Annual Flour Mill Golf Tournament on July 12<sup>th</sup> and 13<sup>th</sup>, 2003. The hours of operation are 12:00 noon to 8:00 p.m. with an anticipated attendance of 200 people each day.

And further that this approval be subject to the following conditions:

1. That the special event organizer shall ensure the provision of adequate clean-up of the site and those properties adjacent to the event area no later than 12:00 o'clock noon on Monday, July 14<sup>th</sup>, 2003;

# Item C-12 (Continued)

- 2. That the event representative ensure emergency vehicles have access to the event area;
- 3. That all Ontario Fire Code regulations must be adhered to, in particular, with respect to Section 2.8 that indicates a Fire Safety Plan is required for this event;
- 4. That no bonfires of any kind, barbecues or similar types of cooking devises shall be operated on the site without the consent of the Fire Chief, and that an approved fire extinguisher be provided for each of the foregoing;
- 5. That the special event organizer, or his designate, must be present on the site during the entire duration of the event.
- 6. That any tent be erected in accordance with the provisions of the Ontario Building Code.

#### **CARRIED**

Item C-13 Liquor License Extension - Cambrian College Report dated 2003-05-23, with attachment, from the General Manager of Economic Development & Planning Services regarding Temporary Liquor License Extension - Cambrian College's Annual Staff Activity Day was received.

The following resolution was presented:

2003-251 Callaghan/Portelance: This Council has no objection to the issuance of a temporary liquor licence extension to Cambrian College for their Staff Activity Day to include the Cafeterias adjoining the patio area located at Cambrian College, 1400 Barrydowne Road, Sudbury, on June 11<sup>th</sup>, 2003 from 3:00 p.m. to 8:00 p.m. with an anticipated attendance of 600 people.

And that the foregoing approval be subject to the following conditions:

- 1. That the event representative ensure emergency vehicles have access to the event area:
- 2. That all Ontario Fire Code regulations must be adhered to, in particular, with respect to Section 2.8 that indicates a Fire Safety Plan is required for this event;
- That no bonfires of any kind, barbecues or similar types of cooking devises shall be operated on the site without the consent of the Fire Chief, and that an approved fire extinguisher be provided for each of the foregoing;

Item C-13 (Continued)		4.	That when outdoor amplified sound equipment is in use, all speakers and speaker stacks shall be positioned to tilt downward into the audience or crowd versus projecting straight over the crowd or adjoining properties;
		5.	That the event representative or his designate must be present on the site during the entire duration of the event.
		6.	That the event representatives ensure the provision of adequate clean-up of the site and those properties adjacent to the event.
			CARRIED
BY-LAWS			
2003-105	3	AUTHO OPTIC PROC 2003	LAW OF THE CITY OF GREATER SUDBURY TO ORIZE THE USE OF A MARKSENSE BALLOT AND EAL SCAN VOTE TABULATORS AND TO ESTABLISH EDURES FOR THEIR USE FOR THE NOVEMBER 10 <sup>TH</sup> , MUNICIPAL ELECTION UNDER THE MUNICIPAL FIONS ACT, 1996, AS AMENDED
		(Repor	t dated 2003-21-05 from the General Manager of Corporate es)
2003-106	3	AUTHO NOTIC NOVE	LAW OF THE CITY OF GREATER SUDBURY TO ORIZE THE USE OF THE FRENCH LANGUAGE IN CES, FORMS AND OTHER INFORMATION FOR THE MBER 10 <sup>TH</sup> , 2003 MUNICIPAL ELECTION UNDER THE CIPAL ELECTIONS ACT, 1996, AS AMENDED
		(Repor Service	t dated 2003-21-05 from the General Manager of Corporate es)
2003-107	3	AUTHO	LAW OF THE CITY OF GREATER SUDBURY TO DRIZE THE USE OF A PARTICULAR BALLOT FORM FOR OVEMBER 10 <sup>TH</sup> , 2003 MUNICIPAL ELECTION
2003-108	3	Service A BY-L FOR A	t dated 2003-21-05 from the General Manager of Corporate es) AW OF THE CITY OF GREATER SUDBURY TO PROVIDE N ADVANCE VOTE AND REDUCED VOTING HOURS FOR EAR 2003 MUNICIPAL ELECTION
		(Repor Service	t dated 2003-21-05 from the General Manager of Corporate es)

2003-116	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO PROVIDE FOR THE MAILING OF NOTICES OF THE DAY, TIME AND LOCATION OF VOTING PLACES TO EACH RESIDENT VOTER FOR THE NOVEMBER $10^{\text{TH}}$ , 2003 MUNICIPAL ELECTION AND TO AUTHORIZE THE USE OF PROXIES AND PROXY VOTING
		(Report dated 2003-21-05 from the General Manager of Corporate Services)
2003-117A	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A POSSIBLE LAND ACQUISITION AGREEMENT FOR A STORMWATER RETENTION POND WITH PAGNUTTI DEVELOPMENTS INC.
		(Planning meeting of Tuesday, May 27 <sup>th</sup> , 2003)
2003-118Z	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
		(This By-law rezones the subject property to Single Residential to permit the subdivision of the property into 41 lots for single residential use - 1085903 Ontario Ltd G. Ceccarelli - Willow Ridge Estates).
		Planning Committee Recommendation 2003-60.
2003-119	3	A BY-LAW OF THE CITY OF GREATER SUDBURY RESPECTING THE SUPPLY OF WATER, THE MANAGEMENT AND MAINTENANCE OF THE WATERWORKS SYSTEMS OF THE CITY
		(This By-law incorporates the City's new policy on the use of municipal fire hydrants into the Waterworks By-law)
2003-120T	3	A BY-LAW OF THE CITY OF GREATER SUDBURY AMENDING BY-LAW 2001-1, THE TRAFFIC AND PARKING BY-LAW
		(This By-law corrects the description of One-Way Streets to Schedule "M" of By-law 2001-1)
2003-121A	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2002-165A TO APPOINT OFFICIALS FOR THE CITY OF GREATER SUDBURY
		(This By-law up-dates the list of Acting Fire Chiefs and Inspectors pursuant to the Building Code Act)
2003-122A	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL OF MAY 29, 2003

2003-123A	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH GOLDER ASSOCIATES LIMITED FOR A MUNICIPAL GROUNDWATER STUDY
		(Report dated 2003-05-21 from the General Manager of Public Works)
2003-124A	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH WHITEFISH LAKE FIRST NATION FOR THE SUPPLY OF POTABLE WATER
		(Report dated 2003-05-21 from the General Manager of Public Works)
2003-125F	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2003-90F, BEING A BY-LAW TO ESTABLISH MISCELLANEOUS USER FEES FOR CERTAIN SERVICES PROVIDED BY THE CITY OF GREATER SUDBURY
		(This By-law amend the User Fee By-law to add fees established in the City's Culvert Policy and Municipal Fire Hydrant Policy.)
2003-126	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT A BUILDING, PROPERTY AND PARK NAME POLICY
		(Priorities Committee Meeting of 2003-05-28)
1 <sup>st</sup> & 2 <sup>nd</sup> Reading		2003-252 Callaghan/Bradley: That By-law 2003-105 to and including By-law 2003-108, By-law 2003-116 to and including By-law 2003-126 be read a first and second time.
		CARRIED
3 <sup>rd</sup> Reading		2003-253 Callaghan/Bradley: That By-law 2003-105 to and including By-law 2003-108, By-law 2003-116 to and including By-law 2003-126 be read a third time and passed.

**CARRIED** 

# **CORRESPONDENCE FOR INFORMATION ONLY**

Item C-14 Municipal Corporations Report dated 2003-05-21, with attachment, from the General Manager of Corporate Services regarding Municipal Corporations was received for information.

# PART II REGULAR AGENDA

#### **MANAGERS' REPORTS**

Item R-1
Pilot Project - EMS
Training Innovation

Report dated 2003-05-13 from the General Manager of Emergency Services regarding Pilot Project - EMS Training Innovation was received.

The following resolution was presented:

2003-254 Callaghan/Bradley: That Council approve the *Pilot Project - Training Innovation* of the Emergency Medical Services Division as a permanent program within the EMS Division;

And that two (2) Training Officer positions currently filled with seconded staff be made permanent full time positions.

**CARRIED** 

Item R-2 Transit Capital Program & Transit Renewal Funding Program Report dated 2003-05-21 from the General Manager of Citizen & Leisure Services regarding Transit Capital Program and Transit Renewal Funding Program was received

The following resolution was presented:

2003-255 Bradley/Callaghan: That Council approve \$800,000 in expenditures from the Equipment Replacement Reserve Fund for Greater Sudbury Transit fleet expansion, renewal and replacement and that this\$800,000 come from the \$1.7 million that was reallocated to the Equipment Replacement Reserve Fund by Council on April 23, 2003;

And further that the Council of the City of Greater Sudbury request an allocation of \$225,000 from the Ontario Transit Renewal Program for the replacement and rebuilding of conventional transit vehicles during 2003.

**CARRIED** 

Item R-3
Transfer of Lang Energy Court Sudbury
to Greater Sudbury
Telecommunications
Inc.

Report dated 2003-05-23, with attachment, from the General Manager of Corporate Services regarding Transfer of Land - Energy Court Sudbury to Greater Sudbury Telecommunications Inc. was received.

The following resolution was presented:

2003-256 Callaghan/Bradley: That part of Lot 6, Concession 3, Township of McKim, City of Greater Sudbury being Parts 1 and 4, Plan 53R-16857, together with an easement in nature of a right-of-way over Part 2 on 53R-16875 and Parts 2, 3, 4 and 5 on Plan 53R-16657 be transferred to Greater Sudbury Telecommunications Inc.;

# Item R-3 (Continued)

And that an agreement be entered into between the City, Greater Sudbury Telecommunications Inc. and Laurentian University establishing the terms and conditions of such a transfer to the satisfaction of the General Manager of Corporate Services and the City Solicitor;

And that the General Manager of Corporate Services, City Clerk and City Solicitor be authorized to execute all documents and Agreements necessary to complete this transaction.

**CARRIED** 

#### BY-LAW

2003-127A

A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT FOR THE SALE OF LAND TO GREATER SUDBURY TELECOMMUNICATIONS AND TO AUTHORIZE A GRANT TO LAURENTIAN UNIVERSITY

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

3

2003-257 Callaghan/Bradley: That By-law 2003-127A be read a first and second time.

**CARRIED** 

3<sup>rd</sup> Reading

2003-258 Callaghan/Bradley: That By-law 2003-127A be read a third time and passed.

**CARRIED** 

Item R-4 F.C.M. Board Representation Letter dated 2003-05-13 from Deputy Mayor Courtemanche regarding Federation of Canadian Municipalities (FCM) Board Representation was received.

The following resolution was presented:

2003-259 Callaghan/Bradley: BE IT RESOLVED THAT the Council of the City of Greater Sudbury formally supports the nomination and appointment of Councillor Ron Dupuis to the Federation of Canadian Municipalities' Board of Directors, as a representative of the City of Greater Sudbury.

**CARRIED** 

#### CIVIC PETITIONS

Drainage Act - <u>Azilda</u> Councillor Bradley advised he would be submitting a petition under the Drainage Act to the City Clerk relating to property at 366 Placide Street. Azilda. **QUESTION PERIOD** 

Dr. Edward M. Watkin Award

Councillor Petryna advised Mr. Bill Lautenbach, Director of Planning, had been awarded the Dr. Edward M. Watkin Award at a ceremony held at Laurentian University as part of the Sudbury Mining and the

Environment 2003 Conference.

Mayor Gordon advised he would invite Mr. Lautenbach to a future meeting of Council to make presentation regarding his contribution

to the Canadian Land Reclamation effort.

Adjournment 2003-260 Callaghan/Bradley: That this meeting does now adjourn.

Time: 9:20 p.m.

**CARRIED** 

Mayor	Clerk

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