

# Request for Decision City Council



Type of Decision										
Meeting Date	September 16, 2004				Report Date	September 2, 2004				
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low	
	Direction Only				Type of	<input checked="" type="checkbox"/>	Open		Closed	

**Report Title**

Nickel Centre Community Association Partnership

**Policy Implication + Budget Impact**

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

Background Attached

**Recommendation**

WHEREAS the Nickel Centre Community Association has worked through community partnerships to create the Falconbridge Wellness Centre within the Falconbridge Community Centre; and


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

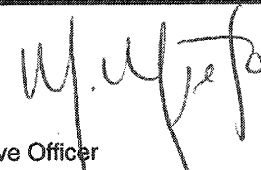
NOW THEREFORE BE IT RESOLVED THAT Council commend the volunteers from the Nickel Centre Community Centre and their community partners for

Recommendation Continued

**Recommended by the General Manager**

  
 Caroline Hallsworth  
 General Manager, Citizen and Leisure Services

**Recommended by the C.A.O.**

  
 Mark Mieto  
 Chief Administrative Officer

Report Prepared By	Division Review
Caroline Hallsworth General Manager, Citizen and Leisure Services	

**RECOMMENDATION CONTINUED**

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.

**EXECUTIVE SUMMARY**

The Nickel Centre Community Association is requesting the support of Council in the operation of a fitness/wellness centre at the Falconbridge Community Centre. The fitness centre equipment and much of the capital conversion work has been donated by community partners.

**BACKGROUND**

The Nickel Centre Community Association (NCCA) was formed in 2003 to “promote and enhance the physical, emotional and educational growth of community members” and has been working actively since that time to redevelop the Falconbridge Community Centre into a vibrant and active building offering a variety of programs and activities for the community. During the 2003 budget process when Council was reviewing a number of alternatives related to community facilities, the decision was made to close the pool, which required extensive repairs and was located within the Falconbridge Community Centre, but to continue to maintain and support the Falconbridge Community Centre building.

Based on a community survey conducted by the NCCA, which showed community interest in the establishment of a fitness centre, the NCCA has been working in partnership with Falconbridge Nickel Mines Ltd. to develop a Wellness Centre in that portion of the Falconbridge Community Centre building which was formerly utilized as a swimming pool. The NCCA has independently entered into an agreement with Falconbridge Nickel Mines Limited in which Falconbridge is making lease payments on \$80,000 worth of fitness equipment over a period of three years, at the conclusion of which lease, the equipment can be purchased for \$10.00. The NCCA has worked to convert the space formerly utilized as a pool to a fitness area. They arranged for E.R. Jewell contracting to fill the pool to CGS specifications

and partnered with Falconbridge Nickel Mines Ltd. to have plumbing and electrical work completed as required for the space conversion. The association paid for some of the costs associated with the space conversion, including the concrete capping of the pool and painting of the new space and community volunteers assisted with a number of tasks including cleaning out the lower area and repairing of benches.

The City approved budget for the operation of the Falconbridge Community Centre is \$101,417 and does not include any resources to operate a wellness or fitness centre. The NCCA gave consideration to leasing the space to the private sector and also to operating a wellness centre themselves. However, they determined that their focus is to enrich the Falconbridge Community Centre and to work on community development initiatives and that it would be beyond the capacity of their volunteers to take on responsibility for ongoing operations of a fitness centre. City staff and ward councillors have been working with the NCCA to develop a business plan for the operation of the proposed Falconbridge Wellness Centre which balances revenues against new expenses for staff and support of the fitness centre operations.

The NCCA is very committed to ensuring the long term success of the Falconbridge Community Centre as a whole entity and in developing the fitness centre. The group wishes to enhance the recreational opportunities in the community, without increasing the overall costs of the building and its programs. Accordingly, staff have been advised by the NCCA that they are committed to marketing and promoting the Falconbridge Wellness Centre and have set themselves a goal to sell sufficient memberships to cover the cost of staff wages associated with the operation of the fitness centre area.

The NCCA has surveyed both employees of Falconbridge Nickel Mines and residents of Falconbridge and based on their surveys believe that they can sell 260 monthly memberships, which represents 180 memberships for Falconbridge employees and 80 memberships to residents of the community. The Revenues for 260 monthly memberships at \$22.53 for forty weeks equates to \$58,578. The salaries and benefits for 2,816 hours of part-time staff over a period of 44 weeks is \$52,815.

The NCCA is requesting that Council approve the addition of 2,816 hours of part-time and temporary staff time to the Falconbridge Community Centre budget. The NCCA has committed that they will sell sufficient memberships to recover 100% of these salary costs and that if membership revenues do not reach their target, they will reduce the hours of operation for the Falconbridge Wellness Centre. However, should revenues exceed salaries, the NCCA is requesting that the net proceeds from the Falconbridge Wellness Centre operations be deposited to a reserve account that will be used for capital projects to further enhance the building.

For the information of Council, there are currently five municipal fitness centres within Greater Sudbury: Capreol Millennium Resource Centre; Dowling Civic Leisure Centre; Howard Armstrong Recreation Centre; Rayside-Balfour Workout Centre and the McClelland Fitness Centre, which is owned by the City but operated by a non-profit group.

The Leisure Master Plan provides the following analysis of City fitness centres and programs:

*Although the City provides fitness centres and programs, it is not in direct competition with commercial fitness centres because the City provides such services to the smaller communities, many of which cannot support a private fitness facility. With the exception of the facility it owns in Copper Cliff (and leases to a community organization), there are no municipal fitness facilities within the former City of Sudbury. Multi-purpose space in existing*

*community centres and halls, however, provides venues for various City-run fitness programs throughout Greater Sudbury.*

*Provision standards are not recommended for fitness centres – they are best provided only if a gap in service exists that cannot be adequately filled by an alternate provider and if the opportunity presents itself. For example, fitness centres are excellent traffic generators within multi-purpose community centres (e.g., Howard Armstrong Recreation Centre) and should be maintained in instances where they are supportive of other facilities within a complex (e.g. Dowling Civic Leisure Centre, which has a library, gymnasium, etc.). No additional fitness facilities are recommended, however, similar to the approach taken for indoor pools, the City should: (1) consider locating an “active living centre” at the new multi-use recreation centre; and (2) conduct a cost-benefit analysis when any fitness facilities require substantial capital investment in order to determine whether or not it is feasible to actively maintain the facility. Active living centres include a combination of amenities and services that support goals of physical activity, health and well being for all ages. They are not limited to the traditional fitness centre focus as they provide opportunities for social, recreational, educational, and volunteer activities. In general, active living places a greater emphasis on inclusive programs that provide less intense and informal forms of exercise, rather than elite fitness programming.*

The proposed Falconbridge Wellness Centre fits the model described in the Leisure Master Plan in that it would be provided to fill a gap in service and is based on an opportunity presented to that particular community. Further, it is located in a multi-purpose community centre and is supportive of other facilities within the building, including the gym and the program activities.

Should Council wish to consider an alternative to municipal operation of the Falconbridge Wellness Centre, Council could either issue an RFP for the private sector operation of the Falconbridge Wellness Centre or provide a grant to the Nickel Centre Community Association to assist them in the operation of the fitness centre.

The Nickel Centre Community Association is requesting that Council approve the addition of a maximum of 2,816 part-time and temporary hours to the budget for the Falconbridge Community Centre with the understanding that 100% of the salary costs are to be recovered from membership fees and that should memberships sold not reach projected targets, the hours of operation of the fitness centre will be adjusted accordingly and further that a Falconbridge Community Centre reserve fund be created and that any net profits from the operation of the Wellness Centre will be deposited to this reserve fund and are to be used exclusively for capital projects at the Falconbridge Wellness Centre and Falconbridge Community Centre.

# Request for Decision City Council



Type of Decision									
Meeting Date	September 16, 2004				Report Date	August 20, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

**Report Title**

**Contract Award for Adanac Master Plan and Business Plan**

Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
Background Attached	

Recommendation
<p>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.</p>
Recommendation Continued

**Recommended by the General Manager**

Caroline Hallsworth  
General Manager, Citizen and Leisure Services

**Recommended by the C.A.O.**

Mark Mieto  
Chief Administrative Officer

**Report Prepared By**

Caroline Hallsworth  
General Manager, Citizen and Leisure Services

**Division Review**

**EXECUTIVE SUMMARY**

The Adanac Master Plan and Business Plan is an initiative of the Adanac Task Force and is intended to analyze the community priorities for Adanac Park, review resources and opportunities and recommend an implementation and operating strategy for the facility.

**BACKGROUND**

Developed as a municipal ski hill in the mid 1970's, the Adanac Park has a long history of being a key recreational area in the community. In 1999, the former City of Sudbury completed a "Preliminary Master Plan Report for the Adanac Recreation Park" which was to be the starting point for the Adanac Park Master Plan. This preliminary report describes the broad concepts and vision for the park and its constituent nodes and identifies the unique characteristics of a district park serving a large community. As part of the 2002 Capital Program for Citizen and Leisure Services, Council committed \$20,000 for the completion of the Adanac Park Master Plan.

There is considerable community interest in ensuring the continuance of winter activities at Adanac Park, with an emphasis on hill based activities. The Adanac Task Force and its two committees determined that a master plan and business plan were required to establish priorities and recommend an implementation and operating strategy for the short, medium and long-term development of Adanac Park with emphasis on the Adanac Hill. Accordingly, an application was made to FedNor for additional funding, to match the \$20,000 committed for the Adanac Park Master Plan to expand the parameters of that planning process to include a business plan. FedNor recently approved \$20,000 in funding in support of the Adanac Park Master Plan and Business Plan.

The Adanac Park Master Plan and Business Plan process will engage the community in consultation as to how the hill might be redeveloped into an all season recreation venue that best meets the needs of the community and of all stakeholder groups.

A Request for Proposal for the Adanac Master Plan and Business Plan was issued in April 2004. Following approval from FedNor in July, the proposals were reviewed with the following results:

	<b>D.R. Matthews / Monteith Brown</b>	<b>IBI Group</b>	<b>Stempski Kelly Associates</b>
Business Plan /40	35	29	29
Methodology and Consultation /20	17	15	10.5
Experience / 20	18	10	15.5
Price / 25	19	2	20
<b>TOTAL / 105</b>	<b>89</b>	<b>56</b>	<b>75</b>

Therefore, it is recommended 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 + \$2,792.07 G.S.T. totalling \$42,678.82 this being the highest scoring proposal received meeting all proposal specifications. The G.S.T. will be refunded therefore, the RFP award is within the project budget.

The funding previously approved for the Adanac Master Plan and Business Plan is as follows:

2002 CLS Capital Account - Adanac Ski Hill Master Plan	\$20,000
FedNor Grant	\$20,000

# Request for Decision City Council



Type of Decision									
Meeting Date	September 16, 2004				Report Date	August 9, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

**Report Title**

Extension of Contract R00-42, Part C

**Policy Implication + Budget Impact**

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

This certifies that this future commitment is within the Annual Repayment Limit for the City of Greater Sudbury as re-calculated

*S. Jonasson*

S. Jonasson  
City Treasurer/Director of Finance

Background Attached

**Recommendation**

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.

Recommendation Continued

**Recommended by the General Manager**

*Don Bélisle*

Don Bélisle  
General Manager of Public Works

**Recommended by the C.A.O.**

*Mark Mieto*

Mark Mieto  
Chief Administrative Officer



Date: August 9, 2004

**Report Prepared By**



C. Mathieu,  
Director of Waste Management

**Division Review**

C. Mathieu,  
Director of Waste Management

Contract R00-42, Part C provides the following waste collection services:

- 1) Collection of household garbage from high density residential properties using front-end containers; and the
- 2) Collection of leaf & yard trimmings from low density residential properties; and the
- 3) Collection of garbage from municipal facilities, effective October 2004 (approved by Council on November 27, 2003, Council Resolution 2003-577).

The contract is scheduled to expire in April 2005. The service is/will be provided by Waste Management of Canada Corporation (formerly Canadian Waste Services).

Waste Management of Canada Corporation has requested a one year extension, with an option to extend the contract on a month by month basis for an additional two years (Appendix A).

All other waste collection contracts are due to expire in 2006. This is a planned process, in order to revise and update all contracts based on the potential changes that may be recommended by the TSC and approved by Council (i.e. co-collection of various waste stream, matching garbage and blue box collection days, etc.).

The option to extend on a month by month basis for an additional two years is a standard clause for all collection contracts and is used by staff to co-ordinate collection services, the re-tendering process and to deal with unexpected delays or approvals.

Staff is recommending the extension. The future financial commitment will be included in the Solid Waste Collection Current budget. The estimated cost for the period January 2005 to April 2006 is \$296,000.



*August 5, 2004*

*The City of Greater Sudbury  
P.O. Box 5000, Station "A"  
200 Brady Street,  
Sudbury, Ontario  
P3A 5P3*

*Attention: Chantal Mathieu  
Director of Waste Management*

***RE: Contract R00-42 HDR/Leaf & Yard Contract Waste Collection  
Contract – Part C***

*This letter will serve to confirm that Waste Management of Canada Corporation requests that the contract be extended for a period of one additional year, with the option to extend the contract on a month to month basis for up to two years. This extension would justify our bid price and further capital investment associated with the additional sites coming on board.*

*I trust that this letter is received with the same sincerity as it has been written. I await your reply.*

*Yours truly,*

**WASTE MANAGEMENT OF CANADA CORPORATION**

*Heather Roy  
District Operations Manager.*

# Request for Decision City Council



Type of Decision									
Meeting Date	Thursday, September 16, 2004				Report Date	Friday, September 10, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

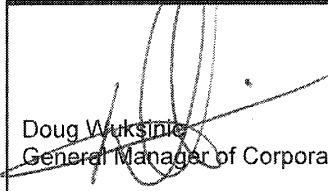
## Report Title

**TELEPHONE POLL - MOTION BY COUNCILLOR BRADLEY REGARDING THE MUNICIPAL OUTLET DRAINAGE PROGRAM**

Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<b>Policy Implications:</b>	
This telephone poll was conducted in accordance with Article 31 of Procedure By-law 2002-202.	
<b>Budget Impact:</b>	
None.	
<input checked="" type="checkbox"/>	Background Attached

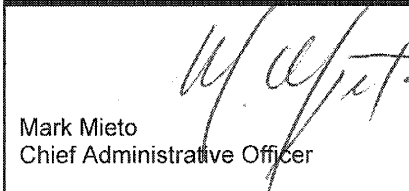
Recommendation	
<p>WHEREAS the Ministry of Agriculture and Food has recently announced that they are phasing out grants under the Municipal Outlet Drainage (MOD) Program;</p> <p>AND WHEREAS municipal drains have been a fixture in rural Ontario's infrastructure since the late 1800's and have historically been instrumental in developing farmlands in Ontario;</p> <p>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;</p>	
<input checked="" type="checkbox"/>	Recommendation Continued

**Recommended by the General Manager**



Doug Wukosinic  
General Manager of Corporate Services

**Recommended by the C.A.O.**



Mark Mieta  
Chief Administrative Officer

Date: FRIDAY, SEPTEMBER 10, 2004

**Report Prepared By**



Corrie-Jo Caporale  
Council Secretary

**Division Review**



Ron Swiddle  
City Solicitor/Director of Legal Services

**Recommendation (continued):**

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;

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;

Date: FRIDAY, SEPTEMBER 10, 2004

**Recommendation (continued):**

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.

**Background:**

Article 31.1 of Procedure By-law 2002-202 provides that:

**31.1 Exceptional matter - Emergency - immediate action - required**

Where a matter of an emergency nature arises which requires the approval of Council, and, in the opinion of the Chief Administrative Officer, requires immediate action by the Corporation prior to the next meeting of Council, the Chief Administrative Officer may direct the Clerk to conduct a telephone and/or electronic mail poll of Members of Council.

This motion was introduced by Councillor Bradley and was slated to be dealt with at the August 12th, 2004 Meeting of Council. However, the meeting adjourned before the motion could be considered by Council.

Councillor Bradley requested that a telephone/e-mail poll be undertaken in order that the Councillor could present the motion to the Honourable Steve Peters, Minister of Agriculture and Food, at the AMO Conference, which was held in Ottawa on August 23-25, 2004.

In accordance with Article 31 of the Procedure By-law, a Telephone/E-mail Poll of Members of Council was conducted on 2004-08-17, and the results of that poll were as follows:

- **Nine (9) out of Thirteen (13) Members of Council responded.**
- **Nine (9) Members were in favour of the motion.**

**YES**

**NO**

Councillor C. Berthiaume  
Councillor R. Bradley  
Councillor F. Caldarelli  
Councillor T. Callaghan  
Councillor D. Craig  
Councillor J. Gasparini  
Councillor L. Reynolds  
Councillor A. Rivest  
Mayor Courtemanche

**Request for Decision  
City Council**



Type of Decision										
Meeting Date	2004-09-16				Report Date	2004-09-09				
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low	
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed	

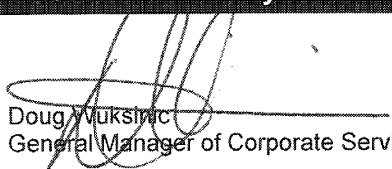
**Report Title**

**TELEPHONE POLL - MOTION BY COUNCILLOR DUPUIS REGARDING THE FLYING OF THE FRANCO-ONTARIAN FLAG**

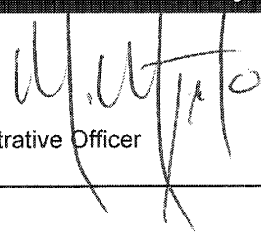
Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<b>Policy Implications:</b>	
This telephone poll was conducted in accordance with Article 31 of Procedure By-law 2002-202.	
<b>Budget Impact:</b>	
This item will be treated as an unbudgeted expense for 2004. The estimated cost of installation is \$1,500. This site is currently maintained by the Parks Services, as part of its linear park system, and as such, future maintenance costs would be absorbed as part of Parks Services' annual budget.	
	Background Attached

Recommendation
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;
Recommendation Continued

**Recommended by the General Manager**

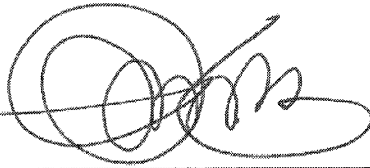
  
Doug Wukshic  
General Manager of Corporate Services

**Recommended by the C.A.O.**

  
Mark Mieto  
Chief Administrative Officer

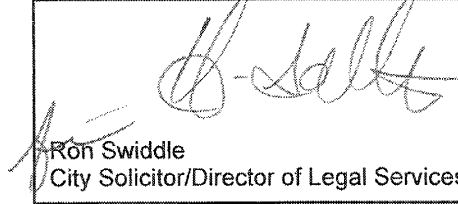
**Report Prepared By**

Thom M. Mowry  
City Clerk



**Division Review**

Ron Swiddle  
City Solicitor/Director of Legal Services



**Recommendation Continued:**

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.

**Background:**

Article 31.1 of Procedure By-law 2002-202 provides that:

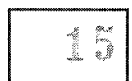
**31.1 Exceptional matter - Emergency - immediate action - required**

Where a matter of an emergency nature arises which requires the approval of Council, and, in the opinion of the Chief Administrative Officer, requires immediate action by the Corporation prior to the next meeting of Council, the Chief Administrative Officer may direct the Clerk to conduct a telephone and/or electronic mail poll of Members of Council.

If, as a result of the poll of Council, the action is authorized, the Chief Administrative Officer shall direct the staff to take the appropriate action.

This motion was introduced by Councillor Dupuis and was slated to be dealt with at the August 12th, 2004 Meeting of Council. However, the meeting adjourned before the motion could be considered by Council.

The Franco-Ontarian flag was unveiled for the first time on September 25, 1975 at Laurentian University in Sudbury. From then on, the Ontario French-speaking community has consistently used it as its emblem.



Date: FRIDAY, SEPTEMBER 10, 2004

The site is currently maintained by the Parks Services, as part of its linear parks system, and as such any annual maintenance would be done by Parks Services.

Councillor Dupuis requested a telephone/e-mail poll so that the matter would be dealt with by Council prior to the September 25th anniversary of the flag's unveiling. In addition, Council Dupuis will be unable to attend the next regularly scheduled meeting of Council.

The CAO's Office therefore directed the City Clerk to conduct a telephone poll to seek Council's approval to have the Franco-Ontarian Flag and a plaque erected at the site of the *Welcome to the Flour Mill Monument* on Notre Dame Avenue, Sudbury.

In accordance with Article 31 of the Procedure By-law, a Telephone/E-mail Poll of Members of Council was conducted on 2004-08-31, and the results of that poll were as follows:

- **Eleven (11) out of Thirteen (13) Members of Council responded.**
- **Eleven (11) Members were in favour of the motion.**

YES

NO

Councillor C. Berthiaume  
Councillor R. Bradley  
Councillor F. Caldarelli  
Councillor T. Callaghan  
Councillor D. Craig  
Councillor R. Dupuis  
Councillor E. Gainer  
Councillor J. Gasparini  
Councillor T. Kett  
Councillor L. Reynolds  
Mayor Courtemanche

All of which is respectfully submitted for the information of Council.



**Request for Decision  
City Council**

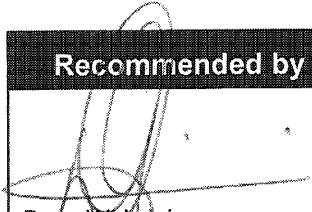


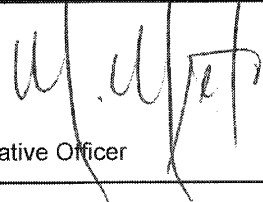
Type of Decision									
Meeting Date	Thursday, September 16, 2004				Report Date	Friday, September 10, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

Report Title
<b>TELEPHONE/EMAIL POLL AD HOC COMMITTEE - COUNCIL AUDITOR MINUTES</b>

Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<b><u>POLICY IMPLICATIONS</u></b>	
This telephone poll was conducted in accordance with Article 31 of Procedure By-law 2002-202.	
<b><u>BUDGET IMPACT</u></b>	
Budget impact is unknown at this time.	
<input checked="" type="checkbox"/>	Background Attached

Recommendation	
<p>THAT the Report of the Ad Hoc Committee - Council Auditor Minutes of 2004-09-08 be adopted.</p>	
<input type="checkbox"/>	Recommendation Continued

Recommended by the General Manager
 Doug Wuksinic General Manager of Corporate Services

Recommended by the C.A.O.
 Mark Mieto Chief Administrative Officer

Date: FRIDAY, SEPTEMBER 10, 2004

**Report Prepared By**



Corrie-Jo Caporale  
Council Secretary

**Division Review**



Ron Swiddle  
City Solicitor/Director of Legal Services

**BACKGROUND:**

The Ad Hoc Committee - Council Auditor met on 2004-09-08 to finalize the Council Auditor Request for Proposal (RFP).

It was recommended by the Committee that the Chief Administrative Officer direct the Clerk's Office to do a telephone/email poll of Members of Council to get their approval for the minutes of the Ad-Hoc Committee - Council Auditor, in order to meet the timelines.

At the time of the completion of the Council Agenda (Friday, September 10, 2004), the results were as follows:

- **Nine (9) out of Thirteen (13) Members of Council responded.**
- **Nine (9) Members were in favour of the motion.**

**YES**

**NO**

Mayor Courtemanche  
Councillor C. Berthiaume  
Councillor R. Bradley  
Councillor F. Caldarelli  
Councillor T. Callaghan  
Councillor J. Gasparini  
Councillor L. Reynolds  
Councillor A. Rivest  
Councillor R. Thompson

# Request for Decision City Council



Type of Decision									
Meeting Date	September 16, 2004				Report Date	September 2, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of	<input checked="" type="checkbox"/>	Open		Closed

**Report Title**

**Grant to Cavalcade of Colours Committee**

Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<p>The annual grant in the amount of \$1,500 is a budgeted amount under Cost Centre 4350 - Leisure Grants and Donations.</p>	
Background Attached	

Recommendation
<p>THAT By-Law 2004-129F be amended to include the annual grant in the amount of \$1,500 to the Cavalcade of Colours Committee.</p>
Recommendation Continued

**Recommended by the General Manager**

*[Signature]*

Caroline Hallsworth  
General Manager, Citizen and Leisure Services

**Recommended by the C.A.O.**

*[Signature]*

Mark Mieto  
Chief Administrative Officer

**Report Prepared By**



Réal Carre  
Director, Leisure, Community and Volunteer Services

**Division Review**

**EXECUTIVE SUMMARY**

The Cavalcade of Colours Committee has received an annual grant in the amount of \$1,500 for many years. The amount was originally paid from the Special Events account.

The association grant was unfortunately not on the original list of grants approved through By-Law 2004-129F. The grant funding support is included in the 2004 Operational Budget.

**BACKGROUND**

The Cavalcade of Colours Committee will be hosting the annual Cavalcade of Colours event on September 24, 25 and 26, 2004. The former Town of Onaping Falls provided a yearly grant in the amount of \$1,500. The grant funds are used to offset the Art Show expenditures and to assist with the general marketing and promotion of the special event.

The Leisure Services Department continues to provide funding support for this event. All grants have to be approved by means of a By-Law. This resolution adds the grant to the Cavalcade of Colours to the Grants By-Law.

# Request for Decision City Council



Type of Decision										
Meeting Date	September 16, 2004				Report Date	September 10, 2004				
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority		High		Low	
	Direction Only				Type of Meeting		Open		Closed	

**Report Title**

Tax Adjustments Under Sections 357 and 358 of the Municipal Act

**Policy Implication + Budget Impact**

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

Of the total taxes to be struck from the tax roll, the City's portion is \$43,630.68. This amount, as well as previous amounts struck from the roll in 2004, is well within the budget amount for tax write offs.


Background Attached

**Recommendation**

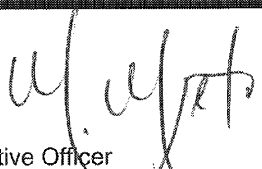
That the amount of \$60,218.15 be struck from the tax roll.

Recommendation Continued

**Recommended by the General Manager**


  
D. Wuksinic  
General Manager of Corporate Services


**Recommended by the C.A.O.**

  
M. Mieto  
Chief Administrative Officer

Reviewed by: C. Mahaffy, Acting Director of Finance / City Treasurer

Date: September 10, 2004

Report Prepared By	
	
T. Derro Supervisor of Tax / Chief Tax Collector	SD

Division Review	
	
C. Mahaffy Acting Director of Finance / City Treasurer	

**BACKGROUND**

Sections 357 and 358 of the Municipal Act provide the authority for the cancellation, reduction or refund of realty taxes.

**Section 357**

Section 357 authorizes the cancellation, reduction or refund of realty taxes in the current year for such reasons as change in rate of taxation, change in tax status, fire/demolition or gross error. Section 357 applications are verified by the Municipal Property Assessment Corporation and processed by the municipality.

**Section 358**

Section 358 of the Municipal Act authorizes the reduction of realty taxes for clerical errors such as errors in key punching, transposition of figures or mathematical calculations. Such errors occur with the preparation of the assessment roll and are confirmed by the Municipal Property Assessment Corporation prior to the tax adjustment by the municipality. Section 358 applications are limited to the two (2) taxation years prior to the year in which the error(s) was made.

The Treasurer's recommendations for the cancellation, reduction or refund of realty taxes under the Municipal Act are presented to Council for approval. Attached for Council's information and action is Schedule A, summarizing the tax adjustments by authority, reason and amount. Also attached is Schedule B which provides a more detailed property by property description of the tax adjustments.

SCHEDULE 'A'

ADJUSTMENT OF TAXES  
UNDER SECTION 357 OF THE MUNICIPAL ACT

<i>Reason for Adjustment</i>	<i>Applications</i>	<i>City Portion</i>	<i>Education Portion</i>
Fire / Demolition	19	14,417.05	9,993.18
Became Exempt	26	26,605.20	4,175.12
Change in Tax Class / Rate	5	2,608.43	2,419.17
<b>TOTAL:</b>	<b>50</b>	<b>\$43,630.68</b>	<b>\$16,587.47</b>





**Schedule 'B'**  
**RECOMMENDED APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS**  
**UNDER SECTION 357 OF THE MUNICIPAL ACT**  
**REASON: BECAME EXEMPT**

Council Meeting of: September 16, 2004

Item #	Roll #	Class	Location	Assessed Property Owner	Year	Days	General Rate	City Portion	Education Rate	Education Portion	Total	Comments	
1	070.029.08800.0000.0	CTN	634 Notre Dame Avenue	BANQUE D'ALIMENTS SUDBURY FOOD BANK	2001	365	0.03950887	18,608.68	0.00373000	1,756.83	20,365.51		
2	240.003.05500.0000.0	RTEP	0 Hill Street	GUY, Lionel	2004	254	0.01458061	247.91	0.00296000	50.33	298.24	vested by City per Municipal Act	
3	230.005.06100.0000.0	RTEP	0 Allan Street	DARRY DEVELOPMENTS LTD	2004	254	0.01458061	384.51	0.00296000	78.06	462.57	vested by City per Municipal Act	
4	230.004.14200.0000.0	RTEP	Neelon Con 03 Lot 04 Pcl 3156	DARRY DEVELOPMENTS LTD	2004	254	0.01458061	178.09	0.00296000	36.15	214.24	vested by City per Municipal Act	
5	230.004.06001.0000.0	RTEP	0 Edward Street South	TONIOLLO, Ontario	2004	254	0.01458061	293.44	0.00296000	59.57	353.02	vested by City per Municipal Act	
6	230.001.02201.0000.0	RTEP	2 Oak Avenue	BALON METRO	2004	254	0.01458061	217.55	0.00296000	44.17	261.72	vested by City per Municipal Act	
7	210.008.16400.0000.0	RTEP	20 Birch Lane	MENTIS, Marilyn	2004	254	0.01458061	288.39	0.00296000	58.54	346.93	vested by City per Municipal Act	
8	190.007.06100.0000.0	CXN	17 Front Street	MARQUIS, Monique	2004	254	0.01691643	346.32	0.01434826	293.75	640.07	vested by City per Municipal Act	
9	180.001.06301.0000.0	RTEP	0 Stuil Street	HAMILTON, John T PILKEY, Stephen Leonard PILKEY, Lise Marie	2004	254	0.01458061	122.44	0.00296000	24.86	147.29	vested by City per Municipal Act	
10	190.007.07000.0000.0	CTN	31 Young Street	SHANE, Dolores Lorraine	2004	254	0.02416590	972.71	0.02048752	825.05	1,797.76	vested by City per Municipal Act	
11	180.001.03801.0000.0	RTEP	0 Haig Street	SHANE, Dolores Lorraine	2004	254	0.01458061	102.20	0.00296000	20.75	122.95	vested by City per Municipal Act	
12	180.001.03800.0000.0	RTEP	0 Haig Street	SHANE, Dolores Lorraine	2004	254	0.01458061	102.20	0.00296000	20.75	122.95	vested by City per Municipal Act	
13	170.030.04000.0000.0	RTEP	Lumsden Con 02 Lot 06 Pcl 4799	SICOTTE, Gerard Robert SICOTTE, Marie Pauline	2004	254	0.01532330	104.22	0.00296000	20.13	124.35	vested by City per Municipal Act	
14	170.022.11110.0000.0	RTEP	Capreol Con 02 Lot 10 Pcl 51146 RP 53R14726 Part 1	TILBURY, David Frank TILBURY, Gayle Elizabeth	2004	254	0.01532330	292.44	0.00296000	56.49	348.93	vested by City per Municipal Act	
15	170.005.10605.0000.0	RTEP	0 Main Street	SKAKOON, Mary	2004	254	0.01532330	223.32	0.00296000	43.14	266.46	vested by City per Municipal Act	
16	170.002.23700.0000.0	RTEP	0 Highway 69 N	DAIGLE, Conrad Alfred JANAKOWSKI, John	2004	254	0.01532330	292.44	0.00296000	56.49	348.93	vested by City per Municipal Act	
17	150.003.08001.0000.0	RTEP	0 Second Avenue North	JANAKOWSKI, Joyce Horner	2004	254	0.01458061	150.77	0.00296000	30.81	181.58	vested by City per Municipal Act	
18	130.002.20901.0000.0	RTEP	0 Highway 144	LAUZON, Richard WABEGJUG, Ernest WABEGJUG, Gwen	2004	254	0.01458061	177.08	0.00296000	35.95	213.03	vested by City per Municipal Act	
19	120.003.09400.0000.0	RTEP	119 Graham Road	WAINMAN, Stanley	2004	254	0.01458061	151.78	0.00296000	30.81	182.59	vested by City per Municipal Act	
20	120.001.14200.0000.0	RTEP	Drury Con 04 Lot 04 Pcl 15256	WAINMAN, Stanley	2004	254	0.01458061	237.79	0.00296000	48.27	286.07	vested by City per Municipal Act	
21	110.002.02805.0000.0	RTEP	Waters Con 05 Lot 2 Pcl 26356 RP 53R7039 Part 3	FAZZARI, Giuseppe SEVIGNY, Paul	2004	254	0.01458061	485.70	0.00296000	98.80	584.50	vested by City per Municipal Act	
22	090.019.04300.0000.0	RTEP	Dill Con 04 Lot 10 Pcl 4553	SEVIGNY, Maxwell	2004	254	0.01599485	586.11	0.00296000	104.76	670.88	vested by City per Municipal Act	
23	070.022.00300.0000.0	RTEP	51 Edith Street	MARSOLAIS, Barbara Lorraine	2004	254	0.01599485	538.36	0.00296000	99.63	637.99	vested by City per Municipal Act	
24	060.001.09500.0000.0	RTEP	0 St. Catherine's Street	ELLIOTT, Byron Delgado	2004	254	0.01599485	316.36	0.00296000	58.54	374.90	vested by City per Municipal Act	
25	010.005.06900.0000.0	RTEP	0 Lourdes Street	PIONEER NON-PROFIT RETIREMENT VILLAGE OF SUDBURY INC	2004	254	0.01599485	876.92	0.00296000	162.28	1,039.20	vested by City per Municipal Act	
26	010.006.06100.0000.0	RTEP	0 Lonsdale Avenue	COULAS, Ambrose Victor	2004	254	0.01599485	327.46	0.00296000	60.80	388.06	vested by City per Municipal Act	
27													
28													
29													
30													
31													
32													
<b>TOTAL:</b>											26,605.20	4,175.12	30,780.32

Schedule 'B'

RECOMMENDED APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS  
 UNDER SECTION 357 OF THE MUNICIPAL ACT  
 REASON: CHANGE IN TAX CLASS / RATE

Council Meeting of: September 16, 2004

Item #	Roll #	Class	Location	Assessed Property Owner	Year	# Days	General Rate	City Portion	Education Rate	Education Portion	Total	Comments
1	160.018.11200.0000.0	EN	0 ELLEN STREET	VACHON, Sylvio SAMSON, Michael	2003	108	0.01385849	100.46	0.00335000	24.29	124.75	no longer exempt
		RT									0.00	
2	160.018.11200.0000.0	EN	0 ELLEN STREET	VACHON, Sylvio SAMSON, Michael	2004	366	0.01458061	349.93	0.00296000	71.04	420.97	no longer exempt
		RT									0.00	
3	160.009.06500.0000.0	CT	3516 Errington Avenue	SINCLAIR, Thomas Clark & Rita	2003	365	0.02302418	1260.80	0.02115349	1158.37	2419.17	all residential
		RT									(942.34)	
4	060.027.00100.0000.0	CTN	1492 Paris Street	1552594 ONTARIO INC.	2003	194	0.02550910	4067.48	0.02115349	3372.97	7440.45	demolition
		CXN									(5208.31)	
5	020.018.13800.0000.0	CTN	1877 LaSalle Blvd.	Dalron Leasing Limited	2004	170	0.02650987	1492.97	0.02349752	1123.44	2576.42	demolition
		CXN									(1803.51)	
TOTAL:											5027.60	

# Request for Decision City Council



## Type of Decision

Meeting Date	September 16, 2004				Report Date	September 9, 2004			
Decision Requested		Yes	<input checked="" type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

## Report Title

BINGO CHARITIES ADVISORY PROGRESS REPORT

### Policy Implication + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

Background Attached

### Recommendation

**FOR INFORMATION ONLY**

Recommendation Continued

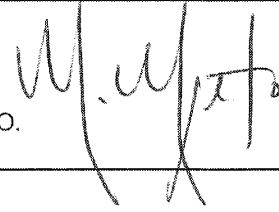
### Recommended by the General Manager

N/A

Name  
and Title


### Recommended by the C.A.O.

Mark Mieto, C.A.O.



27

Date: September 9, 2004

Report Prepared By

Carlos Salazar Coordinator of Corporate Strategy and Policy Analysis

Division Review
N/A
Name and Title

**BACKGROUND:**

On October 24, 2002, City Council passed the Smoke-Free Public Places and Workplaces By-law 2002-300 Effective May 31, 2003. As part of the By-law, Council supported the creation of a multi-sector Advisory Panel to determine the feasibility of developing creative strategies to address the concerns raised by local Charities and Non-profit Organizations that raise money from Charity bingos.

Council established the Advisory Panel, approved funding (\$15,000), and adopted the Terms of Reference at the Priorities Committee meeting on May 14, 2003. Council subsequently adopted the resolution. As per Council direction, the Bingo Hall Operators, the Charity Associations, the Health Unit Board, and the Sudbury Community Foundation Board were requested to appoint their representatives to the Advisory Panel.

**PROGRESS REPORT:**

On August 12, 2003, City Council passed resolution 2003-48 appointing the following members to the Charity Task Force. In the same resolution Council made them eligible for reappointment after November 30th, 2003. On January 29, 2004, Council by resolution 2004-49 reappointed the members.

- |                              |  |
|------------------------------|--|
| Council Representative       | Ron Bradley  |
| Bingo hall operators         | Don Labreche - Owner (Valley Bingo)<br>Garth Moote - Manager (Bingo Country)<br>Denis Sivret - Manager (Bingo One) Alternate |
| Charity Associations         | Jane Pascoe (Bingo One Association)<br>Rick Barrett (Capitol Bingo Association)  |
| Sudbury Community Foundation | Carmen Simmons and Gary Gray   |
| Health Unit                  | Shelley Westhaver (appointed by the Board of the Health Unit)  |

**Assigned Staff:**

- |             |  |
|-------------|--|
| Health Unit | David Groulx - Health Unit   |
| City        | Heather Salter -City Legal Services<br>Carlos Salazar - City- CAO's office |

Date: September 9, 2004

The Advisory Panel has met a number of times to design an approach that would serve the needs of the Charities and community groups in the community. The Panel began to engage the charity associations and the bingo hall operators in the process by hosting a consultation session in June. The Panel is also organizing a forum for October 2004 at which all the charities in the area would be invited to participate.

At the June consultation session, the bingo hall operators and the representatives for the respective charity associations, generated the following ideas for a long term strategy:

- **Need to market/reframe bingo** to try to get bingo players back into the hall. The group discussed the significant contributions made to numerous charities in our community and how the community is not aware of this.
- Look at strategies for **alternative sustainable fundraising** as a supplement for charities currently getting charity funds from bingo. The group suggested Lynn Cassidy as the facilitator for the forum and Ken Wyman as the speaker on sustainable funding.
- **Improve Customer Service.** Part of the way to do this is to have more volunteers recruited and provide them with adequate training so they know what they are doing.
- **Reduction of Licensing Fees** – 3% is the maximum the city can charge. The bingo charities are also charged administrative fees i.e. for each letter of support provided to renew a provincial license – these fees could be waved. Suggestion made that perhaps Council would reconsider redirecting licensing fees for a period of time back to Bingo Associations to conduct marketing strategy discussed earlier. The Panel will be making a presentation to Council after the forum and as part of the budget process.

It was suggested that these ideas needed to be built and expanded on by a broader representation of the bingo charities and therefore a forum was recommended.

Recently, City Council was informed of the closing of the Capitol Bingo. The Panel is inviting the charities and community groups that were associated with the Capitol Bingo to the community forum. At the forum we expect that more detailed ideas and a community consensus will develop around a detailed action plan.

#### **COMMUNITY FORUM - Saturday October 16, 2004**

The Panel has agreed to host the community forum at the Lionel Lalonde Centre in Azilda on October 16th. The Bingo hall operators and the Charity associations will be providing the list of charities and community groups to be invited; In addition, the Panel will be posting ads in the local newspapers. As suggested in the workshop, the facilitator and the speaker have confirmed their participation at the forum. The proposed agenda is as follows:

- Issues facing Bingo's in the Province (Lynn Cassidy, Executive Director of OCGA)
- Determining your best fundraising strategy and media and public relations (Ken Wyman, CFRE)
- Special events, trends in fundraising and sustainability of donors (Ken Wyman, CFRE)
- Report from group sessions

Date: September 9, 2004

**Agreement with the Sudbury Community Foundation**

During the second public meeting of the 2003 Budget process, the Sudbury Community Foundation presented a proposal to Council to establish a Community Fund from the Sudbury Race Tracks slot revenues. Council approved an annual allocation of \$50,000 towards the creation of this Fund under the umbrella of the Sudbury Community Foundation. Council's direction was to initially allocate these funds in support of those charities affected by the Smoke Free By-law.

The agreement between the Sudbury Community Foundation and the City established the Greater Sudbury Charities Fund as an undesignated fund, meaning that the fund will provide grants to all registered charities and qualified not-for-profits in the City of Greater Sudbury.

The Foundation will set up a Community Advisory Council to define the criteria for the grants. This Advisory Council will be reflective of the community and include a representative of the City of Greater Sudbury.

One of the tasks of this Community Advisory Council will be to establish a field of interest that grants will focus upon. In keeping with the intent of Council when approving the annual \$50,000, the Advisory Panel proposed that the initial field of interest be focused on those charities receiving funding from Charity Bingos as of December 31, 2003.

The Agreement contemplates this field of interest would remain for two years to May 31, 2006; this field of interest can be reviewed by this advisory body annually and maintained until those affected charities have had the opportunity to adjust to the impact of the By-law.

The fund status \* as of August 31, 2004 is as follows:

Fund Balance as of November 2003	\$ 50,000.00 (2003 City contribution)
Net Income earned Nov – Dec 2003	\$589.68
Net Income earned Jan – July 2004 **	\$562.40
Donations to the Fund (August, 2004)	\$ 50,000.00 (2004 City contribution)
Fund Total	\$101,152.08

\* Another \$15,000 will be added to the Fund from the Mayor's Mulligan Golf Tournament

\*\* Income figures not yet available for Aug 2004

# Request for Decision City Council



Type of Decision									
Meeting Date	Thursday, September 16, 2004				Report Date	Friday, September 10, 2004			
Decision Requested		Yes	<input checked="" type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

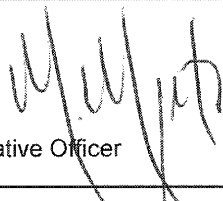
## Report Title

**MEMORANDUM OF UNDERSTANDING BETWEEN THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO AND THE PROVINCE OF ONTARIO**

Policy Implication + Budget Impact	
<input type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<b><u>POLICY IMPLICATION</u></b>	
NONE	
<b><u>BUDGET IMPACT</u></b>	
NONE	
<input checked="" type="checkbox"/>	Background Attached

Recommendation
<b>FOR INFORMATION ONLY</b>
<input type="checkbox"/>
Recommendation Continued

Recommended by the General Manager

Recommended by the C.A.O.
 Mark Mieto Chief Administrative Officer

**Report Prepared By**


Carlos Salazar  
Coordinator Corporate Strategy and Policy Analysis

**Division Review**

n/a

Name  
and Title

On August 23, 2004, the Ontario Government, through the Ministry of Municipal Affairs and Housing, and the Association of Municipalities of Ontario -AMO- signed a Protocol to ensure that municipalities have a seat at the table when the federal and provincial governments meet to discuss issues affecting municipalities. AMO is in the process of securing a similar commitment from the Federal government.

This protocol renews the memorandum of Understanding previously signed by the provincial government and AMO, which would expire in 2005. Following a commitment by the Premier, the province introduced legislation in June 2004 to enshrine the MOU into binding legislation.

The Protocol commits the provincial government to consult with AMO in areas that relate to municipal interest in:

1. Municipal infrastructure
2. Immigration
3. Labour market development
4. Housing initiatives
5. or on any other issue affecting municipalities' current budget year or current budget planning cycle. One of the current issues would be the municipal participation on any discussion regarding distribution of the gas tax.

Under the Protocol, the provincial government outlines the objectives it will try to achieve in discussion with the federal government:

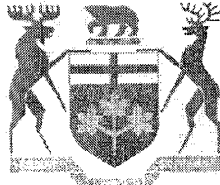
6. That Canada seek municipal input in policy and program design that has direct municipal impacts;
7. That federal programs are designed to achieve the goal of municipal fiscal sustainability
8. That municipal priorities are respected.

The Protocol does not preclude the province from consulting directly with municipalities, nor does it preclude municipalities from pursuing their individual interests with the provincial and/or federal governments. However, the Protocol does provide municipalities with a stronger voice and a vehicle to represent the different urban and rural municipalities of Ontario.

The Ontario - AMO Protocol is seen as an important step toward a tripartite agreement that would ensure a seat for municipalities at the federal-provincial table.

Attachment: Memorandum between Ontario and AMO.





Ontario

## MEMORANDUM OF UNDERSTANDING

between the

**ASSOCIATION OF MUNICIPALITIES OF ONTARIO**

and the

**PROVINCE OF ONTARIO**

as represented by the Minister of Municipal Affairs and Housing

(referred to as the parties)

### *Whereas:*

The well being of Ontario's economy and society and ensuring vibrant, healthy communities for Ontarians is of mutual concern to the parties:

The Province of Ontario (Ontario) wishes to work with Ontario municipalities to promote a strong, barrier-free economy and strong communities with a clean, healthy environment;

All Ontarians, individually and collectively, share responsibility for building and sustaining the province on behalf of present and future generations;

Effective cooperation between Ontario and municipalities enhances certainty and predictability of governmental performance, and promotes public confidence and sound planning;

Public policy issues are complex and thus require coordinated responses from the parties; and

The *Municipal Act, 2001* provides that the Province of Ontario endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest.

*Therefore:*

Ontario recognizes municipalities as responsible and accountable governments with respect to matters within their jurisdiction, and this Memorandum sets out the principles and procedures regarding consultation between Ontario and the Association of Municipalities of Ontario (AMO); and

Consultation with AMO under the terms of this Memorandum does not preclude Ontario from conducting other consultations directly with the municipal sector.

*Principles:*

**1. Respect for Area of Jurisdiction**

- 1.1 The parties shall endeavour to discharge their responsibilities within this Memorandum, while respecting each party's area of jurisdiction.

**2. Commitment**

- 2.1 Ontario is committed to cooperating with municipalities in considering new legislation or regulations that will have a municipal impact.
- 2.2 Ontario and municipalities share a common goal of ensuring a clear understanding of responsibilities so that Ontario and municipalities are accountable for specific policies and effective performance of their respective roles.
- 2.3 This Memorandum builds on the strong relationship between Ontario and municipalities and formalizes Ontario's support for the principle of consultation with the municipal sector.

**3. Prior Consultation**

- 3.1 The objective of consultation with AMO is to receive input on proposals and to identify impacts that would arise from a proposed statutory or regulatory change and its implementation.
- 3.2 In the spirit of fairness, openness and good faith, any proposed change in legislation or regulations that, in Ontario's opinion, will have a significant financial impact on the current municipal budget year or on the current municipal budget planning cycle will be accompanied by prior consultation.

**4. Responsibilities**

- 4.1 On matters subject to consultation under the terms of this Memorandum, Ontario shall provide a rationale for the proposed change in legislation or regulations to enable discussion of issues related to the assignment of new and/or expanded responsibilities to the municipal sector.

**5. Exclusions**

- 5.1 Emergency situations, matters subject to public interest immunity and matters in the Provincial budget, budget papers and budget bills are excluded from the application of this Memorandum.

**6. Failure to Comply**

- 6.1 Failure of the parties to comply with this Memorandum does not affect the validity of any action taken by the parties or give rise to any rights or remedies by the parties.

**7. Protocol**

- 7.1 Consultation with AMO with respect to the negotiation of agreements between Canada and Ontario on matters that have a direct municipal impact shall be carried out in accordance with Schedule C. The provisions of this Memorandum and its schedules shall apply to Schedule C, with necessary modifications.

**8. Information Sharing**

- 8.1 The parties shall cooperate in the development and distribution of information required for effective implementation of this Memorandum. Confidentiality of information will be respected, as described in Schedule A.

***Implementation:*****9. Cooperation**

- 9.1 The parties will cooperate in implementing this Memorandum consistent with the above principles.

**10. Term**

- 10.1 This Memorandum takes effect on the date this Memorandum is executed by the parties and shall remain in effect until three years from the date of execution. The prior Memorandum of Understanding between the parties dated December 19, 2001, is revoked as of the date of the execution of this Memorandum.
- 10.2 Notwithstanding subparagraph 10.1, a party may terminate this Memorandum at any time, without cause, upon ten (10) days written notice.

**11. Renewal**

- 11.1 This Memorandum may be renewed three years after its commencement if both parties agree.

**12. Review of the Memorandum of Understanding**

- 12.1 This Memorandum will be reviewed by the parties one year after adoption, or at any other time mutually agreed upon by the parties. Amendments to the Memorandum may be made with the agreement of both parties.

**13. Entirety**

- 13.1 All terms and conditions of the Schedules are incorporated into this Memorandum except where they are inconsistent with this Memorandum in which case the terms of the Memorandum shall take priority.

**14. Administration of the Memorandum of Understanding**

- 14.1 The lead contacts for administering this Memorandum are:

- Director of the Urban Affairs and Stakeholder Relations Branch of the Ministry of Municipal Affairs and Housing as the designate of the Minister of Municipal Affairs and Housing; and
- Executive Director of AMO as the designate of the President of AMO.


**15. Meetings**

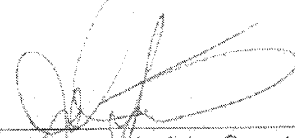
- 15.1 In furtherance of the objectives of consultation, meetings between the parties shall be held on a regular basis, in such manner as described in Schedule B.
- 15.2 Meetings can be called by either party at the convenience of the other party and will include the Minister and/or the Director of the Urban Affairs and Stakeholder Relations Branch of the Ministry of Municipal Affairs and Housing (MMAH) and the President and/or the Executive Director of AMO.
- 15.3 The scheduling of the meetings, including their frequency, location, timing and identity of participants, is to be mutually agreed to by the parties in conjunction with prior approval of the meeting agenda. In developing a meeting agenda, AMO may suggest specific priority issues or proposed policy or legislative initiatives for discussion.
- 15.4 In advance of any meeting, Ontario can request inclusion of municipal sector representatives beyond the membership of AMO and AMO can request inclusion of Provincial representatives in addition to staff of MMAH, which both parties shall endeavour to accommodate.

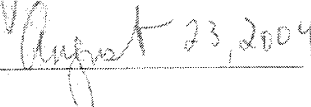
15.5 Consultation may take place at any time between Ontario and AMO outside of the meetings referred to in subparagraph 15.1 and may be considered consultation for the purposes of this Memorandum.

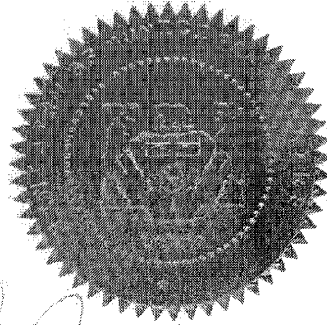
**IN WITNESS WHEREOF** to make best efforts to adhere to the terms established in this Memorandum, the parties have executed this Memorandum.

**PROVINCE OF ONTARIO as represented by the Minister of Municipal Affairs and Housing**


  
John Burke  
Deputy Minister, Ministry of Municipal Affairs and Housing

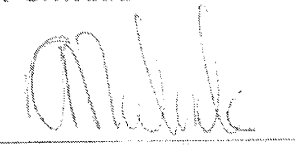
  
The Honourable John Gerretsen  
Minister of Municipal Affairs and Housing

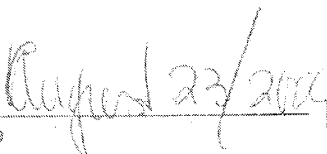
  
Date

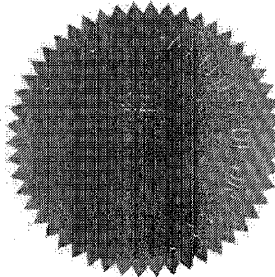


**ASSOCIATION OF MUNICIPALITIES OF ONTARIO**

  
Pat Vanini  
Executive Director, Association of Municipalities of Ontario

  
Ann Mulvale  
President, Association of Municipalities of Ontario

  
Date



I have authority to bind the Corporation.

## SCHEDULE A

### 1. Confidentiality

- 1.1 For the purposes of this section, "confidential information" means all information or material of Ontario and AMO that is of a proprietary or confidential nature, regardless whether it is identified as proprietary or confidential or not.
- 1.2 The parties shall treat as confidential and safeguard, either during or after the term of this Memorandum, any confidential information acquired by or produced through the performance of this Memorandum and shall not use or disclose to any person, firm, corporation or municipality, either directly or indirectly, any such information without first obtaining the written permission of the other party.
- 1.3 AMO understands and agrees that this Memorandum and any materials or information provided to Ontario through the performance of this Memorandum may be subject to disclosure by Ontario pursuant to the *Freedom of Information and Protection of Privacy Act* (R.S.O. 1990, c.F.31).
- 1.4 Nothing in this Memorandum affects the application or operation of the *Freedom of Information and Protection of Privacy Act*.

## SCHEDULE B

### 1. Attendance at Meetings

#### Core Participants

Minister of Municipal Affairs and Housing and/or Director, Urban Affairs and Stakeholder Relations Branch, MMAH  
President of AMO and members of the AMO Executive Committee (Toronto Caucus, Large Urban Caucus, Small Urban Caucus, Rural Caucus, Northern Caucus, Regional and Single Tier Caucus and County Caucus) and/or Executive Director, AMO

#### Other Potential Participants

Deputy Minister, MMAH  
Assistant Deputy Minister, Local Government Division, MMAH  
Other Assistant Deputy Minister(s), MMAH  
Manager, Urban Affairs and Stakeholder Relations Branch, MMAH  
Other MMAH staff

Minister(s) and staff from ministries other than MMAH

AMO staff

At the invitation of AMO, elected representatives from:  
Regional Chairs and Single Tier Mayors of Ontario (MARCO)  
Large Urban Mayors' Caucus of Ontario (LUMCO)  
L'Association française des municipalités de l'Ontario (AFMO)

Members of AMO task forces, working groups and/or committees

At the invitation of AMO, other representatives of the municipal sector

### 2. Meeting Schedule

Meetings will be held quarterly, or otherwise as jointly determined by the parties.

### 3. Meeting Locations

Meetings may alternate between MMAH and AMO offices.

### 4. Agenda Setting Procedures

MMAH and AMO staff to discuss draft agenda in advance of meeting. Agenda to be finalized, approved by both parties and distributed two (2) weeks prior to meeting.

### 5. Process for Recording Decision Points

Decision points at each meeting to be recorded by host staff at meeting location, to be approved by both parties and distributed to the MMAH and AMO contacts.

## SCHEDULE C

### PROTOCOL FOR CONSULTATION WITH AMO IN CANADA-ONTARIO NEGOTIATIONS ON MATTERS THAT HAVE A DIRECT MUNICIPAL IMPACT

Ontario is committed to consulting with AMO in its negotiations of agreements with the Government of Canada (Canada) in accordance with this Protocol on matters that have a direct municipal impact.

#### 1. Principles

- 1.1 Ontario recognizes that discussions between Canada and Ontario on matters that have a direct municipal impact will benefit from the input and/or participation of municipal representatives.
- 1.2 Ontario recognises that this Protocol is a first step towards a tripartite framework agreement between Canada, Ontario and AMO.
- 1.3 Consultation with AMO should take place early enough in the process of Canada-Ontario negotiations so that if concerns are raised by Ontario on behalf of AMO, Canada has the opportunity to develop alternative proposals to achieve Canada's policy and program objectives.
- 1.4 The purpose of consultation with AMO is to ensure that municipal and provincial interests are identified and understood so that all governments can work together more effectively. Citizens expect that all governments will work cooperatively to serve the Ontario public.
- 1.5 Consultation with AMO under the terms of this Protocol does not affect the ability of Ontario to set its own priorities and make decisions.

#### 2. Scope of Consultation

- 2.1 Ontario will consult with AMO on proposed Canada-Ontario agreements that directly affect the municipal sector if, in Ontario's opinion, the agreements:
  - a) relate specifically to municipal infrastructure, immigration, labour market development or housing initiatives;
  - b) will have significant financial impacts on the current municipal budget year or on the current municipal budget planning cycle; or
  - c) will lead to unnecessary overlap or duplication between the activities of federal/provincial/municipal governments.



### **3. Ontario's Role**

- 3.1 Ontario recognizes that funds provided by Canada to Ontario under a program of financial assistance to municipalities should be applied exclusively to that program.
- 3.2 In the negotiation of the agreements between Canada and Ontario identified in subparagraph 2.1, Ontario will endeavour to ensure that the following matters are considered:
- a) Canada's funding programs respect municipal priorities as identified by Ontario in consultation with AMO;
  - b) Canada designs its policy and program options to make municipalities more fiscally sustainable, autonomous and accountable;
  - c) Canada identifies any federal initiatives that could place inappropriate pressures or constraints on municipalities;
  - d) Canada seeks municipal input in the development and design of policy and program options having direct municipal impacts.

### **4. AMO's Role**

- 4.1 In discussions with Ontario under this Protocol, AMO will endeavour to consult within its membership, such groups as but not limited to, the Large Urban Mayors' Caucus of Ontario (LUMCO), the Mayors and Regional Chairs of Ontario (MARCO) and L'Association française des municipalités de l'Ontario (AFMO), and to take into consideration the full range of municipal opinion. AMO will seek to consolidate these views, align municipal perspectives and present these perspectives for discussions with Ontario.
- 4.2 AMO will ensure that it provides the appropriate representatives when having discussions with Ontario under this Protocol.
- 4.3 In providing its input to Ontario under this Protocol, AMO recognizes that time is of the essence.

### **5. Exclusions**

- 5.1 Meetings and negotiations of First Ministers or the Council of the Federation, Federal-Provincial-Territorial fora, bilateral or multi-lateral Provincial-Territorial fora and meetings or negotiations involving matters related to foreign relations or foreign jurisdictions are excluded from the application of this Protocol.
- 5.2 Land claims and self government agreements negotiated between Canada, Ontario and First Nations are excluded from the application of this Protocol.

- 5.3 Subsequent to the meetings referred to in subparagraph 5.1 and subject to any consent that may be required of parties participating in the meetings, Ontario will endeavour to report to AMO on matters discussed at the meetings which, in Ontario's opinion, have a direct municipal impact.
- 5.4 Consultation with AMO under the terms of this Protocol does not preclude Ontario from consulting directly with specific municipalities. In addition, Ontario may request selected municipalities to participate in provincial/municipal funding and service delivery initiatives.
- 5.5 Consultation with AMO under the terms of this Protocol does not preclude Ontario from consulting directly with Canada, other entities or individuals on matters having a direct municipal impact.

## 6. Manner of Consultation

- 6.1 Ontario will consult with AMO in any manner it chooses, including but not limited to the following:
- a) Ontario may request AMO's input at meetings held pursuant to paragraph 15 of the Memorandum of Understanding including, without limitation, requests for input with respect to matters referred to in subparagraph 5.1;
  - b) Ontario may invite AMO to provide input to Ontario in advance of any Canada-Ontario meeting;
  - c) Ontario may request AMO to participate in concurrent discussions with Ontario during Canada-Ontario negotiations; or
  - d) Ontario may request AMO to participate in working groups that design, administer or implement programs arising from agreements entered into between Ontario and Canada.
- 6.2 Prior to choosing the manner of consultation with AMO under subparagraph 6.1, Ontario may seek input from AMO as to the appropriate form of consultation.

# Request for Decision City Council



Type of Decision									
Meeting Date	September 16, 2004				Report Date	September 3, 2004			
Decision Requested		Yes	<input checked="" type="checkbox"/>	No	Priority		High		Low
	Direction Only				Type of	<input checked="" type="checkbox"/>	Open		Closed

**Report Title**

**Community Action Networks (CANs) Implementation**

**Policy Implication + Budget Impact**

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

**Background Attached**

**Recommendation**

**FOR INFORMATION**


**Recommendation Continued**

**Recommended by the General Manager**

*[Signature]*  
 Caroline Hallsworth  
 General Manager, Citizen and Leisure Services

**Recommended by the C.A.O.**

*[Signature]*  
 Mark Mioto  
 Chief Administrative Officer

Report Prepared By	Division Review
 Chris Gore Manager, Community Development and Volunteerism	

## **EXECUTIVE SUMMARY**

This report describing the Community Action Networks and the plans for Community Development over the course of the next year is provided for the information of Council.

## **BACKGROUND**

The Community Action Network or CAN concept was originally identified by the Mayor's Task Force on Volunteerism and Community Development (2001-2002) as a strategy that would provide a mechanism to engage members of the public in civic matters and community life and to empower citizens to work together to solve concerns, pursue community development opportunities and ultimately achieve a higher quality of life. The Community Action Network is an important component of the Healthy Community strategy adopted by the City of Greater Sudbury.

A Community Action Network is a representative group of community members who come together to identify priority projects which will enhance the quality of life for the residents in the immediate area or neighbourhood and in the broader community. CANs can be organized by a geographic area or amongst people with similar needs and concerns. Working through the CAN model, residents with seemingly disparate perspectives can come together in a CAN to reach a consensus as to the highest priorities for their neighbourhoods. CANs present the opportunity for citizens to participate in decision making, effect change and participate in their community. The more representative the CAN is of the residents of the community the greater the success of the CAN.

Typically, a CAN is lead by a steering committee of approximately ten to twelve individuals representing a cross section of the area or neighbourhood. The inclusion of youth under the age of 18 years has been identified as an important consideration for all CANs. Community members are invited to participate in projects and activities expressing their values and interests and many CANs form task oriented subgroups to lead specific projects. The Community Development Co-Ordinator for the ward is assigned as the primary liaison person for each CAN, and other City staff from various departments may be asked to assist with specific projects for which they have expertise and experience.

As recommended by the Mayor's Task Force on Community Involvement and Volunteerism and reported to Council earlier this year, the Leisure Services department has realigned resources so as to have one Community Development Co-ordinator in each ward. This reorganization will ensure that there is one individual in each ward who is available to liaise with the 700 community groups with whom we work, as well as to oversee the delivery of leisure programs and services in the community and provide support to the CANs in that ward. The Community Development Co-ordinators for each ward are as follows:

- Ward 1 - Karen Makela
- Ward 2 - Jeff Pafford
- Ward 3 - Dan Yachuk
- Ward 4 - Lori Henri
- Ward 5 - Cindy Dent
- Ward 6 - Dave Della Vedova

Currently there are four active CANs located in Levack-Onaping, Capreol, Minnow Lake and the newest in Valley East. Each CAN has identified the priority issues for their area, which projects may range in scope from working to secure a grocery store for a community to an initiative to improve a particular park. The four active CANs have worked with their Ward Councillors to achieve a number of successes which include activities such as Levack-Onaping CANs Youth Forum which is focusing on the needs of residents between the ages of 11 and 18 and helping to initiate new programs for youth and the Capreol CANs Community Pride Program which includes refinishing of the welcome signs in their community.

Building on the success of the existing CANs and the process which has been developed to initiate new CANs, the Community Development Co-ordinators will be working to create one new CAN in each ward prior to Christmas. Interest in new CANs has been identified in Lively, the South End, Azilda and Chelmsford. The CAN development process begins with the identification and recruitment of key community builders who work to establish an interest group and identify a steering committee and is followed by a strategic visioning session to determine the priorities of the particular community.

The Community Development Co-ordinators will arrange to meet with the councillors of their wards during the month of September to establish community development priorities within the ward and to discuss opportunities for the development of CANs.

# Request for Decision City Council




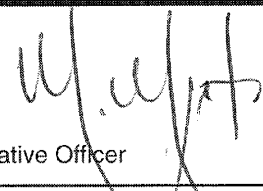
Type of Decision									
Meeting Date	August 12, 2004				Report Date	July 23, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title
Appointment to Street Naming Committee

Policy Implication + Budget Impact	
<input type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<p><u>Policy</u></p> <p>The procedure for appointment of a Member of Council to this Committee will be made in accordance with Council's Procedure By-law 2002-202, as amended.</p> <p><u>Budget Impact</u></p> <p>There is no budget impact.</p>	
<input checked="" type="checkbox"/>	Background Attached

Recommendation	
That Councillor _____ be appointed to the Street Naming Committee for the term ending November 30, 2006 or until his/her successor is appointed	
<input type="checkbox"/>	Recommendation Continued

Recommended by the General Manager
 Doug Wuksinic, General Manager of Corporate Services

Recommended by the C.A.O.
 Mark Mieto Chief Administrative Officer

Date: July 23, 2004

**Report Prepared By**



Angie Haché  
Deputy City Clerk

**Division Review**



Ron Swiddle, Director of Legal Services/  
City Solicitor

**Background**

City Council at their December 11, 2003 meeting passed the following resolution appointing a member to the Street Naming Project:

“That the following one (1) Member of Council is hereby appointed to the Street Naming Project for the term of Council (2003-2006) or until his/her successor is appointed:

Councillor Rivest”

At the time of making the appointment, it was recommended that two Members of Council form this Committee, however, only one Member was appointed.

As the Street Naming Committee will start meeting on a regular basis in the near future, it is being requested that one further Member of Council be appointed.

**SELECTION**

This appointment will be conducted in accordance with Section 36 of the Procedure By-law. (Copy Attached).

Where the number of Member(s) of Council required to fill the appointment are nominated, then a motion to appoint the nominee(s) shall be presented and voted upon;

If more than the number required to fill the appointment is nominated, then Council shall hold an election, in accordance with Article 36 of the Procedure By-law. (Copy Attached)

Council’s procedure requires that in the event more than one(1) candidate is nominated for the position, then a roll call vote of Members of Council shall be held.

Ballots have been prepared in anticipation of an election for the convenience of Members of Council.

Where all Members of Council are in attendance, seven (7) votes are required to fill each vacancy.

It is always in order for a Member of Council to nominate themselves and to vote for themselves.

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

Date: July 23, 2004

Once a successful candidate has been selected, then a resolution will be introduced appointing the successful candidate. A by-law is not required to confirm the appointments.

Where no applicant receives the majority required for appointment and where two or more applicants are tied with the least number of votes, a special roll call vote shall be taken to decide which of the tied applicants with the least number of votes shall be dropped from the list of names to be voted on in the next vote.



# VOTING CHART

## Majority Vote

(7 Members of Council are required for quorum)

Number of Members Present and Voting	Majority Vote
13	7
12	7
11	6
10	6
9	5
8	5
7	4

\*

## ARTICLE 36

### NOMINATION COMMITTEE - CITIZEN APPOINTMENTS

#### 36.1 **Made by Committee of the Whole- Procedure**

Appointments to the various local boards, Advisory Panels and corporations of the Corporation shall be recommended by the Committee of the Whole at a meeting called for that purpose. In making such appointments, the procedure set out in this article shall apply unless otherwise provided in a shareholders declaration.

#### 36.2 **Advertising - position - requirements - to local citizens**

At least 30 days prior to the Committee meeting at which a Citizen appointment is scheduled to be considered the Clerk shall place an advertisement in a local newspaper to run on at least two occasions and place an advertisement on radio or television or both, as the Clerk deems advisable, on at least one occasion outlining the position to be filled and inviting applications from interested citizens. A copy of each advertisement shall be provided to each Member of Council.

#### 36.3 **Applications - in writing - time limitation**

All Citizen applications for appointment must be in writing and received by the Clerk at least four clear days prior to the meeting of Council concerned.

#### 36.4 **Applications - qualifying - included - Committee of the Whole Agenda**

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

#### 36.5 **Applicants - qualified - exact number - motion**

Where there are only the exact number of qualified applicants as required for any position or positions, a motion to appoint the applicants to the position or positions concerned shall be presented and voted upon.

#### 36.6 **Applicants - qualified - more than required - selection**

If there are more qualified applicants than positions available, then the Committee of the Whole shall recommend from the qualified applicants the ones to fill the position or positions concerned.