THE FORTY-SIXTH MEETING OF THE COUNCIL
OF THE CITY OF GREATER SUDbury

Committee Room C-11
Tom Davies Square
Thursday, February 27th, 2003
Commencement: 6:30 p.m.

DEPUTY MAYOR LOUISE PORTELANCE, IN THE CHAIR

Present
Councillors Bradley; Callaghan; Courtemanche; Craig; Davey; Dupuis; McIntaggart; Petryna; Mayor Gordon (A6:35 pm)

City Officials
M. Mieto, Chief Administrative Officer; D. Belisle, General Manager of Public Works; C. Hallsworth, General Manager of Citizen & Leisure Services; D. Nadorozny, General Manager of Economic Development & Planning Services; T. Beadman, Acting General Manager, Emergency Services; R. Swiddle, Director of Legal Services/City Solicitor; S. Jonasson, Director of Finance/City Treasurer; P. Thomson, Director of Human Resources; A. Orendorff, Co-ordinator of Human Resources; J. McKechnie, Executive Assistant to the Mayor; T. Mowry, City Clerk; G. Ward, Council Secretary

Declarations of Pecuniary Interest
None declared.

“In Camera”
2003-73 Petryna/Courtemanche: That we move "In Camera" to deal with litigation and personnel matters in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, R.S.O. 1990, c.M.45, s.55(5).

CARRIED

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

Reconvene
At 7:07 p.m., Council moved to the Council Chamber to continue the regular meeting.

Chair
HIS WORSHIP MAYOR JAMES GORDON, IN THE CHAIR

Present
Councillors Bradley; Callaghan; Courtemanche; Craig; Davey; Dupuis; Kilgour; McIntaggart; Petryna; Portelance

City Officials
M. Mieto, Chief Administrative Officer; D. Belisle, General Manager of Public Works; C. Hallsworth, General Manager of Citizen & Leisure Services; D. Nadorozny, General Manager of Economic Development & Planning Services; C. Sandblom, Acting General Manager of Health & Social Services; D. Wuksinic, General Manager, Corporate Services; T. Beadman, Acting General Manager, Emergency Services; R. Swiddle, Director of Legal Services/City Solicitor; S. Jonasson, Director of Finance/City Treasurer; J. Cunningham, Deputy Chief of Police, Greater Sudbury Police Service; N. Charette, Manager of Corporate Communications
City Officials (Continued) and French-language Services; J.P. Graham, Plants Engineer; D. Mathé, Manager of Supplies & Services; J. McKechnie, Executive Assistant to the Mayor; P. Aitken, Government Relations/Policy Analyst; K. Bowschar-Lische, Law Clerk; T. Mowry, City Clerk; G. Ward, Council Secretary

C.U.P.E. Local 4705 W. McKinnon, President; D. Burke, National Servicing Representative

News Media My Town; Sudbury Star; CIGM; MCTV; Northern Life; Le Voyageur

Declarations of Pecuniary Interest None declared.

Rise and Report Deputy Mayor Portelance, as Chairman of the Committee of the Whole, reported Council met to deal with personnel and litigation matters falling within Article 15.5 of the City of Greater Sudbury Procedural By-law 2002-202 and the Municipal Act, R.S.O. 1990, c.M.45, s.55(5) and certain resolutions emanated therefrom.

BY-LAWS

2003-33A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A FRANCHISE AGREEMENT WITH UNION GAS

1st & 2nd Reading 2003-74 Petryna/Courtemanche: That By-law 2003-33A be read a first and second time.

CARRIED

3rd Reading 2003-75 Petryna/Courtemanche: That By-law 2003-33A be read a third time and passed.

CARRIED

Rules of Procedure Council, by a two-thirds majority, agreed to dispense with the Rules of Procedure and deal with Items R-5 and R-4 (Motions), at this time.

MOTIONS

Item R-5 Facility Review Policy Portelance/Petryna: THAT this Council gives clear directions to Senior Staff to develop a “Public Facility Closure Policy” that would include process, time frame, as well as public input.

Friendly Amendment Council approved a friendly amendment presented by Councillor Craig that the “Public Facility Closure Policy” be entitled “Facility Review Policy”.
Main Motion

The original motion, as amended, was then presented:

2003-76 Portelance/Petryna: THAT this Council gives clear directions to Senior Staff to develop a “Facility Review Policy” that would include process, time frame, as well as public input.

CARRIED

Item R-4
Long Term
Sustainable Funding

Courtemanche/McIntaggart: WHEREAS 93% of all tax dollars go to the provincial and federal levels of government, only 7% go to municipalities;

AND WHEREAS since 1992, federal and provincial revenues have increased by 48% and 55% respectively, municipal revenues have increase by only 9%;

AND WHEREAS senior levels of government lag far behind in the level of funding that they provide to municipalities compared to our American counterparts;

AND WHEREAS major Canadian banks have identified the need for senior levels of government to provide more progressive revenue alternatives, such as a share of sales tax, to Canada’s urban communities;

AND WHEREAS our Long-term Financial plan has identified a $343 million gap between capital needs and available resources, and calls for senior levels of government to contribute more funding to the municipal infrastructure;

AND WHEREAS Greater Sudbury has experienced negative assessment growth in recent years thereby placing a greater burden on local ratepayers;

AND WHEREAS the City of Greater Sudbury has had to spend in excess of $10 million in restructuring costs because of a shortfall in Provincial funding;

AND WHEREAS provincial downloading was not revenue neutral and will cost this municipality an additional $1.5 million in 2003;

AND WHEREAS the entire Community Reinvestment Fund has not been indexed for inflation;

AND WHEREAS since 1996 the total impact of provincial grants reductions to Greater Sudbury exceeds $125 million;

AND WHEREAS new and costly provincial legislation such as the Safe Drinking Water Act are increasing costs to this community including a 9.8 % increase in water rates in 2003;
Item R-4 (Continued)

AND WHEREAS the City has committed $28 million to the construction of the new Regional Hospital, including a $1 million contribution in 2003, because of a shortfall in Provincial healthcare funding;

AND WHEREAS Toronto has asked the Provincial government for an influx of $95 million to offset its 2003 budget shortfall;

AND WHEREAS the Federal government’s 2003 Budget announced a mere $100 million for this year and $150 million in 2004-2005 to urban infrastructure projects, even though Canadian cities have identified a $57 billion capital infrastructure deficit;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury petition the Province of Ontario to do the following:

• Rebate Sudbury for the $10.6 million shortfall in restructuring costs;

• Index the entire Community Reinvestment Fund for inflation;

• Increase cost sharing arrangements through provincial grants similar to what existed prior to 1996; and,

• Provide adequate resources to offset the full costs of provincially downloaded services and new provincial legislation and regulations;

AND FURTHER THAT both levels of senior government provide adequate and sustainable sources of revenue to municipalities by providing more progressive revenue alternatives;

AND FURTHER THAT copies of this Resolution be forwarded to the Right Honourable Jean Chrétien, Prime Minister of Canada, the Honourable John Manley, Minister of Finance and Deputy Prime Minister, Honourable Ernie Eves, Premier of the Province of Ontario, the Federation of Canadian Municipalities, the Association of Municipalities of Ontario and all local Members of the Parliament of Canada and the Legislative Assembly of Ontario.

Friendly Amendments

Council approved a friendly amendment presented by Councillor McIntaggart to add the following after recital 3:

“AND WHEREAS the municipalities are the engines for creating the wealth for the Federal and Provincial Governments;”

Council approved a further friendly amendment, presented by Councillor Davey to add the following after recital 14:
“AND WHEREAS, in response to concerns and safety issues regarding the Toronto subway system, the Toronto Transit Commission has received $64 million from the Province of Ontario for safety upgrades;”

The original motion, with the amendment, was then presented:

2003-77 Courtemanche/McIntaggart: WHEREAS 93% of all tax dollars go to the provincial and federal levels of government, only 7% go to municipalities;

AND WHEREAS since 1992, federal and provincial revenues have increased by 48% and 55% respectively, municipal revenues have increase by only 9%;

AND WHEREAS senior levels of government lag far behind in the level of funding that they provide to municipalities compared to our American counterparts;

AND WHEREAS municipalities are the engines for the creation of wealth for the Federal and Provincial Governments;

AND WHEREAS major Canadian banks have identified the need for senior levels of government to provide more progressive revenue alternatives, such as a share of sales tax, to Canada’s urban communities;

AND WHEREAS our Long-term Financial plan has identified a $343 million gap between capital needs and available resources, and calls for senior levels of government to contribute more funding to the municipal infrastructure;

AND WHEREAS Greater Sudbury has experienced negative assessment growth in recent years thereby placing a greater burden on local ratepayers;

AND WHEREAS the City of Greater Sudbury has had to spend in excess of $10 million in restructuring costs because of a shortfall in Provincial funding;

AND WHEREAS provincial downloading was not revenue neutral and will cost this municipality an additional $1.5 million in 2003;

AND WHEREAS the entire Community Reinvestment Fund has not been indexed for inflation;

AND WHEREAS since 1996 the total impact of provincial grants reductions to Greater Sudbury exceeds $125 million;

AND WHEREAS new and costly provincial legislation such as the Safe Drinking Water Act are increasing costs to this community including a 9.8 % increase in water rates in 2003;
AND WHEREAS the City has committed $28 million to the construction of the new Regional Hospital, including a $1 million contribution in 2003, because of a shortfall in Provincial healthcare funding;

AND WHEREAS Toronto has asked the Provincial government for an influx of $95 million to offset its 2003 budget shortfall;

AND WHEREAS, in response to concerns and safety issues regarding the Toronto subway system, the Toronto Transit Commission has received $64 million from the Province of Ontario for safety upgrades

AND WHEREAS the Federal government's 2003 Budget announced a mere $100 million for this year and $150 million in 2004-2005 to urban infrastructure projects, even though Canadian cities have identified a $57 billion capital infrastructure deficit;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury petition the Province of Ontario to do the following:

- Rebate Sudbury for the $10.6 million shortfall in restructuring costs;
- Index the entire Community Reinvestment Fund for inflation;
- Increase cost sharing arrangements through provincial grants similar to what existed prior to 1996; and,
- Provide adequate resources to offset the full costs of provincially downloaded services and new provincial legislation and regulations;

AND FURTHER THAT both levels of senior government provide adequate and sustainable sources of revenue to municipalities by providing more progressive revenue alternatives;

AND FURTHER THAT copies of this Resolution be forwarded to the Right Honourable Jean Chrétien, Prime Minister of Canada, the Honourable John Manley, Minister of Finance and Deputy Prime Minister, Honourable Ernie Eves, Premier of the Province of Ontario, the Federation of Canadian Municipalities, the Association of Municipalities of Ontario and all local Members of the Parliament of Canada and the Legislative Assembly of Ontario.
RECORDED VOTE:

<table>
<thead>
<tr>
<th>YEAS</th>
<th>NAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bradley</td>
<td></td>
</tr>
<tr>
<td>Callaghan</td>
<td></td>
</tr>
<tr>
<td>Courtemanche</td>
<td></td>
</tr>
<tr>
<td>Craig</td>
<td></td>
</tr>
<tr>
<td>Davey</td>
<td></td>
</tr>
<tr>
<td>Dupuis</td>
<td></td>
</tr>
<tr>
<td>Kilgour</td>
<td></td>
</tr>
<tr>
<td>McIntaggart</td>
<td></td>
</tr>
<tr>
<td>Petryna</td>
<td></td>
</tr>
<tr>
<td>Portelance</td>
<td></td>
</tr>
<tr>
<td>Gordon</td>
<td></td>
</tr>
</tbody>
</table>

CARRIED

PART I

CONSENT AGENDA

The following resolution was presented to adopt Items C-1 to C-9 inclusive, contained in Part I, Consent Agenda:

2003-78 Petryna/Bradley: That Items C-1 to C-9 inclusive, contained in Part I, Consent Agenda, be adopted.

CARRIED

Falconbridge Facilities - Extension to June 30/2003

Councillor Kilgour advised he and Councillor Callaghan had attended a meeting in Falconbridge regarding closure of the arena and recreation centre. He tabled a letter from Rick Grylls, written on behalf of the citizens of Falconbridge, requesting a four-month extension to give citizens of the community an opportunity to put together a business plan to keep the facilities open.

The consensus of Council was received to grant the requested four month extension to June 30th, 2003.

MINUTES

Item C-1 Report No. 44 C.C. 2003-02-13


CARRIED

Item C-2 Report No. 13 Priorities Committee 2003-02-26


CARRIED
Item C-3  
Report No. 1  
Nomination Committee  
2003-02-26  
CARRIED

Item C-4  
G.S.P.S.B.  
2003-01-20  
CARRIED

Item C-5  
Annual Meeting  
F.M.B.I.A.  
2003-01-27  
CARRIED

Item C-6  
T.O.C.  
2003-02-18  
2003-84 Portelance/Petryna: That the Report of the Tender Opening Committee, Minutes of 2003-02-18 be received.  
CARRIED

**TENDERS**

Item C-7  
Award of Tender: Fifty-Five Light Vehicles  
2003-02-27  
Report dated 2003-02-27, with attachments, from the General Manager of Public Works regarding Award of Tender: Fifty-Five Light Vehicles, was received.  
The following resolution was presented:  
2003-85 Petryna/Bradley: That the tender for the purchase of Fifty-three (53) Light Vehicles be awarded to Cambrian Ford Sales Inc. in the amount of $1,416,524.08, this being the lowest tender meeting all the requirements of the specifications and that the tender for the purchase of two (2) Mini Vans/Cargo Type be cancelled and retendered as two (2) Mini Window Vans.  
CARRIED

Item C-8  
Transit Concession Request for Proposal  
2003-02-14  
Report dated 2003-02-14 from the General Manager of Citizen & Leisure Services regarding Transit Concession Request for Proposal was received.
Item C-8
(Continued)

The following resolution was presented:

2003-86 Petryna/Courtemanche: That the contract for the delivery of concession services at the downtown Transit Terminal be awarded to Zio’s Café, this being the only proposal to meet the criteria outlined in the Request For Proposal. The bid price is 15% of gross revenues or a minimum guarantee of $22,000, whichever is greater, for the term of the contract between April 1st, 2003 to March 31st, 2005, with an option to extend the contract on a yearly basis for a period of an additional four (4) years pending an annual review by the Lessor.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-9
2002 Rebate:
Reuse Organizations

Report dated 2003-02-27 from the General Manager of Public Works regarding 2002 Rebate: Reuse Organizations, was received.

The following resolution was presented:

2003-87 Portelance/Petryna: That the 2002 Tipping Fee Rebate for non-profit reuse organizations be approved, as detailed in the report dated February 19, 2003 from the General Manager of Public Works.

CARRIED

BY-LAWS


2003-37A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF 210 LLOYD STREET AND GRANT TO THE UKRAINIAN SENIOR CITIZENS’ CLUB INC.

Planning Committee Resolution 2003-13


Planning Committee Recommendation 2003-17

(This By-law rezones the subject property to Single Residential to permit the creation of three lots for single residential use fronting on Corsi Hill. Dalron Construction Limited - Copper Street/Corsi Hill, Sudbury.)
2003-39P 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT AMENDMENT NUMBER 218 OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA

Planning Committee Resolution 2003-19

(This amendment is a site specific Official Plan amendment to permit additional uses, including office uses, within the Light Industrial/Service Commercial land use designation of the Sudbury Secondary Plan where such a use would be prohibited. The amendment establishes site specific policies for the subject property in order to allow 50% of the gross floor area on the site to be occupied by office uses. Sudbury Regional Credit Union, 205 Douglas Street, Sudbury.)


Planning Committee Recommendation 2003-20

(This By-law rezones the subject property to “M1-47”, Special Mixed Light Industrial/Service Commercial to accommodate a revised list of permitted uses within an existing plaza structure. An office(s) not exceeding 50% of the gross floor area of an existing building shall be among the uses to be permitted. Sudbury Regional Credit Union, 205 Douglas Street, Sudbury.)

1st & 2nd Reading 2003-88 Petryna/Courtemanche: That By-law 2003-36A to and including By-law 2003-40Z be read a first and second time.

CARRIED

3rd Reading 2003-89 Petryna/Bradley: That By-law 2003-36A to and including By-law 2003-40Z be read a third time and passed.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-10 Development Charges
Year Ended December 31, 2002

Report dated 2003-02-13, with attachments, from the General Manager of Corporate Services regarding Development Charges Collected for the Year Ended December 31, 2002 was received for information.

MANAGERS’ REPORTS

Item R-1 Municipal Groundwater Study

Report dated 2003-02-19, with attachments, from the General Manager of Public Works regarding Municipal Groundwater Study was received.
Item R-1
(Continued)

The following resolution was presented:

2003-90 Portelance/Petryna: THAT Council authorize Staff to proceed with a Provincially funded Groundwater Study affecting municipal water supply in Capreol, Valley East, Garson, Dowling, Falconbridge and Onaping;

AND FURTHER THAT Council authorize the extension of the study to include the evaluation of groundwater impact on Lake Wanapitei and Ramsey Lake;

AND FURTHER THAT Council authorize Staff to recruit a contract/temporary employee with the proper qualifications to manage project for its duration.

CARRIED

Councillor Kilgour questioned the use of numbering or an identification system of ice huts on Lake Wahnapitae. Municipalities south of Highway 17 do this as a monitoring device and asked if staff could investigate the feasibility of implementing a similar system for this lake.

Mayor Gordon advised this matter would be referred to staff for a report.

Item R-2
Master Fire Plan - Appointments

Report dated 2003-02-21 from the Acting General Manager of Emergency Services regarding City of Greater Sudbury Master Fire Plan - Appointment of one Member of Council to the Fire Advisory Committee was received.

The following resolution was presented:

2003-91 Portelance/Petryna: THAT the City of Greater Sudbury’s Emergency Services Department retain the services of the IBI Group in the amount of $64,988, to develop the data collection process, the organization of the information, and the final preparation and writing of the Master Fire Plan, this being the highest scoring proposal received meeting all the criteria as specified in the Request for Proposal process.

CARRIED

Method of Voting

The consensus of Council was obtained to conduct the election process by a paper ballot vote.

Point of Information

Councillor Petryna rose on a point of information advising both Councillors from Ward 3 were interested in serving on the Emergency Services Fire Advisory Committee and asked if both could be appointed.
Item R-2
(Continued)

The consensus of Council was obtained to appoint two Members of Council to the aforesaid committee.

Nominations for the appointment of two Members of Council to the Emergency Services Fire Advisory Committee were opened.

Nominated by Councillor Davey, Seconded by Councillor McIntaggart:

Councillors Dupuis and Portelance

Moved by Councillor McIntaggart: That nominations be closed.

The following resolution was presented:

2003-92 Petryna/Bradley: THAT Emergency Fire Services Advisory Committee Terms of Reference be approved;

AND THAT Councillors Dupuis and Portelance be appointed to the Emergency Services Fire Advisory Committee for the term ending November 30th, 2003 or until his/her successor is appointed;

AND FURTHER THAT Kevin Basto be appointed as the representative of the Sudbury Professional Fire Fighters Association;

AND FURTHER THAT Fern Landry be appointed as the representative of the Volunteers Fire Fighters Association.

CARRIED

The Acting General Manager of Emergency Services advised the following citizens were appointed to the Emergency Services Fire Advisory Committee at the Nominating Committee meeting held on 2003-02-26:

Wayne BAKER
Oscar POLONI
Richard YELLE

Item R-3
Implementation for Fall Protection System

Report dated 2003-02-19, with attachments, from the General Manager of Public Works regarding Implementation for Fall Protection System, Move to Comply with Provincial Legislation was received.

The following resolution was presented:

2003-93 Petryna/Bradley: That Council authorize the issuing of a Purchase Order in the value of $158,722.66 to Roger Ferron for the supply, installation and certification of Davit System Hardware meeting all the requirements of current Fall Protection Legislation.

CARRIED
ADDENDUM TO AGENDA

Addendum

The following resolution was presented:

2003-94 Petryna/Courtemanche: That the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of Pecuniary Interest

None declared.

MINUTES

Item AD.1
Report No. 5
Finance Committee
2003-02-17


CARRIED

Item AD.2
Report No. 6
Finance Committee
2003-02-18


CARRIED

Item AD.3
Report No. 7
Finance Committee
2003-02-19

Councillor McIntaggart noted an error in the Finance Committee Minutes of 2003-02-19. When he requested a motion for reconsideration regarding Vote # 53, 57 & 62 (Reduce Snow Removal), he was ruled out of order by the Chair as he had not voted on the prevailing side. Councillor Davey did vote on the prevailing side and the motion for reconsideration was presented.


CARRIED

BY-LAWS

2003-41P 3

A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT AMENDMENT NUMBER 216 OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA

Planning Committee Recommendation 2003-3

(This amendment changes the land use designation of the subject property from “Rural” to “Seasonal Waterfront District” to permit the development of the property for seasonal residential use in accordance with the policies of the Secondary Plan for the Lake Wanapitei Area. Nine Holdings (Sudbury) Ltd. et al - MacLennan Township - Lake Wanapitei.)
A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-304, THE ZONING BY-LAW OF THE FORMER TOWN OF NICKEL CENTRE

Planning Committee Recommendation 2003-4

(This By-law rezones the subject property to “R7.D2.5-1, Seasonal Residential Special to permit seasonal residential use. The “special” component of the by-law requires buildings to be set back 12m from Lake Wanapitei and it requires private septic systems to be set back 45m from Lake Wanapitei. Nine Holdings (Sudbury) Ltd. et al - MacLennan Township - Lake Wanapitei.)

1st & 2nd Reading


CARRIED

3rd Reading


CARRIED

QUESTION PERIOD

Condolences - Shaw Family

Councillor Callaghan, Chair of the Greater Sudbury Public Library Board, advised the Library Board recognized the contributions of the late Councillor Karen Shaw (former Councillor) with the purchase of memorial books.

Mayor Gordon expressed the condolences of Council and Staff to the family of the late Karen Shaw.

Succession Planning

Councillor Courtemanche asked if any arrangements were being made for succession planning in regard to the number of employees eligible for retirement in the next few years. He suggested a plan must be in place to retain the knowledge these employees would be taking with them when they leave.

The Chief Administrative Officer advised the General Managers of each department are reviewing their work force to ensure a plan is in place as employees retire.

Advisory Panel - Animal Control By-law

Councillor Courtemanche questioned the status of the by-law as it relates to the Animal Control By-law, Advisory Panel.

The General Manager of Economic Development & Planning Services advised an advisory panel would be established once the mechanism to be used for enforcement is in place. Some services will be delivered by staff and others will be tendered out. A report would be brought back to Council when the results of staffing and tender responses are completed.
Street Naming Committee

Councillor Dupuis questioned the status of the Street Naming Committee and when they would begin meeting on a regular basis.

The Director of Legal Services/City Solicitor advised he is working on a series of recommendations for the committee and will provide a list of names the committee can review. Input has been received from the Police and Emergency Services in regard to the troublesome areas that would be dealt with first.

Sudbury Regional Breast Health Coalition

Councillor Portelance advised the Sudbury Regional Breast Health Coalition has now launched their new web site: www.breastnorth.info She requested the coalition call the City for a link from their web site to ours.

NOTICE OF MOTION

Implementation of C.I.P. for the City of Greater Sudbury

Presented by Councillor McIntaggart:

THAT the Chief Administrative Officer be directed to bring forth a procedure for the establishment and implementation of a Continuous Improvement Program (C.I.P.) for the City of Greater Sudbury.

Adjournment

2003-100 Petryna/Courtemanche: That this meeting does now adjourn. Time: 9:15 p.m.

CARRIED

Mayor

Clerk