

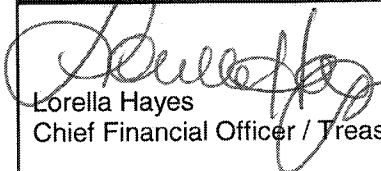
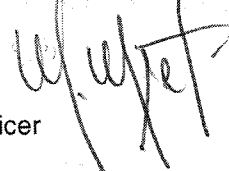
Request for Decision City Council




Type of Decision											
Meeting Date		December 12, 2007				Report Date		November 30, 2007			
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
Tax Adjustments under Sections 357 and 358 of the Municipal Act

Budget Impact / Policy Implication	Recommendation
<p>This report has been reviewed by the Finance Division and the funding source has been identified.</p> <p>Of the total taxes to be struck from the tax roll, the City's portion is \$2,735.98. This amount, as well as previous amounts struck from the roll for 2007, is well within the budget amount for the tax write offs.</p>	<p>THAT the amount of \$3,462.03 be struck from the tax roll.</p>
<input checked="" type="checkbox"/> Background Attached	<input type="checkbox"/> Recommendation Continued

Recommended by the Department	Recommended by the C.A.O.
<p> Lorella Hayes Chief Financial Officer / Treasurer</p>	<p> Mark Mieto Chief Administrative Officer</p>

Date: November 30, 2007

Report Prepared By	Division Review
 Tony Derro Supervisor of Tax / Chief Tax Collector	

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.

The Municipal Act provides for a notification / appeal process for property owners that have applied for a tax adjustment. Notices were sent to property owners on or before November 19, 2007 and all queries / concerns were addressed by the Tax Department prior to the preparation of the attached Schedule B and none of the applicants have requested an appearance before the Hearing Committee of Council.

SCHEDULE 'A'
APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS
UNDER SECTIONS 357/358 OF THE MUNICIPAL ACT
December 12, 2007

<i>Reason for Adjustment</i>	<i>Applications</i>	<i>City Portion</i>	<i>Education Portion</i>	<i>CBI / FBI</i>
Fire or Demolition	6	\$ 964.44	\$ 157.40	\$ -
Class Change	2	\$ 217.12	\$ 320.39	\$ -
Exempt	3	\$ 1,554.42	\$ 248.26	\$ -
TOTAL:	11	\$ 2,735.98	\$ 726.05	\$ -

Schedule 'B'
APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS
UNDER SECTIONS 357/358 OF THE MUNICIPAL ACT
December 12, 2007

Item #	Roll #	Class	Location	Assessed Property Owner	Assessment Value	Year	# Days	General Rate	City Portion	Education Rate	Education Portion	CBI / FBI Rate	CBI / FBI Portion	Total	Comments
1	040 022 08200	RTEP	365 DONOVAN ST	PAULINE KRUUK	33,500	2007	63	N/A	-	N/A	-	-	-	-	No Recommendation
2	170 012 03100	RTFS	841 DOMINION DR	HENRY SHEPHERD	61,500	2007	251	0.01617622	684.12	0.00264000	111.65	-	-	795.77	Fire-Demolition
3	170 020 29800	RTFS	1744 KENNETH DR	MAURICE DUBOIS	27,500	2007	230	0.01617622	280.32	0.00264000	45.75	-	-	326.07	Demolition
4	170 026 17302	RTFS	120 FIRE RD 5	RAYMOND DIXON	48,000	2007	365	N/A	-	N/A	-	-	-	-	No Recommendation
5	170 026 17302	RTFS	120 FIRE RD 5	RAYMOND DIXON	48,000	2006	365	N/A	-	N/A	-	-	-	-	No Recommendation
6	170 026 17302	RTFS	120 FIRE RD 5	RAYMOND DIXON	48,000	2005	365	N/A	-	N/A	-	-	-	-	No Recommendation
TOTAL:															
5									\$ 964.44		\$ 157.40	\$ -	\$ -	\$ 1,121.84	

Schedule 'B'
RECOMMENDED APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS
UNDER SECTIONS 357/358 OF THE MUNICIPAL ACT
 December 12, 2007

Item #	Roll #	Class	Location	Assessed Property Owner	Assessed Value	Year	# Days	General Rate	City Portion	Education Rate	Education Portion	CBI / FBI Rate	CBI / FBI Portion	Total	Comments
1	040 003 065	CTN RTN	140 EYRE ST	BOYER GILLES	65,000 (65,000)	2007	365	N/A	N/A	N/A	N/A	N/A	N/A	\$ -	NO RECOMMENDATION
2	170 018 223	CTN RTEP	5828 HIGHWAY 69 N	DOUCETTE LEONARD	27,750 (27,750)	2007	245	0.02783238 0.01617622	518.43 (301.31)	0.01984045 0.00264000	369.56 (49.17)	0.00 0.00	0.00 0.00	887.99 -350.48	NO LONGER COMMERCIAL
2	TOTAL:														
									\$ 217.12		\$ 320.39	\$ -	\$ -	\$ 537.51	

Schedule 'B'
RECOMMENDED APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS
UNDER SECTION 357 OF THE MUNICIPAL ACT
December 12, 2007

Item #	Roll #	Class	Location	Assessed Property Owner	Assessed Value	Year	# Days	General Rate	City Portion	Education Rate	Education Portion	CBI / FBI Rate	CBI / FBI Portion	Total	Comments
1	070 008 080	RTEP EN	646 KINGSWAY	City of Greater Sudbury	52,000 (52,000)	2007	245	0.01712830 0.000000000	597.85 0.00	0.00264000 0.000000000	92.15 0.00			690.00 0.00	Exemption for municipal purposes
2	170 005 09803	EN EN	2665 BELISLE DR	1124974 ONTARIO INC	(24,500) 24,500	2007		N/A N/A	0.00 0.00	N/A N/A	0.00 0.00			0.00 0.00	No Recommendation
3	170 013 148	RTFS EN	1611 NORMAN CRES	COMMUNITY LIVING	76000 -76000	2007	284	0.01617622 0.000000000	956.57 0.00	0.00264000 0.000000000	156.11 0.00			1,112.68 0.00	Became Exempt
3				TOTAL:				\$ 1,554.42	\$ 1,554.42		\$ 248.26	\$ -	\$ -	\$ 1,802.68	

Request for Decision City Council



Type of Decision

Meeting Date	December 12, 2007				Report Date	November 23, 2007			
Decision Requested	X	Yes		No	Priority		High		Low
	Direction Only				Type of Meeting	X	Open		Closed

Report Title

2007 Neighbourhood Grant Allocation Report

Policy Implication & Budget Impact

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

Funds in the amount of \$ 53,061.00 are budgeted in the 2007 Leisure Grants and Donations cost centre L.R. 10.20.00.00.

Background Attached

Recommendation

That Council approve the allocation of the 2007 Neighbourhood Grant program as outlined in the report from the General Manager of Community Development, dated November 23, 2007; and

That the appropriate by-law be passed.

Recommendation Continued

Recommended by the Department

C. Matheson

Catherine Matheson
General Manager, Community Development



Recommended by the C.A.O.

Mark Mieto

Mark Mieto
Chief Administrative Officer

Date: November 23, 2007

Report Prepared By

 
Dan Yachuk/Cindy Dent
Recreation Co-ordinator/Manager of Recreation

Division Review


Réal Carre
Director, Leisure Services

Executive Summary:

The primary goal of the Neighbourhood Association Grant is to recognize and respond to individual neighbourhood needs, promote neighbourhood uniqueness and to encourage neighbourhood participation. Neighbourhood Associations which are affiliated with the City of Greater Sudbury Leisure Services Department (60 in total) and who contribute to the enrichment of community life are considered for a grant, within the limits of the available financial resources.

It was decided in 2004, that an Associations volunteer hours would be considered as the matching contribution on behalf of the Association. We were pleased to receive 46 applications this year.

Background:

As part of the 2007 budget process, Council approved \$53,061.00 within the operating budget for Neighbourhood Association Grants. Each Association is entitled to no more than one grant per year and is required to complete a grant application form, which details the purpose of their grant. The maximum grant available remains \$1,500.00 per Association.

A Post-Project Report must be submitted by each Association upon utilization of the funds. Subsequent grant applications from an Association will not be considered unless a Post-Project Report has been submitted for previous grants received by that Association.

Grant applications are reviewed by a committee consisting of a City staff member from the Leisure Services Department and representatives from the Neighbourhood Associations. Members of the 2007 review committee were, Jennifer Olive (Falconbridge Recreation Centre), Carrie Taggart (Ryan Heights Neighbourhood Association), Tom Gunn (Rosemarie Neighbourhood Association), Brenda Packham (East End Neighbourhood Association), Rev. Genny Rollins (Skead Road Community Centre) and Dan Yachuk - Recreation Co-ordinator, Leisure Services.

Date: November 23, 2007

Grant applications are eligible for funding under the following criteria:

1. **Equipment** - Equipment purchases should create opportunities for people of all ages and abilities to take part in a wide range of sports and leisure programs. In cases where assistance is given to a group or association for the purchase of equipment or supplies, it should be noted that all such supplies or equipment shall remain the property of the municipality, should the group in question dissolve.
2. **Seed Programs** - Seed project funding is usually aimed at work that has a defined beginning and end and may be an addition to regular activities. Seed projects shall serve an outstanding need in the community and will not compete with any other service provider. The applicant will demonstrate that the project will have a direct benefit on group or individual development and will impact on the quality of life in the Community.
3. **Community Events** - The Community special event that is hosted will be an unique event, that will make the Community an even better place to live. The Association will plan it to reflect neighbourhood needs and priorities. Events should lead to new activities, recognition of volunteers, new partnerships, create ways to bring in new volunteers / new ways to serve, foster new leadership and involve all age groups in the Community.
4. **Operating Costs** - Operating costs are defined as the group's ongoing costs ie: heat, hydro, water, telephone etc. Staff costs are **not** eligible for funding. The intent of the operating funding is to assist groups in effectively conducting their business, enabling them to use the resources that they do have for ongoing activities rather than overhead.

The attached summary sheets outline the Neighbourhood Association Grant allocations for 2007, which total **\$53,061.00**. The identified funds are being distributed to a total of **45** Neighbourhood Associations, throughout the City of Greater Sudbury.

****** Long Lake Neighbourhood Association was overlooked on the 2006 allocation, it was decided to award their 2006 grant out of the 2007 allocation. Subsequently, this group was awarded their 2007 and 2006 allocations in the same year.

Date: November 23, 2007

Neighbourhood Association	Project Description	2007 Grant
Adamsdale Neighbourhood Association	Canteen supplies, Winter Carnival	\$1,153.50
Algonquin Neighbourhood Association	Snowblower repairs, Winter Carnival	\$1,153.50
Antwerp Neighbourhood Association	Soccer equip., Canteen/Carnival Supplies	\$1,153.50
Beaver Lake Sports and Cultural Club	Round Tables	\$1,153.50
Carol Richard Park Association	Trophies, BBQ, Newsletter, Prizes	\$1,153.50
Cedar Park Neighbourhood Association	Swings, Hockey equip., Canteen Supplies	\$1,153.50
Central Lane Neighbourhood Association	Family Day, augment outdoor lighting	\$ 1,153.50
Coniston Playground Association	Sliding hill lighting	\$ 1,153.50
Delki Dozzi Neighbourhood Association	Snowblower, Curtains	\$ 1,153.50
Den Lou Playground	Hockey Equipment, Fun Day	\$ 1,153.50
Diorite Neighbourhood Association	Hockey teams and equipment	\$ 1,153.50
Dominion Park Community Association	Residents BBQ, Volunteer sleigh rides	\$1,153.50
Don Lita Neighbourhood Association	Sleigh rides, carnival, tables/supplies	\$1,153.50
Dowling Neighbourhood Association	Snow Blower	\$1,153.50
East End Neighbourhood Association	Hockey / Ringette Equipment	\$1,153.50
Elmview Neighbourhood Association	Fridge, Winter Carnival	\$1,153.50
Flake Neighbourhood Association	Basketball court, Fencing	\$1,153.50
Kinsmen Neighbourhood Association	Outdoor rink - kick plates	\$1,153.50
Laurentian Neighbourhood Association	Swing set	\$1,153.50
LoEllen Neighbourhood Association	Hockey Team, Volunteer night	\$1,153.50
Long Lake Neighbourhood Association (2007)	Hockey Team	\$1,153.50
Long Lake Neighbourhood Association (2006)**	Family Fun Day, Golf Tournament	\$1,153.50
Matson Neighbourhood Association	Hockey Equipment	\$1,153.50
McFarlane Lake Neighbourhood Association	Goalie Equipment, Canteen Supplies	\$1,153.50
McLean Neighbourhood Association	Fun Night, Skate for the Needy	\$1,153.50
Nickel Centre Community Association	TV, Video Games for teens	\$1,153.50
O'Connor Neighbourhood Association	Winter Carnival/Sleigh Rides	\$1,153.50
Penage Road Community Centre	Expand outdoor rink	\$1,153.50
Percy Neighbourhood Association	PA system, fridge, hockey equipment	\$1,153.50

Date: November 23, 2007

Place Hurtubise Neighbourhood Association	Computer, refreshment cooler	\$1,153.50
Ridgecrest Neighbourhood Association	Popcorn machine, snowblower repairs	\$1,153.50
Riverdale Neighbourhood Association	Snowblower, hockey equipment	\$1,153.50
Robinson Neighbourhood Association	Winter Carnival, snowblower maintenance	\$1,153.50
Rosemarie Neighbourhood Association	Ball hockey program, Canskate	\$1,153.50
Russel Beaudry Neighbourhood Association	Snowblower repairs, Carnival	\$1,153.50
Ryan Heights Neighbourhood Association	Carnival, Teen Art classes	\$1,153.50
Skead Community Centre	Carnival, Snowblower maintenance	\$1,153.50
Skead Road Community Club	Walking Trail around outdoor rink	\$1,153.50
Sunnyside Playground	Canskate, snowblower maintenance	\$1,153.50
Theresa Playground	Puckboard	\$1,153.50
VLA Neighbourhood Association	Playground equipment, Comm. Events	\$1,153.50
Valley Acres Neighbourhood Association	Puckboard replacement	\$1,153.50
Valley Kin / Blezard Neighbourhood Association	Kitchen repairs, Canteen supplies	\$1,153.50
Vermillion Lake Neighbourhood Association	Benches, Baseball Prog. Soccer nets	\$1,153.50
Wahnapitae Improvement Group	Snowblower.	\$1,153.50
Westmount Neighbourhood Association	Canteen supplies, Carnival	\$1,153.50
	TOTAL	\$53,061.00

Request for Decision City Council



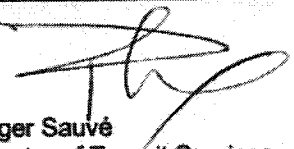
Type of Decision							
Meeting Date	December 12, 2007			Report Date	December 7, 2007		
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open
							Closed

Report Title
2007 Transit Services Grant Fund

Budget Impact / Policy Implication	Recommendation
<input checked="" type="checkbox"/> This report has been reviewed by the Finance Division and the funding source has been identified.	
<p>This grant amount has been budgeted for in the 2007 operating budget.</p>	<p>That Council approve the allocation of the Transit Services Grant Fund as outlined in the report from the General Manager of Growth and Development dated December 7, 2007; and,</p> <p>That the appropriate by-law be passed.</p>
<input checked="" type="checkbox"/> Background Attached	<input type="checkbox"/> Recommendation Continued

Recommended by the Department	Recommended by the C.A.O.
 Doug Nadrozny General Manager of Growth and Development	 Mark Mieto Chief Administrative Officer

Date: December 7, 2007

Report Prepared By	Division Review
 Roger Sauvé Director of Transit Services	Name Title

BACKGROUND

Annually, Greater Sudbury Transit Services as a \$15,000 budget allocation as a "grant fund". The purpose of this grant fund is to provide financial support to the community to facilitate transportation that helps the community and its many worthwhile programs and events thrive. Greater Sudbury Transit Services receives numerous requests each year for complimentary transit tickets, complimentary charter services, and for donations from the farebox in support of local charities.

The following list outlines the specific assistance that has been provided in 2007:

Organization	Amount \$
Underprivileged Children's Shopping Charter	451.75
Centre de Sante (International Women's Day)	547.05
St. Charles College, Life Skills	1,080.00
Dynamic Earth Charters	670.53
Paroisse Sainte-Anne-Des-Pins	180.00
Canada Day Shuttles	2,594.58
Canada World Youth	1,254.00
Alzheimer Society	500.00
Royal Canadian Legion	294.32
Sudbury Regional Hospital	504.00
Student Transportation	680.62
Salvation Army	504.00
Sudbury Action Centre for Youth	220.74
St. Charles College, Life Skills	504.00
St. Benedict Secondary	504.00
Our Children Our Future	504.00
Redwood Acres Secondary	162.00
Alzheimer Society	500.00
St. Anne's Road	294.32
Total	11,949.91

Council, municipal staff, and the entire community can take pride in the tremendous support given our local organizations this year through the Transit Services Grant Fund..

* Based on year-round requests for the \$500 maximum per occasion.

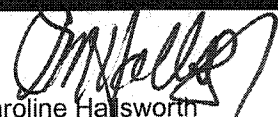
Request for Decision City Council

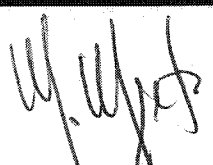


Type of Decision											
Meeting Date		December 12, 2007			Report Date		December 5, 2007				
Decision Requested			Yes	X	No	Priority		X	High		Low
		Direction Only				Type of Meeting		X	Open		Closed

Report Title
Fair Wage Policy - Clarification

Budget Impact / Policy Implication	Recommendation
<div> <div>This report has been reviewed by the Finance Division and the funding source has been identified.</div> <div>Not Applicable</div> </div>	<div>FOR INFORMATION</div>
<div>X</div> <div>Background Attached</div>	<div>Recommendation Continued</div>

Recommended by the Department
 Caroline Hallsworth Executive Director, Administrative Services

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

Date: December 5, 2007

Report Prepared By	Division Review
Liam McGill Business Analyst - Strategic Projects	Caroline Hallsworth Executive Director, Administrative Services

BACKGROUND

On June 13, 2007, Council received a presentation on Fair Wage Policy by John O'Grady of Prism Economics on behalf of the Ontario Construction Secretariat. The Ontario Construction Secretariat is an organization formed jointly by the provincial government, trade unions, and construction contractors, and its statutory mandate is limited to the Industrial, Commercial, and Institutional (ICI) building construction sector. The ICI construction sector, as described by the Government of Canada consists of the construction of:

Industrial Buildings

Buildings used in the transformation of goods or related to transportation and communication.

Commercial Buildings

Buildings used in trade or distribution of goods and services

Institutional and Government Buildings

Buildings used to house public and semi-public services such as those related to health and welfare, education, or public administration, as well as buildings used for religious services.¹

Following the presentation, Council agreed to adopt a Fair Wage Policy in principle and directed Councillors Cimino and Berthiaume to work with staff in consultation with community stakeholders to develop a Fair Wage Policy for ICI Construction for the City of Greater Sudbury. Staff conducted research and consulted widely with other municipalities. The information gathered formed the basis of a presentation made at a public consultation meeting that was widely attended by representatives from the Greater Sudbury Chamber of Commerce, as well as the local building construction trades. Based on the input received at the public meeting, staff prepared a Fair Wage Policy for ICI construction virtually identical to those already in place in Thunder Bay, Oshawa, Clarington and other municipalities. This policy was subsequently presented and approved at Priorities Committee.

¹ Statistics Canada, *Building and Demolition Permits Reporting Guide*, [online], (http://www.statcan.ca/english/sdds/document/2802_D1_T1_V1_B.pdf).

Date: December 5, 2007

Since the Fair Wage Policy has been adopted, there have been questions from the community with regard to the types of work the policy will apply to. In order to further clarify matters, the word "Building" has been added to the definition of "Construction Contract", in the DEFINITIONS section of the policy.

Staff will continue to monitor this issue. Should any other sectors of the local construction industry express a need for a Fair Wage Policy, the City will proceed accordingly at that time, as the policies would differ depending on the nature of the work to be covered.

CITY OF GREATER SUDBURY Amended: December 12, 2007
Approved at Priorities Committee
FAIR WAGE POLICY FOR
INDUSTRIAL, COMMERCIAL AND INSTITUTIONAL
CONSTRUCTION CONTRACTS (ICI) October 17, 2007

1. POLICY STATEMENT

On all ICI construction contracts with an estimated value of at least one hundred and sixty thousand dollars (\$160,000) with the City of Greater Sudbury, every Contractor and Sub-contractor shall pay or provide wages, benefits and hours of work to their Employees in accordance with this "Fair Wage Policy for ICI Contracts" and the City's Fair Wage Schedule.

Failure to comply with the City's Fair Wage Policy may result in restricted ability to bid on City construction business.

2. DEFINITIONS

In this Policy wherever a term set out below appears in the text of this policy with its initial letters capitalized, the term is intended to have the meaning set out for it in this DEFINITIONS section. Wherever a term below appears in the text of this policy in regular case, it is intended to have the meaning ordinarily attributed to it in the English language.

- (a) "City" means The City of Greater Sudbury, and, where the context allows, its officers, officials, employees and agents or any of them.
- (b) "City Council" means the municipal council of the City.
- (c) "Contractor" means any person, firm or corporation having a contract with the City for the performance of ICI construction work, but does not include any person, firm or corporation that only supplies materials for the Construction Contract.
- (d) "Construction Contract" means any ICI building construction of an estimated value of at least one hundred and sixty thousand dollars (\$160,000), entered into between the City and a Contractor and includes the various sub-contracts to that contract.

Construction Contracts which were initially tendered and awarded under the one hundred and sixty thousand dollars (\$160,000) threshold, but exceeded this upset limit due to owner-requested changes, or other change orders after the award of the contract, are exempt from this policy.

- (e) "Employees" means those persons employed by the Contractor or Sub-contractor in positions, classifications, trades, or any combination of those, identified in the Fair Wage Schedule, for the performance of construction work on a Construction Contract with the City, or any Sub-contract, but does not include Owner operators who undertake the work themselves.
- (f) "Fair Wage Schedule" means the schedule of wages, benefits and hours of work as obtained from the Province of Ontario for construction work on all ICI Construction Contracts, based on Ontario Labour Relations Geographical Board Area 24 (Sudbury District).
- (g) "Fringe Benefits" includes such benefits as pension plans, extended health care benefits, dental and prescription plans, etc. It does not include legislated payroll deductions such as Canada Pension Plan., Employer Health Tax, Workplace Safety Insurance Board, and Employment Insurance.
- (h) "ICI" is an abbreviation for "Industrial, Commercial and/or Institutional".
- (i) "Registered Complaint" means a detailed written complaint from an identified source that alleges that a Contractor or Sub-contractor has violated this Fair Wage Policy.
- (j) "Sub-contractor" means any person, firm or corporation performing work for a Contractor or one of the Contractors or other Sub-contractors who has a Construction Contract with the City, but does not include any person, firm or corporation that only supplies materials for the Construction Contract.
- (k) "Sub-contract" means any contract between a Contractor and any of that Contractor's Sub-contractors with a firm, person or corporation for work in accordance with a Construction Contract, but this term excludes contracts for material supplies only.
- (l) "Wages" or "Fair Wage Rate" includes the hourly rate, vacation and holiday pay, and any amount for Fringe Benefits shown in the current Fair Wage Schedule to be paid to a worker.

3. PROCEDURES

- (a) Should the Province amend its Fair Wage Schedule, the use of the schedule within this policy will be referred back to Council for review, but the previous Schedule shall apply until changed by Council.
- (b) The City shall make available through its tender calls to every person bidding on the City's Construction Contracts, the then-current Fair Wage Policy and Fair Wage Schedule and shall include in contract documents and/or provide copies of them to the bidders, or make them available through the City's Website. The Contractor and its Sub-contractors shall not be responsible for any Fair Wage Schedule rate increases which occur after the closing of the tender for the City Construction Contract on which the Contractor is the successful bidder.
- (c) For all Construction Contracts with the City, the Contractor shall provide to the City, in a form acceptable to the Manager, Supplies and Services or designate notification that the Contractor and its Sub-contractors are in compliance with the City's Fair Wage Policy and the Fair Wage Schedule. This notification shall be provided to the City after substantial performance of the Construction Contract as provided for in the Ontario *Construction Lien Act*, R.S.O. 1990, c. C.30, as amended or replaced.
- (d) A Contractor is fully responsible for ensuring that all of its Sub-contractors comply with the Fair Wage Policy and the Fair Wage Schedule. A Sub-contractor is fully responsible for ensuring that all of its Sub-contractors comply with the Fair Wage Policy and the Fair Wage Schedule.
- (e) A Contractor must provide all of its Sub-contractors with a copy of the Fair Wage Policy and Fair Wage Schedule before any construction work is performed by the Sub-contractors.
- (f) A Contractor or Sub-contractor shall not sub-contract any portion of the contract for less than the fair wage rate.

4. LEGISLATIVE COMPLIANCE

- (a) A Contractor and Sub-contractor shall obey all Federal, Provincial and Municipal Laws, Acts, Regulations and By-laws, which could in any way pertain to the work outlined in the contract or to their employees.
- (b) A Contractor and Sub-contractor shall ensure W.S.I.B. compliance and coverage in accordance with relevant legislation and the City's prevailing policy.

- (c) Without limiting the generality of the foregoing, a Contractor and Sub-contractor shall satisfy all statutory requirements of the *Occupational Health and Safety Act*, R.S.O. 1990, c. O.1, as amended or replaced, and Regulations made thereunder, imposed on a Contractor, a Constructor and/or Employer with respect to or arising out of the performance of the Contractor's or Subcontractor's obligations.

5. POSTING

All Contractors shall post in a conspicuous place on every construction project site, in a location satisfactory to the Manager, Supplies and Services or designate, a copy of the Fair Wage Policy and the Fair Wage Schedule supplied to it by the City and which will include a telephone number by which any inquiry regarding the Fair Wage Policy or the Fair Wage Schedule, or both, may be made to the City.

6. RECORDS

- (a) A Contractor and Sub-contractor must keep records of the names, addresses, wages paid, benefits paid or provided and hours worked for all of its employees, as required under the *Employment Standards Act*, R.S. O. 1990, c. E.14, as amended or replaced. The Contractor and Sub-contractors shall make the records of those employees assigned to the project in question available for inspection by the City upon request by the City. The City will only be permitted access to these records upon receipt of a Registered Complaint, and will access these records in accordance with applicable privacy legislation.
- (b) Failure to provide these records as required by this Policy may result in the Contractor or Sub-contractor being subject to Section 10, CONSEQUENCES OF NON-COMPLIANCE provisions of this Fair Wage Policy.

7. COMPLAINTS

- (a) Any Contractor or Sub-contractor that tendered on that Construction Contract may submit a Complaint against that tender award to the City with respect to any Contractor or Sub-contractor on that project. Further, employees of Contractors and Sub-contractors performing construction work on a City Construction Contract may also submit a Complaint. Registered Complaints should be submitted at the earliest time but no later than fifteen days following:

- i. substantial performance of the relevant Construction Contract where a complaint is being made against a Contractor; or
 - ii. substantial completion of the relevant Sub-contract to a Construction Contract where a complaint is being made against a Sub-contractor.
- (b) Upon receipt of a Registered Complaint, the Manager of Supplies and Services or his or her designate on behalf of the City will conduct an initial review of the complaint submitted and advise the initiator of the complaint what the likely cost of an investigation will be. The initiator of the complaint must pay this investigation fee prior to the initiation of the investigation, and in so doing, confirm to the City the desire to proceed with the complaint. The City shall take such action as it deems necessary to determine whether the Contractor or Sub-contractor involved or named in the Registered Complaint is in compliance with the Fair Wage Policy and the Fair Wage Schedule.

The Manager of Supplies and Services will waive the fee in cases where an employee of a Contractor or Sub-contractor working on the construction project issues the complaint.

If upon investigation, the Registered Complaint is found to be substantiated, the fee will be refunded to the person, company or corporation filing the Registered Complaint, and will be charged against the non-compliant Contractor.

If the Registered Complaint is found to be unsubstantiated, the fee will be retained by the City to cover administrative costs of the investigation and audit process.

If the costs exceed the initial investigation fee, the City will take the necessary action to claim these costs from the complainant.

- (c) The Manager, Supplies and Services or designate shall inform the complainant and any Contractor or Sub-contractor involved or named in the Registered Complaint of the results of the City's determination of the Contractor's and/or Sub-contractor's compliance or non-compliance with the Fair Wage Policy or the Fair Wage Schedule within fifteen days of rendering a decision. The decision of the City's Manager, Supplies and Services or designate is final.
- (d) Any person who has an objection to the decision rendered by the Manager, Supplies and Services may make a written request to appear and make submissions before the Ad Hoc Fair Wage Policy Committee.

8. AD HOC FAIR WAGE APPEAL COMMITTEE

In the event that the final decision of the Manager, Supplies and Services is disputed, and written notice of appeal received, the City shall call for the convening of the Ad Hoc Fair Wage Appeal Committee.

The Committee will meet as necessary, as the result of a formal written appeal. The Committee shall be comprised of the following members:

- One representative appointed by the Greater Sudbury Chamber of Commerce
- One representative of a local Trade Union, to be appointed by the Sudbury and District Building and Construction Trades Council
- One City Staff Member who does not work in the Supplies and Services section, to be appointed by the Chief Financial Officer and Treasurer.

9. COMPLIANCE

A Contractor or Sub-contractor shall be in compliance with the wage requirements of this Fair Wage Policy when paying to its Employees wages, vacation and holiday pay, fringe benefits equal to or greater than the amount set out in the Fair Wage Schedule.

10. CONSEQUENCES OF NON-COMPLIANCE

- (a) The City's Manager, Supplies and Services or his or her designate, upon determining that a Contractor or Sub-contractor is in non-compliance of the Fair Wage Policy or the Fair Wage Schedule, shall undertake the actions set out in subparagraphs (i) and (ii) and may undertake the action set out in subparagraph (iii).
 - i. The City shall advise the Contractor and/or Sub-contractor, in writing, that it has been determined that the Contractor and/or Sub-contractor is in noncompliance, providing the detail of that non-compliance. The notice shall stipulate that the Contractor and/or Sub-contractor is required to comply and/or immediately pay (retroactive) wages to its workers according to the Fair Wage Schedule applicable at the time of the Construction Contract award, as applicable. If a Contractor or Sub-contractor is provided with notice in accordance with this subparagraph, this fact shall be recorded as an occurrence of non-compliance.

- ii. The City shall assess the cost of the City inspection, audit or other action as deemed necessary by the City as a result of the determination of noncompliance of the Contractor and/or Sub-contractor, and may deduct that amount from any payment owed by the City to the Contractor. In addition the Contractor shall be responsible for all of the City's costs beyond the initially estimated base cost, to be payable immediately upon demand.
 - iii. The City may withhold an amount of funds equal to the amount by which the Contractor or Sub-contractor has benefitted from its non-compliance from any payment owed by the City to the Contractor until such time as the Contractor or Sub-contractor makes such retroactive payment.
- (b) Where a Contractor or Sub-contractor has been determined to be in non-compliance with the Fair Wage Schedule for the first time in a five-year period, the Manager, Supplies and Services or his or her designate may require that the Contractor or Sub-contractor, on the next three City Construction Contracts on which the Contractor or Sub-contractor performs construction work, submit an accountant's report which verifies the Contractor's or Sub-contractor's compliance with the Fair Wage Policy and the Fair Wage Schedule. The accountant's report shall be in a form satisfactory to the City Treasurer or his or her designate and shall be submitted after substantial performance of the Construction Contract as provided for in the *Construction Lien Act*,
- (c) Where a Contractor or Sub-contractor has been determined to be in non-compliance with the Fair Wage Schedule for a second or subsequent time within a five-year period from the date of the first determination of non-compliance by the Manager, Supplies and Services or his or her designate, the City, may:
 - i. refuse to accept bids, quotations or proposals from that Contractor on City Construction Contracts, for a period of two years, but this will not apply to any Construction Contract the Contractor may currently have with the City, or
 - ii. not allow that Sub-contractor to perform any construction work on any City Construction Contract, for a period of two years, but this will not apply to any Construction Contract on which the Sub-contractor may currently be performing construction work.

- (d) The Manager, Supplies and Services or designate will require a Contractor or Sub-contractor to substitute, at its own cost, any Sub-contractor who, on the first day that the tender for the relevant Construction Contract is available for pick-up, is named on the list of the CONSEQUENCES OF NON-COMPLIANCE, and is identified as not being allowed to perform any construction work on a Construction Contract.
- (e) The City is not in any way liable, obligated or responsible to any employee, Contractor, Sub-contractor, or any other person for the payment of any monies not paid by a Contractor or Sub-contractor in accordance with the Fair Wage Policy or the Fair Wage Schedule, or both, and the City assumes no responsibility to any Employee, Sub-contractor, Contractor or any other person for the administration and enforcement of the Fair Wage Policy or the Fair Wage Schedule, or both.


Request for Decision City Council

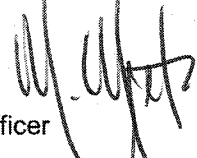


Type of Decision											
Meeting Date		December 12, 2007				Report Date		December 3, 2007			
Decision Requested		<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority		<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
		Direction Only				Type of Meeting		<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed


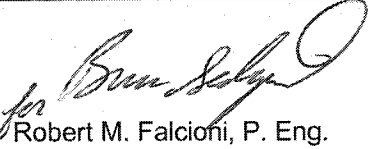
Report Title
Stopping and Parking Restrictions - Elgin Street, Nelson Street to 61 Metres Southeast of Shaughnessy Street

Budget Impact / Policy Implication	Recommendation
<p>This report has been reviewed by the Finance Division and the funding source has been identified.</p>	<p>That stopping be prohibited on both sides of Elgin Street from Druides Street to 61 metres southeast of Shaughnessy Street and;</p> <p>That parking be prohibited on the southwest side of Elgin Street from Druides Street to Nelson Street and;</p> <p>That a By-Law be passed to amend Traffic and Parking By-Law 2001-1 in the City of Greater Sudbury to implement the recommended change all in accordance with the report from the General Manager of Infrastructure Services dated December 3, 2007.</p>
<p>X Background Attached</p>	<p>Recommendation Continued</p>

Recommended by the Department
 Greg Clausen, P. Eng. General Manager of Infrastructure Services

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

Date: December 3, 2007

Report Prepared By	Division Review
 Dave Kivi Co-ordinator of Transportation & Traffic Engineering Services	 for Robert M. Falcioni, P. Eng. Director of Roads and Transportation

Background:

The City's Roads and Transportation Section has received a request from the Greater Sudbury Police Service to prohibit stopping on both sides of Elgin Street in the area of the Quality Inn near Druides Street to the laneway just west of the Paris Street bridge. This recommendation was made as part of a Crime Prevention Through Environmental Design Report (CPTED) prepared by the Greater Sudbury Police Service for the area. A portion of the draft report dealing with the stopping restriction is included in Exhibit "A".

The subject area is located near the south end of the Central Business District (see Exhibit "B"). Elgin Street is constructed to an urban standard with an asphalt surface width of 11 metres and a sidewalk along the north side. Currently, parking is prohibited along both sides of Elgin Street from Druides Street to 61 metres southeast of Shaughnessy Street.

Area residents and businesses have complained about prostitution, drug use and other illegal activity in the area. There are currently a number of initiatives taking place to reduce these activities. Recommendation # 4 from the Police's CPTED Report indicates that "No Stopping" signs should be posted on both sides of Elgin Street in the area of the Quality Inn proceeding towards the Paris Street bridge.

To improve safety and reduce illegal activity, Staff supports the stopping prohibition on both sides of Elgin Street from Druides Street to 61 metres southeast of Shaughnessy Street. Councillor Caldarelli and the Management of the Quality Inn have also indicated their support for this initiative.

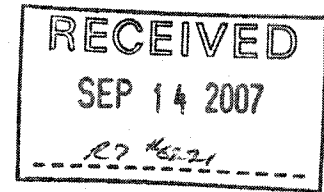
Also, to address safety concerns expressed by pedestrians who walk along this section of Elgin Street, "No Parking" signs were reinstated in accordance with the City's Traffic and Parking By-Law. Currently, parking is prohibited along the southwest side of Elgin Street except for an area approximately 90 metres long between Druides Street and Nelson Street (see Exhibit "B"). Historically, vehicles have illegally parked on the boulevard in this area. These parked vehicles restrict pedestrian movement and result in concerns about safety and security.

The recent enforcement efforts of the By-Law Department has been successful in removing parked vehicles from the boulevard. There is concern that these vehicles may begin to park on the road which is currently allowed. Parking is already permitted along the north side of Elgin Street in this area. However, Elgin Street is not wide enough to accommodate parking on both sides of the street. Therefore Staff recommends that parking be prohibited on the southwest side of Elgin Street between Druides Street and Nelson Street.

DRAFT

The Quality Inn and Samaritan Centre

Date of Assessment: 14 September, 2007
Reviewed by: Cst. Tanja Geick #6812
Community Response Unit



Note:

"The findings and recommendations contained within this report are not binding. Other factors to consider are cost, practicality and impact on service when considering changes to improve safety and security. Therefore improvements that can be made with minimal expenditure or disruption to service are readily encouraged. The recommendations attached are only suggestions based on Crime Prevention Through Environmental Design by the writer."

Positive Attributes of the Quality Inn and Samaritan Centre:

- 1) The Samaritan Centre is located centrally within the downtown core, making it accessible to all the patrons that frequent the downtown area, and are in need of a safe place to stay where they can also have a meal. The Quality Inn is also a large Hotel that is close to all of the downtown businesses, courthouse, restaurants etc.
- 2) The Samaritan Centre has just recently been built in this area, and is in very good condition. The building has good lighting around the perimeter, as well as secured entrances that are monitored by the staff members. There is ample parking at the rear or East side of the building for the employees.
- 3) There are recycling and large waste disposal units at the rear of the building as well so that garbage does not pile up. There is also lighting in this area for added safety during night hours.
- 4) The Samaritan Centre is located adjacent to the downtown Fire hall, so there are always people coming to or leaving work during all hours of the day or night. This makes the area less susceptible for criminal activity, because there is pedestrian traffic in the laneway.
- 5) The Samaritan Centre is wheelchair accessible for all those individuals that require the service.
- 6) There is one bench located in front of the Samaritan Centre for those wishing to get some fresh air or have a cigarette.

Safety and Security Deficiencies:

Item #1

- 1) The Quality Inn does not have sufficient lighting at the entrance to the hotel. This makes it a popular area for criminals to congregate, and for some prostitutes to stop vehicles as they enter the parking area. Once inside the parking lot, the area where the vehicles park, especially the upper parking lot, is poorly lit up.



Vehicles could also be damaged or broken into on the lot because the criminal has the advantage of being in the dark.

Recommendation:

- 1) The installation of some lights right at the entrance to the parking lot. Perhaps lamp posts to make it more decorative. Also better lighting throughout the parking lot, whether it be permanent lamp posts or motion sensors that would light up an area where there was foot traffic. The clients at the hotel would not mind the added light as they approach their vehicles during the evening hours.

Item #2

I did not observe any signage in the parking lot near the entrance in relation to "No loitering" or "Private Property" or "Video Surveillance" in the parking lot.

Recommendation:

Several signs posted at the entrance to the Hotel, at the doorways and throughout the parking area would warn would-be thieves or others that do not belong there, that the area is OFF LIMITS to them, and they may be charged should they enter the property.

Item #3

There do not appear to be any cameras set up around the perimeter of the Hotel. There were no signs observed stating that this area is being monitored.

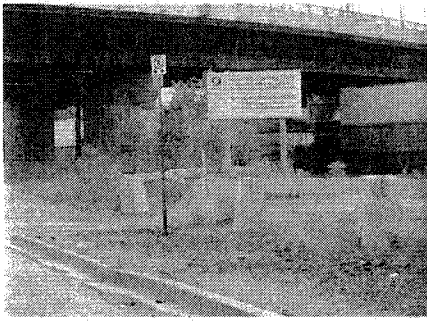
Recommendation:

The installation of cameras at the Hotel would be beneficial for both the customers of the Hotel, and also to deter any unwanted individuals from entering and causing damage to the property.

Item #4

There are no "No Stopping" signs posted in the area of the Quality Inn and proceeding towards the area of Drinkwater St. and under the bridge. There is a great deal of traffic traveling down this roadway, and prospective "Johns" are stopping their vehicles to pick up girls in this area. This is observed on a daily basis by our Officers who drive by the area, deterring these drivers from stopping and picking someone up. There are "No Parking" signs in the area however this does not deter the stopping of vehicles.





Recommendation:

The installation of several "NO STOPPING" signs throughout this stretch of roadway would be very beneficial for all the residents and businesses in the area. Enforcement could be done by officers in the area on a regular basis, and tickets would be issued. The officers patrol this stretch of the downtown core on a regular basis already, and this would give them the authority to issue these tickets. There would definitely be a decline in the amount of drivers and girls lurking around in this area.

Item #5

The area under the bridge is a real concern to all residents and businesses that are located in close proximity to this structure. There are always individuals "hanging around" under the bridge. There are also those homeless men and women that sleep and live under this bridge because it provides some form of shelter for them. This area has no lighting and people can easily hide under there posing a real safety concern for residents walking by going under the bridge. There are several trees and bushes in the area under the bridge itself that someone could hide in.

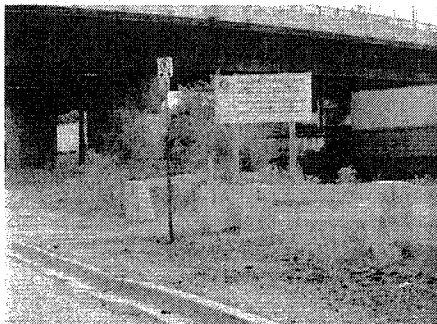
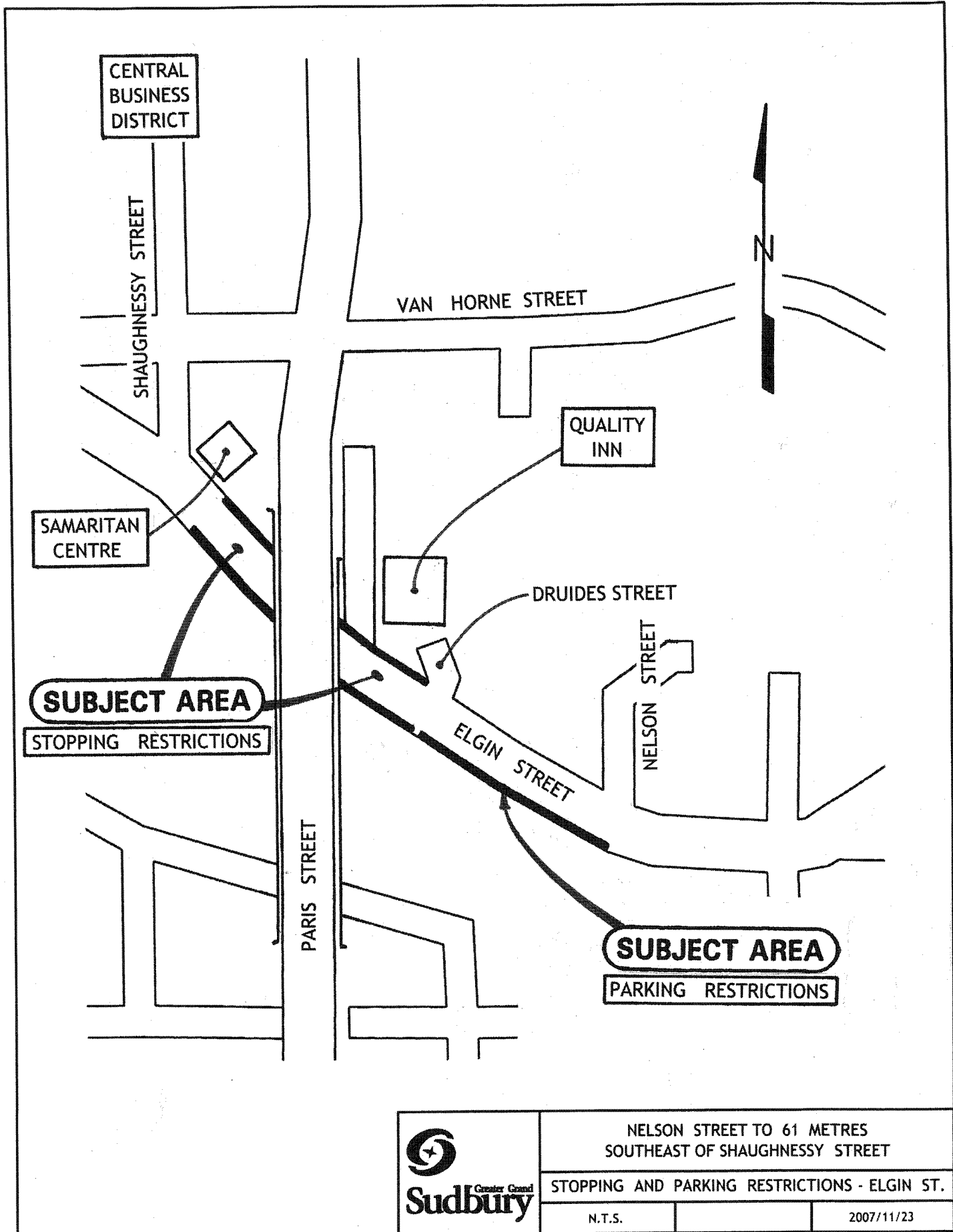


EXHIBIT: B



NELSON STREET TO 61 METRES
SOUTHEAST OF SHAUGHNESSY STREET

STOPPING AND PARKING RESTRICTIONS - ELGIN ST.

N.T.S.

2007/11/23