

**THE TWENTY-FOURTH MEETING OF THE COUNCIL
OF THE CITY OF GREATER SUDBURY**

C-11
Tom Davies Square

Thursday, January 13, 2005
Commencement: 5:35 p.m.

DEPUTY MAYOR CRAIG, IN THE CHAIR

Present

Councillors Berthiaume; Bradley; Caldarelli; Callaghan; Dupuis; Gainer; Gasparini; Kett (A 5:45 pm); Reynolds; Rivest; Thompson; Mayor Courtemanche

City Officials

M. Mieto, Chief Administrative Officer; C. Matheson, General Manager of Community Development; D. Nadorozny, General Manager of Growth & Development; A. Stephen, General Manager of Infrastructure & Emergency Services; C. Hallsworth, Executive Director of Administrative Support Services; S. Jonasson, Acting CFO/Treasurer; R. Swiddle, City Solicitor/Director of Legal Services; G. Lamothe, Manager of Corporate Communications & French Language Services; P. Thomson, Director of Human Resources; J. McKechnie, Executive Assistant to the Mayor; E. Labelle, Assistant City Solicitor; T. Mowry, City Clerk; CJ Caporale, Council Secretary

**Declarations of
Pecuniary Interest**

None declared.

"In Camera"

2005-01 Bradley-Berthiaume: That we move "In Camera" to deal with Personnel and Litigation Matters in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, 2001, s.239(2)(f).

CARRIED

Recess

At 7:00 p.m., Council recessed.

Reconvene

At 7:05 p.m., Council moved to the Council Chamber to continue the regular meeting.

Chair

HIS WORSHIP MAYOR DAVID COURTEMANCHE, IN THE CHAIR

Present

Councillors Berthiaume; Bradley; Caldarelli; Callaghan; Craig; Dupuis; Gainer; Gasparini; Kett; Reynolds; Rivest; Thompson

City Officials

M. Mieto, Chief Administrative Officer; C. Matheson, General Manager of Community Development; D. Nadorozny, General Manager of Growth & Development; A. Stephen, General Manager of Infrastructure & Emergency Services; C. Hallsworth, Executive Director of Administrative Support Services; S. Jonasson, Acting CFO/Treasurer; R. Swiddle, City Solicitor/Director of Legal Services;

City Officials
(continued)

I. Davidson, Chief of Police, Greater Sudbury Police Service; P. Graham, Manager Environmental Innovation & Energy Initiatives; P. Demers, Community Relations and Policy Advisor; J. McKechnie, Executive Assistant to the Mayor; T. Mowry, City Clerk; F. Bortolussi, Planning Committee Secretary; CJ Caporale, Council Secretary

News Media

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

Moment of Silence

Mayor Courtemanche, on behalf of all Members of Council, requested a moment of silence be observed to extend our condolences to the victims of the Southeast Asia Earthquake and Tsunami Disaster.

Declarations of
Pecuniary Interest

None declared.

Motion to Withdraw

Councillor Bradley withdrew Item R-1 (Motion - Newfoundland's Removal of the Canadian Flag) as the Premier of Newfoundland has raised the Canadian Flag.

MATTERS ARISING FROM THE "IN CAMERA" SESSION

Rise and Report

Deputy Mayor Craig, as Chair of the Committee of the Whole, reported Council met to deal with Personnel and Litigation Matters falling within Article 15.5 of the City of Greater Sudbury Procedural By-law 2002-202 and the Municipal Act, 2001, s.239(2)(f) and one resolution emanated therefrom.

Appeal Ministry of
Labour Order

The following resolution was presented:

2005-02 Thompson-Bradley: THAT the Director of Legal Services/City Solicitor be directed to appeal the Ministry of Labour Order dated December 22, 2004 in the event that the Order is not withdrawn by the Ministry of Labour before the expiry date of the time for appeal of the Order.

CARRIED

MATTERS ARISING FROM THE PRIORITIES COMMITTEE

Rise and Report

Councillor Caldarelli, Chair of the Priorities Committee, reported that the Priorities Committee met on 2005-01-12 and there were no items requiring Council approval.

PART I
CONSENT AGENDA

Consent Agenda

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

2005-03 Dupuis-Craig: THAT Items C-1 to C-10 inclusive, contained in Part I, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1
Report No. 23
City Council
2004-12-16

2005-04 Berthiaume-Bradley: THAT Report No. 23, City Council Minutes of 2004-12-16 be adopted.

CARRIED

Item C-2
Report No. 2
Special Meeting - City
Council
2005-01-06

2005-05 Bradley-Berthiaume: THAT Report No. 2, Special Meeting - City Council Minutes of 2005-01-06 be adopted.

CARRIED

Item C-3
Report No. 20
Priorities Committee
2005-01-12

2005-06 Thompson-Bradley: THAT Report No. 20, Priorities Committee Minutes of 2005-01-12 be adopted.

CARRIED

Item C-4
Report No. 4
Property Standards
Appeal Committee
2005-01-12

2005-07 Bradley-Berthiaume: THAT Report No. 4, Property Standards Appeal Committee Minutes of 2005-01-12 be adopted.

CARRIED

Item C-5
NDCA
2004-12-09

2005-08 Berthiaume-Bradley: THAT the Report of the Nickel District Conservation Authority Minutes of 2004-12-09 be received.

CARRIED

Item C-6
Greater Sudbury
Housing Corp
2004-10-26

2005-09 Bradley-Berthiaume: THAT the Report of the Greater Sudbury Housing Corporation Minutes of 2004-10-26 be received.

CARRIED

Item C-7
Greater Sudbury
Police Services Board
2004-11-08

2005-10 Bradley-Berthiaume: THAT the Report of the Greater Sudbury Police Services Board Minutes of 2004-11-08 be received.

CARRIED

Item C-8
Special Meeting -
Greater Sudbury
Police Services Board
2004-11-29

2005-11 Berthiaume-Bradley: THAT the Report of the Special Meeting of the Greater Sudbury Police Services Board Minutes of 2004-11-29 be received.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-9
Noise By-law
Exemption - New
Sudbury Centre

Report dated 2005-01-07 from the Executive Director of Administrative Support Services regarding Noise By-law Exemption - TA Clarke & Associates Inc. - New Sudbury Centre Development was received.

The following resolution was presented:

2005-12 Bradley-Berthiaume: THAT this Council has no objection to the granting of an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) to TA Clarke & Associates Inc. and its contractors in order to carry out demolition work to the entrance of the existing Future Shop at the New Sudbury Centre, such as removing an existing steel canopy and concrete stairs;

AND THAT exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) be granted for the following dates and times: January 24, 2005 to February 8, 2005 between the hours 6 o'clock p.m. of each day and 7 o'clock a.m. of the next following day;

AND THAT TA Clarke & Associates Inc. shall ensure proper traffic control is in place during this period;

AND FURTHER THAT approval of this exemption be subject to TA Clarke & Associates Inc. providing public notice of this construction activity.

CARRIED

Item C-10
2004 Reserves

Report dated 2005-01-07 from the Acting CFO/Treasurer regarding 2004 Reserves was received.

The following resolution was presented:

2005-13 Berthiaume-Bradley: THAT funding for the following projects/purchases be reserved in the approximate amounts of:

Sudbury Homecoming	\$ 6,000
Growth Summit	17,000
Budget System and ERP Reporting Strategy	48,000
Employee Wellness	2,000

Item C-10	Lake Water Quality	3,000
<u>2004 Reserves</u>	Physician Recruitment	38,000
(continued)	Fire Services - Equipment & Equipment Repairs .	147,000
	Ambulance Services - Equipment & Maintenance .	26,000
	Police - Equipment/Projects	<u>63,000</u>
	Total	<u>\$350,000</u>

THAT the unspent balance in Environmental Initiatives, being approximately \$3,000 be transferred to the Official Plan capital project.

CARRIED

BY-LAWS

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

2004-378 3RD A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND
THE PROCEDURE BY-LAW 2002-202

(1st and 2nd reading was received at the 2004-12-16 meeting of Council.)

THE FOLLOWING BY-LAWS APPEARED FOR THREE READINGS:

2005-2A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO
CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING
OF JANUARY 13, 2005

2005-3F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO
AUTHORIZE A \$50,000 GRANT TO THE SUDBURY
COMMUNITY FOUNDATION

(This By-law authorizes a grant to the Sudbury Community Foundation as
authorized by Council in the 2005 Budget)

2005-4Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND
BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW FOR
THE FORMER TOWN OF ONAPING FALLS AND CITY OF
VALLEY EAST

Planning Committee Recommendation 2004-196

(This by-law has three parts. Part A rezones the existing Portelance Lumber site to a revised Rural Special zoning. The site has been reconfigured to approximately half of its original size and the special zoning recognizes the existing forestry industrial use as well as an existing deficiency in public road frontage. Part B eliminates a remnant of the "RU-2", Rural Special zoning on the remaining CNR site and reinstates its original Rural zoning. Part C deletes the old "RU-2", Rural Special zoning category from the zoning by-law. - Canadian National Railway Company (Portelance Lumber) - Part of Parcels 1075 and 5130 SES, in Lot 10, Concession 4, Capreol Township, Linden Drive.)

BY-LAWS (continued)

- 2005-6 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO
AUTHORIZE A GRANT TO RAINBOW ROUTES ASSOCIATION

(This By-law authorizes a grant to the Rainbow Routes Association in the total sum of \$450,000 for pedestrian trails as part of the Trans-Canada Trails System as approved by Council in the 2005 Budget)

- 2005-7 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO
AUTHORIZE A GRANT TO THE NICKEL DISTRICT
CONSERVATION AUTHORITY

(This By-law authorizes a grant to the Nickel District Conservation Authority in the amount of \$250,000 for its capital program as approved by Council in the 2005 Budget)

- 2005-8F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO
ESTABLISH MISCELLANEOUS USER FEES FOR CERTAIN
SERVICES PROVIDED BY THE CITY OF GREATER SUDBURY

Report dated 2005-01-07, with attachments, from the Acting CFO/Treasurer regarding 2005 Miscellaneous User Fees was received.

(This By-law updates the User Fee By-law to include the September C.P.I. increase of 1.8% in accordance with the Miscellaneous User Fee By-law. These increases came into effect automatically on January 1st, 2005. Passage of this By-law, however, will consolidate the changes into a new By-law that will be easier for the public to use. This By-law also includes the new playing field fees as approved by Council.)

- 2005-9 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO REPEAL
CERTAIN BY-LAWS RELATING TO HIRING

Council Resolution 2004-621

(In December, Council passed a hiring policies By-law; this By-law repeals the old hiring policies from the former municipalities.)

- 2005-11 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND
BY-LAW 2004-112 BEING A BY-LAW OF THE CITY OF
GREATER SUDBURY TO DECLARE SURPLUS AND SELL TO
SUDBURY CATHOLIC SCHOOL BOARD A PART OF PART 7
ON PLAN 53R-12291, ST. MICHEL STREET

(This By-law was passed by Council in May 2004 and included a paragraph relating to registration at the Land Registry Office. This registration is not required and should be deleted.)

BY-LAWS (continued)

- 2005-13 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO PROVIDE THE AUTHORITY FOR THE CITY OF GREATER SUDBURY TO SET AN INTERIM LEVY AND TAX BILLING PRIOR TO THE DEVELOPMENT OF THE 2005 TAX POLICY
- Report dated 2005-01-07 from the Acting CFO/Treasurer regarding 2005 Interim Tax Billing was received.
- (Section 317 (1) of the Municipal Act provides the authority for an interim tax levy prior to the adoption of the final estimates.)
- 2005-14 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2002-295A BEING A BY-LAW TO APPOINT MARK MIETO AS CHIEF ADMINISTRATIVE OFFICER
- Report dated 2005-01-06 from the Chief Administrative Officer regarding Departmental Reorganization was received.
- (This By-law and the following five By-laws amend various City By-laws to give effect to the reorganization of City Departments.)
- 2005-16A 3 BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT OFFICIALS FOR THE CITY OF GREATER SUDBURY
- 2005-17 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO DELEGATE SPECIFIC AUTHORITY TO CITY OFFICIALS TO CARRY ON CERTAIN MATTERS ON BEHALF OF THE CITY OF GREATER SUDBURY
- 2005-18 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-1, BEING A BY-LAW TO REGULATE TRAFFIC AND PARKING ON ROADS IN THE CITY OF GREATER SUDBURY
- Report dated 2005-01-05, with attachments, from the General Manager of Public Works regarding On-Street Parking - King Street, Capreol was received.
- (This By-law prohibits parking along both sides of King Street from Lakeshore Street to Young Street, Sudbury.)

BY-LAWS (continued)

- 2005-19 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-1, BEING A BY-LAW TO REGULATE TRAFFIC AND PARKING ON ROADS IN THE CITY OF GREATER SUDBURY

Report dated 2005-01-05, with attachments, from the General Manager of Public Works regarding On-Street Parking - Dublin Street, Sudbury was received.

(This By-law prohibits parking along both sides of Dublin Street from Attlee Avenue, Sudbury, westerly for 120 metres from 7:30 a.m. to 4:30 p.m., Monday to Friday, inclusive.)

- 2005-20A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH TROJAN TECHNOLOGIES INC. FOR THE SUPPLY OF UV DISINFECTION SYSTEMS

Report dated 2005-01-05 from the General Manager of Public Works regarding Preselection of UV Disinfection Systems was received.

(Selection of UV Disinfection Systems for most of the City's potable water wells, whereas, the City be authorized to enter into an agreement with Trojan Technologies Inc. for the supply of this equipment.)

- 2005-21A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH MINING, INNOVATION, REHABILITATION AND APPLIED RESEARCH CORPORATION (MIRARCO) FOR THE CLEAN AIR ONE TONNE CHALLENGE PROGRAM

Report dated 2005-01-05 from the General Manager of Public Works regarding Clean Air Sudbury's One Tonne Challenge Program was received.

(This By-law provides a contribution of \$10,000 from an allotment of Federal funding related to the One Tonne Challenge)

- 2005-22A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH SCIENCE NORTH FOR THE DEVELOPMENT OF SCIENCE NORTH'S ONE TONNE CHALLENGE EXHIBITS

Report dated 2005-01-05 from the General Manager of Public Works regarding Science North's One Tonne Challenge Exhibits was received.

(This By-law provides a contribution of \$28,000 from an allotment of Federal funding related to the One Tonne Challenge)

BY-LAWS (continued)

- 2005-23T 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT MUNICIPAL LAW ENFORCEMENT OFFICERS TO ENFORCE THE PRIVATE PROPERTY AND DISABLED PARKING SECTIONS OF BY-LAW 2001-1 AND FIRE ROUTE BY-LAW 2003-30T

(This By-law updates the list of enforcement officers.)

1ST & 2ND Reading

2005-14 Craig-Dupuis: THAT By-law 2005-2A to and including By-law 2005-9, By-law 2005-11, By-law 2005-13, By-law 2005-14 and By-law 2005-16A to and including By-law 2005-24F be read a first and second time.

CARRIED

3RD Reading

2005-15 Dupuis-Craig: THAT By-law 2004-378, By-law 2005-2A to and including By-law 2005-4Z, By-law 2005-6 to and including By-law 2005-9, By-law 2005-11, By-law 2005-13, By-law 2005-14 and By-law 2005-16A to and including By-law 2005-23T be read a third time and passed.

CARRIED

- By-law 2005-5** 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT TO SCIENCE NORTH FOR THE DYNAMIC EARTH PROJECT

(This By-law authorizes a grant for the Dynamic Earth Project in the total sum of \$1 Million over the years 2005, 2006 and 2007 as approved by Council in the 2005 Budget)

3RD Reading

2005-16 Rivest-Thompson: THAT By-law 2005-5 be read a third time and past.

CARRIED

- By-law 2005-24F** 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ESTABLISH A WATER AND WASTEWATER POLICY AND WATER AND WASTEWATER RATES AND CHARGES

Priorities Committee Meeting of 2005-01-12

3RD Reading

2005-17 Berthiaume-Bradley: THAT By-law 2005-24F be read a third time and passed.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-11 <u>Printing of Leisure Guide</u>	Report dated 2005-01-05 from the General Manager of Community Development regarding Printing of Leisure Guide was received for information only.
Item C-12 <u>Local Health Integration Networks</u>	Report dated 2005-01-06 from the General Manager of Community Development regarding Local Health Integration Networks (LHIN) was received for information only.
<u>Direction Given</u>	With the concurrence of Council, Councillor Craig requested that the General Manager of Community Development keep the Members of Council updated on the LHIN and submit a detailed report to the Priorities Committee in the near future.

PART II REGULAR AGENDA

MOTIONS

Item R-1 <u>Councillor Bradley - Removal of Canadian Flag - Newfoundland</u>	<p>WHEREAS Newfoundland Premier Danny Williams has ordered the removal of all Canadian flags from provincial buildings in that province, as a sign of protest against the Federal Government;</p> <p>AND WHEREAS the 2005 FCM Annual Conference is scheduled to take place in St. John's, Newfoundland from June 3rd to 6th, 2005;</p> <p>NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury call upon the National Board of Directors of the Federation of Canadian Municipalities to move the 2005 FCM Annual Conference from St. John's, Newfoundland, to a Province where the Canadian flag is respected and flown with pride.</p> <p>AND FURTHER BE IT RESOLVED THAT if the FCM National Board of Directors refuses or fails to move the 2005 FCM Annual Conference from St. John's, Newfoundland to another Province as requested, that no Member of Council or staff member from the City of Greater Sudbury be permitted to attend that conference, at the City's expense.</p>
<u>Motion Withdrawn</u>	Councillor Bradley advised he had withdrawn his motion at this time because the Premier of Newfoundland has once again raised the Canadian Flag.
<u>Introduction of Motion not on the Agenda - Rules of Procedure</u>	A request was received to dispense with the Rules of Procedure and deal with a motion not on the agenda, for which two-thirds majority was received.

Councillor Bradley -
COMRIF - Fast Track
Approval Process

The following resolution was presented:

2005-18 Bradley-Craig: WHEREAS many Ontario municipalities have responded to the deadline for application for Canada-Ontario Municipal Rural Infrastructure Funding (COMRIF);

THEREFORE BE IT RESOLVED THAT the Federation of Northern Ontario Municipalities (FONOM) lobby the Federal/Provincial governments to fast track the approval process;

AND THAT municipalities be advised as soon as possible of funding approvals in order that the necessary preparation work and tendering of projects can be undertaken for projects to commence early in 2005;

AND FURTHER THAT FONOM request all municipalities to endorse this resolution;

AND THAT copies of this resolution be forwarded to all local MPs and MPPs.

CARRIED

QUESTION PERIOD

CRF Reconciliation

Councillor Callaghan asked the Chief Administrative Officer if there have been any new developments regarding the Community Reinvestment Fund (CRF).

Mr. Mieto advised that the Ministry of Finance will be releasing a letter to Heads of Council informing them of the status of the government's review of the CRF. He stated that a response to the Minister's letter will be prepared for the next meeting of Council.

Merger of Unions

Councillor Dupuis advised Council that the United Steelworkers of America (USWA) and the Paper, Allied Industrial, Chemical and Energy Workers International Union (PACE) will merge to form the largest and most powerful industrial union in North America. He also advised that Mr. Leo W. Gerard, International President, USWA, a former resident of Creighton, Ontario, has been appointed the President of this new organization.

Councillor Dupuis requested that the Mayor forward a letter of congratulations to Mr. Gerard on behalf of Council.

Long Term Care Beds
- Pioneer Manor

Councillor Bradley stated that the ten (10) additional beds at Pioneer Manor for long term care patients have been filled and that people are still being moved to Manitoulin Island. He asked the General Manager of Community Development how this issue could be resolved.

Ms. Matheson advised Council that Pioneer Manor has capacity to accept additional long term patients, however, approval from the Ministry of Health and Long Term Care is required to open any additional beds.

Councillor Bradley requested that Council lobby the Minister of Health and Long Term Care to approve the opening of additional beds at Pioneer Manor and that the General Manager of Community Development keep Council informed regarding this matter.

Hearings - Standing
Committee on Social
Policy - Bill 118

Councillor Berthiaume advised Council that the Provincial Legislature's Standing Committee on Social Policy will be meeting to consider Bill 118, Accessibility for Ontarians with Disabilities Act, 2004 and that the Hearings are scheduled to be held in Toronto, Niagara Falls, London, Thunder Bay and Ottawa during the weeks of January 31, 2005 and February 7, 2005.

Councillor Berthiaume asked that a letter from the Mayor's Office be sent to the Standing Committee requesting that a Hearing be held in Sudbury.

Harness Racing

Councillor Berthiaume stated that the Ontario Lottery and Gaming Commission (OLGC) is looking at reducing the number of months for harness racing from nine (9) months to six (6) months.

With the concurrence of Council, Councillor Berthiaume requested that the General Manager of Growth & Development submit a report detailing the OLGC's rationale behind this proposal.

Adjournment

2005-19 Bradley-Thompson: THAT this meeting does now adjourn.
Time: 8:00 p.m.

CARRIED

Mayor

City Clerk