THE TWENTY-SIXTH MEETING OF THE COUNCIL
OF THE CITY OF GREATER SUDBURY

C-12
Tom Davies Square
Thursday, February 10, 2005
Commencement: 6:15 p.m.

DEPUTY MAYOR DUPUIS, IN THE CHAIR

Present
Councillors Berthiaume; Bradley; Caldarelli (A 6:20 pm); Callaghan; Craig; Gainer (A 6:20 pm); Gasparini (A 6:40 pm); Kett (A 6:45 pm); Reynolds; Rivest; Thompson (A 6:40 pm); Mayor Courtemanche (A 6:22 pm)

City Officials
M. Mieto, Chief Administrative Officer; C. Hallsworth, Executive Director of Administrative Support Services; P. Thomson, Director of Human Resources & Org. Development; H. Salter, Deputy City Solicitor; G. Lamothe, Manager of Corporate Communications & French Language Services; T. Mowry, City Clerk; CJ Caporale, Council Secretary

Declarations of Pecuniary Interest
None declared.

“In Camera”
2005-39 Bradley-Dupuis: That we move "In Camera" to deal with a Personnel Matter in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, 2001, s.239(2)(f).

CARRIED

Recess
At 6:55 p.m., Council recessed.

Reconvene
At 7:02 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 (A 7:04 pm); Craig; Dupuis; Gainer (D 7:15 pm; A 8:20 pm); Gasparini; Kett (D 7:15 pm; A 8:20 pm); Reynolds; Rivest; Thompson

City Officials
M. Mieto, Chief Administrative Officer; C. Matheson, General Manager of Community Development; B. Lautenbach, Acting 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; Inspector Markiewich, Greater Sudbury Police Services; H. Salter, Deputy City Solicitor; G. Clausen, Director of Engineering Services; G. Lamothe, Manager

C.C. 2005-02-10 (26TH) (1)
City Officials of Corporate Communications & French Language Services; G. Prieur, CIP Facilitator; P. Demers, Community Relations and Policy Advisor; J. McKechnie, Executive Assistant to the Mayor; F. Bortolussi, Planning Committee Secretary; T. Mowry, City Clerk; CJ Caporale, Council Secretary

C.U.P.E. D. Burke, CUPE National Representative; W. MacKinnon, President, CUPE Local 4705; F. Posadowski, Vice-President, CUPE Local 4705

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

Declarations of Pecuniary Interest Councillor Gasparini declared a conflict regarding Item R-3 (Increase of Municipal Share of Slot Revenues) as she is Executive Director of the Social Planning Council of Sudbury which receives lottery funding.

Opening Remarks The Chair welcomed Journalism students from Cambrian College.

MATTERS ARISING FROM THE “IN CAMERA” SESSION

Rise and Report Deputy Mayor Dupuis, as Chair of the Committee of the Whole, reported Council met to deal with a Personnel Matter falling within Article 15.5 of the City of Greater Sudbury Procedural By-law 2002-202 and the Municipal Act, 2001, s.239(2)(f) and no resolutions emanated therefrom.

MATTERS ARISING FROM THE PRIORITIES COMMITTEE

Rise and Report Councillor Caldarelli, Chair of the Priorities Committee, reported that the Priorities Committee met on 2005-02-09 and there were no items requiring Council approval.

MATTERS ARISING FROM THE PLANNING COMMITTEE

Rise and Report Councillor Thompson, Chair of the Planning Committee, reported that the Planning Committee met on 2005-02-01 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:

Dupuis-Bradley: That Items C-1 to C-15 inclusive, contained in Part I, Consent Agenda, be adopted.

C.C. 2005-02-10 (26TH)
Councillor Dupuis asked that Planning Recommendation 2005-21 (Rezoning - Seniors Housing Complex - Bethel Lake - Dalron Construction Limited) be pulled from the Planning Committee minutes and voted on separately.

The following Planning Committee Recommendation 2005-21 was presented:

Dupuis-Bradley: THAT the application by Laurentian University (Agent: Dalron Construction Ltd.) to amend By-law 95-500Z being the Zoning By-law for the former City of Sudbury by changing the zoning classification of part of Parcel 30769, being part of Part 1, Plan 53R-16920, in Lot 3, Concession 2, McKim Township from “I”, Institutional to “I-Special”, Institutional Special in order to permit the development of a 185 unit housing complex designed for seniors be approved subject to the following:

a) That the agent provide the Development Services Section with a registered survey plan of the subject property in order to enable the preparation of an amending by-law.

b) That the only permitted uses shall be:

- a maximum of 40 dwelling units consisting of a mix of single detached, semi-detached and/or row dwellings;

- a maximum of 60 dwelling units in the form of multiple dwellings, where no multiple dwelling shall exceed a height of 4 storeys;

- a residential building containing a maximum of 85 guest rooms designed for seniors or residents thereof who require nursing and/or homecare, together with common kitchen and dining facilities;

- accessory support services for a seniors community which may include personal service shops, a pharmacy and medical offices; and

- related accessory uses.

c) That parking for the residential building containing 85 guest rooms shall be provided in accordance with the following:

- 2 spaces for the residential building, plus 0.5 spaces for each of the first 30 guest rooms, plus 0.25 spaces for each additional guest room.
d) That an “H”, Holding provision in accordance with Section 36 of the Planning Act be incorporated in the amending by-law whereby the only permitted use of the subject property until such time as the “H”, Holding designation has been removed by Council shall be “a maximum of 40 dwelling units consisting of a mix of single detached, semi-detached and/or row dwellings”; and, whereby the “H”, Holding designation shall only be removed upon fulfilment of the following condition:

“The Planning Services Division is to be advised by the Director of Engineering Services that the Traffic Study has been reviewed as it applies to the design and operation of the Ramsey Lake Road/South Bay Road intersection, and that any required modifications identified shall be undertaken.”

SIMULTANEOUS WRITTEN RECORDED VOTE:

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<th>YEAS</th>
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<td>Callaghan</td>
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<td>Mayor Courtemanche</td>
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CARRIED

Consent Agenda

The following resolution was presented:

2005-40 Bradley-Berthiaume: THAT Items C-1 to C-15 inclusive, contained in Part I, Consent Agenda, be adopted, with the exception of Planning Committee Recommendation 2005-21 contained in the Planning Committee Minutes of 2005-02-01, as otherwise dealt with.

CARRIED

MINUTES

Item C-1 Report No. 25 City Council 2005-01-27


CARRIED
Item C-2
Report No. 23
Planning Committee
2005-02-01

2005-42 Dupuis-Bradley: THAT Report No. 23, Planning Committee Minutes of 2005-02-01 be adopted, with the exception of Planning Committee Recommendation 2005-21 (Rezoning - Seniors Housing Complex - Bethel Lake - Dalron Construction Limited), as otherwise dealt with.

CARRIED

Item C-3
Report No. 1
Street Naming Committee
2005-01-26


CARRIED

Item C-4
Report No. 22
Priorities Committee
2005-02-09


CARRIED

Item C-5
NDCA
2005-01-19


CARRIED

Item C-6
TOC
2005-01-25


CARRIED

Item C-7
TOC
2005-01-27


CARRIED

Item C-8
TOC
2005-02-01

2005-48 Bradley-Dupuis: THAT the Report of the Tender Opening Committee Minutes of 2005-02-01 be received.

CARRIED

Item C-9
GSHC
2004-11-23


CARRIED

Item C-10
GSHC
2004-12-15


CARRIED

Item C-11
Report No. 8
Sudbury Metro Centre
2004-10-26

C.C. 2005-02-10 (26TH)

2005-51 Bradley-Dupuis: THAT Report No. 8, Board of Directors of Sudbury Metro Centre Minutes of 2004-10-26 be received.

CARRIED
Item C-12
Report No. 9
Sudbury Metro Centre
2004-11-30
2005-52 Bradley-Dupuis: THAT Report No. 9, Board of Directors of Sudbury Metro Centre Minutes of 2004-11-30 be received.
CARRIED

Item C-13
Special Meeting
Sudbury Metro Centre
2004-12-07
2005-53 Dupuis-Bradley: THAT the Report of the Special Meeting of the Board of Sudbury Metro Centre Minutes of 2004-12-07 be received.
CARRIED

Item C-14
GSPS
2004-12-13
CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-15
CIP - Year Two
Report dated 2005-02-28 from the Executive Director of Administrative Support Services regarding Continuous Improvement Program - Year Two was received.

The following resolution was presented:

2005-55 Dupuis-Bradley: THAT Council endorse the continuation of the Continuous Improvement Program (CIP) to carry on operating as an Employee Suggestion Plan for the period of February 2005 to February 2006.
CARRIED

BY-LAWS

2005-37A
A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF FEBRUARY 10, 2005

2005-38Z
A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-304, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF NICKEL CENTRE

Planning Committee meeting of February 1, 2005

(This By-law rezones the subject property to “R1.D18”, Single Residential to permit the severance and consolidation of lands to correct an existing residential building encroachment. This amendment fulfills a condition of Consent Application B0171/2004. Albert Savard, 69 Savard Road, Wahnapitae.)
BY-LAWS (continued)

2005-40A 3  A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH THE CANADIAN RED CROSS FOR THE OPERATION OF EVACUATION CENTRES DURING AN EMERGENCY

Report dated 2005-01-24 from the General Manager of Community Development regarding Contract with Canadian Red Cross to Operate Evacuation Centres during Emergencies was received.

(The report supports a recommendation that the City of Greater Sudbury enter into a contract with the Canadian Red Cross to operate evacuation centres as part of the City’s Emergency Response Plan.)

2005-41F 3  A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE CANCELLATION, REDUCTION, OR REFUND OF REALTY TAXES

Planning Committee meeting of February 1, 2005.

(The Neighbourhood Shopping Centre at 3555 Highway 144, Chelmsford was the subject of a tax sale on September 27th, 2004. No bids were received at that time. It is recommended that the taxes on this property be written off to allow redevelopment of the subject lands.)

2005-42 3  A BY-LAW OF THE CITY OF GREATER SUDBURY TO VEST 3555 HIGHWAY 144, CHELMSFORD INTO THE CITY’S NAME, AND TO SELL THE PROPERTY TO JEFF GLADU IN TRUST

Planning Committee meeting of February 1, 2005.

(3555 Highway 144, Chelmsford was the subject of a tax sale on September 27th, 2004. No bids were received at that time. In an attempt to secure a purchaser, the property was listed with the Sudbury Real Estate Board and the City has received an offer to purchase it in the amount of $160,000. It is recommended that this property be vested into the City’s name, declared surplus, and sold in the amount of $160,000.)
BY-LAWS (continued)

2005-43F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A TAX EXTENSION AGREEMENT WITH JOSEPH CIARDULLO FOR ROLL # 040.025.070.00.0000

Report dated 2005-02-04 from the Acting CFO/Treasurer regarding Tax Extension Agreement between the City of Greater Sudbury and Joseph Ciardullo was received.

(Joseph Ciardullo has requested a Tax Extension Agreement with respect to the property located at 387 Bessie Avenue, in the City of Greater Sudbury. The subject property is in tax arrears and a lien was registered against the property on December 10th, 2004. Section 378 (1) of the Municipal Act provides the authority for City Council to enter into a Tax Extension Agreement. The agreement is standard in nature and allows for an applicant to repay tax arrears over a specified time period. If the terms of the agreement are breached in any way, the agreement becomes null and void and the property is placed in the position it was in prior to the establishment of the agreement.)

2005-44F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A TAX EXTENSION AGREEMENT WITH JOSEPH CIARDULLO FOR ROLL # 040.025.068.00.0000

Report dated 2005-02-04 from the Acting CFO/Treasurer regarding Tax Extension Agreement between the City of Greater Sudbury and Joseph Ciardullo was received.

(Joseph Ciardullo has requested a Tax Extension Agreement with respect to the property located at 397 Bessie Avenue, in the City of Greater Sudbury. The subject property is in tax arrears and a lien was registered against the property on December 10th, 2004. Section 378 (1) of the Municipal Act provides the authority for City Council to enter into a Tax Extension Agreement. The agreement is standard in nature and allows for an applicant to repay tax arrears over a specified time period. If the terms of the agreement are breached in any way, the agreement becomes null and void and the property is placed in the position it was in prior to the establishment of the agreement.)

2005-45F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A TAX EXTENSION AGREEMENT WITH JOSEPH CIARDULLO FOR ROLL # 040.025.069.00.0000

Report dated 2005-02-04 from the Acting CFO/Treasurer regarding Tax Extension Agreement between the City of Greater Sudbury and Joseph Ciardullo was received.

(Joseph Ciardullo has requested a Tax Extension Agreement with respect to the property located at 393 Bessie Avenue, in the City of Greater Sudbury. The subject property is in tax arrears and a lien was registered against the property on December 10th, 2004. Section 378 (1) of the Municipal Act provides the authority for City Council to enter into a Tax Extension Agreement. The agreement is standard in nature and allows for an applicant to repay tax arrears over a specified time period. If the terms of the agreement are breached in any way, the agreement becomes null and void and the property is placed in the position it was in prior to the establishment of the agreement.)
2005-46F  3  A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A TAX EXTENSION AGREEMENT WITH MONIQUE TSANG FOR ROLL # 170.008.003.00.0000

Report dated 2005-02-04 from the Acting CFO/Treasurer regarding Tax Extension Agreement between the City of Greater Sudbury and Monique Tsang was received.

(Monique Tsang has requested a Tax Extension Agreement with respect to the property located at 1642 Main Street, Blezard Township, in the City of Greater Sudbury. The subject property is in tax arrears and a lien was registered against the property on December 14th, 2004. Section 378 (1) of the Municipal Act provides the authority for City Council to enter into a Tax Extension Agreement. The agreement is standard in nature and allows for an applicant to repay tax arrears over a specified time period. If the terms of the agreement are breached in any way, the agreement becomes null and void and the property is placed in the position it was in prior to the establishment of the agreement.)

2005-47F  3  A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE CANCELLATION, REDUCTION, OR REFUND OF REALTY TAXES

Report dated 2005-02-04, with attachments, from the Acting CFO/Treasurer regarding Tax Adjustments Under Sections 357 and 358 of the Municipal Act was received.

(Each year after the return of the Assessment Roll and during the tax billing process, some properties become eligible for the cancellation, reduction or refund of realty taxes. Section 357 of the Municipal Act provides the authority for tax adjustments in the current year for reasons that may include change in rate of taxation, change in tax status, or fire/demolition. Section 358 of the Municipal Act provides the authority for tax adjustments for prior years for errors in the preparation of the Assessment Roll. All applications for tax adjustments are verified by the Municipal Property Assessment Corporation prior to being processed by the City of Greater Sudbury.)

2004-48P  3  A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT AMENDMENT NUMBER 244 OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA

Planning Committee Recommendation 2005-10

(This Official Plan Amendment is a site specific exemption from the agricultural reserve policies that apply to permit the creation of one lot for residential use. G. Prevost and K. Bishop, 3876 Hydro Road, Hanmer.)
BY-LAWS (continued)

2005-49Z  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 FORMER CITY
OF VALLEY EAST

Planning Committee Recommendation 2005-09

(This By-law applies to a 50.2 feet by 1644.4 feet strip of land that was
added to an existing mobile home park under Consent Application
B126/2003. This By-law rezones the subject property to Mobile Home
Residential Special to match the zoning of the mobile home park. Valley
View Mobile Home Village Inc., Gravel Drive, Hanmer.)

2005-50Z  3  A BY-LAW OF THE CITY OF GREATER SUDBURY TO REPEAL
BY-LAW 2001-218Z, AN AMENDMENT TO BY-LAW 83-300, THE
COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF ONAPING FALLS AND FORMER CITY OF VALLEY EAST

(The Owner has informed the City that a garden suite dwelling is no longer
required at this address and therefore it is in order to repeal this By-law.
Gerald R. Deschamps, 4501 Beaver Avenue, Hanmer.)

2005-51Z  3  A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND
BY-LAW 95-500Z, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER CITY OF SUDBURY

Planning Committee Recommendation 2005-06

(This By-law does not rezone the subject property. This By-law permits
a carnival on the property for a maximum temporary period of one year -
Energy Court, Sudbury.)

2005-52A  3  A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT
BY-LAW ENFORCEMENT OFFICERS FOR THE SUDBURY AIRPORT

(This By-law updates the list of By-law Enforcement Officers at the
Sudbury Airport.)

1\text{st} \& 2\text{nd} Reading 2005-56 Bradley-Dupuis: THAT By-law 2005-37A to and including
By-law 2005-52A be read a first and second time.

\textbf{CARRIED}

By-law 2005-39F - Request to Pull
At the request of Councillor Rivest, By-law 205-39F was pulled and
voted on separately.
THIRD READING


CARRIED

BY-LAW 2005-39F

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

(This By-law corrects a typographical error in the list of By-laws repealed.)

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-16 2004 Investment Report
Report dated 2005-02-04 from the Acting CFO/Treasurer regarding 2004 Investment Report was received for information only.

Item C-17 2005 Rates - Capital Lot Levies
Report dated 2005-02-04 from the Acting CFO/Treasurer regarding 2005 Rates - Capital Lot Levies was received for information only.

Item C-18 Water/Wastewater Works - Connection
Report dated 2005-02-04 from the Acting CFO/Treasurer regarding By-laws 87-340 and 87-341 - Requiring Owners to Connect to Water and Wastewater Works - 2005 Exemption Amount was received for information only.

Item C-19 FCM Quality of Life Issues Report
Report dated 2005-02-03 from the General Manager of Community Development regarding FCM Quality of Life Issues Report Summary: Dynamic Societies and Social Change was received for information only.

Item C-20 Sudbury Downs/Slots
Report dated 2005-02-03, with attachments, from the General Manager of Growth & Development regarding Sudbury Downs / Slots at Sudbury Downs was received for information only.
PART II
REGULAR AGENDA

REFERRED AND DEFERRED MATTERS

Item R-1
Reappointment - “Private” Directors
Greater Sudbury Utilities Inc.

Report dated 2005-01-21 from the Executive Director of Administrative Support Services regarding Reappointment of “Private” Directors - Greater Sudbury Utilities Inc. was received.

The following resolution was presented:

Dupuis-Bradley: BE IT RESOLVED THAT Les Lisk and Cindy Schut be reappointed to the Board of Directors of Greater Sudbury Utilities for a one (1) year term ending February 11, 2006 or until such later time as their successors are appointed.

Motion to Withdraw

Councillor Kett asked that Council withdraw the foregoing motion and that a new motion be substituted providing for a three year appointment.

He explained that the original plan for the term of Board Directors was to have staggered terms for each set of two appointments to the Board. This would provide continuity on the Board of Directors.

He further stated that as the next expiring term for two Directors would be in 2006; these Directors should also be appointed for three years and so on. Once this process had been completed, then there would be full continuity on the Board of Directors of Greater Sudbury Utilities Inc. versus a complete turnover of Directors every three years. Councillor Kett displayed an electronic overhead which set out the recommended terms for Directors’ appointments.

With the concurrence of Council the foregoing motion was withdrawn and the following motion was then presented:

Item R-1
Reappointment - “Private” Directors
Greater Sudbury Utilities - New Motion

2005-59 Kett-Dupuis: BE IT RESOLVED THAT Les Lisk and Cindy Schut be reappointed to the Board of Directors of Greater Sudbury Utilities for a three (3) year term ending February 11, 2008 or until such later time as their successors are appointed.

CARRIED
MANAGERS' REPORTS

Item R-2
Appointment - Healthy Communities Expert Panel

Report dated 2005-02-10 from the General Manager of Community Development regarding Appointment to the Healthy Communities Expert Panel was received.

A supplemental report dated 2005-02-02 from the General Manager of Community Development regarding the appointment of two additional members to the Expert Panel was tabled at the meeting.

The following resolution was presented:

2005-60 Dupuis-Bradley: WHEREAS City Council identified a Healthy Community as a key strategic priority for 2005;

AND WHEREAS Council approved the development of a healthy community strategic plan in consultation with an Expert Panel on quality of life;

AND WHEREAS Council requested that the Expert Panel for the healthy community strategy be presented for endorsement in January 2005.

THEREFORE BE IT RESOLVED THAT the recommended names for the Expert Panel be accepted.

CARRIED

MOTIONS

Item R-3
Increase of Municipal Share of Slot Revenues

The following resolution was presented:

2005-61 Berthiaume-Bradley: WHEREAS the Ontario government recently announced a new Ontario gaming strategy to focus on a sustainable responsible industry which includes an increased focus on social responsibility and a commitment to ensuring the competitiveness of Ontario’s gaming industry;

AND WHEREAS many local charities, service groups and community non-profit organizations have found their ability to raise funds through bingo events and lotteries seriously affected by the spending of local citizens to the casinos and slots at race tracks throughout Ontario;

AND WHEREAS the City of Greater Sudbury is host to slots at Sudbury Downs;
AND WHEREAS local charities, service groups and community non-profit organizations need further assistance to replace revenues lost as a result of the establishment of casinos and slots at race tracks;

AND WHEREAS the Trillium Foundation, which was created by the Province to assist these groups, has faced a reduction in the amount of money provided to it by the Province from the casino profits, thereby further reducing the Foundation’s ability to effectively achieve its mandate;

AND WHEREAS the City of Greater Sudbury is in a better position than the Trillium Foundation to be informed about and understand the needs of its local charities, service groups and community non-profit organizations;

AND WHEREAS local charities, service groups and community non-profit organizations provide valuable services to the residents of this community and communities across Ontario;

THEREFORE BE IT RESOLVED that the Council of the City of Greater Sudbury call upon the Provincial government to increase the municipal share of slot revenues by 3% for all race track slots host communities, and that the extra 3% be entirely used to offset the negative financial impact suffered by charitable organizations, charities and service groups since the opening of casinos and race track slots. The extra 3% could be redistributed by the host municipalities to charitable organizations in the form of grants.

AND FURTHER BE IT RESOLVED that copies of this resolution be sent to Premier Dalton McGuinty, the Honourable Joe Cordiano, Minister of Economic Development and Trade, the Honourable Rick Bartolucci, Minister of Northern Development and Mines, and the host communities to race track slots, namely, the Towns of Clinton, Dresden, Dundas, Fraserville, Fort Erie, Innisfil, and Hanover; the Cities of Sarnia, Gloucester, London, Campbellville, Windsor, Toronto, and Woodstock; and the Village of Elora.

CARRIED

Councillor Gasparini, having declared a pecuniary interest in the foregoing matter, did not take part in the discussion, vote on any matter or try to influence the vote in respect thereof.
ADDENDUM

Addendum Resolution

The following resolution was presented:

2005-62 Bradley-Berthiaume: THAT the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of Pecuniary Interest

None declared.

Item AD-1 Noise By-law Exemption - Buttcon Limited - Wal-Mart

Report dated 2005-02-10, with attachments, from the Executive Director of Administrative Support Services regarding Request for a Noise By-law Exemption - Buttcon Limited - Wal-Mart Construction was received.

The following resolution was presented:

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 Buttcon Limited and its contractors in order to carry out the demolition and construction of Wal-Mart at the New Sudbury Shopping Centre, LaSalle Boulevard, Sudbury;

AND THAT an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise) be granted to Buttcon Limited for the following dates and times: February 10, 2005 to July 1, 2005, inclusive, between the hours 6:00 a.m. and 10:00 p.m. of each day;

AND THAT Buttcon Limited shall ensure proper traffic control is in place during this period;

AND FURTHER THAT approval of this exemption be subject to Buttcon Limited providing public notice of this construction activity to area residents.

Motion for Deferral

Councillor Reynolds moved that the foregoing motion be deferred to the 2005-02-24 Council meeting until further information is received from Buttcon Limited regarding the nature of the noise.

CARRIED

Change of Chair

At 9:45 p.m., His Worship Mayor David Courtemanche vacated the chair.

DEPUTY MAYOR CRAIG, IN THE CHAIR
# QUESTION PERIOD

## Water/Wastewater Bills

Councillor Thompson stated that he had received complaints from residents regarding the delay in their water/wastewater bills. He explained that residents had not received their bi-monthly bills within a six month period and then a bill for the entire six month period was received.

The Acting CFO/Treasurer stated that she was aware that there had been a delay in the mailing of water/wastewater bills but was not aware that the bills covered a six month period. Ms. Jonasson stated that she would look into this matter and advise Council.

## West Nipissing Energy Services Limited

Councillor Thompson asked Councillor Craig, Chair of the Board of Greater Sudbury Hydro Inc., to explain why Greater Sudbury Hydro was acquiring West Nipissing Energy Services Limited; what type of return was expected on this investment; and, will the Greater Sudbury Hydro employees be called out for repairs in the West Nipissing area?

Councillor Craig advised Council that the Municipality of West Nipissing approached Greater Sudbury Hydro to purchase West Nipissing Energy Services. He stated that because utilities are highly regulated, smaller communities are having difficulties meeting the demands.

Councillor Craig advised that this transaction would be a good investment for the City of Greater Sudbury and that it will be revenue generated.

Councillor Craig also advised Council that West Nipissing Energy Services will be utilizing their own crews and equipment.

## By-law 2004-354 Second Hand Goods, Pawnbrokers & Salvage Yards

Councillor Rivest stated that he met with several operators of salvage yards who advised him that the regulations in By-law 2004-354 are too restrictive. Councillor Rivest asked that By-law 2004-354 be reviewed by the Business Licencing Committee.

With the concurrence of Council, Councillor Rivest requested that following a review of By-law 2004-354 by the Business Licencing Committee, that the Business Licencing Committee report back to Council with their findings.

## Purchase of Hydro Utilities

Councillor Rivest asked Councillor Craig why Greater Sudbury Hydro was purchasing the West Nipissing Energy Services and not Hydro One.

Councillor Craig advised Council that this was an opportunity to expand and that the purchase of Hydro One is still a priority.
NOTICES OF MOTIONS

Winter Maintenance - Urban Roads

As presented by Councillor Kett:

WHEREAS our previous municipalities provided good quality basic services to our taxpayers especially winter maintenance to all areas including our rural areas;

AND WHEREAS the City has hired private contractors to maintain many of our rural roads;

AND WHEREAS the level of winter maintenance service has declined on these roads;

BE IT RESOLVED THAT the Council of the City of Greater Sudbury take action to end this inequity by either ending the practice of using private contractors to do winter maintenance of City roads or extend the practice to include private contractors plowing urban roads, such that all taxpayers are treated fairly.

By-law 2005-14 - CAO

As presented by Councillor Reynolds:

WHEREAS Clause 9 of By-Law 2005-14 gives full authority to the Chief Administrative Officer (CAO) to utilize funds provided by the City for voluntary exit programs or similar arrangements from the newly-created Human Resources Management Fund;

AND WHEREAS the aforementioned clause further diminishes Council’s authority, transparency and accountability;

THEREFORE BE IT RESOLVED that Clause 9 of By-Law 2005-14 be amended to include the phrase “subject to the review of Council”.

Adjournment

In accordance with the Procedural By-law, the meeting automatically adjourned at 10:00 p.m. because two-thirds consent of all members present was not received to proceed past 10:00 p.m.