

THE FIFTY-FIRST MEETING OF THE COUNCIL OF THE CITY OF GREATER SUDBURY

Council Chamber
Tom Davies Square

Wednesday, April 26, 2006
Commencement: 7:02 p.m.

HIS WORSHIP MAYOR DAVID COURTEMANCHE, IN THE CHAIR

<u>Present</u>	Councillors Berthiaume; Bradley; Caldarelli; Callaghan; Craig; Dupuis; Gainer; Gasparini; Kett; Reynolds (D10:15pm); Rivest; Thompson
<u>City Officials</u>	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 Services; L. Hayes, CFO/Treasurer; R. Swiddle, City Solicitor; G. Lamothe, Manager of Communications & French Language Service; Staff Insp. A. Lekun, Executive Officer to the Chief of Police, Greater Sudbury Police; G. Prieur, CIP Facilitator; S. McCullough, Internal Auditor; I. Wood, Business Development Officer; T. Beadman, Director of Emergency Management; P. Demers, Community Relations & Policy Advisor; J. McKechnie, Executive Assistant to the Mayor; A. Haché, City Clerk; F. Bortolussi, Planning Committee Secretary; CJ Caporale, Council Secretary
<u>C.U.P.E. Local 4705</u>	W. MacKinnon, President, F. Posadowski, Vice-President, K. Tallon, Recording Secretary
<u>News Media</u>	Sudbury Star; MCTV; CIGM; Channel 10 News; Northern Life; CBC Radio-Canada; Big Daddy
<u>Declarations of Pecuniary Interest</u>	None declared.

PRESENTATIONS/DELEGATIONS

<u>Item 4 Streetscape Design</u>	Councillor Lynne Reynolds, Member, Streetscape Design Committee introduced Ms. Susan Thompson of Downtown Village Development Corporation and Ms. Maureen Luoma of Downtown Sudbury to the Members of Council. Ms. Thompson gave an electronic presentation entitled " <i>Downtown Sudbury Streetscape Design Project - Phase 1</i> " which provided the background for the design and why it is important to improve downtown Sudbury.
--------------------------------------	--

Item 4
Streetscape Design
(continued)

Ms. Thompson also stated that Downtown Village Development Corporation (DVDC) has been completely self-funded to date, their directors and private sector supporters have contributed in excess of \$150,000 of cash and in-kind contributions to their identified projects and initiatives. An additional \$20,000 of seed funding from Fednor and the Greater Sudbury Development Corporation has made this Conceptual Streetscape Design project possible.

She provided the vision and values of the DVDC, along with seven themes that have been established as important cornerstones to the development of the downtown:

- Landscape as Art
- Green Community
- Children's Spaces
- Community History
- Natural Heritage
- Industrial Heritage
- Winter City

Ms. Thompson indicated that the Streetscape Design Committee has categorized concepts from this project into short, medium and longer term implementation timelines. She stated that research has been done to locate available grants and programs. She also stated that many private sector interests have already expressed willingness to sponsor street furnishings and special projects.

Ms. Luoma briefly outlined Sudbury Metro Centre's involvement in the project and advised Council that Downtown Sudbury, representing downtown business and property owners, has allocated \$100,000 toward the implementation of these concepts.

They thanked Council for their continued support.

The following resolution was presented:

2006-605 Bradley-Thompson: BE IT RESOLVED THAT the Council of the City of Greater Sudbury applauds the efforts of the Downtown Village Development Corporation, Downtown Sudbury and the Greater Sudbury Development Corporation for the development of a downtown Streetscape Design Project;

FURTHER THAT the Streetscape Design Report be endorsed as an important component in the ongoing revitalization of downtown Sudbury;

AND FURTHER THAT City Council and respective City Departments consider incorporating the conceptual themes presented within the Streetscape Design Report when possible, for future projects and initiatives planned for the downtown.

CARRIED

Item 5
CIP Update

Report dated 2006-02-01 from the Executive Director of Administrative Services regarding Continuous Improvement Program (CIP) was received for information only.

Mr. Gil Prieur, CIP Facilitator gave an electronic presentation entitled "*Continuous Improvement Program - an Employees' Suggestion Plan*".

He provided Council with a brief outline of the development of CIP and stated that their goals were to avoid duplication, eliminate waste, improve productivity and employee morale.

Mr. Prieur advised that their primary goal was the identification of cost savings by employees' suggestions. He stated that employee participation is a key factor in a viable employee suggestion CIP program.

He also advised that to-date approximately 130 suggestions have been received covering a wide range of topics.

He outlined various programs which resulted in major monetary savings: leaf yard waste, body shop work, "green" suggestions (car pooling), etc.

Mr. Prieur will focus on renewing communication with employees and continue to investigate suggestions received. He advised that suggestion boxes have been installed throughout City departments, and stated that employees want to make their suggestions face-to-face or in writing.

MATTERS ARISING FROM THE PRIORITIES COMMITTEE

Rise and Report

Councillor Caldarelli, Chair of the Priorities Committee, reported that the Priorities Committee met on 2006-04-19 and there were no items to be brought forward at this time.

MATTERS ARISING FROM THE PLANNING COMMITTEE

Rise and Report

Councillor Dupuis, Chair of the Planning Committee, reported that the Planning Committee met on 2006-04-18 and there were no items to be brought forward at this time.

PART I
CONSENT AGENDA

Consent Agenda

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

2006-606 Thompson-Bradley: THAT Items C-1 to C-7 inclusive, contained in Part I, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1
Report No. 49
City Council
2006-04-12

2006-607 Bradley-Thompson: THAT Report No. 49, City Council Minutes of 2006-04-12 be adopted.

CARRIED

Item C-2
Report No. 46
Planning Committee
2006-04-18

2006-608 Bradley-Thompson: THAT Report No. 46, Planning Committee Minutes of 2006-04-18 be adopted.

CARRIED

Item C-3
Report No. 45
Priorities Committee
2006-04-19

2006-609 Thompson-Bradley: THAT Report No. 45, Priorities Committee Minutes of 2006-04-19 be adopted.

CARRIED

Item C-4
Report No. 2
Topsoil Committee
2006-04-10

2006-610 Bradley-Thompson: THAT Report No. 2, Topsoil Committee Minutes of 2006-04-10 be adopted.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-5
Draw from Library
Reserve

Report dated 2006-04-11 from the General Manager of Community Development regarding Draw from Library Reserve was received.

The following resolution was presented:

2006-611 Thompson-Bradley: THAT Council approve a draw from the Library Reserve to fund the \$20,000 Library "Get the Card" marketing campaign;

AND FURTHER THAT a draw of \$1,000 to fund an increase to the Northern Ontario Capreol Museum grant bringing the total grant from \$2,500 to \$3,500.

CARRIED

Item C-6
Noise By-law
Exemption - Nickel
Rim - Falconbridge Ltd

Report dated 2006-04-21, with attachments, from the Executive Director of Administrative Services regarding Noise By-law Exemption - Nickel Rim South Project - Falconbridge Limited was received.

The following resolution was presented:

2006-612 Bradley-Thompson: WHEREAS Council by Resolution 2005-335 granted Falconbridge Limited an extension to the exemption to Noise By-law 92-13 of the former Town of Nickel Centre for the period from August 1, 2005 to and including July 31, 2006;

AND WHEREAS Falconbridge Limited has requested an extension of the exemption for operational requirements at the Nickel Rim South Project to carry out intensive surface construction such as preparing the site, including moving the broken rock, drilling and excavating work for a two year period from August 1, 2006 to and including July 31, 2008;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury has no objection to the granting an extension of the exemption to Noise By-law 92-13, to Falconbridge Limited and its contractors for operational requirements at the Nickel Rim South Project to July 31, 2008 subject to the conditions set out in Council Resolution 2004-643 remaining in effect.

CARRIED

The conditions that were set out in Council Resolution 2004-643 read as follows:

- 1) Restricting blasting to the daylight hours only.
- 2) That approval of this exemption be further subject to Falconbridge Limited and/or its contractors providing public notice of this construction activity prior to its commencement.
- 3) It is to be understood that this approval is given solely for the purpose of granting a noise exemption only and shall not be construed as an exemption or approval for any other purpose.

Item C-7
Outdoor Special
Events & Special
Occasion Permits

Report dated 2006-04-11, with attachments, from the General Manager of Community Development regarding Outdoor Summer Special Events and Special Occasion Permits was received.

The following resolution was presented:

2006-613 Bradley-Thompson: THAT the Report from the General Manager of Community Development dated April 11, 2006 regarding Summer Special Events and Special Occasion Permits be approved as presented;

AND THAT this Council confirms the nature of these events are community festivals and that they are all of municipal significance to our community.

CARRIED

BY-LAWS

THE FOLLOWING BY-LAWS APPEAR FOR THREE READINGS:

2006-12F 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 2006-04-19, with attachments, from the CFO/Treasurer regarding 2006 Miscellaneous User Fees was received.

(This report reflects the rates for the Miscellaneous User Fees effective January 1, 2006.)

2006-74A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF APRIL 26th, 2006

2006-75A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT CELIA TEALE AS DEPUTY SECRETARY/TREASURER OF THE CITY OF GREATER SUDBURY COMMITTEE OF ADJUSTMENT

(This by-law updates the appointment of the Secretary/Treasurer to reflect recent changes in the Planning and Development Department to allow a substitute Secretary/Treasurer for the Committee. This is necessary at this time in order that meetings can continue as scheduled over the summer).

2006-76 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PARCEL 53631 SUDBURY EAST SECTION TO RIBIT HOLDINGS

Planning Committee Recommendation 2006-70

BY-LAWS (continued)

2006-77 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF CERTAIN LANDS ON MAGILL STREET TO ABS MANUFACTURING & DISTRIBUTING LIMITED

Planning Committee Recommendation 2006-69

2006-78Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-25Z, BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE TOWNSHIPS OF PARKIN, AYLMER, MACKELCAN AND RATHBUN

Planning Committee Recommendation 2006-59

(This by-law rezones the subject property to a revised "RU-S", RU-Special for the development of seasonal dwellings on Lots 28, 40 and 43, Plan 53M-1229, Township of Rathbun).

1ST & 2ND Reading

2006-614 Thompson-Bradley: THAT By-law 2006-12F and By-law 2006-74A to and including By-law 2006-78Z be read a first and second time.

CARRIED

3RD Reading

2006-615 Bradley-Thompson: THAT By-law 2006-12F and By-law 2006-74A to and including By-law 2006-78Z be read a third time and passed.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-8
Winter Operation
Update

Report dated 2006-04-20 from the General Manager of Infrastructure & Emergency Services regarding Winter Operation Program Update was received for information only.

Council raised various questions regarding high snowbanks on sidewalks and at intersections, money spent on winter maintenance in the last six years, snowfall accumulation over the past six years, freeze thaw days, etc.

The General Manager of Infrastructure & Emergency Services advised that staff will provide a Winter Operations Review in May 2006 which includes the foregoing matters.

Item C-9
Provincial Rent Bank
Allocation

Report dated 2006-04-18 from the General Manager of Community Development regarding Provincial Rent Bank Allocation was received for information only.

PART II

REGULAR AGENDA

MANAGERS' REPORTS

Item R-1
Nomination - Board of
Directors - NOSM

Report dated 2006-04-19, with attachments, from the Executive Director of Administrative Services regarding Nomination to the Board of Directors of the Northern Ontario School of Medicine (NOSM) was received.

The following resolution was presented:

2006-616 Thompson-Bradley: WHEREAS the by-laws of the Northern Ontario School of Medicine require a representative to be nominated to the Board of Directors by the Council of the City of Greater Sudbury;

THEREFORE BE IT RESOLVED THAT Jim Gordon be nominated to the Board of Directors of the Northern Ontario School of Medicine as the appointee of the City of Greater Sudbury.

CARRIED

MOTIONS

Item R-2
Community Solutions
Team

The following resolution was presented by Mayor Courtemanche:

2006-617 Courtemanche-Bradley: WHEREAS the City of Greater Sudbury was formed on January 1, 2001;

AND WHEREAS the new City represents a combination of urban, sub-urban and rural settings;

AND WHEREAS residents in outlying areas have expressed a desire for the City to be more responsive to their needs;

AND WHEREAS municipal services, by-laws and policies should reflect the unique needs and issues facing outlying areas;

AND WHEREAS City Council should take a pro-active approach to addressing these issues by identifying practical solutions to existing problems;

THEREFORE BE IT RESOLVED THAT City Council approve the formation of a Volunteer *Community Solutions Team*, led by former Nickel Belt MPP, Ontario Minister of Finance and Deputy Premier Floyd Laughren, to conduct an extensive public consultation that will identify issues and recommend solutions to City Council by January 2007;

Item R-2
Community Solutions
Team
(continued)

AND FURTHER THAT the CAO provide cross-departmental staff to support the work of the Community Solutions Team;

AND FURTHER THAT a preliminary report be submitted to Council by May 2006 identifying the Solution Team members, the consultation process and a projected budget.

RECORDED VOTE:

YEAS

NAYS

Berthiaume
Bradley
Caldarelli
Callaghan
Craig
Dupuis
Gainer
Gasparini
Kett
Thompson
Mayor Courtemanche

Reynolds
Rivest

CARRIED

Change of Chair

At 9:40 p.m., His Worship Mayor David Courtemanche vacated the chair.

DEPUTY MAYOR CRAIG, IN THE CHAIR

Item R-3
Graffiti

The following resolution was presented by Councillor Caldarelli:

Caldarelli-Thompson: WHEREAS the beautification of our city is one of the priorities of this council;

AND WHEREAS there has been a huge increase in the amount of graffiti found in some of our neighbourhoods over the past few months;

AND WHEREAS the presence of graffiti on property has a detrimental impact on the use and enjoyment of property in the vicinity of the 'graffitied property' and leads to urban blight unless the graffiti is quickly removed from public and private property;

AND WHEREAS graffiti causes entire neighbourhoods to become less desirable places in which to be as the presence of graffiti promotes a perception in the community that the laws protecting public and private property can be disregarded with impunity fostering a disrespect for the law;

Item R-3
Graffiti
(continued)

THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury request City staff in consultation with the Greater Sudbury Police Services to prepare a report outlining actions that can be taken to reduce graffiti on public and private property for Council's consideration.

Friendly Amendment

With the concurrence of the mover, Councillor Gasparini requested that the foregoing motion be amended by adding Downtown Sudbury after Greater Sudbury Police Services in the last paragraph.

Main Motion
(as amended)

The following amended resolution was presented:

2006-618 Caldarelli-Thompson: WHEREAS the beautification of our city is one of the priorities of this council;

AND WHEREAS there has been a huge increase in the amount of graffiti found in some of our neighbourhoods over the past few months;

AND WHEREAS the presence of graffiti on property has a detrimental impact on the use and enjoyment of property in the vicinity of the 'graffitied property' and leads to urban blight unless the graffiti is quickly removed from public and private property;

AND WHEREAS graffiti causes entire neighbourhoods to become less desirable places in which to be as the presence of graffiti promotes a perception in the community that the laws protecting public and private property can be disregarded with impunity fostering a disrespect for the law;

THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury request City staff in consultation with the Greater Sudbury Police Services and Downtown Sudbury to prepare a report outlining actions that can be taken to reduce graffiti on public and private property for Council's consideration.

CARRIED

Council Request

Councillor Callaghan requested that the report outline how City staff will ensure consistency with respect to the clean-up of graffiti, not only on private properties but also City owned properties.

QUESTION PERIOD

Fencing - Outdoor Portable Swimming Pools

Councillor Berthiaume stated that there is a by-law pertaining to fencing around outdoor portable swimming pools which residents are not aware of. He asked the City Solicitor if the by-law could be amended for these types of pools.

Mr. Swiddle advised Council that each by-law from the former municipalities state that a fence is required around all swimming pools including portable pools, preventing accidents. He stated that some retail stores have posted signs advising customers to verify with their local Building Department for any restrictions. He also advised that he is currently working with the Director of Building Services/Chief Building Official to amalgamate the existing by-laws.

All Terrain Vehicles (ATVs)

Councillor Berthiaume stated that he had submitted a petition to the City Clerk in September 2005 regarding All Terrain Vehicles (ATVs) being allowed to drive on the shoulder of municipal roadways to access service stations, motels and restaurants as permitted under Ontario Regulation 316/03, Highway Traffic Act. He asked the City Solicitor for the status.

Mr. Swiddle advised Council that he met with Greater Sudbury Police and By-law Enforcement to review changes and update provisions to the By-law regarding ATVs and snowmachines. He advised that the Director of Roads & Transportation is currently investigating this matter and will report back to Council.

Proceed Past 10:00 p.m.

2006-619 Thompson-Bradley: THAT we proceed past the hour of 10:00 p.m.

CARRIED

Change of Chair

At 10:01 p.m., Deputy Mayor Craig vacated the Chair.

HIS WORSHIP MAYOR DAVID COURTEMANCHE, IN THE CHAIR

QUESTION PERIOD (continued)

Shopping Carts

Councillor Gasparini stated that she has received complaints regarding stray grocery carts along the Notre Dame Avenue and Lasalle Boulevard corridor. She asked if there was anything in place or if something could be done.

Two Union Positions in Ontario Works

Councillor Reynolds stated that Council has received correspondence from CUPE regarding the loss of two positions in Ontario Works and that the City had until this Friday to solve the problem, otherwise we could lose \$115,000 in provincial funding. She asked the CAO to update Council on this matter.

Two Union Positions in
Ontario Works
(continued)

Mr. Mieto advised that he is meeting with staff and will have a financial review completed and provide a response to CUPE by Friday.

Northern Breweries

Councillor Rivest asked staff the status regarding the report on Northern Breweries.

The Chair advised Council that since the General Manager of Growth & Development was not present, he will be advised to report back to Council regarding this matter.

"In Camera"

2006-620 Berthiaume-Bradley: That we move "In Camera" to deal with a Litigation 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).

CARRIED

Recess

At 10:15 p.m. Council recessed.

Reconvene

At 10:20 p.m. Council reconvened "In Camera".

DEPUTY MAYOR CRAIG, IN THE CHAIR

Present

Councillors Berthiaume; Bradley; Caldarelli; Callaghan; Dupuis; Gainer; Gasparini; Kett; Rivest (A10:22pm); Thompson; Mayor Courtemanche (A10:22pm)

City Officials

M. Mieto, Chief Administrative Officer; A. Stephen, General Manager of Infrastructure & Emergency Services; L. Hayes, CFO/Treasurer; T. Beadman, Director of Emergency Management; G. Lamothe, Manager of Communications & French Language Service; P. Demers, Community Relations & Policy Advisor; A. Haché, City Clerk; CJ Caporale, Council Secretary

Declarations of
Pecuniary Interest

None declared.

Recess

At 10:45 p.m., Council recessed.

Reconvene

At 10:46 p.m., Council reconvened.

Chair

HIS WORSHIP MAYOR DAVID COURTEMANCHE, IN THE CHAIR

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 a Litigation Matter falling within Article 15.5 of the City of Greater Sudbury Procedural By-law 2001-03 and the Municipal Act, R.S.O. 1990, c.M.45, s.55(5) and no resolutions emanated therefrom.

Adjournment

2006-621 Bradley-Thompson: THAT this meeting does now adjourn.
Time: 10:50 p.m.

CARRIED

Mayor Dave Courtemache

Angie Haché, City Clerk