

**THE FORTY-FIFTH MEETING OF THE COUNCIL
OF THE CITY OF GREATER SUDBURY**

**Committee room C-11
Tom Davies Square**

**Thursday, February 13th, 2003
Commencement: 6:15 p.m.**

DEPUTY MAYOR LOUISE PORTELANCE, IN THE CHAIR

Present Councillors Bradley; Callaghan; Craig; Davey; Dupuis; Kilgour; McIntaggart (A6:17 pm); Petryna

City Officials D. Belisle, General Manager of Public Works; C. Hallsworth, General Manager of Citizen & Leisure Services; D. Wuksinic, General Manager, Corporate Services; T. Beadman, Acting General Manager, Emergency Services; R. Swiddle, Director of Legal Services/City Solicitor; S. Jonasson, Director of Finance/City Treasurer; H. Salter, Deputy City Solicitor; P. Aitken, Government Relations/Policy Analyst; T. Mowry, City Clerk; G. Ward, Council Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" 2003-42 Bradley/Kilgour: That we move "In Camera" to deal with litigation matters in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, R.S.O. 1990, c.M.45, s.55(5).

CARRIED

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

Reconvene At 7:02 .m., Council moved to the **Council Chamber** to continue the regular meeting.

Chair **HIS WORSHIP MAYOR JAMES GORDON, IN THE CHAIR**

Present Councillors Bradley; Callaghan; Courtemanche; Craig; Davey; Dupuis; Gainer (A8:37 pm); Kilgour; Lalonde; McIntaggart; Petryna; Portelance

City Officials D. Belisle, General Manager of Public Works; I. Davidson, Chief of Police, Greater Sudbury Police Service; C. Hallsworth, General Manager of Citizen & Leisure Services; D. Nadorozny, General Manager of Economic Development & Planning Services; C. Sandblom, Acting General Manager of Health & Social Services; D. Wuksinic, General Manager, Corporate Services; T. Beadman, Acting General Manager, Emergency Services; R. Swiddle, Director of Legal Services/City Solicitor; S. Jonasson, Director of Finance/City Treasurer; J.P. Graham, Plants Engineer; P. Aitken, Government Relations/Policy Analyst; N. Charette, Manager of Corporate Communications and French-language Services;

City Officials
(Continued)

K. Bowschar-Lische, Law Clerk; T. Mowry, City Clerk; G. Ward, Council Secretary

News Media

The Box; MCTV; Sudbury Star; Northern Life; CIGM; Le Voyageur

Declarations of
Pecuniary Interest

None declared.

Rules of Procedure

Council, by a two-thirds majority, agreed to dispense with the Rules of Procedure and deal with Item R-2 (Motion by Councillor Kilgour regarding closure of facilities) at this time.

Item R-2
Closure of Facilities

Kilgour/Portelance: WHEREAS the City of Greater Sudbury has committed to a set of values:

- Providing a high quality service with a citizen focus
- Managing the resources in our trust efficiently, responsibly and effectively
- Encouraging innovation and accepting risks
- Maintaining honest and open communication
- Creating a climate of trust and a collegial working environment
- Acting today in the interests of tomorrow

AND WHEREAS the City of Greater Sudbury has chosen:

- To promote the well-being of our citizens in a healthy, safe and stimulating community
- To provide and improve the environmental and ecological health of the community
- To ensure that our community is attractive to young adults as a place to build careers and raise families
- To put children first
- To present Greater Sudbury to the world as a dynamic and vibrant community

AND WHEREAS the City of Greater Sudbury has embraced as strategic priorities:

- Adopting a governance model appropriate to the City of Greater Sudbury and a policy approach to issues management
- Implementing the principles of the Health Communities movement by supporting the development of Community Action Networks and a Healthy Communities implementation framework

AND WHEREAS the City of Greater Sudbury is currently examining the potential closure of several community facilities that may be able to play a part in meeting the future needs of the citizens of the City of Greater Sudbury as we work towards our fulfilling our goals and priorities.

Item R-2
(Continued)

THEREFORE BE IT RESOLVED that the City of Greater Sudbury defer the closure of any facilities until a policy is established that will meet the requirements that have been established in our vision statements and ensure that we adequately meet the needs of our citizens both now and into the future.

The following amendment to the motion was then presented:

Bradley/Kilgour: That the foregoing motion be amended by deleting the following words in the final paragraph **“until a policy is established that will meet the requirements that have been established in our Vision Statements”** and substituting the following:

“until a public consultation process has occurred consisting of Council and one member of the public from each Ward (to be nominated by Members of Council) with a report back to Council on Thursday, September 11th, 2003 in order to ensure that it meets all of Council's policies”

AND THAT the motion be further amended by adding the following words:

“And Staff is hereby directed to remove all options relating to such closures from the 2003 Current Budget Option Package.”

Motion for Referral

It was moved by Mayor Gordon that the foregoing motion be referred to the 2003 Finance Committee Meeting (Budget) scheduled to take place on Monday, February 17th, 2003 as advice from the whole Council.

The motion for referral was carried on a show of hands vote.

Rules of Procedure

Council, by a two-thirds majority, agreed to dispense with the Rules of Procedure and deal with the Consent Agenda at this time.

PART I
CONSENT AGENDA

The following resolution was presented to adopt Items C-1 to C-18 inclusive, contained in Part I, Consent Agenda:

2003-43 Kilgour/Bradley: That Items C-1 to C-18 inclusive, contained in Part I, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1
Report No. 44
C.C.
2003-01-23

2003-44 Kilgour/Bradley: That Report No. 44, City Council Minutes of 2003-01-23 be adopted.

CARRIED

Item C-2 Report No. 12 Priorities Committee <u>2003-02-12</u>	2003-45 Bradley/Kilgour: That Report No. 12, Priorities Committee Minutes of 2003-02-12 be adopted. CARRIED
Item C-3 Report No. 12 Planning Committee <u>2003-02-11</u>	2003-46 Bradley/Kilgour: That Report No. 12, Planning Committee Minutes of 2003-02-11 be adopted. CARRIED
Item C-4 Report No. 2 Public Input Session 2003 Budget <u>2002-01-27</u>	2003-47 Kilgour/Bradley: That Report No. 2, Public Input Session - 2003 Budget, Minutes of 200 2-01-27 be received. CARRIED
Item C-5 Report No. 1 Finance Committee <u>2003-01-28</u>	2003-48 Bradley/Kilgour: That Report No. 1, 2003 Finance Committee Minutes of 2003-01-28 be adopted. CARRIED
Item C-6 Report No. 13 G.S.P.L.B. <u>2002-11-21</u>	2003-49 Kilgour/Bradley: That Report No. 13, Greater Sudbury Public Library Board, Minutes of 2002-11-21 be received. CARRIED
Item C-7 Report No. 14 G.S.P.L.B. <u>2002-12-19</u>	2003-50 Bradley/Kilgour: That Report No. 14, Greater Sudbury Public Library Board, Minutes of 2002-12-19 be received. CARRIED
Item C-8 N.D.C.A. <u>2003-01-15</u>	2003-51 Bradley/Kilgour: That the Report of the Nickel District Conservation Authority, Minutes of 2003-01-15 be received. CARRIED
Item C-9 G.S.H.C. <u>2002-12-18</u>	2003-52 Kilgour/Bradley: That the Report of the Greater Sudbury Housing Corporation, Minutes of 2002-12-18 be received. CARRIED
Item C-10 G.S.P.S.B. <u>2002-11-18</u>	2003-53 Bradley/Kilgour: That the Report of the Greater Sudbury Police Services Board, Minutes of 2002-11-18 be received. CARRIED
Item C-11 G.S.P.S.B. <u>2002-12-16</u>	2003-54 Bradley/Kilgour: That the Report of the Greater Sudbury Police Services Board, Minutes of 2002-12-16 be received. CARRIED

Item C-12
T.O.C.
2003-02-04

2003-55 Kilgour/Bradley: That the Report of the Tender Opening Committee, Minutes of 2003-02-04 be received.

CARRIED

Item C-13
Report No. 2
Finance Committee
2003-02-04

2003-56 Kilgour/Bradley: That Report No. 2, Finance Committee, Minutes of 2003-02-04 be adopted.

CARRIED

TENDERS

Item C-14
Contract 2003-41
Waste Collection
Services: Area 3

Report dated 2003-02-05 from the General Manager of Public Works regarding Tender Award: Contract 2003-41 - Waste Collection Services: Area 3 was received.

The following resolution was presented:

2003-57 Bradley/Kilgour: That Contract 2003-41: Waste Collection Services - Area 3, be awarded to William Day Construction Limited, in the amount of \$302,317.53, as determined by the unit prices and quantities involved, this being the lowest tender meeting all the requirements of the plans and specifications.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-15
Resignation/
Appointment -
Sudbury Metro
Centre

Report dated 2003-01-31, with attachment, from the General Manager of Corporate Services regarding Resignation/Appointment - Sudbury Metro Centre was received.

The following resolution was presented:

2003-58 Portelance/Kilgour: That the resignation of Suzanne Nacinovic-Flamand (Best Western Hotel) from the Board of Directors Sudbury Metro Centre, be accepted, with regret, effective immediately;

And that Mr. Bob Conlin (William's Coffee Pub, Commerce Centre, 43 Elm Street) be appointed to fill the vacancy on the Board of Directors, Sudbury metro Centre, for the term ending November 30th, 2003, or until his successor is appointed.

CARRIED

Item C-16
Macher-Perras
Municipal Drain

Report dated 2003-02-05 from the General Manager of Public Works regarding Macher-Perras Municipal Drain was received.

Item C-16
(continued)

The following resolution was presented:

2003-59 Portelance/Bradley: That the City of Greater Sudbury accept the petition for a Municipal/Agricultural Drainage works submitted by landowners within the area described as Lot 1 and Part of Lot 2, Concession 2, Rayside Township and Part of Lot 12, Concession 2, Blezard Township, which was filed with the Clerk on the tenth day of January 2003 and that the City of Greater Sudbury appoint the engineering firm of K. Smart Associates Limited as the drainage engineer for this project.

CARRIED

Item C-17
Draw from Library
Reserve Fund

Report dated 2003-01-31 from the General Manager of Citizen & Leisure Services regarding draw from Library Reserve Fund was received.

The following resolution was presented:

2003-60 Kilgour/Bradley: That Council approve a draw from the Library Reserve Fund in the amount of \$25,000 to be used to retain a consultant to prepare a branch space needs analysis for the Greater Sudbury Public Library.

CARRIED

Item C-18
Withdrawal of
Management Services
- Pinegate

Report dated 2003-02-05 from the Acting General Manager of Health & Social Services regarding Withdrawal of Management Services - Pinegate was received.

The following resolution was presented:

2003-61 Portelance/Bradley: WHEREAS the first budget increase in global base budget funding received by the Northeast Mental Health Centre from the Ministry of Health and Long-Term Care in the past 11 years was 2% for the 2002/2003 fiscal period;

AND WHEREAS the 2002/2003 Operating Plan submitted to the Ministry of Health and Long-Term Care by the Northeast Mental Health Centre in April 2002 projected a deficit of \$172,640;

AND WHEREAS one of the options to address the deficit was to temporarily co-locate the men and women's Withdrawal Management Services for a 12 week period beginning January 6, 2003;

AND WHEREAS the Ontario Federation of Community Mental Health and Addiction Programs cites in *Outcomes and Effectiveness: The Success of Community Mental Health and Addiction Programs* (2003) that "most organizations have seen their base budget decline by over 20% since 1992, as their funding has not kept pace with the increased cost of providing services";

Item C-18
(Continued)

THEREFORE LET IT BE RESOLVED THAT the Council of the City of Greater Sudbury will lobby the provincial government for permanent and adequate funding for addiction services by using the situation faced by the Northeast Mental Health Centre as a local example of where service delivery is compromised due to financial pressures as a result of under-funding.

CARRIED

Change of Chair

At 8:30 p.m., Mayor Gordon vacated the Chair

COUNCILLOR DOUG CRAIG, IN THE CHAIR

DELEGATIONS

Item 4
Biodiesel Presentation

Report dated 2003-02-05 from the General Manager of Public Works regarding Biodiesel Presentation was received for information.

Mr. Govindh Jayaraman, Senior Partner, Topia Energy Inc., addressed Council with an overhead presentation regarding the development of a biodiesel plant in Sudbury.

MATTERS ARISING FROM THE "IN CAMERA" SESSION

Rise and Report

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

Junction Creek
Creosote Clean Up

2003-62 Bradley/Kilgour: That the City of Greater Sudbury share in one-third of the costs to prepare a study to determine remedial action on creosote impacted lands along Junction Creek.

CARRIED

BY-LAWS

- | | | |
|----------|---|------------------------------------------------------------------------------------------------------------------------------------|
| 2003-23A | 3 | A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL OF FEBRUARY 13TH, 2003 |
| 2003-24F | 3 | A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2003-9F TO APPROVE THE PAYMENT OF THE 2002 NEIGHBOURHOOD ASSOCIATION GRANT |

(This By-law corrects a year reference in By-law 2003-9F).

2003-25A	3	<p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT A FACILITY CODE OF CONDUCT POLICY</p> <p>Priorities Committee Resolution 2003-07</p>
2003-26A	3	<p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT A CITIZEN SERVICE POLICY</p> <p>Priorities Resolution 2003-08</p>
2003-27A	3	<p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT BY-LAW ENFORCEMENT OFFICERS FOR THE GREATER SUDBURY AIRPORT</p> <p>(This By-law updates the list of By-law Enforcement Officers at the Greater Sudbury Airport.)</p>
2003-28P	3	<p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT AMENDMENT NUMBER 217 OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA</p> <p>Planning Committee Recommendation 2003-2</p> <p>(This amendment is a site specific Official Plan amendment to permit the creation of one residential lot, being approximately a minimum of 2 acres in size, on the subject property which is located within the Agricultural Reserve of the Official Plan for the Sudbury Planning Area. To do so, this amendment exempts the subject property from the following requirements of Section 8.18 f. v) of the Official Plan:</p> <p>1. Only the registered owner of the parcel on the date of the adoption of the Official Plan (March 14th, 1978) may be permitted a severance - Andrea Blais, Parcel 4693 S. E. S. - 2650 Dominion Drive, Val Therese)</p>
2003-29A	3	<p>BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A LEASE AGREEMENT WITH THE ONTARIO METIS AND ABORIGINAL ASSOCIATION FOR THE TRILLIUM CENTRE, AZILDA.</p> <p>Planning Committee Meeting 2003-02-12</p>
2003-30T	3	<p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO REGULATE PARKING ON FIRE ROUTES IN THE CITY OF GREATER SUDBURY</p> <p>(This By-law consolidates the Fire Routes By-laws of the former municipalities. With this consolidation in place, it will now be possible for Council to update the Schedules as new buildings and locations are added.)</p>

2003-31A 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 THE FIRE ROUTE BY-LAW 2003-30T

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

2003-32T 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-2, THE TRAFFIC AND PARKING BY-LAW

Report dated 2003-02-05 from the General Manager of Public Works.

(This By-law deals with speed control on sections of Algonquin Road, Countryside Drive and Rockwood Drive that are adjacent to Algonquin Road Public School.)

1st & 2nd Reading 2003-63 Bradley/Kilgour: That By-law 2003-23A to and including By-law 2003-32T be read a first and second time.

CARRIED

3rd Reading 2003-64 Kilgour/Bradley: That By-law 2003-23A to and including By-law 2003-32T be read a third time and passed.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

C-19
Development Liaison
Advisory Committee
Status Report dated 2003-01-31, with attachment, from the General Manager of Economic Development & Planning Services regarding Development Liaison Advisory Committee Status was received for information.

Item C-20
Security Bond of
Municipal Officers Report dated 2003-01-31 from the General Manager of Corporate Services regarding Security Bond of Municipal Officers, January 1, 2003 to January 1, 2004 was received for information.

PART II REGULAR AGENDA

MOTIONS

Item R-1
Municipal Infra-
structure Renewal Gordon/Portelance: WHEREAS a recent Citizen Survey in the City of Greater Sudbury clearly identified deteriorating municipal infrastructure, in particular, the roads infrastructure, as the City's leading priority;

AND WHEREAS the City of Greater Sudbury's Long Term Financial Plan identifies a ten (10) year capital funding gap of \$193,000,000 for roads infrastructure;

Item R-1
(Continued)

AND WHEREAS the municipal road network services local and provincial motorists, and is an integral component of the entire provincial transportation infrastructure;

AND WHEREAS municipalities across Northern Ontario are experiencing a deterioration of their municipal infrastructure, particularly roads and bridges;

AND WHEREAS the Ontario Municipal Support Program introduced by the Province in 1995 to replace municipal roads subsidies, unconditional grants and grants for northern transportation assistance, resulted in significant losses in provincial assistance for municipal roads infrastructure;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury strongly urges the Province of Ontario to introduce long term, sustainable funding assistance for municipal infrastructure renewal;

AND THAT copies of this resolution be forwarded to the Honourable Ernie Eves, Premier of Ontario, the Honourable Norm Sterling, Minister of Transportation, the Honourable Janet Ecker, Minister of Finance, AMO, FONOM, NEOMA and all Local MPPs.

Friendly Amendment

Councillor Davey and Councillor Callaghan recommended the following friendly amendments, which were accepted by Mayor Gordon, mover of the motion:

2003-65 Davey/Dupuis: AND WHEREAS any long term sustainable funding assistance for municipal infrastructure should be part of a new overall revenue sharing arrangement between the Province and the municipalities including income taxes and other revenues as opposed to coming exclusively from property tax sources.

Main Motion
(As Amended)

The original motion, as amended, was then presented:

2003-66 Gordon/Portelance: WHEREAS a recent Citizen Survey in the City of Greater Sudbury clearly identified deteriorating municipal infrastructure, in particular, the roads infrastructure, as the City's leading priority;

AND WHEREAS the City of Greater Sudbury's Long Term Financial Plan identifies a ten (10) year capital funding gap of \$193,000,000 for roads infrastructure;

AND WHEREAS the municipal road network services local and provincial motorists, and is an integral component of the entire provincial transportation infrastructure;

AND WHEREAS municipalities across Northern Ontario are experiencing a deterioration of their municipal infrastructure, particularly roads and bridges;

Item R-1
(Continued)

AND WHEREAS the Ontario Municipal Support Program introduced by the Province in 1995 to replace municipal roads subsidies, unconditional grants and grants for northern transportation assistance, resulted in significant losses in provincial assistance for municipal roads infrastructure;

AND WHEREAS any long term sustainable funding assistance for municipal infrastructure should be part of a new overall revenue sharing arrangement between the Province and the municipalities including income taxes and other revenues as opposed to coming exclusively from property tax sources.

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury strongly urges the Province of Ontario to introduce long term, sustainable funding assistance for municipal infrastructure renewal;

AND THAT copies of this resolution be forwarded to the Honourable Ernie Eves, Premier of Ontario, the Honourable Norm Sterling, Minister of Transportation, the Honourable Janet Ecker, Minister of Finance, AMO, FONOM, NEOMA and all Local MPPs.

CARRIED

ADDENDUM TO AGENDA

Addendum

The following resolution was presented:

2003-67 Kilgour/Bradley: That the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of
Pecuniary Interest

None declared.

MINUTES

Item AD.1
Report No. 3
Finance Committee
2003-02-05

2003-68 Portelance/Bradley: That Report No. 3, 2003 Finance Committee Minutes of 2003-02-05 be adopted.

CARRIED

Item AD.2
Report No. 4
Finance Committee
2003-02-10

2003-69 Portelance/Bradley: That Report No. 4, 2003 Finance Committee Minutes of 2003-02-10 be adopted.

CARRIED

BY-LAWS

2003-8T 3RD A BY-LAW OF THE CITY OF GREATER SUDBURY TO CHANGE
THE NAME OF BIG NICKEL MINE ROAD TO BIG NICKEL ROAD

Planning Committee Meeting 2003-02-12

2003-34A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT
K. SMART ASSOCIATES LTD. AS THE DRAINAGE ENGINEER
FOR THE MACHER-PERRAS MUNICIPAL DRAIN PROJECT

Report dated 2003-02-05 from the General Manager of Public
Works

1st & 2nd Reading 2003-70 Kilgour/Bradley: That By-law 2003-34A be read a first and
second time.

CARRIED

3rd Reading 2003-71 Bradley/Kilgour: That By-law 2003-8T and By-law 2003-34A
be read a third time and passed.

CARRIED

QUESTION PERIOD

Highway 144 Councillor Bradley advised F.O.N.O.M. had passed a resolution at
its meeting in Sault Ste. Marie requesting Mayor Lim of the City of
Timmins and Mayor Gordon meet with the Honourable Norman
Sterling, Minister of Transportation regarding the upgrading of
Highway 144. A previous request (supported by Council) requested
that the Province construct a truck stop on Highway 144 in order put
to check their rigs.

Adjournment 2003-72 Kilgour/Bradley: That this meeting does now adjourn.
Time: 9:42 p.m.

CARRIED

Mayor

Clerk