### THE FOURTH MEETING OF THE COUNCIL OF THE CITY OF GREATER SUDBURY

C-11 Tom Davies Square

Thursday, January 29, 2004 Commencement: 5:00 p.m.

#### **DEPUTY MAYOR CRAIG, IN THE CHAIR**

<u>Present</u> Councillors Berthiaume; Bradley; Caldarelli; Callaghan; Dupuis;

Gainer; Gasparini (A 5:05 p.m.); Kett; Reynolds; Rivest; Thompson;

Mayor Courtemanche (A 5:02 p.m.)

City Officials M. Mieto, Chief Administrative Officer; D. Belisle, General Manager

of Public Works; C. Matheson, General Manager of Health and Social Services; C. Hallsworth, General Manager of Citizen & Leisure Services; D. Nadorozny, General Manager of Economic Development & Planning Services; D. Wuksinic, General Manager, Corporate Services; T. Beadman, Acting General Manager, Emergency Services; I. Davidson, Chief of Police, Greater Sudbury Police Service; R. Swiddle, Director of Legal Services/City Solicitor; S. Jonasson, Director of Finance/City Treasurer; P. Thomson, Director of Human Resources; S. Baiden, Director of Administration, Greater Sudbury Police Services; M. O'Callaghan, Manager of Budget Materials & Resource, Greater Sudbury Police Services; M. Bamberger, Budget Materials & Resource, Greater Sudbury Police Services; C. Riutta, Administrative Assistant to the Mayor; P. Aitken, Government Relations/Policy Analyst; T. Mowry, City

Clerk; C. Caporale, Council Secretary

"In Camera" 2004-31 Bradley-Craig: That we move "In Camera" to deal with

labour relations, 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 7:09 p.m., Council moved to the **Council Chamber** to continue

the regular meeting.

<u>Chair</u> HIS WORSHIP MAYOR DAVID COURTEMANCHE, IN THE CHAIR

<u>Present</u> Councillors Berthiaume; Bradley; Caldarelli; Callaghan; Craig;

Dupuis; Gainer; Gasparini; Kett; Reynolds; Rivest; Thompson

#### City Officials

M. Mieto, Chief Administrative Officer; D. Belisle, General Manager of Public Works; C. Hallsworth, General Manager of Citizen & Leisure Services; T. Beadman, Acting General Manager of Emergency Services; D. Nadorozny, General Manager of Economic Development & Planning Services; C. Matheson, General Manager of Health & Social Services; I. Davidson, Chief of Police, Greater Sudbury Police Service; D. Wuksinic, General Manager, Corporate Services; R. Swiddle, Director of Legal Services/City Solicitor; S. Jonasson, Director of Finance/City Treasurer; B. Lautenbach, Director of Planning; H. Mulc, Manager of Business Development; S. Poland, Business Development Officer; P. Aitken, Government Relations/Policy Analyst; C. Riutta, Administrative Assistant to the Mayor; G. Prieur, CIP Facilitator; J. Cameron, Economic Development Officer - Technology; T. Mowry, City Clerk; K. Bowschar-Lische, Planning Committee Secretary; CJ Caporale, Council Secretary

#### C.U.P.E. Local 4705

W. MacKinnon, President

#### News Media

MCTV; Channel 10 News; EZ Rock; Sudbury Star; Northern Life; Le Voyageur

#### Declarations of Pecuniary Interest

Councillor Caldarelli announced that she had declared a pecuniary interest in a personnel matter considered by the Committee of the Whole in camera, and as a result, left the Committee Room prior to any discussion of the matter.

Councillor Thompson announced that he had declared a pecuniary interest in a labour relations matter considered by the Committee of the Whole in camera, and as a result, left the Committee Room prior to any discussion of the matter.

Councillor Gasparini declared a conflict of interest in Agenda Item C-13 (Appointment - Bingo Charities Advisory Panel) as this matter may be of pecuniary interest to her.

#### **DELEGATIONS/PRESENTATIONS**

Item 4
Greater Sudbury
Public Library Space
Needs Study

Councillor Callaghan and the General Manager of Citizen & Leisure Services gave an electronic presentation regarding the Greater Sudbury Public Library Space Needs Study - Final Version for information only. A copy of the study was provided under separate cover.

The General Manager of Citizen & Leisure Services outlined the rationale of the study, key issues the study addressed, public involvement, comparison to libraries in Ontario, recommendations for the future, and expansion of the South Branch Library.

Item 5 Strategic Plan The General Manager of Economic Development & Planning Services and Mr. John Caruso, Chair, Greater Sudbury Development Corporation Board, gave an electronic presentation to Council regarding the Strategic Plan, "Coming of Age in the 21st Century". The Plan was circulated to Council at the meeting.

The Strategic Plan is a plan for the City of Greater Sudbury 2015; a growing, world-class community bringing talent, technology and a great northern lifestyle together.

The following resolution was presented:

2004-32 Thompson-Bradley: WHEREAS the mandate of the Greater Sudbury Development Corporation (GSDC) is to promote community economic development with the co-operation and participation of the community by encouraging, facilitating and supporting community strategic planning and increasing self reliance, investment and job creation within the community; and

WHEREAS the final report entitled "Coming of Age in the 21st Century, An Economic Development Strategic Plan for Greater Sudbury 2015" was adopted by Council in June 2003.

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury approve the economic development strategic plan recommended by the GSDC and direct the GSDC to continue to use it as a guide for the purposes of carrying out its mandate during this term of Council.

#### **RECORDED VOTE:**

### YEAS NAYS

Berthiaume

**Bradley** 

Caldarelli

Callaghan

Craig

Dupuis

Gainer

Gasparini

Kett

Reynolds

Rivest

Thompson

Mayor Courtemanche

#### 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 labour relations, 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 no resolutions emanated therefrom.

#### PART I CONSENT AGENDA

#### Consent Agenda

The following resolution was presented to adopt Items C-1 to C-16 inclusive, contained in Part I, Consent Agenda:

2004-33 Bradley-Craig: That Items C-1 to C-16 inclusive, contained in Part I, Consent Agenda, be adopted with the exception of Item C-13 (Appointment - Bingo Charities Advisory Panel) and Planning recommendation 2004-17 (Claude & Rick Seguin - outdoor amusement venue), Minutes of January 27, 2004, as otherwise dealt with.

**CARRIED** 

Planning Recommendation 2004-17 (Planning Minutes, 2004-01-27) At the request of Councillor Bradley, Planning Recommendation 2004-17 (Claude & Rick Seguin - outdoor amusement venue), Planning Minutes of January 27, 2004, was removed to be dealt with separately.

2004-17: Dupuis-Reynolds: That the application by Claude & Rick Seguin, the owners of Parcel 1560 S.W.S. in Lot 8, Concession 4, Township of Rayside, to permit an 'outdoor amusement venue' on the subject property for a maximum temporary period of twelve (12) months, pursuant to Section 39 of The Planning Act be approved subject to the following:

- The amending by-law establish that special events conducted at an "outdoor amusement venue" may include activities such as music/stage performances, concerts, exhibitions or fairs and spectator events, but shall exclude any "race track".
- 2. The amending by-law establish that no "outdoor amusement venue" facilities (save and except any driveway access) shall be located closer than 350 metres to any public road, and that no driveway access for an "outdoor amusement venue" shall be permitted from Municipal Road # 15.

Planning Recommendation 2004-17 (Planning Minutes, 2004-01-27)

- The applicants may apply for a maximum two year extension for the above noted temporary use without payment of a further rezoning application fee, save and except any statutory notice fee which may be required.
- 4. That no overnight stays be permitted during the special events and that liability insurance and all licenses and permits be required.

#### **RECORDED VOTE:**

YEAS	NAYS
Caldarelli Dupuis Reynolds	Berthiaume Bradley Callaghan Craig Gainer Gasparini Kett Rivest Thompson Mayor Courtemanche

#### **MOTION LOST**

#### **MINUTES**

Item C-1 Report No. 3 City Council 2004-01-15 2004-34 Bradley-Craig: THAT Report No. 3, City Council Minutes of 2004-01-15 be adopted.

CARRIED

Item C-2 Report No. 2 Priorities Committee 2004-01-08 2004-35 Craig-Bradley: THAT Report No. 2, Priorities Committee Minutes of 2004-01-08 be adopted.

**CARRIED** 

Item C-3 Report No. 2 Planning Committee 2004-01-27 2004-36 Bradley-Craig: THAT Report No. 2, Planning Committee Minutes of 2004-01-27 be adopted with the exception of Planning recommendation 2004-17 (Claude & Rick Seguin - outdoor amusement venue), Minutes of January 24, 2004, as otherwise dealt with.

**CARRIED** 

Item C-4 Report No. 3 Finance Committee 2004-01-24 2004-37 Bradley-Craig: THAT Report No. 3, Finance Committee Minutes of 2004-01-24 be adopted.

Item C-5 T.O.C.	2004-38 Craig-Bradley: THAT the Report of the Tender Opening Committee Minutes of 2004-01-13 be received.
2004-01-13	CARRIED
Item C-6 T.O.C.	2004-39 Bradley-Craig: THAT the Report of the Tender Opening Committee Minutes of 2004-01-20 be received.
2004-01-20	CARRIED
Item C-7 Public Input - Ward 1 2004-01-19	2004-40 Craig-Bradley: THAT the Report of the 2004 Budget Publi Input and Information Session, Ward 1 Minutes of 2004-01-19 b received.
<u> </u>	CARRIED
Item C-8 Public Input - Ward 2 2004-01-19	2004-41 Bradley-Craig: THAT the Report of the 2004 Budget Public Input and Information Session, Ward 2 Minutes of 2004-01-19 be received.
2004 01 13	CARRIED
Item C-9 Public Input - Ward 3 2004-01-20	2004-42 Craig-Bradley: THAT the Report of the 2004 Budget Publ Input and Information Session, Ward 3 Minutes of 2004-01-20 b received.
2004-01-20	CARRIED
Item C-10 Public Input - Ward 4 2004-01-20	2004-43 Craig-Bradley: THAT the Report of the 2004 Budget Public Input and Information Session, Ward 4 Minutes of 2004-01-20 be received.
2004 01 20	CARRIED
Item C-11 Public Input - Ward 5 2004-01-21	2004-44 Bradley-Craig: THAT the Report of the 2004 Budget Public Input and Information Session, Ward 5 Minutes of 2004-01-21 be received.
	CARRIED
Item C-12 Public Input - Ward 6 2004-01-21	2004-45 Craig-Bradley: THAT the Report of the 2004 Budget Public Input and Information Session, Ward 6 Minutes of 2004-01-21 be received.

#### **ROUTINE MANAGEMENT REPORTS**

Item C-14
Re-appointment
Public Members Waste Optimization
Technical Steering
Committee

Report dated 2004-01-16 from the General Manager of Public Works regarding Re-appointment of Public Members for the Waste Optimization Technical Steering Committee was received.

Item C-14
Re-appointment
Public Members Waste Optimization
Technical Steering
Committee
(continued)

The following resolution was presented:

2004-46 Craig-Thompson: THAT the following public members for re-appointed to the Technical Steering Committee for the Waste Optimization:

Sirio Bacciaglia Jose A. Blanco Gord Slade Lloyd R. Stinson Austin Davey

**CARRIED** 

Item C-15 Adanac Ski Hill Task Force Report dated 2004-01-19 from the General Manager of Citizen & Leisure Services regarding Confirmation of the Creation of the Adanac Ski Hill Task Force was received.

The following resolution was presented:

2004-47 Thompson-Craig: THAT Council endorses the creation of the Adanac Ski Hill Task Force as an Advisory Panel.

**CARRIED** 

Item C-16 Noise By-law Exemption - Nickel Rim South Project Report dated 2004-01-22, with attachments, from the General Manager of Corporate Services regarding Noise By-law Exemption-Nickel Rim South Project - Falconbridge Limited was received.

The following resolution was presented:

2004-48 Craig-Thompson: THAT this Council has no objection to the granting of an exemption to By-law 92-13, "BEING A BY-LAW TO PROHIBIT AND REGULATE NOISES IN THE TOWN OF NICKEL CENTRE", to Falconbridge Limited and its contractors 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 four month period from February 1<sup>st</sup>, 2004 to and including May 30<sup>th</sup>, 2004; and

THAT approval of this exemption be subject to restricting blasting to the daylight hours only; and

FURTHER 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; and

FURTHER THAT 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-13 Appointment - Bingo Charities Advisory Panel Report dated 2004-01-21 from the Chief Administrative Officer regarding Appointment - Bingo Charities Advisory Panel was received.

The following resolution was presented:

2004-49 Bradley-Craig: THAT the following citizens be re-appointed to the Bingo Charities Advisory Panel:

#### **Bingo Hall Operators:**

Don Labreche - Owner (Valley Bingo)
Garth Moote - Manager (Bingo Country)
Alternate - Denis Sivret - Manager (Bingo One)

#### **Charity Associations:**

Jane Pascoe (Bingo One Association) and Rick Barrett (Capital Bingo Association), and Carmen Simmons and Gary Gray (Sudbury Community Foundation)

**CARRIED** 

Declaration of		
Pecuniary Interest		

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.

#### **BY-LAWS**

2004-16A	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF JANUARY 29, 2004
2004-17A	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2002-165A TO APPOINT OFFICIALS FOR THE CITY OF GREATER SUDBURY
		(This By-law updates the list of By-law Enforcement Officers.)
2004-18	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF LOT 12, PLAN M-1236, PARKVIEW DRIVE, AZILDA
		Planning Committee meeting of January 27, 2004
2004-19A	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 By-law Enforcement Officers.)

# 2004-20Z 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 THE FORMER CITY OF VALLEY EAST

Planning Committee Recommendation #2004-07

(This by-law rezones the subject property "HC2-16", Holding Special General Commercial to permit redevelopment of the subject lands for retail and residential use. In addition to all "C2", General Commercial land uses a residential building containing guest rooms designed for seniors or residents thereof who may require nursing and/or home care, as well as a common kitchen and eating facilities shall be permitted. Parking requirements are established for special care homes and residential buildings comprised of guest rooms. Further, special provisions establish that the street line adjoining Municipal Road # 80 shall be the front lot line, and a rear yard shall not be required for a residential building where a rear lot line abuts lands described as being Deemed Plan of Subdivision 53M-1103. The "H" symbol specifies that only uses described by Section 17 of Part II of By-law 83-300 shall be permitted until such time as the "H" symbol has been removed. The "H" symbol shall be removed by Council once advised that the owner has completed a Traffic Impact Study, a Storm Water Management Study, a lot grading plan and a Site Plan Control Agreement. Roman Catholic Episcopal Corporation Agent: Dalron Construction Limited, 3080 Highway 69 N., Val Caron.)

# 2004-21F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH THE GREATER SUDBURY UTILITIES INC. FOR THE BUY BACK OF SHARES

Report dated 2004-01-23 from the General Manager of Corporate Services.

(This By-law authorizes the Mayor and Clerk to execute on behalf of the City of Greater Sudbury a subscription for 13,947 Class A, Preference Shares with a value of \$1,394,709 for Greater Sudbury Utilities Inc. and that the interest payment due from Greater Sudbury Utilities Inc., in the amount of \$1,394,709, be reserved until finalization of this transaction. This matter was approved by the Board of Directors of Greater Sudbury Utilities Inc. on December 15, 2003.)

## 2004-24 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ESTABLISH A WATER AND WASTEWATER POLICY AND WATER AND WASTEWATER RATES AND CHARGES

Council Resolution 2004-12

# 2004-25F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2003-324F TO ESTABLISH MISCELLANEOUS USER FEES FOR CERTAIN SERVICES PROVIDED BY THE CITY OF GREATER SUDBURY

(This By-law deletes water service charges from the Public Works Schedule as these are now addressed in the Water and Wastewater Rates By-law. It also updates the By-law to reflect the reassignment of Centre Lionel E. Lalonde Centre from Economic Development and Planning to Corporate Services, and corrects some small errors in the fees.)

1<sup>ST</sup> & 2<sup>ND</sup> Reading 2004-50 Thompson-Craig: THAT By-law 2004-16A to and including

By-law 2004-21F and By-law 2004-24 be read a first and second

time.

**CARRIED** 

<u>3<sup>RD</sup> Reading</u> 2004-51 Craig-Thompson: THAT By-law 2004-16A to and including

By-law 2004-21F and By-law 2004-24 be read a third time and

passed.

**CARRIED** 

#### CORRESPONDENCE FOR INFORMATION ONLY

Item C-17 Report 2003 Investment Service

Report

Report dated 2004-01-23 from the General Manager of Corporate Services regarding 2003 Investment Report was received for information only.

Item C-18 Security Bond of Municipal Officers Report dated 2004-01-23, with attachments, from the General Manager of Corporate Services regarding Security Bond of Municipal Officers - January 1, 2004 to January 1, 2005 was received for information only.

Item C-19
Physician Recruitment & Retention

4<sup>th</sup> Quarter

Report dated 2004-01-14 from the General Manager of Health & Social Services regarding 2003 Physician Recruitment and Retention - 4<sup>th</sup> Quarter Report was received for information only.

### PART II REGULAR AGENDA

#### REFERRED AND DEFERRED MATTERS

R-1 Connect Ontario / GeoSmart Tender Award Report dated 2004-01-08 from General Manager of Economic Development & Planning Services regarding Connect Ontario / GeoSmart Tender Award was received.

The following resolution was presented:

C.C.  $2004-01-29 (4^{TH})$  (10)

R-1 Connect Ontario / GeoSmart Tender <u>Award</u> (continued) 2004-52 Thompson-Craig: THAT the RFP for Smart Sudbury Community Portal be awarded to Navantis Inc. in the proposed amount of \$931,100, this being the proposal with the highest score in the selection process and meeting all the project guidelines.

THAT the RFP for the Greater Sudbury GIS Solution be awarded to iPlan Corp. (formally Farhan Rogers) in the proposed amount of \$355,355, this being the proposal with the highest score in the selection process and meeting all the project guidelines.

THAT the implementation of the Smart Sudbury Building Permits Online Solution be completed through the upgrading of the existing Inspector+ system to include the online interface provided by the Municipal Software / Pen Systems partnership in the proposed amount of \$230,549.

#### **RECORDED VOTE**

YEAS	<b>NAYS</b>
Berthiaume Bradley Caldarelli Callaghan Craig Gainer Gasparini Kett Reynolds Thompson Mayor Courtemanche	Rivest

**CARRIED** 

#### MANAGERS' REPORTS

Item R-2 Tax Adjustments Under Section 357 & 358 Report dated 2004-01-23, with attachments, from the General Manager of Corporate Services regarding Tax Adjustments Under Sections 357 and 358 of the Municipal Act was received.

The following resolution was presented:

2004-53 Craig-Thompson: THAT the amount of \$505,234.44 be struck from the tax roll.

CARRIED

Item R-3 2004 CRF Report dated 2004-01-23, with attachments, from the General Manager of Corporate Services regarding 2004 Community Reinvestment Fund (CRF) was received.

C.C. 2004-01-29 (4<sup>TH</sup>)

(11)

Item R-3 2004 CRF (continued) Councillor Callaghan advised Council that the monies being funded are not indexed and have been receiving the same amount for the last few years. Councillor Craig asked the General Manager of Corporate Services if a letter could be sent to the Provincial government stating this matter and Mayor Courtemanche advised Council that the Province has been made aware of this issue.

The following resolution was presented:

2004-54 Thompson-Craig: BE IT HEREBY RESOLVED THAT the Council of the City of Greater Sudbury:

- intends to use the Community Reinvestment Fund (CRF) Allocations it will receive in 2004 for the benefit of taxpayers; and
- accepts the Community Reinvestment Fund (CRF)
   Allocations in accordance with the terms and conditions as
   outlined in the correspondence received from the Deputy
   Ministers of Finance and Municipal Affairs and Housing;
   and

BE IT FURTHER RESOLVED THAT this resolution be forwarded to the Ontario Ministry of Municipal Affairs and Housing (MMAH) by the deadline of January 30, 2004.

**CARRIED** 

Item R-4 CIP Report dated 2004-01-19 from the Chief Administrative Officer regarding Continuous Improvement Program (CIP) was received.

Councillor Thompson asked the Chief Administrative Officer if an updated report could be submitted to Council. Mr. Mieto advised the Council that a quarterly report could be circulated at the Finance Committee meetings.

The following resolution was presented:

2004-55 Craig-Thompson: THAT a By-law be passed authorizing the CAO and Manager of Internal Audit and Performance Measurement to sign the Continuous Improvement Program Agreement on behalf of the City of Greater Sudbury.

**CARRIED** 

Reconsideration

2004-56 Kett-Gasparini: THAT Agenda Item C-14 (the reappointment of Public Members for the Waste Optimization Technical Steering Committee) be reconsidered.

Item C-14 2004-46 Craig-Thompson: THAT the following public members for re-appointed to the Technical Steering Committee for the Waste Re-appointment Public Members -Optimization: Waste Optimization Sirio Bacciaglia Technical Steering Jose A. Blanco Committee Gord Slade Lloyd R. Stinson Austin Davey Motion for Deferral 2004-57 Moved by Councillor Kett: THAT Item C-14 (the reappointment of Public Members for the Waste Optimization Technical Steering Committee) be deferred to the next regularly scheduled Council meeting for further review. **CARRIED MOTIONS** Bradley-Berthiaume: Whereas the Planning Committee at their Item R-5 meeting of January 13, 2004 discussed and agreed that Planning Planning Committee Meeting Dates Committee meeting dates should be changed to the week prior to the Priorities and Council meetings; Therefore be it resolved that staff prepare a report outlining the positive and negative aspects of changing the meeting date to the alternate week and that be input be sought from Development Liaison Committee. 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.

City Clerk

Mayor