

**THE THIRD MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF GREATER SUDBURY**

**Council Chamber
Tom Davies Square**

**Tuesday, February 13th, 2001
Commencement: 6:00 p.m.**

DEPUTY MAYOR DOUG CRAIG, IN THE CHAIR

Present Councillors Bradley; Callaghan; Courtemanche; Davey; Dupuis; Gainer; Kilgour; Lalonde; McIntaggart; Petryna; Portelance; Mayor Gordon

City Officials D. Belisle, Acting Chief Administrative Officer; P. Thomson, Director of Human Resources; T. Mowry, City Clerk; G. Ward, Council Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" 2001-64 Kilgour/McIntaggart: That we move "In Camera" to deal with those matters which fall within Article 15.5 of the Procedural Rules.

CARRIED

Recess At 7:30 p.m., Council recessed.

Reconvene At 7:45 p.m., Council reconvened.

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

Present Councillors Bradley; Callaghan; Courtemanche; Craig; Davey; Dupuis; Gainer; Kilgour; Lalonde; McIntaggart; Petryna; Portelance

City Officials D. Belisle, Acting Chief Administrative Officer; G. Polano, Executive Advisor to the Mayor; D. Wuksinic, General Manager of Corporate Services; D. Nadorozny, General Manager of Economic Development & Planning; M. Mieto, General Manager of Health & Social Services; C. Hallsworth, General Manager of Citizen & Leisure Services; S. Jonasson, Director of Finance/City Treasurer; H. Salter, Deputy City Solicitor; J. Cunningham, Deputy Chief of Police, Sudbury Police Services; T. Beadman, Acting General Manager of Emergency Services; G. Clausen, Director of Engineering Services; A. Dagostino, Road and Drainage Engineer; P. Graham, Plants Engineer; M. Charbonneau, Executive Assistant to C.A.O.; K. Fyfe, Office Manager - Health & Social Services; N. Charette, Manager of Corporate Communications and French-language Services; J. McKechnie, Executive Assistant to the Mayor; B. Cottam, Assistant City Manager Engineering/Community Services; T. Mowry, City Clerk; G. Ward, Council Secretary

News Media Sudbury Star; The Box; Northern Life; MCTV; CIGM

Declarations of
Pecuniary Interest

None declared.

DELEGATIONS

Item 3
Guide/Scout Week

Letter dated 2001-02-09 from Mayor Gordon regarding Guide/Scout Week in the City of Greater Sudbury was received for information.

Kay Dubie, Deputy Division Commissioner, addressed Council requesting Mayor Gordon proclaim the week of February 18-25, 2001 as Guide/Scout Week in the City of Greater Sudbury.

On behalf of the 3rd Copper Cliff Brownie Pack and the 2nd Copper Cliff Girl Guide Company, Ms. Dubie made a special presentation to Councillor Louise Portelance naming her as an Honourary Guide Leader for Guide/Scout Week.

Item 4
Public Utilities
Commission

Report dated 2001-02-08, with attachment from Gary Polano, Executive Advisor to the Mayor, regarding establishment of a Public Utilities Commission was received.

Mr. Polano addressed Council with a slide presentation regarding:

- Benefits of a public utilities commission
- Governance Structure
 - Greater Sudbury Utilities Inc. and Subsidiaries (OBICA)
 - Greater Sudbury Public Utilities Commission
- Capital project priorities and financing approval
- Full rates for water and sewer services

A copy of Mr. Polano's presentation was provided to each Member of Council.

A letter dated February 13, 2001 from Daria Babaie, President & CEO, Sudbury Hydro regarding the formation of a public utility commission for sewer and water services for the City of Greater Sudbury was tabled for information.

Ms. Linda Bertoldi, a partner in the law firm of Borden, Ladner, Gervais LLP, Toronto, was in attendance to respond to questions by Members of Council.

Part I of the presentation dealt with the Greater Sudbury Utilities Inc. (GSU) and reviewed projected annual savings, benefits of integration, benefits to the customer and benefits to the community.

Following a lengthy discussion, Council reviewed options regarding the composition of the Board of Greater Sudbury Utilities Inc. (GSU) and the nominating committee that would appoint three positions on the (GSU) in November of 2001.

Item 4
(Continued)

The following resolution was presented:

Option "A"

2001-65 Kilgour/Bradley: THAT the Board of Directors of Greater Sudbury Utilities Inc. (GSU) consist of:

Eight (8) Private Directors and Four (4) Members of Council, including the Mayor

AND THAT after November, 2001, Six (6) Private Directors and Four (4) Members of Council, including the Mayor;

AND FURTHER THAT the nominating committee for the Directors of Greater Sudbury Utilities Inc. (GSU) consist of the three (3) Members of City Council and one (1) Private Director.

CARRIED

Part II of the presentation dealt with the Public Utilities Commission which is comprised of all Directors of the Greater Sudbury Utilities Inc. (GSU) who were appointed as Commissioners of the Public Utilities Commission (PUC).

Following a lengthy discussion during which Members of Council raised concerns regarding the advantages to creating a public utilities commission versus retaining sewer and water maintenance and billing within existing City Departments; the nature of the representation; the make-up of the board of a public utilities commission; and the projected savings which would result from its creation, Council agreed to **defer** further consideration of this matter pending receipt of the following information:

Councillor Lalonde questioned whether the six Private Directors of the Greater Sudbury Utilities Inc. (GSU) would also sit as Commissioners of the Public Utilities Commission (PUC).

Ms. Bertoldi confirmed the Private Directors would sit as Commissioners of the Public Utilities Commission.

- Report Request

Council concurred with a request by Councillor Davey that a copy of the Navigant Consulting Report and any other information provided to the Transition Board be provided to Council prior to a recommendation being made regarding the composition of the Public Utilities Commission.

- Report Request

Council further concurred with a request by Councillors Davey and Kilgour that a report be provided, with input from the General Manager of Public Works and Mr. D. Babaie, President & CEO of Sudbury Hydro, that would reflect the savings anticipated by forming a Public Utilities Commission.

Item 4
(Continued)

Councillor Davey further questioned what the impact would be on the employees who work in the sewer and water department if the operation became part of the Public Utilities Commission.

Mayor Gordon suggested Council is not ready to establish a Public Utilities Commission. More information is required including all reports that led to the recommendations that came from the Transition Board.

Councillor Kilgour advised an expenditure of \$16 million was approved prior to the Municipal Election for immediate improvements to the David Street Water Treatment Plant. He questioned whether \$60 million should be spent to do the entire job. Reports came forward during the restructuring process that showed the status of the infrastructure. Sudbury Hydro spends 6% of the value of electronic distribution system assets annually to maintain their infrastructure. Only 1% is spend annually on sewer and water infrastructure.

Reserve Fund

Councillor Dupuis suggested capital projects and financing should also be considered and a long term financial plan be established to create a reserve fund of up to \$20 million annually.

Councillor Davey indicated \$20 million would be a budget item and he suggested this matter be brought back to Council following completion of the budget.

Public Input

Councillor Courtemanche proposed public input sessions be held to receive community feedback on the formation of a Public Utilities Commission.

Councillor Callaghan agreed community input was lacking in the process. A process had to be developed that would allow everyone to become involved and to have a clear understanding of where the matter was going.

- Report Request

Mayor Gordon requested that any report coming back to Council should examine where the \$16 million would come from for the David Street Water Treatment Plant, what does it mean to have this done through the Public Utilities Commission or the current Sewer and Water Department in the City. What are the advantages and the disadvantages. Are there any monies that come within the synergies that will pay for the new plant? Will the monies have to be raised through taxes. How do the savings ensure that the taxpayer will get the best possible breaks.

Referred Matter

The formation of the Public Utilities Commission was **referred** to a future meeting of Council when the reports requested would be reviewed by Members of Council.

MATTERS ARISING FROM THE "IN CAMERA" SESSION

Rise and Report

Deputy Mayor Craig, as Chairman of the Committee of the Whole, reported Council met to deal with matters falling within Article 15.5 of the Procedural Rules and no resolutions emanated therefrom.

PART I CONSENT AGENDA

The following resolution was presented to adopt Items C-1 to C-3 inclusive contained in Part I, Consent Agenda:

2001-66 McIntaggart/Kilgour: That Items C-1 to C-3 inclusive, contained in Part 1, Consent Agenda, be adopted.

CARRIED

ADOPTION OF MINUTES

Item C-1
Report No. 2
C.C.
2001-01-23

2001-67 Kilgour/McIntaggart: That Report No. 1, City Council Minutes of 2001-01-23 be adopted.

CARRIED

Item C-2
Report No. 1
Special C.C.
2001-01-29

2001-68 McIntaggart/Kilgour: That Report No. 1, Special Meeting of City Council Minutes of 2001-01-29 be adopted.

CARRIED

Item C-3
Report No. 2
C.O.W. - Planning
2001-02-06

2001-69 Kilgour/McIntaggart: That Report No. 1, Committee of the Whole - Planning, Minutes of 2001-02-06 be adopted.

CARRIED

QUESTION PERIOD

Transition Costs
- Report Request

Councillor Davey requested a report for the next Council meeting detailing the total costs incurred to January 31, 2001 for transition spending, even if staff are only able to estimate these costs.

Councillor Davey further requested that this report also address the following matters:

- what impact transition costs would have on the 2001 Budget, taxes and services;
- what payments the new City is legally committed to pay as a result of contracts entered into by the Transition Board; and
- what portion of transition spending can be deferred.

Transition Costs
(Continued)

Councillor Davey recommended that Council develop a strategy for dealing with the Provincial Government in order to secure better funding to cover the costs of transition to one City.

The General Manager of Corporate Services advised it was his "best guess" that the City would be out-of-pocket approximately \$5.8 to \$6 million with outstanding commitments of \$20 to \$21 million.

Insurance Claims

Councillor Craig requested the General Manager, Public Works review the policy of denying claims resulting from dirty water in the Algonquin Street area of the City in light of recent letters received by those residents from insurance adjusters.

Power Outage

- Report Request

Councillor Courtemanche spoke on the recent winter ice storm which resulted in electrical power outages throughout the City. He requested a report from Sudbury Hydro as to why they were unable to respond to citizen enquiries and to detail what Hydro's emergency response is in such an event.

Snow Removal

Councillor Courtemanche requested information regarding the current progress of snow removal operations.

The Acting Chief Administrative Officer advised winter control operations were proceeding in accordance with current removal standards. Approximately \$1.1 million dollars of the 2001 snow removal budget has been expended to date

Point of Information

Councillor Petryna rose on a Point of Information to ask if the \$1 million snow removal reserve established by the former Region of Sudbury was still available for use by the new City.

The Acting Chief Administrative Officer advised the reserve funds were still available.

Proceed Past
10:00 p.m.

2001-70 Kilgour/McIntaggart: That we proceed past the hour of 10:00 p.m.

CARRIED

Snow Removal

Councillor Callaghan questioned why Auger Avenue is still designated to receive "regional service" for the purposes of snow removal and does not receive the same service as Hawthorne and Gemmell

- Report Request

The Acting Chief Administrative Officer confirmed there were inconsistencies and advised the matter would be reviewed and a report drafted.

Snowmobiles

- Report Request

Councillor Callaghan raised concerns regarding complaints received as a result of snowmobiles operating on sidewalks and private property. He advised that he is chairing a Committee that is part of S.T.O.P. with the Ontario Provincial Police.

Snowmobiles
(Continued)

Councillor McIntaggart noted he had previously requested a report from the Police Services Board for Council's information on the regulation of snowmobiles under the Uniform Snowmobile By-law which had been adopted by the former area municipalities.

Transition Funding

Councillor Callaghan expressed concern regarding the amount of transition funding offered by the Province of Ontario. He noted that though there are some positive benefits to municipal restructuring, the issue of funding had to be addressed by Council.

Councillor Callaghan stressed it was paramount that the Council develop a strategy to deal with the consequences of the funding announcement and recommended that a motion be brought forward to the next meeting of Council which would identify for the Province the harm that their proposed level of funding would impact on the community. He recommended that any strategy developed by Council include both local members of the Legislative Assembly of Ontario.

Flooding

Councillor McIntaggart expressed concern regarding potential flooding in the south end of the City and advised many residents were no longer able to obtain insurance for their needs. He requested the situation be monitored to avert a re-occurrence of the flooding problems.

Condolences

Councillor McIntaggart extended his condolences to the family of the late Oliverio Massimiliano.

Highway 35 Bridge

Councillor Bradley expressed concern with the state of the Highway 35 Bridge and questioned when repairs would be scheduled.

The Acting Chief Administrative Officer advised there is no danger to vehicles using this bridge. He further advised that road salt was causing damage to the bridge. Pilons had been placed on the roadway to help direct traffic and minimize further damage.

NOTICES OF MOTIONS

Telecommunications

Presented by Councillor Kilgour:

WHEREAS the City of Greater Sudbury has declared that extension of broadband and utilization of fibre optics should be among its primary goals for this term;

AND WHEREAS the City of Greater Sudbury has already demonstrated its leadership in these areas;

AND WHEREAS the City of Greater Sudbury Utility has established a Telecom Division;

Telecommunications
(Continued)

AND WHEREAS there has already been much work done developing a project entitled "The Station" which embraces the goals expressed by the City of Greater Sudbury;

THEREFORE BE IT RESOLVED THAT the City of Greater Sudbury hereby authorizes and encourages the City of Greater Sudbury Utility, in co-operation with the Economic Development arm of the City of Greater Sudbury, to promote and seek partners and sources of funding to ensure that the City of Greater Sudbury attains the primary goals relating to telecommunications as established on February 9th, 2001;

AND FURTHER BE IT RESOLVED THAT a report be prepared and brought to a combined meeting of the Utility and Council as soon as possible.

Adjournment

2001-71 McIntaggart/Kilgour: That this meeting does now adjourn.
Time: 10:23 p.m.

CARRIED

Mayor

Clerk