

**THE THIRTY-SIXTH MEETING OF THE COUNCIL
OF THE CITY OF GREATER SUDBURY**

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

**Thursday, September 12th, 2002
Commencement: 5:45 p.m.**

DEPUTY MAYOR DOUG CRAIG, IN THE CHAIR

Present Councillors Bradley; Courtemanche; Davey (A5:52 pm); Dupuis; Gainer; Kilgour; Lalonde (A5:48 pm); McIntaggart; Portelance; Mayor Gordon (A5:47 pm)

City Officials M. Mieto, Acting Chief Administrative Officer; D. Belisle, General Manager of Public Works; 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 and Acting General Manager, Emergency Services; R. Swiddle, Director of Legal Services/City Solicitor; S. Jonasson, Director of Finance/City Treasurer; N. Charette, Manager of Corporate Communications and French-language Services; J.P. Graham, Plants Engineer; K. Matthies, Acting Co-ordinator of Human Resources; T. Mowry, City Clerk; G. Ward, Council Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" 2002-527 Bradley/Dupuis: That we move "In Camera" to deal with property and 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 7:10 p.m., Council recessed.

Reconvene At 7:18 p.m., Council reconvened to continue the regular meeting.

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

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

City Officials M. Mieto, Acting Chief Administrative Officer; D. Belisle, General Manager of Public Works; 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 and Acting General Manager, Emergency Services; I. Davidson, Chief of Police, Greater Sudbury

City Officials
(Continued)

Police Service; R. Swiddle, Director of Legal Services/City Solicitor; S. Jonasson, Director of Finance/City Treasurer; B. Gutjahr, Manager of By-law Enforcement; P. Aitken, Government Relations/Policy Analyst; N. Charette, Manager of Corporate Communications and French-language Services; T. Mowry, City Clerk; G. Ward, Council Secretary

News Media

Sudbury Star; MCTV; Le Voyageur

Declarations of Pecuniary Interest

None declared.

Multiple Sclerosis Challenge

Mayor Gordon reminded Council of the challenge issued by the Multiple Sclerosis Committee to businesses to promote the wearing of sneakers by all employees on Thursday, September 12th, 2002 and advised Claudette Haddad was in attendance to collect a looney from those wearing sneakers and a tooney from those who were not.

Ms. Haddad was invited to collect the appropriate monies from all in attendance.

DELEGATIONS

Item 4
Hwy. 69 Four-Laning
0.3 km North of Hwy.
537 Northerly 8.8 km

Letter dated 2002-08-28 from Brian Ruck, P.Eng., CVS, Consultant Project Manager, Totten Sims Hubicki Associates regarding Highway 69 Four-laning on New Alignment from Highway 537 Northerly 8.8 km was received.

Mr. Brian Ruck, Consultant Project Manager, Totten Sims Hubicki Associates, introduced Ms. Sheri Graham and Mr. John Fraser, of the MTO, North Bay Regional Office. He addressed Council with an overhead presentation of the proposed changes, preferred alternative benefits, environmental assessment addendum process, public response and the next steps in the new preferred alignment of Highway 69.

The following resolution was presented:

2002-528 Bradley/Kilgour: THAT the City of Greater Sudbury supports the new preferred alignment of Highway 69, from 0.3 km north of Highway 537 northerly 8.8 km, as presented to Council by Totten Sims Hubicki Associates on September 12th, 2002.

CARRIED

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 property and 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.

Ratification of
C.U.P.E. Local #148

2002-529 Dupuis/Bradley: THAT the Terms of Settlement for the Collective Bargaining Agreement between the City of Greater Sudbury and the Canadian Union of Public Employees Local #148 Bargaining Unit for the term of May 1st, 1999 to April 30th, 2005 as contained in the Memorandum of Agreement signed by the Parties on August 26th, 2002 be ratified;

AND THAT payment of the General Wage Increase (GWI) retroactive to May 1st, 1999, be implemented;

AND THAT the appropriate by-law be prepared.

CARRIED

BY-LAW

2002-247A 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A COLLECTIVE BARGAINING AGREEMENT WITH THE CANADIAN UNION OF PUBLIC EMPLOYEES LOCAL #148 PIONEER MANOR

1st & 2nd Reading 2002-530 Bradley/Dupuis: That By-law 2002-247A be read a first and second time.

CARRIED

3rd Reading 2002-531 Dupuis/Bradley: That By-law 2002-247A be read a third time and passed.

CARRIED

Wind Farm
Development 2002-532 Dupuis/Bradley: THAT the Mayor and Clerk be authorized to sign a Memorandum of Understanding with Northland Power Inc. and a second Memorandum of Understanding with Northland Power Inc. and REPower Wind Corporation for Wind Farm Development, all documents as approved by the City Solicitor.

CARRIED

BY-LAW

2002-219A 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE MEMORANDA OF UNDERSTANDING WITH NORTHLAND POWER INC. AND REPOWER CANADA FOR WIND FARM DEVELOPMENT

1st & 2nd Reading 2002-533 Bradley/Dupuis: That By-law 2002-219A be read a first and second time.

CARRIED

3rd Reading

2002-534 Bradley/Dupuis: That By-law 2002-219A be read a third time and passed.

CARRIED

PART I
CONSENT AGENDA

The following resolution was presented to adopt Items C-1 to C-14 inclusive, contained in Part I, Consent Agenda:

2002-535 Bradley/Dupuis: That Items C-1 to C-14 inclusive, contained in Part I, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1
Report No. 35
C.C.
2002-08-22

2002-536 Dupuis/Bradley: That Report No. 35, City Council Minutes of 2002-08-22 be adopted.

CARRIED

Item C-2
Report No. 5
Planning Committee
2002-08-22

2002-537 Bradley/Dupuis: That Report No. 5, Planning Committee Minutes of 2002-08-22 be adopted.

CARRIED

Item C-3
Report No. 6
Planning Committee
2002-09-10

2002-538 Bradley/Kilgour: That Report No. 6, Planning Committee Minutes of 2002-09-10 be adopted.

CARRIED

Item C-4
Report No. 1
Selection Committee
C.A.O.
2002-08-22

2002-539 Dupuis/Bradley: That Report No. 1, Selection Committee, Chief Administrative Officer, Minutes of 2002-08-22 be adopted.

CARRIED

Item C-5
Report No. 3
Priorities Committee
2002-09-11

2002-540 Bradley/Kilgour: That Report No. 3, Priorities Committee, Minutes of 2002-09-11 be adopted.

CARRIED

In response to Councillor Portelance's request for a follow-up to the presentation by the Canadian Federation of Independent Business regarding creation of tax incentive zones, Mayor Gordon advised his office would contact Judith Andrew, Vice President, C.F.I.B. in this regard.

Item C-6
T.O.C.
2002-09-03

2002-541 Kilgour/Bradley: That the Report of the Tender Opening Committee, Minutes of 2002-09-03 be received.

CARRIED

Item C-7
T.O.C.
2002-07-25

2002-542 Bradley/Dupuis: That the Report of the Tender Opening Committee, Minutes of 2002-07-25 be received.

CARRIED

Item C-8
G.S.H.C.
2002-06-25

2002-543 Bradley/Dupuis: That the Report of the Greater Sudbury Housing Corporation, Minutes of 2002-06-25 be received.

CARRIED

TENDERS

Item C-9
Contract 2002-64
Roof Repairs -
Sudbury Transit/
Garage &
Falconbridge
Curling Club

Report dated 2002-09-03 from the General Manager of Public Works regarding Tender for Contract 2002-64: Roof Repairs at the Sudbury Transit/Garage and the Falconbridge Curling Club was received.

The following resolution was presented:

2002-544 Dupuis/Bradley: That Contract 2002-64, Tender for Roof Repairs at the Sudbury Transit/Garage and the Falconbridge Curling Club, be awarded to Douro Roofing & Sheet Metal, in the amount of \$695,821.00, as determined by the unit prices and quantities involved; this being the lowest tender meeting all the requirements of the plans and specifications.

CARRIED

Item C-10
Tender - Rental of 3
Operated Backhoe
Loader Combination
With Hoe Ram

Report dated 2002-09-05 from the General Manager of Public Works regarding Award of Tender: Rental of Three (3) Operated Backhoe Loader Combination, Complete with Hoe Ram was received.

The following resolution was presented:

2002-545 Bradley/Dupuis: That the tenders for the supply of three (3) operated Backhoe Loaders, complete with hydraulic hoe rams, be awarded to Doran's Backhoe, Bob Tait and St. Amour Contracting, these being the lowest tenders received meeting all specifications.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-11
Y.M.C.A. Parking
Charges at the
Centre for Life

Report dated 2002-08-26 from the General Manager of Citizen & Leisure Services regarding Y.M.C.A. Parking Charges at the Centre for Life was received.

Item C-11
(Continued)

The following resolution was presented:

2002-546 Kilgour/Bradley: That the Y.M.C.A. be required to pay parking charges related to their use of the parking facilities at the Centre for Life effective September 1, 2002 and that the Y.M.C.A. will be charged for parking at the same rates as are applied to all customers of parking lots in the Central Business District.

CARRIED

Item C-12
Traffic Control -
Gemma/Diamond
Streets

Report dated 2002-09-03, with attachment, from the General Manager of Public Works regarding Traffic Control - Intersection of Gemma Street and Diamond Street was received.

The following resolution was presented:

2002-547 Bradley/Kilgour: That traffic at the intersection of Gemma Street and Diamond Street be controlled with a stop sign facing southbound traffic on Diamond Street;

And that By-law 2002-249T be passed to amend the City of Greater Sudbury's Traffic and Parking By-law 2002-1 to implement the recommended change.

CARRIED

Item C-13
Parking Ticket
Revenue Share
Program

Report dated 2002-08-19 from the General Manager of Economic Development & Planning Services regarding Parking Ticket Revenue Share Program was received.

The following resolution was presented:

2002-548 Bradley/Dupuis: That Council approve a Revenue Share Program on a 50-50 basis with private property owners who meet qualifying criteria and that the necessary by-law be passed.

CARRIED

TELEPHONE POLLS

Item C-14
Noise By-law
Exemption - Moncion's
Independent Grocer

Report dated 2002-09-06 from the General Manager, Corporate Services and Acting General Manager, Emergency Services regarding Telephone Poll: Request for Noise By-law Exemption - Moncion's Independent Grocer was received.

The following resolution was presented:

2002-549 Dupuis/Bradley: That the Council of the City of Greater Sudbury has no objection to the granting of an exemption to former City of Valley East By-law 85-11 (BEING A BY-LAW TO PROHIBIT AND REGULATE NOISES IN THE TOWN OF VALLEY EAST) to Lafarge Materials & Construction Inc. from 4:30 a.m. to 7:00 a.m. on Tuesday, September 3rd, 2002 to complete the construction and

Item C-14
(Continued)

paving of an expansion to the existing grocery store (Moncion's Independent Grocer) located at 5200 Hwy. 69 North, Hanmer.

CARRIED

BY-LAWS

2002-245 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO DECLARE SURPLUS AND SELL BLOCK "B", PLAN M-1014, CHESTNUT AVENUE, SUDBURY

Planning Committee meeting of September 10, 2002

2002-246 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO DECLARE SURPLUS AND SELL PART OF PARCEL 27524 SUDBURY WEST SECTION, MAIN STREET, CHELMSFORD

Planning Committee meeting of September 10, 2002

2002-248A 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF SEPTEMBER 12, 2002

2002-249T 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-1, THE TRAFFIC AND PARKING BY-LAW

Report dated 2002-08-30 from the General Manager of Public Works.

(This By-law deals with the installation of a stop sign facing southbound traffic on Diamond Street at the intersection of Gemma and Diamond Street.)

2002-250 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY RESPECTING THE SUPPLY OF WATER, THE MANAGEMENT AND MAINTENANCE OF THE WATERWORKS SYSTEMS OF THE CITY

(This By-law consolidates the previous Waterworks By-law of the former Regional Municipality of Sudbury.)

2002-251A 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE PARKING REVENUE SHARING AGREEMENTS

Report dated 2002-08-19 from the General Manager of Economic Development and Planning Services

- 2002-252 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO
 DECLARE CERTAIN PARCELS OF LANDS TO BE PART OF THE
 CITY ROAD SYSTEM
- (This By-law provides for several small "bits and pieces" of roadway
 that have been transferred to the City for road purposes to be
 formally declared as roads. A number of widenings, subdivision
 transfers, sight triangles, etc., are included.)
- 2002-253Z 3 BEING 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 Resolution 2002-18
- (This by-law rezones the subject property to "C5", Shopping Centre
 Commercial in order to accommodate the expansion of a parking
 area that serves an existing supermarket which is to undergo
 renovation and expansion. (996437 Ontario Inc./ Proponent: Loblaw
 Properties Limited, 1593 Lasalle Blvd., Sudbury)
- 2002-254A 3 BEING A BY-LAW OF THE CITY OF SUDBURY TO AUTHORIZE
 A LEASE AGREEMENT WITH CANADIAN DRILLING AND
 TRAINING SERVICES FOR SPACE AT THE TRILLIUM CENTRE
 IN AZILDA
- Planning Committee meeting of September 10, 2002
- 2002-255A 3 BEING A BY-LAW OF THE CITY OF SUDBURY TO AUTHORIZE
 A LEASE AGREEMENT WITH ONTARIO NATIONAL TRAINING
 CENTRE FOR SPACE AT THE TRILLIUM CENTRE IN AZILDA
- Planning Committee meeting of September 10, 2002
- 2002-256A 3 BEING A BY-LAW OF THE CITY OF SUDBURY TO AUTHORIZE
 A LEASE AGREEMENT WITH SUDBURY-MANITOULIN
 CHILDREN'S FOUNDATION FOR SPACE AT THE TRILLIUM
 CENTRE IN AZILDA
- Planning Committee meeting of September 10, 2002

2002-261F 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A TAX EXTENSION AGREEMENT WITH EDWARD VALLIERE AND DARLENE VALLIERE

Report dated 2002-09-04 from the General Manager of Corporate Services and Acting General Manager of Emergency Services

2002-267P 2 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2002-202, THE PROCEDURE BY-LAW

Report dated 2002-09-03 from the General Manager of Corporate Services and Acting General Manager of Emergency Services

(This By-law amends the Procedure By-law by removing reference to the Finance and Efficiencies Committee and transferring its responsibilities into the Finance and Program and Accountability Sub-Committee. This By-law appears for two readings to provide necessary notice to Council as required by the Procedure By-law and will receive third reading at next Council meeting if Council feels this appropriate.)

1st & 2nd Reading

2002-550 Bradley/Kilgour: That By-law 2002-245, By-law 2002-246, By-law 2002-248A to and including By-law 2002-261F and By-law 2002-267P be read a first and second time.

CARRIED

3rd Reading

2002-551 Kilgour/Bradley: That By-law 2002-245, By-law 2002-246, 2002-248A to and including By-law 2002-261F be read a third time and passed.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-15
Purchase of Auto
Extrication Equipment
- Fire Services

Report dated 2002-08-26 from the General Manager, Corporate Services and Acting General Manager, Emergency Services regarding Purchase of Auto Extrication Equipment - Fire Services was received for information.

Item C-16
2003 Pre-authorized
Tax Payment Plan -
Marketing Campaign

Report dated 2002-09-04 from the General Manager, Corporate Services and Acting General Manager, Emergency Services regarding 2003 Pre-authorized Tax Payment Plan - Marketing Campaign was received for information.

ADDENDUM

Addendum to Agenda

The following resolution was presented.

2002-552 Portelance/McIntaggart: That the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of
Pecuniary Interest

None declared.

ROUTINE MANAGEMENT REPORTS

Item AD.1
Noise By-law
Exemption - CRP
Construction

Report dated 2002-09-11, with attachment, from the General Manager of Economic Development & Planning Services regarding Exemption to Chapter 776, (former City of Sudbury Municipal Code) Noise By-law, Canadian Pacific Railway - construction was received.

The following resolution was presented:

2002-553 Portelance/McIntaggart: 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 the Canadian Pacific Railway for operational requirements to carry out construction activity on the Cartier Subdivision (Cartier to Rumford) during the hours of 0100 and 0700 (1:00 a.m. to 7:00 a.m.)

The schedule for activity within the City limits is as follows:

September 21-22 - Frood and Beatty Street area
September 23 - Frood and Elm Street area
September 24 - Elgin and Paris Street area
September 25 - John and Sunday Street area
September 26 - Beatty and McNeill Street area
October 2 - Beatty and McNeill Street area
October 3 - Second Avenue and Mildred Street area
October 4 - Moonlight Beach road
October 5 - Elgin and Paris Street area
October 6 - Moonlight Beach Road

CARRIED

Council directed the General Manager of Public Works to ensure that Canadian Pacific Railway notify area residents of the proposed construction prior to the scheduled activity.

MANAGERS' REPORTS

Item AD.2
Capreol Community
Sponsored Clinic -
Contract Renewal

Report dated 2002-09-12 from the Acting General Manager of Health & Social Services regarding Capreol Community Sponsored Clinic - Contract Renewal was received.

The following resolution was presented:

2002-554 Portelance/McIntaggart: WHEREAS the City of Greater Sudbury has been designated an under-serviced area by the Ministry of Health and Long Term Care;

AND WHEREAS the Capreol Community Sponsored Clinic has made medical care available to citizens living in that area for the past 3 years;

Item AD.2
(Continued)

THEREFORE BE IT RESOLVED THAT the Acting General Manager of Health & Social Services be authorized to renew the contract between the City of Greater Sudbury, the Ministry of Health and Long Term Care and Dr. Paul Smith for the period of March 14, 2003 to March 13, 2006 under a self administered arrangement.

CARRIED

BY-LAW

2002-262A 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A RENEWAL AGREEMENT WITH THE MINISTRY OF HEALTH AND LONG TERM CARE AND DR. PAUL SMITH FOR THE COMMUNITY SPONSORED CLINIC

1st & 2nd Reading 2002-555 Portelance/McIntaggart: That By-law By-law 2002-262A be read a first and second time.

CARRIED

3rd Reading 2002-556 Portelance/McIntaggart: That By-law 2002-262A be read a third time and passed.

CARRIED

QUESTION PERIOD

WaterDamageClaims Councillor Bradley referred to a water line break that occurred during the summer in Valley East. One resident suffered damage to her laundry as a result of dirty water and she submitted a claim to the City after being advised to do so by City staff. The claim was denied by the insurance adjuster.

Councillor McIntaggart advised residents who had submitted insurance claims to the City had received rejection letters that indicated negligence had to be shown.

The City Solicitor was directed to review the comments and concerns made by Members of Council.

CPR Crossing - Errington Street Councillor Bradley requested an update regarding improvement to the CPR crossing at Errington Street in Chelmsford.

The General Manager of Public Works was requested to review this matter and respond to the Councillor.

Fencing - Ontario Street Councillor McIntaggart requested an update regarding the fencing along the tracks between Lorne and Ontario Streets.

The General Manager of Public Works was requested to respond to the respond to the Councillor.

Group Homes

Councillor Lalonde expressed concern regarding group homes operating in residential areas without prior notification to the surrounding residents. He requested a policy review by the Planning Department to notify residents within a 400' radius of such developments.

Construction - Highway 35

Councillor Bradley requested an update regarding the construction project for Highway 35.

The General Manager of Public Works advised the bridge and road work would be separate tenders, that the construction drawings would be done during the winter and the construction would take approximately two years to complete once the tenders were awarded.

Adjournment

2002-257 Bradley/Dupuis: That this meeting does now adjourn.
Time: 8:53 p.m.

CARRIED

Mayor

Clerk