

**THE SIXTY-FIRST MEETING OF THE COUNCIL
OF THE CITY OF GREATER SUDBURY**

**C-11
Tom Davies Square**

**Thursday, November 13th, 2003
Commencement: 6:07 p.m.**

DEPUTY MAYOR PETRYNA, IN THE CHAIR

Present Councillors Bradley; Callaghan; Davey; Dupuis; Kilgour; McIntaggart; Portelance

City Officials M. Mieto, 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; 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; C. Riutta, Administrative Assistant to the Mayor; P. Aitken, Government Relations/Policy Analyst; T. Mowry, City Clerk; C. Caporale, Council Secretary

Declarations of Pecuniary Interest None.

"In Camera" 2003-543 Kilgour-McIntaggart: That we move "In Camera" to deal with a litigation and a personnel 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)(f).

CARRIED

Recess At 6:55 p.m., Council recessed.

Reconvene At 7:06 p.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; Kilgour; McIntaggart; Petryna (D 9:52 p.m.); Portelance

City Officials M. Mieto, 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. Matheson, 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; D. Desmeules, Manager of Housing; N. Charette, Manager of

<u>City Officials</u> (continued)	Corporate Communications and French-language Services; P. Aitken, Government Relations/Policy Analyst; C. Riutta, Administrative Assistant to the Mayor; C. Salazar, Manager of Corporate Strategy & Policy Analysis; M. Simeoni, Senior Planner; P. Baskcomb, Manager of Community and Strategic Planning; T. Mowry, City Clerk; K. Bowschar-Lische, Planning Committee Secretary; C. Caporale, Council Secretary
<u>News Media</u>	Channel 10 News; Sudbury Star; Le Voyageur; Northern Life; EZ Rock; MCTV
<u>Declarations of Pecuniary Interest</u>	None.
<u>Opening Remarks</u>	Councillor Kilgour welcomed students from Churchill Public School.

DELEGATIONS/PRESENTATIONS

Item 4 <u>Canadian Diabetes Association</u>	<p>Letter dated 2003-08-29 from the Canadian Diabetes Association regarding the 50th Anniversary of the Canadian Diabetes Association and how far they have come in the treatment options available was received.</p> <p>Jennifer MacKinnon, Regional Director, Canadian Diabetes Association addressed Council regarding the history of diabetes, the Canadian Diabetes Association, incident rates and treatment options available. She displayed past and current medical equipment used by diabetic patients when injecting insulin.</p>
Item 5 <u>"Building the City of Tomorrow" Discussion Paper</u>	<p>Report dated 2003-11-07 from the Chief Administrative Officer regarding "Building the City of Tomorrow" Discussion Paper, Final Version was received. A copy of "Building the City of Tomorrow" was distributed to each Member of Council.</p> <p>The Chief Administrative Officer introduced Mark Simeoni, Senior Planner, Carlos Salazar, Manager of Corporate Strategy & Policy Analysis, and Paul Baskcomb, Manager of Community and Strategic Planning who addressed Council with an electronic presentation. They presented the discussion paper "Building the City of Tomorrow" which outlined the following:</p> <ul style="list-style-type: none"> ▶ new ways of doing business (e-government technology, new revenue generation) ▶ alternative service delivery (proposed process, ideological basis, trends, arguments against, issue in implementing Mayor/Council's direction, arguments in favour, cultural divide government/business, key success factors, suggested services, key policy questions, business case) ▶ partnerships (public & private, existing, potential for future development, ideas from the community forum).

MATTERS ARISING FROM THE “IN CAMERA” SESSION

Rise and Report Deputy Mayor Petryna, as Chair of the Committee of the Whole, reported Council met to deal with litigation and personnel 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 one resolution emanated therefrom.

Item CW-5
Hiring Committee 2003-544 Dupuis-Bradley: THAT Councillor Craig be appointed in lieu of Councillor Lalonde on the hiring committee for the position of General Manager of Emergency Services.

CARRIED

MATTERS ARISING FROM THE PRIORITIES COMMITTEE: 2003-11-12

Rise and Report Deputy Mayor Courtemanche, Chair of the Priorities Committee, reported that the Committee requested staff to draft a letter to the Minister of Northern Development and Mines, the Minister of Municipal Affairs and the Minister of Public Infrastructure Renewal asking that a moratorium be placed on the investment strategy proposed by the Social Housing Services Corporation. A copy of the draft letter was tabled.

Item C-2
Report No. 25
Priorities Committee
2003-11-12 A recorded vote was requested by Council for the following resolution:

2003-545 Kilgour-Dupuis: THAT Report No. 25, Priorities Committee Minutes of 2003-11-12 be adopted.

RECORDED VOTE:

YEAS NAYS

Bradley
Callaghan
Courtemanche
Craig
Davey
Dupuis
Gainer
Kilgour
McIntaggart
Petryna
Portelance
Mayor Gordon

CARRIED

PART I
CONSENT AGENDA

Consent Agenda

The following resolution was presented to adopt Items C-1 to C-10 inclusive, contained in Part I, Consent Agenda:

2003-546 Dupuis-Kilgour: That Items C-1 to C-10 inclusive, contained in Part I, Consent Agenda, be adopted with the exception of Items C-2 (Report No. 25, Priorities Committee Minutes of 2003-11-12) and C-8 (Updating the Flat Rate Tipping Fees), as otherwise dealt with.

CARRIED

MINUTES

Item C-1
Report No. 60
City Council
2003-10-23

2003-547 Dupuis-Kilgour: THAT Report No. 60, City Council Minutes of 2003-10-23 be adopted.

CARRIED

Item C-2
Report No. 25
Priorities Committee
2003-11-12

Refer to **Matters Arising from the Priorities Committee.**

Item C-3
Report No. 26
Planning Committee
2003-11-04

2003-548 Kilgour-Dupuis: THAT Report No. 26, Planning Committee Minutes of 2003-11-04 be adopted.

CARRIED

Item C-4
Report No. 20
CGS Public Library
Board
2003-09-18

2003-549 Kilgour-Dupuis: THAT Report No. 20, City of Greater Sudbury Public Library Board Minutes of 2003-09-18 be received.

CARRIED

Item C-5
N.D.C.A.
2003-10-15

2003-550 Kilgour-McIntaggart: THAT the Report of the Nickel District Conservation Authority Minutes of 2003-10-15 be received.

CARRIED

Item C-6
T.O.C.
2003-11-04

2003-551 Kilgour-McIntaggart: THAT the Report of the Tender Opening Committee Minutes of 2003-11-04 be received.

CARRIED

Item C-7
Greater Sudbury
Police Services
2003-09-10

2003-552 Kilgour-McIntaggart: THAT the Report of the Greater Sudbury Police Services Minutes of 2003-09-10 be received.

CARRIED

C.C. 2003-11-13 (61ST)

(4)

ROUTINE MANAGEMENT REPORTS

Item C-8
Updating the Flat Rate
Tipping Fees

Report dated 2003-11-05 from the General Manager of Public Works regarding Updating the Flat Rate Tipping Fees was received.

The following resolution was presented:

Dupuis-Kilgour: THAT the By-law to amend the Waste Management By-law 2002-331G be approved.

Motion for Deferral

Council concurred with a request by Councillor Kilgour that the foregoing motion be **deferred** to a future meeting of the new Council for further review.

Item C-9
Seniors' Pedestrian
Crossing Signs

Report dated 2003-11-05, with attachments, from the General Manager of Public Works regarding Seniors' Pedestrian Crossing Signs was received.

With the concurrence of Council, Councillor Dupuis requested that the General Manager of Public Works submit a list to Council of locations where the signs will be posted.

The following resolution was presented:

2003-553 Dupuis-Kilgour: THAT "Seniors" Tab signs be installed on existing Pedestrian Ahead signs in known areas of higher senior traffic.

CARRIED

Item C-10
Animal Control
Advisory Panel

Report dated 2003-10-28 from the General Manager of Economic Development & Planning Services regarding Animal Control Advisory Panel was received.

The following resolution was presented:

2003-554 Dupuis-Kilgour: THAT Council establish an Animal Control Advisory Panel and approve the Terms of Reference for the Animal Control Advisory Panel as outlined.

CARRIED

BY-LAWS

2003-276 3 A BY-LAW OF THE CITY OF GREATER SUDBURY
TO CONFIRM THE PROCEEDING OF COUNCIL OF
NOVEMBER 13, 2003

BY-LAWS (continued)

2003-277 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PART OF PARCEL 15936 SUDBURY EAST SECTION MUNICIPALLY KNOWN AS 346 MURRAY STREET, SUDBURY TO JANET MACKENZIE

Planning Committee meeting of November 4, 2003

2003-278A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A CONSULTING AGREEMENT WITH EARTH TECH (CANADA) INC. FOR THE TRANSPORTATION BACKGROUND STUDY FOR THE NEW OFFICIAL PLAN

Council Resolution No. 2003-328

2003-279A 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 existing enforcement officers.)

2003-280 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT FOR THE PROCUREMENT OF LIABILITY COVERAGE TO CERTAIN UNINSURED COMMUNITY BASED VOLUNTEER GROUPS

Priorities Committee Recommendation 2003-63

(This By-law authorizes the City of Greater Sudbury to continue the past practice of the area municipalities of providing, by way of grant, commercial general liability insurance (other than liquor liability coverage) for the conduct of specified community events, which are sponsored by otherwise uninsured community volunteer groups.)

2003-281 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2002-331G DEALING WITH THE COLLECTION, REMOVAL AND DISPOSAL OF WASTE WITHIN THE CITY OF GREATER SUDBURY

Report dated 2003-11-05 from the General Manager of Public Works.

The foregoing By-law was **deferred** as part of Item C-8 (Updating the Flat Rate Tipping Fees).

BY-LAWS (continued)

2003-282 3 A BY-LAW OF THE CITY OF GREATER SUDBURY
TO ESTABLISH A SURPLUS FILL POLICY

(This By-law sets out the City's policy on the disposition of surplus fill generated by the conduct of City Works and delegates to the City's manager of construction services, the responsibility for administering the surplus fill policy and authorizing the disposition of surplus fill in accordance with the policy.)

Priorities Committee meeting of November 12, 2003.

2003-283 3 A BY-LAW OF THE CITY OF GREATER SUDBURY
TO ADOPT SOCIAL HOUSING POLICIES

Priorities Committee meeting of November 12, 2003.

1st & 2nd Reading

2003-555 Kilgour-McIntaggart: THAT By-law 2003-276 to and including By-law 2003-283 be read a first and second time with the exception of By-law 2003-281 as otherwise dealt with.

CARRIED

3rd Reading

2003-556 McIntaggart-Kilgour: THAT By-law 2003-276 to and including By-law 2003-283 be read a a third time and passed with the exception of By-law 2003-281 as otherwise dealt with.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-11
Excessive Noise -
Local Bar Patios -
South End

Report dated 2003-10-28 from the General Manager of Economic Development & Planning Services regarding Excessive Noise from Local Bar Patios - South End of City was received for information only.

Councillor Davey advised staff that the report submitted did not address the issues he raised at the Council meeting of October 23, 2003 regarding the regulations for partially enclosed structures being constructed and used for smoking outside, at the Casino, bingo halls, etc. The General Manager of Economic Development and Planning was requested to submit a letter to Council addressing Councillor Davey's concerns. The Director of Legal Services advised that the Manager of By-law Enforcement Services would also review and address the concerns of Councillor Davey.

Councillor Callaghan raised the issue of having noise monitoring equipment installed at the local bars for future evaluation.

Item C-12
Pay Equity Settlement
for Not-For-Profit Child
Care Proxy Agencies

Report dated 2003-10-28 from the General Manager of Health & Social Services regarding Pay Equity Settlement for Not-For-Profit Child Care Proxy Agencies was received for information only.

Item C-13
Extreme Cold Weather
Alert Mid Term Report

Report dated 2003-10-21 from the General Manager of Health & Social Services regarding Extreme Cold Weather Alert Mid Term Report was received for information only.

PART II REGULAR AGENDA

MANAGERS' REPORTS

Item R-1
Store Closing By-laws

Report dated 2003-11-05, with attachments, from the General Manager of Corporate Services regarding Store Closing By-laws was received.

Council discussed the issue of repealing the existing Store Closing By-laws and making all By-laws of the former City of Sudbury and Towns uniform throughout the City of Greater Sudbury.

The following resolution was presented:

Kilgour-McIntaggart: THAT all existing Store Closing By-laws of the former municipalities be repealed.

Motion for Deferral

Council concurred with a request by Councillor McIntaggart that the foregoing motion be **deferred** to a future meeting of the new Council for further review.

Councillor Courtemanche asked Council to deal with the request submitted by the New Sudbury Centre to extend the hours of business to 9:00 p.m. for the four Saturdays prior to Christmas.

The following resolution was presented:

2003-557 Courtemanche-Craig: THAT the City Solicitor be directed to prepare an amendment to the Municipal Code of the former City of Sudbury and the corresponding Capreol By-law to allow extended store hours for the four Saturdays prior to Christmas.

Item R-1
Store Closing By-laws
(continued)

RECORDED VOTE:

<u>YEAS</u>	<u>NAYS</u>
Callaghan	Bradley
Courtemanche	Dupuis
Craig	McIntaggart
Davey	Petryna
Gainer	Portelance
Kilgour	Mayor Gordon

LOST

Item R-2
Rename the Central
Meeting Room -
Trillium Centre

Report dated 2003-10-30 from the General Manager of Citizen & Leisure Services regarding a Request to Rename the Central Meeting Room at the Trillium Centre the "Salle Lionel E. Lalonde Room" was received.

The following resolution was presented:

2003-558 Bradley-Dupuis: WHEREAS a request has been received from the Club Accueil Âge d'Or on behalf of its 525 members, requesting that City Council consider the request from the Club Accueil Âge d'Or that the central meeting room at the Trillium Centre, which is now referred to as the "Library" be named in honour of Lionel E. Lalonde; and

WHEREAS Lionel E. Lalonde has served this community in an elected capacity since 1968, including terms on both school board and municipal and regional councils and twelve years as Mayor of the former Town of Rayside-Balfour; and

WHEREAS Lionel E. Lalonde is an individual of extraordinary prominence who has made lasting and significant contributions to public life in general and to the communities of Rayside-Balfour and Greater Sudbury in particular; and

WHEREAS as Mayor of Rayside-Balfour, Lionel E. Lalonde was instrumental in purchasing the Trillium Centre and transforming the building into a valued community resource;

NOW THEREFORE BE IT RESOLVED THAT the central meeting room at the Trillium Centre be named the Salle Lionel E. Lalonde Room.

CARRIED

MOTIONS

Item R-3
Mandatory Retirement
Policy

2003-559 Gordon-Kilgour: WHEREAS the concept of mandatory retirement violates the spirit of Canada’s Charter of Human Rights, and the Charter has been successfully challenged on the issue; and

WHEREAS no Ontario legislation requires retirement at age 65; and

WHEREAS the City of Greater Sudbury encourages citizens of all ages to fulfill their personal and vocational goals; and

WHEREAS the Mayor and Council have recognized the accumulated knowledge, skills and wisdom of Sudbury’s growing seniors population by instituting the Mayor and Council’s Committee on Seniors’ Issues; setting the goal of promoting “the well-being of our citizens in a healthy, safe and stimulating community;” and adopting other senior-friendly policies; and

WHEREAS some City employees may have the desire, ability and experience to continue working after 65;

NOW THEREFORE the Mayor and Council hereby directs the Chief Administrative Officer to bring a new employee retirement policy before the new City Council as soon as possible.

CARRIED

With the concurrence of Council, staff were directed to include the budget implications of implementing the new employee retirement policy.

Change of Chair

At 9:39 p.m., His Worship Mayor Gordon vacated the chair.

DEPUTY MAYOR PORTELANCE, IN THE CHAIR

Addendum

The following resolution was presented:

2003-560 McIntaggart-Kilgour: THAT the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of
Pecuniary Interest

None

BY-LAWS

2003-285A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT BEVERLY PINAUD AS CONSENT OFFICIAL FOR THE CITY OF GREATER SUDBURY

(This By-law and the following By-law updates the Officials' list for the City of Greater Sudbury to reflect recent staffing changes.)

2003-286A 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

1st & 2nd Reading 2003-561 Kilgour-McIntaggart: THAT By-law 2003-285A and By-law 2003-286A be read a first and second time. **CARRIED**

3rd Reading 2003-562 McIntaggart-Kilgour: THAT By-law 2003-285A and By-law 2003-286A be read a third time and passed. **CARRIED**

Item AD-1 Report dated 2003-11-13, with attachments, from the General Request for a Recount Manager of Corporate Services regarding a request for a recount for for Ward 3 Ward 3 was received.

The following resolution was presented:

2003-563 McIntaggart-Callaghan: THAT in accordance with the Municipal Elections Act, 1996 a recount be held for Ward 3.

DEFEATED

CIVIC PETITIONS

Councillor Callaghan Councillor Callaghan submitted a petition to the City Clerk, signed by eight (8) residents of Tulane Avenue, Sudbury, Ward 4 regarding the noise and air pollution emanating from G & G Cabinetry Inc.

This Civic Petition will be forwarded to the appropriate General Manager for review.

Proceed past 2003-564 Kilgour-McIntaggart: THAT we proceed past the hour of 10:00 p.m. 10:00 p.m. **CARRIED**

QUESTION PERIOD

Rumford Station,
Ward 5, CPR

Councillor Craig advised staff that on October 25-26, 2003 between the hours of 5:30 a.m. Saturday until 6:00 a.m. Sunday, Engine #9565 ran its engines. The railroad tracks are near a residential area and he received numerous complaints from the residents. Councillor Craig sent a letter to Transport Canada who advised him that there are currently no regulations in place for monitoring engine noise or the amount of fumes being expelled.

Councillor Craig advised that he and the General Manager of Public Works would continue to follow-up with Transport Canada on this matter.

NOTICES OF MOTION

Rules of Procedure

Council, by two-thirds majority, agreed to deal with the following motion brought forward by **Councillor Davey**:

By-law 2002-331G

2003-565 Davey-Craig: THAT By-law 2002-331G dealing with the collection, removal and disposal of waste within the City of Greater Sudbury, be amended to reduce tonnage fees from \$72.00 per metric tonne to \$60.00 per metric tonne, effective following the mandatory 21 day public review period, and subject to the approval of the new Council for the City of Greater Sudbury.

CARRIED

Adjournment

2003-566 McIntaggart-Callaghan: THAT this meeting does now adjourn. Time: 10:15 p.m.

CARRIED

Mayor

City Clerk