

Request for Decision City Council



Type of Decision

Meeting Date	Thursday, February 12, 2004				Report Date	Friday, February 6, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title

Appointment of the Board of Directors of the Sudbury Metro Centre Business Improvement Area - Term 2003-2006

Policy Implication + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

Policy Implication:

Chapter 32 of the former City of Sudbury Municipal Code (as amended by By-law 2002-334) sets out the qualifications, number, and manner of appointment for the Members of the Board of Directors of the Sudbury Metro Centre Business Improvement Area. Sudbury Metro Centre conducts its own election procedure for the appointment of non-Council Board Members. Council confirmation is required.

Budget Impact:

There is no budget impact associated with this decision.

Background Attached

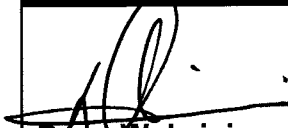
Recommendation

1. That this Council hereby appoints the following persons to the Board of Management for the Sudbury Metro Centre Business Improvement Area for the term ending November 30th, 2006 or until such later time as their successors are appointed.

- | | |
|-----------------|-------------------|
| 1. Tony Anselmo | 6. Gary Robicheau |
| 2. Ray Hirani | 7. Cindy Schut |
| 3. John Arnold | 8. Bob Conlin |
| 4. Mark Palumbo | 9. Austin Davey |
| 5. John Fiorino | |

Recommendation Continued

Recommended by the General Manager


Doug Wuksinic
General Manager of Corporate Services

Recommended by the C.A.O.

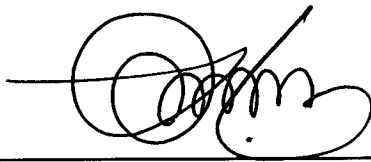

Mark Mieto
Chief Administrative Officer

1

Date: 2004-02-06

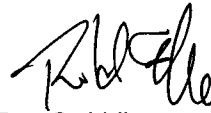
Report Prepared By

Thom M. Mowry
City Clerk



Division Review

Ron Swiddle
Director of Legal/Clerks Services and City Solicitor



Background:

Chapter 32 - Former City of Sudbury Municipal Code:

Chapter 32 of the former City of Sudbury Municipal Code established a Central Business District Improvement Area in the Downtown of the former City of Sudbury, known as "Sudbury Metro Centre".

Sudbury Metro Centre boundaries include: Durham, Elm (railway tracks on west to Paris), Lisgar, Young, Larch, Cedar, Elgin, Beech, Fir, Minto, Shaughnessey, Grey, Van Horne, and the City Centre.

Sudbury Metro Centre is governed by a Board of Management. The Board of Management is entrusted with the improvement, beautification and maintenance of municipally-owned lands, buildings and structures and for the promotion of the area as a business or shopping area.

Composition of the Board of Management:

The Board of Management for Sudbury Metro Centre consists of seven (7) members who are not members of Council and two (2) members of Council appointed by resolution. Council is currently represented by Councillor Gasparini and Councillor Reynolds.

To be a Member of the Board of Management, other than a Member of Council, a person must be:

- (a) assessed with respect to rateable property in the area that is in a prescribed business property class and be on the last returned assessment roll; or
- (b) a tenant of property in the area who is, under a lease required to pay all or part of the taxes of the property; or
- (c) nominated by those persons referred to above.

Date: 2004-02-06

The notification and election procedures for the selection of non-Council Members of the Board of Management are prescribed in Chapter 32 of the Municipal Code. These procedures are overseen by the Executive Director of the Board.

As indicated on the attached correspondence dated January 26, 2004 from Ms. Maureen M. Luoma, Executive Director, Sudbury Metro Centre, the election procedures for the selection of non-Council members have been completed.

It would now be in order for Council to ratify these appointments by Resolution of Council.

Accordingly, an appropriately worded resolution appears on the Agenda for Council's consideration.

Attachments



January 26, 2004

DELIVERED

City of Greater Sudbury
Tom Davies Square
P.O. Box 5000, Stn. A
Sudbury, Ontario
P3A 5P3

RECEIVED

JAN 28 2004

CLERKS - DEPT.

ATTENTION: THOM MOWRY - City Clerk

Dear Mr. Mowry:

RE: ELECTION - BOARD OF DIRECTORS ... 2004-2006

Further to my recent email, this is to confirm that the Election procedure for the Board of Directors of Sudbury Metro Centre, for the Term 2004-2006, is complete. The vote count took place Friday, January 23rd - 4:30 p.m., under the scrutiny of a representative from the TD Canada Trust. As discussed, the procedure followed was as per our By-Law. I have attached a summary of the timeline and steps followed.

As you know, a total of 18 names were submitted for the nine (9) positions of Directors on the Board. The following nine (9) names are submitted for ratification by City Council, as a result of the ballots received:

1. **Tony Anselmo** ... Records On Wheels, 56 Elm St.
2. **Ray Hirani** ... Rainbow Value Centre, 40 Elm St.
3. **John Arnold** ... Dalron Leasing Ltd., 83 Cedar St.
4. **Mark Palumbo** ... Music and Film in Motion, Tower Bay Records, 45 Durham St.
5. **John Fiorino** ... Fiorino's At The Port, 80 Elm St.
6. **Gary Robicheau** ... Teak Furniture Centre, 144 Durham St.
7. **Cindy Schut** ... (nominated by) Fairmount Shoes, 80 Durham St.
8. **Bob Conlin** ... Williams Coffee Pub, 43 Elm St.
9. **Austin Davey** ... (nominated by) Capitol Bingo, 66 Cedar St.

I would respectfully request that these names be ratified by City Council at their next meeting of Thursday, January 29th, as the Board of Directors of Sudbury Metro Centre for the three year term 2004-2006.

Thank you for your assistance with this.

Sincerely,

Maureen M. Luoma
Executive Director

Att.

**SUDBURY METRO CENTRE
(‘DOWNTOWN SUDBURY’)
FACT SHEET ... BOARD OF DIRECTORS
ELECTION PROCEDURE**

The Board of Directors of Sudbury Metro Centre consists of eleven (11) Members, representative of the following:

- 9 Property Owners within the BIA boundaries → Durham, Elm (railway tracks on west to Paris), Lisgar, Young, Larch, Cedar, Elgin, Beech, Fir, Minto, Shaughnessey, Grey, Van Horne, Rainbow Value Centre ... (area bounded by Paris on the east)
- 2 City Council Appointees
- 11

QUALIFICATIONS ...

To be one of the nine (9) Members on the Board, other than Council Members, a person must be qualified to be elected as a Member of Council and must be assessed with respect to rateable property in the area that is in a prescribed business property class, or a person must be a nominee of a property owner in a prescribed business property class provided that such nominee is qualified to be elected as a member of Council.

PROCEDURE & TIMELINE (as per by-law 77-76) ...

1. Request for names of persons interested to become a member of the Board mailed Friday, Dec. 5th
2. RSVP, in writing, by interested members Friday, Dec. 19th
3. Mailing of ballots (if election required), Candidate Profiles, voting procedure Wednesday, Jan. 7th
4. RSVP ballots - returned to Sudbury Metro Centre Friday, Jan. 23rd
5. Recommendation to City Council of appointments to Board as per ballots received February Council meeting



**Request for Decision
City Council**



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	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title

**Appointment of Six (6) "Private" Directors
to the Board of Greater Sudbury Utilities Inc.**

Policy Implication + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

Policy Implication:

Council Resolution 2003-622 provided that nominations for the six (6) Private Directors' positions on the Board of Greater Sudbury Utilities Inc. would be made by a Nominating Committee consisting of the four Members of Council on the Board. The Minutes of the Meeting of the Nomination Committee are attached to this report with their recommendations.

Budget Impact:

There is no budget impact associated with this decision.

Background Attached


Recommendation

That the following Citizens be appointed to the Board of Directors of Greater Sudbury Utilities Inc.:


- For the term February 12th, 2004 to and including February 11, 2005, or until such later time as their successors are appointed: Les Lisk & Cindy Schut;**
- For the term February 12th, 2004 to and including February 11, 2006, or until such later time as their successors are appointed: James Austin Davey & Lionel Lalonde; and,**

Recommendation Continued

Recommended by the General Manager


Doug W. Kinnic
 General Manager of Corporate Services

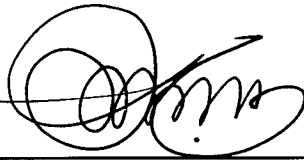
Recommended by the C.A.O.


Mark Mieto
 Chief Administrative Officer

Date: 2004-02-09

Report Prepared By

Thom M. Mowry
City Clerk



Division Review



Ron Swiddle
Director of Legal/Clerks Services and City Solicitor

RECOMMENDATION continued:

3. **for the term February 12th, 2004 to and including February 11, 2007, or until such later time as their successors are appointed: Clary Felix Gatien & Brian Montgomery.**

Background:

In December, 2003 Council directed that the City Clerk's Office would be responsible for advertising and collecting Applications for the six (6) "Private" Directors' position on the Board of Greater Sudbury Utilities Inc. However, a Nomination Committee consisting of the four Members of Council on the Board would recommend to Council the names of the citizens to be appointed and the term of their appointment.

The deadline for receiving these Applications was 4:30 p.m., Friday, January 30th, 2004. As of the deadline for the receipt of applications, a total of 40 applications were received by the City Clerk's Office.

In accordance with Council's direction, photocopies of these Applications were also provided to all Members of Council.

As required by Council's Procedure By-law, these positions were advertised in both official languages of the City of Greater Sudbury and in both community publications and the usual large circulation newspapers.

Date: 2004-02-09

Shareholder Agreement - Directors - Qualifications:

Article 4.3 of the Shareholder Declaration provides that in the selection of the "Private" Directors: "Preference may be given to qualified candidates for the Board who are residents of the City, however non-residents of the City shall not be excluded from serving as Board members."

The six Private Directors serving as members of the Board(s) shall be appointed on staggered terms: two (2) directors shall be elected for a one-year term, two (2) directors shall be elected for a two-year term, and two (2) directors shall be elected for a three-year term. Any member of the Board(s) may serve for successive terms as determined by the Shareholder. Notwithstanding these time periods all Directors shall remain on the Board(s) until their successors are appointed by Council. This provision shall include the Mayor (or designate) and municipal councillors, even if their terms on City Council have terminated.

Article 4.2 sets out the qualifications that the Nomination Committee shall take into consideration in order to identify and evaluate potential candidates for the Board.

Article 4.2 reads in full as follows:

Qualification of Directors - In addition to sound judgment and personal integrity, the qualifications of candidates for the Board or the board of directors of any Subsidiary may include:

- (a) awareness of public policy issues related to the Corporation or a Subsidiary, as applicable;
- (b) business expertise (including retail experience);
- (c) experience on boards of commercial corporations;
- (d) financial, legal, engineering, accounting and/or marketing experience;
- (e) regulated industry knowledge including, but not limited to, knowledge of municipal electric utilities; and
- (f) knowledge and experience with risk management strategy.

All of which is respectfully submitted for Council's consideration.

Attachment.1.

**THE FIRST MEETING OF THE NOMINATION COMMITTEE
OF THE BOARD OF DIRECTORS OF GREATER SUDBURY UTILITIES INC.**

**C-42
Tom Davies Square**

**Tuesday, February 3, 2004
Commencement: 12:00 p.m.**

Chair

CITY CLERK, THOM MOWRY, IN THE CHAIR

Directors Present

Councillors D. Craig; R. Dupuis; T. Kett; Mayor D. Courtemanche

City of Greater
Sudbury Officials

R. Swiddle, Director of Legal Services/City Solicitor; CJ Caporale,
Council Secretary

Declarations of
Pecuniary Interest

There were no declarations of interest.

Chair Appointment -
Greater Sudbury
Utilities Inc.

Nominations for the appointment of Chair for the Nomination
Committee were opened.

Upon a motion duly made by Councillor Kett, seconded by Council
Craig, Mayor David Courtemanche was nominated as Chair of the
Nomination Committee of the Board of Directors of the Greater
Sudbury Utilities Inc.

There being no further nominations, nominations were closed.

Following a vote by a show of hands of those present, Mayor David
Courtemanche was declared duly elected as Chair of the
Nomination Committee.

MAYOR DAVID COURTEMANCHE, IN THE CHAIR

Citizen Appointments -
Greater Sudbury
Utilities Inc.

The Nomination Committee had before it a letter dated February
2nd, 2004 from the City Clerk, City of Greater Sudbury, attaching
a copy of all the applications received by the January 30th, 2004
deadline for applications and complied by the City Clerk.

Appointment of Two
(2) "Private" Directors
for a 1 Year Term

On a motion moved by Councillor Kett and seconded by Councillor
Dupuis, the Nomination Committee recommended to City Council
that:

THE following Citizens be appointed as Directors of Greater
Sudbury Utilities Inc., for the term February 12th, 2004 to and
including February 11, 2004, or until such later time as their
successors are appointed:

Les Lisk
Cindy Schut

2
Nomination Committee Minutes
Tuesday, February 3, 2004

Appointment of Two (2)
"Private" Directors for a
Two (2) Year Term

On a motion moved by Councillor Kett and seconded by Councillor Dupuis, the Nomination Committee recommend to City Council that:

THE following Citizens be appointed as Directors of Greater Sudbury Utilities Inc., for the term February 12th, 2004 to and including February 11, 2006, or until such later time as their successors are appointed:

James Austin Davey
Lionel Lalonde

Appointment of Two (2)
"Private" Directors for a
Three (3) Year Term

On a motion moved by Councillor Kett and seconded by Councillor Dupuis, the Nomination Committee recommend to City Council that:

THE following Citizens be appointed as Directors of Greater Sudbury Utilities Inc., for the term February 12th, 2004 to and including February 11, 2007, or until such later time as their successors are appointed:


Clary Felix Gatien
Brian Montgomery

Adjournment:

The Nomination Committee adjourned its meeting at 12:25 p.m.



Chair, Nomination Committee



Secretary

Request for Decision City Council



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Report Title

Additional 2003 Reserves

Policy Implication + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

Background Attached

Recommendation

THAT the following be set aside in reserves in the approximate amounts of:

\$47,000 for purchases of equipment for Pioneer Manor;

\$6,600 for purchases of uniforms for Fire Services; and

THAT \$85,000 be transferred to the Police Capital Financing Reserve Fund for the Communications System.

Recommendation Continued

Recommended by the General Manager


D. Walks
General Manager of Corporate Services

Recommended by the C.A.O.


M. Mieto
Chief Administrative Officer

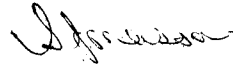
Date: February 6, 2003

Report Prepared By



C. Mahaffy
Manager of Financial Planning & Policy/Deputy Treasurer

Division Review



S. Jonasson
Director of Finance/City Treasurer

BACKGROUND

Further to the report approved by Council on January 15, it has come to our attention that an additional \$47,000 should be reserved for equipment ordered by Pioneer Manor in 2003. The industrial washer (\$16,000), the Resident lift and sling (\$10,000) and the autoscrubber and polisher (\$21,000) were all ordered in 2003, with delivery anticipated before the end of the year. However, the equipment was not delivered before year-end, meaning the funds for this equipment should be reserved.

A similar situation has happened at Fire Services, and \$6,600 should be reserved for uniforms.

In addition, the Police had an \$85,000 liability set up relating to the communications system. Although it is now unlikely that this liability will materialize, the money should be set aside in the Police Capital Financing Reserve Fund as it will ultimately be required for the communications system.

Request for Decision City Council

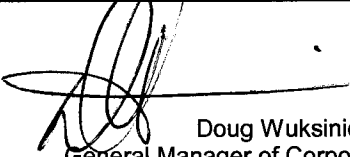



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Report Title
2004 Miscellaneous User Fees By-law Amendment

Policy Implication + Budget Impact	
	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
	Background Attached

Recommendation	
<p>THAT By-law 2004-25F be passed amending the User Fees By-law as set out in this report.</p>	
	Recommendation Continued

Recommended by the General Manager
 Doug Wuksinic General Manager of Corporate Services

Recommended by the C.A.O.
 Mark Mieto Chief Administrative Officer

Date: February 6, 2004

Report Prepared By



Ron Swiddle
Director of Legal Services/City Solicitor

Division Review



Ron Swiddle
Director of Legal Services/City Solicitor

BACKGROUND:

The City's User Fees By-law 2003-324F was passed by Council in December. It requires some small amendments to ensure it is a current reflection of fees charged by the City. This amendment makes the following changes:

- a) The Clerk's Department charges a \$5.00 fee for the provision of a copy of the City's User Fees By-law, in order to recover its costs. This fee is added to the appropriate Corporate Services Schedule.
- b) As the fees for water services, e.g. thawing of frozen pipes, etc., are now included in the Water Wastewater Rates By-law, the Public Works Fees Schedule is replaced with a version which deletes reference to these fees. This ensures the fees are only dealt with in one By-law.
- c) The By-law is amended as necessary to reflect the change in name of the former "Trillium Centre" to the "Centre Lionel E. Lalonde Centre". As an additional housekeeping item, the language of the By-law is updated to reflect Council's decision to move responsibility for administration of the Centre Lionel E. Lalonde Centre from Economic Development and Planning to Corporate Services and the fee schedule for the Centre Lionel E. Lalonde Centre is appropriately relabelled.
- d) The fee schedule for the Lionel E. Lalonde Centre is amended to reflect adjustments to the fees charged for meals, muffins and beverages to bring them into alignment with the cost of providing those services. These are the fees that are actually being charged at the present time. A copy of this Schedule is attached.

**SCHEDULE "A"
TO BY-LAW 2004-****

**SCHEDULE "CS-E"
TO BY-LAW 2003-324F**

LIONEL E. LALONDE CENTRE - FEES AND CHARGES

	Fee	GST	Total
1. Accommodations (Per person)			
Single dorm room **	\$ 40.89	2.86	43.75
dorm room (2 single beds)	52.10	3.65	55.75
** 5% P.S.T. to be charged in addition to G.S.T			
2. Meals (per person)			
NOTE: minimum charge: for 5 persons per meal			
Breakfast ***	6.85	0.48	7.33
Lunch ***	10.00	0.70	10.70
Dinner ***	13.60	1.02	14.62
(Each)			
Coffee / tea / juice ***	2.10	0.15	2.25
* bottled juice / bottled water ***	1.05	0.07	1.12
* muffins ***	0.65	0.04	0.69
3. Meeting Rooms			
Board room	44.86	3.14	48.00
Breakout Rooms	44.86	3.14	48.00
Classrooms (A to F)	74.07	5.18	79.25
Conference Room A	246.73	17.27	264.00
Meeting Room #1	75.00	5.25	80.25
Meeting room #2	235.05	16.45	251.50
Lecture Room	112.38	7.87	120.25
Tactical Bay	75.00	5.25	80.25
NOTE: \$50.00 reduction on cost of meeting room if 10 or more dorms are booked for the same activity			
4. Gymnasium			
full gym / 1 day	246.73	17.27	264.00
Full gym / half day	154.21	10.79	165.00
Half gym 1 day	185.05	12.95	107.00
Half gym / half day	100.00	7.00	107.00
Full gym (per hour)	58.64	4.11	62.75
Half gym (per hour)	39.49	2.76	42.25
cleaning fee	135.05	9.45	144.50

NOTE * PST IS TO BE CHARGED IN ADDITION TO GST**

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Report Title
On-Street Parking - McCharles Lake Road


Policy Implication + Budget Impact	
n/a	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<input checked="" type="checkbox"/>	Background Attached

Recommendation
<p>-THAT parking be prohibited along the south side of McCharles Lake Road from Burr Oak Drive to 300 metres east of the parking area, and</p> <p>- THAT "No Parking" signs be installed along the North side of McCharles Lake Road near the crest of hills located on either side of the parking area, and</p> <p>- THAT a By-Law be passed to amend City of Greater Sudbury's Traffic and Parking By-Law 2001-1 to implement the recommended changes.</p>
Recommendation Continued

Recommended by the General Manager


 Don Belisle
 General Manager of Public Works

Recommended by the C.A.O.


 Mark Wiet
 Chief Administrative Officer

Date: February 4, 2004

Report Prepared By



Nathalie Mihelchic, P. Eng.
Co-ordinator of Traffic and Transportation

Division Review



R.G. (Greg) Clausen, P. Eng.
Director of Engineering Services

The Traffic and Transportation Section received requests from the Ward Councillor and area residents to review parking problems along McCharles Lake Road.

The section of McCharles Lake Road under review is located in the former Town of Walden, and extends from Burr Oak Drive to its termination approximately 1.6 km easterly (See Exhibit 'A'). This surface treated rural residential roadway had operating widths ranging between 6.8 and 7.6 metres measured between the snowbanks. The maximum speed limit is 50 km/h.

Approximately 400 metres east of Burr Oak Drive, a small parking area exists on the south side of the road. The parking area is located on City owned property and can accommodate approximately 6 vehicles. In the winter, the parking area is used by anglers to access their ice huts located on McCharles Lake. It has been reported that there are close to 20 ice huts on the lake in the area. On weekends, vehicles fill the lot and park along both sides of McCharles Lake Road.

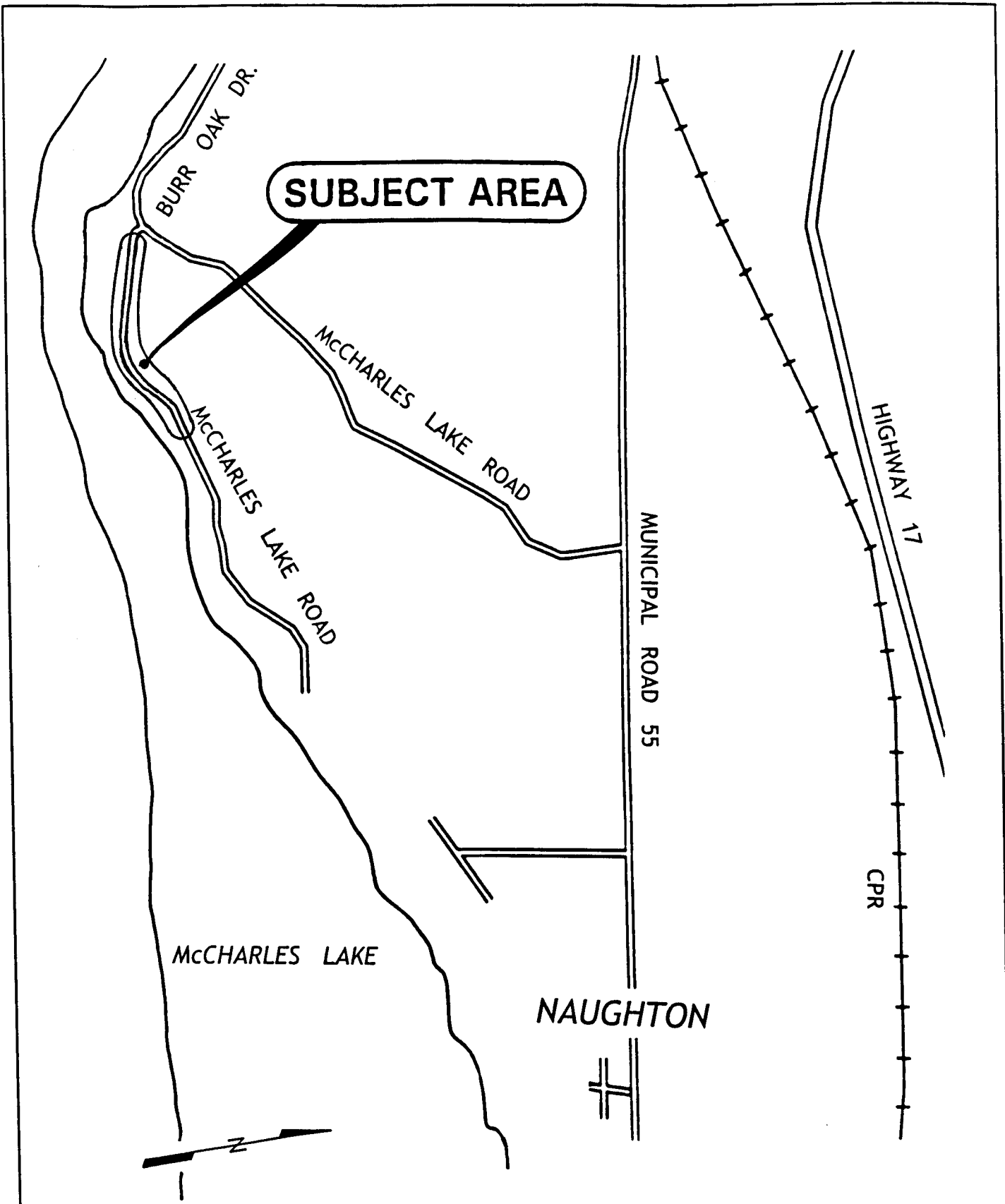
The prime function of a public road is to allow access to and from abutting properties. The City generally permits the use of the roadway for short term parking provided safety can be maintained. Based on the current operating width, parked vehicles along both sides of McCharles Lake Road would severely restrict access to abutting properties by local residents and emergency vehicles.


Prohibiting parking along one side of McCharles Lake Road will leave enough room for a single lane of traffic. Opposing traffic would need to yield to each other, however, traffic volumes are low and this situation would not occur often.

It is recommended to prohibit parking along the south side of McCharles Lake Road from Burr Oak Road to 300 metres east of the parking area.

It is also recommended that "No Parking" signs be installed along the north side of McCharles Lake Road near the crest of hills located on either side of the parking area. This measure can be implemented under the General Provisions of the City's Traffic and Parking By-Law 2001-1.

EXHIBIT: A



 Sudbury Greater Council	Mc CHARLES LAKE ROAD 18	
	ON-STREET PARKING	
	2004/01/28	N.T.S.

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Report Title

ACTIONS TO COLLECT AMOUNTS DUE FROM N.I.M. DISPOSALS LIMITED

Policy Implication + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

None

Background Attached

Recommendation

THAT the General Manager of Public Works and the Clerk be authorized to execute an Appropriation Agreement negotiated between the City and NIM Disposals Limited.

Recommendation Continued

Recommended by the General Manager

Doug Wuksinic
General Manager of Corporate Services

Recommended by the C.A.O.

Mark Nieto
Chief Administrative Officer

Date:

Report Prepared By

Stephen Vrbanac
Assistant City Solicitor

Division Review

Ronald Swiddle
Director of Legal Services/City Solicitor**BACKGROUND:**

The City of Greater Sudbury entered various waste collection contracts with NIM Disposals Limited for the collection and disposal of residential waste and issued a blanket purchase order in respect to the collection and disposal of commercial waste from municipal facilities.

As of January 30, 2004 NIM had accumulated and had not paid tipping fees due to the City of Greater Sudbury in the amount of \$87,820.55. NIM has been on a cash-only basis for the deposit and delivery of waste since March 8, 2003.

The City of Greater Sudbury appropriates waste contract revenues otherwise payable to NIM, to the City of Greater Sudbury in order to reduce tipping fee balances due by NIM to the City of Greater Sudbury. The appropriation amounts vary on a monthly basis, however, based upon *pro forma* documents produced by NIM, it is expected that the balance due to the City will be satisfied in full by the end of April 2004 - five months earlier than previously projected.

Although an appropriation agreement has not been executed with NIM, both the City and NIM have now agreed to contract terms to formalize the appropriation of funds.

Accordingly, a recommendation is now being made to Council that the Appropriation Agreement negotiated between the City and NIM Disposals Limited be executed.

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Report Title

**By-laws 87-340 and 87-341
Requiring Owners to Connect to Water and Wastewater Works
2004 Exemption Amount**

Policy Implication + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

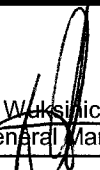
Background Attached

Recommendation

FOR INFORMATION ONLY

Recommendation Continued

Recommended by the General Manager


D. Wukosinic
General Manager of Corporate Services

Recommended by the C.A.O.


M. Mieto
Chief Administrative Officer

Requiring Owners to Connect to Water and Wastewater Works

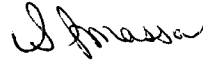
Date: February 6, 2004

Report Prepared By



C. Mahaffy
Manager of Financial Planning & Policy / Deputy Treasurer

Division Review



S. Jonasson
Director of Finance / City Treasurer

BACKGROUND

Some by-laws of the former Regional Municipality of Sudbury remain in effect under the new City of Greater Sudbury, including By-laws 87-340 and 87-341 requiring owners to connect to sewer and water works.

These by-laws make provision for exemptions from mandatory connections to sewer and water services based on a number of conditions. One of the conditions is cost of connections, which is increased annually.

These by-laws will not affect any properties in the annexed areas, as no sewer or water services are available.

Owners are exempt from mandatory connections to water / wastewater services, if together with other conditions, the costs to establish the private portion of **each** connection exceeds a specified limit. The limit is increased annually in direct proportion to increases in the Composite Component of the Canadata Construction Index, Ontario series, using November 15th of each year, over the previous year.

The increase for 2003 over 2002 is 3.5 per cent.

Therefore, for 2004, exemptions from mandatory connections are available if, together with other conditions, the costs to establish the private portion of each connection exceeds \$8,055.

Request for Decision City Council



Type of Decision

Meeting Date	February 12, 2004				Report Date	February 6, 2004			
Decision Requested		Yes	<input checked="" type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

Report Title

2004 Rates - Capital Lot Levies

Policy Implication + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.

Background Attached

Recommendation

FOR INFORMATION ONLY

Recommendation Continued


Recommended by the General Manager

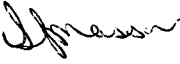

D. W. Snyk
General Manager of Corporate Services

Recommended by the C.A.O.

M. Mieto
Chief Administrative Officer

Date: February 6, 2004

Report Prepared By
 C. Mahaffy Manager of Financial Planning & Policy/Deputy Treasurer

Division Review
 S. Jonasson Director of Finance / City Treasurer

BACKGROUND

Some by-laws of the former Regional Municipality of Sudbury remain in effect under the new City of Greater Sudbury, including By-laws 79-111 and 89-111 relating to the collection of capital lot levies.

Lot levies are increased annually by inflation, and are applicable only on lots created by consent, or plans of subdivision / condominium approved under By-laws 79-111 or 89-111. No new lots or plans would be affected by these by-laws, including any falling within the annexed areas.

Although, effective November, 1991, Capital Lot Levies were replaced by Development Charges, there are still agreements in effect where Capital Lot Levies apply.

By-law 89-111 applies to residential lots created by consent from the Committee of Adjustment, and Plans of Subdivision and Plans of Condominium approved under the Planning Act. In some instances, the terms and conditions under these Consents and Plans are still outstanding, and By-law 89-111 would still apply.

Under this By-law, the capital levy rates are to be adjusted annually to reflect changes in the Composite Component of the Canadata Construction Index, Ontario Series, as at November 15th of each year, using November 15th of the previous year as the base level. The increase for 2003 over 2002 is 3.5 per cent.

The following are therefore the 2004 Capital Levies:

	2003	2004
Upgrading of the Sewage System	\$1,340	\$1,385
Upgrading of the Water System	\$2,000	\$2,070

By-law 79-111 applies to Plans of Subdivision approved under the Planning Act and preceded By-law 89-111. There are still a few such Plans in effect.

The capital levy rates for subdivision agreements entered into prior to the passage of By-law 89-111 are to be adjusted annually in direct relation to the Composite Component of the Canadata Construction Index, Ontario Series, as at November 15th of each year, over the previous year. The increase for 2003 over 2002 is 3.5 per cent and the rates for 2004 are therefore:

	2003	2004
Upgrading of the Sewage System	\$1,340	\$1,385
Upgrading of the Water System	\$675	\$700

Request for Decision City Council




Type of Decision									
Meeting Date	February 12, 2004				Report Date	February 2, 2004			
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

Report Title
Public Members for the Technical Steering Committee (revised)

Policy Implication + Budget Impact
<p>This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.</p> <p>Not applicable.</p>
Background Attached

Recommendation
<p>That Staff be given direction to fill the public member positions for the Technical Steering Committee on Waste Optimization, by either</p> <p>1) Re-appoint 2003 members 2) Advertise for interested public members.</p>
Recommendation Continued

Recommended by the General Manager
 Don Bélisle General Manager of Public Works

Recommended by the C.A.O.
 Mark Mieto Chief Administrative Officer

Date: February 2, 2004

Report Prepared By



Chantal Mathieu
Manager of Waste Management

Division Review

The January 16, 2004 staff report titled "Re-appointment of Public Members for the Technical Steering Committee" was deferred at the January 29th, 2004 meeting. A request has been made to provide Council with two options.

The appointment/re-appointment of members that participated in the 2003 period. These members include:

1. Sirio Bacciaglia, 902 Charlotte Street, Sudbury
2. Jose A. Blanco, 1532 Dixon Road, Sudbury
3. Gord Slade, 248 McNaughton Street, Sudbury
4. Lloyd R. Stinson, 3 Morlock Street, Falconbridge
5. Austin Davey (former Councillor)

A minimum of two and a maximum of five public members have been defined. Council can choose from the above-noted list or direct staff to advertise for new members.

Minutes

City Council Minutes	2004-01-29
Priorities Committee Minutes {TABLED}	2004-02-11
Planning Committee Minutes {TABLED}	2004-02-10
Sudbury & District Board of Health Minutes	2004-01-15
Accessibility Advisory Committee Minutes	2004-01-26
G.S.P.S. Board Minutes	2003-12-15
N.D.C.A. Minutes	2004-01-28
Tender Opening Committee	2004-02-03
Greater Sudbury Housing Corp Minutes	2003-12-17

**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

Present 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.

Chair **HIS WORSHIP MAYOR DAVID COURTEMANCHE, IN THE CHAIR**

Present 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.

C.C. 2004-01-29 (4TH)

(2)

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

CARRIED

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:

1. 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)

3. 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

Caldarelli
Dupuis
Reynolds

NAYS

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.

CARRIED

C.C. 2004-01-29 (4TH)

(5)

Item C-5
T.O.C.
2004-01-13 2004-38 Craig-Bradley: THAT the Report of the Tender Opening Committee Minutes of 2004-01-13 be received. **CARRIED**

Item C-6
T.O.C.
2004-01-20 2004-39 Bradley-Craig: THAT the Report of the Tender Opening Committee Minutes of 2004-01-20 be received. **CARRIED**

Item C-7
Public Input - Ward 1
2004-01-19 2004-40 Craig-Bradley: THAT the Report of the 2004 Budget Public Input and Information Session, Ward 1 Minutes of 2004-01-19 be received. **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. **CARRIED**

Item C-9
Public Input - Ward 3
2004-01-20 2004-42 Craig-Bradley: THAT the Report of the 2004 Budget Public Input and Information Session, Ward 3 Minutes of 2004-01-20 be received. **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. **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. **CARRIED**

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.

C.C. 2004-01-29 (4TH) (6)

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 1st, 2004 to and including May 30th, 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.

CARRIED

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.)

C.C. 2004-01-29 (4TH)

(8)