

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

**C-11
Tom Davies Square**

**Wednesday, February 27, 2008
Commencement: 6:15 p.m.**

DEPUTY MAYOR RIVEST, IN THE CHAIR

Present Councillors Cimino; Barbeau; Berthiaume; Dutrisac; Dupuis; Caldarelli; Gasparini; Landry-Altmann; Mayor Rodriguez

City Officials M. Mieto, Chief Administrative Officer; C. Matheson, General Manager of Community Development; D. Nadorozny, General Manager of Growth & Development; G. Clausen, General Manager of Infrastructure Services; L. Hayes, CFO/Treasurer; T. Parmar, Manager of Quality, Administration & Financial Services; A. Haché, City Clerk

Declarations of Pecuniary Interest None declared.

"Closed Session" 2008-63 Dupuis-Berthiaume: That we move in "Closed Session" to deal with Litigation/Potential Litigation (Insurance relating to Fire at Pioneer Manor) in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2006-100 and the Municipal Act, 2001, s.239(2).

CARRIED

Recess At 6:50 p.m., Council recessed.

Reconvene At 7:00 p.m., Council commenced the regular meeting in the Council Chamber.

Chair **HIS WORSHIP MAYOR JOHN RODRIGUEZ, IN THE CHAIR**

Present Councillors Cimino; Barbeau; Berthiaume; Dutrisac; Dupuis; Rivest; Caldarelli; Gasparini; Landry-Altmann

City Officials M. Mieto, Chief Administrative Officer; C. Matheson, General Manager of Community Development; D. Nadorozny, General Manager of Growth & Development; G. Clausen, General Manager of Infrastructure Services; T. Beadman, Chief of Emergency Services; B. Battison, Acting Fire Chief; L. Hayes, CFO/Treasurer; R. Swiddle, City Solicitor; F. Elsner, Deputy Chief of Police; G. Lamothe, Manager of Communications & French Language Service; I. Wood, Special Advisor to the Mayor; P. Buchanan, Manager of Accounting; R. Humeniuk, Marketing Officer - Physician Recruitment; A. Haché, City Clerk; K. Bowschar-Lische, Law Clerk; F. Bortolussi, Council Secretary

C.U.P.E. D. Burke, CUPE National Representative; W. MacKinnon, President, CUPE Local 4705; C. Marleau-Woitowich, CUPE Local 4705

News Media Sudbury Star; MCTV; CIGM; Persona 10 News; Le Voyageur; Northern Life; CBC Radio; CBC Radio-Canada

Declarations of Pecuniary Interest Councillor Gasparini declared a conflict regarding Item R-1 (Physician Incentive Program - Future Budget Commitments), as her daughter is graduating from medical school this year.

Councillor Dupuis declared a conflict regarding Item C-1 (By-law 2008-41F - Cancellation, Reduction or Refund of Realty Taxes in the City Council Minutes of February 13, 2008), as he owns one of the properties.

COMMUNITY DELEGATIONS

Item 4 Advisory Panel on Municipal Mining Revenues Dr. Jose Blanco, Chair, Expert Advisory Panel on Municipal Mining Revenues, made an electronic presentation. He listed the members of the Advisory Panel on Municipal Mining Revenues. He stated that the Advisory Panel's primary recommendation is that Council invite the Province to enter into negotiations to establish a resource revenue-sharing framework that will ensure a predictable and sustainable revenue stream for the Municipality. He stated that until 1973 mining industry properties were exempt from municipal taxes and industries provided most of their own services. In 1973, surface mining and processing facilities became taxable and underground facilities remained exempt. He indicated that major mining companies' share of the City's tax base decreased due to shrinking facilities and the City's diversification. He outlined municipal funding from the province since 1937. He indicated there is a precedent for sharing resource revenue with local communities, i.e. Peace River Regional District and Voisey's Bay Impact and Benefits Agreement. He stated that mining is profitable again with most capital spent underground. More mining activities place a greater demand on municipal services and infrastructure which requires funds that the City does not have.

The following resolution was presented:

2008-64 Cimino-Caldarelli: THAT Council of the City of Greater Sudbury thank the members of the Advisory Panel on Municipal Mining Revenues for their final report, *A Refined Argument*, and that the panel be officially dissolved.

FURTHER, THAT Council accept the main recommendation of the report:

That the Council of the City of Greater Sudbury invite the Province of Ontario to enter into negotiations with the City to establish a resource revenue-sharing

framework that will ensure a predictable and sustainable revenue stream for the Municipality.

And further that Council circulate this report and consult with other northern resource communities.

FURTHER, THAT an action group composed of the Mayor and two councillors, with staff support, be established to implement this recommendation and that they be empowered to recruit citizens and others to assist in the effort.

FURTHER, THAT the CAO be directed to establish a staff working group to analyze the panel's secondary recommendations and report to Council as soon as possible with options for implementing these recommendations and for developing the in-house expertise described in the panel report.

FURTHER, THAT copies of the report be forwarded to the Federation of Northern Ontario Municipalities, as well as the Association of Municipalities of Ontario for their consideration in the context of the Provincial Municipal Fiscal Review, and to the Minister of Northern Development and Mines and the Minister of Public Infrastructure Renewal, for inclusion in the development of the Northern Growth Plan.

CARRIED

Councillors Cimino and Dupuis were appointed to the Action Group.

Item 5
Southwest By-pass
Widening between
Highway 69 and
Municipal Road 55

Email dated 2008-02-11 was received from Maya Caron, Environmental Planner, Stantec Consulting Ltd. regarding Southwest By-pass Widening between Highway 69 and Municipal Road 55.

The report presented at the City Council meeting of January 16, 2008 regarding the South West By-pass Widening and the relevant portion of the minutes of the meeting were distributed to Council Members.

David McCann, Senior Consultant, Stantec Consulting Ltd., made an electronic presentation regarding the Planning, Preliminary Design and Environmental Assessment Study of Highway 17 Sudbury Southwest Bypass Four-laning. He outlined the study area plan, the purpose of the study and the Environment Assessment process. He listed the public consultations from the Notice of Study Commencement in June of 2006 to the 30-day public review period of the report in fall of 2008. He provided a background of the two alternatives (a full interchange at Southview Drive or a full interchange at Fielding Road), results of the traffic and business studies and the evaluation of the alternatives. He explained their preferred plan (full interchange at Southview Drive) and the reasons for their choice. He concluded by outlining the next steps leading to the report for public review period.

Item 6
2008 Earth Day
Festival

Letter dated 2008-01-21 was received from The Greater Sudbury Environmental Network Earth Day Committee regarding 2008 Earth Day Festival.

A letter of invitation and poster were distributed to Council Members.

Scott Card, Coordinator, Greater Sudbury Environmental Network, made an electronic presentation regarding the 2008 Earth Day Festival. He advised that the Network is seeking to protect and enhance the environment by promoting geographic, economic and environmental awareness in the Greater Sudbury basin and adjacent regions. He provided a background on Earth Day which is celebrated every April 22 by 500 million people in over 180 countries. He stated that nearly every school child in Canada takes part of an Earth Day activity. He indicated that Earth Day in Greater Sudbury is to create positive public awareness for environmental solutions, encourage citizens to take environmental action and maintain the positive celebration of Earth Day annually. He advised that over 5,000 people attended the 2007 Earth Day with 85 green organizations and businesses and 7 food vendors exhibited and outlined some of the activities. He listed the members of the Earth Day Festival Committee including Nickel District Conservation Authority and Eat Local Sudbury. He outlined the benefits to Greater Sudbury and the opportunities for growth. He thanked the City of Greater Sudbury for their support by providing items such as tables and chairs and free bus fare with a coupon. He concluded with an invitation to the 2008 Earth Day Festival.

Rules of Procedure

Council, by a two-thirds majority, agreed to dispense with the Rules of Procedure, to alter the order of the Agenda and deal with Item R-4 (Earth Hour).

MOTIONS

Item R-4
Earth Hour

The following resolution was presented by Mayor Rodriguez:

2008-65 Rodriguez-Dupuis: WHEREAS climate change is the biggest environmental threat to our planet and the number one concern for Canadians;

AND WHEREAS the City of Greater Sudbury has been recognized as a Regional Centre of Excellence on Education for Sustainable Development;

AND WHEREAS our community has a long tradition of local action on environmental issues, such as EarthCare Sudbury and the regreening initiative;

AND WHEREAS, as part of Earth Hour 2008, cities, businesses and individuals around the world will turn off their lights for one hour, from 8:00 to 9:00 pm on Saturday March 29 to show it's possible to take action on climate change and to send a message that they care about our planet and want to be part of the solution;

AND WHEREAS the City of Greater Sudbury is Northern Ontario's largest city and plays a leadership role in our region;

THEREFORE BE IT RESOLVED THAT Council declares the hour of 8:00 to 9:00 pm on Saturday March 29, 2008 to be Earth Hour in the City of Greater Sudbury;

FURTHER, Council calls upon its community partners to participate in this initiative and requests that Greater Sudbury Utilities encourage its customers to also participate;

FURTHER, Council directs municipal staff to work to extinguish as many lights in and around city buildings and facilities as is safe and reasonable during Earth Hour 2008;

FINALLY, Council directs staff to encourage all EarthCare partners to participate in this initiative and to coordinate a campaign to inform the public as to how they can participate.

CARRIED

Correspondence was received regarding *Join the World and Celebrate Earth Hour*.

It was agreed that the motion would be sent to all school boards and to all the City partners.

COMMUNITY DELEGATIONS

Item 7
Racing Against Drug
Program

Letter dated 2008-02-15 was received from Nellie Lanteigne, Chair, Racing Against Drugs Sudbury Coalition regarding Racing Against Drug Program.

Nellie Lanteigne, Chair, Racing Against Drugs Sudbury Coalition, made a verbal presentation regarding the Racing Against Drugs Program. She indicated that the RCMP were contacted and they agreed to partners with students of Grades 5 and 6. All school boards agreed to participate and due to the overwhelming response it was limited to Grade 5 students. She advised that Racing Against Drugs Sudbury will take place at the Centre Lionel E. Lalonde Centre on April 8 to 10, 2008. She stated they have excellent partners such as Greater Sudbury Police Service, Emergency Medical Services, Sudbury and District Health Unit, Centre de Santé and Ministry of Transportation. She indicated that help from organizations has been tremendous. She advised that the theme or

message of the Program is asking kids to stop and not to be influenced by peer pressure. She concluded by inviting Council Members to the event.

MATTERS ARISING FROM THE “CLOSED SESSION”

Rise and Report

Deputy Mayor Rivest, as Chair of the Committee of the Whole, reported Council met to deal with Litigation/Potential Litigation (Insurance relating to Fire at Pioneer Manor) falling within Article 15.5 of the City of Greater Sudbury Procedural By-law 2006-100 and the Municipal Act, 2001, s.239(2) and no resolutions emanated therefrom.

**PART I
CONSENT AGENDA**

Consent Agenda

The following resolution was presented to adopt the items contained in Part I, Consent Agenda:

2008-66 Cimino-Landry-Altmann: THAT Consent Agenda Items C-1 to C-12 inclusive be adopted and Items C-13 to C-18 be received for information only.

CARRIED

Declaration of
Pecuniary Interest

Councillor Dupuis, having declared a conflict of interest in Item C-1, did not take part in the discussion, vote on any matter or try to influence the vote in respect thereof.

MINUTES

Item C-1
Report No. 25
City Council
2008-02-13

2008-67 Cimino-Berthiaume: THAT Report No. 25, City Council Minutes of 2008-02-13 be adopted.

CARRIED

Item C-2
Report No. 25
Planning Committee
2008-02-19

2008-68 Dupuis-Berthiaume: THAT Report No. 25, Planning Committee Minutes of 2008-02-19 be adopted.

CARRIED

Item C-3
Report No. 24
Priorities Committee
2008-02-20

2008-69 Berthiaume-Dupuis: THAT Report No. 24, Priorities Committee Minutes of 2008-02-20 be adopted.

CARRIED

Item C-4
Report No. 3
JCSC
2008-02-07

2008-70 Barbeau-Landry-Altmann: THAT Report No. 3, Junction Creek Safety Committee Minutes of 2008-02-07 be adopted.

CARRIED

Item C-5
TOC
2008-02-05 2008-71 Caldarelli-Cimino: THAT the Tender Opening Committee Minutes of 2008-02-05 be received. **CARRIED**

Item C-6
TOC
2008-02-12 2008-72 Landry-Altmann-Caldarelli: THAT the Tender Opening Committee Minutes of 2008-02-12 be received. **CARRIED**

Item C-7
GSHC
2007-12-11 2008-73 Landry-Altmann-Caldarelli: THAT the Greater Sudbury Housing Corporation Minutes of 2007-12-11 be received. **CARRIED**

Item C-8
GSPSB
2008-01-14 2008-74 Barbeau-Berthiaume: THAT the Greater Sudbury Police Services Board Minutes of 2008-01-14 be received. **CARRIED**

Item C-9
Flour Mill BIA
2008-02-05 2008-75 Landry-Altmann-Caldarelli: THAT the Flour Mill Business Improvement Area Minutes of 2008-02-05 be received. **CARRIED**

TENDERS

Item C-10
Contract ISD08-5,
RFP for Purchase of
Two (2) Rubber Tired
Wheel Loaders Report dated 2008-02-22 was received from the General Manager of Infrastructure Services regarding Contract ISD08-5, RFP for Purchase of Two (2) Rubber Tired Wheel Loaders. **CARRIED**

2008-76 Cimino-Caldarelli: THAT the City of Greater Sudbury purchase two John Deere 624J Loaders from Ontrac Equipment Services Inc. for \$305,100 including taxes, all in accordance with the report dated February 22, 2008 from the General Manager of Infrastructure Services.

Item C-11
Purchase of One (1)
Flat Bed Bush Truck Report dated 2008-02-22 was received from the Fire Chief regarding Request for Proposal - (Contract FES - 08-1) for the Purchase of One (1) Flat Bed Bush Truck. **CARRIED**

2008-77 Cimino-Caldarelli: THAT Request for Proposal - Contract FES 08-1 for the purchase of one bush fire truck for the Fire Services Division in the amount of \$113,578.50 (including GST) be awarded to C.E.T. Fire Pumps Mfg.

ROUTINE MANAGEMENT REPORTS

Item C-12
Transfer to Reserves
for 2007 Projects Report dated 2008-02-20 was received from the Chief Financial Officer/Treasurer regarding Transfer to Reserves for 2007 Projects.

2008-78 Caldarelli-Cimino: THAT funding for the following projects/purchases be reserved in the approximate amounts of:

Administrative Services	\$ 50,000
Human Resources	46,500
Economic Development	57,000
Physician Recruitment	19,000
Lake Water Quality	15,000
Environmental Planning Initiatives	10,000
Financial Services	182,000
Community Development	53,500
Leisure and Recreation	47,000
Water Services	60,000
Infrastructure	45,500
Police Services	<u>45,000</u>
TOTAL	<u>\$ 630,500</u>

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

- | | |
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| Item C-13
<u>Connect to Water and Wastewater Works, 2008 Exemption Amount</u> | Report dated 2008-02-21 was received from the Chief Financial Officer/Treasurer regarding By-laws 87-340 and 87-341 Requiring Owners to Connect to Water and Wastewater Works, 2008 Exemption Amount for information only. |
| Item C-14
<u>Winter Operations Financial Update</u> | Report dated 2008-02-21 was received from the General Manager of Infrastructure Services regarding Winter Operations Financial Update for information only. |
| Item C-15
<u>Emergency Work - Radar Road and Municipal Road 80</u> | Report dated 2008-02-21 was received from the General Manager of Infrastructure Services regarding Emergency Work - Radar Road and Municipal Road 80 for information only. |
| Item C-16
<u>2007 Investment Report</u> | Report dated 2008-02-21 was received from the Chief Financial Officer/Treasurer regarding 2007 Investment Report for information only. |
| Item C-17
<u>2008 Annual Repayment Limit</u> | Report dated 2008-02-21 was received from the Chief Financial Officer/Treasurer regarding 2008 Annual Repayment Limit for information only. |
| Item C-18
<u>2008 Rates - Capital Lot Levies</u> | Report dated 2008-02-21 was received from the Chief Financial Officer/Treasurer regarding 2008 Rates - Capital Lot Levies for information only. |

PART II
REGULAR AGENDA

MANAGERS' REPORTS

Item R-1
Physician Incentive
Program - Future
Budget Commitments

Report dated 2008-02-15 was received from the General Manager of Growth & Development regarding Physician Incentive Program - Future Budget Commitments.

The following resolution was presented:

2008-79 Cimino-Barbeau: WHEREAS a new Physician Recruitment and Retention Program was approved by City Council in 2007;

AND WHEREAS the Family Medicine Resident incentive component of the program is designed to make payments over four years;

AND WHEREAS one-time funding was provided for the program in the 2008 Current Budget which does not provide for the four year payments;

THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury authorize future year payments for the Family Medicine Resident component to be funded from the Tax Rate Stabilization Reserve.

CARRIED

Declaration of
Pecuniary Interest

Councillor Gasparini, having declared a conflict of 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.

Item R-2
Taxicab Tariff Review

Report dated 2008-02-07 was received from the General Manager of Growth & Development regarding Taxicab Tariff Review.

The following resolution was presented:

2008-80 Berthiaume-Barbeau: THAT Council accept the taxicab tariff review report dated February 7, 2008 from the General Manager of Growth & Development as submitted and approve the recommendations as set out by the Chief Taxi Inspector, specifically:

THAT a taxi tariff increase is not recommended at this time and that a further review be undertaken and a report be prepared for Council in July 2008;

AND FURTHER THAT Council appoint a Taxi By-law Review Committee to examine the current Taxi By-law 2003-3 and report back to Council prior to September 1, 2008 with recommendations and possible amendments.

CARRIED

Item R-3
Levack Water Supply
Project Update &
Recommendation

Report dated 2008-02-21 was received from the General Manager of Growth & Development regarding Levack Water Supply Project Update & Recommendation.

The following resolution was presented:

2008-81 Berthiaume-Barbeau: THAT staff be permitted to award the Phase I Watermain Construction to the low bidder meeting all contract specifications, terms and conditions; all in accordance with the report from the General Manager of Infrastructure Services dated February 21, 2008.

CARRIED

BY-LAWS

THE FOLLOWING BY-LAWS APPEARED FOR THREE READINGS:

2008-47A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF FEBRUARY 27, 2008

2008-48T 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT MUNICIPAL ENFORCEMENT OFFICERS TO ENFORCE THE PRIVATE PROPERTY AND DISABLED PARKING SECTIONS OF BY-LAW 2001-1 AND FIRE ROUTE BY-LAW 2003-30T

(This updates the list of Parking Control Officers to enforce parking restrictions on private property.)

2008-49Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-302, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF RAYSIDE-BALFOUR

Planning Committee Recommendation 2008-45

(This By-law rezones the subject property to "C2", General Commercial in order to permit a commercial mall with 5,578 m² (60,040 sq. ft.) of gross floor area, 1690702 Ontario Inc., Edward Avenue, Chelmsford.)

2008-50Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-301, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF CAPREOL

Planning Committee Recommendation 2008-43

(This by-law rezones the subject property to "I-2", Institutional Special in order to permit a medical office in the Capreol Citizen Service Centre, City of Greater Sudbury, 9 Morin Street, Capreol.)

2008-51Z 3 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 Recommendation 2008-47

(This by-law rezones the subject lands from "FD", Future Development to "C3", Limited General Commercial Zone in order to permit its consolidation with abutting C3 zoned lands, Lorenzo Temelini et al, Lasalle Blvd., Sudbury.)

2008-52 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PIN 02179-0230, BEING LOT 25, PLAN M1A, GRANITE STREET, CITY OF GREATER SUDBURY TO RYAN HOLLOHAN

Planning Recommendation 2008-41

2008-53 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE PURCHASE OF 96 / 98 ARGYLE AVENUE, SUDBURY FROM SPRIET ASSOCIATES SUDBURY LIMITED FOR THE KINGSWAY IMPROVEMENT PROJECT

Planning Recommendation 2008-42

Three Readings 2008-82 Barbeau-Berthiaume: THAT By-law 2008-47A to and including By-law 2008-53 be read three times and passed.

CARRIED

MOTIONS

Item R-4 See pages 4 and 5.

ADDENDUM

Addendum to Agenda 2008-83 Dupuis-Cimino: THAT the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of Pecuniary Interest None declared.

BY-LAWS

THE FOLLOWING BY-LAWS APPEARED FOR THREE READINGS:

2008-54 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AMENDING AGREEMENT WITH THE MINISTRY OF TRANSPORTATION WITH RESPECT TO FUNDING FROM THE ONTARIO BUS REPLACEMENT PROGRAM

Report dated 2008-02-25 from the General Manager of Growth & Development regarding Ontario Bus Replacement Program Surplus Funds for 2007.

Three Readings 2008-84 Cimino-Dupuis: THAT By-law 2008-54 be read three times and passed.

CARRIED

QUESTION PERIOD

Express Transit from Valley East to the City Core Councillor Landry-Altmann asked of the status of the express transit from Valley East to the City core.

The General Manager of Growth & Development advised that it is to be a budget option for 2009. 'Park and Ride' service is currently being explored.

Damage Caused by Contractors Councillor Cimino advised that damage is caused by contractors on residential roads when snowplowing and then City crews must carry on the repairs. He asked what could be done in this regard.

The General Manager of Infrastructure Services advised that if it can be proven that the damage to property was caused by negligence on behalf of the contractor, the contractor will be held responsible.

Ministry of Transportation Repairs Councillor Berthiaume advised if the City is in contact with the Ministry of Transportation regarding repairs to pot holes in Levack from the track to Highway 8.

The General Manager of Infrastructure Services advised that they are in contact with the Ministry of Transportation and he will contact them tomorrow in this regard.

Adjournment 2008-85 Cimino-Caldarelli: THAT this meeting does now adjourn. Time: 9:45 p.m.

CARRIED

Mayor John Rodriguez

Angie Haché, City Clerk