



City Agenda Report

Report To: CITY COUNCIL

Report Date: June 20, 2001

Meeting Date: June 28, 2001

Subject: Construction Agreement
Mining Heritage Committee of Sudbury Inc. - Bell Park

Department Review:

Don Bélisle
General Manager of Public Works

Recommended for Agenda:

J.L. (Jim) Rule
Chief Administrative Officer

Report Authored by: R. G. (Greg) Clausen, P. Eng.
Director of Engineering Services

Recommendation:

That By-Law 2001-172 be passed authorizing the Mayor and Clerk to execute an agreement between the City of Greater Sudbury and Mining Heritage Committee of Sudbury Inc., for erection and construction in Bell Park of a sculpture honouring our community's mining heritage.

Executive Summary:

The Mining Heritage Committee of Sudbury Inc. (the Mining Committee) has received permission from City Council to construct and erect in Bell Park a mining heritage sculpture honouring our community's mining heritage.

The site is located on the south-east side of Bell Park that was mutually agreed upon by the Mining Heritage and Bell Park Stewardship Committees.

The Mining Committee has arranged for volunteers to carry out the erection and construction of the sculpture. Therefore, it is appropriate that the City enter into a Construction Agreement with the Mining Committee to permit then to erect and construct the monument in Bell Park. The Agreement will include such items as necessary liability insurance, ensurance that City engineering design and construction standards are followed, inspection and testing requirements and on-going maintenance responsibilities.

Therefore, it is recommended that Council approve By-Law 2001-172 included in the agenda, authorizing the Mayor and Clerk to execute a Construction Agreement.

Background:

As Council will recall, the Mining Heritage Committee of Sudbury Inc. has been given approval to erect and construct a mining sculpture in Bell Park, honouring our mining heritage.

The sculpture/site will be located near the existing Grace Hartman Amphitheatre and will overlook Lake Ramsey. The location of the sculpture has been agreed with both the Bell Park Stewardship and Mining Heritage Committee, and confirmed by Council Resolution 2001-105 contained in the report from Caroline Hallsworth, General Manager of Citizen and Leisure Services, at the Council Meeting on February 7, 2001.

The sculpture/site will also incorporate a network of illuminated footpaths, walkways and flowerbeds which will be built to City standards consistent with what is presently in Bell Park.

The Mining Committee have raised the necessary funds for both the design and construction of the sculpture and site. They have also secured volunteers to carry out the professional design of the foundation, walkway and lighting system. Also individuals and local contractors have donated all materials and have volunteered to erect the sculpture and construct the site.

To permit the Mining Committee to erect the sculpture and construct the site, it is appropriate that a Construction Agreement between the City and the Mining Committee be entered into. The Construction Agreement will be similar to a routine road construction contract that a roads contractor would enter into with the City. The Construction Agreement will include such things as the provision of necessary liability insurance, design and construction standards and workmanship requirements, etc.

Therefore, it is appropriate that Council approve By-Law 2001-172 contained in this Council Agenda, authorizing the Mayor and Clerk to execute an agreement between the City of Greater Sudbury and Mining Heritage Committee of Sudbury Inc. for the erection of the sculpture and construction in Bell Park of a mining sculpture/site, honouring our community's mining heritage.

PART I - CONSENT AGENDA (Continued)**BY-LAWS (Continued)**

2001-168 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AUTHORIZE A GRANT TO THE HÔPITAL RÉGIONAL
DE SUDBURY REGIONAL HOSPITAL

Council Resolution 2001-305

2001-169Z 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AMEND BY-LAW 83-300, THE COMPREHENSIVE
ZONING BY-LAW FOR THE FORMER TOWN OF
ONAPING FALLS AND THE FORMER CITY OF VALLEY
EAST

(This By-law rezones the subject property to Agricultural Reserve Special to add a Class B pit as a permitted use on the rear portion of the site. A Class B pit has a removal limit of a maximum of 20,000 tonnes of aggregate per year. The pit must be set back a minimum of 2,000 feet from Gravel Drive and the pit cannot have accessory crushing or screening operations. Rheal Rivest, 1408 Gravel Drive, Hanmer.)

2001-170T 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AMEND BY-LAW 2001-85, BEING A BY-LAW TO
APPOINT MUNICIPAL LAW ENFORCEMENT OFFICERS
TO ENFORCE THE PRIVATE PROPERTY SECTIONS OF
BY-LAW 2001-1

(This By-law updates the list of parking control officers.)

2001-171S 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY
TO ESTABLISH A PRIVATE SEWER SYSTEM GRANT
PROGRAMME FOR THE PUMPING OUT OF SEPTIC
TANKS IN UNSERVICED AREAS WITHIN THE CITY OF
GREATER SUDBURY

(As directed by Council at its budget session, this By-law continues the Grant Programme from the former Regional Municipality until the end of this year.)

2001-172 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AUTHORIZE AN AGREEMENT WITH THE MINING
HERITAGE COMMITTEE FOR CONSTRUCTION IN BELL
PARK

Report dated 2001-06-20 from the General Manager of
Public Works.

Item C-12
(Continued)

The following resolution was presented:

2001-374 Kilgour/Petryna: That the following six (6) citizens be appointed to the **Cemetery Advisory Panel** for a three-year term ending November 30th, 2003:

Claude Berthiaume
Katia Ellero
Sheila Redden
Gordon Wooton
Sandra Wyman
Jim Bolger

CARRIED

Item C-13
Construction
Agreement - Mining
Heritage Committee,
Bell Park

Report dated 2001-06-20 from the General Manager of Public Works regarding Construction Agreement: Mining Heritage Committee, Bell Park was received.

Item C-14
Noise By-law
Exemption - Brian
Smith Wedding

Report dated 2001-06-22, with attachment, from the General Manager of Corporate Services regarding Noise By-law Exemption: Brian Smith Wedding Reception, Ukrainian Camp, Richard Lake was received.

The following resolution was presented:

2001-375 Petryna/Kilgour: This Council has no objection to the granting of an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) to Brian Smith to facilitate his wedding reception to be held on July 14th, 2001 at the Ukrainian Camp Site on Richard Lake Road, in the City of Greater Sudbury between the hours of 1:00 p.m. and 1:00 a.m. with an anticipated attendance of 200 guests.

And further that this approval shall be subject to the following conditions:

1. That the special event organizer shall ensure the provision of adequate clean-up of the site and those properties adjacent to the event area no later than 12:00 o'clock noon on Sunday, July 15th, 2001;
2. That all Ontario Fire Code regulations must be adhered to, in particular, with respect to Section 2.8 that indicated a Fire Safety Plan is required for this event;
3. That no bonfires of any kind, barbecues or similar types of cooking devises shall be operated on the site without the consent of the Fire Chief, and that an approved fire extinguisher be provided for each of the foregoing;