

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, DECEMBER 12TH, 2005**

PRESENT: Mayor Fedeli, Councillors Chirico, Vaillancourt, Boldt, Graham, Campbell, Bain, Anthony, Maroosis, Mendicino

CORRESPONDENCE:

REPORTS FROM OFFICERS:

Burke, M.B.	re Legal Department user fees	(830)
Burke, M.B.	re CFB amendment to Motorized Snow Vehicle By-Law	(831)
Burke, M.B.	re City sale to Air Base Property Corporation	(846)
Carello, P.	re Northern Communities Investment Readiness Application	(828)
Conrad, C.M.	re Clerk's Department user fees	(821)
Hall, B.	re Lane closure application by Rorab Shrine Club - Edna Street, Franklin Street and Brookes Street	(832)
Hall, B.	re Lane closure application by Chatwell Realty -Douglas Street, Lorne Avenue, Rose Avenue and Galt Street	(833)
Hall, B.	re Rezoning and Condominium applications by Elisa Giustra - McKee Drive	(834)
Hall, B.	re Official Plan and Rezoning applications by Marshall Park Developments Ltd. - Booth Road	(835)
Kraemer, L.	re Reduction, cancellation or refund of taxes	(820)
Lang, A.	re Financial Services user fees	(822)
Manning, J.	re Tender 2005-147, Wheelchair accessible vehicle	(819)
Manning, J.	re RFP 2005-111, Oak Street reconstruction	(823)
Manning, J.	re RFP 2005-160, High lift pumping equipment for North Bay Water Filtration Plant	(836)
Manning, J.	re RFP 2005-139, Banking services	(837)
Manning, J.	re Tender 2005-151, Sale of City land - 165 Hughes Road	(847)
Manning, J.	re Tender 2005-154, Sale of City land - 518 Copeland Street	(848)
Mimee, R.	re 2006 Long Term Capital Funding Policy and Capital Budget	(829)
Reid, P.	re Transit Vehicle Replacement Program	(825)
Ringler, T.G.	re Marriage License fee increase	(824)
Ringler, T.G.	re Parking rate increase	(826)
Ringler, T.G.	re Meter hood increase	(827)

Res. #2005-817: Moved by Councillor Mendicino, seconded by Councillor Chirico
That minutes for the meetings held:

- Monday, November 28, 2005; and
- Monday, December 5, 2005

be adopted as presented.

"CARRIED"

Res. #2005-818: Moved by Councillor Mendicino, seconded by Councillor Anthony
That Community Services Committee Report No. 2005-38 relating to:
- 2 - **December 12, 2005**

- Sport Field Feasibility Study Final Report
be adopted as presented.

“CARRIED”

Record of Vote (*Upon Request of Councillor Mendicino*)

Yeas: Councillors Mendicino, Campbell, Bain, Graham, Vaillancourt, Chirico, Maroosis,
Anthony, Boldt, Mayor Fedeli

COMMUNITY SERVICES COMMITTEE REPORT NO. 2005-38

December 12, 2005

TO THE COUNCIL
OF THE CORPORATION
OF THE CITY OF NORTH BAY

Your Worship and Councillors:

The Community Services Committee presents Report No. 2005-38 and recommends:

1. That
 - a) the Sport Field Feasibility Study Final Report be accepted by Council as presented;
 - b) the strategies outlined in the report be adopted by Council; and
 - c) the Parks, Recreation and Leisure Services Department be directed to use the Implementation Plan as outlined in the Final Report as a guideline.

All of which is respectfully submitted.

ASSENTS
MENDICINO
ANTHONY
MAROOSIS
FEDELI

DISSENTS

Res. #2005-819: Moved by Councillor Mendicino, seconded by Councillor Anthony
That North Bay City Council approve the award of a contract to Macnab
Auto Sales Limited in the amount of \$87,449.30 (taxes included), for the
supply of one (1) wheelchair accessible vehicle.

“CARRIED”

Res. #2005-820: Moved by Councillor Chirico, seconded by Councillor Boldt
That the tax appeal applications attached to Report No. CORP 2005-190
be adjusted for the period set out on each application form and that the
applicable taxes be cancelled, reduced or refunded with the exception of
the applications that did not receive a positive recommendation from the
Municipal Property Assessment Corporation, as authorized by Section 357
of the *Municipal Act*, S.O. 2001, c.25.

“CARRIED”

Res. #2005-821: Moved by Councillor Chirico, seconded by Councillor Boldt
That Council authorize the City Clerk to amend By-Law No. 2001-71,
Schedule "A", to include the user fees to be charged by the Clerk's

- 3 -

December 12, 2005

Department effective January 1, 2006 as outlined in Report No. CORP
2005-192 dated December 5, 2005.

"CARRIED"

Res. #2005-822: Moved by Councillor Chirico, seconded by Councillor Boldt
That By-Law No. 2005-71, Schedule "I" be amended to include the user
fees to be charged in the Financial Services Department effective January
1, 2006, as outlined in Report No. CORP 2005-193 dated December 5,
2005 from the Manager of Accounting/Deputy Treasurer.

"CARRIED"

Res. #2005-823: Moved by Councillor Bain, seconded by Councillor Campbell
That North Bay City Council approve a contract be awarded to Northland
Engineering Limited in the amount of \$205,045.38 (GST extra), for
Engineering Design, Contract Preparation, Tendering and Construction
Administration Services for Oak Street reconstruction.

"CARRIED"

Res. #2005-824: Moved by Councillor Chirico, seconded by Councillor Boldt
That Council approve an increase of \$10.00 to the fee charged for
Marriage Licenses effective January 1, 2006.

"CARRIED"

Res. #2005-825: Moved by Councillor Mendicino, seconded by Councillor Anthony
That Council approve the issuance of a purchase order to New Flyer
Industries for two (2) new buses to be constructed in March 2006 and
delivered in May 2006.

"CARRIED"

Res. #2005-826: Moved by Councillor Chirico, seconded by Councillor Boldt
That 1) Council approve the parking rate increases as set out in
Schedule "A" to Report No. CORP 2005-196 effective January
1, 2006; and
2) Council authorize an increase of \$15,000 in the promotion
budget for downtown parking in conjunction with the D.I.A.

"CARRIED"

Res. #2005-827: Moved by Councillor Chirico, seconded by Councillor Boldt
That Council approve an increase in meter hood rentals from \$5.00 per day
to \$10.00 per day effective January 1, 2006.

"CARRIED"

Res. #2005-828: Moved by Councillor Mendicino, seconded by Councillor Anthony
That Council authorizes City staff to submit an application to the
Government of Ontario's Northern Communities Investment Readiness
Program.

“CARRIED”

Res. #2005-829: Moved by Councillor Chirico, seconded by Councillor Boldt
That 1) the Long-Term Capital Funding Policy, as set out in Report
No. CORP 2005-195, be adopted;

- 4 -

December 12, 2005

- 2) the 2006 Capital Budget for capital projects to be funded from Debentures, Capital Levy, Federal and Provincial Governments Subsidy Programs, Reserves and other Contributions in the amount of \$14,561,000, as set out in Report No. CORP 2005-195, be adopted;
- 3) the Chief Financial Officer include a Capital Budget Approval Status Report with each report requesting approval of a capital project to ensure that the approvals do not exceed the Capital Funding Policy expenditure limit of \$10,792,000, as set out in Report No. CORP 2005-195, be adopted;
- 4) the Five-Year Capital Forecast (2006-2010) for capital projects to be funded from Debentures, Capital Levy, Federal and Provincial Governments Subsidy Programs, Reserves and other Contributions in the amount of \$92,626,000, as set out in Report No. CORP 2005-195, be adopted;
- 5) the 2006 Capital Budget for capital projects to be funded from Water and Sanitary Sewer Rates, Federal and Provincial Governments Subsidy Programs and Reserves in the amount of \$6,150,000, as set out in Report No. CORP 2005-195, be adopted;
- 6) the Chief Financial Officer include a Capital Budget Approval Status Report with each report requesting approval of a capital project to ensure that the approvals do not exceed the Capital Funding Policy expenditure limit of \$5,901,000, as set out in Report No. CORP 2005-195, be adopted;
- 7) the Five-Year Capital Forecast (2006-2010) for capital projects to be funded from Water and Sanitary Sewer Rates, Federal and Provincial Governments Subsidy Programs, Reserves and other Contributions in the amount of \$38,850,000, as set out in Report No. CORP 2005-195, be adopted; and
- 8) Item No. GG-2005-08 regarding the Preliminary 2006 Capital Budget be removed from the General Government Committee listing.

“CARRIED”

Record of Vote (Upon Request of Councillor Chirico)

Yeas: Councillors Chirico, Mendicino, Graham, Boldt, Maroosis, Vaillancourt, Anthony, Bain, Campbell, Mayor Fedeli

Res. #2005-830: Moved by Councillor Chirico, seconded by Councillor Boldt
That Council approve the various Legal Department agreement fee increases as outlined in Report No. CORP 2005-199 dated December 5, 2005.

“CARRIED”

Res. #2005-831: Moved by Councillor Mendicino, seconded by Councillor Anthony
That 1) the prohibited area of the Motorized Snow Vehicle By-Law be
extended to include the Canadian Forces Base North

- 5 -

December 12, 2005

Bay Hornell Heights area and the adjacent area of Carmichael Drive, but that the existing sanctioned trail continue to be recognized as such; and

- 2) a copy of Report No. CORP 2005-200 be forwarded to the North Bay Snowmobile Club and to Near North Trails Association.

“CARRIED”

Res. #2005-832: Moved by Councillor Mendicino, seconded by Councillor Anthony
That 1) the application by John Lewis on behalf of the Rorab Shrine Club to close a laneway abutting Lots 68 to 70 and Lots 88 to 92, Plan 75, be approved;

- 2) the closure of the laneway be subject to the granting of any required easements; and

- 3) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

“CARRIED”

Res. #2005-833: Moved by Councillor Mendicino, seconded by Councillor Anthony
That 1) the application by Noel Corbeil on behalf of Chatwell Realty to close a laneway abutting Lots 69 to 80, Plan M-32, be approved;

- 2) the closure of the laneway be subject to the granting of any requirement easements; and

- 3) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

“CARRIED”

Res. #2005-834: Moved by Councillor Mendicino, seconded by Councillor Anthony
That the recommendation from the Planning Advisory Committee regarding the Rezoning and Condominium Application by Rick Miller on behalf of Elisa Giustra - McKee Drive be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2005-835: Moved by Councillor Mendicino, seconded by Councillor Anthony
That the recommendation from the Planning Advisory Committee regarding the Official Plan and Rezoning Amendments by Rick Miller on behalf of Marshall Park Developments Ltd. - Booth Road be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2005-836: Moved by Councillor Bain, seconded by Councillor Campbell
That 1) North Bay City Council approve a contract be awarded to

International Water Supply Ltd. in the amount of \$543,820.59 (GST included), for the supply of the high lift pumping equipment for the new Water Filtration Plant; and

- 6 -

December 12, 2005

- 2) the contract to International Water Supply Ltd. be transferred to the general contractor for the new Water Filtration Plant when the general contractor is awarded.

“CARRIED”

Res. #2005-837:

Moved by Councillor Chirico, seconded by Councillor Boldt

- That
- 1) North Bay City Council approve the award of a contract to RBC Royal Bank for the provision of banking services from the date of contract to December 31, 2008, with the provision of two option extensions of one year each to December 31, 2010, if mutually agreeable to both parties;
 - 2) the Chief Financial Officer and the City Solicitor be authorized to prepare an agreement for banking services with the RBC Royal Bank for consideration by City Council; and
 - 3) the Chief Financial Officer and the City Solicitor be authorized to prepare agreements with the District of Nipissing Social Services Administration Board and with the North Bay Jack Garland Airport Corporation for the sharing of banking costs and revenues for consideration by City Council.

“CARRIED”

Res. #2005-838:

Moved by Councillor Chirico, seconded by Councillor Boldt

That the following by-laws be read a first and second time:

By-Law No. 2005-242 to authorize the Traffic Control Signal Update Project.

By-Law No. 2005-246 to execute an Agreement with North Bay Hydro Distribution Limited relating to Information Systems.

By-Law No. 2005-247 to execute a Lease Agreement with the North Bay Theatre and Arts Community Centre relating to 150 Main Street East.

By-Law No. 2005-248 to execute an Operating Agreement with the North Bay Theatre and Arts Community Centre.

“CARRIED”

Res. #2005-839:

Moved by Councillor Chirico, seconded by Councillor Boldt

That the following by-laws be read a third time and passed:

By-Law No. 2005-242 to authorize the Traffic Control Signal Update Project.

By-Law No. 2005-246 to execute an Agreement with North Bay Hydro Distribution Limited relating to Information Systems.

By-Law No. 2005-247 to execute a Lease Agreement with the North Bay

Theatre and Arts Community Centre relating to 150 Main Street East.

By-Law No. 2005-248 to execute an Operating Agreement with the North Bay Theatre and Arts Community Centre.

“CARRIED”

- 7 -

December 12, 2005

Res. #2005-840: Moved by Councillor Mendicino, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2005-240 to appoint Municipal Law Enforcement Officers as authorized under the Provisions of the *Police Services Act*.

By-Law No. 2005-241 to amend By-Law No. 47-95 to regulate the administration of Building Permits.

By-Law No. 2005-249 to execute an Agreement with the West Ferris Ladies Recreation relating to the operation of the concessions at the West Ferris Arena.

“CARRIED”

Res. #2005-841: Moved by Councillor Mendicino, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2005-240 to appoint Municipal Law Enforcement Officers as authorized under the Provisions of the *Police Services Act*.

By-Law No. 2005-241 to amend By-Law No. 47-95 to regulate the administration of Building Permits.

By-Law No. 2005-249 to execute an Agreement with the West Ferris Ladies Recreation relating to the operation of the concessions at the West Ferris Arena.

“CARRIED”

Res. #2005-842: Moved by Councillor Chirico, seconded by Councillor Mendicino
WHEREAS past and current Interest Arbitration awards imposing new and additional costs have and will continue to cause undue financial hardship to smaller municipalities;

NOW THEREFORE BE IT RESOLVED THAT the Association of Municipalities of Ontario (AMO) be requested to initiate discussions with the Province of Ontario to make appropriate statutory amendments to more specifically direct interest arbitrators to take into account ability to pay and local economic conditions in their decisions pertaining to labour relations;

AND FURTHER THAT this motion be forwarded to the Association of Municipalities of Ontario; Monique Smith, MPP for Nipissing; Michael Bryant, Attorney General and Steve Peters, Minister of Labour.

“CARRIED”

Res. #2005-843: Moved by Councillor Bain, seconded by Councillor Vaillancourt
WHEREAS the 2004 Ontario Provincial Budget included a significant provision in support of Stronger Communities that increased the Province’s share of public health costs from 50 to 75 percent over three years, thereby uploading \$127 million from the budgets of municipalities by 2007;

AND WHEREAS the Provincial cost share of operating the North Bay Parry Sound Health Unit increased from 50% in 2004 to 55% in 2005, and will be further increased to 65% in 2006;

- 8 -

December 12, 2005

AND WHEREAS Dr. Sheela V. Basrur, Chief Medical Officer of Health and Assistant Deputy Minister, Ministry of Health and Long Term Care, in a Memorandum dated December 9, 2004, to Medical Officers of Health stated that:

“New Provincial funding is intended to enhance the total funding available for public health in order to improve local public health capacity, and the Province expects municipalities to contribute their full share to this important area of public service. While these provincial initiatives may offer limited financial relief to some local municipalities, the government’s primary purpose in providing these funds is to protect and promote the health to the public”;

AND WHEREAS Ministry of Finance documents, specific to the Ontario Municipal Partnership Fund 2005 allocation, indicated that, under the category of Other Provincial Initiatives there would be a projected public health net benefit of \$60,012 to the City of North Bay in 2005;

AND WHEREAS the North Bay Parry Sound Health Unit has passed its 2006 Operating Budget in a manner that results in no decrease in its levy to member municipalities;

AND WHEREAS no decrease in the Health Unit levy to local municipalities represents a year-over-year increase of 26% or \$2,688,804 to the North Bay Parry Sound Health Unit budget;

AND WHEREAS the extraordinary increase in Health Unit spending is not consistent with the Province of Ontario’s stated goal of supporting Stronger Communities;

AND WHEREAS the Council of the City of North Bay is committed to bringing in a fiscally responsible 2006 Operating Budget and, as such, requests that local agencies, boards, and commissions target no or low increases to their respective operating budgets;

BE IT THEREFORE RESOLVED THAT the City of North Bay petitions the Province of Ontario to honour its commitment to supporting Stronger Community by directing the Chief Medical Officer of Health to encourage local Health Units to substantially reduce their levy to municipalities;

AND FURTHER THAT the Minister of Health and Long Term Care and the Minister of Finance be requested to meet with City of North Bay representatives in order to discuss budget implications of Health Unit spending for both the Province of Ontario and for Ontario’s municipalities;

AND FURTHER THAT a copy of this resolution be provided to Dalton McGuinty, Premier of Ontario; George Smitherman, Minister of Health and Long Term Care; Dwight Duncan, Minister of Finance; Dr. Sheela Basrur, Chief Medical Officer of Health; Dr. Catherine Whiting, Medical Officer of Health, North Bay Parry Sound Health Unit; Monique Smith, MPP Nipissing; Member Municipalities of the North Bay Parry Sound Health Unit.

“CARRIED”

Record of Vote (*Upon Request of Councillor Bain*)

Yeas: Councillors Bain, Graham, Maroosis, Boldt, Chirico, Vaillancourt, Mendicino, Campbell, Anthony, Mayor Fedeli

- 9 -

December 12, 2005

Res. #2005-844: Moved by Councillor Anthony, seconded by Councillor Bain
WHEREAS on October 17, 2005 the Ombudsman for Ontario announced an investigation into whether the Municipal Property Assessment Corporation (MPAC) valuing of properties is fair and transparent;

AND WHEREAS on October 18, 2005 MPAC stated it is willing to work with the Ombudsman for Ontario to identify and deal with any issues or concerns regarding the assessment process;

AND WHEREAS the Council for the City of North Bay is on record as having concerns regarding the accuracy, fairness, and transparency of the assessment process;

NOW THEREFORE BE IT RESOLVED THAT the City of North Bay fully supports the efforts of the Ombudsman of Ontario in the review of the fairness and transparency of the property assessment system as administered by the Municipal Property Assessment Corporation;

AND FURTHER THAT a letter be forwarded to the Office of the Ombudsman of Ontario indicating its support for the investigation into the fairness and transparency of the valuation of properties by the Municipal Property Assessment Corporation;

AND FURTHER THAT the Province freeze the assessment values at the 2004 rates until the Ombudsman’s investigation has been finalized;

AND FURTHER THAT a copy of this resolution be forwarded to the Premier of Ontario, the Minister of Municipal Affairs and Housing, local Members of the Provincial Parliament (MPP), the Municipal Property Assessment Corporation (MPAC), and the Association of the Municipalities of Ontario (AMO).

“CARRIED”

Res. #2005-845: Moved by Councillor Chirico, seconded by Councillor Boldt
That Council adjourn in-camera to discuss property matters #20, #21 and #22.

“CARRIED”

Res. #2005-846: Moved by Councillor Chirico, seconded by Councillor Boldt
That Council accept an Offer to Purchase from Air Base Property Corporation (ABPC) for 27.13 acres in the Birch’s Road Industrial Park for the sum of \$14,000.00 per acre according to the terms of the Offer to Purchase made on December 5, 2005 and that a by-law be prepared to approve the Agreement.

“CARRIED”

Res. #2005-847: Moved by Councillor Chirico, seconded by Councillor Boldt
That North Bay City Council approve that the bid from Kevin Fortier in the

amount of \$53,100.00 (GST extra) be accepted for the sale of vacant city owned land described as Part of REM PCL 9388 NIP., Parts 1 & 3, 36R-11960. The municipal address is 165 Hughes Road.

“CARRIED”

Res. #2005-848: Moved by Councillor Chirico, seconded by Councillor Boldt
That North Bay City Council approve that the bid from William Morland in the amount of \$18,710.00 (GST extra), be accepted for the sale of

- 10 -

December 12, 2005

vacant city owned land described as Plan 13, Part of Lot 204, Portion of Part 2, 26R-7040. The municipal address is 518 Copeland Street.

“CARRIED”

Res. #2005-849 Moved by Councillor Mendicino, seconded by Councillor Chirico
That this meeting do now adjourn.

“CARRIED”

MAYOR VIC FEDELI

CITY CLERK CATHERINE CONRAD