

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, MAY 3<sup>RD</sup>, 2010**

**PRESENT:** Mayor Fedeli, Councillors Chirico, Campbell, Vaillancourt, Vrebosch-Merry,  
Mayne, Bain, Koziol, Mendicino, Anthony

**PUBLIC PRESENTATION:**

Peggy-Walsh Craig, John Patterson,  
& Harriet Madigan re North Bay Civic League  
Don Rennick re Hydro Distribution Returns  
Sean Lawlor re Specialized Care Beds moving to Sudbury

**CORRESPONDENCE:**

N. Rizzo, M. Rizzo & re Rezoning application - 681 Commercial  
V. Johnston Street (310)

**REPORTS FROM OFFICERS:**

Burke, M. re Sale of John Street/Third Avenue East  
Property (319)  
Burke, M. re Operating Agreement Renewal - NB &  
District Humane Society (322)  
Burke, M. re POA Courtroom Space (323)  
Carello, P. re Rezoning application o/b Patricia Gail  
Therriault - 1770 High Street (308)  
Conrad, C. re Nomination to 2010-2012 AMO Board  
of Directors (311)  
Cox, A. re 2010 Capital Budget Project - 3076WS  
- Sewer & Water Reconstruction (312)  
Cox, A. re 3072SS - Manhole & Catchbasin  
Repair Program (313)  
Euler, D. re Trillium Woods Subdivision Pre-Servicing  
Agreement (321)  
Fry, M. re Youth Initiatives & Programs Update (315)  
Lang, A. re 2010-2011 Maintenance Fees -  
Sungard Public Sector (320)  
Linkie, D. re Travel & Expense Policy (307)  
Kitlar, S. re 2010 O'Canada Day Event (314)  
Manning, J. re Tender 2010-32, Supply of Asphalt  
Concrete Pavement Patching (309)  
Manning, J. re Tender 2010-30, Ready Mix Concrete (316)  
Manning, J. re Tender 2010-31, Supply of Aggregate  
Materials (317)  
Manning, J. re Tender 2010-33, Landscaping Services (318)

**Res. #2010-304:** Moved by Councillor Vaillancourt, seconded by Councilor Mendicino  
That minutes for the regular meetings held on:

- Monday, April 19, 2010; and
- Monday, April 26, 2010

be adopted as presented.

"CARRIED"

Res. #2010-305: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino  
That minutes for the closed meeting held on:

- Monday, April 19, 2010

be adopted as presented.

“CARRIED”

Res. #2010-306: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Community Services Committee Report No. 2010-09 relating to:

- the Airport Industrial Community Improvement Plan

be adopted as presented.

“CARRIED”

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2010-09**

May 3, 2010

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2010-09 and recommends:

1. That a) Council adopt the City of North Bay Airport Industrial Community Improvement Plan dated March 17, 2010 attached to Report CSBU 2010-19;
- b) Council adopt the application form and guidelines for the Financial Incentive Programs within the Airport Industrial Community Improvement Plan;
- c) Council use existing Community Improvement allocations within the Operating Budgets for the implementation of the Airport Industrial Community Improvement Plan;
- d) a report be prepared as requested and presented to Council to track the net financial benefits created through increased assessment as a result of the Airport Industrial Community Improvement Plan sites being developed;
- e) the City Solicitor review all agreements related to the implementation and administration of the Airport Industrial Community Improvement Plan prior to entering into any Agreement and that Council be apprised on a project by project basis; and
- f) Council direct staff to make an application to Provincial and Federal programs to offset costs.

All of which is respectfully submitted.

ASSENTS  
ANTHONY  
MENDICINO  
FEDELI

DISSENTS

Res. #2010-307: Moved by Councillor Chirico, seconded by Councillor Campbell  
That City Council adopts the Travel and Expense Policy attached to  
Report to Council CAO 2010-03 dated April 19, 2010.

“CARRIED”

Res. #2010-308: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the recommendation from the Planning Advisory Committee  
regarding the Rezoning application by Miller & Urso Surveying Inc., on  
behalf of Patricia Gail Therriault – 1770 High Street be referred to the  
Community Services Committee for a Public Meeting.

“CARRIED”

Res. #2010-309: Moved by Councillor Koziol, seconded by Councillor Bain  
That North Bay City Council approve the issue of a contract to Miller  
Paving North Bay, a division of Miller Paving Limited, in the amount of  
\$1,678,050.00 (taxes extra), to supply Asphalt Concrete Pavement  
Patching Material.

“CARRIED”

Res. #2010-310: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the rezoning application by Miller & Urso Surveying Inc., on behalf  
of N. Rizzo, M. Rizzo, & V. Johnston – 681 Commercial Street be  
received.

“CARRIED”

Res. #2010-311: Moved by Councillor Chirico, seconded by Councillor Campbell  
That The Corporation of the City of North Bay nominate Councillor Mac  
Bain for election to the 2010-2012 Board of Directors for the Association  
of Municipalities of Ontario, Northern Caucus.

“CARRIED”

Res. #2010-312: Moved by Councillor Koziol, seconded by Councillor Bain  
That a Capital Expenditure By-Law be prepared for Council's  
consideration to authorize the 3076WS Sewer and Water Reconstruction  
program for the Engineering, Environmental Services and Works  
Department, being 2010 Sewer and Water Capital Budget Project Line  
Item #W53, at a net debenture cost of \$100,000.00.

“CARRIED”

Res. #2010-313: Moved by Councillor Koziol, seconded by Councillor Bain  
That a Capital Expenditure By-Law be prepared for Council's  
consideration to authorize the 3072SS Manhole and Catchbasin Repair  
program for the Engineering, Environmental Services and Works  
Department, being 2010 Capital Budget Project Line Item #W43, at a net  
debenture cost of \$100,000.00.

“CARRIED”

Res. #2010-314: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That

- 1) the O'Canada Day Committee be granted permission to hold  
the 2010 Canada Day Celebrations in and about the  
Waterfront Park on July 1, 2010 pursuant to By-Law No.  
142-76 (Noise By-Law);
- 2) the requests by the O'Canada Day Committee regarding  
exemption from the Noise By-Law, and exclusivity over the  
event and grounds, and street closures be approved as per  
the following:

- a) having approved Recommendation No. 1 granting permission to hold the public celebration known as the 2010 O'Canada Day Event, the event becomes exempt from the noise control provisions contained in By-Law 142-76 (Noise By-Law), as amended, pursuant to the operation of Section 6 and Schedule 3 thereof;
- b) exclusivity be granted on July 1, 2010 on and over the City owned or controlled lands (except the North Bay Wastewater Treatment Facility Lands) within the area defined as, extending from, and inclusive of the waterfront beaches starting at Tenth Street and both sides of Memorial Drive from the Uniroc Site up to and including Lee Park.

“CARRIED”

Res. #2010-315: Moved by Councillor Anthony, seconded by Councillor Mendicino That Report to Council CSBU 2010-52 dated April 20, 2010 from Melinda Fry regarding Youth Initiatives and Programs Update be received for information purposes only.

“CARRIED”

Res. #2010-316: Moved by Councillor Koziol, seconded by Councillor Bain That North Bay City Council approve a contract be awarded to Lafarge Canada Inc., in the estimated amount of \$90,202.10 (taxes extra), for the supply of Ready Mix Concrete on an as and when requested basis from the date of contract to October 1, 2010.

“CARRIED”

Res. #2010-317: Moved by Councillor Koziol, seconded by Councillor Bain That North Bay City Council approve a contract be awarded to Pioneer Construction Inc., in the estimated amount of \$314,132.00 (taxes extra), for the supply of Aggregate Materials on an as and when requested basis from the date of contract to October 30, 2010.

“CARRIED”

Res. #2010-318: Moved by Councillor Koziol, seconded by Councillor Bain That North Bay City Council approve the award of a contract to Excel Landscaping for an estimated amount of \$131,095.00 (taxes extra), for Landscaping Services. This service shall be performed on an as and when requested basis to October 31, 2011, with the provision of a one year option if mutually agreeable to both parties.

“CARRIED”

Councillor Chirico declared a conflict of interest as Excel Landscaping is a client of his employer, The Royal Bank.

Res. #2010-319: Moved by Councillor Chirico, seconded by Councillor Campbell That 1) Council declare that Lots 14-19, Plan 20 along Third Avenue East at John Street be deemed surplus for Municipal needs as shown on Schedule A, attached to CSBU Report 2010-67 dated April 28, 2010;

- 2) Council declare it is desirable for economic development purposes to allow the sale of Lots 14-19, Plan 20 as shown on Schedule A attached, to HANDS-THE FAMILY HELP NETWORK (formerly Algonquin Child and Family Services);

- 3) Council authorize the sale of Lots 14-19, Plan 20 save and except Part 1, Plan 36R-12757 to the HANDS-THE FAMILY HELP NETWORK as is subject to easements for any existing services and utilities, at the price of \$100,000.00, including an interest free mortgage for \$25,000.00 for three (3) years;
- 4) staff make available the Record of Site Condition to HANDS to assist them in undertaking their own due diligence so to satisfy themselves the property is suitable for its intended use; and
- 5) Council agree to accept an Offer of Purchase and Sale, conditional upon rezoning to permit a Residential Treatment Centre/Group Home for up to 12 persons, to include a right by HANDS to extend the closing to July 31, 2011.

“CARRIED”

Councillor Bain declared a conflict of interest as he owns property in the neighbourhood.

Res. #2010-320: Moved by Councillor Chirico, seconded by Councillor Campbell  
That City Council authorize the payment of the 2010-2011 Sungard Public Sector maintenance fees in the amount of \$103,002.77 to provide annual support services for the City’s integrated financial systems.

“CARRIED”

Res. #2010-321: Moved by Councillor Koziol, seconded by Councillor Bain  
That the City enter into a Pre-Servicing Agreement with 873342 Ontario Inc., in a form satisfactory to the City Solicitor for the installation of underground services for the Trillium Woods Subdivision (adjacent to Booth Road), subject to the conditions outlined in Report to Council EESW 2010-42 dated April 28, 2010 from the Director of Engineering.

“CARRIED”

Res. #2010-322: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council authorize a three (3) year renewal of the operating agreement with the North Bay & District Humane Society for the Prevention of Cruelty to Animals for an annual fee of \$300,700.00, with annual increases thereafter.

“CARRIED”

Councillor Vaillancourt declared a conflict of interest as the North Bay & District Humane Society is his employer.

Res. #2010-323: Moved by Councilor Campbell, seconded by Councillor Vaillancourt  
That Report CORP 2010-79 relating to POA Courtroom space be referred to the General Government Committee.

“CARRIED”

Councillor Chirico declared a conflict of interest as one the proponents is a client of his employer, The Royal Bank.

Res. #2010-324: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-laws be read a first and second time:

By-Law No. 2010-112 to authorize the Merrick Landfill Leachate Management Project.

By-Law No. 2010-113 to authorize the Merrick Landfill Methane Collection System Project.

By-Law No. 2010-114 to authorize the Traffic Signalized Pedestrian Crossing Project.

By-Law No. 2010-115 to authorize the Street Lighting Upgrades Project.

By-Law No. 2010-123 to execute an Agreement of Purchase and Sale with the Nipissing-Parry Sound Catholic District School Board relating to the purchase of the closed road allowances of McKeown Avenue and Shea Street.

“CARRIED”

Res. #2010-325: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-laws be read a third time and passed:

By-Law No. 2010-112 to authorize the Merrick Landfill Leachate Management Project.

By-Law No. 2010-113 to authorize the Merrick Landfill Methane Collection System Project.

By-Law No. 2010-114 to authorize the Traffic Signalized Pedestrian Crossing Project.

By-Law No. 2010-115 to authorize the Street Lighting Upgrades Project.

By-Law No. 2010-123 to execute an Agreement of Purchase and Sale with the Nipissing-Parry Sound Catholic District School Board relating to the purchase of the closed road allowances of McKeown Avenue and Shea Street.

“CARRIED”

Res. #2010-326: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-law be read a first and second time:

By-Law No. 2010-122 to execute an Agreement of Purchase and Sale with Algonquin Child & Family Services, operating as HANDS-THE FAMILY HELP NETWORK relating to vacant lands on Third Avenue at John Street.

“CARRIED”

Councillor Bain declared a conflict of interest as he owns property in the neighbourhood.

Res. #2010-327: Moved by Councilor Chirico, seconded by Councillor Campbell  
That the following by-law be read a third time and passed:

By-Law No. 2010-122 to execute an Agreement of Purchase and Sale with Algonquin Child & Family Services, operating as HANDS-THE FAMILY HELP NETWORK relating to vacant lands on Third Avenue at John Street.

“CARRIED”

Councillor Bain declared a conflict of interest as he owns property in the neighbourhood.

Res. #2010-328: Moved by Councilor Anthony, seconded by Councillor Mendicino  
That the following by-laws be read a first and second time:

By-Law No. 2010-116 to designate a Community Improvement Project Area (North Bay Jack Garland Airport).

By-Law No. 2010-117 to adopt a Community Improvement Plan for the Airport Industrial Community Improvement Project Area.

By-Law No. 2010-118 to execute an Agreement with AECOM Canada Ltd. relating to the preparation of the Aerospace Business Park Plan of Subdivision and Subdivision Agreement.

“CARRIED”

Res. #2010-329: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-laws be read a third time and passed:

By-Law No. 2010-116 to designate a Community Improvement Project Area (North Bay Jack Garland Airport).

By-Law No. 2010-117 to adopt a Community Improvement Plan for the Airport Industrial Community Improvement Project Area.

By-Law No. 2010-118 to execute an Agreement with AECOM Canada Ltd. relating to the preparation of the Aerospace Business Park Plan of Subdivision and Subdivision Agreement.

“CARRIED”

Res. #2010-330: Moved by Councillor Koziol, seconded by Councillor Bain  
That the following by-laws be read a first and second time:

By-Law No. 2010-119 to execute an Agreement with AECOM Canada Ltd. relating to design, contract preparation and tendering services for Request for Proposal 2009-104.

By-Law No. 2010-120 to execute an Agreement with Battano Construction Limited relating to the Sidewalk Replacement Program.

By-Law No. 2010-124 to execute a Pre-Servicing Agreement with 873342 Ontario Inc., relating to Trillium Woods Subdivision, Phase I.

“CARRIED”

Res. #2010-331: Moved by Councillor Koziol, seconded by Councillor Bain  
That the following by-laws be read a third time and passed:

By-Law No. 2010-119 to execute an Agreement with AECOM Canada Ltd. relating to design, contract preparation and tendering services for Request for Proposal 2009-104.

By-Law No. 2010-120 to execute an Agreement with Battano Construction Limited relating to the Sidewalk Replacement Program.

By-Law No. 2010-124 to execute a Pre-Servicing Agreement with 873342 Ontario Inc., relating to Trillium Woods Subdivision, Phase I.

“CARRIED”

Res. #2010-332: Moved by Councillor Bain, seconded by Councillor Koziol  
WHEREAS the Head Office for the North East Local Health Integration Network has been located in the City of North Bay for the last 4 years;

AND WHEREAS the Head Office in North Bay staffing levels are to be 26 jobs;

AND WHEREAS the North East Local Health Integration Network has opened 2 new satellite offices in Sudbury and Timmins;

AND WHEREAS any job that leaves the City of North Bay has a negative impact on our economic prosperity;

BE IT THEREFORE RESOLVED THAT the Mayor of the City of North Bay be authorized to write a letter to the Minister of Health, the Hon. Deb Matthews and the Board of Directors of the North East Local Health Integration Network, to address dissatisfaction with the loss of employment to our City, and question the rationale and process used in the decision to relocate employment outside of North Bay, and clarification as to whether this was a Board decision or an Administrative decision;

AND FURTHER BE IT RESOLVED THAT a copy of this resolution be forwarded to the Premier Dalton McGuinty, Hon. Monique Smith, Minister of Intergovernmental Affairs and to the Leaders of the Official Opposition Parties.

“CARRIED”

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

Yeas: Councillors Bain, Koziol, Mayne, Mendicino, Chirico, Vaillancourt, Campbell, Anthony, Vrebosch-Merry, Mayor Fedeli

Res. #2010-333: Moved by Councillor Vaillancourt, seconded by Councillor Bain  
WHEREAS the Provincial Government as part of their Poverty Reduction Plan ear-marked \$45 million for dental programs;

AND WHEREAS the Provincial Government asked Health Units to submit proposals to provide dental services to low-income youth up to the age of 17 within their designated regions;

AND WHEREAS all 36 Health Units in the Province of Ontario submitted their proposals that followed the guidelines set out by the Provincial Government;

AND WHEREAS the North Bay Parry Sound District Health Unit did NOT submit an ‘expensive plan’ rather they submitted what was needed to properly cover such a large area;

AND WHEREAS the North Bay Parry Sound District Health Unit took a lead on building a program with community partners;

AND WHEREAS dental health is as important as all other aspects of healthy living;

AND WHEREAS regular and even emergency dental care is not supported through OHIP;

AND WHEREAS the Provincial Government established a Low-Income Dental Program to include youth up to the age of 17 without providing the proper operational funding;

NOW THEREFORE BE IT RESOLVED THAT the City of North Bay request the Provincial Government commit the necessary resources to support their vision of an expanded Low-Income Dental Program;

AND FURTHER BE IT RESOLVED THAT a copy of this motion be sent to the North Bay Parry Sound District Health Unit, Hon. Deb Matthews, Minister of Health, Hon. Monique Smith, MPP Nipissing, and Leaders of the Opposition Parties.

“CARRIED”



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

Yeas: Councillors Vaillancourt, Chirico, Koziol, Mayne, Anthony, Vrebosch-Merry, Bain, Mendicino, Campbell, Mayor Fedeli

Res. #2010-334: Moved by Councillor Mendicino, seconded by Councillor Chirico  
WHEREAS the North East LHIN made the announcement last week that the 31 patients and 64 jobs would be relocated to Sudbury;

BE IT THEREFORE RESOLVED THAT the City of North Bay, North Bay & District Chamber of Commerce and OPSEU form a committee of 6 members (2 from each organization), the purpose being to meet with stakeholders to determine how the decision was arrived at to relocate these specialized beds and to have the decision reversed;

AND BE IT FURTHER RESOLVED THAT Councillors Mendicino and Chirico represent the Council on the Committee.

“CARRIED”

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

Yeas: Councillors Mendicino, Vrebosch-Merry, Bain, Mayne, Campbell, Vaillancourt, Chirico, Koziol, Anthony, Mayor Fedeli

Res. #2010-335: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended, at 9:13 p.m. for the following reasons: Items 18 & 19, being matters that include advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

“CARRIED”

Res. #2010-336: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council reconvene at 9:40 p.m.

“CARRIED”

Res. #2010-337: Moved by Councillor Vaillancourt, seconded by Councillor Bain  
That this Regular Meeting of Council do now adjourn at 9:41 p.m.

“CARRIED”

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MAYOR VICTOR FEDELI

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CITY CLERK CATHERINE CONRAD