

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, FEBRUARY 22ND, 2010**

PRESENT: Deputy Mayor Chirico, Councillors Campbell, Vaillancourt, Mayne, Graham, Mendicino

PUBLIC PRESENTATION:

Nil

CORRESPONDENCE:

L'Ami, Pierre & Jennifer	re Rezoning Application - 1369 Lakeshore Drive	(122)
2146552 Ontario Inc.	re Draft Plan of Condominium - Wallace Rd & Circle Lake	(114)

REPORTS FROM OFFICERS:

Bellehumeur, R.	re Capital Budget Project - City Hall Grounds Rehabilitation Program	(116)
Bellehumeur, R.	re Capital Budget Project - Waterfront Rehabilitation Program	(117)
Bellehumeur, R.	re Capital Budget Project - Recreation Facilities Rehabilitation & Development Program	(118)
Burke, M.	re Callander Police Services - Contract Extension	(132)
Burke, M.	re City Exchange of Lands - Nipissing-Parry Sound Catholic District School Board - Sacred Heart Elementary School	(140)
Cox, A.	re Capital Budget Project - Asphalt Resurfacing - Water & Sanitary Repair Allowance Project	(119)
Cox, A.	re Capital Budget Project - City Share of New Development Costs	(125)
Hillier, B.	re Revised <i>Planning Act</i> – Propane Safety Review Panel	(126)
Hillier, B.	re <i>Green Energy Act/Green Economy Act</i> changes to the <i>Planning Act</i>	(127)
Hillier, B.	re City of North Bay Zoning By-Law No. 28-80	(130)
Korell, A.	re Best Practices Blue Box Program	(115)
Lang, A.	re Amendment to General Government Committee Report No. 2010-01-2010 Water & Sanitary Sewer Capital Budget	(120)
Manning, J.	re Tender 2010-05, Supply & Installation of a Baler	(131)
McArthur, S.	re Subdivision Agreement - 665099 Ontario Ltd. & 676585 Ontario Inc. - Pearce St. Subdivision	(129)
Rochefort, L.	re Universal Water Meter Installation By-Law	(128)
Rogers, B.	re Capital Budget Status Report - November 2009	(121)

Res. #2010-110: Moved by Councillor Graham, seconded by Councillor Vaillancourt That minutes for the public meetings held on:

- Monday, February 8, 2010; and
- Tuesday, February 16, 2010

be adopted as presented.

“CARRIED”

Res. #2010-111: Moved by Councillor Graham, seconded by Councillor Vaillancourt
That minutes for the closed meetings held on:

- Monday, February 8, 2010

be adopted as presented.

“CARRIED”

Res. #2010-112: Moved by Councillor Mendicino, seconded by Councillor Graham
That Community Services Committee Report No. 2010-03 relating to:

- Official Plan and Zoning By-Law Applications for North Bay Jack Garland Airport

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2010-03

February 22, 2010

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2010-03 and recommends:

1. That
 - a) the Official Plan of the City of North Bay Planning Area be amended by amending Section 2.7.11, Industrial Air Park Policies, as contained in Appendix “A” to the staff report dated January 4, 2010;
 - b) the Official Plan of the City of North Bay be amended to include a new Schedule E-2 to reflect the North Bay Jack Garland Airport as a Community Improvement Area;
 - c) Zoning By-Law No. 28-80 be amended by rezoning the lands upon which the Jack Garland Airport is situated from an “Institutional (N)” zone and an “Industrial Air Park (MAP)” zone to an “Institutional (N)” zone, an “Industrial Air Park - Groundside (MAP-G)” zone and an “Industrial Air Park - Airside (MAP-A)” zone and by adding new regulations to Section 7.0 - Industrial Zones, as contained in Appendix B to the staff report dated January 4, 2010;
 - d) the property be placed under Site Plan Control by adding the “Industrial Air Park - Groundside (MAP-G)” zone and “Industrial Air Park - Airside (MAP-A)” zone to the list of zones subject to Site Plan Control in Section 3.37 of Zoning By-Law No. 28-80; and
 - e) the by-laws adopting the Official Plan Amendment and Zoning By-Law Amendment receive three (3) readings at the next Regular Meeting of Council.

All of which is respectfully submitted.

ASSENTS
MENDICINO
GRAHAM

DISSENTS

Res. #2010-113: Moved by Councillor Mayne, seconded by Councillor Graham
That Engineering & Works Committee Report No. 2010-02 relating to:

- Subsidizing Blue Boxes

be adopted as presented.

“CARRIED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2010-02

February 22, 2010

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2010-02 and recommends:

1. That City Council move forward with all the recommended budget cuts by the Engineering & Works Committee excluding the subsidization of the purchase of blue boxes as recommended by the Waste Resources Liaison Committee.

All of which is respectfully submitted.

ASSENTS
MAYNE

DISSENTS

Res. #2010-114: Moved by Councillor Mendicino, seconded by Councillor Graham
That the Plan of Condominium application by Miller & Urso Surveying Inc. on behalf of 2146552 Ontario Inc. – Wallace Road and Circle Lake be received.

“CARRIED”

Res. #2010-115: Moved by Councillor Mayne, seconded by Councillor Graham
That 1) the Blue Box Recycling and Communications Plan prepared by Engineering & Environmental Services be adopted; and
2) the Blue Box Recycling and Communications Plan be updated annually in conjunction with the 3R’s Maximization Plan.

“CARRIED”

Res. #2010-116: Moved by Councillor Mendicino, seconded by Councillor Graham
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the City Hall Grounds Rehabilitation Program, being 2010 Capital Budget Project No. 3030PR, at a net debenture cost of \$85,000.00.

“CARRIED”

Res. #2010-117: Moved by Councillor Mendicino, seconded by Councillor Graham
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Parks Waterfront Rehabilitation Program, being 2010 Capital Budget Project No. 3037PR, at a net debenture cost of \$90,000.00.

“CARRIED”

Res. #2010-118: Moved by Councillor Mendicino, seconded by Councillor Graham
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Recreation Facilities Rehabilitation and Development Program, being 2010 Capital Budget Project No. 3034RF, at a net debenture cost of \$250,000.00.

“CARRIED”

Res. #2010-119: Moved by Councillor Mayne, seconded by Councillor Graham
That a Capital Expenditure By-Law be prepared for Council’s consideration to authorize the 3017WS-SS Asphalt Resurfacing - Water and Sanitary Repairs Allowance Project for the Engineering & Environmental Services and Works Department, being a 2010 Capital Budget Project Line Item #W46, at a net debenture cost of \$200,000.00.

“CARRIED”

Res. #2010-120: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the amount of \$9,315,000.00 as set out in item 2.a of General Government Committee Report No. 2010-01 (2010 Water and Sanitary Sewer Capital Budget) be deleted and replaced by \$9,515,000.00.

“CARRIED”

Res. #2010-121: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That

- 1) the Capital Projects Status Report - November 2009 Report No. 2010-10 from the Chief Financial Officer be received;
- 2) the 10 projects listed on **Appendix “A”** attached to Report No. 2010-10 be closed and that the estimated deficit balance of \$(10,916) be transferred as follows: \$1,171 to the Completed Capital Works Reserve Fund and \$(12,087) from the Water and Sanitary Sewer Reserve Fund as at November 2009;
- 3) the 8 projects listed on **Appendix “B”** attached to Report No. 2010-10 be closed and that the estimated surplus balance of \$1,111,428 be transferred to other open capital projects as noted on Appendix “B” as at November 2009; and,
- 4) Resolution No. 2001-532 be amended to read that the Capital Projects Status Report be filed on a semi-annual basis with the dates as at June 30th and December 31st of each year.

“CARRIED”

Res. #2010-122: Moved by Councillor Mendicino, seconded by Councillor Graham
That the rezoning application by Miller & Urso Surveying Inc. on behalf of Pierre and Jennifer L’Ami - 1369 Lakeshore Drive be received.

“CARRIED”

Res. #2010-123: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That accounts totaling \$12,343,299.59 for January 2010 be approved.

“CARRIED”

Res. #2010-124: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That accounts for Royal Bank totaling \$1,941.65 for January 2010 be approved.

“CARRIED”

Deputy Mayor Chirico declared a conflict of interest on the above matter as the Royal Bank is his employer.

Res. #2010-125: Moved by Councillor Mayne, seconded by Councillor Graham
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the City's Share of New Development Cost projects of the Engineering, Environmental Services and Works Department, being 2010 Capital Budget Project Line #59, Project No. 3015RD, at a net debenture cost of \$155,000.00.

"CARRIED"

Res. #2010-126: Moved by Councillor Mendicino, seconded by Councillor Graham
That Report to Council CSBU 2010-33 regarding revised *Planning Act* regulations to comply with recommendations of the Propane Safety Review Panel be received for information purposes.

"CARRIED"

Res. #2010-127: Moved by Councillor Mendicino, seconded by Councillor Graham
That Report to Council CSBU 2010-34 regarding the *Green Energy Act/Green Economy Act* changes to the *Planning Act* be referred to the Community Services Committee.

"CARRIED"

Res. #2010-128: Moved by Councillor Campbell, seconded by Councillor Mendicino
That Council adopt By-Law 2010-48, being a by-law to enact rules and regulations for the installation and access to water meters and related appurtenances, including penalties for offences as part of the Universal Water Metering Strategy and that the by-law be given three readings on March 8, 2010.

"CARRIED"

Res. #2010-129: Moved by Councillor Mendicino, seconded by Councillor Graham
That 1) Mayor and City Clerk be authorized to sign the Subdivision Agreement with 655099 Ontario Ltd. and 676585 Ontario Inc. for the Pearce Street Subdivision to permit the creation of a sixteen (16) lot subdivision on Pearce Street in the City of North Bay upon receipt of all security and required easements; and
2) Council grant Final Approval to the Draft Approved Plan of Subdivision, Pearce Street - City File No. 48T-08107.

"CARRIED"

Deputy Mayor Chirico declared a conflict of interest as the Developer is a client of the Royal Bank.

Res. #2010-130: Moved by Councillor Mendicino, seconded by Councillor Graham
That Report to Council CSBU 2010-22 relating to the General Review and Update of City of North Bay By-Law No. 28-80 be received and referred to Community Services Committee for a statutory public meeting under the *Planning Act*, to be held on Monday, March 15, 2010 at 7:00 p.m.

"CARRIED"

Res. #2010-131: Moved by Councillor Mayne, seconded by Councillor Graham
That North Bay City Council approve a contract to Machinex Recycling Services in the amount of \$506,341.70 (taxes inc.) for the supply and installation of a new baler at the City of North Bay Recycling Centre, being Project No. 2942RE.

“CARRIED”

Res. #2010-132: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That Council approve the Agreement for the continuation of Policing Services to the Municipality of Callander by the North Bay Police Services according to the terms of the Agreement approved by the North Bay Police Services Board and the Municipality of Callander.

“CARRIED”

Res. #2010-133: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the following by-laws be read a first and second time:

By-Law No. 2010-34 to authorize the Downtown Sidewalk Rehabilitation Program.

By-Law No. 2010-35 to authorize the King's Landing & Marina Rehabilitation Program.

By-Law No. 2010-36 to authorize the Pete Palangio/West Ferris Rehabilitation Program.

By-Law No. 2010-37 to authorize the Aquatic Centre Rehabilitation Program.

By-Law No. 2010-38 to authorize the Trails System Development Program.

By-Law No. 2010-39 to authorize the North Bay Jack Garland Maintenance Improvement Program.

By-Law No. 2010-40 to authorize the Fire Department Vehicle & Equipment Replacement Program.

By-Law No. 2010-41 to authorize the Sewage Plant & Pump Station Improvement Program.

By-Law No. 2010-42 to authorize the Water Treatment Plant & Facilities Maintenance Program.

By-Law No. 2010-49 to authorize the sale of lands to Leo Alaire and Sons Construction Ltd. (Marsh Drive Landfill Access Road).

“CARRIED”

Res. #2010-134: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the following by-laws be read a third time and passed:

By-Law No. 2010-34 to authorize the Downtown Sidewalk Rehabilitation Program.

By-Law No. 2010-35 to authorize the King's Landing & Marina Rehabilitation Program.

By-Law No. 2010-36 to authorize the Pete Palangio/West Ferris Rehabilitation Program.

By-Law No. 2010-37 to authorize the Aquatic Centre Rehabilitation Program.

By-Law No. 2010-38 to authorize the Trails System Development Program.

By-Law No. 2010-39 to authorize the North Bay Jack Garland Maintenance Improvement Program.

By-Law No. 2010-40 to authorize the Fire Department Vehicle & Equipment Replacement Program.

By-Law No. 2010-41 to authorize the Sewage Plant & Pump Station Improvement Program.

By-Law No. 2010-42 to authorize the Water Treatment Plant & Facilities Maintenance Program.

By-Law No. 2010-49 to authorize the sale of lands to Leo Alaire and Sons Construction Ltd. (Marsh Drive Landfill Access Road).

“CARRIED”

Res. #2010-135: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That the following by-law be read a third time and passed:

By-Law No. 2010-31 to amend By-Law No. 2003-05 (being a by-law to regulate smoking in public places and workplaces).

“CARRIED”

Res. #2010-136: Moved by Councillor Mendicino, seconded by Councillor Graham That the following by-laws be read a first and second time:

By-Law No. 2010-44 to adopt Official Plan Amendment No. 114 (Industrial Air Park Policies).

By-Law No. 2010-45 to rezone certain land at the Jack Garland Airport (North Bay Jack Garland Airport).

By-Law No. 2010-50 to execute an Agreement with the North Bay & District Chamber of Commerce relating to a Summer in the Park Joint Committee.

By-Law No. 2010-51 to execute a Subdivision Agreement with 655099 Ontario Ltd. and 676585 Ontario Inc. relating to the Pearce Street Subdivision.

“CARRIED”

Deputy Mayor Chirico declared a conflict of interest on the above matter (By-Law No. 2010-51), as the Developer is a client of the Royal Bank.

Res. #2010-137: Moved by Councillor Mendicino, seconded by Councillor Graham That the following by-laws be read a third time and passed:

By-Law No. 2010-44 to adopt Official Plan Amendment No. 114 (Industrial Air Park Policies).

By-Law No. 2010-45 to rezone certain land at the Jack Garland Airport (North Bay Jack Garland Airport).

By-Law No. 2010-50 to execute an Agreement with the North Bay & District Chamber of Commerce relating to a Summer in the Park Joint Committee.

By-Law No. 2010-51 to execute a Subdivision Agreement with 655099 Ontario Ltd. and 676585 Ontario Inc. relating to the Pearce Street Subdivision.

“CARRIED”

Deputy Mayor Chirico declared a conflict of interest on the above matter (By-Law No. 2010-51), as the Developer is a client of the Royal Bank.

Res. #2010-138: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That Council adjourn in-camera pursuant to section 239 of the *Municipal Act, 2001*, as amended, at 7:22 p.m. to discuss Item 20 being a potential exchange of lands by the Municipality.

“CARRIED”

Res. #2010-139: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That Council reconvene at 7:30 p.m.

“CARRIED”

Res. #2010-140: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That

- 1) Council approve the transfer of up to 2.13 acres of land comprising those portions of McKeown Avenue and Shea Street adjacent to Sacred Heart Elementary School, for the purpose of the construction of a new school, to the Nipissing-Parry Sound Catholic District School Board for the appraised value of \$2.00 per square foot; and,
- 2) Council authorize a deduction allowance of 25,000 square feet in recognition of a dedication by the School Board to the North Bay-Mattawa Conservation Authority of approximately .7 acres along Chippewa Creek beside the existing St. Joseph's Elementary School on First Avenue for the John Street bridge reconstruction project.

“CARRIED”

Res. #2010-141: Moved by Councillor Mayne, seconded by Councillor Graham That this Regular Meeting of Council do now adjourn at 7:31 p.m.

“CARRIED”

DEPUTY MAYOR PETER CHIRICO

CITY CLERK CATHERINE CONRAD