

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, MARCH 19TH, 2007**

PRESENT: Deputy Mayor Chirico, Councillors Campbell, Mayne, Graham, Mendicino, Koziol, Bain, Boldt, Anthony

CORRESPONDENCE:

Hydro One Networks	re Exemption from Pesticide By-Law	(187)
North Bay Cycling Club	re North Bay Cycling Club Duathlon	(196)
St. Rita Parish	re St. Anthony's Festival	(166)
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Tomek, A.	re Methane Gas Revenues	(165)

Res. #2007-160: Moved by Councillor Bain, seconded by Councillor Graham
That minutes for the meeting held on:

- Monday, March 12, 2007

be adopted as presented.

"CARRIED"

Res. #2007-161: Moved by Councillor Bain, seconded by Councillor Graham
That minutes for the Special Closed meeting held on:

- Monday, March 5, 2007

be adopted as presented.

“CARRIED”

Res. #2007-162: Moved by Councillor Campbell, seconded by Councillor Mayne
That General Government Committee Report No. 2007-02 relating to:

- the 2007 Operating Budget, Assessment Analysis and Tax Policy

be adopted as presented.

“CARRIED”

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

Yeas: Councillors Boldt, Anthony, Mendicino, Bain, Campbell, Koziol, Graham, Mayne,
Deputy Mayor Chirico

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2007-02

March 19, 2007

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2007-02 and recommends:

1. That the 2007 Operating Budget in the amount of \$99,390,238 (excluding water and sanitary sewer expenditures in the amount of \$14,471,599) with a resultant tax levy of \$59,071,771 as summarized on the attached **Schedule A**, be approved.
2. That budget adjustments summarized on the attached **Schedule B**, resulting in a net decrease in the tax levy totalling \$2,917,504 from the Preliminary Operating Budget, be included in the Operating Budget.
3. That the Chief Financial Officer be authorized to process all transfers to and from reserve funds included in the 2007 Operating Budget, including a transfer of \$200,000 from the Tax Rate Stabilization Reserve Fund.
4. That the Chief Financial Officer be authorized to process the following year-end transfers to reserve funds as at December 31, 2006:

a. Tax Rate Stabilization Reserve Fund	\$200,000
b. Community Improvement Program Reserve Fund (unused funds from prior years)	\$253,196
c. Merrick Landfill Reserve Fund (excess tipping fee revenues)	\$400,000
d. Operating Budget Contingency (unused contingency in budget)	\$250,000

Res. 2007-163: Moved by Councillor Anthony, seconded by Councillor Boldt
That Community Services Committee Report No. 2007-06 relating to:

- Rezoning application by Dooley & Lucie Ricci, 892 and 898
Clarence Street

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2007-06

March 19, 2007

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2007-06 and recommends:

1. That
 - a) the proposed Zoning By-Law Amendment by Rick Miller on behalf of Dooley & Lucie Ricci, to rezone 892/898 Clarence Street from a “Residential Multiple First Density (RM1)” Zone to a “Residential Multiple Third Density Special (RM3 Sp.)” Zone, be approved; and
 - b) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, as amended, in order to regulate lighting, parking and fencing.

All of which is respectfully submitted.

ASSENTS
ANTHONY
BOLDT
BAIN

DISSENTS

Res. #2007-164a: Moved by Councillor Koziol, seconded by Councillor Mendicino
That Engineering & Works Committee Report No. 2007-01 relating to:

- amendments to Noise By-Law No. 142-76

be adopted as presented.

“CARRIED AS AMENDED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2007-01

April 2, 2007

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2007-01 and recommends:

- “1.a) That Noise By-Law No. 142-76 be amended by deleting sections 5(2) (g) and 5(4) and adding the following sections:

- 5 (2)(g) A plan showing the location of the event/premises, the location of amplification equipment and speakers and methods employed to prevent sound from unnecessarily escaping from the event/premises, the location from which the sound levels will be measured, if applicable and any additional information as deemed necessary by the City Clerk of Council to consider the application made under this section;
- 5 (2)(h) Applications for exemptions must be complete and received by the City Clerk at least 60 days prior to the date of the exemption sought;
- 5 (2)(i) No application shall be deemed complete until the applicant has provided all information as required by the City Clerk or Council and has paid the application fee. Where additional costs may be incurred by the applicant, such costs shall be borne by the applicant;
- 5 (2)(j) Noise By-Law Exemptions granted for events at commercially zoned properties for the following dates shall not exceed the maximum times permitted:

<u>Event Definition</u>	<u>Date</u>	<u>Maximum Time Permitted</u>
Canada Day	July 1 st	Until midnight
Heritage Festival	Applicable Friday	Until 1:00 am of the next day
	Applicable Saturday	Until 1:00 am of the next day
	Applicable Sunday	Until 1:00 am of the next day

- 5 (2)(k) Noise By-Law Exemptions granted for Canada Day may be shifted to a separate day as determined by Council provided that all applications approved fall on the same day.
- 5 (4) Public Notification that Council will consider a Noise By-Law Exemption.

The City Clerk shall place a public notice in a local newspaper at least 10 days prior to the date and time that Council will consider a Noise By-Law Exemption which shall state the location(s) date(s) and time(s) of requested exemption.

- b) That By-Law No. 142-76 be updated and amendments consolidated into a new by-law pursuant to the *Municipal Act* and that a new schedule of fines under the *Provincial Offences Act* be prepared for Council's consideration.

All of which is respectfully submitted.

ASSENTS
 KOZIOL
 MENDICINO
 GRAHAM

DISSENTS

Res. #2007-164b: Moved by Councillor Koziol, seconded by Councillor Mendicino That Engineering & Works Committee Report No. 2007-01 relating to amendments to Noise By-Law No. 142-76 be referred back to the Committee file.

“CARRIED”

Res. #2007-165: Moved by Councillor Koziol, seconded by Councillor Mendicino That the resolution passed by the Waste Resources Liaison Committee on January 23, 2007 re Methane Gas Revenues be received, noted and filed.

“CARRIED”

Res. #2007-166: Moved by Councillor Campbell, seconded by Councillor Mayne
That Council declare St. Anthony's Festival on Sunday, June 10, 2007 as
a Community Event.

"CARRIED"

Res. #2006-167: Moved by Councillor Anthony, seconded by Councillor Boldt
That the recommendation from the Planning Advisory Committee
regarding the Rezoning and Official Plan Amendment applications by
Miller & Urso Surveying Inc. on behalf of Nipissing University - 165
Monastery Road, be referred to the Community Services Committee and
for a Public Meeting.

"CARRIED"

Res. #2007-168: Moved by Councillor Anthony, seconded by Councillor Boldt
That the proposed amendment to Zoning By-Law 28-80 be received and
referred to the Community Services Committee and for a Public Meeting.

"CARRIED"

Res. #2007-169: Moved by Councillor Campbell, seconded by Councillor Mayne
That Council recognize the Heritage Gardeners as municipal volunteers in
connection with the flower gardens and tree planting at the waterfront and
at Second Avenue.

"CARRIED"

Res. #2007-170: Moved by Councillor Campbell, seconded by Councillor Mayne
That

- 1) the City of North Bay provide a location for the public display
of local art within City Hall;
- 2) notice of this space availability be provided by way of
newspaper advertisement and on the City's website; and
- 3) a copy of Report CAO 2007-03 be provided to CBACH, the
Capitol Centre, White Water Gallery, and Art on Main.

"CARRIED"

Res. #2007-171: Moved by Councillor Campbell, seconded by Councillor Mayne
That

- 1) Council adopt the Submission to the Association of
Municipalities of Ontario on the *Rural-Northern Discussion
Paper* and forward it to AMO for its consideration; and
- 2) that a copy of the City's submission be forwarded to the
Federation of Northern Ontario Municipalities.

"CARRIED"

Res. #2007-172: Moved by Councillor Campbell, seconded by Councillor Mayne
That accounts totaling \$8,647,429.60 for February 2007 be approved.

"CARRIED"

Res. #2007-173: Moved by Councillor Koziol, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of
City Council to authorize the purchase and lease of new vehicles and
equipment for the Public Works and Services Division, being 2007 Capital
Budget Project Line No. 52, at a net debenture cost of \$450,000.00.

"CARRIED"

Res. #2007-174: Moved by Councillor Koziol, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the replacement of various rural road culverts, being 2007 Capital Budget Project Line No. 49, at a net debenture cost of \$100,000.00.

“CARRIED”

Res. #2007-175: Moved by Councillor Koziol, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the purchase and lease of new vehicles and equipment for the water and sanitary sewer maintenance activities of the Public Works and Services Division, being 2007 Capital Budget Project Line No. W37, at a net debenture cost of \$525,000.00.

“CARRIED”

Res. #2007-176: Moved by Councillor Koziol, seconded by Councillor Mendicino
That a Capital Expenditure By-Law in the amount of \$290,000.000 be prepared for Council’s consideration for Waste Water (Sewage) Treatment Plant Facilities and Sanitary Sewer Lift Station Repairs funded from the 2007 Water and Sanitary Sewer Capital Works Budget.

“CARRIED”

Res. #2007-177: Moved by Councillor Koziol, seconded by Councillor Mendicino
That the City Clerk prepare a by-law for approval to fund the Watermain Looping Project identified as Project W44 in the approved Water and Sanitary Sewer Rates, Debentures and Reserves Budget, in the amount of \$100,000.00 for 2007.

“CARRIED”

Res. #2007-178: Moved by Councillor Koziol, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Sewer and Water Reconstruction Program of the Public Works and Services Division, being 2007 Water and Sanitary Sewer Capital Budget Project Line No. W39, at a net debenture cost of \$100,000.00.

“CARRIED”

Res. #2007-179: Moved by Councillor Campbell, seconded by Councillor Mayne
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the 2007 North Bay Police Service Capital Projects, being Capital Budget Project No. 88, at a net debenture cost of \$390,000.00.

“CARRIED”

Res. #2007-180: Moved by Councillor Campbell, seconded by Councillor Mayne
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the 2007 Capital Centre Capital Projects, being Capital Budget Project No. 86, at a net debenture cost of \$200,000.00.

“CARRIED”

Res. #2007-181: Moved by Councillor Campbell, seconded by Councillor Mayne
That a Capital Expenditure By-Law be prepared for the consideration of
City Council to authorize the 2007 North Bay Public Library Capital
Projects, being Capital Budget Project No. 89, at a net debenture cost of
\$150,000.00.

“CARRIED”

Res. #2007-182: Moved by Councillor Koziol, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of
City Council to authorize the Hydrant Rehabilitation Program of the Public
Works and Services Division, being 2007 Water and Sanitary Sewer
Capital Budget Project Line No. W38, at a net debenture cost of
\$150,000.00.

“CARRIED”

Res. #2007-183: Moved by Councillor Koziol, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of
City Council to authorize the Asphalt Resurfacing Sheeting Program for
2007, being 2007 Capital Budget Project Line No. 48, at a net debenture
cost of \$100,000.00.

“CARRIED”

Res. #2007-184: Moved by Councillor Koziol, seconded by Councillor Mendicino
That the City Clerk prepare a by-law for approval to fund the Sewer
Treatment Plant Automation identified as Project W40 in the approved
Water and Sanitary Sewer Rates, Debentures and Reserves Budget for
2007, in the amount of \$100,000.00.

“CARRIED”

Res. #2007-185: Moved by Councillor Koziol, seconded by Councillor Mendicino
That approval be given to close Main Street between Oak and Foran
Streets; and Foran Street between Main & Algonquin to vehicular traffic,
between the hours of 5:00 p.m. to 7:00 p.m. on April 6, 2007.

“CARRIED”

Res. #2007-186: Moved by Councillor Campbell, seconded by Councillor Mayne
That the 2006 Audit Planning Communication letter from BDO Dunwoody
be received and referred to the General Government Committee.

“CARRIED”

Res. #2007-187: Moved by Councillor Koziol, seconded by Councillor Mendicino
That the City’s Pesticide By-Law No. 2005-03 be amended to include an
exemption for Hydro One to apply a pesticide product to ensure the safety
of their employees within the confines of their substations.

“CARRIED”

Res. #2007-188: Moved by Councillor Koziol, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of
City Council to authorize the purchase of a Transit Bus Lift and
renovations to buildings for the Public Works and Services Division, being
2007 Capital Budget Project Line No. 53, at a net debenture cost of
\$100,000.00.

“CARRIED”

- Res. #2007-189: Moved by Councillor Koziol, seconded by Councillor Mendicino
That 1) a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Bridge Rehabilitation Project, being 2007 Project Line No. 56, at a net debenture cost of \$50,000.00; and
- 2) individual reports may be provided to City Council with respect to the various components of this project.

“CARRIED”

- Res. #2007-190: Moved by Councillor Anthony, seconded by Councillor Boldt
That City Council approve the appointment of Lette Monaghan as the General Programming Management Committee Chair for the purpose of planning and implementing the North Bay Heritage Festival.

“CARRIED”

- Res. #2007-191: Moved by Councillor Anthony, seconded by Councillor Boldt
That 1) the Management Committee of the North Bay Heritage Festival be granted permission to hold the 2007 event in and about Lee Park and the Waterfront Park from Friday, August 3, 2007 until Sunday, August 5, 2007 inclusive, with subsidiary activities occurring from Tuesday, July 31, 2007 until Tuesday, August 7, 2007 inclusive;

- 2) in order to facilitate the undertaking of the 2007 North Bay Heritage Festival, the following requests be approved:
- a) The North Bay Heritage Festival Management Committee be granted exclusivity as outlined in Report to Council No. CSBU 2007-28 and defined in Attachment 1 of said report;
 - b) the Kate Pace Way be closed as outlined in Report to Council No. CSBU 2007-28 and defined in Attachment 2 of said report;
 - c) temporary road closures be approved as outlined in Report to Council No. CSBU 2007-28 and defined in Attachment 3 of said report;
 - d) the Waterfront Parking Lots be closed as outlined in Report to Council No. CSBU 2007-28 and defined in Attachment 4 of said report;
 - e) a temporary exclusion to Section D, Regulation #3B of the Municipal Alcohol Policy (Attachment 5) be approved as outlined in Report to Council No. CSBU 2007-28 and defined in Attachment 6 of said report; and
 - f) having approved Recommendation #1, the event become exempt from the noise control provisions contained in Noise By-Law No. 142-76, as amended, pursuant to the operation of Section 6 and Schedule 3 thereof, as defined in Attachment 7.

“CARRIED”

Res. #2007-192: Moved by Councillor Anthony, seconded by Councillor Boldt
That Council authorize staff to commence negotiations with the Director of Education for Conseil Scolaire Catholique Franco-Nord, and pending reaching satisfactory Sports Field Use Agreement, the City would make a financial contribution not to exceed \$200,000.00.

“CARRIED”

Res. #2007-193: Moved by Councillor Koziol, seconded by Councillor Mendicino
That 1) criteria, as detailed in Report to Council EES 2007-017, to evaluate and define Areas of Special Safety Concern be approved;

2) the installation of two trial Community Safety Zones on Memorial Drive from Regina Street to Main Street and on Marshall Avenue from Lakeshore Drive to Booth Road be approved; and

3) the City Clerk and City Engineer prepare a by-law to amend Traffic and Parking By-Law 2002-001 to implement the trail Community Safety Zones.

“CARRIED”

Res. #2007-194: Moved by Councillor Anthony, seconded by Councillor Boldt
That Council receive and approve the Fair Play Policy and Code of Conduct attached to Report No. CSBU 2007-30 dated March 13, 2007 by Sharon Kitlar.

“CARRIED”

Res. #2007-195: Moved by Councillor Anthony, seconded by Councillor Boldt
That the Management Committee of the North Bay Heritage Festival be granted permission to enter into the proposed agreement with Ottawa Valley Railway in order to facilitate pedestrian and vehicle access to the Waterfront site for the period of August 3, 2007 to August 7, 2007 inclusive.

“CARRIED”

Res. #2007-196: Moved by Councillor Anthony, seconded by Councillor Boldt
That Council authorizes the North Bay Cycling Club to hold an Ontario Association of Triathletes (OAT) sanctioned Duathlon on Sunday, July 29, 2007 and recognizes it as a Community Event.

“CARRIED”

Res. #2007-197: Moved by Councillor Campbell, seconded by Councillor Mayne
That the following by-laws be read a first and second time:

By-Law No. 2007-42 to amend By-Law No. 2004-191 being a by-law for licensing, regulating and governing business in the City of North Bay.

By-Law No. 2007-43 to authorize the Fire Facilities Maintenance Program.

By-Law No. 2007-44 to authorize the PSAB Fixed Asset Reporting Program.

By-Law No. 2007-45 to authorize the Sportfield Facilities Development Program.

By-Law No. 2007-46 to authorize the Pete Palangio and West Ferris Arenas Improvement Program.

By-Law No. 2007-48 to deem Lot 4, Registrar's Compiled Plan No. 2 as not being subject to Part Lot Control pursuant to Section 50(7) of the *Planning Act*.

By-Law No. 2007-49 to authorize the sale of lands to Marlene Thacker (between Cartier Street and Nancy Drive).

"CARRIED"

Res. #2007-198: Moved by Councillor Campbell, seconded by Councillor Mayne
That the following by-laws be read a third time and passed:

By-Law No. 2007-42 to amend By-Law No. 2004-191 being a by-law for licensing, regulating and governing business in the City of North Bay.

By-Law No. 2007-43 to authorize the Fire Facilities Maintenance Program.

By-Law No. 2007-44 to authorize the PSAB Fixed Asset Reporting Program.

By-Law No. 2007-45 to authorize the Springfield Facilities Development Program.

By-Law No. 2007-46 to authorize the Pete Palangio and West Ferris Arenas Improvement Program.

By-Law No. 2007-48 to deem Lot 4, Registrar's Compiled Plan No. 2 as not being subject to Part Lot Control pursuant to Section 50(7) of the *Planning Act*.

By-Law No. 2007-49 to authorize the sale of lands to Marlene Thacker (between Cartier Street and Nancy Drive).

"CARRIED"

Res. #2007-199: Moved by Councillor Anthony, seconded by Councillor Boldt
That the following by-law be read a first and second time:

By-Law No. 2007-39 to rezone certain lands on Clarence Street (Dooley & Lucie Ricci - 892/898 Clarence Street).

"CARRIED"

Res. #2007-200: Moved by Councillor Anthony, seconded by Councillor Boldt
That the following by-law be read a first and second time:

By-Law No. 2007-40 to designate a Site Plan Control Area on certain lands on Clarence Street (Dooley & Lucie Ricci - 892/898 Clarence Street).

"CARRIED"

Res. #2007-201: Moved by Councillor Anthony, seconded by Councillor Boldt
That the following by-law be read a third time and passed:

By-Law No. 2007-40 to designate a Site Plan Control Area on certain lands on Clarence Street (Dooley & Lucie Ricci - 892/898 Clarence Street).

“CARRIED”

Res. #2007-202: Moved by Councillor Anthony, seconded by Councillor Boldt
WHEREAS North Bay has a long and proud history as a community that embraces the sport of hockey;

AND WHEREAS through the tremendous efforts of a core group of dedicated volunteers North Bay has received national recognition as “Hockeyville” by winning the prestigious CBC Kraft Hockeyville competition;

AND WHEREAS North Bay could not have achieved this national acclaim without the community support of local residents, businesses and institutions;

THEREFORE BE IT RESOLVED THAT the City of North Bay thanks the Organizing Committee and all those residents who voted in support of North Bay’s winning entry;

AND FURTHER BE IT RESOLVED THAT the week of September 16 through 22, 2007 be declared “North Bay is Hockeyville Week” in order to coincide with the National Hockey League exhibition game awarded to the winning community;

AND FURTHER THAT City staff be directed to work closely with the Hockeyville Organizing Committee to determine the most appropriate use of the prize money allocated to local arena improvements.

“CARRIED”

Res. #2007-203: Moved by Councillor Campbell, seconded by Councillor Mayne
That Council adjourn in-camera at 9:13 p.m. to discuss a litigation matter.

“CARRIED”

Res. #2007-204: Moved by Councillor Campbell, seconded by Councillor Mayne
That Council reconvene at 9:32 p.m.

“CARRIED”

Res. #2007-205: Moved by Councillor Bain, seconded by Councillor Graham
That this Meeting do now adjourn.

“CARRIED”

DEPUTY MAYOR PETER CHIRICO

CITY CLERK CATHERINE CONRAD