

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, DECEMBER 17TH, 2007**

PRESENT: Mayor Fedeli, Councillors Chirico, Campbell, Mayne, Vaillancourt, Graham, Mendicino, Koziol, Bain, Anthony

CORRESPONDENCE:

Boaro, Ilario & Albina	re Rezoning application - 1349 Lakeshore Drive	(826)
C. Canarino Holdings	re Rezoning application - 240 Lakeshore Drive	(831)
North Bay Elk's Lodge #25	re Liquor License extension	(829)

REPORTS FROM OFFICERS:

Burke, M.B.	re Sale of CN lands - McAuley	(850)
Courville, E.	re Sign variance - North Bay-Mattawa Conservation Authority	(825)
Hillier, B.	re 2007 Update - Municipal Accessibility Plan	(833)
Houston, J.	re 2007 Heritage Festival Financial Report	(832)
Kilgour, I.G.	re Affordable Entry Level Home Ownership Development - Third Avenue	(851)
Kitlar, S.	re North Bay Trails and Active Transportation Strategy	(840)
Manning, J.	re Tender 2007-117, Supply of tandem truck chassis c/w dump body	(828)
Manning, J.	re RFP 2007-109, Contract Administration and Inspection Services for Community Waterfront Park Pedestrian and Mini-Train Underpasses	(830)
Manning, J.	re Tender 2007-94B, Supply of wheelchair accessible vehicle	(834)
Manning, J.	re Tender 2007-104, Community Waterfront Park - Phase III	(837)
Manning, J.	re RFP 2007-107, Solar Photovoltaic Demonstration Project for City Hall	(838)
Manning, J.	re RFP 2007-95, Comprehensive Municipal Insurance for 2008	(839)
McArthur, S.	re Lane closure - Fourth Avenue West, Fraser Street and Third Avenue	(827)

Res. #2007-816: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino That minutes for the closed meetings held on:

- Monday, December 3, 2007; and
- Monday, December 10, 2007

be adopted as presented.

"CARRIED"

Res. #2007-817: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino That minutes for the public meetings held on:

- Monday, December 3, 2007;
- Wednesday, December 5, 2007;

- Monday, December 10, 2007; and
- Wednesday, December 12, 2007

be adopted as presented.

“CARRIED”

Res. #2007-818: Moved by Councillor Chirico, seconded by Councillor Campbell
That General Government Committee Report No. 2007-14 relating to:

- 2008 Capital Budget & 2008 to 2012 Five-Year Capital Forecast and Long-Term Capital Funding Policies

be adopted as presented.

“CARRIED”

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

Yeas: Councillors Chirico, Campbell, Vaillancourt, Koziol, Bain, Anthony, Graham, Mendicino, Mayne, Mayor Fedeli

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2007-14

December 17, 2007

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2007-14 and recommends:

1. That
 - a) the 2008 Capital Budget for Capital Projects to be funded from Debentures, Capital Levy, Federal and Provincial Government Grant Programs, Reserves and other contributions in the amount of \$20,645,000.00, as set out in Report to Council CORP 2007-191 be adopted;
 - b) 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 \$12,469,000.00; and
 - c) the Five-Year Capital Forecast (2008-2012) for Capital Projects to be funded from Debentures, Capital Levy, Federal and Provincial Government Grant Program, Reserves and other contributions in the amount of \$105,955,000.00 as set out in Report to Council CORP 2007-191 be adopted.
2. That
 - a) the 2008 Capital Budget for Capital Projects to be funded from Water and Sanitary Sewer Rates, Federal and Provincial Government Grant Programs, Reserves and other contributions in the amount of \$10,245,000.00, as set out in Report to Council CORP 2007-191 be adopted;
 - b) 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 \$6,401,000.00;

- c) the Five-Year Capital Forecast (2008-2012) for Capital Projects to be funded from Water and Sanitary Sewer Rates, Federal and Provincial Government Grant Program, Reserves and other contributions in the amount of \$51,485,000.00 as set out in Report to Council CORP 2007-191 be adopted; and
- d) any debenture debt required to fund Water and Sanitary Sewer Projects be presented to City Council for approval before undertaking the project.

All of which is respectfully submitted.

ASSENTS
 CHIRICO
 CAMPBELL
 MAYNE
 VAILLANCOURT
 FEDELI

DISSENTS

Res. #2007-819: Moved by Councillor Chirico, seconded by Councillor Campbell
 That General Government Committee Report No. 2007-15 relating to:

- 2008 Water and Sanitary Sewer Rates

be adopted as presented.

“CARRIED”

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

Yeas: Councillors Chirico, Graham, Mendicino, Mayne, Bain, Koziol, Anthony, Campbell, Vaillancourt, Mayor Fedeli

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2007-15

December 17, 2007

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2007-15 and recommends:

1. That By-Law No. 2007-224, being a by-law to establish rates or charges for the supply of water and sanitary sewer by the City of North Bay for domestic, commercial and manufacturing use, and including other relating matters, be presented for three (3) readings on December 17th, 2007.

All of which is respectfully submitted.

ASSENTS
 CHIRICO
 CAMPBELL
 MAYNE
 VAILLANCOURT
 FEDELI

DISSENTS

Res. #2007-820: Moved by Councillor Chirico, seconded by Councillor Campbell
That General Government Committee Report No. 2007-16 relating to:

- Procedural By-Law

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2007-16

December 17, 2007

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2007-16 and recommends:

1. That By-Law No. 2007-218, being the Procedural By-Law, be presented for three (3) readings on December 17th, 2007.

All of which is respectfully submitted.

ASSENTS
CHIRICO
CAMPBELL
MAYNE
VAILLANCOURT
FEDELI

DISSENTS

Res. #2007-821: Moved by Councillor Anthony, seconded by Councillor Bain
That Community Services Committee Report No. 2007-25 relating to:

- Official Plan Amendment No. 111

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2007-25

December 17, 2007

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2007-25 and recommends:

1. That a) the proposed Official Plan Amendment by the City of North Bay to adopt the following new policies related to a Brownfield Community Improvement Plan:

i) Section 2.3.1 (xiv)

to facilitate private sector investment towards the development and redevelopment of Brownfield sites within the Central Area, Council may adopt a Brownfield Community Improvement Plan to encourage new residential and commercial projects.

ii) Section 2.3.7

Lands adjacent to the Central Area are permitted to benefit from a Brownfield Community Improvement Plan. The Brownfield Community Improvement Plan should demonstrate how the Central Area will benefit through the development and redevelopment of the adjacent lands.

be approved;

- b) City Council amend By-Law No. 2001-22 by replacing Schedule "A" with the new Schedule "A" attached to Report CSBU 2007-108, to reflect a new Community Improvement Project Area;
- c) the by-law be given three (3) readings at the next Regular Meeting of Council

All of which is respectfully submitted.

ASSENTS
 ANTHONY
 BAIN
 FEDELI

DISSENTS

Res. #2007-822: Moved by Councillor Anthony, seconded by Councillor Bain
 That Community Services Committee Report No. 2007-26 relating to:

- the Brownfield Community Improvement Plan

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2007-26

December 17, 2007

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2007-26 and recommends:

1. That
 - a) Council adopt the City of North Bay Brownfield Community Improvement Plan (BCIP) dated December 2007, attached to Report CSBU 2007-117;
 - b) Council authorize staff to commence a Request for Proposal process for the sale of City lands referred to as the former Kenroc Property (Sites 1 & 2 on Schedule "A" attached to Report CSBU 2007-117) upon approval and implementation of the BCIP Program;

- c) Council delegate decision-making authority on Financial Incentive Applications to a BCIP Working Group, to be made up of a representative from each of the following departments:

 Engineering, Environmental Services and Works;
 Financial Services;
 Planning;
 Building;
 Legal;
 Economic Development; and
 associated Senior Management;
- d) Council adopt the application form and guidelines for the Financial Incentive Programs within the BCIP;
- e) Council, budget \$100,000 in each of the 2008, 2009 and 2010 Operating Budgets for the implementation of the BCIP, for a total of \$300,000.00;
- f) a report be prepared as requested and presented to Council to track the net financial benefits created through increased assessment as a result of Brownfield sites being developed;
- g) the City Solicitor review all agreements related to the implementation and administration of the BCIP prior to entering into any BCIP Agreement and that council be apprised on a project by project basis;
- h) Council direct staff to commence a Rezoning Application on City owned lands on Memorial Drive (former Kenroc Site) from a "Light Industrial Two (M2)" zone to an "Outer Core Commercial (C2)" zone; and
- i) Council direct staff to make an application to the Provincial Rural Economic Development Program to offset program costs.

All of which is respectfully submitted.

ASSENTS
ANTHONY
BAIN
FEDELI

DISSENTS

Res. #2007-823: Moved by Councillor Anthony, seconded by Councillor Bain
That Community Services committee Report No. 2007-27 relating to:

- Transit Service Agreements with Nipissing University and Canadore College

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2007-27

December 17, 2007

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2007-26 and recommends:

1. That Council endorses the proposed rates and the renewal of the Transit Services Agreements with Nipissing University and Canadore College for the period September 2008 to April 2011 as set out in Report CSBU 2007-116.

All of which is respectfully submitted.

ASSENTS
 ANTHONY
 BAIN
 FEDELI

DISSENTS

Res. #2007-824: Moved by Councillor Chirico, seconded by Councillor Campbell
 That Striking Committee Report No. 2007-06 relating to:

- the Municipal Accessibility Advisory Committee
- be adopted as presented.

“CARRIED”

STRIKING COMMITTEE REPORT NO. 2007-06

December 17, 2007

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

Your Worship and Councillors:

The Striking Committee presents Report No. 2007-06 and recommends as follows:

1. That Nicole Glanz and Brian Trivett be appointed to the Municipal Accessibility Advisory Committee for a term to expire November 30, 2010.

All of which is respectfully submitted.

Res. #2007-825: Moved by Councillor Anthony, seconded by Councillor Bain
 That Council approve the request from Price Media Inc., Agent on behalf
 of the North Bay-Mattawa Conservation Authority (leased lands)
 requesting a variance from Sign By-Law 2006-143 to reduce the
 required 3m property line setback requirement to 1m.

“CARRIED”

Res. #2007-826: Moved by Councillor Anthony, seconded by Councillor Bain
 That the rezoning application by Ilario & Albina Boaro - 1349 Lakeshore
 Drive be received and referred to the Community Services Committee
 and for a Public Meeting.

“CARRIED”

Mayor Fedeli declared a conflict of interest on the above matter and he has a financial interest in the abutting property.

Res. #2007-827: Moved by Councillor Chirico, seconded by Councillor Campbell
 That 1) the application by Henri & Isabelle Corbeil to close a
 laneway abutting Lots 90 to 92, Plan 48, 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. #2007-828: Moved by Councillor Koziol, seconded by Councillor Mendicino
That North Bay City Council approve a contract be issued to Canadian Fleet Services in the amount of \$140,328.58 (taxes included), for the supply of one tandem truck c/w dump body.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as Canadian Fleet Services is a client.

Res. #2007-829: Moved by Councillor Chirico, seconded by Councillor Campbell
That the City of North Bay offers no objection to the temporary extension of the Liquor License for the Fun Outdoor Jug Curling Event at the North Bay Elk's Lodge on Saturday, February 9, 2008 from 11:00 a.m. to 7:00 p.m., provided that the operation continues to comply with all other municipal by-laws.

“CARRIED”

Res. #2007-830: Moved by Councillor Koziol, seconded by Councillor Mendicino
That North Bay City Council approve a contract be awarded to Northland Engineering Ltd. in the amount of \$314,632.00 (GST extra), for Contract Administration and Inspection Services for the Community Waterfront Park Pedestrian and Mini-Train Underpass.

“CARRIED”

Res. #2007-831: Moved by Councillor Anthony, seconded by Councillor Bain
That the rezoning application by C. Canarino Holdings - 240 Lakeshore Drive be received.

“CARRIED”

Res. #2007-832: Moved by Councillor Anthony, seconded by Councillor Bain
That the surplus of \$8,736.00 be held in the Heritage Festival Reserve Account to be used at Council's discretion.

“CARRIED”

Res. #2007-833: Moved by Councillor Chirico, seconded by Councillor Campbell
That the 2007 Update - Municipal Accessibility Plan attached to Report to Council CSBU 2007-121 be received.

“CARRIED”

Res. #2007-834: Moved by Councillor Anthony, seconded by Councillor Bain
That North Bay City Council approve the award of a contract to Crestline Coach Ltd. in the amount of \$75,665.00 (taxes extra), for the supply of one (1) wheelchair accessible vehicle.

“CARRIED”

Res. #2007-835: Moved by Councillor Chirico, seconded by Councillor Campbell
That accounts totaling \$10,607,028.36 for November 2007 be approved.

“CARRIED”

Res. #2007-836: Moved by Councillor Campbell, seconded by Councillor Mayne
That accounts for Royal Bank totaling \$1,519.08 for November 2007 be approved.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as he is employed by the Royal Bank.

Res. #2007-837: Moved by Councillor Koziol, seconded by Councillor Mendicino
That

- 1) North Bay City Council approve a contract be awarded to Clearway Construction Inc. in the amount of \$5,075,996.39 (GST extra), for construction of a pedestrian mini-train railway underpass and associated services. The award shall be conditional subject to final approval of easements for crossing the CP Rail land; and
- 2) the City Clerk present a Capital Expenditure By-Law to authorize the \$6,500,000.00 Waterfront-Downtown Linkage Project.

“CARRIED”

Res. #2007-838: Moved by Councillor Koziol, seconded by Councillor Mendicino
That

- 1) North Bay City Council approve a contract be issued to Carmanah Technologies Corporation in the amount of \$120,188.00 to provide a Solar Photovoltaic Demonstration Project at North Bay City Hall;
- 2) City Council authorize the City Hall Solar Photovoltaic Demonstration Project budget of \$131,000.00;
- 3) project funding of \$50,000.00 grant from North Bay Hydro and \$81,000.00 from the North Bay Hydro Owners Reserve Fund be approved;
- 4) the Director of Environmental Services, Engineering and Works be authorized to apply to the Ontario Power Authority for a 20 year Renewable Energy Standing Offer Program (RESOP) Contract to sell the power produced by this project to the Ontario Energy Board for 42¢kWh.
- 5) the North Bay Hydro rebates for LED Streetlights and Sewage Treatment Plant Energy Improvements be placed in the North Bay Hydro Owners Reserve Fund; and
- 6) an Annual Operating Budget amount of \$2,000.00 be established in the Environmental Services budget to operate the system and that net RESOP Funding be transferred to the North Bay Hydro Owners Reserve Fund.

“CARRIED”

- Res. #2007-839: Moved by Councilor Chirico, seconded by Councillor Campbell
That
- 1) Council acknowledge that the existing OMEX coverage is broader than the low bid submitted by MIS, as set out on the Schedule and MIS letter dated December 10, 2007 attached to Report CORP 2007-198;
 - 2) Council approve a contract for the proposal prepared by MIS Municipal Insurance Services, in partnership with Public Sector Division Jardine Lloyd Thompson Canada Inc., to provide Comprehensive Municipal Insurance coverage with the premium for the first year of coverage to be \$743,945.00 (taxes extra). The term of the retainer shall be three (3) years, subject to acceptable renewal rates, with the option of two (2) additional years if mutually agreeable to both parties; and
 - 3) \$100,000.00 be added to the Insurance Deductible/Risk Management Operating Budget.

“CARRIED”

- Res. #2007-840: Moved by Councillor Anthony, seconded by Councillor Bain
That the North Bay Trails and Active Transportation Strategy report be received by Council and be referred to the Community Services Committee for review and discussion.

“CARRIED”

- Res. #2007-841: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a first and second time:

By-Law No. 2007-218 being the Procedural By-Law.

By-Law No. 2007-224 to establish rates or charges for the supply of water and sanitary sewer for domestic, commercial and manufacturing use, and including other related matters (and to repeal By-Law No. 2007-37).

By-Law No. 2007-235 to execute a Lease Agreement with the YMCA of North Bay and District relating to the Centennial Pool.

By-Law No. 2007-239 to assume and establish a public highway (Fisher Street road widenings).

By-Law No. 2007-243 to adopt the Accountability and Transparency Policy.

“CARRIED”

- Res. #2007-842: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a third time and passed:

By-Law No. 2007-218 being the Procedural By-Law.

By-Law No. 2007-224 to establish rates or charges for the supply of water and sanitary sewer for domestic, commercial and manufacturing use, and including other related matters (and to repeal By-Law No. 2007-37).

By-Law No. 2007-235 to execute a Lease Agreement with the YMCA of North Bay and District relating to the Centennial Pool.

By-Law No. 2007-239 to assume and establish a public highway (Fisher Street road widenings).

By-Law No. 2007-243 to adopt the Accountability and Transparency Policy.

“CARRIED”

Res. #2007-843: Moved by Councillor Anthony, seconded by Councillor Bain
That the following by-laws be read a first and second time:

By-Law No. 2007-234 to adopt Official Plan Amendment No. 111 (Central Area Policies).

By-Law No. 2007-236 to amend By-Law No. 2001-22 being The Community Improvement Project Area By-Law.

By-Law No. 2007-237 to adopt a Community Improvement Plan for the Brownfield Community Improvement Project Area.

By-Law No. 2007-240 to execute a Site Plan Control Agreement with The TDL Group Corp. relating to the Tim Horton’s at 1160 Cassells Street.

“CARRIED”

Res. #2007-844: Moved by Councillor Anthony, seconded by Councillor Bain
That the following by-laws be read a third time and passed:

By-Law No. 2007-234 to adopt Official Plan Amendment No. 111 (Central Area Policies).

By-Law No. 2007-236 to amend By-Law No. 2001-22 being The Community Improvement Project Area By-Law.

By-Law No. 2007-237 to adopt a Community Improvement Plan for the Brownfield Community Improvement Project Area.

By-Law No. 2007-240 to execute a Site Plan Control Agreement with The TDL Group Corp. relating to the Tim Horton’s at 1160 Cassells Street.

“CARRIED”

Res. #2007-845: Moved by Councillor Koziol, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2007-238 to execute an Agreement with Pioneer Construction Inc. relating to the supply of emulsified asphalt patching material.

“CARRIED”

Res. #2007-846: Moved by Councillor Koziol, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2007-238 to execute an Agreement with Pioneer Construction Inc. relating to the supply of emulsified asphalt patching material.

“CARRIED”

Res. #2007-847: Moved by Councillor Mayne, seconded by Councillor Graham
That Council authorize Councillor Maureen Boldt's request for a leave of
absence from October 15, 2007 to February 15, 2008.

"LOST"

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

Yeas: Councillors Mayne, Graham

Nays: Councillors Chirico, Koziol, Anthony, Campbell, Mendicino, Bain, Vaillancourt, Mayor
Fedeli

Res. #2007-848: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council adjourn in-camera at 7:47 p.m. to discuss Items 17, 18, 20
and 21, being proposed or pending acquisition or disposal of land by the
municipality or local board and Item 19 being personal matters about an
identifiable individual, including municipal or local board employees.

"CARRIED"

Res. #2007-849: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council reconvene at 8:49 p.m.

"CARRIED"

Res. #2007-850: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council authorize the transfer of a strip of land about 5 feet wide,
within their fence line, to June McAuley and Ada McAuley, the abutting
owners, provided that the owners pay the cost of the Reference Plan
and any other transfer costs.

"CARRIED"

Res. #2007-851: Moved by Councillor Chirico, seconded by Councillor Campbell
That

- 1) Council direct Staff to prepare a Request for Proposal for the
City owned lands along Third Avenue between Ferguson
Street and Wyld Street (shown on Schedule A & B attached
to Report No. CSBU 2007-122), that would result in
seventeen (17) affordable entry level single detached
dwellings incorporating the general development principles
as described in Report CSBU 2007-122; and
- 2) the primary objective of the sale of the subject lands is to
provide opportunity for long-term affordable entry level
homeownership while receiving a fair price for the property.

"CARRIED"

Res. #2007-852: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino
That this Regular Meeting of Council do now adjourn.

"CARRIED"

MAYOR VIC FEDELI

CITY CLERK CATHERINE CONRAD