

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, OCTOBER 4TH, 2010**

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

PUBLIC PRESENTATION:

Jennifer Fisher-Bradley re 2011 Ontario Regional Synchronized Skating Championships
Lucille Resko re Transit to Trout Lake Area & Area Beyond the Airport

CORRESPONDENCE:

Bourdeau, Marcel re Rezoning application - 108 Karla Drive (627)
N.B. Hunters' & Anglers' Assoc. Inc. re Discharge of Firearms By-Law (625)

REPORTS FROM OFFICERS:

Burke, M. re City Purchase from Metz Furniture - McKeown Avenue (623)
Burke, M. re Discharge of Firearms By-Law (625)
Burke, M. re Marsh Dr. Landfill Access Road Agreement - Leo Alarie and Sons (632)
Burke, M. re Sale to North Bay Hydro - Part of Unopened McKeown Avenue (642)
Carvell. D. re Canadore College Student Bus Pass Program (628)
Janisse, L. re Employee Group Benefits Program (626)
Korell, A. re 4-Way Stop - Jane/Nipissing/Clarence (622)
Korell, A. re User Fees By-Law - Public Works (624)
Manning, J. re RFP 2010-94 - Cedar Heights Standpipe Booster Pumping Station & Watermain Improvements (629)
Manning, J. re Tender 2010-82, Culvert Rehabilitation (630)
Manning, J. re Tender 2010-81, Community Waterfront Park – Phase IV (631)
Manning, J. re Tender 2010-102, Sale of Vacant City Owned Building Lot - Metcalfe Street (640)
Manning, J. re Tender 2010-103, Sale of Vacant City Owned Building Lot - John Street (641)

Res. #2010-619: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt
That minutes for the public meetings held on:

- Monday, September 20, 2010
- Monday, September 27, 2010

be adopted as presented.

"CARRIED"

Res. #2010-620: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt
That minutes for the closed meeting held on:

- Monday, September 20, 2010

be adopted as presented.

"CARRIED"

Res. #2010-621: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Community Services Committee Report No. 2010-18 relating to:

- Official Plan Amendment and Rezoning application by Terrence Lucenti - Highway 11 North; and
- Rezoning application by 884054 Ontario Inc. - 220 Highway 17 East

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2010-18

October 4, 2010

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2010-18 and recommends:

1. That
 - a) the proposed Official Plan Amendment by J.L. Richards & Associates on behalf of Terrence Lucenti for the property legally described as Concession 3, Part of Lot 21, Parcel 3566, in the former Township of Widdifield (Highway 11 North), from a “Rural Area” designation to a “Restricted Industry” designation, be approved;
 - b) the proposed Zoning By-Law Amendment by J.L. Richards & Associates on behalf of Terrence Lucenti for the property legally described as Concession 3, Part of Lot 21, Parcel 3566, in the former Township of Widdifield (Highway 11 North), from an “Rural (A)” zone to a “Restricted Industrial (M5)” zone, be approved; and
 - c) 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 parking, lighting, landscaping, storm water, drainage, ingress and egress, fire protection and fencing as required.
2. That
 - a) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of 884054 Ontario Inc. for the property legally described as Concession 18, Lots 33 and 34, Reference Plan No. 36R-11120, Part 1, PIN 49181-0017(LT) and PIN 49181-0018(LT) (220 Highway 17 East), from an “Industrial Commercial (MC)” zone to an “Industrial Commercial Special (MC Sp.)” zone, be approved; and
 - b) the application be processed under the “Statutory Planning Process” pursuant to Council Resolution No. 2001-706 and therefore, the by-law be read three (3) times and passed at the next Regular Meeting of Council.

All of which is respectfully submitted.

ASSENTS
ANTHONY
MENDICINO
GRAHAM
FEDELI

DISSENTS

Res. #2010-622: Moved by Councillor Koziol, seconded by Councillor Bain
That the report from Alan Korell dated August 30, 2010 re All-Way Stop Request at Jane, Nipissing & Clarence Streets be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2010-623: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council approve an Agreement of Purchase and Sale for Parts 1 and 2 on Plan 36R-12860 for a road widening from Metz Furniture Limited for the McKeown Avenue Construction Project, and that the by-law to approve the purchase be presented to Council at this meeting.

“CARRIED”

Res. #2010-624: Moved by Councillor Koziol, seconded by Councillor Bain
That User Fee By-Law No. 2007-115 be amended to delete charges for water, sanitary sewer, storm sewer and culvert connections and that the fees be determined through direct service contracts with the City of North Bay.

”CARRIED”

Res. #2010-625: Moved by Councillor Chirico, seconded by Councillor Campbell
That at the request of the North Bay Hunters' and Anglers' Association Inc., Firearms Discharge By-Law No. 38-93 be amended to authorize firing ranges, which are licensed by the OPP Firearms Division and which have the proper insurance.

“CARRIED”

Res. #2010-626: Moved by Councillor Chirico, seconded by Councillor Campbell
That 1) Council approve the renewal of the Employee Group Benefit Programs with Medavie Blue Cross and Manulife Financial effective October 1, 2010 with an overall annual increase of 5.9% or \$139,935.72; and
2) Council approve the tendering of benefits consulting, insured benefits and the extended health care, dental and vision plans (ASO) prior to the 2011 benefits renewal process.

“CARRIED”

Res. #2010-627: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the rezoning application by Marcel Bourdeau – 108 Karla Drive be received.

“CARRIED”

Res. #2010-628: Moved by Councillor Anthony, seconded by Councillor Mendicino
That supplemental to Report to Council CSBU 2009-109 dated December 9, 2009, Council endorse the proposed three (3) year Transit Service Agreement with Canadore College at a starting rate of \$181.00 for all full-time students for the school term, September to April beginning with the 2010-2011 school year, including the Aviation students Early Start / Late Finish passes.

“CARRIED”

Res. #2010-629: Moved by Councillor Koziol, seconded by Councillor Bain
That Council approve a contract be awarded to C.C. Tatham & Associates Ltd., in the amount of \$454,500.00 (HST extra), for the Detailed Design and Tender Preparation of the Cedar Heights Standpipe, Booster Pumping Station and Watermain Improvements.

“CARRIED”

Res. #2010-630: Moved by Councillor Koziol, seconded by Councillor Bain
That Council approve the issue of a contract to R.M. Belanger Limited in the amount of \$147,718.00 (HST extra), for culvert rehabilitation.

“CARRIED”

Res. #2010-631: Moved by Councillor Koziol, seconded by Councillor Bain
That Council approve a contract to be issued to GAP Construction Co. Ltd., in the amount of \$6,293,887.95 (HST extra), for the construction of the Community Waterfront Park Phase IV.

“CARRIED”

Councillor Chirico declared a conflict of interest as GAP Construction is a client of his employer, Royal Bank of Canada.

Councillor Graham declared a conflict of interest as GAP Construction is a client of his.

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

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

Nays: Nil

Res. #2010-632: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council 1) approve the proposed Marsh Drive Landfill Access Agreement with Leo Alarie and Sons Construction Ltd., as contemplated by the Agreement of Purchase and Sale approved by By-Law 2010-49; and
2) agree that the said Access Agreement is sufficient to meet the spirit and intent of Condition Number Four on Committee of Adjustment Severance Approval on File No. B-07-10 concerning the road on the Canor Construction Lands.

“CARRIED”

Res. #2010-633: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a first and second time:

By-Law No. 2010-212 to execute an Agreement with Leo Alarie and Sons Construction Ltd., relating to the use of the landfill access road.

By-Law No. 2010-218 to authorize the purchase of lands from Metz Furniture Limited (McKeown Avenue widening).

By-Law No. 2010-219 to execute an Agreement with D. J. Venasse Construction Limited relating to renovations to the Council Chambers for POA Court.

“CARRIED”

Res. #2010-634: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a third time and passed:

By-Law No. 2010-212 to execute an Agreement with Leo Alarie and Sons Construction Ltd., relating to the use of the landfill access road.

By-Law No. 2010-218 to authorize the purchase of lands from Metz Furniture Limited (McKeown Avenue widening).

By-Law No. 2010-219 to execute an Agreement with D. J. Venasse Construction Limited relating to renovations to the Council Chambers for POA Court.

“CARRIED”

Res. #2010-635: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2010-206 to adopt the Official Plan Amendment No. 117 (Terrence Lucenti – Highway 11 North).

By-Law No. 2010-207 to rezone certain lands on Highway 11 North (Terrence Lucenti).

“CARRIED”

Res. #2010-636: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2010-205 to rezone certain lands on Highway 17 East (884054 Ontario Inc.).

By-Law No. 2010-208 to designate a Site Plan Control Area on certain lands on Highway 11 North (Terrence Lucenti).

By-Law No. 2010-213 to execute an Agreement with Wagg’s Petroleum Equipment Ltd., relating to the supply and installation of a fresh water touchless front bus wash.

By-Law No. 2010-220 to execute an Agreement with 1650939 Ontario Ltd., a/o Dominion Construction relating to the Kerr Park Community Centre.

“CARRIED”

Res. #2010-637: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:

By-Law No. 2010-205 to rezone certain lands on Highway 17 East (884054 Ontario Inc.).

By-Law No. 2010-208 to designate a Site Plan Control Area on certain lands on Highway 11 North (Terrence Lucenti).

By-Law No. 2010-213 to execute an Agreement with Wagg’s Petroleum Equipment Ltd., relating to the supply and installation of a fresh water touchless front bus wash.

By-Law No. 2010-220 to execute an Agreement with 1650939 Ontario Ltd., a/o Dominion Construction relating to the Kerr Park Community Centre.

“CARRIED”

Res. #2010-638: 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 7:24 p.m. for the following reason:
Item #12, #13, and #14, being potential sales of land by the municipality.

“CARRIED”

Res. #2010-639: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council reconvene at 7:33 p.m.

“CARRIED”

Res. #2010-640: Moved by Councillor Chirico, seconded by Councillor Campbell
That 1) Council approve the high bid from Shirley Koskela in the amount
of \$30,00.00 (HST extra), for the sale of vacant city owned land
described as Parts 1 & 2, Reference Plan 36R-12884. The land
is described as Metcalfe Street in the block bounded by Laurier
Avenue and Winters Avenue between 1033 and 1043 Metcalfe
Street, former May Avenue Road Allowance; and

2) the funds from the sale be placed in the Property Development
Reserve Fund #99535.

“CARRIED”

Res. #2010-641: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council does not accept the bid from Gerard and Wendy St. Denis in
the amount of \$12,001.00 (HST extra), for the sale of vacant city owned
land described as Plan 72, Lot 124. The land is described as John Street
in the block bounded by Third Avenue, Regina Street and Hardy Street
beside 820 John Street, North Bay.

“CARRIED”

Res. #2010-642: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council authorize the sale to North Bay Hydro of the proposed
substation lands of 6,200 square feet, plus an easement over 1,900
square feet for the appraised value of \$23,100.00, with all out of pocket
costs borne by North Bay Hydro.

“CARRIED”

Res. #2010-643: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That this Regular Meeting of Council do now adjourn at 7:35 p.m.

“CARRIED”

MAYOR VICTOR FEDELI

CITY CLERK CATHERINE CONRAD