

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, FEBRUARY 14TH, 2005**

PRESENT: Mayor Fedeli, Councillors Chirico, Vaillancourt, Bain, Campbell, Mason, Koziol, Maroosis, Mendicino

CORRESPONDENCE:

| | | |
|--|---|------|
| Award Construction (Hamilton) Ltd. | re Official Plan Amendment and Rezoning - 1598 Laurentian Avenue | (71) |
| Consolidated Homes Ltd./Millford Developments | re Official Plan Amendment, Rezoning and Plan of Condominium - Lakeshore Drive | (69) |
| Hogg, John | re Provision of competitive property assessment services | (78) |
| Pape, Hendrik | re Resignation from the Waste Resources Liaison Committee | (72) |

REPORTS FROM OFFICERS:

| | | |
|--------------|---|------|
| Burke, M.B. | re Community Partners in Trauma Prevention | (82) |
| Burke, M.B. | re City purchase from Pro-Cathedral | (97) |
| Burke, M.B. | re Birch's Road Industrial Park vacant land sale | (98) |
| Burke, M.B. | re Easement - Black A, Plan M-355 | (99) |
| Fior, J.B. | re 2004 Municipal Heritage Committee Annual Report | (75) |
| Fior, J.B. | re Official Plan Amendment - Industrial Community Improvement Policies/ Designation and Community Improvement Plan for the Gateway Industrial Park | (79) |
| Hall, B. | re Rezoning application by the City of North Bay - Gordon Drive | (70) |
| Kitlar, S. | re Trademark application for Families First logo | (76) |
| Kraemer, L. | re Provision of competitive property assessment services | (78) |
| Lang, A. | re 2005 Budget - Board of Management - Downtown Improvement Area | (73) |
| Lang, A. | re Petition for Annual Payment of Transit Vehicle Program Funding for 2004 | (77) |
| Manning, J. | re RFP 2004-189, Janitorial services - Public Works buildings | (74) |
| Rogers, B.A. | re North Bay Public Library asbestos removal | (80) |
| Rushton, J. | re 2002-2003 Collective Agreement - North Bay Professional Firefighters' Association, Local 284 | (96) |

Res. #2005-66: Moved by Councillor Chirico, seconded by Councillor Bain
That minutes for the meeting held on:

- Monday, January 31, 2005

be adopted as presented.

"CARRIED"

Res. #2005-67: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Community Services Committee Report No. 2005-02 relating to:

- Rezoning application by 1381408 Ontario Inc., Kingsway Avenue and
Veronica Drive

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2005-02

February 14, 2005

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2005-02 and recommends:

1. That the proposed Zoning By-Law Amendment Application by Rick Miller on behalf of 1381409 Ontario Inc. to rezone Part Lot 17 and 18, Concession D (Kingsway Avenue and Veronica Drive), from a “Residential Holding (RH)” zone to a “Residential Third Density Special Zone (R3 Sp.)” be approved.

All of which is respectfully submitted.

ASSENTS
MENDICINO
KOZIOL
MAROOSIS
FEDELI

DISSENTS

Res. #2005-68: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Community Services Committee Report No. 2005-03 relating to:

- furnaces for Pete Palangio Arena

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2005-03

February 14, 2005

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2005-03 and recommends:

1. That
 - a) City Council approve the combining of the 2004 Arena Capital Budget Project No. 43 of \$120,000.00 and the proposed 2005 Arena Capital Budget Project No. 56 of \$200,000.00 for a combined Capital Budget of \$320,000.00; and
 - b) the Department of Parks, Recreation and Leisure Services be directed to prepare the furnace tender for spring 2005 subject to Council’s approval of the 2005 Five Year Capital Budget.

All of which is respectfully submitted.

- 3 -

February 14, 2005

ASSENTS
MENDICINO
KOZIOL
MAROOSIS
FEDELI

DISSENTS

Res. #2005-69: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the application for Official Plan Amendment, Rezoning and Plan of
Condominium by Rick Miller on behalf of Consolidated Homes
Limited/Millford Developments, Lakeshore Drive be received.

“CARRIED”

Res. #2005-70: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by the City of North Bay - Gordon Drive be
received.

“CARRIED”

Res. #2005-71: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the applications for Official Plan Amendment and Rezoning by Rick
Miller on behalf of Award Construction (Hamilton) Limited, 1598 Laurentian
Avenue be received.

“CARRIED”

Res. #2005-72: Moved by Councillor Mason, seconded by Councillor Campbell
That the resignation of Hendrik Pape from the Waste Resources Liaison
Committee be received with regret and Mr. Pape be thanked for his
involvement on this committee.

“CARRIED”

Res. #2005-73: Moved by Councillor Chirico, seconded by Councillor Bain
That the 2005 budget for the Board of Management for the Downtown
Improvement Area in the amount of \$126,355.00 with a resultant tax levy of
\$100,641.00 be approved by City Council and that the necessary by-law to
provide for the levy and collection of special charges in respect of certain
business improvement areas be prepared for City Council’s approval.

“CARRIED”

Res. #2005-74: Moved by Councillor Mason, seconded by Councillor Campbell
That North Bay City Council approve a contract be issued to La Maid Inc.,
in the amount of \$72,550.50 (GST extra), to provide janitorial services at
the Public Works buildings. The period of contract shall be March 1, 2005
to December 31, 2006, with a one year option if mutually agreeable to both
parties.

“CARRIED”

Res. #2005-75: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the 2004 Municipal Heritage Committee Annual Report be received
and referred to the Community Services Committee for review.

“CARRIED”

Res. #2005-76: Moved by Councillor Mendicino, seconded by Councillor Koziol

That Council authorize an application for registration of a Trademark for the Families First logo.

“CARRIED”

- 4 -

February 14, 2005

Res. #2005-77: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the Petition for Annual Payment of Transit Vehicle Program Funding for 2004 for Conventional Transit and Transportation for Physically Disabled Persons be approved for a subsidy of \$255,260.51 on expenditures of \$765,781.51 and forms MT-O-7, MT-O-08, MT-O-10 and MT-O-012 be submitted to the Ministry of Transportation to support the claim.

“CARRIED”

Res. #2005-78: Moved by Councillor Chirico, seconded by Councillor Bain
That 1) the Council of The Corporation of the City of North Bay respectfully request the Minister of Finance to explore the advantages and disadvantages of private sector property assessment, financial and otherwise; and
2) the Minister also consider reviewing the Municipal Property Assessment Corporation’s practices and procedures all with a view to improving municipal service and data quality.

“CARRIED”

Res. #2005-79: Moved by Councillor Mendicino, seconded by Councillor Koziol
That 1) Planning staff be directed to commence the preparation of an Official Plan Amendment to designate the Gateway Industrial Park as an Industrial Community Improvement Area and to provide community improvement policies for that area; and
2) the planning staff be directed to prepare a Community Improvement Plan for the Gateway Industrial Park.

“CARRIED”

Res. #2005-80: Moved by Councillor Chirico, seconded by Councillor Bain
That 1) the North Bay Public Library be authorized to proceed with the Asbestos Removal Capital Project at an estimated cost of \$325,000.00 to be funded as follows:

| | |
|---|------------------|
| Unspent funds from Capital By-Law No. 2004-61 | \$ 25,000 |
| 2005 Capital Allocation | 150,000 |
| 2006 Capital Allocation | <u>150,000</u> |
| Total Net Debenture Cost | <u>\$325,000</u> |

2) the City Clerk present a Capital By-Law to commit the 2005 and 2006 funding totalling \$300,000.00.

“CARRIED”

Res. #2005-81: Moved by Councillor Chirico, seconded by Councillor Bain
That accounts totalling \$8,100,339.54 for December 2004 be approved.

“CARRIED”

Res. #2005-82: Moved by Councillor Chirico, seconded by Councillor Bain
That Council approve the City administering any funds to be provided to the Community Partners in Trauma Prevention from the Ontario Neurotrauma

Foundation and the Northeastern Ontario Trauma-Related Education Steering Committee for its proposed study on High Intensity Injury Prevention.

“CARRIED”

- 5 -

February 14, 2005

Res. #2005-83: Moved by Councillor Chirico, seconded by Councillor Bain
That the following by-law be read a first and second time:

By-Law No. 2005-19 to stop up, close and convey portions of Harvey Street and Bourke Street within the CN Right-of-Way and part of a laneway.

“CARRIED”

Res. #2005-84: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2005-23 to rezone certain lands on Kingsway Avenue (1381408 Ontario Inc.).

“CARRIED”

Res. #2005-85: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2005-22 to execute a Subdivision Pre-Servicing Agreement with Forest Gate Developments Ltd. relating to the Airport Road Subdivision.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as his brother is a principal in Forest Gate Developments Ltd.

Res. #2005-86: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2005-22 to execute a Subdivision Pre-Servicing Agreement with Forest Gate Developments Ltd. relating to the Airport Road Subdivision.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as his brother is a principal in Forest Gate Developments Ltd.

Res. #2005-87: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-laws be read a second time:

By-Law No. 2000-25 to rezone certain lands on McKeown Avenue (James W. Neil Investments Limited).

By-Law No. 2000-26 to designate a Site Plan Control Area on certain lands on McKeown Avenue (James W. Neil Investments Limited).

“CARRIED”

Res. #2005-88: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:

By-Law No. 2000-25 to rezone certain lands on McKeown Avenue (James W. Neil Investments Limited).

By-Law No. 2000-26 to designate a Site Plan Control Area on certain lands on McKeown Avenue (James W. Neil Investments Limited).

“CARRIED”

- 6 -

February 14, 2005

Res. #2005-89: Moved by Councillor Mason, seconded by Councillor Campbell
That the following by-law be read a first and second time:

By-Law No. 2005-20 to execute an Agreement with CH2M Hill relating to design services for the City’s SCADA Strategic Plan for the Water Treatment Plant.

“CARRIED”

Res. #2005-90: Moved by Councillor Mason, seconded by Councillor Campbell
That the following by-law be read a third time and passed:

By-Law No. 2005-20 to execute an Agreement with CH2M Hill relating to design services for the City’s SCADA Strategic Plan for the Water Treatment Plant.

“CARRIED”

Res. #2005-91: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:

By-Law No. 2005-16 to rezone certain lands on Birch’s Road (Nipissing Entertainment Inc.).

By-Law No. 2005-17 to designate a Site Plan Control Area on certain lands on Birch’s Road (Nipissing Entertainment Inc.).

“CARRIED”

Councillor Mason declared a conflict of interest on the above matters and he has an indirect pecuniary interest.

Res. #2005-92: Moved by Councillor Mendicino, seconded by Councillor Koziol
WHEREAS the Province of Ontario will now require that the Provincial Conservation Authorities revise their Hazard Land Information to meet the “Generic Regulation” by preparing new schedules of regulated areas (in both Mapped and Written format);

AND WHEREAS the cost to prepare these new schedules is to be borne solely by the Provincial Conservation Authorities, which in turn will look to member municipalities to cover the cost;

AND WHEREAS the North Bay-Mattawa Conservation Authority’s Finance and Administration Advisory Board has recommended to its Board of Directors that they endorse the Conservation Ontario submission to the Minister of Natural Resources titled “Re-investment in Ontario’s Conservation Authorities – Now and in the Future” and its call for the Province to re-commit financially to programs the Province itself considers core to the conservation authorities and,

AND WHEREAS the North Bay-Mattawa Conservation Authority’s Board of Directors has forwarded a letter to the Minister of Natural Resources communicating its support for the submission asking for a timely response for the 2005 budget year;

THEREFORE BE IT RESOLVED THAT a copy of this resolution be sent to the Minister of Natural Resources supporting the North Bay-Mattawa Conservation Authority's resolution and requesting that the Province re-commit financially to the programs that the Province considers core to the Conservation Authorities;

- 7 -

February 14, 2005

AND FURTHER THAT a copy of this resolution of support also be forwarded to Monique Smith, M.P.P. for Nipissing, and to the North Bay-Mattawa Conservation Authority.

“CARRIED”

Res. #2005-93:

Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
WHEREAS The Corporation of The City of North Bay has made a \$1,000,000.00 per year contribution for 20 consecutive years to the new Regional Health Centre;

AND WHEREAS The Corporation of the City of North Bay has postponed considerable infrastructure projects due to the inability of the Hospital to commit their share of the public works associated with the New Hospital project;

AND WHEREAS the Citizens of the City of North Bay have made substantial personal contributions to the new Regional Health Centre;

AND WHEREAS the Hospital Foundation has met and surpassed their financial targets;

AND WHEREAS the Regional Communities have committed as much money as possible to the project and will benefit from the new hospital;

AND WHEREAS the Government of Ontario has publicly stated their commitment that health care is a priority;

AND WHEREAS the Minister of Health has stated on June 20th, 2004 to the City of North Bay, area Municipalities, and the Hospital Board of Directors that the New Regional Health Centre is a priority;

AND WHEREAS the added costs to the project will be a direct result of delays from the Ministry of Health;

NOW THEREFORE BE IT RESOLVED that the Council of the City of North Bay direct the Mayor to immediately meet with the Minister of Health, George Smitherman to determine a firm deadline that our New Regional Health Centre will be allowed to go to tender;

AND THAT a copy of this resolution be forwarded to all neighbouring municipalities for their endorsement.

“CARRIED”

Record of Vote (Upon Request of Councillor Bain)

Yeas: Councillors Bain, Mendicino, Vaillancourt, Maroosis, Mason, Chirico, Koziol, Campbell, Mayor Fedeli

Res. #2005-94:

Moved by Councillor Chirico, seconded by Councillor Bain
WHEREAS there has been no response from the Province to Resolution No. 2004-813, concerning the Community Reinvestment Fund (CRF),

passed by City Council at its Regular Meeting held Monday, November 15, 2004;

AND WHEREAS in a letter dated January 12, 2005 from the Office of the Deputy Ministers of Finance and Municipal Affairs and Housing the Province confirmed that there will be an “announcement of a new municipal funding model in March 2005”;

- 8 -

February 14, 2005

AND WHEREAS in the same letter, the Province confirmed that “As part of its review of the CRF, the government will consider reconciliation options as part of the overall strategy to transition to a new provincial-municipal funding framework”;

AND WHEREAS in the same letter the Province confirmed that “it has safeguarded \$656 million for the CRF in the 2004-05 fiscal plan -- \$38 million more than the 2004 CRF allocations”;

AND WHEREAS the additional \$38 million translates to an additional 6.15% available to distribute;

AND WHEREAS the 2004 CRF received by the City of North Bay, before 2003 or 2004 year-end reconciliations totals \$16,611,000 and a 6.15% increase would total an additional \$1,021,000;

AND WHEREAS a reconciliation to update Local Services Realignment costs to 2005 levels would generate more than an additional \$1,021,000;

AND WHEREAS an inflationary adjustment to the base Local Services Realignment costs not subject to year-end reconciliation would generate more than an additional \$1,021,000;

AND WHEREAS the City of North Bay intends to pass a 2005 Operating Budget which includes an additional \$1,000,000 from the CRF during 2005;

AND WHEREAS the impact on the ratepayers of the City of North Bay of not receiving an additional \$1,000,000 more from the CRF during 2005 would be about a 2% increase in the municipal tax rate;

THEREFORE BE IT RESOLVED THAT the Council of the City of North Bay petition the Province of Ontario to guarantee a minimum increase in the CRF for 2005 of \$1,021,000 thereby bringing the stable funding guarantee up to \$17,632,000 in 2005;

AND FURTHER THAT the new municipal funding model to be announced in March 2005 be a starting point for further consultation with input from all municipalities in Ontario;

AND FURTHER THAT the allocation in the 2005/2006 Provincial Budget be increased to a level sufficient to compensate municipalities for the 2005 projected cost of Local Service Realignment.

AND FURTHER THAT copies of this resolution be forwarded to the Honourable Dalton McGuinty, Premier of Ontario, the Honourable Greg Sorbara, Minister of Finance, the Honourable John Gerretsen, Minister of Municipal Affairs & Housing, the Honourable Rick Bartolucci, Minister of Northern Development and Mines, and Ms. Monique Smith, M.P.P. (Nipissing).

“CARRIED”

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

Yeas: Councillors Chirico, Bain, Vaillancourt, Mendicino, Koziol, Campbell, Mason, Maroosis, Mayor Fedeli

Res. #2005-95: Moved by Councillor Chirico, seconded by Councillor Bain
That Council adjourn in-camera to discuss personnel matter 13, property matters 14 through 19 and litigation matter 22.

“CARRIED”

- 9 -

February 14, 2005

Res. #2005-96: Moved by Councillor Chirico, seconded by Councillor Bain
That North Bay City Council authorize the execution of the 2002-2003 Collective Agreement between The Corporation of the City of North Bay and the North Bay Professional Firefighters' Association, Local 284.

“CARRIED”

Res. #2005-97: Moved by Councillor Chirico, seconded by Councillor Bain
That Council authorize an Agreement of Purchase and Sale with the Roman Catholic Episcopal Corporation of the Diocese of Sault Ste. Marie for the acquisition of lands required for a road widening of Algonquin Avenue and for the exchange of surplus municipal lands based on a square footage rate of \$7.61 per foot.

“CARRIED”

Res. #2005-98: Moved by Councillor Chirico, seconded by Councillor Bain
That Council agree to sell Parts 1 and 2, Plan 36R-8454 to Marshall Park Development Limited for \$20,000.00.

“CARRIED”

Res. #2005-99: Moved by Councillor Chirico, seconded by Councillor Bain
That Council agree to acquire an easement over Block A, Plan M-355 to recognize an existing stormsewer culvert from Summit Drive to Parks Creek. The land is also subject to a Bell Canada easement for existing cable.

“CARRIED”

Res. #2005-100: Moved by Councillor Chirico, seconded by Councillor Bain
That this meeting do now adjourn.

“CARRIED”

MAYOR

CITY CLERK

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