

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, MAY 9TH, 2005**

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

CORRESPONDENCE:

Tembec Inc.	re Rezoning application - 50 Exeter Street	(333)
Yeates, Dr. Noreen	re Insurance for Blade, Bike & Run Event	(334)

REPORTS FROM OFFICERS:

Bullock, P.	re Anti Litter By-Law and Campaign	(342)
Burke, M.B.	re Insurance for Blade, Bike & Run Event	(334)
Burke, M.B.	re Encroachment Agreement - London Underground, 141-143 Main Street West	(338)
Burke, M.B.	re Consolidated Homes application to expunge a portion of Plan M-163	(344)
Carello, P.	re Champlain Park Beach rehabilitation	(337)
Celentano, J.J.	re Employee travel expenses (mileage rates)	(340)
Conrad, C.M.	re Contact North/Contact Nord 2005-2006 Business Plan Submission	(336)
Elliott, G.	re Worthington Street culvert replacement	(341)
Fior, J.B.	re 2004 Annual Report - Council's Downtown Community Improvement Plan	(346)
Jones, K.	re 2004 Annual Report - Council's Downtown Community Improvement Plan	(346)
Knox, J.D.	re Transit Coach Replacement and Refurbishment Programs	(343)
Knox, J.D.	re Waterfront Park improvements	(345)
Linkie, D.G.	re Sale of City owned land - Eloy Road	(358)
Manning, J.	re Tender 2005-54, Unit replacement and ventilation upgrade - Pete Palangio Arena	(335)
Manning, J.	re Tender 2005-44, McIntyre Street Parking Garage	(339)

Res. #2005-325: Moved by Councillor Chirico, seconded by Councillor Mendicino
That minutes for the meetings held:

- Monday, April 11, 2005;
- Monday, April 18, 2005;
- Monday, April 25, 2005; and
- Monday, May 2, 2005

be adopted as presented.

"CARRIED"

Res. #2005-326: Moved by Councillor Chirico, seconded by Councillor Bain
That General Government Committee Report No. 2005-08 relating to:

- universal water metering

be adopted as presented.

"CARRIED"

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2005-08 and recommends:

1. That staff be directed to develop a Request for Proposal to hire a firm to develop a long-term Universal Water Metering Strategy and source out all funds and options available for installation and financing.

All of which is respectfully submitted.

ASSENTS
CHIRICO
BAIN
VAILLANCOURT
FEDELI

DISSENTS
ANTHONY

Res. #2005-327: Moved by Councillor Chirico, seconded by Councillor Anthony
That General Government Committee Report No. 2005-09 relating to:

- Capital Project approvals

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2005-09

May 9, 2005

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2005-09 and recommends:

1. That Capital Project Numbers 30, 34, 47 and 61 be deferred for consideration in the fall of 2005.

All of which is respectfully submitted.

ASSENTS
CHIRICO
ANTHONY
BAIN
VAILLANCOURT
FEDELI

DISSENTS

Res. #2005-328: Moved by Councillor Chirico, seconded by Councillor Anthony
That General Government Committee Report No. 2005-10 relating to:

- Ontario Municipal Partnership Fund

be adopted as presented.

“CARRIED”

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

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

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2005-10

May 9, 2005

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2005-10 and recommends:

1. That a) the Mayor and Deputy Mayor request a meeting with the Minister of Finance and Minister of Municipal Affairs and Housing to present the City of North Bay's grave concerns with the reduced level of funding under the Ontario Municipal Partnership Fund (OMPF). The 2004 year-end reconciliation of the Community Reinvestment Fund has been confirmed at \$17,591,611. The 2005 OMPF allocation before phase-in adjustment of \$2,152,186 is \$14,458,814; and

b) the Chief Financial Officer be authorized to transfer \$1,572,423, being block grant funding in excess of the \$17,611,000 included in the approved Operating Budget, to the Tax Rate Stabilization Fund. The excess funding will be used to mitigate the transition to OMPF over the next three (3) years.

All of which is respectfully submitted.

ASSENTS
CHIRICO
ANTHONY
BAIN
VAILLANCOURT
FEDELI

DISSENTS

Res. #2005-329: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Community Services Committee Report No. 2005-20 relating to:

- the Official Plan

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2005-20

May 9, 2005

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2005-20 and recommends:

1. That a) Council approve the revised work program for the new Official Plan; and
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- b) Council allocate \$150,000.00 in the 2006 Capital Budget for the new Official Plan Program.

All of which is respectfully submitted.

ASSENTS
MENDICINO
KOZIOL
MAROOSIS
FEDELI

DISSENTS

Res. #2005-330: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Community Services Committee Report No. 2005-21 relating to:

- Rezoning application by the City of North Bay - Gordon Drive

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2005-21

May 9, 2005

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2005-21 and recommends:

1. That the proposed Zoning By-Law amendment by the City of North Bay to rezone Plan 36R-11787, Parts 3, 4, 5 and 6, from an “Open Space (O)” zone to a “Residential First Density (R1)” zone be approved.

All of which is respectfully submitted.

ASSENTS
MENDICINO
KOZIOL
MAROOSIS
FEDELI

DISSENTS

Res. #2005-331: Moved by Councillor Chirico, seconded by Councillor Anthony
That Striking Committee Report No. 2005-04 relating to:

- appointment to the Committee of Adjustment; and
- appointment to the North Bay Public Library Board

be adopted as presented.

“CARRIED”

STRIKING COMMITTEE REPORT NO. 2005-04

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

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Your Worship and Councillors:

The Striking Committee presents Report No. 2005-04 and recommends as follows:

1. That Richard R. Denis be appointed to the Committee of Adjustment for a term to expire November 30, 2006.
2. That Jeannine Ringuette be appointed to the North Bay Public Library Board for a term to expire November 30, 2006.

All of which is respectfully submitted.

Res. #2005-332: Moved by Councillor Chirico, seconded by Councillor Anthony
That accounts totalling \$7,550,220.24 for March 2005 be approved.

“CARRIED”

Res. #2005-333: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by Rick Miller on behalf of Tembec - Exeter Street be received and referred to the Community Services Committee for a Public Meeting.

“CARRIED”

Res. #2005-334: Moved by Councillor Chirico, seconded by Councillor Anthony
That

- 1) the Blade, Bike and Run event being held on Monday, May 15, 2005 be designated as a municipal event;
- 2) the Chiropractic Society’s volunteers be recognized as municipal volunteers for the purpose of providing municipal insurance coverage for the event, subject to the following terms and conditions:
 - a) all requirements pertaining to adequate marshalling and signing be met to the satisfaction of the Director of Parks, Recreation and Leisure Services and the North Bay Police Services; and
 - b) all volunteers involved with the event complete and sign a volunteer registration form with the Department of Parks, Recreation and Leisure Services.

“CARRIED”

Res. #2005-335: Moved by Councillor Mendicino, seconded by Councillor Koziol
That North Bay City Council approve the award of a contract to Bernard Rochefort Limited in the amount of \$132,428.03 (excluding GST) for the unit replacement and ventilation upgrade at Pete Palangio Arena.

“CARRIED”

Res. #2005-336: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council authorize the Mayor to provide the requested letter of support to Contact North/Contact Nord 2005-2006 Business Plan Submission to the Government of Ontario.

“CARRIED”

Res. #2005-337: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Council authorizes City staff to enter into an agreement with Northern Ontario Heritage Fund (NOHFC) for the rehabilitation of Champlain Park Beach.

“CARRIED”

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Res. #2005-338: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council authorize:

- 1) an Encroachment Agreement with London Underground at 141 - 143 Main Street West; and
- 2) an increase in the Commercial Property Encroachment Agreement Fee to \$250.00.

“CARRIED”

Councillor Boldt declared a conflict of interest on the above matter as the property owner is a client.

Res. #2005-339: Moved by Councillor Chirico, seconded by Councillor Anthony
That

- 1) North Bay City Council approve a contract be issued to Sarra General in the estimated amount of \$347,769.00 (including GST) for rehabilitation of the McIntyre Street Parking Garage; and
- 2) a Capital Expenditure By-Law be prepared to authorize the rehabilitation of the McIntyre Street Parking Garage, being 2005 Capital Budget Project Line No. 54, at a net debentured cost of \$400,000.00.

“CARRIED”

Res. #2005-340: Moved by Councillor Chirico, seconded by Councillor Anthony
That

- 1) Council authorize an out-of-town mileage rate of \$0.31/km, effective June 1, 2005;
- 2) Council authorize an out-of-town mileage rate of \$0.33/km, effective January 1, 2007;
- 3) By-Law No. 127-86 be amended to reflect the recommended changes in rates; and
- 4) a Corporate Administrative Policy on employee travel and other expenses be prepared for internal use.

“CARRIED”

Res. #2005-341: Moved by Councillor Mason, seconded by Councillor Boldt
That

- 1) the engineering design contract for the Worthington Street Culvert Replacement Project be awarded to Earth Tech (Canada) Inc. in the amount of \$79,965.00 plus GST; and
- 2) the City Clerk prepare a by-law to fund the reconstruction of the Worthington Street culvert over Chippewa Creek in the amount of \$725,000.00 as contained in the approved 2005 Capital Levy, Debentures and Reserves Budget.

“CARRIED”

Res. #2005-342: Moved by Councillor Mason, seconded by Councillor Boldt
That Council establish an Anti Litter Committee to seek public input in developing an Anti Litter By-Law and to develop awareness programs to combat litter problems in North Bay.

“CARRIED”

Res. #2005-343: Moved by Councillor Mendicino, seconded by Councillor Koziol
That 1) the City Clerk prepare a capital expenditure by-law for consideration by City Council to authorize the Transit Coach

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Replacement and Refurbishment Program (Capital Budget Lines 72 and 73), totalling \$1,700,000.00 with a net debentured cost of \$857,000.00;

- 2) a request for an allocation under the Ontario Transit Vehicle Program for 2005 in the amount of \$543,000.00 be approved by Council and submitted to the Ontario Ministry of Transportation; and
- 3) the Chief Financial Officer be authorized to transfer \$300,000.00 from the Dedicated Gas Tax Reserve Fund to be applied against the purchase of two new transit coaches in 2005.

“CARRIED”

Res. #2005-344: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council consent to an application by Consolidated Homes Ltd. to obtain a Judge’s Order to expunge that portion of Plan M-163 as it relates to the affected portions of Devonshire, Haviland, Bank and Wellington Streets.

“CARRIED”

Res. #2005-345: Moved by Councillor Mendicino, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the improvements to the Waterfront Park, being Capital Budget Project No. 67, at a net debentured cost of \$100,000.00.

“CARRIED”

Res. #2005-346: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the 2004 Annual Report for the Council’s Downtown Community Improvement Plan be received and referred to the Community Services Committee for a public presentation.

“CARRIED”

Res. #2005-347: Moved by Councillor Chirico, seconded by Councillor Anthony
that the following by-laws be read a first and second time:

By-Law No. 2005-27 to provide for the levy and collection of special charges in respect of certain Business Improvement Areas.

By-Law No. 2005-84 to appoint Municipal Law Enforcement Officers as authorized under the provisions of the *Police Services Act*.

By-Law No. 2005-85 to regulate the administration of Building Permits.

By-Law No. 2005-86 to authorize the Memorial Gardens Improvement Program.

By-Law No. 2005-87 to authorize the Sidewalk Replacement Program.

By-Law No. 2005-89 to execute an Agreement with W3 Connex Inc. relating to the Feronia Tower Site.

By-Law No. 2005-90 to authorize the Parks Vehicle and Equipment Replacement Program.

By-Law No. 2005-91 to authorize the replacement of rural road culverts.

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By-Law No. 2005-92 to authorize the Rural Roadway Reconstruction Program.

By-Law No. 2005-93 to authorize the Works Centre Geotechnical and Environmental Studies and Improvements.

By-Law No. 2005-94 to authorize improvements at the North Bay Jack Garland Airport.

By-Law No. 2005-95 to authorize the down payment and commencement of design work for a Transit Terminal.

By-Law No. 2005-97 to execute an Agreement with the Municipality of Callander relating to Policing Services.

By-Law No. 2005-98 to execute an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Community Safety and Correctional Services relating to the Community Policing Partnership Program.

By-Law No. 2005-99 to execute an agreement with the North Bay Canoe Club relating to the lease of lands at Armstrong Park.

By-Law No. 2005-100 to establish a Tax Rebate Program for vacant portions of property in the Commercial Property Classes or the Industrial Property Classes.

By-Law No. 2005-101 to set 2005 tax ratios and tax rates and to levy taxes for the year 2005.

“CARRIED”

Res. #2005-348:

Moved by Councillor Chirico, seconded by Councillor Anthony that the following by-laws be read a third time and passed:

By-Law No. 2005-27 to provide for the levy and collection of special charges in respect of certain Business Improvement Areas.

By-Law No. 2005-84 to appoint Municipal Law Enforcement Officers as authorized under the provisions of the *Police Services Act*.

By-Law No. 2005-85 to regulate the administration of Building Permits.

By-Law No. 2005-86 to authorize the Memorial Gardens Improvement Program.

By-Law No. 2005-87 to authorize the Sidewalk Replacement Program.

By-Law No. 2005-89 to execute an Agreement with W3 Connex Inc. relating to the Feronia Tower Site.

By-Law No. 2005-90 to authorize the Parks Vehicle and Equipment Replacement Program.

By-Law No. 2005-91 to authorize the replacement of rural road culverts.

By-Law No. 2005-92 to authorize the Rural Roadway Reconstruction Program.

By-Law No. 2005-93 to authorize the Works Centre Geotechnical and Environmental Studies and Improvements.

By-Law No. 2005-94 to authorize improvements at the North Bay Jack Garland Airport.

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By-Law No. 2005-95 to authorize the down payment and commencement of design work for a Transit Terminal.

By-Law No. 2005-97 to execute an Agreement with the Municipality of Callander relating to Policing Services.

By-Law No. 2005-98 to execute an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Community Safety and Correctional Services relating to the Community Policing Partnership Program.

By-Law No. 2005-99 to execute an agreement with the North Bay Canoe Club relating to the lease of lands at Armstrong Park.

By-Law No. 2005-100 to establish a Tax Rebate Program for vacant portions of property in the Commercial Property Classes or the Industrial Property Classes.

By-Law No. 2005-101 to set 2005 tax ratios and tax rates and to levy taxes for the year 2005.

“CARRIED”

Res. #2005-349: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2005-102 to adopt optional tools for the purpose of administering limits for the commercial, industrial and multi-residential property classes.

“CARRIED”

Councillor Koziol declared a conflict of interest on the above matter as she is multi-residential property owner.

Res. #2005-350: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2005-102 to adopt optional tools for the purpose of administering limits for the commercial, industrial and multi-residential property classes.

“CARRIED”

Councillor Koziol declared a conflict of interest on the above matter as she is multi-residential property owner.

Res. #2005-351: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2005-96 to rezone certain lands on Gordon Drive (City of North Bay).

“CARRIED”

Res. #2005-352: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:

By-Law No. 2005-79 to rezone certain lands on Oak Street (City of North Bay - Community Waterfront Park).

By-Law No. 2005-80 to rezone certain lands on Little Down Lane (City of North Bay).

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By-Law No. 2005-81 to rezone certain lands on Algonquin Avenue (City of North Bay).

“CARRIED”

Res. #2005-353: Moved by Councillor Mendicino, seconded by Councillor Maroosis
That the following by-laws be read a third time and passed:

By-Law No. 2005-76 to adopt Official Plan Amendment No. 105 (Award Construction (Hamilton) Ltd. - Laurentian Avenue).

By-Law No. 2005-77 to rezone certain lands on Laurentian Avenue (Award Construction (Hamilton) Ltd.).

“CARRIED”

Councillor Koziol declared a conflict of interest on the above matter as she owns property within the Route 6 area.

Res. #2005-354: Moved by Councillor Chirico, seconded by Councillor Koziol
BE IT RESOLVED that Council congratulate, the partnering Municipalities, the North Bay General Hospital Board and Monique Smith, MPP, Nipissing in receiving permission to advance the New Regional Health Centre in North Bay,

BE IT RESOLVED that Council acknowledge the importance of the New Mattawa Hospital to the efficient functionality of the Regional Health Care Network and the New Regional Health Centre,

BE IT RESOLVED that with the recent Provincial Government approval to proceed with the Regional Health Centre that Council in conjunction with the Mayors Committee of the Mattawa Bonfield EDC and the Mattawa Hospital Board request that our MPP Monique Smith immediately secure approval and financing from the Premier of Ontario and the Minister of Health and Long Term Care to proceed to tender and construction for the .New Mattawa Hospital to replace the outdated and dilapidated Mattawa Hospital.

“CARRIED”

Res. #2005-355: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That “Casual Wear Months” be in effect from Tuesday, May 24, 2005 until Tuesday, September 6, 2005.

“CARRIED”

Res. #2005-356: Moved by Councillor Boldt, seconded by Councillor Campbell
WHEREAS the identity of owners of property making applications for
various considerations by Council is sometimes not provided;

AND WHEREAS members of Council must be ever conscious of possible
conflict situations;

BE IT THEREFORE RESOLVED THAT staff be directed to prepare a
Report to Council indicated what is required under the *Municipal Act*.

“CARRIED”

Res. #2005-357: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council adjourn in-camera to discuss property matters 16, 17 and 18.

“CARRIED”

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Res. #2005-358: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) Council declare surplus those City-owned lands more
particularly described as Parts 2, 3 and 11, Plan 36R-5570;
and

2) the subject lands be sold to the abutting owner or his
designate at the appraised value.

“CARRIED”

Res. #2005-359: Moved by Councillor Chirico, seconded by Councillor Mendicino
That this meeting do now adjourn.

“CARRIED”

MAYOR

CITY CLERK