

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, MAY 17TH, 2010**

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

PUBLIC PRESENTATION:

Christian Fortin	re Provincial Offences Courtroom
Greg Ellies	re Provincial Offences Courtroom
Robotics Team 1305	re Robotics Initiative

CORRESPONDENCE:

Edwards, Brad/Cybulskie, Sarah	re Laneway Closure - 1207 Regina Street	(363)
Norman, Jack & Helen	re Official Plan Amendment/Rezoning/ Subdivision - Four Mile Lake Road	(347)

REPORTS FROM OFFICERS:

Bellehumeur, R.	re 2010 Capital Budget Project - Long Term Needs Study	(361)
Burke, M.	re Insurance Adjusters Contract	(350)
Cox, A.	re 2010 Capital Budget Project - 3003RD-ST, Main St. Reconstruction Paving Stone Replacement	(358)
Cox, A.	re 3068WS Asset Management Program	(359)
Cox, A.	re 3008RD-PK, Heritage North Bay Parkland	(364)
Kilgour, I.	re Condominium Final Approval/ Turret Construction - Lake Heights Rd.	(360)
Kitlar, S.	re North Bay Summer in the Park	(349)
Knox, J.	re North Bay Trappers' Lease Agreement	(348)
Manning, J.	re Tender 2010-37, Supply of a Leica High Performance Total Station	(354)
Manning, J.	re Tender 2010-43, Cell 6 Earthworks & Engineered Controls	(355)
Manning, J.	re Tender 2010-51, Granular "A" Over- building & Surface Treatment	(356)
Manning, J.	re Tender 2010-40, Asphalt Resurfacing Program	(357)
Rochefort, L.	re Universal Water Metering Program - Neptune Technologies Group (Canada) Ltd.	(362)
Rochefort, L.	re 2010 Tax Capping Policy	(365)
Scully, L.	re Fireworks By-Law	(351)

Res. #2010-341: Moved by Councillor Vaillancourt, seconded by Councilor Bain
That minutes for the public meeting held on:

- Monday, May 10, 2010

be adopted as presented.

"CARRIED"

Res. #2010-342: Moved by Councillor Vaillancourt, seconded by Councillor Bain
That minutes for the closed meetings held on:

- Monday, May 3, 2010; and

- Monday, May 10, 2010

be adopted as presented.

"CARRIED"

Res. #2010-343a: Moved by Councillor Campbell, seconded by Councillor Koziol That General Government Committee Report No. 2010-05 regarding the Provincial Offences Courtroom be referred back to the General Government Committee.

“CARRIED”

Res. #2010-343b: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That General Government Committee Report No. 2010-05 relating to:

- Provincial Offences Courtroom

be adopted as presented.

“CARRIED AS AMENDED”

Res. #2010-344: Moved by Councillor Anthony, seconded by Councillor Mendicino That Community Services Committee Report No. 2010-10 relating to:

- Rezoning application by the City of North Bay – Third Avenue at John Street

be adopted as presented.

“CARRIED”

Councillor Bain declared a conflict of interest as he owns property in the neighbourhood.

COMMUNITY SERVICES COMMITTEE REPORT NO. 2010-10

May 17, 2010

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2010-10 and recommends:

1. That Council withdraw the proposed Zoning By-Law Amendment application by the City of North Bay to rezone portions of the property along Third Avenue East at John Street, legally described as Registered Plan No. 20, Lots 5 to 19, Reference Plan 36R-11395, Part 1 and Part of Closed Road from a “Residential Second Density (R2)” zone to a “Residential Fifth Density (R5)” zone.

All of which is respectfully submitted.

ASSENTS
ANTHONY
MENDICINO
GRAHAM
FEDELI

DISSENTS

Res. #2010-345: Moved by Councillor Anthony, seconded by Councillor Mendicino That Community Services Committee Report No. 2010-11 relating to:

- Rezoning application by Pierre & Jennifer L’Ami – 1369 Lakeshore Drive

be adopted as presented.

“CARRIED”

Mayor Fedeli declared a conflict of interest as he owns property in the neighbourhood.

COMMUNITY SERVICES COMMITTEE REPORT NO. 2010-11

May 17, 2010

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2010-11 and recommends:

1. That
 - a) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of Pierre & Jennifer L'Ami to rezone Concession 13, Part Lot 33, Remainder of Parcel 4067 W/F (1369 Lakeshore Drive) from a "Residential Holding (RH)" zone to a "Neighbourhood Commercial Special Zone No. 20 (C5 Sp.20)" for the purpose of expanding an existing commercial operation, 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.

All of which is respectfully submitted.

ASSENTS
ANTHONY
MENDICINO
GRAHAM

DISSENTS

Res. #2010-346: Moved by Councillor Koziol, seconded by Councillor Bain
That Engineering & Works Committee Report No. 2010-04 relating to:

- Recycling Collection / Processing and Marketing Services; and
- Waste Management By-Law

be adopted as presented.

"CARRIED"

ENGINEERING & WORKS COMMITTEE REPORT NO. 2010-04

May 17, 2010

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2010-04 and recommends:

1. That North Bay City Council approve a contract be issued to Miller Waste Systems Inc. in the first year amount of \$1,784,230.00 (taxes extra), for the provision of Recycling Collection / Processing and Marketing Services and the provision of Garbage Collection and Transportation to the Merrick Landfill Site Services. The contract shall be for a ten (10) year period with provision of two (2) option periods of five (5) years each. The award shall be conditional upon an Agreement of Terms between the recommended firm and the City of North Bay.

- 2. That By-Law No. 2010-108 being the Waste Management By-Law, be presented for three (3) readings on May 17, 2010.

All of which is respectfully submitted.

ASSENTS

KOZIOL
BAIN
MAYNE
FEDELI

DISSENTS

Res. #2010-347: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the Official Plan Amendment, Rezoning & Plan of Subdivision applications by Goodridge Planning Solutions on behalf of Jack & Helen Norman - Four Mile Lake Road be received.

“CARRIED”

Res. #2010-348: Moved by Councillor Anthony, seconded by Councillor Mendicino
That City Council support the transfer of ownership of the North Bay Skyhawks/Trappers Hockey Club.

“CARRIED”

Res. #2010-349: Moved by Councillor Anthony, seconded by Councillor Mendicino
That 1) the Event Committee of North Bay Summer in the Park be granted permission to hold the 2010 event in and about Lee Park from Friday, July 30th, to Sunday, August 1st, 2010, both inclusive, with subsidiary activities occurring from Wednesday, July 28th, 2010 until Tuesday, August 3rd, 2010 both inclusive, as outlined in Report to Council CSBU 2010-62;

- 2) the event is therefore confirmed to be exempt from the noise control provisions contained in Noise By-Law 142-76, as amended, pursuant to the operation of Section 6 and Schedule 3 thereof;
- 3) North Bay Summer in the Park Committee be granted exclusivity for the areas outlined in Report to Council CSBU 2010-62;
- 4) the Kate Pace Way be closed as outlined in Report to Council CSBU 2010-62;
- 5) temporary road closures be approved as outlined in Report to Council CSBU 2010-62; and
- 6) prohibited parking be established as outlined in Report to Council CSBU 2010-62.

“CARRIED”

Res. #2010-350: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That Council renew the existing insurance adjusters contract until December 31, 2012 to coincide with the renewal of general insurance services.

“CARRIED”

Res. #2010-351: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the draft Fireworks By-Law attached as Schedule "A" to Report to Council CORP 2010-73 be presented to Council for their approval.

"CARRIED"

Res. #2010-352: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That accounts totaling \$11,033,782.09 for April 2010 be approved.

"CARRIED"

Res. #2010-353: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That accounts for Royal Bank totaling \$1,974.25 for April 2010 be approved.

"CARRIED"

Res. #2010-354: Moved by Councillor Koziol, seconded by Councillor Bain
That North Bay City Council approve a contract be awarded to Northern Survey Supply in the amount of \$70,550.00 (taxes extra), for the supply of a Leica High Performance Total Station Surveying System.

"CARRIED"

Res. #2010-355: Moved by Councillor Koziol, seconded by Councillor Bain
That North Bay City Council approve a contract be issued to Bruman Leasing Ltd., in the amount of \$936,842.50 (GST extra), for Cell 6 Earthworks and Engineered Controls at the Merrick Landfill Site.

"CARRIED"

Res. #2010-356: Moved by Councillor Koziol, seconded by Councillor Bain
That North Bay City Council approve a contract be awarded to Miller Paving North Bay, a division of Miller Paving Ltd., in the estimated amount of \$376,281.66 (GST included), for application of Granular "A" Overbuilding and Surface Treatment of various rural roads.

"CARRIED"

Res. #2010-357: Moved by Councillor Koziol, seconded by Councillor Bain
That 1) North Bay City Council approve a contract be awarded to Pioneer Construction Inc., in the estimated amount of \$1,393,485.65 (GST included), for the rehabilitation and/or reconstruction of 3 kilometers of various urban roads within the City of North Bay; and

- 2) the City Clerk present a Capital Expenditure By-Law for consideration by City Council for the 2010 Asphalt Resurfacing Program (Capital Budget Line No. 61, Project No. 3017RD), with a net debenture cost of \$1,200,000.00.

"CARRIED"

Res. #2010-358: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the 3003RD-ST Main Street Reconstruction Paving Stone Replacement program for the Engineering, Environmental Services and Works department, being 2010 Capital Budget Project Line Item #14, at a net debenture cost of \$50,000.00.

"CARRIED"

Res. #2010-359: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the 3068WS Asset Management program for the Engineering, Environmental Services and Works department, being 2010 Capital Budget Project Line Item #W37, at a net debenture cost of \$250,000.00.

"CARRIED"

Res. #2010-360: Moved by Councillor Anthony, seconded by Councillor Mendicino
That 1) the Mayor and City Clerk be authorized to sign Phase I of the Turret Condominium Agreement by Turret Construction & Housing Co. Inc., Jorah Investments Ltd., & 133494 Canada Inc., for the approval of a 99 unit condominium on Madelena Drive and Lake Heights Road in the City of North Bay - City File No. 48CDM-07101; and
2) the Mayor, City Clerk and Managing Director of Community Services be authorized to sign the Final Plan of Condominium subject to receipt of all easement and condominium agreement requirements.

"CARRIED"

Res. #2010-361: Moved by Councillor Anthony, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Long Term Needs Study, being Community Services Capital Budget Project Line #19, Project No. 3043PR, at a net debenture cost of \$50,000.00.

"CARRIED"

Res. #2010-362: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That a By-Law be presented to authorize the Mayor and City Clerk to execute an Agreement with Neptune Technologies Group (Canada) Ltd., for the implementation of a Universal Water Metering Program.

"CARRIED"

Res. #2010-363: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That 1) the application by Miller & Urso Surveying Inc., on behalf of Brad Edwards & Sarah Cybulskie to close a laneway located at 1207 Regina Street, as shown on Schedule "A" attached to Report to Council CSBU 2010-56, 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. #2010-364: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the 3008RD-PK Heritage North Bay Parkland program for the Engineering, Environmental Services and Works department, being 2010 Capital Budget Project Line Item #39, at a net debenture cost of \$2,100,000.00.

"CARRIED"

Res. #2010-365: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That 1) Council adopt the 2010 Tax Policy recommendations as outlined in Report to Council CORP 2010-68 dated May 5, 2010; and
2) By-Law No. 2010-128, 2010-129 and 2010-130 be given three (3) readings at the Regular Meeting of Council on May 17, 2010.

“CARRIED”

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

Res. #2010-366: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the following by-law be read a first and second time:

By-Law No. 2010-121 to stop up, close and convey a portion of the McKeown Avenue and Shea Street road allowances.

“CARRIED”

Res. #2010-367: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the following by-laws be read a first and second time:

By-Law No. 2010-126 to authorize the Sewer & Water Reconstruction Program.

By-Law No. 2010-127 to authorize the Manhole & Catchbasin Repair Program.

“CARRIED”

Res. #2010-368: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the following by-laws be read a third time and passed:

By-Law No. 2010-126 to authorize the Sewer & Water Reconstruction Program.

By-Law No. 2010-127 to authorize the Manhole & Catchbasin Repair Program.

“CARRIED”

Res. #2010-369: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the following by-laws be read a first and second time:

By-Law No. 2010-128 to adopt optional tools for 2010 for the purposes of administering limits for the Commercial, Industrial and Multi-Residential Property Classes Tax Capping Program.

By-Law No. 2010-129 to adopt optional tools for 2010 for the purposes of administering limits for eligible properties in the Commercial, Industrial and Multi-Residential Property Classes (new construction).

By-Law No. 2010-130 to establish decrease limits for certain property classes for 2010.

“CARRIED”

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

Res. #2010-370: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the following by-law be read a third time and passed:

By-Law No. 2010-128 to adopt optional tools for 2010 for the purposes of administering limits for the Commercial, Industrial and Multi-Residential Property Classes Tax Capping Program.

By-Law No. 2010-129 to adopt optional tools for 2010 for the purposes of administering limits for eligible properties in the Commercial, Industrial and Multi-Residential Property Classes (new construction).

By-Law No. 2010-130 to establish decrease limits for certain property classes for 2010.

“CARRIED”

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

Res. #2010-371: Moved by Councilor Anthony, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2010-132 to rezone certain lands on Lakeshore Drive (Pierre & Jennifer L’Ami – 1369 Lakeshore Drive).

“CARRIED”

Mayor Fedeli declared a conflict of interest as he owns property in the neighbourhood.

Res. #2010-372: Moved by Councilor Anthony, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2010-133 to designate a Site Plan Control Area on certain lands on Lakeshore Drive (Pierre & Jennifer L’Ami – 1369 Lakeshore Drive).

“CARRIED”

Mayor Fedeli declared a conflict of interest as he owns property in the neighbourhood.

Res. #2010-373: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2010-133 to designate a Site Plan Control Area on certain lands on Lakeshore Drive (Pierre & Jennifer L’Ami – 1369 Lakeshore Drive).

“CARRIED”

Mayor Fedeli declared a conflict of interest as he owns property in the neighbourhood.

Res. #2010-374: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2010-137 to execute an Agreement with 208963 Ontario Ltd., operating as Excel Landscaping relating to the Main Street at Fraser Street Parkette Reconstruction.

By-Law No. 2010-138 to execute a Condominium Agreement with Turret Construction & Housing Co. Ltd., Jorah Investments Ltd., and 133494 Canada Inc., relating to Turret, Phase I (Lake Heights Road & Madelena Drive).

“CARRIED”

Res. #2010-375: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:

By-Law No. 2010-137 to execute an Agreement with 208963 Ontario Ltd., operating as Excel Landscaping relating to the Main Street at Fraser Street Parkette Reconstruction.

By-Law No. 2010-138 to execute a Condominium Agreement with Turret Construction & Housing Co. Ltd., Jorah Investments Ltd., and 133494 Canada Inc., relating to Turret, Phase I (Lake Heights Road & Madelena Drive).

“CARRIED”

Res. #2010-376: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-laws be read a first and second time:

By-Law No. 2010-108 being the Waste Management By-Law.

By-Law No. 2010-136 to execute an Agreement with Trudel Construction relating to concrete repairs to the digester at the Sewage Treatment Plant.

By-Law No. 2010-139 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to asphalt concrete pavement patching.

“CARRIED”

Res. #2010-377: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-laws be read a third time and passed:

By-Law No. 2010-108 being the Waste Management By-Law.

By-Law No. 2010-136 to execute an Agreement with Trudel Construction relating to concrete repairs to the digester at the Sewage Treatment Plant.

By-Law No. 2010-139 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to asphalt concrete pavement patching.

“CARRIED”

Res. #2010-378: Moved by Councillor Vaillancourt, seconded by Councillor Campbell
That “Casual Wear Months” be in effect from Tuesday, May 25, 2010 until Monday, September 6, 2010 inclusive.

“CARRIED”

Res. #2010-379: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended, at 8:20 p.m. for the following reason:
Item #20, being the potential lease of lands by the municipality.

“CARRIED”

Res. #2010-380: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Council reconvene at 8:41 p.m.

“CARRIED”

Councillor Bain and Councillor Mayne did not reconvene with the Council.

Res. #2010-381: Moved by Councillor Vaillancourt, seconded by Councillor Anthony
That this Regular Meeting of Council do now adjourn at 8:41 p.m.

“CARRIED”

MAYOR VICTOR FEDELI

CITY CLERK CATHERINE CONRAD