

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, SEPTEMBER 10TH, 2007**

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

CORRESPONDENCE:

North Bay Aviation Ltd. re Rezoning Application - Anita Avenue (603)

REPORTS FROM OFFICERS:

| | | |
|--------------|---|-------|
| Burke, M.B. | re True North land exchange | (623) |
| Burke, M.B. | re Hydro One Corridor - Josephine Street and McKeown Avenue | (625) |
| Burke, M.B. | re City sale to Kolios - Champlain Street | (626) |
| Carvell, D. | re Ontario Bus Replacement Program - 2007 Allocation | (606) |
| Carvell, D. | re Ontario Bus Replacement Program | (607) |
| Conrad, C.M. | re 2008 Council and Standing Committees Meeting schedule | (601) |
| Houston, J. | re 2009 World Junior Hockey Championship Pre-Competition Camp RFP | (608) |
| Knox, J.D. | re Naming of Transit Terminal | (609) |
| Lang, A. | re Ontario Bus Replacement Program - 2007 Allocation | (606) |
| Manning, J. | re Tender 2007-70, Supply of highway coarse bulk salt | (602) |
| Manning, J. | re Tender 2007-72, Haulage of bulk road salt | (604) |
| Manning, J. | re RFP 2007-74, Detailed Design and Tender Preparation of the Airport Pumping Station, Standpipe and Watermain Improvements | (610) |
| Manning, J. | re Tender 2007-46, Asphaltic concrete pavement and rehabilitation - urban roads | (611) |
| Manning, J. | re Tender 2007-82, Supply and installation of playground equipment | (612) |
| Manning, J. | re Land sale - 696 Galt Street | (624) |
| Mimee, R. | re Capital Projects Status Report | (605) |
| Rogers, B.A. | re Capital Projects Status Report | (605) |

Res. #2007-594: Moved by Councillor Mendicino, seconded by Councillor Chirico That minutes for the public meetings held on:

- Monday, August 20, 2007; and
- Tuesday, September 4, 2007

be adopted as presented.

"CARRIED"

Res. #2007-595: Moved by Councillor Mendicino, seconded by Councillor Chirico That minutes for the closed meetings held on:

- Monday, August 20, 2007; and
- Tuesday, September 4, 2007

be adopted as presented.

"CARRIED"

Res. #2007-596: Moved by Councillor Chirico, seconded by Councillor Campbell
That General Government Committee Report No. 2007-09 relating to:

- Lots 158 to 162, Plan 13, McIntyre Street West (Sweetman's Gardens)

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2007-09

September 10, 2007

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2007-09 and recommends:

1. That
 - a) the request from the North Bay Heritage Gardeners to rezone Lots 158 to 162, Plan 13, McIntyre Street West as “City Parkland” be noted and filed; and
 - b) Council authorize the Chief Administrative Officer to negotiate terms for a change of ownership of Lots 158 to 161 and Part Lot 162, Plan 13, McIntyre Street West (Sweetman’s Gardens) which would preserve the future use of the lands as gardens.

All of which is respectfully submitted.

ASSENTS
 CHIRICO
 CAMPBELL
 MAYNE
 VAILLANCOURT
 FEDELI

DISSENTS

Res. #2007-597: Moved by Councillor Chirico, seconded by Councillor Campbell
That General Government Committee Report No. 2007-10 relating to:

- Notice By-Law

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2007-10

September 10, 2007

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2007-10 and recommends:

- 1. That the by-law to prescribe the form and manner and times for the provision of notice (Notice By-law) be presented to Council for three (3) readings on September 10, 2007.

All of which is respectfully submitted.

ASSENTS
 CHIRICO
 CAMPBELL
 MAYNE
 VAILLANCOURT
 FEDELI

DISSENTS

Res. #2007-598: Moved by Councillor Chirico, seconded by Councillor Campbell
 That General Government Committee Report No. 2007-11 relating to:

- Proposed Accessible Transportation Standard

 be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2007-11

September 10, 2007

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2007-11 and recommends:

- 1. That
 - a) Council express its objection to the Minister of Community & Social Services with the proposed Accessible Transportation Standard on the basis of need for Standards harmonization, costs and timeframes to implement; and
 - b) Council ask the Province of Ontario for permanent financial assistance, outside of current Provincial Gas Tax Funds, in order to assist with implementation of this and any other Standard to be adopted under the authorities of the *Accessibility for Ontarians with Disabilities Act*.

All of which is respectfully submitted.

ASSENTS
 CHIRICO
 CAMPBELL
 MAYNE
 VAILLANCOURT
 FEDELI

DISSENTS

Res. #2007-599: Moved by Councillor Anthony, seconded by Councillor Boldt
 That Community Services Committee Report No. 2007-21 relating to:

- Rezoning application by the City of North Bay - Third Avenue East and Wyld Street

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2007-21

September 10, 2007

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2007-21 and recommends:

1. That
 - a) the proposed Zoning By-Law amendment by the City of North Bay to rezone Lots 608 - 613 inclusive, Plan 21 and Lots 4 - 7 inclusive, Plan 79, along Third Avenue East and Wyld Street from a “Residential Third Density (R3)” zone to a “Residential Fifth Density (R5)” zone be approved;
 - b) By-Law No. 2007-174 to rezone certain lands on Third Avenue East and Wyld Street be presented to City Council for three readings at the next Regular Meeting of Council; and
 - c) a “Record of Site Conditions” be completed as required by the *Environmental Protection Act* prior to the sale of, or development on the subject property.”

All of which is respectfully submitted.

ASSENTS
ANTHONY
BOLDT
BAIN
FEDELI

DISSENTS

Res. #2007-600: Moved by Councillor Anthony, seconded by Councillor Boldt
That Community Services Committee Report No. 2007-22 relating to:

- Rezoning application by 1038634 Ontario Inc., Duke Street West

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2007-22

September 10, 2007

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2007-22 and recommends:

- 1. That a) the proposed Zoning By-law amendment by Miller & Urso Surveying Inc. on behalf of 1038634 Ontario Inc. to rezone Plan 36R-8423, Part of Part 5 (Duke Street West), from a "Residential Multiple First Density Special Zone No. 108 (RM1 Sp.108)" to a "Residential Second Density Special Zone No. 99 (R2 Sp.99)" be approved;
- b) the by-law be presented to City Council for three readings at the next Regular Meeting of Council; 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 lot grading, vegetative buffer, parking, building location, access and fencing.

All of which is respectfully submitted.

ASSENTS
 ANTHONY
 BOLDT
 BAIN
 FEDELI

DISSENTS

Res. #2007-601: Moved by Councillor Chirico, seconded by Councillor Campbell
 That City Council adopt the "Council and Standing Committees Meeting Schedule" attached to Report to Council No. CORP 2007-129, dated August 10, 2007, for the scheduling of Regular Meetings of Council and its Standing Committees during 2008.

"CARRIED"

Res. #2007-602: Moved by Councillor Koziol, seconded by Councillor Mendicino
 That North Bay City Council approve that a contract be issued to Sifto Canada Corp. in the estimated amount of \$502,350.00 (taxes included), for the supply of highway coarse bulk salt on an as and when requested basis from the date of contract to April 30, 2008, with the provision of an option year if mutually agreeable to both parties.

"CARRIED"

Res. #2007-603: Moved by Councillor Anthony, seconded by Councillor Boldt
 That the rezoning application by North Bay Aviation Ltd. - Anita Avenue be received.

"CARRIED"

Res. #2007-604: Moved by Councillor Koziol, seconded by Councillor Mendicino
 That North Bay City Council approve a contract be issued to Bruman Leasing, in the estimated amount of \$81,487.50 (GST included), to haul road salt from Parry Sound, Ontario to the City Yards at Franklin Street, as set out in the tender. The period of work shall be for the 2007/2008 winter season, with the provision of a one year option, if mutually agreeable to both parties. The contract shall be conditional upon acceptance of the proposed vehicle.

"CARRIED"

Res. #2007-605: Moved by Councillor Chirico, seconded by Councillor Campbell
 That 1) the Capital Projects Status Report - June 2007 Report No. CORP 2007-139 from the Chief Financial Officer be received;

- 2) the 18 projects listed on Appendix "A" attached to Report No. CORP 2007-139 be closed and that the small deficit balance of (\$1,494) be transferred as follows: (\$2,527) to the Completed Capital Works Reserve Fund and \$1,033 to the Water and Sanitary Sewer Capital Works Reserve Fund;
- 3) the Chief Financial Officer be authorized to transfer \$32,500 from the Dionne Home Restoration Project, #2671OC, to a new Dionne Home Restoration Reserve Fund; and
- 4) the 5 projects listed on Appendix "B" attached to Report No. CORP 2007-139 be closed and that the surplus balance of \$2,070,666 be transferred to other open Capital Projects as noted on Appendix "B".

"CARRIED"

Res. #2007-606:

Moved by Councillor Anthony, seconded by Councillor Boldt

- That
- 1) the City enter into a Letter of Agreement with the Minister of Transportation for the Ontario Bus Replacement Program Funding of \$294,340.00 for 2007;
 - 2) the Mayor and Chief Financial Officer be authorized to sign the Letter of Agreement on behalf of the City; and
 - 3) an Execution By-Law be presented to Council for three (3) readings on September 10, 2007.

"CARRIED"

Res. #2007-607:

Moved by Councillor Anthony, seconded by Councillor Boldt

- That
- 1) Council authorize the purchase of an additional transit coach for 2007 procurement year; and
 - 2) net debenture funding totalling \$159,308 be included in the 2008 Capital Budget.

"CARRIED"

Res. #2007-608:

Moved by Councillor Anthony, seconded by Councillor Boldt

- That
- 1) a letter of intent be sent to the World Junior Hockey Championship Committee by September 14, 2007 expressing the City of North Bay's interest in submitting a bid proposal to participate in the Pre-Competition Camp Program as part of the 2009 event; and
 - 2) a Pre-Competition Camp Committee be struck to prepare the bid proposal to the World Junior Championship Committee by the October 31, 2007 deadline date.

"CARRIED"

Res. #2007-609:

Moved by Councillor Anthony, seconded by Councillor Boldt

That Council approve the naming of the North Bay Transit Terminal as "The Peter Reid Stop" in memory of Peter Reid, Transit Manager.

"CARRIED"

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

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

Res. #2007-610: Moved by Councillor Koziol, seconded by Councillor Mendicino
That North Bay City Council approve a contract be awarded to KMK Consultants Limited in the amount of \$376,410.00 (GST extra), for the Detailed Design and Tender Preparation of the Airport Pumping Station, Standpipe and Watermain Improvements.

“CARRIED”

Res. #2007-611: Moved by Councillor Koziol, seconded by Councillor Mendicino
That 1) North Bay City Council approve a contract be awarded to Pioneer Construction Inc., in the estimated amount of \$815,044.42 (GST included), for the supply and placement of asphaltic concrete pavement and rehabilitation on various urban roads; and
2) the City Clerk present a Capital Expenditure By-Law for consideration by City Council for the 2007 Asphalt Resurfacing Program (Capital Budget Line #1), with a net denture cost of \$625,000.00.

“CARRIED”

Res. #2007-612: Moved by Councillor Anthony, seconded by Councillor Boldt
That North Bay City Council approve the award of a contract to Crozier Agencies Ltd., in the amount of \$78,205.72 (GST included), for the supply and installation of playground equipment at Belleview Park and Superior Crescent Playground.

“CARRIED”

Res. #2007-613: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a first and second time:

By-Law No. 2007-187 to authorize the sale of lands to Vlvianne St. Jacques (Copeland Street).

By-Law No. 2007-190 to prescribe the form and manner and times for the provision of notice.

“CARRIED”

Res. #2007-614: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a third time and passed:

By-Law No. 2007-187 to authorize the sale of lands to Vlvianne St. Jacques (Copeland Street).

By-Law No. 2007-190 to prescribe the form and manner and times for the provision of notice.

“CARRIED”

Res. #2007-615: Moved by Councillor Anthony, seconded by Councillor Boldt
That the following by-laws be read a first and second time:

By-Law No. 2007-174 to rezone certain lands on Third Avenue (City of North Bay).

By-Law No. 2007-184 to rezone certain lands on Duke Street (1038634 Ontario Inc. - Duke Street West).

By-Law No. 2007-191 to execute an Agreement with the Minister of Transportation relating to the Ontario Bus Replacement Program.

“CARRIED”

Res. #2007-616: Moved by Councillor Anthony, seconded by Councillor Boldt
That the following by-laws be read a third time and passed:

By-Law No. 2007-174 to rezone certain lands on Third Avenue (City of North Bay).

By-Law No. 2007-184 to rezone certain lands on Duke Street (1038634 Ontario Inc. - Duke Street West).

By-Law No. 2007-191 to execute an Agreement with the Minister of Transportation relating to the Ontario Bus Replacement Program.

“CARRIED”

Res. #2007-617: Moved by Councillor Koziol, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2007-186 to execute an Agreement with Gap Construction Company Limited relating to the Algonquin Avenue and Area Road Reconstruction (Phase 1 - Algonquin Avenue and Front Street).

By-Law No. 2007-192 to execute an Agreement with Pioneer Construction Inc. relating to the supply of aggregate material.

“CARRIED”

Res. #2007-618: Moved by Councillor Koziol, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:

By-Law No. 2007-186 to execute an Agreement with Gap Construction Company Limited relating to the Algonquin Avenue and Area Road Reconstruction (Phase 1 - Algonquin Avenue and Front Street).

By-Law No. 2007-192 to execute an Agreement with Pioneer Construction Inc. relating to the supply of aggregate material.

“CARRIED”

Res. #2007-619: Moved by Councillor Mendicino, seconded by Councillor Bain
That City Council direct city staff to begin the process to find a private group to run the concert portion of the Heritage Festival for 2008.

“CARRIED”

Res. #2007-620: Moved by Councillor Chirico, seconded by Councillor Mendicino
WHEREAS the City of North Bay, as part of its consideration of all City owned properties not immediately required for Municipal purposes, advertised the potential sale of land abutting Otter Lake through Tender 2007-67;

AND WHEREAS no responses were received to Tender 2007-67;

THEREFORE BE IT RESOLVED THAT the Council of the City North Bay directs that:

1. P.I.N. 12 (the MNR covenant lands) be removed from the list of City owned properties declared surplus;
2. the City only entertain offers of purchase for the remaining Otter Lake lands from community based groups for uses that would be deemed to provide a larger public benefit;
3. the gate be removed from the Southerly trail so as to allow unimproved access to the lake on an "at your own risk" basis;
4. the central access road remain for the exclusive use of the owner of the island, the City of North Bay, and any other public agency as may be required from time-to-time; and
5. the City gratefully acknowledge and accept the October 27, 2005 offer from a member of the Trout Lake Conservation Association executive to have the Trout Lake Conservation Association engage in the ongoing cleanup of the public spaces accessing and around Otter Lake.

"CARRIED"

Record of Vote (Upon Request of Councillor Chirico)

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

Res. #2007-621: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council adjourn in-camera at 8:39 p.m. to discuss Item 23, being a personal matter about an identifiable individual, including municipal or local board employee, Items 13 to 17 and 19 to 22, being proposed or pending acquisition or disposal of land by the municipality or local board and Item 18 being litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

"CARRIED"

Councillor Bold left the meeting when the meeting adjourn in-camera

Res. #2007-622: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council reconvene at 9:45 p.m.

"CARRIED"

Res. #2007-623: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council approve a Supplementary Agreement of Purchase and Sale with True North Chev Olds, to substitute vacant land included in the 2004 transaction at the originally agreed upon rate of \$70,650.00 per acre, to recognize the condition of the lands.

"CARRIED"

Res. #2007-624: Moved by Councillor Chirico, seconded by Councillor Campbell
That North Bay City Council approve that the bid negotiated after the tender process from George and Philip Tamchina, in the amount of \$20,500.00 (GST extra), be accepted for the sale of vacant City owned

land described as Plan M-32, Part of Lot 151. The municipal address is 696 Galt Street.

“CARRIED”

Res. #2007-625: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council agree to enter into a License with the Hydro One Corridor’s Unit regarding the Hydro One Corridor along Josephine Street and McKeown Avenue according to the terms of the Letter of Intent of July 4, 2007 from Hydro One.

“CARRIED”

Res. #2007-626: Moved by Councillor Campbell, seconded by Councillor Mayne
That Council declare the easterly 25 feet of Block 2, Plan 26M-456 beside the McKeown Avenue Fire Station as surplus and authorize its sale to the abutting owner, Dimitrios Kolios, for the sum of \$28,977.27 according to the terms of the proposed Agreement of Purchase and Sale, as amended, regarding the Hydro One Terms.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as Dimitrios Kolios is a client of the Royal Bank of Canada.

Res. #2007-627: Moved by Councillor Vaillancourt, seconded by Councillor Graham
That this Regular Meeting of Council do now adjourn.

“CARRIED”

MAYOR VIC FEDELI

CITY CLERK CATHERINE CONRAD