

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, JANUARY 17TH, 2005**

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

CORRESPONDENCE:

Bridges, Craig	re Resignation from Waste Resources Liaison Committee	(09)
Layode, Jim and Lynda	re Rezoning application on behalf of Patricia Cliche - 1270 Highway 17 East	(20)
Malcolm, Ian	re Rezoning application - 1912 Main Street West and 205 Kirkpatrick Street	(19)
Miller, Rick	re Official Plan amendment and Rezoning application on behalf of Marshall Park Developments Ltd. - Booth Road	(21)
Miller, Rick	re Request to purchase property on Duke Street - Antonio Delfino	(34)
Mitchell Architects	re Water Charges By-Law amendment	(14)

REPORTS FROM OFFICERS:

Bullock, P .	re Pollution Prevention Plan for the North Bay Waste Water Treatment Plant	(17)
Burke, M.B.	re Request to purchase property on Duke Street - Antonio Delfino	(34)
Burke, M.B.	re Vincent Massey School taxation	(35)
Burke, M.B.	re Sale of Tourist Information Centre lands	(36)
Burke, M.B.	re Property purchase request from Richard Marleau - Regal Road	(37)
Cormier, D.	re 2005 Heritage Festival Management Committee appointment	(18)
Hall, B.	re Rezoning application - City of North Bay - former CNR right-of-way	(05)
Hall, B.	re Rezoning application - City of North Bay - Little Down Lane	(06)
Hall, B.	re Rezoning application - Fudge & Associates on behalf of Nipissing Entertainment Inc., Ferris Drive and Birch's Road	(07)
Hall, B.	re Rezoning application - City of North Bay - North Bay Waterfront	(08)
Kilgour, I.G.	re Final approval - Plan of Condominium by Robert Lucenti on behalf of C&C Properties Inc. - 240 Algonquin Avenue	(25)
Knox, J.D.	re Human-Black Bear Conflict & Bear Wise Program	(11)
Knox, J.D.	re Nipissing University/Canadore College Student Bus Pass Program	(16)
Kraemer, L.	re 2005 Interim Tax Rate By-Law/2005 Adjustments to Interim Taxes By-Law	(23)
Linkie, D.G.	re Water Charges By-Law amendment	(14)
Manning, J.	re RFP 2004-148, Detailed design and tender preparation - septage receiving and grit removal for the Sewage Treatment Plant	(22)
McCullough, E.A.	re Ministry of Natural Resources Forest Fire Management Agreement renewal	(10)
Rogers, B.A.	re OSIFA debenture issue	(24)
Seguin, C.	re Pete Palangio Arena furnaces	(15)

Res. #2005-03: Moved by Councillor Chirico, seconded by Councillor Bain
That minutes for the meetings held:

- Monday, December 13, 2004

be adopted as presented.

“CARRIED”

Res. #2005-04: Moved by Councillor Mason, seconded by Councillor Boldt
That Engineering & Works Committee Report No. 2005-01 relating to:

- leaf collection

be adopted as presented.

“CARRIED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2005-01

January 17, 2005

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2005-01 and recommends:

1. That Report No. EES 2004-071 from Al Tomek relating to leaf collection be noted and filed.

All of which is respectfully submitted.

ASSENTS
MASON
BOLDT
CAMPBELL
FEDELI

DISSENTS

Res. #2005-05: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the recommendation from the Planning Advisory Committee regarding the rezoning application by the City of North Bay - former Canadian National Railway Right-of-Way be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2005-06: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the recommendation from the Planning Advisory Committee regarding the rezoning application by the City of North Bay - Little Down Lane be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2005-07: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the recommendation from the Planning Advisory Committee regarding the rezoning application by Fudge & Associates on behalf of Nipissing Entertainment Inc. - Ferris Drive and Birch's Road, be referred to the

Res. #2005-08: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the recommendation from the Planning Advisory Committee regarding the rezoning application by the City of North Bay - North Bay Waterfront be referred to the Community Services Committee and for a Public Meeting.

"CARRIED"

Res. #2005-09: Moved by Councillor Mason, seconded by Councillor Boldt
That the resignation of Craig Bridges from the Waste Resources Liaison Committee be accepted with regret and Mr. Bridges be thanked for his involvement on the board.

"CARRIED"

Res. #2005-10: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Council authorize entering into an agreement with the Ministry of Natural Resources for the renewal of the existing Ministry of Natural Resources Agreement as per By-Law 2001-47, for the City of North Bay/Ministry of Natural Resources Forest Fire Management Agreement Renewal to take effect April 1st, 2005 until March 31st, 2008, a period of three (3) years.

"CARRIED"

Res. #2005-11: Moved by Councillor Mendicino, seconded by Councillor Koziol
That 1) the City of North Bay participates in the Province's Bear Wise Program by passing a resolution authorizing the Chief Administrative Officer to sign the required Community Funding Agreement which provides access to approved funding; and
2) City staff be directed to submit an application for funding under the 2005/06 Bear Wise Program that will support education and preventative measures.

"CARRIED"

Res. #2005-12: Moved by Councillor Chirico, seconded by Councillor Anthony
That accounts totalling \$6,664,878.38 for November be approved.

"CARRIED"

Res. #2005-13: Moved by Councillor Chirico, seconded by Councillor Anthony
That accounts for Clarion Resort - Pinewood Park totalling \$2,973.00 for November be approved.

"CARRIED"

Councillor Mason declared a conflict of interest on the above matter as he is employed by the Clarion Resort - Pinewood Park.

Res. #2005-14: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) Section 1 of By-Law No. 2004-33 be amended to include a definition of "Retirement Homes" as contained in Report CAO 2005-01;
2) By-Law No. 2004-33 be further amended to prescribe, within Subsection "3 (c)", the method by which a basic fixed rate is calculated for metered retirement homes, said method as described in Report CAO 2005-01; and

- 3) the Clerk be directed to schedule the required Public Meeting under the *Municipal Act* in order to amend the Water Charges By-Law.

“CARRIED”

Res. #2005-15: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the report from C. Seguin dated January 5, 2005 re Pete Palangio
Arena furnaces be referred to the Community Services Committee.

“CARRIED”

Res. #2005-16: Moved by Councillor Mendicino, seconded by Councillor Koziol
That

- 1) Council supports the renewal of the Agreements with Nipissing University and Canadore College to provide special passes for post-secondary students; and
- 2) the City of North Bay enters into Agreements with both Nipissing University and Canadore College to provide special passes for Post Secondary students as outlined in Report No. CSBU 2005-03.

“CARRIED”

Res. #2005-17: Moved by Councillor Mason, seconded by Councillor Boldt
That

- 1) the City of North Bay undertake a comprehensive Pollution Prevention Plan for controlling sewage effluent in 2005 at an estimated cost of \$35,000.00 to be funded from the 2005 Sewer and Water Capital Works Program, Item W7 Sewage Plant Upgrades;
- 2) the recommendations from the Pollution Prevention Plan be prepared in time for consideration for the 2006 Capital Budget;
- 3) the financial implications of Federal and Provincial funding be examined;
- 4) the GAP Officer be directed to examine funding sources; and
- 5) a letter be sent to our MP Anthony Rota as a follow-up.

“CARRIED”

Res. #2005-18: Moved by Councillor Mendicino, seconded by Councillor Koziol
That City Council approve the appointment of Brian Winkworth as the Marketing, Sponsorship, Sales Management Committee Chair for the purpose of planning and implementing the North Bay Heritage Festival.

“CARRIED”

Res. #2005-19: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by Ian Malcolm - 1912 Main Street West and 205 Kirkpatrick Street be received.

“CARRIED”

Res. #2005-20: Moved by Councillor Mendicino, seconded by Councillor Koziol

That the rezoning application by Jim & Lynda Layode on behalf of Patricia Cliche - 1270 Highway 17 East be received.

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“CARRIED”
January 17, 2005

Res. #2005-21: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the Official Plan amendment and Rezoning application by Rick Miller on behalf of Marshall Park Development Ltd. - Booth Road be received.

“CARRIED”

Res. #2005-22: Moved by Councillor Mason, seconded by Councillor Boldt
That North Bay City Council approve a contract be awarded to Hydromantis Inc. in the amount of \$124,450.00, including GST, to provide the detailed design and tender preparation for septage receiving and grit removal for the sewage treatment plant.

“CARRIED”

Res. #2005-23: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) Council enact By-Law 2005-05, being a by-law to levy certain interim rates, taxes and charges and that the by-law be given three (3) readings on January 17, 2005; and
2) Council enact By-Law 2005-06, being a by-law to adjust interim taxes on certain properties that would be levied too high or too low in relation to total taxes that will be levied on the property and that the by-law be given three (3) readings on January 17, 2005.

“CARRIED”

Res. #2005-24: Moved by Councillor Chirico, seconded by Councillor Anthony
That By-Law No. 2005-01 authorizing the borrowing upon serial debentures in the amount of \$2,195,000.00 be presented for three (3) readings on January 17, 2005.

“CARRIED”

Res. #2005-25: Moved by Councillor Mendicino, seconded by Councillor Koziol
That 1) Council grant Final Approval to the Plan of Condominium by Robert LUcenti on behalf of C&C Properties Incorporated on the property described as Plan 10, Part Lot 113, 114 and 118 (240 Algonquin Avenue), as permitted by Section 9(7) of the *Condominium Act*, 1998 as represented as Schedule “B” and “C” to Report No. 2004-100 dated January 12, 2005 by Ian Kilgour; and
2) Council’s resolution for Final Approval be accompanied with a Certificate of Exemption.

“CARRIED”

Res. #2005-26: Moved by Councillor Maroosis, seconded by Councillor Koziol
That North Bay City Council support in principle the Ferris and Callander Lions’ Club’s “House Building Project” in Sri Lanka.

“CARRIED”

Res. #2005-27: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2005-02 to stop up, close and convey a portion of the Franklin

Street road allowance.

“CARRIED”

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January 17, 2005

Res. #2005-28:

Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2005-01 to authorize borrowing upon serial debentures in the amount of \$2,195,000.

By-Law No. 2005-04 to authorize the sale of lands to Jeremy Mullens (145 Whitney Avenue).

By-Law No. 2005-05 to levy certain interim rates, taxes and charges.

By-Law No. 2005-06 to amend By-Law No. 2004-24 to levy certain interim rates, taxes and charges for the year 2004 (as it relates to the adjustment of interim taxes).

By-Law No. 2005-08 to authorize the sale of lands to 959887 Ontario Inc. (Kap Freight & Cartage - Birch's Road).

By-Law No. 2005-09 to execute an Agreement of Purchase and Sale with Nipissing Entertainment Inc.

By-Law No. 2005-10 to establish a Tax Rebate Program for the purposes of providing relief from taxes or amounts paid on account of taxes on eligible property occupied by eligible charities and similar organizations.

By-Law No. 2005-11 to deem Lots 12, 13, 14 and 15 Registrars Compiled Plan No. 2 as not being subject to Part Lot Control.

“CARRIED”

Res. #2005-29:

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

By-Law No. 2005-01 to authorize borrowing upon serial debentures in the amount of \$2,195,000.

By-Law No. 2005-04 to authorize the sale of lands to Jeremy Mullens (145 Whitney Avenue).

By-Law No. 2005-05 to levy certain interim rates, taxes and charges.

By-Law No. 2005-06 to amend By-Law No. 2004-24 to levy certain interim rates, taxes and charges for the year 2004 (as it relates to the adjustment of interim taxes).

By-Law No. 2005-08 to authorize the sale of lands to 959887 Ontario Inc. (Kap Freight & Cartage - Birch's Road).

By-Law No. 2005-09 to execute an Agreement of Purchase and Sale with Nipissing Entertainment Inc.

By-Law No. 2005-10 to establish a Tax Rebate Program for the purposes of providing relief from taxes or amounts paid on account of taxes on eligible property occupied by eligible charities and similar organizations.

By-Law No. 2005-11 to deem Lots 12, 13, 14 and 15 Registrars Compiled

Plan No. 2 as not being subject to Part Lot Control.

“CARRIED”

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January 17, 2005

Res. #2005-30: Moved by Councillor Anthony, seconded by Councillor Bain
That the following by-law be read a third time and passed:

By-Law No. 2004-213 to stop up, close and convey a portion of the unopened portion of Highway 63 along Trout Lake Road, abutting Part Lot 15, Concession “C”.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as the abutting owner (Pier 63) is a client.

Res. #2005-31: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2005-07 to execute an Agreement with Nipissing First Nation relating to fire protection services.

“CARRIED”

Res. #2005-32: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2005-07 to execute an Agreement with Nipissing First Nation relating to fire protection services.

“CARRIED”

Res. #2005-33: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council adjourn in-camera to discuss property matters 22, 23, 24, 25 and 26.

“CARRIED”

Res. #2005-34: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council not declare Part 6, Plan 36R-8423, being part of Duke Street, beside Chippewa Creek as surplus.

“CARRIED”

Res. #2005-35: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council authorize an agreement between the City, the Near North District School Board and the North Bay-Mattawa Conservation Authority to exempt Vincent Massey School from taxation for municipal and school purposes pursuant to s. 110 of the *Municipal Act*, as a municipal capital facility for the years 2002, 2003 and 2004.

“CARRIED”

Res. #2005-36: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council declare surplus the Tourist Information Centre lands, subject to the terms of the existing lease with the North Bay and District Chamber of Commerce.

“CARRIED”

Res. #2005-37: Moved by Councillor Chirico, seconded by Councillor Anthony

That Council declare as surplus those City lands beside Lots 1 and 2, Plan M-247 to the south west of the realigned Regal Road and that the lands be offered for purchase to the abutting owners at the appraised value.

“CARRIED”

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January 17, 2005

Res. #2005-38

Moved by Councillor Chirico, seconded by Councillor Bain
That this meeting do now adjourn.

“CARRIED”

MAYOR

CITY CLERK