

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY DECEMBER 13TH, 2010**

PRESENT: Mayor McDonald, Councillors Chirico, Koziol, Anthony, Maroosis, Bain, Mayne, Vrebosch-Merry, Vaillancourt, Mendicino, Lawlor

PUBLIC PRESENTATION:

Tyler Dokis	re Indian Friendship Centre
Manfred May	re Rezoning of Commercial Street
Cathy McCallum	re Dreamcoat Fantasy Theatre

CORRESPONDENCE:

Cole, Jeff	re Purchase of City Owned Land - Lakeside Drive	(712)
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REPORTS FROM OFFICERS:

Burke, M.	re Delegation of Consent to Assignment of Municipal Housing Facilities Agreement	(691)
Burke, M.	re Third Avenue Road Alteration / Partial Closing near John Street	(693)
Burke, M.	re Appeal to OMB – Duane Feltz & Kathleen Hamilton – 1300S Four Mile Lake Road	(711)
Burke, M.	re Purchase of City Owned Land – Lakeside Drive	(712)
Carello, P.	re Rezoning application – Bainbridge/ Lamorie – 40 Four Mile Lake Road	(684)
Carello, P.	re Rezoning application – Marcel Bourdeau - 108 Karla Drive	(685)
Conrad, C.	re 2011 Council & Standing Committees Meeting Schedule	(682)
Conrad, C.	re Appointments to the Board of Management – D.I.A.	(688)
Knox, J.	re Transit Agreement with Nipissing University	(683)
Knox, J.	re Summer in the Park	(710)
Korell, A.	re Premier Road Sanitary Sewer Capital Project	(695)
Korell, A.	re Addition to Public Works Garage	(696)
Lang, A.	re Resolution Regarding Banking	(692)
McArthur, S.	re Deeming By-Law – Andrew Dunn – 794 McLaren Street	(686)
McArthur, S.	re 2010 Municipal Heritage Committee Annual Report	(687)
McArthur, S.	re Extension to Expire Date on Draft Approval Plan of Subdivision - 13 Residential Units - McKee Drive	(689)
Scully, L.	re Set Fines / Short Form Wordings – Parks By-Law 35-96	(690)
Scully, L.	re Set Fines / Short Form Wordings – Sewer Use By-Law 2002-112	(694)

Res. #2010-679: Moved by Councillor Koziol, seconded by Councillor Vaillancourt
That minutes for the public meetings held on:

- Monday, October 18, 2010
- Monday, December 6, 2010

be adopted as presented.

“CARRIED”

Res. #2010-680: Moved by Councillor Koziol, seconded by Councillor Vaillancourt
That minutes for the closed meeting held on:

- Thursday, December 9, 2010

be adopted as presented.

“CARRIED”

Res. #2010-681: Moved by Councillor Chirico, seconded by Councillor Koziol
That Striking Committee Report No. 2010-02 relating to:

- Citizen appointments to Agencies, Boards and Commissions

be adopted as presented.

“CARRIED”

STRIKING COMMITTEE REPORT NO. 2010-02

December 13, 2010

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

Your Worship and Councillors:

The Striking Committee presents Report No. 2010-02 and recommends:

1. That the following citizens be appointed to the Committee of Adjustment for a four year term to expire November 30, 2014:

Don Beddage;

Thomas Marc Buchanan;

Peter Fedeli;

Jeffrey Rogerson; and

Paul Woodbury.

2. That the following citizens be appointed to the Municipal Accessibility Advisory Committee for a four year term to expire November 30, 2014:

Denise Alkins;

Nicole Glanz;

Emma Langdon;

Geoffrey Laplante;

Nora Long;

Barbara Lynn Smith;

Brian Trivett; and
Jo-Ann Wilson.

3. That the following citizens be appointed to the Municipal Heritage Committee for a four year term to expire November 30, 2014:

Amy Bennett;
Jennifer Buell;
Robin Gendron;
Peter Handley;
Aaron Northrup; and
Margaret Surtees.

4. That the following citizens be appointed to the North Bay Parry Sound District Health Unit for a four year term to expire November 30, 2014:

David Butti; and
Derek Shogren.

5. That the following citizen be appointed to the North Bay Police Services Board for a four year term to expire November 30, 2014:

Dennis O'Connor.

6. That the following citizens be appointed to the North Bay Public Library Board for a four year term to expire November 30, 2014;

Tony Cerasia;
Peter Handley;
Allyson Meney;
Jan Perfect;
Lisa Poeta;
Margaret Surtees;
Tammy Tipler-Priolo; and
David Wolfe.

7. That the following citizens be appointed to the Planning Advisory Committee for a four year term to expire November 30, 2014;

Elizabeth Appleton;
David Briggs;
Edward Valenti; and
Paul Walker.

8. That the following citizens be appointed to the Property Standards Committee for a four year term to expire November 30, 2014;

Dale Barker;
David Briggs; and
Tony Cerasia.

9. That the following citizens be appointed to the Waste Resources Liaison Committee for a four year term to expire November 30, 2014:

Elizabeth Appleton;

David Briggs;

Craig Dellandrea;

Roxanne Ferguson; and

Robb Noon (Appointee for the Municipality of Callander).

All of which is respectfully submitted.

Res. #2010-682: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council ratify the "2011 Council and Standing Committees Meeting Schedule" attached to Report to Council No. CORP 2010-152.

"CARRIED"

Res. #2010-683: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Council endorses the proposed renewal of the Transit Service Agreement with Nipissing University for a period of three (3) years commencing with the September 2011 to April 2012 academic year.

"CARRIED"

Res. #2010-684: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the recommendation from the Planning Advisory Committee regarding the rezoning application by Miller & Urso Surveying Inc. on behalf of Robert Bainbridge and Betty Lamorie – 40 Four Mile Lake Road be referred to the Community Services Committee for a Public Meeting.

"CARRIED"

Res. #2010-685: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the recommendation from the Planning Advisory Committee regarding the rezoning application of Marcel Bourdeau – 108 Karla Drive be referred to the Community Services Committee for a Public Meeting.

"CARRIED"

Res. #2010-686: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Council adopt a Deeming By-Law to deem Lots 5 to 7 and Lot 14 of Registered Plan 99, not to be lots on a Registered Plan of Subdivision.

"CARRIED"

Res. #2010-687: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the 2010 Municipal Heritage Committee Annual Report be received and referred to the Community Services Committee.

"CARRIED"

Res. #2010-688: Moved by Councillor Chirico, seconded by Councillor Koziol
That the Council of the City of North Bay confirm the appointments of the following persons to the Board of Management for the Downtown Improvement Area for a term to expire November 30, 2014:
Michelle Trudeau;
Robert (Bob) Alger;
Nikoline Calcaterra;
Barry Klus;

Geoff Richardson;
Thor von Estorff; and
Tom Richardson.

“CARRIED”

Res. #2010-689: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Council approve a request for an extension to the expiry date from February 14, 2011 to February 14, 2013 on a Draft Approved Plan of Condominium for thirteen (13) residential units on McKee Drive in the City of North Bay by Miller & Urso Surveying Inc., on behalf of Elisa Giustra.

“CARRIED”

Res. #2010-690: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council authorize an application for approval of set fines and short form wordings for offences contrary to Parks By-Law No. 35-96, as amended, as set out in Schedule “A” attached to Report to Council No. CORP 2010-162.

“CARRIED”

Res. #2010-691: Moved by Councillor Chirico, seconded by Councillor Koziol
That the Chief Financial Officer and the City Clerk be authorized, subject to the approval of the City Solicitor, to execute Assignment Agreements required for the first mortgage of properties which have been approved for a Municipal Housing Facilities Agreement, and that Delegation By-Law 2007-228 be amended accordingly.

“CARRIED”

Res. #2010-692: Moved by Councillor Koziol, seconded by Councillor Anthony
That City Council approve the Resolution Regarding Banking authorizing the Mayor or Deputy Mayor with any one of the Treasurer or Deputy Treasurer to act on behalf of The Corporation of the City of North Bay on all matters pertaining to banking with the Royal Bank of Canada.

“CARRIED”

Councillor Chirico declared a conflict of interest as he is employed with the Royal Bank of Canada.

Res. #2010-693: Moved by Councillor Chirico, seconded by Councillor Koziol
That the Third Avenue angled alignment to the Hardy Street lane be closed at the limits of the Lot for 524 Third Avenue so as to discontinue the use of the private land for the existing assumed road status of Third Avenue at that location.

“CARRIED”

Res. #2010-694: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council authorize an application for approval of set fines and short form wordings for offences contract to Sewer Use By-Law No. 2002-112, as set out in Schedule “A” attached to Report to Council No. CORP 2010-157 dated December 2, 2010.

“CARRIED”

Res. #2010-695: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That a Capital Expenditure By-Law be approved from the 2010 Premier Road Capital Project, Line Item W15, Project No. 3116SS, in the amount of \$1,000,000 and that \$500,000 be spent on sealing of infiltration of the

sanitary sewer system in the Lakeshore Drive area, and that the remaining \$500,000 be spent on abnormal operational overages due to service leaks in the water distribution system.

“CARRIED”

- Res. #2010-696: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That
- 1) a Capital Expenditure By-Law be approved for an addition to the Public Works Garage, 2010 Capital Budget, Line Item #37, Project No. 3007RD, in the amount of \$300,000;
 - 2) City Council approve the transfer of \$300,000 from Land Sale Reserves to fund the project as land sale proceeds from the Widdifield Garage property were allocated to the Land Sale Reserves; and
 - 3) the Traffic Department be relocated from its interim location, currently leased at a cost of \$3,000 per month, at Main and Gormanville Road to the Franklin Street Public Works complex by the end of July 2011.

“CARRIED”

- Res. #2010-697: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a first and second time:
- By-Law No. 2010-235 to stop up, close and convey a portion of the laneway in a block bounded by Morin Street, Cedar Street, McLeod Street and Front Street.

“CARRIED”

- Res. #2010-698: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a third time and passed:
- By-Law No. 2010-235 to stop up, close and convey a portion of the laneway in a block bounded by Morin Street, Cedar Street, McLeod Street and Front Street.

“CARRIED”

- Res. #2010-699: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-law be read a first and second time:
- By-Law No. 2010-240 to execute a Resolution Regarding Banking for the Royal Bank of Canada relating to banking matters.

“CARRIED”

Councillor Chirico declared a conflict of interest as he is employed with the Royal Bank of Canada.

- Res. #2010-700: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-law be read a third time and passed:
- By-Law No. 2010-240 to execute a Resolution Regarding Banking for the Royal Bank of Canada relating to banking matters.

“CARRIED”

Councillor Chirico declared a conflict of interest as he is employed with the Royal Bank of Canada.

Res. #2010-701: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt
That the following by-law be read a first and second time:

By-Law No. 2010-164 to rezone certain lands on Ethel Street and Strathcona Drive (City of North Bay).

“LOST”

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

Yeas: Councillors Koziol, Chirico, Mendicino, Bain, Vaillancourt

Nays: Councillors Vrebosch-Merry, Mayne, Lawlor, Anthony, Maroosis, Mayor McDonald

Res. #2010-702: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:

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

By-Law No. 2010-161 to rezone certain lands on Commercial Street (Rizzo & Johnston – 681 Commercial Street).

“CARRIED”

Res. #2010-703: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-law be read a first and second time:

By-Law No. 2010-233 to amend Traffic & Parking By-Law No. 2002-001 (Schedule 10 – Speed Limits).

“CARRIED”

Res. #2010 - 704: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-law be read a third time and passed:

By-Law No. 2010-233 to amend Traffic & Parking By-Law No. 2002-001 (Schedule 10 – Speed Limits).

“CARRIED”

Res. #2010-705: Moved by Councillor Anthony, seconded by Councillor Maroosis
WHEREAS the creation of the new HST (Harmonized Sales Tax) modernized our out-of-date taxation system in Ontario;

AND WHEREAS the blending of the Goods & Services Tax (GST) and the Provincial Sales Tax (PST) into the new HST was generally seen as good for business;

AND WHEREAS there is one area of concern, especially here in Northern Ontario where we face farther travel-distances & colder temperatures;

AND WHEREAS the creation of the HST resulted in NEW TAXATION on many items that previously only had GST, as PST was added to these items;

AND WHEREAS exemptions are possible and examples of such exemptions were made by the Province for coffee, newspapers and some fast food meals;

BE IT THEREFORE RESOLVED THAT the City of North Bay readdress this issue by respectfully requesting that the Province reconsider exemption of new taxation on items of necessity like utilities and gasoline;

AND FURTHER THAT our staff directly contact the other larger Northern Ontario centres (Sudbury, Sault Ste. Marie, Timmins and Thunder Bay) and ask them to join in our request;

AND FURTHER THAT we send our request to the Federation of Northern Ontario Municipalities and the Association of Municipalities of Ontario for their consideration;

AND FURTHER THAT our request be sent to Hon. Monique Smith, MPP Nipissing; Premier Dalton McGuinty; Ontario's Minister of Revenue, Ontario's Minister of Finance, Leaders of the Provincial Opposition;

AND FINALLY THAT a copy be forwarded to the Municipal Taxpayer Advocacy Group, as the group has been working on this issue, expressed interest in it, and contacted this municipality and others requesting we continue to support HST exemptions for utilities.

“CARRIED”

Record of Vote (Upon Request of Councillor Anthony)

Yeas: Councillors Anthony, Vrebosch-Merry, Koziol, Vaillancourt, Bain, Chirico, Lawlor, Maroosis, Mendicino, Mayne, Mayor McDonald

Nays: Nil

Res. #2010-706: Moved by Councillor Bain, seconded by Councillor Mayne
WHEREAS electronic items are now accepted for disposal at the City of North Bay Household Hazardous Waste Depot (located at 112 Patton Street), which is open year round from Wednesday to Saturday;

AND WHEREAS e-waste that is land filled has the potential to leach and become a problem at the City's Merrick Site;

BE IT THEREFORE RESOLVED THAT the City of North Bay ban household and consumer electronics, not including large appliances or air conditioning units, from the Merrick Landfill, effective immediately;

AND FURTHER BE IT RESOLVED THAT the list of banned items would include, but not limited to; network hardware, tape drive, disk drive, modem, cd rom, dvd rom, cd writer, circuit board, keyboard, computer speaker, computer mouse, joystick, video game controller, camera (35m or digital), telephone (cell or wired), cell phone charger, wireless device (palm, blackberry), pager, calculator, answering machine, computer (cpu, hard drive), monitor, laptop computer, printer, scanner, ups (uninterrupted power supply/battery back- up system), video game console (e.g. Sega, Nintendo, etc.), vcr, dvd player/writer, fax machine, tabletop photocopier, audio/video equipment (e.g. stereo, camcorder, etc.), electric typewriter, satellite receiver, stereo speaker and portable radios (e.g. boom box).

“CARRIED”

Record of Vote (Upon Request of Councillor Bain)

Yeas: Councillors Bain, Chirico, Koziol, Lawlor, Mendicino, Vrebosch-Merry, Maroosis, Vaillancourt, Anthony, Mayne, Mayor McDonald

Nays: Nil

Res. #2010-707: Moved by Councilor Chirico, seconded by Councillor Koziol
That Council authorize City staff to work in co-ordination with the organizing committee of the Aboriginal Summer Festival to promote the cross cultural relations for the 2011 Festival.

“CARRIED”

Res. #2010-708: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended, at 8:14 p.m. for the following reasons: Items #16 & #18, being litigation matters affecting the Municipality, Item #17, being a personal matter about identifiable individuals, Items #19 & #21, being a proposed disposition of lands by the Municipality, and Item #20, being a pending sale of lands by the Municipality.

“CARRIED”

Res. #2010-709: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council reconvene at 9:17 p.m.

“CARRIED”

Res. #2010-710: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That

- 1) City Council authorize the Mayor and City Clerk to execute an Agreement with the North Bay & District Chamber of Commerce for the purpose of co-hosting the Summer in the Park Festival at Lee Park;
- 2) Councillor Lawlor, Councillor Bain and the Managing Director of Community Services be appointed to the Summer in the Park Festival Committee; and that Mayor McDonald be appointed as an ex-officio member; and
- 3) City Council authorize the Chief Financial Officer to release up to \$40,000.00 from the Summer in the Park’s reserve for the 2011 event.

“CARRIED”

Res. #2010-711: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Council authorize City staff to support the decision of the North Bay Committee of Adjustment in the Committee of Adjustment File No. A-06-09, in the Appeal to the Ontario Municipal Board by the owners Duane Feltz and Kathleen Hamilton.

“CARRIED”

Record of Vote (Upon Request of Councillor Chirico)

Yeas: Councillors Chirico, Anthony, Lawlor, Bain, Maroosis, Vaillancourt, Mendicino, Koziol, Mayne, Vrebosch-Merry, Mayor McDonald

Nays: Nil

Res. #2010-712: Moved by Councillor Chirico, seconded by Councillor Koziol
That the lane between 350 & 356 Lakeside Drive not be transferred to the abutting owners.

“CARRIED”

Res. #2010-713: Moved by Councillor Chirico, seconded by Councillor Koziol
That

- 1) City Council approve that the bid negotiated after the tender process from Habitat for Humanity North Bay and Blue Sky Region in the amount of \$32,000.00 (HST extra), be accepted for the sale of vacant city owned land described as Plan 72, Lot 124 (John Street); and
- 2) the funds from the sale be placed in the Property Development Reserve Fund (99535R) to be used for future endeavours.

“CARRIED”

Res. #2010-714: Moved by Councillor Vaillancourt, seconded by Councillor Bain
That this Regular Meeting of Council do now adjourn at 9:20 p.m.

“CARRIED”

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC