

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD TUESDAY, MAY 23RD, 2006**

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

CORRESPONDENCE:

Folsom, Sheryl	re Noise By-Law exemption	(288)
Fortin, Christian	re Temporary road closure	(292)
Milne, William	re Lots on Trout Lake	(322)
Price, Peter & Lynn	re Besserer Road property	(323)

REPORTS FROM OFFICERS:

Bullock, P.	re Noise By-Law exemption	(288)
Burke, M.B.	re 2006 Insurance Coverage	(310)
Burke, M.B.	re Lots on Trout Lake	(322)
Burke, M.B.	re Besserer Road property	(323)
Carello, P.	re GIS/Website Upgrades	(303)
Carvell, D.	re Transit Ridership Growth Plan & Asset Management Plan	(291)
Celentano, J.J.	re Sustainable Community Advisory Committee Final Report - New Official Plan	(300)
Evans, R.	re Business Retention & Expansion Program	(301)
Hall, B.	re 254623 Investment Ltd. - Hillview Park Subdivision	(293)
Hall, B.	re Proposed Official Plan Amendment, Zoning By-Law Amendment and Plan of Condominium by Consolidated Homes Limited and Millford Developments Ltd., Lakeshore Drive	(309)
Houston, J.	re Park "Building" Rehabilitation	(287)
Kitlar, S.	re 2006 O'Canada Day Event	(299)
Korell, A.	re Waste Water Treatment Plant and Lift Station Maintenance Program	(289)
Korell, A.	re Water Treatment Plant, Facilities Maintenance Program	(290)
Korell, A.	re Temporary road closure	(292)
Korell, A.	re Waste Water Treatment Plant, Centrifuge Replacement	(298)
Manning, J.	re Request for Quotation 2006-73, Trailer mounted boom	(296)
Manning, J.	re Tender 2006-65, Supply of one crew cab dump truck	(297)
Manning, J.	re Tender 2006-41, Purchase of one new excavator	(304)
Manning, J.	re Tender 2006-55, Supply of one tandem truck c/w dump body, plow equipment and slide-in spreader	(305)
Manning, J.	re Tender 2006-69, Supply and installation of an irrigation system at the Waterfront - Phase 1 & Thomson Park	(307)
Rogers, B.A.	re 2006 Development Charges	(302)
Scully, L.M.	re Traffic & Parking By-Law amendment	(308)
Simmonds, J.C.	re Kingsway Subdivision Pre-Servicing Agreement	(306)
Tomek, A.	re Waiving of Landfill Tipping Fees	(295)

Res. #2006-283: Moved by Councillor Chirico, seconded by Councillor Mendicino
That minutes for the meetings held on:

- Monday, May 8, 2006; and
- Monday, May 15, 2006

be adopted as presented.

“CARRIED”

Res. #2006-284: Moved by Councillor Mendicino, seconded by Councillor Anthony
That Community Services Committee Report No. 2006-13 relating to:

- Rezoning application by Menalon Properties Inc., Airport Road

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2006-13

May 23, 2006

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2006-13 and recommends:

1. That
 - a) the proposed Zoning By-Law Amendment by Paul Goodridge on behalf of Menalon Properties Inc. to rezone Part of Lot 20, Concession B, Parts 1, 2 & 3, Plan NR-806 from a “Light Industrial Two (M2)” zone to a “District Commercial Special Zone (C4 Sp).” 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, in order to regulate access, traffic study and recommendations, building location, location of outdoor storage, stormwater management, fencing, buffers, parking, garage and recycling facilities, lighting and landscaping.”

All of which is respectfully submitted.

ASSENTS
MENDICINO
ANTHONY
MAROOSIS
FEDELI

DISSENTS

Res. #2006-285: Moved by Councillor Koziol, seconded by Councillor Bain
That Engineering & Works Committee Report No. 2006-04 relating to:

- the intersection improvements at Gormanville Road and College Drive

be adopted as presented.

“CARRIED”

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May 23, 2006

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

Yeas: Councillors Koziol, Campbell, Bain, Maroosis, Chirico, Graham

Nays: Councillors Boldt, Vaillancourt, Mendicino, Anthony, Mayor Fedeli

ENGINEERING & WORKS COMMITTEE REPORT NO. 2006-04

May 23, 2006

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2006-04 and recommends:

1. That the design for the intersection improvements at Gormanville Road and College Drive use the concept of a roundabout as recommended in the approved Class Environmental Study Report prepared for the North Bay Regional Health Centre.

All of which is respectfully submitted.

ASSENTS

KOZIOL

BAIN

CAMPBELL

DISSENTS

FEDELI

Res. #2006-286: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino
That Striking Committee Report No. 2006-01 relating to:

- District of Nipissing Social Services Administration Board

be adopted as presented.

“CARRIED”

STRIKING COMMITTEE REPORT NO. 2006-01

May 23, 2006

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

Your Worship and Councillors:

The Striking Committee presents Report No. 2006-01 and recommends:

1. That Council accept the resignation of Councillor Peter Chirico from the District of Nipissing Social Services Administration Board.

2. That Councillor Tom Graham be appointed to the District of Nipissing Social Services Administration Board to complete the unexpired term of Councillor Peter Chirico.

All of which is respectfully submitted.

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Res. #2006-287: Moved by Councillor Mendicino, seconded by Councillor Anthony
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Parks Building Rehabilitation Program as outlined by Clause No. 1 - Community Services Committee Report No. 2006-44, being 2006 Capital Budget Project No. 72, at a net debenture cost of \$400,000.

“CARRIED”

Res. #2006-288: Moved by Councillor Koziol, seconded by Councillor Bain
That an exemption to Noise By-Law 142-76 be granted to the United Pentecostal Church to allow for the unrestricted amplification of sound at the North Bay Waterfront band shell on June 10th, 2006 between 10:00 a.m. and 8:00 p.m.

“CARRIED”

Res. #2006-289: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law in the amount of \$285,000 be prepared for Council’s consideration for Waste Water (Sewage) Treatment Plant Facilities and Sanitary Sewer Lift Station repairs funded from the 2006 Water and Sanitary Capital Works Budget.

“CARRIED”

Res. #2006-290: Moved by Councillor Koziol, seconded by Councillor Bain
That the City Clerk prepare a by-law for approval to fund the Water Treatment Plant and Facilities Maintenance Program identified as Project, Item #12 in the approved Water and Sanitary Sewer Rates, Debentures and Reserves Budget, in the amount of \$225,000.

“CARRIED”

Res. #2006-291: Moved by Councillor Mendicino, seconded by Councillor Anthony
That Council endorses the Ridership Growth Plan and Asset Management Plan as presented in Report CSBU 2006-56 dated May 15, 2006.

“CARRIED”

Res. #2006-292: Moved by Councillor Koziol, seconded by Councillor Bain
That approval be given to close Memorial Drive between Judge Avenue and the CPR Train Tracks to vehicular traffic, between the hours of 7:30 a.m. and 9:00 a.m., Sunday, June 11th, 2006.

“CARRIED”

Res. #2006-293: Moved by Councillor Mendicino, seconded by Councillor Anthony
That the request from Rick Miller, OLS on behalf of 254623 Investments Limited to revise the Draft Plan of Subdivision (File No. 48T-85001) as indicated in Report to Council CSBU 2006-53 be approved.

“CARRIED”

Res. #2006-294: Moved by Councillor Chirico, seconded by Councillor Boldt
That accounts totalling \$7,729,259.76 for April 2006 be approved.

“CARRIED”

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Res. #2006-295: Moved by Councillor Chirico, seconded by Councillor Boldt
That the report by Al Tomek re Waiving of landfill tipping fees be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2006-296: Moved by Councillor Mendicino, seconded by Councillor Anthony
That North Bay City Council approve the award of a contract to Hertz Equipment Rental Corp., in the amount of \$53,890.78 (taxes included), for the supply of one trailer mounted boom.

“CARRIED”

Res. #2006-297: Moved by Councillor Mendicino, seconded by Councillor Anthony
That North Bay City Council approve a contract be issued to George Stockfish Ford Sales (1987) Ltd. in the amount of \$66,234.25 (taxes included), for the supply of one crew cab dump truck.

“CARRIED”

Res. #2006-298: Moved by Councillor Koziol, seconded by Councillor Bain
That the City Clerk prepare a by-law for approval to fund the Waste Water Treatment Plan, Centrifuge Replacement identified as a Project in the approved Water and Sanitary Sewer Rates, Debentures and Reserves Budget, in the amount of \$550,000.

“CARRIED”

Res. #2006-299: Moved by Councillor Mendicino, seconded by Councillor Anthony
That

- 1) the O’Canada Day Committee be granted permission to hold the 2006 Canada Day Celebrations in and about the Waterfront Park on July 1, 2006 pursuant to By-Law No. 142-76 (Noise By-Law);
- 2) the requests by the O’Canada Day Committee regarding exemption from the Noise By-Law, exclusivity over the event and grounds, and street closures be approved as per the following:
 - a) having approved Recommendation #1 granting permission to hold the public celebration known as the 2006 O’Canada Day Event, the event becomes exempt from the noise control provisions contained in By-Law No. 142-76 (Noise By-Law), as amended, pursuant to the operation of Section 6 and Schedule 3 thereof, as defined in Attachment 1 to Report CSBU 2006-57;
 - b) exclusivity be granted on July 1, 2006, on and over the City-owned or controlled lands (except the North Bay Wastewater Treatment Facility Lands), within the area defined as, extending from, and inclusive of the waterfront beaches starting at Tenth Street and both

sides of Memorial Drive from the Uniroc site up to and including Lee Park;

c) the following streets be closed temporarily from 6:00 p.m. until 11:00 p.m. on Saturday, July 1, 2006, as defined in Attachment 2 to Report CSBU 2006-57:

i) Memorial Drive between Oak Street West and Judge Avenue;

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ii) Monk Street between Stanley Street and Memorial Drive;

iii) Regina Street between Stanley Street and Memorial Drive;

iv) Stanley Street between Memorial Drive and Regina Street.

“CARRIED”

Res. #2006-300: Moved by Councillor Mendicino, seconded by Councillor Anthony That the Final Report of the Sustainable Community Advisory Committee, Report to Council CSBU 2006-58 be received for information and be referred to the Community Services Committee.

“CARRIED”

Res. #2006-301: Moved by Councillor Mendicino, seconded by Councillor Anthony That North Bay City Council refer the Business Retention & Expansion (BR&E) Program Final Report as indicated in Report to Council CSBU 2006-59 to the Community Services Committee for review.

“CARRIED”

Res. #2006-302: Moved by Councillor Chirico, seconded by Councillor Boldt That the Chief Financial Officer be authorized to adjust development charge rates in accordance with indexing adjustments outlined in Report to Council CORP 2006-81.

“CARRIED”

Res. #2006-303: Moved by Councillor Chirico, seconded by Councillor Boldt That

- 1) Council authorize City Staff to make an application to the Northern Ontario Heritage Fund for GIS and Website upgrades; and
- 2) in the event the funding application is approved, Council will proceed with the City's required contribution of \$37,000 from its existing operating budget.

“CARRIED”

Res. #2006-304: Moved by Councillor Koziol, seconded by Councillor Bain That

- 1) North Bay City Council approve a contract be issued to Ontrac Equipment Services Inc., in the amount of \$249,800.00 (taxes extra), for the supply of one new excavator; and
- 2) the City Clerk prepare a Capital Expenditure By-Law for approval to fund the 2006 Public Works Water and Sanitary Sewer Vehicle and Equipment Replacement Program (Water

and Sanitary Sewer Capital Budget Line #1), in the amount of \$500,000.

“CARRIED”

Res. #2006-305: Moved by Councillor Koziol, seconded by Councillor Bain
That 1) North Bay City Council approve a contract be issued to Freightliner North Bay in the amount of \$260,537.51 (taxes included), for the supply of one tandem truck c/w dump body, plow equipment and slide-in spreader; and

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2) the City Clerk prepare a Capital Expenditure By-Law for approval to fund the 2006 Public Works Vehicle and Equipment Replacement Program (Capital Budget Line #59) in the amount of \$450,000.

“CARRIED”

Res. #2006-306: Moved by Councillor Koziol, seconded by Councillor Bain
That the City enter into a Pre-Servicing Agreement with 1381408 Ontario Inc. in a form satisfactory to the City Solicitor, for the installation of underground and aboveground services for the proposed Kingsway Subdivision subject to the conditions laid out in Report to Council EES 2006-26 dated May 16, 2006 from the City Engineer.

“CARRIED”

Res. #2006-307: Moved by Councillor Mendicino, seconded by Councillor Anthony
That North Bay City Council approve the award of a contract to D.J. Rain & Co. Ltd. in the amount of \$259,150.44 (GST extra), for the supply and installation of an Irrigation System at the North Bay Waterfront - Phase 1 and Thomson Park in September 2006.

“CARRIED”

Res. #2006-308: Moved by Councillor Maroosis, seconded by Councillor Graham
That the report from Lauren Scully dated May 17, 2006 re Amendment to Traffic & Parking By-Law No. 2002-01 to address commercial motor vehicles and recreational vehicles be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2006-309: Moved by Councillor Mendicino, seconded by Councillor Anthony
That the recommendation from the Planning Advisory Committee regarding the proposed Official Plan Amendment, Zoning By-Law Amendment and Plan of Condominium by Rick Miller on behalf of Consolidated Homes Limited and Millford Developments Limited - Lakeshore Drive, be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2006-310: Moved by Councillor Chirico, seconded by Councillor Boldt
That Council authorize or ratify the renewal of the 2006 Ontario Municipal Insurance Exchange Insurance Coverage for the sum of \$950,424.00.

“CARRIED”

Res. #2006-311: Moved by Councillor Chirico, seconded by Councillor Boldt

That the following by-law be read a first and second time:

By-Law No. 2006-96 to stop up, close and convey a portion of a laneway bounded by Franklin Street, Edna Street and Brookes Street.

“CARRIED”

Res. #2006-312: Moved by Councillor Chirico, seconded by Councillor Boldt
That the following by-laws be read a first and second time:

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By-Law No. 2006-90 to amend By-Law No. 2002-119, as amended, to authorize connections to a sewermain and to impose a sewer connection rate along Mapleview Place.

By-Law No. 2006-98 to authorize the Rural Roadway Reconstruction Project.

By-Law No. 2006-99 to authorize the Pedestrian Safety Project.

By-Law No. 2006-100 to authorize the Sidewalk Replacement Project.

“CARRIED”

Res. #2006-313: Moved by Councillor Chirico, seconded by Councillor Boldt
That the following by-laws be read a third time and passed:

By-Law No. 2006-90 to amend By-Law No. 2002-119, as amended, to authorize connections to a sewermain and to impose a sewer connection rate along Mapleview Place.

By-Law No. 2006-98 to authorize the Rural Roadway Reconstruction Project.

By-Law No. 2006-99 to authorize the Pedestrian Safety Project.

By-Law No. 2006-100 to authorize the Sidewalk Replacement Project.

“CARRIED”

Res. #2006-314: Moved by Councillor Mendicino, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2006-104 to rezone certain lands on Airport Road (Menalon Properties Inc.).

“CARRIED”

Res. #2006-315: Moved by Councillor Mendicino, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2006-105 to designate a Site Plan Control Area on certain lands on Airport Road (Menalon Properties Inc.).

“CARRIED”

Res. #2006-316: Moved by Councillor Mendicino, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2006-105 to designate a Site Plan Control Area on certain

lands on Airport Road (Menalon Properties Inc.).

“CARRIED”

Res. #2006-317: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-laws be read a first and second time:

By-Law No. 2006-94 to amend Traffic & Parking By-Law No. 2002-001, Schedule 18 (No Parking Areas At Any Time) and Schedule 20 (No Parking Areas Restricted Times).

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By-Law No. 2006-97 to execute an Agreement with Jacques Whitford Limited relating to the preparation of Annual Ground and Surface Water Monitoring Reports for the Marsh Drive and Merrick Landfills.

“CARRIED”

Res. #2006-318: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-laws be read a third time and passed:

By-Law No. 2006-94 to amend Traffic & Parking By-Law No. 2002-001, Schedule 18 (No Parking Areas At Any Time) and Schedule 20 (No Parking Areas Restricted Times).

By-Law No. 2006-97 to execute an Agreement with Jacques Whitford Limited relating to the preparation of Annual Ground and Surface Water Monitoring Reports for the Marsh Drive and Merrick Landfills.

“CARRIED”

Res. #2006-319: Moved by Councillor Bain, seconded by Councillor Anthony
WHEREAS vehicle transportation is important to the social and economic lives of citizens of Northern Ontario and the rest of Ontario;

AND WHEREAS the price of gasoline and diesel has risen sharply in recent months;

AND WHEREAS the fuel price at gas stations increase sharply and fall very slowly;

AND WHEREAS the frustrating fluctuation in the price of gas can cause the consumer hardship;

AND WHEREAS when Premier McGuinty was in opposition, he vowed to fight for drivers;

AND WHEREAS the Provinces of Newfoundland, New Brunswick and Nova Scotia have moved to regulate gas prices where regulation will hold prices steady over two-week intervals and consumers will be told when they are about to change;

THEREFORE BE IT RESOLVED THAT the City of North Bay ask the Province of Ontario to implement legislation to stabilize gas prices;

AND FURTHER THAT a copy of this resolution be sent to Dalton McGuinty, Premier of Ontario; Monique Smith M.P.P. for Nipissing; Leaders of the Opposition; the Association of Ontario Municipalities and the Federation of Northern Ontario Municipalities asking for their support.

“CARRIED”

Res. #2006-320: Moved by Councillor Anthony, seconded by Councillor Koziol
That the municipality extend an official letter of support to the “Connecting
Community Partners in Injury Prevention” recognizing the importance of
safety in our community and the importance of injury prevention.

“CARRIED”

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Res. #2006-321: Moved by Councillor Chirico, seconded by Councillor Boldt
That Council adjourn in-camera to discuss a personnel matter and property
matters #25 and #26.

“CARRIED”

Res. #2006-322: Moved by Councillor Chirico, seconded by Councillor Boldt
That 1) Council maintain ownership of Blocks A and B, Plan M-264;
and
2) Council decline the request for any tax refund concerning
Blocks A and B, Plan M-264, as being statute barred.

“CARRIED”

Res. #2006-323: Moved by Councillor Chirico, seconded by Councillor Boldt
That Council not declare surplus the lands along Besserer Road, being
Part of Block A, Plan M-515.

“CARRIED”

Res. #2006-324: Moved by Councillor Chirico, seconded by Councillor Mendicino
That this meeting do now adjourn.

“CARRIED”

MAYOR VIC FEDELI

CITY CLERK CATHERINE CONRAD