

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, MAY 26TH, 2008**

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

CORRESPONDENCE:

Falardeau, Serge	re Municipal Accessibility Advisory Committee	(383)
Friends of Laurier Woods	re Land acquisition - Laurier Woods	(409)

REPORTS FROM OFFICERS:

Burke, M.B.	re Heritage North Bay Funding Agreement	(394)
Kitlar, S.	re 2008 North Rocks the Bay Event	(387)
Kitlar, S.	re 2008 North Bay Summer in the Park Event	(388)
Korell, A.	re Asset Management Project - Waterworks evaluations	(393)
Korell, A.	re Waste Water Program	(397)
Korell, A.	re Fisher Street parking restrictions	(398)
Linkie, D.G.	re Land acquisition - Laurier Woods	(409)
Manning, J.	re RFP 2008-31, Environmental Assessment to improve water services to Nipissing University and Cedar Heights Planning Area	(391)
McArthur, S.	re Rezoning application by 668452 Ontario Ltd. - 2967 Highway 11 North	(384)
McArthur, S.	re Official Plan Amendment, Rezoning and Plan of Subdivision applications by William Robinson - 201 Widdifield Station Road	(385)
McGrath, R.	re Reference to arbitration	(386)
Ringler, T.G.	re Traffic & Parking By-Law amendments	(392)
Ringler, T.G.	re Disabled Parking By-Law amendment	(395)
Ringler, T.G.	re Licensing By-Law amendment - mobile food vendors	(396)

Res. #2008-379: Moved by Councillor Vaillancourt, seconded by Councillor Chirico
That minutes for the public meetings held on:

- Monday, May 12, 2008
- Tuesday, May 20, 2008

be adopted as presented.

"CARRIED"

Res. #2008-380: Moved by Councillor Vaillancourt, seconded by Councillor Chirico
That minutes for the closed meeting held on:

- Monday, May 12, 2008

be adopted as presented.

"CARRIED"

Res. #2008-381: Moved by Councillor Mendicino, seconded by Councillor Graham
That Community Services Committee Report No. 2008-18 relating to:

- General Review & Update of the City of North Bay Zoning By-Law 28-80

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2008-18

May 26, 2008

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2008-18 and recommends:

1. That the proposed General Zoning By-Law Amendment by The Corporation of the City of North Bay to amend and correct omissions and technical difficulties with the zoning definitions, regulations, text and schedules of Zoning By-Law No. 28-80 be approved.

All of which is respectfully submitted.

ASSENTS
MENDICINO
GRAHAM
FEDELI

DISSENTS

Res. #2008-382: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That Striking Committee Report No. 2008-03 relating to:

- the Municipal Heritage Committee

be adopted as presented.

“CARRIED”

STRIKING COMMITTEE REPORT NO. 2008-03

May 26, 2008

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

Your Worship and Councillors:

The Striking Committee presents Report No. 2008-03 and recommends:

1. That Amy Elizabeth Toms be appointed to the Municipal Heritage Committee for a term to expire November 30, 2010.

All of which is respectfully submitted.

Res. #2008-383: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That the resignation from Serge Falardeau from the Municipal Accessibility Advisory Committee be accepted with regret and Mr. Falardeau be thanked for his involvement on this Committee.

“CARRIED”

Res. #2008-384: Moved by Councillor Mendicino, seconded by Councillor Graham
That the recommendation from the Planning Advisory Committee regarding the Rezoning application by Lukmann Waja on behalf of 688452 Ontario Ltd. - 2967 Highway 11 North be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2008-385: Moved by Councillor Mendicino, seconded by Councillor Graham
That the recommendation from the Planning Advisory Committee regarding the Rezoning, Official Plan Amendment and Plan of Subdivision applications by Harriman & Associates on behalf of William Robinson - 201 Widdifield Station Road be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2008-386: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That Robert Young be appointed to represent the City as a nominee at rights arbitration in the matter of Grievance #07-51.

“CARRIED”

Res. #2008-387: Moved by Councillor Mendicino, seconded by Councillor Graham
That

- 1) the Symphony of Sound be granted permission to hold the 2008 North Rocks the Bay event in and about the Waterfront Park from Friday, August 1 to Sunday, August 3, 2008 both inclusive, with subsidiary activities occurring from Monday, July 28, 2008 until Tuesday, August 5, 2008, both inclusive, as outlined in Report to Council CSBU 2008-62;
- 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) the Kate Pace Way be closed as outlined in Report to Council CSBU 2008-62;
- 4) temporary road closures be approved as outlined in Report to Council CSBU 2008-62;
- 5) the Waterfront Parking Lots be closed as outlined in Report to Council CSBU 2008-62; and
- 6) a temporary exemption to Section D, Regulation 3B of the Municipal Alcohol Policy be approved, allowing the establishment of licensed areas to serve alcohol on August 1, 2 and 3, 2008 between the hours of 12:00 noon to 12:00 a.m. at locations to be identified within the concert area as defined in Attachment 5 to Report to Council CSBU 2008-62.

“CARRIED”

Res. #2008-388: Moved by Councillor Mendicino, seconded by Councillor Graham
That

- 1) the Event Committee of North Bay Summer in the Park be granted permission to hold the 2008 event in and about Lee Park from Friday, August 1 to Sunday, August 3, 2008 both inclusive, with subsidiary activities occurring from Monday, July 28, 2008 until Tuesday, August 5, 2008, both inclusive, as outlined in Report to Council CSBU 2008-61;
- 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 2008-61;

- 4) the Kate Pace Way be closed as outlined in Report to Council CSBU 2008-61;
- 5) temporary road closures be approved as outlined in Report to Council CSBU 2008-61; and
- 6) Prohibited Parking be established as outlined in Report to Council CSBU 2008-61.

“CARRIED”

Res. #2008-389: Moved by Councillor Chirico, seconded by Councillor Vaillancourt That accounts totaling \$7,567,574.33 for April 2008 be approved.

“CARRIED”

Res. #2008-390: Moved by Councillor Vaillancourt, seconded by Councillor Koziol That accounts for Royal Bank totaling \$1,468.90 for April 2008 be approved.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as he is employed by the Royal Bank.

Res. #2008-391: Moved by Councillor Koziol, seconded by Councillor Bain
 That

- 1) North Bay City Council approve a contract be awarded to UMA Engineering Ltd in the amount of \$70,580.00 (GST extra), for an Environmental Assessment to improve water services to Nipissing University and the Cedar Heights Planning Area; and
- 2) a Capital Expenditure By-Law in the amount of \$600,000.00 be prepared as follows:

Design Contract	\$566,000
Financing Costs	<u>34,000</u>
	\$600,000

“CARRIED”

Res. #2008-392: Moved by Councillor Koziol, seconded by Councillor Bain That Traffic & Parking By-Law No. 2002-001 be amended as follows:

- 1) establish a parking meter zone on the north side of the 200 block of Oak Street West;
- 2) establish a 2 hour parking zone on the south side of the 300 block of Oak Street West;
- 3) establish a 2 hour parking zone on both sides of the 600 block of Commercial Street;
- 4) clarify the operational parameters of other various parking and loading zones;
- 5) that Paragraph 2, Section 9 “No U-Turns” be deleted; and
- 6) change the definition of “Park” or “Parking” to read:

“Park” or “Parking” means the stopping or standing of a vehicle whether occupied or not, with or without the engine activated.

“CARRIED”

Res. #2008-393: Moved by Councillor Koziol, seconded by Councillor Bain
That the Consultant on our Asset Management Project, Stantec be authorized to proceed with an extra to their existing project to help evaluate the needs of existing watermain infrastructure at a cost of \$110,000. The funding to come from the existing Capital Budget for this project.

“CARRIED”

Res. #2008-394: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That Council approve an amendment to the Heritage North Bay Funding Agreement to extend the terms of the commitment to October 31, 2008 or such further date as may be approved by the Chief Administrative Officer.

“CARRIED”

Res. #2008-395: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That Disabled Parking By-Law 2007-89 be amended as follows:

- 1) establish two disabled parking stall on the north side of Second Avenue West, adjacent to the entrance of Mother St. Bride school; and
- 2) Define “Park” or “Parking” to read:

“Park” or “Parking” means the stopping or standing of a vehicle whether occupieD or not, with or without the engine activated.

“CARRIED”

Res. #2008-396: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That 1) the number of food vending locations contained in Schedule “9” to By-Law No. 2004-191 be reduced from the existing six (6) locations to four(4); and
2) that Schedule “9” to By-Law 2004-191 be amended to clarify ownership and to provide additional fire safety measures.

“CARRIED”

Res. #2008-397: Moved by Councillor Koziol, seconded by Councillor Bain
That the Capital Expenditure by-Laws for Items W30, W45 & W49 be amended due to emergency needs that have arisen since the original Capital Budget was approved. The total Capital Budget approved for these items was \$450,000.00. The projects to be undertaken are: Wyld Street from Second to Third Avenue, watermain and sanitary sewers, Cherry Point, sanitary sewer and the 24” watermain trunk off of Trout Lake Road west of Giroux Street.

“CARRIED”

Res. #2008-398: Moved by Councillor Koziol, seconded by Councillor Bain
That Traffic & Parking By-Law No. 2002-001 be amended to include parking restrictions on Fisher Street from Main Street to the Highway.

“CARRIED”

Res. #2008-399: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That the following by-law be read a first and second time:

By-Law No. 2008-139 to authorize the rehabilitation of residential city streets.

“CARRIED”

Res. #2008-400: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That the following by-law be read a third time and passed:

By-Law No. 2008-139 to authorize the rehabilitation of residential city streets.

“CARRIED”

Res. #2008-401: Moved by Councillor Mendicino, seconded by Councillor Graham
That the following by-law be read a first and second time:

By-Law No. 2008-142 to amend Zoning By-Law No. 28-80 to implement changes to the policies and regulations (General Review & Update).

“CARRIED”

Res. #208-402: Moved by Councillor Mendicino, seconded by Councillor Graham
That the following by-law be read a first and second time:

By-Law No. 2008-141 to amend By-Law No. 1999-06 being the Property Standards & Vital Services By-Law.

“CARRIED”

Res. #208-403: Moved by Councillor Mendicino, seconded by Councillor Graham
That the following by-law be read a third time and passed:

By-Law No. 2008-141 to amend By-Law No. 1999-06 being the Property Standards & Vital Services By-Law.

“CARRIED”

Res/ #2008-404: Moved by Councillor Mendicino, seconded by Councillor Graham
That the following by-law be read a third time and passed:

By-Law No. 2008-123 to rezone certain lands on Carmichael Drive (Romeo & Shirley Roy - 311 Carmichael Drive).

“CARRIED”

Res. #2008-405: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-laws be read a first and second time:

By-Law No. 2008-140 to amend Traffic & Parking By-Law No. 2002-01 (No Parking at Any Time and Parking Prohibited for Restricted Periods).

By-Law No. 2008-145 to execute an agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to the supply and placement of plant cold recycled asphalt pavement.

By-Law No. 2008-146 to execute an agreement with SNC-Lavalin Inc. relating to the Merrick Landfill Leachate Treatment Assessment and Design of the Gas Collection and Leachate Infiltration Expansion.

“CARRIED”

Res. #2008-406: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-laws be read a third time and passed:

By-Law No. 2008-140 to amend Traffic & Parking By-Law No. 2002-01 (No Parking at Any Time and Parking Prohibited for Restricted Periods).

By-Law No. 2008-145 to execute an agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to the supply and placement of plant cold recycled asphalt pavement.

By-Law No. 2008-146 to execute an agreement with SNC-Lavalin Inc. relating to the Merrick Landfill Leachate Treatment Assessment and Design of the Gas Collection and Leachate Infiltration Expansion.

“CARRIED”

Res. #2008-407: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That Council adjourn in-camera pursuant to section 239 of the *Municipal Act, 2001*, as amended, at 7:22 p.m. to discuss Items 17 and 18, being a proposed or pending acquisition or disposal of land by the municipality; and for advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

“CARRIED”

Res. #2008-408: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That Council reconvene at 7:51 p.m.

“CARRIED”

Councillor Mayne did not re-attend in Council Chambers.

Res. #2008-409: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That

- 1) the Council of the City of North Bay declare surplus and transfer to the joint ownership of the Friends of Laurier Woods and North Bay Mattawa Conservation Authority (NBMCA) part of the remainder of Parcel 1174 W&F, Part Lot 37, Concession 18, containing Provincially Significant Wetlands and certain adjacent lands in the northerly section of said parcel;
- 2) lands to be transferred will be determined by field investigation and values mapping as agreed to by representatives of the City of North Bay, the Conservation Authority and the Friends of Laurier Woods; and
- 3) the land be transferred to the benefiting parties for nominal consideration and that other associated costs, including but not necessarily limited to survey, advertising, registration, and other legal costs occur at no cost to the City of North Bay

“CARRIED”

Res. #2008-410: Moved by Councillor Vaillancourt, seconded by Councillor Chirico
That this Regular Meeting of Council do now adjourn.

“CARRIED”

MAYOR VIC FEDELI

CITY CLERK CATHERINE CONRAD