

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, DECEMBER 1ST, 2008**

PRESENT: Mayor Fedeli, Councillors Chirico, Campbell, Vaillancourt, Vrebosch-Merry, Mayne, Bain, Koziol, Graham, Mendicino, Anthony

CORRESPONDENCE:

REPORTS FROM OFFICERS:

Bullock, P.	re Fuel cost reimbursement request by Miller Waste Systems	(762)
Burke, M.B.	re Anti-Whistling By-Law - Birch's Road	(758)
Burke, M.B.	re Land purchase - Ministry of Transportation Gormanville Road and McKeown Avenue	(786)
Evans, R.	re Pan Northern Oil Sands	(759)
Lang, A.	re Infrastructure Ontario debenture issue	(768)
Lang, A.	re Debenture issue	(769)
Lang, A.	re 2009 Capital Budget and 2009 to 2012 Five-Year Capital Forecast and Long-Term Capital Funding Policies	(771)
Manning, J.	re Tender 2008-105, Supply of emulsified asphalt patching material	(763)
Manning, J.	re ERP Server (IBM)	(773)
Manning, J.	re Tender 2008-107, Pinewood Park Watermain Extension	(774)
McArthur, S.	re Subdivision Agreement - Perut Place, Phase 1	(767)
McArthur, S.	re Subdivision Agreement - Laurentian Heights, Surrey Drive - Phase 1	(772)
Mimee, R.	re 2009 Preliminary Operating Budget	(770)
Ringler, T.G.	re Traffic & Parking By-Law amendment	(760)
Rochefort, L.	re Reduction, cancellation and refund of taxes	(764)
Rochefort, L.	re Fire Protection Agreement - Commonwealth Plywood Company Limited	(765)
Rogers, B.A.	re 2009 Preliminary Operating Budget	(770)
Rogers, B.A.	re 2009 Capital Budget and 2009 to 2012 Five-Year Capital Forecast and Long-Term Capital Funding Policies	(771)
Tomek, A.	re Acceptance of household hazardous waste from Powassan	(761)

Res. #2008-756: Moved by Councillor Vaillancourt, seconded by Councillor Graham That minutes for the public meeting held on:

- Monday, November 24, 2008

be adopted as presented.

"CARRIED"

Res. #2008-757: Moved by Councillor Vaillancourt, seconded by Councillor Chirico That minutes for the closed meetings held on:

- Monday, November 17, 2008

- Wednesday, November 19, 2008

be adopted as presented.

"CARRIED"

Res. #2008-758: Moved by Councillor Chirico, seconded by Councillor Campbell
That 1) Council ratify the suspension of the Anti-Whistling By-Law, as it relates to By-Law 82-80 at Birch's Road for Canadian Pacific Railway Mileage 113.20;

2) By-Law 28-80 be amended to delete the references to the CN intersections which have since been abandoned and to delete the reference to the Canadian Pacific Railway intersection at Birch's Road at Mileage 113.20; and

3) Council authorize the Chief Administrative Officer to undertake an application to Transport Canada to obtain 85% funding for gates at the CP Crossing at Birch's Road.

"CARRIED"

Res. #2008-759: Moved by Councillor Anthony, seconded by Councillor Mendicino
That 1) Council authorizes City Staff to submit applications to the Northern Ontario Heritage Fund and FedNor for investment attraction activities in Alberta on behalf of the Ontario North Economic Development Corporation; and

2) in the event that the funding applications are approved, Council will proceed with the City's stated contribution of \$6,000/annum for the next three years, as outlined in the proposed 2009 Operating Budget.

"CARRIED"

Res. #2008-760: Moved by Councillor Chirico, seconded by Councillor Campbell
That Traffic & Parking By-Law No. 2002-01, Schedule 12 (Loading Zones) be amended as set out in Report to Council CORP 2008-166.

"CARRIED"

Res. #2008-761: Moved by Councillor Koziol, seconded by Councillor Bain
That Council authorize the execution of an Agreement between the Municipality of Powassan and the City of North Bay to accept household hazardous waste from Powassan homeowners in 2009 at the City's Household Hazardous Waste Facility.

"CARRIED"

Res. #2008-762: Moved by Councillor Koziol, seconded by Councillor Bain
That Miller Waste Systems' request for reimbursement in the amount of \$56,000.71 for diesel fuel cost increases in 2007 and 2008 be denied.

"CARRIED"

Res. #2008-763: Moved by Councillor Koziol, seconded by Councillor Bain
That North Bay City Council approve a contract be awarded to Pioneer Construction Inc. in the estimated amount of \$90,449.50 (taxes included), for the supply of emulsified asphalt patching material.

"CARRIED"

Res. #2008-764: Moved by Councillor Chirico, seconded by Councillor Campbell
That the tax appeal applications attached to CORP Report No. 2008-169 that have been returned with a positive recommendation from the Municipal Property Assessment Corporation, be adjusted for the period set out on each application form and that the applicable taxes be cancelled, reduced or refunded as authorized by Sections 357 & 358 of the *Municipal Act*, S.O. 2001, c.25.

"CARRIED"

Res. #2008-765: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council authorize a Fire Protection Service Agreement with Commonwealth Plywood Company Limited to provide fire fighting response to the buildings located at Part of Lot 1B, Commanda Township, District of Nipissing.

“CARRIED”

Res. #2008-766: Moved by Councillor Chirico, seconded by Councillor Campbell
That accounts totalling \$12,518,397.33 for October 2008 be approved.

“CARRIED”

Res. #2008-767: Moved by Councillor Anthony, seconded by Councillor Mendicino
That 1) the Mayor & City Clerk be authorized to sign the Subdivision Agreement with Perut Construction Ltd. for the Perut Place, Phase 1 Subdivision Agreement, for the creation of a twenty (20) lot subdivision on Perut Place at the south extension of Connaught Avenue in the City of North Bay upon receipt of all security, required easements and acknowledgments from the Developer that they are responsible for the winter maintenance of the road (Perut Place) and that a sign be posted on the subject property, with wording to the satisfaction of the City of North Bay, to this effect; and
2) subject to compliance with Section 1, Council grant Final Approval to the Draft Approved Plan of Subdivision on Perut Place at the south extension of Connaught Avenue - City File No. 48T-04106.

“CARRIED”

Res. #2008-768: Moved by Councillor Chirico, seconded by Councillor Campbell
That By-Law No. 2008-246 authorizing the borrowing of serial debentures in the amount of \$1,000,000 for the North Bay Water Filtration Plant be presented to Council for three (3) readings on December 1, 2008.

“CARRIED”

Res. #2008-769: Moved by Councillor Chirico, seconded by Councillor Campbell
That By-Law No.2008-247 authorizing the borrowing upon serial debentures in the principal amount of \$4,600,000 be presented to Council for three (3) readings on December 1, 2008.

“CARRIED”

Res. #2008-770: Moved by Councillor Chirico, seconded by Councillor Campbell
That the 2009 Preliminary Operating Budget be received and referred to the General Government Committee.

“CARRIED”

Res. #2008-771: Moved by Councillor Chirico, seconded by Councillor Campbell
That Report to Council CORP 2008-172 dated November 24, 2008 from Al Lang/Brian Rogers re 2009 Capital Budget and 2009 to 2013 Five-Year Capital Forecast and Long-Term Capital Funding Policies be received and referred to the General Government Committee.

“CARRIED”

Res. #2008-772: Moved by Councillor Anthony, seconded by Councillor Mendicino
That 1) the Mayor and City Clerk be authorized to sign the Subdivision Agreement with Laurentian Heights Limited for Surrey Drive - Phase 1 to support the creation of ten (10) lots;

- 2) the Mayor and City Clerk be authorized to sign the Final Plan of Subdivision subject to receipt of all security, easements and all other Subdivision Agreement requirements; and
- 3) Council agrees to pass a by-law imposing a sewer and water connection charge applying to existing Lots 81 and 82, Registered Plan M-312, located on the north side of Surrey Drive, to be payable upon connection of houses on these two (2) lots.

“CARRIED”

Res. #2008-773: Moved by Councillor Chirico, seconded by Councillor Campbell
That North Bay City Council approve the award of a contract to Mid-Range, in the amount of \$83,850.00 (taxes extra), for the supply, installation, configuration and ongoing support of a new ERP IBM Server.

“CARRIED”

Res. #2008-774: Moved by Councillor Koziol, seconded by Councillor Bain
That

- 1) North Bay City Council approve a contract be awarded to Gap Construction Co. Ltd. in the amount of \$324,914.10 (GST included), for the construction of the Pinewood Park Watermain Extension;
- 2) the Watermain Looping - Francis Street (Line W31 - 2008 Capital Budget) be postponed to the 2009 Capital Budget; and
- 3) By-Law No. 2008-90 be amended to include the amount approved on Line W31 on 2008 Capital Budget - Watermain Looping - Francis Street and be presented for three (3) readings on December 1, 2008.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as Gap Construction Co. Ltd. is a client of his employer.

Res. #2008-775: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a first and second time:

By-Law No. 2008-241 to appoint a Deputy Fire Chief for the City of North Bay (Administration & Fire Prevention).

By-Law No. 2008-242 to appoint a Deputy Fire Chief for the City of North Bay (Operations & Training).

By-Law No. 2008-243 to authorize the Engineering Design for the street reconstruction of Ski Club Road (Lakeside Drive to Johnston Road).

By-Law No. 2008-244 to authorize the Trout Lake Road Overpass Life-Cycle Assessment & Lavase River Pedestrian Bridge Feasibility Study.

By-Law No. 2008-246 to authorize borrowing upon serial debentures in the amount of \$1,000,000 towards the cost of certain Capital Works.

By-Law No. 2008-247 to authorize borrowing upon instalment debentures in the principal amount of \$4,600,000.

By-Law No. 2008-251 to amend By-Law No. 2008-90 being a by-law to authorize the City's Share of New Development Cost Projects for the Engineering, Environmental Services & Works Department.

“CARRIED”

Res. #20008-776: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a third time and passed:

By-Law No. 2008-241 to appoint a Deputy Fire Chief for the City of North Bay (Administration & Fire Prevention).

By-Law No. 2008-242 to appoint a Deputy Fire Chief for the City of North Bay (Operations & Training).

By-Law No. 2008-243 to authorize the Engineering Design for the street reconstruction of Ski Club Road (Lakeside Drive to Johnston Road).

By-Law No. 2008-244 to authorize the Trout Lake Road Overpass Life-Cycle Assessment & Lavase River Pedestrian Bridge Feasibility Study.

By-Law No. 2008-246 to authorize borrowing upon serial debentures in the amount of \$1,000,000 towards the cost of certain Capital Works.

By-Law No. 2008-247 to authorize borrowing upon instalment debentures in the principal amount of \$4,600,000.

By-Law No. 2008-251 to amend By-Law No. 2008-90 being a by-law to authorize the City's Share of New Development Cost Projects for the Engineering, Environmental Services & Works Department.

"CARRIED"

Res. #2008-777: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-law be read a third time and passed:

By-Law No. 2008-233 to stop up, close and convey a portion of the laneway in a block bounded by Algonquin Avenue, Maplewood Avenue and Highland Road.

"CARRIED"

Res. #2008-778: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2008-249 to execute a Subdivision Agreement with Perut Construction Limited relating to Perut Place, Phase 1.

By-Law No. 2008-250 to execute a Subdivision Agreement with Laurentian Heights Limited relating to Surrey Drive, Phase 1.

"CARRIED"

Res. #2008-779: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:

By-Law No. 2008-249 to execute a Subdivision Agreement with Perut Construction Limited relating to Perut Place, Phase 1.

By-Law No. 2008-250 to execute a Subdivision Agreement with Laurentian Heights Limited relating to Surrey Drive, Phase 1.

"CARRIED"

Res. #2008-780: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2008-227 to rezone certain lands on Airport Road and Golf Club Road (899430 Ontario Inc. and 2142727 Ontario Inc. - Highway Woods).

“CARRIED”

Res. #2008-781: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-law be read a first and second time:

By-Law No. 2008-245 to execute an Agreement with Stewardship Ontario relating to a Municipal Hazardous or Special Waste Management Shares Responsibility Agreement.

“CARRIED”

Res. #2008-782: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-law be read a third time and passed:

By-Law No. 2008-245 to execute an Agreement with Stewardship Ontario relating to a Municipal Hazardous or Special Waste Management Shares Responsibility Agreement.

“CARRIED”

Res. #2008-783: Moved by Councillor Anthony, seconded by Councillor Mendicino
WHEREAS public transit is a critical public service;

AND WHEREAS many residents on fixed and low incomes rely on this service on a daily basis;

AND WHEREAS public transit provides a viable, environmentally friendly alternative to the use of the private automobile;

AND WHEREAS the City of North Bay wishes to increase its ridership on public transit;

BE IT THEREFORE RESOLVED THAT in order to stimulate ridership, effective January 1, 2009 cash fares be reduced from \$2.25 to \$2.00.

“CARRIED”

Res. #2008-784: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council adjourn in-camera pursuant to section 239 of the *Municipal Act, 2001*, as amended, at 7:40 p.m. to discuss Item 18, being a potential litigation matter affecting the municipality and Item 19, being a proposal disposal of land by the municipality.

“CARRIED”

Res. #2008-785: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council reconvene at 7:50 p.m.

“CARRIED”

Res. #2008-786: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council approve the purchase from the Ministry of Transportation of Parts 2, 3, 5 and 6, Plan 36R-12228 and Parts 4 and 5, Plan 36R-5168 for the sum of \$44,200.00.

“CARRIED”

Res. #2008-787: Moved by Councillor Vaillancourt, seconded by Councillor Graham
That this Regular Meeting of Council do now adjourn at 7:51 p.m.

“CARRIED”

MAYOR VIC FEDELI
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CITY CLERK CATHERINE CONRAD