

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, SEPTEMBER 21, 2009**

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

**PUBLIC PRESENTATIONS:**

Tim Salidas	re	Initiation of "Good Samaritan Award"
Andy Hazelwood	re	Duke of Edinburgh Program - Costa Rica Trip
Suzette Boothby/Jackie Taylor	re	Yellow Ribbon Campaign

**CORRESPONDENCE:**

943674 Ontario Inc.	re	Rezoning application - Third Avenue East	(594)
City of North Bay	re	Rezoning application - Algonquin Avenue to Front Street and Third Avenue at John Street	(595)
Henry's Excavating Limited	re	Rezoning application - Marshall Avenue	(593)
The Salvation Army	re	Christmas Kettle Campaign	(592)

**REPORTS FROM OFFICERS:**

Burke, M.B.	re	Utility Easement to Union Gas - 444 Lakeside Drive	(601)
Burke, M.B.	re	Land purchase - Gormanville Road & McKeown Avenue	(604)
Burke, M.B.	re	Land sale - 570 Golf Club Road	(614)
Carello, P.	re	Community Adjustment Fund approval	(599)
Cox, A.	re	Sanitary Sewer Rehabilitation Program	(600)
Evans, R.	re	North Bay Jack Garland Airport Industrial Park Subdivision & Community Improvement Plan	(605)
Kilgour, I.G.	re	North Bay Jack Garland Airport Industrial Park Subdivision & Community Improvement Plan	(605)
Korell, A.	re	4-Way stop request - Clarence Street at Jane Street	(597)
Linkie, D.G.	re	Noise By-Law amendment	(607)
Manning, J.	re	Tender 2009-90, Trout Lake Road Resurfacing Project	(603)
Scully, L.M.	re	No Idling By-Law amendment	(606)
Tomek, A.	re	Tipping fees for scrap tires	(596)
Ringler, T.G.	re	Parking Lot Maintenance & Improvements Program	(598)
Rochefort, L.	re	Reduction, cancellation or refund of taxes	(602)

**Res. #2009-590:** Moved by Councillor Chirico, seconded by Councillor Graham  
That minutes for the public meetings held on:

- Tuesday, September 8, 2009; and
- Monday, September 14, 2009

be adopted as presented.

"CARRIED"

**Res. #2009-591:** Moved by Councillor Chirico, seconded by Councillor Vaillancourt  
That minutes for the closed meetings held on:

- Tuesday, September 8, 2009

be adopted as presented.

"CARRIED"

Res. #2009-592: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council consent to The Salvation Army Christmas Kettle Campaign commencing on Saturday, November 19<sup>th</sup>, 2009 and running daily to December 24<sup>th</sup>, 2009 (excluding Sundays).

“CARRIED”

Res. #2009-593: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the rezoning application by Henry’s Excavating Limited - Marshall Avenue, be received.

“CARRIED”

Res. #2009-594: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the rezoning application by Miller & Urso Surveying Inc. on behalf of 943674 Ontario Inc. - Third Avenue, be received and referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2009-595: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the rezoning application by the City of North Bay - Front Street to Algonquin Avenue and Third Avenue at John Street, be received and referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2009-596: Moved by Councillor Koziol, seconded by Councillor Bain  
That By-Law No. 2009-56 be amended to suspend all landfill tipping fees associated with the acceptance of scrap tires at the Merrick Landfill, effective September 11, 2009.

“CARRIED”

Res. #2009-597: Moved by Councillor Koziol, seconded by Councillor Bain  
That the request for a 4-way stop at the corner of Clarence Street and Jane Street be denied at this time and be reviewed again in one year’s time.

“CARRIED”

Res. #2009-598: Moved by Councillor Chirico, seconded by Councillor Campbell  
That 1) a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Parking Lot Maintenance and Improvement Program, being 2009 Capital Budget Project No. 61, at a net debenture cost of \$185,000; and  
2) the Chief Financial Officer be authorized to close three 2008 Capital project and transfer surplus funds in the amount of \$100,000.

“CARRIED”

Res. #2009-599: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That 1) Council authorizes City staff to enter into an Agreement with the Community Adjustment Fund (Industry Canada), to complete works related to the removal of the foundation of a former building at a municipality owned parcel, known locally as the former Kenroc site;  
2) the Chief Financial officer be authorized to transfer \$100,000 from the Property Development Reserve Fund to cover the City’s share of this project; and

- 3) Council confirm the City of North Bay's stated contribution of \$100,000.

"CARRIED"

Res. #2009-600: Moved by Councillor Koziol, seconded by Councillor Bain  
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Sanitary Sewer Rehabilitation Program of the Engineering, Environmental Services and Works Department, being 2009 Water and Sanitary Sewer Capital Budget Project Line Item No. W32, at a net debenture cost of \$150,000.

"CARRIED"

Res. #2009-601: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council authorize the transfer of an underground easement to Union Gas along an existing right-of-way, being Part 1, Plan 36R-6557, for a gas connection to 444 Lakeside Drive.

"CARRIED"

Res. #2009-602: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the tax appeal applications attached to Report CORP 2009-150 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. #2009-603: Moved by Councillor Koziol, seconded by Councillor Bain  
That 1) North Bay City Council approve the award of a contract to Pioneer Construction Inc. in the amount of \$2,182,124.48 (taxes included), for Trout Lake Road resurfacing; and  
2) the City Clerk be authorized to present a Capital Expenditure By-Law to authorize a net debenture cost of \$850,000.00 for the Trout Lake Road Resurfacing Project (Capital Budget Line #22).

"CARRIED"

Res. #2009-604: Moved by Councillor Chirico, seconded by Councillor Campbell  
That 1) Council approve the purchase from the Ministry of Transportation of Parts 2, 3, 5 and 6, Plan 36R-12228 and Parts 1, 2 and 3, Plan 36R-12674 (Gormanville Road and McKeown Avenue) for the sum of \$53,200.00; and  
2) the Mayor and City Clerk execute the Agreement of Purchase and Sale between the Ministry of Transportation and the City.

"CARRIED"

Res. #2009-605: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Report CSBU 2009-74 relating to the North Bay Jack Garland Airport Industrial Park Subdivision and North Bay Jack Garland Airport Community Improvement Plan be referred to the Community Services Committee.

"CARRIED"

Res. #2009-606: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council amend No Idling By-Law No. 2009-134 to allow alternative signage to be used.

“CARRIED”

Res. #2009-607: Moved by Councillor Koziol, seconded by Councillor Bain  
That 1) the Managing Director of Engineering, Environmental Services and Works be delegated approval authority to grant a Noise By-Law exemption for those requests demonstrating that it would not otherwise be possible to meet the provisions of subsections 5(2)(h) and 5(4) of By-Law No. 2007-83, and where such approval is necessary to achieve a public work or which will result in an economic benefit to the City; and  
2) staff be directed to review, update and consolidate the City of North Bay Noise By-Law and that a new Noise By-Law be presented for Council’s consideration no later than June 30, 2010.

“CARRIED”

Res. #2009-608: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-law be read a first and second time:  
  
By-Law No. 2009-193 to amend Carbon Monoxide Alarm By-Law No. 2009-16.

“CARRIED”

Councillor Koziol declared a conflict of interest on the above matter as she is a multi-residential property owner.

Res. #2009-609: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-law be read a third time and passed:  
  
By-Law No. 2009-193 to amend Carbon Monoxide Alarm By-Law No. 2009-16.

“CARRIED”

Councillor Koziol declared a conflict of interest on the above matter as she is a multi-residential property owner.

Res. #2009-610: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-law be read a third time and passed:  
  
By-Law No. 2009-69 to rezone certain lands on Lakeshore Drive (Conseil Scolaire Public du Nord-Est de l’Ontario - 820 Lakeshore Drive).

“CARRIED”

Res. #2009-611: Moved by Councillor Anthony, seconded by Councillor Koziol  
WHEREAS the Province of Ontario has proposed harmonizing the Goods and Services Tax (GST) with the Provincial Sales Tax (PST) effective July 1, 2010;

AND WHEREAS the Province has considered amendments to the proposal and has further made changes to the original proposal;

BE IT THEREFORE RESOLVED THAT the Council of the City of North Bay advise the Provincial Government of its concern that efforts be made to reduce the financial impact and new taxation on citizens, businesses and municipalities;

AND FURTHER THAT the Provincial Government be requested to consider that the PST and GST harmonization ensure that NO NEW TAXATION is created;

AND FURTHER THAT this be accomplished by ensuring that items, goods, or services that are currently subject to only one tax remain subject to only one tax if and when harmonization occurs;

AND FURTHER THAT a copy of this motion be sent to Hon. John Wilkinson, Minister of Revenue; Hon. Dwight Duncan, Minister of Finance; Premier Dalton McGuinty, Hon. Jim Watson, Minister of Municipal Affairs & Housing; Leaders of the Opposition Parties; and to Hon. Monique Smith, MPP for Nipissing.

“CARRIED”

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

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

Res. #2009-612: 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 8:04 p.m. to discuss Item 17, being a proposed disposition of land by the municipality; Item 18, being a personal matter about an identifiable individual, including municipal or local board employee; and Item 19, being a litigation matter, including matters before administrative tribunals, affecting the municipality.

“CARRIED”

Res. #2009-613: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That Council reconvene at 8:18 p.m.

“CARRIED”

Res. #2009-614: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That Council authorize the sale of the Widdifield Garage property at 570 Golf Club Road to Consolidated Homes Ltd. for the sum of \$300,000.00 according to the terms of the Agreement of Purchase and Sale dated September 2, 2009.

“CARRIED”

Res. #2009-615: Moved by Councillor Chirico, seconded by Councillor Graham That this Regular Meeting of Council do now adjourn at 8:19 p.m.

“CARRIED”

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MAYOR VIC FEDELI

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CITY CLERK CATHERINE CONRAD