

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, JULY 12TH, 2010**

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

PUBLIC PRESENTATION:

Tiffany Womack & Nicole Pelletier	re Off-Leash Dog Facility
Dusan Mihailovic	re Traffic concerns on Ski Club Road
Richard Dinnes	re "Stuff the Bus" Fundraiser for Food Bank
Richard Sarazin	re Zoning By-law for amendment for Recreational vehicles

CORRESPONDENCE:

Nil

REPORTS FROM OFFICERS:

Burke, M.B.	re 9 metre smoking ban at entrances	(478)
Conrad, C.M.	re Appointment of Deputy City Clerk	(491)
Cox, A.	re Drinking Water Quality Management Maintenance Program	(477)
Knox, J.D.	re North Bay Youth Soccer agreement	(476)
Lang, A.	re Audit services extension for 2010	(475)
Manning, J.	re RFP 2010-72, Purchase & commercial development of City owned land - Cassells Street	(492)

Res. #2010-471: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino That minutes for the public meetings held on:

- Monday, June 28, 2010

be adopted as presented.

"CARRIED"

Res. #2010-472: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino That minutes for the closed meetings held on:

- Monday, June 28, 2010

be adopted as presented.

"CARRIED"

Res. #2010-473: Moved by Councillor Anthony, seconded by Councillor Mendicino That Community Services Committee Report No. 2010-13 relating to:

- 2146552 Ontario Inc. - Wallace Road and Circle Lake; and
- Autogene Industries North Bay Inc. - 1891 Seymour Street

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2010-13

July 12, 2010

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2010-13 and recommends:

1. That
 - a) the proposed Draft Plan of Condominium (9 units, File #48CDM-10101) by Miller & Urso Surveying Inc. on behalf of Consolidated Homes Ltd for Concession D, Part of Lot 16, Parcel 4449 W/F, Reference Plan 36R-7054, Part 1, in the former Township of Widdifield (Wallace Road), shown as Schedule "A" attached to Supplemental Planning Report prepared by Peter Carello dated June 22, 2010 be given Draft Approval subject to the conditions in Appendix "A" to the Supplemental Planning Report prepared by Peter Carello dated June 22, 2010;
 - b) the Owner(s) enter into a Condominium Agreement with the City of North Bay prior to site development to address lot grading, stormwater management, buffer areas, sediment/erosion control, general drainage considerations, and parkland dedication; and
 - c) 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 parking, ingress, egress, lighting, garbage facilities, fencing, landscaping, lot grading, drainage, site servicing and development, and stormwater management.

2. That
 - a) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of Autogene Industries North Bay Inc. for the property legally described as Concession D, Lot 17, Registered Plan 36M-541, Block 1, Reference Plan 36R-10161 NR 752, Parts 1 and 3, PIN 49142-0198, 49142-0199, 49142-0200 (1891 Seymour Street), from a "Light Industrial Three (M3)" zone to an "Industrial Commercial Special (MC Sp.)" zone for the purpose of permitting the lease or sale of a vacant administrative building, 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.

All of which is respectfully submitted.

ASSENTS
 ANTHONY
 MENDICINO
 GRAHAM
 FEDELI

DISSENTS

Res. #2010-474: Moved by Councillor Bain, seconded by Councillor Mayne
 That Engineering & Works Committee Report No. 2010-05 relating to:

- 2007 Budget Enhancements for Waste Management

be adopted as presented.

"CARRIED"

ENGINEERING & WORKS COMMITTEE REPORT NO. 2010-05

July 12, 2010

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2010-05 and recommends:

1. That Reports to Council EES 2006-43A and EES 2007-16 relating to the 2007 Budget Enhancements for Waste Management be noted and filed.

All of which is respectfully submitted.

ASSENTS
 KOZIOL
 BAIN
 MAYNE
 FEDELI

DISSENTS

Res. #2010-475: Moved by Councillor Chirico, seconded by Councillor Campbell
 That North Bay City Council extend the contract for audit services for the year 2010 to BDO Canada LLP for the City of North Bay and its agencies, boards and commissions.

“CARRIED”

Res. #2010-476: Moved by Councillor Anthony, seconded by Councillor Mendicino
 That 1) the Mayor and City Clerk be authorized to sign the Agreement on behalf of the City which will see a \$500,000.00 contribution from North Bay Youth Soccer towards the construction of Soccer Fields at the Sports Complex; and

2) the Execution By-Law be presented for three (3) readings on July 12, 2010 permitting The Corporation of the City of North Bay to enter into an Agreement with North Bay Youth Soccer.

“CARRIED”

Res. #2010-477: Moved by Councillor Bain, seconded by Councillor Mayne
 That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the 3069WS Drinking Water Quality Management Maintenance Program for the Engineering, Environmental Services and Works Department, being 2010 Water and Sanitary Sewer Capital Budget Project Line Item #W38, at a net debenture cost of \$400,000.00.

“CARRIED”

Res. #2010-478: Moved by Councillor Chirico, seconded by Councillor Campbell
 That Schedules “B” and “C” by By-Law No. 2003-05, being a By-Law to Regulate Smoking in Public Places and Workplaces, be amended to include those workplaces and apartment buildings identified in Report to Council No. CORP 2010-124 dated July 8, 2010.

“CARRIED”

Res. #2010-479: Moved by Councillor Chirico, seconded by Councillor Campbell
 That the following by-laws be read a first and second time:

By-Law No. 2010-169 to authorize the purchase of lands from Gerry and Carol Giasson for use in connection with the Fire Hall (Ferguson and Princess Streets).

By-Law No. 2010-170 to authorize the sale of lands no longer required for municipal purposes to Algonquin Child and Family Services (CN Right-of-Way - Lots 14 to 19, Plan 20, Third Avenue).

By-Law No. 2010-173 to authorize the 2010 Transit Coach Replacement Program.

“CARRIED”

Councillor Bain declared a conflict of interest on By-Law No. 2010-170 as he owns property in the neighbourhood.

Res. #2010-480: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a third time and passed:

By-Law No. 2010-169 to authorize the purchase of lands from Gerry and Carol Giasson for use in connection with the Fire Hall (Ferguson and Princess Streets).

By-Law No. 2010-170 to authorize the sale of lands no longer required for municipal purposes to Algonquin Child and Family Services (CN Right-of-Way - Lots 14 to 19, Plan 20, Third Avenue).

By-Law No. 2010-173 to authorize the 2010 Transit Coach Replacement Program.

“CARRIED”

Councillor Bain declared a conflict of interest on By-Law No. 2010-170 as he owns property in the neighbourhood.

Res. #2010-481: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-law be read a first and second time:

By-Law No. 2010-171 to execute an Agreement with the North Bay & District Humane Society for the Prevention of Cruelty to Animals relating to the renewal of an existing Operating Agreement.

“CARRIED”

Councillor Vaillancourt declared a conflict of interest on the above matter as he is employed by the North Bay & District Humane Society for the Prevention of Cruelty to Animals.

Res. #2010-482: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-law be read a third time and passed:

By-Law No. 2010-171 to execute an Agreement with the North Bay & District Humane Society for the Prevention of Cruelty to Animals relating to the renewal of an existing Operating Agreement.

“CARRIED”

Councillor Vaillancourt declared a conflict of interest on the above matter as he is employed by the North Bay & District Humane Society for the Prevention of Cruelty to Animals.

Res. #2010-483: Moved by Councillor Graham, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2010-155 to rezone certain lands on Seymour Street (Autogene Industries North Bay Inc. – 1891 Seymour Street).

“CARRIED”

Res. #2010-484: Moved by Councillor Graham, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2010-156 to designate a Site Plan Control area on certain lands on Seymour Street (Autogene Industries North Bay Inc. - 1891 Seymour Street).

By-Law No. 2010-165 to amend By-Law No. 35-96 to regulate the use of Public Parks within the City of North Bay.

“CARRIED”

Res. #2010-485: Moved by Councillor Graham, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:

By-Law No. 2010-156 to designate a Site Plan Control area on certain lands on Seymour Street (Autogene Industries North Bay Inc. - 1891 Seymour Street).

By-Law No. 2010-165 to amend By-Law No. 35-96 to regulate the use of Public Parks within the City of North Bay.

“CARRIED”

Res. #2010-486: Moved by Councillor Graham, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2010-172 to execute an Agreement with North Bay Youth Soccer Club relating to funding contributions for the Outdoor Sports Complex.

“CARRIED”

Res. #2010-487: Moved by Councillor Graham, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2010-172 to execute an Agreement with North Bay Youth Soccer Club relating to funding contributions for the Outdoor Sports Complex.

“CARRIED”

Res. #2010-488: Moved by Councillor Koziol, seconded by Councillor Bain
WHEREAS Ontario's Minimum Maintenance Standards establish a reasonable, consistent, and readily understood standard relating to the maintenance of Municipal roads, bridges, and sidewalks;

AND WHEREAS meeting the established Minimum Maintenance Standards provides municipalities with a defense against liability from actions arising with regard to levels of care on roads, bridges, and sidewalks;

AND WHEREAS an Application has recently been filed with the Superior Court of Justice seeking to have the Minimum Maintenance Standards declared null and void;

AND WHEREAS if the Application is successful the results would be very serious and potentially extremely costly to Ontario's municipalities and their taxpayers;

THEREFORE BE IT RESOLVED THAT the City of North Bay pledges \$1,000 in support of the Ontario Good Roads efforts to oppose the application on behalf of Ontario's municipalities;

AND FURTHER THAT a copy of this resolution be sent to Ontario Good Roads Association, Association of Municipalities of Ontario, Rural Ontario Municipal Association and the Federation of Northern Ontario Municipalities.

“CARRIED”

Res. #2010-489: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended, at 8:05 p.m. for the following reasons: Item 5 being a personal matter about an identifiable individual; Item 6 being the pending sale of municipal lands; and Item 7 being the potential sale of municipal lands.

“CARRIED”

Res. #2010-490: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council reconvene at 8:13 p.m.

“CARRIED”

Res. #2010-491: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council confirm the appointment of Karen McIsaac as Deputy City Clerk effective July 5, 2010.

“CARRIED”

Res. #2010-492: Moved by Councillor Chirico, seconded by Councillor Campbell
That North Bay City Council approve the offer of \$140,050.00 (taxes extra), submitted by Martel & Mitchell Physiotherapy for the sale of the vacant lot at 760 Cassells Street according to the terms outlined in their proposal and in Request for Proposal 2010-72.

“CARRIED”

Res. #2010-493: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino
That this Regular Meeting of Council do now adjourn at 8:14 p.m.

“CARRIED”

MAYOR VIC FEDELI

CITY CLERK CATHERINE CONRAD