

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, MARCH 17TH, 2008**

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

CORRESPONDENCE:

Transportation, Ministry of re Noise By-Law exemption (191)

REPORTS FROM OFFICERS:

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Res. #2008-185: Moved by Councillor Bain, seconded by Councillor Mendicino
That minutes for the public meeting held on:

- Monday, March 10, 2008

be adopted as presented.

"CARRIED"

Res. #2008-186: Moved by Councillor Bain, seconded by Councillor Mendicino
That minutes for the closed meetings held on:

- Monday, March 3, 2008

be adopted as presented.

"CARRIED"

Res. #2008-187: Moved by Councillor Chirico, seconded by Councillor Campbell
That General Government Committee Report No. 2008-03 relating to:

- 2008 Operating Budget

be adopted as presented.

“CARRIED”

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

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

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2008-03

March 17, 2008

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

Your Worship and Councillors:

The General Government Committee presents **Report No. 2008-03** and recommends:

1. That the 2008 Operating Budget in the amount of \$103,221,761 (excluding water and sanitary sewer expenditures in the amount of \$15,182,600) with a resultant tax levy of \$62,953,981 as summarized on the attached Schedule A, be approved.
2. That budget adjustments summarized on the attached Schedule B, resulting in a net increase in the tax levy totaling \$678,956 from the Preliminary Operating Budget, be included in the Operating Budget.
3. That the Chief Financial Officer be authorized to process all transfers to and from reserve funds included in the 2008 Operating Budget, including a transfer of \$100,000 from the Tax Rate Stabilization Reserve Fund.
4. That the Chief Financial Officer be authorized to process the following year-end transfers to reserve funds as at December 31, 2007:

a. Merrick Landfill Reserve Fund (excess tipping fee revenues)	\$150,000
b. Police surplus to a new Police Purposes Reserve Fund	\$323,272
c. Surplus distribution from local boards above amount budgeted (NDSSAB, Health Unit, Cassellholme) Tax Rate Stabilization Reserve Fund	\$264,000
d. And that any remaining year-end surplus (or deficit) be transferred to (from) the Tax Rate Stabilization Reserve Fund. The anticipated year-end surplus, subject to year-end audit, is under \$200,000	
5. That the Chief Financial Officer be authorized to process a year-end accounting adjustment as at December 31, 2007 to record accrued vacation pay totaling \$1,248,000 in accordance with generally accepted accounting principals for local government as recommended by the Public Sector Accounting Board of the Canadian Institute of Chartered Accountants.

6. That the levies of all Agencies, Boards and Commissions totaling \$37,549,281 as summarized on the attached Schedule B, page #7 be included in the tax levy.
7. That the Chief Financial Officer be authorized to transfer \$5,750,000 from the Operating Fund to the Capital Fund to finance approved capital projects that would otherwise require debenture issuance to fund (Net Capital Levy in Operating Budget). This includes an additional \$1,000,000 added to expand the roadways resurfacing investment in 2008.
8. That the tax rates included on Schedule C be adopted for the 2008 taxation year.
9. That each final tax bill clearly discloses the amount included to subsidize provincial health and social programs as described by the Association of Municipalities of Ontario as "Ontario's \$3 Billion Provincial Municipal Fiscal Gap".
10. That the due date for the final property tax installment be set at June 30 for the 2008 taxation year.
11. That By-Law No.2008-57, arising from this report, be presented for three readings on March 17, 2008.

All of which is respectfully submitted.

ASSENTS

CHIRICO
CAMPBELL
VREBOSCH-MERRY
FEDELI

DISSENTS

Res. #2008-188: Moved by Councillor Koziol, seconded by Councillor Bain
That Engineering & Works Committee Report No. 2008-01 relating to:

- Waste Management User Fees and Charges

be adopted as presented.

“CARRIED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2008-01

March 17, 2008

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2008-01 and recommends:

1. That By-Law No. 2008-86 being the Waste Management By-Law, be presented for three (3) readings on March 17th 2008.

All of which is respectfully submitted.

ASSENTS
 KOZIOL
 BAIN
 MAYNE
 FEDELI

DISSENTS

Res. #2008-189: Moved by Councillor Koziol, seconded by Councillor Bain
 That 1) the City enter into a Servicing Agreement with Laurentian Heights Limited, in a form satisfactory to the City Solicitor, for the installation of a trunk sanitary sewer on Kenreta Drive in the Laurentian Heights Subdivision subject to the conditions outlined in Report No. EEW 2008-03 from the Managing Director, Engineering, Environmental Services and Works;

- 2) funding in the amount of \$194,428.00 be made available from the City’s Ski Hill Trunk Sanitary Sewer Reserve Fund to cover a portion of the cost of oversizing the trunk sanitary sewer on Kenreta Drive; and
- 3) funding in the amount of \$11,289.80 be made available from the City’s Development Charges Reserve Fund to cover the remainder of the cost of oversizing the trunk sewer on Kenreta Drive.

“CARRIED”

Res. #2008-190: Moved by Councillor Koziol, seconded by Councillor Bain
 That By-Law No. 2004-45 be amended to that the period the by-law is in effect is fixed to apply every year, from March 1st to May 15th, without having to amend it on an annual basis.

“CARRIED”

Res. #2008-191: Moved by Councillor Koziol, seconded by Councillor Bain
That 1) an exemption to North Bay Noise By-Law No. 1976-142 be granted, pursuant to Schedule 2, Section 5, as requested by Adrian Sgoifo, MTO, to permit construction work to be carried out on Highway 11 North between Airport Road and Sunshine Lane during the following times:

Weekdays (Monday to Friday) 7 pm to 7 am (the following day)

- 2) the exemption apply for a 50-day period between Wednesday, May 28th and Wednesday, July 16th, 2008; and
- 3) the exemption period be permitted to be altered to suit the contractor's timetable provided that the contractor places a prominent public notice in a local newspaper indicating the construction start date and the noise by-law exemption period (restricted to a 50-day period thereafter).

"CARRIED"

Res. #2008-192: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the recommendation from the Planning Advisory Committee regarding a rezoning application by Goodridge Planning Solutions on behalf of Dimitrios & Tracey Kolios - 1066 Fisher Street be referred to the Community Services Committee and for a Public Meeting.

"CARRIED"

Res. #2008-193: Moved by Councillor Chirico, seconded by Councillor Campbell
That 1) the application by Goodridge Planning Solutions on behalf of Dimitrios & Tracey Kolios to close a laneway located beside the property at 1066 Fisher Street, as shown on Schedule "A" attached to Report CSBU 2008-27, be approved;

- 2) the closure of the laneway be subject to the granting of any required easements; and
- 3) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

"CARRIED"

Res. #2008-194: Moved by Councillor Anthony, seconded by Councillor Mendicino\
That 1) City Council pass a resolution, supporting the construction of bicycle lanes/pathways on Gormanville Road, Booth Road and Birches Road, pending the approval of Federal Transit Related Funding as outlined in the 2008 Federal Budget; and

- 2) staff be directed to forward a letter to the Federal Minister of Finance indicating the City's public support of these projects. Copies of this letter should be forwarded to the Minister of Transport, Infrastructure & Communities, Ontario Minister of Public Infrastructure Renewal, Ontario Minister of Finance, Ontario Minister of Transportation, the Local Member of Parliament and the Local Provincial Member of Parliament.

"CARRIED"

Res. #2008-195: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law in the amount of \$235,000.00 be prepared for Council's consideration for the Water Treatment Plant Facilities

and Repairs from the 2008 Water and Sanitary Capital Works Budget Project Line No. W47, at a net debenture cost of \$235,000.00.

“CARRIED”

Res. #2008-196: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law in the amount of \$295,000.00 be prepared for Council’s consideration for the Sewage Plant and Pumping Station repairs funded from the 2008 Water and Sanitary Capital Works Budget Project Line No. W46, at a net debenture cost of \$295,000.00.

“CARRIED”

Res. #2008-197: Moved by Councillor Chirico, seconded by Councillor Campbell
That the Chief Financial Officer be authorized to adjust development charge rates in accordance with indexing adjustments of 6.4%, as outlined in Report No. CORP 2008-01.

“CARRIED”

Res. #2008-198: Moved by Councillor Koziol, seconded by Councillor Bain
That North Bay City Council approve a contract be awarded to Edgar Poulin Construction & Rental Ltd. in the estimated amount of \$313,605.00 (GST extra), for the supply of aggregate materials on an as and when requested basis from the date of contract to October 30, 2008.

“CARRIED”

Res. #2008-199: Moved by Councillor Koziol, seconded by Councillor Bain
That North Bay City Council approve a contract be awarded to Rainbow Concrete Industries Limited in the estimated amount of \$120,332.45 (GST extra) for the supply of ready mix concrete on an as and when requested basis from the date of contract to October 1, 2008.

“CARRIED”

Res. #2008-200: Moved by Councillor Koziol, seconded by Councillor Bain
That North Bay City Council approve a contract be awarded to Battano Construction Ltd. in the estimated amount of \$120,000.00 (GST extra) to replace sidewalks on an as and when requested basis from the date of contract to October 31, 2008.

“CARRIED”

Res. #2008-201: Moved by Councillor Koziol, seconded by Councillor Bain
That 1) North Bay City Council approve a contract be issued to SNC-Lavalin Inc. in the amount of \$112,950.00 (GST extra), to prepare a report for both the Merrick Landfill Leachate Treatment Assessment and Design of the Gas Collection and Leachate Infiltration Expansion; and
2) a Capital Expenditure By-Law be prepared for Council’s consideration in the amount of \$150,000.00 to authorize the expenditure of funds needed to determine how best to treat Leachate, to pilot test lower cost treatment options and for contingency funding related to compliance with the Provincial Certificate of Approval for the Merrick Landfill Site.

“CARRIED”

- Res. #2008-202: Moved by Councillor Anthony, seconded by Councillor Mendicino
That 1) Council approve the request from the Rotary Club for a Variance to Sign By-Law No. 2006-143, Section 2.0(b) to permit the temporary installation of a banner across the Kinsmen Bridge located at the overpass for the period March 28th, 2008 to April 4th, 2008; and
- 2) Council direct staff to prepare an amendment to Sign By-Law No. 2006-143, Section 2.0(b) to include the Kinsmen Bridge as a permitted area to display temporary banners, subject to a case by case administrative approval from the North Bay-Mattawa Conservation Authority and the City of North Bay.

“CARRIED”

- Res. #2008-203: Moved by Councillor Koziol, seconded by Councillor Bain
That Report EEW 2008-04 from Peter Bullock dated March 4, 2008 relating to the City of North Bay Green Plan by Energy Advantage be referred to the Engineering & Works Committee.

“CARRIED”

- Res. #2008-204: Moved by Councillor Anthony, seconded by Councillor Mendicino
That 1) Council supports the servicing of industrial land at the North Bay Jack Garland Airport, conditional on public funding support;
- 2) the Grant Accessing Program Officer/Development Planner be directed to apply for funding on behalf of Council to leverage the existing planning City investment to fund the full servicing of the industrial land at the North Bay Airport; and
- 3) the City Engineer be directed to commence the detailed engineering work necessary for the infrastructure improvements to the land shown on the attached Schedule “A” to Report CSBU 2008-30 for the purpose of new serviced industrial land.

“CARRIED”

- Res. #2008-205: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Council support the decision to develop and implement a plan to announce all transit bus stops in conformance to the requirement of the Ontario Human Rights Commission.

“CARRIED”

- Res. #2008-206: Moved by Councillor Anthony, seconded by Councillor Mendicino
That 1) the City Clerk be authorized to prepare and present an authorizing by-law for three readings on March 17, 2008, therefore satisfying the Province’s requirements for one-time funding for transit purposes and receive \$807,356.00 before March 21, 2008; and
- 2) the City Clerk be authorized to prepare and present a Capital Expenditure By-Law for three readings on March 31, 2008 for \$807,356.00 authorizing Capital Expenditures related to the one-time funding for transit purposes.

“CARRIED”

- Res. #2008-207: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a first and second time:

By-Law No. 2008-57 to set 2008 tax rates and to levy taxes for the year 2008 (and to repeal By-Law No. 2007-84).

By-Law No. 2008-60 to set 2008 tax ratios for prescribed property classes.

By-Law No. 2008-61 to set tax rate reductions for prescribed property subclasses.

By-Law No. 2008-88 to deem Part Lot 1, Plan 56 and Part Lot 11, Plan 96, designated as parts 2, 3, 4, 5 and 6, Plan 36R-12076 as not being subject to part lot control pursuant to Section 50(7) of the *Planning Act*.

By-Law No. 2008-89 to authorize the exchange of lands with June McAuley and Ada McAuley (CN right-of-way lands in the block bounded by Durrill Street, Copeland Street, Bell Street and Jane Street).

By-Law No. 2008-90 to authorize the City's share of new Development Cost Projects for the Engineering, Environmental Services & Works Department.

By-Law No. 2008-91 to authorize the Dechlorination Project Sewage Plant.

"CARRIED"

Res. #2008-208: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a third time and passed:

By-Law No. 2008-57 to set 2008 tax rates and to levy taxes for the year 2008 (and to repeal By-Law No. 2007-84).

By-Law No. 2008-60 to set 2008 tax ratios for prescribed property classes.

By-Law No. 2008-61 to set tax rate reductions for prescribed property subclasses.

By-Law No. 2008-88 to deem Part Lot 1, Plan 56 and Part Lot 11, Plan 96, designated as parts 2, 3, 4, 5 and 6, Plan 36R-12076 as not being subject to part lot control pursuant to Section 50(7) of the *Planning Act*.

By-Law No. 2008-89 to authorize the exchange of lands with June McAuley and Ada McAuley (CN right-of-way lands in the block bounded by Durrill Street, Copeland Street, Bell Street and Jane Street).

By-Law No. 2008-90 to authorize the City's share of new Development Cost Projects for the Engineering, Environmental Services & Works Department.

By-Law No. 2008-91 to authorize the Dechlorination Project Sewage Plant.

"CARRIED"

Res. #2008-209: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a first and second time:

By-Law No. 2008-58 to adopt optional tools for the purposes of administering limits for eligible properties (commercial, industrial and multi-residential property classes).

By-Law No. 2008-59 to adopt optional tools for the purposes of administering limits for the commercial, industrial and multi-residential property classes.

"CARRIED"

Councillor Koziol declared a conflict of interest on the above matters as she owns multi-residential units.

Res. #2008-210: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a third time and passed:

By-Law No. 2008-58 to adopt optional tools for the purposes of administering limits for eligible properties (commercial, industrial and multi-residential property classes).

By-Law No. 2008-59 to adopt optional tools for the purposes of administering limits for the commercial, industrial and multi-residential property classes.

“CARRIED”

Councillor Koziol declared a conflict of interest on the above matters as she owns multi-residential units.

Res. #2008-211: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a third time and passed:

By-Law No. 2008-56 to stop up, close and convey a portion of the laneway in a block bounded by Park Avenue, Murphy Street, Doran Avenue and Mary Street.

By-Law No. 2008-64 to stop up, close and convey a portion of the Wilmot Street and Delaney Street road allowances and a laneway bounded by Wilmot Street, Delaney Street and the Ontario Northland Railway right-of-way.

“CARRIED”

Res. #2008-212: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2008-87 to appoint a Municipal Weed Inspector for 2008.

By-Law No. 2008-92 to execute an Agreement with Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario relating to one-time Transit Capital Funding to improve and expand public transit across Ontario.

“CARRIED”

Res. #2008-213: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed

By-Law No. 2008-87 to appoint a Municipal Weed Inspector for 2008.

By-Law No. 2008-92 to execute an Agreement with Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario relating to one-time Transit Capital Funding to improve and expand public transit across Ontario.

“CARRIED”

Res. #2008-214: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-laws be read a first and second time:

By-Law No. 2008-86 being the Waste Management By-Law.

By-Law No. 2008-93 to execute an Agreement with Carmanah Technologies Corporation relating to a Solar Photovoltaic Demonstration Project for North Bay City Hall.

“CARRIED”

Res. #2008-215: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-laws be read a third time and passed:

By-Law No. 2008-86 being the Waste Management By-Law.

By-Law No. 2008-93 to execute an Agreement with Carmanah Technologies Corporation relating to a Solar Photovoltaic Demonstration Project for North Bay City Hall.

“CARRIED”

Res. #2008-216: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-law be read a first and second time:

By-Law No. 2008-94 to execute a Servicing Agreement with Laurentian Heights Limited relating to Kenreta Drive - Phase II.

“CARRIED”

Res. #2008-217: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-law be read a third time and passed:

By-Law No. 2008-94 to execute a Servicing Agreement with Laurentian Heights Limited relating to Kenreta Drive - Phase II.

“CARRIED”

Res. #2008-218: Moved by Councillor Mendicino, seconded by Councillor Chirico
WHEREAS climate change is the biggest environmental threat to our planet;

AND WHEREAS the City of North Bay has already taken a lead role in reducing energy consumption and is currently working on the development of a Corporate Green Plan to identify and develop further Energy Conservation strategies to reduce consumption and the impact on climate change;

AND WHEREAS as part of Earth Hour 2008, cities business and individuals around the world will be asked to turn off their lights for one hour, from 8:00 to 9:00 pm on Saturday, March 29th, to demonstrate that it is possible to take action on climate change and to send a message that they care about our planet and want to be part of the solution;

BE IT THEREFORE RESOLVED THAT Council declares the hour of 8:00 to 9:00 pm on Saturday, March 29, 2008 to be Earth Hour in the City of North Bay;

AND FURTHER THAT the citizens and business in the City of North Bay be encouraged to participate in this initiative where possible.

“CARRIED”

Res. #2008-219: 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 7:42 p.m. for the following reasons: Item #19, being a personnel matter about an identifiable individual, including municipal or local board employees; Items #20 and #21, being a proposed or pending acquisition or disposal of land by the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

“CARRIED”

Res. #2008-220: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council reconvene at 8:12 p.m.

“CARRIED”

Res. #2008-221: Moved by Councillor Chirico, seconded by Councillor Campbell
That the results of the job evaluation review for the exempt group be implemented effective January 1, 2008, as attached to CORP Report No. 2008-51.

“CARRIED”

Record of Vote (Upon Request of Councillor Chirico)

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

Res. #2008-222: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council approve the Agreement negotiated between the City of North Bay and Symphony of Sound Entertainment Inc. for the lease of the waterfront for the purpose of staging “North Bay Rocks the Bay” Concert and Festival.

“CARRIED”

Res. #2008-223: Moved by Councillor Graham, seconded by Councillor Vrebosch-Merry
That this Regular Meeting of Council do now adjourn.

“CARRIED”

MAYOR VIC FEDELI

DEPUTY CLERK TERRY RINGLER