

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, JUNE 23RD, 2003**

PRESENT: Mayor Burrows, Councillors Bennett, Kidd, Chirico, Campbell, Aspin, Anthony, Church, Boldt, Maroosis, Handley

CORRESPONDENCE:

Grise, Richard	re Encroachment agreement - 166 Johnston Road	(399)
Scott, S.M.	re Request to purchase property - Durrill Street	(412)
Scott, S.M.	re Request to purchase property - Jane Street	(413)
Scott, S.M.	re Request to purchase property - Copeland Street	(414)

REPORTS FROM OFFICERS:

Burke, M.B.	re Encroachment agreement - 166 Johnston Road	(399)
Burke, M.B.	re Airport Operating Agreement	(400)
Burke, M.B.	re Request to purchase property - Durrill Street	(412)
Burke, M.B.	re Request to purchase property - Jane Street	(413)
Burke, M.B.	re Request to purchase property - Copeland Street	(414)
Burke, M.B.	re Sale to Home Depot Canada Inc.	(415)
Burke, M.B.	re Sale to True North Chevrolet Geo Oldsmobile Cadillac Ltd.	(416)
Burke, M.B.	re Exchange of land with E.S. Hubbell & Sons Limited	(417)
Burke, M.B.	re City sale to Dalron Construction Limited	(419)
Celentano, J.J.	re Northeaster Zone Smart Growth Panel	(394)
Evans, R.	re Public Works Yard Industrial Park	(418)
Manning, J.	re Request for Proposal 2003-33, Supply of soft drink beverages	(396)
Manning, J.	re Tender 2003-64, Tractor loader backhoe	(397)
Manning, J.	re Request for Quotation 2003-72, Crushing of reclaimed asphalt	(398)
Sheffield, T.	re Agencies, Boards, Committees and Commissions - Compensation for members	(395)

Res. #2003-393: Moved by Councillor Boldt, seconded by Councillor Handley
That minutes for the meetings held:

- Tuesday, May 20, 2003; and
- Monday, May 26, 2003

be adopted as presented.

"CARRIED"

Res. #2003-394: Moved by Councillor Bennett, seconded by Councillor Kidd
That Report No. CAO 2003-10 regarding the Final Report of the
Northeastern Zone Smart Growth Panel be received.

"CARRIED"

Res. #2003-395: Moved by Councillor Bennett, seconded by Councillor Kidd
That the report from T. Sheffield dated June 13, 2003 re Agencies, boards, committees and commissions - compensation for members be referred to the General Government Committee.

“CARRIED”

Res. #2003-396: Moved by Councillor Church, seconded by Councillor Anthony
That North Bay City Council approve that the City enter into a 3 year agreement with Pepsi-Cola Canada Beverages to supply soft drink beverages and vending machines to all City Arenas and the Marina.

“CARRIED”

Res. #2003-397: Moved by Councillor Handley, seconded by Councillor Maroosis
That North Bay City Council approve a contract be issued to ONTRAC Equipment Services Inc. in the amount of \$69,000.00 including taxes and acceptable trade-in for one tractor loader backhoe.

“CARRIED”

Res. #2003-398: Moved by Councillor Handley, seconded by Councillor Maroosis
That North Bay City Council approve a contract be let to Smiths Construction Company, Miller Group Inc. in the estimated amount of \$59,850.00 (GST extra) to crush an estimated amount of 15,000 tonnes of reclaimed asphalt pavement.

“CARRIED”

Res. #2003-399: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council deny the Encroachment Agreement requested for a pool deck at 166 Johnston Road due to the conflict with the existing sewers in the easement.

“CARRIED”

Res. #2003-400: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council approve the proposed Operating Agreement with the Jack Garland Airport Corporation.

“CARRIED”

Res. #2003-401: Moved by Councillor Bennett, seconded by Councillor Kidd
That the following by-law be read a first time:

By-Law No. 2003-91 to amend By-Law No. 2003-24 to establish water rates.

“CARRIED”

Res. #2003-402: Moved by Councillor Bennett, seconded by Councillor Kidd
That the following by-laws be read a first and second time:

By-Law No. 2003-76 to amend By-Law No. 29-91 to regulate on and off-street parking for disabled person (Disabled Drop Off Zone on Cassells Street - Sundays only).

By-Law No. 2003-86 to authorize sanitary sewer costs for the detailed design of Septage Receiving and Grit Removal Facilities at the Sewage

Treatment Plant.

By-Law No. 2003-87 to authorize the restoration of the CF-100 Artifact and the replacement of flagpoles in Lee Park.

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By-Law No. 2003-88 to authorize the completion of Phase 1 of the Merrick Landfill Leachate Management Program.

“CARRIED”

Res. #2003-403: Moved by Councillor Bennett, seconded by Councillor Kidd
That the following by-laws be read a third time and passed:

By-Law No. 2003-76 to amend By-Law No. 29-91 to regulate on and off-street parking for disabled person (Disabled Drop Off Zone on Cassells Street - Sundays only).

By-Law No. 2003-86 to authorize sanitary sewer costs for the detailed design of Septage Receiving and Grit Removal Facilities at the Sewage Treatment Plant.

By-Law No. 2003-87 to authorize the restoration of the CF-100 Artifact and the replacement of flagpoles in Lee Park.

By-Law No. 2003-88 to authorize the completion of Phase 1 of the Merrick Landfill Leachate Management Program.

“CARRIED”

Res. #2003-404: Moved by Councillor Church, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2003-92 to designate the property known as the former North Bay Teachers' College (Normal School) in the City of North Bay as being of architectural and historical value.

“CARRIED”

Res. #2003-405: Moved by Councillor Church, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2003-92 to designate the property known as the former North Bay Teachers' College (Normal School) in the City of North Bay as being of architectural and historical value.

“CARRIED”

Res. #2003-406: Moved by Councillor Church, seconded by Councillor Anthony
That the following by-laws be read a second time:

By-Law No. 2003-80 to rezone certain lands on Douglas Street (City of North Bay - 985 Douglas Street).

By-Law No. 2003-81 to amend the Official Plan - Official Plan Amendment No. 94 (Descon Development Corporation - 533 Lakeshore Drive).

By-Law No. 2003-83 to designate a Site Plan Control Area on certain lands on Lakeshore Drive (Descon Development Corporation - 533 Lakeshore Drive).

By-Law No. 2003-84 to rezone certain lands on Little Down Lane (Don and Ferne Odorizzi - Little Down Lane).

“CARRIED”

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Res. #2003-407: Moved by Councillor Church, seconded by Councillor Anthony
That the following by-laws be third time and passed:

By-Law No. 2003-80 to rezone certain lands on Douglas Street (City of North Bay - 985 Douglas Street).

By-Law No. 2003-81 to amend the Official Plan - Official Plan Amendment No. 94 (Descon Development Corporation - 533 Lakeshore Drive).

By-Law No. 2003-83 to designate a Site Plan Control Area on certain lands on Lakeshore Drive (Descon Development Corporation - 533 Lakeshore Drive).

By-Law No. 2003-84 to rezone certain lands on Little Down Lane (Don and Ferne Odorizzi - Little Down Lane).

“CARRIED”

Res. #2003-408: Moved by Councillor Handley, seconded by Councillor Maroosis
That the following by-law be read a first and second time:

By-Law No. 2003-90 to execute an Agreement with Northern Ontario Heritage Fund Corporation relating to the Leachate Collection System.

“CARRIED”

Res. #2003-409: Moved by Councillor Handley, seconded by Councillor Maroosis
That the following by-law be read a third time and passed:

By-Law No. 2003-90 to execute an Agreement with Northern Ontario Heritage Fund Corporation relating to the Leachate Collection System.

“CARRIED”

Res. #2003-410: Moved by Councillor Handley, seconded by Councillor Maroosis
WHEREAS confusion can result when provincial or federal elections are held concurrently with municipal elections;

NOW THEREFORE BE IT THEREFORE RESOLVED THAT the Council of The Corporation of the City of North Bay request the federal and provincial governments avoid election calls when a municipal election is being held;

AND FURTHER BE IT RESOLVED THAT a copy of this resolution be forwarded to the Rt. Hon. Jean Chretien, the Hon. Ernie Eves, Bob Wood, M.P., Al McDonald, M.P.P. and AMO.

“CARRIED”

Res. #2003-411: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council adjourn to an in-camera meeting to discuss property matters.

“CARRIED”

Councillor Anthony left the meeting as it adjourned in-camera.

Res. #2003-412: Moved by Councillor Bennett, seconded by Councillor Kidd

That 1) Council deny the request of S.M. Scott to purchase Lots 511 and 512, Plan 64, Durrill Street; and

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2) the lots be declared surplus and offered for sale by public tender at a later date.

“CARRIED”

Res. #2003-413:

Moved by Councillor Bennett, seconded by Councillor Kidd

That 1) Council declare Part Lot 269 and Part Lot 270, Plan 13, Jane Street as surplus land; and

2) Council authorize the sale by tender of Part Lot 269 and Part Lot 270, Plan 13.

“CARRIED”

Res. #2003-414:

Moved by Councillor Bennett, seconded by Councillor Kidd

That 1) Council declare Lots 53, 54 and 55, Plan 116, Copeland Street as surplus; and

2) Council authorize the sale by tender of Lots 53, 54 and 55, Plan 116, as individual lots.

“CARRIED”

Res. #2003-415:

Moved by Councillor Bennett, seconded by Councillor Kidd

That 1) a) Council enter into the proposed Agreement of Purchase and Sale with Home Depot for the sale of 8.4 acres of land at a purchase price of \$1,685,000.00;

b) authorize the construction of the new alignment of Seymour Street and Franklin Street at a total upset cost of \$2,400,000.00, subject to receipt of MTO approval;

c) authorize the removal of soils required to meet Table B Criteria at an upset cost of \$1,190,000.00.

2) the sale of land and all related approvals be subject to the approval by the Heritage Fund of applications for industrial park development of not less than \$1,000,000.00 and by FedNor in amount of not less than \$500,000.00 and the approval for the proposed exchange of lands with E.S. Hubbell & Sons Ltd.; and

3) the Chief Administrative Officer be authorized to sign the purchase agreements on the advice of the City Solicitor.

“CARRIED”

Mayor Burrows declared a conflict of interest on the above matter as he owns a business of a competing nature.

Record of Vote (Upon Request of Councillor Maroosis)

Yeas: Councillors Handley, Boldt, Church, Aspin, Campbell, Chirico, Kidd, Bennett

Nays: Councillor Maroosis

Res. #2003-416:

Moved by Councillor Bennett, seconded by Councillor Kidd

That 1) Council approve the sale of approximately 3.4 acres of land from the Public Works Yard to True North Chevrolet Geo

Oldsmobile Cadillac Ltd. at the appraised value of \$265,000.00 per acres, according to the terms of the Offer to Purchase dated June 13, 2003;

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- 2) Council approve the relocation of the Sewer and Water building to the former Morbark site and the renovation of the Morbark building;
- 3) such approval be subject to approval of the proposed exchange of lands with E.S. Hubbell & Sons Ltd. ;and
- 4) the Chief Administrative Officer be authorized to sign the purchase agreements on the advice of the City Solicitor.

“CARRIED”

Res. #2003-417:

Moved by Councillor Bennett, seconded by Councillor Kidd

- That
- 1) Council approve an exchange of land with E.S. Hubbell & Sons Limited as being desirable for economic development purposes;
 - 2) Council declare the 1,081 square metres of Public Works Yard land at the easterly limit of the Public Works Yard to be surplus;
 - 3) Council approve proceeding by way of exchange of 1,081 square metres of Public Works Yard land in exchange of 1,352 square metres of Hubbell land; and
 - 4) the Chief Administrative Officer be authorized to sign the purchase agreements on the advice of the City Solicitor.

“CARRIED”

Res. #2003-418:

Moved by Councillor Bennett, seconded by Councillor Kidd

That Council, subject to their approval of Report No. CORP 2003-84, pass a resolution in support of the \$2,400,000 Industrial Park Infrastructure Project and authorizing a municipal contribution of \$700,000 conditional upon receiving financial support of \$1,200,000 from the Northern Ontario Heritage Fund Corporation and \$500,000 from FedNor to fund the project.

“CARRIED”

Mayor Burrows declared a conflict of interest on the above matter as he owns a business of a competing nature.

Record of Vote (Upon Request of Councillor Maroosis)

Yeas: Councillors Handley, Boldt, Church, Aspin, Campbell, Chirico, Kidd, Bennett

Nays: Councillor Maroosis

Res. #2003-419:

Moved by Councillor Bennett, seconded by Councillor Kidd

- That
- 1) Council approve the sale of approximately 7.75 acres of land to Dalron Construction Limited for the purchase price of \$1,067,500.00 for the purpose of the construction of a Seniors Residence of not less than 125,000 square feet and a commercial plaza of not less than 15,000 square feet;
 - 2) the Agreement shall be conditional upon Heritage Fund and FedNor funding, satisfactory contracts for soils removal,

underground sewer service relocation and installation of a watermain;

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- 3) Council approve the retainer of Northland Engineering Limited for the design of the watermain construction and the relocation of the storm and sanitary sewer works; and
- 4) the Chief Administrative Officer be authorized to sign the purchase agreements on the advice of the City Solicitor

“CARRIED”

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

Yeas: Councillors Handley, Boldt, Church, Aspin, Campbell, Chirico, Kidd, Bennett, Mayor Burrows

Nays: Councillor Maroosis

Res. #2003-420: Moved by Councillor Bennett, seconded by Councillor Kidd
That this meeting do now adjourn.

“CARRIED”

MAYOR

DEPUTY CITY CLERK