

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, MAY 14TH, 2012**

PRESENT: Mayor McDonald, Councillors Chirico, Koziol, Anthony, Marosis, Bain, Mayne, Vrebosch, Vaillancourt, Mendicino, Lawlor

PUBLIC PRESENTATIONS:

Robin Osborne/Beth Erven	re Canadian Hearing Society
Brian Kelly	re ONTC
William Caine	re Bike System (Kate Pace Way)

REPORTS FROM OFFICERS:

Bellehumeur, R.	re Capital Budget Project No. 6098PR, Tourist Information Centre Rehabilitation Program (314)
Hillier, B.	re Source Water Protection Planning Update (318)
Hillier, B.	re Laurentian Heights Ltd. – Request for Redline Amendment (319)
Knox, J.	re Capital Budget Project No. 3112AT, North Bay Jack Garland Airport (317)
McArthur, S.	re Rezoning application by Miller & Urso Surveying Inc. o/b GAP Construction Co. Ltd. – 387 Dree Street (310)
McArthur, S.	re Rezoning application by Kenneth & Leona Walker – 860 Northshore Road (311)
McArthur, S.	re Rezoning application by Miller & Urso Surveying Inc. o/b Steve Crea Homes Ltd., - Perut Place at Giroux (313)
McArthur, S.	re Exemption from Condominium Approval Process – 419 to 431 Stevens Street (315)
McArthur, S.	re Road Allowance Closure – Decaire Road (330)
Rochefort, L.	re Reduction, Cancellation or Refund of Taxes (312)
Rochefort, L.	re Tax Capping Policy (316)

Res. #2012-304: Moved by Councillor Vaillancourt, seconded by Councillor Bain
That minutes for the public meeting held on:

- Monday, April 30, 2012

be adopted as presented.

"CARRIED"

Res. #2012-305: Moved by Councillor Vaillancourt, seconded by Councillor Bain
That minutes for the closed meetings held on:

- Monday, April 30, 2012; and

- Monday, May 7, 2012

be adopted as presented.

"CARRIED"

Res. #2012-306a: Moved by Councillor Chirico, seconded by Councillor Mendicino
That General Government Committee Report No. 2012-05 relating to:

- Power Assisted Bicycles / E-bikes

be adopted as presented.

"CARRIED AS AMENDED"

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2012-05

May 14, 2012

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2012-05 and recommends:

1. That a) reports from David Linkie dated August 31st and October 26th, 2011 regarding Power Assisted Bicycles (PAB) be noted and filed; and
 - b) a letter be sent to the Minister of Transportation asking that Provincial Guidelines on regulations be put in place defining "Power Assisted Bicycles/E-bikes" to address the concerns regarding the popularity of said items and safety concerns of the citizens of the Province.

All of which is respectfully submitted.

ASSENTS

DISSENTS

KOZIOL
ANTHONY
MAROOSIS
McDONALD

Res. #2012-306b: Moved by Councillor Anthony, seconded by Councillor Maroosis
The General Government Committee Report No. 2012-05 be amended by adding the following:

- That a) E-bikes/Power Assisted Bikes (PAB's) be allowed on City and the North Bay-Mattawa Conservation Authority trails within City limits in pedal mode only; and
 - b) appropriate signage be posted along trails advising of this.

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

Yeas: Councillors Anthony, Bain, Koziol, Maroosis, Mayne, Mendicino, Vrebosch, Lawlor, Mayor McDonald

Nays: Councillors Chirico, Vaillancourt

"CARRIED"

Res. #2012-307: Moved by Councillor Chirico, seconded by Councillor Koziol
That General Government Committee Report No. 2012-06 relating to:

- Development Charges

be adopted as presented.

"CARRIED"

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2012-06

May 14, 2012

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2012-06 and recommends:

1. That
 - a) the Chief Financial Officer be authorized to increase Development Charges rates for 2012 in accordance with indexing adjustments of 1.9%, as outlined in Report to Council CORP 2012-64; and
 - b) the amended 2010 and 2011 Treasurer’s Reports be received.

All of which is respectfully submitted.

ASSENTS
 CHIRICO
 KOZIOL
 ANTHONY
 MAROOSIS
 McDONALD

DISSENTS

Res. #2012-308: Moved by Councillor Lawlor, seconded by Councillor Mendicino That Community Services Committee Report No. 2012-10 relating to:

- 2011 Annual Report on Building Permit Fees
- be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2012-10

May 14, 2012

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2012-10 and recommends:

1. That the 2011 Annual Report on Building Permit Fees attached to Report to Council CSBU 2012-40 be noted and filed.

All of which is respectfully submitted.

ASSENTS
 LAWLOR
 MENDICINO
 VAILLANCOURT
 McDONALD

DISSENTS

Res. #2012-309: Moved by Councillor Vrebosch, seconded by Councillor Mayne That Engineering & Works Committee Report No. 2012-02 relating to:

- Waste Management User Fees

be adopted as presented.

"CARRIED"

ENGINEERING & WORKS COMMITTEE REPORT NO. 2012-02

May 14, 2012

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2012-02 and recommends:

1. That a) City Council approve the increase in tipping fees for solid waste from the industrial, commercial and institutional sources to \$78.00 per metric tonne effective June 1, 2012; and
b) other Waste Management User Fees remain the same and are stated for the public record.

All of which is respectfully submitted.

ASSENTS
VREBOSCH
MAYNE
BAIN
McDONALD

DISSENTS

Res. #2012-310: Moved by Councillor Lawlor, seconded by Councillor Mendicino That the rezoning application by Miller & Urso Surveying Inc. on behalf of GAP Construction Co. Ltd. – 387 Dree Street be received.

Councillor Chirico declared a conflict of interest as GAP Construction Co. Ltd. is a client of his employer, The Royal Bank of Canada.

"CARRIED"

Res. #2012-311: Moved by Councillor Lawlor, seconded by Councillor Mendicino That the rezoning application by Kenneth & Leona Walker – 860 Northshore Road be received.

"CARRIED"

Res. #2012-312: Moved by Councillor Chirico, seconded by Councillor Koziol That the tax appeal applications attached to Report to Council CORP 2012-57 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 Section 357 of the *Municipal Act*, S.O. 2001, c.25.

"CARRIED"

Res. #2012-313: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the recommendation from the Planning Advisory Committee regarding the rezoning application by Miller & Urso Surveying Inc., on behalf of Steve Crea Homes Ltd. – Perut Place at Giroux Street be referred to the Community Services Committee for a Public Meeting.

“CARRIED”

Res. #2012-314: Moved by Councillor Lawlor, seconded by Councillor Mendicino
The a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Tourist Information Centre Rehabilitation Program, being 2012 Community Services Capital Budget, Project No. 6098PR in the amount of \$35,000.00, for the repair of the siding at the Tourist Information Centre.

“CARRIED”

Res. #2012-315: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the Request for Exemption from the Condominium Approval Process by Nicole Lea Neff for the property legally described as Registered Plan No. 15, Lot 114, known locally as 419 to 431 Stevens Street in the City of North Bay, as presented on Schedules “A” & “B” attached to Report to Council CSBU 2012-24 be approved.

“CARRIED”

Res. #2012-316: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) Council adopt the 2012 Tax Policy recommendations as outlined in Report to Council CORP 2012-65 dated May 1, 2012; and
2) By-Law No. 2012-125, 2012-126 and 2012-127 be given three (3) readings at the Regular Meeting of Council on May 22, 2012.

Councillor Koziol declared a conflict of interest as she is in the property management business.

“CARRIED”

Res. #2012-317: Moved By Councillor Lawlor, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the expansion to the terminal at the North Bay Jack Garland Airport, being Community Services 2011 Capital Budget Project No. 3112AT, at a net debenture cost of \$500,000.00

“CARRIED”

Res. #2012-318: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) Report to Council CSBU 2012-45, including appendices, be provided to the North Bay-Mattawa Source Protection Committee as comments on the first draft of the Source Protection Plan; and
2) the costs of implementation be referred to the 2013 budget process for planning purposes.

“CARRIED”

Res. #2012-319: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the request from Exp. Services Inc. on behalf of Laurentian Heights Ltd. to revise the Draft Approved Plan of Subdivision (File No. 48T-93101) as outlined in Report to Council No. CSBU 2012-43 dated May 7, 2012 be approved.

"CARRIED"

Res. #2012-320: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2012-134 to stop up, close and convey a portion of laneway in block bounded by Beattie Street, Burns Street, Greenwood Avenue and Norwood Avenue.

"CARRIED"

Res. #2012-321: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-laws be read a first and second time:

By-Law No. 2012-124, being a by-law to repeal duplicate By-Law No. 2012-72.

By-Law No. 2012-130 to confirm proceedings on the Meeting of Council on April 30, 2012.

By-Law No. 2012-131, being a by-law to establish a Schedule of Salaries.

By-Law No. 2012-132 to authorize the execution of a Loan Agreement with North Bay-Mattawa Conservation Authority.

"CARRIED"

Res. #2012-322: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:

By-Law No. 2012-124, being a by-law to repeal duplicate By-Law No. 2012-72.

By-Law No. 2012-130 to confirm proceedings on the Meeting of Council on April 30, 2012.

By-Law No. 2012-131, being a by-law to establish a Schedule of Salaries.

By-Law No. 2012-132 to authorize the execution of a Loan Agreement with North Bay-Mattawa Conservation Authority.

"CARRIED"

Res. #2012-323: Moved by Councillor Vrebosch, seconded by Councillor Mayne
That the following by-laws be read a first and second time:

By-Law No. 2012-128 to execute an Agreement with Miller Paving North Bay, A Division of Miller Paving Limited relating to the supply of Asphalt Concrete Pavement patching.

By-Law No. 2012-129 to execute an Agreement with Pioneer Construction Inc. relating to the supply of Aggregate Materials.

By-Law No. 2012-133 to execute an Agreement with 1460973 Ontario Limited o/a C. P. Systems relating to Cathodic Protection of Metallic Watermains.

"CARRIED"

Res. #2012-324: Moved by Councillor Vrebosch, seconded by Councillor Mayne
That the following by-laws be read a third time and passed:

By-Law No. 2012-128 to execute an Agreement with Miller Paving North Bay, A Division of Miller Paving Limited relating to the supply of Asphalt Concrete Pavement patching.

By-Law No. 2012-129 to execute an Agreement with Pioneer Construction Inc. relating to the supply of Aggregate Materials.

By-Law No. 2012-133 to execute an Agreement with 1460973 Ontario Limited o/a C. P. Systems relating to Cathodic Protection of Metallic Watermains.

"CARRIED"

Res. #2012-325: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino
That "Casual Wear Months" be in effect from Tuesday, May 22, 2012 until Monday, September 3, 2012 inclusive.

"CARRIED"

Res. #2012-326: Moved by Councillor Mendicino, seconded by Councillor Chirico
WHEREAS electricity pricing in Ontario has been identified as having a negative impact on competitiveness for Ontario Industrial and Commercial sectors; and

AND WHEREAS the ability to be nationally and internationally competitive in Northern Ontario has been recognized by the Province as critical to the success and sustainability of the North's economy; and

AND WHEREAS the Global Adjustment is the difference between the rates paid by the Ontario government authorities to regulated and contracted electrical generators and the spot market prices for electricity consumed in Ontario; and

AND WHEREAS prior to April 2009, the Fixed Global Adjustment for Distributor Billing had never exceeded 1.44 cents per kilowatt hour; and

AND WHEREAS the Global Adjustment has increased to a point where it has become a major component of the total electricity bill for many small and medium sized enterprises (SME's); and

AND WHEREAS in 2012 Global Adjustment costs are trending to be 43% of total costs for electricity for SME's in our local economy; and

AND WHEREAS the Province has introduced more favourable Global Adjustment allocation methodology for customers with electricity demands greater than 5 mega watts.

NOW THEREFORE BE IT RESOLVED THAT the Mayor and Council of the City of North Bay requests that the Province immediately apply the same Global Adjustment allocation methodology to Northern Ontario medium sized customers with electricity demands greater than 1 mega watt; and

BE IT FURTHER RESOLVED that the Province use their April 13, 2012 announced Review of the Electrical Sector, in order to find and implement a solution to this situation which issue is seriously threatening the survival of business and industry in Northern Ontario; and

FURTHER that a copy of this resolution be sent to the Honourable Premier Dalton McGuinty; the Honourable Chris Bentley, Minister of Energy and Infrastructure, the Honourable Rick Bartolucci, Minister of Northern Development and Mines; Victor Fedeli MPP; Tim Hudak, Leader of the Progressive Conservative Party of Ontario; Andrea Horwath, Leader of the Ontario New Democratic Party; and to the North Bay and District Chamber of Commerce; FONOM; NOMA; and AMO.

Record of Vote (Upon Request of Councillor Chirico)

Yeas: Councillors Chirico, Mendicino, Vaillancourt, Maroosis, Koziol, Mayne, Lawlor, Bain, Vrebosch, Anthony, Mayor McDonald

Nays: Nil

"CARRIED"

Res. #2012-327: Moved by Councillor Mendicino, seconded by Councillor Chirico WHEREAS ON April 13, 2012 the Provincial Government announced an "Electricity Sector Review" including a Distribution Sector Panel ("the Sector Panel") that is to consider the potential long and short-term financial savings associated with consolidation of Ontario's 76 Distribution Utilities;

AND WHEREAS North Bay Hydro Distribution Limited is an Ontario Business Corporation that has been bench-marked as an efficient business by the Ontario Energy Board;

AND WHEREAS the Province or its agencies account for \$0.82 of every dollar for a typical residential hydro bill in North Bay. For larger industries in North Bay, the Province or its agencies account for \$0.965 cents for every dollar.

AND WHEREAS these costs are not subject to review by the Sector Panel;

AND WHEREAS if the Province is really interested in controlling or reducing electricity costs, then Provincial cost components should be subject to review and not just the delivery of electricity by the Distribution Utilities;

AND WHEREAS North Bay Hydro welcomes opportunities to discuss efficiencies in the sector especially around costs for the Province's Smart Meter System, how the sector is regulated by the Province, and how Provincial Conservation Programs could be more effectively delivered;

AND WHEREAS the Province has committed more than \$1 billion dollars in Smart Meter costs and \$1.6 billion dollars in conservation costs;

AND WHEREAS these costs are direct burdens on electricity customers and could be more effectively controlled if there is Provincial will;

AND WHEREAS the Minister of Energy has not ruled out the possibility of mandated mergers for Distribution Utilities;

AND WHEREAS North Bay Hydro plays a critical service role in the Municipality of North Bay;

AND WHEREAS the Province should have no right or legal basis to force a shareholder to sell or dispose of a private sector business;

BE IT THEREFORE RESOLVED THAT the consolidation of Local Distribution Utilities should be voluntary and beneficial for the shareholders and results in reduced costs for electricity customers;

AND FURTHER that the City of North Bay confirms that North Bay Hydro Distribution System is not for sale;

AND FURTHER that a copy of this resolution be sent to the Honourable Premier Dalton McGuinty; the Honourable Chris Bentley, Minister of Energy and Infrastructure, the Honourable Rick Bartolucci, Minister of Northern Development and Mines; Victor Fedeli MPP; Tim Hudak, Leader of the Progressive Conservative Party of Ontario; Andrea Horwath, Leader of the Ontario New Democratic Party; and to the North Bay and District Chamber of Commerce; FONOM; NOMA and AMO.

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

Yeas: Councillors Mendicino, Maroosis, Koziol, Lawlor, Vrebosch, Anthony, Mayne, Vaillancourt, Bain, Chirico, Mayor McDonald

Nays: Nil

"CARRIED"

Res. #2012-328: Moved by Councillor Chirico, seconded by Councillor Koziol That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended, at 8:04 p.m. for the following reason: Item No. 11, being a proposed disposition of lands by the Municipality.

"CARRIED"

Res. #2012-329: Moved by Councillor Chirico, seconded by Councillor Koziol That Council reconvene at 8:11 p.m.

"CARRIED"

Res. #2012-330: Moved by Councillor Chirico, seconded by Koziol That 1) the application by Miller & Urso Surveying Inc. on behalf of BVD Petroleum Inc. to close an Unopened Portion of Road Allowance (Decaire Road) in the block bounded by Pinewood Park Drive, Highway #11 south and Cook's Creek, be approved;

2) Council declare that section of Road Allowance (Decaire Road) in the block bounded by Pinewood Park Drive, Highway #11 South and Cook's Creek, as surplus;

- 3) those portions shown as "hatched" on Schedule "A" attached to Report to Council CSBU 2012-41, be sold at their appraised value to BVD Petroleum Inc.;
- 4) the closure and sale of the Road Allowance be subject to the granting of any required easements; and
- 5) the Chief Administrative Officer be authorize by Council to initiate normal closure procedures for the subject road allowance.

"CARRIED"

Res. #2012-331: Moved by Councillor Maroosis, seconded by Councillor Bain
That this Regular Meeting of Council do now adjourn at 8:14 p.m.

"CARRIED"

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC