

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, JULY 9<sup>TH</sup>, 2007**

**PRESENT:** Mayor Fedeli, Councillors Chirico, Campbell, Mayne, Vaillancourt, Graham, Mendicino, Koziol, Bain, Boldt, Anthony

**CORRESPONDENCE:**

Cecil's Eatery & Beer Society	re Noise By-Law exemption	(480)
Cockerline, Jack	re Right-of-way over City parkland	(489)
Downtown Improvement Area	re Noise By-Law exemption	(481)
Downtown Improvement Area	re Temporary road closure	(493)
KIA of North Bay	re Lease of land - Main Street East	(504)
North Bay & District Hospital Foundation	re Temporary road closure	(487)
Ritter, J.G. and Sheila	re Blasting Permits	(484)
TransCanada	re Pesticide By-Law exemption	(486)

**REPORTS FROM OFFICERS:**

Bullock, P.	re Noise By-Law exemption	(480)
Bullock, P.	re Noise By-Law exemption	(481)
Bullock, P.	re Merrick Gas Collection & Flaring Project	(485)
Bullock, P.	re Merrick Landfill Methane Utilization	(490)
Burke, M.B.	re Blasting Permits	(484)
Burke, M.B.	re Lease of land - Main Street East	(504)
Conrad, C.M.	re Bill 130 - Amendments to the <i>Municipal Act, 2001</i>	(494)
Houston, J.	re Right-of-way over City parkland	(489)
Knox, J.D.	re Hockeyville 2007	(482)
Korell, A.	re Pesticide By-Law exemption	(486)
Korell, A.	re Temporary road closure	(487)
Korell, A.	re Airport Hill Zone 4 Water System Upgrade & Expansion	(492)
Korell, A.	re Temporary road closure	(493)
Lang, A.	re Cassellholme OSIFA Loan	(488)
Manning, J.	re Tender 2007-61, Algonquin Avenue and Area Road Reconstruction - Phase 1	(483)
Manning, J.	re Sale of City land - 770 Jane Street	(503)
McGrath, R.	re Reference to arbitration	(491)
Rogers, B.A.	re Cassellholme OSIFA Loan	(488)

**Res. #2007-478:** Moved by Councillor Mendicino, seconded by Councillor Vaillancourt  
That minutes for the public meetings held on:

- Monday, June 25, 2007

be adopted as presented.

"CARRIED"

**Res. #2007-479:** Moved by Councillor Mendicino, seconded by Councillor Vaillancourt  
That minutes for the closed meetings held on:

- Monday, June 25, 2007

be adopted as presented.

"CARRIED"

Res. #2007-480:

Moved by Councillor Koziol, seconded by Councillor Mendicino

That 1) Cecil's Eatery & Beer Society, 300 Wyld Street, be granted an exemption from North Bay Noise By-Law 142-76, pursuant to Section 5, as requested by John Lechlitner, for the following dates and times:

<u>Date</u>	<u>Time of Exemption Requested</u>
Friday, August 3, 2007	9 pm until 2 am the next day
Saturday, August 4, 2007	9 pm until 2 am the next day
Sunday, August 5, 2007	9 pm until midnight

- 2) the exemption is conditional of monitoring and recording of sound levels in compliance with the by-law;
- 3) a copy of the monitoring information be forwarded to the City within 10 days of the event; and
- 4) a copy of Report EEW 2007-17 be forwarded to the North Bay Police for information.

"CARRIED"

Res. #2007-481:

Moved by Councillor Koziol, seconded by Councillor Mendicino

That 1) the DIA be granted exemptions from North Bay Noise By-Law 142-76, pursuant to Section 5, as requested by Jeff Serran, for the following dates and time:

<u>Date</u>	<u>Time of Exemption Requested</u>
Friday, August 3, 2007	10 am until 11:59:59 pm
Saturday, August 4, 2007	10 am until 11:59:59 pm
Sunday, August 5, 2007	10 am until 11:59:59 pm

Applicable at the following locations:

- Site 1 Stage set up at a City Parkette bounded by Main, Oak & Fraser
- Site 2 Stage set up at the corner of Main Street and Ferguson Street
- Site 3 Stage set up at the corner of Main Street and Wyld Street

- 2) the exemptions are conditional of monitoring and recording of sound levels in compliance with the by-law;
- 3) a copy of the monitoring information be forwarded to the City within 10 days of the event; and
- 4) a copy of Report EEW 2007-18 be forwarded to the North Bay Police for information.

"CARRIED"

Res. #2007-482:

Moved by Councillor Anthony, seconded by Councillor Boldt

That 1) Council acknowledge that the September 17, 2007 NHL Hockey Game is a Community Event and that the North Bay's Hockeyville Committee is acting as Municipal Volunteers for the purpose of Municipal Insurance Coverage in putting on the game at Memorial Gardens; and

- 2) the balance of the request be referred to the Event Hosting Fund.

"CARRIED"

- Res. #2007-483: Moved by Councillor Koziol, seconded by Councillor Mendicino  
That 1) North Bay City Council approve the award of a contract to Gap Construction Co. Ltd. in the amount of \$3,996,958.01 (GST included), for the Algonquin Avenue and Area Road Reconstruction - Phase 1 - Algonquin Avenue and Front Street; and
- 2) the City Clerk be authorized to present Capital Expenditure By-Laws for the Algonquin Avenue and Area Road Reconstruction totaling \$4,600,000.00.

“CARRIED”

- Res. #2007-484: Moved by Councillor Anthony, seconded by Councillor Boldt  
That Council amend Building Permit By-Law No. 2007-07 to require a Pre-Blast Survey to be carried out whenever a Blasting Permit is to be issued within the Urban Area and to increase the required insurance coverage to \$2,000,000.00.

“CARRIED”

- Res. #2007-485: Moved by Councillor Koziol, seconded by Councillor Mendicino  
That the report from P. Bullock dated July 3, 2007 re Merrick Gas Collection and Flaring Project be referred to the Engineering & Works Committee.

“CARRIED”

- Res. #2007-486: Moved by Councillor Koziol, seconded by Councillor Mendicino  
That 1) Pesticide By-Law No. 2005-03 be amended to include an exemption to permit the application of a pesticide product to ensure the safety of the public, or employees of a company or to reduce the potential for fire risks at critical infrastructure; and
- 2) Schedule “A” to Pesticide By-Law No. 2005-03 be amended as follows:
- a) to include the following in the Action/Threshold Section of Class C sites:
- “or the presence of vegetation in confined areas that need to be maintained clear of vegetation for safety reasons”; and
- b) Limitations column in Class C Sites be amended to read:
- “Pesticide may be used as a spot spray on infested area only and only in the interest of public or worker safety”.

“CARRIED”

- Res. #2007-487: Moved by Councillor Koziol, seconded by Councillor Mendicino  
That Council approve the request from the North Bay & District Hospital Foundation for temporary road closure of Colgan Avenue (from Memorial Drive to Queen Street); Queen Street (from Colgan Avenue to

James Street); James Street (from Queen Street to Memorial Drive); Memorial Drive (from the CPR crossing to Colgan Avenue), on October 14, 2007 from 8:30 a.m. until 11:30 a.m.

“CARRIED”

Res. #2007-488: Moved by Councillor Chirico, seconded by Councillor Campbell  
That 1) the Chief Financial Officer be authorized to apply to Infrastructure Ontario for a \$1,000,000.00 long-term loan under the OSIFA Loan Program for Cassellholme capital purposes on behalf of the area municipalities; and  
2) the Cassellholme Board of Management be asked to pursue alternatives to the funding of their capital requirements by a municipal levy.

“CARRIED”

Res. #2007-489: Moved by Councillor Anthony, seconded by Councillor Boldt  
That the letter from Jack Cockerline dated March 12, 2007 and report from J. Houston dated July 3, 2007 relating to a right-of-way over City owned parkland be referred to the Community Services Committee.

“CARRIED”

Res. #2007-490: Moved by Councillor Koziol, seconded by Councillor Mendicino  
That Report to Council No. EEW 2007-19 from Peter Bullock dated July 3, 2007 re Merrick Landfill Methane Utilization - Update and Next Steps be received and referred to the Engineering & Works Committee.

“CARRIED”

Res. #2007-491: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Robert Young be appointed to represent the City as a nominee at rights arbitration in the matters of Grievance Nos. 07-08 and 06-63.

“CARRIED”

Res. #2007-492: Moved by Councillor Koziol, seconded by Councillor Mendicino  
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Airport Hill Zone 4 Water System Upgrade & Expansion of the Engineering, Environmental Services & Works Division, being 2007 Capital Budget Project Line No. 1, at a net debenture cost of \$2,100,000.00.

“CARRIED”

Res. #2007-493: Moved by Councillor Koziol, seconded by Councillor Mendicino  
That Council approve a temporary road closure for the Downtown Improvement Area as follows:

Fraser Street (from McIntyre Street to Oak Street), on Friday, August 3, 2007 to Sunday, August 5, 2007 from 7:00 a.m. to 11:59 p.m. each day.

“CARRIED”

Res. #2007-494: Moved by Councillor Chirico, seconded by Councillor Campbell  
That 1) Report No. CORP 2007-110 be received;

- 2) staff be directed to bring forward recommendations for amendments to the City's Procedural By-Law and Notice By-Law to comply with Bill 130;
- 3) staff be directed to bring forward recommendations regarding the appointment of a Municipal Investigator to comply with Bill 130;
- 4) at this time, Council decline to appoint an Integrity Commissioner, a Municipal Ombudsman or a Municipal Auditor General or to establish a Lobbyist Registry; and
- 5) a copy of Report No. CORP 2007-110 be forwarded to the City's Agencies, Boards and Committees for their review.

"CARRIED"

Res. #2007-495: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-laws be read a first and second time:

By-Law No. 2007-158 to authorize the Highway Entrance Signs Program.

By-Law No. 2007-159 to authorize the Fire Department's Vehicle & Equipment Replacement Program.

By-Law No. 2007-160 to authorize the City's share of the New Development Cost Projects.

By-Law No. 2007-161 to authorize the Memorial Gardens Improvement Program.

By-Law No. 2007-162 to authorize the sale of lands to Cecile and John Plummer (between Nancy Drive and Cartier Street).

By-Law No. 2007-163 to authorize the sale of lands to Bryan Busch (between Nancy Drive and Cartier Street).

"CARRIED"

Res. #2007-496: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-laws be read a third time and passed:

By-Law No. 2007-158 to authorize the Highway Entrance Signs Program.

By-Law No. 2007-159 to authorize the Fire Department's Vehicle & Equipment Replacement Program.

By-Law No. 2007-160 to authorize the City's share of the New Development Cost Projects.

By-Law No. 2007-161 to authorize the Memorial Gardens Improvement Program.

By-Law No. 2007-162 to authorize the sale of lands to Cecile and John Plummer (between Nancy Drive and Cartier Street).

By-Law No. 2007-163 to authorize the sale of lands to Bryan Busch (between Nancy Drive and Cartier Street).

“CARRIED”

Res. #2007-497: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-law be read a third time and passed:

By-Law No. 2007-131 to stop up, close and convey a portion of the laneway located in a block bounded by Hutcheson Avenue, O’Brien Street, Lansdowne Avenue and McLeod Street.

“CARRIED”

Res. #2007-498: Moved by Councillor Anthony, seconded by Councillor Boldt  
That the following by-law be read a third time and passed:

By-Law No. 2007-73 to rezone certain lands on John Street (Karen McCluskey and Brent Wood - 593 John Street).

“CARRIED”

Res. #2007-499: Moved by Councillor Koziol, seconded by Councillor Mendicino  
That the following by-laws be read a first and second time:

By-Law No. 2007-164 to execute an Agreement with Wamco Waterworks Northern relating to the supply of waterworks, manhole & sewer supplies.

By-Law No. 2007-165 to execute an Agreement with Stantec Consulting Ltd. relating to the implementation of Infrastructure Asset Management.

“CARRIED”

Res. #2007-500: Moved by Councillor Koziol, seconded by Councillor Mendicino  
That the following by-laws be read a third time and passed:

By-Law No. 2007-164 to execute an Agreement with Wamco Waterworks Northern relating to the supply of waterworks, manhole & sewer supplies.

By-Law No. 2007-165 to execute an Agreement with Stantec Consulting Ltd. relating to the implementation of Infrastructure Asset Management.

“CARRIED”

Res. #2007-501: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council adjourn in-camera at 7:34 p.m. to discuss proposed or pending acquisition or disposal of land by the municipality or local board and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

“CARRIED”

Res. #2007-502: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council reconvene at 8:04 p.m.

“CARRIED”

Res. #2007-503: Moved by Councillor Chirico, seconded by Councillor Campbell  
That North Bay City Council approve that the low bid negotiated after the tender process from Jeremy Mullens, in the amount of \$38,000.00 (GST extra), plus \$12,000.00 for servicing (GST extra), be accepted for the sale of vacant city owned land described as Plan 64, Lot 555. The Municipal address is 770 Jane Street.

“CARRIED”

Res. #2007-504: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council authorize a lease of 0.15 acres of City owned lands on Main Street East, across from the KIA dealership, for the purpose of parking, at the rate of \$3,960.00 per year (\$330.00 per month), plus GST.

“CARRIED”

Res. #2007-505: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino  
That this Regular Meeting of Council do now adjourn.

“CARRIED”

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MAYOR VIC FEDELI

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CITY CLERK CATHERINE CONRAD