

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD TUESDAY, MAY 3RD, 2011**

PRESENT: Mayor McDonald, Councillors Chirico, Koziol, Anthony, Maroosis, Bain, Vrebosch-Merry, Vaillancourt, Mendicino, Lawlor

PUBLIC PRESENTATION:

David Briggs	re 20 th Anniversary of North Bay's Blue Box Program
Dick Tafel	re Friends of Laurier Woods
Bill Vrebosch	re MRI Benefit Dance

CORRESPONDENCE:

Nil

REPORTS FROM OFFICERS:

Burke, M.	re Utility Easement to Union Gas – Stanley St.	(317)
Burke, M.	re Purchase of 1099 Lakeshore Drive	(340)
Hillier, B.	re Condominium Final Approval – Turret Construction & Housing Co. Inc. – Madelena Drive, Lake Heights Road & Sylvan Crescent	(324)
Kitlar, S.	re O'Canada Day Event	(325)
Lang, A.	re Amending Contribution Agreement – COMRIF Funding for Water Filtration Plant	(320)
Manning, J.	re Tender 2011-19, Maintenance Garage Building Extension	(321)
Manning, J.	re Tender 2011-21, Landscaping Services	(322)
Manning, J.	re Tender 2011-26, Crushing of Reclaimed Pavement	(323)
Manning, J.	re Tender 2011-28, Supply of One (1) Crew Cab Dump Truck	(326)
Manning, J.	re Supply of One (1) Fire Pumper Apparatus Vehicle	(327)
Manning, J.	re Sale of Vacant City Owned Building Lots – Ann Street 4 Lot Block	(341)
Manning, J.	re Sale of Vacant City Owned Building Lots – Ann & Galt Streets 7 Lot Block	(342)

Res. #2011-312: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis That minutes for the public meetings held on:

- Monday, April 18, 2011; and
- Tuesday, April 26, 2011

be adopted as presented.

"CARRIED"

Res. #2011-313: Moved by Councillor Vaillancourt, seconded by Councillor Bain That minutes for the closed meeting held on:

- Monday, April 18, 2011

be adopted as presented.

"CARRIED"

Res. #2011-314: Moved by Councillor Chirico, seconded by Councillor Koziol
That General Government Committee Report No. 2011-11 relating to:

- Collection of Outstanding Provincial Offences Fines; and
- Sale of Part of the Water Street Road Allowance

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2011-11

May 3, 2011

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2011-11 and recommends:

1. That Council proceed with a Request for Proposal for the collection of outstanding Provincial Offences Fines.
2. That Council approve the sale of Part of the Water Street Road Allowance designated as Part 1, Plan 36R-13001 to Cassellholme for \$1.00.

All of which is respectfully submitted.

ASSENTS
CHIRICO
KOZIOL
ANTHONY
MAROOSIS
McDONALD

DISSENTS

Res. #2011-315: Moved by Councillor Chirico, seconded by Councillor Koziol
That General Government Committee Report No. 2011-12 relating to:

- Development Charge Rates

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2011-12

May 3, 2011

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2011-12 and recommends:

1. That a) the Chief Financial Officer be authorized to increase Development Charge Rates in accordance with indexing adjustments of 1.0% as outlined in Report to Council CORP 2011-45; and

- b) the 2010 Treasurer’s Statement attached to Report to Council CORP 2011-45 be received.

All of which is respectfully submitted.

ASSENTS
 CHIRICO
 KOZIOL
 ANTHONY
 MAROOSIS
 McDONALD

DISSENTS

Res. #2011-316: Moved by Councillor Lawlor, seconded by Councillor Mendicino
 That Community Services Committee Report No. 2011-09 relating to:

- 2010 Annual Report on Building Permit Fees and 2011 User Fees under the *Ontario Building Code*

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-09

May 3, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-09 and recommends:

1. That
 - a) the 2010 Annual Report on Building Permit Fees attached to Report to Council CSBU 2011-45 be noted and filed; and
 - b) the 2011 User Fees to be charged under the *Ontario Building Code* as outlined in Report to Council CSBU 2011-45 be approved.

All of which is respectfully submitted.

ASSENTS
 LAWLOR
 MENDICINO
 VAILLANCOURT
 McDONALD

DISSENTS

Res. #2011-317: Moved by Councillor Vrebosch-Merry, seconded by Councillor Bain
 That Council authorize the transfer of an underground easement to Union Gas along an existing right of way, being Parts 1, 2 & 3, Plan 36R-6557, for a gas connection on Stanley Street.

“CARRIED”

Res. #2011-318: Moved by Councillor Chirico, seconded by Councillor Koziol
 That accounts totaling \$8,471,581.24 for March 2011 be approved.

”CARRIED”

Res. #2011-319: Moved by Councillor Koziol, seconded by Councillor Anthony
 That accounts for Royal Bank totaling \$2,209.09 for 2011 be approved.

Councillor Chirico declared a conflict of interest as he is employed by The Royal Bank of Canada.

“CARRIED”

- Res. #2011-320: Moved by Councillor Chirico, seconded by Councillor Koziol
That 1) the Mayor and City Clerk be authorized to sign the Amending Agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs and The Corporation of the City of North Bay related to funding of the North Bay Water Filtration Plant; and
- 2) the Execution By-Law be presented to Council for three (3) readings on Tuesday, May 3, 2011.

“CARRIED”

- Res. #2011-321: Moved by Councillor Vrebosch-Merry, seconded by Councillor Bain
That City Council approve the award of a contract to Monteith Building Group Ltd. in the amount of \$484,137.00 (HST incl.), for the design and construction of the building extension of the Public Works Maintenance Garage.

Mayor McDonald declared a conflict of interest as Monteith Building Group Ltd. is one of his tenants.

“CARRIED”

- Res. #2011-322: Moved by Councillor Vrebosch-Merry, seconded by Councillor Bain
That City Council approve the award of a contract to 2252466 Ontario Inc. o/a The Grounds Guys for an estimated amount of \$64,775.00 (HST extra), for Landscaping Services. The service shall be performed on an as and when requested basis to October 31, 2012, with the provision of a one (1) year option if mutually agreeable to both parties.

“CARRIED”

- Res. #2011-323: Moved by Councillor Vrebosch-Merry, seconded by Councillor Bain
That City Council approve a contract to Camrock Crushing in the estimated amount of \$170,000.00 (HST extra), to crush an estimated amount of 50,000 tonnes of reclaimed asphalt pavement.

“CARRIED”

- Res. #2011-324: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) the Mayor and City Clerk be authorized to sign Phase II of the Turret Condominium Agreement by Turret Construction & Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada Inc., for the approval of a 67 unit condominium on Madelena Drive and Lake Heights Road in the City of North Bay – City File No. 48CDM-07101;
- 2) the Mayor and City Clerk be authorized to sign Phase III of the Turret Condominium Agreement by Turret Construction & Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada Inc., for the approval of a 26 unit condominium on Sylvan Crescent in the City of North Bay – City File No. 48CDM-07101;
- 3) the Mayor and City Clerk be authorized to sign Phase IV of the Turret Condominium Agreement by Turret Construction & Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada Inc., for the approval of a 69 unit condominium on Sylvan Crescent; and

- 4) the Mayor and City Clerk and Manager of Planning Services be authorized to sign the Final Plans of Condominium subject to receipt of all Easement and Condominium Agreement requirements.

“CARRIED”

- Res. #2011-325: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) the O’Canada Day Committee be granted permission to hold the 2011 Canada Day Celebrations in and about the Waterfront Park on July 1, 2011 pursuant to By-Law No. 142-76 (Noise By-Law);
- 2) the requests by the O’Canada Day Committee regarding exemption from the Noise By-Law, exclusivity over the event and grounds be approved as per the following:
 - a) having approved Recommendation No. 1 granting permission to hold the public celebration known as the 2011 O’Canada Day Event, the event becomes exempt from the noise control provisions contained in By-Law No. 142-76 (Noise By-Law), as amended, pursuant to the operation of Section 6 and Schedule 3 thereof;
 - b) exclusivity be granted on July 1, 2011, on and over the City-owned or controlled lands (except the North Bay Wastewater Treatment Facility Lands) within the area defined as, extending from, and inclusive of the waterfront beaches starting at Tenth Street and both sides of Memorial Drive from the Uniroc Site up to and including Lee Park.

“CARRIED”

- Res. #2011-326: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That City Council approve a contract be issued to George Stockfish Ford (1987) Ltd. in the amount of \$69,600.09 (HST incl.), for the supply of one (1) crew cab dump truck.

“CARRIED”

- Res. #2011-327: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That City Council approve a contract be issued to Dependable Emergency Vehicles, a division of Dependable Truck and Tank Limited, in the negotiated amount of \$371,485.00 (HST extra), for the supply of one (1) new fire pumper apparatus vehicle. The price includes allowances for the trade-in of two (2) surplus fire vehicles.

“CARRIED”

- Res. #2011-328: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-laws be read a first and second time:
- By-Law No. 2011-109 to authorize the City Hall Building Rehabilitation Program.
- By-Law No. 2011-113 to execute an Amending Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs relating to the North Bay Water Filtration Plant (COMRIF Funding).

“CARRIED”

- Res. #2011-329: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:
- By-Law No. 2011-109 to authorize the City Hall Building Rehabilitation Program.

By-Law No. 2011-113 to execute an Amending Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs relating to the North Bay Water Filtration Plant (COMRIF Funding).

“CARRIED”

Res. #2011-330: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2011-114 to execute an Agreement with the North Bay-Mattawa Conservation Authority, Millford Development Limited, Consolidated Homes Ltd., and Golden Estates Ltd., relating to the donation of Escarpment Lands (Thibeault Terrace and Golf Club Road).

Councillor Chirico declared a conflict of interest as the proponent is a client of his employer, The Royal Bank of Canada.

“CARRIED”

Res. #2011-331: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2011-114 to execute an Agreement with the North Bay-Mattawa Conservation Authority, Millford Development Limited, Consolidated Homes Ltd., and Golden Estates Ltd., relating to the donation of Escarpment Lands (Thibeault Terrace and Golf Club Road).

Councillor Chirico declared a conflict of interest as the proponent is a client of his employer, The Royal Bank of Canada.

“CARRIED”

Res. #2011-332: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2011-101 to stop up, close and convey a portion of the laneway in a block bounded by Montrose Avenue, Carruthers Street, Robarts Avenue and Harrison Street.

“CARRIED”

Res. #2011-333: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2011-112 to execute a Condominium Agreement with Turret Construction & Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada Inc., relating to Turret Phase II, Turret Phase III, and Turret Phase IV, (Madelena Drive, Lake Heights Road and Sylvan Crescent).

“CARRIED”

Res. #2011-334: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2011-112 to execute a Condominium Agreement with Turret Construction & Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada Inc., relating to Turret Phase II, Turret Phase III, and Turret Phase IV, (Madelena Drive, Lake Heights Road and Sylvan Crescent).

“CARRIED”

Res. #2011-335: Moved by Councillor Vrebosch-Merry, seconded by Councillor Bain
That the following by-laws be read a first and second time:

By-Law No. 2011-110 to execute an Agreement with Miller Paving Limited relating to the supply of asphalt concrete pavement patching.

By-Law No. 2011-111 to execute an Agreement with 2212880 Ontario Ltd. relating to the supply of aggregate materials.

By-Law No. 2011-115 to execute an Agreement with Metro Pavement Marketings Ltd. relating to pavement marking services.

“CARRIED”

Res. #2011-336: Moved by Councillor Vrebosch-Merry, seconded by Councillor Bain
That the following by-laws be read a third time and passed:

By-Law No. 2011-110 to execute an Agreement with Miller Paving Limited relating to the supply of asphalt concrete pavement patching.

By-Law No. 2011-111 to execute an Agreement with 2212880 Ontario Ltd. relating to the supply of aggregate materials.

By-Law No. 2011-115 to execute an Agreement with Metro Pavement Markings Ltd. relating to pavement marking services.

“CARRIED”

Res. 2011-337: Moved by Councillor Chirico, seconded by Councillor Bain
WHEREAS Ontario municipalities historically use schools as voting places during municipal elections;

AND WHEREAS the *Municipal Election Act* states that school boards must provide space to be used as voting places free of any charge when requested for use by a municipality;

AND WHEREAS school boards are requesting municipalities provide security at schools being used on Voting Day to ensure the safety of students throughout the entire school when only a small portion of the school is being used as a voting place;

AND WHEREAS concerns regarding student safety at the school during voting hours can be eliminated if the students are not in the school on Voting Day;

THEREFORE BE IT RESOLVED that North Bay City Council requests that the Minister of Education amend the Education Act to declare Voting Day for municipal elections in the Province of Ontario as a Professional Activity Day;

AND THAT a copy of this resolution be forwarded to Hon. Monique Smith, MPP Nipissing; the leaders of the Provincial Opposition Parties; the Association of Municipalities of Ontario; the four school boards in the City of North Bay; and to all municipalities in the District of Nipissing.

“CARRIED”

Res. #2011-338: 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 7:46 p.m. for the following reasons: Item #12, being the pending acquisition of lands by the Municipality; Item #13, being a pending disposition of lands by the Municipality; Item #14, being a proposed acquisition of lands by the Municipality; and Items #15 & #16, being the proposed disposition of lands by the Municipality.

“CARRIED”

Res. #2011-339: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council reconvene at 8:01 p.m.

“CARRIED”

Res. #2011-340: Moved by Councillor Chirico, seconded by Councillor Koziol
That 1) Council approve the purchase of 1099 Lakeshore Drive at a cost of \$210,000.00 and that the cost be charged to the Property Development Reserve Fund.

Councillor Maroosis declared a conflict of interest as his partner is employed by the President of the North Bay Real Estate Board.

“CARRIED”

Res. #2011-341: Moved by Councillor Chirico, seconded by Councillor Koziol
That City Council approve the high bid from Steve Crea Homes Limited in the amount of \$180,200.00 (HST extra), for the sale of vacant city owned land described as Registered Plan No. 23, Part of Lots 24 & 25, and Part of Cedar Street, Reference Plan No. 36R-12732, Parts 29-31, 33 & 36-40, beside 537 Ann Street (former CN Rail Lands). The funds from the sale are placed in the Property Development Reserve Fund (99535R) to be used for future endeavors.

“CARRIED”

Res. #2011-342: Moved by Councillor Chirico, seconded by Councillor Koziol
That City Council approve the high bid from 943674 Ontario Inc., in the amount of \$274,500.00 (HST extra), for the sale of vacant city owned land described as Registered Plans M-5 & M-32, Part of Lots 167 to 172, and Part of Galt Street, Reference Plan No. 36R-12732, Parts 2 to 11, 13 to 17, 19 to 21, and 23 to 27, beside 616 Front Street and 573 Galt Street (former CN Rail Lands). The funds from the sale are placed in the Property Development Reserve Fund (99535R) to be used for future endeavors.

“CARRIED”

Res. #2011-343: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino
That this Regular Meeting of Council do now adjourn at 8:03 p.m.

“CARRIED”

CLOSED MEETING CONFLICT OF INTEREST

Regular Agenda Item # 12 -Councillor Maroosis declared a conflict of interest as his partner is employed by the President of the North Bay Real Estate Board and left meeting for the discussion of this matter.

Regular Agenda Item #13 - Councillor Chirico declared a conflict of interest as the proponent is a client of his employer and left meeting for the discussion of this matter.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD