

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, MARCH 22ND, 2004**

PRESENT: Mayor Fedeli, Councillors Chirico, Vaillancourt, Anthony, Bain, Campbell, Boldt, Mason, Koziol, Maroosis, Mendicino

CORRESPONDENCE:

| | | |
|------------------|--|-------|
| Brown, Robert | re Resignation from Jack Garland Airport Corporation Board | (182) |
| Dupuis, Tina | re Request for fence variance - 193 Princess Street East | (186) |
| Gravelle, Randy | re Resignation from Committee of Adjustment | (184) |
| Lynch, Wayne | re Resignation from North Bay Hydro Distribution Limited | (183) |
| Meunier, Ron | re Request for fence variance - 193 Princess Street East | (186) |
| North Bay Nugget | re 15-minute parking zone request | (176) |
| Stone, Jean | re Request for leash-free dog park | (180) |
| Walton, William | re Resignation from North Bay Hydro Distribution Limited | (185) |

REPORTS FROM OFFICERS:

| | | |
|---------------|---|-------|
| Bullock, P. | re OSTAR Agreement - Amendment for UV upgrades and water filtration | (181) |
| Bullock, P. | re 2003 Drinking Water System Summary Report | (187) |
| Burke, M.B. | re True North Chev Olds Geo Cadillac land sale | (215) |
| Cormier, D. | re 2004 Heritage Festival & Air Show | (177) |
| Foote, J. | re Request for fence variance - 193 Princess Street East | (186) |
| Hall, B. | re Plan of Subdivision and Rezoning - 1381408 Ontario Inc., Veronica Drive & Kingsway Avenue | (192) |
| Hall, B. | re Plan of Subdivision and Rezoning - 1558758 Ontario Ltd., Connaught Avenue | (193) |
| Houston, J. | re Request for leash-free dog park | (180) |
| Houston, J. | re Capital Budget Project - Memorial Gardens Improvement Program | (188) |
| Houston, J. | re Capital Budget Project - Recreation Facility Development Program | (189) |
| Houston, J. | re Capital Budget Project - Parks and Facilities Rehabilitation Program | (190) |
| Houston, J. | re Capital Budget Project - Trails System Maintenance Program | (191) |
| Kilgour, I.G. | re Sale of Colgan Street road allowance | (214) |
| Manning, J. | re Tender 2004-22, Street sweeping services | (194) |
| Manning, J. | re Tender 2004-06B, Sodding repairs | (195) |
| Manning, J. | re RFP 2003-124, Design, contract preparation for the rehabilitation of the W.J. Forth Bridge on Riverbend Road | (198) |
| Ringler, T.G. | re 15-minutes parking zone request | (176) |
| Rogers, B.A. | re Financial Services user fees | (196) |
| Rogers, B.A. | re Mayor and Council remuneration | (197) |
| Rogers, B.A. | re 2004 Capital Budget Allocations for local boards | (199) |

Res. #2004-173: Moved by Councillor Boldt, seconded by Councillor Vaillancourt
That minutes for the meeting held:

- Monday, March 8, 2004; and
- Monday, March 15, 2004

be adopted as presented.

“CARRIED”

Res. #2004-174: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Community Services Committee Report No. 2004-10 relating to:

- Heritage Festival & Air Show outstanding invoices and financial results;
and
- the LACAC 2003 Annual Report

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2004-10

March 22, 2004

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2004-10 and recommends:

1. That Report No. CSBU 2004-20 dated February 25, 2004 be received.
2. That the 2003 LACAC Annual Report be filed.

All of which is respectfully submitted.

ASSENTS
MENDICINO
KOZIOL
MAROOSIS
FEDELI

DISSENTS

Res. #2004- 175: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Community Services Committee Report No. 2004-11 relating to:

- Heritage Festival & Air Show 2004 Budget

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2004-11

March 22, 2004

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2004-11 and recommends:

- 1. That Option #3 as outlined in the North Bay Heritage Festival & Air Show 2004 Budget Report be approved.

All of which is respectfully submitted.

ASSENTS
 MENDICINO
 KOZIOL
 MAROOSIS
 FEDELI

DISSENTS

Res. #2004-176: Moved by Councillor Mason, seconded by Councillor Boldt
 That Schedule 21 of Traffic and Parking By-Law 2002-01 be amended to provide a 15-minute parking zone in front of the North Bay Nugget.

“CARRIED”

Res. #2004-177: Moved by Councillor Mendicino, seconded by Councillor Koziol
 That 1) the Management Committee of the North Bay Heritage Festival and Airshow be granted permission to hold the 2004 North Bay Heritage and Airshow in and about Lee Park and Waterfront Park from Friday, July 31, 2004 until Monday, August 2, 2004, both inclusive, with subsidiary activities occurring from Wednesday, July 28, 2004 until Monday, August 2, 2004, both inclusive.

- 2) in order to facilitate the undertaking of the 2004 North Bay Heritage Festival and Airshow,
 - a) the North Bay Heritage Festival and Airshow Management Committee be granted exclusivity from Friday, July 23, 2004 until Thursday, August 5, 2004, both inclusive, in , 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); both sides of Memorial Drive from the Uniroc Site to and including Lee Park; Veterans Soccer and Ball Fields, ONR Soccer Field; and Amelia Park; CP Railands as defined in attachment 2a-2;
 - b) the Kate Pace Way be closed from Lee Avenue at the ONR Soccer Field, through Lee Park, and along Memorial Drive to the Uniroc Site from 8:00 a.m. on Friday, July 23, 2004 until 4:00 p.m. on Wednesday, August 4, 2004, subject to the erection of appropriate signage and barricades by the North Bay Heritage Festival and Airshow Management Committee;
 - c) the following streets be closed temporarily from 8:00 a.m. on Thursday, July 29, 2004 until 4:00 p.m. on Tuesday, August 3, 2004:
 - i Memorial Drive between Oak Street West and Judge Avenue;
 - ii Monk Street between Stanley Street and Memorial Drive;
 - iii Regina Street between Stanley Street and Memorial

Drive; and,

- iv Stanley Street between Memorial Drive and Regina Street;

subject to the provision of access passes and information to businesses and residents in the affected area, and the erection of appropriate signage, barricades and control gates by the North Bay Heritage Festival and Airshow Management Committee;

- d) Oak Street East between John Street and Main Street East be closed temporarily from 5:30 p.m. on Friday, July 30, 2004 until 11:00 p.m. on Monday, August 2, 2004, subject to the erection of appropriate signage and barricades by the North Bay Heritage Festival and Airshow Management Committee;
- e) the Marina Parking Lot be closed from 8:00 a.m. on Tuesday, July 27, 2004 to 4:00 p.m. on Tuesday, August 3, 2004 subject to the provision of an alternate parking location for marina tenants by the North Bay Heritage Festival and Airshow Management Committee;
- f) parking be prohibited from 9:00 a.m. on Friday, July 31, 2004 until 11:00 p.m. on Monday, August 2, 2004, on the odd numbered sides of Amelia Street, Beth Street, Bunyan Avenue, Colgan Avenue, George Street, Gladstone Avenue (100 block only), James Avenue, Judge Avenue, Leask Avenue, Lee Avenue (100 block only), Pollard Avenue, Queen Street, and Rowe Avenue, subject to the installation of appropriate signage by the North Bay Heritage Festival and Airshow Management Committee;
- g) approve a temporary exclusion to the Municipal Alcohol Policy (Section D, Regulation #3B). Allowing the establishment of a licensed area to serve alcohol on Saturday, July 31, 2004 and Sunday, August 1, 2004, from 11 a.m. to 7:00 p.m. in conjunction with festival attractions;
- h) as the Management Committee of the North Bay Heritage Festival and Airshow has hereby been granted permission by City Council to hold the public celebration or gathering known as the 2004 North Bay Heritage Festival and Airshow, that event is therefore confirmed to be exempted from the noise control provisions contained in By-Law 142-76 (Noise By-Law), as amended, pursuant to the operation of Section 6 and Schedule 3 thereof.

“CARRIED”

Res. #2004-178: Moved by Councillor Chirico, seconded by Councillor Anthony That accounts totalling \$5,424,112.05 for January 2004 be approved for payment.

“CARRIED”

Res. #2004-179: Moved by Councillor Chirico, seconded by Councillor Anthony That accounts for Clarion Resort - Pinewood Park \$220.04 for January 2004 be approved.

“CARRIED”

Councillor Mason declared a conflict of interest on the above matter as he is employed by Clarion Resort - Pinewood Park.

Res. #2004-180: Moved by Councillor Mendicino, seconded by Councillor Koziol
That City Council deny the request by Mrs. Jean Stone to provide on Off-Leash Dog Park on City-owned parkland.

“CARRIED”

Res. #2004-181: Moved by Councillor Mason, seconded by Councillor Boldt
That the Clerk and Mayor be authorized to execute the OSTAR File No. 6156 Amendment as provided herein, to a total eligible cost of \$37,202,751.00 and based on a cash flow projection to the end of March 2006.

“CARRIED”

Res. #2004-182: Moved by Councillor Chirico, seconded by Councillor Anthony
That the resignation of Robert Brown from the Jack Garland Airport Corporation Board be accepted with regret and Mr. Brown be thanked for his involvement on the board.

“CARRIED”

Res. #2004-183: Moved by Councillor Chirico, seconded by Councillor Anthony
That the resignation of Wayne Lynch from North Bay Hydro Distribution Limited be accepted with regret and Mr. Lynch be thanked for his involvement on the board.

“CARRIED”

Res. #2004-184: Moved by Councillor Chirico, seconded by Councillor Anthony
That the resignation of Randy Gravelle from the Committee of Adjustment be accepted with regret and Mr. Gravelle be thanked for his involvement on the board.

“CARRIED”

Res. #2004-185: Moved by Councillor Chirico, seconded by Councillor Anthony
That the resignation of William Walton from North Bay Hydro Distribution Limited be accepted with regret and Mr. Walton be thanked for his involvement on the board.

“CARRIED”

Res. #2004-186: Moved by Councillor Mendicino, seconded by Councillor Maroosis
That Council not approve the request for a variance at 193 Princess Street East, North Bay from Fence By-Law #2002-105, to permit a fence located in the exterior side yard (flankage street side) to increase in height from 4'0" to 6'0".

“CARRIED”

Res. #2004-187: Moved by Councillor Mason, seconded by Councillor Boldt
That the report from P. Bullock dated March 17, 2004 re City of North Bay - 2003 - Drinking Water System Summary Report be referred to the Engineering & Works Committee for public presentation.

“CARRIED”

Res. #2004-188: Moved by Councillor Mendicino, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for the consideration of

City Council to authorize the Memorial Gardens Improvement Program,

being 2004 Capital Budget Project No. 43, at a net debentured cost of \$190,000.

“CARRIED”

Res. #2004-189: Moved by Councillor Mendicino, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Recreation Facility Development Program for Parks and Facilities Infrastructure, being 2004 Capital Budget Project No. 47, at a net debentured cost of \$50,000.

“CARRIED”

Res. #2004-190: Moved by Councillor Mendicino, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize a Replacement and Rehabilitation Program for Parks and Facilities Infrastructure, being 2004 Capital Budget Project No. 48, at a net debentured cost of \$150,000.

“CARRIED”

Res. #2004-191: Moved by Councillor Mendicino, seconded by Councillor Koziol
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Trails System Maintenance Program for the Department of Parks, Recreation and Leisure Services, being 2004 Capital Budget Project No. 53, at a net debentured cost of \$50,000.

“CARRIED”

Res. #2004-192: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the recommendation from the Planning Advisory Committee regarding the Plan of Subdivision and Rezoning application by Rick Miller on behalf of 1381408 Ontario Inc., Veronica Drive & Kingsway Avenue be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2004-193: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the recommendation from the Planning Advisory Committee regarding the Plan of Subdivision and Rezoning application by Rick Miller on behalf of 1558758 Ontario Ltd., Connaught Avenue be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter and his brother is the applicant.

Res. #2004-194: Moved by Councillor Mason, seconded by Councillor Boldt
That North Bay City Council approve the award of a contract to Bruell Contracting Limited for an estimated amount of \$89,785.00 (GST extra) to supply street sweeping services to October 31, 2004 with the provision of a one year extension option if mutually agreeable to both parties.

“CARRIED”

Res. #2004-195: Moved by Councillor Mason, seconded by Councillor Boldt
That North Bay City Council approves the award of a contract with CD&G Transportation for an estimated amount of \$45,950.00 (GST

extra) for sodding repairs. The services shall be performed on an as and when requested basis to October 31, 2004.

“CARRIED”

Res. #2004-196: Moved by Councillor Chirico, seconded by Councillor Anthony That By-Law No. 2001-71, Schedule “I” be amended to include the use fees to be charged in the Financial Services Department effective May 1, 2004, as outlined in Report CORP 2004-41 dated March 16, 2004 from the Chief Financial Officer.

“CARRIED”

Res. #2004-197: Moved by Councillor Chirico, seconded by Councillor Anthony That

- 1) City Council not accept the Consumer Price Index adjustment effective January 1, 2004;
- 2) City Council accepts that one-third of the remuneration received by Members of Council (including the Mayor) and Members of Local Boards is deemed to be received as expenses pursuant to Section 283(5) of the *Municipal; Act*, 2001; and
- 3) the statement “Remuneration and Expenses Paid to Mayor and Members of City Council for the Year 2003” be received.

“CARRIED”

Res. #2004-198: Moved by Councillor Mason, seconded by Councillor Boldt That North Bay City Council approve a contract be awarded to Northland Engineering Ltd. up to the amount of \$42,000.00 (GST included) for the review of options and preparation of tender documents for the rehabilitation of the W.J. Forth Bridge on Riverbend Road.

“CARRIED”

Res. #2004-199: Moved by Councillor Chirico, seconded by Councillor Anthony That

- 1) the City Clerk prepare capital by-laws for consideration by City Council for the following 2004 capital allocations:

| | |
|--|------------------|
| Capitol Centre | \$115,000 |
| North Bay Jack Garland Airport | \$160,000 |
| North Bay-Mattawa Conservation Authority | \$ 50,000 |
| North Bay Police Services | \$100,000 |
| North Bay Public Library | <u>\$100,000</u> |
| | \$525,000; and |

2) the Capitol Centre be authorized to use unexpended funds totalling approximately \$260,000 in Capital By-Law No. 2002-84 and Capital By-Law No. 2003-72 to complete the air handling system replacement project in 2004.

“CARRIED”

Res. #2004-200: Moved by Councillor Mason, seconded by Councillor Boldt That the following by-laws be read a first and second time:

By-Law No. 2004-50 to establish and maintain a system for the collection, removal and appropriate disposal of solid wastes and recyclable materials.

By-Law No. 2004-51 to execute an Agreement with Pedersen Construction Inc. for site preparation of the Community Waterfront Park - Phase I.

“CARRIED”

Res. #2004-201: Moved by Councillor Mason, seconded by Councillor Boldt
That the following by-laws be read a third time and passed:

By-Law No. 2004-50 to establish and maintain a system for the collection, removal and appropriate disposal of solid wastes and recyclable materials.

By-Law No. 2004-51 to execute an Agreement with Pedersen Construction Inc. for site preparation of the Community Waterfront Park - Phase I.

“CARRIED”

Res. #2004-202: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2004-35 to stop up, close and convey a portion of Mapleview Place.

“CARRIED”

Res. #2004-203: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2004-46 to appoint a Municipal Week Inspector for 2004.

“CARRIED”

Res. #2004-204: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2004-46 to appoint a Municipal Week Inspector for 2004.

“CARRIED”

Res. #2004-205: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a second time:

By-Law No. 2003-104 to rezone certain lands on Lakeshore Drive (I. & A. Boaro - 1349 Lakeshore Drive).

“CARRIED”

Res. #2004-206: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2003-104 to rezone certain lands on Lakeshore Drive (I. & A. Boaro - 1349 Lakeshore Drive).

“CARRIED”

Res. #2004-207: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2004-38 to authorize the full exterior landscaping and track relocation work for the CP Station.

By-Law No. 2004-47 to change the name of the Local Architectural Conservation Advisory Committee.

By-Law No. 2004-49 to authorize changes to User Fee Schedules for various departments at City Hall (Schedule H - Public Works Department).

By-Law No. 2004-52 to execute an Operating Agreement with The North Bay & District Society for the Prevention of Cruelty to Animals for the period 1 January 2004 to 31 December 2006.

“CARRIED”

Res. #2004-208: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2004-38 to authorize the full exterior landscaping and track relocation work for the CP Station.

By-Law No. 2004-47 to change the name of the Local Architectural Conservation Advisory Committee.

By-Law No. 2004-49 to authorize changes to User Fee Schedules for various departments at City Hall (Schedule H - Public Works Department).

By-Law No. 2004-52 to execute an Operating Agreement with The North Bay & District Society for the Prevention of Cruelty to Animals for the period 1 January 2004 to 31 December 2006.

“CARRIED”

Res. #2004-209a: Moved by Councillor Boldt, seconded by Councillor Mason
That the City of North Bay support the concept of the establishment of the Charity Gaming Facility in Callander.

“CARRIED AS AMENDED”

Res. 2004-209b: Moved by Councillor Mendicino, seconded by Councillor Chirico
That the motion by Councillors Boldt and Mason regarding a Charitable Gaming Facility be referred to the Community Services Committee and a report be provided to Council by the Chief Administrative Officer.

“CARRIED”

Res. #2004-210: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the Mayor of the City of North Bay be requested to write a letter of support regarding the April 29, 2004 Youth Training Trust Fund Awards (“YTTF”).

“CARRIED”

Res. #2004-211: Moved by Councillor Mendicino, seconded by Councillor Boldt
That

- 1) City Council direct staff to remove the five (5) lots, proposed for sale on Parkwood Drive, from any further consideration in terms of *Planning Act* approvals or potential disposition to a private party;
- 2) Council re-confirm the original intent of the subdivider, being that the subject lands remain as a passive open space to be enjoyed by all the citizens in North Bay as a linear parkway; and

- 3) the park be appropriately signed to recognize John Kennedy, the original developer, after consultation with members of the Kennedy family.

“CARRIED”

Res. #2004-212: Moved by Councillor Anthony, seconded by Councillor Bain
THAT the City, through the Mayor’s Office, thank Nicky Ouellette in writing;

FURTHER BE IT RESOLVED THAT the City once again contact the Provincial Government; pressing for timely completion of Highway 11 four-laning and provision of written updates from the Province regarding the status of the four-laning;

AND BE IT RESOLVED THAT this latest correspondence from the Province include traffic statistics that have been generated on the highway since the Ouellette family tragedy.

“CARRIED”

Res. #2004-213: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council adjourn in-camera to discuss property matters.

“CARRIED”

Res. #2004-214: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) City Council deem the Colgan Avenue Road Allowance surplus;

- 2) those lands described as the unopened portion of Colgan Avenue abutting Lot 110, 111 and 112, Plan M-82, be offered to the abutting owners at its appraised value, plus related legal, survey and advertising fees;
- 3) the closure and sale of the road allowance be subject to the granting of any required easements; and
- 4) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject road allowance and sale of the subject surplus lands.

“CARRIED”

Res. #2004-215: Moved by Councillor Anthony, seconded by Councillor Bain
That 1) Council approve the sale of Areas 5a and 5b (0.93 acres) to True North Chev Oldsmobile Geo Cadillac Ltd. for the negotiated price of \$65,000.00;

- 2) the agreement to lease the same lands be terminated; and
- 3) subject to the receipt of all required easements for municipal infrastructure, the Chief Administrative Officer be delegated the authority to waive conditions at his discretion in order to allow the transaction to be completed as scheduled for March 27, 2004.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as True North Chev Oldsmobile Geo Cadillac Ltd. is a client.

Res. #2004-216: Moved by Councillor Boldt, seconded by Councillor Vaillancourt
That this meeting do now adjourn.

“CARRIED”

MAYOR

CITY CLERK