

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, NOVEMBER 15TH, 2004**

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

CORRESPONDENCE:

Downtown Improvement Area	re Temporary road closure , Main Street	(769)
Fudge & Associates	re Rezoning application - Ferris Drive and Birch's Road, Nipissing Entertainment Inc.	(798)
Ty-Crop Investments Ltd.	re Rezoning application - Highway 11 North	(797)

REPORTS FROM OFFICERS:

Burke, M.B.	re Sale of Block "A", Ryan Avenue	(815)
Burke, M.B.	re Sale of Parcel 662 Widdifield (Widdifield Station Road), Roger Cote	(816)
Burke, M.B.	re Algonquin Avenue road widening	(817)
Hall, B.	re Lane closure - Gertrude Street, Lakeshore Drive, Lee Avenue and Joseph Street	(805)
Houston, J.	re 2005 Heritage Festival Management Committee Report and Budget	(804)
Korell, A.	re Temporary road closure, Main Street	(769)
Linkie, D.G.	re Salary By-Law - Non-Union Group	(818)
Manning, J.	re Tender 2004-150, Supply of catchbasin cleaner/jet rodder	(801)
Manning, J.	re Tender 2004-173, Supply of emulsified asphalt patching material	(802)
Ringler, T.G.	re Business Licensing By-Law	(803)
Rogers, B.A.	re 2005 Preliminary Operating Budget	(799)
Rogers, B.A.	re Development Charges Background Study	(800)

Res. #2004-793: Moved by Councillor Chirico, seconded by Councillor Mason
That minutes for the meetings held on:

- Monday, October 18, 2004;
- Monday, November 1, 2004;
- Thursday, November 4, 2004; and
- Monday, November 8, 2004

be adopted as presented.

"CARRIED"

Res. #2004-794: Moved by Councillor Mason, seconded by Councillor Boldt
That Engineering & Works Committee Report No. 2004-20 relating to:

- evaluation of effluent from the North Bay Sewage Treatment Plant

be adopted as presented.

"CARRIED"

ENGINEERING & WORKS COMMITTEE REPORT NO. 2004-20

November 15, 2004

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2004-20 and recommends:

1. That
 - a) North Bay continue to collect additional information regarding the waste water quality that is discharged from the North Bay Sewage Treatment Plant and that this sampling be coordinated with data that the Ministry of the Environment proposes to collect over the next year;
 - b) a new program to reduce storm water infiltration into the City of North Bay sanitary sewer system be considered for implementation in 2005 and carried until sufficient progress has been made to reduce infiltration rates to acceptable levels; and
 - c) program details and budgetary requirements to achieve storm water infiltration reductions into sanitary sewer works be referred to the 2005 budget as an enhancement

All of which is respectfully submitted.

ASSENTS
MASON
BOLDT
CAMPBELL
FEDELI

DISSENTS

Res. #2004-795: Moved by Councillor Chirico, seconded by Councillor Anthony
That Striking Committee Report No. 2004-11 relating to:

- appointment to North Bay & District Board of Health
- be adopted as presented.

“CARRIED”

STRIKING COMMITTEE REPORT NO. 2004-11

November 15, 2004

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

Your Worship and Councillors:

The Striking Committee presents Report No. 2004-11 and recommends as follows:

1. That the following person be appointed to the North Bay and District Board of Health to fill the unexpired term of Councillor Judy Koziol:

Vonda Croissant.

All of which is respectfully submitted.

Res. #2004-796: Moved by Councillor Chirico, seconded by Councillor Anthony
That the temporary road closures for November 26, 2004, as requested by

the Downtown Improvement Area be approved as amended, and set out in the Director of Public Works & Services Report No. PW&S 2004-31 dated October 28, 2004.

“CARRIED”

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Res. #2004-797: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by Ty-Crop Investments Ltd. - Highway #11 North be received.

“CARRIED”

Res. #2004-798: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by Fudge & Associates on behalf of Nipissing Entertainment Inc. - Ferris Drive and Birch's Road be received.

“CARRIED”

Res. #2004-799: Moved by Councillor Chirico, seconded by Councillor Anthony
That the 2005 Preliminary Operating Budget be received and referred to the General Government Committee.

“CARRIED”

Res. #2004-800: Moved by Councillor Chirico, seconded by Councillor Anthony
That the 2004 City of North Bay Development Charges Background Study dated November 5, 2004 be received and referred to the General Government Committee for consideration after a Public Meeting in the Council Chambers at 7:00 p.m. Monday, November 22, 2004.

“CARRIED”

Res. #2004-801: Moved by Councillor Mason, seconded by Councillor Boldt
That North Bay City Council approve a contract be issued to Joe Johnson Equipment Inc. in the amount of \$357,480.95 (taxes inc.) for the supply of one (1) catchbasin cleaner/jet rodder.

“CARRIED”

Res. #2004-802: Moved by Councillor Mason, seconded by Councillor Boldt
That North Bay City Council approve the issue of a contract to Pioneer Construction Inc. in the amount of \$68,993.60 (taxes inc.) to supply emulsified asphalt patching material.

“CARRIED”

Res. #2004-803: Moved by Councillor Chirico, seconded by Councillor Anthony
That Report No. CORP 2004-187 be received and referred to the General Government Committee for a Public Meeting under the *Municipal Act*, on Monday, December 6, 2004.

“CARRIED”

Res. #2004-804: Moved by Councillor Mendicino, seconded by Councillor Koziol
That 1) Council approve the review and recommendation of the 2004 Heritage Festival SWOT Report, including the proposed committee chairs, as prepared by the 2005 Heritage Festival Management Committee attached to Report No. C SBU 2004-106;

2) Council approve the break even budget of \$1,130,000.00 for the 2005 Heritage Festival attached to Report No. CSBU

2004-106 as presented by the Heritage Festival Management Committee;

- 3) the Chief Financial Officer be authorized to write off the remaining Heritage Festival debt of \$222,537.00 by utilizing the \$206,000.00 from the Performance Measures Reserve Fund and \$16,537.00 from the Completed Capital Works

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Reserve Fund as identified in Option 2 of Report No. CORP 2004-165; and

- 4) the 2005 Heritage Festival Management Committee provide a further report to Council with the name of the individual recommended to fill the now vacant Marketing Chair position on the 2005 Management Committee.

“CARRIED”

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

Yeas: Councillors Anthony, Chirico, Boldt, Vaillancourt, Campbell, Koziol, Bain, Mendicino, Mayor Fedeli

Nays: Councillors Mason, Maroosis

- Res. #2004-805: Moved by Councillor Mendicino, seconded by Councillor Koziol
- That
- 1) the application by Paul Goodridge on behalf of Stanley Cerisano Limited to close a laneway abutting Lots 1 through 4 and 35 through 39, Plan M-210 be approved;
 - 2) the closure and transfer of the laneway be subject to the granting of any required easements;
 - 3) all costs associated with the proposed closure including, but not limited to, the application fee, advertising, survey and legal work, shall be borne by the successful land owners; and
 - 4) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

“CARRIED”

Res. #2004-806: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2004-183 to authorize the sale of lands to Scott Hayne and Lesley Wallace (Part of Block A, Plan 312 - 13 Crawford Drive).

By-Law No. 2004-184 to authorize the sale of lands to Marie-Christine Bourdon (Parcel 487 W&F - 565 Widdifield Station Road).

By-Law No. 2004-185 to authorize the sale of lands to Larry McCormack and Sherry Ann Ilersich (Between Lots 99 and 100, Plan 55 - 144 Campbell Avenue).

By-Law No. 2004-186 to authorize the sale of lands to The Davis Construction Management Group Ltd. (Lot 712, Plan 93 - 333 Fifth Avenue East).

By-Law No. 2004-192 to authorize the sale of lands to Gap Construction Co. Ltd. (Block 45, Plan 36M-595 - Janey Avenue).

By-Law No. 2004-194 to deem Lots 12, 13, 14 and 15 Registrars

Complied Plan No. 2 as not being subject to Part Lot Control pursuant to Section 50(7) of the *Planning Act*.

“CARRIED”

Res. #2004-807: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

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By-Law No. 2004-183 to authorize the sale of lands to Scott Hayne and Lesley Wallace (Part of Block A, Plan 312 - 13 Crawford Drive).

By-Law No. 2004-184 to authorize the sale of lands to Marie-Christine Bourdon (Parcel 487 W&F - 565 Widdifield Station Road).

By-Law No. 2004-185 to authorize the sale of lands to Larry McCormack and Sherry Ann Ilersich (Between Lots 99 and 100, Plan 55 - 144 Campbell Avenue).

By-Law No. 2004-186 to authorize the sale of lands to The Davis Construction Management Group Ltd. (Lot 712, Plan 93 - 333 Fifth Avenue East).

By-Law No. 2004-192 to authorize the sale of lands to Gap Construction Co. Ltd. (Block 45, Plan 36M-595 - Janey Avenue).

By-Law No. 2004-194 to deem Lots 12, 13, 14 and 15 Registrars Complied Plan No. 2 as not being subject to Part Lot Control pursuant to Section 50(7) of the *Planning Act*.

“CARRIED”

Res. #2004-808: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-laws be read a first and second time:

By-Law No. 2004-187 to amend By-Law No. 47-95 to regulate the administration of Building Permits.

By-Law No. 2004-188 to appoint Municipal Law Enforcement Officers as authorized under the provisions of the *Police Services Act*.

By-Law No. 2004-189 to amend By-Law No. 1999-06, The Property Standards & Vital Services By-Law.

“CARRIED”

Res. #2004-809: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:

By-Law No. 2004-187 to amend By-Law No. 47-95 to regulate the administration of Building Permits.

By-Law No. 2004-188 to appoint Municipal Law Enforcement Officers as authorized under the provisions of the *Police Services Act*.

By-Law No. 2004-189 to amend By-Law No. 1999-06, The Property Standards & Vital Services By-Law.

“CARRIED”

Res. #2004-810: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2004-168 to rezone certain lands on Third Avenue (Renaissance Development Corporation - former CNR Right-of-Way).

“CARRIED”

Res. #2004-811: Moved by Councillor Mason, seconded by Councillor Boldt
That the following by-law be read a first and second time:

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By-Law No. 2004-190 to amend Traffic & Parking By-Law No. 2002-001, Schedule 12 (No Parking Area Restricted Times).

“CARRIED”

Res. #2004-812: Moved by Councillor Mason, seconded by Councillor Boldt
That the following by-law be read a third time and passed:

By-Law No. 2004-190 to amend Traffic & Parking By-Law No. 2002-001, Schedule 12 (No Parking Area Restricted Times).

“CARRIED”

Res. #2004-813: Moved by Councillor Chirico, seconded by Councillor Maroosis
WHEREAS Local Services Realignment (LSR) was developed and implemented in 1998 by the Province of Ontario to change the Provincial-Municipal relationship in the delivery of services and to change the funding approaches and cost-sharing of significant Health, Education and Social Programs;

AND WHEREAS Local Services Realignment funding changes entailed a variety of program funding models including Ontario Works, Ontario Disability Support Program (ODSP), Child Care, Social Housing and Land Ambulance ranging from 20% to 100% Municipal contributions;

AND WHEREAS there was a commitment to cost-neutrality to Municipalities in these changes and the Community Reinvestment Fund (CRF) was developed to offset increased municipal costs by recognizing certain program component cost increases;

AND WHEREAS the trends in program cost-sharing between Provincial Ministries and the District of Nipissing Social Services Administration Board demonstrate increased shifting of program delivery and administration costs to the municipal share, thereby reducing Ministry contributions below the commitment percentages presented in Local Services Realignment;

AND WHEREAS the District of Nipissing Social Services Administration Board currently estimates very high municipal cost increases for 2005 based on Provincial Government and Ministry changes to program costs;

AND WHEREAS between 1998 and 2002 Northern Ontario's five cities have subsidized forced savings targets of \$132 million through property tax increases, service reductions and deferred capital spending;

AND WHEREAS the Province of Ontario, in the Fall Economic Statement, committed to a review of the Community Reinvestment Fund (CRF) for 2005 as part of an extensive and broad consultation process to determine how public services can be sustained and adequately funded in the long term;

AND WHEREAS the last Provincial Reconciliation of the CRF, for the 2002

year end, indicated that the Province could not commit in advance to a Fall 2004 Reconciliation to recognize increased Municipal costs for Local Services Realignment Programs;

AND WHEREAS the recent Provincial Budget did not specifically address the Government's intent with respect to the Community Reinvestment Fund and showed CRF payments relatively flat-lined;

AND WHEREAS the CRF is a significant funding source for the City of North Bay, with the 2004 allocation estimated and budgeted at \$16.611 million. This represents about 32% of the tax levy of \$52.193 million;

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AND WHEREAS municipalities in Northern Ontario now receive 41% of the total Ontario CRF allocation;

AND WHEREAS, if the CRF is not reconciled after 2002, it will most likely result in a significant loss of revenue which will result in a higher 2005 tax levy to pay for services downloaded from the Province;

THEREFORE BE IT RESOLVED THAT the Council of the City of North Bay support the requests outlined in the letter dated November 1, 2004 from the Northern Ontario Large Urban Mayor's Caucus, the Federation of Northern Ontario Municipalities, (FONOM) and the Northwestern Ontario Municipal Association (NOMA);

FURTHER BE IT RESOLVED THAT the Council of the City of North Bay petition the Province of Ontario to continue to recognize the theme of revenue neutrality with respect to Local Services Realignment Costs by maintaining the reconciliation process for 2003 and future years;

AND THAT the portion of the CRF that is not subject to reconciliation be increased annually to account for the effects of inflation;

AND THAT the administrative programs funding caps for services such as Child Care, Land Ambulance and Social Services be removed;

AND THAT the original savings targets imposed upon municipalities be added back as costs for the 2003 and subsequent CRF reconciliations;

AND FURTHER THAT the review and realignment of the CRF for 2005 recognize and reflect the reason that the CRF was created initially, that being to ensure revenue neutrality with respect to downloaded services;

AND FURTHER THAT copies of this resolution be forwarded to the Honourable Dalton McGuinty, Premier of Ontario, the Honourable Greg Sorbara, Minister of Finance, the Honourable John Gerretsen, Minister of Municipal Affairs & Housing, the Honourable Rick Bartolucci, Minister of Northern Development and Mines, Ms. Monique Smith, M.P.P. (Nipissing), Northern Ontario Municipalities, Northeastern Ontario Mayors Action Group, Association of Municipalities of Ontario and to the Federation of Northern Ontario Municipalities.

“CARRIED”

Record of Vote (Upon Request of Councillor Chirico)

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

Res. #2004-814: Moved by Councillor Chirico, seconded by Councillor Anthony That Council adjourn in-camera to discuss property matters 12, 13, 14 and personnel matter 15.

“CARRIED”

Res. #2004-815: Moved by Councillor Chirico, seconded by Councillor Anthony
That Block A, Plan 36M-501 off of Ryan Avenue be declared surplus and the
part abutting 48 Ryan Avenue be offered for sale to the abutting owner at the
appraised value if it exceeds the cost of the appraisal and the cost of a
reference plan.

“CARRIED”

Res. #2004-816: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council authorize the Chief Administrative Officer to negotiate the value

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of Parcel 662 W&F for sale to the abutting owner, Roger Cote.

“CARRIED”

Res. #2004-817: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council authorize the expenditure of \$15,000.00 from the Land Sales
Reserve for the exchange and purchase of lands required for the widening of
Algonquin Avenue beside the Pro-Cathedral of the Assumption.

“CARRIED”

Res. #2004-818: Moved by Councillor Chirico, seconded by Councillor Anthony
That a by-law be passed to establish 2004, 2005, 2006, 2007 and 2008 non-
union employee salary schedules to provide for a 3% salary adjustment in each
year.

“CARRIED”

Res. #2004-819: Moved by Councillor Chirico, seconded by Councillor Mason
That this meeting do now adjourn.

“CARRIED”

MAYOR

CITY CLERK