

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD TUESDAY, JUNE 29<sup>TH</sup>, 2004**

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

**CORRESPONDENCE:**

Campbell, Sarah	re Resignation from North Bay-Mattawa Conservation Authority	(460)
Hughes, Jane	re Temporary road closure - Cartier Street	(468)
Korosec, John	re Extension to 297 McKee Drive	(489)
Koskela, Shirley	re Fence variance - 985 Premier Road	(477)
Mak-U-Mats	re Reduced tipping fees	(465)
Rotary Club of North Bay	re Beer tent - Dragon Boat Festival	(457)
Sudbury Downs	re Teletheatre Wagering	(458)
Valenti's Pasta Pasta	re Outdoor patio	(459)
Vibe, Kevin	re Fence variance - 57 Huron Crescent	(469)

**REPORTS FROM OFFICERS:**

Baker, B.R.	re Temporary road closure amendment - D.I.A.	(464)
Baker, B.R.	re Temporary road closure - Cartier Street	(468)
Burke, M.B.	re Teletheatre Wagering	(458)
Burke, M.B.	re CN Right-of-Way - Ecole Secondaire Catholique Algonquin	(486)
Burke, M.B.	re Release of surplus Connaught Avenue lands	(487)
Burke, M.B.	re Extension to 297 McKee Drive	(489)
Cormier, D.	re RailLink Canada Ltd. - Heritage Festival & Air Show	(476)
Elliott, G.	re Noise By-Law exemption - Home Depot	(456)
Hall, B.	re Rezoning application - Janey Street	(464)
Horsman, B.	re Fence variance - 985 Premier Road	(477)
Horsman, B.	re Fence variance - 57 Huron Crescent	(469)
Fior, J.B.	re Dionne Museum	(461)
Fry, M.	re Beer tent - Dragon Boat Festival	(457)
Fry, M.	re Temporary road closure - World Championship Fishing	(462)
Knox, J.D.	re Arbitration Award - Fire Fighters'	(470)
Linkie, D.G.	re Core Services/Operation Review - Transit	(471)
Linkie, D.G.	re Sale of additional surplus City properties	(488)
Linkie, D.G.	re Sale of South block lands on Seymour Street Extension	(490)
Linkie, D.G.	re Engineering and Environmental Services staffing issues	(491)
Manning, J.	re Request for Quotation 2004-79, Elevator Service	(455)
Manning, J.	re Tender 2004-76, Vacuum litter collection vehicle	(472)
Manning, J.	re Tender 2004-88, Supply of waterworks, manhole and sewer supplies	(473)
Manning, J.	re Tender 2004-93, Supply of clay	(474)
Manning, J.	re Tender 2004-05, Earthworks & engineered controls - Merrick Landfill Site	(475)
Ringler, T.G.	re Outdoor patio - Valenti's Pasta Pasta	(459)
Ringler, T.G.	re Engineering Services - McIntyre Street Parkade	(463)
Scully, L.M.	re Set fine and short form wording - Parks By-Law 35-96	(466)
Simmonds, J.C.	re Reduced tipping fees - Mak-U-Mats	(465)

Res. #2004-452: Moved by Councillor Vaillancourt, seconded by Councillor Bain  
That minutes for the meeting held:

- Monday, June 14, 2004

be adopted as presented.

“CARRIED”

Res. #2004-453a: Moved by Councillor Chirico, seconded by Councillor Anthony  
That General Government Committee Report No. 2004-12 relating to:

- the North Bay Community Aquatic Centre

be adopted as presented.

“CARRIED AS AMENDED”

**GENERAL GOVERNMENT COMMITTEE REPORT NO. 2004-12**

June 29, 2004

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2004-12 and recommends:

1. That
  - a) Council establish an Aquatic Centre Reserve Fund in the amount of \$214,653.86 to be used for future Aquatic Centre expenditures; and
  - b) the City’s Chief Financial Officer investigate the possibility of forgiveness from the Northern Ontario Heritage Fund Corporation’s loan to the North Bay Aquatic Centre in the amount of \$1,200,000.00.

All of which is respectfully submitted.

ASSENTS  
CHIRICO  
ANTHONY  
VAILLANCOURT

DISSENTS  
BAIN

Res. #2004-453b: Moved by Councillor Bain, seconded by Councillor Mason  
That General Government Committee Report No. 2004-12 be amended  
by inserting:

“That an amount of \$83,715.00 be diverted from being placed in the  
Aquatic Centre Reserve Fund, and be applied against the balance owing  
to the City of North Bay by the YMCA on the Aquatic Centre Project.”

“CARRIED”

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

Yeas: Councillors Campbell, Marosis, Koziol, Mason, Bain, Boldt

Nays: Councillors Anthony, Chirico, Vaillancourt, Mendicino, Mayor Fedeli

Res. #2004-454: Moved by Councillor Mason, seconded by Councillor Campbell  
That Engineering & Works Committee Report No. 2004-11 relating to:

- water and sewer services

be adopted as presented.

“CARRIED”

Councillor Boldt declared a conflict of interest on the above matter as she is an agent in action on a similar matter.

**ENGINEERING & WORKS COMMITTEE REPORT NO. 2004-11**

June 29, 2004

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2004-11 and recommends:

1. That City Council approve a change in policy whereby property owners whose water and/or sewer service is not located directly adjacent to their property frontage, be provided with a credit of either \$1,000.00 for one service, or \$2,000.00 for more than one service, if they choose to enter into a Service Contract with the City for such service relocation as set out in Report PW&S 2004-13 from the Managing Director of Public Works & Services.

All of which is respectfully submitted.

ASSENTS  
MASON  
CAMPBELL  
FEDELI

DISSENTS

Res. #2004-455: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That the C.A.O. approve the award of a contract by Schindler Elevator Corporation in the amount of \$29,629.37 (GST inc.) to perform a required upgrade to the elevator at North Bay City Hall.

“CARRIED”

Res. #2004-456: Moved by Councillor Mason, seconded by Councillor Boldt  
That Belrock Construction Ltd. be granted an exemption from the Noise By-Law to allow for construction activities related to the Home Depot development from 6:00 a.m. to 10:00 p.m. Mondays through Saturdays and 9:00 a.m. to 6:00 p.m. on Sundays until November 18, 2004 and for 24 hours per day for concrete floor slab finishing works, as required.

“CARRIED”

Res. #2004-457: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That 1) Council approve a temporary exclusion of Regulation 3B of the Municipal Alcohol Policy in order to permit the establishment of a licensed area to serve alcohol on July 16 and 17, 2004 in support of the North Bay Dragon Boat Festival; and

- 2) all other relevant sections of the Municipal Alcohol Policy be satisfied.

“CARRIED”

Councillor Mason declared a conflict of interest on the above matter as he is a member of the organization.

- Res. #2004-458: Moved by Councillor Anthony, seconded by Councillor Bain  
That
- 1) Council offer no objection to the conducting of Teletheatre Wagering at Alkazar Sports Bar on Lakeshore Drive as requested by Sudbury Downs on June 9, 2004; and
  - 2) the City Clerk be authorized to provide letters of no formal objection to Liquor Licence Applications or Teletheatre Wagering requests where there have been no complaints in writing from the public concerning the facility in question.

“CARRIED”

- Res. #2004-459: Moved by Councillor Chirico, seconded by Councillor Anthony  
That Council offer no objection to the request from Valenti’s Pasta Pasta to establish a licensed outdoor patio from July 28<sup>th</sup> to August 3<sup>rd</sup>, 2004 in conjunction with the 2004 Heritage Festival & Air Show.

“CARRIED”

- Res. #2004-460: Moved by Councillor Chirico, seconded by Councillor Anthony  
That the resignation of Sarah Campbell from the Board of Directors for the North Bay-Mattawa Conservation Authority effective June 14, 2004 be received.

“CARRIED”

- Res. #2004-461: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That the resolution from the Municipal Heritage Committee re Dionne Museum be received and referred to the City’s Director of Parks, Recreation and Leisure Services for a report.

“CARRIED”

- Res. #2004-462: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That in order to facilitate the filming of World Championship Fishing, the following streets be closed temporarily from 12:00 p.m. until 3:00 p.m. on Thursday, July 8, 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.

In the case of inclement weather, the schedule “rain day” is Friday, July 9, 2004 with closures to be followed out as indicated above.

“CARRIED”

- Res. #2004-463: Moved by Councillor Chirico, seconded by Councillor Anthony  
That Read Jones Christoffersen Ltd. be retained to undertake engineering design, tender review and contract administration for repairs to the McIntyre Street parking garage at an upset limit of \$38,000.00 plus GST, expenses and material testing.

“CARRIED”

Res. #2004-464: Moved by Councillor Mason, seconded by Councillor Boldt  
That the temporary road closure of Main Street, from Fraser Street to Sherbrooke Street for July 30<sup>th</sup> to August 1<sup>st</sup>, 2004 (Heritage Weekend), as requested by the D.I.A. be approved, as set out in the Managing Director of Public Works & Services report dated 21 June 2004.

“CARRIED”

Res. #2004-465: Moved by Councillor Mason, seconded by Councillor Boldt  
That the June 8, 2004 request from Mak-U-Mats owned by Peter Taylor of 560 Four Mile Lake Road be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2004-466a: Moved by Councillor Chirico, seconded by Councillor Anthony  
That Council authorize an application for approval of a set fine and short form wording for an offence contrary to the Parks By-Law No. 35-96 as set out in Schedule “A to Report No. CORP 2004-65 dated June 18, 2004 by Lauren M. Scully.

“CARRIED”

Res. #2004-466b: Moved by Councillor Boldt, seconded by Councillor Campbell  
That Report No. CORP 2004-65 dated June 18, 2004 by Lauren M. Scully relating to set fine and short form wording for Parks By-Law No. 35-96 be referred to the General Government Committee.

“LOST”

Res. #2004-467: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That the rezoning application by the City of North Bay - Janey Street, be received.

“CARRIED”

Res. #2004-468: Moved by Councillor Mason, seconded by Councillor Boldt  
That the temporary road closure of Cartier Street, from Ursula Street to Champlain Street, on Saturday, July 10<sup>th</sup>, 2004 as requested by Jane Hughes, be approved, as set out in the Managing Director of Public Works & Services report dated June 21<sup>st</sup>, 2004.

“CARRIED”

Res. #2004-469: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That

- 1) Council not approve the request for a variance from Fence By-Law No. 2002-105 to permit a fence reconstruction to have less than 25% open along the face of the fence at 57 Huron Crescent, North Bay; and
- 2) Council approve the request for a variance to increase the height of the fence from 4' to 6' on the flankage street side of the property.

“CARRIED”

Res. #2004-470: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That Council receive Report No. CSBU 2004-59 and attached Arbitration Award concerning the Collective Agreement associated to Fire Fighters', as information.

“CARRIED”

- Res. #2004-471: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That 1) the Managing Director of Community Services assemble an in-house review team in order to undertake and complete a Transit Operational Review; and
- 2) the said Transit Operational Review be completed on or before September 30, 2004.

“CARRIED”

- Res. #2004-472: Moved by Councillor Mendicino, seconded by Councillor Maroosis  
That North Bay City Council approve a contract be let to VQuip Inc., in the amount of \$51,418.80 (GST extra) for the supply of one vacuum litter collection vehicle.

“CARRIED”

- Res. #2004-473: Moved by Councillor Mason, seconded by Councillor Boldt  
That 1) North Bay City Council approve a contract be awarded to Wamco Waterworks Northern Inc., in the amount of \$41,304.20 (GST extra), to supply waterworks, manhole and sewer supplies, Section A, C, E, and G, as tendered, on an as and when requested basis from the date of contract to October 31, 2004;
- 2) North Bay City Council approve a contract be awarded to Emco Supply in the amount of \$7,517.06 (GST extra), to supply Section B of the tender for the same period; and
- 3) North Bay City Council approve a contract be awarded to Ontario Water Products in the amount of \$27,972.99 (GST extra), to supply Sections D and F of the tender for the same period.

“CARRIED”

- Res. #2004-474: Moved by Councillor Mason, seconded by Councillor Boldt  
That North Bay City Council approve a contract be issued to Bruman Leasing Ltd. in the estimated amount of \$894,400.00 (GST extra) for the supply and delivery of an estimated 80,000 tonnes of clay on an as and when requested basis. The contract shall be conditional upon the clay meeting all specifications.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as the contractor is a client.

- Res. #2004-475a: Moved by Councillor Mason, seconded by Councillor Boldt  
That a) North Bay City Council approve a contract be awarded to Ran Don Crane and Leasing Ltd., in the amount of \$1,269,423.05 (GST inc.) for the completion of Earthworks and Engineered Controls at the Merrick Landfill Site;
- b) approval be granted to complete the 2004 Merrick Landfill Capital Works Program at a total cost of \$2,300,000.00 bringing the total project cost up to \$4,300,000.00;
- c) approval be granted to transfer \$250,000.00 from the Merrick Landfill Reserve Account to fund a portion of the 2004 Capital Works Program to manage leachate at the Merrick Landfill Site;

- d) approval be granted to debenture an additional \$750,000.00 to complete the 2004 Capital Works Program to manage leachate at the Merrick Landfill Site and that the Capital By-Law be presented for City Council approval; and
- e) approval be granted to extend the existing design contract currently awarded to Conestoga Rovers and Associates to carry out a Quality Assurance/Quality Control Program during the construction contract to produce verification documentation in fulfillment of Conditions of Approval imposed by the Ontario Ministry of the Environment.

“CARRIED AS AMENDED”

Res. #2004-475b: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the report from J. Manning/P. Bullock dated June 15, 2004 re Tender 2004-05, Earthworks and Engineered Controls - Merrick Landfill Site be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2004-476: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That the Management Committee of the North Bay Heritage Festival & Air Show be granted permission to enter into the proposed agreement with RailLink Canada Ltd., in order to facilitate pedestrian and vehicle access to the Waterfront site for the period July 30, 2004 to August 2, 2004.

“CARRIED”

Res. #2004-477: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That Council not approve the request for a variance from Fence By-Law No. 2002-105 to permit a fence to be constructed to a height of 6' at 985 Premier Road, North Bay.

“CARRIED”

Res. #2004-478: Moved by Councillor Chirico, seconded by Councillor Anthony  
That the following by-laws be read a first and second time:  
  
By-Law No. 2004-120 to authorize the 2004 Water and Sewer Reconstruction Program.  
  
By-Law No. 2004-121 to authorize the Works Centre Site Improvements.  
  
By-Law No. 2004-122 to execute an Agreement with the Ontario Northland Transportation Commission relating to an Underground Pipe Crossing License at Trout Lake Road and Lakeside Drive.

“CARRIED”

Councillor Campbell declared a conflict of interest on By-Law No. 2004-122 as her spouse is employed by the Ontario Northland Transportation Commission.

Res. #2004-479: Moved by Councillor Chirico, seconded by Councillor Anthony  
That the following by-laws be read a third time and passed:  
  
By-Law No. 2004-120 to authorize the 2004 Water and Sewer Reconstruction Program.  
  
By-Law No. 2004-121 to authorize the Works Centre Site Improvements.

By-Law No. 2004-122 to execute an Agreement with the Ontario Northland Transportation Commission relating to an Underground Pipe Crossing License at Trout Lake Road and Lakeside Drive.

“CARRIED”

Councillor Campbell declared a conflict of interest on By-Law No. 2004-122 as her spouse is employed by the Ontario Northland Transportation Commission.

Res. #2004-480: Moved by Councillor Mason, seconded by Councillor Boldt  
That the following by-law be read a first and second time:

By-Law No. 2004-123 to execute an Agreement with Lafarge Canada Inc. operating as Lafarge Construction - North Bay relating to asphaltic concrete pavement and rehabilitation of various urban roads.

“CARRIED”

Res. #2004-481: Moved by Councillor Mason, seconded by Councillor Boldt  
That the following by-law be read a third time and passed:

By-Law No. 2004-123 to execute an Agreement with Lafarge Canada Inc. operating as Lafarge Construction - North Bay relating to asphaltic concrete pavement and rehabilitation of various urban roads.

“CARRIED”

Res. #2004-482a: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That in order to reflect the intention of Council to maintain 2003 tipping fee rates for Nordfibre Company, the following Resolution No. 2004-450 passed by Council at its Regular Meeting held on June 14, 2004 is hereby rescinded:

“That the request from the owner of Nordfibre (Mr. P. Orsi) to have tipping fees lowered to 2003 rates for the demolition of the Nordfibre Plant be denied”; and

that Council hereby approves the request from the owner of Nordfibre (Mr. P. Orsi) to have tipping fees lowered to 2003 rates for the demolition of the Nordfibre Plant, provided that the demolition work is completed by December 31, 2004.

“CARRIED”

Councillor Boldt declared a conflict of interest on the above matter as she is an Agent in an action against the applicant.

Res. #2004-482b: Moved by Councillor Mason, seconded by Councillor Campbell  
That tipping fee rates for Nordfibre Company be referred to the Engineering & Works Committee.

“LOST”

Res. #2004-483: Moved by Councillor Vaillancourt, seconded by Councillor Anthony  
**WHEREAS** the Province of Ontario is home to over 1,600 licensed tourist operations and more than 1,000 of those operators are located in remote areas;

**AND WHEREAS** their contribution to the economy, especially that of Northern Ontario cannot be overlooked;

**AND WHEREAS** the effects of West Nile Virus, SARS, and a weaker American dollar have all contributed to reducing the profit margins of tourist operations;



**AND WHEREAS** any additional monetary burden will severely impact most seasonal tourist operations;

**AND WHEREAS** the new water regulations not only affect tourism, but also churches, community centres, small communities, schools, rural fire stations and government ministries such as the Ministry of Natural Resources;

**NOW THEREFORE BE IT RESOLVED** that the City of North Bay send a letter to the Provincial Minister of Environment, with copies to the Minister of Northern Development & Mines, Minister of Tourism & Recreation and our local MPP, requesting that they reconsider and re-examine the full extent of how the new Ontario Drinking Water Regulations in their current format will negatively impact Northern Ontario tourist operations.

“CARRIED”

Res. #2004-484: Moved by Councillor Chirico, seconded by Councillor Mendicino  
**WHEREAS** the City of North Bay has passed Resolution No. 2004-379 authorizing the award of the Jane Street Reconstruction Project in support of the development of the new North Bay Regional Health Centre;

**AND WHEREAS** the award of this tender is conditional upon the North Bay General Hospital signing a Cost Sharing Agreement for said off-site infrastructure;

**AND WHEREAS** it is critical to award this tender within a very restrictive time frame in order to maintain the established schedule and pricing to ensure that all necessary services are available to the new North Bay Regional Health Centre;

**BE IT THEREFORE RESOLVED THAT** the Council of the City of North Bay respectfully requests that the North Bay General Hospital enters into the Off-Site Cost Sharing Agreement as negotiated.

“CARRIED”

Res. #2004-485: Moved by Councillor Chirico, seconded by Councillor Anthony  
That Council adjourn in-camera to discuss personnel and property matters.

“CARRIED”

Res. #2004-486: Moved by Councillor Chirico, seconded by Councillor Anthony  
That

- 1) the CN Right-of-Way lands adjacent to Ecole Secondaire Catholique Algonquin be declared surplus;
- 2) one-half of the right-of-way be offered to each abutting owner at the appraised value;
- 3) if both parties agree to acquire it within 30 days, then complete the sale to the abutting owners;
- 4) if only one party agrees to acquire their one-half of the right-of-way, then the other one-half parcel be offered to such abutting owner at appraised value;
- 5) if the abutting owner does not wish to acquire the full parcel at the appraised value, then the full parcel shall be offered for sale by tender; and

- 6) the appraisal be based on the highest and best use of the lands.

“CARRIED”

Res. #2004-487: Moved by Councillor Chirico, seconded by Councillor Anthony  
That Council agree to return surplus lands from Connaught Avenue to the original developer, Trout Lake Mall Inc., for \$1.00 being Parts 1, 2, 3, 4 and 5, Plan 36R-11604 reserving an easement for an underground watermain over Part 2 and an above ground Hydro Transformer Station over Part 4.

“CARRIED”

Res. #2004-488: Moved by Councillor Chirico, seconded by Councillor Anthony  
That

- 1) the fifteen (15) properties, as more particularly described in Appendix 1 to C.A.O. Report to Council No. 2004-11, be declared surplus and offered for sale, subject to the provision of the City of North Bay Procedural By-Law;
- 2) the City Solicitor be authorized to commission appraisals on the subject lands; and
- 3) the Planning Services staff be directed to commence all necessary Planning Act approvals.

“CARRIED”

Res. #2004-489: Moved by Councillor Chirico, seconded by Councillor Anthony  
That Council declare surplus, the lands directly behind 297 McKee Drive comprising Part of the Remainder of Parcel 8077 W&F to be sold to the abutting owner for the appraised value, reserving an easement in favour of the City for the existing storm sewer and a prohibition against the construction of any permanent structure.

“CARRIED”

Res. #2004-490: Moved by Councillor Chirico, seconded by Councillor Anthony  
That

- 1) City staff be directed to commence a Request for Proposal (RFP) for the sale of approximately 8.5 acres of City-owned land known as the South Development Block as indicated on Schedule “A” to Report No. CAO 2004-12; and
- 2) the successful respondent to the above noted RFP be responsible for all required Planning and Site Plan approvals.

“CARRIED”

Res. #2004-491: Moved by Councillor Chirico, seconded by Councillor Anthony  
That

- 1) a new job title of Senior Infrastructure and Special Projects Engineer be created to replace the existing Traffic and Infrastructure Engineer;
- 2) a new job title of Engineering Services Supervisor be created;
- 3) a new position of Engineering Technician/Junior Engineer be created;
- 4) updated or new job descriptions be created for all existing and proposed non-union positions within Engineering and Environmental Services Department; and

- 5) all existing and proposed non-union positions be evaluated and any adjustments to salary made on the basis of such evaluation.

“CARRIED”

Res. #2004-492: Moved by Councillor Vaillancourt, seconded by Councillor Bain  
That this meeting do now adjourn.

“CARRIED”

---

MAYOR

---

DEPUTY CITY CLERK