

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, MAY 31st, 2004**

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

CORRESPONDENCE:

Lauzon, Patrice & Suzanne	re Request to Purchase Property - Champlain Park Road	(395)
Nordfibre Company	re Decrease Tipping Fees	(377a)
Rotary Club of North Bay/North Bay General Hospital Foundation	re Monster Bingo	(375)
Wylders Music Hall	re Requests for Noise By-Law Exemption	(376)

REPORTS FROM OFFICERS:

Bullock, P.	re Requests for Noise By-Law Exemption	(376)
Bullock, P.	re Loss of Water Service at CFB/North Bay Airport	(384)
Burke, M.	re City Sale of Franklin Street Lands - Tim Horton's	(394)
Burke, M.	re Request to Purchase Property - Champlain Park Road	(395)
Fry, M.	re O'Canada Day Event	(380)
Hall, B.	re Rezoning application - Renaissance Dev. Corporation - McIntyre Street West	(373)
Kilgour, I.	re Final Approval - Plan of Subdivision - Connaught Avenue	(383)
Manning, J.	re RFP 2004-60, Supply of 1 Vehicle - North Bay Fire Department	(374)
Manning, J.	re Tender 2004-62, Asphaltic Concrete Pavement & Rehabilitation	(378)
Manning, J.	re Tender 2004-54, Jane Street Reconstruction/Eloy Road Watermain	(379)
Manning, J.	re RFP 2004-51, Parking & Security Services	(382)
Manning, J.	re Tender 2004-27, Sale of Vacant Land - 689 Durrill Street	(396)
Manning, J.	re Tender 2004-27, Sale of Vacant Land - 699 Durrill Street	(397)
Manning, J.	re Tender 2004-26, Sale of Vacant Land - 1641 Copeland Street	(398)
Manning, J.	re Tender 2004-21, Sale of Vacant Land - 1643 Copeland Street	(399)
Manning, J.	re Tender 2004-53, Sale of Vacant Land - 1000 Lakeshore Drive	(400)
Ringler, T.	re Monster Bingo	(375)
Simmonds, J.	re Decrease Tipping Fees	(377a)
Simmonds, J.	re Connaught Avenue Subdivision Agreement (1558758 Ontario Ltd.)	(381)

Res. #2004-369: Moved by Councillor Vaillancourt, seconded by Councillor Boldt That minutes for the meetings held:

- Monday, May 17, 2004; and
- Tuesday, May 25, 2004

be adopted as presented.

"CARRIED"

Res. #2004-370: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Community Services Committee Report No. 2004-15 relating to

- Rezoning by the City of North Bay, Crawford Drive

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2004-15

May 31, 2004

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2004-15 and recommends:

1. That
 - a) the Zoning By-Law Amendment Application by the City of North Bay to rezone a portion of Plan M-312, Part of Block “A” (Crawford Drive) from an “Open Space (O)” zone to a “Residential First Density (R1)” zone be approved;
 - b) the restrictive covenants that are registered on the Wallace Heights Subdivision be applied to the two (2) new building lots along Crawford Drive; and
 - c) the portion of the property to be developed be removed from Parks By-Law No. 35-96.

All of which is respectfully submitted.

ASSENTS
MENDICINO
KOZIOL
CHIRICO

DISSENTS

Res. #2004-371: Moved by Councillor Mason, seconded by Councillor Boldt
That Engineering & Works Committee Report No. 2004-08 relating to:

- Public roadway maintenance of Third Avenue road allowance; and
- Public roadway maintenance of Rheaume Street road allowance

be adopted as presented.

“CARRIED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2004-08

May 31, 2004

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2004-08 and recommends:

1. That the Third Avenue road allowance (west of Highway 11), not be assumed for public roadway maintenance.

2. That the Rheaume Street road allowance not be assumed for public roadway maintenance.

All of which is respectfully submitted.

ASSENTS
MASON
BOLDT
CAMPBELL
CHIRICO

DISSENTS

Res. #2004-372: Moved by Councillor Vaillancourt, seconded by Councillor Boldt
That Striking Committee Report No. 2004-06 relating to:

- Appointments to Heritage North Bay

be adopted as presented.

“CARRIED”

STRIKING COMMITTEE REPORT NO. 2004-06

May 31, 2004

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

Your Worship and Councillors:

The Striking Committee presents Report No. 2004-06 and recommends:

1. That Councillors Chirico, Mendicino and Mason be appointed to the Heritage North Bay Board of Directors for a term to expire December 31, 2004.

All of which is respectfully submitted.

Res. #2004-373: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by Rick Miller on behalf of Renaissance Development Corporation, McIntyre Street West be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2004-374: Moved by Councillor Anthony, seconded by Councillor Bain
That 1) North Bay City Council approve the award of a contract with George Stockfish Ford in the amount of \$53,393.00 (GST inc.) for the supply of one (1) Ford Excursion vehicle; and
2) a Capital By-Law be prepared for consideration by City Council to authorize the Fire Vehicle Replacement Program at a net debenture cost of \$100,000.00.

“CARRIED”

Res. #2004-375: Moved by Councillor Anthony, seconded by Councillor Bain
That the request from the Rotary Club of North Bay/North Bay General Hospital Foundation to host a “monster bingo” event be denied.

“CARRIED”

Res. #2004-376: Moved by Councillor Mason, seconded by Councillor Boldt
That Wylders Music Hall and The ZOO Niteclub be granted an exemption from the Noise By-Law until 1:00 a.m. of the next day for July 29th, 30th, 31st and August 1st, 2004 to allow for the amplification of music on their outdoor patio.

“CARRIED”

Res. #2004-377a: Moved by Councillor Mason, seconded by Councillor Campbell
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.

“CARRIED”

Councillor Boldt declared a conflict of interest as she is the agent in a legal action against the applicant.

Res. #2004-377b: Moved by Councillor Anthony, seconded by Councillor Bain
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 approved.

“LOST”

Notice for Reconsideration by Councillor Anthony.

Res. #2004-378: Moved by Councillor Mason, seconded by Councillor Boldt
That

- 1) North Bay City Council approve a contract be awarded to Lafarge Construction in the estimated amount of \$1,080,594.74 (GST inc.) for the supply and placement of asphaltic concrete pavement on various roads, as well as excavating, milling, tack coating, and water services replacement and new concrete sidewalk replacement along various streets and locations;
- 2) the City Clerk be authorized to present 2004 Capital By-Laws with a net debenture cost of \$975,000.00; and
- 3) the scope of the program included in the tender be reduced to remain within the approved budget allocation .

“CARRIED”

Res. #2004-379: Moved by Councillor Mason, seconded by Councillor Boldt
That North Bay City Council approve a contract be awarded to Pedersen Construction in the amount of \$3,127,278.84 (taxes included) for Jane Street Reconstruction and Eloy Road Watermain, conditional upon final approval and execution of the Off-Site Infrastructure Agreement by the Hospital.

“CARRIED”

Res. #2004-380: Moved by Councillor Mendicino, seconded by Councillor Koziol
That, in order to facilitate the undertaking of the 2004 Canada Day Celebrations:

- 1) the O’Canada Day Committee be granted exclusivity on July 1st, 2004, 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;

- 2) the following streets be closed temporarily from 6:00 p.m. until 11:00 p.m. on Thursday, July 1st, 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;

- 3) as the O'Canada Day Committee has hereby been granted permission to hold the public celebration or gathering known as the 2004 Canada Day Celebrations, that event is, therefore, confirmed to be 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.

“CARRIED”

Res. #2004-381:

Moved by Councillor Mason, seconded by Councillor Boldt
That the City enter into a Subdivision Agreement with 1558758 Ontario Ltd. in a form satisfactory to the City Solicitor for the installation of underground and aboveground municipal services for the Connaught Avenue Subdivision development subject to the conditions outlined in Report No. EES 2004-28 from the City Engineer.

“CARRIED”

Res. #2004-382:

Moved by Councillor Anthony, seconded by Councillor Bain
That North Bay City Council approve a contract be awarded to Commissionaires Ottawa in the amount of \$621,818.73 (taxes extra) to perform Parking and Security Services from the date of contract to May 30, 2007, inclusive, with the provision of a three year option if mutually agreeable to both parties.

“CARRIED”

Res. #2004-383:

Moved by Councillor Mendicino, seconded by Councillor Koziol
That 1) the Connaught Avenue Subdivision as shown on Schedule A of Report No. CSBU 2004-50 be given Final Approval; and

2) the Mayor and Clerk be authorized to sign the Final Plans of Subdivision subject to the receipt of all financial security, easements and subdivision agreement requirements.

“CARRIED”

Res. #2004-384:

Moved by Councillor Mason, seconded by Councillor Boldt
That the report from Peter Bullock dated May 26, 2004 re Loss of Water Service at CFB/North Bay Airport - April 28th & May 18th, 2004 be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2004-385:

Moved by Councillor Anthony, seconded by Councillor Bain
That the following by-laws be read a first and second time:

By-Law No. 2004-101 to authorize the sale of lands no longer required for municipal purposes (Division Street).

By-Law No. 2004-103 to authorize the Champlain Park Beach Replacement Project.

By-Law No. 2004-105 to authorize the cleaning and cement mortar lining of watermains.

“CARRIED”

Res. #2004-386: Moved by Councillor Anthony, seconded by Councillor Bain
That the following by-laws be read a third time and passed:

By-Law No. 2004-101 to authorize the sale of lands no longer required for municipal purposes (Division Street).

By-Law No. 2004-103 to authorize the Champlain Park Beach Replacement Project.

By-Law No. 2004-105 to authorize the cleaning and cement mortar lining of watermains.

“CARRIED”

Res. #2004-387: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2004-106 to rezone certain lands on Crawford Drive (City of North Bay).

“CARRIED”

Res. #2004-388: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2004-108 to execute a Subdivision Agreement with 1558758 Ontario Limited relating to Connaught Avenue Subdivision.

“CARRIED”

Res. #2004-389: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2004-108 to execute a Subdivision Agreement with 1558758 Ontario Limited relating to Connaught Avenue Subdivision.

“CARRIED”

Res. #2004-390: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2004-100 to rezone certain lands on Hughes Road (City of North Bay).

“CARRIED”

Res. #2004-391: Moved by Councillor Anthony, seconded by Councillor Bain
That the letter from the North Bay-Mattawa Conservation Authority dated May 17, 2004 relating to the Interpretive Centre Loan Agreement be referred to the General Government Committee for a staff report.

“CARRIED”

Res. #2004-392: Moved by Councillor Boldt, seconded by Councillor Mason
That Council request that:

- 1) Monique Smith, MPP reconfirm in writing the time frame for the completion of Highway 11 North;
- 2) Monique Smith, MPP also confirm that Highway 69 has not become a priority over Highway 11 North; and

3) these requests also be made of Premier Dalton McGuinty.

“CARRIED”

Res. #2004-393: Moved by Councillor Anthony, seconded by Councillor Bain
That Council adjourn *in-camera* to discuss property matters.

“CARRIED”

Res. #2004-394: Moved by Councillor Anthony, seconded by Councillor Bain
That Council agree to:

- 1) declare surplus Parts 1, 2, 3 and 4 on Plan 36R-11672; and
- 2) sell 0.72 acres of abutting lands to The TDL Group Corp. for the sum of \$170,600.00 according to the terms of an Agreement of Purchase and Sale dated May 21, 2004.

“CARRIED”

Res. #2004-395: Moved by Councillor Anthony, seconded by Councillor Bain
That Council:

- 1) declare Parcel 2500 Widdifield and Ferris as surplus; and
- 2) authorize the sale of Parcel 2500 Widdifield and Ferris to the abutting property owner as unserviced vacant land for the appraised value of \$5,500.00.

“CARRIED”

Res. #2004-396: Moved by Councillor Anthony, seconded by Councillor Bain
That North Bay City Council approve that the high bid from Dan Burke in the amount of \$35,000.00 (GST extra) be accepted, for the sale of vacant city-owned land described as Plan 64, Lot 511. The municipal address is 689 Durrill Street.

“CARRIED”

Res. #2004-397: Moved by Councillor Anthony, seconded by Councillor Bain
That North Bay City Council approve that the bid negotiated after the tender process from Dan Burke in the amount of \$25,000.00 (GST extra) be accepted, for the sale of vacant land described as Plan 64, Lot 512. The municipal address is 699 Durrill Street.

“CARRIED”

Res. #2004-398: Moved by Councillor Anthony, seconded by Councillor Bain
That North Bay City Council approve that the bid negotiated after the tender process from Barbara and Michel Gagne in the amount of \$32,000.00 (GST extra) be accepted, for the sale of vacant city-owned land described as Plan 116, Part Lot 53 and Part of Lot 54. The municipal address is 1641 Copeland Street.

“CARRIED”

Res. #2004-399: Moved by Councillor Anthony, seconded by Councillor Bain
That North Bay City Council approve that the high bid from Niroc Construction in the amount of \$47,666.00 (GST extra) be accepted, for the sale of vacant city-owned land described as Plan 116, Part of Lots 54, 55 and 56. The municipal address is 1643 Copeland Street.

“CARRIED”

Res. #2004-400: Moved by Councillor Anthony, seconded by Councillor Bain
That North Bay City Council approve that the high bid from Antonio Servello in the amount of \$16,150.00 (GST extra) be accepted, for the sale of vacant city-owned land described as Conc. 14, Part Lot 38, REM Pcl. 3271. The municipal address is 1000 Lakeshore Drive.

“CARRIED”

Res. #2004-401: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the Fire Chief be authorized to maintain a minimum of 15 personnel on duty for the months of June, July and August 2004.

“CARRIED”

Res. #2004-402: Moved by Councillor Vaillancourt, seconded by Councillor Boldt
That this meeting to now adjourn.

“CARRIED”

DEPUTY MAYOR

CITY CLERK