

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, DECEMBER 12TH, 2011**

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

PUBLIC PRESENTATIONS:

Tim Salidas re City of North Bay Presentation
Gregory Gray re Practices of the City

CORRESPONDENCE:

Ken Woodward re Laneway closure – 1135 Regina St. (794)

REPORTS FROM OFFICERS:

Carello, P. re 2011 Municipal Heritage Committee Annual Report (792)
Carello, P. re Proposed Radio Antenna Tower – North Bay Hydro – Cedar Heights Rd. (793)
Killins, S. re Amending By-Laws re Administration of Building Permits / Municipal Law Enforcement Officers (799)
Knox, J. re Steve Omischl Sports Complex Summary (797)
Korell, A. re Pre-Servicing Agreement Renewal – Ashgrove Estates – Carmichael Dr. (798)
McArthur, S. re Highway 17 Route Alternative Analysis (795)
McArthur, S. re Condominium Final Approval – Turret Construction & Housing Co. Inc. – Phase 5 – 8, Lake Heights Rd, Glen Rouge Drive & Melina Close (800)
Rochefort, L. re Reduction, Cancellation or Refund of Taxes (801)
Valenti, P. re Supply of Crew Cab Dump Truck (796)

Res. #2011-790: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino
That minutes for the public meeting held on:

- Monday, December 7, 2011

be adopted as presented.

“CARRIED”

Res. #2011-791: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino
That minutes for the closed meetings held on:

- Monday, November 28, 2011; and

- Wednesday, December 7, 2011

be adopted as presented.

“CARRIED”

Res. #2011-792: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the 2011 Annual Report from the North Bay Municipal Heritage Committee be received and referred to the Community Services Committee.

“CARRIED”

Res. #2011-793: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That City Council offer no objection to the proposed tower construction on the property shown on Schedule “A”, (North Bay Hydro – Cedar Heights Road) attached to Report to Council CSBU 2011-116 from Peter Carello dated December 8, 2011.

Mayor McDonald declared a conflict of interest as he owns property in the area.

“CARRIED”

Res. #2011-794: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) the application by Ken Woodward to close a portion of the laneway in the block bounded by Regina Street, Franklin Street, Laurier Avenue and Ellis Street, legally described as Plan No. 81, abutting Lots 3 to 5 and 7 to 9, and Lots 42 to 44, and 46 to 48, as shown on Schedule “A” attached to Report to Council CSBU 2011-102, be approved:

- 2) the closure of the laneway be subject to the granting of any required easements; and
- 3) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

“CARRIED”

Res. #2011-795: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) City Council support the recommendation from Planning Services, Engineering & Works and Economic Development that Orange Route “O-3” and Starting Point “SP2”, as shown on Schedules “A” & “B” attached to Report to Council CSBU 2011-115 dated December 6, 2011 from Steve McArthur, be the preferred route and starting point for the City of North Bay; and

- 2) a copy of this analysis be submitted as part of the Highway 17 Route Planning Study currently being undertaken by Ecoplans Ltd. on behalf of the Ministry of Transportation.

Councillor Koziol declared a conflict of interest as her family owns property along the proposed route.

“CARRIED”

Res. #2011-796: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That City Council approve a contract be issued to George Stockfish Ford Sales (1987) Ltd., in the amount of \$66,723.00 (excluding HST), for the supply of one (1) Crew Cab (4x4) Truck complete with Dump Box and Plow.

“CARRIED”

Res. #2011-797: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That City Council receive Report to Council 2011-117 dated December 6, 2011 from Jerry Knox and Al Lang regarding the Steve Omischl Sports Complex Summary for information purposes only.

“CARRIED”

Res. #2011-798: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the City of North Bay renew the existing pre-servicing agreement with Ashgrove Estates – Carmichael Drive Subdivision (2029562 Ontario Limited) for a period of three (3) years.

“CARRIED”

Res. #2011-799: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) City Council directs the City Clerk to prepare an amendment to Schedule “E” of By-Law No. 2011-157, to remove Marianne Speirs and include Richard Mountain as a Building Inspector; and
2) City Council directs the City Clerk to prepare an amendment to By-Law No. 2011-158, to remove Marianne Speirs and include Richard Mountain as a Municipal Law Enforcement Officer.

“CARRIED”

Res. #2011-800a: Moved by Councillor Maroosis, seconded by Councillor Vrebosch-Merry
That Report to Council CSBU 2011-114 from Steve McArthur regarding Condominium Final Approval for Turret Construction & Housing Co. Inc. et al be referred to the Community Services Committee.

“LOST”

Res. #2011-800b: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) the Mayor and City Clerk be authorized to sign Phase 5 of the Turret Condominium Agreement by Turret Construction & Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada Inc., for the approval of a thirty-two (32) unit condominium on 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 6 of the Turret Condominium Agreement by Turret Construction & Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada Inc., for the approval of a twenty-five (25) unit condominium on Lake Heights Road in the City of North Bay – City File No. 48CDM-07101;
3) the Mayor and City Clerk be authorized to sign Phase 7 of the Turret Condominium Agreement by Turret Construction & Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada Inc., for the approval of a forty-eight (48) unit condominium on Melina Close and Lake Heights Road in the City of North Bay – City File No. 48CDM-07101;
4) the Mayor and City Clerk be authorized to sign Phase 8 of the Turret Condominium Agreement by Turret Construction & Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada Inc., for the approval of a fifty (50) unit condominium on Glen Rouge Drive in the City of North Bay – City File No. 48CDM-07101; and
5) the Mayor, 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. #2011-801: Moved by Councillor Koziol, seconded by Councillor Anthony
That the tax appeal applications attached to CORP Report 2011-182 that have been returned with a positive recommendation from the Municipal Property Assessment Corporation and application 2011-29, be adjusted for the period set out on each application form and that the applicable taxes be cancelled, reduced or refunded as authorized by Section 357 of the *Municipal Act*, S.O. 2001, c.25.

“CARRIED”

Res. #2011-802: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2011-242 to stop up, close and convey a portion of the laneway located in the block bounded by King Street West, High Street and McPhail Sreet.

“CARRIED”

Res. #2011-803: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2011-233 to establish rates or charges for the supply of water and sanitary sewer by the City of North Bay for domestic, commercial and manufacturing use, and including other related matters.

“CARRIED”

Res. #2011-804: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2011-233 to establish rates or charges for the supply of water and sanitary sewer by the City of North Bay for domestic, commercial and manufacturing use, and including other related matters.

“CARRIED”

Res. #2011-805: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2011-237 to amend By-Law No. 2003-05, being a by-law to regulate smoking in public places and workplaces.

By-Law No. 2011-238 to confirm proceedings of the Meeting of Council on November 28, 2011.

By-Law No. 2011-243 to authorize the sale of lands no longer required for municipal purposes to Mine Hoist International Limited (Airport Industrial Park).

“CARRIED”

Res. #2011-806: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2011-237 to amend By-Law No. 2003-05, being a by-law to regulate smoking in public places and workplaces.

By-Law No. 2011-238 to confirm proceedings of the Meeting of Council on November 28, 2011.

By-Law No. 2011-243 to authorize the sale of lands no longer required for municipal purposes to Mine Hoist International Limited (Airport Industrial Park).

“CARRIED”

Res. #2011-807: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2011-234 to regulate parking in municipal parking lots.

Councillor Mayne declared a conflict of interest as he owns a business in the affected area.

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

Yeas: Councillors Lawlor, Mendicino, Kozio, Vaillancourt, Mayor McDonald

Nays: Councillors Bain, Anthony, Vrebosch-Merry, Maroosis

“CARRIED”

Res. #2011-808: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2011-234 to regulate parking in municipal parking lots.

Councillor Mayne declared a conflict of interest as he owns a business in the affected area.

”CARRIED”

Res. #2011-809: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a first and second time:”

By-Law No. 2011-244 to execute Condominium Agreements with Turret Construction & Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada Inc., relating to Turret Phase 5, Turret Phase 6, Turret Phase 7 and Turret Phase 8.

“CARRIED”

Res. #2011-810: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2011-244 to execute Condominium Agreements with Turret Construction & Housing Co. Inc., Jorah Investments Ltd., and 133494 Canada Inc., relating to Turret Phase 5, Turret Phase 6, Turret Phase 7 and Turret Phase 8.

“CARRIED”

Res. #2011-811: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2011-245 to execute an Agreement with 331265 Ontario Limited, operating as G&P Welding & Iron Works relating to the rehabilitation of the Memorial Gardens gondola.

Mayor McDonald declared a conflict of interest as he is involved with a local hockey team that leases Memorial Gardens.

“CARRIED”

Res. #2011-812: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2011-245 to execute an Agreement with 331265 Ontario Limited, operating as G&P Welding & Iron Works relating to the rehabilitation of the Memorial Gardens gondola.

Mayor McDonald declared a conflict of interest as he is involved with a local hockey team that leases Memorial Gardens.

“CARRIED”

Res. #2011-813: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-laws be read a first and second time:

By-Law No. 2011-246 to execute an Agreement with GAP Construction Co. Ltd., relating to the North Bay Aerospace Business Park.

By-Law No. 2011-247 to execute an Agreement with Sewer Technologies Inc., relating to sanitary sewer rehabilitation.

“CARRIED”

Res. #2011-814: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-laws be read a third time and passed:

By-Law No. 2011-246 to execute an Agreement with GAP Construction Co. Ltd., relating to the North Bay Aerospace Business Park.

By-Law No. 2011-247 to execute an Agreement with Sewer Technologies Inc., relating to sanitary sewer rehabilitation.

“CARRIED”

Res. #2011-815: Moved by Councillor Mendicino, seconded by Councillor Lawlor
WHEREAS there are 54 Land Registry Offices in the Province of Ontario, only 11 of which are located in Northern Ontario;

AND WHEREAS Land Registry Offices play a key role in effectively and efficiently approving, registering, storing and managing documents such as subdivision plans, condominium plans, reference plans, deeds, and mortgages;

AND WHEREAS Land Registry Offices have historically and promptly serviced the needs of a wide range of user groups including developers, lawyers, surveyors, freelance title searchers and the general public;

AND WHEREAS the Provincial Government has implemented an electronic registration of land-related documents;

AND WHEREAS effective October 3, 2011, it became mandatory that designated Land Registry Offices forward subdivision plans and condominium plans to a Complex Plan Processing Centre located in Milton, Ontario;

AND WHEREAS while the electronic registration may have some benefits, the system has resulted in the downsizing of Land Registry Offices both in terms of size, personnel, service and availability of land related documents resulting in significant negative impacts to customer service;

AND WHEREAS it is expected that in time the Nipissing Land Registry Office will be replaced with a kiosk service;

AND WHEREAS these changes coupled with the loss of a local Land Registrar, the loss of availability of land related documents on site for the purposes of searching and the loss of ability to have reference plans, subdivision plans or condominium plans pre-approved, processed and registered locally in a timely and cost effective manner will further erode service delivery;

AND WHEREAS such changes have and will result in significant delays in development in the North as well as adding further costs;

AND WHEREAS the Government of Ontario has actively promoted the reduction in Red Tape and increased efficiency in public service delivery;

NOW BE IT THEREFORE RESOLVED THAT the City of North Bay requests the Minister of Government Services review and report on the changes being made to Ontario Land Registry Offices and further requests that the changes do not impact negatively on development through time delays or added costs to development in the North;

AND FURTHER that a copy of this resolution be forwarded to the Premier of Ontario; Hon. Harinder Takhar, Minister of Government Services; Hon. Michael Gravelle, Minister of Natural Resources; Hon. Rick Bartolucci, Minister of Northern Development and Mines; Hon. Dipika Damerla, Minister of Infrastructure; Hon. Kathleen Wynne, Minister of Municipal Affairs and Housing; Vic Fedeli, MPP for Nipissing; Leaders of the Provincial Opposition; the Association of Municipalities of Ontario; to the other four large Northern Municipalities; the Federation of Northern Ontario Municipalities; all municipalities within the Nipissing District; the North Bay & District Home Builders' Association; the Association of Ontario Land Surveyors; and the Nipissing Law Association.

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

Yeas: Councillors Mendicino, Mayne, Anthony, Maroosis, Vrebosch-Merry, Vaillancourt, Bain, Lawlor, Koziol, Mayor McDonald

Nays: Nil

“CARRIED”

Res. #2011-816: Moved by Councillor Bain, seconded by Councillor Anthony WHEREAS the Growth Plan for Northern Ontario has been established under *Ontario's Places to Grow Act* and serves as a strategic policy framework to guide provincial decision-making and investment planning for the next 25 years;

AND WHEREAS the Plan notes that more than half of Northerners live in the cities of North Bay, Greater Sudbury, Sault Ste Marie, Timmins and Thunder Bay, and that these cities are economic hubs that benefit all of Northern Ontario;

AND WHEREAS each of these five communities are regional economic anchors and serve as service centres for all of Northern Ontario;

AND WHEREAS only two northern cities (Thunder Bay and Sudbury), have been provincially designated as Growth Plan Pilot Site Regional Planning Areas and have received provincial funding to develop regional economic plans;

AND WHEREAS the remaining three northern cities: North Bay, Sault Ste. Marie and Timmins, which serve as vital economic and service hubs, have not received this critical consideration and support;

NOW THEREFORE BE IT RESOLVED THAT to be consistent with the Growth Plan's spirit, intent, and strategic policy framework; in recognition of the need to engage and provide a voice for the rural communities in each regional service area; in recognition of the mutual support of Northern Ontario's large urban municipalities; and our mutual interest in the growth and development of Northern Ontario, the Council of the City of North Bay requests the Province, through the Minister of Northern Development and Mines, to immediately designate all five cities in Northern Ontario as anchors and Growth Plan pilot sites for their respective regional economic planning areas, thereby enabling the cities of North Bay, Sault Ste. Marie and Timmins to serve the same Growth Plan role in their respective regions as Thunder Bay and the City of Greater Sudbury will in theirs;

AND FURTHER THAT Council of the City of North Bay requests the Province, through the Minister of Northern Development and Mines, to provide the resources and support necessary to enable the cities of North Bay, Sault Ste. Marie and Timmins, and the surrounding municipalities they support to work together to develop regional economic plans;

AND FURTHER THAT a copy of this resolution be circulated to the large urban Northern Ontario municipalities for their endorsement;

AND FURTHER THAT a copy of this resolution be forwarded to the Leaders of the Opposition Parties; Vic Fedeli, MPP for Nipissing.

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

Yeas: Councillors Bain, Maroosis, Lawlor, Mendicino, Koziol, Anthony, Vaillancourt, Vrebosch-Merry, Mayne, Mayor McDonald

Nays: Nil

“CARRIED”

Res. #2011-817: Moved by Councillor Koziol, seconded by Councillor Anthony That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended at 8:04 p.m. for the following reasons: Item #11, being personal matters about identifiable individuals; Item #12, being a pending litigation matter affecting the municipality, Item #13 and 14, being the potential dispositions of lands by the municipality; Item #15, being the potential acquisition of lands by the municipality; and Item #16 and 17, being employee negotiations affecting the municipality.

“CARRIED”

Res. #2011-818: Moved by Councillor Koziol, seconded by Councillor Anthony That Council reconvene at 9:16 p.m.

“CARRIED”

Res. #2011-819: Moved by Councillor Koziol, seconded by Councillor Anthony That Council appoint Mike Guillemette to the Property Standards Committee for a term to expire November 30, 2014.

“CARRIED”

Res. #2011-820: Moved by Councillor Koziol, seconded by Councillor Anthony That City Council agree to declare Part Lot 17, Concession 2, in the former Township of Widdifiield as surplus.

“CARRIED”

Res. #2011-821: Moved by Councillor Koziol, seconded by Councillor Anthony That

- 1) Parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 & 11 on Plan 36R-13069 be closed and declared surplus. The property is part of and abutting land to realigned Second Avenue West at the intersection of Front Street;

- 2) the City enter into an Agreement of Purchase and Sale for the transfer of Part 1 on Plan 36R-13069 to Donald Foisy for no consideration. To replace street frontage and access lost due to the realignment of Second Avenue West;

- 3) the City enter into an Agreement of Purchase and Sale for the transfer of Part 2 on Plan 36R-13069 to Domenic Muratore and John Pellanda for no consideration. To replace street frontage and access lost due to the realignment of Second Avenue West;

- 4) the City enter into an Agreement of Purchase and Sale for the transfer of Parts 7 and 9 on Plan 36R-13069 to Grace Wilson, Marie Duval, Anthony Caruso and Angelo Caruso for no consideration. To replace street frontage and access lost due to the realignment of Second Avenue West;

- 5) the City enter into an Agreement of Purchase and Sale for the transfer of Part 11 on Plan 36R-13069 from 1144342 Ontario Inc. (Domenic Muratore), to the City for no consideration. As part of a land exchange for Part 4 as noted following;
- 6) the City enter into an Agreement of Purchase and Sale for the transfer of Part 4 on Plan 36R-13069 from the City to 1144342 Ontario Inc. (Domenic Muratore) for consideration of \$8,000.00. As part of a land exchange for Part 11 as noted above;
- 7) the remaining land being Parts 3, 5, 6, 8, 10 and 11 on Plan 36R-13069 be sold by tender as two residential building sites; and
- 8) the property purchases to be funded from the Surplus Properties Reserve Fund.

“CARRIED”

- Res. #2011-822: Moved by Councillor Koziol, seconded by Councillor Anthony
That 1) the subject land (being Part Lot 4, Concession “A”) Airport Road and Carmichael Drive, be purchased from Gold Fleet Investments Ltd., for the purpose of a storm water pond for the Airport Industrial Park for the negotiated price of \$50,000.00 and legal fees as recommended by the City Solicitor in Report to Council CORP 2011-186 dated December 1, 2011; and
- 2) the purchase be paid from the Surplus Properties Reserve Fund; and
 - 3) the Mayor and City Clerk execute all documents necessary to effect the purchase and sale of the subject lands.

“CARRIED”

- Res. #2011-823: Moved by Councillor Koziol, seconded by Councillor Anthony
That 1) Council ratify the revised collective agreement between the City and CUPE, Local 122-1 for the term January 1, 2012 to December 31, 2016; and
- 2) the Mayor and City Clerk be authorized to execute the collective agreement.

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

Yeas: Councillors Bain, Vrebosch-Merry, Vaillancourt, Anthony, Mendicino, Mayne, Koziol, Lawlor, Marosis, Mayor McDonald

Nays: Nil

“CARRIED”

- Res. #2011-824: Moved by Councillor Koziol, seconded by Councillor Marosis
That the Non-Union Salary By-Law be amended to reflect an across the board increase of 2.6% effective January 1, 2012.

“CARRIED”

- Res. #2011-825: Moved by Councillor Marosis, seconded by Councillor Vaillancourt
That this Regular Meeting of Council do now adjourn at 9:21 p.m.

“CARRIED”