

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, APRIL 14TH, 2008**

PRESENT: Mayor Fedeli, Councillors Campbell, Vaillancourt, Vrebosch-Merry, Mayne, Bain, Koziol, Graham, Mendicino, Anthony

CORRESPONDENCE:

REPORTS FROM OFFICERS:

Burke, M.B.	re Gormanville Road widening and unopened portion of Copeland Street	(296)
Carello, P.	re NOHFC and FedNor applications	(280)
Carello, P.	re Immigration Portal Contract	(282)
Kilgour, I.G.	re Drinking Water Source Protection	(279)
Lang, A.	re 2008 Municipal Road and Bridge Infrastructure Investment	(278)
Manning, J.	re Tender 2008-27, supply of rotary mower	(268)
Manning, J.	re Tender 2008-24, Demolition of Transit building	(281)
McArthur, S.	re Rezoning application by Romeo & Shirley Roy - 311 Carmichael Drive	(269)
McArthur, S.	re Rezoning application by David & Debra Goodfellow - 465-467 Lakeshore Drive	(270)
McArthur, S.	re Revision to Draft Approval - Millford Development Limited, Hillview Park Subdivision	(271)
McArthur, S.	re General review and update - By-Law 28-80	(273)
McArthur, S.	re Removal of Holding Zone-Carmichael Drive	(274)
Tomek, A.	re Environmental friendly garbage bags	(272)

Res. #2008-261: Moved by Councillor Bain, seconded by Councillor Campbell
That minutes for the public meetings held on:

- Monday, March 17, 2008
- Monday, March 31, 2008
- Monday, April 7, 2008

be adopted as presented.

"CARRIED"

Res. #2008-262: Moved by Councillor Bain, seconded by Councillor Campbell
That minutes for the closed meetings held on:

- Monday, March 31, 2008
- Monday, April 7, 2008

be adopted as presented.

"CARRIED"

Res. #2008-263: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That General Government Committee Report No. 2008-04 relating to:

- Proposed Customer Service Standards under the *Accessibility for Ontarians with Disabilities Act*

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2008-04

April 14, 2008

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2008-04 and recommends:

1. That Report No. CSBU 2006-107 dated November 8, 2006 relating to proposed Customer Service Standards under the *Accessibility for Ontarians with Disabilities Act* be noted and filed.

All of which is respectfully submitted.

ASSENTS
 CAMPBELL
 VAILLANCOURT
 VREBOSCH-MERRY
 FEDELI

DISSENTS

Res. #2008-264: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
 That General Government Committee Report No. 2008-05 relating to:

- FONOM financial support

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2008-05

April 14, 2008

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2008-05 and recommends:

1. WHEREAS the Council of The Corporation of the City of North Bay has indicated its support for the Federation of Northern Ontario Municipalities (FONOM) as the Unified Voice of Northeastern Ontario;

AND WHEREAS FONOM has undertaken to form seven task forces to pursue the major issues of concern to Northeastern Ontario;

NOW THEREFORE BE IT RESOLVED THAT the City of North Bay give \$0.05 per capita to FONOM for support of this endeavor.

All of which is respectfully submitted.

ASSENTS
CAMPBELL
VAILLANCOURT
VREBOSCH-MERRY
FEDELI

DISSENTS

Res. #2008-265: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Community Services Committee Report No. 2008-12 relating to:

- Rezoning application by Perut Construction Limited - 345 McPhail Street

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2008-12

April 14, 2008

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2008-12 and recommends:

1. That
 - a) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of Perut Construction Limited to rezone Plan M-28, Lot 450 and Part of Lot 451, PIN 49156-0927 (LT), 345 McPhail Street from a “Residential Third Density (R3)” zone to a “Residential Multiple Second Density Special (RM2 Sp.)” zone be approved; and
 - b) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act, RSO 1990*, as amended.

All of which is respectfully submitted.

ASSENTS
ANTHONY
MENDICINO
GRAHAM
FEDELI

DISSENTS

Res. 2008-266: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Community Services Committee Report No. 2008-13 relating to:

- Rezoning application by Dimitrios & Tracey Kolios - 1066 Fisher Street

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2008-13

April 14, 2008

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2008-13 and recommends:

1. That a) the proposed Zoning By-Law Amendment by Goodridge Planning Solutions on behalf of Dimitrios & Tracey Kolios to rezone Concession D, Plan 57, Part Lot 261, Part Lot 262 and a portion of the abutting laneway (1066 Fisher Street) from a "Residential Third Density (R3)" zone to a "Neighbourhood Commercial Special (C5 Sp.)" zone be approved; and
- b) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act, RSO 1990*, as amended.

All of which is respectfully submitted.

ASSENTS
ANTHONY
MENDICINO
GRAHAM
FEDELI

DISSENTS

Res. #2008-267: Moved by Councillor Anthony, seconded by Councillor Mendicino That Community Services Committee Report No. 2008-14 relating to:

- Rezoning application by Millford Development Limited and the City of North Bay - Connaught Avenue, Gordon Drive and Linden Lane

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2008-14

April 14, 2008

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2008-14 and recommends:

1. That a) the Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of Millford Development Limited and by the City of North Bay for properties legally described as Concession C, Part Lot 18, Plan 36R-11620, Part 1, Plan 36R-11787, Parts 1 & 2 and Part of Parcel 4802 W&F and Plan 36M635, Lots 1 & 9, Blocks 10, 11, 16 & 17 in the former Township of Widdifield (forming part of the Hillview Park Subdivision) on Connaught Avenue, Gordon Drive and Linden Lane in the City of North Bay be approved as shown on Schedules "A" and "B" to Report CSBU 2008-40 dated April 1, 2008; and
- b) the By-Law be presented to City Council for three (3) readings at the next Regular Meeting of Council.

All of which is respectfully submitted.

ASSENTS
ANTHONY
MENDICINO
GRAHAM
FEDELI

DISSENTS

Res. #2008-268: Moved by Councillor Anthony, seconded by Councillor Mendicino
That North Bay City Council approve the award of a contract to Turf Care Products Canada in the amount of \$69,269.00 (taxes included) for the supply of one new rotary mower c/w deck. The price includes an allowance for a trade-in of a Model #223D machine.

“CARRIED”

Res. #2008-269: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the rezoning application by Harriman & Associates on behalf of Romeo & Shirley Roy - 311 Carmichael Drive, be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2008-270: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the rezoning application by Miller & Urso Surveying Inc. on behalf of David & Debra Goodfellow - 465-467 Lakeshore Drive, be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2008-271: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the request from Miller & Urso Surveying Inc. on behalf of Millford Development Limited to revise the Draft Plan of Subdivision (File 48T-85001), as indicated in Report to Council CSBU 2008-43 be approved.

“CARRIED”

Res. #2008-272: Moved by Councillor Koziol, seconded by Councillor Bain
That the resolution from the Waste Resources Liaison Committee requesting that the City’s Purchasing Manager consider/investigate the feasibility of purchasing environmentally friendly garbage bags such as the Billy Bag as presented by Scott Binkley of Quality Cleaning Supplies to the Waste Resources Liaison Committee be noted and filed.

“CARRIED”

Res. #2008-273: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the proposed amendment to Zoning By-Law No. 28-80 be received and referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2008-274: Moved by Councillor Anthony, seconded by Councillor Mendicino
That 1) City Council pass a by-law to remove the Holding (H) Zone Symbol from the lands zoned “Residential First Density Holding Zone (R1H)” through By-Law 2006-66 for the property described as Concession “A”, Part Lot 16, Plan 36R-12062, Parts 4 and 5, as shown on Schedule “A” attached to Report CSBU 2008-41; and

- 2) the By-Law be brought forward on April 28, 2008 for three (3) readings.

“CARRIED”

Res. #2008-275: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That accounts totaling \$7,358,544.29 for February 2008 be approved.

“CARRIED”

Res. #2008-276: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That accounts for Royal Bank totaling \$1,453.90 for February 2008 be approved.

“CARRIED”

Res. #2008-277: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That accounts totaling \$42,966.00 for MTO (Fisher Street location) for February 2008 be approved.

“CARRIED”

Councillor Graham declared a conflict of interest on the above matter as he is the operator of the Drivers and Vehicles Officer - Fisher Street location.

Res. #2008-278: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That City Council accepts the criteria for funding under the 2008 Municipal Road and Bridge Infrastructure Investment Program as follows:

- 1) the \$1,025,019 allocated to the City of North Bay by the Province will be used for municipal road and bridge capital investment needs;
- 2) a final summary report detailing expenditures, use of Provincial funding, and outcomes achieved shall be submitted to the Ministry and the Ministry may request an independent audit of the project; and
- 3) any funds intended for the project that are not used in accordance with rehabilitation of municipal road and bridge capital investment needs or the terms outlined above, will be returned to the Ministry.

“CARRIED”

Res. #2008-279: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Council file the attached correspondence to Report to Council CSBU 2008-45 for information purposes and staff keep Council informed prior to key decision milestones with regard to Source Water Protection Planning for Trout Lake with respect to North Bay’s drinking water supply.

“CARRIED”

Res. #2008-280: Moved by Councillor Anthony, seconded by Councillor Mendicino
That 1) Council authorize City Staff to submit applications to the Northern Ontario Heritage Fund and FedNor for capital works related to the extension of the municipal water services to Dyno Nobel and PGI Fabrene; and

- 2) in the event the funding applications are approved, Council will

proceed with the City's required contribution of \$93,400 from the Capital Budget.

"CARRIED"

Res. #2008-281: Moved by Councillor Koziol, seconded by Councillor Bain
That 1) North Bay City Council approve a contract be issued to Gap Construction Co. Ltd. in the amount of \$147,525.00 (GST inc.) for the demolition and removal of the Transit Building - 180 Ferguson Street; and
2) the Chief Financial Officer be authorized to transfer \$70,000.00 from the Transit Building Reserve Fund #99540.

"CARRIED"

Res. #2008-282: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Council authorize Staff to enter into an Agreement with the Ministry of Citizenship and Immigration for the development of a web portal specific to the needs of prospective immigrants.

"CARRIED"

Res. #2008-283: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the following by-laws be read a first and second time:

By-Law No. 2008-115 to stop up, close and convey a portion of the Olive Street road allowance abutting Lots 823 and 954, Plan M-165.

By-Law No. 2008-116 to stop up, close and convey a portion of the laneway in a block bounded by Duke Street West, Cassells Street, Princess Street West and Fraser Street.

"CARRIED"

Res. #2008-284: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the following by-laws be read a first and second time:

By-Law No. 2008-105 to authorize the Capitol Centre's 2008 Capital Projects.

By-Law No. 2008-106 to authorize the North Bay-Mattawa Conservation Authority's 2008 Capital Projects.

By-Law No. 2008-107 to authorize the North Bay Police Service's 2008 Capital Projects.

By-Law No. 2008-108 to authorize the North Bay Public Library's 2008 Capital Projects.

By-Law No. 2008-109 to authorize the 2008 Information Systems Technology Capital Projects and Water & Sanitary Sewer Capital Projects.

By-Law No. 2008-114 to execute an Agreement with the North Bay and District Chamber of Commerce relating to the lease of premises at 1375 Seymour Street.

By-Law No. 2008-118 to execute an Agreement with the Minister of Community Safety and Correctional Services and the North Bay Police Services Board for the Safer Communities - 1,000 Officers Partnership

Program.

“CARRIED”

Res. #2008-285: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the following by-laws be read a third time and passed:

By-Law No. 2008-105 to authorize the Capitol Centre’s 2008 Capital Projects.

By-Law No. 2008-106 to authorize the North Bay-Mattawa Conservation Authority’s 2008 Capital Projects.

By-Law No. 2008-107 to authorize the North Bay Police Service’s 2008 Capital Projects.

By-Law No. 2008-108 to authorize the North Bay Public Library’s 2008 Capital Projects.

By-Law No. 2008-109 to authorize the 2008 Information Systems Technology Capital Projects and Water & Sanitary Sewer Capital Projects.

By-Law No. 2008-114 to execute an Agreement with the North Bay and District Chamber of Commerce relating to the lease of premises at 1375 Seymour Street.

By-Law No. 2008-118 to execute an Agreement with the Minister of Community Safety and Correctional Services and the North Bay Police Services Board for the Safer Communities - 1,000 Officers Partnership Program.

“CARRIED”

Res. #2008-286: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the following by-law be read a third time and passed:

By-Law No. 2008-95 to stop up, close and convey a portion of the laneway in a block bounded by Fourth Avenue West, Fraser Street, Third Avenue West and Ferguson Street.

“CARRIED”

Res. #2008-287: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2008-110 to rezone certain lands on Fisher Street (Dimitrios & Tracey Kolios - 1066 Fisher Street).

By-Law No. 2008-112 to rezone certain lands on McPhail Street (Perut Construction Ltd. - 345 McPhail Street).

“CARRIED”

Res. #2008-288: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2008-111 to designate a Site Plan Control Area on certain lands on Fisher Street (Dimitrios & Tracey Kolios - 1066 Fisher Street).

By-Law No. 2008-113 to designate a Site Plan Control Area on certain lands on McPhail Street (Perut Construction Ltd. - 345 McPhail Street).

By-Law No. 2008-117 to rezone certain lands on Connaught Avenue, Gordon Drive and Linden Lane (Millford Development Limited - Hillview Park Subdivision).

“CARRIED”

Res. #2008-289: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:

By-Law No. 2008-111 to designate a Site Plan Control Area on certain lands on Fisher Street (Dimitrios & Tracey Kolios - 1066 Fisher Street).

By-Law No. 2008-113 to designate a Site Plan Control Area on certain lands on McPhail Street (Perut Construction Ltd. - 345 McPhail Street).

By-Law No. 2008-117 to rezone certain lands on Connaught Avenue, Gordon Drive and Linden Lane (Millford Development Limited - Hillview Park Subdivision).

“CARRIED”

Res. #2008-290: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2008-82 to rezone certain lands on Memorial Drive (City of North Bay).

“CARRIED”

Res. #2008-291: Moved by Councillor Bain, seconded by Councillor Graham
WHEREAS the Federal Government announced its intention to negotiate the Building Canada Framework Agreement with the Government of Ontario;

AND WHEREAS the Building Canada Framework Agreement has funding components for municipalities of all sizes with \$3.1 billion earmarked for Ontario’s Municipal Governments;

AND WHEREAS the Federal Government has signed six (6) of thirteen (13) Framework Agreements with Canada’s other Provincial and Territorial Governments;

AND WHEREAS Canada and Ontario have been holding discussions on the Building Canada Framework Agreement since late last year;

NOW THEREFORE BE IT RESOLVED THAT the Governments of Canada and Ontario make a commitment to renewed, dedicated negotiations that will see a Building Canada Framework Agreement signed expeditiously so that Ontario’s Municipal Governments can benefit from additional investment opportunities that a collaborative Canada-Ontario contribution agreement can bring to their significant infrastructure needs;

AND FURTHER THAT a copy of this resolution be forwarded to Prime Minister Stephen Harper, Premier Dalton McGuinty, Minister of Transport,

Infrastructure and Communities Lawrence Cannon, Minister of Public Infrastructure Renewal David Caplan, Liberal House Leader Anthony Rota, Minister of Revenue Monique Smith and to the Federation of Northern Ontario Municipalities for their information and support and to the Association of Municipalities of Ontario for their information.

“CARRIED”

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

Yeas: Councillors Bain, Koziol, Mayne, Mendicino, Vaillancourt, Campbell, Graham, Anthony, Vrebosch-Merry, Fedeli

Res. #2008-292: Moved by Councillor Anthony, seconded by Councillor Bain
WHEREAS the Province of Ontario has earmarked significant funds to improve festival events in various locations and municipalities;

AND WHEREAS the City of North Bay’s August Long Weekend Event was not among this year’s recipients;

BE IT THEREFORE RESOLVED THAT the Council supports our community’s festival by asking the Provincial Government to:

- (a) reconsider funding further festivals this fiscal year; and
- (b) consider a more fair selection system so that ALL festivals (or at least the vast majority) receive at least a small portion of financial support instead of portioning all the funds out to a relatively small number of communities;

AND FURTHER THAT a copy of this motion be sent to Monique Smith, MPP, Nipissing; Premier Dalton McGuinty; Hon. Dwight Duncan, Minister of Finance; Leaders of the opposition parties and the Federation of Northern Ontario Municipalities.

“CARRIED”

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

Yeas: Councillors Anthony, Vrebosch-Merry, Graham, Koziol, Bain, Vaillancourt, Mendicino, Mayor Fedeli

Nays: Councillors Mayne, Campbell

Res. #2008-293: Moved by Councillor Mendicino, seconded by Councillor Graham
WHEREAS Parks and Recreation Ontario (PRO) has released a report entitled “Investing in Healthy and Active Ontarians” through Recreation and Parks Infrastructure;

AND WHEREAS this report identifies a 5 billion dollar deficit in Municipal Parks, Recreation and Sport Infrastructure;

AND WHEREAS Ontario’s Sport, Recreation and Parks Infrastructure is in a state of physical decline, the vast majority of publicly owned recreation facilities were built between 1956 and 1980 and are nearing the end of their useful life;

AND WHEREAS Parks and Recreation Ontario is actively involved with the McGuinty Government to generate additional funding to address this deficit that is creating significant financial pressures on municipalities;

BE IT THEREFORE RESOLVED THAT the City of North Bay supports Parks and Recreation Ontario's position and calls on the Provincial Government to provide dedicated funding for the development, renewal and rehabilitation of physical activity facilities and outdoor spaces;

AND FURTHER THAT a copy of this resolution be forwarded to Hon. Dwight Duncan, Minister of Finance; Hon. David Caplan, Minister of Public Infrastructure Renewal; Hon. Jim Watson, Minister of Municipal Affairs and Housing; Hon. Margaret Best, Minister of Health Promotion; Monique Smith, MPP, Nipissing; Leaders of the oppositions and to the Federation of Northern Ontario Municipalities and the Association of Municipalities of Ontario for their support.

"CARRIED"

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

Yeas: Councillors Mendicino, Mayne, Koziol, Bain, Graham, Anthony, Campbell, Vaillancourt, Vrebosch-Merry, Mayor Fedeli

Res. #2008-294: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That Council adjourn in-camera pursuant to section 239 of the *Municipal Act, 2001*, as amended, at 7:53 p.m. for the following reasons: Items 16 & 17, being proposed or pending acquisition or disposal of land by the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

"CARRIED"

Res. #2008-295: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That Council reconvene at 8:08 p.m.

"CARRIED"

Res. #2008-296: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That

- 1) Council authorize the closure of that part of the unopened portion of Copeland Street, west of Gormanville Road designed as Parts 1, 2 and 3, Plan 36R-12436; and
- 2) Part 2 be authorized for transfer to the abutting owner, Fur Harvesters Auction Inc. in exchange for the receipt of the required road widenings.

"CARRIED"

Res. #2008-297: Moved by Councillor Campbell, seconded by Councillor Graham That this Regular Meeting of Council do now adjourn.

"CARRIED"

MAYOR VIC FEDELI

CITY CLERK CATHERINE CONRAD