



COUNCIL

Agenda

**Regular Meeting of Council
July 30, 2012
at 7:00 p.m.**

MEETINGS

**FOR THE WEEK OF
JULY 30, 2012**

Monday, July 30, 2012

6:00 p.m.

Committee Meeting of Council
Council Chambers, 2nd Floor
City Hall

7:00 p.m.

Regular Meeting of Council
Council Chambers, 2nd Floor
City Hall

**THE CORPORATION OF THE CITY OF NORTH BAY
REGULAR MEETING OF COUNCIL HELD
MONDAY, JULY 30, 2012**

PUBLIC PRESENTATIONS:

PUBLIC MEETING MINUTES:

Monday, July 16, 2012

COMMITTEE REPORTS:

Nil

CORRESPONDENCE:

1. Accounts for June 2012 (F14/2012/EOIR/GENERAL).
2. Letter from Grannittis Ristorante dated July 11, 2012 re Champions Tele-Wagering relocation (M02/2012/SPECI/GENERAL).
3. Report from I.G. Kilgour dated July 16, 2012 re Cultural Plan update (F05/2010/PARKS/PR3043PR).
4. Letter from North Bay Police Services dated February 23, 2012 and report from D.G. Linkie dated July 23, 2012 re Recognition of fallen officers (A09/2012/PROTO/FLNOFFIC).
5. Report from J.D. Knox dated July 24, 2012 re Heritage North Bay Memorandum of Understanding (L04/2012/HNB/FACILITY).
6. Report from B. Hillier dated July 25, 2012 re Source Water Protection Planning update (E00/2012/NBMSP/GENERAL).
7. Report from L. Rochefort dated July 24, 2012 re Tax Extension Agreement - 151 Main Street East (L04/2012/TAXEX/151MAINE).
8. Report from B. Hillier dated July 25, 2012 re Request for redline amendment - Laurentian Heights Ltd. (south side of Surrey Drive) (D12/9300699).
9. Report from B. Hillier / R. Evans dated July 25, 2012 re North Bay Gaming Facility (Casino) (D06/2012/TOURI/CASINO).

10. Report from P. Valenti dated July 20, 2012 re Tender No. 2012-54, Construction of Steve Omischl Sports Field Complex south parking lot (F05/2011/PARKS/6019PR) (F05/2012/PARKS/6070PR).
11. Report from A. Lang dated July 24, 2012 re Tender No. 2012-56, West Ferris Community Centre Roof Rehabilitation Program (F05/2012/PARKS/6066RF).
12. Report from D. Schiavone dated July 25, 2012 re Traffic & Parking By-Law Amendment - No Parking Areas (Pearce Street) (C00/2012/BYLAW/TRAFFIC).

BY-LAWS FOR CONSIDERATION:

General Government - First, second and third readings:

By-Law No. 2012-77 to confirm proceedings of the Meeting of Council on July 16, 2012.

General Government - Third reading:

By-Law No. 2012-169 to stop up, close and convey a portion of the unopened Decaire Road road allowance.

Engineering & Works - First, second and third readings:

By-Law No. 2012-179 to execute a Purchase Agreement with Greening Canada Fund L.P. relating to carbon emission reduction credits.

By-Law No. 2012-180 to amend By-Law No. 2011-123 to authorize user fees for Engineering, Environmental Services and Works.

MOTIONS:

MOTION TO ADJOURN IN-CAMERA:

IN-CAMERA CORRESPONDENCE:

13. ***Confidential*** report from P.E.G. Leckie dated July 19, 2012 re Litigation matter.
14. ***Confidential*** report from P.E.G. Leckie dated July 19, 2012 re Litigation matter.
15. ***Confidential*** report from D. Euler dated July 25, 2012 re Property matter.

16. **Confidential** report from I.G. Kilgour / C. Seguin dated June 25, 2012 re Property matter.

MOTION TO RECONVENE:

MOTION FOR RECONSIDERATION:

GIVING NOTICE:

ADJOURNMENT:

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, JULY 16, 2012**

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

PUBLIC PRESENTATION:

Ryan Culhane re OFSSA - Steve Omischl Sports Complex

CORRESPONDENCE:

Nil

REPORTS FROM OFFICERS:

Conrad, C.M. re 2013 Council and Standing Committees (443) Meeting Schedule

Res. #2012-440: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis That minutes for the public meetings held on:

- Tuesday, July 3, 2012

be adopted as presented.

"CARRIED"

Res. #2012-441: Moved by Councillor Mendicino, seconded by Councillor Mayne That Community Services Committee Report No. 2012-13 relating to:

- Exemption from the Condominium Approval Process - 2034 Drew Street

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2012-13

July 16, 2012

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2012-13 and recommends:

1. That the request for exemption from the Condominium Approval Process by Miller & Urso Surveying Inc. on behalf of B. Reichmann, I. Koch, B. Koch and D. Butler for the property legally described as Plan M-161, Part Lots 13 to 15 and Lot 16, Reference Plan 36R-8352, Part 1, Parcels 12496 & 17826 W/F, known locally as 2034 Drew Street in the City of North Bay, as represented on Schedules "A" and "B" to Report to Council No. CSBU 2012-23, be approved."

All of which is respectfully submitted.

ASSENTS
MENDICINO
MAYNE
VAILLANCOURT
McDONALD

DISSENTS

Res. #2012-442: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That Engineering & Works Committee Report No. 2012-03 relating
to:

- water and sewage rates for the dispensing facility on Patton Road

be adopted as presented.

"CARRIED"

ENGINEERING & WORKS COMMITTEE REPORT NO. 2012-03

July 16, 2012

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2012-03 and recommends:

1. That
 - a) the water rates payable for the supply of water from the dispensing facility on Patton Road be set at \$3.60/1,000 gallons effective August 1, 2012;
 - b) the sewage rates payable for the dumping of sewage loads to the facility be set at \$10.00/1,000 gallons effective August 1, 2012; and
 - c) usage for both water and sewage be monitored and rates be reviewed in March 2013.

All of which is respectfully submitted.

ASSENTS
VREBOSCH
KOZIOL
McDONALD

DISSENTS

Res. #2012-443: Moved by Councillor Lawlor, seconded by Councillor Anthony
That City Council adopt the "2013 Council and Standing
Committees Meeting Schedule" attached to Report to Council No.
CORP 2012-97, dated June 28, 2012.

"CARRIED"

Res. #2012-444: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2012-169 to stop up, close and convey a portion of
the unopened Decaire Road road allowance.

"CARRIED"

Res. #2012-445: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2012-38 to execute an Agreement with Neptune Technology Group (Canada) Ltd., and an Escrow Agreement with Neptune Technology Group (Canada) Ltd. and Guard-IT Corporation for the implementation of a Universal Water Metering Program.

"CARRIED"

Res. #2012-446: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2012-38 to execute an Agreement with Neptune Technology Group (Canada) Ltd., and an Escrow Agreement with Neptune Technology Group (Canada) Ltd. and Guard-IT Corporation for the implementation of a Universal Water Metering Program.

"CARRIED"

Res. #2012-447: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2012-172 to confirm proceedings of the Meeting of Council on July 3, 2012.

By-Law No. 2012-174 to authorize the Corporate Security Study.

By-Law No. 2012-175 to authorize the Ski Club Road Project (Lakeside Drive to Johnston Road).

"CARRIED"

Res. #2012-448: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2012-172 to confirm proceedings of the Meeting of Council on July 3, 2012.

By-Law No. 2012-174 to authorize the Corporate Security Study.

By-Law No. 2012-175 to authorize the Ski Club Road Project (Lakeside Drive to Johnston Road).

"CARRIED"

Res. #2012-449: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2012-160 to stop up, close and convey a portion of the laneway located in a block bounded by Douglas Street, Lorne Avenue, Galt Street and Lansdowne Avenue.

"CARRIED"

Res. #2012-450: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the following by-law be read a first and second time:

By-Law No. 2012-176 to execute a Governance Agreement with Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario relating to joint procurement of specialized transit buses.

"CARRIED"

Res. #2012-451: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the following by-law be read a third time and passed:

By-Law No. 2012-176 to execute a Governance Agreement with Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario relating to joint procurement of specialized transit buses.

"CARRIED"

Res. #2012-452: Moved by Councillor Mendicino, seconded by Councillor Mayne
That the following by-laws be read a third time and passed:

By-Law No. 2012-114 to rezone certain lands on Laurier Avenue (1168108 Ontario Inc. - 449 Laurier Avenue).

By-Law No. 2012-147 to rezone certain lands on Perut Place (Steve Crea Homes Limited - Perut Place Subdivision).

"CARRIED"

Res. #2012-453: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the following by-laws be read a first and second time:

By-Law No. 2012-173 to execute a Cost Share Agreement with Kulwinderpal Sidhu, Rajwant Sidhu, William Gordon Kirton, Barbara Anne Kirton and Karl Thomas Kilpper relating to the installation of a watermain (Carmichael Drive).

By-Law No. 2012-177 to execute an Agreement with Lafarge Canada Inc. relating to the supply of ready mix concrete.

By-Law No. 2012-178 to execute an Agreement with Pioneer Construction Inc. relating to the Asphalt Resurfacing Program.

"CARRIED"

Res. #2012-454: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:

By-Law No. 2012-173 to execute a Cost Share Agreement with Kulwinderpal Sidhu, Rajwant Sidhu, William Gordon Kirton, Barbara Anne Kirton and Karl Thomas Kilpper relating to the installation of a watermain (Carmichael Drive).

By-Law No. 2012-177 to execute an Agreement with Lafarge Canada Inc. relating to the supply of ready mix concrete.

July 16, 2012

By-Law No. 2012-178 to execute an Agreement with Pioneer Construction Inc. relating to the Asphalt Resurfacing Program.

"CARRIED"

Res. #2012-455: Moved by Councillor Bain, seconded by Councillor Marosis
That this Regular Meeting of Council do now adjourn at 7:33 p.m.

"CARRIED"

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

GG

1

North Bay, ON

July 30, 2012

Subject: Elected Official Invoice Register

File No. F14/2012/EOIR/GENERAL

Res. 2012 - _____

Moved by Councillor: _____

Seconded by Councillor: _____

That accounts totaling \$10,158,705.02 for June 2012 be approved.

Carried

Carried as amended

Lost

Conflict _____ Endorsement of Chair _____

Record of Vote (Upon Request of Councillor _____)

Yeas _____	_____	Nays _____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Signature of Clerk _____



SUDBURY DOWNS

A DIVISION OF MACRANALD ENTERPRISES INCORPORATED

2070 Old Burwash Road, Sudbury, ON P3E 4Z4 Tel (705) 522-1430 Fax (705) 522-9242

Racetrack Site: Tel (705) 855-9001 Fax (705) 855-5434 Race Secretary: (705) 855-9005 Email sudburydowns@gmail.com

#2

CITY OF NORTH BAY

JUL 16 2012

CLERK'S DEPT.

City Clerk
The Corporation of the City of North Bay
200 McIntyre Street East
P.O. Box 360 North Bay, ON P1B 8H8

July 13, 2012

Attn: Cathy Conrad
City Clerk

Re: Teletheatre Location in North Bay, Ontario

We are writing to advise you that Sudbury Downs will be conducting teletheatre wagering at *Cheffy's Last Stop* located at 406 Lakeshore Drive in the city of North Bay. All permits required by the Federal and Provincial Regulatory Bodies will be secured prior to implementation of this service.

Yours very truly,

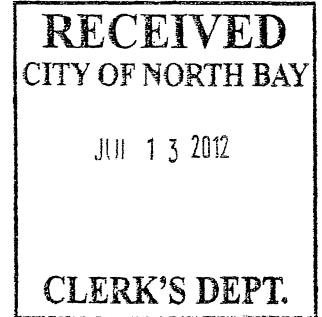
SUDBURY DOWNS,

Carl Nevins,
Director – Northern Teletheatre Network



July 11, 2012

ATTN: Municipal Clerk



To Whom it may concern

This is to inform you that Champions Tele-wagering will be re-locating from Grannittis Ristorante 540 Lakeshore Drive to Cheffy's Last Stop located on 406 Lakeshore Drive North Bay Ontario.

The Alcohol and Gaming Commission of Ontario and Ontario Racing Commission requires that we inform you of this move and we are looking forward to receiving your support and endeavour. If you have any questions or concerns related to this move, please feel free to contact me at any time 705-499-8880.

Sincerely,

A handwritten signature in black ink, appearing to be 'Dimitrios Kolios', written over a horizontal line.

Dimitrios Kolios

City of North Bay

Information Report to Council

Originator: Ian Kilgour, Director Parks, Recreation and Leisure Services

Subject: Cultural Plan Update

Date: July 16, 2012

This report is for the information of Council.

BACKGROUND

Between January and September 2011 the City worked with consultant Greg Baeker of AuthentiCity to develop North Bay's first Cultural Plan. Over the course of this time there was an inclusive community consultative process and meetings; the creation of a cultural resource inventory and evaluation of past studies and reports. The information that was collected was assessed and resulted in the Cultural Plan Report for North Bay.

At Council's regular meeting on October 31 2011, through Community Services Committee Report No. 2011-23 (Attached) the following was passed by Council:

- That:
- a) the Municipal Cultural Plan Final Report be ACCEPTED BY Council as presented and attached to Report to Council CSBU 2011-82;
 - b) the Parks, Recreation and Leisure Services Department be directed to form a Cultural Round Table comprised of municipal staff and representatives of a variety of community arts, heritage and cultural sectors to determine the priority for the initiatives identified in the report and to assist with the organizing of an Annual Culture Summit: and
 - c) the Parks, Recreation and Leisure Services Department keep Council informed regarding the progress through information reports. Any financial implications will be sent to Council for approval through the annual budget process.

Since Council's acceptance of the Cultural Plan Final report and the associated Council recommendations, the following activities have taken place:

Cultural Roundtable

The Roundtable has been formed with representatives from the cultural and business community. Included are the Chamber of Commerce, DIA, Heritage North Bay, Capital Centre, local cultural businesses, supporters of the arts, and local artists.

Arts and Culture is recognized increasingly for the important role creativity and culture play in growing local economies. The composition of the Committee brings together business and the arts for a combination that will assist the growing of North Bay's cultural economic contribution.

Members include:

Dee Adriane – Capital Centre

Jeff Serran - DIA
Gordan Rennie – Heritage North Bay
Clayton Windatt – Whitewater Gallery
Michael Mathieu – Art on Main
Theresa Coates – J. S. Redpath Limited
Denise Sherritt – Chamber of Commerce/Small Business Office
Katie Bevan – Owner 'The Farm'
Jim Harney – Musician
Ian Kilgour – City of North Bay

The Roundtable's main purpose is to implement the Cultural Plan. The Cultural Plan sets out to build North Bay into a creative City. The approach will be to focus its' efforts and activities in the City Center consisting of Downtown, Heritage North Bay and the Waterfront. This approach is consistent with the Plan and current Creative City initiatives throughout North America

The Committee had its first meeting on April 27th where they were given a copy of the Cultural Plan document and an overview of the Committees purpose. The second meeting was held on June 28 where the plans for the Cultural Summit were initiated. The group has planned to meet monthly on the fourth Thursday of each month at 5:00pm. The location for the meetings will vary.

artsVest™

The City applied to the artsVest program to secure funding for local arts and culture organizations. As a result the City was awarded \$25,000 in matching funds for eligible applicants.

artsVest™ is Business for the Arts' signature matching incentive and sponsorship training program, designed to spark new business sponsorship of arts and culture and to build capacity in Canada's cultural sector. artsVest provides small to mid-sized arts and culture organizations with the expertise and tools needed to develop sponsorship opportunities with local business, through in-depth sponsorship training, matching incentive funds and community networking events.

The artsVest North Bay Launch was held on Wednesday, May 2 and the Sponsorship Training Workshop on Thursday, May 3. A total of 12 organizations participated in the two days which included an overview of the programs application process and a workshop about sponsorship.

The following organizations have applied for funding and are awaiting approval:

The North Bay Symphony
Near North Media Lab
Cbach - sponsored 2 applications including J2 Productions, Art in the Park, and submitted one from Cbach in support of the cultural mapping initiative.

The next step is the approval of the applications which is anticipated over the next few weeks. Upon approval groups must secure business sponsors to support their projects and match the funds from artsVest.


Culture Summit and Culture Days

Plans are underway for the Culture Summit as supported by Council. The plan is to hold the Summit during Culture Days which takes place September 28, 29, 20th, 2012. Culture Days is a national

awareness campaign to raise the awareness, accessibility, participation and engagement in the arts and cultural life in communities. The Summit will continue the community's engagement in North Bay's ongoing cultural development. This will be the Cultural Roundtable's opportunity to provide an update and for the cultural community to identify new strategic opportunities. The agenda for the Summit, as well as, the exact date, time and location is to be determined by the Round table at its next meeting.


As part of Culture Days and increasing awareness, the committee plans to work with staff to develop a Culture newspaper insert. The insert will include information about events happening during Culture Days; profile local artists and organizations; articles regarding the economic impact of culture in the community as well as other submissions recommended by the Roundtable group. The aim is to have the insert created with no cost through the sale of advertisements.

Submitted by,



Ian Kilgour
Director Parks, Recreation and Leisure Services

I concur in this report and recommendation.



JK Jerry Knox
Managing Director Community Services



Dave Linkie
Chief Administrative Officer

Person designated for continuance:

Attachments: CSBU 2001-82, Municipal Cultural Plan Final Report

RECEIVED

NOV 02 2011

PRLS

INTER OFFICE

Clerk's Department

MEMO

To: Sharon Kitlar
From: Cathy Conrad
Subject: Municipal Cultural Plan Final Report
Date: 1 November 2011

This is Clause No. 1 of Community Services Committee Report No. 2011-23 which was passed by Council at its Regular Meeting held Monday, October 31, 2011.

Clause No. 1:

- "That a) the Municipal Cultural Plan Final Report be accepted by Council as presented and attached to Report to Council CSBU 2011-82;
- b) the Parks, Recreation and Leisure Services Department be directed to form a Cultural Round Table comprised of municipal staff and representatives of a variety of community arts, heritage and cultural sectors to determine the priority for the initiatives identified in the report and to assist with organizing an Annual Culture Summit; and
- c) the Parks, Recreation and Leisure Services Department keep Council informed regarding the progress through information reports. Any financial implications will be sent to Council for approval through the annual Budget process."

CCONRAD
Cathy Conrad,
City Clerk.

CMC/cjc

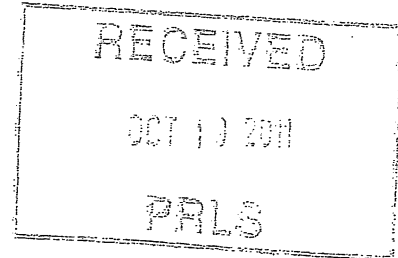
Copy to: *J.C. Kilgour*
J.D. Knox

INTER OFFICE

Clerk's Department

MEMO

To: Sharon Kitlar
From: Cathy Conrad
Subject: Municipal Cultural Plan Final Report
Date: 18 October 2011



This is Resolution No. 2011-698 which was passed by Council at its Regular Meeting held Monday, October 17, 2011.

Resolution No. 2011-698:

"That Report to Council 2011-82 dated October 12, 2011 regarding the Municipal Cultural Plan be received by Council and referred to the Community Services Committee for review and discussion."

C. Conrad

Cathy Conrad,
City Clerk.

CMC/cjc

Copy to: I.G. Kilgour
J.D. Knox

City of North Bay

Report to Council

Report No: CSBU 2011 - 82

Date: October 17, 2011

Originator: Sharon Kitlar
Manager Recreation and Leisure Services

Subject: Municipal Cultural Plan Final Report

RECOMMENDATION

That this report regarding the Municipal Cultural Plan (Attached) be received by Council and referred to the Community Services Committee for review and discussion.

BACKGROUND

At its Regular Meeting held Monday, September 20, 2010 City Council passed Resolution No. 2010-603: "That North Bay City Council approve a contract be issued to AuthentiCity in the amount of \$53,018.00 (HST inc.) to develop a Municipal Arts, Culture and Heritage Plan." (Copy attached)

In October 2010 the City entered into an agreement with AuthentiCity to develop a Municipal Cultural Plan.

The purpose of the plan was to identify community needs and priorities related to North Bay culture and develop a framework for how these needs could be addressed and how services are delivered.

The City secured funding in the amount of \$40,000 from the Ministry of Culture under the Creative Communities Prosperity Fund to support the cost of the project. The total cost of the project was anticipated to be \$80,000 including \$40,000 from the City. This included the hiring of the consulting firm to create the plan, the development of an Arts, Heritage and Culture community inventory and an Arts and Culture website.

Steering and Advisory Committees

To assist with the plan process and community engagement two Committees were struck. One was a staff committee. The other was made up of community representatives. These committees worked with the consultant providing direction and input regarding the process, community consultation, and plan reports. The members were as follows:

Staff Steering Committee

Jerry Knox, Managing Director Community Services Business Unit
Ian Kilgour, Director Parks, Recreation and Leisure Services
Sharon Kitlar, Manager Recreation and Leisure Services
Rick Evans, Manager Economic Development
Beverley Hillier, Manager Planning Services
Erin Richmond, Economic Development Officer

Advisory Committee

Bill Plumstead	Cbach Chair, local film producer
Don Curry	ED Multicultural Centre
Peter Handley	Municipal Heritage Committee/North Bay Sport Hall of Fame
Janet Zimbalatti	North Bay Symphony Orchestra
Theresa Coates	J. S. Redpath Group
Paul Walker	North Bay Public Library
Tricia Marshall	Chamber of Commerce
Caroline Loiselle	Ministry of Culture Consultant

Consultation Process

The Cultural Plan process was initiated through a launch that took place at Art on Main with all media in attendance. Over the past ten months the consultation process for the plan included interviews with community stakeholders, a Community Forum which was broadcast live by Cogeco, and an online survey. A Cultural Plan website was developed and utilized for ongoing updates regarding the plan process. (www.northbayculturalplan.com)

Greg Baeker, the consultant from Authenticity and lead for the project will make a presentation to City Council at its Committee meeting on October 24th.

Final Report

The Final Report was received in July 2011. (Copy attached) the following is a summary of the key findings and recommendations of the report.

Key Findings and Recommendations

Working together and mobilizing the collective efforts of community partners was identified as being a key to the success of the Plan recommendations. The following is a summary of the proposed mechanisms to support ongoing collaboration:

1. City of North Bay Mandate and Roles for Culture

The mandate of the City has been identified, as "The City of North Bay will provide leadership and support to advance cultural development for economic and broader community benefit."

This mandate is supported through the following proposed actions from a municipal perspective:

- o The development of municipal policies, and plans in support of cultural and broader economic and community development agendas.
- o Increasing resources available to advance cultural development from all sources including identification of relevant government and private granting and sponsorship opportunities.

- o Advocating the importance of culture within the City and helping to build a vital and sustainable cultural sector through capacity building initiatives for individuals and organizations.
- o Supporting the delivery of community programs, projects, festivals and celebrations (in collaboration with local municipalities and business and community partners).

2. Integrated Planning for Culture

One of the most important outcomes of the Cultural Plan will be building the capacity of the City to factor culture into how it does business and an ongoing consideration in many areas of planning and decision-making – what is referred to as '*adopting a cultural lens*'.

The Cultural Plan helps build the capacity of North Bay to adopt a cultural lens by:

- o Establishing a shared set of definitions and planning assumptions to support cross-departmental planning;
- o Establishing new mechanisms to support municipal-business-community partnerships (e.g. the Cultural Roundtable);
- o Establishing a stronger base of cultural information through cultural mapping to inform planning and economic development.

3. North Bay Cultural Roundtable

The establishment of a cultural round table is suggested. This would be established as a cross - sectoral leadership group to oversee the implementation of the cultural plan and to support ongoing cultural development. This group would not be an 'advisory' group but rather an action-oriented group to take on specific tasks or projects. They would also provide a forum for ongoing exchange of ideas and information across the sectors represented at the table.

This recommendation came as a result of the success of the local Newcomer Network (supporting immigration) which was discussed during the community engagement process. It was suggested that a similar partnership mechanism be adopted for culture as a vehicle to support partnerships and collaboration.

4. Annual Cultural Summit

In order to keep reporting back to the community on the successful implementation of this plan and the new strategies and initiatives that will emerge as the plan proceeds, the report is recommending the City and the Cultural Roundtable convene an annual Cultural Summit. This event would provide an opportunity for Plan updates, networking and community group updates, as well as an opportunity to feature guest speakers.

Implementation and Timeline

As a result of the community engagement process and research information gathered the key strategies in the chart below emerged in support of the Cultural Plan's Vision.

For each of these strategies a number of recommended actions to be undertaken has been included as part of the full report. City staff would work with the Cultural Roundtable members to determine priorities, timelines and resources for the actions. Any action with resource requirements from the municipality would require the approval of Council.

Strategy 1: Creative Communications – Telling Our Story

Action 1.1: Communicate and Celebrate Our Assets

Action 1.2: Marketing and Promotion to Attract the 'Creative Class'

Action 1.3: Mapping Intangible Cultural Assets and Community Storytelling

Strategy 2: Creative Capacity – Strengthening Networks and Collaboration

Action 2.1: Support Cross-Departmental Collaboration

Action 2.2: Support Collaboration and Resource Sharing

Action 2.3: Develop Cultural Investment Strategy

Action 2.4: Strengthen Secondary and Post-Secondary Partnerships

Strategy 3: Creative Economy – Leveraging Cultural Assets

Action 3.1: Strengthen Festivals and Events

Action 3.2: Expand and Diversify Tourism Offerings

Action 3.3: Strengthen Skills and Knowledge in the Creative Cultural Industries

Action 3.4: Identify and Address Cultural Facilities Gaps

Strategy 4: Creative Places – Building a Culturally Vibrant Downtown

Action 4.1: Advance the Vision and Agenda Set out in the Arts and Entertainment District Strategy

Action 4.2: Establish a Public Art Policy and Program

Action 4.3: Investigate Establishing a Creative Hub or Incubator

Action 4.4: Strengthen Connections and Realize Synergies

Next Steps

This report makes the following immediate recommendations to Council to launch implementation of the Cultural Plan.

- **Adopt the Cultural Plan in Principle** – Council should adopt the plan in principle as an indication of the City's endorsement of culture as a planning and policy priority.
- **Endorse a City Mandate and Roles for Culture** – formally adopt the statement of the City's roles and commitments to cultural development in North Bay. (Pg.38 of the report)
- **Mandate the Establishment of a Cultural Roundtable** – as outlined in the report, the Cultural Roundtable will serve as an ongoing cross-sectoral leadership group to lead implementation of the Cultural Plan and support ongoing cultural development.
- **Communicate the Plan Broadly** – implement a communications strategy (making use of the project website and other media) to communicate the vision and strategies set out in the Cultural Plan across the community
- **Report Annually on Progress** - it is recommended that staff and the Cultural Roundtable make annual reports to Council on progress made toward implementation of the Cultural Plan that includes both process and outcome measures.

ANALYSIS / OPTIONS

Option 1 – Approve the recommendation as presented.

Council will have an opportunity to review this report and discuss it with the Greg Baeker and staff at the Committee meeting on October 24, 2011.

Option 2 - Council receives the report but does not wish to move forward with it at this time.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option 1 – Approve the recommendation as presented.

That this report regarding the Municipal Cultural Plan (Attached) be received by Council and referred to the Community Services Committee for review and discussion.

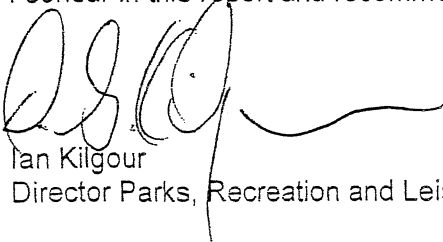
Financial Implications

Any financial implications that are forecasted based on the key strategies identified in the Plan would be dealt with by a request to Council and/or through the annual budget process.

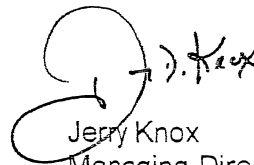


Sharon Kitlar
Manager Recreation and Leisure Services

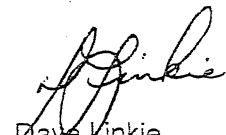
I concur in this report and recommendation.



Ian Kilgour
Director Parks, Recreation and Leisure Services



Jerry Knox
Managing Director Community Services



Dave Linkie
Chief Administrative Officer

Attachments: Resolution No. 2010-603
2011 Municipal Cultural Plan Report

OFFICE OF THE CITY CLERK
CORPORATE SERVICES DIVISION
Direct Line: (705) 474-0626, ext. 2510
Fax Line: (705) 495-4353
E-mail: cathy.conrad@cityofnorthbay.ca

21 September 2010

AuthentiCity
The Distillery Historic District
55 Mill Street, Building 5, Suite 210
TORONTO, ON M5A 3C4

Dear Sir:

This is Resolution No. 2010-603 which was passed by Council at its Regular Meeting held Monday, September 20, 2010.

Resolution No. 2010-603:

"That North Bay City Council approve a contract be issued to AuthentiCity in the amount of \$53,018.00 (HST inc.), to develop a Municipal Arts, Culture and Heritage Plan."

Please provide me with three (3) copies of the contract, signed and sealed, along with a Certificate of Insurance and a copy of your WSIB. Please note that payments will be held pending receipt of the required documentation and approval by the City Solicitor. We are required to retain two (2) copies of the original contract, therefore if you require more than one (1) copy returned, please send additional originals.

Sincerely,

Catherine Conrad,
City Clerk.

CMC/cjc

Copy to: Novita Interpares Limited
Clark Marketing Communications
Lord Cultural Resources
iPLANcorp
S. Kitlar
I.G. Kilgour
J.D. Knox
M. Karpenko
J. Manning - unsuccessful RFP attached

City of North Bay
REPORT TO COUNCIL

Report No. CAO 2012-01

Date: July 23, 2012

Originator: David Linkie
Chief Administrative Officer

Subject: Recognition of Fallen Officers

File No: C04

RECOMMENDATIONS

- 1) That the Council of the Corporation of the City of North Bay approve the Dedication Protocol for fallen North Bay Police Service officers and North Bay Fire and Emergency Services personnel as contained in Appendix "A" to Report CAO 2012-01 dated July 23, 2012; and
 - 2) That the North Bay Police Service Building located at 135 Princess Street West be dedicated in memory of Constable Len Slater
 - 3) That the Trout Lake Road/ONR overpass be dedicated in memory of Constable Fred Lefebvre.
-

BACKGROUND

North Bay Police Chief Paul Cook has formally requested that the City of North Bay provide recognition of Fallen Officers Fred Lefebvre and Len Slater. A copy of Chief Cook's correspondence and a supporting resolution of the North Bay Police Service Board (NBPSB) are attached. NBPSB Resolution 014-2012 states: "The North Bay Police Service Board hereby resolves to provide full support to the North Bay Police Association's recommendation that fallen Constables Fred Lefebvre and Len Slater be publicly recognized by the City of North Bay."

Further background information is also attached hereto by way of a Memorandum prepared by North Bay Police Service Officer Greg McClenaghan, dated November 28, 2011.

The Province of Ontario has enacted the Highway Memorials for Fallen Police Officers Act, 2002 and a Bridge Dedication Protocol for Fallen Officers as a means of allowing a dedication of a highway memorial (bridge) to posthumously recognize police officers that have given their lives in the line of duty.

OPTIONS / ANALYSIS

Option 1 Not agree to the request.

Option 2 Agree to the request as put forward by the North Bay Police Service

Option 3

Develop a recognition protocol for North Bay Police Service sworn employees and North Bay Fire and Emergency Services personnel who have lost their lives in the line of duty.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option 3 is the recommended option.

This option will provide recognition for both North Bay Police Service police officers and North Bay Professional Fire Fighters and command staff who lose their lives in the active conduct of their duties.

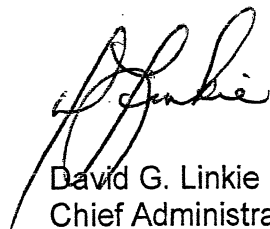
At this point in time, two police officers have lost their lives in the line of duty, being Fred Lefebvre in 1923 and Len Slater in 1973.

While deaths attributed to occupational illness have been identified for North Bay Fire Fighters, I am not aware of any Fire Fighter that has perished fighting a fire or en route to a fire call.

Financial implications will be modest and related to the purchase, installation, and maintenance of recognition signage and the initial dedication ceremony. Costs associated with the dedication will be the responsibility of the respective emergency service and charged to a police or fire operating budget account.

The naming protocol contained in Appendix "A" is intended to be loosely consistent with the existing Province of Ontario Bridge Dedication for Fallen Officers.

Respectfully submitted,



David G. Linkie
Chief Administrative Officer

Personnel dedicated for continuance: P. Cook, G. Love, C. Conrad

- Att:
1. North Bay Police Service Board Resolution 014-2012
 2. Letter from Chief of Police Paul Cook dated 2012-02-23
 3. Memorandum from Officer Greg McClenaghan dated 2011-11-28
 4. Appendix "A" Dedication Protocol for Fallen North Bay Police Services and North Bay Fire and Emergency Services Personnel.

APPENDIX "A"

Dedication Protocol for Fallen North Bay Police Service and North Bay Fire and Emergency Services Personnel.

PURPOSE

The Purpose of this dedication protocol is to posthumously recognize North Bay police and fire personnel who have lost their life in extraordinary circumstances in the active pursuit of their duties.

Upon satisfying the criteria contained herein and at the sole discretion of the Council of the City of North Bay a dedication will be approved in memory of a fallen police services or fire services employee who has given their life protecting the citizens and property of our city.

GUIDELINES

Dedication signs will be installed in the following preferred order:

- 1st on municipally owned buildings directly related to the relevant emergency services i.e. Police Service Building for a fallen Police Officer, Fire and Emergency Services building for a fallen Fire Services firefighter or officer.
- 2nd Municipally owned structures such as overpasses or bridges on major collector or arterial roads.
- 3rd Municipally owned structures over water bodies or other obstructions on local streets.

The dedication signs will be compliant with relevant sections of the North Bay Sign By - law and maintained in a state of good repair.

PROCESS AND QUALIFICATION CRITERIA

In order to be recognized the fallen police services officer or fire and emergency services employee must have been an active employee in good standing with the respective emergency service.

The loss of life must have occurred on duty either dealing with an on-going incident or in responding to such incident.

With regard to fallen police officers a written request from the Chief of Police, accompanied by a supportive resolution of the North Bay Police Service Board shall be forwarded to the City Clerk.

In the case of a fallen fire fighter, fire inspector, fire prevention officer, Chief or Deputy Chief, a written request shall be forwarded by the Chief or his/her designate and signed off by the Chief Administrative Officer (CAO). Such requests will be sent to the City Clerk.

The letter of request will contain the full name and rank of the fallen individual as well as a brief narrative from the respective Chief providing a date and confirmation that the tragedy was an active "line of duty" death.

Where practical, written confirmation of support from the immediate family of the fallen individual should accompany the letter of request.

Upon receipt of the required documentation, the City Clerk will provide a copy to the Mayor and Council and refer the matter to the CAO for a report and recommendation.

Under this policy, only one dedication per fallen individual is permitted.

Dedication signage is intended to be in addition to any existing signs identifying geographical features being crossed or the purpose of the building.

Ceremonies recognizing dedications will be organized by the relevant emergency service and should be appropriate, recognizing the dignity of the event.

On-site dedication ceremonies should be co-ordinated with appropriate municipal departments and occur in a manner that ensures that public and participant safety is not compromised.

SIGN DESIGN AND INSTALLATION

Signs will be ordered and installed by City of North Bay Public Works Department.

Signs must conform to City of North Bay standards with regard to material, reflectivity, and installation height and location.

Signs shall conform to the following design: 1200 mm wide x 600 mm high

Police or Fire Service Corporate Crest	Fallen individuals proper name (and rank if applicable and desirable) Memorial Bridge / Overpass / Building
----------------------------------------------	----------------------------------------------------------------------------------------------------------------



NORTH BAY POLICE SERVICES BOARD

MOVED BY: B. Haggren **RESOLUTION 014-2012**

SECONDED BY: A. McDermid **DATE: 10-January-12**

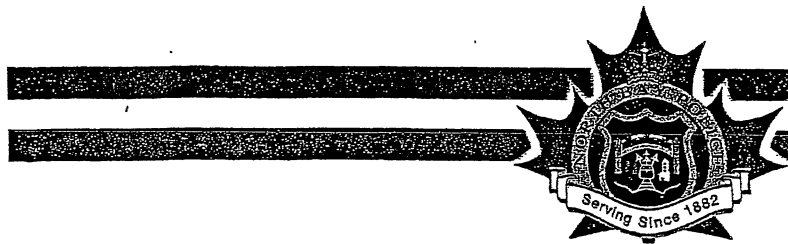
The North Bay Police Services Board hereby resolves to:

"Provide full support to the North Bay Police Association's recommendation that fallen Constables Fred Lefebvre and Len Slater be publicly recognized by the City of North Bay".

Carried

Chair

Secretary



RECEIVED
CITY OF NORTH BAY
FEB 24 2012
ADMINISTRATION

North Bay Police Service

P.O. Box 717, 135 Princess Street West, North Bay, ON P1B 8J8
705-497-5555 FAX 705-497-5591
Website: www.northbaypolice.on.ca

Paul D. Cook
Chief of Police

Alan Williams
Deputy Chief of Police

February 23, 2012

RECEIVED
CITY OF NORTH BAY
MAR 13 2012
CLERK'S DEPT.

Mr. Dave Linkie, CAO
City of North Bay
200 McIntyre Street East.
North Bay, ON P1B 8H8

Dear Mr. ~~Mr.~~ ^{Dave} Linkie:

Re: Recognition of Fallen Officers Fred Lefebvre and Len Slater

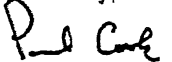
I am writing this letter further to our meeting on February 21st, where we discussed the possibility of the City of North Bay formally recognizing Constable Fred Lefebvre and Constable Len Slater, two North Bay Police officers who paid the ultimate sacrifice when they were murdered in the line of duty.

To assist in moving this item forward I have enclosed a copy of a memorandum prepared by Detective Constable McClenaghan regarding this matter that was presented to the North Bay Police Services Board on January 10, 2012 and a Resolution they passed supporting the North Bay Police Association's recommendation that these officers be publicly recognized by the City of North Bay. I have also enclosed a one-page document that references the Highway Memorials for Fallen Police Officers Act, 2002.

I have had some preliminary discussions with Chief Elsner in Sudbury as they have worked with the province and the city to recognize a number of their fallen officers recently. Chief Elsner will be providing me with documentation outlining the process which they followed that might be of assistance to us.

Should you have any questions regarding this request please do not hesitate to contact me.

Sincerely,


Paul D. Cook
Chief of Police

C: Mr. Peter Chirico, Board Chair
S/Sgt. Mike Tarini, Association President

Memo

To: Mike Tarini
President
North Bay Police Association

From: Greg McClenaghan

Date: November 28th 2011

Re: Community Recognition for fallen officers Fred Lefebvre and Len Slater

Since the establishment of the North Bay Police Service in 1882, two police officers have died in the line of duty. Constable Fred Lefebvre was the first fatality on May 18th 1923. While in plain clothes, Constable Lefebvre was tracking an escaped convict he arrested years earlier. When the convict, Leo Rogers, called the police to tell them his whereabouts, Constable Lefebvre found him at a lakeside hideout. Both Rogers and Lefebvre immediately drew their guns and fired at one another as Rogers was trying to escape. Rogers managed to escape but Lefebvre was shot in the chest and died immediately. Constable Len Slater died on December 1st 1973. He was responding to a call from a fellow officer who had been shot by a man with a gun. While searching for the gunman, Constable Slater was shot in the back of the head. Constable Slater left behind a wife, and three children.

The City of North Bay has, and continues to recognize North Bay born athletes for achievement or excellence in their respective sports by naming municipal parks and buildings in their honor. For example, a twelve kilometer pathway, the Kate Pace Way, is named in honor of Kate Pace, a six time World Cup and three time Canadian downhill champion, and former Olympian. In June 2011, the Sports Complex on Lakeshore Drive was named after Canadian freestyle skier Steve Omischl. Other parks and/or buildings in North Bay named in honor of athletes include Pete Palangio Arena, named after Peter Palangio, a professional hockey player who played in the National Hockey League and Barb Olmstead Park, named after Barbara Olmstead, a Canadian sprint kayaker who competed in two summer Olympics.

How is it that for Constables Lefebvre and Slater, who paid the ultimate sacrifice - gave their lives - in protection of the citizens of North Bay, other than their names inscribed on a plaque at the North Bay Police Service, Constable Slater and Constable Lefebvre are not remembered, or recognized anywhere publicly where they served.

In 1998, the Canadian Government officially proclaimed the last Sunday of September of every year as Police and Peace Officer's National Memorial Day. On January 17th 2003, Canadian Heritage declared the last Sunday of September of every year as the day when all federal buildings and establishments in Canada, including the Peace Tower, fly their flags at half-mast from sunrise to sunset in honor of fallen officers. These official proclamations are a fitting sign of respect, not only to those gathered on Parliament Hill, but also for those who made the ultimate tragic sacrifice to keep our communities safe.

The murder of Ottawa police officer Constable David Kirkwood on July 11th 1977 launched a response that, today, has become the annual, nationally recognized ceremony honoring police and peace officers killed in the line of duty.

During the 2010 service in Ottawa, Governor General David Johnston told attendees that *"law enforcement officers often risk their own safety to maintain harmony in our communities and contribute to Canada's enviable reputation as a peaceful nation ... We simply cannot quantify the magnitude of their sacrifices, but today, this ceremony reminds us of how much we owe them."* Public Safety Minister Vic Toews said in his speech at the glass panel monument erected in 2002 behind the Centre Block of Parliament that the monument *"stands as an enduring reminder of their dedication and their sacrifice."*

Other municipalities across Ontario have seen fit to pay tribute to those police officers who have lost their lives protecting their communities. Toronto City council has voted unanimously in favor of a motion put forward by Adam Vaughan to rename the Dupont Parkette after fallen Toronto police officer, Sergeant Ryan Russell, who was killed in the line of duty on January 12th 2011. The City of Toronto has also renamed a street in memory of Constable Todd Baylis (Todd Baylis Drive), shot to death in 1994 while he and his partner were attempting to arrest a suspect wanted for drug trafficking. City officials in Cobourg named a park (Chris Garrett Memorial Park) in memory of fallen officer, Constable Chris Garret, killed in the line of duty in 2004, protecting the citizens of Cobourg he swore to protect.

Since 2002, the Ontario government has allowed municipalities to name bridges and other highway structures in memory of fallen police officers. The Act is based on a private member's bill introduced by Sudbury MPP Rick Bartolucci.

Since the act took effect, 17 provincial highways have had structures named after fallen officers, including four officers in Greater Sudbury. Based on a request from Greater Sudbury Police Service Chief Frank Eisner, the bridges on Highway 17, over the Main Street in Lively, will be dedicated in memory of Constables Edward Terrell and Gerry Dault, who were killed in the line of duty on June 18th 1949. A dedication and naming ceremony will take place in the spring (2012). Eisner was quoted as saying, *"For police services, it's critical to recognize officers who give their lives to protect the people of this community."*

Though killed in the line of duty in 1923 and 1973, the passage of time has in no way diminished the sacrifices that Constable Slater and Constable Lefebvre made. They were, and will forever remain heroes. All that remains to be done is for our community to recognize their heroism.

The City of North Bay has a duty and obligation to ensure that the magnitude of the sacrifices of Constables Lefebvre and Slater will never be forgotten. Whether it's dedicating a bridge or park, or erecting a monument in their memory, it is incumbent on the City of North Bay to follow the example set forth by other communities across Ontario in paying tribute to those officers in their communities who made the ultimate tragic sacrifice to keep the communities they swore to protect safe.

For the memory of Constables Lefebvre and Slater who lost their lives protecting the citizens of North Bay and to their families who are left behind, erecting a monument or dedicating a municipal park, building or roadway in their memory will be something tangible to remind the families, the citizens of North Bay, and the members, both past and present, of the North Bay Police Service that their losses were not in vain.

Should you have any questions, or require additional information, please do not hesitate to contact me.

Yours truly,

G. McClenaghan

CITY OF NORTH BAY
REPORT TO COUNCIL

Report No: CAO 2012-02

Date: July 24, 2012

Originator: Jerry D. Knox
Chief Administrative Officer

Subject: Heritage North Bay Memorandum of Understanding

RECOMMENDATION:

That Council endorses the attached Memorandum of Understanding between the City of North Bay and Heritage North Bay allowing Heritage North Bay to utilize specific City facilities for the purpose of raising revenue.

BACKGROUND

City Council has endorsed an agreement between The City of North Bay and Heritage North Bay (HNB) dated September 1, 2011 with respect to the operations and maintenance of the Community Waterfront Park. In the fall of 2012, Heritage North Bay requested a financial enhancement for services provided by the Heritage Gardeners as defined in the agreement between the City and HNB.

In addition to Council approving an increase of \$6,000 in the 2012 Operating Budget, staff has had discussions with HNB concerning their long term sustainability and identified possible revenue/fund raising opportunities. These opportunities are identified in the attached Memorandum of Understanding and include the following:

- a) Clock Tower: HNB would operate and administer the digital display panels on the Tower and would have the ability to utilize this service to raise sponsorship funds and/or sell advertising. The City would retain the ability to promote the City and associated events at no cost.
- b) Civic Square: HNB would be able to hold events within the Civic Square for raising funds at no charge. The administration and booking of the Square would be the responsibility of the Parks Department.

- c) Vendors: The MOU proposes to give HNB control over vendors within the Square. Any fees associated to these services would be payable to HNB. The City would retain the ability to allow and control vendors within the Square for City sponsored events.
- d) Garden Plots: Under the September 2011 agreement, Heritage Gardeners are responsible for maintaining 52 garden plots at the waterfront. Under the proposed MOU, HNB could utilize these plots as a source of raising sponsorship funds.
- e) Sponsorship Banners: With capability of utilizing the light standards along Memorial Drive to display promotional banners, the proposed MOU provides the opportunity for HNB or their affiliated units to use these facilities to raise sponsorship funds.
- f) Trees: With the Heritage Gardiners' tree nursery, the City could purchase appropriate trees from the HNB on an annual basis.
- g) Parking: The MOU also addresses how parking will be accommodated for HNB.
- h) Electrical Services: With the installation of electrical services to the park to support various events, the intent is for HNB to have access to these services through the Managing Director of Community Services.

In the event this MOU is endorsed by Council, the Parks' Vendor policy and possibly the User Fee By-law may need to be revised.

RECOMMENDATION:

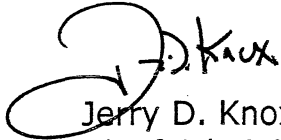
Option 1: That Council endorses the attached Memorandum of Understanding between the City of North Bay and Heritage North Bay allowing Heritage North Bay to utilize specific City facilities for the purpose of raising revenue.

This option provides HNB the opportunity to raise funds utilizing City services and contributes to their long term sustainability. Additionally, HNB will be assisting the City in delivering services in the Square and monitoring activities.

Option 2: The Council not endorses the attached Memorandum of Understanding.

This option is not recommended as it does not contribute to the sustainability of HNB and would place more responsibility on the City.

Respectfully submitted

A handwritten signature in black ink, appearing to read "J. D. Knox". The signature is stylized with a large, looping initial "J" and "D".

Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Managing Director Community Services

Attachment: Draft Memorandum of Understanding

Memorandum of Understanding
Between
The Corporation of the City of North Bay
And
Heritage North Bay

The Terms of the Operating Agreement dated September 1, 2011, outline the responsibility of Heritage North Bay and the City of North Bay with respect to the operation of the Community Waterfront Park. Heritage North Bay's Discovery North Bay Museum has been operating with annual deficits, and has experienced additional impacts from the redevelopment of Oak Street and construction of the Park. As well, in the fall of 2011 Heritage North Bay requested a financial enhancement for the 2012 operating budget that was associated to the services provided under the Heritage Gardener program. A major issue discussed was the long term sustainability of Heritage North Bay and some possible funding opportunities. Following is a summary of funding opportunities that will be made available to Heritage North Bay, as well as how parking for volunteers and staff will be made.

1. Clock Tower

The clock constructed within the Civic Square will have digital display capability. Heritage North Bay will administer the display and will have the ability to utilize this service to raise funds through sponsorship and/or advertising activities. The City will have the ability to display and or advertise any City event or activity at no charge.

2. Civic Square

As per the agreement dated September 1, 2011, all areas of the Civic Square, except for the Pergola Structure, will be maintained by the City. All events held within the Square will be booked through the City's Parks and Recreation Department. The rates for holding events will be set by the City.

Events coordinated by Heritage North Bay and held for the purpose of raising funds for Heritage North Bay will be at no charge. Event organizers will be responsible for all set up, take down and clean up of the area. In cases where there is significant structural set up, the City will be engaged to protect the Square from damage or undue wear. Heritage North Bay will ensure the Square is appropriately booked and required permits are acquired.

Unless approved by the City, no permanent activities, events or attractions will be established without the approval of the City.

Heritage North Bay will be responsible for any damage caused to the Square during any of their events.

Heritage North Bay may utilize benches within the Square to recognize sponsors. The intention is not to permit the selling of advertising space but to recognize a donor or sponsor with a standardized plaque or sign as agreed to by the parties.

3. Venders

Heritage North Bay will be given exclusive right to provide vender services within the Square and enter into a written agreement with vendors. Vendors must possess a current City Refreshment Vehicle Licence approved by the City's Licensing Department and comply with all applicable laws and regulations i.e. Public Health Regulations, Fire Code, Building Code, Licensing Regulations etc. Heritage North Bay will ensure vendors provide proof of a minimum of \$2,000,000 liability insurance naming Heritage North Bay and the City of North Bay as additional insured.

Heritage North Bay will utilize the City's vendor policy as a guideline in selecting and managing vendors within the square.

This will not preclude the City from allowing other vendors during City sponsored events within the Square or park at no charge.

4. Garden Plots

Under the September 1, 2011, agreement, Heritage North Bay, through Heritage Gardeners has the responsibility to maintain 52 garden beds at the waterfront. The City supports Heritage North Bay in utilizing these beds as a means of raising sponsorship funds. Recognition of bed sponsors may be displayed within their respective bed and be done in such a way that complements the beds and the waterfront.

5. Sponsorship Banners

The light standards along Memorial Drive are equipped to display promotional banners. Heritage North Bay will have the exclusive ability to utilize this equipment for the purpose of raising sponsorship funds. Banners displayed are to be in support or sponsorship of Heritage North Bay or their affiliated services. Banners may recognize a sponsor, however the intention is not for these to be used for exclusive advertising of a corporation, services, individual or political affiliation.

6. Trees

With Heritage Gardeners' establishment of a tree nursery the city will consider, pending suitable tree species, price and delivery, purchasing such trees on an annual basis.

7. Parking

Heritage North Bay will be provided two (2) permanent parking spaces at no charge. Access to two-hour free parking will be available for volunteers, and arrangements will be made to charge any time in excess of the two-hour free parking. Details of this arrangement will be made between the Museum Director and the City's Facility Supervisor.

8. Electrical Services

Heritage North Bay will have access to the Parks' electrical services. Any need to use these services will be coordinated through the Chair of Heritage North Bay and the Managing Director Community Services.

9. Reporting

Heritage North Bay will report annually on the amount of funds raised through their initiatives related to this Memorandum of Understanding.

The terms of this Memorandum of Understanding may be revised on mutual agreement or may be cancelled by either party with 90 days notice.

Signed this _____ day of July 2012.

Gordan Rennie
Chair - Heritage North Bay

Jerry Knox
Chief Administrative Officer

Report to Council

Report No: CSBU 2012 - 59

Date: July 25, 2012

Originator: Beverley Hillier, Manager, Planning Services

Subject: Source Water Protection Planning Update

Recommendation

That no further comments be provided to the Source Protection Authority and North Bay-Mattawa Source Protection Committee on the final draft of the Source Protection Plan.

Background

The *Clean Water Act* (2006) provides the legislative framework for drinking water source protection in Ontario. The Act mandates that each local Source Protection Committee (SPC) develop a Source Protection Plan (SP Plan) to address threats to drinking water sources. The scope of the local project was outlined in the Terms of Reference and the scientific understanding of the vulnerability of the drinking water sources has been summarized in the Assessment Report. The full Assessment Report is available in Planning Services.

The first draft of the SP Plan for the North Bay-Mattawa Source Protection Area was posted on April 24, 2012 for public comment. Comments on this draft were provided through Report to Council CSBU 2012-45.

The final version of the Plan was posted on July 20, 2012 with the comment period closing August 19, 2012. The proposed Source Protection Plan, together with all comments received during this comment period and a summary of unresolved concerns, will be submitted to the Ministry of the Environment (MOE) by August 20, 2012. The Director of MOE's Source Protection Branch will then begin the official review of the Source Protection Plan to ensure it is complete and meets all legislated requirements. Policy implementation is expected to begin in 2013.

Analysis/Options

A fulsome analysis of each policy, contained in the first draft, affecting North Bay was contained in Report to Council CSBU 2012-45. The proposed SP Plan has been revised based on a wide variety of comments received.

Highlights of the major revisions include:

- Callander Issue Contributing Area (ICA):

-
- The requirement for an Education Program has remained and North Bay will be expected to participate in the development and funding of this program. This has previously been referred to the 2013 Budget process.
 - The vegetative buffer and Site Plan Control Agreement requirements have been removed largely based on implementation concerns around timing and effectiveness. This means that North Bay will no longer be required to amend the Official Plan and Site Plan Control By-laws for this area.
- North Bay Intake Protection Zone (IPZ):
- A majority of the policies in this section have remained the same, with the exception of the signage requirements for vulnerable areas. This policy has been revised to have uniform signage requirements of the Ministry of Transportation across the province and create more specific wording with respect to the locations for signs for the municipality. This policy has shifted from mandatory to voluntary.
- Option 1 – Request that Staff prepare additional comments to the Source Protection Authority on the proposed Source Protection Plan. This option is not recommended. Comments have been provided to the Committee throughout the process. The Plan balances the interests of the City and overall source protection planning for the area.
- Option 2 – Do not provide comments to the Source Protection Authority on the proposed Source Protection Plan. This option is recommended. Detailed comments were provided on the first draft of the Plan and the Plan has been updated to reflect these comments. The cost associated to implementation has previously been referred to the 2013 budget process.

Recommended Option

Option 2 is the recommended option. No further comments are required on the proposed Source Protection Plan.

Respectfully submitted,



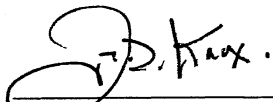
Beverley Hillier, MCIP, RPP
Manager, Planning Services

BH/dlb

We concur with this report and recommendations.



Peter Chirico
Managing Director, Community Services



Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Manager, Planning Services

#7

CITY OF NORTH BAY

JUL 26 2012

CLERK'S DEPT.

CITY OF NORTH BAY

REPORT TO COUNCIL

Report No: CORP 2012-98

Date: July 24, 2012

Originator: Lorraine Rochefort

Subject: Tax Extension Agreement
Evelyne Abraham in Trust – 151 Main St. E.
Roll No. 4844-020-033-01100-0000

RECOMMENDATION:

That the Corporation of the City of North Bay enter into a Tax Extension Agreement with Evelyne Abraham in Trust for payment of all outstanding taxes, penalty, interest and costs on the property known as 151 Main Street East, North Bay, more particularly described as Part of Lot 16, Plan 10, Widdifield, as in NB150673, North Bay, District of Nipissing.

BACKGROUND:

Section 373 of the Municipal Act, S.O. 2001, c.25, as amended, (the Act) provides for the sale of land for tax arrears where any part of tax arrears is owing with respect to land in a municipality on January 1 in the third year following that in which the real property taxes become owing.

The subject property has tax arrears from 2008, therefore a tax arrears certificate was registered against the lands on September 13, 2011. The Act provides that the land will be sold by public sale if the cancellation price is not paid within one year following the date of registration of the tax arrears certificate.

The cancellation price includes all tax arrears and current taxes owing, interest and penalties and all reasonable costs incurred by the municipality. Tax registration administration fees, search and registration fees, postage and advertising are all deemed to be reasonable costs. Partial payment cannot be accepted unless a tax extension agreement is entered into between the property owner, the spouse of the owner, a mortgagee or a tenant in occupation of the land extending the period of time in which the cancellation price is to be paid.

Notification of tax certificate registration was sent to all interested parties by registered mail on September 15th, 2011. Final Notice was sent by registered mail on June 19th, 2012.

Section 378(1) of the Municipal Act, S.O. 2001, c.25, as amended, provides the municipality with the authority to pass a by-law before the expiry of the one year term authorizing an extension agreement extending the period of time in which the cancellation price is to be paid.

On June 26th, 2012, the property owner's agent met with the Manager of Revenues & Taxation to discuss the tax sale implications. He advised that an offer to purchase and sale was scheduled to close on May 1st, 2012 but it did not materialize. As a result, payment in full of the account in the amount of \$77,444.78 by September 13th, 2012 is not possible.

The property owner requested that Council consider entering into a Tax Extension Agreement in order that part-payment can be made on the account until the property sells.

I have calculated an amortization schedule over a 3 year term which is the maximum term we will extend the process. Monthly payments in the amount of \$3,550.00 would be required to bring the account up to date within a three (3) year time frame.

The property owner has agreed with the terms, specifically, \$3,550.00 per month by way of pre-authorized payment arrears plan from October 1, 2012.

OPTIONS/ANALYSIS:

Option A

The City could choose not to grant the extension requested and proceed with tax sale of the property at the expiration of the one year time period being September 13, 2012.

Option B

The City could choose to grant the extension as outlined.

The property owner is experiencing financial difficulty, however, has committed to the payment terms and is aware of the repercussions should he default.

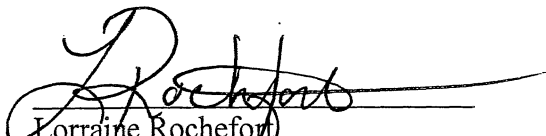
The extension agreement stipulates that in the event of any default whatsoever under the Agreement, the Treasurer shall proceed with public sale of the lands without further

Notice. Also, the cancellation price can be paid in full at any time and the extension agreement would be terminated and a cancellation certificate issued.

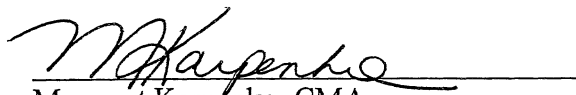
RECOMMENDED OPTION:


That the Corporation of the City of North Bay enter into a Tax Extension Agreement with Evelyne Abraham in Trust for payment of all outstanding taxes, penalty, interest and costs on the property known as 151 Main Street East, North Bay, more particularly described as Part of Lot 16, Plan 10, Widdifield, as in NB150673, North Bay, District of Nipissing.

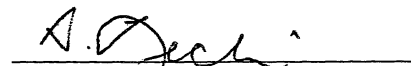
Respectfully submitted,


Lorraine Rochefort
Manager of Revenues & Taxation

We concur in this report and recommendation:


Margaret Karpenko, CMA
Chief Financial Officer/Treasurer


Daye Linkie,
Chief Administrative Officer


Peter Leckie,
City Solicitor

Personnel designated for continuance: Manager of Revenues & Taxation

City of North Bay

#8

Report to Council

JUL 26 2012

Report No: CSBU 2012 - 57

DATE: July 25, 2012

Originator: Beverley Hillier, Manager, Planning Services

CLERK'S DEPT.

Subject: Laurentian Heights Ltd. – Request for Redline Amendment
File No. 48T-93101 – Plan of Subdivision

File No: D12/2004/SUBDI/LAURENT

RECOMMENDATION

That the request from Exp. Services Inc. on behalf of Laurentian Heights Ltd. to revise the Draft Approved Plan of Subdivision (File No. 48T-93101) as indicated in Report to Council No. CSBU 2012 - 57, be approved.

BACKGROUND

Exp. Services Inc. on behalf of Laurentian Heights Ltd. has requested an amendment to the Draft Approved Laurentian Heights Ltd. Plan of Subdivision. The changes being requested to the Draft Approved Plan of Subdivision are within the boundary of the lands that have been given Draft Approval. The intention of the Redline Amendment is to separate one lot into two (2) lots on the south side of Surrey Drive. Council previously approved the merger of the two lots into one through Report to Council CSBU 2012-43 (May 2012). The request has come as a result of a change in design plans from a potential purchaser.

ANALYSIS / OPTIONS

The changes being requested to the Draft Approved Plan of Subdivision are within the boundary of the lands that have been given Draft Approval. The proposed Redline Amendment has been reviewed by the Engineering Department. Engineering has indicated no objections to the proposed amendment.

The developer and future property owners will be required to adhere to all conditions of Draft Approval previously approved by Council.

All lots created will comply with the regulations contained in Zoning By-law 28-80.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

The revised plan was reviewed by Engineering and Environmental Services and Planning Services. There are no objections to the proposed Redline Amendment. The proposed revisions do not have any financial implications for the City.

Option 1:

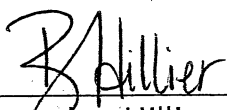
Deny the request to revise the Approved Draft Plan.

Option 2:

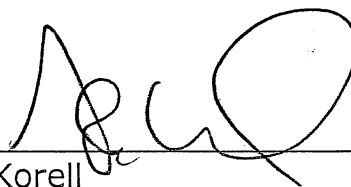
Approve the revisions as requested and as presented in this report.

Option 2, is the recommended option. The proposed Redline Amendment continues to satisfy the requirements of Zoning By-law 28-80.

Respectfully submitted,



Beverley Hillier, MCIP, RPP
Manager, Planning Services



Alan Korell
Managing Director, Engineering,
Environmental Services & Works

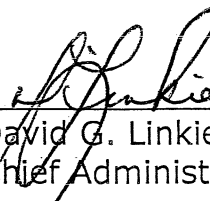
BH/AK/dlb

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We concur with this report and recommendations.



Peter Chirico
Managing Director, Community Services



David G. Linkie
Chief Administrative Officer

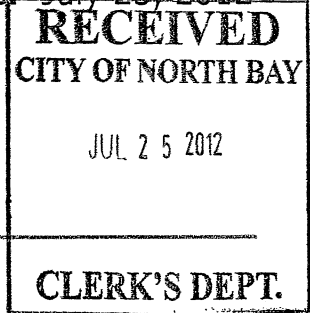
Report to Council

Report No.: CSBU 2012 - 58

Date: July 25, 2012

Originator: Beverley Hillier, Manager, Planning Services
Rick Evans, Manager, Economic Development

Subject: North Bay Gaming Facility (Casino)



RECOMMENDATION

That Report to Council No. CSBU 2012 - 58 regarding the North Bay Gaming Facility (Casino) be referred to the Community Services Committee for a Public Meeting to be held at a Special Meeting of Committee on August 22, 2012 at 6:00 p.m.

BACKGROUND

This report does not seek to analyze the pros and cons of a new gaming facility within the Community but rather set out some background information on gaming sites and the options available to Council to seek public input into the potential of a gaming site being located in North Bay.

On May 17th, 2012, the Ontario Lottery and Gaming Corporation (OLG) issued a Request for Information (RFI) to solicit input from the private sector regarding their interest in participating in the gaming industry. The Province is looking to modernize gaming in Ontario and is developing a multi-faceted strategy which includes revamping lotteries, adding an internet-based component and building new casino/gaming facilities. To accomplish these goals, the Province intends to open the gaming industry to the private sector. There are certain responsibilities the Province has stated they will be keeping. For example, the Province will remain responsible for client relations, maximum number of gaming positions and betting limits. However, capital construction and operation of facilities are planned to be turned over to the private-sector.

ANALYSIS / OPTIONS

Gaming Zones

The Request for Information put out by OLG contains maps identifying 29 "Gaming Zones" within the Province. The purpose of the Gaming Zones is to identify areas where a gaming facility could be located. Of the 29 defined zones, five are newly designated zones that are being considered for the establishment of new gaming facilities. OLG has undertaken an extensive process including customer analysis, geographic location and demographic review to determine specific areas to establish gaming facilities. The N5 zone is identified as one of the new five zones and identifies the City of North Bay, specifically, as a site for a new gaming facility.

This means should the City of North Bay express interest in hosting a gaming facility and should an appropriate private-sector partner emerge, North Bay would be the location of one of five new casinos/gaming facilities. The N5 zone allows for up to 300 slot machines and a yet to-be-determined number of table games.

Should the City of North Bay indicate we are not in favour of a gaming facility an alternate location will be explored.

Part of the regulations (Ont. Reg. 81/12) sets out specific requirements for the OLG and municipalities to follow before OLG will consider a new gaming facility in a new municipality. As part of these requirements the municipality must seek public input into the establishment of the proposed gaming site and provide to OLG, in writing, a description of the steps it took to do so and a summary of the public input it received.

In addition, to be considered as a site for a new gaming facility, the municipal Council must pass a resolution supporting the establishment of the gaming site in the municipality and give a copy of the resolution to the OLG.

Public Process

As mentioned, there is a requirement to seek public input into the establishment of a gaming facility within the community. There are a number of options available to Council that have been utilized in other communities including a virtual town hall (on-line forum/survey), social meeting and public meetings.

It is recommended Council hold a Public Meeting at a Special Meeting of Committee to obtain input from the public on the proposed gaming facility. In addition, information material will be posted online on the City's website and the public can submit written comments directly to the City Clerk.

A supplemental report will be prepared by Staff after the Public Meeting summarizing public input and providing Council with Staffs' opinion on various issues raised.

Timing

The OLG has indicated they require expressions of interest to be received by the beginning of October 2012 to be considered in their process. In order to meet this timeline, it is proposed the Public Meeting be held on August 22, 2012.

Option 1:

Do not seek public input into the proposed gaming facility.

This option is not recommended as it is not only important for Council to receive public input; the municipality must demonstrate to the OLG the public has had an opportunity for input.

Option 2:

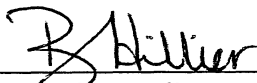
Seek public input into the proposed gaming facility through a Public Meeting. This option is recommended. It will give the public an opportunity to voice their opinion with respect to a gaming facility in North Bay. Seeking input from the public does not solidify a Council decision; however, it is required before Council can pass a Resolution either in support of, or not in support, of a new gaming facility in North Bay.

RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option 2, is the recommended option.

That this report be referred to the Community Services Committee for a Public Meeting to be held at a Special Meeting of Committee on August 22, 2012 at 6:00 p.m.

Respectfully submitted,



Beverley Hillier, MCIP, RPP
Manager, Planning Services



Rick Evans
Manager, Economic Development

BH/dlb

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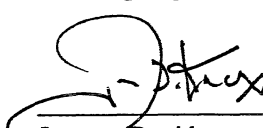
We concur with this report and recommendation.



Peter Chirico
Managing Director, Community Services



Peter E.G. Leckie
City Solicitor



Jerry D. Knox
Chief Administrative Officer

Personal designated for continuance: Manager, Planning Services
Manager, Economic Development

CITY OF NORTH BAY**REPORT TO COUNCIL**

Report No: CORP 2012-91

July 20, 2012

Originator: Paul Valenti

Subject: Tender 2012-54 Construction of Steve Omischl Sports Field Complex South
Parking Lot

RECOMMENDATION:

That North Bay City Council approve the award of a contract to Miller Paving North Bay, a Division of Miller Paving Limited in the amount of \$224,104.82 (plus HST) for the construction of the Steve Omischl Sports Field Complex South Parking Lot.

BACKGROUND:

Parking at the Steve Omischl Sports Field Complex is in high demand when programming is scheduled on all fields. The South Parking Lot has been identified for use as overflow parking and an emergency vehicle access route to the fields. Improvements to the entrance of this parking lot should assist with entrance and departure of vehicles and improved traffic flow in this area. These measures will better serve the facility; however, they may not fully address maximum parking demands. Upgrades to the south parking lot will include grading, installation of asphalt, recycled asphalt, and jersey barriers to maximize the size and efficiency of this parking area and therefore provide safer access to the facility.

The tender was advertised publicly in accordance with the City purchasing policy. Nine (9) tender packages were distributed. The tender closed on July 11, 2012. Four (4) tenders were received and evaluated by the Purchasing Manager, Facilities and Parking Supervisor, and Engineering. The results, excluding HST, are as follows:

Miller Paving North Bay, a Division of Miller Paving Limited	\$224,104.82
Bruman Construction Inc.	\$229,794.25
MX Constructors Inc.	\$238,044.00
Pioneer Construction Ltd.	No Bid*

The tender submitted by Pioneer was incomplete and noted "No Bid".

The cost is considered fair and reasonable.

ANALYSIS / OPTIONS:

1. Award the contract to the lowest responsive tenderer meeting the required specifications.

-
2. Do not award this contract. This option is not recommended. Availability of parking, traffic flow, and safety concerns will continue to be an issue.
-

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option #1 is recommended as follows:

That North Bay City Council approve the award of a contract to Miller Paving North Bay, a Division of Miller Paving Limited in the amount of \$224,104.82 (plus HST) for the construction of the Steve Omischl Sports Field Complex South Parking Lot.

The net cost to the City for this project (including HST less the HST rebate) is \$228,049.51.

Sufficient funding for the project is available and will be allocated as follows:

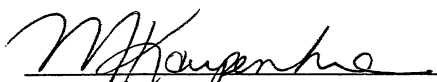
- \$104,500.00 from the 2012 Community Services Capital Budget, Project 6070PR; authorized by By-Law No. 2012-145, dated June 4, 2012.
 - \$123,549.51 from the 2011 Community Services Capital Budget, Project 6019PR; authorized by By-Law No. 2011-37, dated March 7, 2011.
-

Respectfully submitted,

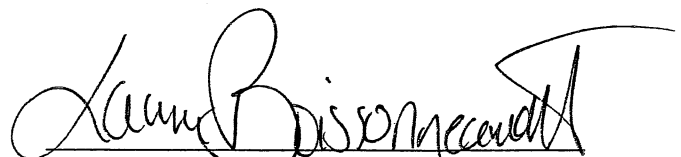


Paul Valenti
Manager of Purchasing

We concur in this report and recommendation.



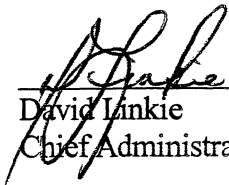
Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Peter Chirco
Managing Director,
Community Services



David Linkie
Chief Administrative Officer

Personnel designated for continuance: Supervisor, Facilities and Parking

Attachments: Tenders

**CITY OF NORTH BAY
REPORT TO COUNCIL**

Report No: CORP 2012-94

July 24, 2012

Originator: Al Lang

Subject: Tender No. 2012-56 West Ferris Community Centre Roof Rehabilitation

RECOMMENDATION:

That North Bay City Council approves the award of a contract to Designed Roofing Inc. in the amount of \$213,000 (excluding HST) for replacement of all flat roofs and other associated works at West Ferris Community Centre.

BACKGROUND:

The design of the roofs at the West Ferris Community Centre allows snow and ice to build along the junction of the roof over the rink and the dressing room roof. This snow loading results in yearly operating costs to remove the snow and subsequently, the repair of both the interior and exterior damage caused by it. This project will address the issues that cause the damage. Other works include the reroofing of a small roof over a back storage area and water gutters at the front canopy.

A tender was publicly advertised in accordance with the City of North Bay's Purchasing Policy. Five (5) tender packages were distributed. The tender closed July 18, 2012. Three (3) tenders were received and evaluated by the Facilities and Parking Supervisor, Arenas and Facilities Manager and the consulting firm of J. L. Richards. The results are as follows:

Firm	Tender Price (excluding HST)
Designed Roofing Inc.	\$213,000.00
Blanchfield Roofing Company Limited	\$225,295.00
J. G. Fitzgerald & Sons Limited	\$235,425.00

The tender provided by Designed Roofing Inc. in the amount \$213,000.00 (excluding HST) is considered fair and reasonable.

ANALYSIS / OPTIONS:

1. That North Bay City Council approves the award of a contract to Designed Roofing Inc. in the amount of \$213,000 (excluding HST) for replacement of all flat roofs and other associated works in West Ferris Community Centre.

-
2. Do not award a contract. This option is not recommended. The roofing has deteriorated and requires attention. Work will be required on an ongoing basis using operating dollars to ensure the area is safe to the public.
-

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option 1 is recommended as follows:

That North Bay City Council approves the award of a contract to Designed Roofing Inc. in the amount of \$213,000 (excluding HST) for replacement of all flat roofs and other associated works in West Ferris Community Centre.

Sufficient funds have been allocated and remain in the 2012 Community Services Capital Budget, Project No. 6066RF- Arenas Rehabilitation Pete Palangio and West Ferris Arenas; authorized with By-law No. 2012-21 dated February 6, 2012.

Respectfully submitted,



Al Lang,
Director of Financial Services

We concur in this report and recommendation.

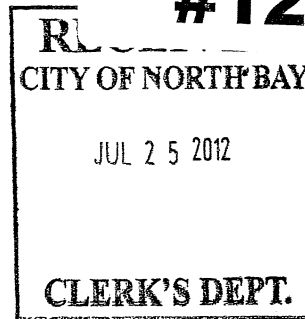


Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer

#12



City of North Bay

Report to Council

Report No.: ESS-202-043
Originator: Domenic Schiavone
Director, Public Works

Date: July 25, 2012

Subject: No Parking Pearce St. from Airport Rd. to Francis St.

RECOMMENDATION

That a by-law be created restricting parking along Pearce St. from Airport Rd. to Francis St.

BACKGROUND

In 2011 a capital project was undertaken along Pearce St. involving the reconstruction between Airport Rd. and Francis St. This also included the addition of a new intersection with street lights at Pearce St. and Airport Rd. The new intersection was designed to allow vehicular traffic a safe route onto Airport Rd. thus increasing traffic on Pearce St. Currently parking is permitted along Pearce St. between Airport Rd. and Francis St. With the increased traffic, parked vehicles have created a safety hazard which could be eliminated by imposing no parking along Pearce St. between Airport Rd. and Francis St.

OPTION/ANALYSIS

Option 1 – Proceed with the Authorizing By-law to restrict parking

That Council proceeds with the authorizing by-law to approve no parking along Pearce St. from Airport Rd. to Francis St.

Option 2 – Continue to allow parking

That Council continues to allow parking along Pearce St.

RECOMMENDED OPTION

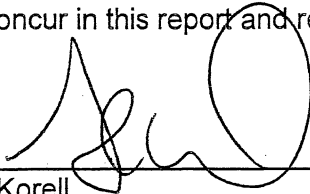
That a Council approves Option 1, restricting parking along Pearce St. from Airport Rd. to Francis St.

Respectfully submitted,




Domenic Schiavone
Director, Public Works

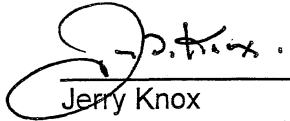
We concur in this report and recommendation.



Alan Korell,
Managing Director Engineering, Environmental
Services, and Works



Ron Melnyk
Bylaw Enforcement Coordinator



Jerry Knox
Chief Administrative Officer

Person designated for continuance: Scott Franks

Copy for: Cathy Conrad

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-77

**BEING A BY-LAW TO CONFIRM PROCEEDINGS
OF THE MEETING OF COUNCIL ON
JULY 16, 2012**

WHEREAS the *Municipal Act, R.S.O. 2001*, Chapter 25, (the "Act") Section 5(1), provides that the powers of a municipal corporation shall be exercised by Council;

AND WHEREAS Section 5 (3) of the Act provides a municipal power, including a municipality's capacity, rights, powers and privileges under section 9 of the Act, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise and any of the matters shall be implemented by the exercise of the natural person powers;

AND WHEREAS in many cases action which is taken or authorized to be taken by Council does not lend itself to the passage of an individual by-law;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. That the actions of the Council of The Corporation of the City of North Bay at its meeting held on July 16, 2012 in respect of each motion, resolution and other action passed and taken by the Council at its said Meeting is, except where the prior approval of the Ontario Municipal Board or other authority is by law required, hereby adopted, ratified and confirmed.
2. That where no individual by-law has been passed with respect to the taking of any action authorized in or by the Council mentioned in Section 1 hereof or with respect to the exercise of any powers of the Council, then this by-law shall be deemed for all purposes to the by-law required for approving and authorizing the taking of any action authorized therein or thereby required for the exercise of any powers therein by Council.
3. That the Mayor and the proper officers of The Corporation of the City of North Bay are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required, and to execute all documents as may be necessary and directed to affix the corporate seal to all such documents as required.

READ A FIRST TIME IN OPEN COUNCIL THIS 30TH DAY OF JULY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 30TH DAY OF JULY, 2012.

cc
READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 30TH DAY OF JULY, 2012.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-169

**BEING A BY-LAW TO STOP UP, CLOSE AND CONVEY
A PORTION OF THE UNOPENED DECAIRE ROAD ALLOWANCE
IN THE CITY OF NORTH BAY**

WHEREAS it is deemed expedient and in the interest of The Corporation of the City of North Bay that part of the unopened Decaire Road Allowance be closed, stopped up and sold to the abutting owners;

AND WHEREAS by Resolution No. 2012-330 passed on the 14th day of May 2012, Council approved the closure of the unopened portion of the Decaire Road Allowance in the block bounded by Pinewood Park Drive, Highway 11 South and Cook's Creek;

AND WHEREAS the unopened portion of the Decaire Road Allowance in the block bounded by Pinewood Park Drive, Highway 11 South and Cook's Creek is hereby declared to be surplus;

AND WHEREAS notice of this by-law was published once a week for two consecutive weeks in the North Bay Nugget, published in the City of North Bay;

AND WHEREAS no person has claimed that his lands will be prejudicially affected by the passing of this by-law nor applied to be heard in person or by his counsel, solicitor, or agent, the Council of the City nor a Committee of said Council;

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. That certain part of the unopened portion of the Decaire Road Allowance in the block bounded by Pinewood Park Drive, Highway 11 South and Cook's Creek designated as Parts 5, 6, 7 and 8 on Reference Plan 36R-13287 is hereby closed and stopped up.
2. The City shall transfer Parts 5, 6 and 8, Plan 36R-13287 to the owners of the lands abutting thereon, their successors or assigns, upon receipt of the consent in writing of the abutting registered owner, if the transfer is to be to a person other than the abutting registered owner.
3. This by-law comes into force and effect upon a certified copy of the by-law being registered in the Land Titles Office for the District of Nipissing.

READ A FIRST TIME IN OPEN COUNCIL THE 16TH DAY OF JULY, 2012.

cc READ A SECOND TIME IN OPEN COUNCIL THE 16TH DAY OF JULY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THE 30TH DAY OF JULY, 2012.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-179

**BEING A BY-LAW TO AUTHORIZE THE
EXECUTION OF A PURCHASE AGREEMENT
WITH GREENING CANADA FUND L.P.
RELATING TO CARBON EMISSION REDUCTION
CREDITS**

WHEREAS the Purchase Agreement with Greening Canada Fund L.P. for carbon emission reduction credits generated by the Merrick Landfill Site was approved by Resolution No. 2012-436 passed by Council on the 3rd day of July, 2012;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. That The Corporation of the City of North Bay enter into an Agreement dated the 11th day of July, 2012 with Greening Canada Fund L.P. relating to carbon emission reduction credits generated by the Merrick Landfill Site.
2. That the Mayor and Clerk of The Corporation of the City of North Bay are hereby authorized to execute that certain Agreement between The Corporation of the City of North Bay and Greening Canada Fund L.P. and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 30TH DAY OF JULY, 2012.

cc. READ A SECOND TIME IN OPEN COUNCIL THIS 30TH DAY OF JULY, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 30TH DAY OF JULY, 2012.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-180

**BEING A BY-LAW TO AMEND BY-LAW NO. 2011-123
(A BY-LAW TO AUTHORIZE USER FEES
FOR CITY DEPARTMENTS)
(ENGINEERING, ENVIRONMENTAL SERVICES & WORKS'
DEPARTMENT - SCHEDULE "D")**

WHEREAS Council passed Engineering & Works Committee Report No. 2012-03 at its Regular Meeting held on Monday, July 16, 2012 to amend Schedule "D" to User Fee By-law No. 2011-123 for water rates payable for the supply of water from the dispensing facility on Patton Road and sewage rates payable for the dumping of sewage loads at the facility on Patton Road.

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

1. Schedule "D" to By-law No. 2011-123 is hereby deleted and the attached Schedule "D" is hereby inserted in lieu thereof.
2. This By-law comes into effect on August 1, 2012.

READ A FIRST TIME IN OPEN COUNCIL THIS 30TH DAY OF JULY, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 30TH DAY OF JULY, 2012.

cc. READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 30TH DAY OF JULY, 2012.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

THIS IS SCHEDULE "D" TO BY-LAW NO. 2012-180 OF THE CORPORATION OF THE CITY OF NORTH BAY.

The user fees charged by the Engineering, Environment Services & Works' Department shall be as follows:

	2011 June 1- Dec 31	2012	2013	2014
Property Status Inquiry	\$60	\$65	\$70	\$75
* Photocopies (per page)	\$0.60	\$0.60	\$0.60	\$0.60
Engineering Review and Approvals Fee (Subdivision Agreement)	3% of the estimated cost of the installation of the services or \$1,000, whichever is greater	3% of the estimated cost of the installation of the services or \$1,000, whichever is greater	3% of the estimated cost of the installation of the services or \$1,000, whichever is greater	3% of the estimated cost of the installation of the services or \$1,000, whichever is greater
Engineering Review and Processing of Service Contracts	3% of the estimated cost of the works (Min. \$50 – Max \$250)	3% of the estimated cost of the works (Min. \$50 – Max \$250)	3% of the estimated cost of the works (Min. \$50 – Max \$250)	3% of the estimated cost of the works (Min. \$50 – Max \$250)
* Concrete Curb & Gutter (Includes removal of existing if required. Restoration extra.)	\$195 per lineal metre Min. charge \$465	\$200 per lineal metre Min. charge \$470	\$205 per lineal metre Min. charge \$475	\$210 per lineal metre Min. charge \$480
* Concrete Sidewalk (Includes removal of existing if required. Restoration extra.)	\$140 per lineal metre Min. charge \$465	\$145 per lineal metre Min. charge \$470	\$150 per lineal metre Min. charge \$475	\$155 per lineal metre Min. charge \$480
* Interlocking Concrete Pavers	\$100 per sq. m.	\$105 per sq. m.	\$110 per sq. m.	\$115 per sq. m.
* Hot Mix Asphalt (per tonne) (Includes cutting and removal as necessary).	Contract cost plus \$45 to nearest \$5	Contract cost plus \$50 to nearest \$5	Contract cost plus \$55 to nearest \$5	Contract cost plus \$60 to nearest \$5
* Rock Excavation	Blasting Contract Plus \$225 per cubic metre	Blasting Contract Plus \$230 per cubic metre	Blasting Contract Plus \$235 per cubic metre	Blasting Contract Plus \$240 per cubic metre
* Fire Hydrant Maintenance (All private hydrants will be required to have City do work.)	\$125 each, Summer \$300 each, Winter	\$130 each, Summer \$310 each, Winter	\$135 each, Summer \$320 each, Winter	\$140 each, Summer \$330 each, Winter
* Water Off or Water On (Only one charge if both turns completed within 30 minutes of first turn.)	\$70 reg. hours \$105 after reg. hours	\$75 reg. hours \$110 after reg. hours	\$80 reg. hours \$115 after reg. hours	\$85 reg. hours \$120 after reg. hours
* Sewer Rodding (Blockage within entire service length responsibility of owner.)	\$75 reg. hours \$105 after reg. hours	\$80 reg. hours \$110 after reg. hours	\$85 reg. hours \$115 after reg. hours	\$90 reg. hours \$120 after reg. hours
* Power Sewer Rodding	\$175 reg. hours \$215 after reg. hours	\$180 reg. hours \$220 after reg. hours	\$185 reg. hours \$225 after reg. hours	\$190 reg. hours \$230 after reg. hours

User fees charged by the Engineering, Environment Services & Works' Department continued:

	2011 June 1- Dec 31	2012	2013	2014
* Camera Inspection of Service	\$185 reg. hours \$225 after reg. hours	\$190 reg. hours \$230 after reg. hours	\$195 reg. hours \$235 after reg. hours	\$200 reg. hours \$240 after reg. hours
* Thawing of Water Service (Flat fee for max. of 3 hrs - successful or not)	\$350 reg. hours \$585 after reg. hours	\$355 reg. hours \$595 after reg. hours	\$360 reg. hours \$605 after reg. hours	\$365 reg. hours \$615 after reg. hours
	2011 June 1- Dec 31	Effective August 1, 2012	2013	2014
Sale of Water	\$75 for 0 to 2000 gallons \$1050 for seasonal lump Sum Prior to meter initiation	\$3.60/ 1,000 gallons	\$3.60/ 1,000 gallons	\$3.60/ 1,000 gallons
	2011 June 1- Dec 31	Effective August 1, 2012	2013	2014
Septage Waste Receiving	Metered	\$10.00/ 1,000 gallons	\$10.00/ 1,000 gallons	\$10.00/ 1,000 gallons

* HST to be added to fee