

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, OCTOBER 18<sup>TH</sup>, 2004**

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

**CORRESPONDENCE:**

Northern Ontario Medical School                      re Northern Ontario Medical School                      (717)  
Y.M.C.A.    re Temporary road closure - Chippewa Street              (714)

**REPORTS FROM OFFICERS:**

Burke, M.B.    re Ski Hill Funding Agreement                                      (716)  
Burke, M.B.    re Sale of shares in Air Canada Successor                      (720)  
    Corporation  
Burke, M.B.    re McIntyre Street Parking Garage Walkway                      (735)  
Burke, M.B.    re Ontario Clean Water Agency - replacement                      (736)  
    of fire pump at CFB North Bay  
Burke, M.B.    re Feronia Tower Lease    (737)  
Celentano, J.J.    re Provincial Protected Area Legislation                      (719)  
    Review (Provincial Parks, Conservation  
    Reserves, Wilderness Areas)  
Conrad, C.M.    re Northern Ontario Medical School                                      (717)  
Elliott, G.    re Riverbend Road bridge repair options                      (712)  
Knox, J.D.    re Heritage Festival SWOT Team Report                              (713)  
Korell, A.    re Temporary road closure - Chippewa Street                      (714)  
Linkie, D.G.    re Code of Ethics Policy    (718)  
Manning, J.    re Tender 2004-123, 565 Widdifield Station                      (731)  
    Road  
Manning, J.    re Tender 2004-152, 13 Crawford Drive                              (732)  
Manning, J.    re Tender 2004-120, 333 Fifth Avenue East                      (733)  
Manning, J.    re Tender 2004-128, 144 Campbell Avenue                      (734)  
McCullough, E.A.    re Fire Underwriters Survey Grading                              (711)  
Rogers, B.A.    re User Fee By-Law - *Municipal Act*, 2001                      (715)

**Res. #2004-706:** Moved by Councillor Chirico, seconded by Councillor Mendicino  
That minutes for the meeting held:

- Monday, October 4, 2004; and
- Tuesday, October 12, 2004

be adopted as presented.

"CARRIED"

**Res. #2004-707:** Moved by Councillor Chirico, seconded by Councillor Bain  
That General Government Report No. 2004-15 relating to:

- set fine and short form wording for bicycles on sidewalks

be adopted as presented.

"CARRIED"

**GENERAL GOVERNMENT COMMITTEE REPORT NO. 2004-15**

October 18, 2004

TO THE COUNCIL

Your Worship and Councillors:

The General Government Committee presents Report No. 2004-15 and recommends:

1. That Council authorize an application for approval of a set fine of \$50.00 and short form wording for an offence of "Ride bicycle upon sidewalk" contrary to Traffic & Parking By-Law No. 2002-01.

All of which is respectfully submitted.

ASSENTS  
CHIRICO  
BAIN  
VAILLANCOURT  
FEDELI

DISSENTS

- Res. #2004-708: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That Community Services Committee Report No. 2004-26 relating to:
- Rezoning application by Laurent Girard on behalf of Eric Girard,  
Highway 63

be adopted as presented.

"CARRIED"

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2004-26**

October 18, 2004

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2004-26 and recommends:

1. That the proposed Zoning By-Law Amendment by Laurent Girard on behalf of Eric Girard to rezone Concession "A", West ½ of Lot 7, Plan 36R-9520, Part 2 (Highway 63) from a "Rural Extractive Industrial (RME)" zone to a "Rural (A)" zone be approved.

All of which is respectfully submitted.

ASSENTS  
MENDICINO  
KOZIOL  
MAROOSIS  
FEDELI

DISSENTS

- Res. #2004-709: Moved by Councillor Mason, seconded by Councillor Boldt  
That Engineering & Works Committee Report No. 2004-18 relating to:

- the haulage of road salt

be adopted as presented.

"CARRIED"

**ENGINEERING & WORKS COMMITTEE REPORT NO. 2004-18**

October 18, 2004  
**October 18, 2004**

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2004-18 and recommends:

1. That North Bay City Council approve a contract be issued to K & D Leasing (Arnstein) Inc. in the estimated amount of \$91,699.00 (GST inc.) to haul road salt from Parry Sound, Ontario to the City Yards at Franklin Street as set out in the tender for the 2004/2005 Winter Season. The contract shall be conditional upon acceptance of the proposed vehicle.

All of which is respectfully submitted.

ASSENTS  
MASON  
BOLDT  
CAMPBELL  
FEDELI

DISSENTS

Res. #2004-710: Moved by Councillor Chirico, seconded by Councillor Mendicino  
That Striking Committee Report No. 2004-10 relating to:

- appointments to the Waste Resources Liaison Committee  
be adopted as presented.

“CARRIED”

**STRIKING COMMITTEE REPORT NO. 2004-10**

October 18, 2004

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

Your Worship and Councillors:

The Striking Committee presents Report No. 2004-10 and recommends as follows:

1. That the following persons be appointed to the Waste Resources Liaison Committee to fill the unexpired terms of Ralph Butler and the Canadian Forces Base representative:

Craig Bridges; and  
Hendrik Pape.

All of which is respectfully submitted.

Res. #2004-711: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That Council 1) receive the Fire Underwriters Survey Grading report  
for the City of North Bay dated September 22, 2004;  
and

- 2) direct the Fire Chief to report on a strategy to achieve a Public Fire Protection Classification (PFPC) of Class 3 in Hydrant Protected Area (H.P.A.).

“CARRIED”

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**October 18, 2004**

Res. #2004-712: Moved by Councillor Mason, seconded by Councillor Boldt  
That the report from G. Elliott dated September 28, 2004 re Riverbend Road bridge repair options be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2004-713: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That 1) the report submitted by the Heritage Festival SWOT Team dated October 12, 2004 to the Managing Director, Community Services be received by Council and referred to the Community Services Committee;

2) the SWOT Team be thanked for their efforts;

3) the SWOT Team be concluded; and

4) a copy of the report be forwarded to the Heritage Festival Management Committee for consideration.

“CARRIED”

Res. #2004-714: Moved by Councillor Mason, seconded by Councillor Boldt  
That the temporary road closure for August 14, 2005, as requested by the YMCA, be approved as set out in the Director of Public Works & Services report dated the 12<sup>th</sup> day of October 2004.

“CARRIED”

Res. #2004-715: Moved by Councillor Chirico, seconded by Councillor Bain  
That the City Clerk prepare and present new User Fee By-Laws to confirm the current fees and charges in place for sanitary sewer and waste management.

“CARRIED”

Res. #2004-716: Moved by Councillor Chirico, seconded by Councillor Bain  
That Council approve an Agreement between the City and the Laurentian Ski Hill Snowboarding Club to provide \$150,000.00 for start-up contingency costs related to the Ski Hill.

“CARRIED”

Res. #2004-717: Moved by Councillor Chirico, seconded by Councillor Bain  
That Council 1) confirm Deputy Mayor Peter Chirico as the City of North Bay’s representative to the Advisory Committee to the Northern Ontario Medical School’s Health Research & Innovation Project; and

- 2) authorize the payment of a \$5,000.00 contribution to the Northern Ontario Medical School’s Health Research & Innovation Project.

“CARRIED”

Res. #2004-718: Moved by Councillor Chirico, seconded by Councillor Bain  
That City Council approve the amended Municipal Code of Ethics as revised October 1, 2004 and attached to Report No. CAO 2004-20.

“CARRIED”

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**October 18, 2004**

Res. #2004-719a: Moved by Councillor Boldt, seconded by Councillor Campbell  
That the report from J.J. Celentano dated October 13, 2004 re Provincial Protected Areas Legislation Review be referred to the Community Services Committee.

“LOST”

Res. #2004-719b: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That

- 1) Council endorse a new guiding principle for protected areas legislation to include the concept of mixed use in order to promote sustainable development on a case-by-case basis;
- 2) the Province, in managing protected areas located within organized municipalities, have regard for local Official Plan Policy as adopted under the *Planning Act*;
- 3) the Province consider the addition of snowmobile, ATV or cross-country ski trails as permitted Non-Industrial Uses in protected areas on a case-by-case basis;
- 4) the Province consider consolidating all protected areas legislation under a single law in order to provide clarity, consistency of process, procedures for amendments and opportunities for appeal to administrative tribunals; and
- 5) Council forward these recommendations to the Legislation Review Committee and be notified of progress on protected areas legislation by the Province.

“CARRIED”

Res. #2004-720: Moved by Councillor Chirico, seconded by Councillor Bain  
That Council approve the sale of 573 shares in ACE Aviation Holdings Inc. representing the 10% of proceeds from the arrears outstanding at the time the creditor protection process began for Air Canada.

“CARRIED”

Res. #2004-721: Moved by Councillor Chirico, seconded by Councillor Bain  
That the following by-law be read a first and second time:

By-Law No. 2004-170 to authorize the Lakeside Drive sanitary sewer.

“CARRIED”

Res. #2004-722: Moved by Councillor Chirico, seconded by Councillor Bain  
That the following by-law be read a first and second time:

By-Law No. 2004-170 to authorize the Lakeside Drive sanitary sewer.

“CARRIED”

Res. #2004-723: Moved by Councillor Chirico, seconded by Councillor Bain

That the following by-laws be read a first and second time:

By-Law No. 2004-172 to authorize an Agreement with Her Majesty the Queen in Right of Ontario as represented by The Chair of the Management Board of Cabinet relating to an easement conveyance (Trout Lake Road-Pier 63).

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October 18, 2004

By-Law No. 2004-173 to authorize the Agreement of Purchase and Sale with Conseil Scolaire Catholique Franco-Nord relating to the CN Right-of-Way.

“CARRIED”

Res. #2004-724: Moved by Councillor Chirico, seconded by Councillor Bain  
That the following by-laws be read a third time and passed:

By-Law No. 2004-172 to authorize an Agreement with Her Majesty the Queen in Right of Ontario as represented by The Chair of the Management Board of Cabinet relating to an easement conveyance (Trout Lake Road-Pier 63).

By-Law No. 2004-173 to authorize the Agreement of Purchase and Sale with Conseil Scolaire Catholique Franco-Nord relating to the CN Right-of-Way.

“CARRIED”

Res. #2004-725: Moved by Councillor Chirico, seconded by Councillor Bain  
That the following by-law be read a third time and passed:

By-Law No. 2004-164 to stop up, close and convey a portion of the Ethel Street road allowance.

“CARRIED”

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

Yeas: Councillors Chirico, Boldt, Bain, Mendicino, Koziol, Mason, Vaillancourt, Mayor Fedeli

Nays: Councillors Maroosis, Campbell

Res. #2004-726: Moved by Councillor Mendicino, seconded by Councillor Koziol  
That the following by-law be read a first and second time:

By-Law No. 2004-171 to rezone certain lands on Highway 63 (Eric Girard-Highway 63).

“CARRIED”

Res. #2004-727: Moved by Councillor Mason, seconded by Councillor Boldt  
That the report from Don Rennick on behalf of the Water Conservation Advisory Committee be received by the Engineering & Works Committee.

“CARRIED”

Res. #2004-728: Moved by Councillor Boldt, seconded by Councillor Mason  
That Minister Takhar be thanked by Council in writing for responding to our

request for details relating to the schedule for completion of Highway 11 and further that Council welcome any future details regarding the ongoing progress of the Highway 11 construction and completion.

“CARRIED”

Res. #2004-729: Moved by Councillor Maroosis, seconded by Councillor Koziol  
That the Chief Administrative Officer be directed to investigate the viability of creating multi-use, that is bicycle and pedestrian where sidewalks currently exist in specific areas of the City.

“CARRIED”

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**October 18, 2004**

Res. #2004-730: Moved by Councillor Chirico, seconded by Councillor Bain  
That Council adjourn in-camera to discuss property matters 11, 12, 13, 14, 15 and 17 and litigation matter 16.

“CARRIED”

Res. #2004-731: Moved by Councillor Chirico, seconded by Councillor Bain  
That North Bay City Council approve that the high conditional bid from Marie Christine Bourdon in the amount of \$12,000.00 (GST extra) be accepted, for the sale of vacant city owned land described as Conc. 4, North Pt. Lot 13, Parcel 487 W&F. The municipal address is 565 Widdifield Station Road. The sale will be finalized only after the condition is removed from the offer.

“CARRIED”

Res. #2004-732: Moved by Councillor Chirico, seconded by Councillor Bain  
That North Bay City Council approve that the high bid from Scott Hayne and Leslie Wallace in the amount of \$56,560.00 (GST extra) be accepted, for the sale of vacant city owned land described as Plan 312, Part of Block A. The municipal address is 13 Crawford Drive.

“CARRIED”

Res. #2004-733: Moved by Councillor Chirico, seconded by Councillor Bain  
That North Bay City Council approve that the high bid from Davis Construction Management Group Ltd. in the amount of \$27,000.00 (GST extra) be accepted, for the sale of vacant city owned land described as Plan 93, Lot 712. The municipal address is 333 Fifth Avenue East.

“CARRIED”

Res. #2004-734: Moved by Councillor Chirico, seconded by Councillor Bain  
That North Bay City Council approve that the high bid from Larry Roy McCormack & Sherry Ann Ilersich in the amount of \$61,100.00 (GST extra) be accepted, for the sale of vacant city owned land described as Plan 555, between Lots 99 and 100. The municipal address is 144 Campbell Avenue.

“CARRIED”

Res. #2004-735: Moved by Councillor Chirico, seconded by Councillor Bain  
That Council agree to pay \$2,000.00 to four of the abutting owners in return for an easement to the parking garage and that Council authorize a parking pass for ten years to the other two owners, all according to the terms set out in Report No. CORP 2004-151 dated October 4, 2004.

“CARRIED”

Res. #2004-736: Moved by Councillor Chirico, seconded by Councillor Bain

That the City Solicitor be authorized to provide a Release to the Ontario Clean Water Agency in return for the replacement of the CFB fire pump, valued at \$34,119.35 in full satisfaction of any municipal damages arising from the loss of water pressure on or about the 18<sup>th</sup> day of May 2004.

“CARRIED”

Res. #2004-737: Moved by Councillor Chirico, seconded by Councillor Bain  
That Council approve a lease for \$1.00 for the Blue Sky High Speed Internet Service tower for the Feronia playground in the form attached to Report No. CORP 2004-163.

“CARRIED”

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**October 18, 2004**

Res. #2004-738: Moved by Councillor Chirico, seconded by Councillor Koziol  
That this meeting do now adjourn.

“CARRIED”

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MAYOR

CITY CLERK