



Council

Agenda

**Regular Meeting of Council
October 15, 2012
at 7:00 p.m.**

MEETINGS

**FOR THE WEEK OF
OCTOBER 15TH, 2012**

Monday, October 15, 2012

7:00 p.m.

Regular Meeting of Council
Council Chambers, 2nd Floor

**THE CORPORATION OF THE CITY OF NORTH BAY
REGULAR MEETING OF COUNCIL HELD
MONDAY, OCTOBER 15TH, 2012**

PUBLIC PRESENTATIONS:

Peter Handley & Bill Jacko	re	North Bay Hall of Fame
Gordan Rennie	re	Speed Limits & 4 Way Stops

PUBLIC MEETING MINUTES:

Saturday, September 22, 2012
Monday, September 24, 2012
Monday, October 1, 2012

COMMITTEE REPORTS:

Nil

CORRESPONDENCE:

1. Report from Alan Korell dated October 9, 2012 re Traffic Concerns – Murray Street, Jane Street and Main Street Areas (T08/2012/TRAF/GENERAL).
2. Report from Steve McArthur dated October 9, 2012 re Part Lot Control Exemption By-Law re 467 & 475 First Avenue East (C00/2012/DEEM/467FIRST).
3. Report from Paul Valenti dated October 9, 2012 re Tender 2012-72, Replacement of Lakeshore Drive Bridge over Lavase River (F05/2013/PUBWO/3001RD).
4. Report from Paul Valenti dated October 9, 2012 re Tender 2012-76, Ski Club Road Watermain Extension – Johnston Road to ONTC Extension (F05/2012/ENVIR/3063WS).
5. Report from Paul Valenti dated October 9, 2012 re Tender 2012-80, Pete Palangio Arena – Dressing Room Dehumidification (F05/2012/PARKS/6066RF).
6. Report from Paul Valenti dated October 9, 2012 re Request for Proposal No. 2012-78, Aircraft Rescue and Fire Fighting Vehicle (F05/2012/FIRE/6063FD).
7. Report from Ian Kilgour dated October 9, 2012 re Replacing Thomson Park and Chippewa Creek Pedestrian Bridges (F05/2012/PARKS/6076PR).

8. Report from Lorraine Rochefort / Laura Boissonneault dated October 1, 2012 re 2013 Water and Sanitary Sewer Rates (F22/2012/TAXR/GENERAL).

BY-LAWS FOR CONSIDERATION:

General Government - First, second and third readings:

By-Law No. 2012-209 to authorize the sale of lands no longer required for municipal purposes to Micro Holdings Ltd. (Mud Lake Road).

By-Law No. 2012-210 to confirm proceedings of the Meeting of Council on October 1, 2012.

By-Law No. 2012-212, being a by-law to amend By-Law No. 1962-2066, to authorize participation in the Ontario Municipal Employees Retirement System.

Community Services – First, second and third readings:

By-Law No. 2012-211 to authorize the execution of a Condominium Agreement between The Corporation of the City of North Bay and Inken Rolller (260 Parsons Avenue).

Engineering & Works – First, second and third readings:

By-Law No. 2012-213 to authorize the execution of an Agreement with Trudel Construction relating to structural repairs to the Primary Clarifier Channels at the Wastewater Treatment Plant.

By-Law No. 2012-214 to authorize the execution of an Agreement with Ontario Electrical Construction Company Limited relating to Emergency Electrical Work at the Wastewater Treatment Plant.

MOTIONS:

Councillor Bain re Ontario Northland Transportation Commission

MOTION TO ADJOURN IN-CAMERA:

IN-CAMERA CORRESPONDENCE:

9. ***Confidential*** report from Peter Leckie / Beverley Hillier dated October 11, 2012 re Solicitor/Client Privilege.

MOTION TO RECONVENE:

MOTION FOR RECONSIDERATION:

GIVING NOTICE:

ADJOURNMENT:

**MINUTES OF THE SPECIAL MEETING
OF CITY COUNCIL
HELD SATURDAY, SEPTEMBER 22, 2012**

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

REPORTS FROM OFFICERS:

Knox, J. Re: Priority Setting (561)

Councillor Anthony left meeting at 11:30 a.m.

Res. #2012-561: Moved by Councillor Lawlor, seconded by Councillor Maroosis
That Council direct the Chief Administrative Officer to prepare
a report summarizing the priorities identified at the Special
Meeting

Record of Vote (Upon Request of Councillor Mendicino)

Yeas: Councillors Mendicino, Mayne, Vaillancourt, Maroosis, Lawlor,
Vrebosch, Koziol, Mayor McDonald

Nays: Nil

Res. #2012-562: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino
That this Special Meeting of Council do now adjourn at 12:00 p.m.

"CARRIED"

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

**MINUTES OF THE PUBLIC MEETING
HELD MONDAY, SEPTEMBER 24, 2012
RE: BUDGET**

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

Councillor Lawlor explained the purpose of the meeting.

1. James Brien
210 Parsons Avenue, North Bay
 - Copy of Presentation Provided
 - Opposed to any additional tax increases

2. Don Rennick
392 Surrey Drive, North Bay
 - Fire Department
 - 2011 expenses were 60% higher than Sudbury
 - Water and Wastewater Facility
 - Council was advised by Staff that the in-house operating costs for this facility would be 3.3 million which would be a \$134,000.00 savings to the City
 - The actual costs as of June 2012 are 3.5 million which is higher than the OCWA contract
 - The City took on the additional commitment of 12 new unionized employees
 - Council need to readdress this matter immediately.
 - North Bay Hydro
 - Hydro needs to stop paying dividends to the City for imaginary costs.
 - In 2012 North Bay Hydro has overcharged their customers 3 million dollars.
 - Employee Compensation
 - The 2006 employee compensation was 11.2%

A zero percent increase is feasible if Council believes it is.

3. Stuart Kidd
601 Anita Avenue, North Bay
 - The ability of people to pay is getting less and less.
 - The loss of the ONTC will have a great impact on the City.
 - North Bay's tax rate is 54% higher than Callander's; 79% higher than East Ferris; 4% higher than Sudury; 88% higher than Huntsville and 18% higher than Peterborough.
 - Our ability in this community to pay is less than other communities.
 - This will come home sooner than later.

4. Isabelle Corbeil
185 Fourth Avenue, North Bay
 - ONTC loss has put the City in a bad situation.
 - As a taxpayer and senior she will loose her house if the taxes keep increasing.
 - Why are you giving the Heritage Festival \$40,000.00 and then asking the taxpayers to dig deeper in their pockets?

5. Jean Marc Filion
135 West Peninsula Road, North Bay
- North Bay has the highest quality of life
 - The more people that live in the City the less the taxes are.
 - The City offers fishing/clean water/forests/cross country skiing/snowshoeing.
 - We are a hub to Sudbury/Ottawa/Toronto.
 - Why can't we be more like Elliott Lake.
 - May be we are not promoting North Bay enough.

cc

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, OCTOBER 1, 2012**

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

PUBLIC PRESENTATIONS:

Colin Vickers/Gord Prisco re Traffic calming on McIntyre Street West
Steve Simpson/Chris Fulton re Copeland/Murray Street Intersection Four Way Stop
Elaine Beckett-Albert re Learning Disabilities Awareness Association

CORRESPONDENCE:

2125069 Ontario Inc. re NordFibre - Freezing Tipping Fees to assist
with Demolition Costs (571)
Dool, Mike & Lori re Laneway Closure – 769 Douglas Street (569)

REPORTS FROM OFFICERS:

Janisse, L. re Mandatory Enrolment in OMERS for Temporary
Full-time Employees (570)
Janisse, L. re Benefits Renewal (574)
McArthur, S. re Laneway closure – 769 Douglas Street (569)
McArthur, S. re Oak Street Road Allowance (583)
Severino, J. re NordFibre – Freezing Tipping Fees to assist
with Demolition Costs (571)
Valenti, P. re Tender 2012-81, Crew Cab Dump Truck (572)
Valenti, P. re Tender 2012-79, Information Centre Parking
Lot Reconstruction (573)

Res. #2012-565: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the public meeting held on:

- Monday, September 17, 2012

be adopted as presented.

"CARRIED"

Res. #2012-566: Moved by Councillor Lawlor, seconded by Councillor Bain
That General Government Committee Report No. 2012-07 relating
to:

- North Bay & District Humane Society – Agreement Renewal

be adopted as presented.

Councillor Anthony declared a conflict of interest as his employer has completed a project for the North Bay and District Humane Society.

Councillor Vaillancourt declared a conflict of interest as he is employed by the North Bay and District Humane Society.

"CARRIED"

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2012-07

September 24, 2012

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2012-07 and recommends:

- 1) That City Council approve City staff to negotiate exclusively with the North Bay & District Humane Society in reaching a multi-year agreement for the provision of Animal Control Services for the City.

All of which is respectfully submitted.

ASSENTS
LAWLOR
BAIN
MAROOSIS
McDONALD

DISSENTS

Res. #2012-567: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That Engineering & Works Committee Report No. 2012-04 relating
to:

- The Stantec State of the Infrastructure Report 2012

be adopted as presented.

"CARRIED"

ENGINEERING & WORKS COMMITTEE REPORT NO. 2012-04

September 24, 2012

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2012-04 and recommends:

- 1) That the Stantec State of the Infrastructure Report 2012 be noted and filed.

All of which is respectfully submitted.

ASSENTS
VREBOSCH
KOZIOL
CAMPBELL
McDONALD

DISSENTS

Res. #2012-568: Moved by Councillor Lawlor, seconded by Councillor Anthony
That accounts totaling \$11,373,135.00 for August 2012 be approved.

"CARRIED"

Res. #2012-569: Moved by Councillor Lawlor, seconded by Councillor Anthony
That 1) the application by Mike & Lori Dool to close a portion of the laneway in the block bounded by Douglas Street, Rose Avenue, Galt Street and High Street in the City of North Bay, legally described as Plan M-32, Part of Lots 84 & 85 and Plan NR-137, Part 3, Remainder of Parcel 2764 in the former Township of Widdifield, as shown on Schedule "A" attached to Report to Council CSBU 2012-67 be approved;

2) the closure of the laneway be subject to the granting of any required easements; and

3) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

"CARRIED"

Res. #2012-570: Moved by Councillor Lawlor, seconded by Councillor Anthony
That City Council enact the following Mandatory Clauses re: Mandatory Membership for Specified Other Than Continuous Full-Time (OTCFT) Employees as requested by OMERS and that the wording as provided by OMERS be used in developing the By-Law:

1) Effective as of the first day of January 2012 (OTCFT Effective Date) the City of North Bay approves mandatory membership in the Primary Plan and the Retirement Compensation Arrangement (RCA) for each person who is employed by the City on other than a continuous full-time basis (OTCFT employee) who is employed in the following class(es) (Specified OTCFT Employees) Temporary Full-Time Employees;

2) A Specified OTCFT employee who commenced employment before the OTCFT Effective Date is entitled to become a member of the Primary Plan and the RCA on the first day of the month following the month in which the Specified OTCFT Employee's application is received by the Administration Committee (AC), provided that the AC may, at the request of the City, fix an earlier date on which the Specified OTCFT Employee becomes a member but not before the date on which the Specified OTCFT Employee became entitled to be a member or the first day of January in the year in which the application is received by the AC, whichever is the later date; and

3) Every person who becomes a Specified OTCFT Employee on or after the OTCFT Effective Date shall, as a condition of employment, become a member of the Primary Plan and the RCA, or if such person is already a member, resume contributions to the Primary Plan and the RCA on the date so employed.

"CARRIED"

Res. #2012-571: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the request from 2125069 Ontario Inc. to freeze 2011 tipping fees at the Merrick Landfill Site for demolition waste generated from the NordFibre site located at 500 Eloy Road at \$75/tonne be approved subject to the following conditions:

- 1) the special tipping fee of \$75/tonne be frozen until December 31, 2012 for this project only;
- 2) the reduced tipping fee only apply to waste materials generated through demolition activities from the NordFibre site;
- 3) the special handling fee applied to processing asbestos (\$200/load) not be waived;
- 4) acceptance is conditional that the owner is compliant with all applicable federal, provincial and municipal regulations pertaining to demolition and transportation of waste materials from the NordFibre demolition site; and
- 5) the owner provide the City with a copy of its Recycling Plan prior to project initiation at which time staff will authorize the final tipping fee rate of \$75/tonne.

"CARRIED"

Res. #2012-572: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt
That City Council approve the award of a contract to George Stockfish Ford Sales (1987) Ltd. in the amount of \$56,454.00 (plus HST), for the purchase of one (1) Crew Cab Dump Truck.

"CARRIED"

Res. #2012-573: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt
That City Council approve the award of a contract to MX Constructors Inc. in the amount of \$291,377.00 (plus HST), for reconstruction of the Information Centre Parking Lot.

"CARRIED"

Res. #2012-574: Moved by Councillor Lawlor, seconded by Councillor Anthony
That City Council approve:

- 1) the renewal of the Employee Group Benefit Programs with Medavie Blue Cross & Manulife Financial effective October 1, 2012 with an overall annual increase of 0.6% or \$18,564.00; and
- 2) that the 2012 ASO Refund in the amount of \$279,765.00 be transferred and held in the Tax Rate Stabilization Reserve 99529.

"CARRIED"

Res. #2012-575: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2012-198 to confirm proceedings of the Meeting of Council on September 17, 2012.

By-Law No. 2012-199 to confirm proceedings of the Meeting of Council on September 22, 2012.

By-Law No. 2012-200, being a by-law to amend 2012-192, to authorize the submission of an application to the Ontario Infrastructure and Lands Corporation (OILC).

By-Law No. 2012-201 to authorize the borrowing upon serial debentures in the principal amount of \$9,800,000.00 towards the cost of certain capital works.

By-Law No. 2012-206 to authorize the sale of lands no longer required for municipal purposes to Giuseppe Bitonti and David Bitonti.

By-Law No. 2012-207 to authorize the sale of lands no longer required for municipal purposes to 1144342 Ontario Inc.

"CARRIED"

Res. #2012-576: Moved by Councillor Lawlor, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2012-198 to confirm proceedings of the Meeting of Council on September 17, 2012.

By-Law No. 2012-199 to confirm proceedings of the Meeting of Council on September 22, 2012.

By-Law No. 2012-200, being a by-law to amend 2012-192, to authorize the submission of an application to the Ontario Infrastructure and Lands Corporation (OILC).

By-Law No. 2012-201 to authorize the borrowing upon serial debentures in the principal amount of \$9,800,000.00 towards the cost of certain capital works.

By-Law No. 2012-206 to authorize the sale of lands no longer required for municipal purposes to Giuseppe Bitonti and David Bitonti.

By-Law No. 2012-207 to authorize the sale of lands no longer required for municipal purposes to 1144342 Ontario Inc.

"CARRIED"

Res. #2012-577: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt
That the following by-law be read a first and second time:

By-Law No. 2012-208 to authorize the execution of an Agreement with Henderson Recreation Equipment Limited relating to the supply and installation of playground equipment structures.

"CARRIED"

Res. #2012-578: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt
That the following by-law be read a third time and passed:

By-Law No. 2012-208 to authorize the execution of an Agreement with Henderson Recreation Equipment Limited relating to the supply and installation of playground equipment structures.

"CARRIED"

Res. #2012-579: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2012-202 to amend Traffic & Parking By-Law No. 2002-001 (Schedule 20 - No Parking Areas Restricted Times - Section 30).

"CARRIED"

Res. #2012-580: Moved by Councillor Vrebosch, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2012-202 to amend Traffic & Parking By-Law No. 2002-001 (Schedule 20 - No Parking Areas Restricted Times - Section 30).

"CARRIED"

Res. #2012-581: Moved by Councillor Lawlor, seconded by Councillor Anthony
That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended, at 8:17 p.m. for the following reasons: Item 8, being a personal matter about an identifiable individual, including municipal or local board employees; and Item 9, being the proposed disposition of lands by the Municipality.

"CARRIED"

Res. #2012-582: Moved by Councillor Lawlor, seconded by Councillor Anthony
That Council reconvene at 8:38 p.m.

"CARRIED"

Res. #2012-583: Moved by Councillor Lawlor, seconded by Councillor Anthony
That 1) the application by The Corporation of the City of North Bay to close an Unopened Portion of Road Allowance (Oak Street) in the block bounded by Main Street East and John Street, as shown as Schedule "A" attached to Report to Council CSBU 2012-68, be approved

- 2) those Unopened Portions of Road Allowance, marked as "(1)" on Schedule "B" attached to Report to Council CSBU 2012-68, be consolidated with City-owned lands, marked as "(2)" on Schedule "B" attached to Report to Council CSBU 2012-68;
- 3) City Council declare that section of Road Allowance marked as "(1)", and those lands marked as "(2)" on Schedule "B", as surplus;
- 4) the closure and sale of the Road Allowance, together with the adjoining City-owned lands, marked as "(2)" on Schedule "B", be subject to the granting of any required easements;
- 5) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject road allowance;
- 6) the portion of land shown as "(3)" on Schedule "B", be dedicated as a part of the realigned Oak Street (Public Highway); and

- 7) Council authorize staff to offer these consolidated lands, marked as "(1)" on Schedule "B", and adjoining City-owned lands, marked as "(2)" on Schedule "B", for sale through a public offering and Request for Proposal process.

"CARRIED"

Res. #2012-584: Moved by Councillor Bain, seconded by Councillor Maroosis
That this Regular Meeting of Council do now adjourn at 8:40 p.m.

"CARRIED"

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD

CITY OF NORTH BAY
REPORT TO COUNCIL

OCT 10 2012
CLERK'S DEPT.

Report No: EEWS 2012-049

Date: October 9 2012

Originator: Alan Korell, P.Eng., MCIP
Managing Director, Engineering, Environmental Services & Works

Subject: Traffic Concerns - Murray, Jane and Main Street Area

RECOMMENDATION

- 1) That
 - a) no four-way stop be installed on Murray Street between Main and Jane Streets;
 - b) Murray Street be made a "School Safety Zone" during the hours that schools in the area are in session;
 - c) the Murray Street and Main Street intersection be improved to allow a right hand turn onto Main Street.
- 2) That
 - a) the McIntyre Street and Copeland Street area between Harvey and Bell Streets be targeted as a pilot area for traffic calming;
 - b) traffic calming be the installation of an all-way stop at Harvey, Durrill and Bell Streets on both McIntyre and Copeland Streets;
 - c) the area be monitored for six (6) months and be the subject of a Supplemental Report to Council regarding its effectiveness and use in other areas of the City.
- 3) That
 - a) the speed limit on all residential streets within the Urban Area of the City of North Bay be 40 km/hr;
 - b) all streets designated collectors and arterial and in the Rural Area be 50 km/hr or as otherwise posted as per Traffic & Parking By-Law No. 2002-001.

BACKGROUND

The City has received many complaints regarding traffic speeding in the Murray, McIntyre and Copeland Street area. The City has had letters, petitions and Council presentations regarding the issue. The City over the past few years has conducted traffic counts and traffic speed surveys (copies attached). Based on the data, we will be discussing the issues in three (3) sections to coincide with the recommendations above.

1) Murray Street between Main Street and Jane Street

Murray Street is classified as a Collector Street. It is the main route used by the travelling public to access Memorial Drive from Algonquin Avenue. The other main traffic movement that affects the area is traffic from Worthington and Front Streets going to Main Street West. We have reviewed the traffic warrants the City has in place and find that neither Murray and Copeland Streets or Murray and McIntyre Streets warrant four-way stops. This is due to the very few vehicles wanting to access Murray Street from either Copeland or McIntyre Streets. It should be noted that when all-way stops have been installed in the past, it is when two (2) collector streets intersect as in; Main and Gormanville; O'Brien and Ski Club; Front and O'Brien; or Jane and Clarence.

The next issue on Murray Street is speed. The average speed on Murray street according to the survey is under the 50 km/hr speed limit. We wish to lower the speed to 40 km/hr when school children are present, therefore recommending a "School Safety Zone" on Murray Street with a flashing light on when reduction in speed is required (will be recommending a ten (10) kilometre reduction in speed in school zones in all collectors and arterial streets in the City in a separate report).

The final issue is access to Main Street. One of the reasons traffic is going down Copeland and McIntyre Streets (see section 2 for more comments), is that the intersection at Murray and Main Streets does not allow for right turning vehicles to turn when a car wanting to go on Memorial Drive is at Main Street. This problem is easily solved with a little bit of curb replacement and some extra paving.

2) McIntyre Street and Copeland Street Traffic Calming

The City of North Bay does not have a traffic calming strategy. The only areas we have attempted traffic calming measures is in the downtown area on Main Street from Algonquin Avenue to Sherbrooke Street and the recently constructed Algonquin Avenue between Worthington Street and Foren Street. The latter was to slow traffic coming south on Algonquin which is a four lane arterial street to where it turns into a two lane street at Worthington.

The reason to look at the traffic calming solution in the Copeland Street and McIntyre Street area is that a growing number of vehicles are using these two (2) streets as a short cut going west instead of the collector streets of Main and Jane.

If you go to many other cities, you can see examples of a strategy of clusters of all-way stops to deter motorists from using residential streets and get them to use the collector street which are designed for this traffic.

It is the recommendation of this report that this strategy of a cluster of all-way stops be installed at Harvey, Durrill and Bell Streets. Also that the results be monitored over the next six (6) months and that a Supplemental Report to Council be prepared. This approach may be applicable to other areas of the City.

3) 40 km/hr Speed Limit for Residential Streets in the Urban Area of the City of North Bay

In Report to Council EEWS 2012-043 (attached), it was recommended that City Council endorse a reduction of the speed limit from 50 km/hr to 40 km/hr around all schools within the City. This report was sent to Committee and will be subject of a supplemental report. Since the writing of the report, the Ontario Coroner has submitted his recommendation to lower the speed limit on residential streets in the Province of Ontario to 40 km/hr (copy attached). The lowering of the speed limit is to protect pedestrians and the injuries they suffer. It is felt that this recommendation is a prudent one. If the recommendation is accepted by City Council, the supplemental report regarding speed limits around schools will be amended to deal with streets not affected by recommendation 3).

OPTIONS ANALYSIS

Recommendation 1) Murray Street

Option # 1: Proceed with the reduction to lower speed when school is in session and other minor roadway improvements at Main Street. This option is recommended.

Option # 2: Leave the area status quo (i.e. speed limit all the time at 50 km/hr and no improvement at Main Street). This recommendation is not recommended.

Recommendation 2) McIntyre Street and Copeland Street

Option # 1: Install proposed traffic calming measures as indicated in the report. This option is recommended.

Option # 2: Leave area status quo. This recommendation is not recommended.

Recommendation 3) Speed limit reductions to 40 km/hr on all residential streets within the Urban Area

Option # 1: Proceed with the lowering of speed limits which will improve the safety of residents in line with the recommendation of the Ontario Coroner. This option is recommended.

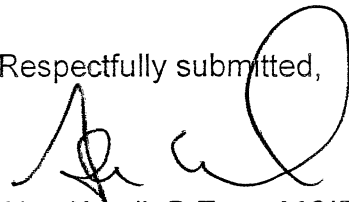
Option # 2: Leave the speed limits status quo. This recommendation is not recommended.

RECOMMENDED OPTION

- 1) That
 - a) no four-way stop be installed on Murray Street between Main and Jane Streets;
 - b) Murray Street be made a "School Safety Zone" during the hours that schools in the area are in session;
-

- c) the Murray Street and Main Street intersection be improved to allow a right hand turn onto Main Street.
 - 2) That
 - a) the McIntyre Street and Copeland Street area between Harvey and Bell Streets be targeted as a pilot area for traffic calming;
 - b) traffic calming be the installation of an all-way stop at Harvey, Durrill and Bell Streets on both McIntyre and Copeland Streets;
 - c) the area be monitored for six (6) months and be the subject of a Supplemental Report to Council regarding its effectiveness and use in other areas of the City.
 - 3) That
 - a) the speed limit on all residential streets within the Urban Area of the City of North Bay be 40 km/hr;
 - b) all streets designated collectors and arterial and in the Rural Area be 50 km/hr or as otherwise posted as per Traffic & Parking By-Law No. 2002-001.
-

Respectfully submitted,



Alan Korell, P.Eng., MCIP
Managing Director, Engineering,
Environmental Services & Works

AK/cjc
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I concur with this report and recommendation.



Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Catherine Conrad, City Clerk
Alan Korell, City Engineer

Attachments: Traffic data (3 pages)
Report to Council EEWS 2012-043
Coroner's Report

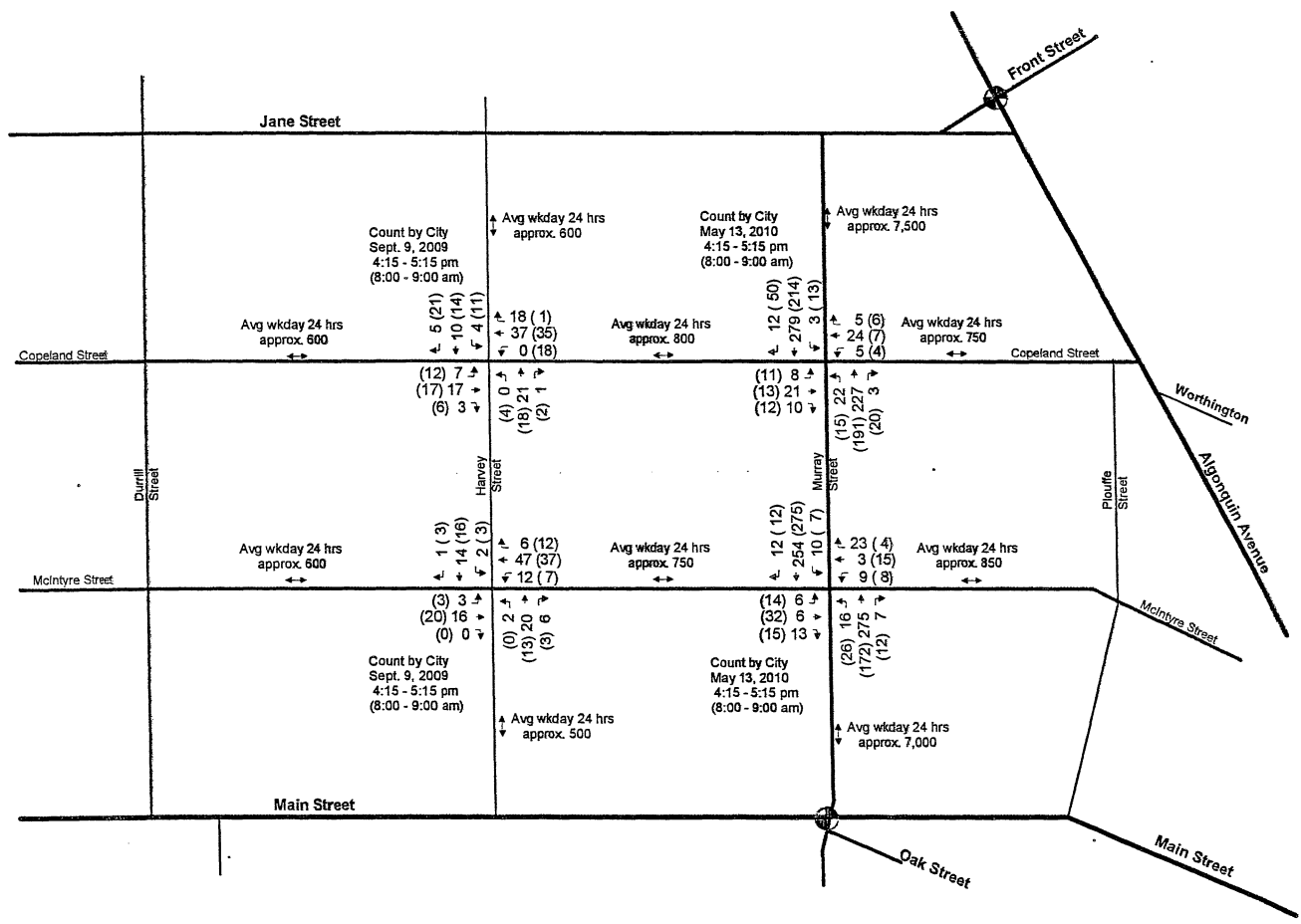
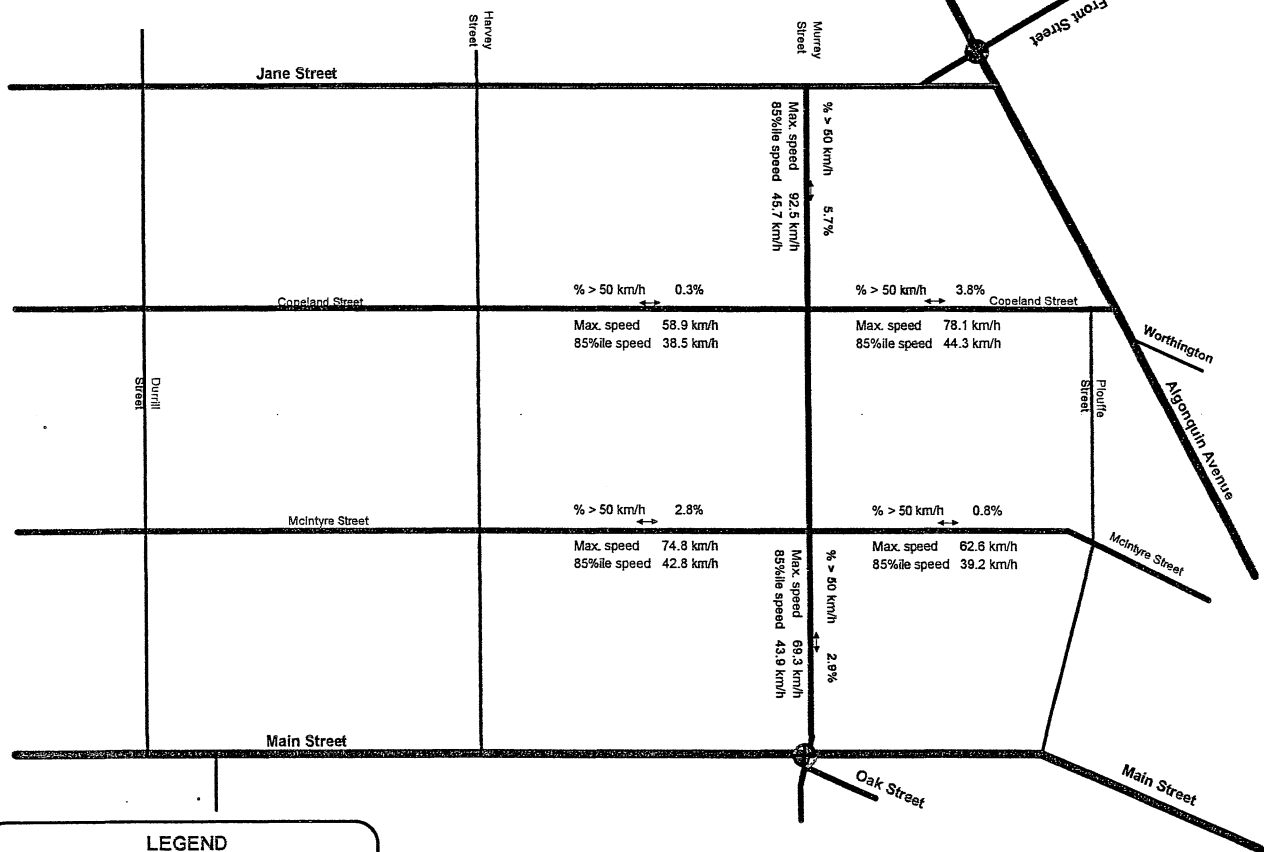


Exhibit 4.1
Existing Traffic Volumes
2009 - 2010*

* all counts by City of North Bay

tranplan associates
 TRAFFIC, TRANSIT, PARKING, TRANSPORTATION PLANNING
 TORONTO - SUDBURY - PETERBOROUGH
 416-657-4484 705-522-0272 705-652-7207
 www.tranplan.com



LEGEND

- % > 50 km/h Per cent of all passing vehicles exceeding 50 km/h speed limit
- Max. speed Highest measured speed during survey period
- 85%ile speed 85% of vehicles travelled at this speed or slower

Exhibit 4.2
Observed Speeds
 Aug/Sept 2009

* all speed data collected by City of North Bay

tranplan associates
 TRAFFIC, TRANSIT, PARKING, TRANSPORTATION PLANNING
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 416-657-4484 705-522-0272 705-652-7207
 www.tranplan.com

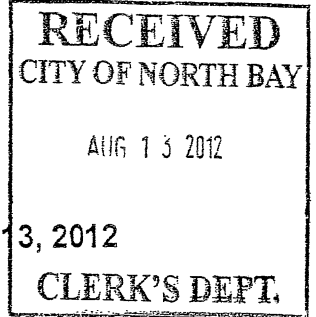
Count of Year

Column Labels

Row Labels

	2007	2008	2009	2010	2011	2012	Grand Total
Intersection	11	29	25	28	12	5	110
Algonquin & Jane/Front	3	14	15	10	5	4	51
Algonquin @ Ramp from Jane	1	1		1	3		6
Harvey & Jane		1		2			3
Harvey & Main			1				1
Harvey & McIntyre	1			1			2
Jane @ Ramp to Algonquin		1					1
Murray & Copeland		2	2	3	2		9
Murray & Jane		1	1	1	1		4
Murray & Main	4	6	4	9	1	1	25
Murray & McIntyre	2	3	2	1			8
Mid-Block	9	5	10	6			30
Algonquin (Between Jane/Front & Ramp from Jane)	2						2
Algonquin (Between McLaren & Jane/Front)	2	2	1				5
Algonquin (Ramp from Jane & Copeland)	2		2	2			6
Copeland (Between Murray & Plouffe)		1		2			3
Front (Between Algonquin & First)	1	1					2
Harvey (Between Jane & Copeland)			3				3
Jane (Between Murray & Ramp to Algonquin)			1				1
Main (Between Harvey & Murray)			1				1
Main (Between Tenth & Harvey)	1			1			2
McIntyre (Between Harvey & Murray)	1			1			2
McIntyre (Between Murray & Plouffe)		1	1				2
Murray (Between Copeland & McIntyre)			1				1
Grand Total	20	34	35	34	12	5	140

City of North Bay
Report to Council



Report No. EEW 2012-043

Date: August 13, 2012

Originator: Alan Korell, P. Eng. M.C.I.P.
Managing Director of Engineering, Environmental Services & Works

Subject: Speed limit in and around schools

RECOMMENDATION

That City Council endorses a reduction of the speed limit from 50 km/hr to 40km/hr around all schools within the city of North Bay. And that these areas be designated Community Safety Zones, which means fines will be doubled. And that the Traffic & Parking By-Law 2002-001 be amended accordingly.

BACKGROUND

The City has received a large number of requests to reduce speed limits in the City near schools. These requests have come from individuals, the schools themselves, police department and from the school bus company.

The Engineering Departments feels that rather than dealing with the requests individually, there is merit in reducing the speed to 40 km/hr around all schools. This will slow traffic around our schools and make it safer for the students.

OPTION ANALYSIS

Option 1

Proceed with the reduction of the speed limit to 40 km/hr near all schools

This option is recommended. The cost will be the cost of the signs. Installation will be done by the City's Traffic Personnel.

Option 2

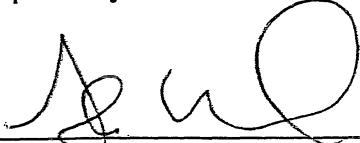
Status Quo of leaving the speed limit at 50 km/hr.

This option is the status quo and is not recommended as it fails to address concerns that have been voiced by many individuals and groups in the community.

RECOMMENDED OPTION

That City Council endorses a reduction of the speed limit from 50 km/hr to 40km/hr around all schools within the city of North Bay. And that these areas be designated Community Safety Zones, which means fines will be doubled. And that the Traffic & Parking By-Law 2002-001 be amended accordingly.

Respectfully submitted



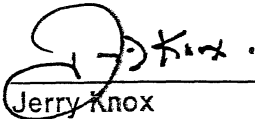
Alan Korell, P. Eng., M.C.I.P.
Managing Director of Engineering,
Environmental Services & Works

and



Peter Chirico
Managing Director, Community Services

I concur in this report and recommendation.



Jerry Knox
Chief Administrative Officer

Personnel designated for continuance:
City Clerk and Manager of Roads

w:-AlanK-EEW2012-043-RTC speed limit schools

C. Conrad, City Clerk



Lower residential speed limits, Ontario coroner urges

Renata D'Aliesio

The Globe and Mail

Published Wednesday, Sep. 19 2012, 11:50 AM EDT

Last updated Wednesday, Sep. 19 2012, 10:51 PM EDT

In an era when the car is no longer the undisputed king of the road, Ontario's chief coroner is calling for an overhaul of the province's streets to bolster pedestrian safety, including suggesting many residential speed limits be lowered to 30 kilometres an hour.

Andrew McCallum made this recommendation and 25 others Wednesday after analyzing the circumstances of 95 pedestrian deaths on Ontario roads in 2010. The review found that 67 per cent of the fatalities took place on streets with a posted speed limit above 50 km/h, while only 5 per cent occurred on roads with a lower limit.

Other significant factors cited in the review were jaywalking – nearly one-third were killed as they tried to traverse a street outside of a crosswalk or intersection – and inattentive motorists and walkers. In fact, pedestrian distractions, such as smartphones, music players and dogs, may have contributed to about 20 per cent of the fatalities compared with 14 per cent linked to driver inattention.

"We know that we need to make ... a road paradigm shift," said Deputy Chief Coroner Bert Lauwers, who led the pedestrian-death review. "We don't do well when we're struck by a car and we do a lot poorer when the rate of speed is high."

Echoing a contentious recommendation made by Toronto's medical officer of health in the spring, the province's top death investigators are urging municipalities to lower speed limits to 30 km/h on many residential streets and to drop the unsigned limit to 40 km/h from 50 km/h.

Dr. Lauwers said a change to the provincial Highway Traffic Act would be needed to reduce the unsigned speed limit, but a spokesman for Transportation Minister Bob Chiarelli suggested municipalities already have the power to reduce speeds within their boundaries.

"This should be a decision for local representatives to make with their communities," said David Salter, the minister's press secretary.

Back in April, Toronto Mayor Rob Ford balked at the idea of lowering speed limits by 10 to 20 km/h, calling the proposal "nuts, nuts, nuts, nuts." But Dr. Lauwers said research shows that people struck by a car travelling 50 km/h are twice as likely to die than at 40 km/h and five times more likely to

perish than at 30 km/h.

The review of pedestrian deaths follows an Ontario coroner's probe of cyclist fatalities, released in June. That review, which examined 129 cyclist deaths between 2006 and 2010, prompted 14 recommendations for improving bike safety and curbing fatalities. They included developing a provincial cycling plan, designing streets to accommodate all road users – and a controversial call to make helmets mandatory for all riders, which is the case in British Columbia, New Brunswick, Nova Scotia and Prince Edward Island. The coroner is also urging Transport Canada to require heavy trucks to install side guards to help prevent cyclists and pedestrians from falling underneath and getting crushed by the rear wheels. The federal transport regulator, however, has maintained there is not sufficient evidence to support such a regulation.

Ontario's Transportation Ministry, which is finalizing a provincial cycling strategy, will take a close look at the proposals to bolster pedestrian safety, Mr. Salter said. With the changes, the coroner believes pedestrian fatalities could be cut by 50 per cent by 2022.

Many of the recommendations, such as increased enforcement and redesigning communities to better accommodate all road users, would cost money, but they underscore the changing nature of Canada's traffic-clogged cities. More and more, people are commuting by bike, transit or on foot.

Ontario Provincial Police Chief Superintendent Don Bell supports the coroner's pedestrian-safety recommendations, which include encouraging walkers to put away their smartphones. Distracted pedestrians have become a major challenge for police officers, he noted.

"Walking is like driving a motor vehicle," Mr. Bell said. "By not paying attention in a road-traffic situation, you are putting your life at risk."

City of North Bay

Report to Council

OCT 10 2012

Report No: CSBU 2012 - 71

Date: October 9, 2012

Originator: Steve McArthur - Senior Planner, Current Operations

CLERK'S DEPT.

Subject: Part Lot Control By-law for Lands legally described as Plan 21, Part Lots 393 & 394, known locally as 467 & 475 First Avenue East in the City of North Bay

RECOMMENDATION

That Council authorize a Part Lot Control Exemption By-Law to deem Plan 21, Part Lots 393 & 394, known locally as 467 & 475 First Avenue East in the City of North Bay, District of Nipissing, being lots fronting on First Avenue East, as shown on Schedule 'A' attached hereto, as not being subject to part lot control pursuant to Section 50 (7) of the *Planning Act*.

BACKGROUND

The subject lands are jointly owned by Edgar Albert Gravelle and Lucie Marie Gravelle (467 First Avenue East) and solely owned by Lucie Marie Gravelle (475 First Avenue East). These lands are fully developed with an owner-occupied single detached dwelling at 475 First Avenue East and a rental four-plex at 467 First Avenue East.

Mrs. Gravelle recently passed away and as part of the estate settlement the family has requested that the Municipality pass a part lot control by-law in order that the two (2) properties will not merge on-title. This will ensure that future severances will not be required for the sale and transfer of the individual properties. The purpose of the exemption from Part Lot Control is to ensure that the individual parcels do not merge on-title and remain individually transferable under the *Planning Act*.

OPTIONS ANALYSISOption # 1:

To pass the Part Lot Control Exemption By-law.

Option # 2:

Not to pass the Part Lot Control Exemption By-law.


RECOMMENDED OPTION / FINANCIAL IMPLICATIONS

Option # 1 is the recommended option. This will ensure that the two (2) properties will not merge on-title and that future severances will not be required for the sale and transfer of the individual properties.

Therefore it is recommended: "That Council authorize a Part Lot Control Exemption By-Law to deem Plan 21, Part Lots 393 & 394, known locally as 467 & 475 First Avenue East in the City of

North Bay, District of Nipissing, being lots fronting on First Avenue East, as shown on Schedule 'A' attached hereto, as not being subject to part lot control pursuant to Section 50 (7) of the *Planning Act*.”

Respectfully submitted,



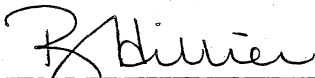
Steve McArthur, MCIP, RPP
Senior Planner, Current Operations

SM/BH/dlb

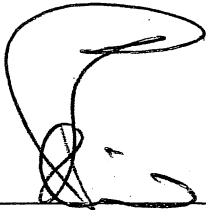
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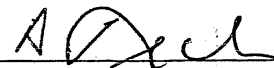
We concur with this report and recommendations.



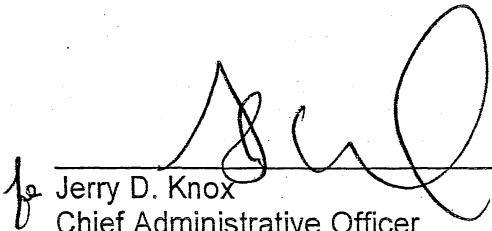
Beverley Hillier, MCIP, RPP
Manager, Planning Services



Peter Chirico
Managing Director, Community Services



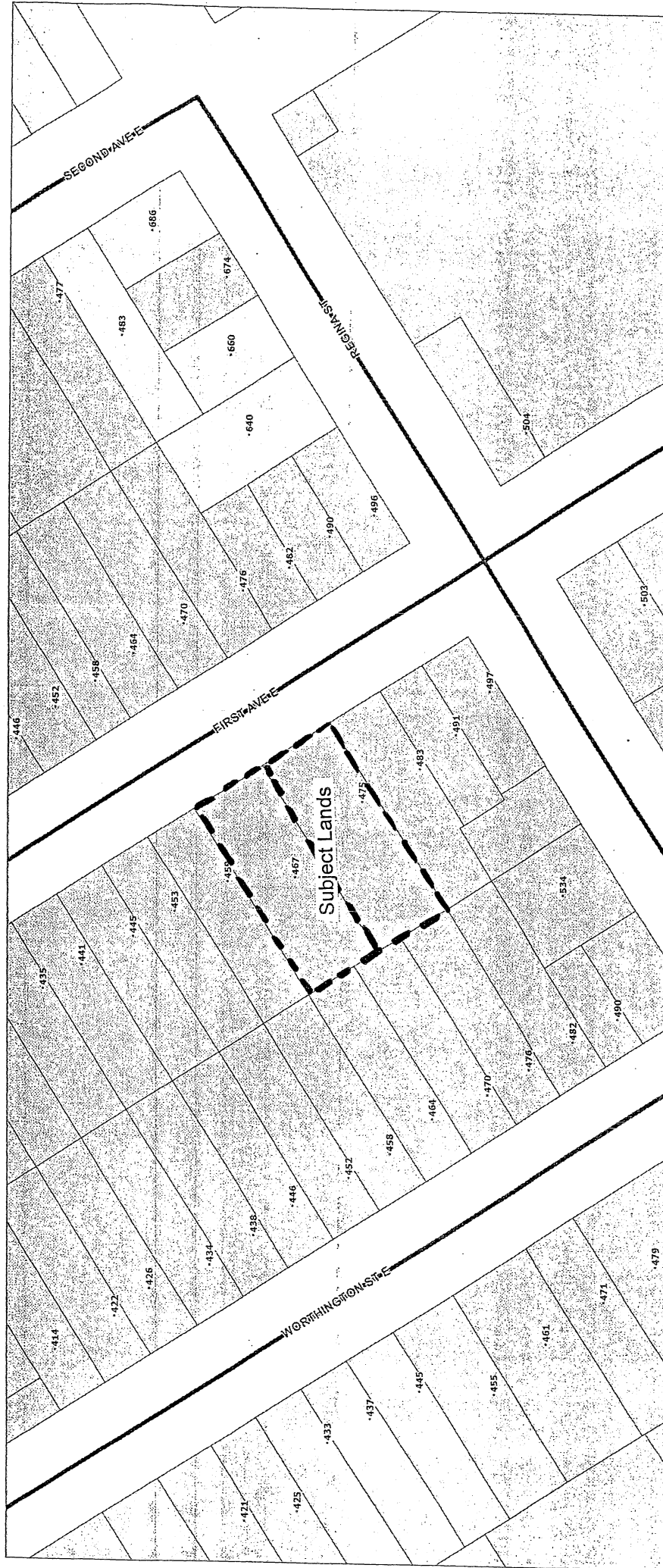
Peter Leckie
City Solicitor



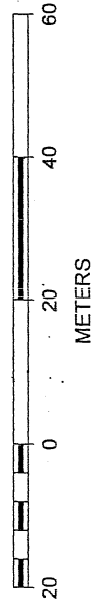
Jerry D. Knox
Chief Administrative Officer

Personnel designated for continuance: Steve McArthur, Senior Planner, Current Operations

SCHEDULE A



SCALE 1 : 1,059



CITY OF NORTH BAY

REPORT TO COUNCIL

CLERK'S DEPT.

October 9, 2012

Report No: CORP 2012-135

Originator: Paul Valenti

Subject: Tender 2012-72 Replacement of Lakeshore Drive Bridge over Lavase River

RECOMMENDATION:

That North Bay City Council approves an Expenditure By-Law being Project No. 3001RD Lakeshore Bridge in the amount of \$2,000,000 being a 2013 Engineering, Environmental Services and Works Capital Budget Project and;

That North Bay City Council approves the award of a contract to Lacroix Construction Co. in the amount of \$1,801,105.50 (plus HST) for the replacement of the Lakeshore Drive Bridge over Lavase River.

BACKGROUND:

The existing Lakeshore Drive Bridge has depreciated past the point of rehabilitation. The original design is such that the bridge requires replacement and rehabilitation is not a viable option. The existing bridge has the highest priority on the City's Bridge Management Program.

A tender was publicly advertised in accordance with the City's Purchasing Policy. Nineteen tender packages were distributed. The tender closed September 19, 2012. Four tenders were received and evaluated by the City's Manager of Purchasing and Engineering department and the engineering consulting firm of C.C. Tatham and Associates Ltd. The results are as follows:

Firm	Tender Price (excluding HST)
Lacroix Construction Co.	\$1,801,105.50
Bruman Construction Inc.	\$1,819,985.05
Gap Construction Co. Ltd.	\$1,925,880.50
1468792 Ontario Inc. o/a GDB Constructors	\$2,135,550.00

The tender provided by Lacroix in the amount \$1,801,105.50 (plus HST) is considered fair and reasonable.

ANALYSIS / OPTIONS:

1. Approve the expenditure being a 2013 Capital Project and award the contract to the lowest compliant tenderer meeting all of the requirements of the tender.

-
2. Do not award this contract. This option is not recommended. The bridge will eventually become unsafe, if rehabilitation is not completed. Replacement is required as rehabilitation is not a feasible option based on the original bridge design.
-

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option #1 is recommended as follows:

That North Bay City Council approves an Expenditure By-Law being Project No. 3001RD Lakeshore Bridge in the amount of \$2,000,000 being a 2013 Engineering, Environmental Services and Works Capital Budget Project and;

That North Bay City Council approves the award of a contract to Lacroix Construction Co. in the amount of \$1,801,106.50 (plus HST) for the replacement of the Lakeshore Drive Bridge over Lavase River.

The net cost to the City (including HST less the HST rebate) is \$1,832,808.56

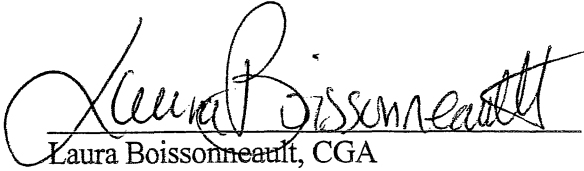
An amount of \$2,000,000 has been allocated to the 2013 Engineering, Environmental Services and Works Capital Budget. This report requests the authorization of an Expenditure By-Law in that amount. As this is a priority project within the City's Bridge Management Program, the Expenditure By-Law is being recommended prior to approval of the 2013 Capital Budget. This will also benefit other growth related projects in the area.

Respectfully submitted,

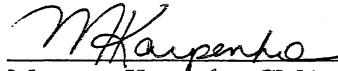


Paul Valenti
Manager of Purchasing

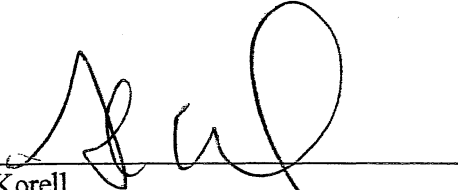
We concur in this report and recommendation.



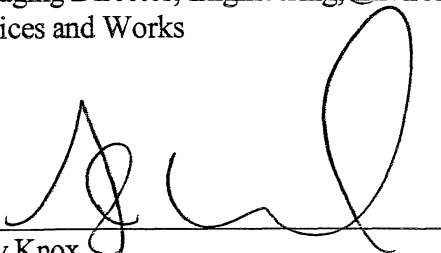
Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Alan Korell
Managing Director, Engineering, Environmental
Services and Works



fe Jerry Knox
Chief Administrative Officer

Personnel designated for continuance: Engineering

Attachments: Tenders

CITY OF NORTH BAY
REPORT TO COUNCIL

OCT 10 2012
CLERK'S DEPT.

Report No: CORP 2012-132

October 9, 2012

Originator: Paul Valenti

Subject: Tender 2012-76 Ski-Club Road Watermain Extension – Johnston Rd. to ONTC Walkway

RECOMMENDATION:

That North Bay City Council approves the award of a contract to Gap Construction Co. Ltd. in the amount of \$3,978,243.00 (plus HST) for construction of the Ski-Club Road Watermain Extension.

BACKGROUND:

The Ski Club Road Watermain Extension project involves replacing three old watermains with a single pipe providing a major enhancement to the City's infrastructure. The existing piping varies in age from 50 to 90 years old and is experiencing increased failures and ongoing maintenance. It has surpassed its life expectancy and the replacement is considered a high priority.

A tender was publicly advertised in accordance with the City's Purchasing Policy. Eighteen tender packages were distributed. The tender closed September 17, 2012. Six tenders were received and evaluated by the City's Manager of Purchasing and Engineering department and the engineering consulting firm of exp Services Inc. The results are as follows:

Firm	Tender Price (excluding HST)	Corrected Tender Price (excl. HST)
Gap Construction Co. Ltd.	\$3,978,803.00	3,978,243.00
Kenalex Construction Company Limited	\$6,516,321.30	6,392,771.30

The tenders provided by both Gap Construction Co. Ltd. and Kenalex Construction Company Limited contained minor errors when extending unit prices. The total tender price for each has been corrected, as indicated in the pricing table.

The tender provided by Gap Construction Co. Ltd. in the amount \$3,978,243.00 (plus HST) is considered fair and reasonable.

ANALYSIS / OPTIONS:

1. Award the contract to the lowest compliant tenderer meeting all of the requirements of the tender.

-
2. Do not award this contract. This option is not recommended. The existing infrastructure is failing and will require ongoing repairs and maintenance with potential service disruptions to the area.
-

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option #1 is recommended as follows:

That North Bay City Council approves the award of a contract to Gap Construction Co. Ltd. in the amount of \$3,978,243.00 (plus HST) for construction of the Ski-Club Road Watermain Extension.

The net cost to the City (including HST less the HST rebate) is \$4,048,268.03.

Sufficient funding for the project is available as follows:

- \$1,400,000 from the 2010 Water and Sewer Capital Budget, Project No. 3063WS, Ski Club Rd. (Lakeside Dr. to Johnston Rd.); authorized with By-law No. 2010-85 dated April 6, 2010.
- \$800,000 from the 2011 Water and Sewer Capital Budget, Project No. 3063WS, Ski Club Rd. (Lakeside Dr. to Johnston Rd.); authorized with By-law No. 2011-89 dated April 4, 2011.
- \$1,800,000.00 from the 2012 Water and Sewer Capital Budget, Project No. 3063WS, Ski Club Rd. (Lakeside Dr. to Johnston Rd.); authorized with By-law No. 2012-175 dated July 16, 2012.


The tender contains a contingency allowance to be used only for unforeseen changes in the work. The cost for any unforeseen changes will be managed within the approved project budget.

Respectfully submitted,

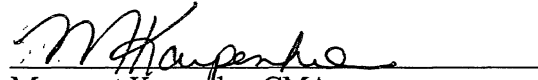


Paul Valenti
Manager of Purchasing


We concur in this report and recommendation.



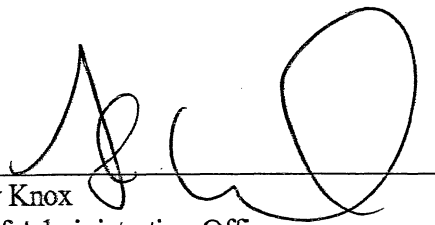
Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Alan Korell
Managing Director, Engineering, Environmental
Services and Works



Jerry Knox
Chief Administrative Officer

Personnel designated for continuance: Engineering

Attachments: Tenders

**CITY OF NORTH BAY
REPORT TO COUNCIL**

Report No: CORP 2012-136

October 9, 2012

Originator: Paul Valenti

Subject: Tender 2012-80 Pete Palangio Arena – Dressing Room Dehumidification

RECOMMENDATION:

That North Bay City Council approves the award of a contract to Bernard Rochefort Ltd. in the amount of \$76,800.00 (plus HST) for the Pete Palangio Arena Dressing Room Dehumidification Project.

BACKGROUND:

Phase one of the dehumidification of Pete Palangio Arena was implemented in 2011 to address both rink zones. Phase two of the dehumidification project for the dressing rooms is slated for 2012. This zone currently has an air exchange unit but it does not dehumidify the incoming air. This results in increased humidity within the dressing rooms. Two options were explored to address the problem; the replacement of the roof top unit and the retrofit of the unit. The retrofit of the unit was determined to be the most cost effective way to address these concerns.

A tender was publicly advertised in accordance with the City's Purchasing Policy. Seven tender packages were distributed. The tender closed October 3, 2012. Three tenders were received and evaluated by the City's Manager of Purchasing and Supervisor of Facilities and Parking and the engineering consulting firm of Piotrowski Consultants Ltd. The results are as follows:

Firm	Tender Price (excluding HST)
Bernard Rochefort Ltd.	\$76,800.00
Metal –Air Mechanical systems Ltd.	\$83,318.13
KRB Mechanical Limited	\$86,725.00

The tender provided by Bernard Rochefort Ltd. in the amount \$76,800.00 (plus HST) is considered fair and reasonable.

ANALYSIS / OPTIONS:

1. Award the contract to the lowest compliant tenderer meeting all of the requirements of the tender.
2. Do not award this contract. This option is not recommended. The dressing rooms will continue to incur high levels of humidity within the rooms requiring ongoing maintenance and environmental concerns.

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option #1 is recommended as follows:

That North Bay City Council approves the award of a contract to Bernard Rochefort Ltd. in the amount of \$76,800.00 (plus HST) for the Pete Palangio Arena Dressing Room Dehumidification Project.

The net cost to the City (including HST less the HST rebate) is \$78,151.83

Sufficient funding for the project is available in the 2012 Community Services Capital Budget, Project 6066RF, Arenas – Palangio and West Ferris Rehabilitation Program; authorized by By-Law No. 2012-21, dated February 6, 2012.

Respectfully submitted,

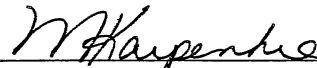


Paul Valenti
Manager of Purchasing

We concur in this report and recommendation.



Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting




Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Peter Chirico
Managing Director, Community Services



 Jerry Knox
Chief Administrative Officer

Personnel designated for continuance: Supervisor of Facilities and Parking

Attachments: Tenders

CITY OF NORTH BAY

REPORT TO COUNCIL

Report No: CORP 2012-133

October 9, 2012

Originator: Paul Valenti

Subject: Request for Proposal No. 2012-78 Aircraft Rescue and Fire Fighting Vehicle

RECOMMENDATION:

That North Bay City Council approves an Expenditure By-Law being Project No. 6113FD Fire Vehicle and Equipment Replacement in the amount of \$110,024 being a 2013 Fire Department Capital Budget Project and;

That North Bay City Council approves the award of a contract to Rosenbauer Minnesota, LLC. in the amount of \$534,078.00 CDN. (plus HST) for the purchase of one (1) new Airport Rescue and Fire Fighting (ARFF) Vehicle.

BACKGROUND:

Due to age and ongoing mechanical issues, the existing Airport Rescue and Fire Fighting (ARFF) vehicle was scheduled for refurbishment this year, as part of the 2012 Fire Department Capital Budget. A more recent review and mechanical evaluation of the vehicle was recently undertaken. The 1993 model year vehicle is aging and consists of older technology, wiring, and operability. Replacement parts will soon not be readily accessible. Ongoing repair costs will continue and potential downtime during extended maintenance could severely impact response capability for an airport emergency.

In assessing the value of refurbishment, the Fire Department further investigated the costs of purchasing a new ARFF vehicle. An original budget quote of \$800,000 was previously received. In early 2012, one of the major ARFF vehicle suppliers offered to the City a like vehicle based on an RFP issued and awarded by the Brandon, Manitoba Airport, for \$618,800. It was concluded at this point that the option to purchase a new vehicle provided the City with better overall value.

Based on the purchase price, and in accordance with the City Purchasing By-Law, a public Request for Proposal was determined as the best method to solicit proposals for a new ARFF vehicle. Report CSBU 2012-54 was presented and approved by Council to proceed with a RFP for the purchase of a new ARFF vehicle to replace our existing unit.

An RFP was publicly advertised in accordance with the City's Purchasing Policy. Six RFP packages were distributed. The RFP closed on August 31, 2012. Three proposals were received and evaluated by the City's Fire Chief, Deputy Fire Chief, Fleet Supervisor and Manager of Purchasing. The proposal evaluation considers both price and merit in determining an overall score. The results are as follows:

Supplier	Rank	Total Points	Price (excluding HST)
Rosenbaurer Minnesota, LLC.	1	86	\$534,078.00
Kovatch Mobile Equipment Corp.	2	84	\$541,746.00
Team Eagle Ltd.	3	78	\$593,400.00

The proposal provided by Rosenbaurer Minnesota, LLC. in the amount \$534,078.00 (plus HST) is considered fair and reasonable.

ANALYSIS / OPTIONS:

1. Approve the expenditure being a 2013 Capital Project and award the contract to the lowest compliant proponent meeting our requirements.
 2. Do not award this contract and refurbish the existing ARFF vehicle. This option is not recommended. This will not provide best value to the City when considering the cost and benefits of a new unit.
-

RECOMMENDED OPTION / FINANCIAL IMPACTS:

Option #1 is recommended as follows:

That North Bay City Council approves an Expenditure By-Law being Project No. 6113FD Fire Vehicle and Equipment Replacement in the amount of \$110,024 being a 2013 Fire Department Capital Budget Project and;

That North Bay City Council approves the award of a contract to Rosenbaurer Minnesota, LLC. in the amount of \$534,078.00 (plus HST) for the purchase of one (1) new Airport Rescue and Fire Fighting (ARFF) Vehicle.

The net cost to the City (including HST less the HST rebate) is \$543,078.00

Sufficient funding for the purchase is available as follows:

- \$350,000 from the 2012 Fire Department Capital Budget, Project No. 6063FD Fire Vehicle and Equipment Replacement; authorized by By-Law No. 2012-18 dated February 6, 2012.
- \$76,422 from the 2011 Fire Department Capital Budget, Project No. 6015FD Fire Vehicle and Equipment Replacement; authorized by By-Law No. 2011-42 dated March 7, 2011.

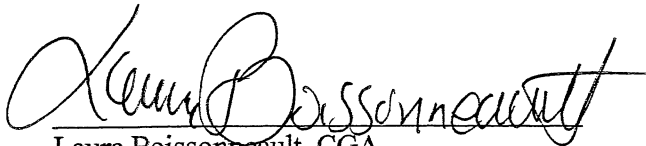
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- \$5,632 from the 2010 Fire Department Capital Budget, Project No. 3048FD Fire Vehicle and Equipment Replacement; authorized by By-Law No. 201-40 dated February 22, 2010.
 - \$110,024 from the 2013 Fire Department Capital Budget, Fire Vehicle and Equipment Replacement. This report requests the authorization of an Expenditure By-Law in the amount of \$110,024. The Expenditure By-Law is being recommended prior to the 2013 Capital Budget approval to facilitate this purchase.
-

Respectfully submitted,

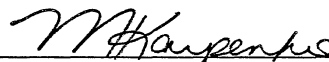


Paul Valenti
Manager of Purchasing

We concur in this report and recommendation.



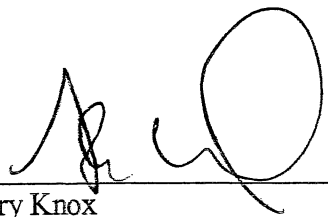
Laura Boissonneault, CGA
Supervisor of Budgets & Financial
Reporting



Margaret Karpenko, CMA
Chief Financial Officer/Treasurer



Grant Love
Fire Chief



Jerry Knox
Chief Administrative Officer

Personnel designated for continuance: Fire Chief

Attachments: RFPs

City of North Bay**Report to Council****Report No:** CSBU 2012-72**Date:** October 9, 2012**Originator:** I. Kilgour**Subject:** Replacing Thomson Park and Chippewa Creek Pedestrian Bridges

RECOMMENDATION

That the four (4) identified pedestrian bridges in Thomson Park that cross Chippewa Creek be replaced by two (2) pedestrian bridges as shown on Map 2 in Report to Council CSBU 2012-72.

BACKGROUND

There are currently five (5) pedestrian bridges in Thomson Park. Four (4) cross Chippewa Creek and one (1) crosses a small tributary coming from the adjacent Highway.

The bridges are inspected every two years to determine their safety and identify any needed repairs. The bridges are over 40 years old and need of replacement. Olive Street Bridge behind the YMCA failed this year, resulting in a tilted surface and was subsequently closed.

A tender was issued for the Olive Street Bridge this year and the tendered amount came in much higher than the budgeted amount. Staff have reviewed and recommend a different solution as described below.

ANALYSIS

The attached Map 1 shows the current location of the existing bridges. Two (2) bridges provide access to an island. Through staff review it has been deemed not a priority to provide access to the island. Due to the growth of surrounding vegetation, the island has become a secluded area that is used for illegal activities.

It is recommended that the location of the Olive Street bridge (see Map 2) be moved southerly by approximately 100 metres (320 feet) to provide easier access to the playground equipment. Moving of the bridge will also provide a crossing of Chippewa Creek that was previously provided by the island bridges.

The original budget for 2012 was \$49,000 for 2012 in 6076PR. The lowest tendered amount was \$86,268.85. It is recommended that this tender be canceled and a new tender be prepared to replace two bridges shown as B1 and B2 on Map 2, including the removal of the existing four (4) bridges. This years allocated capital will be allocated to 2013 to provide the necessary capital dollars. This recommendation will also require the rerouting of Kinsmen Trail as shown as Map 2, including the provision of a bike lane along Olive Street. The City Engineer has indicated that a portion of this work could be budgeted through Public Works Capital.

OPTINIONS

Option 1

That the four (4) identified pedestrian bridges in Thomson Park that cross Chippewa Creek be replaced by two (2) pedestrian bridges as shown on Map 2. This option is recommended as it provides an acceptable level of service and is more cost effective in the short and long term.

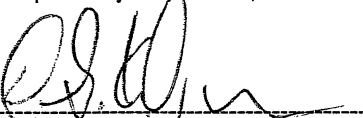
Option 2

That the status quo be continued, and that all four (4) bridges that cross Chippewa Creek be replaced over the next four years. This option is not recommended as it does not provide an increased level of service and more expensive in the short and long term.


RECOMMENDED OPTION/FINANCIAL IMPLICATIONS

That the four (4) identified pedestrian bridges in Thomson Park that cross Chippewa Creek be replaced by two (2) pedestrian bridges as shown on Map 2. This option is recommended as it provides an acceptable level of service and is more cost effective in the short and long term.

Respectfully Submitted,



Ian Kilgour
Director, Parks, Recreation & Leisure Services



Peter Chirico
Managing Director, Community Services

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

Jerry Knox
Chief Administrative Officer

Personnel designated for continuance: Alan Korell, Ian Kilgour, Rheaume Bellehumeur

Attachments: Map1, Map 2

MAP 1



MAP 2



CITY OF NORTH BAY**REPORT TO COUNCIL**

Report No: CORP 2012-128

Date: October 1, 2012

Originator: Lorraine Rochefort / Laura Boissonneault

Subject: 2013 Water and Sanitary Sewer Rates

RECOMMENDATION:

That the 2013 Water and Sanitary Sewer Rates report be received and referred to the General Government Committee.

BACKGROUND:

The last review of water and sanitary sewer rates was completed during the 2012 Operating Budget process at which time the water and sanitary sewer rates were increased by 4.2% effective January 1, 2012 with the passing of By-Law 2011-233 on December 21, 2011.

The water and sanitary sewer operations is projected to end the 2012 year on budget. As in prior years, operational challenges have been encountered. This year those challenges include; lower revenues, higher principal and interest payments, higher municipal taxes and additional insurance costs.

It is common practice for management to review their cost center activities on an on-going basis and to make any necessary adjustments or reallocations of resources to ensure the department realizes all possible savings and efficiencies. The Engineering, Environmental & Works Department expects to overcome the aforementioned hurdles and end the year on target.

In addition, the establishment of reserves a number of years ago provides some ability to respond to emergencies and would be capable of absorbing some operational deficits. The balance in the associated reserves as at September 30th is \$1,970,942 and is allocated as follows.

- Water Capital (99522R): \$1,126,998.56
- Sewer Capital (99575R): \$443,349.10
- Water Operating (99576R): \$200,297.26
- Sewer Operating (99577R): \$200,297.26

The following two 2013 Operating Budget scenarios for the water and sanitary sewer systems will be presented to the General Government / Engineering, Environmental and Works Committees for discussion at a Committee meeting scheduled for the week of October 22, 2012.

Scenario 1:

The first scenario (See Appendix A) allows for both the on-going capital plan (including increases in principal & interest payments) and expected operational needs. This budget scenario requires a budget increase of \$1,133,115 or 6.03% over the 2012 plan and results from:

- Investment in infrastructure replacement program **\$543,001**
As per adopted capital funding policy (\$231,425 earmarked for increased principal and interest payments + \$311,576 earmarked for additional capital project funds)
- Increase in operating and maintenance costs **\$590,114**

Water and Sanitary Sewer revenues are collected through various billing methods including combined water and sewer, water only, sanitary sewer only, metered, and flat-rate. For demonstration purposes, the impact in dollars for an average residential 'Flat Rate Water/Sanitary Sewer Bill' is noted in the following table.

Description	Current Rates	Scenario 1 Rates	% Change
Water Rate	\$36.16	\$43.09	19.15%
Water Filtration	\$2.89	\$2.79	-3.46%
Sewer Rate	\$31.10	\$28.82	-7.33%
Total Water/Sewer Flat Rate	\$70.15	\$74.70	6.49%

Scenario 2:

The second scenario (See Appendix B) allows for increased principal and interest payments and expected operational needs. The difference in the two scenarios is a one-time reduction to the Capital Levy (\$311,576) that was directly earmarked for new investment in water and sanitary sewer capital projects. This budget scenario requires a budget increase of \$821,539 or 4.37% over the 2012 plan and results from:

- Investment in infrastructure replacement program **\$231,425**
(\$231,425 earmarked for increased principal and interest payments)
- Increase in operating and maintenance costs **\$590,114**

For demonstration purposes, the impact in dollars for an average residential 'Flat Rate Water/Sewer Bill' is noted in the following table.

Description	Current Rates	Scenario 2 Rates	% Rate change
Water Rate	\$36.16	\$41.97	16.07%
Water Filtration	\$2.89	\$2.79	-3.46%
Sewer Rate	\$31.10	\$28.82	-7.33%
Total Water/Sewer Flat Rate	\$70.15	\$73.58	4.90%

Flat Rate Billing:

The majority of the approximately 14,025 residential water users (including duplexes) are billed using a flat rate structure, which has a fixed and variable component based on the number of water fixtures. Approximately 10,100 residential ‘Flat Rate Users’ are billed every four months, in the month following the period. About 4,688 residential ‘Flat Rate Users’ have chosen a pre-authorized monthly payment option.

A typical monthly residential ‘Flat Rate Water/Sanitary Sewer Bill’ would increase by either \$4.55 per month under Scenario 1 or \$3.43 per month under Scenario 2. For a detailed calculation, please refer to Appendix C attached.

Metered Billing:

There are approximately 1,424 metered commercial, industrial and multi-residential accounts that are billed monthly based on consumption. The water and sewer billings are completed by the 10th of each month for the previous month’s consumption. Pre-authorized metered monthly payments are processed about the 27th of each month for the previous month’s consumption. About 438 metered users have chosen a pre-authorized payment option.

A minimum ‘Metered Water/Sanitary Sewer Bill’ would increase by either \$4.37 per month under Scenario 1 or \$3.30 per month under Scenario 2. For a detailed calculation, please refer to Appendix C attached.

Statistics

The 2011 Draft BMA Municipal Study includes a comparison of annual water and sanitary sewer costs for 81 municipalities representing in excess of 80% of the Ontario population. The results are noted below and indicate that the City of North Bay is below the average annual costs of the 81 municipalities.

BMA MUNICIPAL STUDY 2011	Assumed Consumption	North Bay Ratepayer's Cost	Summary of the 81 Municipalities In the Survey		
			Average Annual Cost	Lowest Annual Cost	Highest Annual Cost
Residential	250 m3	\$807	\$826	\$355	\$1,395
Commercial	10,000 m3	\$16,208	\$24,777	\$8,516	\$46,700
Industrial	100,000 m3	\$142,651	\$235,173	\$64,850	\$467,000

A more detailed comparison of 4 Northern Ontario municipalities and 4 Southern Ontario municipalities shows that the City of North Bay’s water/sewer costs in all sectors are below average. See over.

Municipality	Residential	Commercial	Industrial
Belleville	\$964	\$21,475	\$170,182
Greater Sudbury	\$972	\$24,516	\$233,880
North Bay	\$807	\$16,208	\$142,651
Quinte West	\$627	\$15,460	\$148,120
Sarnia	\$919	\$11,686	\$64,850
Sault Ste. Marie	\$681	\$18,603	\$161,729
Thunder Bay	\$879	\$16,879	\$140,569
Timmins	\$638	\$21,958	\$219,584
Welland	\$1,116	\$21,475	\$170,182
Average Annual Cost	\$845	\$18,696	\$161,305
Lowest Annual Cost	\$627	\$11,686	\$64,850
Highest Annual Cost	\$1,116	\$21,958	\$233,880

Regulations:

Ontario Regulation 244/02 made under the *Municipal Act, 2001*, sets out conditions that apply to municipalities imposing fees or charges for the use of a waste management system, for the use of a sewage system or the consumption of water and are as follows:

- Amount of fees or charges shall not exceed the cost of providing the system.
- The City must hold at least one public meeting and allow any person attending to make a presentation. This meeting is being scheduled for **Monday, November 19th, at 7:00 p.m.**
- The City must give a minimum of 21 days notice of the public meeting. Notice will be published in the Nugget on October 20th and October 27th.
- The City must give written notice to anyone requesting such notice within the last five years.
- Prior to adoption of a by-law, the City must make available information regarding description of the service, the cost of the service, the amount of the fees or charges and the rationale for imposing the charge.

City Council has adopted a policy of recovering all water and sanitary sewer/wastewater operating, capital, and financing costs from user rates.

Sustainable Water and Sewage Act, 2002 requires municipalities to assess the costs of providing water and sewage utilities and to devise a method to finance the full cost of providing these services. By placing the full cost of water and sewer services on the communities benefiting from them, the Act hopes to inspire grassroots efforts in water conservation and environmental protection.

The **Ontario Safe Drinking Water Act, Ontario Regulation 453/07 (O.Reg. 453/07)** requires that municipal drinking water systems and municipal wastewater (sanitary sewer) systems be self-sufficient. It further requires that drinking water systems be financially viable. Council adopted a Long Range Financial Plan on October 3, 2011 in compliance with the regulation.

The City's budget disclosure and the current Water Rates By-Law 2011-10 satisfy the requirements contained in the Sustainable Water and Sewage Act, 2002 and the Municipal Act, 2001.

ANALYSIS:

Administration has provided two scenarios for Council to consider. The change in the billable rate is a result of a one-time baseline adjustment to the Pay-As-You-GO budget line. As noted in the Stantec Report, Water and Sewer infrastructure is not in a significant deficit. Therefore, this one-time adjustment outlined in Scenario 2 is recommended by Administration because it will not have a significant impact on the long-term infrastructure replacement program. This change also retains the principals of the long-term capital funding policy, and both scenarios comply with all required legislated regulations.

Option 1 – Approving an operating budget increase of \$1,133,115 or 6.03% over 2012:

- 1) Results in a net increase on a typical ‘Residential Flat Rate Water/ Sanitary Sewer’ bill of 6.49% or \$4.55 per month, effective January 1st, 2013.
- 2) Results in a reduction in the Water Filtration Plant Capital Surcharge from 8% to 6.47% of water charges.
- 3) Results in a reduction in the required Sanitary Sewer Surcharge from 86% to 66.89% effective January 1st, 2013.

Option 2 – Approving an operating budget increase of \$821,539 or 4.37% over 2012:

- 1) Results in a net increase on a typical ‘Residential Flat Rate Water/ Sanitary Sewer’ bill of 4.90% or \$3.43 per month, effective January 1st, 2013.
- 2) Results in a reduction in the Water Filtration Plant Capital Surcharge from 8% to 6.64% of water charges.
- 3) Results in a reduction in the required Sanitary Sewer Surcharge from 86% to 68.68% effective January 1st, 2013.
- 4) Would implement a one-time reduction of \$311,576 in the Pay-As-You-GO Capital Levy. This adjustment is a reestablishment of the capital levy budget baseline.

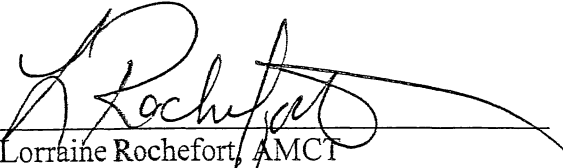
Option 3 - No Budget Increase

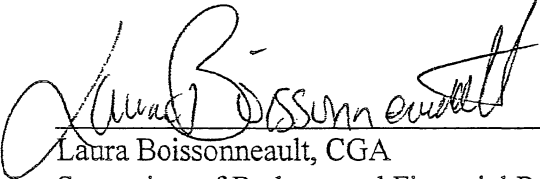
- 1) Results in no rate change.
- 2) Results in a direct violation of; **Ontario Regulation 244/02, the Sustainable Water and Sewage Systems Act 2002.**
- 3) Results in non-compliance with the City’s full cost recovery policy.
- 4) Results in the Water Filtration and Sanitary Sewer Surcharge rates will be incorrect.

RECOMMENDATION:

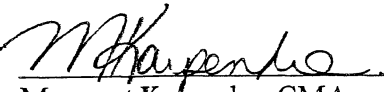
That the 2013 Water and Sanitary Sewer Rates report be received and referred to the General Government Committee.

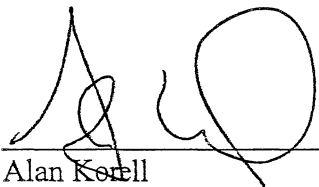
Respectfully submitted,

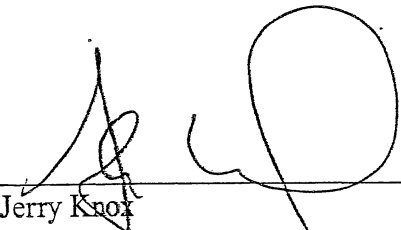

Lorraine Rochefort, AMCT
Manager of Revenues and Taxation


Laura Boissonneault, CGA
Supervisor of Budgets and Financial Reporting

We concur in this report and recommendation.


Margaret Karpenko, CMA
Chief Financial Officer/Treasurer


Alan Korell
Managing Director of Engineering,
Environmental, and Works


Jerry Knox
Chief Administrative Officer

Personnel designated for continuance: Manager of Accounting and Budgets
 Manager of Revenues and Taxation

Attachments: Appendix A – Water and Sewer Levy and Rate Calculation – Scenario #1
 Appendix B - Water and Sewer Levy and Rate Calculation – Scenario #2 – (\$311,256) One-time
 Reduction to Capital Levy
 Appendix C – Flat and Metered Rate calculations

W\FINSEV\RON\2013 Water Rates – budget - RTC



APPENDIX A

Water and Sewer Levy and Rate Calculation - Scenario #1

Budget Year: 2013

YTD End Date: September 2012

	2012 Budget	2013 Dept Review	Variance	Variance %
Water System Budget				
Water Distribution	\$8,230,019	\$9,998,244	\$1,768,225	21.49%
Water Plant	\$1,885,500	\$2,054,733	\$169,233	8.98%
Water Total:	\$10,115,519	\$12,052,977	\$1,937,458	19.15%
Sanitary Sewer System Budget				
Sewer Distribution	\$6,987,994	\$5,863,332	-\$1,124,662	-16.09%
Sewer Plant	\$1,689,840	\$2,010,159	\$320,319	18.96%
Sewer Total:	\$8,677,834	\$7,873,491	-\$804,343	-9.27%
Water & Sewer Budget Grand Total:	\$18,793,353	\$19,926,468	\$1,133,115	6.03%

Unadjusted Water/Sanitary Sewer Rates	2012	2013
Water Rate	\$36.16	\$43.09
Sewer	\$31.10	\$28.23
Rates Before Adjustments:	\$67.26	\$71.32

Total Required Water Revenue	\$10,115,519	\$12,052,977
Less: Revenue from water only billings		-\$459,561
Total Required Water Revenues:	\$10,115,519	\$11,593,416

Total Required Sanitary Sewer Revenue	\$8,677,834	\$7,873,491
Less: Revenue from sewer only billings		-\$118,742
Total Required Sewer Revenues:	\$8,677,834	\$7,754,748

Sanitary Sewer as % of Water Revenues:	85.79%	66.89%
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Adjusted Water/Sanitary Sewer Rates	2012	2013	Rate % Change
Water Rate	\$36.16	\$43.09	19.15%
Sewer Rate	\$31.10	\$28.82	-7.33%
	\$67.26	\$71.91	6.91%
Water Filtration Rate	\$2.89	\$2.79	-3.46%
Final 2013 Water/Sanitary Sewer Rates:	\$70.15	\$74.70	6.49%



APPENDIX B

Water and Sewer Levy and Rate Calculation - Scenario #2 - (\$311,256) One-time Reduction to Capital Levy

Budget Year: 2013

YTD End Date: December 2012

	2012 Budget	2013 Dept Review	Variance	Variance %
Water System Budget				
Water Distribution	\$8,230,019	\$9,686,668	\$1,456,649	17.70%
Water Plant	\$1,885,500	\$2,054,733	\$169,233	8.98%
Water Total:	\$10,115,519	\$11,741,401	\$1,625,882	16.07%
Sanitary Sewer System Budget				
Sewer Distribution	\$6,987,994	\$5,863,332	-\$1,124,662	-16.09%
Sewer Plant	\$1,689,840	\$2,010,159	\$320,319	18.96%
Sewer Total:	\$8,677,834	\$7,873,491	-\$804,343	-9.27%
Water & Sewer Budget Grand Total:	\$18,793,353	\$19,614,892	\$821,539	4.37%

Unadjusted Water/Sanitary Sewer Rates	2012	2013
Water Rate	\$36.16	\$41.97
Sewer	\$31.10	\$28.23
Rates Before Adjustments:	\$67.26	\$70.20

Total Required Water Revenue	\$10,115,519	\$11,741,401
Less: Revenue from water only billings		-\$449,620
Total Required Water Revenues:	\$10,115,519	\$11,291,781

Total Required Sanitary Sewer Revenue	\$8,677,834	\$7,873,491
Less: Revenue from sewer only billings		-\$118,742
Total Required Sewer Revenues:	\$8,677,834	\$7,754,748

Sanitary Sewer as % of Water Revenues:	85.79%	68.68%
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Adjusted Water/Sanitary Sewer Rates	2012	2013	Rate % Change
Water Rate	\$36.16	\$41.97	16.07%
Sewer Rate	\$31.10	\$28.82	-7.33%
	\$67.26	\$70.78	5.24%
Water Filtration Rate	\$2.89	\$2.79	-3.46%
Final 2013 Water/Sanitary Sewer Rates:	\$70.15	\$73.58	4.90%

APPENDIX C

TYPICAL MONTHLY FLAT RATE WATER AND SEWER BILL

Description	Current	Scenario 1	Scenario 2
Basic charge, each dwelling unit	\$15.45	\$18.41	\$17.93
Three piece bathroom	4.04	4.81	4.69
	1.81	2.16	2.10
	4.04	4.81	4.69
Two piece bathroom	1.81	2.16	2.10
	.93	1.12	1.08
Laundry outlet	4.04	4.81	4.69
Hose outlet	4.04	4.81	4.69
Total Water Charge	\$ 36.16	\$ 43.09	\$ 41.97
Water Filtration Plant Capital Surcharge <i>2012 - 8% of total water charge; 2013 - Scenario 1 - 6.56%; Scenario 2 - 6.74%</i>	2.89	2.79	2.79
Sanitary sewer surcharge <i>2012 - 86% of total water charges; 2013 - Scenario 1 - 66.89%; Scenario 2 - 68.68%</i>	31.10	28.82	28.82
Total Monthly Water and Sanitary Sewer Bill	\$ 70.15	\$ 74.70	\$ 73.58

TYPICAL MINIMUM MONTHLY METERED WATER AND SANITARY SEWER BILL

Description	Current	Scenario 1	Scenario 2
Basic charge, each dwelling unit / account	\$ 5.13	\$ 6.11	\$ 5.95
Minimum bill up to 6,000 gallons	29.66	35.34	34.43
For the first 50,000 gallons (per 1,000 gallons)	4.67	5.56	5.42
For the second 50,000 gallons (per 1,000 gallons)	4.30	5.12	4.99
On the balance	3.58	4.27	4.16
Water Filtration charge Percentage of Lines 1 & 2 <i>2012 - 8% of total water charge; 2013 - Scenario 1 - 6.56%; Scenario 2 - 6.74%</i>	2.78	2.68	2.68
Sanitary Sewer Surcharge Percentages of Lines 1 & 2 <i>2012 - 86% of total water charges; 2013 - Scenario 1 - 66.89%; Scenario 2 - 68.68%</i>	29.92	27.73	27.73
Total Minimum monthly Water and Sanitary Sewer Bill for metered accounts	\$ 67.49	\$ 71.86	\$ 70.79

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-209

A BY-LAW TO AUTHORIZE THE SALE TO MICOR HOLDINGS LTD (PART OF LOT 18, CONCESSION D, DESIGNATED AS PARTS 1, 2, 3, 4, 5 & 6 ON PLAN 36R-13283, CITY OF NORTH BAY, DISTRICT OF NIPISSING)

WHEREAS the Municipality is authorized by Section 10. (2) of the *Municipal Act*, S.O. 2001, Chapter c.25, to dispose of lands no longer required for municipal purposes;

AND WHEREAS Council declared the lands surplus and authorized the sale of lands to Micor Holdings Ltd. by Resolution No. 2012-281 at its Regular Meeting held on Monday, April 16th, 2012;

AND WHEREAS Council deems it desirable to convey Part of Lot 18 Concession D, designated as Parts 1, 2, 3, 4, 5 & 6 on Plan 36R-13283, City of North Bay, District of Nipissing;

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

1. The Corporation of the City of North Bay is hereby authorized and directed to transfer Part of Lot 18, Concession D, designated as Parts 1, 2, 3, 4, 5 & 6 on Plan 36R-13283, City of North Bay, District of Nipissing to Micor Holdings Ltd., upon payment of the sum of \$128,900.00 (HST extra).
2. That the Mayor, City Clerk and City Solicitor are hereby authorized and directed to execute the said transfer and such further and other documents as may be reasonably required to complete the transfer of the said lands. The City Solicitor has the authority to electronically sign for completeness and release any document required to be registered on title.

READ A FIRST TIME IN OPEN COUNCIL THE 15TH DAY OF OCTOBER, 2012.

READ A SECOND TIME IN OPEN COUNCIL THE 15TH DAY OF OCTOBER, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15TH DAY OF OCTOBER, 2012.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-210

**BEING A BY-LAW TO CONFIRM PROCEEDINGS
OF THE MEETING OF COUNCIL ON
OCTOBER 1, 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 October 1, 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.

cc READ A FIRST TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 15TH DAY OF OCTOBER, 2012.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-212

**BEING A BY-LAW TO AMEND BY-LAW NO. 1962-2066
(A BY-LAW TO AUTHORIZE PARTICIPATION IN THE ONTARIO
MUNICIPAL EMPLOYEES RETIREMENT SYSTEM)**

WHEREAS By-law No. 1962-2066 provides for mandatory membership in the Ontario Municipal Employees Retirement System (OMERS) for permanent employees;

AND WHEREAS mandatory members in the OMERS Primary Pension Plan ("Primary Plan") and the Retirement Compensation Arrangement ("RCA") provides benefits for members and former members of the Primary Plan;

AND WHEREAS pursuant to subsection 6(1) of the Primary Plan, an employer who is eligible under the *Ontario Municipal Employees Retirement Act, 2006* ("OMERS Act, 2006), to participate in the Primary Plan and the RCA may participate in the Primary Plan and RCA and pay to the funds for the Primary Plan and the RCA the total of the employer and members contributions, and has all of the powers necessary and incidental thereof;

AND WHEREAS The Corporation of the City of North Bay has elected to participate in the Primary Plan and the RCA;

AND WHEREAS Council passed Resolution No. 2012-570 at its Regular Meeting held on Monday, October 1, 2012 to modify the conditions for membership in the Primary Plan and RCA for specified Other Than Continuous Full-time Employees ("OTCFT Employee").

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

1. By-law No. 1962-2066 is hereby amended to add the following:
 - "11. Effective as of the first day of January 2012 (OTCFT Effective Date) the City of North Bay approves mandatory membership in the Primary Plan and the Retirement Compensation Arrangement (RCA) for each person who is employed by the City on other than a continuous full-time basis (OTCFT employee) who is employed in the following class (es) (Specified OTCFT Employees) Temporary Full-Time Employees.
 12. A Specified OTCFT employee who commenced employment before the OTCFT Effective Date is entitled to become a member of the Primary Plan and the RCA on the first day of the month following the month in which the Specified OTCFT Employee's application is received by the Administration Committee (AC), provided that the AC may, at the request of the City, fix an earlier date on which the Specified OTCFT Employee becomes a member but not before the date on which the Specified OTCFT Employee became entitled to be a member or the first day of January in the year in which the application is received by the AC, whichever is the later date.

13. Every person who becomes a Specified OTCFT Employee on or after the OTCFT Effective Date shall, as a condition of employment, become a member of the Primary Plan and the RCA, or if such person is already a member, resume contributions to the Primary Plan and the RCA on the date so employed."

2. This By-law comes into effect as of the 1st day of January, 2012.

READ A FIRST TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2012.

cc READ A SECOND TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15TH DAY OF OCTOBER, 2012.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-211

**BEING A BY-LAW TO AUTHORIZE THE
EXECUTION OF A CONDOMINIUM AGREEMENT
BETWEEN THE CORPORATION OF THE CITY OF
NORTH BAY AND INKEN ROLLER
(260 PARSONS AVENUE)**

WHEREAS the Condominium Agreement with Inken Roller for 260 Parsons Avenue was approved by Resolution No. 2009-754 passed by Council on the 30th day of November, 2009.

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 a Condominium Agreement dated the 15th day of October, 2012 with Inken Roller relating to 260 Parsons Avenue, North Bay.
2. That the Mayor, City Clerk and Manager of Planning Services for The Corporation of the City of North Bay are hereby authorized to execute those certain Condominium Agreements between The Corporation of the City of North Bay and Inken Roller and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2012.

cc. READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15TH DAY OF OCTOBER, 2012.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-213

**BEING A BY-LAW TO AUTHORIZE THE
EXECUTION OF AN AGREEMENT WITH
TRUDEL CONSTRUCTION RELATING TO
STRUCTURAL REPAIRS TO THE PRIMARY
CLARIFIER CHANNELS AT THE
WASTEWATER TREATMENT PLANT**

WHEREAS the Agreement with Trudel Construction for structural repairs to the primary clarifier channels at the wastewater treatment plant was approved by Resolution No. 2012-505 passed by Council on the August 27, 2012;

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

1. The Corporation of the City of North Bay enter into an Agreement dated the 17th day of September, 2012 , with Trudel Construction for structural repairs to the primary clarifier channels at the Wastewater Treatment Plant.
2. 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 Trudel Construction and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2012.

READ A SECOND TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2012.

KM READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15TH DAY OF OCTOBER, 2012.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2012-214

**BEING A BY-LAW TO AUTHORIZE THE
EXECUTION OF AN AGREEMENT WITH
ONTARIO ELECTRICAL CONSTRUCTION
COMPANY LIMITED RELATING TO
EMERGENCY ELECTRICAL WORK AT THE
WASTEWATER TREATMENT PLANT**

WHEREAS the Agreement with Ontario Electrical Construction Company Limited for emergency electrical work at the Wastewater Treatment Plant was approved by Resolution No. 2012-546 passed by Council on the September 17, 2012;

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

1. The Corporation of the City of North Bay enter into an Agreement dated the 21st day of September, 2012, with Ontario Electrical Construction Company Limited for emergency electrical work at the Wastewater Treatment Plant.
2. 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 Ontario Electrical Construction Company Limited and to affix thereto the Corporate seal.

READ A FIRST TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2012.

cc. READ A SECOND TIME IN OPEN COUNCIL THIS 15TH DAY OF OCTOBER, 2012.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 15TH DAY OF OCTOBER, 2012.

MAYOR ALLAN McDONALD

DEPUTY CITY CLERK KAREN McISAAC