

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, AUGUST 10TH, 2009**

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

PUBLIC PRESENTATION:

Teil, Susan re Poison Ivy - Wigston Drive

CORRESPONDENCE:

Nil

REPORTS FROM OFFICERS:

Burke, M.	re Set Fines/Short Form Wording - No Idling By-Law	(525)
Burke, M.	re DNSSAB Renovations, Space Allocation, Funding and Leases	(536)
Conrad, C.	re Video Surveillance Policy	(526)
Houston, J.	re Fisher Street Parkette Recognition	(529)
Korell, A.	re Preparation for Sale Embankment Removal	(527)
Korell, A.	re Watermain (100mm) Replacement ,Reaming or Relining Program	(528)
Lacombe, A.	re Noise Exemption - McKeown/Algonquin Reconstruction	(537)
Manning, J.	re Granular "A" Overbuilding & Surface Treatment	(535)
Manning, J.	re Landscape Architectural Services - Outdoor Sports Fields Complex	(530)
Manning, J.	re Algonquin Avenue/Area Road Reconstruction	(532)
Marshall, R.	re Trout Lake Road Resurfacing/Twin Pines Traffic Signals Removal	(538)
Mimee, R.	re Infrastructure Stimulus Fund Application - Revised Report	(531)
Mimee, R.	re Year End Financial Projection	(533)
Rogers, B.	re 2008 Consolidated Financial Statements	(534)

Res. #2009-523: Moved by Councillor Graham, seconded by Councillor Vaillancourt
That minutes for the public meetings held on:

- Monday, July 27, 2009

be adopted as presented.

"CARRIED"

Res. #2009-524: Moved by Councillor Graham, seconded by Councillor Vaillancourt
That minutes for the closed meeting held on:

- Monday, July 27, 2009

be adopted as presented.

"CARRIED"

Res. #2009-525: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That Council authorize an application for approval of \$50.00 set fines and short form wording for offences contrary to the No Idling By-Law No. 2009-134, as contained in the Schedule "A" attached to Report to Council CORP 2009-131.

"CARRIED"

Res. #2009-526: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That Council adopt the "Video Surveillance Policy" attached to Report to Council CORP 2009-111.

"CARRIED"

Res. #2009-527: Moved by Councillor Koziol, seconded by Councillor Bain
That 1) a Capital Expenditure By-Law be prepared for Council's consideration to authorize the CN Lands Preparation for Sale – Embankment and Removal, being the 2009 Capital Budget Line Item #38, with a net debenture cost of \$210,000.00; and
2) the Chief Financial Officer be authorized to transfer \$210,000.00 from the Property Development Reserve Fund (#99535) to fund the project.

"CARRIED"

Res. #2009-528: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the watermain (100 mm) replacement, reaming and relining, being a 2009 Capital Budget Line Item #W50, with a net debenture cost of \$150,000.00.

"CARRIED"

Res. #2009-529: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Council recognizes "The Fisher Street Boys" for their contribution in developing the Fisher Street Parkette by including the following scripted appreciation on the park's main entrance sign:
"Thanks to the Fisher Street Boys, who, in the 1930s developed this small park area for all to enjoy!"

"CARRIED"

Res. #2009-530: Moved by Councillor Anthony, seconded by Councillor Mendicino
That North Bay City Council approve a contract be issued to John George Associates Inc. in the amount of \$481,175.00 (GST extra), to provide landscape architectural services for design of an Outdoor Sports Fields Complex.

"CARRIED"

Res. #2009-531: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That 1) City Council authorizes the Mayor and City Clerk (or Chief Financial Officer) to sign an Infrastructure Stimulus Fund Contribution Agreement for the \$14,000,000 Algonquin/Front Rehabilitation Program on behalf of the City;
2) City Council authorizes the Mayor and City Clerk (or Chief Financial Officer) to sign the Building Canada Fund – Communities Component Contribution Agreement for the \$9,000,000 Outdoor Sports Fields Complex on behalf of the City;
3) the City Clerk be authorized to present a capital project by-law to authorize the City's \$5,500,000 share of the Algonquin/Front Rehabilitation Program (Capital Budget Lines #9, #15, W10 and W15);
4) the City Clerk be authorized to present a capital project by-law to authorize the City's \$3,000,000 share of Outdoor Sports Fields Complex Project (Capital Budget Line #73); and

- 5) City staff be authorized to proceed with a Request for Proposals for the detailed design of six roadway reconstruction projects that could be considered for inclusion in the 2010 and 2014 Five Year Capital Forecast, and for the environmental assessment and design of the Airport Aviation Industrial Park Servicing project.

“CARRIED”

Res. #2009-532:

Moved by Councillor Koziol, seconded by Councillor Bain

- That
- 1) North Bay City Council approve a contract be issued to GAP Construction in the amount of \$6,116,414.90 (GST inc.), for Algonquin Avenue and area road reconstruction - Phases 2, 5 and 6;
 - 2) North Bay City Council approve a contract be issued to R.M. Belanger Limited in the amount of \$5,217,698.85 (GST inc.), for Algonquin Avenue and area road construction - Phases 3 and 4;
 - 3) North Bay City Council approve a contract be issued to AECOM in the amount of \$336,034.00 (GST inc.), to provide construction inspection services for Algonquin Avenue and Worthington Street; and
 - 4) North Bay City Council approve a contract be issued to TROW Associates Inc., in the amount of \$300,898.00 (GST inc.), to provide construction inspection services for Algonquin Avenue and Front Street.

“CARRIED”

Res. #2009-533:

Moved by Councillor Campbell, seconded by Councillor Vaillancourt

That the City of North Bay’s Year End Financial Projection for the period ending June 30, 2009 be received and filed.

“CARRIED”

Res. #2009-534:

Moved by Councillor Campbell, seconded by Councillor Vaillancourt

- That
- 1) the 2008 Consolidated Financial Statements be received; and
 - 2) the Mayor and Chief Financial Officer of the City of North Bay be authorized to approve the 2008 Consolidated Financial Statements.

“CARRIED”

Res. #2009-535:

Moved by Councillor Koziol, seconded by Councillor Bain

- That
- 1) North Bay City Council approve a contract be awarded to Miller Paving Ltd., in the estimated amount of \$496,497.75 (GST included), for application of granular “A” overbuilding and surface treatment of various rural roads: and
 - 2) the City Clerk present a Capital Expenditure By-Law for consideration by City Council for the Street Reconstruction – Rural Roadways (ongoing) (Capital Budget Line #54), with a net debenture cost of \$500,000.00.

“CARRIED”

- Res. #2009-536: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That
- 1) Council authorize a new ten (10) year lease at a new first year rate of \$14.74 per square foot with the District of Nipissing Social Services Administration Board (DNSSAB) for the 3rd and 4th floors and for 2,570 square feet of the first floor, from April 1, 2010 to March 31, 2020 with annual increases of 2.5% and two renewal options of 5 years each;
 - 2) interim space allocations of 890 square feet in the lobby and on the seventh floor be charged out at the existing rate of \$14.384 per square foot, as required;
 - 3) Council approve a funding agreement for the DNSSAB Office Renovations, whereby the DNSSAB and the City share the balance of the \$2,700,000.00 project cost after Infrastructure Stimulus Funding of \$900,465.00 on a 60% DNSSAB/40% City basis, with any change orders above the base funding to be to the account of the party who asks for the change; and
 - 4) a Capital Expenditure By-Law be approved in the amount of \$450,000.00.

“CARRIED”

- Res. #2009-537: Moved by Councillor Koziol, seconded by Councillor Bain
That
- 1) an exemption to North Bay Noise By-Law 1976-142 be granted, pursuant to Schedule 2, Section 5, to permit construction work to be carried out on the McKeown/Algonquin Intersection reconstruction (Contract 2009-29), during the following restricted times:

Weekdays (Monday to Friday) 7 pm to 7 am (the following day)
 - 2) the exemption apply immediately and terminate November 30, 2009;
 - 3) a copy of the Report EESW 2009-45 dated August 6, 2009 by Adam Lacombe, Capital Works Engineer, be forwarded to Jeff Cole, MTO for information; and
 - 4) the Chief Administrative Officer be directed to bring forward a report to Council by not later than October 31, 2009 looking at amendments to the Noise By-law 1976-142 when there is a demonstrated community benefit.

“CARRIED”

- Res. #2009-538: Moved by Councillor Koziol, seconded by Councillor Bain
That the City Clerk be authorized to prepare a by-law for the execution of a Connecting Link Funding Agreement with the MTO for a 75% contribution from MTO totaling \$1,312,500.00 towards the Trout Lake Road Resurfacing from Highway 11/17 to Connaught Avenue, with a total project cost estimated at \$1,750,000.00.

“CARRIED”

- Res. #2009-539: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the following by-laws be read a first and second time:
- By-Law No. 2009-144 to authorize the Algonquin Avenue/Front Street Rehabilitation Projects.

By-Law No. 2009-145 to authorize the Outdoor Sports Fields Complex Project.

By-Law No. 2009-182 to authorize the purchase of lands from Edward and Susan Stackhouse under mortgage sale proceedings (1105 Lakeshore Drive).

By-Law No. 2009-183 to execute an Agreement with the Canadian Union of Public Employees, Local 122 relating to the 2009-2011 Collective Agreement.

“CARRIED”

Res. #2009-540: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That the following by-laws be read a third time and passed:

By-Law No. 2009-144 to authorize the Algonquin Avenue/Front Street Rehabilitation Projects.

By-Law No. 2009-145 to authorize the Outdoor Sports Fields Complex Project.

By-Law No. 2009-182 to authorize the purchase of lands from Edward and Susan Stackhouse under mortgage sale proceedings (1105 Lakeshore Drive).

By-Law No. 2009-183 to execute an Agreement with the Canadian Union of Public Employees, Local 122 relating to the 2009-2011 Collective Agreement.

“CARRIED”

Res. #2009-541: Moved by Councillor Anthony, seconded by Councillor Mendicino That the following by-laws be read a third time and passed:

By-Law No. 2009-136 to adopt Official Plan Amendment No. 100 (Hilre Investments Limited - Birch’s Road).

By-Law No. 2009-137 to rezone certain lands on Birch’s Road (Hilre Investments Limited).

“CARRIED”

Res. #2009-542: Moved by Councillor Koziol, seconded by Councillor Bain That the following by-laws be read a first and second time:

By-Law No. 2009-180 to execute an Agreement with Infratech Sewer & Water Services Inc. relating to Storm and Sanitary Sewer Inspections.

By-Law No. 2009-181 to execute an Agreement with Trow Associates Inc. relating to contract administration and inspection services for the Algonquin Avenue/McKeown Avenue reconstruction.

“CARRIED”

Res. #2009-543: Moved by Councillor Koziol, seconded by Councillor Bain That the following by-laws be read a third time and passed:

By-Law No. 2009-180 to execute an Agreement with Infratech Sewer & Water Services Inc. relating to Storm and Sanitary Sewer Inspections.

By-Law No. 2009-181 to execute an Agreement with Trow Associates Inc. relating to contract administration and inspection services for the Algonquin Avenue/McKeown Avenue reconstruction.

“CARRIED”

Res. #2009-544: Moved by Councillor Bain, seconded by Councillor Koziol
WHEREAS the Province of Ontario has amended O. Reg. 347 to add landfills in Ontario with between 1.5 and 3 million cubic meters of approved space to manage landfill gas;

AND WHEREAS landfill gas, which contains 50% methane, is a major source of greenhouse gas emissions if allowed to escape to the atmosphere;

AND WHEREAS the City of North Bay owns and operates a landfill in Merrick Township that has 2.9 million cubic meters of approved space;

AND WHEREAS in 2006 the City of North Bay voluntarily began to capture and flare landfill gas at the Merrick Landfill;

AND WHEREAS the City of North Bay has sold vintage years 2006 and 2007 emission reduction credits to the Federal Government under the PERRL Program;

AND WHEREAS the City of North Bay is currently entering into an agreement to sell future emission reduction credits;

AND WHEREAS the City of North Bay plans to expand its landfill gas collection system as the landfill site expands;

AND WHEREAS the Ontario Government represented in the approval process to amend O. Reg. 347 that it would not immediately apply the regulations to landfill sites that were voluntarily managing landfill gas (regulations would not apply until June 30, 2016);

AND WHEREAS O. Reg. 347 has been applied as of July 1, 2009 to landfills that voluntarily manage landfill gas, making future gas emissions non eligible for trading;

THEREFORE BE IT RESOLVED THAT Ontario Municipalities petition the Ontario Government to immediately revoke Ontario Reg. 347 Section 11.2 so that qualifying municipalities may continue to operate and expand their landfill gas management systems on a voluntary basis until June 30, 2016;

AND FURTHER THAT a copy of this resolution be forwarded to Premier Dalton McGuinty; Hon. John Gerretsen, Minister of the Environment; Hon. Monique Smith, MPP Nipissing, the Association of Municipalities of Ontario, the Federation of Northern Ontario Municipalities and to the leaders of the opposition.

“CARRIED”

Res. #2009-545: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That Council adjourn in-camera pursuant to section 239 of the *Municipal Act, 2001*, as amended, at 7:35 p.m. for the following reason: Items 16, being a pending acquisition of land by the municipality.

“CARRIED”

Res. #2009-546: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That Council reconvene at 7:43 p.m.

“CARRIED”

Res. #2009-547: Moved by Councillor Graham, seconded by Councillor Vaillancourt
That this Regular Meeting of Council do now adjourn at 7:44 p.m.

“CARRIED”

MAYOR VIC FEDELI

CITY CLERK CATHERINE CONRAD