

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, APRIL 19TH, 2010**

PRESENT: Mayor Fedeli, Councillors Chirico, Campbell, Vaillancourt, Mayne, Bain, Koziol, Graham, Mendicino, Anthony

PUBLIC PRESENTATION:

CORRESPONDENCE:

Autogene Industries North Bay Inc. re Rezoning application - 1891 Seymour Street (281)

REPORTS FROM OFFICERS:

Burke, M. re 9 Metre Smoking Ban at Entrances (290)
Carello, P. re Plan of Condominium application - o/b Consolidated Homes Ltd. - Wallace Road & Circle Lake (277)
Carello, P. re Rezoning application - o/b Pierre & Jennifer L'Ami - 1369 Lakeshore Dr. (278)
Carello, P. re Rezoning application - City of North Bay - Gertrude St.East, Ethel Street & Strathcona Dr. (279)
Cox, A. re 2010 Capital Budget Project Merrick Landfill Site - Leachate Management (282)
Cox, A. re Merrick Landfill Site Methane Collection System - Energy Utilization (283)
Cox, A. re Traffic Signalized Pedestrian Crossing - Various Locations (284)
Cox, A. re Street Lighting Upgrades (285)
Kilgour, I. re Integrated Community Sustainability Plan (287)
Killins, S. re Fence Variance - 192 Wallace Heights Road (286)
Korell, A. re Merrick Landfill Tipping Fee Increase (280)
Manning, J. re Tender 2010-44, Main Street @ Fraser Street Parkette Reconstruction (291)
Manning, J. re RFP 2010-42, Professional Services for Various Projects (292)

Res. #2010-273: Moved by Councillor Vaillancourt, seconded by Councilor Graham That minutes for the public meetings held on:

- Monday, March 22, 2010; and
- Tuesday, April 6, 2010

be adopted as presented.

"CARRIED"

Res. #2010-274: Moved by Councillor Koziol, seconded by Councillor Mayne That minutes for the closed meeting held on:

- Tuesday, April 6, 2010

be adopted as presented.

"CARRIED"

Res. #2010-275: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Community Services Committee Report No. 2010-08 relating to:

- the 2009 Municipal Accessibility Plan and Advisory Committee Update; and
- the 2009 Municipal Heritage Committee Annual Report

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2010-08

April 19, 2010

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2010-08 and recommends:

1. That
 - a) the Municipal Accessibility Advisory Committee be thanked for their work; and
 - b) the 2009 Update – Municipal Accessibility Plan and Municipal Accessibility Advisory Committee Annual Report be noted and filed.
2. That
 - a) the Municipal Heritage Committee be thanked for their work; and
 - b) the 2009 Municipal Heritage Committee Annual Report be noted and filed.

All of which is respectfully submitted.

ASSENTS
ANTHONY
MENDICINO
GRAHAM
FEDELI

DISSENTS

Res. #2010-276: Moved by Councillor Koziol, seconded by Councillor Bain
That Engineering & Works Committee Report No. 2010-03 relating to:

- 2009 Corporate Energy Conservation Annual Report

be adopted as presented.

“CARRIED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2010-03

April 19, 2010

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2010-03 and recommends:

- 1. That the 2009 Corporate Energy Conservation Annual Report dated March 2010 be noted and filed.

All of which is respectfully submitted.

ASSENTS
 KOZIOL
 BAIN
 MAYNE
 FEDELI

DISSENTS

Res. #2010-277: Moved by Councillor Anthony, seconded by Councillor Mendicino
 That the recommendation from the Planning Advisory Committee regarding the Plan of Condominium application by Miller & Urso Surveying Inc., on behalf of Consolidated Homes Ltd. – Wallace Road and Circle Lake be referred to the Community Services Committee for a Public Meeting.

“CARRIED”

Councillor Chirico declared a conflict of interest as Consolidated Homes Ltd. is a client of his employer, The Royal Bank of Canada.

Res. #2010-278: Moved by Councillor Anthony, seconded by Councillor Mendicino
 That the recommendation from the Planning Advisory Committee regarding the Rezoning application by Miller & Urso Surveying Inc., on behalf of Pierre and Jennifer L’Ami – 1369 Lakeshore Drive be referred to the Community Services Committee for a Public Meeting.

“CARRIED”

Res. #2010-279: Moved by Councillor Anthony, seconded by Councillor Mendicino
 That the Rezoning application by the City of North Bay – Gertrude Street East, Ethel Street and Strathcona Drive be received.

“CARRIED”

Res. #2010-280: Moved by Councillor Koziol, seconded by Councillor Bain
 That Report to Council EESW 2010-08 dated April 7, 2010 from Alan Korell relating to Merrick Landfill Tipping Fee Increase be referred to the Engineering & Works Committee for a Public Meeting.

“CARRIED”

Res. #2010-281: Moved by Councillor Anthony, seconded by Councillor Mendicino
 That the rezoning application by Miller & Urso Surveying Inc., on behalf of Autogene Industries North Bay Inc. – 1891 Seymour Street be received.

“CARRIED”

Res. #2010-282: Moved by Councillor Koziol, seconded by Councillor Bain
 That a Capital Expenditure By-Law be prepared for Council’s consideration to authorize the 2916GD Merrick Landfill’s Leachate Management project for the Engineering, Environmental Services and Works Department, being 2010 Capital Budget Project Line Item #51, at a net debenture cost of \$1,500,000.00.

“CARRIED”

Res. #2010-283: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the 3012PC Merrick Landfill's Methane Collection System project for the Engineering, Environmental Services and Works Department, being 2010 Capital Budget Project Line Item #54, at a net debenture cost of \$200,000.00.

"CARRIED"

Res. #2010-284: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the 2930RD Traffic Signalized Pedestrian Crossing project, being 2010 Capital Budget Project Line Item #36, at a net debenture cost of \$100,000.00.

"CARRIED"

Res. #2010-285: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the 3013SL Street Lighting Upgrades project, being 2010 Capital Budget Project Line Item #56, at a net debenture cost of \$800,000.00.

"CARRIED"

Res. #2010-286: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Council approve the request for a fence variance to permit an existing fence located in the rear and side yard to increase in height from the permitted 6'0" to 10'0" and to be void of at least 25% openings for passage of air and light. This fence is located at 192 Wallace Heights Road, North Bay.

"CARRIED"

Res. #2010-287: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Council adopt the Integrated Community Sustainability Plan attached to Report to Council CSBU 2010-64 dated April 14, 2010 from Ian Kilgour.

"CARRIED"

Res. #2010-288: Moved by Councillor Chirico, seconded by Councillor Campbell
That accounts totaling \$10,253,983.94 for March 2010 be approved.

"CARRIED"

Res. #2010-289: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That accounts for Royal Bank totaling \$1,938.45 for March 2010 be approved.

"CARRIED"

Councillor Chirico declared a conflict of interest as he is employed by The Royal Bank of Canada.

Res. #2010-290: Moved by Councillor Chirico, seconded by Councillor Campbell
That 1) the properties set out on the lists attached to Report CORP 2010-67 be added as Schedules B and C, to No Smoking By-Law 2003-05, as it relates to the nine metre smoking ban at entrances; and

- 2) the amendment to the No Smoking By-Law be presented for three (3) readings at the Regular Meeting of Council on April 19, 2010.

“CARRIED”

Res. #2010-291: Moved by Councillor Anthony, seconded by Councillor Mendicino That North Bay City Council approve the award of a contract to Excel Landscaping Inc., in the amount of \$94,784.36 (GST included), for the reconstruction of the Parkette, Main Street at Fraser Street.

“CARRIED”

Councilor Chirico declared a conflict of interest as Excel Landscaping is a client of his employer, The Royal Bank of Canada.

Res. #2010-292: Moved by Councillor Anthony, seconded by Councillor Mendicino That North Bay City Council approve a contract to Evans Bertrand Hill Wheeler Architecture Inc., in the upset amount of \$64,900.00 (GST extra), to provide professional services for various projects for the 2010 budget year.

“CARRIED”

Res. #2010-293: Moved by Councillor Chirico, seconded by Councillor Campbell That the following by-laws be read a first and second time:

By-Law No. 2010-100 to authorize the Sanitary Sewer Rehabilitation Program.

By-Law No. 2010-101 to authorize the Rural Roadway Culvert Replacement Program.

By-Law No. 2010-102 to authorize the Rural Roadway Reconstruction Program.

By-Law No. 2010-103 to authorize the Design Work for Next Year's Projects Program.

By-Law No. 2010-104 to authorize the Asphalt Resurfacing Sheeting Program.

By-Law No. 2010-105 to authorize the Bridge Rehabilitation Program.

By-Law No. 2010-106 to authorize Downtown Roads & Sidewalk Maintenance Program.

By-Law No. 2010-107 to authorize the Residential Street Rehabilitation Program.

By-Law No. 2010-109 to amend By-Law No. 2003-05, (being a by-law to regulate smoking in public places and workplaces).

By-Law No. 2010-111 to execute a Collective Agreement with the North Bay Professional Firefighters' Association, Local 284, for the period January 1, 2004 to December 31, 2010.

“CARRIED”

Res. #2010-294: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a third time and passed:

By-Law No. 2010-100 to authorize the Sanitary Sewer Rehabilitation Program.

By-Law No. 2010-101 to authorize the Rural Roadway Culvert Replacement Program.

By-Law No. 2010-102 to authorize the Rural Roadway Reconstruction Program.

By-Law No. 2010-103 to authorize the Design Work for Next Year's Projects Program.

By-Law No. 2010-104 to authorize the Asphalt Resurfacing Sheeting Program.

By-Law No. 2010-105 to authorize the Bridge Rehabilitation Program.

By-Law No. 2010-106 to authorize Downtown Roads & Sidewalk Maintenance Program.

By-Law No. 2010-107 to authorize the Residential Street Rehabilitation Program.

By-Law No. 2010-109 to amend By-Law No. 2003-05, (being a by-law to regulate smoking in public places and workplaces).

By-Law No. 2010-111 to execute a Collective Agreement with the North Bay Professional Firefighters' Association, Local 284, for the period January 1, 2004 to December 31, 2010.

"CARRIED"

Res. #2010-295: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-law be read a third time and passed:

By-Law No. 2010-92 to stop up, close and convey a portion of the unopened Fairway Drive road allowance.

"CARRIED"

Res. #2010-296: Moved by Councilor Anthony, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2010-110 to execute a Subdivision Agreement with Peter Bernard Baldasaro and Judith Michelle Baldasaro relating to Little Down Lane.

"CARRIED"

Res. #2010-297: Moved by Councilor Anthony, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2010-110 to execute a Subdivision Agreement with Peter Bernard Baldasaro and Judith Michelle Baldasaro relating to Little Down Lane.

"CARRIED"

Res. #2010-298: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2010-93 to rezone certain lands on Circle Lake Road (Kelly Loxton).

“CARRIED”

Res. #2010-299: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended, at 7:18 p.m. for the following reasons:
Item #17, being a matter that includes advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
Item #18, being the potential lease of property by the municipality; Item #19, being the potential acquisition of lands by the municipality; and Item #20, being the potential sale of lands by the municipality.

“CARRIED”

Res. #2010-300: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council reconvene at 8:12 p.m.

“CARRIED”

Res. #2010-301: Moved by Councillor Vaillancourt, seconded by Councillor Graham
That this Regular Meeting of Council do now adjourn at 8:12 p.m.

“CARRIED”

CLOSED MEETING CONFLICT OF INTEREST:

Regular Agenda Items #18 & #19 - Councillor Chirico declared a conflict of interest as one of the proponents is a client of his employer, the Royal Bank of Canada (Item #18) and the property owner is a client of his employer, the Royal Bank of Canada (Item #19). Councillor Chirico left the room for the discussion of these items.

Regular Agenda Item #20 - Councillor Bain declared a conflict of interest as he owns property in the area. Councillor Bain left the room for the discussion of this item.

MAYOR VICTOR FEDELI

CITY CLERK CATHERINE CONRAD