

**Minutes of the Regular Meeting
of City Council
Held Tuesday, May 7, 2019**

Present:

Mayor McDonald, Councillors T. Vrebosch, B. Vrebosch, King, Tignanelli, Mendicino, Robertson, Brousseau

Public Presentations:

Dr. J. Chirico/Stephanie Lachapelle	re Smoke Free Ontario <i>Act</i>
Hariett Madigan/Peter Chirico	re North Bay Clean-Green-Beautiful Initiative

Reports from Officers:

Carello, P.	re Final Approval on Draft Plan of Condominium/Condominium Agreement – 2146552 Ontario Inc. – Wallace Road	(185)
Euler, D.	re Community Energy Park	(189)
Janisse, L.	re Appointment of Chief Administrative Officer	(198)
Kimber, B.	re 2019 Armed Forces Appreciation Day	(184)
Kotylak, MA.	re Purchasing By-Law No. 2013-200	(186)
Kotylak, MA.	re Request for Quotation 2019-35, Landfill Chipping and Grinding Services	(187)
Kotylak, MA.	re Tender 2019-46, Asphalt Resurfacing	(188)
Melnyk, R.	re On-Street Parking By-Law No. 2014-37	(183)
McIsaac, K.	re Appointment of Deputy City Clerk	(197)
Porter, R.	re Tender 2019-46, Asphalt Resurfacing	(188)
Pratte, K.	re Request for Quotation 2019-35, Landfill Chipping and Grinding Services	(187)

Res. #2019-180: Moved by Councillor Robertson, seconded by Councillor Mendicino That Council suspend the rules of the City of North Bay Procedural By-Law 2017-01, as amended, to allow the Regular Meeting of Council to commence at 7:24 p.m.

"Carried"

Res. #2019-181: Moved by Councillor Robertson, seconded by Councillor Brousseau That minutes for the public meetings held on:

- Thursday, April 18, 2019; and
- Tuesday, April 23, 2019

be adopted as presented.

"Carried"

Res. #2019-182: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch
That General Government Committee Report No. 2019-08 relating to:

- 2019 Assessment Analysis and Tax Policy Review

be adopted as presented.

“Carried”

General Government Committee Report No. 2019-08

May 7, 2019

To The Council
Of The Corporation
Of The City Of North Bay

Your Worship and Councillors:

The General Government Committee presents Report No. 2019-08 and recommends:

Recommendations summarized:

1) Tax Ratios

That Council adopts the 2019 Tax Policy recommendations as follows:

That the 2019 tax ratios remain at the 2018 levels with the required adjustment to Multi-Residential as follows:

New Multi-Residential	- 1.0000	Pipeline	- 1.1656
Multi-Residential	- 2.0000	Farmland	- 0.1500
Commercial	- 1.882200	Managed Forest	- 0.2500
Industrial	- 1.4000		

2) Tax Reductions for Mandated Subclasses of Vacant Land/Units - (Commercial/Industrial)

That the 2019 Vacant Commercial and Industrial Subclass Reduction By-Laws be prepared with the uniform rate of 30% and that a review of the Vacancy rebate program be undertaken.

All of which is respectfully submitted.

<u>Assents</u>	<u>Dissents</u>
T. Vrebosch	
B. Vrebosch	
King	
Mayor McDonald	

Res. #2019-183: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch
That Council authorize amendments to the On-Street Parking By-Law No. 2014-37, as set out in Report to Council CORP 2019-61 from Ron Melnyk dated April 15, 2019.

“Carried”

Res. #2019-184: Moved by Councillor Brousseau, seconded by Councillor Robertson That exclusive use be granted to the City-owned or controlled lands (except the North Bay Wastewater Treatment Plant Facility lands) within the area defined as, extending from, and inclusive of the waterfront beaches starting at Tenth Street and both sides of Memorial Drive from the Uniroc site up to and including Lee Park for the 2019 Armed Forces Appreciation Day being held June 12, 2019.

“Carried”

Res. #2019-185: Moved by Councillor Brousseau, seconded by Councillor Robertson That 1) Council grant Final Approval to the Draft Approved Plan of Condominium along Wallace Road (9 units) by 2146552 Ontario Inc. (City File No. 48CDM-10101); and

2) the Mayor and City Clerk be authorized to sign the Condominium Agreement with 2146552 Ontario Inc. for a property located along Wallace Road, consisting of nine (9) townhouse units, upon receipt of all security, easements and all other Condominium Agreement requirements.

“Carried”

Res. #2019-186: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch That City Council approve the amendment to the Purchasing By-Law No. 2013-200 with the changes, as outlined in Report to Council CORP 2019-52 dated April 30, 2019 from Mary-Ann Kotylak.

“Carried”

Res. #2019-187: Moved by Councillor Tignanelli, seconded by Councillor Mendicino That City Council approve the award of a contract to Sittler Grinding Inc., based on the unit rates specified in their bid for Request for Quotation 2019-35 for the provision of chipping and grinding services at the City of North Bay Landfill, for a term of three (3) years with an option in favour of the City to extend the contract on the same terms and conditions for two (2) additional terms of up to one (1) year each.

“Carried”

Res. #2019-188: Moved by Councillor Tignanelli, seconded by Councillor Mendicino That 1) City Council approve the award of a contract to Pioneer Construction Inc. in the amount of \$4,013,110.25 (plus HST), for the 2019 Asphalt Resurfacing Program; and

2) Council authorize the transfer of funds to the project, as outlined in Report to Council CORP 2019-54 dated April 30, 2019 from Mary-Ann Kotylak and Reid Porter.

“Carried”

Res. #2019-189: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch That 1) City Council authorize the transfer of \$261,000.00 from Completed General Capital Projects Reserve #99537R to North Bay Hydro Services Inc. as the City’s Capital contribution to the \$4.5 million Community Energy Park as previously approved by North Bay Hydro Holdings Limited; and

- 2) the Mayor and City Clerk be authorized to execute the Power Purchase Agreement between The Corporation of the City of North Bay and North Bay Hydro Services Inc., once the agreement has been finalized to the satisfaction of the Interim Chief Administrative Officer, the Chief Financial Officer and the City Solicitor.

“Carried”

Res. #2019-190: Moved by Councillor Brousseau, seconded by Councillor Robertson That the following by-laws be read a first and second time:

By-Law No. 2019-38 to rezone certain lands on Beattie Street (Rick Christianson – 890 Beattie Street).

By-Law No. 2019-41 to authorize the execution of a Condominium Agreement with 2146552 Ontario Inc. – Wallace Road.

“Carried”

Res. #2019-191: Moved by Councillor Brousseau, seconded by Councillor Robertson That the following by-laws be read a third time and passed:

By-Law No. 2019-38 to rezone certain lands on Beattie Street (Rick Christianson – 890 Beattie Street).

By-Law No. 2019-41 to authorize the execution of a Condominium Agreement with 2146552 Ontario Inc. – Wallace Road.

“Carried”

Res. #2019-192(a): Moved by Councillor Tignanelli, seconded by Councillor Robertson Whereas other municipalities have prohibited all smoking within their City parks;

And Whereas the North Bay Parry Sound District Health Unit has recommended that the City prohibit smoking and vaping of all substances in all municipal parks including green spaces, trails, and beaches;

And Whereas the *Smoke-Free Ontario Act, 2017*, SO 2017, c. 26, Sched. 3 (1) prohibits smoking cannabis and using electronic cigarettes (commonly known as “vaping”), in all areas where smoking is prohibited; (2) smoking and vaping is not permitted on children’s playgrounds or in public spaces within 20 metres of the perimeter of a playground; (3) smoking and vaping is not permitted at publically-owned outdoor sporting areas, spectator areas next to sporting areas and public areas within 20 metres of any point of the edge of the sporting or spectator areas;

And Whereas the *Municipal Act, 2001*, SO 2001, c. 25 allows for a municipality to (1) define a public place; (2) control smoking in that public place; (3) require owners, occupiers, and operators to place signage in relation to smoking restrictions on their properties; and (4) establish criteria for smoking areas on those properties;

And Whereas the City currently has By-Law 2012-97 to regulate smoking in public places and workplaces;

And Whereas the By-Law Enforcement Coordinator has received requests from some agencies in the City to include their workplaces in the list of designated “Smoke-free” workplaces in

the Smoking By-Law 2012-97, in addition to those already designated as "Smoke-free";

Therefore be it resolved that:

- i) staff be directed to amend the Smoking By-Law 2012-97 to prohibit the smoking and vaping of any substance, including the use of water pipes, in all places where smoking is prohibited;
- ii) staff be directed to amend the Smoking By-Law 2012-97 to prohibit all smoking and vaping in all City parks;
- iii) staff be directed to amend the Smoking By-Law 2012-97 to prohibit all smoking and vaping on all City property and to allow for designated smoking areas on a limited number of identified properties;
- iv) staff be directed to amend the smoking By-Law 2012-97 to define designated smoking areas.

"Carried as Amended"

Res. #2019-192(b): Moved by Councillor Tignanelli, seconded by Councillor Robertson That the Motion regarding Smoking By-Law Amendment be amended as follows;

Paragraph (iii) be amended by deleting the following words: "and to allow for designated smoking areas on a limited number of identified properties"; and

Paragraph (iv) be deleted and the following be inserted in lieu thereof:
"staff be directed to prohibit smoking/vaping for all workplaces and public places".

Record of Vote (*Upon request from Councillor Tignanelli*)

Yeas: Councillors Tignanelli, Robertson, Mendicino, B. Vrebosch, King, Brousseau, Mayor McDonald

Nays: Councillor T. Vrebosch

"Carried"

Res. #2019-193: Moved by Councillor Tignanelli, seconded by Councillor Robertson Whereas section 10(2) of the *Municipal Act*, authorizes a municipality to pass By-Laws respecting business licensing;

And Whereas the Council of the City of North Bay passed Business Licensing By-Law 2012-225 on 26th day of November, 2012;

And Whereas the City's Business Licensing By-Law requires every person who is engaged in a business that includes the sale of tobacco and or tobacco products to obtain a business license;

And Whereas Council wishes to include in the City's Business Licensing By-Law the necessity of requiring a license to sell the following products:

- (i) Electronic cigarettes;
- (ii) E-substances;
- (iii) Vapour products.

Therefore Be It Resolved that the Council of the City of North Bay authorize an amendment to Business Licensing By-Law 2012-225 to include the selling of electronic cigarettes, e-substances and vapour products.

And Further that staff review the cost of licensing for a Tobacco Sales Licence to increase from \$50.00 to \$100.00.

And Further that the cost of an Electronic Cigarettes Licence be the same as a Tobacco Sales Licence.

“Carried”

Res. #2019-194: Moved by Councillor Mendicino, seconded by Councillor Tignanelli That “Casual Wear Months” be in effect from Tuesday, May 21, 2019 until Tuesday, September 3, 2019.

“Carried”

Res. #2019-195: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended, at 8:38 p.m. for the following reasons:

Item #8 and #10, being personal matters about identifiable individuals; and
Item #9, being a potential disposition of land by the municipality.

“Carried”

Res. #2019-196: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch That Council reconvene at 9:44 p.m.

“Carried”

Res. #2019-197: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch That Council 1) confirm the appointment of Jennifer Montreuil as Deputy City Clerk effective May 6, 2019; and
2) direct the City Clerk to bring forward the appointment by-law on May 7, 2019.

“Carried”

Res. #2019-198: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch That 1) Council appoint David Euler as Chief Administrative Officer effective May 7, 2019, pursuant to the terms of the Employment Agreement;
2) the by-law confirming the appointment be brought forward for three (3) readings on Tuesday, May 7, 2019; and
3) the by-law authorizing the execution of an Employment Agreement be brought forward for three (3) readings on Tuesday, May 7, 2019.

Record of Vote (*Upon request from Councillor B. Vrebosch*)

Yeas: Councillors B. Vrebosch, T. Vrebosch, Robertson, Brousseau, King, Mendicino, Tignanelli, Mayor McDonald

Nays: Nil

“Carried”

Res. #2019-199: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch
That the following by-laws be read a first and second time:

By-Law No. 2019-32 to confirm the appointment of Deputy City Clerk
(and to repeal By-Law No. 2016-97).

By-Law No. 2019-39 to appoint a Chief Administrative Officer (and to
repeal By-Law No. 2018-79).

By-Law No. 2019-40 to authorize the execution of an Employment
Agreement with David Euler.

“Carried”

Res. #2019-200: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch
That the following by-laws be read a third time and passed:

By-Law No. 2019-32 to confirm the appointment of Deputy City Clerk
(and to repeal By-Law No. 2016-97).

By-Law No. 2019-39 to appoint a Chief Administrative Officer (and to
repeal By-Law No. 2018-79).

By-Law No. 2019-40 to authorize the execution of an Employment
Agreement with David Euler.

“Carried”

Res. #2019-201: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch
That the following by-law be read a first and second time:

By-Law No. 2019-37 to confirm proceedings of the Regular Meeting of
Council held on May 7, 2019.

“Carried”

Res. #2019-202: Moved by Councillor T. Vrebosch, seconded by Councillor B. Vrebosch
That the following by-law be read a third time and passed:

By-Law No. 2019-37 to confirm proceedings of the Regular Meeting of
Council held on May 7, 2019.

“Carried”

Res. #2019-203: Moved by Councillor Mendicino, seconded by Councillor King
That this Regular Meeting of Council do now adjourn at 9:51 p.m.

“Carried”

Mayor Allan McDonald

City Clerk Karen McIsaac