

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, JUNE 11TH, 2007**

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

CORRESPONDENCE:

Aquino, Antonio	re Rezoning application - Veronica Drive	(405)
Gabriel, Aimee	re Resignation from Waste Resources Liaison Committee	(404)

REPORTS FROM OFFICERS:

Burke, M.B.	re Sale of Otter Lake lands	(421)
Burke, M.B.	re Camelot Lake lands	(432)
Carello, P.	re Labour Market Initiative	(414)
Celentano, J.J.	re Corporate Strategy for Housing	(415)
Celentano, J.J.	re City land development - Third Avenue	(433)
Cox, A.	re Sidewalk Replacement Program and Pedestrian Safety Program including New Sidewalks Project	(410)
Elliott, G.	re Hillview Secondary Plan and Stormwater Management Study	(407)
Elliott, G.	re Future Engineering Design Works	(408)
Elliott, G.	re Engineering Stormwater Management Study	(409)
Elliott, G.	re Future Engineering Design Works	(412)
Elliott, G.	re 100mm and 150mm Watermain Replacement Program	(413)
Fry, M.	re 2007 North Bay Summer in the Park	(418)
Killins, S.	re Current status of By-Law Enforcement Officers	(402)
Killins, S.	re Current status of By-Law Enforcement Officers	(403)
Kilgour, I.G.	re Final Approval - Watersun Condominium Agreement, Lakeshore Drive	(417)
Kitlar, S.	re 2007 O'Canada Day	(419)
Knox, J.D.	re Nipissing-Parry Sound Business Centre	(416)
Korell, A.	re First Avenue Project	(411)
Korell, A.	re Final Approval - Watersun Condominium Agreement, Lakeshore Drive	(417)
Korell, A.	re Temporary road closure	(420)
Lang, A.	re North Bay-Mattawa Conservation Authority Capital Budget Allocation	(406)
Scully, L.M.	re Appointment of By-Law Enforcement Officers	(401)

Res. #2007-399: Moved by Councillor Vaillancourt, seconded by Councillor Graham That minutes for the meeting held on:

- Monday, May 14, 2007

be adopted as presented.

"CARRIED"

Res. #2007-400: Moved by Councillor Vaillancourt, seconded by Councillor Graham
That minutes for the Closed Meeting held on:

- Monday, May 28, 2007

be adopted as presented.

“CARRIED”

Res. #2007-401: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council pass a by-law appointing all Fire Prevention Officers as By-Law Enforcement Officers for the purposes of enforcing City of North Bay by-laws relating to Open Air Burning and Fire Routes.

“CARRIED”

Res. #2007-402: Moved by Councillor Anthony, seconded by Councillor Boldt
That Council directs the City Clerk to prepare a new appointment Schedule for enforcement officers to amend Schedule “E” of By-Law 2007-07, being a by-law to regulate the administration of Building Permits.

“CARRIED”

Res. #2007-403: Moved by Councillor Anthony, seconded by Councillor Boldt
That Council directs the City Clerk to prepare an amendment to By-Law 2004-188, being a by-law to appoint Municipal Law Enforcement Officers as authorized under the provisions of the *Police Services Act*.

“CARRIED”

Res. #2007-404: Moved by Councillor Koziol, seconded by Councillor Mendicino
That the resignation of Aimee Gabriel from the Waste Resources Liaison Committee be accepted and Ms. Gabriel be thanked for her involvement on this Committee.

“CARRIED”

Res. #2007-405: Moved by Councillor Anthony, seconded by Councillor Boldt
That the rezoning application by Rick Miller on behalf of Antonio Aquino - Veronica Drive be received and referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2007-406: Moved by Councillor Chirico, seconded by Councillor Campbell
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the 2007 North Bay-Mattawa Conservation Authority Capital Projects, being Capital Budget Project No. 87, at a net debenture cost of \$75,000.00.

“CARRIED”

Res. #2007-407: Moved by Councillor Koziol, seconded by Councillor Mendicino
That the City Clerk prepare a by-law for approval to fund the Hillview Secondary Plan and Stormwater Management Study, as contained in the approved 2007 Capital Works Budget - identified as Project #2738 ST, in the amount of \$75,000.00.

“CARRIED”

Res. #2007-408: Moved by Councillor Koziol, seconded by Councillor Mendicino
That the City Clerk prepare a by-law for approval to fund the Engineering Design Works for future Capital Works Projects, as identified by Project #2735 RD, in the 2007 Capital Budget:

- a) Capital Levy, Debentures and Reserves Budget \$75,000.00.

“CARRIED”

Res. #2007-409: Moved by Councillor Koziol, seconded by Councillor Mendicino
That the City Clerk prepare a by-law for approval to fund the Engineering Stormwater Management Study, as contained in the approved 2007 Capital Works Budget, identified as Project #2736 ST, in the amount of \$150,000.00.

“CARRIED”

Res. #2007-410: Moved by Councillor Koziol, seconded by Councillor Mendicino
That 1) a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Sidewalk Replacement Program Project, being 2007 Project Line No. 55, at a net debenture cost of \$100,000, and the Pedestrian Safety Program, including New Sidewalks Project, being 2007 Project Line No. 3, at a net debenture cost of \$75,000; and

- 2) individual reports may be provided to City Council with respect to the various components of this project.

“CARRIED”

Res. #2007-411: Moved by Councillor Koziol, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be presented for the consideration of City Council to move funding from the First Avenue Project, Line W10 for 2007 to the other projects outlined below:

- 1) \$450,000 be allocated to the preparation of a Maintenance Management System for the Water Systems, as mandated by the Ministry of the Environment;
- 2) \$350,000 be allocated to replace the roof and clad of the Water & Sewer building along with repairs to the generator and moving of the fence; and
- 3) \$150,000 be allocated to sheeting of First Avenue between Wyld and Fisher Streets so that the street surface condition is improved until the reconstruction of the street proceeds.

“CARRIED”

Res. #2007-412: Moved by Councillor Koziol, seconded by Councillor Mendicino
That the City Clerk prepare a by-law for approval to fund the Engineering Design work for future Capital Works Projects, as contained in the approved 2007 Water and Sanitary Sewer Capital Works Budget, identified as Project #2721 WS, in the amount of \$75,000.00.

“CARRIED”

Res. #2007-413: Moved by Councillor Koziol, seconded by Councillor Mendicino
That the City Clerk prepare a by-law to approval to fund the 100mm and 150mm Watermain Replacement Program, as contained in the approved

2007 Capital Works Budget, identified as Project #2725 WS, in the amount of \$150,000.00.

“CARRIED”

Res. #2007-414: Moved by Councillor Anthony, seconded by Councillor Boldt
That Council authorize City staff to submit an application to the Government of Ontario's Northern Communities Investment Readiness Program for the City's Labour Market Initiative.

“CARRIED”

Res. #2007-415: Moved by Councillor Anthony, seconded by Councillor Boldt
That the recommendations in Report No. CSBU 2007-49 entitled *A Corporate Strategy for Housing*, dated May 2007 be received and referred to the Community Services Committee.

“CARRIED”

Res. #2007-416: Moved by Councillor Anthony, seconded by Councillor Boldt
That the Chief Administrative Officer be authorized to enter into a Memorandum of Understanding with the Business Centre.

“CARRIED”

Res. #2007-417: Moved by Councillor Anthony, seconded by Councillor Boldt
That

- 1) the Mayor and City Clerk be authorized to sign the Watersun Condominium Agreement with 951580 Ontario Limited, for the creation of a 46 unit Standard Condominium on Lakeshore Drive at the Oscar Street road allowance;
- 2) Council grant Final Approval to the Draft Approved Standard Condominium on Lakeshore Drive at the Oscar Street road allowance - City File No. 48CDM-04101; and
- 3) the Manager of Planning Services, as prescribed in the *Condominium Act*, be authorized to sign the Final Plan of Condominium, subject to receipt of all security, easement, Condominium Agreement requirements, Condominium Plans and Declaration, as required by the *Condominium Act* and *Planning Act*.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as 951580 Ontario Limited is a client of the Royal Bank of Canada.

Res. #2007-418: Moved by Councillor Anthony, seconded by Councillor Boldt
That

- 1) the Event Committee of the North Bay Summer in the Park be granted permission to hold the 2007 event in and about Lee Park from Saturday, August 4 to Sunday, August 5, 2007, both inclusive, with subsidiary activities occurring from Monday, July 30, 2007 until Tuesday, August 7, 2007, both inclusive;
- 2) in order to facilitate the undertaking of the 2007 North Bay Summer in the Park, the following requests be approved:
 - a) the North Bay Summer in the Park Management Committee be granted exclusivity, as outlined in Report to Council No. CSBU 2007-57 dated June 7, 2007;

- b) the Kate Pace Way be closed, as outlined in Report to Council No. CSBU 2007-57 and set out in the Attachment to the said report;
- c) temporary road closures be approved, as outlined in Report to Council CSBU 2007-57;
- d) parking be prohibited, as outlined in Report to Council CSBU 2007-57; and
- e) having approved Recommendation #1, the event becomes exempt from the noise control provisions contained in By-Law No. 142-76 (Noise By-Law), as amended, pursuant to the operation of Section 6 and Schedule 3 thereof.

“CARRIED”

Res. #2007-419:

Moved by Councillor Anthony, seconded by Councillor Boldt

- That
- 1) the O’Canada Day Committee be granted permission to hold the 2007 Canada Day Celebrations in and about the Waterfront Park on July 1, 2007 pursuant to By-Law No. 142-76 (Noise By-Law);
 - 2) the requests by the O’Canada Day Committee regarding exemption from the Noise By-Law, exclusivity over the event and grounds, and street closures be approved as per the following:
 - a) having approved Recommendation #1 granting permission to hold the public celebration known as the 2007 O’Canada Day Event, the event becomes exempt from the noise control provisions contained in By-Law No. 142-76 (Noise By-Law), as amended, pursuant to the operation of Section 6 and Schedule 3 thereof;
 - b) exclusivity on and over the City-owned or controlled lands (except the North Bay Wastewater Treatment Facility Lands) be approved, as outlined in Report to Council CSBU 2007-56 dated June 7, 2007; and,
 - c) temporary road closures be approved, as outlined in Report to Council CSBU 2007-56.

“CARRIED”

Res. #2007-420:

Moved by Councillor Koziol, seconded by Councillor Mendicino

That Council Report EEW 2007-005 be amended, in accordance to *Supplemental* Report EEW 2007-015 dated June 7, 2007, in accordance to the request received by the Downtown Improvement Area in their email dated June 5, 2007 relating to temporary road closures.

“CARRIED”

Res. #2007-421a:

Moved by Councillor Campbell, seconded by Councillor Boldt

That Report No. CORP 2007-102 from Michael Burke dated June 6, 2007 regarding the sale of Otter Lake lands be referred to the General Government Committee.

“LOST”

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

Yeas: Councillors Boldt, Campbell, Mayne, Graham

Nays: Councillors Bain, Vaillancourt, Anthony, Mendicino, Chirico, Koziol, Mayor Fedeli

Res. #2007-421b: Moved by Councillor Bain, seconded by Councillor Koziol
That Report No. CORP 2007-102 from Michael Burke dated June 6, 2007 regarding the sale of Otter Lake lands be amended as follows:

- 3) the request to extend the walking trail to Otter Lake from the North Bay Hunters and Anglers be deferred until after the tender opening on August 22, 2007.

“CARRIED”

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

Yeas: Councillors Bain, Mendicino, Chirico, Koziol, Anthony, Mayor Fedeli

Nays: Councillors Boldt, Mayne, Campbell, Vaillancourt, Graham

Res. #2007-421c: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That

- 1) Council direct the City Clerk to present a By-Law to close that part of McGruther’s Road from the west limit of Lot 8, Concession 4, to Widdifield Station Road, which was abandoned by the early 1970’s;
- 2) Council accept the opinion of the City Solicitor that the southern access road from Otter Lake and any spur roads off McGruther’s Road are not municipal public roads;
- 3) the request to extend the walking trail to Otter Lake from the North Bay Hunters and Anglers be declined;
- 4) Council authorize the continuance of the tender process for the sale of the Otter Lake lands; and
- 5) General Government File 2006-08 re Motion by Councillor Boldt be removed from the General Government Committee Listing.

“CARRIED AS AMENDED”

Res. #2007-422: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-law be read a first and second time:

By-Law No. 2007-131 to stop up, close and convey a portion of the laneway located in a block bounded by Hutcheson Avenue, O’Brien Street, Lansdowne Avenue and McLeod Street.

“CARRIED”

Res. #2007-423: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a first and second time:

By-Law No. 2007-129 to authorize the Coreen Crescent Sanitary Sewer Replacement Project.

By-Law No. 2007-130 to authorize the Watermain Replacement Project (Lakeshore Drive at Thelma Avenue).

By-Law No. 2007-132 to authorize the sale of lands to Art Braund (836 - 838 Copeland Street).

By-Law No. 2007-133 to authorize the sale of lands to John and Deirdre Simmonds (854 - 856 Copeland Street).

By-Law No. 2007-134 to authorize the sale of lands to Peter James Neil (868 - 870 Copeland Street).

“CARRIED”

Res. #2007-424: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a third time and passed:

By-Law No. 2007-129 to authorize the Coreen Crescent Sanitary Sewer Replacement Project.

By-Law No. 2007-130 to authorize the Watermain Replacement Project (Lakeshore Drive at Thelma Avenue).

By-Law No. 2007-132 to authorize the sale of lands to Art Braund (836 - 838 Copeland Street).

By-Law No. 2007-133 to authorize the sale of lands to John and Deirdre Simmonds (854 - 856 Copeland Street).

By-Law No. 2007-134 to authorize the sale of lands to Peter James Neil (868 - 870 Copeland Street).

“CARRIED”

Res. #2007-425: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-law be read a third time and passed:

By-Law No. 2007-109 to stop up, close and convey a part of Southeast Peninsula Road, Plan M-247 to vehicular traffic only.

“CARRIED”

Res. #2007-426: Moved by Councillor Anthony, seconded by Councillor Boldt
That the following by-law be read a first and second time:

By-Law No. 2007-135 to execute a Condominium Agreement with 951580 Ontario Limited relating to Watersun Condominiums.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as 951580 Ontario Limited is a client of the Royal Bank of Canada.

Res. #2007-427: Moved by Councillor Anthony, seconded by Councillor Boldt
That the following by-law be read a third time and passed:

By-Law No. 2007-135 to execute a Condominium Agreement with 951580 Ontario Limited relating to Watersun Condominiums.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as 951580 Ontario Limited is a client of the Royal Bank of Canada.

Res. #2007-428: Moved by Councillor Anthony, seconded by Councillor Vaillancourt
WHEREAS residents of North Bay, like the rest of Ontario, are frustrated with high and fluctuating gas prices;

AND WHEREAS sudden and dramatic price changes in North Bay & area are often higher than in neighbouring centres;

AND WHEREAS advance notice of price changes would provide some measure of confidence and planning in purchasing fuel;

BE IT THEREFORE RESOLVED THAT The Corporation of the City of North Bay, on behalf of our frustrated residents, ask the Provincial Government to support the notion of asking for 72 hours advance notice of gasoline price changes, and further requesting the reasoning that apparently justifies these price changes;

AND FURTHER THAT a copy of this resolution be sent to Dalton McGuinty, Premier of Ontario; Joseph Tascona, MPP for Barrie-Simcoe-Bradford; Monique Smith M.P.P. for Nipissing; Anthony Rota, M.P. Nipissing-Temiskaming; Leaders of the Opposition; the Association of Municipalities of Ontario; the Federation of Northern Ontario Municipalities and the North Bay & District Chamber of Commerce.

“CARRIED”

Res. #2007-429: Moved by Councillor Campbell, seconded by Councillor Mayne
That the presentation by Greg Pyle in opposition of Application for Minor Variance File A-11-07 be referred to the Chief Administrative Officer for a report to address the economic impact and the environmental impact of the Committee of Adjustments’ decision and those concerns as presented.

“LOST”

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

Yeas: Councillors Campbell, Mayne

Nays: Councillors Bain, Anthony, Koziol, Chirico, Vaillancourt, Graham, Mendicino, Boldt, Mayor Fedeli

Res. #2007-430: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council adjourn in-camera at 9:15 p.m. to discuss proposed or pending acquisition or disposal of land by the municipality or local board.

“CARRIED”

Res. #2007-431: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council reconvene at 9:25 p.m.

“CARRIED”

Res. #2007-432: Moved by Councillor Chirico, seconded by Councillor Mayne
That Council declare the Camelot Lake border lands as surplus and offer such lands to the abutting owners at appraised value, failing which, the

sheds, docks and decks would have to be removed from the lands, and the lands fenced off.

“CARRIED”

- Res. #2007-433: Moved by Councillor Chirico, seconded by Councillor Campbell
That
- 1) Council declare the following City-owned lands as surplus: Lots 608-613 inclusive, Plan 21 and Lots 4-7 inclusive, Plan 79, along Third Avenue and Wyld Street;
 - 2) Council direct staff to commence a “Statutory Process” Rezoning Application to rezone the subject lands to a “Residential Fifth Density (R5)” zone and a subsequent Request for Proposal for redevelopment; and
 - 3) Council direct staff in the Engineering & Public Works Business Unit to proceed with servicing of the subject lands during the summer of 2007.

“CARRIED”

- Res. #2007-434: Moved by Councillor Vaillancourt, seconded by Councillor Graham
That this Meeting do now adjourn.

MAYOR VIC FEDELI

CITY CLERK CATHERINE CONRAD