

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, APRIL 19TH, 2004**

PRESENT: Mayor Fedeli, Councillors Chirico, Vaillancourt, Anthony, Bain, Campbell, Boldt, Mason, Koziol, Marosis, Mendicino

CORRESPONDENCE:

Johnston, Dr. Rod	re Community Waterfront Friends proposal to re-open Marathon Beach Study	(270)
Martyn, Robert	re Request for fence variance - 271 Tower Drive (Tucker)	(268)
Renaissance Development Corporation	re Rezoning application - Third Avenue	(263)
Renaissance Development Corporation	re Rezoning application - McIntyre Street W.	(264)
Swieg, Ray	re Resignation from North Bay Hydro Services Inc. and North Bay Hydro Generation Ltd.	(257)

REPORTS FROM OFFICERS:

Bullock, P.	re Community Waterfront Friends proposal to re-open Marathon Beach Study	(270)
Burke, M.B.	re Hospital Infrastructure Cost Sharing Agreement	(267)
Burke, M.B.	re Lease of 112 Patton Street - Recycling Centre	(280)
Conrad, C.M.	re Clerk's Department user fees	(260)
Hall, B.	re Rezoning application by the City of North Bay - Hughes Road	(261)
Hall, B.	re Rezoning application by the City of North Bay - Crawford Drive	(262)
Hall, B.	re Rezoning application by the City of North Bay - CNR Right-of-Way	(265)
Horsman, B.	re Request for fence variance - 271 Tower Drive (Tucker)	(268)
Kitlar, S.	re Recreation for children and youth	(258)
Kraemer, L.	re Reduction, cancellation and refund of taxes, <i>Municipal Act</i> , Section 357	(256)
Linkie, D.G.	re Senior staffing appointments	(281)
Reid, P.	re Transit Coach Replacement Program and Transit Coach Refurbishment Program	(269)
Rogers, B.A.	re Tax Policy tools - March 2004	(266)
Tomek, A.	re Appointment to Pesticides Advisory Committee	(259)

Res. #2004-252: Moved by Councillor Vaillancourt, seconded by Councillor Bain
That minutes for the meetings held:

- Monday, April 5, 2004; and
- Tuesday, April 13, 2004

be adopted as presented.

"CARRIED"

Res. #2004-253: Moved by Councillor Chirico, seconded by Councillor Anthony
That General Government Committee Report No. 2004-07 relating to:

- Community Waterfront Park Operating Agreement

be adopted as presented.

"CARRIED"

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2004-07

April 19, 2004

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2004-07 and recommends:

1. That
 - a) the original proposed Operating Agreement with the North Bay Area Museum operating as "Heritage North Bay" be revised so as to recognize existing operations only and to delete areas which have not yet been approved for operation;
 - b) Council authorize the Planning Department to commence a rezoning of Area "C", the Community Waterfront Park Area from "General Commercial Inner Core (C1)" to "Open Space (O)";
 - c) the Agreement include a transfer of the responsibility for the Waterfront Heritage Gardener Recreation Program to Heritage North Bay and that the Heritage Gardener Reserve Fund of \$16,000.00 be transferred to Heritage North Bay; and
 - d) the Heritage Railway and Carousel Committee Operations and Reserve Fund of \$60,000.00 be transferred to "Heritage North Bay".

All of which is respectfully submitted.

ASSENTS
 CHIRICO
 ANTHONY
 BAIN
 VAILLANCOURT
 FEDELI

DISSENTS

Res. #2004-254: Moved by Councillor Mendicino, seconded by Councillor Koziol
 That Community Services Committee Report No. 2004-13 relating to:

- Plan of Subdivision and Rezoning Application by 1558758 Ontario Ltd.,
 Connaught Avenue

be adopted as presented.

"CARRIED"

Councillor Chirico declared a conflict of interest on the above matter as his brother is a principal in the company.

COMMUNITY SERVICES COMMITTEE REPORT NO. 2004-13

April 19, 2004

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2004-13 and recommends:

1. That a) the proposed Plan of Subdivision (Connaught Avenue) be Rick Miller on behalf of 1558758 Ontario Ltd. be given Draft Approval subject to the conditions contained in Appendix "A" to the Technical Report dated March 11, 2004; and
 - b) the Zoning By-Law Amendment application by Rick Miller on behalf of 1558758 Ontario Ltd., Remainder of parcel 3290 Nipissing (Connaught Avenue) from a "Residential First Density (R1)" zone to a "Residential Second Density (R2)" zone be approved.

All of which is respectfully submitted.

ASSENTS
 MENDICINO
 KOZIOL
 MAROOSIS
 FEDELI

DISSENTS

Res. #2004-255: Moved by Councillor Vaillancourt, seconded by Councillor Bain That Striking Committee Report No. 2004-03 relating to:

- the Committee of Adjustment

be adopted as presented.

"CARRIED"

STRIKING COMMITTEE REPORT NO. 2004-03

April 19, 2004

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

Your Worship and Councillors:

The Striking Committee presents Report No. 2004-03 and recommends as follows:

1. That David C. Robinson be appointed to complete the unexpired term of Randy Gravelle on the Committee of Adjustment.

All of which is respectfully submitted.

Res. #2004-256: Moved by Councillor Chirico, seconded by Councillor Anthony That 1) the tax appeals attached to Report No. CORP 2004-47, under Section 357 of the *Municipal Act*, be adjusted for the period set out on each application form; and

- 2) the applicable taxes be cancelled, reduced or refunded.

"CARRIED"

Res. #2004-257: Moved by Councillor Chirico, seconded by Councillor Anthony That the resignation of Ray Sweig from North Bay Hydro Services Inc. and North Bay Hydro Generation Ltd. be received with regret and Mr. Sweig be thanked for his involvement on these boards.

"CARRIED"

Res. #2004-258: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Report No. CSBU 2004-37 by Sharon Kitlar dated March 30, 2004
regarding Recreation for Children and Youth be received.

“CARRIED”

Res. #2004-259: Moved by Councillor Mason, seconded by Councillor Boldt
That Sean Madigan be appointed as the Waste Resources Liaison
Committee representative on the Pesticide Advisory Committee.

“CARRIED”

Res. #2004-260: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council authorize the City Clerk to amend By-Law No. 2001-71,
Schedule “A” , to include the user fees to be charged by the Clerk’s
Department effective May 1, 2004, as outlined in Report No. CORP 2004-
56 dated April 5, 2004.

“CARRIED”

Res. #2004-261: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by the City of North Bay - Hughes Road, be
received and referred to the Community Services Committee and for a
Public Meeting.

“CARRIED”

Res. #2004-262: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by the City of North Bay - Crawford Drive, be
received.

“CARRIED”

Res. #2004-263: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by Rick Miller on behalf of Renaissance
Development Corporation, Third Avenue be received.

“CARRIED”

Res. #2004-264: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by Rick Miller on behalf of Renaissance
Development Corporation, McIntyre Street West be received.

“CARRIED”

Res. #2004-265: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by the City of North Bay - former Canadian
National Railway Right-of-Way be received.

“CARRIED”

Res. #2004-266: Moved by Councillor Chirico, seconded by Councillor Anthony
That there be no application made to the Minister of Finance to amend the
City of North Bay transition ratios for 2004.

“CARRIED”

Res. #2004-267: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) Council authorize a cost sharing agreement for construction of
the estimated \$10,124,300.00 in municipal infrastructure for
the North Bay Regional Health Centre, for completion
according to a 5 phase schedule by June 2007, based upon a
\$2,940,000.00 share from the North Bay Regional Health

Centre, payable on a quarterly pro-rata share basis of \$244,949.00 per quarter, commencing July 1, 2004; and

- 2) Capital By-Laws be prepared authorizing net debenture costs of \$2,091,255.00 in 2004, \$2,623,010.00 in 2005 and \$2,740,637.00 in 2006.

“CARRIED”

Res. #2004-268: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Council approve the request for a variance from Fence By-Law 2002-105 to permit an increased spacing of pickets in the pool enclosure from 3” to 3 7/8”.

“CARRIED”

Res. #2004-269: Moved by Councillor Mendicino, seconded by Councillor Koziol
That

- 1) Council support a long term Fleet Replacement Program for North Bay Transit;
- 2) Council authorize the City’s Purchasing Department to issue a RFP extending three years, for the following commitment:
 - 2004 1 Transit Coach
 - 2005 3 Transit Coaches
 - 2006 2 Transit Coaches;
- 3) Council authorize the purchase of one (1) Para-Transit vehicle in 2004 as a replacement for Para-Bus #799 (1991 Para-Bus) and one (1) Para-Transit vehicle in 2006 as a replacement for Para-Bus #796 (1995 Para-Bus);
- 4) Council authorize the Purchasing Department to proceed to tender for the refurbishment of three (3) Transit Coaches - also eligible for one-third provincial funding; and
- 5) the City Clerk prepare a Capital By-Law for \$620,000.00 in net debenture cost for the 2004 Replacement and Refurbishment Program.

“CARRIED”

Res. #2004-270a: Moved by Councillor Mason, seconded by Councillor Campbell
That

- 1) the request from the Community Waterfront Friends to begin a process to redevelop Marathon Beach based on the outcome of an Environmental Assessment be accepted subject to the conditions contained in Appendix “A” to Report to Council EES 2004-009;
- 2) any City cost associated with the project including costs related to the Kenroc Site be brought forward for Council’s consideration and approval; and
- 3) this report be forwarded to Dr. Johnston for Community Waterfront Friends for review and acceptance of their roles and responsibilities in the process.

“CARRIED AS AMENDED”

Res. #2004-270b: Moved by Councillor Chirico, seconded by Councillor Boldt
That the letter from Dr. Rod Johnston dated February 16/04 and report from Peter Bullock dated April 15/04 re Community Waterfront Friends

Proposal to re-open the Marathon Beach Study be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2004-271: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2004-65 to set 2004 tax ratios and tax rates and to levy taxes for the year 2004 and to repeal By-Law No. 2003-34.

By-Law No. 2004-71 to authorize funding for the new Regional Health Centre.

“CARRIED”

Res. #2004-272: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2004-65 to set 2004 tax ratios and tax rates and to levy taxes for the year 2004 and to repeal By-Law No. 2003-34.

“CARRIED”

Res. #2004-273: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2004-70 to stop up, close and convey a portion of the laneway bounded by Victoria Street, Wyld Street, Ferguson Street and Princess Street.

“CARRIED”

Res. #2004-274: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2004-74 to rezone certain lands on Connaught Avenue (1558758 Ontario Limited).

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as his brother is a principal in the company.

Res. #2004-275: Moved by Councillor Mason, seconded by Councillor Boldt
That the following by-laws be read a first and second time:

By-Law No. 2004-72 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to asphaltic concrete pavement patching.

By-Law No. 2004-73 to execute an Agreement with Earth Tech Canada Inc. relating to inspection services related to the site preparation works for the Community Waterfront Park, Phase I.

“CARRIED”

Res. #2004-276: Moved by Councillor Mason, seconded by Councillor Boldt
That the following by-laws be read a third time and passed:

By-Law No. 2004-72 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to asphaltic concrete pavement patching.

By-Law No. 2004-73 to execute an Agreement with Earth Tech Canada Inc. relating to inspection services related to the site preparation works for the Community Waterfront Park, Phase I.

“CARRIED”

Res. #2004-277a: Moved by Councillor Koziol, seconded by Councillor Mason
“WHEREAS the Federal and Provincial Governments are embarking on several environmental initiatives;

AND WHEREAS this Council is expected to contribute to these initiatives and show environmental leadership in its own community;

AND WHEREAS this Council will, as part of any initiative, be including a public education campaign whose purpose is to create greater awareness of our responsibility towards our environment;

BE IT RESOLVED THAT the presentation by Nick Klassen and Erik Stackelberg be received and forwarded to the City’s Environmental Services Department for reference purposes.

“CARRIED AS AMENDED”

Res. #2004-277b: Moved by Councillor Maroosis, seconded by Councillor Koziol
That the motion relating to environmental initiatives be amended to include the following:

1. That the City obtain permission from Nick Klassen and Erik Stackelberg to reproduce their brochure and that a copy be placed in all city vehicles; and
2. The Chief Administrative Officer bring forward a report regarding a “No Idling Policy” for city vehicles.

“CARRIED”

Res. #2004-278: Moved by Councillor Bain, seconded by Councillor Koziol
That North Bay City Council endorse the building of a horse racetrack and the conduct of live racing in North Bay.

“CARRIED”

Res. #2004-279: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council adjourn in-camera to discuss a property matter.

“CARRIED”

Res. #2004-280: Moved by Councillor Anthony, seconded by Councillor Bain
That Council agree to renew the Recycling Centre lease as of May 1, 2004, for three years for \$81,900.00 for the first year, being a 0% increase, \$83,947.50 for the second year, being a 2.5% increase and \$85,995.00 for the third year, being a further 2.5% increase in the form attached to Report to Council CORP 2004-55.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as the Recycling Centre is a client as well as his brother being a principal in the company.

Res. #2004-281: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) the City Clerk be directed to bring forward a by-law appointing David G. Linkie to the position of Chief Administrative Officer, effective April 19, 2004, subject to the

terms and conditions of employment contained in the Agreement dated April 19, 2004;

- 2) the City Clerk be directed to bring forward a by-law appointing Jerry D. Knox to the position of Managing Director, Community Services, effective April 19, 2004, subject to the terms and conditions of employment contained in the confidential correspondence to the Interim Chief Administrative Officer, dated March 31, 2004;
- 3) Schedule "C" to By-Law No. 2002-15 be amended to establish a composite position of Managing Director, Corporate Services and City Solicitor at Grade 14;
- 4) the City Clerk be directed to bring forward a by-law appointing Michael B. Burke, to the position of Managing Director, Corporate Services and City Solicitor, effective April 19, 2004; and
- 5) the Chief Administrative Officer be directed to immediately commence a recruitment process for the position of Director of Human Resources.

"CARRIED"

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

Yeas: Councillors Chirico, Vaillancourt, Anthony, Bain, Campbell, Boldt, Mason, Koziol, Marosis, Mendicino, Mayor Fedeli

Res. #2004-282 Moved by Councillor Vaillancourt, seconded by Councillor Bain
That this meeting do now adjourn.

"CARRIED"

MAYOR

CITY CLERK