

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, DECEMBER 13TH, 2004**

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

CORRESPONDENCE:

Falconi, Frank	re Expropriation of lands for Blair Street extension (Nu-North Development Ltd.)	(870)
Goodridge Planning Solutions	re Plan of Subdivision & Rezoning application o/b 2023725 Ontario Ltd. - Part of Anthony St., Part of Cartier St., Part of Helen St.	(866)
Turcotte, Glenn & Deborah	re Rezoning application - 918 Algonquin Ave.	(864)

REPORTS FROM OFFICERS:

Bullock, P.	re Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF) Program	(867)
Bullock, P.	re Universal Water Metering	(873)
Bullock, P.	re Pesticide By-Law	(877)
Burke, M.B.	re Expropriation of lands for Blair Street extension (Nu-North Development Ltd.)	(870)
Burke, M.B.	re Heritage Fund Application - Community Waterfront Park	(871)
Burke, M.B.	re Land Sale Policy	(881)
Burke, M.B.	re Tender 2004-127B - 145 Whitney Ave.	(888)
Burke, M.B.	re Request to purchase city property - Phoenix Venture Group Ltd.	(889)
Burke, M.B.	re Litigation	(890)
Elliott, G.	re Canada-Ontario Municipal Rural Infrastructure Funding (COMRIF) - Asset Management Programming	(872)
Evans, R.	re NORAD Regional Operations Control Centre (ROCC) Marketing Campaign Applications	(880)
Fior, J.B.	re New City of North Bay Official Plan	(879)
Hall, B.	re Rezoning application - City of North Bay, Algonquin Ave., Plouffe St., Copeland St.	(865)
Kilgour, I.G.	re New City of North Bay Official Plan	(879)
Kraemer, L.	re Reduction, cancellation or refund of taxes	(863)
Kraemer, L.	re Universal Water Metering	(873)
Kraemer, L.	re Tax rebates to eligible charities & non-profit organizations	(878)
Manning, J.	re RFP 2004-65, Cash pick-up, delivery & coin service	(876)
Rogers, B.A.	re Capital Projects Status Report - September 2004	(874)
Rogers, B.A.	re Banking Agreement option	(875)
Simmonds, J.C.	re Status of Water Conservation Advisory Committee	(869)
Tomek, A.	re Leaf collection	(868)

Res. #2004-860: Moved by Councillor Bain, seconded by Councillor Chirico
That minutes for the meeting held:

- Monday, November 29, 2004; and
- Monday, December 6, 2004

be adopted as presented.

“CARRIED”

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Res. #2004-861: Moved by Councillor Chirico, seconded by Councillor Anthony
That General Government Committee Report No. 2004-18 relating to:

- business licensing

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2004-18

December 13, 2004

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2004-18 and recommends:

1. That By-Law No. 2004-191 being a by-law for licensing, regulating and governing business in the City of North Bay be presented to Council on December 13, 2004 for three (3) readings.

All of which is respectfully submitted.

ASSENTS

CHIRICO
ANTHONY
BAIN
VAILLANCOURT
FEDELI

DISSENTS

Res. #2004-862: Moved by Councillor Chirico, seconded by Councillor Bain
That Striking Committee Report No. 2004-12 relating to:

- appointments to the Heritage North Bay Board

be adopted as presented.

“CARRIED”

STRIKING COMMITTEE REPORT NO. 2004-12

December 13, 2004

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

Your Worship and Councillors:

The Striking Committee presents Report No. 2004-12 and recommends as follows:

1. That the following Councillors be appointed to the Heritage North Bay Board for their term of Council:

Councillor Peter Chirico;

Councillor Dave Mendicino; and

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Councillor Tom Mason.

All of which is respectfully submitted.

Res. #2004-863: Moved by Councillor Chirico, seconded by Councillor Anthony
That the tax appeals attached to Report No. CORP 2004-189 under
Section 357 of the *Municipal Act*, be adjusted for the period set out on
each application form, and that the applicable taxes be cancelled, reduced
or refunded with the exception of the applications that did not receive a
positive recommendation from the Municipal Property Assessment
Corporation.

“CARRIED”

Res. #2004-864: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by Glenn & Deborah Turcotte, 918 Algonquin
Avenue be received.

“CARRIED”

Res. #2004-865: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the rezoning application by the City of North Bay - Algonquin Avenue,
Plouffe Street and Copeland Street be received.

“CARRIED”

Res. #2004-866: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the Plan of Subdivision and Rezoning application by Goodridge
Planning Solutions on behalf of 2023725 Ontario Ltd. - Part of Anthony
Street, Cartier Street and Part of Helen Street be received.

“CARRIED”

Res. #2004-867: Moved by Councillor Mason, seconded by Councillor Boldt
That

- 1) the City of North Bay resolve that construction of the New
Water Filtration Plant is North Bay’s first priority infrastructure
project;
- 2) Engineering and Environmental Services be authorized to
make application to COMRIF in the first intake for the new
North Bay Water Filtration Plant, the application to be
completed and submitted before 5:00 p.m., January 10, 2005;
and
- 3) a list of second and third intake projects be developed for
Council’s consideration for future intakes.

“CARRIED”

Res. #2004-868: Moved by Councillor Mason, seconded by Councillor Boldt
That

- 1) the proposal to increase the 2005 Waste Management
Operating Budget by \$4,000.00 to provide staffing for the leaf
drop-off area for a 6 week period during the fall, be referred to
the Engineering & Works Committee for review; and
- 2) Report No. EES 2004-71 from Al Tomek, Waste Management
Co-ordinator, be forwarded to Mrs. Armstrong for information.

“CARRIED”

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Res. #2004-869: Moved by Councillor Mason, seconded by Councillor Boldt
That the Water Conservation Advisory Committee be disbanded until such time as the City decides to embark on a comprehensive Water Conservation Program including the provision of water meters.

“CARRIED”

Res. #2004-870: Moved by Councillor Anthony, seconded by Councillor Bain
That the request for expropriation for a Blair Street Extension be referred to the Subdivision Agreement process with Nu-North Development Ltd.

“CARRIED”

Councillor Chirico declared a conflict on the above matter as Nu-North Development Ltd. is a client of his employer.

Res. #2004-871: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council advises the Northern Ontario Heritage Fund of its support for an application in the total amount of \$2,000,000.00 for site preparation work for the Community Waterfront Friends Park and for the outfitting of the CP Station Museum.

“CARRIED”

Res. #2004-872: Moved by Councillor Mason, seconded by Councillor Boldt
That the City Engineer be authorized to make application to the Canada-Ontario Municipal Rural Infrastructure Fund for grant funding in the amount of \$1,200,000.00 in support of the City Asset Management Initiatives.

“CARRIED”

Res. #2004-873: Moved by Councillor Chirico, seconded by Councillor Anthony
That the report from L. Kraemer/P. Bullock dated December 6, 2004 re Universal Water Metering Program be referred to the General Government Committee.

“CARRIED”

Res. #2004-874: Moved by Councillor Chirico, seconded by Councillor Anthony
That

- 1) the Capital Projects Status Report - September 2004 (Report No. CORP 2004-206) from the Chief Financial Officer be received; and
- 2) the three (3) projects listed on Appendix “A” attached to Report No. CORP 2004-206 be closed to the Completed Capital Works Reserve Fund.

“CARRIED”

Res. #2004-875: Moved by Councillor Chirico, seconded by Councillor Anthony
That

- 1) the option to continue with the current banking agreement with the Royal Bank of Canada be accepted for a one (1) year period, with the provision for an additional one (1) year extension to December 31, 2006, if mutually agreeable to both parties; and
- 2) the Chief Financial Officer be authorized to sign the banking agreements.

“CARRIED”

Res. #2004-876: Moved by Councillor Chirico, seconded by Councillor Anthony
That North Bay City Council approve that the City enter into an

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agreement with Brinks Canada Limited in the estimated amount of \$81,410.00 (taxes extra), to provide cash pick-up and coin service for the period January 1, 2005 to December 31, 2007.

“CARRIED”

Res. #2004-877: Moved by Councillor Mason, seconded by Councillor Boldt
That the report from P. Bullock dated December 6, 2004 re Pesticide By-Law be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2004-878: Moved by Councillor Chirico, seconded by Councillor Anthony
That

- 1) Council adopt the Tax Rebate Program for eligible charities outlined in CORP Report 2004-209, as required by Section 361, *Municipal Act* 2001, S.O. 2001, c.25; and
- 2) the Tax Rebate By-Law be presented for three (3) readings January 17, 2005.

“CARRIED”

Res. #2004-879: Moved by Councillor Mendicino, seconded by Councillor Koziol
That

- 1) staff be directed to commence the preparation of a new Official Plan for the City of North Bay, based on the work plan detailed in this report;
- 2) an initial public meeting be scheduled before the Planning Advisory Committee to present the work program to the general public and invite their participation and input; and
- 3) the matter be referred to the Community Services Committee for regular staff updates.

“CARRIED”

Res. #2004-880: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Council advises the Northern Ontario Heritage Fund of its support for an application in the total amount of \$105,750.00 to produce marketing materials for the NORAD Regional Operations Control Centre.

“CARRIED”

Res. #2004-881: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council:

- 1) support the proposed *City of Brampton Act*, Bill Pr 10;
- 2) authorize a similar application for a Private Members Bill to authorize terms for the sale of municipal land at less than fair market value; and
- 3) authorize the City Solicitor to appear before the Standing Committee on Regulations and Private Bills to support Bill Pr 10.

“CARRIED”

Res. #2004-882: Moved by Councillor Anthony, seconded by Councillor Bain
That the following by-law be read a first and second time:

By-Law No. 2004-213 to stop up, close and convey a portion of the unopened portion of Highway 63 along Trout Lake Road, abutting Part

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Lot 15, Concession "C".

"CARRIED"

Councillor Chirico declared a conflict of interest on the above matter as the abutting owner is a client.

Res. #2004-883: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2004-82 to authorize the municipal infrastructure for the North Bay Regional Health Centre.

By-Law No. 2004-191 for licensing, regulating and governing business.

By-Law No. 2004-196 being the Purchasing By-Law.

By-Law No. 2004-199 to establish Development Charges.

By-Law No. 2004-202 to designate Lot 112, Plan 83 not to be a lot on a Registered Plan of Subdivision pursuant to the *Planning Act* (Schmidt-Chamberlain).

By-Law No. 2004-203 to authorize the funding of the Airport Hill Water Systems Analysis (Zones 3 & 4) Project.

By-Law No. 2004-204 to authorize the funding of the Watermain Looping Project for Regina Street (Oak Street to Memorial Drive).

By-Law No. 2004-205 to authorize the funding of the CN Rail Crossing Reconstruction Program.

By-Law No. 2004-206 to authorize the funding of the rehabilitation of the W.J. Forth Bridge over the Lavase River.

By-Law No. 2004-207 to authorize the funding of Official Plan Development Charges Background Studies (Road and Storm Sewer Studies).

By-Law No. 2004-208 to authorize the funding of Official Plan Development Charges Background Studies (Sanitary Sewer and Water Studies).

By-Law No. 2004-209 to authorize the funding of the Road Needs Study.

By-Law No. 2004-210 to authorize the funding of the Sewer and Water Condition Rating and Infrastructure Management Project.

By-Law No. 2004-211 to authorize funding of the installation of a watermain on Marshall Park Drive (Descon Development Corporation).

By-Law No. 2004-212 to execute an Encroachment Agreement with 881701 Ontario Inc. relating to 157 Main Street West.

By-Law No. 2004-214 to authorize the sale of lands to Cathy McKenny (Part of Ethel Street).

By-Law No. 2004-215 to authorize the sale of lands to David Wilkinson and Helene Wilkinson (Part of Ethel Street).

By-Law No. 2004-216 to authorize the sale of lands to Paula Peters (Part of Ethel Street).

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By-Law No. 2004-217 to execute an Agreement with Laurentian Ski Hill Snow Boarding Club carrying on business as Laurentian Ski Hill relating to funding.

“CARRIED”

Res. #2004-884: Moved by Councillor Chirico, seconded by Councillor Anthony That the following by-laws be read a third time and passed:

By-Law No. 2004-82 to authorize the municipal infrastructure for the North Bay Regional Health Centre.

By-Law No. 2004-191 for licensing, regulating and governing business.

By-Law No. 2004-196 being the Purchasing By-Law.

By-Law No. 2004-199 to establish Development Charges.

By-Law No. 2004-202 to designate Lot 112, Plan 83 not to be a lot on a Registered Plan of Subdivision pursuant to the *Planning Act* (Schmidt-Chamberlain).

By-Law No. 2004-203 to authorize the funding of the Airport Hill Water Systems Analysis (Zones 3 & 4) Project.

By-Law No. 2004-204 to authorize the funding of the Watermain Looping Project for Regina Street (Oak Street to Memorial Drive).

By-Law No. 2004-205 to authorize the funding of the CN Rail Crossing Reconstruction Program.

By-Law No. 2004-206 to authorize the funding of the rehabilitation of the W.J. Forth Bridge over the Lavase River.

By-Law No. 2004-207 to authorize the funding of Official Plan Development Charges Background Studies (Road and Storm Sewer Studies).

By-Law No. 2004-208 to authorize the funding of Official Plan Development Charges Background Studies (Sanitary Sewer and Water Studies).

By-Law No. 2004-209 to authorize the funding of the Road Needs Study.

By-Law No. 2004-210 to authorize the funding of the Sewer and Water Condition Rating and Infrastructure Management Project.

By-Law No. 2004-211 to authorize funding of the installation of a watermain on Marshall Park Drive (Descon Development Corporation).

By-Law No. 2004-212 to execute an Encroachment Agreement with 881701 Ontario Inc. relating to 157 Main Street West.

By-Law No. 2004-214 to authorize the sale of lands to Cathy McKenny (Part of Ethel Street).

By-Law No. 2004-215 to authorize the sale of lands to David Wilkinson and

Helene Wilkinson (Part of Ethel Street).

By-Law No. 2004-216 to authorize the sale of lands to Paula Peters (Part of Ethel Street).

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By-Law No. 2004-217 to execute an Agreement with Laurentian Ski Hill Snow Boarding Club carrying on business as Laurentian Ski Hill relating to funding.

“CARRIED”

Res. #2004-885: Moved by Councillor Mendicino, seconded by Councillor Anthony That the presentation by Wanda Wallace be referred to the Engineering & Works Committee to establish the terms of reference for the formation for an Anti-Litter Committee, similar to the Pesticides Committee, with the intent of passing an Anti-Litter By-Law by December 31, 2005.

“CARRIED”

Res. #2004-886: Moved by Councillor Chirico, seconded by Councillor Anthony WHEREAS the City of North Bay will be filing an application for the first intake of COMRIF Funding for the Water Filtration Plant;

AND WHEREAS the Provincial Government has previously committed \$12,000,000.00 for the project outside of the new COMRIF Funding Program;

BE IT THEREFORE RESOLVED THAT the Mayor and Chief Administrative Officer of the City of North Bay request a meeting with the Provincial Minister of Infrastructure to request that the Provincial Government honour its commitment and allow the City of North Bay to invest the \$12,000,000.00 previously committed, to infrastructure projects in the City of North Bay.

“CARRIED”

Res. #2004-887: Moved by Councillor Chirico, seconded by Councillor Anthony That Council adjourn in-camera to discuss property matters 21 and 22 and litigation matter 23.

“CARRIED”

Res. #2004-888: Moved by Councillor Chirico, seconded by Councillor Anthony That North Bay City Council approve that the bid negotiated after the tender process from Mr. Jeremy Mullens, in the amount of \$35,110.00 (GST extra) be accepted, for the sale of vacant city owned land described as Plan 100, between Lots 18 and 19. The municipal address is 145 Whitney Avenue.

“CARRIED”

Res. #2004-889: Moved by Councillor Chirico, seconded by Councillor Anthony That Council not declare surplus the two (2) pieces of land adjoining the Phoenix Venture Group Ltd. at Wyld Street and beside the southerly limit of the Oak Street East parking lot.

“CARRIED”

Res. #2004-890: Moved by Councillor Chirico, seconded by Councillor Anthony That Council authorize the retainer of John Hubble of Loopstra Nixon, Barristers and Solicitors, for the purpose of undertaking the City’s lawsuit against Bill Beckett, KPMG and Grant Thornton.

“CARRIED”

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Res. #2004-891: Moved by Councillor Bain, seconded by Councillor Chirico
That this meeting do now adjourn.

“CARRIED”

MAYOR

CITY CLERK