

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, APRIL 27<sup>TH</sup>, 2009**

**PRESENT:** Mayor Fedeli, Councillors Chirico, Campbell, Vaillancourt, Vrebosch-Merry, Mayne, Bain, Koziol, Graham, Mendicino, Anthony

**CORRESPONDENCE:**

|                         |  |       |
|-------------------------|--|-------|
| 1489549 Ontario Limited | re Rezoning application - Exeter St.       | (279) |
| Seavale Inc.            | re Rezoning application - 1851 Seymour St. | (296) |
| St. Rita Parish         | re St. Anthony's Festival                  | (282) |

**REPORTS FROM OFFICERS:**

|                |   |       |
|----------------|---|-------|
| Burke, M.B.    | re Land exchange - 537 Ann Street   | (312) |
| Carello, P.    | re Sports Complex - Building Canada Fund application  | (300) |
| Carvell, D.    | re 2008/2009 Dedicated Gas Tax Funds  | (289) |
| Conrad, C.M.   | re Nomination to 2009-2010 AMO Board of Directors   | (281) |
| Cox, A.        | re Bridge Rehabilitation Project  | (292) |
| Cox, A.        | re Digester Cleaning & Grit Removal Program   | (293) |
| Cox, A.        | re City Share of New Development Costs - Ongoing  | (294) |
| Cox, A.        | re City Share of New Development Costs  | (295) |
| Kilgour, I.G.  | re City of North Bay Population, Housing and Employment Forecast Update                                 | (280) |
| Kitlar, S.     | re 2009 O'Canada Day event  | (299) |
| Lang, A.       | re 2008/2009 Dedicated Gas Tax Funds  | (289) |
| Manning, J.    | re Tender 2009-08, Renovations to Pete Palangio Arena washrooms   | (288) |
| Manning, J.    | re Tender 2009-19, Lakeside Drive trunk watermain   | (290) |
| Manning, J.    | re Tender 2009-25, Supply of ready mix concrete   | (291) |
| McArthur, S.   | re Rezoning and Plan of Subdivision by Rosanne Tucker and Raymond Norman, Bain Drive and Golf Club Road | (297) |
| McArthur, S.   | re Lane closure in a block bounded by Regina St., Franklin St., Ellis St. and Laurier Ave.              | (298) |
| McArthur, S.   | re Closure of road allowance - May Street   | (313) |
| Rocheffort, L. | re Petty cash funds and cash floats   | (286) |
| Rocheffort, L. | re Notice of Vesting - Tax Sale 2007-01, Highway 63   | (287) |

**Res. #2009-274:** Moved by Councillor Bain, seconded by Councillor Vaillancourt  
That minutes for the public meetings held on:

- Tuesday, April 14, 2009; and
- Monday, April 20, 2009

be adopted as presented.

"CARRIED"

**Res. #2009-275:** Moved by Councillor Bain, seconded by Councillor Vaillancourt  
That minutes for the closed meeting held on:

- Tuesday, April 14, 2009

be adopted as presented.

"CARRIED"

Res. #2009-276: Moved by Councillor Chirico, seconded by Councillor Campbell  
That General Government Committee Report No. 2009-04 relating to:

- an amendment to the Stoop & Scoop By-Law

be adopted as presented.

“CARRIED”

**GENERAL GOVERNMENT COMMITTEE REPORT NO. 2009-04**

April 27, 2009

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2009-04 and recommends:

1. That Council authorize the amendment to Stoop & Scoop By-Law No. 74-88 to allow the by-law to be applied to private property on notice from a By-Law Officer.

All of which is respectfully submitted.

ASSENTS

CHIRICO  
CAMPBELL  
VAILLANCOURT  
VREBOSCH-MERRY  
FEDELI

DISSENTS

Res. #2009-277: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Community Services Committee Report No. 2009-13 relating to:

- Parks Plan Update

be adopted as presented.

“CARRIED”

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2009-13**

April 27, 2009

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2009-13 and recommends:

1. That the Final Draft of the Parks Plan Update dated April 2009 be received and approved.

All of which is respectfully submitted.

ASSENTS

ANTHONY  
MENDICINO  
GRAHAM  
FEDELI

DISSENTS

Res. #2009-278: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Community Services Committee Report No. 2009-14 relating to:

- Plan of Subdivision application by Kenalex Development Inc., Booth Road

be adopted as presented.

“CARRIED”

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2009-14**

April 27, 2009

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2009-14 and recommends:

1. That
  - a) the proposed Plan of Subdivision (City File #48T-09101) by Miller & Urso Surveying Inc. on behalf of Kenalex Development Inc. for the property legally described as Concession 16, Part of Lot 37 in the former township of West Ferris (Booth Road), shown as Lots 1 to 28 and Block 29 to 32 on Schedule “A” attached to the Planning Report prepared by Steve McArthur dated March 6, 2009, be given Draft Approval subject to the conditions in Appendix “A” to the Planning Report prepared by Steve McArthur dated March 6, 2009; and
  - b) the Owner(s) enter into a Subdivision Agreement with the City of North Bay prior to site development to address lot grading, stormwater management, buffer areas, sediment/erosion control, general drainage considerations, and parkland dedication.

All of which is respectfully submitted.

ASSENTS  
ANTHONY  
MENDICINO  
GRAHAM  
FEDELI

DISSENTS

Res. #2009-279: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the rezoning application by Rick Miller on behalf of 1489549 Ontario Limited - Exeter Street, be received.

“CARRIED”

Res. #2009-280: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That Report CSBU 2009-43 relating to the City of North Bay Population, Housing and Employment Forecast Update be referred to the Community Services Committee.

“CARRIED”

Res. #2009-281: Moved by Councillor Chirico, seconded by Councillor Campbell  
That The Corporation of the City of North Bay nominate Councillor Mac Bain for election to the 2009-2010 Board of Directors for the Association of Municipalities of Ontario, Northern Caucus.

“CARRIED”

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

Yeas: Councillors Koziol, Campbell, Vaillancourt, Chirico, Mayne, Graham, Vrebosch-Merry, Mendicino, Bain, Anthony, Mayor Fedeli

Res. #2009-282: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council declare the St. Anthony's Festival on Sunday, June 7, 2009 as a Community Event.

"CARRIED"

Res. #2009-283: Moved by Councillor Chirico, seconded by Councillor Campbell  
That accounts totaling \$8,241,260.03 for March 2009 be approved.

"CARRIED"

Res. #2009-284: Moved by Councillor Campbell, seconded by Councillor Vaillancourt  
That accounts for Royal Bank totaling \$1,640.05 for March 2009 be approved.

"CARRIED"

Councillor Chirico declared a conflict of interest on the above matter as he is employed by Royal Bank.

Res. #2009-285: Moved by Councillor Chirico, seconded by Councillor Campbell  
That accounts totaling \$46,601.00 for MTO (Fisher Street location) for March 2009 be approved.

"CARRIED"

Councillor Graham declared a conflict of interest on the above matter as he is the owner of the Fisher Street Licensing Office.

Res. #2009-286: Moved by Councillor Chirico, seconded by Councillor Campbell  
That Council enact By-Law No. 2009-95, being a by-law to authorize the Treasurer to establish and maintain a cash float and petty cash fund and that the by-law be given three (3) readings on April 27, 2009.

"CARRIED"

Res. #2009-287: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the Treasurer prepare and register a Notice of Vesting in the name of the City of North Bay for property located at Parcel 12180 Widdifield and Ferris, Part of East Half of the South Half of Lot 4, Concession 2, Part 1, Plan 36R-3418, City of North Bay, District of Nipissing.

"CARRIED"

Res. #2009-288: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That North Bay City Council approve the award of a contract to Niroc Construction Ltd. In the amount of \$189,056.00 (GST extra), for renovations to the washrooms at Pete Palangio Arena.

"CARRIED"

Res. #2009-289: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the City Clerk be authorized to prepare and present a by-law for three (3) readings on April 27, 2009 permitting The Corporation of the City of North Bay to enter into a Letter of Agreement with the Province of Ontario related to Provincial funding under the Dedicated Gas Tax Funds

for Public Transportation Program, and that the Mayor and the Chief Financial Officer be authorized to sign the Letter of Agreement on behalf of the City.

“CARRIED”

Res. #2009-290: Moved by Councillor Koziol, seconded by Councillor Bain  
That 1) North Bay City Council approve a contract be awarded to Gap Construction Company Limited in the amount of \$1,719,775.05 (GST included), for the replacement of the Lakeside Drive trunk watermain; and  
2) the City Clerk present a Capital Expenditure By-Law to authorize the Lakeside Drive Trunk Watermain Project, being Capital Budget Project No. W5, at a net debenture cost of \$2,250,000.00.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as Gap Construction Company Limited is a client of his employer.

Res. #2009-291: Moved by Councillor Koziol, seconded by Councillor Bain  
That North Bay City Council approve a contract be awarded to Rainbow Concrete Industries Limited in the estimated amount of \$120,332.45 (GST extra), for the supply of ready mix concrete on an as and when requested basis from the date of contract to October 1, 2009.

“CARRIED”

Res. #2009-292: Moved by Councillor Koziol, seconded by Councillor Bain  
That 1) a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Bridge Rehabilitation Project, being 2009 Project Line Item No. 57, at a net debenture cost of \$100,000.00; and  
2) individual reports may be provided to Council with respect to various components of this project.

“CARRIED”

Res. #2009-293: Moved by Councillor Koziol, seconded by Councillor Bain  
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Digester Cleaning and Grit Removal Program of the Engineering, Environmental Services and Works Department, being 2009 Water and Sanitary Sewer Capital Budget Project Line No. W51, at a net debenture cost of \$75,000.00.

“CARRIED”

Res. #2009-294: Moved by Councillor Koziol, seconded by Councillor Bain  
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the City's Share of the New Development Cost Projects of the Engineering, Environmental Services and Works Department, being 2009 Capital Budget Project Line No. W40, at a net debenture cost of \$100,000.00.

“CARRIED”

Res. #2009-295: Moved by Councillor Koziol, seconded by Councillor Bain  
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the City's Share of the New Development Cost

Projects of the Engineering, Environmental Services and Works Department, being 2009 Capital Budget Project Line No. 45, at a net debenture cost of \$150,000.00.

“CARRIED”

Res. #2009-296: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the rezoning application by Pilot Diamond Tools Ltd. on behalf of Seavale Inc. - 1851 Seymour Street, be received and referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2009-297: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the recommendation from the Planning Advisory Committee regarding the Rezoning and Plan of Subdivision applications by Miller & Urso Surveying Inc. on behalf of Rosanne Tucker and Raymond Norman - Bain Drive and Golf Club Road, be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2009-298: Moved by Councillor Chirico, seconded by Councillor Campbell  
That 1) the application by Miller & Urso Surveying Inc. on behalf of Alain George St. Denis to close a laneway located behind the properties from 1173 to 1197 Regina Street in the block bounded by Franklin Street, Ellis Street and Laurier Avenue, as shown on Schedule “A” attached to Report CSBU 2009-48, be approved;  
2) the closure of the laneway be subject to the granting of any required easements; and  
3) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

“CARRIED”

Res. #2009-299: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That 1) the O’Canada Day Committee be granted permission to hold the 2009 Canada Day Celebrations in and about the Waterfront Park on July 1, 2009 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, and exclusivity over the event and grounds, be approved as per the following:  
a) having approved Recommendation #1 granting permission to hold the public celebration known as the 2009 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, as defined in Attachment 1, attached to Report CSBU 2009-44; and  
b) exclusivity be granted on July 1, 2009 on and over the City-owned or controlled lands (except the North Bay Wastewater Treatment 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.

“CARRIED”

- Res. #2009-300: Moved by Councillor Chirico, seconded by Councillor Campbell  
That 1) Council authorize staff to prepare and submit an application to the Building Canada Fund - Communities Component for the construction of a multi-use sports complex; and
- 2) Council confirms the City of North Bay’s contribution of \$3,050,000 to this initiative.

“CARRIED”

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

Yeas: Councillors Chirico, Vaillancourt, Vrebosch-Merry, Anthony, Campbell, Koziol, Mayne, Bain, Mendicino, Graham, Mayor Fedeli

- Res. #2009-301: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-laws be read a first and second time:
- By-Law No. 2009-92 to execute an Amending Agreement dated the 1<sup>st</sup> day of April, 2009 with Nipissing First Nation relating to fire protection services.
- By-Law No. 2009-95 to authorize the Treasurer to establish and maintain cash floats and petty cash funds.
- By-Law No. 2009-100 to authorize the sale of lands to Alvin Guilford (750 Jane Street).
- By-Law No. 2009-102 to execute an Agreement with the Minister of Transportation relating to Dedicated Gas Tax Funds for Public Transportation Program.
- By-Law No. 2009-103 to execute an Agreement with ProSonics relating to the supply and installation of an audio/visual system for the Council Chambers.

“CARRIED”

- Res. #2009-302: Moved by Councillor Chirico, seconded by Councillor Campbell  
That the following by-laws be read a third time and passed:
- By-Law No. 2009-92 to execute an Amending Agreement dated the 1<sup>st</sup> day of April, 2009 with Nipissing First Nation relating to fire protection services.
- By-Law No. 2009-95 to authorize the Treasurer to establish and maintain cash floats and petty cash funds.
- By-Law No. 2009-100 to authorize the sale of lands to Alvin Guilford (750 Jane Street).
- By-Law No. 2009-102 to execute an Agreement with the Minister of Transportation relating to Dedicated Gas Tax Funds for Public Transportation Program.
- By-Law No. 2009-103 to execute an Agreement with ProSonics relating to the supply and installation of an audio/visual system for the Council Chambers.

“CARRIED”

Res. #2009-303: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-law be read a first and second time:

By-Law No. 2009-101 to execute an Agreement with Symphony of Sound Entertainment Inc. relating to the lease of land for the purpose of staging the 2009 North Rocks the Bay concert.

“CARRIED”

Res. #2009-304: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-law be read a third time and passed:

By-Law No. 2009-101 to execute an Agreement with Symphony of Sound Entertainment Inc. relating to the lease of land for the purpose of staging the 2009 North Rocks the Bay concert.

“CARRIED”

Res. #2009-305: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-law be read a first and second time:

By-Law No. 2009-106 to execute an Agreement with Blanchfield Roofing Co. Ltd. Relating to Memorial Gardens roof replacement.

“CARRIED”

Res. #2009-306: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-law be read a third time and passed:

By-Law No. 2009-106 to execute an Agreement with Blanchfield Roofing Co. Ltd. Relating to Memorial Gardens roof replacement.

“CARRIED”

Res. #2009-307: Moved by Councillor Anthony, seconded by Councillor Mendicino  
That the following by-law be read a third time and passed:

By-Law No. 2009-72 to rezone certain lands between Algonquin Avenue, McLaren Street, Ann Street, Cedar Street, Galt Street and Front Street (City of North Bay - former CN Rail Lands).

“CARRIED”

Res. #2009-308: Moved by Councillor Koziol, seconded by Councillor Bain  
That the following by-laws be read a first and second time:

By-Law No. 2009-97 to amend By-Law No. 2002-133 (being a by-law to confirm the roads and streets maintained by the City of North Bay).

By-Law No. 2009-104 to execute an Agreement with Battano Construction Ltd. relating to the Sidewalk Replacement Program.

By-Law No. 2009-105 to execute an Agreement with Pioneer Construction Inc. relating to the supply of aggregate materials.

“CARRIED”

Res. #2009-309: Moved by Councillor Koziol, seconded by Councillor Bain  
That the following by-laws be read a third time and passed:

By-Law No. 2009-97 to amend By-Law No. 2002-133 (being a by-law to confirm the roads and streets maintained by the City of North Bay).



By-Law No. 2009-104 to execute an Agreement with Battano Construction Ltd. relating to the Sidewalk Replacement Program.

By-Law No. 2009-105 to execute an Agreement with Pioneer Construction Inc. relating to the supply of aggregate materials.

“CARRIED”

Res. #2009-310: Moved by Councillor Chirico, seconded by Councillor Campbell That Council adjourn in-camera pursuant to section 239 of the *Municipal Act, 2001*, as amended, at 7:57 p.m. to discuss Items 22 and 26, being proposed acquisitions of land by the municipality; Item 23, being a proposed exchange of land with the municipality; Item 24, being a proposed disposal of land by the municipality; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

“CARRIED”

Res. #2009-311: Moved by Councillor Chirico, seconded by Councillor Campbell That Council reconvene at 8:20 p.m.

“CARRIED”

Res. #2009-312: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That Council authorize a land exchange to square off the City’s CNR lands and the property at 537 Ann Street.

“CARRIED”

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

Res. #2009-313: Moved by Councillor Chirico, seconded by Councillor Campbell That

- 1) the application by Michael McNeil to close an unopened portion of road allowance (May Avenue), in the block bounded by Laurier Avenue, Metcalfe Street, the ONR Railway Line and Winters Avenue, be approved;
- 2) Council declare that section of road allowance in the block bounded by Laurier Avenue, Metcalfe Street, the ONR Railway Line and Winters Avenue as surplus;
- 3) the closure of the road allowance be subject to the granting of any required easements; and
- 4) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject road allowance.

“CARRIED”

Res. #2009-314: Moved by Councillor Bain, seconded by Councillor Graham That this Regular Meeting of Council do now adjourn at 8:22 p.m.

“CARRIED”