

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD TUESDAY, AUGUST 2ND, 2011**

PRESENT: Mayor McDonald, Councillors Chirico, Koziol, Anthony, Maroosis, Bain, Mayne, Vrebosch-Merry, Vaillancourt, Mendicino, Lawlor

PUBLIC PRESENTATION:

Jeannette Mayotte re Hwy 11 North Transit Service

CORRESPONDENCE:

North Bay Jack Garland Airport re Appointment to Board of Directors (552)
Carol Coleman re Fence Variance – 99 Tweedsmuir Drive (560)
Jeannette Mayotte re Hwy 11 North Transit Service Petition (555)

REPORTS FROM OFFICERS:

Carvell, D. re Hwy 11 North Transit Service Petition (555)
Karpenko, M. re Tender No. 2011-74, Pete Palangio
Arenas Dehumidification (562)
Kilgour, I. re Smoking Prohibition at Steve Omischl
Sports Complex (556)
Killins, S. re Fence Variance – 99 Tweedsmuir Drive (560)
Killins, S. re Clean Yard By-Law (565)
Knox, J. re Agreement with MNDM – Small Business
Enterprise Centre Program (561)
Marshall, R. re EA Assessment – Seymour Street &
Highway 11/17 By-Pass (564)
McArthur, S. re Part Lot Control By-Law – Algonquin Ave.
- Ann/Galt/Front/Cedar/McLaren Streets (553)
McArthur, S. re Draft Plan of Subdivision – 873342
Ontario Inc. – Phase II, Trillium Woods
Subdivision - Booth Road (554)
McArthur, S. re Laneway closure – Pauline & Edward
Costante – 921 Douglas Street (558)
McArthur, S. re Laneway closure – Jocelyn & Janet
Bouchard – 312 Norwood Avenue (559)
Valenti, P. re RFP 2011-75, King’s Landing Wharf
Inspection (557)
Valenti, P. re Tender No. 2011-73, Supply of Rubber
Tire Excavator (563)

Res. #2011-551: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the public meeting held on:

- Monday, July 18, 2011

be adopted as presented.

“CARRIED”

Res. #2011-552: Moved by Councillor Chirico, seconded by Councillor Koziol
That the appointment of Mr. Kevin Donnelly for a three (3) year term
to the Board of Directors for the North Bay Jack Garland Airport
Corporation be confirmed.

“CARRIED”

Res. #2011-553: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) Council authorize a Part Lot Control Exemption By-Law to deem Part Lots 5, 6, 7 and 23, 24, 25, 26, Plan 23, and Part Lots 167, 168, 169, 170, 171, 172, Plan M32, and Part Block 1, Plan M5 and Parts of Ann Street, Galt Street and Cedar Street in the City of North Bay, District of Nipissing being lots fronting on Ann Street, Galt Street and Front Street as shown on Schedule "A" attached to Report to Council CSBU 2011-80, as not being subject to Part Lot Control pursuant to Section 50(7) of the *Planning Act*; and

2) the Part Lot Control Exemption By-Law be presented to Council for three (3) readings at the Regular Meeting of Council on August 2, 2011.

"CARRIED"

Res. #2011-554: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the Draft Plan of Subdivision by Miller & Urso Surveying Inc. on behalf of 873342 Ontario Inc. (Kenalex Development Inc.) – Phase II, Trillium Woods Subdivision (Booth Road) be referred to the Community Services Committee and for a Public Meeting.

"CARRIED"

Res. #2011-555: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Council not implement Transit and Taxi services beyond the Bay Truck Stop on Highway 11 North.

"CARRIED"

Res. #2011-556a: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) smoking be prohibited anywhere on the grounds of the Steve Omischl Sports Complex, including all fields, buildings, parking lots and all other passive recreational areas within the park boundaries;

2) Parks By-Law No. 35-96 be amended accordingly; and

3) Staff be directed to undertake a review of smoking at all City facilities in consultation with the North Bay Parry Sound District Health Unit and report to Council regarding their findings.

"CARRIED AS AMENDED"

Res. #2011-556b: Moved by Councillor Vaillancourt, seconded by Councillor Chirico
That Item #3 be amended to include "commercial establishments patios" as follows:

3) Staff be directed to undertake a review of smoking at all City facilities and commercial establishment patios in consultation with the North Bay Parry Sound District Health Unit and report to Council regarding their findings.

"CARRIED"

Res. #2011-557: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That North Bay City Council approves the award of a contract to Engineered Management Systems Inc. in the amount of \$55,630.00 (HST not included), for the inspection of King's Landing and subsequent drawings, tendering and contract administration for rehabilitation of the wharf.

"CARRIED"

- Res. #2011-558: Moved by Councillor Chirico, seconded by Councillor Koziol
That 1) the application by Pauline and Edward Costante to close a portion of the laneway in the block bounded by Douglas Street, Lorne Avenue, Galt Street and Lansdowne Avenue, legally described as Plan No. 32, abutting Lots 9 and 13 – 15, as shown on Schedule “A” attached to Report to Council CSBU 2011-76, 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. #2011-559: Moved by Councillor Chirico, seconded by Councillor Koziol
That 1) the application by Jocelyn and Janet Bouchard to close a portion of the laneway in the block bounded by Beattie Street, Burns Street, Greenwood Avenue and Norwood Avenue, legally described as Plan No. 86, abutting Lots 115-120, and Lots 192 and 193, adjacent to 312 Norwood Avenue and as shown on Schedule “A” attached to Report to Council CSBU 2011-75, 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. #2011-560: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) Council denies the request for a variance to Fence By-Law No. 2002-105 to increase the height of a fence located in the rear yard from the permitted 6’0” to 12’9”; and
- 2) Council approves the request for a variance to Fence By-Law No. 2002-105 to construct a fence in the rear yard without the required 25% openings for passage of air and light.

“CARRIED”

- Res. #2011-561: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) the Mayor and City Clerk be authorized to sign the agreement with the Minister of Northern Development, Mines and Forestry and The Business Centre Nipissing Parry Sound Inc. for the Small Business Enterprise Centre Program; and
- 2) the Execution By-Law be presented to Council for three (3) readings on August 2, 2011.

“CARRIED”

- Res. #2011-562: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That North Bay City Council approve the award of a contract to Metal-Air Mechanical Systems Ltd. in the amount of \$155,629.23 (HST not included), for the supply and installation of dehumidification systems for Pete Palangio Arenas.

“CARRIED”

Res. #2011-563: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne That North Bay City Council approve a contract be issued to Strongco Limited Partnership in the amount of \$307,699.00 (HST included), for the supply of one (1) rubber tire excavator.

“CARRIED”

Res. #2011-564: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne That 1) the Mayor and City Clerk be authorized to sign the updated agreement for Professional Consulting Services with J.L. Richards & Associates Limited related to the Environmental Assessment (EA) of proposed intersection improvements at the Seymour Street and Highway 11/17 By-Pass; and
2) the Execution By-Law be presented to Council for three (3) readings at the Regular Meeting of Council on August 2, 2011.

“CARRIED”

Res. #2011-565: Moved by Councillor Lawlor, seconded by Councillor Mendicino That the proposed Clean Yard By-Law attached to Report to Council CSBU 2011-68 to establish standards to exterior property maintenance and grass control on residential lands, be presented to Council for three (3) readings.

“CARRIED”

Res. #2011-566: Moved by Councillor Chirico, seconded by Councillor Koziol That the following by-laws be read a first and second time:

By-Law No. 2011-172 to authorize the 2011 Transit Coach Replacement Program.

By-Law No. 2011-178 to confirm proceedings of the Meeting of Council on July 18, 2011.

“CARRIED”

Res. #2011-567: Moved by Councillor Chirico, seconded by Councillor Koziol That the following by-laws be read a third time and passed:

By-Law No. 2011-172 to authorize the 2011 Transit Coach Replacement Program.

By-Law No. 2011-178 to confirm proceedings of the Meeting of Council on July 18, 2011.

“CARRIED”

Res. #2011-568: Moved by Councillor Lawlor, seconded by Councillor Mendicino That the following by-laws be read a first and second time:

By-Law No. 2011-173 to amend By-Law No. 2011-139 (being a by-law to regulate open air burning in the City of North Bay).

By-Law No. 2011-176 to deem Plan 23, Part Lots 5 to 7, 23 to 26 and Plan M32, Part Lots 167 to 172, and Plan M5, Part Block 1 and Part of Ann Street, Galt Street and Cedar Street as not being subject to part lot control pursuant to Section 50(7) of the *Planning Act* (Algonquin Avenue, Ann Street, Galt Street, Front Street, Cedar Street and McLaren Street).

By-Law No. 2011-180 to execute an Amending Agreement with North Bay Youth Soccer Club relating to funding contributions for the Outdoor Sports Complex.

By-Law No. 2011-182 to execute an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Northern Development, Mines and Forestry and The Business Centre Nipissing Parry Sound Inc. relating to the Small Business Enterprise Centre Program.

“CARRIED”

Res. #2011-569: Moved by Councillor Lawlor, seconded by Councillor Mendicino That the following by-laws be read a third time and passed:

By-Law No. 2011-173 to amend By-Law No. 2011-139 (being a by-law to regulate open air burning in the City of North Bay).

By-Law No. 2011-176 to deem Plan 23, Part Lots 5 to 7, 23 to 26 and Plan M32, Part Lots 167 to 172, and Plan M5, Part Block 1 and Part of Ann Street, Galt Street and Cedar Street as not being subject to part lot control pursuant to Section 50(7) of the *Planning Act* (Algonquin Avenue, Ann Street, Galt Street, Front Street, Cedar Street and McLaren Street).

By-Law No. 2011-180 to execute an Amending Agreement with North Bay Youth Soccer Club relating to funding contributions for the Outdoor Sports Complex.

By-Law No. 2011-182 to execute an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Northern Development, Mines and Forestry and The Business Centre Nipissing Parry Sound Inc. relating to the Small Business Enterprise Centre Program.

“CARRIED”

Res. #2011-570: Moved by Councillor Lawlor, seconded by Councillor Mendicino That the following by-law be read a first and second time:

By-Law No. 2011-181 to execute a Condominium Agreement with Saturnia Real Estate Holdings Inc. and the Royal Bank of Canada relating to Premier Road Condominiums.

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

“CARRIED”

Res. 2011-571: Moved by Councillor Lawlor, seconded by Councillor Mendicino That the following by-law be read a third time and passed:

By-Law No. 2011-181 to execute a Condominium Agreement with Saturnia Real Estate Holdings Inc. and the Royal Bank of Canada relating to Premier Road Condominiums.

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

“CARRIED”

Res. #2011-572: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt That the following by-law be read a third time and passed:

By-Law No. 2011-138 to rezone certain lands on Front Street (Nipissing-Parry Sound Catholic District School Board – 1140 Front Street).

Councillor Lawlor declared a conflict of interest as his client is interested in purchasing the property.

“CARRIED”

Res. #2011-573: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-laws be read a first and second time:

By-Law No. 2011-174 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to the supply and placement of plant cold recycled asphalt pavement.

By-Law No. 2011-177 to execute an Agreement with Battano Construction Limited relating to the Sidewalk Replacement Program.

By-Law No. 2011-179 to execute an Agreement with J.L. Richards & Associates Limited relating to intersection improvements at the Seymour Street and Highway 11/17 By-Pass.

“CARRIED”

Res. #2011-574: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-laws be read a third time and passed:

By-Law No. 2011-174 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to the supply and placement of plant cold recycled asphalt pavement.

By-Law No. 2011-177 to execute an Agreement with Battano Construction Limited relating to the Sidewalk Replacement Program.

By-Law No. 2011-179 to execute an Agreement with J.L. Richards & Associates Limited relating to intersection improvements at the Seymour Street and Highway 11/17 By-Pass.

“CARRIED”

Res. #2011-575: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-law be read a first and second time:

By-Law No. 2011-175 to execute an Agreement with Monteith Building Group Ltd. relating to the design and construction of the building extension of the Public Works Maintenance Garage.

Mayor McDonald declared a conflict of interest as the contractor is a tenant in property owned by the Mayor.

“CARRIED”

Res. #2011-576: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-law be read a third time and passed:

By-Law No. 2011-175 to execute an Agreement with Monteith Building Group Ltd. relating to the design and construction of the building extension of the Public Works Maintenance Garage.

Mayor McDonald declared a conflict of interest as the contractor is a tenant in property owned by the Mayor.

“CARRIED”

Res. #2011-577: Moved by Councillor Maroosis, seconded by Councillor Anthony
WHEREAS arbitrarily setting social assistance rates does not ensure that people receive adequate incomes to meet the basic necessities of life;

AND WHEREAS inadequate levels lead to monthly cycles of chronic hunger among recipients creating health consequences with both personal and economic costs to us all;

AND WHEREAS it is important that there be accountability for providing or failing to provide adequate income supports for people who must be on social assistance;

AND WHEREAS the basics of food and shelter are out of reach on current assistance levels, forcing people who are on assistance to make impossible choices between paying rent and buying food;

AND WHEREAS the purchasing power of social assistance benefits is now 60% of what it was 15 years ago, when social assistance for individuals was reduced by 22% and the cost of nutritious eating has continued to increase every year since then;

AND WHEREAS the increasing number of people relying on social assistance and food banks has grown as a result of the current economic crisis;

AND WHEREAS the existence of widespread food insecurity and chronic illness related to poor nutrition is the result of public policy choices, not the responsibility of people living on inadequate incomes;

NOW BE IT THEREFORE RESOLVED THAT the City of North Bay supports a clear and transparent process to set social assistance rates – rates that are set on the real cost of living a healthy, dignified life in Ontario; and calls on the Government of Ontario to immediately introduce and fully fund a \$100.00 per month Healthy Food Supplement for all adults on social assistance as a first step towards meeting basic needs;

AND THAT a copy of this resolution be forwarded to the Premier of Ontario; The Honourable Dwight Duncan, Minister of Finance; the Honourable Madeleine Meilleur, the Minister of Community and Social Services; the Honourable Deb Mathews, Minister of Health; Monique Smith, MPP for Nipissing; and to the Leaders of the Provincial Opposition;

AND FURTHER THAT a copy of this resolution be forwarded to the Association of Municipalities of Ontario; the Ontario Municipal Social Services Association; the District of Nipissing Social Services Administration Board and its member municipalities, requesting their support and endorsement of the \$100.00 Healthy Food Supplement.

“CARRIED”

Res. #2011-578: Moved by Councillor Vaillancourt, seconded by Councillor Bain
That this Regular Meeting of Council do now adjourn at 7:44 p.m.

“CARRIED”

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD