

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, MAY 8TH, 2006**

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

CORRESPONDENCE:

Baril, John	re Rezoning application - 1461 and 1471 Harrison Avenue	(251)
Downtown Improvement Area	re Temporary road closure	(263)
Menalon Properties Inc.	re Rezoning application - Airport Road	(248)
Millford Development Ltd. and 254623 Investments Ltd.	re Plan of Subdivision application - Norman Avenue and Connaught Avenue	(252)

REPORTS FROM OFFICERS:

Burke, M.B.	re Purchasing authorization (250)	
Burke, M.B.	re Sale of lands to Clifford Pilon, Smith's Road	(276)
Burke, M.B.	re Sale of lands to Chamberlain Management Services Ltd. - Seymour Street	(277)
Courville, E.	re Sign By-Law variance - 397 Wyld Street	(255)
Hall, B.	re Rezoning application by Stephan Cerisano - Main Street West	(262)
Knox, J.D.	re Transit Terminal	(264)
Korell, A.	re Rural Roadway Reconstruction Program	(253)
Korell, A.	re Temporary road closure - Downtown Improvement Area	(263)
Linkie, D.G.	re Habitat for Humanity	(261)
Manning, J.	re Tender 2006-59, Crushing of reclaimed asphalt pavement	(256)
Manning, J.	re Tender 2006-57, Supply of aggregate material	(257)
Manning, J.	re Tender 2006-42, Sidewalk replacement	(258)
Ringler, T.G.	re Downtown Farmers' Market	(260)
Rogers, B.A.	re Laurentian Heights Limited Sewer Connection By-Law	(254)
Simmonds, J.C.	re Green Municipal Fund - Merrick Landfill Gas Utilization Study	(259)
Simmonds, J.C.	re Tender 2006-10, Asphalt resurfacing	(249)

Res. #2006-244: Moved by Councillor Chirico, seconded by Councillor Bain
That minutes for the meetings held:

- Monday, May 8, 2006

be adopted as presented.

"CARRIED"

Res. #2006-245: Moved by Councillor Chirico, seconded by Councillor Boldt
That General Government Committee Report No. 2006-03 relating to:

- the Dashnay Street road allowance

be adopted as presented.

"CARRIED"

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2006-03

May 8, 2006

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2006-03 and recommends:

- 1. That By-Law No. 2006-57 to stop up, close and convey a portion of the Dashnay Street road allowance in a block bounded by McIntyre Street West, Nipissing Street, Copeland Street and Rock Street be presented to Council on May 8, 2006 for third and final reading.

All of which is respectfully submitted.

ASSENTS

CHIRICO
BOLDT
VAILLANCOURT
GRAHAM
FEDELI

DISSENTS

Res. #2006-246: Moved by Councillor Chirico, seconded by Councillor Boldt
That General Government Committee Report No. 2006-04 relating to:

- amendments to the 2006 Operating and Capital Budgets

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2006-04

May 8, 2006

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2006-04 and recommends:

- 1. That
 - 1) the 2006 Operating Budget adopted March 13, 2006 be amended as follows:
 - a) That the 2006 one-time cost levy for Cassellholme, estimated at \$361,470 be funded from the one-time \$1,000,000 and that the balance of the \$1,000,000 be used for water and sewer infrastructure;
 - b) That the Chief Financial Officer be authorized to transfer an additional \$570,000 from the Ontario Municipal Partnership Fund (OMPF) Reserve Fund;
 - c) That the Operating Budget be amended to include an additional \$250,000 in subsidy from the Provincial Dedicated Gas Tax for transit operating purposes; and

- d) That the Operating Budget be amended to include as a revenue, the surplus distribution from the Nipissing District Social Services Administration Board in the amount of \$355,606.
- 2) the 2006 Capital Budget adopted December 12, 2005 be a mended as follows:
 - a) That the budget for "*City Projects to be funded from Debentures, Capital Levy, Federal Gas Tax and Reserves*" be reduced by \$671,923 as follows:

i) add Fisher Street reconstruction	\$3,500,000
ii) delete unallocated Algonquin/Front	- 802,000
iii) add Move Ontario Provincial Funding	- 3,369,923
Net reduction	<u>- \$671,923</u>
 - b) That the budget for "*Water and Sanitary Sewer Projects to be funded from Water and Sanitary Sewer Rates, Debentures and Reserves*" be reduced to \$671,923 as follows:

i) add Fisher Street reconstruction	\$2,500,000
ii) add Sewage Treatment Plant Centrifuge	550,000
iii) delete unallocated Algonquin/Front	-1,173,000
iv) delete allocation for Septage Receiving and Treatment Station	-2,000,000
v) unallocated one-time \$1,000,000 Provincial Funding	- 638,530
Net reduction	<u>- \$761,530."</u>

All of which is respectfully submitted.

ASSENTS

DISSENTS

CHIRICO
BOLDT
VAILLANCOURT
GRAHAM
FEDELI

Res. #2006-247: Moved by Councillor Mendicino, seconded by Councillor Anthony That Community Services Committee Report No. 2006-12 relating to:

- the Parks and Recreation Building Conditions and Requirement Assessment Report

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2006-12

May 8, 2006

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2006-12 and recommends:

- 1. That
 - a) the Parks and Recreation Building Conditions and Requirement Assessment Report CSBU 2006-38 be accepted by Council as presented;
 - b) Council adopt the Building Consultants recommendations as outlined in Report No. CSBU 2006-38; and
 - c) the Parks, Recreation and Leisure Services Department be directed to proceed using Report No. CSBU 2006-38 as a guide for preparing future capital budgets for the Parks Building Rehabilitation Program.

All of which is respectfully submitted.

ASSENTS
 MENDICINO
 ANTHONY
 MAROOSIS
 FEDELI

DISSENTS

Res. #2006-248: Moved by Councillor Mendicino, seconded by Councillor Anthony
 That the rezoning application by Paul Goodridge on behalf of Menalon Properties Inc. - Airport Road be received and referred to the Community Services Committee for a Public Meeting.

“CARRIED”

Res. #2006-249: Moved by Councillor Koziol, seconded by Councillor Bain
 That

- 1) the resurfacing Tender 2006-10 not be awarded; and
- 2) resurfacing projects be amalgamated into the rural road rehabilitation project tender and that Oak Street resurfacing be called as a separate tender.

“CARRIED”

Res. #2006-250: Moved by Councillor Chirico, seconded by Councillor Boldt
 That Purchasing By-Law No. 2004-196 be amended to allow the Corporate seal to be applied for authorized purchase or funding agreements, where required within the spending limits set out therein.

“CARRIED”

Res. #2006-251: Moved by Councillor Mendicino, seconded by Councillor Anthony
 That the rezoning application by John Baril - 1461 & 1471 Harrison Avenue be received.

“CARRIED”

Res. #2006-252: Moved by Councillor Mendicino, seconded by Councillor Anthony
 That the Plan of Subdivision application by Rick Miller on behalf of Millford Development Ltd. & 254623 Investments Limited be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2006-253: Moved by Councillor Koziol, seconded by Councillor Bain
 That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Rural Roadway Reconstruction Program for 2006,

being Capital Budget Line No. 57, at a net debenture cost of \$500,000.

“CARRIED”

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May 8, 2006

Res. #2006-254: Moved by Councillor Chirico, seconded by Councillor Boldt
That City Council authorize an amendment to the Sewer Connection By-Law No. 2002-119, amended by By-Law No. 2003-61, to adjust the connection cost of Mapleview Place connections after 2003 for inflation using the City’s bank Prime Lending Rate plus 1% instead of the Consumer Price Index for Northern Ontario.

“CARRIED”

Res. #2006-255: Moved by Councillor Mendicino, seconded by Councillor Anthony
That Council approves the request for a variance to sign By-Law No. 25-97 to permit three signs on the south side wall of the building located at 397 Wyld Street. The first sign (new Remax) shall not exceed 8’ x 16’; the second sign (Mortgage Corp). shall not exceed 8’ x 16’ (when replaced); and the third sign (MEDlchair) shall not exceed 10’ x 2’4”.

“CARRIED”

Res. #2006-256: Moved by Councillor Koziol, seconded by Councillor Bain
That North Bay City Council approve a contract be awarded to Teck Northern Roads Ltd., in the estimated amount of \$77,665.95 (GST extra), to crush an estimated amount of 15,000 tonnes of reclaimed asphalt pavement.

“CARRIED”

Res. #2006-257: Moved by Councillor Koziol, seconded by Councillor Bain
That North Bay City Council approve a contract be awarded to Eastview Developments Limited, in the estimated amount of \$197,900.00 (GST extra), for the supply of aggregate materials on an as and when requested basis from the date of contract to October 31, 2006.

“CARRIED”

Res. #2006-258: Moved by Councillor Koziol, seconded by Councillor Bain
That

- 1) North Bay City Council approve a contract be awarded to Battano Construction in the estimated amount of \$144,000.00 (GST extra) to replace sidewalks on an as and when requested basis from the date of contract to October 31, 2006;
- 2) North Bay City Council approve a contract be awarded to Battano Construction in the estimated amount of \$49,000.00 (GST extra), to construct a new sidewalk on the south/east side of Cartier Street between McKeown Avenue and Kathryn Crescent; and
- 3) the City Clerk be authorized to present Capital Project By-Laws for the 2006 Pedestrian Safety Program with net debenture cost of \$75,000 and the 2006 Sidewalk Replacement Program with net debenture cost of \$100,000.

“CARRIED”

Res. #2006-259: Moved by Councillor Koziol, seconded by Councillor Bain
That the City of North Bay apply to the Federation of Canadian Municipalities- Green Municipal Fund for Methane Gas Utilization Feasibility Study and Design for the Merrick Landfill Site.

“CARRIED”

Res. #2006-260: Moved by Councillor Chirico, seconded by Councillor Boldt
That the Downtown Farmers' Market organization be granted permission to use the McIntyre Street East, Lot #11, opposite City Hall, each Saturday from May 20, 2006 to October 7, 2006, between the hours of 8:30 a.m. and 2:30 p.m. without charge.

"CARRIED"

Res. #2006-261: Moved by Councillor Chirico, seconded by Councillor Boldt
That the matter relating to the Habitat for Humanity presentation by Mr. Phil Richardson be noted and filed.

"CARRIED"

Res. #2006-262: Moved by Councillor Mendicino, seconded by Councillor Anthony
That the recommendation from the Planning Advisory Committee regarding the Rezoning application by Stephan Cerisano- Main Street West be referred to the Community Services Committee and for a Public Meeting.

"CARRIED"

Res. #2006-263: Moved by Councillor Koziol, seconded by Councillor Bain
That approval be given to close Main Street between Algonquin Avenue and Sherbrooke Street to vehicular traffic between the hours of 5:00 p.m. and 9:00 p.m., Friday, July 14th, 7:00 a.m. and 11:00 p.m. on Saturday, July 15th, and 7:00 a.m. and 4:00 p.m. on Sunday, July 16th, 2006.

"CARRIED"

Res. #2006-264: Moved by Councillor Mendicino, seconded by Councillor Anthony
That

- 1) Council proceed with Transit Terminal Option A of Report to Council CSBU 2006-50 and authorize the issuance of the appropriate tender;
- 2) staff prepare a recommended funding plan with the recommendation to award the construction tender; and
- 3) staff issue an expression of interest for the concession area to be located within the transit terminal.

"CARRIED"

Res. #2006-265: Moved by Councillor Chirico, seconded by Councillor Boldt
That the following by-law be read a first and second time:

By-Law No. 2006-84 to stop up, close and convey a portion of a laneway bounded by Fourth Avenue, Fifth Avenue, Sherbrooke Street and Fisher Street.

"CARRIED"

Res. #2006-266: Moved by Councillor Chirico, seconded by Councillor Boldt
That the following by-law be read a third time and passed:

By-Law No. 2006-57 to stop up, close and convey a portion of the Dashnay Street road allowance in a block bounded by McIntyre Street West, Nipissing Street, Copeland Street and Rock Street.

“CARRIED”

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May 8, 2006

Res. #2006-267: Moved by Councillor Chirico, seconded by Councillor Boldt
That the following by-laws be read a first and second time:

By-Law No. 2006-82 to authorize the Transit Coach Replacement Program.

By-Law No. 2006-83 to execute a Lease Agreement with the Ontario Realty Corporation relating to the boathouse at King’s Landing for the Ontario Provincial Police.

By-Law No. 2006-85 to set 2006 Tax Rates and to levy taxes for the Year 2006.

By-Law No. 2006-88 to authorize the Worthington Street Reconstruction and Culvert Replacement and to amend By-Law No. 2005-106.

By-Law No. 2006-89 to authorize the sale of lands to Robert Nodder and Julie Tretheway (1299 Copeland Street).

“CARRIED”

Councillor Koziol declared a conflict of interest on By-Law No. 2006-85 as it relates to multi-residential properties.

Res. #2006-268: Moved by Councillor Chirico, seconded by Councillor Boldt
That the following by-laws be read a third time and passed:

By-Law No. 2006-82 to authorize the Transit Coach Replacement Program.

By-Law No. 2006-83 to execute a Lease Agreement with the Ontario Realty Corporation relating to the boathouse at King’s Landing for the Ontario Provincial Police.

By-Law No. 2006-85 to set 2006 Tax Rates and to levy taxes for the Year 2006.

By-Law No. 2006-88 to authorize the Worthington Street Reconstruction and Culvert Replacement and to amend By-Law No. 2005-106.

By-Law No. 2006-89 to authorize the sale of lands to Robert Nodder and Julie Tretheway (1299 Copeland Street).

“CARRIED”

Councillor Koziol declared a conflict of interest on By-Law No. 2006-85 as it relates to multi-residential properties.

Res. #2006-269: Moved by Councillor Mendicino, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2006-87 to execute an Agreement with World’s Finest Show’s Inc. relating to the operation of amusement rides for the Heritage Festival.

“CARRIED”

Res. #2006-270: Moved by Councillor Mendicino, seconded by Councillor Anthony

That the following by-law be read a third time and passed:

By-Law No. 2006-87 to execute an Agreement with World's Finest Show's Inc. relating to the operation of amusement rides for the Heritage Festival.

"CARRIED"

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May 8, 2006

Res. #2006-271: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-law be read a first and second time:

By-Law No. 2006-88 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to the supply of asphaltic concrete pavement patching material.

"CARRIED"

Res. #2006-272: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-law be read a third time and passed:

By-Law No. 2006-88 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to the supply of asphaltic concrete pavement patching material.

"CARRIED"

Res. #2006-273: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That "Casual Wear Months" be in effect from Tuesday, May 23, 2006 until Tuesday, September 5, 2006 inclusive.

"CARRIED"

Res. #2006-274: Moved by Councillor Mendicino, seconded by Councillor Anthony
That the City of North Bay fully supports the local Organizing Committee in its efforts to organize the Central Regional Festival of Synchronized Skating Championships in North Bay, January 2007.

"CARRIED"

Res. #2006-275: Moved by Councillor Chirico, seconded by Councillor Boldt
That Council adjourn in-camera to discuss property matters 18 and 20 and litigation matter 19.

"CARRIED"

Councillor Anthony left when Council adjourned in-camera.

Res. #2006-276: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That Council authorize the sale of the Smith's Road parcel to Clifford Pilon for the appraised value of \$7,500.00.

"CARRIED"

Councillor Boldt declared a conflict of interest on the above matter as she is acting in a litigation matter against the applicant.

Res. #2006-277: Moved by Councillor Chirico, seconded by Councillor Boldt
That Council authorize the sale of 1.7 acres of land adjacent to the Chamber of Commerce building to Chamberlain Management Services Limited according to an Agreement of Purchase and Sale dated May 3, 2006 according to the revised terms.

“CARRIED”

Res. #2006-278: Moved by Councillor Chirico, seconded by Councillor Boldt
That the following by-law be read a first and second time:

By-Law No. 2006-91 to execute an Agreement of Purchase and Sale with Chamberlain Management Services Limited relating to property on Seymour Street.

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“CARRIED”
May 8, 1006

Res. #2006-279: Moved by Councillor Chirico, seconded by Councillor Boldt
That the following by-law be read a third time and passed:

By-Law No. 2006-91 to execute an Agreement of Purchase and Sale with Chamberlain Management Services Limited relating to property on Seymour Street.

“CARRIED”

Res. #2006-280: Moved by Councillor Chirico, seconded by Councillor Bain
That this meeting do now adjourn.

“CARRIED”

MAYOR VIC FEDELI

CITY CLERK CATHERINE CONRAD