

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD TUESDAY, FEBRUARY 22ND, 2011**

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

PUBLIC PRESENTATION:

Deibel, Edward	re Northern Ontario Education	
Lechlitner, John	re 2011 Summer in the Park Fundraising	
Shogren, Derek	re 2011 Summer in the Park Expanded Program	
Tucker, Tom	re Rotary Club – 100 Years in Canada	

CORRESPONDENCE:

Vaillancourt, Daryl	re Resignation from the Capitol Centre Board of Directors	(106)
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REPORTS FROM OFFICERS:

Bellehumeur, R.	re 2011 Capital Project – Park Vehicle & Equipment Replacement Program	(109)
Bellehumeur, R.	re 2011 Capital Project – Downtown Sidewalk Rehabilitation Program	(111)
Bellehumeur, R.	re 2011 Capital Project – Lot Maintenance & Improvement Program	(112)
Bellehumeur, R.	re 2011 Capital Project – Pete Palangio/ West Ferris Rehabilitation Program	(113)
Bellehumeur, R.	re 2011 Capital Project – Kings Landing & Marina Rehabilitation Program	(114)
Bellehumeur, R.	re 2011 Capital Project – Recreation Facilities Long-Term Needs Study	(116)
Bellehumeur, R.	re 2011 Capital Project – Aquatic Centre Rehabilitation Program	(117)
Carello, P.	re North Bay Jack Garland Airport Infrastructure	(115)
Carello, P.	re MTO Update – Transit Supportive Guidelines	(125)
Cox, A.	re 2011 Capital Project – Road Culvert Replacement Program	(119)
Cox, A.	re 2011 Capital Project – Rural Roadway Reconstruction Program	(120)
Cox, A.	re 2011 Capital Project – Vehicle & Equipment Replacement Program (Sewer & Water Division)	(121)
Cox, A.	re 2011 Capital Project – Vehicle & Equipment Replacement Program (Roads & Traffic Division)	(122)
Cox, A.	re 2011 Capital Project – Design Work – Next Year's Projects	(126)
Cox, A.	re 2011 Capital Project – City Share of New Development Costs	(127)
Cox, A.	re 2011 Capital Project – Asphalt Resurfacing Sheeting Program	(128)
Cox, A.	re 2011 Capital Project – Residential Street Rehabilitation Program	(129)
Knox, J.	re 2011 Capital Project – Parks Building Rehabilitation Program	(118)
Love, G.	re Fire & Emergency Services Wellness Initiative	(110)
Love, G.	re 2011 Capital Project – Vehicle & Equipment Replacement Program (Fire)	(124)

- Manning, J. re Tender 2010-136, Implementation of Energy Upgrades – Aquatic Centre & North Bay YMCA (123)
- McArthur, S. re Lane closure - block bounded by Morin Street, Douglas Street, Lorne Avenue, Lansdowne Avenue – 995 Morin Street (105)
- Mclsaac, K. re Council appointment to the Capitol Centre Board of Directors (137)

Res. #2011-101: Moved by Councillor Vaillancourt, seconded by Councillor Marosis That minutes for the public meetings held on:

- Monday, February 7, 2011; and
- Monday, February 14, 2011

be adopted as presented.

“CARRIED”

Res. #2011-102: Moved by Councillor Vaillancourt, seconded by Councillor Marosis That minutes for the closed meeting held on:

- Monday, February 7, 2011

be adopted as presented.

“CARRIED”

Res. #2011-103: Moved by Councillor Lawlor, seconded by Councillor Mendicino That Community Services Committee Report No. 2011-03 relating to:

- 2011 Summer in the Park Expanded Program

be adopted as presented.

Councillor Vaillancourt declared a conflict of interest as he owns/operates a business at the Waterfront.

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

Yeas: Councillors Lawlor, Chirico, Mayne, Bain, Marosis, Mendicino, Mayor McDonald

Nays : Councillors Vrebosch-Merry, Anthony, Koziol

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-03

February 22, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-03 and recommends:

1. That a) the Summer in the Park Committee be granted permission to plan an expanded 2011 Summer in the Park event in and about Lee Park and other areas of the Waterfront from Friday, July 29, 2011 to Sunday, July 31, 2011 inclusive; and

- b) the expanded event include:
 - i) A variety of activities and attractions similar to previous Summer in the Park events held in and around Lee Park. The majority of these activities are offered at no charge to the public with some, such as the midway and helicopter rides, charging an admission fee;
 - ii) The addition of the Country Open Singing Competition to free activities being hosted in Lee Park; and
 - iii) The addition of music concerts presented at a waterfront stage location. The purchase of a \$20 wristband will be required to attend the concerts.

All of which is respectfully submitted.

ASSENTS
 LAWLOR
 MENDICINO
 McDONALD

DISSENTS

Res. #2011-104: Moved by Councillor Lawlor, seconded by Councillor Mendicino That Community Services Committee Report No. 2011-04 relating to:

- Rezoning application by the City of North Bay, Third Avenue East and John Street

be adopted as presented.

“CARRIED”

Councillor Bain declared a conflict of interest as he owns property in the neighbourhood. Councillor Anthony declared a conflict of interest as a family member is employed by the applicant.

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-04

February 22, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-04 and recommends:

1. That
 - a) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of the City of North Bay for the property legally described as Concession 13, Registered Plan No. 20, Lots 14 to 19 (Third Avenue East and John Street), from a “Residential Second Density (R2)” zone to a “Neighbourhood Commercial Special Zone No. 38 (C5 Sp.38), be approved; and
 - b) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O. 1990 as amended, in order to regulate building massing, parking, lighting, landscaping, storm water, drainage, ingress and egress and fencing as required.

All of which is respectfully submitted.

ASSENTS
LAWLOR
MENDICINO
VAILLANCOURT
McDONALD

DISSENTS

Res. #2011-105: Moved by Councillor Chirico, seconded by Councillor Koziol
That 1) the application by Miller & Urso Surveying Inc. on behalf of Dawna Denis to close a portion of the laneway in the block bounded by Morin Street, Douglas Street, Lorne Avenue and Lansdowne Avenue, as shown on Schedule "A" attached to Report CSBU 2011-19, 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. #2011-106: Moved by Councillor Chirico, seconded by Councillor Koziol
That the resignation of Councillor Vaillancourt from the Capitol Centre Board of Directors be received and Councillor Vaillancourt be thanked for his involvement on this board.

"CARRIED"

Res. #2011-107: Moved by Councillor Chirico, seconded by Councillor Koziol
That accounts totaling \$11,066,493.89 for January 2011 be approved.

"CARRIED"

Res. #2011-108: Moved by Councillor Koziol, seconded by Councillor Anthony
That accounts for Royal Bank totaling \$2,999.23 for January 2011 be approved.

"CARRIED"

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

Res. #2011-109: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Park Vehicle & Equipment Replacement Program, being 2011 Community Services Capital Budget Project Line No. 95, Project No. 6028PR, at a net debenture cost of \$350,000.00.

"CARRIED"

Res. #2011-110: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the Chief Financial Officer be authorized to transfer \$20,000.00 from the Corporate Wellness Reserve Fund to Fire & Emergency Services for one-time costs associated with fitness equipment and related wellness training initiatives.

"CARRIED"

Res. #2011-111: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of
City Council to authorize the Downtown Sidewalk Rehabilitation
Program, being 2011 Community Services Capital Budget Project Line
No. 91, Project No. 6024PR, at a net debenture cost of \$90,000.00.

“CARRIED”

Res. #2011-112: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of
City Council to authorize the Parking Lot Maintenance & Improvement
Program, being 2011 Community Services Capital Budget Project Line
No. 97, Project No. 6030PK, at a net debenture cost of \$300,000.00.

“CARRIED”

Res. #2011-113: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of
City Council to authorize the Pete Palangio/West Ferris Rehabilitation
Program, being 2011 Community Services Capital Budget Project Line
No. 84, Project No. 6017RF, at a net debenture cost of \$400,000.00.

“CARRIED”

Res. #2011-114: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of
City Council to authorize the Kings Landing & Marina Rehabilitation
Program, being 2011 Community Services Capital Budget Project Line
No. 85, Project No. 6018MR, at a net debenture cost of \$250,000.00.

“CARRIED”

Res. #2011-115: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) Council authorize City staff to submit applications to the
Northern Ontario Heritage Fund and FedNor for capital works
related to the development of new industrial lands in areas
surrounding North Bay Jack Garland Airport;

2) in the event the funding applications are approved, Council will
proceed with the City’s stated contribution of \$7,584,099.00
from the Capital Budget; and

3) if approved, Council authorize staff to amend the Capital
Budget to ensure the City’s contribution is available.

“CARRIED”

Res. #2011-116: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of
City Council to authorize the Recreation Facilities Long-Term Needs
Study, being 2011 Community Services Capital Budget Project Line No.
77, Project No. 3114PR, at a net debenture cost of \$50,000.00.

“CARRIED”

Res. #2011-117: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That 1) a Capital Expenditure By-Law be prepared for the
consideration of City Council to authorize the Aquatic Centre
Rehabilitation Program, being 2011 Community Services
Capital Budget Project Line No. 96, Project No. 6029PR, at a
net debenture cost of \$250,000.00; and

- 2) Council authorize the transfer of \$115,000.00 from the 2010 Memorial Gardens Rehabilitation Program (Community Services Capital Budget Project Line No. 2, Project No. 3031RF) to the 2011 Aquatic Centre Rehabilitation Program (Community Services Capital Budget Project Line No. 96, Project No. 6029PR).

“CARRIED”

Mayor McDonald declared a conflict of interest with respect to Memorial Gardens as he has an interest in the Nipissing Lakers Hockey Team.

Res. #2011-118: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Facilities – Parks Building Rehabilitation Program, being Community Services Capital Budget Project Line No. 86, Project No. 6019PR, at a net debenture cost of \$750,000.00.

“CARRIED”

Res. #2011-119: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That a Capital Expenditure By-Law be prepared for Council’s consideration to authorize the replacement of various rural road culverts, being a 2011 Capital Budget, Project No. 6007RD, Line Item #63, with a net debenture cost of \$155,000.00.

“CARRIED”

Res. #2011-120: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That a Capital Expenditure By-Law be prepared for Council’s consideration to authorize the Rural Roadway Reconstruction Program, being a 2011 Capital Budget, Project No. 6008RD, Line Item #64, with a net debenture cost of \$715,000.00.

“CARRIED”

Res. #2011-121: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That a Capital Expenditure By-Law be prepared for Council’s consideration to authorize the purchase of new vehicles and replacement equipment for the water and sanitary sewer maintenance activities of the Engineering, Environmental Services and Works Department, being a 2011 Water and Sanitary Sewer Capital Budget, Project No. 6002SS-WS, Line Item #W42, with a net debenture cost of \$800,000.00.

“CARRIED”

Res. #2011-122: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That a Capital Expenditure By-Law be prepared for Council’s consideration to authorize the acquisition of various vehicles and equipment for the Roads and Traffic Division of the Engineering, Environmental Services and Works Department, being a 2011 Capital Budget, Project No. 6002RD, Line Item #58, with a net debenture cost of \$1,200,000.00.

“CARRIED”

Res. #2011-123: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That North Bay City Council approve the award of a contract to D. J. Venasse Construction Limited in the amount of \$711,658.00 (HST extra), to implement energy upgrades to the City of North Bay Aquatic Centre and the North Bay YMCA.

“CARRIED”

Mayor McDonald declared a conflict of interest with respect to Memorial Gardens as he has an interest in the Nipissing Lakers Hockey Team.

Res. #2011-124: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Council directs the City Clerk to prepare a Capital Expenditure By-Law for approval to fund the Fire Department Vehicle & Equipment Replacement Program, in the 2011 Capital Budget Fire Department, Line #73, Capital Project 6015FD, in the amount of \$546,000.00.

“CARRIED”

Res. #2011-125: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Council support the comments to the Ministry of Transportation regarding the update of their Transit Supportive Guidelines prepared by staff as contained in Appendix A attached to Report to Council CSBU 2011-35.

“CARRIED”

Res. #2011-126: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That a Capital Expenditure By-Law be prepared for Council’s consideration to authorize the Engineering Design Work Project, being a 2011 Capital Budget, Project 6000RD, Line Item #56, at a net debenture cost of \$52,000.00.

“CARRIED”

Res. #2011-127: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That a Capital Expenditure By-Law be prepared for Council’s consideration to authorize the City’s Share of the New Development Cost Project of the Engineering, Environmental Services & Works Department, being a 2011 Capital Budget, Project 6001RD, Line Item #57, at a net debenture cost of \$175,000.00.

“CARRIED”

Res. #2011-128: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That a Capital Expenditure By-Law be prepared for Council’s consideration to authorize the Asphalt Resurfacing Sheeting Program, being a 2011 Capital Budget, Project 6004RD, Line Item #60, at a net debenture cost of \$103,000.00.

“CARRIED”

Res. #2011-129: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That a Capital Expenditure By-Law be prepared for Council’s consideration to authorize the Residential Street Rehabilitation Program, being a 2011 Capital Budget, Project 6005RD/ST/SS/WS, Line Item #61, at a net debenture cost of \$258,000.00 and Line Item #W44, at a net debenture cost of \$258,000.00.

“CARRIED”

Res. #2011-130: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2011-20 to stop up, close and convey a portion of the laneway in a block bounded by Regina Street, Franklin Street, Ellis Street and Laurier Avenue.

“CARRIED”

Res. #2011-131: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2011-19 to stop up, close and convey a portion of the laneway in a block bounded by Morin Street, Cedar Street, McLeod Street and Front Street.

“CARRIED”

Res. #2011-132: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-laws be read a first and second time:

By-Law No. 2011-25 to amend Traffic & Parking By-Law No. 2002-001 (Schedule 18 – No Parking Areas At Any Time).

By-Law No. 2011-29 to execute an Agreement with Machinex Recycling Services Eastern Inc. relating to the supply and installation of a sorting line for the North Bay Recycling Centre.

“CARRIED”

Res. #2011-133: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-laws be read a third time and passed:

By-Law No. 2011-25 to amend Traffic & Parking By-Law No. 2002-001 (Schedule 18 – No Parking Areas At Any Time).

By-Law No. 2011-29 to execute an Agreement with Machinex Recycling Services Eastern Inc. relating to the supply and installation of a sorting line for the North Bay Recycling Centre.

“CARRIED”

Councillor Bain left the meeting. He did not attend the Closed Meeting.

Res. #2011-134a: Moved by Councillor Chirico, seconded by Councillor Koziol
WHEREAS By-Law No 2007-218, being the Procedural By-Law for the City of North Bay, is intended among other matters to prescribe rules for the orderly conduct of meetings of City Council;

AND WHEREAS Article 36.1 subsections (a) to (d) inclusive are unclear as to their purpose and application and further contradict the standing practice of Council;

AND WHEREAS Article 18.1 subsection (a) of By-Law No. 2007-218 states “It is the duty of Councillors to attend all meetings of Council, and to prepare for meetings, including reviewing the agenda and background information prior to the meeting;

AND WHEREAS the time for debate, discussion, and questions is prior to the Presiding Officer calling the vote;

AND WHEREAS Section 37 of the Procedural By-Law does not make provision for Questions and Enquiries;

BE IT THEREFORE RESOLVED THAT staff be required to review By-Law No. 2007-218 to determine if any further housekeeping items need to be addressed;

AND FURTHER THAT By-Law No. 2007-218 be hereby amended by deleting Article 36.1 subsections (a) to (d) inclusively and further by re-lettering existing subsections 36.1 (e) and (f) to new subsections 36.1(a) and (b) respectively;

AND FURTHER THAT the standing agenda for Council meetings be amended by removing the heading "Questions and Enquiries" as contained therein.

"CARRIED AS AMENDED"

Res. #2011-134b: Moved by Councillor Maroosis, seconded by Councillor Mayne
That the Motion presented by Councillor Chirico re Procedural By-Law Amendment be referred to the General Government Committee.

"CARRIED"

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

Yeas: Councillors Maroosis, Lawlor, Vrebosch-Merry, Chirico, Mayne, Anthony, Mayor McDonald

Nays : Councillors Koziol, Mendicino, Vaillancourt

Res. #2011-135: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended, at 8:41 p.m. for the following reasons: Item #27, being a personal matter about identifiable individuals; Items #28, 30, and 31, being a proposed disposition of lands by the Municipality; and Item #29, being a pending sale of lands by the Municipality.

"CARRIED"

Res. #2011-136: Moved by Councillor Maroosis, seconded by Councillor Vaillancourt
That Council reconvene at 9:15 p.m.

"CARRIED"

Res. #2011-137: Moved by Councillor Chirico, seconded by Councillor Koziol
That the Council of The City of North Bay appoint Mayor McDonald to the Board of Directors of the Capitol Centre for a term to expire November 30, 2014.

"CARRIED"

Res. #2011-138: Moved by Councillor Maroosis, seconded by Councillor Vaillancourt
That this Regular Meeting of Council do now adjourn at 9:16 p.m.

"CARRIED"

CLOSED MEETING CONFLICT OF INTEREST

Regular Agenda Item #28 - Mayor McDonald declared a conflict as he has an interest in the operation of the business and left the meeting for the discussion of this item.

Regular Agenda Item #29 - Councillor Chirico declared a conflict of interest as the proponent is a client of his employer and left meeting for the discussion of this matter.

Regular Agenda Item #31 - Councillor Chirico declared a conflict of interest as the proponent is a client of his employer and left meeting for the discussion of this matter.