

**MINUTES OF THE REGULAR MEETING  
OF CITY COUNCIL  
HELD MONDAY, SEPTMEBER 19<sup>TH</sup>, 2011**

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

**PUBLIC PRESENTATIONS:**

Natalia Welniak	re Office of the Independent Police Review Director (OIPRD)
Derek Shogren	re Summer in the Park
Kelly Stevens	re Kate Pace Way

**CORRESPONDENCE:**

Nil

**REPORTS FROM OFFICERS:**

Lang, A.	re Debenture Issue	(659)
Leckie, P.	re Request for Release of Easement – 559 King Street West	(653)
Severino, J.	re Leachate Treatment Permitting and Detailed Design	(657)
Valenti, P.	re Tender 2011-88, Sanitary Sewer Rehabilitation	(654)
Valenti, P.	re Tender No. 2011-89, Recycling Centre Site Upgrade	(655)
Valenti, P.	re Tender 2011-84, Street Light Replacement Program	(656)
Vaughan, E.	re Summer in the Park Financials	(658)

**Res. #2011-650:** Moved by Councillor Vaillancourt, seconded by Councillor Maroosis  
That minutes for the public meetings held on:

- Tuesday, September 6, 2011; and
- Monday, September 12, 2011

be adopted as presented.

“CARRIED”

**Res. #2011-651:** Moved by Councillor Vaillancourt, seconded by Councillor Maroosis  
That minutes for the closed meeting held on:

- Tuesday, September 6, 2011

be adopted as presented.

“CARRIED”

**Res. #2011-652:** Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That Community Services Committee Report No. 2011-21 relating to:

- Amendment to Zoning By-Law No. 28-80, General Review and  
Update

be adopted as presented.

“CARRIED”

**COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-21**

September 19, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-21 and recommends:

- 1. That the amendments to Zoning By-Law No. 28-80 as described in Report to Council CSBU 2011-66 dated June 16, 2011 be approved.

All of which is respectfully submitted.

ASSENTS  
LAWLOR  
MENDICINO  
VAILLANCOURT  
McDONALD

DISSENTS

Res. #2011-653: Moved by Vrebosch-Merry, seconded by Councillor Mayne  
That 1) Council agree to release Easement No. LT413938 over Lot 82, Plan M-165 designated as Part 1, Plan 36R-11571(King Street West); and  
2) the by-law authorizing the Mayor and City Clerk to execute the Release of Easement be presented for three (3) readings on September 19, 2011.

“CARRIED”

Res. #2011-654: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That City Council approve the award of a contract to Sewer Technologies Inc. in the amount of \$352,972.00 (excluding HST), for rehabilitation of the sanitary sewers between Judge Avenue and Marshall Park Drive.

“CARRIED”

Res. #2011-655: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That City Council approve the award of a contract to Kenalex Construction Company Limited in the amount of \$170,847.00 (excluding HST), for upgrades to the Recycling Centre.

Councillor Maroosis declared a conflict of interest as his son-in-law is employed by Kenalex Construction Company Limited.

“CARRIED”

Res. #2011-656: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That City Council approve the award of a contract to Ainsworth Inc. in the amount of \$395,257.00 (excluding HST), for the installation of 5,567 LED Street Cobra head light fixtures manufactured by Philips Lumec.

“CARRIED”

Res. #2011-657: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That City Council approve a contract be issued to Conestoga Rovers and Associates (CRA) to complete Design and Permitting of a Leachate Treatment Facility at Merrick Landfill site in the amount of \$344,535.00 (excluding HST).

“CARRIED”

- Res. #2011-658: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That 1) Council accept Report to Council CSBU 2011-88 for the 2011 Summer in the Park Festival;
- 2) Council approve the 2011 surplus be placed in Reserve Account #001-5880-8610-5115;
  - 3) Council approve an initial budget for the 2012 Summer in the Park at \$437,800.00 with a City contribution of \$40,000.00 and the surplus generated in 2011 be allocated to the 2012 event; and
  - 4) during the 2012 Operating Budget process, Council consider a commitment to the 2013 and 2014 Festival.

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

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

Nays: Nil

“CARRIED”

- Res. #2011-659: Moved by Councillor Chirico, seconded by Councillor Anthony  
That the City of North Bay agrees to sell up to \$11,000,000.00 of installment debentures and / or by way of a long-term loan with a banking institution or Infrastructure Ontario, when market conditions are favourable, with maturity dates over ten years beginning one year after the closing date and to be subject to terms and conditions acceptable to the Chief Financial Officer and the fiscal agent, CIBC World Markets Inc., or the lending institution.

“CARRIED”

- Res. #2011-660: Moved by Councillor Chirico, seconded by Councillor Anthony  
That the following by-law be read a first and second time:

By-Law No. 2011-206 to execute an Agreement with Kenalex Construction Company Limited relating to interior renovations to the Financial Services Department.

Councillor Maroosis declared a conflict of interest as his son-in-law is employed by Kenalex Construction Company Limited.

“CARRIED”

- Res. #2011-661: Moved by Councillor Chirico, seconded by Councillor Anthony  
That the following by-law be read a third time and passed:

By-Law No. 2011-206 to execute an Agreement with Kenalex Construction Company Limited relating to interior renovations to the Financial Services Department.

Councillor Maroosis declared a conflict of interest as his son-in-law is employed by Kenalex Construction Company Limited.

“CARRIED”

- Res. #2011-662: Moved by Councillor Chirico, seconded by Councillor Anthony  
That the following by-laws be read a first and second time:

By-Law No. 2011-207 to confirm proceedings of the Meeting of Council on September 6, 2011.

By-Law No. 2011-208 to execute a Release and Abandonment of Easement (559 King Street West).

“CARRIED”

Res. #2011-663: Moved by Councillor Chirico, seconded by Councillor Anthony  
That the following by-laws be read a third time and passed:

By-Law No. 2011-207 to confirm proceedings of the Meeting of Council on September 6, 2011.

By-Law No. 2011-208 to execute a Release and Abandonment of Easement (559 King Street West).

“CARRIED”

Res. #2011-664: Moved by Councillor Chirico, seconded by Councillor Anthony  
That the following by-law be read a third time and passed:

By-Law No. 2011-204 to authorize the renaming of a portion of Boundary Road between The Corporation of the City of North Bay and The Municipality of Callander.

“CARRIED”

Res. #2011-665: Moved by Councillor Lawlor, seconded by Councillor Mendicino  
That the following by-law be read a first and second time:

By-Law No. 2011-205 to amend By-Law No. 28-80 to implement changes to the policies and regulations (General Review and Update).

“CARRIED”

Res. #2011-666: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That the following by-laws be read a first and second time:

By-Law No. 2011-209 to execute an Agreement with Bruman Construction Inc. relating to the supply, treatment and stockpiling of screened sand.

By-Law No. 2011-210 to execute an Agreement with GAP Construction Co. Ltd. relating to Pearce Street Reconstruction – Phase I (Airport Road to Francis Street).

“CARRIED”

Res. #2011-667: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That the following by-laws be read a third time and passed:

By-Law No. 2011-209 to execute an Agreement with Bruman Construction Inc. relating to the supply, treatment and stockpiling of screened sand.

By-Law No. 2011-210 to execute an Agreement with GAP Construction Co. Ltd. relating to Pearce Street Reconstruction – Phase I (Airport Road to Francis Street).

“CARRIED”

Res. 2011-668: Moved by Councillor Anthony, seconded by Councillor Vrebosch-Merry  
WHEREAS feeding of black bears, whether intentional or unintentional, results in unsafe conditions where these animals can be in close proximity to people and residential areas;

AND WHEREAS Northern Ontario centres experience problems in this area more than the rest of the province;

AND WHEREAS Ministry of Natural Resources (MNR) staff is unable to take action on the feeding of bears due to lack of legislation;

AND WHEREAS the responsibility to regulate and prohibit the feeding of bears in other areas is being done by Parks Canada, by other Provincial Provinces and is undertaken by some states in the United States;

AND WHEREAS the municipalities do not have the human resources and equipment necessary to safely enforce a ban on feeding black bears;

THEREFORE BE IT RESOLVED THAT the City of North Bay petitions the Ministry of Natural Resources to bring forward Provincial Legislation that would ban the feeding of black bears (excluding for legal hunting purposes) in the Province of Ontario and to take responsibility for the enforcement of the legislation;

AND FURTHER THAT following the October Provincial election of 2011, this resolution be sent to the Premier of Ontario, the Minister of Natural Resources, our local MPP, Federation of Northern Ontario Municipalities (FONOM), the Association of Municipalities of Ontario (AMO) and the leaders of the opposition parties for support and appropriate action.

“CARRIED”

- Res. #2011-669a: Moved by Councillor Mayne, seconded by Councillor Vrebosch-Merry  
That
- 1) Council declare the developable City-owned lands in the block bounded by Marshall Avenue, Parks Creek, Tweedsmuir Drive and the Canadian Pacific Railway, as surplus;
  - 2) the subject lands be assessed, appraised, surveyed and offered for sale to prospective residential developers in order to facilitate the construction of entry-level dwelling units;
  - 3) the sale and transfer of these lands be subject to the granting of any required easements; and
  - 4) the Chief Administrative Officer be authorized by Council to initiate normal procedures for the sale and transfer of the subject lands.

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

Yeas: Councillors Mayne, Vrebosch-Merry, Anthony

Nays : Councillors Mendicino, Koziol, Vaillancourt, Lawlor, Maroosis, Bain, Chirico, Mayor McDonald

“LOST”

- Res. #2011-669b: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne  
That the Motion presented by Councillor Mayne re City-owned lands in the block bounded by Marshall Avenue, Parks Creek, Tweedsmuir Drive and the Canadian Pacific Railway be referred to the General Government Committee.

“LOST”

- Res. #2011-669c: Moved by Councillor Maroosis, seconded by Councillor Mayne  
That the Motion presented by Councillor Mayne re City-owned lands in the block bounded by Marshall Avenue, Parks Creek, Tweedsmuir Drive and the Canadian Pacific Railway be referred to the Chief Administrative Officer for a report.

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

Yeas: Councillors Maroosis, Koziol, Vrebosch-Merry, Mayne

Nays : Councillors Bain, Mendicino, Anthony, Lawlor, Chirico, Vaillancourt, Mayor McDonald

“LOST”

Res. #2011-670: 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 8:54 p.m. for the following reason:  
Item #8, being a litigation matter affecting the Municipality.

“CARRIED”

Res. #2011-671: Moved by Councillor Chirico, seconded by Councillor Koziol  
That Council reconvene at 9:09 p.m.

“CARRIED”

Res. #2011-672: Moved by Councillor Bain, seconded by Councillor Anthony  
That this Regular Meeting of Council do now adjourn at 9:09 p.m.

“CARRIED”

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MAYOR ALLAN McDONALD

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DEPUTY CITY CLERK KAREN McISAAC