

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, NOVEMBER 2, 2009**

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

PUBLIC PRESENTATION:

No public presentations

CORRESPONDENCE:

None

REPORTS FROM OFFICERS:

Conrad, C.M.	re Municipal Heritage Committee appointment	(708)
Courville, E.	re Sign variance - Main Street West	(692)
Korell, A.	re All-way stop requests	(695)
Lang, A.	re CDS Book Entry Only Securities - Services Agreement and Rider	(693)
Manning, J.	re Tender 2009-111, Supply of tandem truck c/w dump body, plow & hydraulic system	(687)
Manning, J.	re RFQ 2009-122, Emulsified asphalt patching material	(688)
Manning, J.	re Tender 2009-108, Memorial Drive site preparation	(689)
Manning, J.	re RFP 2009-105, Design, contract preparation & tendering services for road rehabilitation	(694)
McArthur, S.	re Rezoning application by Fernando Suarez and Vilma Barreiro - 490 Algonquin Avenue	(685)
McArthur, S.	re Rezoning & Plan of Subdivision applications by Harvey & Betty Norman - Carmichael Drive	(686)

Res. #2009-682: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino
That minutes for the public meetings held on:

- Monday, October 5, 2009; and
- Monday, October 19, 2009

be adopted as presented.

"CARRIED"

Res. #2009-683: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino
That minutes for the closed meeting held on:

- Monday, October 19, 2009

be adopted as presented.

"CARRIED"

Res. #2009-684: Moved by Councillor Mendicino, seconded by Councillor Graham
That Community Services Committee Report No. 2009-26 relating to:

- Rezoning application by 943674 Ontario Inc., Third Avenue

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2009-26

November 2, 2009

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2009-26 and recommends:

1. That
 - a) the Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of 943674 Ontario Inc. to rezone the property legally described as Plan 20, Part of Lots 5 and 6, Reference Plan 36R-12731, Part 2, PIN #49154-0343 (Third Avenue) from a "Residential Third Density (R3)" zone to a "Residential Fifth Density (R5)" zone, be approved;
 - b) the application be processed under the "Statutory Planning Process" pursuant to Council Resolution No. 2001-706 and therefore, the by-law be read three (3) times and passed at the next Regular Meeting of Council.

All of which is respectfully submitted.

ASSENTS
MENDICINO
GRAHAM
FEDELI

DISSENTS

Res. #2009-685: Moved by Councillor Mendicino, seconded by Councillor Graham
That the recommendation from the Planning Advisory Committee regarding the rezoning by Fernando Hernandez Suarez & Vilma Maice Salas Barreiro - 490 Algonquin Avenue, be referred to the Community Services Committee and for a Public Meeting.

"CARRIED"

Res. #2009-686: Moved by Councillor Mendicino, seconded by Councillor Graham
That the recommendation from the Planning Advisory Committee regarding the Plan of Subdivision and Rezoning by Miller & Urso Surveying Inc. on behalf of Harvey & Betty Norman - Carmichael Drive, be referred to the Community Services Committee and for a Public Meeting.

"CARRIED"

Res. #2009-687: Moved by Councillor Koziol, seconded by Councillor Bain
That North Bay City Council approve a contract be issued to Canadian Fleet Services in the amount of \$325,332.65 (taxes included), for the supply of one tandem truck c/w dump body, plow and hydraulic system.

"CARRIED"

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

Res. #2009-688: Moved by Councillor Koziol, seconded by Councillor Bain
That North Bay City Council approve a contract be awarded to Miller Paving (North Bay) Ltd. in the estimated amount of \$81,612.00 (taxes included), for the supply of emulsified asphalt patching material.

"CARRIED"

Res. 2009-689: Moved by Councillor Koziol, seconded by Councillor Bain
That 1) North Bay City Council approve a contract be awarded to R.M. Belanger Ltd. in the amount of \$356,574.75 (taxes included), for site preparation on Memorial Drive, the former Kenroc/Uniroc Plant; and

2) the Chief Financial Officer be authorized to transfer up to \$160,000.00 from the Land Development Reserve Fund for the Kenroc/Uniroc Site Remediation Project.

“CARRIED”

Res. #2009-690: Moved by Councillor Chirico, seconded by Councillor Campbell
That accounts totaling \$12,658,830.57 for September 2009 be approved.

“CARRIED”

Res. #2009-691: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That accounts for Royal Bank totaling \$1,935.10 for September 2009 be approved.

“CARRIED”

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

Res. #2009-692: Moved by Councillor Mendicino, seconded by Councillor Graham
That Council approve the request from Dash Outdoor Inc. requesting a variance from Sign By-Law 2006-143, Section 16, to permit a billboard sign to be located within 150m of a public park (Kinsmen Beach).

“CARRIED”

Res. #2009-693: Moved by Councillor Chirico, seconded by Councillor Campbell
That 1) North Bay City Council approve the Book Entry Only Securities - Services Agreement and Rider with CDS Clearing and Depository Services Inc. for clearing services for debentures;

2) the City Clerk prepare and present a by-law for three readings on November 2, 2009 to require a bond of indemnification from CDS as a condition of issuing replacement debentures; and

3) the City Clerk prepare and present a by-law for three readings on November 2, 2009 to enter into the Agreement and Rider, both with CDS Clearing and Depository Services Inc.

“CARRIED”

Res. #2009-694: Moved by Councillor Koziol, seconded by Councillor Bain
That 1) North Bay City Council approve a contract be awarded to J.L. Richards & Associates Ltd. in the amount of \$343,269.31 (GST included), for design, contract preparation and tendering services for the road rehabilitation of various streets as detailed in Request for Proposal 2009-105; and

2) the City Clerk prepare and present a 2010 Capital By-Law to authorize \$400,000.00 for this design project.

“CARRIED”

- Res. #2009-695: Moved by Councillor Koziol, seconded by Councillor Bain
That 1) the request to install All-Way stop controls at the intersection of Worthington Street at John Street be approved;
- 2) the request for All-Way stops at First Avenue and Second Avenue intersections at John Street be denied; and
 - 3) a copy of Report EESW 2009-24 be forwarded to the persons who requested the All-Way stops at the three intersections.

“CARRIED”

- Res. #2009-696: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a first and second time:
- By-Law No. 2009-226 to execute a Land Exchange Agreement with the Roman Catholic Episcopal Corporation for the Diocese of Sault Ste. Marie in Ontario, Canada relating to lands on Algonquin Avenue.
- By-Law No. 2009-227 to repeal By-Law No. 2002-72 being a by-law to establish the North Bay Parking Authority Board.
- By-Law No. 2009-228 to authorize design, contract preparation and tendering services.
- By-Law No. 2009-231 to authorize the issue of replacement debenture certificates.
- By-Law No. 2009-232 to execute a Book Entry Only Securities - Services Agreement and a Rider, both with CDS Clearing and Depository Services Inc. and both in respect of the deposit in the CDS System of Debentures as book entry only securities.

“CARRIED”

- Res. #2009-697: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-laws be read a third time and passed:
- By-Law No. 2009-226 to execute a Land Exchange Agreement with the Roman Catholic Episcopal Corporation for the Diocese of Sault Ste. Marie in Ontario, Canada relating to lands on Algonquin Avenue.
- By-Law No. 2009-227 to repeal By-Law No. 2002-72 being a by-law to establish the North Bay Parking Authority Board.
- By-Law No. 2009-228 to authorize design, contract preparation and tendering services.
- By-Law No. 2009-231 to authorize the issue of replacement debenture certificates.
- By-Law No. 2009-232 to execute a Book Entry Only Securities - Services Agreement and a Rider, both with CDS Clearing and Depository Services Inc. and both in respect of the deposit in the CDS System of Debentures as book entry only securities.

“CARRIED”

- Res. #2009-698: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-law be read a first and second time:

By-Law No. 2009-230 to execute an Agreement with Veritec Consulting Inc. relating to Water Meter Installation Project Management Services.

“CARRIED”

Res. #2009-699: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-law be read a third time and passed:

By-Law No. 2009-230 to execute an Agreement with Veritec Consulting Inc. relating to Water Meter Installation Project Management Services.

“CARRIED”

Res. #2009-700: Moved by Councillor Chirico, seconded by Councillor Campbell
That the following by-law be read a third time and passed:

By-Law No. 2009-209 to stop up, close and convey a portion of the laneway in a block bounded by Vimy, Beattie, Reynolds and Browning Streets.

“CARRIED”

Res. #2009-701: Moved by Councillor Mendicino, seconded by Councillor Graham
That the following by-law be read a first and second time:

By-Law No. 2009-192 to rezone certain lands on Third Avenue East (934674 Ontario Inc.).

“CARRIED”

Res. #2009-702: Moved by Councillor Mendicino, seconded by Councillor Graham
That the following by-law be read a third time and passed:

By-Law No. 2009-192 to rezone certain lands on Third Avenue East (934674 Ontario Inc.).

“CARRIED”

Res. #2009-703: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-laws be read a first and second time:

By-Law No. 2009-229 to execute an Agreement with R.M. Bélanger Limited relating to the Algonquin Avenue and Area Reconstruction Project - Phases 3 and 4.

By-Law No. 2009-233 to execute an Agreement with R.M. Bélanger Limited relating to the Cormack Street road reconstruction.

“CARRIED”

Res. #2009-704: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-laws be read a third time and passed:

By-Law No. 2009-229 to execute an Agreement with R.M. Bélanger Limited relating to the Algonquin Avenue and Area Reconstruction Project - Phases 3 and 4.

By-Law No. 2009-233 to execute an Agreement with R.M. Bélanger Limited relating to the Cormack Street road reconstruction.

“CARRIED”

Res. #2009-705: Moved by Councillor Mendicino, seconded by Councillor Chirico
WHEREAS ALC (Alternate Level of Care) refers to patients who are receiving health care in acute care settings that could appropriately be delivered in an alternate setting, like long term care homes;

AND WHEREAS according to an October 2009 Ontario Hospital Association Report, 33% of acute care beds in the N.E. LHIN (North East Local Health Integration Network) are occupied by ALC patients;

AND WHEREAS all N.E. LHIN efforts to address ALC pressures ensure that patient care is a priority that guides efforts;

AND WHEREAS the Nipissing ALC partnership Group has been created to address the ALC pressures within the communities of Nipissing;

NOW THEREFORE BE IT RESOLVED THAT the City of North Bay strongly endorses the creation of this partnership group and supports the efforts, together with the N.E. LHIN to find community based solutions to provide the best level of care for ALC patients in the appropriate environment;

AND FURTHER THAT a copy of this motion be forwarded to the municipalities in Nipissing District; Guy Chartrand, CEO Mattawa General Hospital; Bob Cunningham, President & CEO N.E. Mental Health Centre; Cynthia Désormiers, CEO West Nipissing General Hospital; Mark Hurst, President & CEO North Bay General Hospital; and Brenda Loubert, Administrator Cassellholme/Castle Arms, asking for their consideration and support;

AND FURTHER THAT any motions or letters of support be forwarded to Terry Tilleczek, Interim Chief Executive Officer, North East Local Health Integration Network and Hon. Monique Smith, MPP Nipissing.

“CARRIED”

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

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

Res. #2009-706: 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 7:29 p.m. to discuss Item 12, being a potential litigation matter affecting the municipality; Item 13, being a personal matter about an identifiable individual; and Item 14, being a proposed disposition of land by the municipality

“CARRIED”

Res. #2009-707: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council reconvene at 8:12 p.m.

“CARRIED”

Res. #2009-708: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council appoint Dr. Robin Gendron to the Municipal Heritage Committee for a term to expire November 30, 2010.

“CARRIED”

Res. #2009-709: Moved by Councillor Graham, seconded by Councillor Mendicino
That this Regular Meeting of Council do now adjourn at 8:12 p.m.

“CARRIED”

MAYOR VIC FEDELI

CITY CLERK CATHERINE CONRAD