

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD TUESDAY, SEPTEMBER 7, 2004**

PRESENT: Mayor Fedeli, Councillors Chirico, Vaillancourt, Anthony, Bain, Campbell, Boldt, Mason, Koziol, Marosis, Mendicino

CORRESPONDENCE:

Downtown Improvement Area	re Temporary road closure - Annual Christmas Walk	(611)
Peplinskie, Mike	re Purchase of city land - Gordon Drive at Granite Street	(630)

REPORTS FROM OFFICERS:

Bullock, P.	re Wind Partnership Proposals - Wind Study Grant	(604)
Burke, M.B.	re Encroachment Agreement - Gulliver's Book & Toy Store, 157 Main Street West	(616)
Burke, M.B.	re City sale of vacant land to Pier 63 Inc.	(632)
Burke, M.B.	re Purchase of city land - Gordon Drive at Granite Street	(630)
Burke, M.B.	re Sale of Colgan Avenue Road Allowance	(631)
Hall, B.	re Rezoning - Laurent Girard on behalf of Eric Girard, Highway 63	(606)
Hall, B.	re Rezoning - Rick Miller on behalf of D.J. Venasse Construction (1988) Ltd., 690 McKeown Avenue	(607)
Hall, B.	re Rezoning - Rick Miller on behalf of Renaissance Development Corporation, Third Avenue	(608)
Knox, J.D.	re Transit Vehicle Replacement Program - Provincial Funding	(615)
Korell, A.	re Temporary road closure - Annual Christmas Walk	(611)
Kraemer, L.	re Assessment base management services	(610)
Linkie, D.G.	re Engineering & Environmental Services staffing issues	(633)
Manning, J.	re RFP 2004-106, Supply of natural gas	(603)
Manning, J.	re Tender 2004-104, Supply of one six ton diesel dump c/w plow wing and sander	(609)
Simmonds, J.C.	re Design work - New Year's Project	(605)

Res. #2004-599: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That minutes for the meeting held:

- Monday, August 23, 2004; and
- Monday, August 30, 2004

be adopted as presented.

"CARRIED"

Res. #2004-600: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt
That Community Services Committee Report No. 2004-21 relating to:

- rezoning application by the City of North Bay - Janey Avenue

be adopted as presented.

COMMUNITY SERVICES COMMITTEE REPORT

September 7, 2004

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2004-21 and recommends:

1. That the proposed Zoning By-Law Amendment by the City of North Bay to rezone, Plan M-595, Block 45 (Janey Avenue) from “Open Space (O)” to “Residential First Density (R1)” be approved.

All of which is respectfully submitted.

ASSENTS
MENDICINO
FEDELI

DISSENTS
KOZIOL
MAROOSIS

Res. #2004-601: Moved by Councillor Boldt, seconded by Councillor Campbell
That Engineering & Works Committee Report No. 2004-15 relating to:

- sanitary sewers - Pinewood Park Drive; and
- curbside garbage collection user pay options

be adopted as presented.

“CARRIED”

Councillor Mason declared a conflict on Item #1 of Engineering & Works Committee Report No. 2004-15 as his employer owns property on Pinewood Park Drive.

ENGINEERING & WORKS COMMITTEE REPORT NO. 2004-15

September 7, 2004

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2004-15 and recommends:

1. That
 - 1) City Council consider gross funding in the estimated amount of \$3.6 million in the next 5 year Capital Budget Forecast for the installation of sanitary sewers to service the Pinewood Park Drive area;
 - 2) the Council only approve the request if the property owners along Pinewood Park Drive commit to cost sharing 50% of the servicing through a Local Improvement Agreement;
 - 3) consideration be given for applying to the Provincial and Federal governments for infrastructure funding;
 - 4) any funds received from the Federal and Provincial governments for the

installation of this sanitary sewer be applied proportionately against the City's and property owner's capital contribution;

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- 5) no further action be taken on this issue until the next Capital Works Program 5 year review is undertaken for the 2005 fiscal year or until further information is available on Federal/Provincial infrastructure funding; and
 - 6) a copy of Report No. EW 2003-015 from the City Engineer be forwarded to Mr. B. Tutton and all effected property owners for their information.
2. That the reports from Peter Bullock dated May 20 and February 3, 2004 relating to Curbside Garbage Collection User Pay Options be received and referred to the 2005 budget deliberations.

All of which is respectfully submitted.

ASSENTS
BOLDT
CAMPBELL
FEDELI

DISSENTS

Res. #2004-602: Moved by Councillor Chirico, seconded by Councillor Mendicino That Striking Committee Report No. 2004-08 relating to:

- Heritage Festival & Air Show SWOT Team

be adopted as presented.

“CARRIED”

STRIKING COMMITTEE REPORT NO. 2004-08

September 7, 2004

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

Your Worship and Councillors:

The Striking Committee presents Report No. 2004-08 and recommends as follows:

1. That the following citizens be appointed to the Heritage Festival SWOT Team:

Dale BLENKHORN;
Dennis CHIPPA;
Bruce KNOX;
Daniel LINDSEY;
John STRANG; and
Clinton VUORIMAKI.

All of which is respectfully submitted.

Res. #2004-603: Moved by Councillor Chirico, seconded by Councillor Anthony That North Bay City Council approve that the City enter into an Agreement with Comsatec Inc. to obtain its natural gas supply for the period November 1, 2004 to October 31, 2007 with the provision of two option years of one year each if mutually agreeable to both parties. The recommendation shall be conditional upon mutual agreement of terms.

“CARRIED”

Res. #2004-604: Moved by Councillor Mason, seconded by Councillor Boldt
That the City of North Bay enter into an Agreement to partner with West
Wind Developments Inc., to carry out an Energy from Wind Study,

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subject to conditions as identified in Report No. EES 2004-44 prepared by
the Manager of Environmental Services.

“CARRIED”

Res. #2004-605: Moved by Councillor Mason, seconded by Councillor Boldt
That the City Clerk prepare a by-law for Council approval to fund the
Engineering Design Work for future Capital Works Projects as contained in
the approved 2004 Capital Levy, Debentures and Reserves Budget.

“CARRIED”

Res. #2004-606: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the recommendation from the Planning Advisory Committee regarding
the application by Laurent Girard on behalf of Eric Girard, Highway 63 be
referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2004-607: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the recommendation from the Planning Advisory Committee regarding
the application by Rick Miller on behalf of D.J. Venasse Construction
(1988) Ltd. - 690 McKeown Avenue be referred to the Community Services
Committee and for a Public Meeting.

“CARRIED”

Res. #2004-608: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the recommendation from the Planning Advisory Committee regarding
the application by Rick Miller on behalf of Renaissance Development
Corporation - Third Avenue be referred to the Community Services
Committee and for a Public Meeting.

“CARRIED”

Res. #2004-609: Moved by Councillor Mason, seconded by Councillor Boldt
That 1) North Bay City Council approve a contract be issued to Lewis
Motor Sales (North Bay) Inc. in the amount of \$179,687.50
(taxes inc.) for the supply of one (1) six ton diesel dump truck
c/w plow wing and sander; and

- 2) the Chief Financial Officer be authorized to fund the purchase
from the Public Works and Services Vehicle and Equipment
Purchases Capital Budgets over two years.

“CARRIED”

Res. #2004-610: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) North Bay City Council approve a contract be issued to
Municipal Tax Equity (MTE) Consultants Inc. to supply
assessment base management services on an as and when
required basis up to a maximum of \$30,000.00 per year as
outlined in their proposal dated August 16, 2004;

- 2) North Bay City Council approve the hiring of a part-time
contract employee to supply assessment base management

services on an as and when required basis to a maximum of \$10,000.00 per year; and

- 3) the Assessment Base Management Policy attached to Report CORP 2004-123 be adopted.

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“CARRIED”
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Res. #2004-611: Moved by Councillor Mason, seconded by Councillor Boldt
That the temporary road closures for November 26, 2004, as requested by the Downtown Improvement Area, be amended by adding Main Street from Wyld Street to Sherbrooke Street.

“CARRIED”

Res. #2004-612: Moved by Councillor Chirico, seconded by Councillor Anthony
That accounts totalling \$2,672.28 for Ontario Northland for July 2004 be approved.

“CARRIED”

Councillor Campbell declared a conflict of interest on the above matter as her spouse is employed by Ontario Northland.

Res. #2004-613: Moved by Councillor Chirico, seconded by Councillor Anthony
That accounts for Clarion Resort - Pinewood Park totalling \$13,861.12 for July be approved.

“CARRIED”

Councillor Mason declared a conflict of interest on the above matter as he is employed by Clarion Resort - Pinewood Park.

Res. #2004-614: Moved by Councillor Chirico, seconded by Councillor Anthony
That accounts totalling \$7,592,666.53 for July 2004 be approved.

“CARRIED”

Res. #2004-615: Moved by Councillor Mendicino, seconded by Councillor Koziol
That 1) Council approve the issuance of a purchase order to New Flyer Industries for two (2) new buses to be constructed in December 2004; and
2) staff continue interaction with the Ministry of Transportation to seek approval for long term funding so the City can efficiently implement the long range vehicle replacement plan.

“CARRIED”

Res. #2004-616: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council authorize an Encroachment Agreement for Gulliver’s Book & Toy Store at 157 Main Street West.

“CARRIED”

Res. #2002-617: No resolution.

Res. #2004-618: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-law be read a first and second time:

By-Law No. 2004-146 to stop up, close and convey a portion of the roadway abutting Block “A”, Plan M-203 (Sunset Boulevard).

“CARRIED”

Res. #2004-619: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2004-152 to authorize the execution of an Encroachment Agreement with 656731 Ontario Limited relating to 100 Main Street West.

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By-Law No. 2004-154 to authorize the execution of an Agreement with SunGard HTE relating to support services.

By-Law No. 2004-156 to ratify an Agreement of Purchase and Sale with North Bay & District for Community Living (1858 Fraser Street).

By-Law No. 2004-157 to authorize the sale of lands no longer required for municipal purposes (Parcel 2500 Widdifield and Ferris, Champlain Park Road).

“CARRIED”

Res. #2004-620: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2004-152 to authorize the execution of an Encroachment Agreement with 656731 Ontario Limited relating to 100 Main Street West.

By-Law No. 2004-154 to authorize the execution of an Agreement with SunGard HTE relating to support services.

By-Law No. 2004-156 to ratify an Agreement of Purchase and Sale with North Bay & District for Community Living (1858 Fraser Street).

By-Law No. 2004-157 to authorize the sale of lands no longer required for municipal purposes (Parcel 2500 Widdifield and Ferris, Champlain Park Road).

“CARRIED”

Res. #2004-621: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2004-142 to stop up, close and convey a portion of the laneway bounded by Fraser Street, Fifth Avenue West, Ferguson Street and Sixth Avenue West.

“CARRIED”

Res. #2004-622: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt
That the following by-law be read a first and second time:

By-Law No. 2004-153 to rezone certain lands on Janey Avenue (City of North Bay).

“CARRIED”

Res. #2004-623: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-laws be read a first and second time:

By-Law No. 2004-143 to execute an Agreement with Georgian Bay Cruise Company relating to the ownership of the Chief Commanda II.

By-Law No. 2004-144 to rezone certain lands on Lansdowne Avenue (Stefano Marmina - 340, 348 and 356 Lansdowne Avenue).

By-Law No. 2004-145 to designate a Site Plan Control Area on certain lands on Lansdowne Avenue (Stefano Marmina - 340, 348 and 356 Lansdowne Avenue).

“CARRIED”

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Res. #2004-624: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:

By-Law No. 2004-143 to execute an Agreement with Georgian Bay Cruise Company relating to the ownership of the Chief Commanda II.

By-Law No. 2004-144 to rezone certain lands on Lansdowne Avenue (Stefano Marmina - 340, 348 and 356 Lansdowne Avenue).

By-Law No. 2004-145 to designate a Site Plan Control Area on certain lands on Lansdowne Avenue (Stefano Marmina - 340, 348 and 356 Lansdowne Avenue).

“CARRIED”

Res. #2004-625: Moved by Councillor Mason, seconded by Councillor Boldt
That the following by-law be read a first and second time:

By-Law No. 2004-155 to authorize the execution of an Agreement with 614128 Ontario Limited operating as Trisan Construction relating to cleaning and cement mortar lining of cast and ductile iron watermains.

“CARRIED”

Res. #2004-626: Moved by Councillor Mason, seconded by Councillor Boldt
That the following by-law be read a third time and passed:

By-Law No. 2004-155 to authorize the execution of an Agreement with 614128 Ontario Limited operating as Trisan Construction relating to cleaning and cement mortar lining of cast and ductile iron watermains.

“CARRIED”

Res. #2004-627: Moved by Councillor Mendicino, seconded by Councillor Bain
WHEREAS the Ontario Government refuses to confirm a completion date for the four-laning of Highway 11;

BE IT THEREFORE RESOLVED THAT the City of North Bay requests that the Ontario Government provide Work Project numbers by December 31, 2004, as this would confirm work is being done, with dates attached, for the remaining 41 kilometres of Highway 11.

“CARRIED”

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

Yeas: Councillors Boldt, Anthony, Mason, Marosis, Mendicino, Campbell, Bain, Koziol, Chirico, Vaillancourt, Mayor Fedeli

Res. #2004-627a: Moved by Councillor Campbell, seconded by Councillor Mason
That the resolution relating to the four-laning of Highway 11 be amended by deleting paragraph 1 and inserting in lieu thereof the following:

“That the City of North Bay requests from the Province of Ontario a

completion date for the four-laning of Highway 11”

“LOST”

Res. #2004-628: Moved by Councillor Boldt, seconded by Councillor Mason
That the presentation by Susan Church relating to financial support for the Blue Sky Economic Growth Corporation be referred to the General Government Committee.

“CARRIED”
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Res. #2004-629: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council adjourn to an in-camera meeting to discuss personnel and property matters.

“CARRIED”

Res. #2004-630: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council declare surplus the lands adjacent to 109 Granite Street and the property be sold to the abutting owner for the appraised value, the cost of the appraisal and the cost of the preparation of a reference plan.

“CARRIED”

Res. #2004-631: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council approve the sale of the Colgan Avenue Road Allowance to the interested abutting owners, Kirsten Schmidt-Chamberlain and Elizabeth Schmidt-Chamberlain for the appraised value of \$12,000.00 plus costs to be negotiated.

“CARRIED”

Res. #2004-632: Moved by Councillor Anthony, seconded by Councillor Bain
That the 4,750 square feet of vacant land on Highway 63 be sold to Pier 63 Inc. for \$3,500.00 plus costs and timing to be negotiated.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as Pier 63 Inc. are clients of his.

Res. #2004-633: Moved by Councillor Chirico, seconded by Councillor Anthony
That

- 1) By-Law No. 2002-15 be revised to reflect the changes to positions within the Engineering and Environmental Services Department as contained in CAO Report No. 2004-17 dated August 30, 2004;
- 2) Schedule “C” to By-Law No. 2002-15 be amended to establish a position of Director of Engineering and Environmental Services at Grade 12;
- 3) Schedule “C” to By-Law No. 2002-15 be amended to establish a composite position of City Engineer and Director of Engineering at Grade 13; and
- 4) the City Clerk be directed to bring forward a by-law appointing John Simmonds to the position of City Engineer and Director of Engineering and Environmental Services effective August 1, 2004.

“CARRIED”

Res. #2004-634 Moved by Councillor Vaillancourt, seconded by Councillor Bain

That this meeting do now adjourn.

“CARRIED”

MAYOR

DEPUTY CITY CLERK