

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, JUNE 20TH, 2011**

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

PUBLIC PRESENTATION:

| | |
|------------------|--|
| Kelly Anne Smith | re Public Parkland Trails |
| David Barker | re Capitol Centre Update |
| B.J. Szabicot | re Annual General Meeting – Near North Media Lab |
| Julie-Ann Smrke | re Asking for Council’s Assistance |

CORRESPONDENCE:

| | | |
|---------------------------------|---------------------------|-------|
| Cecil’s Eatery and Beer Society | re Noise By-Law Exemption | (452) |
| North Bay Youth Soccer Club | re Field Lease Agreement | (480) |

REPORTS FROM OFFICERS:

| | | |
|--------------|--|-------|
| Burke, M. | re Nipissing University – Cedar Heights Booster Pumping Station | (461) |
| Burke, M. | re McKeown Avenue Road Allowance | (481) |
| Conrad, C. | re Amendment to Procedural By-Law | (456) |
| Euler, D. | re Supply/Installation of Septage Receiving/Water Dispensing System | (458) |
| Euler, D. | re Improvements to Laurentian Avenue at Trout Lake Road | (459) |
| Euler, D. | re North Bay Water Treatment Plant & Distribution System Operational Plan | (460) |
| Karpenko, M. | re Tender No. 2011-21, Landscaping Services | (464) |
| Karpenko, M. | re Water/Wastewater Chemical Purchases & Sludge Hauling | (465) |
| Kilgour, I. | re Memorial Gardens Rehabilitation Program | (463) |
| Killins, S. | re By-Law Amendment – Enforcement Officers in Building Services | (454) |
| Killins, S. | re By-Law Amendment – Municipal By-Law Enforcement Officers in Building Services | (455) |
| Lang, A. | re Tender No. 2011-46, Supply of Backhoe Loader | (453) |
| Lang, A. | re Tender No. 2011-64, Sidewalk Replacement Program | (462) |
| Leckie, P. | re North Bay Youth Soccer – Field Lease Agreement | (480) |
| Severino, J. | re Cecil’s Eatery and Beer Society – Noise By-Law Exemption | (452) |
| Tomek, A. | re 3R’s Maximization Plan- Merrick Landfill Certificate of Approval | (457) |

Res. #2011-449: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis That minutes for the public meeting held on:

- Monday, June 6, 2011

be adopted as presented.

“CARRIED”

Res. #2011-450: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the closed meeting held on:

- Monday, June 6, 2011

be adopted as presented.

“CARRIED”

Res. #2011-451: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Community Services Committee Report No. 2011-15 relating to:

- Fire Safety Plans and Lock Boxes

be adopted as presented.

Councillor Koziol declared a conflict as her property management business will be directly affected.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-15

June 20, 2011

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

Your Worship and Councillors:

The Committee presents Report No. 2011-15 and recommends:

1. That
 - a) the City Clerk be directed to bring forward a by-law to regulate the contents and location of Fire Safety Plans and Lock Boxes for occupancies regulated by Part IV of the Fire Code; and
 - b) the effective date of the by-law be January 1, 2012.

All of which is respectfully submitted.

ASSENTS
LAWLOR
MENDICINO
VAILLANCOURT
McDONALD

DISSENTS

Res. #2011-452: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That 1) Cecil’s Eatery & Beer Society, 300 Wyld Street, be granted an exemption from North Bay Noise By-Law No. 1976-142, pursuant to Section 5, as requested by John Lechlitner for the following dates and times:

| <u>Date</u> | <u>Time of Exemption Requested</u> |
|-------------------------|--------------------------------------|
| Friday, July 29, 2011 | 9 pm until 2 am of the following day |
| Saturday, July 30, 2011 | 9 pm until 2 am of the following day |
| Sunday, July 31, 2011 | 9 pm until 12 am midnight |

- 2) the exemption be conditional to monitoring and recording of sound levels in compliance with the By-Law;

- 3) a copy of the monitoring information be forwarded to the City within 10 days of the event; and
- 4) a copy of Report EESW 2011-62 be forwarded to the North Bay Police for information.

“CARRIED”

Res. #2011-453: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne That City Council approve a contract be issued to NORTRAX Canada Inc. in the amount of \$79,563.30 (net of trade-in and including HST), for the supply of one (1) backhoe loader with extendable dipperstick attachment and four wheel drive.

“CARRIED”

Res. #2011-454: Moved by Councillor Lawlor, seconded by Councillor Mendicino That Council directs the City Clerk to prepare a new appointment schedule for enforcement officers to amend Schedule “E” of By-Law 2007-07, being a by-law to Regulate the Administration of Building Permits.

“CARRIED”

Res. #2011-455: Moved by Councillor Lawlor, seconded by Councillor Mendicino That Council directs the City Clerk to prepare an amendment to By-Law 2004-188, being a by-law to appoint Municipal Law Enforcement Officers as authorized under the provisions of the *Police Services Act*.

“CARRIED”

Res. #2011-456: Moved by Councillor Chirico, seconded by Councillor Koziol That 1) Council receive Report to Council CORP 2011-93 dated June 7, 2011 from Catherine Conrad; and

- 2) the matter be referred to the General Government Committee for a Public Meeting under the *Municipal Act*.

“CARRIED”

Res. #2011-457: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne That 1) the Recycling and Communication Plan prepared by Engineering Environmental Services be adopted; and

- 2) a copy be forwarded to the Ministry of the Environment in compliance with Environmental Assessment Conditions of Approval for the Merrick Landfill site.

“CARRIED”

Res. #2011-458: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne That City Council approve a contract to be awarded to Metcon Sales and Engineering Limited, in the amount of \$157,675.00 (not including HST), for the supply and installation of a Septage Receiving and Water Dispensing System.

“CARRIED”

Res. #2011-459: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne That Council not consider any changes to Laurentian Avenue at the Trout Lake Road intersection, since the recommended plan for the North Bay Expressway calls for considerable changes to the Laurentian Avenue Intersection.

Councillor Koziol declared a conflict of interest as she owns property in the subject area.

“CARRIED”

Res. #2011-460: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne That City Council endorse the North Bay Drinking Water System Operational Plans.

“CARRIED”

Res. #2011-461: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne That 1) Council approve an Easement Agreement to acquire easement rights for a water pumping station from Nipissing University in return for construction of a 4 meter wide, paved walkway within the College Drive Road Allowance; and

2) the Execution By-Law authorizing the Easement Agreement be presented to Council for three (3) readings at the June 20, 2011 Regular Meeting of Council.

Mayor McDonald declared a conflict of interest as he owns property in the subject area.

Councillor Anthony declared a conflict of interest as certain departments of Nipissing University are clients of his employer.

“CARRIED”

Res. #2011-462: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne That City Council approve a contract be awarded to Battano Construction in the estimated amount of \$132,775.00 (HST included), to replace sidewalks on a requested basis from the date of contract to October 31, 2011.

“CARRIED”

Res. #2011-463: 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 Memorial Gardens Rehabilitation Program, being 2011 Community Services Capital Budget Project Line No. 83, Project No. 6016RF, at a net debenture cost of \$245,000.00.

Mayor McDonald declared a conflict of interest as he is involved with a local hockey team that uses Memorial Gardens.

“CARRIED”

Res. #2011-464: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne That 1) City Council terminate services with 2252466 Ontario Ltd. o/a The Grounds Guys relating to Landscaping Services; and

2) Council approve a contract be awarded to 2212880 Ontario Limited o/a Canor in the estimated amount of \$123,108.00 (HST extra), for Landscaping Services. The service shall be performed on an as and when requested basis from the date of contract to October 31, 2012, with the provision of a one (1) year option if mutually agreeable to both parties.

Councillor Chirico declared a conflict of interest as 2212880 Ontario Limited is a client of his employer.

“CARRIED”

Res. #2011-465: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne That City Council contract with the suppliers listed in Appendix “A” attached to Report to Council CORP 2011-117 dated June 15, 2011 for chemical purchases and sludge hauling for a period of up to twelve (12) months.

“CARRIED”

Res. #2011-466: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-laws be read a first and second time:

By-Law No. 2011-148 to stop up, close and convey a portion of the laneway in a block bounded by Morin Street, Lorne Avenue, Douglas Street and Lansdowne Avenue.

By-Law No. 2011-152 to stop up, close and convey a portion of the Water Street Road Allowance.

“CARRIED”

Res. #2011-467: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2011-147 to appoint the Managing Director of Corporate Services.

“CARRIED”

Res. #2011-468: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2011-147 to appoint the Managing Director of Corporate Services.

“CARRIED”

Res. #2011-469: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2011-155 to execute an agreement with Darren Davies, operating as D.S. Contracting relating to West Ferris Arena Lobby Washroom Upgrades.

“CARRIED”

Res. #2011-470: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2011-155 to execute an agreement with Darren Davies, operating as D.S. Contracting relating to West Ferris Arena Lobby Washroom Upgrades.

“CARRIED”

Res. #2011-471: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-laws be read a first and second time:

By-Law No. 2011-135 to amend By-Law No. 2002-133, being a by-law to confirm the roads and streets maintained by the City of North Bay.

By-Law No. 2011-153 to execute an agreement with The Corporation of the Municipality of Callander relating to the use of the Merrick Landfill Site.

“CARRIED”

Res. #2011-472: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-laws be read a third time and passed:

By-Law No. 2011-135 to amend By-Law No. 2002-133, being a by-law to confirm the roads and streets maintained by the City of North Bay.

By-Law No. 2011-153 to execute an agreement with The Corporation of the Municipality of Callander relating to the use of the Merrick Landfill Site.

“CARRIED”

Res. #2011-473: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-law be read a first and second time:

By-Law No. 2011-149 to repeal By-Law No. 2011-111, being a by-law to authorize the execution of an agreement with 2212880 Ontario Ltd. relating to the supply of aggregate materials.

Councillor Chirico declared a conflict of interest as 2212880 Ontario Ltd. is a client of his employer.

“CARRIED”

Res. #2011-474: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-law be read a third time and passed:

By-Law No. 2011-149 to repeal By-Law No. 2011-111, being a by-law to authorize the execution of an agreement with 2212880 Ontario Ltd. relating to the supply of aggregate materials.

Councillor Chirico declared a conflict of interest as 2212880 Ontario Ltd. is a client of his employer.

“CARRIED”

Res. 2011-475: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-law be read a first and second time:

By-Law No. 2011-154 to execute an agreement with Nipissing University relating to the use of the Water Pumping Station.

Mayor McDonald declared a conflict of interest as he owns property in the subject area.

Councillor Anthony declared a conflict of interest as certain departments of Nipissing University are clients of his employer.

“CARRIED”

Res. 2011-476: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-law be read a third time and passed:

By-Law No. 2011-154 to execute an agreement with Nipissing University relating to the use of the Water Pumping Station.

Mayor McDonald declared a conflict of interest as he owns property in the subject area.

Councillor Anthony declared a conflict of interest as certain departments of Nipissing University are clients of his employer

“CARRIED”

Res. #2011-477: Moved by Councillor Anthony, seconded by Councillor Vaillancourt
WHEREAS the introduction of the Harmonized Sales Tax (H.S.T.) on July 1, 2010, and its application to gasoline and diesel sales will result in new revenue for the Government of Ontario;

AND WHEREAS based on 2010 average price levels of gasoline and diesel, and 2009 average consumption levels in Ontario, the Government of Ontario’s projected new revenue will be approximately \$1.53 billion annually;

AND WHEREAS the Provincial-Municipal Fiscal and Service Delivery Review identified a transportation infrastructure investment gap between the Government of Ontario and Ontario’s municipalities of approximately \$3.8 billion;

AND WHEREAS a lack of sufficient funding for essential transportation infrastructure construction, maintenance and rehabilitation has created a situation where many of Ontario's municipalities do not have the financial capacity to construct new transportation infrastructure and conduct the maintenance and rehabilitation needed to sustain existing transportation infrastructure;

BE IT THEREFORE RESOLVED THAT the Council of the City of North Bay request that the Government of Ontario consider directing a portion of the revenue derived from H.S.T. charged on gasoline and diesel sales to a new predictable funding mechanism that will allow Ontario's municipalities to make the critical investments needed to be effective stewards of transportation infrastructure;

AND FURTHER THAT a copy of this resolution be forwarded to Premier Dalton McGuinty; Hon. Dwight Duncan, Minister of Finance; Hon. Kathleen Wynne, Minister of Transportation; Hon. Bob Chiarelli, Minister of Infrastructure; Provincial Leaders of the Opposition Parties; the Ontario Good Roads Association; CAA Ontario; the Association of Municipalities of Ontario; the Federation of Northern Ontario Municipalities; the North Bay & District Chamber of Commerce; Jay Aspin, MP for Nipissing-Temiskaming; Hon. Monique Smith, MPP for Nipissing; Hon. Jim Flaherty, Federal Minister of Finance; Prime Minister Stephen Harper and to the Federal Leaders of the Opposition Parties.

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

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

Nays : Councillor Bain

"CARRIED"

Res. #2011-478: 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 8:14 p.m. for the following reasons: Item #15, being a personal matter about identifiable individuals; Item #16, being a matter that includes advice that is subject to solicitor-client privilege, including communications necessary for that purpose; Item #17, being a proposed acquisition of lands by the Municipality; and Item #18, being a proposed disposition of lands by the Municipality.

"CARRIED"

Res. #2011-479: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council reconvene at 9:18 p.m.

"CARRIED"

Res. #2011-480: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Council agree to and authorize a three (3) year extension to the Field Lease Agreement with North Bay Youth Soccer Club from May 1, 2022 to May 1, 2025, on the provision all other terms and conditions of the agreement shall remain the same.

"CARRIED"

Res. #2011-481: Moved by Councillor Chirico, seconded by Councillor Koziol
That 1) City Council accept transfers of the McKeown Avenue Road Allowance as presented in Report to Council CORP 2011-111; and
2) Council approve a by-law to formally recognize the McKeown Avenue Road Allowance on certain lands to which the City does not have paper title.

"CARRIED"

Res. #2011-482: Moved by Councillor Vaillancourt, seconded by Councillor Marosis
That this Regular Meeting of Council do now adjourn at 9:20 p.m.

“CARRIED”

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD