

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, DECEMBER 2ND, 2002**

PRESENT: Mayor Burrows, Councillors Bennett, Kidd, Chirico, Campbell, Aspin, Anthony, Church, Boldt, Maroosis, Handley

CORRESPONDENCE:

Arseneault, June	re Rate of compensation - Crossing Guards	(680)
Fassl, Patricia	re Encroachment Agreement - 44 Kenwood Hills Drive	(660)
Yeates, Lloyd	re Sands Motor Inn	(657)

REPORTS FROM OFFICERS:

Baker, B.R.	re Report card on Public Works & Services Division Business Plan Goals & Objectives	(655)
Burke, M.B.	re Sands Motor Inn	(657)
Burke, M.B.	re Encroachment Agreement - 1642 Copeland Street	(659)
Burke, M.B.	re Encroachment Agreement - 44 Kenwood Hills Drive	(660)
Burke, M.B.	re Encroachment Agreement - 112 Bain Dr.	(661)
Burke, M.B.	re <i>New Municipal Act</i> and real estate sales	(663)
Burke, M.B.	re <i>New Municipal Act</i> - Inventory of roads	(667)
Conrad, C.M.	re <i>New Municipal Act</i> - Provisions of public notice	(669)
Cormier, D.	re 2003 Heritage Festival & Air Show Management Committee appointments	(672)
Elliott, G.	re Traffic & Parking By-Law consolidation	(653)
Houston, J.	re Chief Commanda II future operation/ownership proposal by Georgian Bay Cruise Company Incorporated	(679)
Kilgour, I.G.	re Laneway closure application by Garth Bates - 255 Wesley Street	(671)
Kilgour, I.G.	re Laneway closure application by Tony Costakos - O'Brien Street	(674)
Linkie, D.G.	re Rate of compensation - Crossing Guards	(680)
Maclsaac, K.	re Families First fees	(662)
Manning, J.	re Tender 2002-98, Decaire Road culvert at Cooks Creek Crossing	(666)
North Bay Economic Development	re Nominations for Board Management	(658)
Ringler, T.G.	re Contract - Canadian Corps of Commissionaires	(665)
Ringler, T.G.	re <i>New Municipal Act</i> - Business licensing	(670)
Rogers, B.A.	re Health Unit - Tax Rebate to charities and non-profit organizations	(656)
Rogers, B.A.	re Interim Tax Levy By-Law (664)	
Rogers, B.A.	re Discovery Routes Trail Capital Program	(668)
Simmonds, J.C.	re Thelma Avenue Extension - Nu North Development (Thelma Avenue Extension Subdivision Pre-Servicing Agreement)	(673)
Simmonds, J.C.	re Completion of the Environmental Assessment for water filtration	(675)
Tomek, A.	re Water Conservation Advisory Committee	(654)

Res. #2002-653: Moved by Councillor Handley, seconded by Councillor Maroosis
That 1) By-Law No. 2002-01 being a by-law to regulate Traffic and Parking be received for second and third readings; and

- 2) the City Solicitor be authorized to apply for set fine approvals as set out under Clause 38 and Schedule 23 "Penalties" of

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the Traffic and Parking By-Law No. 2002-01.

"CARRIED"

Res. #2002-654: Moved by Councillor Handley, seconded by Councillor Maroosis
That the Water Conservation Advisory Committee's request for \$20,000 be referred to the 2003 Budget process.

"CARRIED"

Res. #2002-655: Moved by Councillor Handley, seconded by Councillor Maroosis
That 1) the "Report Card" on the status of the 2002 Public Works & Services Division Business Plan recommendations be received; and
2) the Public Works & Services Division update their Business Plan by the end of 2003.

"CARRIED"

Res. #2002-656: Moved by Councillor Bennett, seconded by Councillor Kidd
That the Council agree to include the North Bay & District Health Unit as an eligible charity for the Charitable Tax Rebate arising from Section 442.1 of the *Municipal Act*, R.S.O. 1990, as amended, C.M-45 and by the *Small Business and Charities Act*, 1998.

"CARRIED"

Res. #2002-657: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council deny the Sands Motor Inn's request for relief from penalties and interest on Account #9782.

"CARRIED"

Res. #2002-658: Moved by Councillor Bennett, seconded by Councillor Kidd
That 1) the following five (5) people be approved by City Council for appointment to the North Bay Economic Development Commission Board of Directors for the period January 1, 2003 to December 31, 2005:

- a) Gord Cardwell
- b) John Osburn
- c) Carl Crewson
- d) Sharon Goodwin
- e) Ruth St. Phard; and

- 2) the following person be approved by City Council for appointment to the North Bay Economic Development Commission Board of Directors for the period of January 1, 2003 to December 31, 2004:

- a) Barbara Taylor.

"CARRIED"

Res. #2002-659: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council authorize a partial release of easement of one and one-half (1 ½) feet for the encroachment of a house onto a municipal drainage easement at 1642 Copeland Street.

“CARRIED”

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Res. #2002-660: Moved by Councillor Bennett, seconded by Councillor Kidd
That 1) Council deny the request for an Encroachment Agreement for a deck at 44 Kenwood Hills Drive due to the presence of a 16 inch watermain underneath the deck and the pool; and
2) the owners be advised of their non-compliance with the existing encroachment agreement for the pool.

“CARRIED”

Res. #2002-661: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council authorize an Encroachment Agreement of 0.26 metres for a wood deck on a City easement at 112 Bain Drive.

“CARRIED”

Res. #2002-662: Moved by Councillor Church, seconded by Councillor Boldt
That the fees relating to ice time, security costs, clean-up and mat rental in association with the use of Memorial Gardens on December 31, 2002 for the Families First event to be absorbed through the Memorial Gardens operating budget as part of the City of North Bay’s contribution to this city wide event.

“CARRIED”

Res. #2002-663: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council amend the Procedural By-Law to allow the sale of the real property, after a public declaration of surplus, at or above the appraised value.

“CARRIED AS AMENDED”

Res. #2002-663a: Moved by Councillor Chirico, seconded by Councillor Kidd
That the report from M.B. Burke dated November 19, 2002 re *New Municipal Act* and real estate sales be referred to the General Government Committee.

“CARRIED”

Res. #2002-664: Moved by Councillor Bennett, seconded by Councillor Kidd
That the Interim Tax Levy By-Law attached to Report CORP 2002-132 be presented for three readings.

“CARRIED”

Res. #2002-665: Moved by Councillor Bennett, seconded by Councillor Kidd
That the City of North Bay enter into a two year contract commencing March 1, 2002 with the Canadian Corps of Commissionaires for the provision of personnel for the Parking Department.

“CARRIED”

Res. #2002-666: Moved by Councillor Handley, seconded by Councillor Maroosis
That 1) North Bay City Council approve a contract be let to Bruman Leasing Ltd. in the amount of \$327,145.01 (GST inc.) for the replacement of the culvert on Decaire Road at Cooks Creek Crossing; and

- 2) the City Clerk prepare a 2003 Capital By-Law for Council approval to fund the 2003 culvert replacement program in the amount of \$450,000.00.

“CARRIED”

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- Res. #2002-667: Moved by Councillor Bennett, seconded by Councillor Kidd
That 1) the Schedule 1, Schedule of Municipality Maintained Roads as set out in CORP Report 2002-134, dated November 27, 2002 from M.B. Burke be received; and
- 2) a City By-Law be presented to City Council on December 16, 2002 to show all the roads currently maintained by the City.

“CARRIED”

- Res. #2002-668: Moved by Councillor Bennett, seconded by Councillor Kidd
That By-Law No. 2002-33 be amended to authorize a payment of \$75,000 to the Discovery Routes Trails Organization instead of the North Bay - Mattawa Conservation Authority.

“CARRIED”

- Res. #2002-669: Moved by Councillor Bennett, seconded by Councillor Kidd
That 1) Report to Council CORP 2002-129 be received;
- 2) Council adopt the attached By-Law for a minimum notice requirement of one advertisement in the daily newspaper; and
 - 3) the City Clerk be authorized to provide such additional notice as may be appropriate in the circumstances.

“CARRIED”

- Res. #2002-670: Moved by Councillor Bennett, seconded by Councillor Kidd
That 1) the City of North Bay continue to license certain businesses as provided in Sections 150 to 170 of the *New Municipal Act*;
- 2) Schedule 1, Business Classes and Fees as set out in CORP Report No. 2002-131 dated November 26, 2002 from T.G. Ringler be adopted; and
 - 3) Licensing By-Law No. 139-95 be amended to reflect the new classes and fees.

“CARRIED”

- Res. #2002-671: Moved by Councillor Church, seconded by Councillor Boldt
That 1) the application by Garth Bates to close a laneway abutting Lots 114 & 115, Pt. Lots 124 & 125, Plan M-210 be approved;
- 2) the closure and sale of the laneway be subject to the granting of any required easements for utility purposes; and
 - 3) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

“CARRIED”

- Res. #2002-672: Moved by Councillor Church, seconded by Councillor Anthony

That City Council approves the appointment of the following Management Committee members to the positions as defined for the purpose of planning and implementing the Heritage Festival and Air Show Event:

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<u>Position</u>	<u>Name of Members</u>	<u>Length of Term</u>
Chairperson	John Lechlitner	1 yr. (Chair) 1 yr. (Past Chair)
Finance Chair	Anthony Koziol	3 yrs.
Waterfront Chair	Kevin Reid	2 yrs.
Lee Park Chair	Wayne Poeta	1 yr.
Air Show Chair	Daryl Vaillancourt	1 yr.
Air Show Co Chair	Drew Blais	3 yrs.
Marketing & Promotions	Holly Cangiano	1 yr.
Entertainment Chair	Kevin Jodouin	3 yrs.
Volunteer Chair		3 yrs.
Transportation:	John Strang	3 yrs.
Sponsorship & Fundraising	Doug Herbrand	2 yrs.
Catering	Dina Venditti	3 yrs.
City Liaison	C.M.T. Sheffield	
Legal	Saskia de Moree	
Legal Co Chair	Paul Condon	
Emergency Services Chair	Shawn Devine	
Emergency Services Co Chair	Kirk Kelusky	
Manager	Darlene Cormier	
Council Representative	Mayor Jack Burrows	
Facilities Chair	Frank Corbeil	
Facilities Co Chair	David Schroeder.	

“CARRIED”

Res. #2002-672A: Moved by Councillor Boldt, seconded by Councillor Maroosis
That the matter relating to the 2003 Heritage Festival & Air Show Management Committee be referred to the Community Services Committee.

“LOST”

Res. #2002-673: Moved by Councillor Handley, seconded by Councillor Maroosis
That the Thelma Avenue Extension report from J.C. Simmonds dated November 25, 2002 be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2002-674: Moved by Councillor Church, seconded by Councillor Boldt
That

- 1) the application by Tony Costakos to close a laneway abutting Lots 871 to 879, Plan M-177 be approved;
- 2) the closure and sale of the laneway be subject to the granting of any required easements for utility purposes; and
- 3) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

“CARRIED”

Res. #2002-675: Moved by Councillor Handley, seconded by Councillor Maroosis
That

- 1) the Environmental Study Report entitled “City of North Bay Class Environmental Assessment to Comply with Ontario Regulation 459/00 for the Water Supply Facilities” October 2002, prepared by R.V. Anderson Associates Limited be received;
- 2) North Bay City Council approve the reallocation of \$50,000.00

from the 2001 Capital Budget Project No. 2151 WS to complete the value engineering session; and

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- 3) City re-submit grant applications to OSTAR and the Northern Ontario Heritage Fund to determine eligibility for subsidy towards the selected filtration option, water conservation and the new 5 kilometre intake pipe.

“CARRIED”

Res. #2002-676: Moved by Councillor Bennett, seconded by Councillor Kidd
That accounts totalling \$6,352.00 for Burrows Country Store & Garden for October 2002 be approved.

“CARRIED”

Mayor Burrows declared a conflict of interest on the above matter as he is the owner of the business.

Res. #2002-677: Moved by Councillor Bennett, seconded by Councillor Kidd
That accounts totalling \$2,672.28 for Ontario Northland for October 2002 be approved.

“CARRIED”

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

Councillor Aspin declared a conflict of interest on the above matter as he has legal affairs with Ontario Northland Transportation Commission.

Res. #2002-678: Moved by Councillor Bennett, seconded by Councillor Kidd
That accounts totalling \$8,115,522.94 for October 2002 be approved.

“CARRIED”

Res. #2002-679: Moved by Councillor Church, seconded by Councillor Anthony
That City staff be directed to proceed with negotiations with the Georgian Bay Cruise Company Incorporated (GBCCI) in order to pursue their proposed operation/ownership option as described in Report No. CSBU 2002-66.

“CARRIED”

Res. #2002-680: Moved by Councillor Church, seconded by Councillor Boldt
That 1) the rate of compensation for crossing guards be increased to \$8.50 per hour effective January 1, 2003; and
2) commencing January 1, 2004 and thereafter, crossing guards received the same percentage raise as other non-union City employees.

“CARRIED”

Res. #2002-681: Moved by Councillor Chirico, seconded by Councillor Kidd
WHEREAS the Provincial Government has set out objectives regarding the service improvement strategy for the Ontario Northland Railway to include:

- Providing access to quality telecommunications
- Supporting and enhancing economic development
- Protecting current employment and fostering growth of new jobs
- Ensuring competitive pricing for customers, and
- Maintaining or enhancing service levels

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AND WHEREAS the economic prosperity of many vendor companies based in North Bay and throughout the North depend on the valuable business from the ONTC and,

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of North Bay respectfully demand that Premier Ernie Eves and the Provincial Government,

- i) Honour their objectives in any future negotiations regarding the future of ONTC;
- ii) Ensure that there is long term sustainability for ONTC transportation and telecommunication jobs and business in North Bay and indeed throughout the North;
- iii) Adhere to the promise made that no job losses will occur or be transferred as a result of the sale of the ONTC;
- iv) Release the ISG and CN plans for public review and evaluation; and
- v) A copy of this resolution be forwarded to the Honourable Ernie Eves, the Honourable Jim Wilson, Al McDonald, M.P.P. Nipissing, Ontario Northland Transportation Commission, NEOMAG, NEOMA, FONOM, AMO, Chambers of Commerce in the region and the Economic Development Commissions in the region."

"CARRIED"

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

Councillor Aspin declared a conflict of interest on the above matter as he has legal affairs with Ontario Northland Transportation Commission.

Res. #2002-682: Moved by Councillor Handley, seconded by Councillor Maroosis
That the following by-laws be read a first and second time:

By-Law No. 2002-126 to authorize the expenditure of funding for the purpose of sewer and watermain reconstruction.

By-Law No. 2002-127 to authorize the expenditure of funding for a Fire Hydrant Rehabilitation Program.

"CARRIED"

Res. #2002-683: Moved by Councillor Handley, seconded by Councillor Maroosis
That the following by-laws be read a third time and passed:

By-Law No. 2002-126 to authorize the expenditure of funding for the purpose of sewer and watermain reconstruction.

By-Law No. 2002-127 to authorize the expenditure of funding for a Fire Hydrant Rehabilitation Program.

“CARRIED”

Res. #2002-684: Moved by Councillor Handley, seconded by Councillor Maroosis
That the following by-law be read a second time:

By-Law No. 2002-01, having been changed after first reading, being the

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Traffic & Parking By-Law.

“CARRIED”

Res. #2002-685: Moved by Councillor Handley, seconded by Councillor Maroosis
That the following by-law be read a third time and passed:

By-Law No. 2002-01, being the Traffic & Parking By-Law.

“CARRIED”

Res. #2002-686: Moved by Councillor Handley, seconded by Councillor Maroosis
That the following by-law be read a second time:

By-Law No. 2002-119, having been changed after second reading, to
authorize connections to a sewermain and to impose a sewer connection
rate along Mapleview Place.

“CARRIED”

Res. #2002-687: Moved by Councillor Handley, seconded by Councillor Maroosis
That the following by-law be read a third time and passed:

By-Law No. 2002-119, having been changed after second reading, to
authorize connections to a sewermain and to impose a sewer connection
rate along Mapleview Place.

“CARRIED”

Res. #2002-688: Moved by Councillor Kidd, seconded by Councillor Church
That the matter relating to size of North Bay City Council be reconsidered.

“LOST”

Record of Vote (Upon Procedural By-Law)

Yeas: Councillors Church, Anthony, Chirico, Kidd

Nays: Councillors Handley, Maroosis, Boldt, Aspin, Campbell, Bennett, Mayor Burrows

Res. #2002-689: Moved by Councillor Maroosis, seconded by Councillor Boldt
That 1) Council express their concerns to the Premier and M.P.P. for
Nipissing around the current negotiations with CN Rail not
being open and transparent in light of the recent lay off
announcement of CN Rail personnel across North Ontario; and
2) Council asks that these negotiations be open and transparent.

“RULED OUT OF ORDER”

Res. #2002-690: Moved by Councillor Bennett, seconded by Councillor Aspin
That this meeting do now adjourn.

“CARRIED”

MAYOR
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CITY CLERK