

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, APRIL 18TH, 2011**

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

PUBLIC PRESENTATION:

Leah Walker/Nancy Pilon	re Poverty Reduction Working Group
Fiona Page	re Bus Shelters
Ellen Faulkner	re Habitat for Humanity
George Terry	re Ontario Clean Water Agency (OCWA) Proposal

CORRESPONDENCE:

Grannittis Ristorante	re Extension to Liquor License – 540 Lakeshore Drive	(285)
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REPORTS FROM OFFICERS:

Acs, E.	re Lake Nipissing Access Point Review	(290)
Bellehumeur, R.	re Downtown Farmers' Market	(291)
Burke, M.	re Nine (9) Metre Smoking Ban at Entrances	(286)
Burke, M.	re Water Street Road Allowance	(292)
Burke, M.	re Easement Acquisition - 555 McNamara Street - N.B. Municipal Non-Profit Housing Corporation & OPP	(307)
Burke, M.	re Donation of Escarpment Lands	(308)
Conrad, C.	re Capital Budget Project - City Hall Rehabilitation Program	(287)
Euler, D.	re Operation of Water & Wastewater Treatment Facilities	(293b)
Kitlar, S.	re World's Finest Show Spring Event	(289)
Manning, J.	re Tender 2011-05, Street Sweeping Services	(288)

Res. #2011-281: Moved by Councillor Vaillancourt, seconded by Councillor Bain
That minutes for the public meeting held on:

- Monday, April 4, 2011

be adopted as presented.

"CARRIED"

Res. #2011-282: Moved by Councillor Vaillancourt, seconded by Councillor Bain
That minutes for the closed meeting held on:

- Monday, April 4, 2011

be adopted as presented.

"CARRIED"

Res. #2011-283: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Community Services Committee Report No. 2011-08 relating to:

- upgrades to the City of North Bay Radio Communication System

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-08

April 18, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-08 and recommends:

1. That Council authorizes the City Clerk to prepare a Capital Expenditure By-Law for approval to fund the upgrades to the City of North Bay Radio Communication System from the 2011 Capital Budget Project Line No. 76, Project No. 3113GG, at a net debenture cost of \$648,150 and that \$96,850 be funded from the Water & Sanitary Sewer.

All of which is respectfully submitted.

ASSENTS
LAWLOR
MENDICINO
VAILLANCOURT
McDONALD

DISSENTS

Res. #2011-284: Moved by Councillor Vrebosch-Merry, seconded by Councillor Bain That Engineering & Works Committee Report No. 2011-02 relating to:

- presentations relating to the Operation of the Water and Wastewater Facilities

be adopted as presented.

“CARRIED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2011-02

April 18, 2011

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2011-02 and recommends:

1. That the presentations from the Ontario Clean Water Agency and City staff relating to the Operation of the Water and Wastewater Facilities be received for information purposes.

All of which is respectfully submitted.

ASSENTS
VREBOSCH-MERRY
BAIN
McDONALD

DISSENTS

Res. #2011-285: Moved by Councillor Chirico, seconded by Councillor Koziol That the City of North Bay offers no objection to the temporary extension of the Liquor License for Grannittis Ristorante, 540 Lakeshore Drive on Saturday, May 28th, 2011 from 11:00 am to 2:00 am the following day, provided that the operation continues to comply with all other municipal by-laws.

“CARRIED”

Res. #2011-286: Moved by Councillor Chirico, seconded by Councillor Koziol
That Schedules "B" and "C" to By-Law No. 2003-05 (being a by-law to regulate smoking in public places and workplaces), be amended to include those workplaces and apartment buildings identified in Report to Council No. CORP 2011-61 dated April 7, 2011.

"CARRIED"

Res. #2011-287: Moved by Councillor Chirico, seconded by Councillor Koziol
That a Capital Expenditure By-Law be presented to Council to authorize the City Hall Building Rehabilitation Program (On-going), being 2011 Capital Budget Project No. 6034GG (Line #104), at a net debenture cost of \$82,000.00.

"CARRIED"

Res. #2011-288: Moved by Councillor Vrebosch-Merry, seconded by Councillor Bain
That City Council approve the award of a contract to A & G The Road Cleaners Ltd. to supply Street Sweeping Services for a two (2) year period with the provision of a one year option if mutually agreeable to both parties. The estimated amount of the first year of the contract shall be \$112,500.00 (HST extra). Subsequent year pricing shall not exceed the change in the "Consumer Price Index."

"CARRIED"

Res. #2011-289: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the World's Finest Shows be granted exclusivity within the defined city parkland, roadways and sidewalks for their spring show which is scheduled to take place in Lee Park on May 18 to 22, 2011, with setup taking place May 15-17, 2011. The exclusive area is defined as Lee Park inclusive; Memorial Drive roadway and associated sidewalks along the borders of Lee Park from Stanley Street to Judge Avenue; Judge Avenue and associated sidewalks from Leask Avenue to Lee Avenue; Lakeshore Drive roadway and the associated sidewalks beginning at the north border of Lee Park extending to 100 meters south past the intersection at Judge Avenue.

"CARRIED"

Res. #2011-290: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That staff Report to Council CSBU 2011-52 dated April 12, 2011 from Erik Acs regarding Lake Nipissing Access Point Review be received for information purposes only.

"CARRIED"

Res. #2011-291: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the Downtown Farmers' Market Board of Directors be granted permission to use Lot #11, the McIntyre Street East parking lot opposite City Hall, each Saturday from May 2011 to October 2011, between the hours of 8:00 am to 3:00 pm without charge, subject to the prior receipt of an insurance certificate satisfactory to the City Solicitor.

"CARRIED"

Res. #2011-292: Moved by Councillor Chirico, seconded by Councillor Koziol
That Report to Council CORP 2011-67 relating to the Water Street Road Allowance be referred to the General Government Committee.

"CARRIED"

Res. #2011-293a: Moved by Councillor Lawlor, seconded by Councillor Maroosis
That the report from David Euler dated April 14, 2011 re Operation of
Water and Wastewater Treatment Facilities be referred to the
Engineering & Works Committee.

“LOST”

Res. #2011-293b: Moved by Councillor Vrebosch-Merry, seconded by Councillor Bain
That 1) the City of North Bay assume direct operation of its water and
wastewater treatment facilities beginning July 1, 2011 in order
to direct the long term sustainability of the facilities; and
2) City Council direct staff to make all necessary preparations to
ensure the transition and City operations begin on July 1,
2011.

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

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

Nays: Councillor Anthony

“CARRIED”

Res. #2011-294: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2011-101 to stop up, close and convey a portion of the
laneway in a block bounded by Montrose Avenue, Carruthers Street,
Robarts Avenue and Harrison Street.

“CARRIED”

Res. #2011-295: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2011-106 to amend By-Law No. 2003-05 (to regulate
smoking in public places and workplaces – North Bay Regional Health
Centre).

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

Yeas: Councillors Chirico, Maroosis, Vaillancourt, Mendicino, Koziol, Anthony, Bain,
Mayor McDonald

Nays: Councillors Lawlor, Vrebosch-Merry

“CARRIED”

Res. #2011-296: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2011-106 to amend By-Law No. 2003-05 (to regulate
smoking in public places and workplaces – North Bay Regional Health
Centre).

“CARRIED”

Res. #2011-297: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-laws be read a first and second time:

By-Law No. 2011-107 to authorize the 2011 North Bay-Mattawa
Conservation Authority Capital Budget Allocation.

By-Law No. 2011-108 to amend Traffic & Parking By-Law No. 2002-001 (to allow the use of Segways on City sidewalks).

“CARRIED”

Res. #2011-298: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-laws be read a third time and passed:

By-Law No. 2011-107 to authorize the 2011 North Bay-Mattawa Conservation Authority Capital Budget Allocation.

By-Law No. 2011-108 to amend Traffic & Parking By-Law No. 2002-001 (to allow the use of Segways on City sidewalks).

“CARRIED”

Res. #2011-299: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2011-105 to designate a Site Plan Control Area on certain lands on Francis Street (914542 Ontario Inc. – Francis Street).

“CARRIED”

Res. #2011-300: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2011-105 to designate a Site Plan Control Area on certain lands on Francis Street (914542 Ontario Inc. – Francis Street).

“CARRIED”

Res. #2011-301: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2010-10 to rezone certain lands on Gormanville Road (1633091 Ontario Limited & 1633057 Ontario Limited).

“CARRIED”

Res. #2011-302: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2011-17 to rezone certain lands on John Street and Third Avenue East (The Corporation of the City of North Bay).

Councillor Bain declared a conflict of interest as he owns property in the neighbourhood.
Councillor Anthony declared a conflict of interest as a family member is employed by the proponent.

“CARRIED”

Res. #2011-303: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:

By-Law No. 2011-102 to rezone certain lands on Francis Avenue (Carlo Guido & Tim Falconi – 228 & 232 Francis Avenue).

By-Law No. 2011-103 to rezone certain lands on Lakeshore Drive (2221864 Ontario Inc. – 482 Lakeshore Drive).

“CARRIED”

Res. 2011-304: Moved by Councillor Bain, seconded by Councillor Mendicino
WHEREAS Ontario municipalities with post-secondary institutions and hospitals receive transfer payments from the Provincial Government in lieu of property taxes;

AND WHEREAS the payments are transferred to the municipalities based on the number of heads (students) on post-secondary institution campuses and the number of beds in their local hospitals (also known as the Heads and Beds payment in lieu of taxes);

AND WHEREAS the current amount of \$75 per head/bed has not been increased since 1987 when it was adjusted from \$50;

AND WHEREAS it is our position that the current Heads and Beds rate does not reflect a fair compensation for providing the local resources necessary to support these provincial services;

AND WHEREAS this rate, if indexed to inflation, would be approximately \$135 per head/bed;

BE IT THEREFORE RESOLVED THAT the City of North Bay request that the Provincial Government of Ontario increase the Heads and Beds Levy to at least the current rate of inflation and build in an automatic annual adjustment for inflation for future years;

AND FURTHER THAT a copy of this resolution be forwarded to Hon. Dwight Duncan, Minister of Finance; Hon. Monique Smith, MPP Nipissing and to the City of Kingston; and to the Leaders of the Provincial Opposition.

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

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

Nays: Nil

“CARRIED”

Res. #2011-305: 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 8:46 p.m. for the following reasons: Items #10, 12 & 14, being the proposed acquisition of lands by the Municipality; Item #11, being a litigation matter affecting the Municipality; Item #13, being a personal matter about identifiable individuals; and Item #15, being the pending sale of lands by the Municipality.

“CARRIED”

Councillor Maroosis left the meeting after the *in-camera* session and did not return to the Council Chambers

Res. #2011-306: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council reconvene at 9:30 p.m.

“CARRIED”

Res. #2011-307: Moved by Councillor Vrebosch-Merry, seconded by Councillor Bain
That Council authorize an Easement Agreement with the Nipissing Housing Corporation for the watermain services at 555 McNamara Street, North Bay, whereby the City will receive an easement for the trunk services and agree to assume the operation and maintenance of those services in return for the right to loop those trunk services with the City's watermain system.

"CARRIED"

Res. #2011-308: Moved by Councillor Koziol, seconded by Councillor Anthony
That Council approve an Agreement to accept the generous donation proposed by Millford Development Ltd., Consolidated Homes Ltd., and Golden Estates Ltd., for approximately 99 acres of the Escarpment Lands along the Thibeault Terrace and Golf Club Road area and that the legal and survey costs be funded through the Parklands Reserve Account.

Councillor Chirico declared a conflict of interest as the proponent is a client of his employer, The Royal Bank of Canada.

"CARRIED"

Res. #2011-309: Moved by Councillor Vaillancourt, seconded by Councillor Bain
That this Regular Meeting of Council do now adjourn at 9:31 p.m.

"CARRIED"

CLOSED MEETING CONFLICT OF INTEREST

Regular Agenda Item #12 - Councillor Maroosis declared a conflict of interest as his partner is employed by the President of the North Bay Real Estate Board and left meeting for the discussion of this matter.

Regular Agenda Item #14 - Councillor Chirico declared a conflict of interest as the proponent is a client of his employer and left meeting for the discussion of this matter.

Regular Agenda Item #15 - Councillor Chirico declared a conflict of interest as the proponent is a client of his employer and left meeting for the discussion of this matter.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD