

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, DECEMBER 16TH, 2002**

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

CORRESPONDENCE:

Charron, Marc	re Lakeshore Drive billboard	(709)
Graham, Tom	re Mobile Sign Permit - 1371B Fisher Street	(708)
Tedesco, Susan	re Rezoning application - Premier Road	(703)
Tedesco, Susan	re Condominium application - Premier Road	(704)

REPORTS FROM OFFICERS:

Bullock, P.	re Value Engineering Consultants - Water Filtration	(706)
Burke, M.B.	re Insurance renewal	(696)
Burke, M.B.	re North Bay Jack Garland Airport Corp.	(700)
Burke, M.B.	re North Bay Jack Garland Airport	(724)
Celentano, J.J.	re Cost Management Incentive Program	(697)
Celentano, J.J.	re Propose format - accountability reports under the <i>Municipal Act</i> , 2001	(698)
City of North Bay	re Rezoning application - 985 Douglas Street	(710)
Elliott, G.	re School Bus Loading Zone - Chippewa Street	(707)
Fior, J.	re Implementation Program - Downtown Community Improvement Plan	(699)
Harrison, D.E.	re Lakeshore Drive billboard	(709)
Killins, S.	re Mobile Sign Permit - 1371B Fisher Street	(708)
Reid, P.	re Family Travel Pass	(705)
Rogers, B.A.	re <i>Municipal Act</i> , 2001 - User fee regulations	(701)
Rogers, B.A.	re 2003 status quo Operating Budget	(702)
Rogers, B.A.	re North Bay-Mattawa Conservation Authority Financing Agreement	(723)

Res. #2002-691: Moved by Councillor Bennett, seconded by Councillor Chirico
That General Government Committee Report No. 2002-20 relating to:

- a Smoke Free By-Law

be adopted as presented.

"CARRIED"

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

Yeas: Councillors Maroosis, Church, Campbell, Chirico, Bennett, Kidd, Mayor Burrows

Nays: Councillors Handley, Boldt

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2002-20

December 16, 2002

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2002-20 and recommends:

1. That
 - a) the City Solicitor be directed to develop a 100% Smoke-Free By-Law, prohibiting smoking in public places and work places including all entranceways and in bingo halls by not later than May 31, 2005;
 - b) the by-law should also include enforcement methods and penalties;
 - c) the by-law covers all places not currently covered by the *Ontario Tobacco Control Act*, including but not limited to food and beverage establishments, bingo halls and bowling alleys;
 - d) designated and specifically marked hotel/motel/resort rooms be exempt from the by-law, while all other public areas of hotels/motels/resorts be included in the by-law;
 - e) implementation be across the board with no phasing; and
 - f) a multisector task force be created to determine local feasibility of creative strategies used in other communities to address the concerns of charitable and non-profit organizations that raise money from bingos, including a review and assessment of the impacts of the by-law

All of which is respectfully submitted.

ASSENTS
 BENNETT
 KIDD
 CHIRICO

DISSENTS

Res. #2002-692: Moved by Councillor Bennett, seconded by Councillor Chirico
 That General Government Committee Report No. 2002-21 relating to:

- infrastructure funding for the Leachate Collection System

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2002-21

December 16, 2002

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2002-21 and recommends:

1. That Council authorize the Chief Administrative Officer to make an application to the Northern Ontario Heritage Fund Corporation for infrastructure funding for the Leachate Collection System.

All of which is respectfully submitted.

ASSENTS
 BENNETT
 KIDD
 CHIRICO

DISSENTS

Res. #2002-693: Moved by Councillor Bennett, seconded by Councillor Chirico
That General Government Committee Report No. 2002-22 relating to:

- the sale of real property

be adopted as presented.

“CARRIED AS AMENDED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2002-22

December 16, 2002

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2002-22 and recommends:

1. That Council amend the Procedural By-Law to allow the sale of real property, after a public declaration of surplus, at or above the appraised value.

All of which is respectfully submitted.

ASSENTS
BENNETT
CHIRICO

DISSENTS
KIDD

Res. #2002-693A: Moved by Councillor Maroosis, seconded by Councillor Boldt
That Council direct the Chief Administrative Officer to draft an amendment to the Procedural By-Law to allow the sale of real property after a public declaration of surplus, at or above the appraised value.

“CARRIED”

Res. #2002-694: Moved by Councillor Handley, seconded by Councillor Maroosis
That Engineering & Works Committee Report No. 2002-17 relating to:

- Thelma Avenue extension - Nu-North Developments

be adopted as presented.

“CARRIED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2002-17

December 16, 2002

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2002-17 and recommends:

1. That
 - a) the City enter into a Pre-Servicing Agreement with Nu-North Developments, in a form satisfactory to the City Solicitor, for the installation of underground and above ground services for the proposed Thelma Avenue Extension Subdivision subject to the conditions laid out in the Report EES 2002-148 dated November 25, 2002 from the City Engineer, J.C. Simmonds, P. Eng.;
 - b) funds in the amount of \$66,153 plus GST be made available from the City Development Reserve Fund to pay for the City's share of sanitary sewer, water and road over-sizing costs;
 - c) the City front-end the costs associated with the construction of the stormwater management pond and related works and that a 10% share be recovered from Nu-North Developments at the time of registration of the Subdivision Agreement;
 - d) the City design and construct the required stormwater management pond for the areas servicing Mariah Court and Thelma Avenue and existing development;
 - e) funds in the amount of \$100,000 for the construction of the stormwater management pond be made available from the Gateway Industrial Park Reserve Fund; and,
 - f) funds in the amount of \$49,590 plus GST be made available from the "Completed Capital Works Reserve Fund" to cover the cost of the over-sizing of the sewer and water facilities for Thelma Avenue Subdivision not covered by the Development Charges.

All of which is respectfully submitted.

ASSENTS
 HANDLEY
 MAROOSIS

DISSENTS
 CAMPBELL

Res. #2002-695: Moved by Councillor Church, seconded by Councillor Handley
 That Striking Committee Report No. 2002-05 relating to:

- North Bay Hydro Distribution Limited

be adopted as presented.

"CARRIED"

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

Yeas: Councillors Handley, Maroosis, Church, Campbell, Chirico, Kidd, Bennett,
 Mayor Burrows

Nays: Councillor Boldt

STRIKING COMMITTEE REPORT NO. 2002-05

December 16, 2002

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

Your Worship and Councillors:

The Striking Committee presents Report No. 2002-05 and recommends:

1. That the following persons be nominated to the Board of Directors for the North Bay Hydro Distribution Limited for a three (3) year term from November 1, 2002:

William Walton

Elizabeth Fournier.

2. That City staff be directed to advertise for two (2) additional positions to be nominated to the Board of Directors for the North Bay Hydro Distribution Limited.

All of which is respectfully submitted.

Res. #2002-696: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council renew its 2003 insurance coverage with Frank Cowan Company Limited for an overall premium of \$838,471.00.

“CARRIED AS AMENDED”

Res. #2002-696A: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council refer the matter of insurance coverage to the General Government Committee to look at options for insurance coverage.

“CARRIED”

Res. #2002-697: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council 1) recognize \$490,525 in cost savings identified by the Employee Cost Management Incentive Program and direct that \$430,525 of this amount be applied against the 2003 Operating Budget;

- 2) refer to the 2003 budget deliberations proposals totalling \$263,950 in revenue enhancements or new revenue opportunities identified by the Program; and
- 3) authorize a one-time lump sum incentive reward payment of \$60,000 as the eligible employees' share of the savings under the Program.

“CARRIED”

Res. #2002-698: Moved by Councillor Bennett, seconded by Councillor Kidd
That 1) Report to Council CAO 2002-41 on accountability reports be received;

- 2) Council approve the general format and content for such reports as outlined in Appendix “A” to this report; and
- 3) responsibility for the preparation and distribution of these reports reside in the Office of the Chief Administrative Officer.

“CARRIED”

Res. #2002-699: Moved by Councillor Church, seconded by Councillor Boldt
That 1) Council adopt the implementation program for the Downtown Community Improvement Program attached to Report No. CSBU 2002-68;

- 2) Council delegate decision-making authority on financial incentive applications to the Application Review Team and that Council retain the right to hearing any and all appeals;
- 3) Council adopt the application forms and guidelines for the Financial Incentives Programs presented in Report No. CSBU 2002-68;
- 4) Council consider the allocation of funds through the 2003 budget process for the implementation of the grant programs contained within the Downtown Community Improvement Plan;
- 5) the Finance Department set up a monitoring program to demonstrate the net financial benefits created though increased assessment and subsequent property taxes as a consequence of buildings constructed, renovated or converted using the package of financial incentives;
- 6) the City Solicitor determine the need for agreements related to the implementation and administration of the financial incentives on a case by case basis; and,
- 7) the Downtown Community Improvement Plan be adjusted to extend the proposed programs to tenants of lands and buildings and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan in accordance with recent amendments to the Planning Act.

“CARRIED”

Res. #2002-700:

Moved by Councillor Bennett, seconded by Councillor Kidd

- That
- 1) the non-profit corporation approach recommended by the North Bay Airport Committee be approved;
 - 2) staff be authorized to incorporate North Bay Jack Garland Airport Corporation on the basis of the nominating sectors, recommendation of future directors from the Corporation Board and the approval of future directors by Council;
 - 3) Council authorize the Managing Director of Community Services, on the recommendation of the City Solicitor, to enter into such interim agreements, including offers of employment, as may be required for the orderly transition of the ATCO Airport employees to the North Bay Jack Garland Airport Corporation;
 - 4) City staff work with the new Corporation Board to develop an Airport Operating Agreement between the City and the Corporation;
 - 5) the Corporate Services Business Unit be authorized to provide payroll, human resources, accounting and legal services to the new Corporation until December 31, 2003 on a contract basis; and,
 - 6) Council authorize an account of \$15,000.00 to be established to cover incidental expenses for the new Corporation, with the intention that such expenses be recovered as pre-incorporation expenses by December 31, 2003.

“CARRIED”

Res. #2002-701: Moved by Councillor Bennett, seconded by Councillor Kidd
That 1) Report CORP 2002-127 dated December 10, 2002 from the Director of Financial Services entitled "*Municipal Act, 2001 - User Fee Regulations*" be received; and
2) copies of this report be forwarded to all affected local boards."

"CARRIED"

Res. #2002-702: Moved by Councillor Bennett, seconded by Councillor Kidd
That the 2003 Status Quo Operating Budget be received and referred to the General Government Committee.

"CARRIED"

Res. #2002-703: Moved by Councillor Church, seconded by Councillor Handley
That the rezoning application by Renzo Silveri on behalf of Susan Tedesco, Premier Road be received.

"CARRIED"

Councillor Boldt declared a conflict of interest on the above matter as it involves a relative's property.

Res. #2002-704: Moved by Councillor Church, seconded by Councillor Handley
That the condominium application by Renzo Silveri on behalf of Susan Tedesco, Premier Road be received.

"CARRIED"

Councillor Boldt declared a conflict of interest on the above matter as it involves a relative's property.

Res. #2002-705: Moved by Councillor Church, seconded by Councillor Boldt
That 1) North Bay Transit institute a trial "Family Travel Pass" period on weekends commencing January 1, 2003 and ending June 30, 2003; and
2) immediately, prior to the termination of the trial period, the Transit Manager prepare a report for Council's consideration with regard to the on-going viability of the program.

"CARRIED"

Res. #2002-706: Moved by Councillor Handley, seconded by Councillor Maroosis
That Mr. D. Stafford of Robinson, Stafford & Rude Inc. be retained at a cost of \$13,952 U.S. plus any applicable taxes to facilitate a Value Engineering process to recommend the more effective filtration option between conventional and micro and provide optimization design details for the City of North Bay.

"CARRIED"

Res. #2002-707: Moved by Councillor Handley, seconded by Councillor Maroosis
That 1) Traffic By-Law No. 131-93 be amended to create a School Bus Loading Zone on the west side of Chippewa Street adjacent to Chippewa Secondary School and to create a "No Parking"/"No Stopping" zone on the east side of Chippewa Street;

- 2) By-Law No. 2002-01 also be amended accordingly; and
- 3) a copy of Report EES 2002-151 be provided to Mr. Robert Lyttle, Principle of Chippewa Secondary School, and Mr. Robert Kidd, Manager of Transportation, Near North District School Board.

“CARRIED”

Res. #2002-708: Moved by Councillor Church, seconded by Councillor Boldt
That 1) Mr. Tom Graham be advised that upon receiving an application for a Sign Permit, the City will commence the usual process to authorize the mobile sign he has displayed on the subject lands, provided the mobile sign is relocated to an approved location; and

- 2) he be advised that this proposal to attach the mobile sign to an existing free-standing sign on the subject property would not comply with The Corporation’s Sign By-Law No. 25-97, but that limited provision exists on the existing free-standing sign to advertise his business.

“CARRIED”

Res. #2002-709: Moved by Councillor Church, seconded by Councillor Boldt
That the request from Marc Charron, owner of the Super 8 Motel, to re-establish the lease for signage on the Morgan Street road allowance not be approved.

“CARRIED”

Res. #2002-710: Moved by Councillor Church, seconded by Councillor Boldt
That the rezoning application by City of North Bay, 985 Douglas Street be received.

“CARRIED”

Res. #2002-711: Moved by Councillor Bennett, seconded by Councillor Kidd
That accounts totaling \$1,143.50 for Burrows Country Store & Garden for November 2002 be approved.

“CARRIED”

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

Res. #2002-712: Moved by Councillor Bennett, seconded by Councillor Kidd
That accounts totaling \$7,606,183.88 for November 2002 be approved.

“CARRIED”

Res. #2002-713: 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

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 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 original 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 O.N.T.C.

Res. #2002-714: Moved by Councillor Chirico, seconded by Councillor Church
Whereas there is no Children’s Treatment Centre located in the City of North Bay nor in the District of Nipissing nor in any neighbouring region capable of providing essential treatment to children with special needs; and

Whereas the existence of a Children’s Treatment Centre in the City of North Bay would not only provide such treatment to children with special needs, but also serve to secure the services of certain medical professionals for the community at large; and

Whereas therefore the Council of The Corporation of the City of North Bay supports the establishment of a regional Children’s Treatment Centre to be co-located in North Bay with the new North Bay Regional Health Centre; and

Whereas the capital cost of the construction of the building to house the Children’s Treatment Centre is \$5,000,000, seventy percent (\$3,500,000) of which will be subsidized by the Provincial Ministry of Health; and

Whereas the Council of The Corporation of the City of North Bay is committed to providing the balance of the capital cost (\$1,500,000);

Now therefore the Council of The Corporation of the City of North Bay hereby resolves as follows:

1. The Corporation of the City of North Bay supports the establishment of a regional Children's Treatment Centre to be co-located in North Bay with the new North Bay Regional Health Centre.
2. The Corporation of the City of North Bay is committed to providing \$1,500,000 of the capital cost of the construction of the building for the Children's Treatment Centre, less the amount of whatever additional capital building construction funding is obtained from other sources.
3. The City Treasurer is hereby directed to propose options for the funding of this commitment to City Council in the 2003 Budget process.

"CARRIED"

Res. #2002-715: Moved by Councillor Maroosis, seconded by Councillor Boldt
WHEREAS CN Rail has recently announced layoffs of CN Rail personnel across North America; and

WHEREAS international corporations such as CN Rail act in the interests of their shareholders without concern for regional interests;

NOW THEREFORE the Council of The Corporation of the City of North Bay expresses its concerns to the Honourable Ernie Eves, Premier of Ontario, and to Al McDonald, M.P.P. Nipissing, that Northern Ontario interests may conflict with CN Rail's international interests, and further, asks that the negotiations between Ontario Northland Transportation Commission and CN Rail be open and transparent so that the public can see that the interests of Northern Ontario, and that employment and economic benefits for the north are guaranteed.

"LOST"

Councillor Campbell declared a conflict of interest on the above matter as her spouse is employed by O.N.T.C.

Res. #2002-716: Moved by Councillor Bennett, seconded by Councillor Kidd
That the following by-laws be read a first and second time:

By-Law No. 2002-125 to amend Licensing By-Law No. 139-95.

By-Law No. 2002-128 to levy certain interim rates, taxes and charges.

By-Law No. 2002-130 to execute an Agreement with The Canadian Corps of Commissionaires relating to commissionaire services.

By-Law No. 2002-133 to confirm the roads and streets maintained by the City of North Bay.

"CARRIED"

Res. #2002-717: Moved by Councillor Bennett, seconded by Councillor Kidd
That the following by-laws be read a third time and passed:

By-Law No. 2002-125 to amend Licensing By-Law No. 139-95.

By-Law No. 2002-128 to levy certain interim rates, taxes and charges.

By-Law No. 2002-130 to execute an Agreement with The Canadian Corps of Commissionaires relating to commissionaire services.

By-Law No. 2002-133 to confirm the roads and streets maintained by the City of North Bay.

“CARRIED”

Res. #2002-718: Moved by Councillor Church, seconded by Councillor Boldt
That the following by-law be read a first and second time:

By-Law No. 2002-135 to repeal certain Community Improvement Project Area By-Laws.

“CARRIED”

Res. #2002-719: Moved by Councillor Church, seconded by Councillor Boldt
That the following by-law be read a third time and passed:

By-Law No. 2002-135 to repeal certain Community Improvement Project Area By-Laws.

“CARRIED”

Res. #2002-720: Moved by Councillor Handley, seconded by Councillor Maroosis
That the following by-laws be read a first and second time:

By-Law No. 2002-129 to authorize funding of the 2003 Culvert Replacement Program.

By-Law No. 2002-132 to amend Traffic By-Law No. 131-93 and Traffic & Parking By-Law No. 2002-01.

By-Law No. 2002-134 to execute an Agreement with Bruman Leasing Ltd. relating to replacement of the culvert on Decaire Road at Cooks Creek Crossing.

“CARRIED”

Res. #2002-721: Moved by Councillor Handley, seconded by Councillor Maroosis
That the following by-laws be read a third time and passed:

By-Law No. 2002-129 to authorize funding of the 2003 Culvert Replacement Program.

By-Law No. 2002-132 to amend Traffic By-Law No. 131-93 and Traffic & Parking By-Law No. 2002-01.

By-Law No. 2002-134 to execute an Agreement with Bruman Leasing Ltd. relating to replacement of the culvert on Decaire Road at Cooks Creek Crossing.

“CARRIED”

Res. #2002-722: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council adjourn to an *in-camera* meeting to discuss a property matter.

“CARRIED”

Res. #2002-723: Moved by Councillor Bennett, seconded by Councillor Kidd
That the report from B.A. Rogers dated December 3, 2002 re North

Bay - Mattawa Conservation Authority Financing Agreement be referred to the General Government Committee.

“CARRIED”

Res. #2002-724: Moved by Councillor Church, seconded by Councillor Boldt
That Council agree in principle to resolution of Operating Agreement issues on the basis of:

1. Payment of the ACAP Application Engineering Fees
2. Payment of the out-of-pocket expenses for the second terminal
3. Receipt of the assignment of all CUS Contracts from ATCO

Subject to negotiations of a final agreement and amounts.

“CARRIED”

Res. #2002-725: Moved by Councillor Boldt, seconded by Councillor Church
That this meeting do now adjourn.

“CARRIED”

MAYOR

CITY CLERK