

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, JULY 4TH, 2011**

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

PUBLIC PRESENTATION:

Brian Kelly/Andy Mitchell, CAW	re Ontario Northland Transportation Commission	
Dean Backer, Mayor of Mattawa	re Support of ONTC	
Hector Lavigne, Mayor of Callander)	
Bill Vrebosch, Mayor of East Ferris)	
Randy McLaren, Mayor of Bonfield)	
Gerry Giesler, Councillor of Powassan)	

CORRESPONDENCE:

Belisle Investments Ltd.	re Official Plan Amendment & Rezoning application - 1781 Cassells Street	(493)
2277111 Ontario Inc.	re Rezoning application - 489 McIntyre Street West	(500)

REPORTS FROM OFFICERS:

Conrad, C.	re Records Management Policy	(498)
Carello, P.	re Extension of Brownfield Community Improvement Plan	(492)
Karpenko, M.	re Asset Management Study Update	(496)
Kitlar, S.	re North Bay Summer in the Park	(503)
Korell, A.	re John Street Chippewa Creek Rehabilitation Project	(499)
Lang, A.	re Tender 2011-72, Supply of New Single Drum Roller/Compactor	(495)
Lang, A.	re Agreement for Banking Services with Toronto-Dominion Bank	(497)
Lang, A.	re RFP 2011-61, Parking and Security Services	(501)
Lang, A.	re Tender 2011-68, Main Street East Reconstruction Program	(502)
Linkie, D.	re North Bay Fire & Emergency Services Minimum Staffing Levels	(504)
Mimee, R.	re RFP 2011-38, Supply of Street Light Fixtures	(494)

Res. #2011-485: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the public meetings held on:

- Monday, June 20, 2011

be adopted as presented.

"CARRIED"

Res. #2011-486: Moved by Councillor Vaillancourt, seconded by Councillor Maroosis
That minutes for the closed meeting held on:

- Monday, June 20, 2011

be adopted as presented.

"CARRIED"

Res. #2011-487: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt
That Community Services Committee Report No. 2011-16 relating to:

- Rezoning application by the Nipissing-Parry Sound Catholic District School Board – 1140 Front Street

be adopted as presented.

Councillor Lawlor declared a conflict of interest as he has a client interested in purchasing the above property.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-16

July 4, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-16 and recommends:

1. That
 - a) the proposed Zoning By-Law Amendment from a “Residential Third Density (R3)” zone to a “General Commercial Outer Core Special Zone No. 79 (C2 Sp.79)”, by Miller & Urso Surveying Inc. on behalf of the Nipissing-Parry Sound Catholic District School Board for the property legally described as Plan M-28, Lots 361 to 363, Lots 452 to 454, Part of Lots 364 & 461, Part Lane, in the former Township of Widdifield, known locally as 1140 Front Street in the City of North Bay, be approved; and
 - b) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act, R.S.O. 1990*, as amended, in order to regulate building massing, parking, lighting, landscaping, storm water, drainage, ingress and egress and fencing as required.

All of which is respectfully submitted.

ASSENTS
MENDICINO
VAILLANCOURT
MAYOR McDONALD

DISSENTS

Res. #2011-488: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Community Services Committee Report No. 2011-17 relating to:

- Plan of Subdivision by the City of North Bay – North Bay Jack Garland Airport

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-17

July 4, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-17 and recommends:

1. That the proposed Plan of Subdivision (City File #48T-09104) by Miller & Urso Surveying Inc. on behalf of The Corporation of the City of North Bay for certain lands at the North Bay Jack Garland Airport, as shown on Schedule "A" attached to Report No. CSBU 2011-60, be given Draft Approval subject to the conditions in Appendix "A" to Report to Council CSBU 2011-60 dated June 8, 2011.

All of which is respectfully submitted.

ASSENTS
 LAWLOR
 MENDICINO
 VAILLANCOURT
 MAYOR McDONALD

DISSENTS

Res. #2011-489: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne That Engineering & Works Committee Report No. 2011-05 relating to:

- Tender No. 2011-48, Supply of S2400 Igloo Epoke

be adopted as presented.

"CARRIED"

ENGINEERING & WORKS COMMITTEE REPORT NO. 2011-05

July 4, 2011

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2011-05 and recommends:

1. That North Bay City Council approve a contract be issued to Joe Johnson Equipment Inc. in the amount of \$68,588.74 (HST included), for the supply of one (1) S2400 Igloo Epoke.

All of which is respectfully submitted.

ASSENTS
 VREBOSCH-MERRY
 MAYNE
 BAIN
 MAYOR McDONALD

DISSENTS

Res. #2011-490: Moved by Councillor Chirico, seconded by Councillor Koziol That accounts totaling \$8,468,309.57 for May 2011 be approved.

"CARRIED"

Res. #2011-491: Moved by Councillor Koziol, seconded by Councillor Anthony That accounts for Royal Bank totaling \$2,125.28 for May 2011 be approved.

Councillor Chirico declared a conflict of interest as he is employed by The Royal Bank of Canada.

"CARRIED"

Res. #2011-492: Moved by Councillor Lawlor, seconded by Councillor Mendicino That 1) Council extends the term of the Brownfield Community Improvement Plan by three (3) years from the date of the passing of this resolution; and

- 2) should Council elect the Brownfield Community Improvement Plan, that City staff provide Council with a comprehensive status report at the conclusion of the new term of the Brownfield Community Improvement Plan to determine if an additional extension of the program is required.

“CARRIED”

Res. #2011-493: Moved by Councillor Lawlor, seconded by Councillor Mendicino That the Official Plan Amendment and Rezoning application by Miller & Urso Surveying Inc. on behalf of Belisle Investments Ltd. – 1781 Cassells Street be received.

Councillor Chirico declared a conflict of interest as Belisle Investments Ltd. is a client of his employer, The Royal Bank of Canada.

“CARRIED”

Res. #2011-494: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne That City Council approve a contract be issued to HD Supply Utilities/Philips Lumec in the amount of \$1,877,796.00 plus HST, for the supply of 5,567 LED Street Cobra head light fixtures manufactured by Philips Lumec contingent on the successful completion of the scaled field evaluation to confirm technical performance criteria.

“CARRIED”

Res. #2011-495: 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 \$57,065.00 (HST included), for the supply of one (1) new single drum roller/compactor.

“CARRIED”

Res. #2011-496: Moved by Councillor Chirico, seconded by Councillor Koziol That City Council approve a contract be issued to Stantec Consultants Ltd. in the amount of \$163,980.00 (HST extra), to provide the update of Infrastructure Asset Management data.

“CARRIED”

Res. #2011-497: Moved by Councillor Chirico, seconded by Councillor Koziol That

- 1) City Council approve the Business Banking and Services Agreement with The Toronto-Dominion Bank;
- 2) Council authorize temporary borrowing of the amounts that the municipality considers necessary to meet expenses of the municipality for the year;
- 3) the Mayor, Deputy Mayor, Chief Financial Officer/Treasurer, Deputy Treasurer and Clerk be authorized to sign the banking documents as required by The Toronto-Dominion Bank;
- 4) By-Law No. 2011-160 be presented for three (3) readings on July 4, 2011 authorizing the execution of all banking agreements required with The Toronto-Dominion Bank; and
- 5) By-Law No. 2011-161 be presented for three (3) readings on July 4, 2011 authorizing temporary borrowing to meet expenses of the municipality as required by the municipality for the fiscal year ending December 31, 2011.

“CARRIED”

Res. #2011-498: Moved by Councillor Chirico, seconded by Councillor Koziol That Council

- 1) adopt the “City of North Bay Records Management Policy” attached to CORP Report 2011-126 dated June 28, 2011; and

- 2) approve the proposed Records Retention By-Law attached to CORP Report 2011-126, subject to the approval of the City's Auditor.

"CARRIED"

- Res. #2011-499: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That
- 1) City Council rescind Expenditure By-Law No. 2011-94, to authorize the Trout Lake Road Reconstruction Program - Connaught Avenue to Giroux Street, Project No. 3107RD and 3107WS/SS; and
 - 2) a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the John Street Chippewa Creek Rehabilitation Program, being a 2013 Capital Budget Project No. 3300RD, Line Item No. 21, at a net debenture cost of \$565,000.00, including the Water Erosion Control Infrastructure Program matching 50% funds, received by the North Bay-Mattawa-Conservation Authority.

"CARRIED"

- Res. #2011-500: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the rezoning application by Miller & Urso Surveying Inc. on behalf of 2277111 Ontario Inc. – 489 McIntyre Street West be received.

"CARRIED"

- Res. #2011-501: Moved by Councillor Chirico, seconded by Councillor Koziol
That City Council approve a contract be awarded to Commissionaires Ottawa in the amount of \$785,617.86 (HST included), to perform Parking and Security Services from August 1, 2011 to July 31, 2014 inclusive, with the provision of a two (2) year option if mutually agreeable to both parties.

"CARRIED"

- Res. #2011-502: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That
- 1) City Council approve a contract be awarded to Bruman Construction Inc. based on the low bid price of \$6,260,694.77 (HST included), for Main Street East Reconstruction, provided that Provisional Item A of \$615,149.34 not be awarded at this time;
 - 2) the 2012 Capital Budget forecast for Main Street East Reconstruction in the amount of \$1,900,000.00 (\$1,500,000.00 – Capital, \$400,000.00 – Water and Sewer Capital), be approved to bring the total authorized amount for the project to \$4,700,000.00; and
 - 3) a Capital Expenditure By-Law be prepared for the consideration of City Council to amend By-Law No. 2011-83, to reflect the inclusion of the 2012 Main Street Reconstruction Capital Project, being Engineering, Environmental and Works Capital Budget, Line No. 16, Capital Project No. 3105RD and Water and Sanitary Sewer Capital Budget, Line No. W10, Capital Project No. 3105WS, at a revised total net debenture cost of \$4,700,000.00.

Councillor Maroosis declared a conflict of interest as his son-in-law is employed with Bruman Construction Inc.

"CARRIED"

- Res. #2011-503: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That
- 1) the Event Committee of North Bay Summer in the Park be granted permission to hold the 2011 the Summer in the Park Festival in and about Lee Park and the Waterfront Park from Friday, July 29th to Sunday, July 31st, 2011 both inclusive, with

subsidiary activities occurring from Monday, July 25th, 2011 until Tuesday, August 2nd, 2011 both inclusive, as outlined in Report to Council CSBU 2011-69;

- 2) the event is therefore confirmed to be exempt from the noise control provisions contained in Noise By-Law 142-76, as amended, pursuant to the operation of Section 6 and Schedule 3 thereof;
- 3) North Bay Summer in the Park Committee be granted exclusivity for the areas outlined in Report to Council CSBU 2011-69;
- 4) the Kate Pace Way be closed as outlined in Report to Council CSBU 2011-69;
- 5) temporary road closures be approved as outlined in Report to Council CSBU 2011-69;
- 6) prohibited parking be established as outlined in Report to Council CSBU 2011-69;
- 7) the Waterfront Parking Lots be closed from 8:00 am on Friday, July 29th, 2011 until 12:00 am on Sunday, July 31st, 2011, subject to the provision of an alternate parking location for marina tenants, Heritage Company and Chief Commanda II; and
- 8) a temporary exemption to Regulation 5B of the Municipal Alcohol Policy (Attachment #4) be approved, allowing the establishment of licensed areas to serve alcohol on July 29th and July 30th, 2011, between the hours of 4:00 pm to 12:00 am at locations to be identified within the concert area, as defined in Attachment 4, attached to Report to Council CSBU 2011-69.

“CARRIED”

Res. #2011-504: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt That the minimum staffing levels for North Bay Fire and Emergency Services be reduced from 16 to 15 for the remainder of the 2011 non-heating season being June 1 to August 31.

“CARRIED”

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

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

Nays: Lawlor

Res. #2011-505: Moved by Councillor Chirico, seconded by Councillor Koziol That the following by-law be read a first and second time:

By-Law No. 2011-150 to stop up, close and convey a portion of the laneway in a block bounded by Lakeshore Drive, MacDonald Avenue, Lee Avenue and Charles Street.

“CARRIED”

Res. #2011-506: Moved by Councillor Chirico, seconded by Councillor Koziol That the following by-law be read a first and second time:

By-Law No. 2011-159 to authorize the Memorial Gardens Rehabilitation Program.

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

“CARRIED”

Res. #2011-507: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2011-159 to authorize the Memorial Gardens Rehabilitation Program.

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

“CARRIED”

Res. #2011-508: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-laws be read a first and second time:

By-Law No. 2011-160 to execute a Demand Operating Facility Agreement and a Business Banking and Service Agreement with The Toronto-Dominion Bank relating to Banking Services.

By-Law No. 2011-161 to authorize temporary borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2011.

By-Law No. 2011-163 to execute an Agreement with Questica Inc. relating to the supply and installation of a Capital/Operating Budget Software System.

“CARRIED”

Res. #2011-509: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2011-160 to execute a Demand Operating Facility Agreement and a Business Banking and Service Agreement with The Toronto-Dominion Bank relating to Banking Services.

By-Law No. 2011-161 to authorize temporary borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2011.

By-Law No. 2011-163 to execute an Agreement with Questica Inc. relating to the supply and installation of a Capital/Operating Budget Software System.

“CARRIED”

Res. #2011-510: Moved by Councillor Chirico, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

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.

“CARRIED”

Res. #2011-511: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt
That the following by-law be read a first and second time:

By-Law No. 2011-138 to rezone certain lands on Front Street (Nipissing-Parry Sound Catholic District School Board – 1140 Front Street).

Councillor Lawlor declared a conflict of interest as his client is interested in purchasing the above property.

“CARRIED”

Res. #2011-512: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt
That the following by-law be read a first and second time:

By-Law No. 2011-139 to designate a Site Plan Control Area on certain lands on Front Street (Nipissing-Parry Sound Catholic District School Board – 1140 Front Street).

Councillor Lawlor declared a conflict of interest as his client is interested in purchasing the above property.

“CARRIED”

Res. #2011-513: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt
That the following by-law be read a third time and passed:

By-Law No. 2011-139 to designate a Site Plan Control Area on certain lands on Front Street (Nipissing-Parry Sound Catholic District School Board – 1140 Front Street).

Councillor Lawlor declared a conflict of interest as his client is interested in purchasing the above property.

Res. #2011-514: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2011-156 to regulate Fire Safety Plan Lock Boxes.

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

“CARRIED”

Res. #2011-515: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2011-156 to regulate Fire Safety Plan Lock Boxes

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

“CARRIED”

Res. #2011-516: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2011-157 to amend By-Law No. 2007-07, to regulate the administration of building permits.

By-Law No. 2011-158 to appoint Municipal Law Enforcement Officers as authorized under the provisions of the *Police Services Act*.

“CARRIED”

Res. #2011-517: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:

By-Law No. 2011-157 to amend By-Law No. 2007-07, to regulate the administration of building permits.

By-Law No. 2011-158 to appoint Municipal Law Enforcement Officers as authorized under the provisions of the *Police Services Act*.

“CARRIED”

Res. #2011-518: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-laws be read a first and second time:

By-Law No. 2011-162 to execute an Agreement with Pioneer Construction Inc. relating to the supply of aggregate materials.

By-Law No. 2011-164 to execute an Agreement with Pioneer Construction Inc. relating to the 2011 Asphalt Resurfacing Program.

“CARRIED”

Res. #2011-519: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-laws be read a third time and passed:

By-Law No. 2011-162 to execute an Agreement with Pioneer Construction Inc. relating to the supply of aggregate materials.

By-Law No. 2011-164 to execute an Agreement with Pioneer Construction Inc. relating to the 2011 Asphalt Resurfacing Program.

“CARRIED”

Res. #2011-520: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-laws be read a first and second time:

By-Law No. 2011-165 to execute an Agreement with 2212880 Ontario Limited relating to sludge hauling to the Merrick Landfill Site.

By-Law No. 2011-166 to execute an Agreement with 2212880 Ontario Limited relating to Landscaping Services.

Councillor Chirico declared a conflict of interest as 2212880 Ontario Limited is a client of his employer, The Royal Bank of Canada.

“CARRIED”

Res. #2011-521: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That the following by-laws be read a third time and passed:

By-Law No. 2011-165 to execute an Agreement with 2212880 Ontario Limited relating to sludge hauling to the Merrick Landfill Site.

By-Law No. 2011-166 to execute an Agreement with 2212880 Ontario Limited relating to Landscaping Services.

Councillor Chirico declared a conflict of interest as 2212880 Ontario Limited is a client of his employer, The Royal Bank of Canada.

“CARRIED”

Res. #2011-522: Moved by Councillor Vaillancourt, seconded by Councillor Chirico
That staff be directed to prepare a report for Council’s consideration restricting election campaign signs on any municipal property.

“CARRIED”

Res. #2011-523: Moved by Councillor Mendicino, seconded by Councillor Chirico
WHEREAS the Ontario Northland Transportation Commission has been the critical north south link in Northeastern Ontario for over 100 years; and

WHEREAS the Ontario Northland has been both a principal economic engine for Northern Ontario and the only land access for remote Northern communities; and

WHEREAS the Ontario Northland is attempting to strategically diversify its business in a prudent manner in order to ensure its future viability while offering much needed services to Northeastern Ontario; and

WHEREAS the Ontario Northland supports many northern communities with both services and stable employment opportunities; and

WHEREAS the Ontario Northland is currently completing a very successful refurbishment program on GO TRANSIT coaches and has been publicly acknowledged for the quality of workmanship and adherence to budget; and

WHEREAS both the Ontario Northland and Metrolinx are agencies of the Province of Ontario; and

WHEREAS Metrolinx has recently announced the award of a contract for additional coach refurbishment to a firm outside Ontario based solely on a low tender price with no consideration to the NET FINANCIAL BENEFIT to the Province of Ontario nor consideration to the economic impact to the affected communities in Northern Ontario; and

WHEREAS it appears this decision will result in a net negative impact of in excess of 6 million dollars to the Province of Ontario and yet to be quantified significant negative impact to those communities served by the Ontario Northland; and

WHEREAS the Province of Ontario has recently released a Growth Plan for Northern Ontario, which has been in the development stages for several years; and

WHEREAS despite requests from municipal representatives, the final Northern Growth Plan has not recognized the importance of the Ontario Northland Transportation Commission to the present and future economic success of Northern Ontario.

THEREFORE, BE IT RESOLVED THAT the City of North Bay requests that the Metrolinx award to an out-of-Province firm be immediately suspended pending a review of the option that would provide the best NET VALUE to North Bay, the Region, all of Northern Ontario and ultimately the taxpayers of Ontario;

AND FURTHER THAT Ontario Northland be identified and supported by the Province in its Northern Growth Plan as a key component in the transportation network required to grow and sustain the economy in Northern Ontario;

AND FURTHER THAT a copy of this resolution be sent to all affected Northern Ontario communities; Association of Municipalities of Ontario; the Federation of Northern Ontario Municipalities; Premier Dalton McGuinty; Hon. Michael Gravelle, Minister of Northern Development, Mines and Forestry; Hon. Monique Smith, MPP Nipissing; Hon. Kathleen Wynn, Minister of Transportation; all MPP's; Leader of the Official Opposition; the Leaders of all other Provincial parties; Metrolinx, the City of Toronto and the District Municipalities, seeking their support.

“CARRIED”

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

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

Nays: Nil

Res. #2011-524: 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 9:04 p.m. for the following reasons: Item #15 & 16, being proposed disposition of lands by the Municipality; and Item #18, being employee negotiations.

“CARRIED”

Res. #2011-525: Moved by Councillor Chirico, seconded by Councillor Koziol
That Council reconvene at 9:34 p.m.

“CARRIED”

Res. #2011-526: Moved by Councillor Vaillancourt, seconded by Councillor Chirico
That this Regular Meeting of Council do now adjourn at 9:34 p.m.

“CARRIED”

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD