

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, AUGUST 20TH, 2007**

PRESENT: Deputy Mayor Chirico, Councillors Mayne, Vaillancourt, Mendicino, Koziol, Boldt

CORRESPONDENCE:

Salvation Army, The re Christmas Kettle Campaign (567)

REPORTS FROM OFFICERS:

Burke, M.B.	re Termination of Lot Line - Edwards	(568)
Burke, M.B.	re Administrative Services Agreement - DNSSAB	(569)
Burke, M.B.	re Recognition of storm sewer location - 620 Laurentian Avenue	(576)
Burke, M.B.	re Road allowance - Olive Street	(584)
Burke, M.B.	re City land sale - McIntyre Street and Cormack Street	(585)
Celentano, J.J.	re Proposed Accessible Transportation Standard under the <i>Accessibility for Ontarians with Disabilities Act</i>	(566)
Courville, E.	re Sign variance - Bicycle Bridge at overpass	(574)
Kilgour, I.G.	re Draft Approval - Turret Construction & Housing Ltd. - Circle Lake	(571)
Kilgour, I.G.	re Lane closure - Duke Street West, Cassells Street, Princess Street West and Fraser Street	(572)
Kilgour, I.G.	re Lane closure - Aubrey Street, Chippewa Street West and High Street	(573)
Korell, A.	re John Street bridge crossing Chippewa Creek	(570)
Korell, A.	re Ontario Clean Water Agency Contract - Water and Wastewater Treatment Plant	(577)
McArthur, S.	re Road allowance closure - Wilmot Street, Delaney Street and Highway 63	(586)
Mimee, R.	re Year End Final Projection	(575)

Res. #2007-559: Moved by Councillor Mayne, seconded by Councillor Vaillancourt That Council adjourn in-camera at 6:06 p.m. to discuss proposed or pending acquisition or disposal of land by the municipality or local board.

"CARRIED"

Res. #2007-560: Moved by Councillor Mayne, seconded by Councillor Vaillancourt That Council reconvene at 6:15 p.m.

"CARRIED"

Res. #2007-561: Moved by Councillor Koziol, seconded by Councillor Vaillancourt That minutes for the public meetings held on:

- Monday, July 23, 2007; and
- Tuesday, August 7, 2007

be adopted as presented.

"CARRIED"

Res. #2007-562: Moved by Councillor Koziol, seconded by Councillor Vaillancourt
That minutes for the closed meetings held on:

- Tuesday, August 7, 2007

be adopted as presented.

“CARRIED”

Res. #2007-563: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
That General Government Committee Report No. 2007-08 relating to:

- 2006 Audited Financial Statements

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2007-08

August 20, 2007

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2007-08 and recommends:

1. That the 2006 Audited Financial Statements be accepted as presented.

All of which is respectfully submitted.

ASSENTS
CHIRICO
MAYNE
VAILLANCOURT

DISSENTS

Res. #2007-564: Moved by Councillor Koziol, seconded by Councillor Mendicino
That Engineering & Works Committee Report No. 2007-04 relating to:

- Merrick Gas Collection and Flaring Project

be adopted as presented.

“CARRIED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2007-04

August 20, 2007

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2007-04 and recommends:

1. That
 - a) Council authorize the transfer of \$375,000.00 from the Merrick Landfill Reserve Fund to cover the existing Methane Collection and Flaring Capital Project deficit;
 - b) approval be granted to fund \$123,000.00 future "Kyoto Credit" reserves, as identified in Report EES 2006-002, to be received in 2008, from the Merrick Landfill Reserve in 2007;
 - c) the City pursue emission reduction credits for post 2007 flaring and landfill gas once a Canadian Emission Trading System is set up and that reserves from future emission trading be credited to the Merrick Landfill Reserve; and
 - d) Council be briefed of final resolution of operational issues with the Merrick Landfill Flare/Gas Collection System and on the development of an Emissions Trading System in Canada.

All of which is respectfully submitted.

ASSENTS
 KOZIOL
 MENDICINO

DISSENTS

Res. #2007-565: Moved by Councillor Koziol, seconded by Councillor Mendicino
 That Engineering & Works Committee Report No. 2007-05 relating to:
 - Merrick Landfill Methane Utilization
 be adopted as presented.

"CARRIED"

ENGINEERING & WORKS COMMITTEE REPORT NO. 2007-05

August 20, 2007

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2007-05 and recommends:

1. That
 - a) the "Landfill Gas Utilization Feasibility Study Merrick Landfill Site, North Bay Ontario" prepared by Conestoga Rovers Associates dated June 2007 be adopted;
 - b) Conestoga Rovers Associates be authorized to proceed with the development of a Design/Build/Operated RFQ for the recommended option within the approved budget limit of the existing contract (the value of this work is \$90,000.00 which is within the approved budget and an additional \$10,000.00 is required for tendering assistance, tender evaluation and to allow for a small additional contingency);
 - c) approval be granted to Conestoga Rovers Associates to complete a Connectivity Impact Assessment Study and to negotiate connectivity approval on behalf of the City/GENCO in support of the recommended utilization option at an upset cost of \$30,000.00;

- d) approval be granted to Conestoga Rovers Associates to make application on behalf of the City/GENCO to the Ontario Energy Board for a Renewable Energy Standard Offer Agreement, to prepare a Certificate of Approval Air Application and a Certificate of Approval Waste Management Amendment Application at an upset cost of \$25,000.00;
- e) approval be granted to fund recommendations (b), (c) and (d) totaling \$65,000.00 from the Merrick Landfill Reserve;
- f) GENCO be reactivated and a temporary Board of Directors be established to collaborately oversee the development of a Design/Build/Operate RFQ with the City and to obtain and hold the required Generator License;
- g) the City Solicitor be authorized to develop an Operating Agreement between GENCO and the City that formally establishes an operating relationship between the two entities, that identifies who owns and controls the various project components of existing and proposed works, who manages the Operations Contract, and which develops revenue sharing formula(s) that would permit the City to supply gas to GENCO and for GENCO to supply electricity to the grid under the Renewable Energy Standard Offer Agreement so that the tax exposure of the project is minimized and possibly heat back to the City for future use for Council's consideration;
- h) Engineering, Environmental Services and Works continue to seek ways to utilize waste heat including the use of waste heat in the treatment of leachate;
- i) Engineering, Environmental Services and Works examine options for expansion of the Landfill Gas Collection System in a cost effective manner; and
- j) Engineering, Environmental Services and Works review and recommend to North Bay City Council, options for obtaining funding in support of this Capital Works Project.

All of which is respectfully submitted.

ASSENTS
 KOZIOL
 MENDICINO

DISSENTS

Res. #2007-566: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
 That 1) staff be directed to prepare and file written comments relating to the Proposed Accessible Transportation Standard to the Minister of Community and Social Services in advance of the August 31, 2007 deadline; and

2) this matter be referred to the General Government Committee for information and discussion.

“CARRIED”

Res. #2007-567: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
 That Council consent to The Salvation Army Christmas Kettles Campaign commencing on Saturday, November 17th, 2007 and running daily to December 24th, 2007 (excluding Sundays).

“CARRIED”

Res. #2007-568: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
That Council authorize the Solicitor for Gordon and Pauline Edwards to make all necessary Applications to the Superior Court of Ontario to abolish the lot line between Lot 4 and Block 38, Plan 3M-626, at their own expense.

“CARRIED”

Res. #2007-569: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
That Council authorize the Corporate Services Business Unit to assist the DNSSAB with the orderly assumption of administrative services on a cost effective basis.

“CARRIED”

Res. #2007-570: Moved by Councillor Koziol, seconded by Councillor Mendicino
That 1) Northland Engineering, the Consulting Engineering Company currently designing the infrastructure project between First Avenue and Third Avenue on John Street, include a study and environmental assessment on the bridge at Chippewa Creek;
2) the monies required for the study and environmental assessment be funded from the 2007 Capital Budget - Bridge Rehabilitation, Line 56, HTE Capital Project No. 2756RD; and
3) once the preferred option for the rehabilitation or replacement of the bridge is approved through a Report to Council, that the City Engineer issue a Request or Proposal to design the works required.

“CARRIED”

Res. #2007-571: Moved by Councillor Boldt, seconded by Councillor Mendicino
That 1) the Condominium Application by Turret Construction & Housing Ltd. on the property described as Plan M-362, Blocks C, F, H, I, L, Part Blocks B & G, Rem. Pct. 7854 W/F (Lake Heights Road, Melina Close, Sylvan Crescent & Madelena Drive) requesting an exemption from Section 51 of the *Planning Act* to grant Draft Approval of a Plan of Condominium to the existing townhouse development, as represented on the Site Plan prepared by Northland Engineering Ltd. dated July 1975 (shown on Schedule “A” to Report to Council CSBU 2007-48), subject to the conditions contained in Appendix “A” to Report to Council CSBU 2007-48, be approved; and
2) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O. 2990, as amended to address landscaping, parking, lighting, access and lot servicing.

“CARRIED”

Res. #2007-572: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
That 1) the application by Melvin Deibel to close a laneway abutting Plan 57, Lot 293, Part Lot 294 and Lot 226, be approved;
2) the closure of the laneway be subject to the granting of any required easements; and

- 3) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

“CARRIED”

Res. #2007-573:

Moved by Councillor Mayne, seconded by Councillor Vaillancourt

- That
- 1) the application by James & Sherry Rotar to close a laneway abutting Plan M-165, Lot 720 and Part Lot 721, Lots 716 to 718 and Lots 621 and 622, be approved;
 - 2) the closure of the laneway be subject to the granting of any required easements; and
 - 3) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject laneway.

“CARRIED”

Res. #2007-574:

Moved by Councillor Boldt, seconded by Councillor Mendicino

That Council approve the request from Nipissing University and Canadore College students on behalf of the Canadian Cystic Fibrosis Foundation for a variance to Sign By-Law No. 2006-143, Section 2.0(b), to permit the temporary installation of a 95' x 15' banner across the bridge located at the overpass for the purpose of raising awareness for the *SHINERAMA* event to raise funds for the fight against Cystic Fibrosis, subject to the receipt of an insurance certificate satisfactory to the City Solicitor.

“CARRIED”

Res. #2007-575:

Moved by Councillor Mayne, seconded by Councillor Vaillancourt

That the City of North Bay's Year End Financial Projection for the period ending June 30th, 2007 be received and filed.

“CARRIED”

Res. #2007-576:

Moved by Councillor Mayne, seconded by Councillor Vaillancourt

That Council authorize the acquisition of an Easement for an existing storm sewer at the rear of 620 Laurentian Avenue and express its appreciation to the owners for their cooperation in the re-alignment of the Storm Sewer Easement.

“CARRIED”

Res. #2007-577:

Moved by Councillor Koziol, seconded by Councillor Mendicino

- That
- 1) the contract to operate the water and wastewater treatment facilities on behalf of the City of North Bay by the Ontario Clean Water Agency be extended from August 2008 to December 31, 2009; and
 - 2) an agreement be drafted for presentation to City Council detailing the financial terms of the extension by the end of 2007.

“CARRIED”

Res. #2007-578:

Moved by Councillor Mayne, seconded by Councillor Vaillancourt

That accounts totalling \$8,548,927.89 for July 2007 be approved.

“CARRIED”

Res. #2007-579: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
That accounts for Royal Bank totalling \$1,480.08 for July 2007 be approved.

“CARRIED”

Deputy Mayor Chirico declared a conflict of interest on the above matter as he is employed by Royal Bank.

Res. #2007-580: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
That the following by-laws be read a first and second time:

By-Law No. 2007-173 to stop up, close and convey a portion of the laneway located in a block bounded by Second Avenue, Ferguson Street, Third Avenue and Cassells Street.

By-Law No. 2007-180 to authorize the sale of lands to the Trustees of the Evangelical Lutheran Church (Third Avenue).

By-Law No. 2007-181 to authorize the Life-Cycle Assessment and Cost Benefit Analysis of the Lamorie Street Bridge.

By-Law No. 2007-183 to authorize Capital Works for Cassellholme, Home for the Aged.

“CARRIED”

Res. #2007-581: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
That the following by-laws be read a third time and passed:

By-Law No. 2007-173 to stop up, close and convey a portion of the laneway located in a block bounded by Second Avenue, Ferguson Street, Third Avenue and Cassells Street.

By-Law No. 2007-180 to authorize the sale of lands to the Trustees of the Evangelical Lutheran Church (Third Avenue).

By-Law No. 2007-181 to authorize the Life-Cycle Assessment and Cost Benefit Analysis of the Lamorie Street Bridge.

By-Law No. 2007-183 to authorize Capital Works for Cassellholme, Home for the Aged.

“CARRIED”

Res. #2007-582: Moved by Councillor Boldt, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2007-182 to authorize the execution of an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Transportation (Joint Procurement of Transit Buses).

“CARRIED”

Res. #2007-583: Moved by Councillor Boldt, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2007-182 to authorize the execution of an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Transportation (Joint Procurement of Transit Buses).

“CARRIED”

Res. #2007-584: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
That having considered the various alternatives, Council declare surplus the road allowance at the north end of Olive Street and that the land be offered for sale only to the one abutting owner, Castle Arms Non-Profit Seniors Apartment at the appraised value.

“CARRIED”

Res. #2007-585: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
That Council approve the sale of site locator 69A, 69B and 69C at McIntyre and Cormack Streets, to an abutting owner, Ronald Perrin, for the total sum of \$40,000.00 plus G.S.T.

“CARRIED”

Res. #2007-586: Moved by Councillor Mayne, seconded by Councillor Vaillancourt
That

- 1) the application by Harriman & Associates on behalf of Hebert Clement to close an Unopened Portion of Road Allowance in the block bounded by Wilmot Street, Delaney Street and Highway #63, abutting Block N, Plan M-62, be approved;
- 2) Council declare that section of road allowance in the block bounded by Wilmot Street, Delaney Street and Highway #63, abutting Block N, Plan M-62, as surplus;
- 3) the closure of the road allowance be subject to the granting of any required easements; and
- 4) the Chief Administrative Officer be authorized by Council to initiate normal closure procedures for the subject roadway.

“CARRIED”

Res. #2007-587: Moved by Councillor Koziol, seconded by Councillor Vaillancourt
That the Regular Meeting of Council do now adjourn.

“CARRIED”

DEPUTY MAYOR PETER CHIRICO

DEPUTY CLERK TERRY RINGLER