

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, MAY 3RD, 2004**

PRESENT: Mayor Fedeli, Councillors Chirico, Vaillancourt, Anthony, Bain, Campbell, Boldt, Mason, Koziol, Maroosis, Mendicino

CORRESPONDENCE:

Butler, Ralph	re Resignation from Waste Resources Liaison Committee	(297)
Fournier, Elizabeth	re Resignation from North Bay Hydro Distribution Limited and North Bay Hydro Generation Limited	(291)
Kiwanis Club of Nipissing	re Temporary road closure	(293)
Lechlitner, John	re Resignation from North Bay-Mattawa Conservation Authority	(314)
Ringler, Mary C. Estate	re Official Plan Amendment and Rezoning Applications - Mowat Crescent	(289)
Ringler, Mary C. Estate	re Rezoning Application - Mowat Crescent vacant land	(290)
Royal Canadian Army Cadets	re Temporary road closure	(294)
Royal Canadian Legion, Branch 23	re Temporary extension to Liquor License	(292)
Turcotte, Glenn re	Fence variance request - 1073 Copeland	(312)
Zorba's Grill	re Temporary extension to Liquor License	(301)

REPORTS FROM OFFICERS:

Baker, B.R.	re Temporary road closure - Kiwanis Club of Nipissing	(293)
Baker, B.R.	re Temporary road closure - Royal Canadian Army Cadets	(294)
Baker, B.R.	re Vehicle and equipment purchases	(307)
Baker, B.R.	re Road culvert replacements	(308)
Baker, B.R.	re Traffic control signal update	(309)
Baker, B.R.	re Hydrant Rehabilitation Program	(310)
Baker, B.R.	re Rural roadway reconstruction	(311)
Bullock, P.	re North Bay Wind Study	(296)
Hall, B.	re Rezoning application by the City of North	(302)
Hall, B.	re Official Plan - Parkland Review	(303)
Kraemer, L.	re Tax Extension Agreement - Hobbs & Co. Inc., Sheila Marie Youmandonatella - 629 Morin Street	(317)
Linkie, D.G.	re Vehicle No Idling Policy	(315)
Linkie, D.G.	re Appointment of Chief Financial Officer	(325)
Linkie, D.G.	re Exchange of lands on Gordon Drive	(326)
McCullough, E.A.	re User fees for attendance at monitored automatic "false" alarms and motor vehicle incidents for non-residents	(295)
Rogers, B.A.	re Refund of surplus from DNSSAB	(304)
Rogers, B.A.	re Amendment to OMEIFA Financing By-Laws	(305)
Rogers, B.A.	re Ontario Home Renewal Plan write-off	(306)
Rogers, B.A.	re Incentive/interest charges for past due accounts receivable	(313)
Rogers, B.A.	re Capital Projects Status Report - December 2003 - March 2004	(316)
Vossos, D.	re Fence variance request - 1073 Copeland	(312)

Res. #2004-287: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That minutes for the meetings held:

- on Monday, April 19, 2004

be adopted as presented.

“CARRIED”

Res. #2004-288: Moved by Councillor Mason, seconded by Councillor Boldt
That Engineering & Works Committee Report No. 2004-07 relating to:

- the Marathon Beach Study

be adopted as presented.

“CARRIED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2004-07

May 3, 2004

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2004-07 and recommends:

1. That
 - a) the request from the Community Waterfront Friends to begin a process to redevelop Marathon Beach based on the outcome of an Environmental Assessment be accepted subject to the conditions contained in Appendix “A” to Report to Council EES 2004-009;
 - b) any City cost associated with the project be brought forward for Council’s consideration; and
 - c) Report to Council EES 2004-009 be forwarded to Dr. Johnston for Community Waterfront Friends for review and acceptance of their roles and responsibilities in the process.

All of which is respectfully submitted.

ASSENTS
MASON
BOLDT
CAMPBELL
FEDELI

DISSENTS

Res. #2004-289: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the Official Plan Amendment and Rezoning Application by D’Agostino & Associates/Paul Goodridge on behalf of the Estate of Mary C. Ringler, Mowat Crescent be received.

“CARRIED”

Res. #2004-290: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the Rezoning Application by D’Agostino & Associates/Paul Goodridge on behalf of the Estate of Mary C. Ringler, Mowat Crescent (vacant land) be received.

“CARRIED”

Res. #2004-291: Moved by Councillor Chirico, seconded by Councillor Anthony
That the resignation of Elizabeth Fournier from North Bay Hydro Distribution Limited and North Bay Hydro Generation Limited be received with regret and Ms. Fournier be thanked for her involvement on these boards.

“CARRIED”

Res. #2004-292: Moved by Councillor Chirico, seconded by Councillor Anthony
That the City of North Bay offers no objection to the temporary extension of the liquor license for their outdoor patio located on the park side (Ferguson Street) of The Royal Canadian Legion, Branch 23, on Sunday, July 4, 2004 provided that the operation continues to comply with all applicable municipal by-laws, including the noise by-law.

“CARRIED”

Res. #2004-293: Moved by Councillor Mason, seconded by Councillor Boldt
That the following temporary road closures be implemented on Sunday, July 4th, 2004 for the purpose of staging the North Bay Triathlon, which is being organized by the Kiwanis Club of Nipissing:

1. Lakeside Drive, from Lavase Road to Sage Road, between the hours of 8:00 a.m. to 1:00 p.m.; and
2. Lees Road, from Trout Lake Road to Tower Drive, between the hours of 9:00 a.m. and 12:30 p.m., with provisions being made to accommodate local traffic only.

“CARRIED”

Res. #2004-294: Moved by Councillor Mason, seconded by Councillor Boldt
That City Council endorse the request of the Royal Canadian Army Cadets to stage a parade on June 6th, 2004 in honour of their 125th Anniversary in Northern Ontario and that the request for a parade permit be forwarded to the Chief of Police of the North Bay Police Services.

“CARRIED”

Res. #2004-295: Moved by Councillor Mendicino, seconded by Councillor Koziol
That By-Law No. 1999-44 be amended to more clearly define the fee structure for responses to subsequent “Monitored Automatic False Alarms” as was intended in the original by-law and to update the fees for responses to Motor Vehicle Accidents/Incidents for Non-Residents.

“CARRIED”

Res. #2004-296: Moved by Councillor Campbell, seconded by Councillor Mason
That

- 1) a Wind Study Steering Committee be established as referenced in Report No. EES 2004-11 by the Manager of Environmental Services;
- 2) Council representation on the Wind Assessment Study Steering Committee be referred to the City’s Striking Committee; and
- 3) the City of North Bay seek out private funding partners to complete an Energy from Wind Evaluation of North Bay through a competitive RFP process under the direction of a Steering Committee.

“CARRIED”

Res. #2004-297: Moved by Councillor Chirico, seconded by Councillor Anthony
That the resignation of Ralph Butler from the Waste Resources Liaison
Committee be accepted with regret and Mr. Butler be thanked for his
involvement on this Committee.

“CARRIED”

Res. #2004-298: Moved by Councillor Chirico, seconded by Councillor Anthony
That accounts totalling \$5,374,646.54 for March 2004 be approved for
payment.

“CARRIED”

Res. #2004-299: Moved by Councillor Chirico, seconded by Councillor Anthony
That accounts for Clarion Resort - Pinewood Park totalling \$2,226.79 for
March 2004 be approved.

“CARRIED”

Councillor Mason declared a conflict of interest on the above matter as he is employed by Clarion
Resort - Pinewood Park.

Res. #2004-300: Moved by Councillor Chirico, seconded by Councillor Anthony
That accounts for Ontario Northland totalling \$589.04 for March 2004 be
approved.

“CARRIED”

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

Res. #2004-301: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council offers no objection to the extension of the liquor license for
Zorba’s Grill Ltd., on May 29, 2004 from 11:00 a.m. to 2:00 a.m. the
following day, for the use of the side exterior portion of the location, 561
Lakeshore Drive, for a charitable event.

“CARRIED”

Res. #2004-302: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the recommendation from the Planning Advisory Committee regarding
the rezoning application by the City of North Bay - Crawford Drive be
referred to the Community Services Committee and for a public meeting.

“CARRIED”

Res. #2004-303: Moved by Councillor Mendicino, seconded by Councillor Koziol
That City Council direct the Planning Staff to review the Parkland Inventory
and consider creating a “Parkland” land use designation in the City’s New
Official Plan.

“CARRIED”

Res. #2004-304: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) the Chief Financial Officer be authorized to transfer the refund
of surplus from the District of Nipissing Social Services
Administration Board in the amount of \$799,230.20 to the Tax
Rate Stabilization Reserve Fund; and
2) the Chief Financial Officer be authorized to transfer
\$335,000.00 from the Tax Rate Stabilization Reserve Fund

to the operating budget in 2004.

“CARRIED”

Res. #2004-305: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) By-Law No. 2003-96, By-Law No. 2003-97, and By-Law No. 2003-98 be amended by replacing paragraph 1 as outlined in Report CORP 2004-60; and
2) amending By-Law No.'s 2004-85, 2004-86 and 2004-87 be presented for three readings May 3, 2004.

“CARRIED”

Res. #2004-306: Moved by Councillor Chirico, seconded by Councillor Anthony
That the Ministry of Municipal Affairs be asked to write-off the balance of the Ontario Home Renewal Plan loan to Doris Laronde in the amount of \$1,912.87.

“CARRIED”

Res. #2004-307: Moved by Councillor Mason, seconded by Councillor Boldt
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the purchase and lease of new vehicles and equipment for the Public Works and Services Division and the Community Services Division, being 2004 Capital Budget Project Line No. 36 (HTE Project No. 2416), at a net debentured cost of \$450,000.00.

“CARRIED”

Res. #2004-308: Moved by Councillor Mason, seconded by Councillor Boldt
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the replacement of various rural road culverts, being 2004 Capital Budget Line No. 11 (HTE Project No. 2407), at a net debentured cost of \$150,00.00.

“CARRIED”

Res. #2004-309: Moved by Councillor Mason, seconded by Councillor Boldt
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize a program of updating traffic control signals, being 2004 Capital Budget Project Line No. 33 (HTE Project No. 2415), at a net debentured cost of \$75,000.00.

“CARRIED”

Res. #2004-310: Moved by Councillor Mason, seconded by Councillor Boldt
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Hydrant Rehabilitation Program of the Public Works & Services Division, being 2004 Water and Sanitary Sewer Capital Budget Project Line No. W2, (HTE Project No. 2440), at a net debentured cost of \$75,000.00.

“CARRIED”

Res. #2004-311: Moved by Councillor Mason, seconded by Councillor Boldt
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Rural Roadway Reconstruction Program for 2004, being 2004 Capital Budget Project Line No. 31, (HTE Project No.

2414), at a net debentured cost of \$450,000.00.

“CARRIED”

Res. #2004-312: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Council not approve the request for a variance from Fence By-Law
No. 2002-105, to permit the construction of a solid fence at 1073 Copeland
Street, North Bay.

“CARRIED”

Res. #2004-313: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) Report CORP 2004-58 dated April 16, 2004 from the Chief
Financial Officer entitled “Incentive/Interest Charges for Past
Due Accounts Receivable” be received; and
2) By-Law No. 2001-71 be amended to include an interest
charge of 1.25% per month on overdue accounts receivable
effective July 1, 2004, as outlined in Report CORP 2004-58
dated April 16, 2004 from the Chief Financial Officer.

“CARRIED”

Res. #2004-314: Moved by Councillor Chirico, seconded by Councillor Anthony
That the resignation from John Lechlitner from the North Bay-Mattawa
Conservation Authority be accepted with regret and Mr. Lechlitner be
thanked for his involvement on this Board.

“CARRIED”

Res. #2004-315: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) staff be directed to develop and implement a new
comprehensive “City Vehicle and Equipment No Idling” policy;
2) the said policy be implemented on or before June 15, 2004;
and
3) a copy of this policy be brought forward for Council’s approval.

“CARRIED”

Res. #2004-316: Moved by Councillor Chirico, seconded by Councillor Anthony
That the report from B.A. Rogers dated April 27, 2004 re Capital Project
Status Report - December 2003 - March 2004 be referred to the General
Government Committee.

“CARRIED”

Res. #2004-317: Moved by Councillor Chirico, seconded by Councillor Anthony
That the Corporation of the City of North Bay enter into a Tax Extension
Agreement with Hobbs & Co. Inc., and Sheila Marie Youmansdonatella for
the purpose of extending the May 13, 2004 redemption date for a period of
sixty (60) days, being July 13, 2004, for payment of all outstanding
penalties, interest and costs on the property know as Plan M-28, Pt.37, Pcl.
3480 W/F, being 629 Morin Street, North Bay, Ontario and Roll No. 4844-
010.013.08300.

“CARRIED”

Res. #2004-318: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2004-75 to execute an Operating Agreement with the North Bay Area Museum operating as Heritage North Bay relating to the Community Waterfront Park.

By-Law No. 2004-76 to authorize the Transit Coach Replacement and Refurbishment Programs.

By-law No. 2004-77 to amend By-Law No. 2001-71 to authorize changes to user fee schedules for various departments at City Hall (Schedule "A" - Clerks Department).

By-Law No. 2004-78 to appoint a Chief Administrative Officer.

By-Law No. 2004-79 to appoint the Managing Director, Community Services.

By-Law No. 2004-80 to appoint the Managing Director, Corporate Services and City Solicitor.

By-Law No. 2004-81 to execute an Agreement with The North Bay General Hospital & Northeast Mental Health Centre relating to off-site infrastructure.

By-Law No. 2004-84 to execute a Lease Agreement with the YMCA of North Bay and District relating to the Aquatic Community Centre.

By-Law No. 2004-85 to amend By-Law No. 2003-96 to authorize certain Capital Works for the City of North Bay.

By-Law No. 2004-86 to amend By-Law No. 2003-97 to authorize certain Capital Works for the City of North Bay.

By-Law No. 2004-87 to amend By-Law No. 2003-98 to authorize certain Capital Works for the City of North Bay.

"CARRIED"

Res. #2004-319: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2004-75 to execute an Operating Agreement with the North Bay Area Museum operating as Heritage North Bay relating to the Community Waterfront Park.

By-Law No. 2004-76 to authorize the Transit Coach Replacement and Refurbishment Programs.

By-law No. 2004-77 to amend By-Law No. 2001-71 to authorize changes to user fee schedules for various departments at City Hall (Schedule "A" - Clerks Department).

By-Law No. 2004-78 to appoint a Chief Administrative Officer.

By-Law No. 2004-79 to appoint the Managing Director, Community Services.

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By-Law No. 2004-84 to execute a Lease Agreement with the YMCA of North Bay and District relating to the Aquatic Community Centre.

By-Law No. 2004-85 to amend By-Law No. 2003-96 to authorize certain Capital Works for the City of North Bay.

By-Law No. 2004-86 to amend By-Law No. 2003-97 to authorize certain Capital Works for the City of North Bay.

By-Law No. 2004-87 to amend By-Law No. 2003-98 to authorize certain Capital Works for the City of North Bay.

“CARRIED”

Res. #2004-320: Moved by Councillor Anthony, seconded by Councillor Bain
That the following by-law be read a first and second time:

By-Law No. 2004-83 to execute a Lease Agreement with 890242 Ontario Inc. relating to 112 Patton Street (Recycling Centre).

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as his brother is a principle in the company.

Res. #2004-321: Moved by Councillor Anthony, seconded by Councillor Bain
That the following by-law be read a third time and passed:

By-Law No. 2004-83 to execute a Lease Agreement with 890242 Ontario Inc. relating to 112 Patton Street (Recycling Centre).

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as his brother is a principle in the company.

Res. #2004-322a: Moved by Councillor Chirico, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2004-67 to stop up, close and convey a portion of Hepburn and Stewart Streets.

By-Law No. 2004-70 to stop up, close and convey a portion of the laneway bounded by Victoria Street, Wyld Street, Ferguson Street and Princess Street.

“CARRIED AS AMENDED”

Res. #2004-322b: Moved by Councillor Maroosis, seconded by Councillor Boldt
That By-Law No. 2004-70 to stop up, close and convey a portion of the laneway bounded by Victoria Street, Wyld Street, Ferguson Street and Princess Street be referred to the General Government Committee for further information.

“CARRIED”

Res. #2004-323: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a third time and passed:

By-Law No. 2004-74 to rezone certain lands on Connaught Avenue
(1558758 Ontario Limited).

“CARRIED”

Res. #2004-324: Moved by Councillor Chirico, seconded by Councillor Anthony
That Council adjourn in-camera to discuss a personnel matter and property
matter.

“CARRIED”

Councillor Boldt left the meeting when Council was in-camera.

Res. #2004-325: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) the City Clerk be directed to bring forward a by-law appointing
Brian Rogers to the position of Chief Financial Officer for the
City of North Bay effective February 2, 2004; and
2) Schedule “C” to By-Law No. 2002-15 be amended to establish
a position of Chief Financial Officer at Grade 13.

“CARRIED”

Res. #2004-326: Moved by Councillor Chirico, seconded by Councillor Anthony
That 1) the request from R.D. Miller, O.L.S., on behalf of Millford
Development Limited, seeking to have the City transfer part of
the City-owned Parcel 9597 WF to Millford Development
Limited be approved, subject to the conditions contained in
Appendix “I” to C.A.O. Report 2004-04; and
2) the City of North Bay agree to pay an apportioned share of the
survey costs associated with two proposed residential lots on
the south side of Gordon Drive.

“CARRIED”

Res. #2004-327: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That this meeting do now adjourn.

“CARRIED”

MAYOR

CITY CLERK