

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, JUNE 29TH, 2009**

PRESENT: Mayor Fedeli, Councillors Chirico, Campbell, Vaillancourt, Vrebosch-Merry, Mayne, Koziol, Graham, Mendicino, Anthony

CORRESPONDENCE:

2025791 Ontario Inc.	re Rezoning application, 380 McPhail Street	(441)
Cecil's Eatery & Beer Society	re Noise By-Law exemption	(431)
Downtown Improvement Area	re Appointment to board	(434)
Widdifield Rural Ratepayers' Assoc.	re Transit fares for rural areas	(436)

REPORTS FROM OFFICERS:

Bullock, P.	re Noise By-Law exemption	(431)
Burke, M.B.	re Part Lot Control By-Law - Third Avenue at Fisher Street	(432)
Carvell, D.	re Ontario Bus Replacement Program	(442)
Carvell, D.	re 2009 Transit Capital Budget Allocation	(443)
Elliott, G.	re Contract Administration and Inspection Services - Algonquin Avenue/McKeown Avenue	(444)
Kitlar, S.	re Temporary Rail Crossing Agreement	(437)
Kitlar, S.	re After School Program Funding proposal	(440)
Knox, J.D.	re North Bay Jack Garland Airport - repairs and maintenance	(435)
Knox, J.D.	re Transit fares for rural areas	(436)
Lang, A.	re Ontario Bus Replacement Program	(442)
Linkie, D.G.	re Collective Agreement - CUPE Local 122-1	(456)
Manning, J.	re RFQ 2009-80, Paving of Hughes Road	(433)

Res. #2009-429: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That minutes for the public meeting held on:

- Monday, June 15, 2009

be adopted as presented.

"CARRIED"

Res. #2009-430: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That minutes for the closed meeting held on:

- Monday, June 15, 2009

be adopted as presented.

"CARRIED"

Res. #2009-431: Moved by Councillor Koziol, seconded by Councillor Mayne
That 1) Cecil's Eatery & Beer Society, 300 Wylde Street, be granted an exemption from North Bay Noise By-Law No. 1976-142, pursuant to Section 5, as requested by John Lechlitner, for the following dates and time:

<u>Date</u>	<u>Time of Exemption Requested</u>
Friday, July 31, 2009	9 pm until 2 am the next day
Saturday, August 1, 2009	9 pm until 2 am the next day
Sunday, August 2, 2009	9 pm until midnight

2) the exemption be conditional to monitoring and recording of sound levels in compliance with the by-law;

- 3) a copy of the monitoring information be forwarded to the City within 10 day of the event; and
- 4) a copy of Report EEW 2009-37 be forwarded to the North Bay Police for information.

“CARRIED”

Res. #2009-432: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Council authorize a Part Lot Control Exemption By-Law to deem Lots 5 to 6, Plan 20, except Part 1, Plan 36R-12328 as shown on a Draft Plan attached to Report to Council CORP 2009-11, as not being subject to Part Lot Control pursuant to section 50(7) of the *Planning Act*.

“CARRIED”

Res. #2009-433: Moved by Councillor Koziol, seconded by Councillor Mayne
That North Bay City Council approve the award of a contract to Miller Paving, a division of Miller Paving Limited, in the amount of \$71,596.80 (GST extra), for the paving of Hughes Road.

“CARRIED”

Res. #2009-434: Moved by Councillor Chirico, seconded by Councillor Campbell
That Council confirm the appointment of Kimberly Gray to the Board of Management of the North Bay Downtown Improvement Area for a term to expire November 30, 2010.

“CARRIED”

Res. #2009-435: Moved by Councillor Anthony, seconded by Councillor Mendicino
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the improvements to the North Bay Jack Garland Airport, being 2009 Capital Budget Project No. 84 at a net debenture cost of \$214,000.00.

“CARRIED”

Res. #2009-436: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Council review the Transit Fares charged to rural users during the 2010 Budget process.

“CARRIED”

Res. #2009-437: Moved by Councillor Anthony, seconded by Councillor Mendicino
That

- 1) the Mayor and City Clerk be authorized to sign the proposed Agreement with Ottawa Valley Railway in order to facilitate access to the waterfront site for the North Rocks the Bay concerts for the period of July 31, 2009 to August 3, 2009 as described in Report to Council CSBU 2009-68 dated June 22, 2009; and
- 2) the Execution By-Law be presented for three readings on June 29, 2009.

“CARRIED”

Res. #2009-438: Moved by Councillor Chirico, seconded by Councillor Campbell
That accounts totaling \$8,086,530.69 for May 2009 be approved.

“CARRIED”

Res. #2009-439: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That accounts for Royal Bank totaling \$1,730.25 for May 2009 be approved.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter and he is employed by the Royal Bank.

Res. #2009-440: Moved by Councillor Anthony, seconded by Councillor Mendicino That Report to Council No. CSBU 2009-69 dated June 24, 2009 from Sharon Kitlar relating to After School Program Funding be received for information purposes only.

“CARRIED”

Res. #2009-441: Moved by Councillor Anthony, seconded by Councillor Mendicino That the Rezoning application by Steve Crea Homes Limited on behalf of 2025791 Ontario Inc. - 380 McPhail Street be received and referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2009-442: Moved by Councillor Anthony, seconded by Councillor Mendicino That

- 1) the City enter into a Letter of Agreement with the Minister of Transportation for Ontario Bus Replacement Program Funding of up to \$366,300 for 2009;
- 2) the Mayor and Chief Financial Officer be authorized to sign the Letter of Agreement on behalf of the City; and
- 3) an authorizing by-law be presented for three (3) readings at the Council Meeting on June 29, 2009.

“CARRIED”

Res. #2009-443: Moved by Councillor Anthony, seconded by Councillor Mendicino That

- 1) a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the 2009 Transit Coach Replacement Program, Capital Project No. 82, at a net debenture cost of \$324,000; and
- 2) City Council authorize the tendering of one Parabus for 2009 and one Parabus for 2010 pending Capital approval in 2010.

“CARRIED”

Res. #2009-444: Moved by Councillor Koziol, seconded by Councillor Mayne That

- 1) North Bay City Council approve a contract be awarded to Trow Associates Inc. in the amount of \$325,730.12 (not including GST), for Construction Contract Administration and Inspection Services for Algonquin Avenue and McKeown Avenue reconstruction; and
- 2) a copy of Report EESW 2009-36 dated June 25, 2009 by George Elliott, Senior Municipal Engineering, be forwarded to Jeff Cole, Ministry of Transportation for information.

“CARRIED”

Res. #2009-445: Moved by Councillor Chirico, seconded by Councillor Campbell That the following by-law be read a first and second time:

By-Law No. 2009-142 to stop up, close and convey a portion of the laneway in a block bounded by Durrill Street, McLaren Street, Bloem Street and Bourke Street.

“CARRIED”

Res. #2009-446: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That the following by-laws be read a first and second time:

By-Law No. 2009-143 to authorize the Unidirectional Flushing Program.

By-Law No. 2009-147 to authorize the purchase of lands from Laurie Catherine Mayrhofer and Nestor J. Prisco for an outdoor sports complex (Lakeshore Drive).

By-Law No. 2009-148 to execute an Agreement with North Bay Hydro Distribution Limited relating to the Pinewood Hydro System.

“CARRIED”

Councillor Campbell declared a conflict of interest on By-Law No. 2009-147 as she owns property in the area of the subject lands.

Res. #2009-447: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That the following by-laws be read a third time and passed:

By-Law No. 2009-143 to authorize the Unidirectional Flushing Program.

By-Law No. 2009-147 to authorize the purchase of lands from Laurie Catherine Mayrhofer and Nestor J. Prisco for an outdoor sports complex (Lakeshore Drive).

By-Law No. 2009-148 to execute an Agreement with North Bay Hydro Distribution Limited relating to the Pinewood Hydro System.

“CARRIED”

Councillor Campbell declared a conflict of interest on By-Law No. 2009-147 as she owns property in the area of the subject lands.

Res. #2009-448: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2009-146 to amend By-Law No. 2005-110 to rezone certain lands on Connaught Avenue and Norman Avenue (Millford Developments).

By-Law No. 2009-149 to execute an Agreement with Ottawa Valley Railway, operated by RaiLink Canada Ltd. relating to a temporary rail crossing and communication.

By-Law No. 2009-151 to execute an Agreement with Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario relating to funding under the Ontario Bus Replacement Program.

By-Law No. 2009-152 to execute an Agreement with KRB Mechanical Limited relating to replacement of the exhaust system at Pete Palangio Arena.

By-Law No. 2009-154 to execute an Agreement with 2076092 Ontario Inc. operating as Greenstone Landscaping & Design relating to the supply and installation of interlocking concrete paving stones.

By-Law No. 2009-155 to execute an Agreement with Niroc Construction Ltd. relating to washroom renovations at Pete Palangio Arena.

By-Law No. 2009-157 to execute an Agreement with Monteith Building Group Ltd. relating to the construction of a dressing room at Memorial Gardens.

“CARRIED”

Res. #2009-449: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:

By-Law No. 2009-146 to amend By-Law No. 2005-110 to rezone certain lands on Connaught Avenue and Norman Avenue (Millford Developments).

By-Law No. 2009-149 to execute an Agreement with Ottawa Valley Railway, operated by RaiLink Canada Ltd. relating to a temporary rail crossing and communication.

By-Law No. 2009-151 to execute an Agreement with Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation for the Province of Ontario relating to funding under the Ontario Bus Replacement Program.

By-Law No. 2009-152 to execute an Agreement with KRB Mechanical Limited relating to replacement of the exhaust system at Pete Palangio Arena.

By-Law No. 2009-154 to execute an Agreement with 2076092 Ontario Inc. operating as Greenstone Landscaping & Design relating to the supply and installation of interlocking concrete paving stones.

By-Law No. 2009-155 to execute an Agreement with Niroc Construction Ltd. relating to washroom renovations at Pete Palangio Arena.

By-Law No. 2009-157 to execute an Agreement with Monteith Building Group Ltd. relating to the construction of a dressing room at Memorial Gardens.

“CARRIED”

Res. #2009-450: Moved by Councillor Koziol, seconded by Councillor Mayne
That the following by-laws be read a first and second time:

By-Law No. 2009-153 to execute an Agreement with AECOM Canada Ltd. relating to the design and rehabilitation of Trout Lake Road.

By-Law No. 2009-156 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to the reconstruction of Algonquin Avenue/McKeown Avenue/ Airport Road.

“CARRIED”

Res. #2009-451: Moved by Councillor Koziol, seconded by Councillor Mayne
That the following by-laws be read a third time and passed:

By-Law No. 2009-153 to execute an Agreement with AECOM Canada Ltd. relating to the design and rehabilitation of Trout Lake Road.

By-Law No. 2009-156 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to the reconstruction of Algonquin Avenue/McKeown Avenue/ Airport Road.

“CARRIED”

Res. #2009-452:

Moved by Councillor Graham, seconded by Councillor Anthony
WHEREAS the proposed new Harmonized Sales Tax (HST) will negatively impact the registration costs for minor sports by an increase in facility rental fees and registration fees;

AND WHEREAS these increased costs will prevent some youth from participating in sporting activities;

THEREFORE BE IT RESOLVED THAT we, City Council for the City of North Bay, send an appeal to the Provincial Government to exempt items related to the rental of recreation facilities and registration fees for minor sports to ensure that all youth are able to afford to participate;

AND FURTHER THAT a copy of this resolution be forwarded to the Hon. Monique Smith, Nipissing MPP and Tourism Minister; MP Anthony Rota; Hon. Dalton McGuinty, Premier of Ontario as well as Hon. Dwight Duncan, Minister of Finance; Hon. Margaret Best, Minister of Health Promotion; and Hon. Deborah Matthews, Minister of Children and Youth Services;

AND FURTHER THAT a copy of this resolution asking for support be forwarded to the leaders of the Provincial opposition; Federation of Northern Ontario Municipalities; Association of Municipalities of Ontario and the Federation of Canadian Municipalities.

“CARRIED”

Res. #2009-453:

Moved by Councillor Campbell, seconded by Councillor Vrebosch-Merry
WHEREAS public libraries have a strong role in literacy, innovation, community and prosperity in municipalities;

AND WHEREAS the Ministry of Culture is currently updating its policies related to supporting public libraries as they wish to ensure that policies position public libraries for the future;

AND WHEREAS the role of learning in Ontario's future knowledge-based economy grows, the informal learning systems of public libraries will be even more important;

AND WHEREAS the library of the future will need to respond to a new social, technological and economic environment;

AND WHEREAS municipalities are incurring the majority of costs associated with delivering library programming;

AND WHEREAS those same municipalities bear the majority of the costs to build and maintain library facilities;

AND WHEREAS the province has decreased its annual grants since 1985 from 15% of annual revenue to 4% of annual revenue which continues to threaten the future of these engines of cultural and economic development.

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the City of North Bay petitions that the Province increase its annual grants to 15% of library revenue.

AND FURTHER THAT a copy of the motion be forwarded to the Premier of Ontario, the Honourable Aileen Carroll Minister of Culture, the Honourable Monique Smith MPP for Nipissing, the Ontario Library Service, Association of Municipalities of Ontario, the Federation of Northern Ontario Municipalities, the Leaders of the Opposition and to the North Bay Public Library Board.

“CARRIED”

Res. #2009-454: Moved by Councillor Chirico, seconded by Councillor Campbell That Council adjourn in-camera pursuant to section 239 of the *Municipal Act, 2001*, as amended, at 7:44 p.m. for the following reasons: Item 15, being a pending acquisition of land by the municipality; Items 16 and 17, being potential disposition of lands by the municipality; and Addendum Item 18, being a matter involving employee negotiations.

“CARRIED”

Res. #2009-455: Moved by Councillor Chirico, seconded by Councillor Campbell That Council reconvene at 8:15 p.m.

“CARRIED”

Res. #2009-456: Moved by Councillor Chirico, seconded by Councillor Campbell That Council ratify the terms of settlement of the Collective Agreement between the City of North Bay and CUPE Local 122-1, to extend it to December 31, 2011, and to authorize the signing of the final agreement.

“CARRIED”

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

Yeas: Councillors Mendicino, Vaillancourt, Graham, Anthony, Mayne, Koziol, Campbell, Vrebosch-Merry, Chirico, Mayor Fedeli

Res. #2009-457: Moved by Councillor Graham, seconded by Councillor Chirico That this Regular Meeting of Council do now adjourn at 8:17 p.m.

“CARRIED”

MAYOR VIC FEDELI

CITY CLERK CATHERINE CONRAD