

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, FEBRUARY 9TH, 2004**

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

CORRESPONDENCE:

Eadie, Bobbi re Resignation from Water Conservation Advisory Committee (85)

REPORTS FROM OFFICERS:

Baker, B.R. re MTO Re-Audit of Commercial Vehicle Operator's Registration Certificate (84)

Bullock, P. re Curbside garbage collection user pay options (94)

Burke, M.B. re DIA Parking Lot (89)

Burke, M.B. re Councillor's remuneration for DNSSAB & North Bay-Mattawa Conservation Authority (90)

Burke, M.B. re Community Emergency Response Volunteers Funding Agreement (97)

Burke, M.B. re Air Base Property Corporation - Apron #1 (107)

Conrad, C.M. re Council appointment to FONOM (83)

Elliott, G. re Highway intersection improvements - Seymour Street Home Depot Development (98)

Horsman, B. re Format to assess construction values to provide a fair and equitable method of assigning permit fees (96)

Houston, J. re Paid parking at arena facilities (93)

Kilgour, I.G. re Mapleview Place road allowance (95)

Kitlar, S. re Park Vendor Fees - 2004 (87)

Lang, A. re Annual Payment - Transit Renewal Funds (86)

Linkie, D.G. re Sale of surplus City properties (108)

Ringler, T.G. re Revenue enhancements - Parking (92)

Ringler, T.G. re Paid parking at arena facilities (93)

Rogers, B.A. re Water and Sanitary Sewer Rates (91)

Simmonds, J.C. re Christmas tree collection (82)

Simmonds, J.C. re Condominium development - 533 Lakeshore Drive (88)

Res. #2004-74: Moved by Councillor Boldt, seconded by Councillor Vaillancourt
That minutes for the meetings held:

- Monday, January 26, 2004; and
- Monday, February 2, 2004

be adopted as presented.

"CARRIED"

Res. #2004-75: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That General Government Committee Report No. 2004-04 relating to:

- the Community Waterfront Park; and
- North Bay & District Health Unit levy

be adopted as presented.

"CARRIED"

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2004-04

February 9, 2004

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2004-04 and recommends:

1. That Council consider entering into an Operating Agreement with the North Bay Area Museum operating as Heritage North Bay for the operation of the Community Waterfront Park.
2. That
 - a) Report to Council CORP 2004-02 concerning the North Bay & District Health Unit levy be received;
 - b) Council endorse the motion of the Health Unit to request that the Minister of Health pay 100% of all mandatory Health Programs and Services Guidelines and the Minister of Health be so advised; and
 - c) copies of this resolution be sent to all participating Municipalities.

All of which is respectfully submitted.

ASSENTS

BAIN
VAILLANCOURT
FEDELI

DISSENTS

Res. #2004-76:

Moved by Councillor Mendicino, seconded by Councillor Koziol
That Community Services Committee Report No. 2004-06 relating to:

- Downtown Community Improvement Plan 2003 Annual Report; and
- an Action Plan for *Bill 124*

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2004-06

February 9, 2004

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2004-06 and recommends:

1. That the 2003 Annual Report for the Downtown Community Improvement Plan be received.
2. That Council approves Option #1 as set out In Report to Council CSBU 2004-04 which authorizes the use of Registered Code Agencies in accordance with Section 4.1 of the *Building Code Act* and authorizes a Registered Code Agent to enter into agreements with the municipality as determined by the Chief Building Official.

- 3. That Council approves Option #1 as set out in Report to Council CSBU 2004-05 which directs the Chief Building Official, with support from the Information Technology and Financial Services Departments, to develop a method to assess and collect building permit fees based on 100% recovery costs to provide services for the issuance and administration of building permits in accordance with the provision of *Bill 124*.

All of which is respectfully submitted.

ASSENTS
MENDICINO
KOZIOL
MAROOSIS
FEDELI

DISSENTS

Res. #2004 -77a: Moved by Councillor Mendicino, seconded by Councillor Koziol That Community Services Committee Report No. 2004-07 relating to:

- rezoning by Ted Josefowich, 280 Airport Road

be adopted as presented.

“CARRIED AS AMENDED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2004-07

February 9, 2004

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2004-07 and recommends:

- 1. That
 - a) the application by D’Agostino and Associates on behalf of Ted Josefowich Investments Ltd. to rezone Part of the South ½ Lot 20, Concession “B”, Plan NR-806, Parts 1, 2 and 3, Parcel 8643 W&F (280 Airport Road) from a “Light Industrial (M2)” zone to a “District Commercial Special (C4 Sp.)” zone be approved;
 - 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 access, parking, site grading and drainage, servicing, building location, landscaping, fencing, lighting, vegetative buffer and stormwater management; and
 - c) the “Fast Track” rezoning process, as per Council Resolution 2001-706, be applied and that subject by-laws be given three (3) readings at Council’s regular scheduled Council Meeting of February 9, 2004.

All of which is respectfully submitted.

ASSENTS
MENDICINO
KOZIOL
MAROOSIS

DISSENTS

Res. #2004-77b: Moved by Councillor Mendicino, seconded by Councillor Koziol That Community Services Committee Report No. 2004-07 be amended as follows:

- (i) section (b) be amended to add “and the completion of a traffic study”;
and
- (ii) section (c) be deleted.

“CARRIED”

Res. #2004-78: Moved by Councillor Mason, seconded by Councillor Boldt
That Engineering & Works Committee Report No. 2004-02 relating to:

- vegetation controls

be adopted as presented.

“CARRIED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2004-02

February 9, 2004

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2004-02 and recommends:

1. That a review of the need for vegetation controls and appropriate mechanisms to establish vegetation controls on a citywide basis be referred to the Comprehensive Official Plan Review process.

All of which is respectfully submitted.

ASSENTS
MASON
BOLDT
CAMPBELL
FEDELI

DISSENTS

Res. #2004-79: Moved by Councillor Mason, seconded by Councillor Boldt
That Engineering & Works Committee Report No. 2004-03 relating to:

- the Colgan Avenue road allowance

be adopted as presented.

“CARRIED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2004-03

February 9, 2004

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2004-03 and recommends:

- 1. That a) Report to Council PW&S 2004-01 from B.R. Baker dated January 19, 2004 be received; and
- b) staff be directed to close the Colgan Avenue road allowance.

All of which is respectfully submitted.

ASSENTS
MASON
BOLDT
CAMPBELL
FEDELI

DISSENTS

Res. #2004-80: Moved by Councillor Mason, seconded by Councillor Boldt
That Engineering & Works Committee Report No. 2004-04 relating to:

- prohibited parking on Premier Road

be adopted as presented.

“CARRIED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2004-04

February 9, 2004

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2004-04 and recommends:

- 1. That a) Traffic & Parking By-Law 2002-01 be amended as shown in Option #4 of Report EES 2003-065, i.e.: the parking to be restricted at all times on the east side of Premier Road from Birch Street to Hollywood Street and winter parking restrictions to be applied on the west side of Premier Road, Birch Street to Hollywood Street;
- b) the Public Works & Services Department be requested to trim vegetation on Premier Road near Birch Street; and
- c) a copy of Report EES 2003-065 be forwarded to Mr. Gerry Stewart, Mr. George Payne and Mr. Richard Laframboise for their information.

All of which is respectfully submitted.

ASSENTS
MASON
BOLDT
CAMPBELL
FEDELI

DISSENTS

Res. #2004-81: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That Striking Committee Report No. 2004-01 relating to the appointment to:

- Nipissing District Housing Corporation; and
- Water Conservation Advisory Committee

be adopted as presented.

“CARRIED”

STRIKING COMMITTEE REPORT NO. 2004-01

February 9, 2004

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

Your Worship and Councillors:

The Striking Committee presents Report No. 2004-01 and recommends as follows:

- 1. That the following citizens be appointed to the Nipissing District Housing Corporation for a three year term to expire November 30, 2006;

Linda (May) Hearst; and
Robert F. Kingsnorth.

- 2. That the following citizen be appointed to the Water Conservation Advisory Committee for a three year term to expire November 30, 2006:

Elizabeth Appleton.

All of which is respectfully submitted.

Res. #2004-82: Moved by Councillor Mason, seconded by Councillor Boldt
That the existing Christmas Tree Collection Program be maintained using
City forces.

“CARRIED”

Res. #2004-83: Moved by Councillor Vaillancourt, seconded by Councillor Campbell
That Council appoint Councillor Mac Bain as their representative to the
Federation of Northern Ontario Municipalities for a three year term to expire
November 30, 2006.

“CARRIED”

Res. #2004-84: Moved by Councillor Mason, seconded by Councillor Boldt
That the appropriate City staff continue to make the necessary changes to
ensure that the Corporation’s CVOR Certificate is maintained at a
minimum “Satisfactory” rating.

“CARRIED”

Res. #2004-85: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That the resignation of Bobbi Eadie from the Water Conservation Advisory
Committee be accepted with regret and Mrs. Eadie be thanked for her
involvement on the board.

“CARRIED”

Res. #2004-86: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That the Petition for Annual Payment of Renewal Funds - Conventional
Transit, form MT-0-08 (07/2002) and form MT-0-7 (05/2002) resulting in

a subsidy of \$443,333 be approved by Council and submitted to the Ontario Ministry of Transportation under the Ontario Transit Renewal Program.

“CARRIED”

Res. #2004-87: Moved by Councillor Mendicino, seconded by Councillor Koziol
That 1) the fee increases attached to Report CSBU 2004-12 for Park Vendors be approved; and
2) the Park Vendor Fee fall under the User Fee By-Law No. 2001-71 and commencing January 1, 2005, be subject to the annual adjustment as specified in the By-Law.

“CARRIED”

Res. #2004-88: Moved by Councillor Mason, seconded by Councillor Boldt
That the report from J.C. Simmonds dated January 28, 2004 re Proposed condominium development - 533 Lakeshore Drive, Descon Development Corporation be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2004-89: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That the Parking Department provide the replacement parking for the former Downtown Improvement Area Parking Lot 10 directly in order to minimize capital costs and to maintain flexibility for the development of the Community Waterfront Park.

“CARRIED”

Res. #2004-90: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That Council request that:
1) the District of Nipissing Social Services Administration Board, the North Bay-Mattawa Conservation Authority and any other applicable boards, create two classes of directors, those whose Council's remuneration is intended to include sitting on local boards, and those whose do not; and
2) the District of Nipissing Social Services Administration Board, the North Bay-Mattawa Conservation Authority and any other applicable boards, apply the salary cost of directors to those municipalities whose Council remuneration does not include sitting as a director on a local board.

“CARRIED”

Res. #2004-91a: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That 1) in accordance with the direction contained in the *Sustainable Water and Sewage Systems Act, 2002*, the current policy of recovering all water and sanitary system operating, capital and financing costs from user rates be maintained;
2) the Water Rates By-Law 2003-24 be amended by increasing all water rates by 10% effective March 1, 2004;
3) the sanitary sewer charge remain at 106% of water charges; and

- 4) the Water Filtration By-Law 2003-91 be amended by decreasing the charge being calculated based on the gross water component of water accounts from 20% to 18.2%.

“CARRIED AS AMENDED”

Res. #2004-91b: Moved by Councillor Campbell, seconded by Councillor Boldt
That Section (5) be added as follows:

- 5) a full report and evaluation of rate structure be filed by November 2004.

“CARRIED”

Res. #2004-92: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That

- 1) all monthly parking fees with the exception of Lot #7A and Lot #10 be increased by 10% effective April 1, 2004; and
- 2) effective April 1, 2004, paid parking be instituted on Saturdays at all on-street meters.

“CARRIED”

Res. #2004-93: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the report from J. Houston/T.G. Ringler dated February 5, 2004 re Paid parking at arena facilities be referred to the Community Services Committee.

“CARRIED”

Res. #2004-94: Moved by Councillor Mason, seconded by Councillor Boldt
That the report from P. Bullock dated February 3, 2004 re Curbside garbage collection user pay options be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2004-95: Moved by Councillor Mendicino, seconded by Councillor Koziol
That

- 1) the application by Rick Miller, OLS, on behalf of Laurentian Heights Limited to close portions of the Mapleview Place road allowance described as Parts 1, 2, 3 and 4, 36R-11606 be approved;
- 2) Parts 1, 2, 3 and 4, 36R-11606 be transferred to the abutting owners, only after Final Approval is given by Council to Phase 2 of the Laurentian Heights Subdivision Development;
- 3) the closure and sale 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 road allowance.

“CARRIED”

Res. #2004-96: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Council approve Option #2 as outlined in Report CSBU 2004-11 and directs the City Clerk to prepare an amendment to revoke Section 7.1.4. (a) of By-Law No. 47-95 and substitute the following:

Section 7.1.4.(a) - "The Office of the Chief Building Official shall determine the estimated cost of construction using the value from the RS Means, Square Foot Costs, 24th Annual Edition 2003, and related Means Contractor's Pricing Guide 2003 effective April 1, 2004. If the permit applicant or holder disagrees with this valuation, the fee prescribed shall be paid before the issuance of the Permit."

"CARRIED"

Res. #2004-97: Moved by Councillor Mendicino, seconded by Councillor Koziol
That Council approve the funding agreement for \$4,800.00 for Community Emergency Response Volunteers provided by the Ministry of Community Safety and Correctional Services.

"CARRIED"

Res. #2004-98: Moved by Councillor Mason, seconded by Councillor Boldt
That a) a Capital By-Law be prepared for \$750,000 including financing and contingencies in 2004 for the Seymour Street servicing works and for \$250,000 for 2005 for the prepaid taxes for Home Depot's share of the works on the MTO intersection; and
b) cost share revenues from ongoing negotiations with the MTO and the sale of surplus Franklin Street lands be used to reduce the Capital commitment to the Seymour Street Development Project.

"CARRIED"

Res. #2004-99: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That the following by-law be read a first and second time:

By-Law No. 2004-04 to authorize the servicing works and pre-paid taxes for the Ministry of Transportation Works (Home Depot of Canada).

"CARRIED"

Res. #2004-100: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That the following by-law be read a third time and passed:

By-Law No. 2004-04 to authorize the servicing works and pre-paid taxes for the Ministry of Transportation Works (Home Depot of Canada).

"CARRIED"

Res. #2004-101: Moved by Councillor Mendicino, seconded by Councillor Koziol
That the following by-law be read a first and second time:

By-Law No. 2004-27 to adopt Official Plan Amendment No. 96 (Dr. Larry Woodward - Cooks Mill Road).

"CARRIED"

Res. #2004-102: Moved by Councillor Mason, seconded by Councillor Boldt
That the following by-laws be read a first and second time:

By-Law No. 2004-02 to control the use of pesticides around the Trout Lake watershed.

By-Law No. 2004-28 to amend Traffic & Parking By-Law No. 2002-001, Schedule 5 (Designated Through Highways).

By-Law No. 2004-29 to amend Traffic & Parking By-Law No. 2002-001, Schedule 11 (School Bus Loading Zones).

“CARRIED”

Res. #2004-103: Moved by Councillor Mason, seconded by Councillor Boldt
That the following by-laws be read a third time and passed:

By-Law No. 2004-02 to control the use of pesticides around the Trout Lake watershed.

By-Law No. 2004-28 to amend Traffic & Parking By-Law No. 2002-001, Schedule 5 (Designated Through Highways).

By-Law No. 2004-29 to amend Traffic & Parking By-Law No. 2002-001, Schedule 11 (School Bus Loading Zones).

“CARRIED”

Res. #2004-104: Moved by Councillor Boldt, seconded by Councillor Bain
That Snowmobile By-Law No. 11-95 be amended to permit snowmobile trail groomers to use the area of Progress Court, Venture Crescent and Seymour Street, solely for the purpose of accessing mechanical repair facilities in this area.

“CARRIED”

Res. #2004-105: Moved by Councillor Maroosis, seconded by Councillor Mendicino
That Council’s response to the regulations of *Bill 124* that have financial implications be referred to the Community Services Committee so that an appropriate response may be developed.

“CARRIED”

Res. #2004-106: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That Council adjourn in-camera to discuss property matters.

“CARRIED”

Res. #2004-107: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That Council approve Lease Number 2004-01 to continue the existing lease of Apron No. 1, to include an extended right to purchase Apron No. 1 until February 1, 2025 for \$1.00, in consideration of the expenditure of \$1,077,000.00 on the municipal sewer and water services by the Air Base Property Corporation.

“CARRIED”

Res. #2004-108: Moved by Councillor Bain, seconded by Councillor Vaillancourt
That

- 1) the twenty-two properties as more particularly described in Appendix I to C.A.O. Report to Council 2004-01 be declared surplus and offered for sale subject to the provision of the City of North Bay Procedural By-Law;
- 2) the City Solicitor be authorized to commission appraisals on the subject lands;
- 3) the Planning Services staff be directed to commence appraisals on the subject lands;
- 4) the Chief Administrative Officer provide a supplemental report on options for the disposition of the Otter Lake property; and

- 5) the Chief Financial Officer be directed to prepare a strategy for the utilization of the revenue from the sale of these and subsequent surplus City lands.

“CARRIED”

Res. #2004-109: Moved by Councillor Boldt, seconded by Councillor Vaillancourt
That this meeting do now adjourn.

“CARRIED”

MAYOR

CITY CLERK