

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD TUESDAY, APRIL 6TH, 2010**

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

PUBLIC PRESENTATION:

Joyce Ridley	re Circle Lake Rezoning Application	
Richard Woodward	re Circle Lake Rezoning Application	
Mrs. Artan	re Artan Gardens - Laneway to Pond	
Roger Cote	re Lands Purchased from the City	
Gilbert Gagnon	re Free Speech/Road Blocks to being Heard	

CORRESPONDENCE:

North Bay Hydro Distribution	re Appointment to North Bay Hydro Distribution Board	(237)
Yes! Employment Services	re Decreased Tipping Fees	(239)

REPORTS FROM OFFICERS:

Bullock, P.	re Corporate Energy Conservation Annual Report	(240)
Carvell, D.	re North Highway Bus Route	(236)
Cox, A.	re Capital Budget Project - 3066SS Sanitary Sewer Rehabilitation Program	(248)
Cox, A.	re Capital Budget Project - 3021RD Road Culvert Replacement	(249)
Cox, A.	re 3022RD Rural Roadway Reconstruction	(250)
Cox, A.	re 3014RD Design Work - Next Year's Projects	(251)
Cox, A.	re 3018RD Asphalt Resurfacing Sheeting Program	(252)
Cox, A.	re 3019RD Residential Street Rehabilitation Program	(253)
Cox, A.	re 3025RD Bridge Rehabilitation Program	(254)
Cox, A.	re 3026RD Downtown Roads/Sidewalk Maintenance	(255)
Hillier, B.	re Airport Industrial Community Improvement Plan (ACIP)	(260)
Janisse, L.	re Collective Agreement - NBPFA	(242)
Killins, S.	re Annual Report - Building Permit Fees for 2009	(241)
Korell, A.	re Decreased Tipping Fees	(239)
Korell, A.	re Kate Pace Way - Memorial Drive & Gormanville Road	(243)
Manning, J.	re Tender 2010-18, Trackless Municipal Tractor	(244)
Manning, J.	re Tender 2010-29, Sidewalk Replacement Program	(245)
Manning, J.	re Tender 2010-20, Supply of 3 Crew Cab Dump Trucks	(246)
Manning, J.	re Tender 2010-24, Supply of 1 Tandem Dump Truck	(247)
Manning, J.	re RFP 2010-01, Provision of Recycling, Collection/Processing & Marketing Services /Garbage Collection/Transportation to Merrick Landfill Site Services	(259)
McArthur, S.	re Peter & Judith Baldasaro - 165 Little Down Lane	(238)

- Rochefort, L. re Reduction, Cancellation & Refund of Taxes (Section 357) (257)
- Rochefort, L. re Reduction, Cancellation & Refund of Taxes - 160 McIntyre Street West (258)
- Scully, L. re Set Fines/Short Form Wordings - Carbon Monoxide Alarm By-Law 2009-16 (256)

Res. #2010-234: Moved by Councillor Bain, seconded by Councillor Koziol
That minutes for the closed meetings held on:

- Monday, March 22, 2010

be adopted as presented.

“CARRIED”

Res. #2010-235: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Community Services Committee Report No. 2010-07 relating to:

- Rezoning application by Kelly Loxton, Circle Lake Road

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2010-07

April 6, 2010

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2010-07 and recommends:

1. That
 - a) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc., on behalf of Kelly Loxton to rezone the property described as Concession C, Part of Lot 16, Reference Plan 36R-8221, Part 2, Parcels 5079 & 17735 W/F (Circle Lake Road) from a Residential Third Density (R3)” zone to a “Residential Multiple Third Density (RM3)” zone, be approved; and
 - b) the 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 lighting, ingress and egress, building location, garbage, parking, landscaping, lot grading, lot drainage and stormwater management.

All of which is respectfully submitted.

ASSENTS
ANTHONY
MENDICINO
GRAHAM
FEDELI

DISSENTS

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

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

Res. #2010-236: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Report to Council CSBU 2010-54 dated March 23, 2010 from
Dorothy Carvell re North Highway Bus Route be received for information
purposes only.

“CARRIED”

Res. #2010-237: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That Council confirm the appointment of John Osburn to the North Bay
Hydro Distribution Board for a three year term to expire February 28,
2013.

“CARRIED”

Res. #2010-238: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the Mayor and City Clerk be authorized to sign the Subdivision
Agreement with Peter & Judith Baldasaro to permit the creation of three
(3) new lots on Little Down Lane in the City of North Bay upon receipt of
all security, direct City charges, cash in-lieu of parkland dedication,
Stormwater Management fees and any required easements.

“CARRIED”

Res. #2010-239: Moved by Councillor Koziol, seconded by Councillor Bain
That tipping fees from Yes! Employment Services renovation work be
frozen at \$68/tonne until the end of 2010.

“CARRIED”

Res. #2010-240: Moved by Councillor Koziol, seconded by Councillor Bain
That the 2009 Corporate Energy Conservation - Annual Report attached
to Report to Council EESW 2010-11 dated March 26, 2010 from Peter
Bullock be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2010-241: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Council refer the 2009 Annual Report on Building Permit Fees
attached to Report to Council CSBU 2010-57 dated March 29, 2010 from
Shawn Killins to the Community Services Committee for a Public
Meeting.

“CARRIED”

Res. #2010-242: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the Council of the City of North Bay authorize the Mayor and City
Clerk to sign the Collective Agreement with the North Bay Professional
Firefighters' Association covering the period of January 1, 2004 to
December 31, 2010.

“CARRIED”

Res. #2010-243: Moved by Councillor Koziol, seconded by Councillor Bain
That the Report from Alan Korell & Jamie Houston dated March 26, 2010
re Kate Pace Way, West End Bike Route connection between Memorial
Drive and Gormanville Road be referred to the Engineering & Works
Committee.

“CARRIED”

Res. #2010-244: Moved by Councillor Koziol, seconded by Councillor Bain
That North Bay City Council approve a contract be awarded to Work
Equipment Ltd., in the amount of \$112,445.00 (taxes extra), for the
supply of one Trackless Municipal Tractor c/w Hydraulic Angle Plow.

“CARRIED”

Res. #2010-245: Moved by Councillor Koziol, seconded by Councillor Bain
That North Bay City Council approve a contract be awarded to Battano
Construction Ltd., in the estimated amount of \$126,000.00 (taxes
included), to replace sidewalks on a requested basis from the date of
contract to October 31, 2010.

“CARRIED”

Res. #2010-246: Moved by Councillor Koziol, seconded by Councillor Bain
That North Bay City Council approve a contract be issued to George
Stockfish Ford Sales (1987) Ltd., in the amount of \$198,972.81 (taxes
included), for the supply of three (3) Crew Cab Dump Trucks.

“CARRIED”

Res. #2010-247: Moved by Councillor Koziol, seconded by Councillor Bain
That North Bay City Council approve a contract be issued to Canadian
Fleet Services in the amount of \$143,261.20 (taxes included), for the
supply of one (1) Tandem Dump Truck.

“CARRIED”

Res. #2010-248: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law be prepared for Council's
consideration to authorize the 3066SS Sanitary Sewer Rehabilitation
program for the Engineering, Environmental Services and Works
Department, being 2010 Water and Sanitary Sewer Capital Budget
Project Line Item #W16, at a net debenture cost of \$300,000.00.

“CARRIED”

Res. #2010-249: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law be prepared for Council's
consideration to authorize the replacement of various rural road culverts,
being a 2010 Capital Budget Line Item #65, at a net debenture cost of
\$150,000.00.

“CARRIED”

Res. #2010-250: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law be prepared for Council's
consideration to authorize the 3022RD Rural Roadway Reconstruction
program, being a 2010 Capital Budget Line Item #66, at a net debenture
cost of \$500,000.00.

“CARRIED”

Res. #2010-251: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law be prepared for Council's
consideration to authorize the 3014RD Engineering Design Work project,
being a 2010 Capital Budget Line Item #58, at a net debenture cost of
\$50,000.00.

“CARRIED”

Res. #2010-252: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the 3018RD Asphalt Resurfacing Sheeting program, being a 2010 Capital Budget Line Item #62, at a net debenture cost of \$100,000.00.

"CARRIED"

Res. #2010-253: Moved by Councillor Koziol, seconded by Councillor Bain
That a Capital Expenditure By-Law be prepared for Council's consideration to authorize the Residential Street Rehabilitation program, being a 2010 Capital Budget Line Item #63 and #W48, at a net debenture cost of \$500,000.00.

"CARRIED"

Res. #2010-254: Moved by Councillor Koziol, seconded by Councillor Bain
That 1) a Capital Expenditure By-Law be prepared for Council's consideration to authorize the 3025RD Bridge Rehabilitation project, being a 2010 Capital Budget Line Item #69, at a net debenture cost of \$100,000,00; and
2) individual reports may be provided to Council with respect to the various components of this project.

"CARRIED"

Res. #2010-255: Moved by Councillor Koziol, seconded by Councillor Bain
That 1) a Capital Expenditure By-Law be prepared for Council's consideration to authorize the 3026RD Downtown Roads and Sidewalk Maintenance program, being a 2010 Capital Budget Line Item #70, at a net debenture cost of \$75,000,00; and
2) individual reports may be provided to Council with respect to the various components of this project.

"CARRIED"

Res. #2010-256: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That Council authorize an application for approval of set fines and short form wordings for offences contrary to Carbon Monoxide Alarm By-Law No. 2009-16, as amended, as contained in Schedule "A" attached to Report to Council CORP 2010-57.

"CARRIED"

Councillor Koziol declared a conflict of interest as she is a multi-residential property owner.

Res. #2010-257: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That the tax appeal applications attached to CORP Report No. 2010-43 that have been returned with a positive recommendation from the Municipal Property Assessment Corporation, be adjusted for the period set out on each application form and that the applicable taxes be cancelled, reduced or refunded as authorized by Section 357 of the *Municipal Act*, S.O. 2001, c.25.

"CARRIED"

Res. #2010-258: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That tax appeal Application No. 2010-35 attached to CORP Report No. 2010-44 be approved and adjusted for the period set out on the application form and that the applicable taxes be cancelled, reduced or refunded as authorized by Section 357 of the *Municipal Act*, S.O. 2001, c.25.

“CARRIED”

Res. #2010-259: Moved by Councillor Koziol, seconded by Councillor Bain That Report to Council CORP 2010-58 relating to RFP 2010-01, Provision of a Recycling Collection/Processing and Marketing Services and provision of Garbage Collection and Transportation to the Merrick Landfill Site Services, be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2010-260: Moved by Councillor Anthony, seconded by Councillor Mendicino That Report to Council CSBU 2010-19 dated March 17, 2010 re Airport Industrial Community Improvement Plan be received and referred to the Community Services Committee for a Public Meeting.

“CARRIED”

Res. #2010-261: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That the following by-law be read a first and second time:

By-Law No. 2010-92 to stop up, close and convey a portion of the unopened Fairway Drive road allowance.

“CARRIED”

Res. #2010-262: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That the following by-laws be read a first and second time:

By-Law No. 2010-76 to authorize the North Bay Public Library’s 2010 Capital Projects.

By-Law No. 2010-77 to authorize the Capitol Centre’s 2010 Capital Projects.

By-Law No. 2010-78 to authorize the North Bay Police Services’ 2010 Capital Projects.

By-Law No. 2010-79 to authorize the North Bay-Mattawa Conservation Authority’s 2010 Capital Projects.

By-Law No. 2010-80 to authorize the Bridge Reconstruction – Lakeshore Drive Bridge over Lavase River Study.

By-Law No. 2010-81 to authorize the Bridge Reconstruction – Hammond & Stanley Streets Bridges (EA and Removal) Projects.

By-Law No. 2010-82 to authorize Design Work for Future Capital Works Projects for the Engineering, Environmental Services & Works Department.

By-Law No. 2010-83 to authorize the Unidirectional Flushing of City Watermains Project.

By-Law No. 2010-84 to authorize the Geographic Information Systems – Data Update Project.

By-Law No. 2010-85 to authorize the Street Reconstruction – Ski Club Road (Lakeside Drive to Johnston Road) Project.

By-Law No. 2010-86 to authorize the Watermain Replacement, Reaming and Relining Program.

By-Law No. 2010-87 to authorize the Digester Cleaning & Grit Removal Program.

By-Law No. 2010-88 to authorize the Hydrant & Water Valve Rehabilitation Program.

By-Law No. 2010-89 to authorize the Watermain Looping-Automatic Flow Program.

By-Law No. 2010-90 to authorize the Fire Department's New Radio System Project.

“CARRIED”

Res. #2010-263: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That the following by-laws be read a third time and passed:

By-Law No. 2010-76 to authorize the North Bay Public Library's 2010 Capital Projects.

By-Law No. 2010-77 to authorize the Capitol Centre's 2010 Capital Projects.

By-Law No. 2010-78 to authorize the North Bay Police Services' 2010 Capital Projects.

By-Law No. 2010-79 to authorize the North Bay-Mattawa Conservation Authority's 2010 Capital Projects.

By-Law No. 2010-80 to authorize the Bridge Reconstruction – Lakeshore Drive Bridge over Lavase River Study.

By-Law No. 2010-81 to authorize the Bridge Reconstruction – Hammond & Stanley Streets Bridges (EA and Removal) Projects.

By-Law No. 2010-82 to authorize Design Work for Future Capital Works Projects for the Engineering, Environmental Services & Works Department.

By-Law No. 2010-83 to authorize the Unidirectional Flushing of City Watermains Project.

By-Law No. 2010-84 to authorize the Geographic Information Systems – Data Update Project.

By-Law No. 2010-85 to authorize the Street Reconstruction – Ski Club Road (Lakeside Drive to Johnston Road) Project.

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By-Law No. 2010-87 to authorize the Digester Cleaning & Grit Removal Program.

By-Law No. 2010-88 to authorize the Hydrant & Water Valve Rehabilitation Program.

By-Law No. 2010-89 to authorize the Watermain Looping-Automatic Flow Program.

By-Law No. 2010-90 to authorize the Fire Department's New Radio System Project.

"CARRIED"

Res. #2010-264: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2010-93 to rezone certain lands on Circle Lake Road (Kelly Loxton).

"CARRIED"

Res. #2010-265: Moved by Councilor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2010-91 to designate lots on a certain Plan of Subdivision that has been registered for eight (8) years or more as deemed not to be on a Registered Plan of Subdivision.

By-Law No. 2010-94 to designate a Site Plan Control Area on certain lands on Circle Lake Road (Kelly Loxton).

By-Law No. 2010-96 to amend Parks By-Law No. 1996-35, Schedule "A" (Outdoor Sports Complex).

By-Law No. 2010-99 to execute an Agreement with the North Bay-Mattawa Conservation Authority relating to Land Use Plan Review.

"CARRIED"

Res. #2010-266: Moved by Councilor Anthony, seconded by Councillor Mendicino
That the following by-laws be read a third time and passed:

By-Law No. 2010-91 to designate lots on a certain Plan of Subdivision that has been registered for eight (8) years or more as deemed not to be on a Registered Plan of Subdivision.

By-Law No. 2010-94 to designate a Site Plan Control Area on certain lands on Circle Lake Road (Kelly Loxton).

By-Law No. 2010-96 to amend Parks By-Law No. 1996-35, Schedule "A" (Outdoor Sports Complex).

By-Law No. 2010-99 to execute an Agreement with the North Bay-Mattawa Conservation Authority relating to Land Use Plan Review.

"CARRIED"

Res. #2010-267: Moved by Councilor Anthony, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2010-61 to amend By-Law No. 28-80 to implement changes to the policies and regulations (General Review & Update).

“CARRIED”

Res. #2010-268: Moved by Councilor Koziol, seconded by Councillor Bain
That the following by-laws be read a first and second time:

By-Law No. 2010-95 to amend By-Law No. 2002-133 (to confirm the roads and streets maintained by the City of North Bay).

By-Law No. 2010-97 to execute an Agreement with J.L. Richards & Associates Limited relating to the design, contract preparation and tendering services for road rehabilitation, reconstruction, stormwater drainage and environmental assessment and preliminary design of various roads.

By-Law No. 2010-98 to execute an Agreement with Machinex Recycling Services relating to the supply and installation of a baler.

“CARRIED”

Res. #2010-269: Moved by Councilor Koziol, seconded by Councillor Bain
That the following by-laws be read a third time and passed:

By-Law No. 2010-95 to amend By-Law No. 2002-133 (to confirm the roads and streets maintained by the City of North Bay).

By-Law No. 2010-97 to execute an Agreement with J.L. Richards & Associates Limited relating to the design, contract preparation and tendering services for road rehabilitation, reconstruction, stormwater drainage and environmental assessment and preliminary design of various roads.

By-Law No. 2010-98 to execute an Agreement with Machinex Recycling Services relating to the supply and installation of a baler.

“CARRIED”

Res. #2010-270: Moved by Councillor Mendicino, seconded by Councillor Bain
WHEREAS access to an integrated transportation network is a critical component in retaining, expanding and attracting business, through accessing regional, national, and international markets;

AND WHEREAS the provision of an integrated transportation network is the responsibility of the Province of Ontario and Government of Canada;

AND WHEREAS the Federal and Provincial governments have a responsibility to all Canadians and Ontarians, respectively, to ensure that vital transportation infrastructure that was established to serve all Canadians, with substantial investments by Canadian taxpayers, is not lost to the detriment of existing and future citizens of rural Ontario;

AND WHEREAS Railroads have played an instrumental role in developing not only the economy of Northern Ontario, but the economy of Ontario and Canada;

AND WHEREAS Railroads are re-emerging as energy efficient, cost effective and environmentally sound ways to transport goods and passengers;

AND WHEREAS Canadian Pacific has discontinued the operation of transcontinental freight trains between Smith Falls and Sudbury;

AND WHEREAS Canadian Pacific has issued a Notice of Sale or Discontinuance of Railway Line in accordance with the *Canadian Transportation Act* for the Chalk River Rail Line (mile 0.0 to 104.0) between Smith Falls and Petawawa;

AND WHEREAS Canadian Pacific has also indicated that a Notice of Sale or Discontinuance will be given for the rail line between mile 104.0 Chalk River and mile 70 North Bay Subdivision (Petawawa to Mattawa) and that a short-line operator will be sought for the line between Temiskaming and Sudbury only;

AND WHEREAS it is important for North Bay and Northeastern Ontario to have efficient access to competitive rail services;

BE IT THEREFORE RESOLVED THAT the City of North Bay respectfully requests that:

- 1) The Province of Ontario and Government of Canada undertake immediate proactive initiatives to ensure the continuance of effective Rail Services to areas currently served by Rail; and
- 2) The Province of Ontario through the Minister of Northern Development and Mines ensures the Northern Growth Plan develops and implements a comprehensive transportation plan inclusive of a Northern Rail Strategy.

AND FURTHER THAT a copy of this motion be forwarded to Hon. John Baird, Federal Minister of Transport, Infrastructure and Communities, Hon. Tony Clement, Minister of Industry, Anthony Rota, MP Nipissing-Timiskaming, Federal Leaders of the Opposition; Premier Dalton McGuinty, Hon. Monique Smith, Minister of Intergovernmental Affairs – MPP Nipissing, Hon. Michael Gravelle, Minister of Northern Development, Mines and Forestry, Hon. Brad Duguid, Minister of Energy & Infrastructure, Hon. Kathleen Wynne, Minister of Transportation, the Provincial Leaders of the Opposition, FONOM, AMO and Geoff Hare, Chair and Chief Executive Officer, Canadian Transportation Agency, the North Bay & District Chamber of Commerce and Rick Poznikoff, Canadian Pacific Railway.

“CARRIED”

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

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

Res. #2010-271: Moved by Councillor Bain, seconded by Councillor Koziol
WHEREAS the Northern Mayors' Task Force has asked communities in Northern Ontario, including the City of North Bay to consider providing a nominal financial contribution to the Task Force toward the cost of administration;

AND WHEREAS the scope of the Task Force is to ensure the management of our natural resources, and the issues surrounding sustainability and growth of Northern Ontario communities;

THEREFORE BE IT RESOLVED THAT the City of North Bay lend its Voice to the Mayor's Task Force and contribute \$500 to assist with administration costs.

"CARRIED"

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

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

"CARRIED"

Res. #2010-272: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That this Regular Meeting of Council do now adjourn at 8:29 p.m.

"CARRIED"

MAYOR VICTOR FEDELI

CITY CLERK CATHERINE CONRAD