

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD TUESDAY, MAY 20TH, 2003**

PRESENT: Mayor Burrows, Councillors Bennett, Kidd, Chirico, Campbell, Aspin, Anthony, Church, Boldt, Maroosis, Handley

CORRESPONDENCE:

Charron, Marc	re Rezoning application, 631 Bloem Street	(281)
Colley, Charles and Margret	re Fence variance, 1386 Chapais Street	(286)
Downtown Improvement Area	re Main Street road closing	(296)
Greenwood Avenue Baptist Church	re Rezoning application, Elmwood Avenue	(282)
Kelly, Brian	re Fence variance, 33 Martin Street	(287)
Pier 63	re Rezoning application, Trout Lake Road	(279)
Rotary Club of Nipissing	re Beer tent - North Bay Airport Drag Racing	(298)
Tarmagon Aggregates/1081751 Ontario Inc.	re Rezoning application, Highway 17 East	(280)

REPORTS FROM OFFICERS:

Baker, B.R.	re Vehicle and equipment purchases	(288)
Baker, B.R.	re Sanitary sewer, water vehicle equipment purchases	(289)
Baker, B.R.	re Rural roadway reconstruction	(290)
Baker, B.R.	re Road culvert replacement	(291)
Baker, B.R.	re Traffic control signal update	(292)
Baker, B.R.	re Hydrant Rehabilitation Program	(293)
Baker, B.R.	re Main Street road closing	(296)
Bullock, P.	re Recycling of aluminium foil and fire plates	(297)
Bullock, P.	re Servicing options for Trout Lake	(300)
Burke, M.B.	re Fourth Annual Chiropractic Society Bike, Blade and Run Triathlon	(302)
Burke, M.B.	re Trout Lake Official Plan Amendment #78 Eastview Zoning & Subdivision Conditions/ New Natural Vegetative Buffer 03 Zone	(304)
Burke, M.B.	re Sale of Connaught Avenue lands	(318)
Conrad, C.M.	re 2003 Municipal Election	(295)
Elliott, G.	re Completion of Environmental Assessment Waterfront Lands - CWF & Dalron Proposals	(303)
Fry, M.	re Beer tent - North Bay Airport Drag Racing	(298)
Hall, B.	re Rezoning application, Peter Baldasaro on behalf of Don & Ferne Odorizzi	(283)
Hall, B.	re Rezoning & O.P.A., Descon Development Corporation, 533 Lakeshore Drive	(284)
Hall, B.	re Rezoning application, City of North Bay, 985 Douglas Street	(285)
Horsman, B.	re Fence variance, 1386 Chapais Street	(286)
Horsman, B.	re Fence variance, 33 Martin Street	(287)
Knox, J.	re Renewal of Employee Group Benefit Plan Policies	(301)
Simmonds, J.C.	re 4" watermain on Premier Road	(294)
Simmonds, J.C.	re Mariah Street extension - Pre-Servicing Agreement	(299)

Res. #2003-274: Moved by Councillor Aspin, seconded by Councillor Campbell That minutes for the meeting held:

- Monday, February 24, 2003

be adopted as presented.

“CARRIED”

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Res. #2003-275: Moved by Councillor Bennett, seconded by Councillor Kidd
That General Government Committee Report No. 2003-11 relating to:

- Vimy Street to Reynolds Street laneway

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2003-11

May 20, 2003

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2003-11 and recommends:

1. That
 - a) the Vimy Street to Reynolds Street laneway along Lot 150, Plan 78 be closed, but that no ownership be transferred unless the usual application and advertising costs are paid;
 - b) Council confirm that Mr. Gravelle be asked to pay \$1,000.00 to the City to replace trees cut down in the laneway without municipal permission; and
 - c) upon receipt of the funds, Council authorize the replacement of up to ten (10) mature cedar trees on the Beattie Street side of the lane.

All of which is respectfully submitted.

ASSENTS
BENNETT
KIDD
CHIRICO
ASPIN
BURROWS

DISSENTS

Res. #2003-276: Moved by Councillor Handley, seconded by Councillor Maroosis
That Engineering & Works Committee Report No. 2003-07 relating to:

- wood smoke pollution

be adopted as presented.

“CARRIED”

ENGINEERING & WORKS COMMITTEE REPORT NO. 2003-07

May 20, 2003

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

Your Worship and Councillors:

The Engineering & Works Committee presents Report No. 2003-07 and recommends:

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1. That a) the City request the Minister of the Environment to uphold provincial policy concerning residential wood smoke pollution and the application of its general air pollution prohibitions in residential areas; and
- b) staff approach the Federal Health and Environmental Agencies with regard to conducting a wood heating and wood smoke educational seminar or program in the Nipissing District.

All of which is respectfully submitted.

ASSENTS
HANDLEY
MAROOSIS
CAMPBELL

DISSENTS

Res. #2003-277: Moved by Councillor Bennett, seconded by Councillor Kidd
That accounts totalling \$6,903,796.81 for April 2003 be approved.

“CARRIED”

Res. #2003-278: Moved by Councillor Bennett, seconded by Councillor Kidd
That accounts totalling \$2,672.28 for Ontario Northland for April 2003 be approved.

“CARRIED”

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

Res. #2003-279: Moved by Councillor Church, seconded by Councillor Anthony
That the Rezoning application by Rick Miller on behalf of Pier 63, Trout Lake Road be received.

“CARRIED”

Res. #2003-280: Moved by Councillor Church, seconded by Councillor Anthony
That the Rezoning application by Tarmagon Aggregates/1081751 Ontario Inc. (Don Fudge), off Highway 17 East, Concession 16, Lot 30 and Part Lot 29, North Bay be received.

“CARRIED”

Res. #2003-281: Moved by Councillor Church, seconded by Councillor Anthony
That the Rezoning application by Marc Charron, 631 Bloem Street be received.

“CARRIED”

Res. #2002-282: Moved by Councillor Church, seconded by Councillor Anthony
That the Rezoning application by Peter Leckie on behalf of Greenwood Avenue Baptist Church, Plan 86, Lot 341, Elmwood Avenue be received and referred to the Community Services Committee for a Public Meeting.

“CARRIED”

Res. #2003-283: Moved by Councillor Church, seconded by Councillor Anthony

That the recommendation from the Planning Advisory Committee regarding the Rezoning application by Peter Baldasaro on behalf of Don & Ferne Odorizzi, Carmichael Drive be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

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Res. #2003-284: Moved by Councillor Church, seconded by Councillor Anthony
That the recommendation from the Planning Advisory Committee regarding the Rezoning and Official Plan Amendment applications by Descon Development Corp., 533 Lakeshore Drive be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2003-285: Moved by Councillor Church, seconded by Councillor Anthony
That the recommendation from the Planning Advisory Committee regarding the Rezoning application by the City of North Bay, 985 Douglas Street be referred to the Community Services Committee and for a Public Meeting.

“CARRIED”

Res. #2003-286: Moved by Councillor Church, seconded by Councillor Anthony
That Council approve the request for a variance from Fence By-Law 2002-105 to permit a fence located in the exterior side yard (flankage street side) to increase in height from 4'0" to 5'0" at 1386 Chapais Street, North Bay.

“CARRIED”

Res. #2003-287: Moved by Councillor Church, seconded by Councillor Anthony
That Council approve the request for a variance from Fence By-Law 2002-105 to permit a fence located in the front yard to increase in height from 4'0" to 6'0" at 33 Martin Street, North Bay.

“CARRIED”

Res. #2003-288: Moved by Councillor Handley, seconded by Councillor Maroosis
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 & Services Division, being 2003 Capital Budget Project No. 5, at a net debentured cost of \$550,000.

“CARRIED”

Res. #2003-289: Moved by Councillor Handley, seconded by Councillor Maroosis
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 water and sanitary sewer maintenance activities of the Public Works & Services Division, being 2003 Capital Budget Project No. 5, at a net debentured cost of \$250,000.

“CARRIED”

Res. #2003-290: Moved by Councillor Handley, seconded by Councillor Maroosis
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the Rural Roadway Reconstruction Program for 2003, being 2003 Capital Budget Project No. 3, at a net debentured cost of \$400,000.

“CARRIED”

Res. #2003-291: Moved by Councillor Handley, seconded by Councillor Maroosis
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize the replacement of various rural road culverts, being 2003 Capital Budget Project No. 2, at a net debentured cost of \$150,000.

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“CARRIED”
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Res. #2003-292: Moved by Councillor Handley, seconded by Councillor Maroosis
That a Capital Expenditure By-Law be prepared for the consideration of City Council to authorize a program of updating traffic control signals, being 2003 Capital Budget Project No. 4, at a net debentured cost of \$100,000.

“CARRIED”

Res. #2003-293: Moved by Councillor Handley, seconded by Councillor Maroosis
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 2003 Water and Sanitary Sewer Capital Budget Project No. 37, at a net debentured cost of \$75,000.

“CARRIED”

Res. #2003-294: Moved by Councillor Handley, seconded by Councillor Maroosis
That the May 12th, 2003 report relating to the watermain on Premier Road be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2003-295: Moved by Councillor Bennett, seconded by Councillor Kidd
That 1) Report to Council No. CORP 2003-57 be received; and
2) Council authorize a by-law to provide for advance votes to be held prior to Voting Day and to provide for reduced hours of voting in Institutions and Retirement Homes as set out in Report to Council No. CORP 2003-57.

“CARRIED”

Res. #2003-296: Moved by Councillor Handley, seconded by Councillor Maroosis
That Main Street, between Algonquin Avenue and Sherbrooke Street be temporarily closed to vehicular traffic between the hours of 6:00 a.m. and 6:00 p.m. on Saturday, May 24, 2003 for the purpose of staging the D.I.A.'s Annual Community Garage Sale.

“CARRIED”

Res. #2003-297: Moved by Councillor Handley, seconded by Councillor Maroosis
That the City of North Bay add aluminium foil and pie plates as a recyclable commodity in the City's Blue Box Program commencing July 1st, 2003.

“CARRIED”

Res. #2003-298: Moved by Councillor Church, seconded by Councillor Anthony
That 1) Council approve a temporary exclusion to Regulation 3B of the Municipal Alcohol Policy in order to permit the establishment of a licensed area to serve alcohol on June 27th, 28th and 29th, 2003 in support of the Drag Races;
2) a location for the licensed area be established to the satisfaction of the Director of Parks, Recreation and Leisure Services and the event partners; and

- 3) all other relevant sections of the Municipal Alcohol Policy be satisfied.

“CARRIED”

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- Res. #2003-299: Moved by Councillor Handley, seconded by Councillor Maroosis
That
- 1) the City enter into a Pre-Servicing Agreement with A. and J. Ferreira Homes Ltd., in a form satisfactory to the City Solicitor, for the installation of underground and above ground services for the proposed Mariah Street Extension Subdivision subject to the conditions laid out in Report 2003-33, Mariah Street dated May 13, 2003 from the City Engineer, J.C. Simmonds, P. Eng.;
 - 2) funds in the amount of \$21,440 plus GST be made available from the City Development Reserve Fund to pay for the City's share of sanitary sewer, water, road over-sizing costs; and,
 - 3) funds in the amount of \$8,000 plus GST be made available from the “Completed Capital Works Fund” to cover the cost of the over-sizing of the sewer and water works for Mariah Street Subdivision not covered by the Development Charges.

“CARRIED”

- Res. #2003-300: Moved by Councillor Handley, seconded by Councillor Maroosis
That the April 30th, 2003 report relating to servicing options for Trout Lake be referred to the Engineering & Works Committee.

“CARRIED”

- Res. #2003-301: Moved by Councillor Bennett, seconded by Councillor Kidd
That
- 1) the City's group benefit plans underwritten by the Co-operators and Liberty Health Insurance Companies be renewed, effective June 1, 2003 at an overall rate increase cost of 3.6%, as set out in the Renewal/Marketing Report from Mosey & Mosey Benefit Plan Consultants;
 - 2) by September 1, 2003, the underwriting arrangement associated to the City's Health Care and Dental Care Benefit plans be changed from an insured plan to Administrative Services Only Plan (ASO), with the risk of claims exceeding projections being borne by the City;
 - 3) in establishing an ASO funding arrangement, any surplus generated for the first two (2) years be placed in a reserve account for the purpose of covering any future deficit generated under this underwriting arrangement, and that fifty (50%) percent of any subsequent surplus be used for the purpose of developing wellness programs geared to improving employee health and reducing ongoing benefit costs; and,
 - 4) under the City's ASO underwriting arrangement, the District of Nipissing Administrative Services Board (DNSSAB) be included on the condition that DNSSAB claims experience has no impact on the City's costs or liabilities and that year end accounting would be undertaken to determine the respective surplus or deficit of each account.

“CARRIED”

Res. #2003-302: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council agree to:

- 1) designate the June 1, 2003 Bike, Blade and Run as a municipal event;
and

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- 2) recognize the Chiropractic Society volunteers as municipal volunteers, for the purpose of providing municipal insurance coverage for the event on the conditions that designation is for this year only, and that the proceeds are provided to the new hospital.

“CARRIED”

Res. #2003-303: Moved by Councillor Handley, seconded by Councillor Maroosis
That 1) the revised Algonquin Avenue and Pedestrian Crosswalk reconstruction plan be accepted by Council and re-introduced to the E.A. Approvals process;

- 2) the proposed extension of Cassells Street from Oak Street to Memorial Drive, including an underpass of the CP Railway be deleted from the Environmental Assessment Approval process and be replaced by the concept of pedestrian access and emergency right-of-ways; and
- 3) the upset limit for the Consultant work to amend the Environmental Assessment Study Report under Project No. 2144 CI be increased by \$10,000.00.

“CARRIED”

Res. #2003-304: Moved by Councillor Bennett, seconded by Councillor Kidd
That 1) Council approve the Minutes of Settlement proposed for the resolution of all matters related to the zoning and subdivision approval of the Eastview lands on Trout Lake, in such final form as may be approved by the City Solicitor; and

- 2) Council authorize the Planning staff to advertise for a public meeting to consider a new Zone to protect a 30 metre natural vegetative buffer around the City of North Bay shores of Trout Lake at the request of the Ministry of Municipal Affairs and Housing to implement O.P.A. No. 78.

“CARRIED”

Res. #2003-305: Moved by Councillor Bennett, seconded by Councillor Kidd
That the following by-law be read a first time:

By-Law No. 2003-45 to stop up, close and convey a portion of a laneway bounded by Gertrude Street, Lee Avenue, Joseph Street and Lakeshore Drive.

“CARRIED”

Res. #2003-306: Moved by Councillor Bennett, seconded by Councillor Kidd
That the following by-laws be read a first and second time:

By-Law No. 2003-53 to authorize the expenditure of funds for the Memorial

Gardens Improvement Program.

By-Law No. 2003-54 to authorize the expenditure of funds for the purpose of sanitary sewer system upgrades.

By-Law No. 2003-55 to authorize the expenditure of funds for the purpose of water system upgrades.

By-Law No. 2003-56 to authorize the expenditure of funds for Fire Department Capital Projects.

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By-Law No. 2003-57 to authorize the expenditure of funds for the purpose of the detailed design of the North Bay Water Filtration Plant Project.

“CARRIED”

Res. #2003-307: Moved by Councillor Bennett, seconded by Councillor Kidd
That the following by-laws be read a third time and passed:

By-Law No. 2003-53 to authorize the expenditure of funds for the Memorial Gardens Improvement Program.

By-Law No. 2003-54 to authorize the expenditure of funds for the purpose of sanitary sewer system upgrades.

By-Law No. 2003-55 to authorize the expenditure of funds for the purpose of water system upgrades.

By-Law No. 2003-56 to authorize the expenditure of funds for Fire Department Capital Projects.

By-Law No. 2003-57 to authorize the expenditure of funds for the purpose of the detailed design of the North Bay Water Filtration Plant Project.

“CARRIED”

Res. #2003-308: Moved by Councillor Handley, seconded by Councillor Maroosis
That the following by-laws be read a first and second time:

By-Law No. 2003-58 to amend Traffic & Parking By-Law No. 2002-01.

By-Law No. 2003-59 to execute an Agreement with CH2M Hill Canada Limited relating to detailed design of the North Bay Water Filtration Plant.

By-Law No. 2003-60 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to asphaltic concrete pavement patching.

By-Law No. 2003-61 to amend By-Law No. 2002-119 to authorize connections to a sewermain and to impose a sewer connection rate along Mapleview Place.

“CARRIED”

Res. #2003-309: Moved by Councillor Handley, seconded by Councillor Maroosis
That the following by-laws be read a third time and passed:

By-Law No. 2003-58 to amend Traffic & Parking By-Law No. 2002-01.

By-Law No. 2003-59 to execute an Agreement with CH2M Hill Canada Limited relating to detailed design of the North Bay Water Filtration Plant.

By-Law No. 2003-60 to execute an Agreement with Miller Paving North Bay, a division of Miller Paving Limited relating to asphaltic concrete pavement patching.

By-Law No. 2003-61 to amend By-Law No. 2002-119 to authorize connections to a sewermain and to impose a sewer connection rate along Mapleview Place.

“CARRIED”

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Res. #2003-310: Moved by Councillor Handley, seconded by Councillor Maroosis That the Water Conservation Advisory Committee Report be referred to staff for a report and to the Engineering & Works Committee.

“CARRIED”

Res. #2003-311: Moved by Councillor Boldt, seconded by Councillor Aspin That based upon the dialogue commenced by the Mayor’s Business Forum Final Report, Council requests that the Economic Development Department prepare and present a plan of action for Council’s consideration.

“CARRIED”

Record of Vote (Upon Request of Councillor Boldt)

Yeas: Councillors Handley, Maroosis, Boldt, Aspin, Campbell, Bennett, Mayor Burrows

Nays: Councillors Church, Anthony, Chirico, Kidd

Res. #2003-312: Moved by Councillor Handley, seconded by Councillor Maroosis That the Waste Resources Annual Report be referred to staff for a report and to the Engineering & Works Committee.

“CARRIED”

Res. #2003-313: Moved by Councillor Chirico, seconded by Councillor Kidd WHEREAS the Provincial Government has set out objectives regarding the service improvement strategy for the Ontario Northland Railway to include:

- Providing access to quality telecommunications
- Supporting and enhancing economic development
- Protecting current employment and fostering growth of new jobs
- Ensuring competitive pricing for customers, and
- Maintaining or enhancing service levels

AND WHEREAS the economic prosperity of many vendor companies based in North Bay and throughout the North depend on the valuable business from the ONTC and,

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of North Bay demand that Premier Ernie Eves and the Provincial Government,

- i) Honour their objectives in any future negotiations regarding the future of ONTC;

- ii) Ensure that there is long-term sustainability for ONTC transportation and telecommunication jobs and business in North Bay and indeed throughout the North;
- iii) Adhere to the promise made that no job losses will occur or be transferred as a result of the sale of the ONTC;
- iv) Release the original ISG and CN plans for public review and evaluation; and
- v) A copy of this resolution be forwarded to the Honourable Ernie Eves, the Honourable Jim Wilson, Al McDonald, M.P.P. Nipissing, Ontario Northland Transportation Commission, NEOMAG, NEOMA,

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FONOM, AMO, Chambers of Commerce in the region and the Economic Development Commissions in the region.

“CARRIED”

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

Res. #2003-314: Moved by Councillor Boldt, seconded by Councillor Aspin
That “Casual Wear Months” be in effect from May 21, 2003 to August 29, 2003 (inclusive).

“CARRIED”

Res. #2003-315: Moved by Councillor Handley, seconded by Councillor Campbell
That the matter relating to implementing a water filtration surcharge be reconsidered.

“CARRIED”

Record of Vote (*Procedural By-Law*)

Yeas: Councillors Handley, Aspin, Campbell, Kidd, Bennett, Mayor Burrows

Nays: Councillors Maroosis, Boldt, Church, Anthony, Chirico

Res. #2003-316: Moved by Councillor Maroosis, seconded by Councillor Boldt
That City Council agree to implement a water filtration surcharge subject to a further report by the City Treasurer identifying options to be filed by June 1, 2003.

“LOST”

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

Yeas: Councillors Maroosis, Boldt, Chirico

Nays: Councillors Handley, Church, Anthony, Aspin, Campbell, Kidd, Bennett, Mayor Burrows

Notice of Reconsideration

Moved by Councillor Maroosis, seconded by Councillor Boldt
That Councillor Maroosis gives notice that at the next Regular Meeting of Council, he will present of Motion to Reconsider relating to a water filtration surcharge.

Res. #2003-317: Moved by Councillor Bennett, seconded by Councillor Kidd
That Council adjourn to an *in-camera* meeting to discuss a property matter.

“CARRIED”

Res. #2003-318: Moved by Councillor Bennett, seconded by Councillor Kidd
That 1) Council declare the remainder of Parcel 3290 Nipissing on the east side of Connaught Avenue as surplus; and
2) pursuant to Procedural By-Law No. 2003-10 Section 80(8)(v), Council agree to sell the lands to Carleigh Developments Limited for the sum of \$114,500.00 being the higher appraised value of the two appraisals received.

“CARRIED”

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Councillor Chirico declared a conflict of interest on the above matter as his brother is a principal of Carleigh Developments Limited.

Res. #2003-319: Moved by Councillor Aspin, seconded by Councillor Handley
That this meeting do now adjourn.

“CARRIED”

MAYOR

CITY CLERK