

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, FEBRUARY 13TH, 2006**

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

CORRESPONDENCE:

Menalon Properties Inc. re Rezoning application, Airport Road (83)

REPORTS FROM OFFICERS:

Burke, M.B.	re Regal Road realignment	(105)
Burke, M.B.	re Sale of City land - Smith Road	(106)
Cormier, D.	re 2006 North Bay Heritage Festival	(91)
Hall, B.	re 2005 Municipal Heritage Committee Annual Report	(90)
Kilgour, I.G.	re Sign By-Law amendments	(94)
Kitlar, S.	re North Bay Pro Snowcross Event	(93)
Knox, J.D.	re Regional Economic Development Initiative	(92)
Korell, A.	re Milani Road watermain repairs	(86)
Lang, A.	re Downtown Improvement Area 2006 Budget	(84)
Lang, A.	re Temporary Borrowing By-Law	(85)
Lang, A.	re Dedicated Provincial Gas Tax Fund for Public Transportation Program	(87)
Manning, J.	re Tender 2005-163, Construction of Landfill Gas Collection and Flaring System - Merrick Landfill Site	(89)
Seguin, C.	re Installation of deluge showers and eye wash stations at Arenas	(88)

Res. #2006-80: Moved by Councillor Chirico, seconded by Councillor Bain
That minutes for the meetings held:

- Monday, January 30, 2006; and
- Monday, February 6, 2006

be adopted as presented.

"CARRIED"

Res. #2006-81: Moved by Councillor Mendicino, seconded by Councillor Maroosis
That Community Services Committee Report No. 2006-05 relating to:

- Plan of Condominium application by Elisa Giustra, McKee Drive

be adopted as presented.

"CARRIED"

COMMUNITY SERVICES COMMITTEE REPORT NO. 2006-05

February 13, 2006

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2006-05 and recommends:

1. That the Condominium Application (Vacant Land) by Rick Miller on behalf of Elisa Giustra (City File 48CDM-05101) on the property described as Concession C, Part Lot 17, Parcel 17973 W&F, 18492 W&F, and 12587 W&F (McKee Drive) be given Draft Approval, subject to the conditions contained in Appendix "A" to the Planning Report dated November 25, 2005.

All of which is respectfully submitted.

ASSENTS
MENDICINO
MAROOSIS
FEDELI

DISSENTS

Res. #2006-82: Moved by Councillor Chirico, seconded by Councillor Graham
That the Pesticides By-Law report remain on the Engineering & Works
Committee pending further clarification.

"CARRIED"

Res. #2006-83: Moved by Councillor Mendicino, seconded by Councillor Maroosis
That the Rezoning Application by Paul Goodridge on behalf of Menalon
Properties Inc. - Airport Road be received.

"CARRIED"

Res. #2006-84: Moved by Councillor Chirico, seconded by Councillor Boldt
That the 2006 budget for the Board of Management for the Downtown
Improvement Area in the amount of \$197,623 with a resultant tax levy of
\$100,361 be approved by City Council and that the necessary by-law to
provide for the levy and collection of special charges in respect of certain
business improvement areas be prepared for City Council's
consideration.

"CARRIED"

Res. #2006-85: Moved by Councillor Chirico, seconded by Councillor Boldt
That City Council approves the preparation of a by-law to authorize
temporary borrowing from time to time to meet current expenditures
during the fiscal year ending December 31, 2006.

"CARRIED"

Res. #2006-86: Moved by Councillor Koziol, seconded by Councillor Bain
That 1) a Capital Expenditure By-Law be prepared for the
consideration of City Council to authorize the repairs to the
24 inch watermain on Milani Road and that the funds
totalling \$130,000 be allocated from the Sewer and Water
Reconstruction Project W3 in the amount of \$75,000 and the
balance being funded also through the 2006 Capital Budget
with other projects adjusted accordingly; and

2) the quotation from GAP Construction Co. Ltd. be accepted
to complete the required work.

"CARRIED"

Res. #2006-87: Moved by Councillor Chirico, seconded by Councillor Boldt
That the City Clerk be authorized to prepare and present a by-law for
three readings February 13, 2006 permitting The Corporation of the City
of North Bay to enter into the Letter of Agreement with the Province of

Ontario related to Provincial funding under the Dedicated Gas Tax Funds for Public Transportation Program, and the Mayor and the Chief Financial Officer be authorized to sign the Letter of Agreement on behalf of the City.

“CARRIED”

Res. #2006-88:

Moved by Councillor Mendicino, seconded by Councillor Maroosis That City Council authorizes the allocation of \$30,000 from the Arena Capital Reserve Fund for the purchase and permanent installation of deluge showers and eye wash stations for the three (3) City arenas as per written orders by the Ministry of Labour.

“CARRIED”

Res. #2006-89:

Moved by Councillor Koziol, seconded by Councillor Bain That

- 1) Contract 2005-163, being a contract to construct a Methane Collection and Flaring System at the Merrick Landfill Site be awarded to H₂ Ontario Inc. of New Hamburg, Ontario at an upset limit of \$1,071,738.75 (GST included);
- 2) Conestoga Rovers and Associates be retained as the Project Engineer for this project as outlined in the Scope of Work dated February 7, 2006 to an upset limit of \$76,000;
- 3) approval be granted to fund \$620,000 from the Merrick Landfill Reserve and \$664,000 from Kyoto Credit net revenues;
- 4) the Chief Financial Officer be authorized to borrow up to \$664,000 on a short term basis to be paid down with Kyoto Credit net revenues as received;
- 5) Kyoto Credit net revenues in excess of \$664,000 be credited to the Merrick Landfill Reserve until the end of 2010 or the sum of \$620,000 is reached, whichever occurs first; and
- 6) the City pursue funding from North Bay Hydro to help assess the feasibility of landfill gas utilization options.

“CARRIED”

Res. #2006-90:

Moved by Councillor Mendicino, seconded by Councillor Maroosis That the 2005 Municipal Heritage Committee Annual Report be received and referred to the Community Services Committee for review.

“CARRIED”

Res. #2006-91:

Moved by Councillor Mendicino, seconded by Councillor Maroosis That the report from D. Cormier dated February 9, 2006 re North Bay Heritage Festival - 2006 event request be referred to the Community Services Committee.

“CARRIED”

Res. #2006-92:

Moved by Councillor Mendicino, seconded by Councillor Maroosis WHEREAS the Economic Development Groups of the City of North Bay, Municipality of Mattawa, and the Municipality of West Nipissing have joined to develop a Terms of Reference to establish a Municipal Regional Economic Development Co-Operative Model;

AND WHEREAS this model will facilitate municipalities within the region in the development of partnerships and alliances for the purpose of facilitating community economic development initiatives identified as benefiting the region while maintaining the identity of each municipality;

AND WHEREAS this type of regional partnership initiative is beneficial to all neighboring municipalities;

THEREFORE BE IT RESOLVED THAT the Council of The Corporation of the City of North Bay supports and endorses the Municipal Regional Economic Development Co-Operative Model and authorizes the economic development personnel to proceed with the model under the Terms of Reference guidelines as contained in Report No. CSBU 2006-32 dated February 9, 2006.

“CARRIED”

Res. #2006-93:

Moved by Councillor Mendicino, seconded by Councillor Maroosis

- That
- 1) the North Bay and Nipissing Rotary Clubs be granted permission to hold the North Bay Pro Snowcross snowmobile races event on City property at the former CPR yards behind the North Bay Museum (see Attachment 1-Event Site), on Saturday, February 25, 2006 to Sunday, February 26, 2006;
 - 2) the requests by the North Bay and Nipissing Rotary Clubs regarding exemption from the Noise By-law, exclusivity over the event and grounds, a temporary exclusion from the Municipal Alcohol Policy and approval of the temporary snowmobile trail be approved as per the following:
 - a) having approved Recommendation 1 granting permission to hold the public event known as the North Bay Pro Snowcross Event, the event becomes exempt from the noise control provisions contained in By-Law No. 142-76 (Noise By-Law), as amended, pursuant to the operation of Section 6 and Schedule 3 thereof, as defined in Attachment 2;
 - b) exclusivity be granted on February 25, 2006 from 6:00 a.m. to February 26, 2006 , 7:00 p.m. on and over the City-owned or controlled lands within the area defined as the former CPR yards behind the North Bay Museum (as per Attachment 1 - Event Site);
 - c) a temporary exclusion to Section D, Regulation 3B of the Municipal Alcohol Policy (Attachment 3) be approved, allowing the establishment of a licensed area to serve alcohol on Saturday, February 25, 2006 between 11:00 a.m. - 7:00 p.m. and Sunday, February 26, 2006 between 11: 00 a.m. - 6:00 p.m. at the location, as defined in Attachment 1 (Licensed Area), under the following conditions:
 - the group reviews the details of the Municipal Alcohol Policy;
 - the beer tent organizer meets with staff to review the policy and sign the Special Occasion Permit Agreement at least fifteen (15) days prior to the event;
 - a part-time City security person be retained by the event host with costs borne by the host;

- all other relevant sections of the Municipal Alcohol Policy be satisfied; and
- d) to allow a temporary snowmobile access trail from Lake Nipissing, along Memorial Drive to the CP rail crossing, to the service route leading to the event site, as per Attachment 1 (Snowcross access route).

“CARRIED”

Res. #2006-94:

Moved by Councillor Mendicino, seconded by Councillor Maroosis
That 1) the matter of the proposed amendments to the Sign By-Law be referred to the Community Services Committee file; and
2) Council give notice and hold a Public Meeting to receive input on the Sign By-Law.

“CARRIED”

Res. #2006-95:

Moved by Councillor Chirico, seconded by Councillor Boldt
That the following by-laws be read a first and second time:

By-Law No. 2006-32 to authorize the Sportfield Facilities Development Program.

By-Law No. 2006-33 to authorize the Dionne Home Restoration Program.

By-Law No. 2006-34 to authorize the Transit Refurbishment Program.

By-Law No. 2006-35 to authorize the 2006 Capital Allocation for the North Bay Police Services.

By-Law No. 2006-36 to authorize the 2006 Capital Allocation for Information Systems.

By-Law No. 2006-37 to appoint a Deputy City Treasurer.

By-Law No. 2006-40 to authorize the sale of lands to Michael Johnson (155 Hughes Road).

By-Law No. 2006-41 to execute an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Ministry of Agriculture, Food and Rural Affairs relating to the new Water Filtration Plant (COMRIF Funding).

By-Law No. 2006-42 to execute a Letter of Agreement with Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation relating to the dedicated gas tax funds for Public Transportation Program.

“CARRIED”

Res. #2006-96:

Moved by Councillor Chirico, seconded by Councillor Boldt
That the following by-laws be read a third time and passed:

By-Law No. 2006-32 to authorize the Sportfield Facilities Development Program.

By-Law No. 2006-33 to authorize the Dionne Home Restoration Program.

By-Law No. 2006-34 to authorize the Transit Refurbishment Program.

By-Law No. 2006-35 to authorize the 2006 Capital Allocation for the North Bay Police Services.

By-Law No. 2006-36 to authorize the 2006 Capital Allocation for Information Systems.

By-Law No. 2006-37 to appoint a Deputy City Treasurer.

By-Law No. 2006-40 to authorize the sale of lands to Michael Johnson (155 Hughes Road).

By-Law No. 2006-41 to execute an Agreement with Her Majesty the Queen in Right of Ontario as represented by the Ministry of Agriculture, Food and Rural Affairs relating to the new Water Filtration Plant (COMRIF Funding).

By-Law No. 2006-42 to execute a Letter of Agreement with Her Majesty the Queen in Right of the Province of Ontario as represented by the Minister of Transportation relating to the dedicated gas tax funds for Public Transportation Program.

“CARRIED”

Res. #2006-97:

Moved by Councillor Chirico, seconded by Councillor Boldt
That the following by-law be read a third time and passed:

By-Law No. 2006-13 to stop up, close and convey a portion of the laneway bounded by Strathcona Drive, MacDonald Avenue, Gladstone Avenue and Charles Street.

“CARRIED”

Res. #2006-98:

Moved by Councillor Mendicino, seconded by Councillor Maroosis
That the following by-law be read a third time and passed:

By-Law No. 2006-29 to rezone certain lands on McKee Drive (Elisa Giustra).

“CARRIED”

Res. #2006-99:

Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-law be read a first and second time:

By-Law No. 2006-31 to amend Traffic & Parking By-Law No. 2002-001, Schedule 20 (No Parking Areas Restricted Times) and Schedule 22 (Parking Meter Zones).

“CARRIED”

Res. #2006-100:

Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-law be read a third time and passed:

By-Law No. 2006-31 to amend Traffic & Parking By-Law No. 2002-001, Schedule 20 (No Parking Areas Restricted Times) and Schedule 22 (Parking Meter Zones).

“CARRIED”

Res. #2006-101:

Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-law be read a first and second time:

By-Law No. 2006-39 to execute an Agreement with Bruman Leasing Ltd. relating to the Premier Road watermain.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as Bruman Leasing Ltd. is a client.

Councillor Maroosis declared a conflict of interest on the above matter as his son-in-law is employed by Bruman Leasing Ltd.

Res. #2006-102: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-law be read a third time and passed:

By-Law No. 2006-39 to execute an Agreement with Bruman Leasing Ltd. relating to the Premier Road watermain.

“CARRIED”

Councillor Chirico declared a conflict of interest on the above matter as Bruman Leasing Ltd. is a client.

Councillor Maroosis declared a conflict of interest on the above matter as his son-in-law is employed by Bruman Leasing Ltd.

Res. #2006-103: Moved by Councillor Koziol, seconded by Councillor Bain
That the following by-law be read a third time and passed:

By-Law No. 2006-28 to prohibit the throwing, placing or depositing of refuse or debris on any land within the City without owner consent.

“CARRIED”

Res. #2006-104: Moved by Councillor Chirico, seconded by Councillor Boldt
That Council adjourn in-camera to discuss litigation matter #13 and property matters #14 and #15.

“CARRIED”

Res. #2006-105: Moved by Councillor Chirico, seconded by Councillor Boldt
That Council:

1. close the old Regal Road alignment to vehicular traffic;
2. formally open the new Regal Road allowance; and
3. provide an easement to Richard Marleau for the extended driveway access required for the new road alignment.

“CARRIED”

Res. #2006-106: Moved by Councillor Chirico, seconded by Councillor Vaillancourt
That 1) Council declare surplus the former gravel pit in the north half of Lot 13, Concession 1; and
2) the lands be offered for sale to the abutting owner for the appraised value.

“CARRIED”

Councillor Boldt declared a conflict of interest on the above matter as the abutting owner is a client.

Res. #2006-107: Moved by Councillor Chirico, seconded by Councillor Bain
That this meeting do now adjourn.

“CARRIED”

MAYOR VIC FEDELI

CITY CLERK CATHERINE CONRAD