

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, APRIL 4TH, 2011**

PRESENT: Mayor McDonald, Councillors Koziol, Anthony, Maroosis, Bain, Mayne, Vrebosch-Merry, Vaillancourt, Mendicino, Lawlor

PUBLIC PRESENTATION:

Team 1305	re Chairman's Award
Dave Saad	re Steve Omischl Sports Complex
Gerry St. Denis	re Rezoning of John Street and Third Avenue East
Nelson Reynolds	re No Smoking By-Law (NBRHC)
Adrien Foisy	re Tax Dollars & Industry
Gilbert Gagnon	re No Smoking By-Law (NBRHC)
Darlene South	re No Smoking By-Law (NBRHC)
Caron Ranney	re No Smoking By-Law (NBRHC)
Sue McIntyre	re No Smoking By-Law (NBRHC)
Julie-Ann Smrke	re No Smoking By-Law (NBRHC)/NEMHC Patient Care
Bob Stevens	re No Smoking By-Law (NBRHC)

CORRESPONDENCE:

873342 Ontario Inc.	re Plan of Subdivision Application - Trillium Woods, Phase II (70 Lots) - Booth Road	(252)
Nipissing-Parry Sound Catholic District School Board	re Rezoning Application – 1140 Front Street	(253)

REPORTS FROM OFFICERS:

Burke, M.	re Provincial Offences Collection & Write-Off Policy	(266)
Carello, P,	re Airport Community Improvement Plan Application	(267)
Conrad, C.	re User Fees – City Departments & N.B. Fire & Emergency Services	(258)
Karpenko, M.	re Callander Landfill Agreement	(254)
Korell, A.	re Operations of Water & Wastewater Facilities operated by OCWA	(256)
Korell, A.	re Merrick Landfill Tipping Fee Increase	(257)
Lang, A.	re North Bay-Mattawa Conservation Authority Capital Budget Allocation	(255)
Love, G.	re N.B. Radio Communication System Upgrades Project	(264)
Manning, J.	re Tender 2011-07, Supply of Aggregate Materials	(259)
Manning, J.	re Tender 2011-08, Supply of Asphalt Concrete Pavement Patching	(260)
Manning, J.	re Tender 2011-09, Pavement Markings	(261)
Manning, J.	re Tender 2011-06, Ready Mix Concrete	(262)
Manning, J.	re Tender 2011-18, Supply of Ice Resurfacer	(263)
Mimee, R.	re 2010 Year-End Variance Report	(265)

Res. #2011-247: Moved by Councillor Mendicino, seconded by Councillor Bain
That minutes for the public meetings held on:

- Monday, March 21, 2011; and
- Monday, March 28, 2011

be adopted as presented.

"CARRIED"

Res. #2011-248: Moved by Councillor Koziol, seconded by Councillor Mendicino
That minutes for the closed meeting held on:

- Monday, March 21, 2011

be adopted as presented.

“CARRIED”

Res. #2011-249: Moved by Councillor Koziol, seconded by Councillor Maroosis
That General Government Committee Report No. 2011-10 relating to:

- No Smoking By-Law – North Bay Regional Health Centre

be adopted as presented.

“CARRIED”

GENERAL GOVERNMENT COMMITTEE REPORT NO. 2011-10

April 4, 2011

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

Your Worship and Councillors:

The General Government Committee presents Report No. 2011-10 and recommends:

1. That
 - a) the City of North Bay enact a by-law to only allow patients to smoke on owned and solely leased Hospital properties using the two (2) designated smoking areas until July 1, 2011;
 - b) as of July 1, 2011, all owned and solely leased properties of the North Bay Regional Health Centre will be 100% smoke-free;
 - c) the enforcement of this by-law shall be carried out jointly between the North Bay Parry Sound District Health Unit’s Tobacco Enforcement Officers as designated by the Medical Officer of Health and the City of North Bay’s By-Law Enforcement Officer(s) and any other Peace Officer(s); and
 - d) legal authority shall be given to the North Bay Regional Health Centre’s security staff as designated by the North Bay Regional Health Centre, upon completion of required training, to issue Provincial Offences tickets so that they contribute to the enforcement of the proposed by-law.

All of which is respectfully submitted.

ASSENTS
KOZIOL
MAROOSIS
McDONALD

DISSENTS

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

Yeas: Councillors Koziol, Bain, Maroosis, Vaillancourt, Mendicino, Mayor McDonald

Nays : Councillors Anthony, Lawlor, Mayne, Vrebosch-Merry

Res. #2011-250: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Community Services Committee Report No. 2011-06 relating to:

- Rezoning application by Carlo Guido & Tim Falconi, 228 & 232 Francis Street

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-06

April 4, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-06 and recommends:

1. That the proposed Zoning By-Law Amendment from a “Residential First Density (R1)” zone to a “Residential Third Density (R3)” zone by Goodridge Planning & Surveying on behalf of Carlo Guido & Tim Falconi for the property legally described as Registered Plan M-285, Lot 55, PIN #49133-0068 (LT) - 228 & 232 Francis Street in the City of North Bay be approved.

All of which is respectfully submitted.

ASSENTS
LAWLOR
MENDICINO
VAILLANCOURT
McDONALD

DISSENTS

Res. #2011-251: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Community Services Committee Report No. 2011-07 relating to:

- Rezoning application by 2221864 Ontario Inc., 482 Lakeshore Drive

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2011-07

April 4, 2011

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2011-07 and recommends:

1. That the proposed Zoning By-Law Amendment from a “Residential Second Density (R2)” zone and a “Residential Third Density (R3)” zone to a “Residential Third Density Special Zone No. 125 (R3 Sp.125)” by Miller & Urso Surveying Inc. on behalf of 2221864 Ontario Inc. for Concession 16, Lot 40, Reference Plan 36R-4704, Part 2, PIN 49174-0060 (LT) and 49174-0040 (LT) in the former Township of West Ferris, be approved.

All of which is respectfully submitted.

ASSENTS
LAWLOR
MENDICINO
VAILLANCOURT
McDONALD

DISSENTS

Res. #2011-252: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the Plan of Subdivision application by Miller & Urso Surveying Inc.
on behalf of 873342 Ontario Inc. – Booth Road be received.

“CARRIED”

Res. #2011-253: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the Rezoning application by Miller & Urso Surveying Inc. on behalf of
Nipissing-Parry Sound Catholic District School Board – 1140 Front Street
be received.

”CARRIED”

Res. #2011-254: Moved by Councillor Koziol, seconded by Councillor Anthony
That City Council approve the Agreement attached to Report to Council
CORP 2011-55 dated March 22, 2011 respecting the Municipality of
Callander, the City of North Bay and the Merrick Landfill Site dated
January 1st, 2011 to December 31st, 2020, for the continuation of use of
the Merrick Landfill Site.

“CARRIED”

Res. #2011-255: Moved by Councillor Koziol, seconded by Councillor Anthony
That a Capital Expenditure By-Law be prepared for the consideration of
City Council to authorize the 2011 North Bay-Mattawa Conservation
Authority Capital Projects, being Capital Budget Project, Line 107, Capital
Project No. 6037CA, at a net debenture cost of \$730,000.

“CARRIED”

Res. #2011-256: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That Report to Council EESW 2011-55 dated March 29, 2011 from Alan
Korell re Operations of the Water and Wastewater Facilities currently
operated by OCWA be referred to the Engineering & Works Committee.

“CARRIED”

Res. #2011-257: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That Report to Council EESW 2011-56 dated March 29, 2011 from Alan
Korell re Merrick Landfill Tipping Fee Increase be referred to the
Engineering & Works Committee for a Public Meeting.

“CARRIED”

Res. #2011-258: Moved by Councillor Koziol, seconded by Councillor Anthony
That Report CORP 2011-54 dated March 28, 2011 from Catherine Conrad
re User Fees – City Departments and North Bay Fire & Emergency
Services be referred to the General Government Committee for a Public
Meeting.

“CARRIED”

Res. #2011-259: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That City Council approve a contract be awarded to 2212880 Ontario Ltd.
in the estimated amount of \$357,400.00 (HST extra), for the supply of
Aggregate Materials on an as and when requested basis from the date of
contract to October 30, 2011.

“CARRIED”

Res. #2011-260: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That City Council approve the issue of a contract to Miller Paving North Bay, a Division of Miller Paving Limited, in the amount of \$1,516,500.00 (HST extra), to supply Asphalt Concrete Pavement Patching material from the time of award to December 1, 2011.

“CARRIED”

Res. #2011-261: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That City Council approve a contract be awarded to Metro Pavement Markings Ltd. in the estimated amount of \$45,277.50 (HST extra), to provide pavement marking services on an as and when requested basis until June 30, 2011, with the provision of a one year option if mutually agreeable to both parties.

“CARRIED”

Res. #2011-262: Moved by Councillor Vrebosch-Merry, seconded by Councillor Mayne
That City Council approve a contract be awarded to Lafarge Canada Inc. in the estimated amount of \$90,202.10 (HST extra), for the supply of Ready Mix Concrete on an as and when requested basis from the date of contract to October 1, 2011.

“CARRIED”

Res. #2011-263: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That City Council approve the award of a contract to Zamboni Company Ltd. in the amount of \$79,500.25 (HST included), for the supply of one new Ice Resurfacer. This price includes an allowance for a trade-in of a surplus machine.

“CARRIED”

Res. #2011-264: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That Report to Council CSBU 2011-49 from Grant Love relating to the upgrades to the North Bay Radio Communication System be referred to the Community Services Committee.

“CARRIED”

Res. #2011-265: Moved by Councillor Koziol, seconded by Councillor Anthony
That 1) the City of North Bay’s 2010 Year End Variance Report be received and filed; and

2) the Chief Financial Officer be authorized to process the following year-end transfers to and from reserve funds as at December 31, 2010:

- ◆ Transfer 2010 operating budget year end surplus of \$18,452 to Tax Rate Stabilization Reserve Fund;
- ◆ Transfer 2010 Police Services 2010 operating deficit of (\$47,517) from the Police Purposes Reserve Fund; and
- ◆ Transfer 2010 Water and Sanitary Sewer operating deficit of (\$102,015) from the Water and Sanitary Sewer Capital Reserve Fund.

“CARRIED”

Res. #2011-266: Moved by Councillor Koziol, seconded by Councillor Anthony
That Council adopt the Provincial Offences Collection and Write-Off Policy as set out in the attached Report to Council CORP 2011-40 dated March 28, 2011 from Mike Burke.

“CARRIED”

Res. #2011-267: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That City Council approve the Airport Community Improvement Plan
application by Mine Hoists International Limited.

“CARRIED”

Res. #2011-268: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-laws be read a first and second time:

By-Law No. 2011-83 to authorize the Reconstruction of Main Street
Project (Sherbrooke Street to the Overpass).

By-Law No. 2011-84 to authorize the Asset Management Program.

By-Law No. 2011-85 to authorize the Sanitary Sewer Rehabilitation
Program.

By-Law No. 2011-86 to authorize the Sanitary Sewer - Premier Road
Pumping Station Program.

By-Law No. 2011-87 to authorize the Watermain - Cathodic Protection
Program.

By-Law No. 2011-88 to authorize the Asphalt Resurfacing Program.

By-Law No. 2011-89 to authorize the Ski Club Road Reconstruction
Program (Lakeside Drive to Johnston Road).

By-Law No. 2011-90 to authorize the Ferguson Street Reconstruction
Program (McIntyre Street to Chippewa Street).

By-Law No. 2011-91 to authorize the Public Works Administration Building
Roof Repairs Program.

By-Law No. 2011-92 to authorize the McKeown Avenue Resurfacing
Program (Gormanville Road to the Fire Station).

By-Law No. 2011-93 to authorize the Relocation of Organic Collection
Program - Recycle Centre.

By-Law No. 2011-94 to authorize the Trout Lake Road Reconstruction
Project (Connaught Avenue to Giroux Street).

By-Law No. 2011-95 to authorize the Street Lighting Upgrades Program.

By-Law No. 2011-97 to authorize the Traffic Signals Intersection of Pearce
and Francis Street Program.

By-Law No. 2011-98 to authorize the Sanitary Sewer - Inflow/Infiltration
Reduction/Flow Monitoring Program.

By-Law No. 2011-99 to authorize the Landfill Site (Merrick) Leachate
Treatment Program.

By-Law No. 2011-100 to authorize the Addition to the Public Works Garage.

By-Law No. 2011-104 to execute an agreement with 520710 Ontario Limited
relating to the use of the Landfill Access Road.

“CARRIED”

Res. #2011-269: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-laws be read a third time and passed:

By-Law No. 2011-83 to authorize the Reconstruction of Main Street
Project (Sherbrooke Street to the Overpass).

By-Law No. 2011-84 to authorize the Asset Management Program.

By-Law No. 2011-85 to authorize the Sanitary Sewer Rehabilitation Program.

By-Law No. 2011-86 to authorize the Sanitary Sewer - Premier Road Pumping Station Program.

By-Law No. 2011-87 to authorize the Watermain - Cathodic Protection Program.

By-Law No. 2011-88 to authorize the Asphalt Resurfacing Program.

By-Law No. 2011-89 to authorize the Ski Club Road Reconstruction Program (Lakeside Drive to Johnston Road).

By-Law No. 2011-90 to authorize the Ferguson Street Reconstruction Program (McIntyre Street to Chippewa Street).

By-Law No. 2011-91 to authorize the Public Works Administration Building Roof Repairs Program.

By-Law No. 2011-92 to authorize the McKeown Avenue Resurfacing Program (Gormanville Road to the Fire Station).

By-Law No. 2011-93 to authorize the Relocation of Organic Collection Program - Recycle Centre.

By-Law No. 2011-94 to authorize the Trout Lake Road Reconstruction Project (Connaught Avenue to Giroux Street).

By-Law No. 2011-95 to authorize the Street Lighting Upgrades Program.

By-Law No. 2011-97 to authorize the Traffic Signals Intersection of Pearce and Francis Street Program.

By-Law No. 2011-98 to authorize the Sanitary Sewer - Inflow/Infiltration Reduction/Flow Monitoring Program.

By-Law No. 2011-99 to authorize the Landfill Site (Merrick) Leachate Treatment Program.

By-Law No. 2011-100 to authorize the Addition to the Public Works Garage.

By-Law No. 2011-104 to execute an agreement with 520710 Ontario Limited relating to the use of the Landfill Access Road.

“CARRIED”

Res. #2011-270: Moved by Councillor Koziol, seconded by Councillor Anthony That the following by-law be read a first and second time:

By-Law No. 2011-96 to authorize the Cedar Heights Standpipe Project.

Mayor McDonald declared a conflict of interest as he owns property in the area.

“CARRIED”

Res. #2011-271: Moved by Councillor Koziol, seconded by Councillor Anthony That the following by-law be read a third time and passed:

By-Law No. 2011-96 to authorize the Cedar Heights Standpipe Project.

Mayor McDonald declared a conflict of interest as he owns property in the area.

“CARRIED”

Res. #2011-272: Moved by Councillor Koziol, seconded by Councillor Anthony
That the following by-law be read a third time and passed:

By-Law No. 2011-47 to stop up, close and convey a portion of the laneway in a block bounded by Laurier Avenue, Regina Street, Ellis Street and Franklin Street.

“CARRIED”

Res. #2011-273: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-laws be read a first and second time:

By-Law No. 2011-102 to rezone certain lands on Francis Avenue (Carlo Guido & Tim Falconi – 228 & 232 Francis Avenue).

By-Law No. 2011-103 to rezone certain lands on Lakeshore Drive (2221864 Ontario Inc. – 482 Lakeshore Drive).

“CARRIED”

Res. #2011-274: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2011-17 to rezone certain lands on John Street and Third Avenue East (The Corporation of the City of North Bay).

Councillor Bain declared a conflict of interest as he owns property in the neighbourhood.
Councillor Anthony declared a conflict of interest as a family member works for the proponent.

“CARRIED”

Res. #2011-275: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2011-18 to designate a Site Plan Control on certain lands on Third Avenue East and John Street (The Corporation of the City of North Bay).

Councillor Bain declared a conflict of interest as he owns property in the neighbourhood.
Councillor Anthony declared a conflict of interest as a family member works for the proponent.

“CARRIED”

Res. #2011-276: Moved by Councillor Lawlor, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2011-18 to designate a Site Plan Control on certain lands on Third Avenue East and John Street (The Corporation of the City of North Bay).

Councillor Bain declared a conflict of interest as he owns property in the neighbourhood.
Councillor Anthony declared a conflict of interest as a family member is employed by the applicant.

“CARRIED”

Res. 2011-277: Moved by Council Bain, seconded by Councillor Lawlor
WHEREAS the proposed changes to the Ontario Building Code will expand the role of wood in mid-rise construction, providing significant social, economic and environmental benefits to the province and its people without compromising safety;

AND WHEREAS the proposed changes include fire safety measures which help ensure that six storey wood frame buildings will perform at least as well or better than buildings permitted under the current version of the code;

AND WHEREAS the proposed code changes will permit increased design flexibility and help reduce the current impediments to the construction of mid-rise buildings;

AND WHEREAS mid-rise wood framed buildings are safe, cost-effective, and will help municipalities achieve densification while preserving the richness of mixed-use community neighbourhoods;

AND WHEREAS creating demand for Ontario's wood products also supports the forest industry, a key economic sector of Northern Ontario and the province as a whole. By increasing opportunities to build with wood from Ontario's sustainable managed forests, the proposed code changes support forest industry jobs and forest dependent communities;

THEREFORE BE IT RESOLVED THAT the City of North Bay express to the Government of Ontario its full support of the proposed changes to the Ontario Building Code regarding the use of wood in mid-rise construction and urge that the proposed changes be included in the 2012 edition of the Ontario Building Code;

AND FURTHER THAT a copy of this resolution be forwarded to the Hon. Rick Bartolucci, Minister of Municipal Affairs and Housing; Hon. Monique Smith, Minister of Intergovernmental Affairs; Leaders of the Federal and Provincial oppositions; to the Federation of Northern Ontario Municipalities and to *Wood Works!*.

“CARRIED”

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

Yeas: Councillors Bain, Vrebosch-Merry, Anthony, Mayne, Maroosis, Vaillancourt, Mendicino, Lawlor, Koziol, Mayor McDonald

Nays : Nil

Res. #2011-278: Moved by Councillor Koziol, seconded by Councillor Anthony That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended, at 9:25 p.m. for the following reasons: Item #17, being a proposed purchase of lands by the Municipality; Item #18, being a pending disposition of lands by the Municipality; and Item#19, labour negotiations.

“CARRIED”

Councillor Anthony left the meeting. He did not attend the Closed Meeting.

Res. #2011-279: Moved by Councillor Koziol, seconded by Councillor Maroosis That Council reconvene at 10:04 p.m.

“CARRIED”

Res. #2011-280: Moved by Councillor Vaillancourt, seconded by Councillor Bain That this Regular Meeting of Council do now adjourn at 10:04 p.m.

“CARRIED”

CLOSED MEETING CONFLICT OF INTEREST

Regular Agenda Item #18 - Mayor McDonald declared a conflict as he has an interest in the operation of the business and left the meeting for the discussion of this item.

MAYOR ALLAN McDONALD

CITY CLERK CATHERINE CONRAD