

**MINUTES OF THE REGULAR MEETING
OF CITY COUNCIL
HELD MONDAY, JUNE 14TH, 2010**

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

PUBLIC PRESENTATION:

Sean Lawlor/Dave Mendicino re Specialized Care Patients Sub-Committee Meeting with Minister of Health and Long Term Care

CORRESPONDENCE:

Dunne, Denise re Fence Variance application - 204 Blair Street (416)

Balbinot, Claudio re Rezoning application by Claudio Balbinot o/b 893624 Ontario Ltd. & Murray Howe - 1205 & 1229 Fisher Street / 432 & 444 York Street (411)

REPORTS FROM OFFICERS:

Burke, M. re Bicycle Helmets - Kate Pace Way & Kinsmen Trail (418)

Burke, M. re Purchase of land corner of Ferguson Street & Princess Street (436)

Conrad, C. re Delegation of Authority during Lame Duck Council Period (413)

Conrad, C. re Amendments to 2010 Council & Standing Committees Meeting Schedule (414)

Gravelle, A. re Contract with FedNor - City of North Bay Airport Design Project (420)

Gravelle, A. re Northern Ontario Heritage Fund Agreement - Community Waterfront Park (424)

Gravelle, A. re Comparison of Recent Funding Announcements for the Five Cities in Northern Ontario (425)

Killins, S. re Fence Variance application - 204 Blair Street (416)

Kitlar, S. re Northern Ontario Open Country Singing Contest (419)

Knox, J. re Naming of Outdoor Sports Complex (410)

Knox, J. re Execution of Agreements with Funding Agencies (421)

Manning, J. re Tender 2010-66, Memorial Drive Pedestrian Crossings (422)

Manning, J. re Tender 2010-63, Outdoor Sports Complex Washroom Building / Parking Lot (426)

Ringler, T. re Break Open Ticket Locations (417)

Scully, L. re Set Fines & Short Form Wording - Waste Management By-Law No. 2010-108 (415)

Scully, L. re Set Fines & Short Form Wording - Fireworks By-Law No. 2010-146 (423)

Tomek, A. re 3R's Maximization Review - 2010 Update (412)

Res. #2010-407: Moved by Councillor Vaillancourt, seconded by Councilor Mendicino That minutes for the public meeting held on:

- Monday, May 31, 2010

be adopted as presented.

"CARRIED"

Res. #2010-408: Moved by Councillor Vaillancourt, seconded by Councillor Mendicino That minutes for the closed meeting held on:

- Monday, May 31, 2010

be adopted as presented.

“CARRIED”

Res. #2010-409: Moved by Councillor Anthony, seconded by Councillor Mendicino That Community Services Committee Report No. 2010-12 relating to:

- 2009 Annual Report on Building Permit Fees; and
- Rezoning application by Patricia Gail Therriault - 1770 High Street

be adopted as presented.

“CARRIED”

COMMUNITY SERVICES COMMITTEE REPORT NO. 2010-12

June 14, 2010

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

Your Worship and Councillors:

The Community Services Committee presents Report No. 2010-12 and recommends:

1. That the 2009 Annual Report on Building Permit Fees attached to Report to Council CSBU 2010-57 be noted and filed.
2. That
 - a) the proposed Zoning By-Law Amendment by Miller & Urso Surveying Inc. on behalf of Patricia Gail Therriault to rezone Registered Plan M-165, Lot 825 and Part of Lot 824, Parcel 6361 W/F, PIN #49150-0568 (LT) (1770 High Street) from a “Residential Second Density (R2)” zone to a “Residential Third Density Special (R3 Sp.)” zone for the purpose of converting an existing single detached dwelling unit to a duplex, be approved; and
 - b) the subject property be placed under Site Plan Control pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, as amended.

All of which is respectfully submitted.

ASSENTS
ANTHONY
MENDICINO
GRAHAM
FEDELI

DISSENTS

Res. #2010-410: Moved by Councillor Anthony, seconded by Councillor Mendicino That consistent with the desires of both City Council and Steve Omischl, City Council formally name the City of North Bay’s new Outdoor Sports Complex the “Steve Omischl Sports Field Complex”.

“CARRIED”

Res. #2010-411: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the rezoning application by Claudio Balbinot on behalf of 893624 Ontario Ltd. & Murray Howe - 1205 & 1229 Fisher Street and 432 & 444 York Street be received.

“CARRIED”

Res. #2010-412: Moved by Councillor Koziol, seconded by Councillor Bain
That City Council approve the 2010 3R's Maximization Plan Update attached to Report to Council EESW 2010-12 dated June 1, 2010 and that a copy be forwarded to the Ministry of the Environment in compliance with Environmental Assessment Conditions of Approval for the Merrick Landfill Site.

“CARRIED”

Res. #2010-413: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That 1) the Chief Administrative Officer, City Solicitor and Chief Financial Officer, jointly be delegated the authority to:

- (i) dispose of any real or personal property of the municipality which has a value exceeding \$50,000 when it was acquired by the municipality; and
 - (ii) make expenditures or incur liabilities which exceed \$50,000;
- 2) this delegation of authority will only take effect and be limited to the “Lame Duck Period” of Council and shall expire on Monday, December 6, 2010; and
 - 3) notice of the exercise of any such authority shall be given to the Council at a meeting prior to the exercise of such authority.

“CARRIED”

Res. #2010-414: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That City Council adopt the amended 2010 Council and Standing Meeting Schedule attached to Report to Council No. CORP 2010-100 dated June 1, 2010.

“CARRIED”

Res. #2010-415: 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 Waste Management By-Law No. 2010-108, as set out in Schedule “A” attached to Report to Council No. CORP 2010-74 dated June 1, 2010.

”CARRIED”

Res. #2010-416: Moved by Councillor Anthony, seconded by Councillor Mendicino
That Council approve the request for a variance to Fence By-Law No. 2005-105 to permit a fence located in the front yard and side yard to increase in height from the permitted 4'0” and 6'0” to 8'0” at 204 Blair Street, North Bay.

“CARRIED”

Res. #2010-417: Moved by Councillor Campbell, seconded by Councillor Vrebosch-Merry That the City of North Bay limit the number of Break Open Ticket locations allowed per organization to three (3).

“CARRIED”

Councillor Vaillancourt declared a conflict of interest as his employer will benefit from the increase in numbers.

Councillor Graham declared a conflict of interest as he operates a Break Open Ticket location.

Res. #2010-418: Moved by Councillor Anthony, seconded by Councillor Mendicino That Council pass a by-law to amend Parks By-Law 35-96 to require bicyclists under the age of 18 to wear helmets on the Kate Pace Way and the Kinsmen Trail within the City of North Bay.

“CARRIED”

Res. #2010-419: Moved by Councillor Anthony, seconded by Councillor Mendicino That 1) the Nipissing Country Music Association be granted permission to hold the 2010 Northern Ontario Open Country Singing Contest on August 27th, 28th, & 29th, 2010 in Lee Park pursuant to By-Law No. 142-76 (Noise By-Law); and

2) the request by the Nipissing Country Music Association regarding exemption from the Noise By-Law, exclusivity over the event and grounds and a temporary closure of the Kate Pace Way through the event area, be approved as outlined in Report to Council CSBU 2010-79.

“CARRIED”

Res. #2010-420: Moved by Councillor Anthony, seconded by Councillor Mendicino That 1) Council authorize the Mayor and City Clerk to execute the contract with FedNor for the design and engineering costs for a new Industrial Park at the North Bay Jack Garland Airport; and

2) Council authorize the Mayor and City Clerk to make future amendments to the Agreement with FedNor, as required.

“CARRIED”

Res. #2010-421: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That Council authorizes City Staff to prepare an amendment to the Delegation of Authority By-Law to authorize the Chief Administrative Officer and City Clerk to enter into Funding Agreements with the Provincial and Federal Governments.

“CARRIED”

Res. #2010-422: Moved by Councillor Koziol, seconded by Councillor Bain That North Bay City Council approve a contract be awarded to Canor Construction in the amount of \$137,007.32 (GST extra), for construction of the Memorial Drive Pedestrian Crossings.

“CARRIED”

Res. #2010-423: 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 the Fireworks By-Law No. 2010-146, as set out in Schedule "A" attached to Report to Council No. CORP 2010-103.

"CARRIED"

Res. #2010-424: Moved by Councillor Anthony, seconded by Councillor Mendicino That 1) Council authorize the Mayor and City Clerk to execute the contract with Northern Ontario Heritage Fund for the next phase of work at the Community Waterfront Park; and
2) Council authorize the Mayor and City Clerk to make future amendments to the Agreement with the Northern Ontario Heritage Fund, as required.

"CARRIED"

Res. #2010-425: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That Council accept Report to Council CSBU 2010-74 dated June 9, 2010 regarding Comparison of Recent Funding Announcements for the Five Cities in Northern Ontario for information purposes only.

"CARRIED"

Res. #2010-426: Moved by Councillor Anthony, seconded by Councillor Mendicino That North Bay City Council approve the award of a contract to Kenalex Construction Company Limited in the amount of \$1,679,900.00 for the construction of a washroom building/parking lot for the Outdoor Sports Complex.

"CARRIED"

Res. #2010-427: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That the following by-laws be read a first and second time:

By-Law No. 2010-149 to authorize the Road Rehabilitation Program.

By-Law No. 2010-154 to execute an Amendment to Contract with Canadian Corps of Commissionaires, Ottawa Division, relating to Parking and Security Services.

"CARRIED"

Res. #2010-428: Moved by Councillor Campbell, seconded by Councillor Vaillancourt That the following by-laws be read a third time and passed:

By-Law No. 2010-149 to authorize the Road Rehabilitation Program.

By-Law No. 2010-154 to execute an Amendment to Contract with Canadian Corps of Commissionaires, Ottawa Division, relating to Parking and Security Services.

"CARRIED"

Res. #2010-429: Moved by Councillor Anthony, seconded by Councillor Mendicino That the following by-law be read a first and second time:

By-Law No. 2010-134 to rezone certain lands on High Street (Patricia Gail Therriault - 1770 High Street).

"CARRIED"

Res. #2010-430: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-law be read a first and second time:

By-Law No. 2010-135 to designate a Site Plan Control Area on certain lands on High Street (Patricia Gail Therriault - 1770 High Street).

“CARRIED”

Res. #2010-431: Moved by Councillor Anthony, seconded by Councillor Mendicino
That the following by-law be read a third time and passed:

By-Law No. 2010-135 to designate a Site Plan Control Area on certain lands on High Street (Patricia Gail Therriault - 1770 High Street).

“CARRIED”

Res. #2010-432: Moved by Councilor Koziol, seconded by Councillor Bain
That the following by-laws be read a first and second time:

By-Law No. 2010-148 to repeal By-Law No. 2005-03 (being a by-law to control the use of pesticides in the City of North Bay).

By-Law No. 2010-150 to execute an Agreement with Pioneer Construction Inc. relating to the Asphalt Resurfacing Program.

By-Law No. 2010-153 to execute an Agreement with 2089863 Ontario Ltd. operating as Excel Landscaping relating to landscaping services.

“CARRIED”

Res. #2010-433: Moved by Councilor Koziol, seconded by Councillor Bain
That the following by-laws be read a third time and passed:

By-Law No. 2010-148 to repeal By-Law No. 2005-03 (being a by-law to control the use of pesticides in the City of North Bay).

By-Law No. 2010-150 to execute an Agreement with Pioneer Construction Inc. relating to the Asphalt Resurfacing Program.

By-Law No. 2010-153 to execute an Agreement with 2089863 Ontario Ltd. operating as Excel Landscaping relating to landscaping services.

“CARRIED”

Res. #2010-434: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That Council adjourn in-camera pursuant to section 239.(2) of the *Municipal Act, 2001*, as amended, at 8:27 p.m. for the following reasons: Items #18, #19 & #21, being the potential acquisition of lands by the municipality; Item #20, being the potential lease of municipal lands; and Item #22, being the potential sale of municipal lands.

“CARRIED”

Res. #2010-435: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That Council reconvene at 8:44 p.m.

“CARRIED”

Res. #2010-436: Moved by Councillor Campbell, seconded by Councillor Vaillancourt
That 1) Council approve the purchase of Lot 573, Plan 93 at Ferguson and Princess Streets for use in connection of the Fire Hall for the appraised value of \$17,500.00; and

2) the purchase be funded through the Surplus Lands Reserve.

“CARRIED”

Res. #2010-437: Moved by Councillor Mendicino, seconded by Councillor Vaillancourt
That this Regular Meeting of Council do now adjourn at 8:45 p.m.

“CARRIED”

MAYOR VICTOR FEDELI

CITY CLERK CATHERINE CONRAD