

Minutes

*of a Meeting of the Council of the City of Kenora
held Monday, April 14, 2003 – City Chambers
at 5:00 p.m.*

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**WITH Mayor D. Canfield in the Chair, Councillor R. Lunny, Councillor D. McDougald, Councillor R. McMillan, Councillor I. Parkes, Councillor T. Szajewski, Councillor C. Wasacase, Joanne L. McMillin, City Clerk.**

**Mayor Canfield called the meeting to order and Councillor Szajewski read the Prayer.**

## **CONFIRMATION OF MINUTES**

**1.Moved by I. Parkes, Seconded by D. McDougald & Carried:-**

THAT the Minutes of the last Regular Meeting of Council of the City of Kenora held **Monday, March 24**, and of the Special Meeting held **Tuesday April 8, 2003** be confirmed as written and circulated.

**Mayor Canfield then asked if any Member of Council had any Declarations of Interest with respect to any items on the Agenda. The following Declarations were made:- Councillor McDougald – Resolution No. 2.**

## **DEPUTATIONS:**

### **Lydia Harlos**

Ms Harlos made certain inquiries with respect to accessing books from the Library and expressed concern that the Library is under-funded. She further mentioned that the Library cannot always get the books being requested by the public.

Ms Harlos made reference to the use of bag tags and questioned why the City won't re-consider the cost of the tags? She was assured that the cost of bag tags is not expected to increase in the immediate future.

Ms Harlos further questioned if the City Council Minutes are available at the Library and she was advised they are available as they are submitted to the Library on a regular basis.

In closing Ms Harlos suggested the City consider expanding the size of its Council to 18 Members.

### **Gerry Bozzo**

Mr. Bozzo presented a Petition to Council setting out the intent of those who signed the Petition to rebuild/repair or construct enough docking for all residents on Pearson Street West. The cost and upkeep of the dock would be shared by all who make use of it. They understand and believe that to maintain the integrity of the park setting, it would be the least intrusive and ecologically friendly to have all residents on one dock; he believes everyone should be treated equally, and requests a formal response from the City.

**Pearl Bannister**

Mrs. Bannister addressed Council on the spraying of pesticides and herbicides in Kenora and questioned whether or not the City has made any decisions for a moratorium on the spraying of chemicals?

Mayor Canfield advised Mrs. Bannister that while this issue has been discussed, conducting a total ban within the municipality is almost impossible. Apparently there are other more environmentally friendly things that can be done and the City could likely take a more rational approach. She questioned why it is being totally banned in different locations across the country and not in Kenora.

Mrs. Bannister was requested to contact the Community Services Department, Councillor Szajewski and/or the Northwestern Health Unit concerning the status with respect to this matter.

**APPROVAL OF ACCOUNTS****2.Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

THAT the Report dated **March 31 and April 3, 2003** of the Finance and Administration Committee, submitting for approval and authorization for payment, invoices, accounts and payroll summaries, including transfers to Boards and Commissions for municipal and utility listings, attached hereto, totalling **\$4,278,902.41** be hereby authorized for approval.

**ABSTENTION: Councillor D. McDougald****TOURISM PROMOTION RESERVE FUND****3.Moved by T. Szajewski, Seconded by R. McMillan & Carried:-**

THAT the City establish a Tourism Promotion reserve fund, and that any monies received relating Destination Tourist Attraction be placed into that reserve fund; and further

THAT the appropriate By-law be passed to establish said reserve fund.

**MUNICIPAL GRANTS - 2003****4.Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

THAT the Mayor and Council approve municipal grants totalling \$18,300 for 2003 as follows:

|                                              |               |
|----------------------------------------------|---------------|
| <b>Youth Drop In Centre</b>                  | <b>15,000</b> |
| <b>St Nicholas Ukrainian Catholic Church</b> | <b>1,300</b>  |
| <b>Lake of the Woods Historical Society</b>  | <b>2,000</b>  |

AND FURTHER, that the Manager of Finance and Administration be authorized to release funds to these organizations prior to approval of the municipal operating budget.

**FEE FOR HOLDING OF SPECIAL COUNCIL MEETINGS****5.Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

THAT Council of the City of Kenora hereby approves a fee of \$350.00 per request from the public for the holding of a Special Meeting of Council, which is not a municipal initiative; and further

THAT this fee be incorporated into the Tariff of Fees By-law that is currently under review.

**PURCHASE OF FLOWER BASKETS – COMMUNITIES IN BLOOM**

**6. Moved by T. Szajewski, Seconded by C. Wasacase & Carried:-**

THAT Council of the City of Kenora authorize the purchase of two hanging flower baskets as part of the Communities in Bloom Basket Program.

**APPROVAL OF DEBT POLICY**

**7. Moved by R. Lunny, Seconded by D. McDougald & Carried:-**

THAT Council of the City of Kenora hereby approves the attached Debt Policy; and further

THAT Council approve a By-law for the issuance of construction financing in the amount of \$8,169,126.96 effective 31 December 2002 to clear the Unfinanced Capital Outlay for the TJW Development budgeted to be financed through a debenture issue.

**AGREEMENTS WITH KENORA DISTRICT CREDIT UNION**

**8. Moved by R. McMillan, Seconded by T. Szajewski & Carried:-**

THAT the Council of the City of Kenora hereby approves the attached agreements formalizing the existing relationship with the Kenora District Credit Union.

**SALE OF LAND TO UNION GAS LIMITED**

**9. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

THAT Council give three readings to a by-law to authorize the sale of Part 1, Plan 23R-10775 together with a Right-of-Way in common with others through Part 2, Plan 23R-10775 to Union Gas Limited.

**AGREEMENT FOR COMMUNITY POLICE PARTNERSHIP PROGRAM**

**10. Moved by R. Lunny, Seconded by D. McDougald & Carried:-**

THAT Council of the City of Kenora hereby authorizes entering into an agreement with Her Majesty the Queen in Right of the Province of Ontario, as represented by the Ministry of the Solicitor General and Correctional Services, in conjunction with the Kenora Police Services Board for funding under the Community Police Partnership Program.

**SUPPORT OF KENORA & DISTRICT COMMUNITY FOUNDATION**

**11. Moved by T. Szajewski, Seconded by R. McMillan & Carried:-**

THAT Council of the City of Kenora hereby supports and submits an application to the Ontario Trillium Foundation on behalf of the Kenora and District Community Foundation Steering Committee to establish the Kenora and District Community Foundation for the purpose of building a permanent community endowment to respond to local needs.

**HIRING OF SUMMER STUDENTS – LK OF THE WDS MUSEUM**

**12. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

THAT Council of the City of Kenora approve the hiring of two summer students for the Lake of the Woods Museum for the months of July and August 2003; and further

THAT the Museum Manager be authorized to fill the respective positions and to establish the employment terms of reference in consultation with the

Human Resource Manager according to Municipal Hiring Practices and Regulations.

**APPROVAL OF COMMUNITY CLUB GRANTS**

**13.Moved by T. Szajewski, Seconded by C. Wasacase & Carried:-**

THAT Council approves the recommendation made by the Leisure Services Committee to grant \$4000.00 to Central, Pinecrest, and Rideout Community Clubs; and

THAT Council approves the recommendation to grant Evergreen Community Club \$4000.00 with the condition that the club ensures that their club's boards be repaired and in good operating condition for the 2003-2004 skating/hockey season; and further

THAT Council approves the recommendation to grant Norman Community Club \$2000.00 with the condition that an ice program be implemented for the 2003-2004-winter season and a full payment be made when proof of an ice program is seen by the Leisure Services Committee.

**DOCKING IN THE PEARSON STREET AREA**

**14.Moved by T. Szajewski, Seconded by R. McMillan & Carried:-**

THAT Council of the City of Kenora support the original position of Kenora Port Authority respecting the Pearson Street dock situation by requiring Kenora Condominium Corp. to relocate its present dock off the water lot in front of the condominium property; and

THAT those private docks in the Pearson Street area which are not located immediately adjacent to the homeowner property be removed; and further

THAT a Shoreline Management Policy be developed based on balancing private use of the shoreline while protecting the natural environmental conditions for the use and enjoyment of the general public.

**HIRING OF POSITIONS FOR PARKS & OPEN SPACE**

**15.Moved by D. McDougald, Seconded by R. Lunny & Carried:-**

THAT Council of the City of Kenora accept the recommendation from the Community Services Committee for the hiring of a Parks and Open Space Supervisor; and

THAT Council approve the hiring of a Parks and Cemetery Administrative Support position; and further

THAT Council approves the hiring of a Full Time Labourer for the Community Services Department.

**PARTICIPATION IN MUTUAL AID PLAN**

**16.Moved by I. Parkes, Seconded by D. McDougald & Carried:-**

THAT Council of the City of Kenora hereby repeals the former Corporation of the Town of Kenora By-Law No. 1828, the former Corporation of the Town of Keewatin By-Law No. 808, the former Corporation of the Town of Jaffray Melick By-Law No 644 as they refer to Mutual Aid Plans; and further

THAT Council of the City of Kenora give three readings to a By-law to provide for the participation of the City of Kenora Fire and Emergency Services in the Kenora District Mutual Aid Plan.

**PURCHASE OF ACCELERATED BREATHING APPARATUS****17. Moved by I. Parkes, Seconded by D. McDougald & Carried:-**

THAT the Council of the City of Kenora approve an accelerated Self Contained Breathing Apparatus implementation plan that would conclude in year 2003 with the acquisition of a full complement of all Self Contained Breathing Apparatus required by City of Kenora Fire and Emergency Service personnel; and

THAT Council for the City of Kenora approve this accelerated plan with an appropriation from the fire equipment replacement reserve in the amount of \$109,239.36 plus applicable taxes; and further

THAT the proceeds of the sale of existing Self Contained Breathing Apparatus be transferred to the fire equipment replacement reserve upon completion of sale.

**AMENDMENT TO "JAKE BRAKES" BY-LAW #116-2001****18. Moved by D. McDougald, Seconded by R. Lunny & Carried:-**

THAT Council give three readings to a by-law to amend Section 2(3) of Bylaw No. 116-2001 by the addition of:

**Jones Road between a point 550 metres Southwest of Airport Road and Homestake Road.**

**ATTENDANCE AT DRINKING WATER SYSTEMS SEMINAR****19. Moved by R. Lunny, Seconded by D. McDougald & Carried:-**

THAT authorization be hereby given for Warren Spencer, Operations Manager and Warren Ortlieb, Water and Sewer Supervisor to attend the Overseeing Public Drinking Water Systems Seminar being held in concert with the NOMA Conference, scheduled May 1, 2003 in Fort Frances, with eligible expenses authorized.

**TERMS OF REFERENCE – REAL PROPERTY SERVICES****20. Moved by C. Wasacase, Seconded by T. Szajewski & Carried:-**

THAT Council of the City of Kenora hereby approves the "Terms of Reference for Provision of Real Property Services"; and further

THAT the document be circulated to all real estate firms located within the City of Kenora.

**APPROVAL FOR STREET NAME CHANGE (Lakeside Beach area)****21. Moved by R. Lunny, Seconded by D. McDougald & Carried:-**

THAT the Council of the Corporation of the City of Kenora approves the changing of "Lakeside Beach Road" and "Tenth Street South" to "Lakeside Crescent"; and further

THAT the Clerk of the City of Kenora is directed to proceed with the requirements of the Municipal Act to change the names.

**APPROVAL FOR ADOPTION OF SITE PLAN CONTROL BY-LAW****22. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

THAT the Council of the Corporation of the City of Kenora deems that all properties located within the City that are zoned either commercial or industrial be subject to site plan control.

***Councillor Wasacase requested the Rules of Order be Suspended to introduce the following new item:-***

**EASEMENT AGREEMENT – ESTATE OF MARIE LECIAN**

**22A Moved by T. Szajewski, Seconded by R. McMillan & Carried:-**

THAT the Council of the Corporation of the City of Kenora approves the transfer of an easement for utilities from Darlene Wickham, agent for the estate of Marie Lecian to the City of Kenora; and

THAT the transferor be responsible for all costs associated with the registration of said easement; and further

THAT Council give three readings to a by-law for this purpose.

**APPROVAL TO HIRE SUMMER STUDENTS @ KMTS**

**23. Moved by R. Lunny, Seconded by D. McDougald & Carried:-**

THAT the Council of the City of Kenora approve the hiring of four (4) summer students at the Kenora Municipal Telephone System beginning May 1, 2003 for a period not to exceed 16 weeks.

**PROCLAMATION – “GREEN RIBBON OF HOPE” MONTH**

**24.Moved by I. Parkes, Seconded by R. Lunny & Carried:-**

THAT the Mayor be and is hereby authorized to proclaim the month of May, 2003 as “Green Ribbon of Hope Month” and Sunday, May 25 as “National Missing Children’s Day” in and for the City of Kenora.

***Councillor McMillan requested the Rules of Order be Suspended to introduce the following new item:-***

**PROCLAMATION – “DAY OF MOURNING”**

**24A Moved by R. McMillan, Seconded by T. Szajewski & Carried:-**

THAT the Mayor be and is hereby authorized to proclaim Monday, April 28, 2003 as “National Day of Mourning” in and for the City of Kenora.

**TENDER – TRUCK FOR PARKS DEPARTMENT**

**25. Moved by T. Szajewski, Seconded by R. McMillan & Carried:-**

THAT Council of the City of Kenora accepts the tendered bid from Kantola Motors for the purchase of a 2003 Chevrolet Silverado truck for the Parks Department, as specified, at a cost of \$24,140.80 including taxes.

**TENDER – CEMETERY LAWN TRACTOR**

**26. Moved by T. Szajewski, Seconded by C. Wasacase & Carried:-**

THAT Council of the City of Kenora accept the tendered lawn tractor X475 bid from Degagne Equipment from Emo, ON, for the all-inclusive price of \$12,535.00.

**TENDER - CENTER-LINE & EDGE-LINE PAVEMENT MARKINGS**

**27. Moved by D. McDougald, Seconded by R. Lunny & Carried:-**

THAT the quotation for the 2003 Highway centerline and edge-line permanent pavement markings, as specified, be conditionally awarded to Rite-Way Decorators, Kenora Ontario for the unit price of \$247.00 per km or \$30,478.57 plus GST; and further

THAT the quotation received from North-West Lines, Thunder Bay, Ontario to complete the project, as specified for the unit price of \$284.50 per km or \$36,305.88 plus GST be authorized, on an 'as-required' basis.

### **TENDER – URBAN STREET LINE PAINTING**

#### **28. Moved by I. Parkes, Seconded by R. Lunny & Carried:-**

THAT the 2003 urban street line painting, as specified, be awarded to Rite-Way Decorators in the amount of \$43,255.00 (plus GST) and an hourly rate for extra work in the amount of \$47.50 (plus GST).

### **TENDER – VOLVO LOADER**

#### **29. Moved by D. McDougald, Seconded by R. Lunny & Carried:-**

THAT the tender received from Strongco Equipment for the purchase of a 2003 Volvo Loader, Model L50D, as specified, at a net cost of \$121,960.00, after trade-in (taxes extra) be accepted.

### **TENDER – VOLVO EXCAVATOR**

#### **30. Moved by R. Lunny, Seconded by D. McDougald & Carried:-**

THAT the tender received from Strongco Equipment for the purchase of a 2003 Volvo Excavator, Model EW170, as specified complete with brush head attachment at a cost of \$234,829.00 plus taxes be accepted.

### **TENDER – ¾ TON/4-WHEEL DRIVE TRUCK**

#### **31. Moved by D. McDougald, Seconded by R. Lunny & Carried:-**

THAT the quotation received from Kantola Motors, Kenora Ontario for the purchase of a 2003 Chevrolet ¾ ton four-wheel drive truck, as specified, complete with mounted crane, at a cost of \$42,645.09 including taxes (after municipal rebate) be authorized; and further

THAT the allocation of costs be approved as follows:

\$35,000.00 from Water & Sewer Capital Expenditures, 2003.  
\$ 7,645.09 from Water & Sewer Equipment Reserves.

### **PROPOSAL - ADDITIONAL ENGINEERING FEES - BRIDGES**

#### **32. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

THAT the proposal submitted by KGS Group for additional engineering fees on the Keewatin Channel Bridge in the amount of \$3,500.00 and the Portage Bay Bridge (waterproofing) in the amount of \$3,050.00 by hereby approved.

### **CORRECTED TENDER – GRANULAR "A"**

#### **33. Moved by R. Lunny, Seconded by D. McDougald & Carried:-**

THAT Part "A" of the tender for the supply and delivery of 4500 tonnes of Granular "A" material, as specified, be awarded to DeGagne construction Materials, Kenora, in the amount of \$11.13 per tonne (taxes included) pending approval of the proposed material; and

THAT the attached ranking list for the supply only of Granular "A" material from private pits for the period commencing May 1, 2003 be hereby accepted and adopted; and further

THAT Council rescind Resolution #21 dated March 24, 2003.

**CORRECTED TENDER – CLASS 2 AGGREGATE**

**34. Moved by I. Parkes, Seconded by R. Lunny & Carried:-**

THAT the tender for the supply and delivery of Class 2 Aggregate, as specified, be awarded to DeGagne Construction Materials, Kenora Ontario in the amount of \$13.77 per tonne (taxes included) pending approval of the proposed aggregate; and further

THAT Council rescind Resolution #22 dated March 24<sup>th</sup>, 2003.

**BY-LAWS – FIRST AND SECOND READING**

**35. Moved by R. McMillan, Seconded by T. Szajewski & Carried:-**

**THAT** the following **By-laws** be read a **FIRST & SECOND** Time:~

- #60-2003 – to establish a Destination Tourist Attraction Reserve Fund;
- #61-2003 – to authorize construction financing in the amount of \$8,169,126.96 through the issuance of debt to KMTS Mobility towards the costs of the TJW Development;
- #62-2003 – to authorize the sale of land to Union Gas Limited;
- #63-2003 – to amend Comprehensive Zoning By-law L37/95, as amended (Strecker);
- #64-2003 – to amend Comprehensive Zoning By-law 50-91, as amended (St.Croix);
- #65-2003 – to confirm the proceedings of Council at its April 8 Committee Meeting;
- #66-2003 – to provide for the participation of the City of Kenora Fire and Emergency Services in the Kenora District Mutual Aid Plan;
- #67-2003 – to apply Site Plan Control to certain areas of the City;
- #68-2003 – to amend By-law Number 116-2001 being a By-law to Control the use of Engine Compression Exhaust Style Brakes (also known as Jake Brakes) within certain areas of the City;
- #69-2003 – to execute a Service Contract with Viburnum Tree Experts;
- #70-2003 – to acquire certain lands for easement purposes from the Estate of Marie (Mary) Lecian for the purposes of Storm Sewer/Water Easement;
- #71-2003 – to authorize the execution of an agreement with the Minister of Tourism and Recreation to provide funding for the City of Kenora Recreation Centre Expansion and Renovation (Wellness Centre).

**BY-LAWS – THIRD AND FINAL READING**

**36. Moved by R. McMillan, Seconded by T. Szajewski & Carried:-**

**THAT** the following **By-laws** be now approved in their present form and be presented for **THIRD AND FINAL** Reading:-

- #60-2003 – to establish a Destination Tourist Attraction Reserve Fund;
- #61-2003 – to authorize construction financing in the amount of \$8,169,126.96 through the issuance of debt to KMTS Mobility towards the costs of the TJW Development;
- #62-2003 – to authorize the sale of land to Union Gas Limited;
- #63-2003 – to amend Comprehensive Zoning By-law L37/95, as amended (Strecker);
- #64-2003 – to amend Comprehensive Zoning By-law 50-91, as amended (St.Croix);
- #65-2003 – to confirm the proceedings of Council at its April 8 Committee Meeting;
- #66-2003 – to provide for the participation of the City of Kenora Fire and



- Emergency Services in the Kenora District Mutual Aid Plan;
- #67-2003 – to apply Site Plan Control to certain areas of the City;
- #68-2003 – to amend By-law Number 116-2001 being a By-law to Control the use of Engine Compression Exhaust Style Brakes (also known as Jake Brakes) within certain areas of the City;
- #69-2003 – to execute a Service Contract with Viburnum Tree Experts;
- #70-2003 – to acquire certain lands for easement purposes from the Estate of Marie (Mary) Lecian for the purposes of Storm Sewer/Water Easement;
- #71-2003 – to authorize the execution of an agreement with the Minister of Tourism and Recreation to provide funding for the City of Kenora Recreation Centre Expansion and Renovation (Wellness Centre).

**ANNOUNCEMENTS**

Councillor Lunny advised of the recent decision and recommendation by the Kenora Police Services Board with respect to the matter of imposing a reduced speed zone in the Harbourfront. Councillor Lunny noted the Board would prefer the City use education and enforcement rather than implementing a reduction in speed. This recommendation will come forward to a Committee of the Whole to deal with in a formal matter.

**ADJOURNMENT**

**37. Moved by D. McDougald, Seconded by R. Lunny & Carried:-**

**THAT** this meeting be now declared closed at 5:55 p.m.

***THE CORPORATION OF THE CITY OF KENORA:***

**CONFIRMED AS WRITTEN THIS .....DAY OF**

**.....2003**

.....  
**MAYOR**

.....  
**CITY CLERK**