

Minutes

*of a Meeting of the Council of the City of Kenora
held Monday, August 25, 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, Bill Preisentanz, CAO, Paulette Grouda, Deputy Clerk.**

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

## **CONFIRMATION OF MINUTES**

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

THAT the Minutes of the last Regular Meeting of Council of the City of Kenora held **Monday, July 21, 2003**, be confirmed as written and circulated.

## **DECLARATION OF PECUNIARY INTEREST**

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

## **DEPUTATIONS:**

### **Lisa Moncrief**

Ms. Moncrief spoke on the 3<sup>rd</sup> Kenora Safe Grad 2003 held June 25<sup>th</sup> at the Kenora Recreation Centre. She advised that there were 100 businesses, 180 volunteers and, 700 fundraising hours involved in the 10 hour party. Ms. Moncrief extended thanks to the Community Services Department, the Fire & Emergency Services Department, the Kenora Police Department, and the City Council. Thank you.

### **Lydia Harlos**

Ms. Harlos asked how much one sign would cost as she had previously requested a "Watch For Children" sign for Melick Avenue.

Ms. Harlos advised there is no sidewalk on River Street or 4<sup>th</sup> and 5<sup>th</sup> Streets and there should be some progress.

Ms. Harlos suggested that trees should be trimmed on 5<sup>th</sup> Street looking down on 2<sup>nd</sup> Avenue so the signs are visible.

Mayor Canfield advised that the signs will be looked at by Operations. Mayor Canfield also advised that there is money budgeted each year for sidewalks and rehabilitation.

### **Paul Hoffert**

Mr. Hoffert mentioned Natural Gas and Drainage. He advised that the City should be fixing the problem. Mr. Hoffert said the ditch was there before gas was around. Mr. Hoffert said the Gas company has broken their own rules and regulations. Mr. Hoffert asked where the 2 feet of overburden comes

from. He said that in 1983 the ditch was supposed to be cleared out. Mr. Hoffert asked when this is being fixed.

Mayor Canfield advised that it is not going to be as everyone has looked at it and can't see a problem.

### **APPROVAL OF ACCOUNTS**

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

THAT the Reports dated **July 24, 31, August 7, 21, 22, 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 **\$3,797,263.15** be hereby authorized for approval.

### **MONEY MARKET FUND (INSTRUCTIONS FROM STAFF)**

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

THAT the City authorize Karen Brown, Charlotte Edie and Janice Robertson to give investment, withdrawal and transfer instructions in connection with the Money Market Fund / Bond Fund for the ONE – Public Sector Group of Funds.

### **EXECUTION OF AGREEMENTS – KMTS BILLING SYSTEM**

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

THAT the Manager of Finance & Administration be authorized to execute the related agreements and documents applicable for implementation of the electronic bill payment and presentment for the KMTS billing system.

### **COUNCIL REMUNERATION – PROPOSED POLICY**

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

THAT a Council remuneration policy be drafted recommending that Mayor & Council be given annual percentage increases in an amount equal to the non-union increase given; and

THAT a recommendation be made to the new Council that Council salaries be amended effective 1 January 2004 based on the increases that would have been received had Council received the same percentage increase as non-union staff; and further

THAT this policy and recommendation be submitted to the new Council in draft format in December 2003, following the new Council orientation.

**Councillor Wasacase said this matter should be left for the new Council to deal with. Councillor Wasacase voted in the negative but the remainder of Council voted in the affirmative and the motion carried.**

### **AMENDMENT OF EDUCATION TAX RATES**

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

THAT Council amends By-law 75-2003 to reflect the amended 2003 Education Tax Rates for capped properties as set out by the On-line Property Tax Analysis (OPTA) system.

### **PROPOSED ESTABLISHMENT OF B.I.A.**

#### **7.Moved by R. McMillan, Seconded by I. Parkes & Carried:-**

THAT Council of the City of Kenora hereby give notice of its intent to establish a Business Improvement Area for the downtown area as outlined in the attached map and provide under Section 204 of the Municipal Act, 2001; and

THAT prior to the passing of a bylaw to establish a Business Improvement Area, the proposed bylaw be sent by prepaid mail to every person who, on the last assessment roll, is assessed for ratable property in a prescribed business property class and is located within the identified geographic area as provided by Section 210 of the Municipal Act, 2001; and further

THAT Bylaw No. 3081 of the former Town of Kenora which established the previous Business Improvement Area be repealed at the time a new B.I.A. by-law is adopted for the City of Kenora.

**APPROVAL OF 2002 FINANCIAL STATEMENTS**

**8. Moved by R. McMillan, Seconded by I. Parkes & Carried:-**

THAT the 2002 Consolidated Financial Statements for the Corporation of the City of Kenora be received and approved by Council.

**JOB DESCRIPTION – HEALTH & SAFETY OFFICER**

**9. Moved by R. McMillan, Seconded by I. Parkes & Carried:-**

THAT the City approve the new job description for a Health and Safety Officer; and

THAT the Human Resources Manager be authorized to commence recruitment of this position.

**MAYOR CANFIELD TO PARTICIPATE ON PRESIDENTS PANEL**

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

THAT the Council of the City of Kenora hereby supports Mayor Canfield participating on the Presidents Panel at the World Class Conference in conjunction with the Pulp and Paper Technical Association of Canada, to be held September 24 to 26, 2003 at the Valhalla Inn in Thunder Bay; and further

THAT the City authorize any eligible expenses.

**KENORA AIR SHOW SPONSORSHIP**

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

THAT authorization be hereby given for a sponsorship in the amount of \$500.00 towards the Airport Authority's hosting of the Kenora Air Show taking place Wednesday, August 20, 2003.

**REQUEST TO ONTARIO ENERGY BOARD**

**12. Moved by R. McMillan, Seconded by I. Parkes & Carried:-**

WHEREAS Union Gas Limited has launched an application with the Ontario Energy Board for Orders approving rate changes for sale, distribution, transmission, and storage of gas; and

WHEREAS the Council has expressed concern respecting retroactive increases placed on gas consumers in Northern Ontario as approved by the Energy Board; and

WHEREAS the proposal by Union Gas would provide for Northern Ontario to have a 51% greater increase than that in Southern Ontario; and

WHEREAS this Application could potentially set rates for the next six years with no further opportunity for these proposals to be challenged;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Kenora does hereby join the City of Greater Sudbury and the City of Timmins in its petition to the Province of Ontario to direct the Ontario Energy Board to curtail the practice of retroactivity by Union Gas and other utility providers immediately; and further

THAT a copy of this resolution be forwarded to the Honourable Ernie Eves, Premier of Ontario, the Honourable John Baird, Minister of Energy, and the Honourable Jim Wilson, Minister of Northern Development and Mines, to Northern MPP's, and to FONOM and AMO and NOMA for their endorsement and support.

**MEMBERSHIP – ONTARIO SUNSET TRAVEL ASSOC.**

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

THAT Council of the City of Kenora authorize payment of \$2,969.20 plus GST for the 2003/04 membership in the Ontario Sunset Country Travel Association.

**C.U.P.E. – MEMORANDUM OF AGREEMENT**

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

THAT Council of the City of Kenora hereby approves and accepts the Memorandum of Agreement between the Corporation of the City of Kenora and the Canadian Union of Public Employees, Local 191 as signed by the parties on July 22, 2003; and further

THAT once the changes contained in the Memorandum of Agreement have been incorporated into a Collective Agreement, Council will give three readings to a by-law to authorize the execution of that contract.

**VOLUNTARY BOAT SPEED REDUCTION PROGRAM**

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

THAT as recommended by the Kenora Port authority, the process for a boat speed reduction in the Harbourfront area be suspended at this time and the Kenora Police Services Board be requested to report on the voluntary boat speed reduction program by September 30, 2003.

**FAMILY SAFETY NIGHT – WAIVING OF FEES**

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

THAT Council of the City of Kenora support the "Family Safety Night" by approving the waiving of rental fees at the Kenora Recreation Centre on September 10, 2003.

**EXPENDITURE FROM POLICE STORAGE FACILITY RESERVE**

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

THAT Council approve the expenditure of up to \$10,000 from the Police Storage Facility Reserve account of \$25,000 for the moving and placement of the Kenora Telephone storage building from the Operations Yard to the Kenora Police Service for the purpose of the storage of property and equipment.

**REQUEST TO M.O.E. – BLUE BOX FUNDING PLAN**

**18. Moved by D. McDougald, Seconded by C. Wasacase & Carried:-**

WHEREAS municipalities have been supportive of the Waste Diversion Ontario (W.D.O) process from its inception; and

WHEREAS the Association of Municipalities of Ontario, on behalf of the municipal sector, participated actively in the development of the Blue Box plan; and

WHEREAS the plan was predicated on a May 1, 2003 start date and with every month that passes municipalities lose \$2.6 million in payments from the WDO and municipalities have also lost \$5 million in LCBO funding this year; and

WHEREAS an increase in waste diversion, to divert waste from limited landfill capacity, relies on passage of the Blue Box plan;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the City of Kenora, urges the Minister to approve the plan for a September 1 start date to ensure that municipalities receive WDO funding this year.

**AGREEMENT WITH WINNIPEG – BRADY LANDFILL SITE**

**19. Moved by D. McDougald, Seconded by C. Wasacase & Carried:-**

THAT Council give three readings to a by-law to authorize the execution of an agreement between the City of Winnipeg and the City of Kenora for waste disposal at the Brady Road Landfill.

**Councillor Wasacase asked if there was an opting out clause and was advised there was with 3 months notice. Councillor Wasacase suggested the agreement be reviewed.**

**PAYMENT TO HUGH MUNRO CONSTRUCTION – JONES ROAD**

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

THAT Council of the City of Kenora authorize payment to Hugh Munro Construction Ltd. in the amount of \$192,494.87 representing final payment for the reconstruction and paving of Jones Road South.

**PAYMENT TO HYDRO ONE – JONES ROAD**

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

THAT Council of the City of Kenora hereby authorizes payment in the amount of \$26,750.00 to Hydro One for the relocation of hydro lines as part of the Jones Road Reconstruction project.

**PROPOSAL FROM NADM INC. – HEALTH & SAFETY COMPLIANCE**

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

THAT the proposals, appended hereto, received from NADM INC for health and safety compliance training and support and for policy/procedure development, as specified, be received; and further

THAT the said proposals be accepted having an upset cost limit of \$20,505.00 plus applicable taxes, upon confirmation of employee attendance and approved allocations from the 2003 and 2004 respective department operating budgets.

**MONCRIEF CONSTRUCTION – BEGGS BRIDGE REPLACEMENT**

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

THAT Council give three readings to a by-law to authorize the execution of an agreement between the City of Kenora and Moncrief Construction Limited in connection with the Beggs Road Bridge Replacement Project.

**KGS ENGINEERING LTD. – CONSULTING SERVICES**

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

THAT the Council of the City of Kenora retains KGS Engineering Ltd. to provide consulting services for storm water management and improvements to Highway 17 East.

**MUNICIPAL WATERFRONT DOCKING POLICY**

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

THAT the Council of the City of Kenora adopts the attached Municipal Waterfront Docking Policy, as a means to regulate the use of private docking structures on public property.

**NE-CHEE FRIENDSHIP CENTRE – WAIVING OF FEE**

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

THAT the Council of the City of Kenora support the request from the Ne-Chee Friendship Centre to waive the \$850.00 zoning application fee only for 130 Third Street North, conditional upon Council's initial support that the project proceed based on the information available at this time.

**ZONING BY-LAW AMENDMENT (STUBBS)**

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

THAT Council give three readings to By-law Number 90-2003 to amend Comprehensive Zoning By-law Number L37/95 as amended (Stubbs).

**AGREEMENT WITH M.N.D.M. – BUSINESS ENTERPRISE CENTRE**

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

THAT the Council of the City of Kenora enters into an agreement with the Ministry of Northern Development and Mines for the delivery of the Business Enterprise Centre program for the 2003/04 fiscal year.

**RECEIPT OF STRATEGIC PLAN & EXECUTIVE SUMMARY**

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

THAT Council receive the Strategic Plan – Detailed Report Card, and the Strategic Plan Report Card – Executive Summary; and further

THAT an open meeting be called to review the information contained within these reports.

**Councillor Wasacase commented that the Staff have worked very hard to put together the information in these reports.**

**PROCLAMATION – FIRE PREVENTION WEEK**

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

THAT Council of the City of Kenora proclaim the week of October 5 to 11 2003 as Fire Prevention Week with the theme "When Fire Strikes: Get Out! Stay Out!

**REPAIR PROGRAM-MARINE WATERMAIN PILOT PROJECT**

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

THAT the proposal received from UMA Engineering Ltd. having a total budget of \$29,000.00 (taxes extra) based on upset limits for the various works listed above, to complete the pilot repair program, as specified, for the 400 mm marine watermain, be accepted; and further

THAT analytical water testing be considered to examine contents (i.e. iron, etc) and possible affects on exposed piping and appurtances.

**TENDER – GRANULAR "A"**

**32. Moved by D. McDougald, Seconded by R. McMillan & Carried:-**

THAT the tender for the supply and delivery of 4000 tonnes of Granular "A" material, as specified, be awarded to Lunam Drillers Ltd in the amount of \$10.39 per tonne (taxes included) pending approval of the proposed aggregate.

**TENDER – WINTER CONTROL SAND & DE-ICING SALT**

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

THAT the tender for Winter Control Sand, as specified, be accepted from Joe Neniska and Sons, pending material successfully passing sieve analysis testing:

12,000 tonnes – supply, deliver (treated) to Barsky Hill \$10.64 per tonne  
2,000 tonnes – supply, deliver (untreated) to Keewatin \$14.12 per tonne  
(Applicable taxes included); and further

THAT the proposal received from NSC Minerals for the supply and delivery of approximately 400 tonnes of bulk de-icing salt, at a cost of \$69.01 per tonne (applicable taxes extra) be accepted.

**TENDER – SCHOOL CROSSING GUARDS**

**34. Moved by D. McDougald, Seconded by R. McMillan & Carried:-**

THAT the tender received from Alpine Janitorial Kenora Inc. to provide school crossing guard service, as specified, for the 2003-2004 school year, at a cost of \$55,793.01 taxes included, be accepted.

**TENDER – PAINTING OF KENORA ARENA**

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

THAT Council accepts the low bid of from Rite Way Decorators in the amount of \$24,900.77 plus GST for the supply of all labour material equipment and services to complete the interior painting of the Kenora Recreation Centre Arena.

***Councillor McMillan requested that the Rules of Order be Suspended in order to introduce the following items:***

**AMENDING AGREEMENT WITH FIRSTPRO SHOPPING CENTRES**

**35a. Moved by R. McMillan, Seconded by D. McDougald & Carried:-**

THAT the Council of the City of Kenora hereby agrees to the Amending Agreement as presented in a letter and attachments dated August 11, 2003; and further

THAT three readings be given to a by-law to authorize the execution of the Amending Agreement between the City of Kenora and 1286730 Ontario Limited with respect to municipal property located on Highway 17 East.

**AMENDING AGREEMENT BY-LAW – FIRST & SECOND READINGS**

**35b. Moved by R. McMillan, Seconded by D. McDougald & Carried:-**

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

**#119-2003** – to authorize the execution of an amending agreement between the City of Kenora and 1286730 Ontario Limited.

**AMENDING AGREEMENT BY-LAW – THIRD & FINAL READINGS**

**35c. Moved by R. McMillan, Seconded by D. McDougald & Carried:-**

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

**#119-2003** – to authorize the execution of an amending agreement between the City of Kenora and 1286730 Ontario Limited.

***Councillor McDougald requested that the Rules of Order be Suspended in order to introduce the following items:***

**TENDERS FOR STORM SEWER PIPE RAILWAY STREET AND TENTH STREET STORM DRAIN**

**35d. Moved by D. McDougald, Seconded by D. McDougald & Carried:-**

That Council of the City of Kenora receive the following tenders for the supply and installation of storm sewer pipe for the Railway Street and Tenth Street storm drain:

|                   |                             |
|-------------------|-----------------------------|
| C. J. Edwards     | \$310,966.29 (Taxes Incl.)  |
| Titan Contractors | \$269,828.36 (Taxes Incl.); |

And That the tender for the Railway Street storm drain be awarded to Titan Contractors (Kenora) Ltd. in the amount of \$60,985.72 (gst included) to complete the works, as specified;

And That a total project expenditure allocation of \$80,000.00 be approved for the project;

And further That the tender for the Tenth Street storm drain be awarded to Titan Contractors (Kenora) Ltd. in the amount of \$208,842.60 (gst included) to complete the works, as specified;

And That a total project expenditure allocation of \$220,000.00 be approved for the project.



**BY-LAWS – FIRST & SECOND READING****36. Moved by R. Lunny, Seconded by I. Parkes & Carried:-**

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

- # **90-2003**- to amend Zoning By-law No. L37/95, as amended (Stubbs);
- #**116-2003**- to confirm the proceedings of the Aug. 12 Committee of the Whole meeting;
- #**117-2003**- to amend Zoning By-law No. L37/95, as amended (Tresoor);
- #**118-2003**- to amend the Education Tax Rates for 2003 as originally set out under By-law Number 75-2003 based on the final rates as issued by the on-line property tax system (OPTA);
- #**120-2003**- to adopt amended estimates for Capital and Reserve to be incorporated into the sums required for municipal purposes, during the year, 2003;
- #**121-2003**- to authorize the execution of an agreement between the City of Winnipeg and the City of Kenora for waste disposal at the Brady Road Landfill Site;
- #**122-2003**- to authorize the execution of an agreement with Moncrief Construction Ltd. for the Beggs Road Bridge Replacement Project;
- #**123-2003**- to authorize the execution of a Consulting Contract with KGS Group.

**BY-LAWS – THIRD & FINAL READING****37. Moved by R. Lunny, Seconded by I. Parkes & Carried:-**

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

- # **90-2003**- to amend Zoning By-law No. L37/95, as amended (Stubbs);
- #**116-2003**- to confirm the proceedings of the Aug. 12 Committee of the Whole meeting;
- #**117-2003**- to amend Zoning By-law No. L37/95, as amended (Tresoor);
- #**118-2003**- to amend the Education Tax Rates for 2003 as originally set out under By-law Number 75-2003 based on the final rates as issued by the on-line property tax system (OPTA);
- #**120-2003**- to adopt amended estimates for Capital and Reserve to be incorporated into the sums required for municipal purposes, during the year, 2003;
- #**121-2003**- to authorize the execution of an agreement between the City of Winnipeg and the City of Kenora for waste disposal at the Brady Road Landfill Site;
- #**122-2003**- to authorize the execution of an agreement with Moncrief Construction Ltd. for the Beggs Road Bridge Replacement Project;
- #**123-2003**- to authorize the execution of a Consulting Contract with KGS Group.

**ANNOUNCEMENTS**

Councillor Parkes thanked Lisa Moncrief for her continued work in spearheading the Safe Grad. Ms. Moncrief would not accept thanks for herself but accepted on behalf of everyone else involved.

Councillor Lunny commended Councillor McDougald for the excellent job he did as Chair of the Airport Authority on the Air Show. Councillor Lunny also commended Woody Linton of Search and Rescue for their involvement.

Mayor Canfield thanked Deputy Mayor Lunny for getting the City through the past week with the shut down of essential services and possible evacuation due to the forest fire.

Mayor Canfield also thanked Councillor McDougald for his volunteer work.

Councillor McDougald conveyed thanks from Captain Holbrook of the Snowbirds for allowing the Snowbirds to perform in Kenora. The Snowbirds have given the City a poster to display.

**ADJOURNMENT**

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

**THAT** this meeting be now declared closed at 17.47 p.m.

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

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

**.....2003**

.....  
**MAYOR**

.....  
**CITY CLERK**