

Minutes

*of a Meeting of the Council of the City of Kenora
held Monday, February 23, 2004 – City Chambers
at 5:00 p.m.*

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**WITH Acting Mayor C. Wasacase in the Chair, Councillor L. Compton, Councillor I. Parkes, Councillor R. McMillan, Councillor T. Szajewski, Bill Preisentanz, CAO, Joanne L. McMillin, City Clerk.**

**Regrets: Mayor D. Canfield, Councillor A. Poirier**

## **Call to Order**

**Acting Mayor Wasacase called the meeting to order and Councillor Compton read the Prayer.**

## **CONFIRMATION OF MINUTES**

**1.Moved by L. Compton, Seconded by R. McMillan & Carried:-**

THAT the Minutes of the last Regular Meeting of Council of the City of Kenora held **Monday, February 9, 2004** be confirmed as written and circulated.

**Acting Mayor Wasacase then asked if any Member of Council had any Declarations of Interest with respect to any items on the Agenda. There were none.**

## **DEPUTATIONS:**

### **Don Kinger**

Referred to the amount of remuneration, expenses, and daily per diems being claimed by Members of Council on travel and he believes these amounts are excessive. He also commented that it appears the same Members are always traveling, and questioned whether travel isn't done on a rotating basis? Further he suggested that Members with knowledge in a specific area of interest do not appear to be traveling to meetings that relate to their expertise rather it seems that Members who may not be that familiar with the particular subject matter are attending.

### **Bert Alcock**

Referred to snow and ice control and the potential for the City having to pay out settlements for salt contamination, noting the City should be in touch with its Solicitor to demand the Ministry of Transportation recognize the problem and pay for it. Mr. Alcock urged Council to take this up with MTO as soon as possible; not only for the environmental concern, but that it has the potential to be very costly to the City of Kenora.

In closing, Mr. Alcock commended Council on its initiative to establish and appoint a Municipal Audit Committee.

### **Angela Treadway**

Addressed Council on "V-Day" and thanked Council for proclaiming Friday, March 5 as a "Rape Free Zone" in the City of Kenora. Ms Treadway added that the V-Day 2004 Committee will host the production of 'The Vagina

Monologues' on March 5<sup>th</sup> at Beaver Brae Secondary School as a first time fundraising event on behalf of the Kenora Women's Shelter, Saakaate House.

**Appointments to Airport Authority**

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

THAT as recommended by the Finance and Administration Committee, Mayor David Canfield be hereby appointed the municipal representative on the Kenora Airport Authority and Councillor Len Compton as alternate, with a term to expire November 30, 2006; and further

THAT Resolution No.14 dated December 1, 2003 be and is hereby rescinded.

**Appointment of Audit Committee**

**3.Moved by L. Compton, Seconded by R. McMillan & Carried:-**

THAT Council approve the Terms of Reference for the City Audit Committee; and

THAT the following three Members of Council be appointed to the City's Audit Committee:

**Councillor R. McMillan  
Councillor A. Poirier  
Councillor L. Compton; and**

THAT the Manager of Finance & Administration be directed to commence advertising to recruit external applicants for the Audit Committee; and further

THAT the Members of Council appointed to the City's Audit Committee review the external applications for the Audit Committee, and provide Council with a recommendation for the two (2) external Audit Committee Members.

**Appointments to the BIA Board of Directors**

**4.Moved by L. Compton, Seconded by R. McMillan & Carried:-**

THAT the following be appointed to the Board of Directors for the Business Improvement Area, with a term to expire November 30, 2006:-

**Bill Richards  
Dean Brennan  
Marc Bissonnette  
Gayle Spicer  
Councillor Rory McMillan**

**Approval of Accounts**

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

THAT the Reports dated **February 11 and 12, 2004** 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 **\$163,257.33** be hereby authorized for approval.

**Review of Governance Model**

**6.Moved by R. McMillan, Seconded by L. Compton & Carried:-**

THAT Council meet as a Committee of the Whole to further review and discuss the various options for a streamlined and effective Governance Model prior to proceeding with adopting a new Procedural By-law; and

THAT a recommendation be brought forward on or before March 31, 2004 on the preferred model; and further

THAT Resolution No. 12 dated January 26, 2004 is hereby rescinded.

**NOW Alliance & Rural Health Action Plan**

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

THAT Council of the City of Kenora recognizes Ontario’s acute physician/health professional shortage as a major health issue in Northwestern Ontario and supports the work of the NOW Alliance and its Rural Health Action Plan; and

THAT the Minister of Health and Long Term Care, the Honourable George Smitherman and Dr. Larry Relick, President of the OMA, be urged to adopt provisions consistent with NOW’s Plan in the next collective agreement; and further

THAT NOW Alliance hold “town hall meetings” to allow citizens an opportunity to discuss the Rural Health Action Plan and distribute the NOW petition for signature widely within the City of Kenora.

**Chamber of Commerce Membership**

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

THAT authorization be hereby given to take out a 2004 Membership with the Kenora and District Chamber of Commerce in the amount of \$160.50; and further

THAT Chamber of Commerce Membership be included in the 2004 municipal operating budget.

**Amendment to Agreement with 1286730 Ontario Limited**

**9. Moved by T. Szajewski, Seconded by I. Parkes & Carried:-**

THAT Council of the City of Kenora give three readings 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, by extending the Conditions Date to March 29, 2004 and Closing Date to April 29, 2004.

**Approval of various Grants**

**10. Moved by R. McMillan, Seconded by L. Compton & Carried:-**

THAT the Mayor and Council approve municipal grants totalling \$12,777.38 for 2004 as follows:

|                                           |           |
|-------------------------------------------|-----------|
| St Nicholas Ukrainian Catholic Church     | 1,300.00  |
| Lake of the Woods Historical Society      | 3,477.38  |
| Harbourfront Concert Series               | 2,000.00  |
| Lake of the Woods Search and Rescue       | 5,000.00  |
| SunDay Smiles Family Entertainment Series | 1,000.00; |
| and                                       |           |

THAT the release of these funds be contingent on final budget approval; and further

THAT increased reporting requirements be put in place for those organizations receiving municipal grants, and that future year funding be conditional on that organization's ability to meet those increased requirements.

**LOWBIC – Payment of First Quarter - 2004**

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

THAT Council of the City of Kenora authorize a first quarter payment to LOWBIC for 2004 in the amount of \$61,250 based on 25% of 2003 funding; and further

THAT a final level of funding for services and programs provided by LOWBIC on behalf of the City of Kenora for 2004 be determined and approved by March 31, 2004.

**Assume Streets and Lanes – Highway 17 East**

**12.Moved by L. Compton, Seconded by I. Parkes & Carried:-**

THAT Council give three readings to a by-law to assume those parts of the streets and two lanes in the Town of Kenora, now City of Kenora, in the District of Kenora, as shown on Registered Plan M.63 Designated as Parts 7, 8, 9, 10 and 11 on Plan 23R-10931 (Hwy. 17 East).

**Attendance at the Great Rendezvous Conference**

**13.Moved by I. Parkes, Seconded by L. Compton & Carried:-**

THAT authorization be hereby given for two (2) Members of Council to attend the Great Rendezvous Conference taking place in Thunder Bay, ON, March 5 and 6; and further

THAT all eligible expenses be hereby authorized in keeping with Council's Travel and Per Diem Policy.

**Diamond Sponsorship – National Midget Hockey Championship**

**14.Moved by T. Szajewski, Seconded by I. Parkes & Carried:-**

THAT Council of the City of Kenora receives the recommendation from the Leisure Services Committee to support the 2004 National Midget Hockey Championship taking place in Kenora, April 19 to 25, and hereby approves a Diamond Sponsorship package in the amount of \$10,000 for this purpose.

**Community Club Grants- 2004**

**15.Moved by T. Szajewski, Seconded by I. Parkes & Carried:-**

THAT Council of the City of Kenora receives the recommendation from the Leisure Services Committee, approving the grant amount of \$4,000.00 to each of Pinecrest, Evergreen, and Central Community Club.

**Park Rental Permit & Rate Schedule**

**16.Moved by T. Szajewski, Seconded by I. Parkes & Carried:-**

THAT Council of the City of Kenora accept the recommendation from the Community Services Committee, approving the revised Park Rental Permit; and

THAT Council receive the recommendation from the Community Services Committee, approving the rate schedule for Park Rental of \$25.00 for Youth Groups, \$50.00 for Private Gatherings (less than 50 people), \$100.00 for

Special Events (groups over 50 people) for the rental of green space in the City of Kenora’s Parks; and

THAT in accordance with Notice Bylaw Number 14-2003, public notice for this increase be given; and

THAT Council give three readings to a by-law to amend Schedule “B” of Fees and Charges By-law Number 100-2003; and further

THAT this increase comes into force and takes effect May 1, 2004.

**Emergency Repairs – Keewatin Branch Library**

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

THAT the Council of the City of Kenora approve an additional capital expenditure in the amount of \$12,500 for an emergency repair at the Keewatin Branch Library; and further

THAT Council accepts and awards the tender for mould remediation from Asbestrol Services Inc. in the amount of \$4,800 plus GST and; further

THAT this amount be included in the 2004 municipal operating budget.

**Increase in wage level – Concession & Rink Attendants**

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

THAT Council of the City of Kenora receive the recommendation from the Community Services Committee, to authorize the increase and implementation of the wage step level plan for the Concession and Rink Attendants, effective February 1, 2004, as outlined below:-

| <b>Concession</b>          | <b>Step 1 – Start</b>      | <b>Step 2 - Experience</b>   |
|----------------------------|----------------------------|------------------------------|
| Student (17 years & under) | \$6.70 (Ontario min. wage) | \$7.15                       |
| Adult (18 years & over)    | \$7.15(Ontario min. wage)  | \$7.60                       |
| Team Leader                | Minimum Wage               | \$10.00(previously approved) |

| <b>Rink Attendants</b>      | <b>Step 1 - Start</b>      | <b>Step 2 - Experience</b> |
|-----------------------------|----------------------------|----------------------------|
| Students - 17 years & under | \$6.70 (Ontario min. wage) | \$7.15                     |
| Students - 18 years & over  | \$7.15 (Ontario min. wage) | \$7.60                     |

AND FURTHER THAT the graduation to Step 2 is pending satisfactory performance as monitored through regular performance appraisals, and all Concession and Rink Attendant staff will remain strictly seasonal with interested staff being required to reapply annually.

**Forest Fire Management Agreement – M.N.R.**

**19. Moved by I. Parkes, Seconded by L. Compton & Carried:-**

THAT Council of the City of Kenora enter into a further Municipal Forest Fire Management Agreement with the Ministry of Natural Resources for the period between 1 April 2004 through to 31 March 2007; and further

THAT By-law #29-2001 be and is hereby repealed.

**GeoSmart Agreement**

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

THAT Council of the City of Kenora give three readings to a by-law to enter into an agreement with GeoSmart (a funding program of the Ministry of Natural Resources) for purposes of securing GIS funding at an upset

provincial contribution of \$350,000 towards the total project value of \$700,000.

**Amendment to Traffic By-law – Handicap Parking**

**21. Moved by L. Compton, Seconded by I. Parkes & Carried:-**

THAT Council give three readings to a by-law to amend Traffic Regulation By-law #127-2001 to include a Handicap parking stall in front of the Court House on Water Street.

**Volunteer Street Toll Fundraiser**

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

THAT the Council of the City of Kenora deny the request brought forward by the Ne-Chee Friendship Centre to hold a Volunteer Toll Fundraiser on March 17, 2004; and further

THAT the previously approved Tag Day be supported as a means of fundraising for the Youth Generation Association.

**Proclamations**

**23. Moved by I. Parkes, Seconded by L. Compton & Carried:-**

THAT the Mayor be and is hereby authorized to proclaim the following in and for the City of Kenora:-

- the month of March, 2004 as "Red Cross Month"
- the month of March, 2004 as "March is Easter Seal Month"
- Friday, March 5, 2004 as "Rape Free Zone"

**Tender – GeoSmart GIS Funding**

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

THAT the City of Kenora award GIS consulting services on a sole sourced basis to Jordens Consulting to an up set dollar value of \$116,880.00 plus applicable taxes for project management, coordination and technical services for the GeoSmart initiative; and

THAT the award of new aerial photography, ortho imagery and vector base map updating be awarded to Atlis Geomatics to an upset limit cost of \$149,525.00 plus applicable taxes; and

THAT core GIS software including associated training/travel be sole sourced to ESRI Canada in the amount of \$62,924.00 plus applicable taxes; and

THAT new GIS software applications including associated implementation and training be awarded to Direct IT for intranet/internet, asset management and Planning/Building/Economic/Tourism related GIS capabilities at an upset cost of \$142,328.00 plus applicable taxes; and

THAT the supply of a computer web server be awarded to Dell in the amount of \$12,394.00 plus applicable taxes; and further

THAT the supply of a wide format scanner be awarded to Mondrain in the amount of \$27,201.75 plus applicable taxes.

**Proposal – Design Building – New Operations Centre**

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

THAT the City of Kenora receive the proposals for the Design Build Proposal for the new Operations Building at Barsky Hill:-

- **Dominion Construction - \$5,780,000.00**  
**(Add: Finish Area "A" - \$150,000.00**  
**Pre-Cast wall - 59,233.00**  
**Extras - 87,155.00**  
**Less: Insulation (reduced) 60,000.00**  
**Rubber door (credit) - 17,000.00**  
**For a total of \$5,999,388.00 + GST**
- **Earth Tech - \$7,520, 915.00 + GST**
- **Man-Shield - \$7,853,042.00 + GST; and further**

THAT the proposal submitted by Dominion Construction in the amount of \$5,999,388.00 plus taxes, be hereby accepted.

**RECORDED VOTE (Resolution #25):**

| <b>COUNCIL</b>                   | <b>AYE</b> | <b>NAY</b> | <b>Dec. of Interest</b> |
|----------------------------------|------------|------------|-------------------------|
| Councillor Compton               |            | <b>X</b>   |                         |
| Councillor McMillan              | <b>X</b>   |            |                         |
| Councillor Parkes                | <b>X</b>   |            |                         |
| Councillor Poirier <b>ABSENT</b> |            |            |                         |
| Councillor Szajewski             | <b>X</b>   |            |                         |
| A/Mayor Wasacase                 | <b>X</b>   |            |                         |
| Mayor Canfield <b>ABSENT</b>     |            |            |                         |

**By-laws – First & Second Reading**

**26. Moved by I. Parkes, Seconded by L. Compton:-**

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

- # 11- 2004-** to confirm proceedings of the February 17 Committee of the Whole Meeting;
- #12-2004** – to assume those parts of the streets and two lanes in the Town of Kenora, now City of Kenora, in the District of Kenora, as shown on Registered Plan M.63, Designated as Parts 7, 8, 9, 10 and 11 on Plan 23R-10931;
- #13-2004** - to amend Traffic By-law #127-2001 (handicap stall – Water Street);
- #14-2004** – to execute an amending agreement of purchase and sale between the City of Kenora and 1286730 Ontario Limited;
- #15-2004** - to amend Schedule "B" to By-law #100-2003 to provide for park rental fees;
- #16-2004** – to execute an agreement with the Minister of Natural Resources to provide funding from the GeoSmart Program for the GIS Project;
- #17-2004** – to authorize the execution of a Municipal Forest Fire Management Agreement between the Ministry of Natural Resources and the City of Kenora.

**Moved by I. Parkes, Seconded by L. Compton & Carried:-**

THAT Resolution #26 be hereby amended by removing By-law #15-2004 to a separate motion for First and Second Reading.

**By-laws – First & Second Reading, as Amended**

**26. Moved by I. Parkes, Seconded by L. Compton and Carried:-**

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

- # 11- 2004-** to confirm proceedings of the February 17 Committee of the Whole Meeting;

**#12-2004** – to assume those parts of the streets and two lanes in the Town of Kenora, now City of Kenora, in the District of Kenora, as shown on Registered Plan M.63, Designated as Parts 7, 8, 9, 10 and 11 on Plan 23R-10931;

**#13-2004** - to amend Traffic By-law #127-2001 (handicap stall – Water Street);

**#14-2004** – to execute an amending agreement of purchase and sale between the City of Kenora and 1286730 Ontario Limited;

~~**#15-2004** – to amend Schedule "B" to By-law #100-2003 to provide for park rental fees;~~

**#16-2004** – to execute an agreement with the Minister of Natural Resources to provide funding from the GeoSmart Program for the GIS Project;

**#17-2004** – to authorize the execution of a Municipal Forest Fire Management Agreement between the Ministry of Natural Resources and the City of Kenora.

### **By-laws – Third & Final Reading**

#### **27. Moved by I. Parkes, Seconded by L. Compton:-**

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

**# 11- 2004**– to confirm proceedings of the February 17 Committee of the Whole Meeting;

**#12-2004** – to assume those parts of the streets and two lanes in the Town of Kenora, now City of Kenora, in the District of Kenora, as shown on Registered Plan M.63, Designated as Parts 7, 8, 9, 10 and 11 on Plan 23R-10931;

**#13-2004** - to amend Traffic By-law #127-2001 (handicap stall – Water Street);

**#14-2004** – to execute an amending agreement of purchase and sale between the City of Kenora and 1286730 Ontario Limited;

**#15-2004** - to amend Schedule "B" to By-law #100-2003 to provide for park rental fees;

**#16-2004** – to execute an agreement with the Minister of Natural Resources to provide funding from the GeoSmart Program for the GIS Project;

**#17-2004** – to authorize the execution of a Municipal Forest Fire Management Agreement between the Ministry of Natural Resources and the City of Kenora.

#### **Moved by I. Parkes, Seconded by L. Compton & Carried:-**

**THAT** Resolution #27 be hereby amended by removing By-law #15-2004 to a separate motion for Third and Final reading.

### **By-laws – Third & Final Reading, as amended**

#### **27. Moved by I. Parkes, Seconded by L. Compton & Carried:-**

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

**# 11- 2004**– to confirm proceedings of the February 17 Committee of the Whole Meeting;

**#12-2004** – to assume those parts of the streets and two lanes in the Town of Kenora, now City of Kenora, in the District of Kenora, as shown on Registered Plan M.63, Designated as Parts 7, 8, 9, 10 and 11 on Plan 23R-10931;

**#13-2004** - to amend Traffic By-law #127-2001 (handicap stall – Water Street);

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~~**#15-2004** – to amend Schedule "B" to By-law #100-2003 to provide for park rental fees;~~

**#16-2004** – to execute an agreement with the Minister of Natural Resources to provide funding from the GeoSmart Program for the GIS Project;

**#17-2004** – to authorize the execution of a Municipal Forest Fire Management Agreement between the Ministry of Natural Resources and the City of Kenora.

### **By-law #15-2004 – First & Second Reading**

#### **27a Moved by I. Parkes, Seconded by L. Compton & Carried:-**



THAT the following by-law be now read a First and Second time:-

**#15-2004 – to amend Schedule “B” to By-law #100-2003 to provide for park rental fees.**

**By-law #15-2004 – Third & Final Reading**

**27b Moved by I. Parkes, Seconded by L. Compton & Carried:-**

THAT the following by-law be now approved in its present form and be presented for third and final reading:-

**#15-2004 – to amend Schedule “B” to By-law #100-2003 to provide for park rental fees.**

**Adjournment**

**28. Moved by L. Compton, Seconded by I. Parkes & Carried:-**

**THAT** this meeting be now declared closed at 6:05 p.m.

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

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

**.....2004**

.....  
**MAYOR**

.....  
**CITY CLERK**