

# Minutes

*Of a Meeting of the Council of the City of Kenora  
Held Monday, May 10, 2004 – City Chambers  
At 5:00 p.m.*

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

## **Call to Order**

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

## **Confirmation of Minutes**

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

THAT the Minutes of the last Regular Meeting of Council of the City of Kenora held **Monday, April 26, 2004** be confirmed as written and circulated.

## **DECLARATIONS 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.** Councillor Compton made a Declaration of Pecuniary Interest with respect to items on tonight's Agenda pertaining to the sale of the Castle of Learning & Children's Discovery Centre due to his being a Realtor.

## **DEPUTATIONS:**

### **Lorne Kletke**

On behalf of LOWBIC, Mr. Kletke addressed Council on the Youth Retention Campaign and circulated copies of posters which are being advertised throughout the community and are posted on the City's website. Young adults between the ages of 18 and 28 who have either grown up in Kenora or moved here and have successfully made Kenora their home are being showcased in this campaign. LOWBIC has been attempting to generate positive civic pride in the community through various advertising trends for this campaign and that funding has been made available through FEDNOR/Industry Canada. LOWBIC has received many positive stories from young adults in the Kenora area and there may be an opportunity to advertise these other testimonials in the future.

### **David Blake**

Mr. Blake addressed traffic in downtown Kenora and referred to the proposals reviewed recently for the downtown area. Mr. Blake thought the input and the communication with the public by the City were very good concerning this matter. Mr. Blake explained his observations with respect to traffic coming into the downtown area from the west, noting that there are few vehicles coming out of the hospital area and the need to keep traffic moving along the highway at this location to avoid it "bunching up." He then referred to the lights at the CPR Underpass and the flashing arrow for traffic to continue under the subway but that traffic is not released onto Main Street with the same flashing arrow and have to stop with a red light.

Mr. Blake indicated that Main Street traffic on a year-round basis should be addressed in order to make everyone's experience better in driving downtown.

Mr. Blake does not believe a study is needed to figure out what is required for better traffic flow; he suggested utilizing the wide space in the middle of Main Street and to create two lanes going southerly down Main Street. He observes that there are no traffic problems coming north on Main but going south everything gets held up. He stressed the need for coordination of the lights throughout downtown and they must be better synchronized.

In closing Mr. Blake noted that two lanes going south on Main Street would require a couple of modifications, such as eliminating the left turn lane to the Harbourfront going north as it is used the least, and he believes these changes could be and should be made before the May long weekend. Mr. Blake hopes Council takes his suggestions into consideration.

### **Marion McKay**

Ms McKay advised she is Vice-Chair for Kenora in Bloom and is here to promote a new campaign called "Growing Civic Pride." Ms McKay circulated a presentation to Council regarding this campaign outlining a variety of beautification processes for the City and as well citizens are being encouraged to clean those areas immediately around their own properties.

Ms McKay requested Council proclaim the month of July as "Civic Pride Month" as the judging takes place in early August for the Communities in Bloom Contest.

Ms McKay also spoke to Council on the "Adopt-a-Park" program and circulated copies of her presentation to Council. The Adopt-a-Park program would be a definite benefit to the City and can help keep our parks attractive and safe. Through cleaning up and greening the parks, not only is the litter removed but it also fosters a sense of ownership and pride, thus encouraging citizens of all ages to enjoy the wonderful benefits of Kenora's beautiful parks.

### **Bernice Connell**

Ms Connell attended on behalf of the Kenora Sexual Assault Centre requesting the City of Kenora to endorse the recently ratified Community Sexual Assault Response Protocol and to support grassroots, community based groups such as the Kenora Sexual Assault Centre to continue, and work towards the prevention and elimination of sexual violence. Ms Connell provided t-shirts to Council as well as circulated handouts on the services the Centre provides.

Councillor McMillan requested a copy of the Protocol in order to take it to the Committee level for review.

### **Pearl Bannister**

Mrs. Bannister explained it is that time of year again to find out what the City has done about banning pesticides. She indicated that the banning of pesticides is being widely advertised through various media as well as the Health Unit regarding the health hazards associated with the use of pesticides. Mrs. Bannister questioned what actions the Committee has taken to-date about the ban for the City? Mrs. Bannister has been waiting to be invited to a meeting over the winter with the Health Unit to discuss this matter and urged Council to get the ban in place as quickly as possible as it is a very important health issue.

**Appointment to Keewatin Non-Profit Housing Corp.****2.Moved by C. Wasacase, Seconded by T. Szajewski & Carried:-**

THAT Jerry Ortlieb be appointed to the Keewatin Non-Profit Housing Corporation to replace Len Tittlemier; and further

THAT Mr. Ortlieb be appointed to November 30, 2006.

**Appointment to Kenora Public Library Board****3.Moved by T. Szajewski, Seconded by R. McMillan & Carried:-**

THAT Wendy Voth be appointed to the Kenora Public Library Board to replace Roland Turcotte; and further

THAT Ms Voth be appointed to November 30, 2006.

**Approval of Accounts****4.Moved by R. McMillan, Seconded by T. Szajewski & Carried:-**

THAT the Reports dated **April 29, and May 3, 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 **\$1,198,160.39** be hereby authorized for approval.

**Execution of Amending Agreement with First Pro****5.Moved by A. Poirier, Seconded by L. Compton & Carried:-**

THAT Council amend the agreement with 1286730 Ontario Limited (First Pro Shopping Centres) to extend the date for waiving of outstanding conditions from April 27, 2004 to May 13, 2004; and

THAT the appropriate By-law be passed to amend this agreement.

**Support of FCM Position – Municipal Rights-of-Way****6.Moved by R. McMillan, Seconded by T. Szajewski & Carried:-**

THAT Council of the City of Kenora hereby supports the FCM position on municipal rights-of-way requiring municipal governments must have full authority to manage publicly owned property under their jurisdiction; and

THAT municipal governments should receive fair compensation for the use and occupancy of municipal property; and

THAT municipal taxpayers should not be forced to subsidize private, for-profit companies; and further

THAT a copy of this resolution be forward to the Honourable R. D. Nault, MP.

**Donation to Lake of the Woods Hospital Foundation****7.Moved by L. Compton, Seconded by R. McMillan & Carried:-**

THAT Council approve the donation of 52 bag tags for a total of \$104.00 to the Lake of the Woods District Hospital Foundation for their on-line auction June 3 – 14, 2004.

**Sale of Lot – 18<sup>th</sup> Avenue North****8. Moved by C. Wasacase, Seconded by T. Szajewski & Carried:-**

THAT Council hereby receives an Offer of Purchase and Sale Agreement by Century 21 Reynard Real Estate Ltd., on behalf of Robert Burnell to purchase a municipal lot on 18<sup>th</sup> Avenue North; and

THAT the Purchaser hereby accepts the City's counter-offer for the property located on 18<sup>th</sup> Avenue North; and

THAT Council hereby declares the property described as Plan M103, Lot 74 as surplus municipal property to the needs of the City of Kenora; and

THAT public notice has been given that Council intends to sell the lot located on 18<sup>th</sup> Avenue North described as Plan M103, Lot 74, to Robert Burnell; and further

THAT Council give three readings to a by-law to authorize the execution of an Agreement of Purchase and Sale for this purpose.

### **Revised Memorabilia Policy**

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

THAT as recommended by the Finance & Administration Committee, Council hereby approves the revised Memorabilia Policy #CC-2-1 which now provides for dollar values for the distribution of items for various levels of requests; and further

THAT Resolution Number 3 dated February 9, 2004 be hereby rescinded.

### **Temporary Street Closure – Main Street South**

#### **10. Moved by A. Poirier, Seconded by L. Compton & Carried:-**

THAT in keeping with By-law Number 32-2003 which authorizes the delegating of temporary road closures, the necessary arrangements be made by the Clerk's Office for the temporary closure of the south end of Main Street to accommodate the Rockin' Classic Street party to be held Friday, June 25, 2004 between the hours of 5:00 p.m. and 10:00 p.m.

### **Annual General Meeting & Cottage Show - Winnipeg**

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

THAT approval be hereby given for Councillor Len Compton to attend the Annual General Meeting & Cottage Show taking place in Winnipeg, MB on Monday, May 3, 2004; and further

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

### **Amendment to Telephone Disconnection Policy**

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

THAT the City Telephone Disconnection Policy be amended to reflect the changes as approved by the KMTS Commission at their meeting of April 20, 2004.

### **Sale of Castle of Learning & Children's Discovery Centre**

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

THAT Council hereby accepts an Offer of Purchase and Sale Agreement from Kenora Anishinaabe-Kweg Aboriginal Women's Organization for property located at 1304 Ninth Street North; and

THAT Council hereby declares the property described as Loc 16V, Pt. Des. 23R-9498, Part 1, Parcel 41031, together with a ROW Easement over Part 3, in the City of Kenora, District of Kenora as surplus municipal property to the needs of the City of Kenora; and

THAT public notice has been given that Council intends to sell the land municipally described as 1304 Ninth Street North, effective June 30, 2004; and further

THAT three readings be given to a by-law to authorize the execution of an Agreement of Purchase and Sale with Kenora Anishinaabe-Kweg Aboriginal Women's Organization for this purpose.

**ABSTENTION: Councillor L. Compton**

**Utility Bill Stuffer – Waiving of Fee**

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

THAT Council of the City of Kenora hereby authorizes the approval for the Castle of Learning and Discovery Children's Centre mail-out to be included as a Utility Bill Stuffer which sets out the 2004 Summer Day Camp and After School Program; and further

THAT Council waive the Utility Bill Stuffer fee for this purpose.

**Approval of Rabbit Lake Regattas**

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

THAT Council of the City of Kenora acknowledge the following Kenora Rowing Club's summer regattas on Rabbit Lake:-

**Tops & Bottoms Sunday, August 1, 2004.**

**North West International Regatta on August 12, 13, and 14 2004**

**Dragon Boat Festival on Sunday August 8, 2004; and further**

THAT approvals be granted as outlined below in conjunction with the above-noted Special Event:-

1. Request to grant a variance for the boat motor size on Rabbit Lake, set by Jaffray Melick By-Law No. 833, passed 17 November 1981.
2. Permission to place course lanes in the water 2 – 3 days prior to the event & to remove in the following week.
3. Exclusive use of the Rabbit Lake/Garrow Park Tennis Courts on Saturday August 14<sup>th</sup> for the afternoon and evening for an awards and BBQ area.

**Execute Amending Agreement with Aulneau Adventure Tours**

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

THAT Council give three readings to a by-law to amend By-Law #35-2004 authorizing the agreement with Aulneau Adventure Tours for Wharf Management for Public Docking in the City of Kenora to include the management of the Matheson Street Wharf for larger boats and crafts for the 2004 season.

**Approval of Highway 17 East Improvements**

**17.Moved by A. Poirier, Seconded by L. Compton:-**

THAT Council of the City of Kenora approve the scope of works for the Highway 17 East Improvements as outlined in the April 20, 2004 report from W.L. Wardrop and supported by the City Engineer in the amount of \$5,520,000.00 based on the following plan:-

1. That the scope of the works be structured to minimize the impact of construction on the affected businesses on Highway 17 East by commencements of works in mid-August 2004 and extending completion to the 2005 season as determined by the City Engineer;
2. That the 2004 Capital Budget be amended by adding the Highway 17 East Improvements Project in the amount of \$5,520,000.00 with funding from the Kenora Roads Reserve, less funding from First Professional Development and senior levels of government including NOHFC;
3. That the 2004 Capital Budget be amended by deleting the 7<sup>th</sup> Avenue South Bridge project in the amount of \$800,000 and deleting the Bridge Inventory Studies in the amount of \$250,000, and transferring these projects to the 2006 Capital Budget with funding from the Kenora Roads Reserve Fund;
4. That application be made to NOHFC for cost-sharing of this Private-Public Partnership project in the amount of \$2,445,105.00 representing a 50:50 cost sharing with the City of the balance of the project cost after developer contributions.

**Councillor Poirier requested Motion #17 be amended, as follows:**

**Moved by A. Poirier, Seconded by R. McMillan & Carried:-**

THAT Motion #17 be hereby amended by adding the following to paragraph number 4:- **"and Industry Canada" after NOHFC.**

**Approval of Highway 17 East Improvements**

**17. Moved by A. Poirier, Seconded by L. Compton & Carried as amended:-**

THAT Council of the City of Kenora approve the scope of works for the Highway 17 East Improvements as outlined in the April 20, 2004 report from W.L. Wardrop and supported by the City Engineer in the amount of \$5,520,000.00 based on the following plan:-

1. That the scope of the works be structured to minimize the impact of construction on the affected businesses on Highway 17 East by commencements of works in mid-August 2004 and extending completion to the 2005 season as determined by the City Engineer;
2. That the 2004 Capital Budget be amended by adding the Highway 17 East Improvements Project in the amount of \$5,520,000.00 with funding from the Kenora Roads Reserve, less funding from First Professional Development and senior levels of government including NOHFC;
3. That the 2004 Capital Budget be amended by deleting the 7<sup>th</sup> Avenue South Bridge project in the amount of \$800,000 and deleting the Bridge Inventory Studies in the amount of \$250,000, and transferring these projects to the 2006 Capital Budget with funding from the Kenora Roads Reserve Fund;
4. That application be made to NOHFC and Industry Canada for cost-sharing of this Private-Public Partnership project in the amount of

\$2,445,105.00 representing a 50:50 cost sharing with the City of the balance of the project cost after developer contributions.

### **Assume portion of Beauty Bay Road**

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

THAT the Council of the Corporation of the City of Kenora assumes a portion of the Beauty Bay Road, more particularly described as Part of the remainder of parcel 16202, being Part of Lot One, Concession 1 of the Township of Melick, described as Parts 2 and 3, Plan 23R-4501, now the City of Kenora, District of Kenora; and further

1. THAT lands affected by the By-law were acquired by the City for the purposes of a highway;
2. THAT the road is hereby named Beauty Bay Road;
3. THAT the purchase price of the said road shall not exceed the sum of One Dollar (\$1.00);
4. THAT Council give three readings to a by-law for this purpose and the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete this transaction.

### **Approval of KMTS 2004 Budgets**

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

THAT Council of the City of Kenora approve the 2004 Kenora Municipal Telephone System (KMTS) Operating Budgets as submitted.

### **Approval of KMTS Staff Increment**

#### **20. Moved by L. Compton, Seconded by T. Szajewski & Carried:-**

THAT in accordance with the Salary Administration Policy, Council of the City of Kenora hereby approves the recommendation of Dennis McCaffrey, KMTS General Manager, approving a move on the Salary Grid for a KMTS Staff position, effective January 1, 2004.

### **Proclamations**

#### **21. 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 week of June 5 to 12, 2004 as "Seniors' Week"**
  - **Monday, May 10, 2004 as "World Lupus Day"**
- **Sunday, June 13, 2004 as "Rick Hansen Wheels in Motion Day"**

### **Tender – Half Ton Truck**

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

THAT the following tenders for the purchase of a 2004 half ton truck for the Parks Department, as specified, be received:-

| <b><u>Dealer</u></b> | <b><u>Trade Value</u></b> | <b><u>Price</u></b> |
|----------------------|---------------------------|---------------------|
| Dingwall Ford        | \$ 0                      | \$27,600.00         |
| Derouard Motors      | \$ 100.00                 | \$26,740.95         |
| Kantola Motors       | \$ 500.00                 | \$23,634.80         |
| Bayview Toyota       | \$100.00                  | \$27,578.73         |

AND FURTHER THAT the tender received from Kantola Motors in the amount of \$23,634.80 including taxes, be hereby accepted.

**By-laws – First & Second Reading**

**23. Moved by I. Parkes, Seconded by A. Poirier & Carried:-**

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

**#53 -2004-** to confirm proceedings of the May 4 Committee of the Whole Meeting;

**#54-2004** – to transfer a portion of Beauty Bay Road to the City of Kenora;

**#55-2004** – to amend the Wharf Management Agreement with Aulneau Adventure Tours;

**#56-2004** – to amend the 2004 Capital Budget;

**#57-2004** – to authorize the sale of land on 18<sup>th</sup> Avenue North to Robert Burnell;

**#58-2004** – to authorize the sale of the Castle of Learning Day Care Centre;

**#59-2004** – to authorize an amending agreement with 1286730 Ontario Limited (First Pro);

**#60-2004** – to amend Comprehensive Zoning By-law #L37/95 (Burgess).

**ABSTENTION: Councillor L. Compton**

**By-laws – Third & Final Reading**

**24. Moved by I. Parkes, Seconded by A. Poirier & Carried:-**

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

**#53 -2004-** to confirm proceedings of the May 4 Committee of the Whole Meeting;

**#54-2004** – to transfer a portion of Beauty Bay Road to the City of Kenora;

**#55-2004** – to amend the Wharf Management Agreement with Aulneau Adventure Tours;

**#56-2004** – to amend the 2004 Capital Budget;

**#57-2004** – to authorize the sale of land on 18<sup>th</sup> Avenue North to Robert Burnell;

**#58-2004** – to authorize the sale of the Castle of Learning Day Care Centre;

**#59-2004** – to authorize an amending agreement with 1286730 Ontario Limited (First Pro);

**#60-2004** – to amend Comprehensive Zoning By-law #L37/95 (Burgess).

**ABSTENTION: Councillor L. Compton**

**Adjournment**

**25. Moved by A. Poirier, Seconded by L. Compton & Carried:-**



**THAT** this meeting be now declared closed at 5:57 p.m.

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

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

**.....2004**

.....  
**MAYOR**

.....  
**CITY CLERK**