

MINUTES

*of a Meeting of the Council of the City of Kenora
Monday, June 21, 2004 – City Chambers
5:00 p.m.*

~~~~~  
**WITH Mayor David Canfield in the Chair, Councillor Len Compton, Councillor Rory McMillan, Councillor Andrew Poirier, Councillor Ted Szajewski, Councillor Colin Wasacase, Bill Preisenzanz, CAO, Joanne L. McMillin, City Clerk.**

**Regrets: Councillor Ingrid Parkes**

## **Call to Order**

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

## **Confirmation of Minutes**

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

THAT the Minutes of the last Regular Meeting of the Council of the City of Kenora held **Monday, June 7, 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. There were none declared.

## **PRESENTATION:**

### **Arlene Nelson-Litt**

Mayor Canfield made a special presentation to Arlene Nelson-Litt recognizing her as Kenora's "Senior of the Year." Mayor Canfield presented Arlene with a framed Certificate as well as a City Hat and Sweatshirt.

## **DEPUTATIONS:**

### **Marj Curtis-Poirier**

Ms Curtis-Poirier attended as the current Chairperson of the Kenora Public Library Board. She gave an update on various Board activities and thanked Members of Council for their continued support of the Board, including approval of their 2004 budget requirements. In closing, Ms Curtis-Poirier acknowledged the wisdom, expertise and competence of the Library's CEO and staff.

### **John Moore**

Mr. Moore referred to a handout that was circulated earlier, and on behalf of the Kenora Health Providers Group addressed Council on the Group's services available to the citizens of Kenora, ranging from health care and social services, to education and recreation. The Group is hoping Council will see their work as complementary to the Municipal Strategic Planning. Mr. Moore reviewed the information package with Council which included a "snapshot" of health; a list of organizations currently participating in the Group; a "Vision Tree" illustrating how to achieve a healthier Kenora; and the Group's progress to-date. The Group is looking for a response from the City and requested their efforts and priorities concerning this matter be incorporated into the City's Strategic Plan.

**Approval of Accounts****2.Moved by R. McMillan, Seconded by A. Poirier & Carried:-**

THAT the Reports dated **June 9, and 10, 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 **\$731,170.61** be hereby authorized for approval.

**Trees Canada Project****3.Moved by A. Szajewski, Seconded by R. McMillan & Carried:-**

THAT the Mayor and Council approve an incremental expenditure of \$5,000, representing a total project cost of \$20,000, for the completion of the Trees Canada project; and further

THAT this additional expenditure be offset by the approved Green Street Canada Grant in the amount of \$5,000, resulting in no net incremental cost to City taxpayers.

**Attendance @ Forest Sector Planning Session****4.Moved by L. Compton, Seconded by A. Poirier & Carried:-**

THAT authorization be hereby given for Mayor Canfield to attend the Forest Sector Planning Session taking place in Thunder Bay on Wednesday, June 23, 2004; and further

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

**Councillor McMillan requested the Rules of Order be Suspended in Order to present the following item:****Canada Day Grant****4A Moved by R. McMillan, Seconded by L. Compton & Carried:-**

THAT Council approve that the budgeted grant in the amount of \$5,666.00 originally intended for Canada Day tent rentals, be paid directly to the Canada Day Celebrations '04 Committee to offset operating costs relating to the Canada Day Celebrations to be held at the Harbourfront on July 1, 2004.

**Increase in Ice Rental Rates****5.Moved by T. Szajewski, Seconded by R. McMillan & Carried:-**

THAT Council of the City of Kenora receives the recommendation from the Leisure Services Committee; approving the following 2004-2005 fall/winter ice rental rates for the Kenora Recreation Centre and the Keewatin Memorial Arena:

**Local Minor Rates:**

- Recreational usage \$64.00 per hour plus G.S.T.
- Tournament/Special Event usage \$70.00 per hour plus G.S.T.

**Local Adult Rates:**

- Recreational usage \$88.00 per hour plus G.S.T.
- Tournament/Special Event usage \$93.00 per hour plus G.S.T.

**Out-of-Town Rates:**

- o Recreational usage \$105.00 per hour plus G.S.T.
- o Tournament/Special Event usage \$111.00 per hour plus G.S.T.

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

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

THAT this increase takes effect September 1, 2004.

**Partnership Agreement with Two Bears Marina**

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

THAT the Council of the City of Kenora approve and authorize the Community Services Department to enter into a one (1) year partnership agreement with Two Bears Marina to oversee slip rentals and proper usage of Keewatin Federal Wharf including overnight parking agreements at the Keewatin Memorial Arena; and further

THAT Council give three readings to a by-law to enter into the partnership agreement.

**Increase in Taxi Cab Kilometer Rate**

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

THAT as recommended by the Kenora Police Services Board, Council give three readings to a by-law to authorize the request for a 6% kilometer increase from \$1.50 per kilometer plus GST to \$1.59 per kilometer plus GST for a total of \$1.70 per kilometer with no increase to the start of "flip rate;" and further

THAT this increase takes effect July 1, 2004.

**Appointment of By-law Enforcements Officers**

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

THAT Council give three readings to a by-law to appoint By-law Enforcement Officers for the City of Kenora for the summer of 2004.

**Amendments to Traffic Regulation By-law #127-2001**

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

THAT Council give three readings to a by-law to amend Traffic Regulation Bylaw 127-2001 to include the following changes to Schedule "B" - No Parking Areas-Tow Away Zone:-

**Delete:**

| <b><u>Column 1</u></b> | <b><u>Column 2</u></b>                                                       | <b><u>Column 3</u></b> | <b><u>Column 4</u></b> |
|------------------------|------------------------------------------------------------------------------|------------------------|------------------------|
| Main Street South      | From 26 metres north of 1 <sup>st</sup> Street South northerly for 20 metres | East                   | Anytime                |
| Main Street South      | From McClellan Ave. north for 8 metres                                       | East                   | Anytime                |
| Main Street South      | From 27.5 metres north of McClellan Ave. north for 11.5 metres               | East                   | Anytime                |

**Add:**

| <b><u>Column 1</u></b> | <b><u>Column 2</u></b>                       | <b><u>Column 3</u></b> | <b><u>Column 4</u></b> |
|------------------------|----------------------------------------------|------------------------|------------------------|
| Main Street South      | From McClellan Avenue north for 39.0 metres. | East                   | Anytime                |

**Franchise Agreement with Union Gas Limited****10. Moved by A. Poirier, Seconded by L. Compton & Carried:-**

THAT the Council of the Corporation of the City of Kenora hereby approves the form of the draft by-law and Franchise Agreement between the City of Kenora and Union Gas Ltd., attached hereto, and authorizes the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of The Municipal Franchises Act; and further

THAT this Council requests that the Ontario Energy Board make an Order declaring and directing that the assent of the municipal electors to the attached draft by-law and Franchise Agreement pertaining to the Corporation of the City of Kenora is not necessary pursuant to the provisions of Section 9(4) of the Municipal Franchise Act.

**Councillor Poirier requested the Rules of Order be Suspended in Order to present the following item:****Agreement with Minestic Shopping Centres – Pipe Installation****10A Moved by A. Poirier, Seconded by L. Compton & Carried:-**

Whereas The City of Kenora (the "City") and Minestic Shopping Centres Limited (the "Owner") have entered into a Development Agreement to do certain works at the former Public Works site on Highway 17 East including the cost-sharing of storm water management improvements; and

Whereas the Owner will be constructing its portion of the storm water pipe prior to the City constructing the storm water pond and associated pipe; and

Whereas the City Engineer recommends that it would be in the best interest for the Owner to construct 96.8 m of 1200 mm LDS pipe and 47 m of 900 mm LDS pipe along Miikana Way on behalf of the City at an upset limit cost of \$145,000 plus GST;

Now Therefore Be It Resolved that the City enter into an agreement with the Owner for the supply and installation of 96.8 m of 1200 mm LDS pipe and 47 m of 900 mm LDS pipe at an upset limit of \$145,000 plus GST; and further

THAT the Mayor and Clerk be authorized to sign an appropriate Agreement on behalf of the City to undertake these works.

**LOWBIC 2004 Service Agreement****11. Moved by R. McMillan, Seconded by A. Poirier & Carried:-**

THAT the City of Kenora enters into a Service Agreement with the Lake of the Woods Business Incentive Corp. for the period of January 1, 2004 – December 31, 2004 to a maximum upset limit of \$312,350; and further

THAT the City of Kenora undertake a comprehensive review of the service agreement at the end of the 2004 calendar year.

**Development Agreement with Robert Batigelli****12. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

THAT the City of Kenora enters into a development agreement with Robert Batigelli for the extension of the Hidden Trail Road in order to meet the conditions of approval for the creation of the new lots on Black Sturgeon Lake; and further

THAT three readings be given to a by-law for this purpose.

**Release of Easement – Changes Recovery Homes**

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

THAT Council give three readings to a by-law to authorize the surrendering of the right of way easement described as Part 2 of Reference Plan 23R-3481; and further

THAT Changes Recovery Home be responsible for all legal, land registry and any associated costs.

**MNR Licence of Occupation – Cellular Towers**

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

THAT Council give three readings to a by-law to authorize the execution of a License of Occupation No. 10144 between the City of Kenora and the Minister of Natural Resources for use of property to locate cellular towers at East Hawk, Dog Tooth, and Sioux Narrows, with a term to expire December 31, 2015.

**Proclamation – Ontario Family Fishing Weekend**

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

THAT the Mayor be and is hereby authorized to proclaim Friday, July 9 to Sunday, July 11, 2004 as "Ontario Family Fishing Weekend" in and for the City of Kenora.

**Councillor McMillan requested the Rules of Order be Suspended in Order to present the following item:**

**Proclamation – National Tourism Week**

**15A Moved by R. McMillan, Seconded by L. Compton & Carried:-**

THAT the Mayor be and is hereby authorized to proclaim the week of June 20 to 26<sup>th</sup>, 2004 as "National Tourism Week" with the theme "Tourism Makes Canada Smile" in and for the City of Kenora.

**Tender – 2004 Household Hazardous Waste Collection**

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

THAT the following tenders for the 2004 Household Hazardous Waste Collection, be received:-

|                                              |                    |                      |
|----------------------------------------------|--------------------|----------------------|
| <b>Miller Environmental Corporation</b>      | <b>\$39,250.00</b> | <b>(taxes extra)</b> |
| <b>Hazco Environmental Services Ltd.</b>     | <b>36,575.50</b>   | <b>"</b>             |
| <b>Clean Harbors Environmental Svcs Inc.</b> | <b>38,330.00</b>   | <b>"</b>             |

AND FURTHER THAT the quotation submitted by Hazco Environmental Services Ltd. in the amount of \$36,575.50 (taxes extra), be hereby accepted.

**Tender – Plow/Sander Combination Truck**

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

THAT the following tenders for the supply and delivery of a plow/sander combination truck, be received:-

|                     |               |                     |
|---------------------|---------------|---------------------|
| <b>Connexion</b>    | <b>Tenco</b>  | <b>\$169,449.00</b> |
| <b>Connexion</b>    | <b>Viking</b> | <b>\$168,972.00</b> |
| <b>Freightliner</b> | <b>Tenco</b>  | <b>\$183,361.00</b> |

|              |              |                     |
|--------------|--------------|---------------------|
| <b>Maxim</b> | <b>Tenco</b> | <b>\$172,155.50</b> |
|--------------|--------------|---------------------|

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|                  |               |                     |
|------------------|---------------|---------------------|
| <b>Maxim</b>     | <b>Viking</b> | <b>\$171,978.50</b> |
| <b>CC Poulin</b> | <b>Tenco</b>  | <b>\$165,977.00</b> |
| <b>CC Poulin</b> | <b>Viking</b> | <b>\$165,000.00</b> |

AND FURTHER THAT the quotation submitted by CC Poulin Equipment Ltd., in the amount of \$165,000.00 (taxes extra), for the supply and purchase of a 2005 International tandem, complete with all tendered Viking sand and plow equipment and for the trade in of the City's 1978 Ford plow truck, be hereby accepted.

**Tender – 2004 Sidewalk Program**

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

THAT the following tenders for the 2004 sidewalk program be received:-

|                              |                                      |          |
|------------------------------|--------------------------------------|----------|
| <b>Solid Construction</b>    | <b>\$189,427.45 (taxes included)</b> |          |
| <b>Prime Construction</b>    | <b>\$204,172.05</b>                  | <b>"</b> |
| <b>Don Hagar Contracting</b> | <b>\$178,609.75</b>                  | <b>"</b> |

AND FURTHER THAT the quotation submitted by Don Hagar Contracting Ltd., in the amount of \$178,609.75 (taxes included), be hereby accepted.

**First & Second Reading of By-law – Union Gas Agreement**

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

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

**#90-2004** – to authorize a Franchise Agreement between the Corporation of the City of Kenora and Union Gas Limited.

**By-laws – First & Second Reading**

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

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

**#77-2004-** TO RELEASE EASEMENT #115077 FOR LAND DESCRIBED AS PART OF PARCEL 29906 OWNED BY CHANGES RECOVERY HOMES

**#80-2004-** TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS COMMITTEE OF THE WHOLE MEETING HELD TUESDAY, JUNE 15, 2004

**#81-2004-** TO EXECUTE A PARTNERSHIP AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF KENORA AND TWO BEARS MARINA INC. FOR THE 2004 SEASON

**#82-2004-** TO ENTER INTO A DEVELOPMENT AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF KENORA AND ROBERT BATIGELLI

**#83-2004-** TO AMEND BY-LAW NUMBER 127-2001 BEING A BY-LAW TO REGULATE TRAFFIC ON THE ROADS AND HIGHWAYS OF THE CITY OF KENORA

**#84-2004-** TO AMEND SCHEDULE "A" RATES AND FARES TO BY-LAW NUMBER 94-2001 BEING A BY-LAW TO LICENSE, REGULATE AND GOVERN OWNERS AND DRIVERS OF CABS, MOTOR AND OTHER VEHICLES USED FOR HIRE

**#85-2004-** TO EXECUTE A SERVICE AGREEMENT BETWEEN THE LAKE OF THE WOODS BUSINESS INCENTIVE CORP. (LOWBIC) AND THE CORPORATION OF THE CITY OF KENORA FOR SERVICE DELIVERY BY LOWBIC TO THE CITY FOR 2004

**#86-2004-** TO EXECUTE A LICENSE OF OCCUPATION NO. 10144 BETWEEN THE CORPORATION OF THE CITY OF KENORA AND THE MINISTER OF NATURAL

RESOURCES FOR THE PURPOSE OF INSTALLING, MAINTAINING AND OPERATING KMTS MOBILITY TOWERS

**#87-2004-** TO APPOINT BY-LAW ENFORCEMENT OFFICERS FOR THE CITY OF KENORA

**#88-2004-** TO AMEND SCHEDULE "B" TO BY-LAW NUMBER 100-2003 BEING A BY-LAW TO ESTABLISH A GENERAL TARIFF OF FEES AND CHARGES FOR THE CITY OF KENORA

**#89-2004-** TO EXECUTE A FUNDING AGREEMENT WITH THE MINISTER OF MUNICIPAL AFFAIRS & HOUSING UNDER ROUND 1 OF THE OSTAR DEVELOPMENT INFRASTRUCTURE INITIATIVE

**By-laws – Third & Final Reading**

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

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

**#77-2004-** TO RELEASE EASEMENT #115077 FOR LAND DESCRIBED AS PART OF PARCEL 29906 OWNED BY CHANGES RECOVERY HOMES

**#80-2004-** TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS COMMITTEE OF THE WHOLE MEETING HELD TUESDAY, JUNE 15, 2004

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**Adjournment**

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

**THAT** this meeting be now declared closed at 6:00 p.m.

**Council Minutes**

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**21 June 2004**

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

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

**.....2004**

.....  
**MAYOR**

.....  
**CITY CLERK**