

# *Minutes*

*of a Meeting of the Council of the City of Kenora  
held Monday, July 12, 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 Wasacase 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 the Council of the City of Kenora held **Monday, June 21, 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 Szajewski made a Declaration of Interest with respect to Resolution #4.**

## **DEPUTATIONS:**

### **Mary Jane Holmstrom – Second Street Wharf**

Ms Holmstrom attended the meeting to discuss the changes being proposed for the leasing of the Second Street Wharf and particularly the 50:50 cost sharing arrangement being proposed tonight for the warehouse with their competition.

Ms Holmstrom expressed concern on the condition of the warehouse, such as poor electrical system, no ventilation, no sewer and water facilities, various dock repairs, and she believes this is the City's responsibility and money should be put towards bringing the warehouse up to standards rather than moving a wall. Further she commented that she would like to know how the other company justified getting an equal portion of the warehouse since she was told she had to justify why Kenora Air required the amount of space they currently retain. Ms Holmstrom explained that her business does far more than just flying planes, i.e. complete outfitting; bait and tackle; fishing licenses, camping gear, etc. and she is concerned that they will not have adequate storage space with the split. In closing she requested the City re-consider this matter.

### **Emily Tacknyk-Roulston - Roads**

Ms Tacknyk-Roulston presented pictures to Council that she had taken after a recent grading and the pictures illustrate that the grading is not being done correctly, plus the corduroy is exposed and popping out of the road. She advised she left a message with the Road Supervisor this morning as the

water has been backing up at the Millership Swamp due to an obstruction at this location. Ms Tacknyk-Roulston referred to a 'Councillor's Handbook' and cited various legislation regarding road maintenance. She explained she is not just referring to the Essex Road but to all roads within the City that require regular and ongoing maintenance, and would like this matter addressed. Mayor Canfield advised he had been made aware of this situation and has talked to the Roads Supervisor.

### **APPROVAL OF ACCOUNTS**

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

THAT the Reports dated **June 23, 24, & 30, 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 **\$5,994,977.98** be hereby authorized for approval.

### **RATIFY AGREEMENTS WITH KENORA GOLF & COUNTRY CLUB**

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

THAT Council give three readings to a by-law to confirm By-law Numbers 53-94, 68-94 and 90-99 and to ratify the Agreements between the Corporation of the City of Kenora and the Kenora Golf and Country Club Limited.

### **AGREEMENT WITH LOWBIC – CONNECT ONTARIO**

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

THAT Council give three readings to the By-law to authorize the legal agreement between the Lake of the Woods Business Incentive Corporation and the City of Kenora for the Connect Ontario Partnering for Smart Communities project; and further

THAT Council provide a letter of support re-confirming City involvement and commitment to this project.

### **ABSTENTION: Councillor Szajewski**

### **NECHEE CENTRE CONFERENCE - LUNCHEON**

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

THAT Council approve a contribution in the amount of \$500 for the cost of lunch to be held at the NeChee Friendship Centre Conference on August 17, 2004.

### **'DOORS OPEN' EVENT – WAIVING OF STUFFER FEE**

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

THAT the Doors Open stuffer be approved for inclusion with the City bills; and further

THAT the \$.05 stuffer fee be waived in accordance with Council policy.

### **EXEMPTION TO NOISE BY-LAW – AGRICULTURAL FAIR**

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

THAT Council of the City of Kenora hereby authorizes the Kenora Agricultural Society to hold its 93<sup>rd</sup> Annual Fair at the Kenora Recreation Centre; and further

THAT authorization be hereby given for an exemption under Noise By-law 40-2001 to the Select Shows Midway to operate until 12:00 midnight on August 5, 6, and 7, 2004.

**INCREASE IN FEES – AFTER SCHOOL PROGRAM**

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

THAT the Council of the City of Kenora approve the fee increase for the early dismissal days at the after school program at "Evergreen Kids Club" from \$7.00/day to \$10.00/day, effective September 1, 2004; and further

THAT notice be hereby given in accordance with Notice Bylaw No. 14-2003 to increase the after school fees for early dismissal days from \$7.00 to \$10.00.

**INCREASE IN FEES – CASTLE OF LEARNING CHILDRENS' CTR.**

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

THAT the Council of the City of Kenora approve the fee increase for the daily rates for the Castle of Learning & Discovery Children's Centre from \$27.00/day to \$28/day for preschool children and for the increase in toddler daily rate from \$30.00/day to \$31.00/day effective September 1, 2004; and further

THAT notice is hereby given in accordance with Notice Bylaw No. 14-2003 to increase the daily rate fee for the Castle of Learning.

**CLOSING OF HARBOURFRONT PARKING LOTS–SPECIAL EVENTS**

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

THAT authorization be hereby given for the south and north parking lots at the Harbourfront to be closed during the following events:

**Harbourfest, Kenora Classic Car Show, Bass International**

- South Parking Lot -  
Wednesday, July 28 @ 6:00 p.m. to  
Monday, August 9 @ 6:00 a.m.

- North Parking Lot -  
- Friday July 30 @ 6:00 p.m.  
to Sunday August 1 @ 12:00 Midnight

**USE OF PARKADE FOR SPECIAL EVENTS**

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

THAT Council of the City of Kenora approve the use of the Parkade for free public parking during the 2004 Harbourfest and KBI events respectively;

- a) Friday, July 30<sup>th</sup>, 6:00 p.m. to Monday, August 02<sup>nd</sup> 12:00 Noon;
  - b) Friday, August 06<sup>th</sup>, 6:00 p.m. to Sunday August, 08<sup>th</sup> 12:00 Noon;
- and

THAT Buck's Brigade be authorized to patrol and provide security and clean-up services at the Parkade during this period; and further

THAT the following steps be implemented to address issues relating to the use of the Parkade for free parking during these events;

- a) That free parking at the Parkade be restricted to the first two floors and the third floor be signed and retained for the exclusive use of the Market Square tenants in accordance with the contractual obligations.
- b) That Parkade users be advised at least two weeks in advance of free public use of the Parkade during the summer months
- c) That there be scheduled patrols of the Parkade during free public use
- d) That there be a wash-down of the Parkade following free public use

**USE OF HARBOURFRONT DOCKS – LOWISA REGATTA****12. Moved by T. Szajewski, Seconded by C. Wasacase & Carried:-**

THAT Council approve the LOWISA 39 request to utilize the Harbourfront docks A & B for the LOWISA 39 regatta and further that this approval provides for the closure of the public docks A & B for July 31 and August 7/04.

**FINAL PAYMENT TO VIBURNUM TREE EXPERTS****13. Moved by T. Szajewski, Seconded by R. McMillan & Carried:-**

THAT the Council of the City Kenora hereby authorizes payment of the final invoice to Viburnum Tree Experts for the Urban Forestry Plan in the amount of \$10,000.00 plus G.S.T; and

THAT an appropriation from the City of Kenora Parks' Reserve Fund in the amount of \$10,000.00 be approved; and further

THAT Council give three readings to a by-law to amend the 2004 Municipal Budget together with meeting the requirements of Notice Bylaw 14-2003 for this purpose.

**LEASE AGREEMENTS WITH KENORA AIR & WALSTEN AIR****14. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

THAT Council of the City of Kenora give three readings to bylaws to execute lease agreements with Kenora Air and Walsten Air for use of the Second Street Wharf; and further

THAT the terms and conditions of the leases be based on the same terms and conditions as the previous lease with the exception that the warehouse be shared on a 50:50 basis; the leases reflect a two year term with a 3% escalation clause; and a 2% per month penalty charge on outstanding account balances.

**APPROVAL OF STAFFING – FIRE & EMERGENCY SERVICES DEPT.****15. Moved by I. Parkes, Seconded by L. Compton & Carried:-**

THAT Council hereby approves the core Staffing Option 'D' for the City of Kenora Fire and Emergency Services Department; and further

THAT the budget to afford this additional expense be found within the present and approved 2004 Operational Budget in accordance with the above budget plan.

**AGREEMENT WITH MINESTIC SHOPPING CENTRES LIMITED****16. Moved by A. Poirier, Seconded by R. McMillan & Carried:-**

THAT Council give three readings to a by-law to authorize the execution of an agreement with Minestic Shopping Centres Limited to undertake certain works at the former Public Works site.

**TRAFFIC BY-LAW AMENDMENT – WATER STREET**

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

THAT the City of Kenora Traffic Regulation Bylaw 127-2001 be amended to include the following addition to Schedule "B" - No Parking-Tow Away Zones:

|      |                 |                                                              |                 |                 |
|------|-----------------|--------------------------------------------------------------|-----------------|-----------------|
|      | <u>Column 1</u> | <u>Column 2</u>                                              | <u>Column 3</u> | <u>Column 4</u> |
| Add: | Water Street    | From 2 <sup>nd</sup> Street South<br>southerly for 15 meters | East            | Anytime         |

**WATER DELIVERY CHARGES – MT. EVERGREEN**

**18. Moved by L. Compton, Seconded by C. Wasacase & Carried:-**

THAT the City of Kenora not approve any adjustment to the Mount Evergreen Ski Club Utility bill(s) containing three overtime rate charges for water delivery service.

**WATER DELIVERY SERVICE – APPROVAL OF POLICY**

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

THAT the City of Kenora support the existing internal procedure, whereby residents are required to access the telephone call in message system for water truck delivery service; and further

THAT the requirements as outlined in the attachment to R. Perchuk’s report dated June 25, 2004, be approved and adopted as Policy No. OP-2-1 and included in the City Policy Manual.

**ASSUMPTION OF A PORTION OF CARLTON ROAD**

**20. 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 Carlton Road; and

THAT the Corporation of the City of Kenora acquired lands from Ross Melville Johnson and assumed those lands for public/municipal purposes described as a part of parcel 31440, part of Broken Lot 15 in the Second Concession of the Township of Melick, designated as Part 1 on Plan 23R-7221, now recorded as parcel 43453, now in the City of Kenora, District of Kenora; and

THAT the portion of the road forms part of Carlton Road and is hereby declared as a highway for municipal/public purposes; and

THAT the purchase price of the said road shall not exceed the sum of One Dollar (\$1.00);and further

THAT Council give three readings to a by-law to authorize the Mayor and Clerk to execute any and all documents required to complete this transaction.

**PURCHASE OF BEARINGS FOR SEWER TREATMENT PLANT**

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

THAT the Council of the City of Kenora hereby receives and accepts, as submitted, the quotation from Spaans Babcock, Richmond Hill, Ontario, for the supply of two (2) ECO-24 bearings for the Sewage Treatment Plant, at a total cost of \$15,888.00, plus applicable taxes.

### **ENGINEERING SERVICES FOR STANDBY GENERATORS**

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

THAT the following quotations, for Engineering and Consulting Services for the installation of Emergency Standby Generators, to be located at Sewer Lift Station #950 and Zone 2 Water Booster Station, be received;

|                    |                                 |
|--------------------|---------------------------------|
| KGS Group          | \$27,288.00 plus GST            |
| Stantec Consulting | 29,750.00 plus GST              |
| UMA Engineering    | 39,950.00 plus GST              |
| Cook Engineering   | 38,500.00 plus GST              |
| ENL                | 44,922.00 plus GST; and further |

THAT the quotation submitted by KGS Group in the amount of \$27,288.00, plus GST, be accepted.

### **PURCHASE OF PLAYGROUND EQUIPMENT – ANICINABE PARK**

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

THAT the following quotations for the supply and installation of a play structure at Anicinabe Park be received:

**Blue Imp \$29,231 plus taxes**  
**Crozier Industries \$27,429.50**  
 (plus taxes plus foundations); and further

THAT the tender of Blue Imp in the amount of \$29,231 plus applicable taxes be accepted.

### **BY-LAWS – FIRST & SECOND READING**

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

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

**#91-2004-** TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS COMMITTEE OF THE WHOLE MEETING HELD JULY 6, 2004;

**#92-2004-** TO CONFIRM BY-LAWS 53-94, 68-94 AND 90-99 AND TO RATIFY THE AGREEMENTS BETWEEN THE CORPORATION OF THE CITY OF KENORA AND THE KENORA GOLF & COUNTRY CLUB LIMITED;

**#94-2004-** TO AUTHORIZE LEASE AGREEMENTS BETWEEN THE CORPORATION OF THE CITY OF KENORA AND KENORA AIR SERVICE LTD.;

**#95-2004-** TO AUTHORIZE LEASE AGREEMENTS BETWEEN THE CORPORATION OF THE CITY OF KENORA AND WALSTEN AIR SERVICE (1986) LTD.;

**#96-2004-** TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN MINESTIC SHOPPING CENTRES LIMITED AND THE CORPORATION OF THE CITY OF KENORA WITH RESPECT TO CERTAIN WORKS AT THE FORMER PUBLIC WORKS SITE;

**#97-2004-** TO AMEND BY-LAW NUMBER 127-2001 BEING A BY-LAW TO REGULATE TRAFFIC ON THE ROADS AND HIGHWAYS OF THE CITY OF KENORA;

**#98-2004-** TO EXECUTE AN AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF KENORA AND LAFARGE MATERIALS & CONSTRUCTION INC., TO PERFORM

THE SITE SERVICING OF THE PUBLIC WORKS/OPERATIONS BUILDING ON BARSKY'S HILL;

**#99-2004-** TO AUTHORIZE THE TRANSFER OF LAND TO THE CITY OF KENORA;

**#100-2004-** TO ADOPT AMENDED ESTIMATES FOR RESERVE FUNDS TO BE INCORPORATED INTO THE SUM REQUIRED FOR MUNICIPAL PURPOSES DURING THE YEAR, 2004.

**BY-LAWS – THIRD & FINAL READING**

**25. Moved by I. Parkes, Seconded by C. Wasacase & Carried:-**

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

**#91-2004-** TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS COMMITTEE OF THE WHOLE MEETING HELD JULY 6, 2004;

**#92-2004-** TO CONFIRM BY-LAWS 53-94, 68-94 AND 90-99 AND TO RATIFY THE AGREEMENTS BETWEEN THE CORPORATION OF THE CITY OF KENORA AND THE KENORA GOLF & COUNTRY CLUB LIMITED;

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**#99-2004-** TO AUTHORIZE THE TRANSFER OF LAND TO THE CITY OF KENORA;

**#100-2004-** TO ADOPT AMENDED ESTIMATES FOR RESERVE FUNDS TO BE INCORPORATED INTO THE SUM REQUIRED FOR MUNICIPAL PURPOSES DURING THE YEAR, 2004.

**BY-LAW – CONNECT ONTARIO – FIRST & SECOND READING**

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

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

**#93-2004** – TO EXECUTE AN AGREEMENT BETWEEN THE LAKE OF THE WOODS BUSINESS INCENTIVE CORP. (LOWBIC) AND THE CORPORATION OF THE CITY OF KENORA FOR THE CONNECT ONTARIO PARTNERING FOR SMART COMMUNITIES PROJECT.

**ABSTENTION: Councillor Szajewski**

**RECORDED VOTE:~**

| COUNCIL              | AYE | NAY | Dec. of Interest |
|----------------------|-----|-----|------------------|
| Councillor Compton   |     | X   |                  |
| Councillor McMillan  | X   |     |                  |
| Councillor Parkes    | X   |     |                  |
| Councillor Poirier   | X   |     |                  |
| Councillor Szajewski |     |     | X                |
| Councillor Wasacase  | X   |     |                  |
| Mayor Canfield       | X   |     |                  |

**BY-LAW – CONNECT ONTARIO – THIRD & FINAL READING**

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

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

**#93-2004 – TO EXECUTE AN AGREEMENT BETWEEN THE LAKE OF THE WOODS BUSINESS INCENTIVE CORP. (LOWBIC) AND THE CORPORATION OF THE CITY OF KENORA FOR THE CONNECT ONTARIO PARTNERING FOR SMART COMMUNITIES PROJECT.**

**ABSTENTION: Councillor Szajewski**

**RECORDED VOTE:~**

| COUNCIL              | AYE | NAY | Dec. of Interest |
|----------------------|-----|-----|------------------|
| Councillor Compton   |     | X   |                  |
| Councillor McMillan  | X   |     |                  |
| Councillor Parkes    | X   |     |                  |
| Councillor Poirier   | X   |     |                  |
| Councillor Szajewski |     |     | X                |
| Councillor Wasacase  | X   |     |                  |
| Mayor Canfield       | X   |     |                  |

**ADJOURNMENT**

**28. Moved by L. Compton, Seconded by C. Wasacase & 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**