



MINUTES

*of a Meeting of the Council of the City of Kenora
Monday, November 22, 2004 – City Chambers
5:00 p.m.*

~~~~~

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

**Regrets: Councillor I. Parkes**

**Call to Order**

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

**Mayor Canfield then read the following public notices:-**

That as required under Notice By-law No. 14-2003, Council intends to adopt the following by-laws at tonight's meeting:

1. to amend Schedule "D" to By-law #33-2002 to establish water & sewer rates, effective December 1, 2004;
2. to amend Schedule "B" to Tariff of Fees By-law #100-2003 to increase and establish new facility rates at the Kenora Recreation Centre & Keewatin Memorial Arena, effective December 1, 2004.

**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, November 8, and of the Special Meeting held Tuesday, November 16, 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 Interest with respect to Resolution Numbers 19A, 24A and 24B as they relate to a drainage easement agreement concerning his son's property.

Mayor Canfield advised of a potential Declaration of Interest with respect to Resolution Number 16 pertaining to his employer which was also an item discussed during the November 16 Committee of the Whole meeting to which he advises he had a potential Declaration of Interest.

**DEPUTATIONS:**

Constable Bob Bernie introduced Special Agents Mike Marchus and Rob Browne visiting Kenora from North Dakota. He explained they are here to make a series of presentations on 'crystal meth.' They have done presentations at the two high schools and will be conducting an open forum tonight at Beaver Brae Secondary School.



Constable Bernie advised the presentations have been very well received at both schools and appreciated the gentlemen coming to Kenora to make these very important presentations to our citizens. The gentlemen explained they were very excited to be here and to share their experience which is a very big problem throughout the state of North Dakota. They indicated it is best to be proactive rather than re-active about any community drug problem and to be prepared as it can destroy communities and lives. There have been some 300 "meth" labs in their state and they are sure it will continue to spread north. They have been pleased to share information to the law enforcement officers, parents and students in our area in hopes that this drug doesn't get out of control in our community.

In closing the gentlemen stated how impressed they were with our city and that we should be very proud of our beautiful area.

Mayor Canfield presented City t-shirts and lapel pins to the gentlemen at the conclusion of their presentation.

### **Don Kinger**

Mr. Kinger made a suggestion to Council that with all the artwork being promoted in the downtown area that the City should display the metal native artwork that was once attached to the cement pillars of the Winnipeg River branch bridge in Norman. Unfortunately it has been learned that two of the four pieces have been stolen.

He indicated the artwork is a big part of Kenora's history, noting they are some 80 years old and should remain in view in our community. He indicated they should be easily removed from the pillars so they can be re-attached in the downtown core. Mr. Kinger suggested they could be put on the walls of the Parkade. He further suggested the City could advertise for the artwork to be displayed by business owners who may, at their expense, want to display them on their own building.

Mr. Kinger appealed to the person or persons who stole the two pieces to return them and he'd be willing to assist with their anonymous, safe return.

### **Approval of Accounts**

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

THAT the Reports dated **November 1 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 **\$2,026,688.03** be hereby authorized for approval.

### **2005 Municipal 5 Year Capital Plan**

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

THAT the City of Kenora 2005 Municipal Five Year Capital Plan as reviewed and amended by the Budget Committee be approved.

### **Harassment Policy**

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

THAT Council hereby amends the City of Kenora Policy Manual by approving the attached Harassment Policy #HR-1-6; and further

THAT the Harassment Policy be included in the City's Policy Manual.



**Hiring/Employment of Family Members Policy**

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

THAT Council of the City of Kenora approve the new Hiring and Employment of Family Members Policy HR 1-3; and further

THAT the City of Kenora Nepotism Policy HR 1-3 approved on the April 26, 2004 Council Meeting be rescinded.

**2005 KDMA Conference**

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

THAT authorization be hereby given for a total combination of five (5) Members of Council and Staff to attend the 2005 Annual General Meeting of the Kenora District Municipal Association taking place in Dryden, ON, February 3 – 5, 2005; and further

THAT payment of expenses in accordance with the Council Travel & Per Diem Policy is hereby authorized for this purpose.

**IBEW Memorandum Agreement**

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

THAT Council of the City of Kenora hereby approve the Memorandum Agreement between the Corporation of the City of Kenora and IBEW for the term January 1, 2004 to December 31, 2005.

**2005 Meeting Schedule**

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

THAT the attached schedule of Committee of the Whole and Council meetings for 2005 be hereby approved in accordance with the Procedural By-law; and further

THAT the schedule of meetings be circulated to City Departments, and posted on the webpage for the information of the public.

**Nominee for "Fellow Award"**

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

THAT the Council of the City of Kenora hereby nominates Rod Shewchuk for the "Fellow of Lakehead University Award" for the recognition of contributions to the growth, development, welfare and well being of Northwestern Ontario; and further

THAT the City's application be forwarded to the Board of Governors' Nominating Committee for this purpose.

**Property Tax Relief – Request Denied**

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

THAT while Council recognizes the ongoing financial difficulties that continue to plague the City's community, non-profit and sports organization, it is also recognized that the City has also experienced significant ongoing financial pressures, and must continue to look for ways to minimize tax impacts for its ratepayers; and

THAT Council not approve the request from the Kenora Curling Club for property tax relief.



**September, 2004 Accessibility Plan**

**11. Moved by T. Szajewski, Seconded by A. Poirier & Carried:-**

THAT Council of the City of Kenora hereby accepts and approves the September, 2004 Accessibility Plan.

**Facility Rates – Community Services**

**12. Moved by T. Szajewski, Seconded by A. Poirier & Carried:-**

THAT Council of the City of Kenora receives the recommendation from the Leisure Services Committee, approving the facility rates, with the exception of the Corporate Membership Plan Rates, for the Kenora Recreation Centre and the Keewatin Memorial Arena as attached to the November 2 report of C. Neil, Recreation Coordinator; and

THAT in accordance with Notice By-Law Number 14-2003, public notice for this increase is hereby 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 the increases and new rates take effect December 1, 2004.

**Appointment of CEMC Coordinator**

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

THAT Council for the City of Kenora accept with admiration and respect Woody Linton's letter of intent to retire from the position of Community Emergency Management Coordinator for the City of Kenora, effective 31 December 2004; and

THAT Council give three readings to a by-Law appointing Ken Peterson, Deputy Fire Chief for Fire and Emergency Services as the Community Emergency Management Coordinator for the City of Kenora, and Warren F. Brinkman Emergency Service Manager for Fire and Emergency Services as Alternate Community Emergency Management Coordinator for the City of Kenora effective 1 January 2005.

**Amendment to Sewer & Water Rates By-law**

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

THAT following the giving of notice and meeting requirements of O.Reg. 244/02 with respect to the sewer and water rates, Council hereby gives three readings to a by-law to amend Schedule "D" to By-law number 33-2002 to establish water & sewer rates; and further

THAT the changes to the by-law take effect and come into force on December 1, 2004.

**Amending Agreement with Transport Canada**

**15. Moved by A. Poirier, Seconded by T. Szajewski & Carried:-**

THAT the Amending Agreement attached to the November 12<sup>th</sup> report of R. Perchuk, between Transport Canada and the City of Kenora, respecting a Change of Date for Project Completion for improvement to Grade of Roadway/Approaches at Transmitter Road, inclusive of a project completion deadline of September 30<sup>th</sup>, 2005, be accepted.

***Mayor Canfield stepped down from the Chair and A/Mayor Szajewski called for the vote on the following item:-***



**Leachate Agreement – Mud Lake Landfill**

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

THAT Council of the City of Kenora gives three readings to a By-Law to authorize the entering into an agreement with Abitibi-Consolidated Company of Canada to accept leachate from the Mud Lake Landfill into the Sanitary Sewer System for treatment and disposal at the City of Kenora’s Wastewater Treatment Plant; and

THAT the changes identified in the attached draft by-law and Schedule “A” be accepted; and further

THAT By-Law 129-2004 be hereby repealed.

**ABSTENTION: Mayor Canfield**

**Amendment to Traffic By-law**

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

THAT Council of the City of Kenora give three readings to a by-law to amend Traffic Regulation By-law 127-2001 by including the following addition to Schedule “B” – No Parking Area – Tow Away Zone for Valley Drive:-

|                        |                                                                               |                        |                        |
|------------------------|-------------------------------------------------------------------------------|------------------------|------------------------|
| <b><u>Column 1</u></b> | <b><u>Column 2</u></b>                                                        | <b><u>Column 3</u></b> | <b><u>Column 4</u></b> |
| <b>Valley Drive</b>    | <b>From 92 metres west<br/>of Rabbit Lake Road<br/>westerly for 73 metres</b> | <b>South</b>           | <b>Anytime</b>         |

**Water & Sewer Adjustment Policy**

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

THAT the City of Kenora Water and Sewer Adjustment Policy attached to the October 26 report of H. Kasprick and W. Ortlieb be hereby approved and included in the City’s Policy Manual.

**Seasonal Water & Sewer Policy**

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

THAT the City of Kenora Seasonal Water & Sewer Policy attached to the October 26 report of H. Kasprick and W. Ortlieb be hereby approved and included in the City’s Policy Manual.

***Councillor Poirier requested the Rules of Order be Suspended to introduce the following item:***

**Drainage Easement Agreement**

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

THAT authorization be hereby given to acquire certain lands from Gregory and Gwendolyn Compton for purposes of a drainage easement agreement; and further

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

**ABSTENTION: Councillor L. Compton**

**Transfer of Property (Ritchie Road North)**

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



WHEREAS the Corporation of the City of Kenora has reached an agreement with Temple Investments Inc., to transfer property for municipal purposes and more particularly for part of a road, namely Ritchie Road North;

NOW THEREFORE the Council of The Corporation of the City of Kenora hereby enacts as follows:

1. THAT the Corporation of the City of Kenora shall acquire from TEMPLE INVESTMENTS INC., part of Parcel 38036, being part of Broken Lot 9, Concession 1, Township of Melick, now City of Kenora, in the District of Kenora, designated as Block 28 on Plan 23M.869, for road purposes, namely part of Ritchie Road North.
2. THAT the purchase price of the said road shall not exceed the sum of One Dollar (\$1.00);
3. THAT three readings be given to a by-law to authorize the Mayor and Clerk to execute any and all documents required to complete this transaction.

**Tender – Gasoline & Diesel Fuels**

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

THAT Council receive the tenders for the supply of gasoline and diesel fuels and fuel station equipment, as set out on the attached report of Mike Mostow; and

THAT the City purchase the equipment directly from Northern Steel, with the purchase of fuel direct from Marmus Supply (Shell); and further

THAT the 2005 proposed Capital Budget be amended to reflect the incremental costs relating to the purchase of the fuel depot.

**Proposal – Fitness Equipment**

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

THAT the following request for proposals to supply and install fitness equipment be received:

| <b>Company/ Supplier Name</b> | <b>Amount</b> | <b>Note</b>                                   |
|-------------------------------|---------------|-----------------------------------------------|
| Advantage Fitness             | \$158,284.49  |                                               |
| Pulse Fitness                 | \$162,105.00  |                                               |
| Fitness Depot<br>Commercial   | \$198,866.03  |                                               |
| Edge Fitness                  | \$ 93,742.5   | Incomplete bid on requested list of equipment |
| National Fitness<br>Products  | \$183,092.92  |                                               |
| Fitness Experience            | \$175,219.31  | Plus delivery from WPG                        |

AND THAT the proposal from "Advantage Fitness" in the amount of \$158,284.49 be hereby accepted.

***Mayor Canfield stepped down from the Chair and A/Mayor Szajewski called for the vote on the following item:-***

**By-laws – First & Second Reading**

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



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

**#136-2004** - to confirm the proceedings of the Committee of the Whole meeting held November 16, 2004;

**#137-2004** - 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;

**#138-2004** - to appoint a Community Emergency Management Coordinator for the Corporation of the City of Kenora;

**#139-2004** - to amend By-law Number 33-2002 and to amend Schedule "D" of the by-law to establish water and sewer rates;

**#140-2004** - to execute a project amending agreement between Her Majesty the Queen in Right of Canada as represented by the Minister of Transport and the Corporation of the City of Kenora (Transmitter Road Crossing);

**#141-2004** - to authorize the entering into an agreement between the City of Kenora and Abitibi Consolidated Company of Canada to accept leachate from the Mud Lake Landfill;

**#142-2004** - to amend By-law Number 127-2001 being a by-law to regulate traffic on the roads and highways of the City of Kenora;

**#143-2004** - to authorize the transfer of land from Temple Investments Inc. to the Corporation of the City of Kenora.

**ABSTENTION: Mayor Canfield**

***Mayor Canfield stepped down from the Chair and A/Mayor Szajewski called for the vote on the following item:-***

**By-laws – Third & Final Reading**

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

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

**#136-2004** - to confirm the proceedings of the Committee of the Whole meeting held November 16, 2004;

**#137-2004** - 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;

**#138-2004** - to appoint a Community Emergency Management Coordinator for the Corporation of the City of Kenora;

**#139-2004** - to amend By-law Number 33-2002 and to amend Schedule "D" of the by-law to establish water and sewer rates;

**#140-2004** - to execute a project amending agreement between Her Majesty the Queen in Right of Canada as represented by the Minister of Transport and the Corporation of the City of Kenora (Transmitter Road Crossing);

**#141-2004** - to authorize the entering into an agreement between the City of Kenora and Abitibi Consolidated Company of Canada to accept leachate from the Mud Lake Landfill;



#142-2004 – to amend By-law Number 127-2001 being a by-law to regulate traffic on the roads and highways of the City of Kenora;

#143-2004 – to authorize the transfer of land from Temple Investments Inc. to the Corporation of the City of Kenora.

**ABSTENTION: Mayor Canfield**

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

**First & Second Reading – Compton Easement Agreement**

**24A Moved by R. McMillan, Seconded by A. Poirier & Carried:-**

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

#144 -2004 – to acquire certain lands from Gregory Scott Compton and Gwendolyn Fay Compton for the purposes of a drainage easement agreement.

**ABSTENTION: Councillor L. Compton**

**Third & Final Reading – Compton Easement Agreement**

**24B Moved by R. McMillan, Seconded by A. Poirier & Carried:-**

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

#144 -2004 – to acquire certain lands from Gregory Scott Compton and Gwendolyn Fay Compton for the purposes of a drainage easement agreement.

**ABSTENTION: Councillor L. Compton**

**Adjournment**

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

**THAT** this meeting be now declared closed at 5:46 p.m.

THE CORPORATION OF THE CITY OF KENORA:

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

**.....2004**

.....  
**MAYOR**

.....  
**CITY CLERK**