

COMMITTEE OF THE WHOLE MINUTES

Held Tuesday, April 20, 2004
At 4:00 p.m. – City Council Chambers

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PRESENT:

| | | |
|----------------|---|------------|
| David Canfield | - | Mayor |
| Len Compton | - | Councillor |
| Ingrid Parkes | - | Councillor |
| Andrew Poirier | - | Councillor |
| Ted Szajewski | - | Councillor |
| Colin Wasacase | - | Councillor |
| B. Preisentanz | - | CAO |
| J. McMillin | - | City Clerk |

REGRETS: Councillor R. McMillan

A. Public Information NOTICES as per By-law No. 14-2003

Take Notice that as required under Notice By-law No. 14-2003, Council hereby advises the public of its intention to adopt the following by-laws at its April 26 meeting:-

1. **the sale of land to Radcliffe (Coney Island),**
2. **the adoption of a revised Sign By-law.**

B. Resolutions prepared for TUESDAY, April 26/2004:-

- **Confirm Minutes**
- **Approval of Accounts**
- **Confirmatory By-law**
- **Adjournment**

C. DECLARATION OF PECUNIARY INTEREST

Councillor Compton made a Declaration of Pecuniary Interest with respect to Item#2 under the Community Services Agenda regarding the Castle of Learning & Children's Discovery Centre due to his being a Real Estate Agent. A subsequent Declaration was made by Councillor Compton with respect to a new item under Utilities & Communications regarding the hiring of a summer student.

D. REPORT OF COMMITTEES:-

FINANCE & ADMINISTRATION

1. **Tunnel Island Legacy Project-Resolution
Liaison Committee Update**

HOLD

2. **Appointments to Audit Committee**

RECOMMENDATION:

THAT Council of the City of Kenora approve the amended Terms of Reference for the City Audit Committee dated April 13, 2004; and further

THAT the following two External Members be appointed to the City's Audit Committee with terms of office to expire as follows:-

Kathleen O'Flaherty - term expires December 31, 2005
William A. Marr - term expires November 30, 2006

Recommendation approved.

Joanne

3. DataFix Agreement - By-law

RECOMMENDATION:

THAT Council give three readings to a by-law to authorize the entering into of a Memorandum of Understanding with DataFix for Web Hosting Services to support the Municipal VoterView Application.

Recommendation approved (by-law only).

Joanne

4. Sale of land to First Pro – Highway 17 E

RECOMMENDATION:

THAT Council of the City of Kenora hereby declares the parcel of land being 0.04 acres and legally described as Part of Parcel 27650, being part of Lot 335, as shown on Plan M-63; Part of Parcel 32558, being part of the lane lying between Lots 335 and 223, as shown on Plan M-63; Part of Parcels 22978 and 2771, being part of Sixth Street South (formerly Gertie Street) as surplus to the needs of the municipality; and further

THAT the three week Public Notice process commence for the Assumption, Stop-Up and Closure of part of the street comprising the 0.04 acre parcel of land behind the Kenora Police Station on Highway 17 East in order to effect the transfer of land to 1286730 Ontario Limited (First Pro).

Recommendation approved (resolution only at this time).

Joanne

5. Revised Logo Policy

RECOMMENDATION:

THAT Mayor and Council adopt the logo policy as part of the City of Kenora policies; and further

THAT the Customer Services Coordinator contact all parties currently using the logo advising them of the policy requirements.

Recommendation approved.

Joanne

6. Dragon Tamers – Request for Charitable Donation Receipts

RECOMMENDATION:

THAT Council acknowledge the great courage and dedication displayed by all local Breast Cancer Survivors, including those who have come together to form a Dragon Boat Paddling Crew, known as the Dragon Tamers; and

THAT regrettably Council is not legally in a position to issue donation receipts on behalf of the Dragon Tamers organization; and further

THAT Council extends their utmost respect and admiration to the Survivors

who have formed the Dragon Tamers organization, and wishes them success with both their participation in the 2004 Dragon Boat Festival, and their related fundraising activities.

Recommendation approved.

Joanne

7. Relay for Life – Grant

RECOMMENDATION:

THAT Council of the City of Kenora hereby authorizes a grant in the amount of \$1,011.15 for rental of the Kenora Recreation centre for the 2004 Canadian Cancer Society Relay for Life to be held on June 25 and 26, 2004.

Recommendation approved.

Joanne

8. Endorsation Request – Peterborough–Health Unit Budgets

RECOMMENDATION:

WHEREAS the City of Kenora has received a request from the City of Peterborough requesting support of a proposed amendment to the current funding of Health Unit operating costs; and

WHEREAS the City of Kenora currently pays 50% of the costs related to the Northwestern Health Unit mandated programs, representing a levy request of \$742,300 in 2004; and

WHEREAS, prior to the Local Services Realignment, the City was responsible to pay only 25% of the Northwestern Health Unit mandated programs, representing \$100,259 of support paid in 1997; and

WHEREAS the City's costs relating to the Northwestern Health Unit has increased significantly in 2004; and

WHEREAS the City has received early indications from the Province that the Community Reinvestment Funding may no longer be reconciled to account for increased costs relating to the Local Services Realignment; and

WHEREAS the anticipated failure to reconcile Local Services Realignment related costs has resulted in a significant increased tax burden to the taxpayers of the City of Kenora;

NOW THEREFORE the Council of the Corporation of the City of Kenora hereby resolves:

THAT the City of Kenora petition the Province of Ontario to cover 75% of the funding costs for the Northwestern Health Unit; and

THAT our municipality covers the remaining 25% funding of mandated Northwestern Health Unit programs; and further

THAT a copy of this resolution be forwarded to the Honourable George Smitherman, Minister of Health and Long Term Care, Howard Hampton, MPP, AMO, and the City of Peterborough.

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| <p>Recommendation approved.</p> <p>9. Health Unit Representation RECOMMENDATION: THAT the following be appointed to the Northwestern Health Unit Board of Directors with a term to expire November 30, 2006:-</p> <p style="padding-left: 40px;">Councillor Ingrid Parkes, Kenora Council Rep. Mayor Jerry O'Leary, Kenora/Sioux Narrows-Nestor Falls Rep.; and further</p> <p>THAT Resolution Number 2 dated April 13, 2004 be hereby rescinded.</p> | <p>Joanne</p> |
| <p>Recommendation approved.</p> <p>10. Human Resources Policies RECOMMENDATION: THAT Council of the City of Kenora approve; the updated Human Resources Policies and further</p> <p>THAT Council approves the new policies Loss of Licence HR-2-12 and HR-2-11 Minimum Standard.</p> | <p>Joanne</p> |
| <p>Recommendation approved.</p> <p>11. Proclamation – "Alcohol & Pregnancy Awareness Month" RECOMMENDATION: THAT the Mayor be and is hereby authorized to proclaim the month of May, 2004 as "Alcohol & Pregnancy Awareness Month" in and for the City of Kenora.</p> | <p>Joanne</p> |
| <p>Recommendation approved.</p> <p>12. Proclamation – "Museum Month" RECOMMENDATION: THAT the Mayor be and is hereby authorized to proclaim the month of May, 2004 as "Museum Month" in and for the City of Kenora.</p> | <p>Joanne</p> |
| <p>Recommendation approved.</p> <p>13. Proclamation – "Green Ribbon of Hope Month" RECOMMENDATION: THAT the Mayor be and is hereby authorized to proclaim the month of May, 2004 as "Green Ribbon of Hope Month" and Tuesday, May 25, 2004 as "National Missing Children's Day" in and for the City of Kenora.</p> | <p>Joanne</p> |
| <p>Recommendation approved.</p> <p>14. Senior of the Year Award & Proclamation RECOMMENDATION: THAT the Mayor be and is hereby authorized to proclaim June, 2004 as "Seniors' Month" in and for the City of Kenora; and</p> | <p>Joanne</p> |

THAT the City of Kenora nominates Arlene Nelson-Litt for the "Senior of the Year Award" who has contributed to the well being of our community; and further

THAT Arlene Nelson-Litt's name be submitted to the Minister Responsible for Seniors for this purpose.

Recommendation approved.

Joanne

COMMUNITY SERVICES

1. Wellness Centre Information Report Ongoing

2. Sale of Castle of Learning & Children's Discovery Centre

RECOMMENDATION:

1. THAT Council of the City of Kenora accept the offer from the Anishinaabe-Kweg Aboriginal Women's Organization for the sale of the Castle of Learning property located at 1304 Ninth Street North in the amount of \$245,000.00 with a closing date of June 30, 2004; and

2. THAT in accordance with the City of Kenora Notice Bylaw No. 14-2003, public notice of the sale of this property be given prior to the adoption of By-law approving the Agreement of Purchase and Sale; and

3. THAT the City of Kenora negotiate with the Anishinaabe-Kweg Aboriginal Women's Organization for the shared use of the Castle of Learning and Discovery property for the continued delivery of the City's 2004 day care program in accordance with the approved budget; and

4. THAT the proceeds from the sale of the property be placed in a special reserve intended for Community Services purposes; and

5. THAT the City of Kenora determine its role in the long term with respect to the delivery of day care programs, after school programs, and summer camp programs including delivery of these programs through the Wellness Centre; and

6. THAT in accordance with Bylaw 138-2000, establishing procedures for the sale or disposal of City property, Council of the City of Kenora declare the Castle of Learning property at 1304 Ninth Street North, legally described as Parcel 41031, District of Kenora, part of Mining Loc. 16.V., Town of Kenora, now the City of Kenora, designated as Part 1 on Plan 23R-9498, together with an Easement over Part 3, Plan 23R-9498, to be surplus to its municipal needs and requirements, and that notification of the sale of this property be forwarded by ordinary mail to the Kenora District Services Board and the Keewatin-Patricia District School Board; and further

7. THAT Council confirms the intent for the continued delivery of the City's day care program for the year 2004 in accordance with the approved budget, in the event successful negotiations for the shared use of the Castle of Learning and Discovery facilities are not reached with the Anishinaabe-Kweg Aboriginal Women's Organization.

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| <p>Recommendation approved (resolution only at this time).</p> <p>3. Keewatin Beach Docks RECOMMENDATION: THAT Council of the City of Kenora receives the recommendation from the Community Services Committee, and approves the reconstruction of the cribbed dock and floating docks at Keewatin Beach; and further</p> <p>THAT Cowan Insurance provides proof to assume responsibility and acceptance of docks in swim areas.</p> <p>It was noted the insurance is not an issue and is covered off under the City's insurance; therefore the last paragraph of the recommendation is not required.</p> <p><u>AMENDED RECOMMENDATION:</u> THAT Council of the City of Kenora receives the recommendation from the Community Services Committee, and approves the reconstruction of the cribbed dock and floating docks at Keewatin Beach.</p> | <p>Joanne</p> |
| <p>Recommendation approved as amended.</p> <p>4. ESA Contract Renewal RECOMMENDATION: THAT Council accept and approve award of the ESA Continuous Safety Services Agreement for the annual Fee of \$18,955.00 plus GST.</p> | <p>Joanne</p> |
| <p>Recommendation approved.</p> <p>A by-law will be presented on April 26 to formally authorize this contract.</p> | <p>Joanne Paulette</p> |
| <p>5. Parking Restriction – 5th Street South RECOMMENDATION: THAT Council approves the closing up of the parking area on 5TH Street South for the duration of the Wellness Centre construction. (April to October.)</p> | <p>Joanne</p> |
| <p>Recommendation approved.</p> <p>6. Matheson Street Wharf RECOMMENDATION: THAT Council approves the following conditions for the Matheson Street Wharf:-</p> <ol style="list-style-type: none"> 1. the designation of parking for boats larger than 24 feet, 2. free day docking, 3. short term overnight berthing be available at the established Harbourfront mooring rate, 4. monitoring of the Wharf be added to the existing Wharf Management Agreement. | <p>Joanne</p> |
| <p>Recommendation approved.</p> | <p>Joanne</p> |

Bill Preisntanz advised Committee that funding for this project (approx. \$8,000) will be taken from the Federal Wharf Funding.

7. Library Painting

RECOMMENDATION:

THAT Council approve an additional appropriation from the City of Kenora's Library Building Reserve in the amount of \$8,347.15 effective 31 December 2003 to offset the incremental costs incurred in 2003 relating to repairs to the Kenora Public Library for flooring, front door and decking.

Recommendation approved.

Joanne

EMERGENCY SERVICES

1. Communication & Dispatch Agreement – P.U.F.F.

RECOMMENDATION:

THAT Council give three readings to a by-law to authorize the entering into of an agreement with the Pellatt United Fire Fighters Inc. for services as set out in Schedule "A" attached to W. Brinkman's April 7 report; and further

THAT By-Law Number 35-2002 be repealed.

Recommendation approved (resolution and by-law).

**Joanne/
Paulette**

2. Communication & Dispatch Agreement–Longbow Lk Brigade

RECOMMENDATION:

THAT Council give three readings to a by-law to authorize the entering into of an agreement with the Longbow Lake Volunteer Fire Brigade Inc. for services as set out in Schedule "A" attached to W. Brinkman's April 7 report; and further

THAT By-Law Number 40-2002 be repealed.

Recommendation approved (resolution and by-law).

**Joanne/
Paulette**

3. Communication & Dispatch Agreement–McKenzie Clearwater

RECOMMENDATION:

THAT Council give three readings to a by-law to authorize the entering into of an agreement with the McKenzie Clearwater Fire Protection Corporation for services as set out in Schedule "A" attached to W. Brinkman's April 7 report; and further

THAT By-Law Number 11-2001 be repealed.

Recommendation approved (resolution and by-law).

**Joanne/
Paulette**

OPERATIONS COMMITTEE

**1. Public Works Re-location Information Report
Ongoing**

2. Evergreen School Crossing Options

HOLD

Awaiting recommendation from Operations Committee

3. Traffic Amendment (#27/04)-Tow Away Zone 6th Ave. @ Park HOLD

RECOMMENDATION:

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

| | | | | |
|------|----------------------------|--|-----------------|-----------------|
| | <u>Column 1</u> | <u>Column 2</u> | <u>Column 3</u> | <u>Column 4</u> |
| Add: | 6 th Ave. South | From Park Street southerly to the lane | East | Anytime |

4. Trapper Council Agreement-Nuisance Beaver Program 2004

RECOMMENDATION:

THAT the Agreement appended hereto between the Kenora Trapper's Council and the City of Kenora, respecting nuisance beaver services for the period May 16 to September 15, 2004, inclusive, be accepted.

Recommendation approved.

Joanne

5. Lowboy Trailer Tender

RECOMMENDATION:

THAT the following tenders for the purchase of a lowboy flat deck trailer, be received:-

| | |
|------------------------------|---------------------------------------|
| Metro Centre | 16' Overall Length \$ 8,967.00 |
| Intercity Ind. Supply | 18' Overall Length \$10,600.00 |
| Saturn Industries | 18' Overall Length \$ 9,680.00 |

AND that the quotation submitted by Saturn Trailers, in the amount of \$9,680.00 (taxes extra), be hereby accepted.

Recommendation approved.

Joanne

6. Two Used Loaders – Tender

RECOMMENDATION:

THAT Council receive the tender for the purchase of two 621D Loaders and trade-in of the Case W20 and John Deere 544, as set out on the attached report of Richard Perchuk dated April 15, 2004; and further

THAT the quotation submitted by Hytrac Equipment, in the amount of \$218,692.00, plus taxes, be hereby accepted.

Recommendation approved.

Joanne

PROPERTY & PLANNING

1. Sioux Narrows-Nestor Falls Service Agreement

HOLD for Solicitor Review

RECOMMENDATION:

THAT the City of Kenora enters into a service agreement with the Township of Sioux Narrows-Nestor Falls for the provision of planning, engineering and building advisory services, for the year 2004.

2. Sale of land to Radcliffe

RECOMMENDATIONS:

a) THAT Council give three readings to a by-law to deem a lot on a Registered Plan not be registered.

Recommendation approved (resolution and by-law).

Joanne

b) THAT Council give three readings to a by-law to stop up, close and sell that part of 2nd Street, as shown on plan m.13, Coney Island, in the City of Kenora, in the District of Kenora, designated as part 1 on plan 23R-10947, and to sell those lots as shown on Plan M.13, being lots 54, 55, 60 and 61, Coney Island, City of Kenora, District of Kenora.

Joanne

Recommendation approved (resolution and by-law).

3. Gateway to Canada Project

RECOMMENDATION:

THAT Council of the City of Kenora indicate their support for the Gateway to Canada Project by authorizing funding in the amount of \$8,215.00; and

THAT funding for this project be taken from the sale of City lands; and further

THAT LOWBIC be requested to identify a representative to sit on the Gateway to Canada Steering Committee.

Recommendation approved.

Joanne

4. Amendment to Sign By-law

RECOMMENDATION:

THAT the Council accepts the attached recommendation of the Sign Committee for housekeeping amendments to the existing Sign By-law; and

THAT Council give three readings to a by-law to regulate signs and other advertising devices within the City of Kenora; and

THAT in accordance with legislative Notice requirements, public notice is hereby given for the adoption of the new by-law; and further

THAT By-law Number 111-2001 be repealed.

Recommendation approved (resolution and by-law).

Joanne

5. Lease Renewal – Green space to B. Bell & Son (Mrs. D’s)

RECOMMENDATION:

THAT the Council give three readings to a by-law to authorize the entering into of a lease agreement with Bob Bell & Sons Ltd. for the use of a portion of green space located at the Harbourfront for a platform for tables and chairs; and

THAT the lease be in effect for the period of one (1) year, at a rate of \$5.00 per square foot + taxes for a total of 196 square feet; and further

THAT the Mayor and Clerk be authorized to enter into such agreement.

Recommendation approved (resolution and by-law).

- 6. Partnership Development with Business Centre – Photo Op.**
-April 26 Presentations: Lakewood Credit Union; The Standard.

Joanne

**Council/
Jeff Port**

UTILITIES & COMMUNICATIONS COMMITTEE

- 1. K.M.T.S. Information Report**
Ongoing

- 2. Telephone Directory Options**

RECOMMENDATION:

THAT as recommended by the Kenora Municipal Telephone Commission, Council hereby accepts and supports the following changes to the design of the KMTS Telephone Directory:-

1. use of a new, larger, three column Directory for 2005 with #35 Protex paper and slightly smaller font;
2. KMTS advertising rates be gradually increased over the next several years to bring them in line with other similar Directories;
3. KMTS Directory distribution to continue as is;
4. KMTS continue to evaluate alternate options for the marketing, production and printing of the KMTS Directory while maintaining existing contracts for the 2005 Directory.

Recommendation approved.

Joanne

- 3. Kenora Hydro – Demand Note**

RECOMMENDATION:

WHEREAS the City was required to incorporate Kenora Hydro into a separate legal entity as a result of Hydro Deregulation; and

WHEREAS the City did incorporate Kenora Hydro effective 1 January 2000 into the Kenora Hydro Electric Corporation Ltd.; and

WHEREAS Kenora Hydro did incur a significant debt back to the City of Kenora in the process of the incorporation in the form of a demand note payable to the City in order to reflect the current value of Kenora Hydro; and

WHEREAS the City does not intend to call the Kenora Hydro demand note during the 2004 calendar year; and

WHEREAS Kenora Hydro's auditors, BDO Dunwoody, require confirmation that this demand note will not be called during the 2004 calendar year in order to properly reflect this amount in Kenora Hydro's financial statements;

NOW THEREFORE be it resolved that BDO Dunwoody be advised that the City of Kenora has no intent to call the current Kenora Hydro demand note; and further

THAT the City confirms with BDO Dunwoody that it shall not call the Kenora Hydro demand note on any date prior to 1 January 2005.

Recommendation approved.

Joanne

NEW ITEM:

Hiring of Summer Student

Councillor Compton made a Declaration of Pecuniary Interest with respect to the following item as his grandson is applying for a summer job.

RECOMMENDATION:

THAT Council of the City of Kenora approves the hiring of a KMTS summer student for a period not to exceed fourteen (14) weeks.

Recommendation approved.

Joanne

OTHER BUSINESS

Proclamation – National Physiotherapy Month

RECOMMENDATION:

THAT the Mayor be and is hereby authorized to proclaim the month of April 24 to May 24, 2004 as "National Physiotherapy Month" in and for the City of Kenora.

Recommendation approved.

Joanne

Town Hall Meetings

Councillor Poirier made a suggestion that Council consider holding regular "Town Hall Meetings" as a positive communication tool with constituents. He suggested holding these types of meetings in the City as well as in the former municipalities for easier access for residents to attend.

Councillor Poirier commented it would be an excellent forum to disseminate information to the public that may not be reaching everyone; as well it could be a system used in conjunction with the budget process.

Mayor Canfield cautioned Council about going to different areas and he feels it should be kept to one location as we are now a City.

Generally the Committee felt this is a very good concept and that the meetings should be moved around to various areas on a rotating basis which would make it easier for residents to attend, especially senior citizens. Committee also agreed we should be utilizing various facilities within the entire City for these meetings.

Councillor Szajewski expressed concern that in order to get the public involved, we should have a specific topic to discuss or there will be a lack of participation.

Committee was in favour of holding such meetings in one form or other.

2004 Conference–Federation of Canadian Municipalities - Edmonton

RECOMMENDATION:

THAT authorization be hereby given for the attendance of two (2) Members of Council to attend the 2004 Annual Conference of the Federation of Canadian Municipalities taking place in Edmonton, AB May 28 to 31, 2004; and further

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

Recommendation approved.

A suggestion was made that rather than limiting the number of those who attend various conferences that each Member of Council make their own decision as to whether or not they wish to attend in keeping with their approved travel account authorized under the budget.

The Clerk will arrange to have the information on the FCM Conference circulated to all Members for review.

African Exchange Request

Mayor Canfield advised that a request has been received from a fellow in Africa who is looking to the City to bring him to Canada on a 14 day exchange program.

It was recommended that since we already have an exchange program with Japan that we not participate in another one.

Mayor Canfield will respond to this inquiry thanking him for his interest, but advising that due to budget restraints we are unable to take part in this request.

Motion required adjourning to Closed Meeting:

Moved by I. Parkes, Seconded by A. Poirier, and Carried:-

THAT this meeting be now declared closed at 5:30 p.m.; and further

THAT Council adjourns to a Closed Meeting to discuss the following:

- **A proposed sale of land.**

ACTION REQUIRED FROM CLOSED SESSION:

Sale of Land to Seitler – Sixth Avenue South

RECOMMENDATION:

THAT Council hereby accepts an Offer of Purchase and Sale from Century 21 Reynard Real Estate Ltd. on behalf of Steve Seitler for property located at 426 Sixth Avenue South; and

THAT Council hereby declares Lot 157 on Plan M-11, Parcel 3950 as surplus municipal property to the needs of the City of Kenora; and

THAT public notice is hereby given that Council intends to sell the land

Joanne

Paulette

**Mayor
Canfield/
Paulette**

municipally described as 426 Sixth Avenue South; and further

THAT three readings be given to a by-law to authorize the execution of an Agreement of Purchase and Sale with Steve Seitler for this purpose.

Recommendation approved (resolution and by-law).

Joanne

The meeting adjourned at 5:55 p.m.