

COMMITTEE OF THE WHOLE MINUTES

Held Tuesday, May 18, 2004
At 4:00 p.m. – City Council Chambers

PRESENT:

Colin Wasacase	–	Deputy Mayor
Len Compton	-	Councillor
Rory McMillan	-	Councillor
Andrew Poirier	-	Councillor
Ted Szajewski	-	Councillor
B. Preisentanz	-	CAO
P. Grouda	-	Deputy Clerk

REGRETS: Mayor David Canfield, Councillor Ingrid Parkes

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

None.

B. Resolutions prepared for May 25/2004:-

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

C. DECLARATION OF PECUNIARY INTEREST

Councillor Len Compton made a Declaration of Pecuniary Interest with respect to an "In Camera" Item of Litigation or Potential Litigation and advised he would leave the meeting during the discussion due to a family member having a connection with this item.

Councillor Ted Szajewski made a Declaration of Pecuniary Interest with respect to Item No. 6 on the Finance & Administration Reports "Connect Ontario Partnering for Smart Communities"

D. REPORT OF COMMITTEES:-

FINANCE & ADMINISTRATION

1. Tunnel Island Legacy Project-Resolution

To be referred to Finance and Administration Committee for discussion.

Finance/Admin

2. Appointment to fill Vacancy – Kenora Handi Transit

RECOMMENDATION:

THAT Irma Green be appointed to the Kenora Handi Transit Board.

Recommendation Approved.

Joanne

3. AMO's Effective Municipal Councillor Program – Module #3

RECOMMENDATION:

THAT authorization be hereby given for the attendance of a maximum of three members of Council to attend AMO’s Effective Municipal Councillor Program to be held in Thunder Bay on June 9th and 10th, 2004 at the Travelodge Airline; and further

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

Recommendation Approved.

Joanne/Paulette

4. Harbourtown Centre– BIA Board – 2004 Tax Rate

RECOMMENDATION:

THAT Council give three readings to a by-law to set the 2004 tax rate for the Harbourfront Centre Business Improvement Zone in accordance with the budget as approved through Council Resolution Number 9 dated 13 April 2004.

Recommendation Approved.

Joanne/Paulette

5. Debenture Re-issue

RECOMMENDATION:

THAT Council approve the appropriate by-law amending By-law #129-2003 to re-amortize the debenture issue in accordance with the 2004 operating budget; and further

THAT the Manager of Finance & Administration be authorized to appropriate an amount from the tax write off reserve equal to the amount of the municipal share of the 2002 and 2003 tax write off reductions related to this development.

Recommendation Approved.

Joanne/Paulette

6. Connect Ontario Partnering for Smart Communities (COPSC)

RECOMMENDATION:

THAT in accordance with Council direction as set out in the City’s approved IT Strategic Plan, Council support in principle the Connect Ontario Partnering for Smart Communities (COPSC) funding application, including accepting responsibility for the operational costs related to the portal in years three through five of the COPSC project; and THAT City staff be authorized to negotiate and execute a legal agreement on behalf of the City, as reviewed by the City’s solicitor, between LOWBIC and the City with regards to the COPSC project; and

THAT Council recognize the importance of a Programmer / Developer position as a full time position with the City and approve this position as a full time staff position within the City following the completion of the implementation of the COPSC project; and further

THAT should City staff, in conjunction with LOWBIC, be unable to successfully negotiate a satisfactory legal agreement that fully protects the City’s rights and property with regards to the COPSC project, Council

support, including ongoing payment of ongoing operational costs, shall be withdrawn.

Don Cameron, CAO for LOWBIC spoke in support of this project and the benefits for the Community and Tourism.

Discussion took place.

Councillor Compton had concerns supporting this when there were so many unknowns and the benefits were unclear.

Recommendation Approved.

Joanne

**7. Granting/Registering Armorial Bearings in Canada
To be referred to Finance and Administration for review and recommendation.**

Finance/Admin

COMMUNITY SERVICES COMMITTEE

**1. Wellness Centre Information Report
Councillor Szajewski will give his report at the May 25th Council Meeting.**

**2. Presentation on Urban Forestry Plan (May 18–2:45-3:45 p.m.)
Council had a presentation prior to the Committee Meeting today. Public Meeting will be held at 7:00 p.m. this evening at the Wellness Centre.
Manager of Community Services will bring back Plan to Council for adoption.**

Barry Reynard

**3. Kenora In Bloom – “Growing Civic Pride”
RECOMMENDATION:
THAT the Mayor be and is hereby authorized to proclaim the month of July, 2004 as “Growing Civic Pride Month” in and for the City of Kenora.**

Recommendation Approved.

Joanne

**4. Adopt-A-Park Program
Will be brought forward to Council after further review by Community Services.**

Barry Reynard

**5. Skateboard Park Funding Application
RECOMMENDATION:
THAT Council hereby accepts the recommendation from the Leisure Services Committee to support the Trillium Grant Application by the Skate Park Committee naming the City of Kenora as the “applicant”.**

It was noted that the City has not committed any funding at this time.

Recommendation Approved.

Joanne

**6. Anicinabe Park Snack Shack
RECOMMENDATION:**

THAT Council hereby approves the request of Quadson Developments to permit fried foods at the Snack Shack established at the Anicinabe Park beach (adjacent to the change house); and further

THAT Council hereby amends Resolution Number 14 dated April 10, 2000 by deleting the following paragraph:

“AND FURTHER THAT fried foods not be permitted to be sold in this building.”

Recommendation Approved.

Joanne

7. Anicinabe Park Capital Improvements

RECOMMENDATION:

THAT Council hereby approves the request of Quadson Developments to develop seven additional RV camp sites at Anicinabe Park; and

THAT Quadson Developments complete the capital improvements at no expense to the City of Kenora; and further

THAT all capital improvements shall become the property of the City.

Recommendation Approved.

Joanne

8. Summer Student – Castle of Learning & Discovery Centre

RECOMMENDATION:

THAT Council of the City of Kenora approve one summer student for the Castle of Learning and Discovery Centre for the months of July and August 2004 in support of the summer camp program; and further

That the Manager of Community Services be authorized to fill the respective position and to establish the employment terms of reference in consultation with the Human Resources Manager according to Municipal Hiring Practices and Regulations.

Recommendation Approved.

Joanne

9. Central Park Washroom Facilities

RECOMMENDATION:

THAT Council of the City of Kenora accept the recommendation from the Community Services Committee for the purchase of three modular concrete washrooms for Central and Beatty Parks from Leko Precast Ltd; and

THAT Council waive the tendering policy FI-2-1 with respect for preparing tenders and approve the purchase of the specialty modular washrooms from Leko Precast Ltd; and further

THAT Council approves the purchase of the three modular units for the price of \$25,530, plus applicable taxes.

Recommendation Approved.

Joanne

10. Wharf Lease Agreement – Houseboat Adventures

RECOMMENDATION:

THAT Council of the City of Kenora give three readings to a by-law to authorize the entering of a lease with Jeff Gordon c.o.b Houseboat adventures for the use of the south end of the Main Street Dock for the 2004 Operating Season.

Recommendation Approved.

Joanne/Paulette

EMERGENCY SERVICES

- No Reports -

OPERATIONS COMMITTEE

1. Public Works Re-location Information Report

Rick Perchuk, Manager of Operations reported that there had been down time due to the winter storm last week. C of A for water and sewer servicing has been received. Final steps will be taken for site transfer of Hwy 17 East property at the end of May. Tender for Hwy. 17 East redevelopment is being finalized.

2. Evergreen School Crossing Options

Awaiting recommendation from Operations Committee. There is a meeting May 19th with the Keewatin Patricia District School Board regarding this matter.

HOLD

Operations

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

RECOMMENDATION:

THAT Motion NUMBER 13, dated March 22, 2004, be hereby amended as follows:

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:

ADD:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
6 th Avenue S.	From Park Street South for 30 meters	East	Anytime

THAT the City of Kenora Traffic Regulation Bylaw 127-2001 be amended to include the following addition to Schedule "C"- Limited / Restricted Parking:

ADD:

<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>	<u>Column 4</u>
6 th Avenue S.	From Park Street South for 30 meters	West	8:00 a.m. to 5:00 p.m. Monday to Friday

Input has been sought from residents and matter will be reviewed further by Operations.

HOLD.

Operations

4. Traffic Amendment – 1st Ave./ 3rd St./5th St.

RECOMMENDATION:

THAT Schedules 'B', 'C', 'E', and 'G' to Traffic Regulation By-law 127-2001, approved by Resolution No. 8 on June 30, 2003 be hereby amended in accordance with the Memorandum appended to the report of W. Spencer's June 19, 2003 report, with the exception of the 5th Street South changes until completion of the Wellness Centre construction period as earlier approved; and further

THAT Council give three readings to a by-law to amend Traffic By-law 127-2001 in accordance with the table attached to this report dated June 19, 2003.

Recommendation Approved.

Joanne/Paulette

5. Traffic Amendment – 1st & 2nd West Bay Intersection

RECOMMENDATION:

THAT the City of Kenora Traffic Regulation Bylaw 127-2001 be amended to include the following changes to Schedule P "Yield Intersections" at First West Bay Road and Second West Bay Road.

Delete:

Column 1

INTERSECTION
First West Bay Road and Second West Bay Road

Column 2

FACING TRAFFIC
East bound on First West Bay Road

Add:

Column 1

INTERSECTION
First West Bay Road and Second West Bay Rd

Column 2

FACING TRAFFIC
East bound on Second West Bay Rd

The change is relocation of the "Yield" sign.

Recommendation Approved.

Joanne/Paulette

6. STP Capital 2004 Expenditure – Swingfuser Aerator Tender

RECOMMENDATION:

THAT the proposal received from Mequipco Ltd, Winnipeg, Manitoba for the material supply of 34 Swing Diffusers, as specified, at a cost of \$352,797.31, (taxes included) and which is based on a US exchange rate as of May 12, 2004, be accepted.

AMENDED RECOMMENDATION:

THAT the proposal received from Mequipco Ltd., Winnipeg, Manitoba (being the only supplier) for the material supply of 34 Swing Diffusers, as

specified, at a cost of \$352,797.31, (taxes included) and which is based on a US exchange rate as of May 12, 2004, be accepted.

Recommendation Approved as Amended.

Joanne

7. Lk of the Wds Aeromodelers – Concrete Footings

RECOMMENDATION:

THAT the City of Kenora permit the Lake of the Woods Aeromodelers to store a Shipping Container, on an interim basis only, at the old Tri-Municipal Landfill Site on the remaining concrete footings, pending direction from the MOE on final usage of the lands.

Recommendation Approved.

Joanne

NEW BUSINESS:

8. Main Street Traffic Line Painting

RECOMMENDATION:

THAT the City of Kenora approved the traffic line painting layout as implemented in 2003 on Main Street South.

A discussion took place regarding the pros and cons of painting the lines. Councillor Poirier raised concerns regarding the location of parking meters on McClellan and Main Street(near City Hall).

Recommendation Approved.

Joanne

PROPERTY & PLANNING COMMITTEE

1. Sioux Narrows-Nestor Falls Service Agreement

RECOMMENDATION:

THAT Council of the City of Kenora hereby gives three readings to a bylaw to enter into a service agreement for the provision of planning, engineering and building advisory services with Sioux Narrows – Nestor Falls for 2004.

Councillor Compton raised the issue that the hourly rate being proposed does not adequately reflect the cost to the City. He also raised the issue of the amount of hours in the agreement and that the hours should be cut back to 50 hours per year and that the arrangement should be fair and equitable to both parties. Councillor Compton suggested this matter be referred back to Property and Planning, however Council suggested this move forward.

Recommendation Approved.

Joanne/Paulette

**2. Reminder of Public Re-Zone Meeting(Kirkpatrick)
4:45 p.m., Tuesday May 25**

**3. Properties not purchased in February Tax Sale
RECOMMENDATION:**

THAT the Council of the Corporation of the City of Kenora hereby accepts the recommendation of the Operations Manager to add the following properties to the municipal inventory:

- (i) VACANT PROPERTY DESCRIBED AS LOTS 253, 254 & 255, BLOCK 8, PLAN 88, CITY OF KENORA, DISTRICT OF KENORA, AS DESCRIBED IN INSTRUMENT NO. 20467 LOCATED ON NINTH AVENUE NORTH
- (ii) VACANT PROPERTY DESCRIBED AS PART OF PARCEL 22449, DISTRICT OF KENORA LOT 126, BLOCK L, PLAN M.39, CITY OF KENORA, BEING PART OF THE PARCEL, LOCATED ON TROJAN ST
- (iii) VACANT PROPERTY DESCRIBED AS PART OF PARCEL 22449, DISTRICT OF KENORA LOT 127, BLOCK L, PLAN M.39, CITY OF KENORA, BEING PART OF THE PARCEL, LOCATED ON TROJAN ST.; and further

THAT the Treasurer be directed to prepare and register, in the name of the City of Kenora, a notice of vesting, under section 379(5) of the Municipal Act, S.O. 2001.

Recommendation Approved.

Joanne

UTILITIES & COMMUNICATIONS COMMITTEE

1. **K.M.T.S. Information Report**
No report at this time.

OTHER BUSINESS

Motion required adjourning to Closed Meeting:

Moved by R. McMillan, Seconded by T. Szajewski, and Carried:-

THAT this meeting be now declared closed at 5:45 p.m.; and further

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

- **A proposed acquisition of land.**
- **Litigation or potential litigation.**

ACTION REQUIRED FROM CLOSED MEETING:

Litigation or Potential Litigation:

- **Water Meter Billings**

RECOMMENDATION:

WHEREAS the City has discovered certain translation errors between the City's handheld system and the City's HTE billing system; and

WHEREAS these errors resulted in billing errors, specifically underbillings, to certain accounts with water meters of a size of two inch or greater; and

WHEREAS City policy dictates that the City shall backbill these customers for a two year period to correct the billing errors; and

WHEREAS these organizations may not have been aware of the

underbilling due to a potential long term billing problem; and

WHEREAS this backbilling could cause undue and unexpected hardship on these organizations;

NOW THEREFORE let it be resolved

THAT effective the first bill that is billed following April 1,2004, for the entire billing period of that bill, these accounts will be corrected to reflect the actual consumption on these customers' accounts; and further

THAT these customers be advised both of this action and that the bills on these accounts will now reflect actual water consumption on a forward basis.

Recommendation Approved.

The meeting adjourned at 6:30 p.m.

Joanne