



# Minutes

*of a Meeting of the Council of the City of Kenora  
held Monday, January 10, 2005 – City Chambers  
at 5:00 p.m.*

~~~~~

**WITH Acting Mayor I. Parkes in the Chair, Councillor L. Compton, Councillor R. McMillan, A. Poirier, Councillor T. Szajewski, Councillor C. Wasacase, Bill Preisentanz, CAO, Joanne L. McMillin, City Clerk.**

**Regrets: Mayor D. Canfield**

**Call to Order**

**Acting Mayor Parkes called the meeting to order and Councillor McMillan read the Prayer.**

**Confirmation of Minutes**

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

THAT the Minutes of the last Regular Meeting of the Council of the City of Kenora held Monday, December 13, and of the Special Meeting held Monday, December 20, 2004 be confirmed as written and circulated.

**Declarations of Pecuniary Interest**

**Acting Mayor Parkes 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.**

**DEPUTATIONS:**

**Dr. P. Delamere**

Dr. Delamere attended the meeting to update Council on the status of the Aviation Museum, noting that a very strong Committee has been established consisting of Don Parfitt, Len Compton, Scott Compton, Wade Roseborough, Reg Reeve, Frank Kubisewsky, Frank Miclash, Bernd Richardt, Ray Baker, and himself. After researching a number of locations, the Committee is interested in establishing the Museum at the Thistle Pavilion as it is a focal point for tourism, as well as being near the airplane docks. Dr. Delamere suggested it would only require one person, such as a summer student to operate, and perhaps it could be through the Lake of the Woods Museum.

Dr. Delamere updated Council on funding opportunities that have been researched; including public fundraising and that there is a lot of enthusiasm in the community for this project. However, he requested Council consider allowing the Museum to locate at the Harbourfront as this has to be confirmed prior to other arrangements being made. It was noted eventually the Committee would like to have an airplane on site, but in the meantime, they would start with small models and audio/visual displays, photos and a 'Hall of Fame' of builders and pilots from the area since it is such a big part of Kenora's history. Councillor Compton indicated that Dr. Delamere's father was a pioneer of the flying industry, having flown for Canadian Airways.



Dr. Delamere was advised his Committee's request will be referred to the Community Services Committee of Council for consideration, and thanked him for his presentation.

**Emily Tacknyk-Roulston**

Ms Tacknyk-Roulston advised she had a question for Mayor Canfield, but in his absence she posed the question to Council, and she would like their answers at the next Council meeting. Her question: "What do you think the expectation of our taxpayers is?"

Ms Tacknyk-Roulston also referred to a logging operation north of the City that has to go through 'Millership Swamp' and referred to the condition of the road. She indicated she used a sledge hammer herself to break the ice to get the water flowing, but she is concerned about all the slush that will be on the road once the snow starts to melt. In closing she stated it is Council's responsibility for road maintenance as this is where the tax dollars go.

**Approval of Accounts**

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

THAT the Reports dated **December 23 and 31, 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 **\$6,332,645.51** be hereby authorized for approval.

**Pay Settlement – Land Ambulance**

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

THAT Council hereby approves the appropriation of \$253,200.53 from the City's contingency reserve to fund the City's final share of the retroactive pay settlement related to the arbitrator's award for land ambulance; and

THAT Council give three readings to a by-law to adopt amended estimates for Reserve Funds to be incorporated into the sums required for municipal purposes during the Year 2004; and further

THAT notice is hereby given that Council intends to adopt such by-law for this purpose.

**Arbitration Awards - Capping**

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

WHEREAS the City of Kenora has been faced with a significant retroactive pay settlement for essential services employees as a result of a recent award by a board of arbitration; and

WHEREAS there is no cap on the amounts which arbitrators, or boards of arbitration, may award to employees who are deemed to provide essential services; and

WHEREAS awards issued by boards of arbitration in favour of municipal and regional employees who are deemed to provide essential services have increased salaries and benefits to a level which municipal budgets cannot sustain; and

WHEREAS many of these awards have been arbitrary, exorbitant and simply unreasonable, given the demands on municipal budgets; and



WHEREAS under the present system, the arbitrators and boards of arbitration are essentially unaccountable to anyone, and their decisions are, in practical terms, not subject to any review or appeal process; and

WHEREAS it would be desirable for the Province to develop a model for labour arbitrations which introduces a level of accountability into the process, and which requires arbitrators and boards of arbitration to limit awards based on a comparison of salary and benefits in the public and private sectors, recognizing the diversity within the Province of Ontario;

NOW THEREFORE be it resolved that the Council of the Corporation of the City of Kenora hereby petitions the Province of Ontario to introduce legislation to implement a model for interest arbitrations for essential services employees which imposes real restraint on arbitrators and a mechanism for review and accountability; and further

THAT A COPY of this resolution be forwarded to the Kenora District Municipal Association, the Northwestern Ontario Municipal Association the Association of Municipalities of Ontario and Howard Hampton, MPP for endorsement of such provincial action.

#### **Amendment to Proclamation Policy**

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

THAT the Proclamations/Tag Days & Parade Permits Policy #CC-3-1 be hereby amended to reflect the following process for the issuing of "Proclamations:"

*"Any requests for proclamations are to be submitted to the Office of the City Clerk in advance of the event. The City Clerk or designate shall have discretionary approval over issuing a proclamation for the standard/annual proclamation requests. Any requests that have not previously been proclaimed by the City must go before Council for approval by resolution. All costs associated with the proclamation, such as advertising, are to be borne by applicant."*

#### **Procedural By-law**

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

THAT Council give three readings to a by-law to Establish Rules of Order and Procedures to amend certain sections of the Standing Committee Structure; and

THAT prior to adopting a new Procedural By-law, Council hereby gives notice to the public of its intention to pass such by-law in accordance with Notice By-law Number 14-2003 at the January 24 meeting of Council; and further

THAT once a new Procedural By-law is adopted, By-law No. 33-2004 be hereby repealed.

#### **Legal Indemnification By-law**

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

THAT Council give three readings to a by-law entitled a "Legal Indemnification By-law" for the City of Kenora.

#### **Lk of the Wds Community Foundation**

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



THAT the Council of the City of Kenora hereby approves payment of \$25,000 to the Kenora and Lake of the Woods Community Foundation, representing the 2005 grant commitment from the City.

**2005 First Quarter Funding - LOWBIC**

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

THAT Council of the City of Kenora hereby authorizes 2005 first quarter funding to LOWBIC in the amount of \$78,090.00 based on 25% of last year's total funding; and further

THAT payment of the first quarter funding be conditional upon receipt of a draft service agreement from LOWBIC by March 31, 2005, outlining their role in the delivery of economic development, tourism, marketing and special events to the City based on quantifiable deliverables for the year, 2005.

**CRF Allocations**

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

THAT the Council of the City of Kenora acknowledges their intent to use the CRF allocations they will receive for the direct benefit of taxpayers and accepts the 2005 CRF allocations in accordance with the terms and conditions (Conditions of Community Reinvestment Fund Allocations) set out by the Deputy Ministers of Finance and Municipal Affairs and Housing.

**Business Licence Refusal**

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

THAT the Council of the City of Kenora, in accordance with Section 4 of the City of Kenora Business Licensing Bylaw Number 125-2002, hereby refuses to issue a business license to applicant George Ducharme.

**Traffic By-law Amendment**

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

THAT the City of Kenora Traffic Regulation Bylaw 127-2001 be amended to include the following changes to Schedule O "Stop Signs at Intersections" for Sunrise Place and Sunset Place at 9<sup>th</sup> Street North.

| <b><u>ADD:</u></b>                                                |                                                   |
|-------------------------------------------------------------------|---------------------------------------------------|
| <b><u>Column 1</u></b>                                            | <b><u>Column 2</u></b>                            |
| INTERSECTION<br>Sunrise Place and<br>9 <sup>th</sup> Street North | FACING TRAFFIC<br>North bound on<br>Sunrise Place |
| Sunset Place and<br>9 <sup>th</sup> Street North                  | North bound on<br>Sunset Place                    |

**Tender – Museum Interior Repairs**

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

THAT Council receive the following qualified bids for the Museum Interior Repairs:

|                                 |                                  |
|---------------------------------|----------------------------------|
| <b>Ron Boatman Construction</b> | <b>\$87,487.00 plus GST</b>      |
| <b>LMD Contracting</b>          | <b>\$79,245.00 plus GST; and</b> |

THAT Council accept and approve the award of contract to LMD Construction in the amount of \$79,245.00 for the Museum Interior Repairs; and further



THAT Council approve interim financing to a maximum of \$35,000 to May 30, 2005.

**By-laws – First & Second Reading**

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

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

- #1-2005** – to confirm Committee of the Whole proceedings held January 4, 2005;
- #2-2005**– to adopt amended estimates for Reserve Funds to be incorporated for Municipal Purposes for 2004 (land ambulance settlement);
- #3-2005** – to amend Traffic Regulation By-law 127-2001 (stop signs @ intersections);
- #4-2005** – to adopt a Legal Indemnification By-law;
- #5-2005** – to amend Comprehensive Zoning By-Law Numbers 50-91 and 160-2004 (Tetreault).

**By-laws – Third & Final Reading**

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

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

- #1-2005** – to confirm Committee of the Whole proceedings held January 4, 2005;
- #2-2005**– to adopt amended estimates for Reserve Funds to be incorporated for Municipal Purposes for 2004 (land ambulance settlement);
- #3-2005** – to amend Traffic Regulation By-law 127-2001 (stop signs @ intersections);
- #4-2005** – to adopt a Legal Indemnification By-law;
- #5-2005** – to amend Comprehensive Zoning By-Law Numbers 50-91 and 160-2004 (Tetreault).

**COMRIF Application**

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

WHEREAS the City of Kenora is committed to the protection of its water source, and the provision of safe drinking water to its citizens, and;

WHEREAS the Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF) is prepared to partner with municipal governments to enhance and renew aging public infrastructure, improve the quality of the environment and protect the health and safety of citizens, and;

WHEREAS the City of Kenora’s highest infrastructure priority in providing a safe supply of drinking water to its citizens is the renewal of 100 year old water and sewer distribution and collection infrastructure in the downtown core, and the trunk main line from the downtown to Norman and Keewatin neighbourhoods, and;

WHEREAS the Council of the City of Kenora has deemed this project to be titled the “City of Kenora Water and Sewer Infrastructure Renewal Project”;

NOW THEREFORE be it resolved that the City of Kenora shall make application to the COMRIF Joint Secretariat – Intake One, for the City of Kenora Water and Sewer Infrastructure Renewal Project; and further



THAT this infrastructure project is the highest priority for the City of Kenora.

**Adjournment**

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

**THAT** this meeting be now declared closed at 5:52 p.m.

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

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

**.....2005**

.....  
**MAYOR**

.....  
**CITY CLERK**