



Minutes

of a Meeting of the Council of the City of Kenora
held Monday, February 7, 2005 – City Chambers
at 5:00 p.m.

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

Regrets: Mayor D. Canfield, Councillor R. McMillan, Councillor I. Parkes.

### Call to Order

A/Mayor Szajewski called the meeting to order and Councillor Compton read the Prayer.

### 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, January 24, 2005** be confirmed as written and circulated.

### Declarations of Pecuniary Interest

A/Mayor Szajewski 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:

#### Len Kropioski

Mr. Kropioski attended the meeting to advise Council of the snow that is being piled against his fence along McQuillan Street West (Norman). He explained he had brought this to the attention of Mayor Canfield and Councillor McMillan and they were going to look into it and advise him of the outcome. Mr. Kropioski explained he had a similar problem in 2002 that resulted in damage to his fence and he had to replace several posts, as well as having to paint the posts that were damaged from the road salt. He believes the easy solution would be for the snow to be scraped away and dragged evenly along the street as done in other areas rather than piling it in front of his property. While Mr. Kropioski recognizes there has been a great deal of snow this season, he doesn't feel it's fair that all the snow has to be piled against his fence which in the end causes unnecessary damage. In closing, Mr. Kropioski circulated photographs that illustrate how the snow is piled and requested Council's indulgence to have it removed. He also indicated there is a health and safety concern as the fire hydrant in this area is completely covered with snow and he suggested the hydrant be marked with a spray-painted stick to identify its location in the event of an emergency.

Mr. Kropioski was advised this matter will go forward to the Operations Committee for review, and he was thanked for bringing these matters to the City's attention.

### Appointments to Keewatin Non-Profit Housing Corp.

#### **2. Moved by C. Wasacase, Seconded by A. Poirier & Carried:-**

THAT Philip Walsh be and is hereby appointed to the Keewatin Municipal Non-Profit Housing Corp., to fill the recent vacancy created by Bob Marchant, with a term to expire November 30, 2006; and further

THAT Councillor Len Compton replaces Councillor Ted Szajewski on the Board with a term to expire November 30, 2006.

### Approval of Accounts

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

THAT the Reports dated **January 26, 31, and February 1, 2005** 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 **\$1,159,055.98** be hereby authorized for approval.

### 2005 Budget and CRF Funding

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

WHEREAS Council recognizes the importance of establishing service and spending levels for the City of Kenora for 2005 through the 2005 municipal budget process; and

WHEREAS Council believes that it is of the utmost importance for the Province to meet their funding commitment made during the 1998 realignment of services to ensure expenditure neutrality to municipalities; and

WHEREAS the Province has sent preliminary indications that the City of Kenora's entitlement for CRF Funding for 2005 will be a guaranteed minimum funding commitment equal to the 2004 funding of \$4,555,000, which represents a significant funding shortfall for the City; and

WHEREAS Council feels it is in the City's best interests to proceed with the budget process for 2005 to establish spending levels for City operations;

THEREFORE, BE IT RESOLVED THAT Council direct City Administration to continue with the 2005 municipal operating budget process to establish service and spending levels for the City for 2005, based on the preliminary CRF Funding announcement received from the Province; and

THAT Council and City Administration continue to lobby the Province in an effort to ensure both the understanding of the significant financial burden and the failure to reconcile the CRF to the downloaded expenditures have placed both on the City of Kenora and our Taxpayers, and a commitment to ensure that the Province meets their original promise of expenditure neutrality based on the realignment of services which originally occurred in 1998; and

THAT Council looks forward to receiving confirmation from the Province with regards to increased CRF Funding levels for 2005 based on the significant shortfall created within the 2005 operating budget related specifically to the CRF Funding levels as compared to the downloaded service expenditures; and further



THAT the 2005 operating budget, and related tax rates, will be reviewed and amended to reflect the final CRF funding level upon receipt of confirmation from the Province.

### 2005 Water, Sewer & Solid Waste Capital Budgets

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

THAT the capital portion of the City of Kenora 2005 Water & Sewer budget as reviewed and amended by the Budget Committee be approved; and further

THAT the capital portion of the City of Kenora 2005 Solid Waste budget as reviewed and amended by the Budget Committee be approved.

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

### Viability of Forest Products Industry

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

WHEREAS Abitibi Consolidated Inc. has announced an in-depth review of four mills, one of them being the paper mill in Kenora; and

WHEREAS if a solution is not found there is a possibility of a total closure for the Kenora Mill; and

WHEREAS Devlin Timber has just announced the closure of their sawmill; and

WHEREAS both Abitibi Consolidated and Devlin Timber could be viable operations given the right business climate; and

WHEREAS the Province of Ontario has become one of the most expensive jurisdictions in the world for the forest products industry to do business; and

WHEREAS this trend will spread throughout Northern Ontario unless both Federal and Provincial Governments address this issue immediately;

THEREFORE BE IT RESOLVED that the Provincial and Federal Governments immediately address the local viability of the Abitibi situation and find a long term solution to the plight of the forest products industry in Northern Ontario before it is too late; and further be it resolved

THAT the Kenora District Municipal Association hereby forwards this resolution to the Honourable Paul Martin, Prime Minister of Canada, the Honourable Dalton McGuinty, Premier of Ontario, Roger Valley, M.P., Kenora, and Howard Hampton, M.P.P. Kenora/Rainy River.

### Service Delivery Review Process

6. Moved by C. Wasacase, Seconded by A. Poirier & Carried:-

THAT Council of the City of Kenora hereby embark on a service delivery review process in accordance with the direction originally approved by Council in the Fall of 2004 of selected municipal services for the year 2005 as follows;

1. Roads Department, (which includes bridge maintenance, mowing/shoulder maintenance, bush/tree trimming, ditching, culverts, debris & litter pick up, sweeping, roads maintenance, hardtop patching, sidewalks, dust control,



grading & scarifying, sand & stockpiles), be undertaken as an internal service review process;

2. Sewer & Water Department be undertaken through an external review process;
3. Solid Waste Disposal only (export versus Jones Road site) be undertaken as an internal service review process; and further

THAT discussion be held in 2005 with the Kenora Police Services Board on cost containment options including undertaking a review of the delivery of police services in 2006.

### Snowmobile Corridor Review

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

THAT the City of Kenora hereby requests the Kenora Police Service and OPP, in discussion with the Sunset Trail Riders, review the current snowmobile corridor route within the City of Kenora boundaries with a view to recommending improvements based on a safety and enforcement; and further

THAT stakeholders in the 19<sup>th</sup> Avenue North area be involved in the process for comments and suggestions.

### Utility Bill Stuffer – Fee Waiver

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

THAT Council of the City of Kenora hereby authorizes the waiving of the rental fee at the Kenora Recreation Centre in the amount of \$199.02 for the fundraiser hockey game being organized by Crime Stoppers on Friday, February 18, 2005.

*Councillor Wasacase requested the Rules of Order be Suspended in order to introduce the following item:-*

### Crime Stoppers Fundraiser – Waiving of Fees

9A. Moved by L. Compton, Seconded by A. Poirier & Carried:-

THAT Council of the City of Kenora hereby authorizes the waiving of the rental fee at the Kenora Recreation Centre in the amount of \$199.02 for the fundraiser hockey game being organized by Crime Stoppers on Friday, February 18, 2005.

### Ice Candle Festival of Lights Program

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

THAT Council authorize the Lake of the Woods Cemetery Department to resume complete coordination, responsibility and delivery of the Ice Candle Festival of Lights program with the City of Kenora's current staff support; and

THAT the monies from this program be put in a City of Kenora reserve account as "donations received"; and further

THAT monies collected in this reserve account be used solely for the expenses of the Ice Candle Program and for the development of parks beautification projects within the City of Kenora.

### Twin Eleven Investors – Revised Agreement

10. Moved by C. Wasacase, Seconded by A. Poirier & Carried:-

THAT Council give three readings to a by-law to authorize the entering into of an amended development/site plan agreement with Twin Eleven Investors Limited for the purpose of developing a new thirty seven unit condominium unit and that the amended agreement reflect the correct legal name of the developer, and legal description of the subject property; and further

THAT By-law Number 161-2004 be hereby repealed.

### Sale of Municipal Property to McCallister

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

THAT Council of the City of Kenora hereby declares part of Parcel 1495, being that part of Streets “B” and “C” as shown on Plan M.31, in the Town of Kenora, now the City of Kenora in the District of Kenora, designated as Part 2 on Plan 23R-11063, as surplus lands to the municipality; and

THAT requirements under Notice By-law #14-2003 have been met with respect to the subject property being advertised for a three week period for the stopping up, closing and selling of the lands to Irvin McCallister and Judith McCallister; and further

THAT Council give three readings to a by-law for this purpose.

### Request to Defer Motion #12

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

THAT Motion #12 on tonight’s agenda be hereby deferred until further information is acquired from the Operations Department concerning this proposed land transaction.

### Proposed Sale of Land – Second Street South – “ DEFERRED”

12. Moved by C. Wasacase, Seconded by L. Compton

THAT the Council of the City of Kenora hereby declares property described as Block 5, West of East part of Lot 5 as surplus to the needs of the municipality; and

THAT portion of the subject property, to be measured 3 metres from west side of the centre of the existing storm culvert to the extension of the abutting property line to the east, be retained by the City; and

THAT Council give three readings to a by-law to authorize the sale of land to Rob and Kristi Tella as a lot addition (consolidation), at the market value as established by Century 21 – Reynard Real Estate, plus survey and all other associated costs; and further

THAT the portion of the subject property located in front of property described as Part of Block 5, extreme east end 2<sup>nd</sup> St. S Part 19, small triangle at numbered 831 Second St. S. be offered to the owner of the same property at market value as established by Century 21 – Reynard Real Estate, plus all other associated costs.

### Amendment to Zoning By-law - Thomson

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



THAT Application No. Z03/05 (Thomson), for Amendment to Zoning By-law No. L37/95 and 160-2004 to change zoning from R2 – Residential Second Density to R-3 - Residential Third Density be approved; and

THAT the maximum number of residences permitted in the amendment be four (4) units; and further

THAT Council give three readings to a by-law for this purpose.

#### **Amendment to Zoning By-law – K.A.C.L.**

**14. Moved by C. Wasacase, Seconded by A. Poirier & Carried:-**

THAT Application No. Z02/05 (KACL), for Amendment to Zoning By-law No. 50-91 and 160-2004 at 4 Ninth Avenue South, from R3 and R2 respectively, to R2\*4, Residential Second Density permitting professional offices, adult lifeskills training centre and a day nursery be approved; and further

THAT Council give three readings to a by-law for this purpose.

#### **LOWBIC – 2004 Fourth Quarter Payment**

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

THAT the Council of the Corporation of the City of Kenora accepts the 2004, 4<sup>th</sup> Quarter Report as submitted by LOWBIC in January 2005; and further;

THAT the Finance Department be authorized to forward the fourth quarter payment for 2004 to LOWBIC.

#### **By-laws – First & Second Reading**

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

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

**#15-2005** – To confirm Committee of the Whole proceedings held February 1, 2005;

**#16-2005** – To amend Comprehensive Zoning By-law Number 160-2004, as amended (Thomson);

**#17-2005** – To amend Comprehensive Zoning By-law Number 160-2004, as amended (KACL);

**#18-2005** – To stop up, close and sell that part of Streets “B” and “C” as shown on Plan M.31, Town of Kenora, now the City of Kenora, in the District of Kenora, designated as Part 2 on Plan 23R-11063;

**#19-2005** – To enter into a Development Agreement between the Corporation of the City of Kenora and Twin Eleven Investors Ltd.

#### **By-laws – Third & Final Reading**

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

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

**#15-2005** – To confirm Committee of the Whole proceedings held February 1, 2005;



#16-2005 – To amend Comprehensive Zoning By-law Number 160-2004, as amended (Thomson);

#17-2005 – To amend Comprehensive Zoning By-law Number 160-2004, as amended (KACL);

#18-2005 – To stop up, close and sell that part of Streets “B” and “C” as shown on Plan M.31, Town of Kenora, now the City of Kenora, in the District of Kenora, designated as Part 2 on Plan 23R-11063;

#19-2005 – To enter into a Development Agreement between the Corporation of the City of Kenora and Twin Eleven Investors Ltd.

**Adjournment**

18. Moved by C. Wasacase, Seconded by A. Poirier & Carried:-

THAT this meeting be now declared closed at 5:35 p.m.

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

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

**.....2005**

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**MAYOR**

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**CITY CLERK**