



Minutes

**of a Meeting of the Council of the City of Kenora
Monday, April 11, 2005 – City Chambers
5:00 p.m.**

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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 announced the following Notices as required under Notice By-law No. 14-2003, Council intends to adopt the following by-laws at this meeting:

- 1. 2005 Municipal Capital & Operating Budget**
- 2. 2005 Tax Ratios**
- 3. 2005 Tax Rates**
- 4. 2005 Water & Sewer Capital & Operating Budget**
- 5. 2005 Solid Waste Capital & Operating Budget**
- 6. 2005 K.M.T.S. Budgets (various)**
- 7. To amend Schedule "B" to Tariff of Fees By-law #100-2003 to establish facility corporate rates at the Kenora Recreation Centre.**

### **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, March 21, 2005** 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 arising out of the March 15 In-Camera session following Committee of the Whole which he had overlooked declaring at the March 21 meeting. The Declaration of Pecuniary Interest relates to a complaint against an identifiable individual by his son concerning a Code of Ethics matter.

### **DEPUTATIONS:**

#### **Emily Tacknyk-Roulston**

Ms Tacknyk-Roulston requested a response to her query about Mayor Canfield's comment a while back 'that the reason for higher taxes is because of the higher expectation of taxpayers.' She inquired as to what the Mayor meant by this comment. Mayor Canfield will provide her with information concerning this question. Secondly she referred to the resolution Kenora is endorsing on tonight's agenda from A.M.T.C.O. regarding the current value assessment (CVA). Ms Tacknyk-Roulston asked if this only relates to commercial property, or does it affect residential also? Mayor Canfield advised this does not pertain to residential property.



Ms Tacknyk-Roulston's third question was how does Council make decisions on the various appointments to Committees such as the one tonight on the Performing Arts & Conference Centre Committee? Mayor Canfield advised there are several methods depending on what it's for and the interest that is generated. Mayor Canfield advised that some appointments are by word of mouth while other times by advertising in the media.

**Appointments to Performing Arts & Conference Centre Committee**

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

THAT the following be hereby appointed to the Performing Arts & Conference Centre Committee with a term to expire November 30, 2006:-

**Bruce Ormiston  
Don Canfield  
Murray McDonald  
Don Cameron  
Scott Gammage  
Jeff Port  
Mort Goss  
Jim Beveridge  
Dean Carrie  
Councillor Rory McMillan**

**Approval of Accounts**

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

THAT the Reports dated **March 23, and 31, 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, totalling **\$3,347,282.78** be hereby authorized for approval.

**2005 Municipal Five Year Capital Plan**

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

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

THAT Resolution #3 dated 22 November 2004 be hereby rescinded.

**2005 Municipal Operating Budget**

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

THAT the City of Kenora 2005 Municipal Operating Budget and as further reviewed and amended by the Budget Committee be approved; and

THAT By-law #40-2005, a By-law to approve the 2005 Municipal Operating Budget and the Municipal Five Year Capital Plan be approved; and

THAT By-law #41-2005, a By-law to set tax ratios and to set tax rate reductions for prescribed property classes and subclasses for municipal purposes for the year 2005 be approved; and further

THAT By-law #42-2005, a By-law to adopt the estimates for all sums required for the year, to establish rates to be levied for same and to provide for penalty and interest in default of payment thereof for 2005 be approved.



**2005 Water & Sewer Budgets**

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

THAT the City of Kenora 2005 Water & Sewer Operating Budget and Five Year Capital Plan as further reviewed and amended by the Budget Committee be approved; and

THAT Resolution #5 dated 7 February 2005 be hereby rescinded; and further

THAT By-law #43-2005, a By-law to approve the 2005 Water & Sewer Utility Budget be approved.

**2005 Solid Waste Budgets**

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

THAT the City of Kenora 2005 Solid Waste Operating Budget and Five Year Capital Plan as further reviewed and amended by the Budget Committee be approved, and further

THAT By-law #44-2005, a By-law to approve the 2005 Solid Waste Utility Budget be approved.

**Support to Abitibi-Consolidated**

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

THAT the Council of the City of Kenora hereby extends support, and is fully committed to working with Abitibi-Consolidated Inc. and the Provincial and Federal governments to ensure the Kenora Mill remains a viable and profitable operation in this community; and

THAT the City of Kenora is prepared to explore any and all options with the Company in order to arrive at solutions to retain Abitibi-Consolidated in our community for many years to come; and

THAT in addition, Council re-enforces its strong support of the entire forest industry within the province of Ontario and is prepared to assist wherever possible so that the forest industry competitiveness continues to thrive in conjunction with mill operations for the long term; and further

THAT a copy of this resolution be forwarded to the Honourable Dalton McGuinty, Premier of Ontario, the Honourable David Ramsay, Minister of Natural Resources, Mr. John Weaver, CEO, Abitibi-Consolidated, and the local Members of Parliament.

**Endorsation of Resolution – Current Value Assessment Taxation**

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

WHEREAS mandatory property tax increase protection has been in place for the business sector since the original implementation of current value assessment (CVA) in 1998; and

WHEREAS many protected properties continue to pay property taxes at a level far below CVA tax; and

WHEREAS properties that should be receiving property tax decreases continue to pay at an unfair level of over 100% of CVA tax in order to fund tax dollars not levied to properties protected by the capping regime; and

WHEREAS the Province of Ontario has provided optional capping tools which may be utilized to increase progress towards taxation based on CVA; and



WHEREAS property taxation based on CVA has been the goal since the implementation of current value assessment in 1998; and

WHEREAS property taxation based on CVA is considered to be a fair and equitable method of distributing taxes; and

WHEREAS assessment value volatility is naturally controlled through the process of annual reassessments;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the City of Kenora supports the position of the Association of Municipal Tax Collectors of Ontario and strongly urges the Province of Ontario to amend the legislation commencing for the 2006 taxation year, to specify that once a property reaches CVA taxation, it remains at CVA taxes, regardless of the result of future reassessments; and further

THAT a copy of this resolution be forwarded to The Honourable Dalton McGuinty, The Honourable Greg Sorbara, The Honourable John Gerretsen, the Municipal Finance Officers' Association (MFOA), the Association of Municipal Managers, Clerks & Treasurers of Ontario (AMCTO), the Association of Municipalities of Ontario (AMO), and the Association of Municipal Tax Collectors of Ontario (AMTCO).

**Attendance at 2005 Annual N.O.M.A. Convention**

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

THAT authorization be hereby given for Mayor Canfield, Members of Council and various staff members to attend the 2005 Annual General Meeting of the Northwestern Ontario Municipal Association (NOMA), taking place in Kenora at the Best Western Lakeside Inn, April 27, to April 30, 2005; and further

THAT payment of all eligible expenses is hereby authorized for this purpose.

**Participation in Module 4 Councillor Training Program**

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

THAT authorization be hereby given for the following Members of Council to attend Module 4 of the Effective Municipal Councillor Training Program taking place in Kenora at the Best Western Lakeside Inn on Wednesday, April 27, 2005:-

**Councillor Compton  
Councillor Parkes**

AND FURTHER THAT payment of all eligible expenses is hereby authorized for this purpose.

**Participation in Northern Ontario Value-Added Seminar**

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

THAT authorization be hereby given for Mayor Canfield and Members of Council to attend the Northern Ontario Value-Added Seminar on Engineered Wood Products and Wood Building Systems, taking place in Kenora, April 19, 2005 at the Best Western Lakeside Inn; and further

THAT payment of all eligible expenses is hereby authorized for this purpose.

**Post Amalgamation Staffing Report**

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

THAT Council hereby receives and approves the Post Amalgamation Staffing Report dated March, 2005; and further



THAT this report be made available for public review both on the City of Kenora website and at City Hall Reception.

**Terms of Reference – Performing Arts & Conference Centre**

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

THAT Council of the City of Kenora hereby supports the recommendation of the Finance & Administration Committee to adopt the terms of reference for the Performing Arts and Conference Centre Committee; and further

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

**Amendment to Procurement Policy**

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

THAT Council give three readings to a by-law to amend By-law Number 169-2004, being a by-law to adopt a Procurement Policy for the Corporation of the City of Kenora.

**Waiving of Fees – Benefit Hockey Game**

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

THAT the Council of the City of Kenora hereby approves the request to waive the ice rental fees at the Kenora Recreation Centre in the amount of \$298.53 for a benefit hockey game between the Kenora Police Service and the Winnipeg RCMP as a fundraising event for the Beaver Brae boys hockey team on Saturday, April 9<sup>th</sup>, 2005.

**Waiving of Stuffer Fee – Hospital Foundation**

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

THAT Council approve waiving the stuffer fee for the inclusion of one stuffer in 2005 for the Lake of the Woods Hospital Foundation, pending receipt of the related stuffer; and

THAT the Lake of the Woods Hospital Foundation be advised that additional stuffers will be subject to the rate of \$.05 per page.

**Waiving of Stuffer Fee – Lake of the Woods Cemetery**

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

THAT authorization be given to the Lake of the Woods Cemetery to supply a Cemetery Survey to be included in the June Hydro billing; and further

THAT there be no charge for this service.

**Waiving of Stuffer Fee – Pest Management**

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

THAT authorization be given to the Kenora Integrated Pest Management Committee to supply Integrated Pest Management fact sheets to be included in the May Hydro billing; and further

THAT there be no charge for this service.

**Participation at Municipal Cultural Planning Forum**

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

THAT authorization be hereby given for the following to attend the Municipal Cultural Planning Forum in Mississauga, on Wednesday, April 27, 2005:-



**Councillor R. McMillan  
Lori Nelson, Museum Director**

AND FURTHER THAT payment of all eligible expenses is hereby authorized for this purpose.

**Approval of Wharf Management Agreement – 2005 Season**

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

THAT Council of the City of Kenora continue to partner with Aulneau Adventure Tours to manage the City Wharf agreement for Public Docking and Mooring Ball Collections for the 2005 operating season with the following conditions; and

THAT the proposal from the Aulneau Adventure tours based on a fee structure of 40% seasonal docking, 50% overnight docking and 90% for mooring ball docking revenue be accepted; and further

THAT Council give three readings to a by-law authorizing a Wharf and Mooring Ball Management Agreement between the Corporation of the City of Kenora and Aulneau Adventure Tours.

**Approval of Corporate Rate Structure – Kenora Recreation Centre**

**22. Moved by T. Szajewski, Seconded by C. Wasacase**

THAT Council of the City of Kenora receives the recommendation from the Leisure Services Committee as set out in the report from Colleen Neil dated March 24, 2005, approving the corporate rate structure for the Kenora Recreation Centre; 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 for this purpose; and further

THAT the new rates take effect April 25, 2005.

**Councillor Szajewski requested that Motion No. 22 be amended as follows:-**

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

THAT Motion No. 22 be and is hereby amended by adding the following rate structure after the first paragraph:-

**All contracts shall be reviewed annually;**

**All contracts must be signed by a person of authority representing the business and the Recreation Coordinator before it can be offered to employees;**

**Corporations must have five (5) participating members to qualify;**

**Contributions from the City of Kenora will be contingent on a contribution by the employer and will be limited as follows:-**

- i) matching subsidy of up to a maximum of 20% by the City of Kenora off any annual membership.**

**Approval of Corporate Rate Structure – AS AMENDED**

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



THAT Council of the City of Kenora receives the recommendation from the Leisure Services Committee as set out in the report from Colleen Neil dated March 24, 2005, approving the following corporate rate structure for the Kenora Recreation Centre:-

**All contracts shall be reviewed annually;**

**All contracts must be signed by a person of authority representing the business and the Recreation Coordinator before it can be offered to employees;**

**Corporations must have five (5) participating members to qualify;**

**Contributions from the City of Kenora will be contingent on a contribution by the employer and will be limited as follows:-**

**i) Matching subsidy of up to a maximum of 20% by the City of Kenora off any annual membership; 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 for this purpose; and further

THAT the new rates take effect April 25, 2005

**Waiving of Ice Rental Fees – Traditional Pow Wow**

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

THAT the Council of the City of Kenora hereby authorizes a donation in the amount of \$1,685.25 representing the arena ice surface rental by the Aboriginal Child and Family Services for its First Annual Traditional Pow Wow taking place May 20, 21 and 22, 2005 at the Kenora Recreation Centre.

**Approval of Diamonds & Ice Annual Tournament**

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

THAT Council of the City of Kenora hereby declares the 11<sup>th</sup> Annual Diamonds & Ice Hockey & Baseball Tournament as a Community Festival; and

THAT the Council of the City of Kenora approve the request to operate a beer gardens at the following times during the above described event subject to compliance with the Municipal Alcohol Policy and Liquor Control Regulations,

| <b><u>Location:</u></b>                   | <b><u>Fri., July 29</u></b> | <b><u>Sat., July 30</u></b> | <b><u>Sun., July 31</u></b> |
|-------------------------------------------|-----------------------------|-----------------------------|-----------------------------|
| <b>Keewatin Community Hall (upstairs)</b> | <b>3:00 pm – 1:00 am</b>    | <b>11:00 am – 12:00 am</b>  | <b>12:00 pm – 10:00 pm</b>  |
| <b>Portage Bay-Keewatin</b>               | <b>3:00 pm – 10:00 pm</b>   | <b>11:00 am – 12:00 am</b>  | <b>12:00 pm – 10:00 pm</b>  |

AND THAT the Council for the City of Kenora authorize the donation of a total of sixteen (16) Golf Shirts, T-Shirts &/or Sweat Shirts to be used as part of the Tournament prize package in keeping with past practice; and further

THAT the overnight parking tow-away by-law be lifted at the Keewatin Memorial Arena from Friday July 29, 2005 to Monday August 1, 2005 at 8:00 a.m. in the interest of public safety.

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

**Summer Students – Solid Waste/Water & Sewer Departments****24a Moved by A. Poirier, Seconded by L. Compton & Carried:-**

THAT Council hereby authorizes a combined total compliment of four (4) summer students to be allocated to the Solid Waste and the Water & Sewer Departments respectively of Operations for the year 2005.

**Lease Renewal – Tory Brydges****25. Moved by C. Wasacase, Seconded by T. Szajewski & Carried:-**

THAT Council give three readings to a by-law to authorize the entering into of a lease agreement between the Corporation of the City of Kenora and Tory Brydges.

**Waiving of Cash-in-lieu Parking Requirement****26. Moved by C. Wasacase, Seconded by T. Szajewski & Carried:-**

THAT the City of Kenora waives the \$15,000 cash in lieu of parking requirement associated with Application No. Z04/05 Spicer, for a by-law amendment; and further

THAT the City of Kenora Planning Department be directed to amend Comprehensive Zoning By-law No. 160-2004 by eliminating cash-in-lieu of parking provisions for the commercial buildings and building expansions in the General Commercial – GC zone (Harbourtown Centre).

**Lease Renewal – Bob Bell & Sons Ltd. – Mrs. D’s Chip Truck****27. Moved by T. Szajewski, Seconded by C. Wasacase & Carried:-**

THAT the Council of the City of Kenora gives three readings to a by-law to enter into a lease agreement with Bob Bell and Sons Ltd., for the use of a portion of the green space located at the Harbourfront for a platform for tables and chairs (Mrs. D’s Chip Truck); and further

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

**Lease Renewal – Ernest Whiting****28. Moved by A. Poirier, Seconded by L. Compton & Carried:-**

THAT Council give three readings to a by-law to authorize the execution of a lease agreement with Ernest John Whiting for a water lot on Third Avenue South.

**2005 Service Agreement with LOWBIC****29. Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

THAT Council of the City of Kenora give three readings to a bylaw authorizing a Service Agreement between the City of Kenora and LOWBIC for the delivery of economic, tourism & marketing and special events/attractions services through identified and quantifiable deliverables for the period January 01, 2005 to December 31, 2005.

**Various 2005 Budgets – K.M.T.S.****30. Moved by L. Compton, Seconded by R. McMillan & Carried:-**

THAT Council of the City of Kenora hereby accepts and approves the 2005 Capital & Operating Budget for K.M.T.S., the 2005 Capital & Operating K.M.T.S. Net Budget, and the 2005 Capital K.M.T.S. Mobility Budget.





**Hiring of Summer Students – K.M.T.S.**

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

THAT the Council of the City of Kenora hereby approves the hiring of two summer students at K.M.T.S. beginning May 9, 2005 for a period not to exceed 16 weeks.

**Tender – Lot 26 Coney Island**

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

THAT Council of the City of Kenora hereby receives the following tenders with required deposits for the purchase of Lot 26 on Coney Island:-

- Mrs. Margaret O’Flaherty - **\$3,001.00**, plus GST
- Mr. Tim Reid - **\$3,250.00**, plus GST; and further

THAT the tender from Tim Reid in the amount of \$3,250.00, plus GST, be hereby accepted, based on the conditions and restrictions set out in the tender.

**Tender – Highway Traffic Painting**

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

THAT the following tenders be received by the Council of the City of Kenora for the 2005 Urban Street and Highway Line Painting (GST extra):-

|                            | <u>Line Marking</u> | <u>Hourly Rate (extra work)</u> |
|----------------------------|---------------------|---------------------------------|
| <b>Rite-Way Decorators</b> | \$ 73,497.00        | \$ 47.50                        |
| <b>Northwest Lines</b>     | \$ 75,875.00        | \$ 120.00; and further          |

THAT the quotation submitted by Rite-Way Decorators, in the amount of \$73,497.00 (GST extra) with an hourly rate of \$47.50 (GST extra) for extra work, be hereby accepted.

**By-laws – First & Second Reading**

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

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

- #38-2005** –to confirm Committee of the Whole proceedings held April 5, 2005;
- #39-2005** -to amend By-law #169-2004 being a by-law to adopt a Procurement Policy;
- #40-2005** -to approve the 2005 Municipal Operating Budget and 2005 Five Year Capital Plan;
- #41-2005** -to set tax ratios and to set tax rate reductions for prescribed property classes and subclasses for municipal purposes for the year, 2005;
- #42-2005** –to adopt the estimates for all sums required for the year, to establish rates to be levied for same, and to provide for penalty and interest in default of payment thereof for 2005;
- #43-2005** –to approve the 2005 Water & Sewer Utility Budget;
- #44-2005** –to approve the 2005 Solid Waste Utility Budget;
- #45-2005** –to authorize the execution of an agreement with Aulneau Adventure Tours for Wharf Management of public docking in the city for the 2005 Season;
- #46-2005** –to authorize a lease agreement between the City and Tory Brydges;



**#47-2005** -to authorize a lease agreement between the City and Bob Bell & Sons Ltd.;

**#48-2005** -to authorize a lease agreement between the City and Ernest Whiting;

**#49-2005** -to execute a Service Agreement between the Lake of the Woods Business Incentive Corp. (LOWBIC) and the City of Kenora for 2005;

**#50-2005** -to adopt Terms of Reference for the Performing Arts and Conference Centre Committee.

**By-laws – Third & Final Reading**

**35. 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:-

**#38-2005** -to confirm Committee of the Whole proceedings held April 5, 2005;

**#39-2005** -to amend By-law #169-2004 being a by-law to adopt a Procurement Policy;

**#40-2005** -to approve the 2005 Municipal Operating Budget and 2005 Five Year Capital Plan;

**#41-2005** -to set tax ratios and to set tax rate reductions for prescribed property classes and subclasses for municipal purposes for the year, 2005;

**#42-2005** -to adopt the estimates for all sums required for the year, to establish rates to be levied for same, and to provide for penalty and interest in default of payment thereof for 2005;

**#43-2005** -to approve the 2005 Water & Sewer Utility Budget;

**#44-2005** -to approve the 2005 Solid Waste Utility Budget;

**#45-2005** -to authorize the execution of an agreement with Aulneau Adventure Tours for Wharf Management of public docking in the city for the 2005 Season;

**#46-2005** -to authorize a lease agreement between the City and Tory Brydges;

**#47-2005** -to authorize a lease agreement between the City and Bob Bell & Sons Ltd.;

**#48-2005** -to authorize a lease agreement between the City and Ernest Whiting;

**#49-2005** -to execute a Service Agreement between the Lake of the Woods Business Incentive Corp. (LOWBIC) and the City of Kenora for 2005;

**#50-2005** -to adopt Terms of Reference for the Performing Arts & Conference Centre Committee.

**Adjournment**

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

**THAT** this meeting be now declared closed at 6:00 p.m.

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

**CONFIRMED AS WRITTEN THIS .....DAY OF .....2005**

.....  
**MAYOR**

.....  
**CITY CLERK**