



Minutes

*Of a Meeting of the Council of the City of Kenora
Tuesday, May 24, 2005 – City Council 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 Preisentanz, Acting Clerk.**

**Regrets: Councillor I. Parkes**

**Call to Order**

**Mayor Canfield called the meeting to order and Councillor Poirier read the Prayer.**

**Confirmation of Minutes**

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

THAT the Minutes of the last Regular Meeting of the Council of the City of Kenora held **Monday, May 9, 2005** be confirmed as written and circulated.

**Public Information NOTICES as per By-law Number 14-2003**

**Mayor Canfield then read the following notices:-**

As required under Notice By-law No. 14-2003, Council hereby advises the public of its intention to adopt the following by-laws at tonight’s meeting:-

- to amend the 2005 Capital & Reserves Budget and the Solid Waste Budget to appropriate funds from the “Solid Waste Reserves” in the amount of \$20,000 for partial financing of the Transfer Facility’s Garbage Shed Floor;
- to amend the 2005 Capital & Reserves Budget to appropriate funds from the “Day Care Reserves” in the amount of \$79,800 for construction renovations for the Day Care at King George School;
- to amend the 2005 Capital & Reserves Budget to appropriate funds from the Parking Area Capital Project in the amount of \$54,000 for roofing repairs at the Kenora Recreation Centre;
- to amend the 2005 Capital & Reserves Budget to appropriate funds from the “Conventional Transit Reserve” in the amount of \$65,000 to assist with the purchase of the transit bus;
- to adopt amended estimates and to amend the 2005 Water & Sewer Utility Budget to appropriate funds from the “Water & Sewer Reserve” in the amount of \$115,133.54 for capital, and \$22,356.03 for operating, to cover the cost of the sewer lift station alarms;
- to amend the Tariff of Fees By-law to authorize an increase in the charge for Letter of Comfort applications from \$100 to \$150.

**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. There were none declared.



**PRESENTATION:**

Mayor Canfield presented Jesse Zroback with a 'Rescue Award of Merit' from the Lifesaving Society with respect to Jesse saving a man's life in Waterloo, Ontario on January 6, 2005 as a result of a motor vehicle accident. By performing artificial respirations, Jesse was able to keep the man alive while waiting for Emergency Medical Personnel to attend the scene.

**DEPUTATIONS:**

**Scott Gammage**

Mr. Gammage spoke in support of the Harbourfront development concept which has been circulated to the public as information. Mr. Gammage believes the Harbourfront is the future of Kenora and that currently it is not being used enough. He encouraged the public to get behind a study to more fully utilize the Harbourfront that would act as a focal point to future development in the downtown core.

**Appointment of Plumbing Inspector**

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

THAT John Nabb be hereby appointed as a Plumbing Inspector for the City of Kenora; and further

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

**Approval of Accounts**

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

THAT the Reports dated **May 12, 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 **\$3,171,068.81** be hereby authorized for approval.

**BEC Business Plan – 2005/06**

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

THAT the Council of the City of Kenora hereby approves the BEC Business Plan, extending the agreement with the Ministry of Northern Development and Mines for the delivery of the Business Enterprise Centre program for the 2005/06 fiscal year.

**Performing Arts & Conference Centre – Feasibility Study Update**

**5. Moved by T. Szajewski, Seconded by A. Poirier:**

THAT Council of the City of Kenora hereby support the recommendation of the Finance & Administration Committee to update the Feasibility Study for the establishment of a Performing Arts and Conference Centre in Kenora at a total cost not to exceed \$25,000; and

THAT the City's participation in this study be conditional upon obtaining 50% funding from outside partners or as otherwise approved by Council; and further

THAT the City's share of the cost be funded by the Convention/Performing Arts Centre Reserve.

**Councillor McMillan then presented the following amendment to Motion Number 5:-**

**5a. Moved by R. McMillan, Seconded by L. Compton & Carried:-**

THAT Motion No. 5 be amended to remove the second paragraph: "THAT the



City's participation in this study be conditional upon obtaining 50% funding from outside partners or as otherwise approved by Council;" and

THAT the third paragraph be amended by removing the words: "share of the"

**Motion as Amended**

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

THAT Council of the City of Kenora hereby support the recommendation of the Finance & Administration Committee to update the Feasibility Study for the establishment of a Performing Arts and Conference Centre in Kenora at a total cost not to exceed \$25,000; and further

THAT the City's cost be funded by the Convention/Performing Arts Centre Reserve.

**Indemnity & Release Agreement – Imperial Oil Property**

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

THAT Council give three readings to a by-law to authorize the execution of an Indemnity and Release Agreement between the Corporation of the City of Kenora and Imperial Oil.

**Endorsation of Resolution - Policing Costs**

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

WHEREAS the Provincial Government has replaced the Community Reinvestment Fund (CRF) funding formula for Ontario Municipalities with a new funding program called the Ontario Municipal Partnership Fund (OMPF) for 2005 and beyond; and

WHEREAS OMPF is to be a fairer, more transparent and stable funding program for Ontario municipalities; and

WHEREAS the new OMPF funding formula no longer caps policing costs on a household basis for municipalities; and

WHEREAS the City of Kenora will now be required to pay policing costs not only for the households in Kenora but also for policing costs attributable to providing court security; and

WHEREAS it is clearly unfair to require the City of Kenora to assume policing costs for security provided for a District Court facility;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Kenora does hereby petition Greg Sorbara, Minister of Finance to amend the OMPF formula so that policing costs attributable to providing court security for the Kenora District Court House are shared on an equitable basis with all municipalities within the District of Kenora; and further

THAT the City of Kenora requests confirmation of support of this resolution by Premier Dalton McGuinty, the Minister of the Attorney General, AMO, FONOM; NOMA, the Honourable Minister Rick Bartolucci and Howard Hampton, M.P.P.

**Approval of Write-off of Accounts**

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

THAT Council approve the write off of accounts totaling \$148,797.96; and further

THAT City staff be directed to continue collection efforts on these accounts.



**Litter, Yard Waste & Property Maintenance By-law**

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

THAT Council of the City of Kenora hereby give three readings to a bylaw to regulate and prohibit the littering of private and public property, for the maintenance of yards and other property by owners and occupants, prohibiting the dumping or improper storage of refuse, for the proper drainage of water and sewage, and regulating the storage and salvage of motor vehicles and their components.

**Endorsation of Resolution – Forestry Industry**

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

WHEREAS the City of Kenora is a community that depends on the economic contribution of the forestry industry and the thousands of jobs that are either directly or indirectly created and sustained by it; and

WHEREAS the Northern Ontario Economy has lost more than 6000 jobs in one year, mostly in the Forest Industry; and

WHEREAS the natural resources should bring an employment and economical benefit to the communities of the north, not just profits for the companies, and

WHEREAS the Government of Ontario recently relaxed the control of wood rights and allowed the companies to ship wood fibre to other areas to be processed; and

WHEREAS the Ontario Government has allowed for increased electricity rates, now more than 12% since the last year, resulting in employment/production being less sustainable;

THEREFORE BE IT RESOLVED that the Council of the City of Kenora hereby requests the Government of Ontario to:

- 1.** Lobby all levels of Government for financial assistance to immediately implement a comprehensive investment strategy for Northern Ontario for both employees and employers in the North (i.e. Northern allowance and Kyoto Accord);
- 2.** Assist companies by reducing electricity rates, subject to employment guarantees to ensure maximum employment in our communities;
- 3.** Commit to closely monitoring all forest products to ensure that companies process the wood in the surrounding communities; and further

THAT this elected Council lobby the Provincial Government to ensure community-based timber commitments remain today and into the future, so that community-based employment be sustained to ensure the future viability of our Northern Ontario communities.

**Relocation of KMTS Policy within Policy Manual**

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

THAT Council approve the relocation of City policy CO-6-3 – KMTS Non-union Staff Recruitment & Salary, from the Communications section to the Human Resources section of the policy manual, and the policy be renumbered to HR-1-7.

**Commissioner of Oaths – Discontinuation of Service**

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



WHEREAS the City currently provides a service of Commissioning documents for members of the public for a nominal fee; and

WHEREAS the City was recently advised of the potentially serious legal obligations and responsibilities incurred personally by staff through the process of commissioning documents for members of the public on behalf of the City; and

WHEREAS the City does not expect its staff to incur any incremental personal legal obligations and responsibilities related to duties that would be considered to generally fall outside of regular duties for those positions; and

WHEREAS this service is readily available through the various legal firms and by other officials within the City;

NOW THEREFORE, BE IT RESOLVED THAT effective June 1, 2005, the City will no longer commission any documents, other than for internal use as deemed appropriate by staff; and further

THAT Administration be directed to advertise the discontinuation of this service.

**Approval of 'No Overnight Parking' at Kenora Recreation Centre**

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

THAT Council of the City of Kenora accepts and approves the recommendation of the Community Services Committee to establish 'no overnight parking' at the Kenora Recreation Centre, and further

THAT Council give three readings to amend By-Law No. 18-2002 as follows:-

**Amend Schedule 'A', under Lot 'K' to read:**

**Lot "K"** Kenora Recreation Centre Parking Lots

**Control:** City Designated Towing Company (at owner's expense)

**Special**

**Regulation:** No overnight parking between 2:00 a.m. and 6:00 a.m.

**Approval of 'No Overnight Parking' – Parks & Open Spaces**

**14. Moved by T. Szajewski, Seconded by L. Compton & Carried:-**

THAT Council of the City of Kenora accepts and approves the recommendation of the Community Services Committee to establish 'no overnight parking' at the following listed Parks and Open Spaces throughout the City of Kenora, and further

THAT Council gives three readings to amend By-Law No. 18-2002 as follows:-

**Amend Schedule A, adding Lot "L" to include**

**Lot "L"** Millennium Park (A & W Ballfield), Co-op Ballfield, Portage Bay Recreation Area, Garrow Park, Keewatin Beach, Norman Park and Keewatin Boat Launch Parking Lots

**Control:** City Designated Towing Company (at owner's expense)

**Special**

**Regulation:** No overnight parking between 2:00 a.m. and 6:00 a.m.

**Approval of Roof Repairs – Kenora Recreation Centre**

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



THAT Council approve a transfer of \$54,000 from the Parking Area Capital Project for the Kenora Recreation Centre to perform required roofing repairs at the Kenora Recreation Centre, and

THAT the Parking Area Capital Project be reviewed in conjunction with the 2006 five year capital budget process, and further

THAT in accordance with the City's Notice By-law, public notice is hereby given that Council intends to give three readings to a by-law to amend the 2005 Capital & Reserves Budget to appropriate funds from the Parking Area Capital Project in the amount of \$54,000 for roofing repairs at the Kenora Recreation Centre.

**Approval of Staffing Changes – Kenora Recreation Centre**

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

THAT Council give approval to proceed with the proposed staffing changes for the Kenora Recreation Centre; and

THAT Council approve the revised organizational chart for the Recreation Department by incorporating the following changes:-

- i) **amending the Maintenance Sub-foreman position as per attached**
- ii) **removing the Lead Hand position;**
- iii) **replacing the Lead Hand Position with a Maintenance Operator position;** and further

THAT Council authorizes the Recreation Coordinator to proceed in cooperation with the Human Resources Manager with the staffing changes.

**Development Agreement - Mineault**

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

THAT authorization be hereby given for the City of Kenora to enter into a Development Agreement with Philip and Joycelyn Mineault as a condition of approval of their Consent Application Number B18/04; and further

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

**Increase in Fees – 'Letter of Comfort' Applications**

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

THAT Council gives three readings to a by-law to amend Tariffs of Fees By-law Number 100-2003 to include an increase from \$100 to \$150 for Letters of Comfort as earlier approved by Council; and further

THAT in accordance with the City's Notice By-law, public notice is hereby given that Council intends to give three readings to a by-law to amend the Tariff of Fees By-law for this purpose.

**Amendments to Zoning By-law Number 160-2004**

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

THAT Council give three readings to a by-law to amend Comprehensive Zoning By-law #160-2004, as amended, in accordance with the recommendations set out in the May 16 report of J. Port, Planner and as reviewed at the May 9 public meeting for this purpose.

**Proposal - Leasing of Space at Recreation Centre**

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





THAT as recommended by the Leisure Services Committee, Council hereby accepts and approves the only proposal received to lease space at the Kenora Recreation Centre Arena from Dave Holland Sports Enterprises Ltd.; and

THAT details be confirmed with respect to rental requirements and insurance matters prior to the tenant moving into the building; and further

THAT Council give three readings to a by-law to authorize the execution of a lease agreement for this purpose based on a fair market value being determined for such lease.

**Tender – Conventional Transit Bus**

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

THAT Council of the City of Kenora receive the following tenders for the purchase of one conventional transit bus including pricing for recommended options:-

|                           |                           |
|---------------------------|---------------------------|
| City View – Eldorado      | - \$335,147.80 incl taxes |
| Blue Bird – Blue Bird bus | - \$394,680.00 " "        |
| MacNab – Daimler Chrysler | - \$321,425.00 " "        |
| Novabus – Nova bus        | - \$435,331.35 " "        |
| New Flyer – New Flyer     | - \$440,061.30 " "        |
| Orion – Orion VII         | - \$422,927.45 " "        |

;and

THAT the tender received from City View in the amount of \$335,147.80 including taxes be accepted; and

THAT approval be given to withdraw \$65,000 from the conventional transit reserve for this purpose; and

THAT in accordance with the City’s Notice By-law, public notice is hereby given that Council intends to give three readings to a by-law to amend the 2005 Capital & Reserves Budget to appropriate funds from the “Conventional Transit Reserve” in the amount of \$65,000 to assist with the purchase of the transit bus.

**Tender – Construction Renovations for Day Care**

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

THAT Council hereby receives the following tenders for the construction renovations at King George School to complete the Day Care requirements for the Castle of Learning and Discovery Children’s Centre:-

**FBN Contractors**  
Base Bid \$80,585+ GST

**Finn Way General Contractor Inc.**  
Base bid \$79,800

**Ron Boatman Const.**  
Base bid \$ \$84,392.; and

THAT Council accepts the bid submitted and approves award to Finn Way General Construction Inc. in the amount of \$79,800.00 + GST; and further

THAT in accordance with the City’s Notice By-law, public notice is hereby given that Council intends to give three readings to a by-law to amend the 2005 Capital & Reserves Budget to appropriate funds from the “Day Care Reserves” in the amount of \$79,800.00, for this purpose.







**By-laws – First & Second Reading**

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

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

**#64-2005-** to confirm Committee of the Whole proceedings held May 17, 2005;

**#65-2005-** to authorize the execution of an Indemnity & Release Agreement between the City of Kenora and Imperial Oil;

**#66-2005-** to amend Parking Lot By-law #18-2002 to provide for 'no overnight parking' areas;

**#67-2005-** to amend the 2005 Capital & Solid Waste Budgets (Transfer Facility);

**#68-2005-** to amend the 2005 Capital Budget (Day Care Reno's at King George);

**#69-2005-** to amend the 2005 Capital Budget (Pool Roof Repairs);

**#70-2005-** to amend the 2005 Capital Budget (Transit Bus);

**#71-2005-** to amend the 2005 Water & Sewer Utility Budget (Lift Station Alarms);

**#72-2005-** to appoint J. Nabb as a Plumbing Inspector

**#73-2005-** to authorize the execution of a Development Agreement with Philip and Joycelyn Mineault;

**#74-2005-** to amend Tariff of Fees By-law #100-2003 (fee for Letters of Comfort);

**#75-2005-** to amend Zoning By-law #160-2004 to accommodate housekeeping items;

**#76-2005-** to authorize a Litter, Yard Waste & Property Maintenance By-law.

**By-laws – Third & Final Reading**

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

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

**#64-2005-** to confirm Committee of the Whole proceedings held May 17, 2005;

**#65-2005-** to authorize the execution of an Indemnity & Release Agreement between the City of Kenora and Imperial Oil;

**#66-2005-** to amend Parking Lot By-law #18-2002 to provide for 'no overnight parking' areas;

**#67-2005-** to amend the 2005 Capital & Solid Waste Budgets (Transfer Facility);

**#68-2005-** to amend the 2005 Capital Budget (Day Care Reno's at King George);



**#69-2005-** to amend the 2005 Capital Budget (Pool Roof Repairs);

**#70-2005-** to amend the 2005 Capital Budget (Transit Bus);

**#71-2005-** to amend the 2005 Water & Sewer Utility Budget (Lift Station Alarms);

**#72-2005-** to appoint J. Nabb as a Plumbing Inspector

**#73-2005-** to authorize the execution of a Development Agreement with Philip and Joycelyn Mineault;

**#74-2005-** to amend Tariff of Fees By-law #100-2003 (fee for Letters of Comfort);

**#75-2005-** to amend Zoning By-law #160-2004 to accommodate housekeeping items;

**#76-2005-** to authorize a Litter, Yard Waste & Property Maintenance By-law.

**Adjournment**

**27. Moved by A. Poirier, Seconded by L. Compton & 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:

- **Personal Matter about an Identifiable Individual;**
- **Proposed acquisition of land.**

**Action as a Result of Closed Meeting:-**

**Clinic Practice Management Model Development**

**25a. Moved by R. McMillan, Seconded by T. Szajewski & Carried:-**

THAT Council of the City of Kenora hereby approves its share of funding in the amount of \$15,000.00 as the City's contribution to undertake a clinic practice management model development study of the Kenora Medical Clinic.

The meeting adjourned at 6:00 p.m.

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

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

**.....2005**

.....  
**MAYOR**

.....  
**CITY CLERK**