



# Minutes

*Of a Meeting of the Council of the City of Kenora  
Monday, October 24, 2005 – City Council Chambers  
5:00 p.m.*

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

**Regrets: Councillor L. Compton**

**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 Council's Rules of Order & Procedures by-law to provide for changes to the "Deputations" process.**

**Call to Order**

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

**Confirmation of Minutes**

**1. Moved by I. Parkes, Seconded by R. McMillan & Carried:-**

THAT the Minutes of the last Regular Meeting of the Council of the City of Kenora held **Tuesday, October 11, 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. There were none declared.

**DEPUTATIONS:**

- **Fred Ralko, Kenora Fire Fighters' Association**

Mr. Ralko addressed Council on the proposed modified Option "D" staffing plan that is expected to be approved at tonight's meeting. He reviewed Chief Brinkman's report and the impact this proposal will have on the Fire & Emergency Services Department. He referred to, and highlighted those aspects of the report that contained a number of options, citing Chief Brinkman's preferred model "A". Further, Mr. Ralko identified health and safety issues associated with modified model "D" and ultimately the loss of two jobs from the Department. In closing, Mr. Ralko requested Council table the motion to approve this plan and re-consider the preferred option "A", being the status quo.

**Approval of Accounts**

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

THAT the Reports dated **October 13, 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 **\$1,247,414.05** be hereby authorized for approval.



**Service Delivery Review and Area Rating**

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

THAT Council of the City of Kenora address tax fairness through service delivery review of its municipal services as opposed to area rating; and further

THAT area rating as provided under Section 326 of the Municipal Act not be pursued as an option.

**Amendment to Procedural By-law**

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

THAT in accordance with Section 238(4) of the Municipal Act, notice is hereby given of Council's intention to amend Part 5.6 and Part 9.1 of Procedural By-law #10-2005 to require that Deputations be submitted in writing to Council for a Deputation and be noted as such in the Minutes; and

THAT the amendment also provide for Council to reserve the right to suspend the rules to permit verbal deputations at its discretion; and further

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

**Endorsation of Resolution – Bill 123**

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

**WHEREAS** the provincial Standing Committee on Regulations and Private Bills is currently debating Private Members Bill 123 the *Transparency in Public Matters Act*; and

**WHEREAS** the proposed legislation includes municipal council and committees; and

**WHEREAS** the proposed legislation adds requirements to notice provisions, open meetings, minutes, forms of meetings, among other matters all of which are addressed in the *Municipal Act*, which would create confusion for council, administration and the public; and

**WHEREAS** the *Municipal Act* is currently under review and is being informed by input from the municipal and private sectors among others; and

**WHEREAS** AMO and others have urged the Standing Committee to remove any reference to municipal councils or council committees from this legislation and allow transparency and accountability issues to continue to be regulated under the *Municipal Act*;

**THEREFORE BE IT RESOLVED** that the Council of the City of Kenora urges the Minister of Municipal Affairs and Housing to vote against the Bill if the reference to 'municipal councils' is not deleted in the Bill as reported by the Standing Committee; and further

THAT Howard Hampton, MPP and all provincial members of the legislature be advised of the lack of this council's support for the inclusion of 'municipal councils' in Bill 123.

**Endorsation of Resolution – Bill 124**

**6. Moved by A. Poirier, Seconded by T. Szajewski & Carried:-**

THAT Council of the City of Kenora hereby recognizes the intent of Bill 124 to improve public safety and increase efficiency in the building code enforcement through a shared responsibility of all stakeholders and thereby



strongly objects to the position of the architects and engineers for exemption; and

THAT the Building Advisory Council (BAC) be set up in January 2006 to address the following issues regarding liability recommended by BRAGG but omitted in Bill 124:

- i) Improved code knowledge for building/contractors;
- ii) Provisions for builder liability insurance for non-residential builders;
- iii) Longer liability insurance periods for designers; and further

THAT BAC review the other recommendations of BRAGG that were omitted in Bill 124 and intended to create a more equitable building regulatory system in Ontario.

**Woodland Caribou Park**

**7. Moved by I. Parkes, Seconded by A. Poirier & Carried:-**

**WHEREAS** there are discussions taking place on restricting access to Woodland Caribou Park for Airplanes, Snow Machines, A.T.V.'s, Trappers, and Bait fishermen; and

**WHEREAS** restricting access to Woodland Caribou Park would leave existing land owners and tourist outfitters with a private playground;

**NOW THEREFORE** be it resolved that Woodland Caribou Park not be restricted to the general public and that all parties have access to continue these recreational and harvesting activities; and further

**THAT** a copy of this resolution be forwarded to the Honourable David Ramsay Minister of Natural Resources and Howard Hampton Kenora – Rainy River MPP.

**Employee Assistance Program**

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

THAT Council of the City of Kenora authorizes the City's participation in the Employee Assistance Program as offered through Great West Life; and

THAT Council approve the amended City Employee Assistance Policy HR-2-2.

**Payment of Legal Fees**

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

THAT in keeping with Council's Indemnification By-law pertaining to the indemnity and defense of Council Members, former and present, authorization be hereby given for the City of Kenora to pay a portion of legal costs associated with the matter concerning former Councillor Don McDougald and the Municipal Conflict of Interest Act; and

THAT arrangements be made for the City to pay this portion upon confirmation of the contribution from the City's Insurer's, Cowan Insurance, upon all appeals being exhausted with respect to this matter, and in accordance with Notice By-law #14-2003; and

THAT once the final costing to the City is confirmed, arrangements be made to provide the necessary notice for payment of the City's portion of legal fees out of Contingency Reserve; and further

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



**Ontario Transit Renewal Program**

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

THAT Council of the City of Kenora hereby requests the Ministry of Transportation to provide an allocation of renewal funds in the Ontario Transit Renewal Program for the year 2005 in the amount of \$104,915.83 representing one third of the capital costs for the replacement of one conventional transit bus.

**Contract with P.O.A. Prosecutor**

**11. Moved by I. Parkes, Seconded by R. McMillan & Carried:-**

THAT Council approve the attached contract between Rick Strain, POA Prosecutor and the City of Kenora for POA prosecution services to 31 December 2006; and further

THAT three readings be given to the By-law authorizing the contract between Rick Strain, POA Prosecutor and the City of Kenora.

**Councillor Szajewski then requested the Rules of Order be Suspended to introduce the following item:**

**Council participation in CED Innovations Training Course**

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

THAT authorization be hereby given for Members of Council to participate in a CED Innovations Training Course taking place in Kenora, Friday, November 4 and Saturday, November 5, 2005; and further

THAT authorized expenses be paid in accordance with Council's Travel and Per Diem Policy for this purpose.

**Support of Job Creation Partnership Application – Mount Evergreen**

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

WHEREAS the Board of Directors for Mount Evergreen Ski Club is desirous of carrying out infrastructure improvements and upgrades to its Club in order to meet health, safety, and accessibility standards, including an overall improvement to customer service through a Job Creation Partnership (JCP); and

WHEREAS the Board is seeing a variety of different users at its Club through a new partnership with the Kenora Nordic Trails Association which requires the infrastructure system to be upgraded to meet this new and evolving demand; and

WHEREAS the proposed modifications to the Mount Evergreen Ski Club will assist in the Club becoming a larger winter tourism destination for Kenora residents and tourists alike; and

WHEREAS children, youth and adults will be encouraged to participate in a healthy active lifestyle with an improved facility and revitalized ski area;

Now Therefore Be It Resolved that the Council of the City of Kenora hereby extends its full endorsement and support to the Board of Directors of Mount Evergreen Ski Club in its JCP funding application to Human Resources & Skills Development Canada for improvements to the Mount Evergreen Ski Club facility to promote winter tourism in Kenora and surrounding area.



**Amendment to Day Care Lease, re: King George School**

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

THAT Council give three readings to a by-law to amend By-law Number 111-2005 with respect to the lease agreement with the Keewatin-Patricia District School Board for the Castle of Learning and Discovery Children's Centre at King George School to include an addendum for the "Playground Equipment Agreement."

**KRC Membership Rate for City Employees**

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

THAT Council hereby authorizes the Kenora Recreation Centre to reduce all memberships for full-time City of Kenora employees by 30%; and

THAT Council, Managers and staff encourage and promote the health and wellness of its employees by encouraging staff to join the Kenora Recreation Centre; and further

THAT Council give three readings to a by-law approving the City of Kenora membership rate, effective immediately.

**Staffing Increase at Kenora Recreation Centre**

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

THAT as recommended by the Community Services Committee, authorization is hereby given for the staffing increase at the Kenora Recreation Centre in accordance with the Recreation Coordinator's October 5 report; and further

THAT Council approves the Recreation Coordinator to proceed immediately, in cooperation with the Human Resources Manager, with the staffing changes as set out in the report.

**Approval of Staffing Plan – Fire & Emergency Services**

**16. Moved by I. Parkes, Seconded by A. Poirier**

THAT Council approve and implement the "modified Option D" staffing plan for the Fire and Emergency Services Department; and further

THAT Council review this Proposed Staffing Plan within one calendar year of its implementation.

**MOTION TABLED**

**Councillor McMillan requested the Rules of Order be Suspended to introduce the following Motion to Table Motion #16:**

**Motion to Table – #16**

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

THAT Motion #16 on tonight's agenda with respect to a Staffing Plan for the Fire Department be hereby tabled, and referred back to the Emergency Services Committee for further review and discussion.

**Update of Strategic Plan**

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

THAT Council hereby adopts the updated Strategic Plan for the City of Kenora entitled, "Vision – 2009 – Leading the Way"; and further



THAT the Implementation Team undertakes an annual review of the Strategic Plan in 2006.

**Establishment of Kenora Heritage Committee**

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

THAT Council hereby authorizes the establishment of a Heritage Committee in and for the City of Kenora for the purposing of advising on how to preserve and protect Kenora's rich and diverse cultural heritage; and further

THAT three readings be given to a by-law to establish the Terms of Reference for a Heritage Committee for the City of Kenora.

**Councillor Wasacase then requested the Rules of Order be Suspended to introduce the following item:**

**Appointment to Kenora Heritage Committee**

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

THAT Council hereby approves the appointment of Councillor Rory McMillan to the Kenora Heritage Committee for the balance of the term of Council to November 30, 2006.

**Subdivision Agreement – "Darlington Woods"**

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

THAT authorization be hereby given for the Council of the Corporation of the City of Kenora to enter into a subdivision agreement with 1629700 Ontario Inc. – Darlington Woods; and further

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

**Lease Agreement with Creighton Youth Centre**

**20. Moved by A. Poirier, Seconded by T. Szajewski & Carried:-**

THAT Council give three readings to a by-law to authorize the execution of a lease agreement between the City of Kenora and William W. Creighton Youth Services for office space located at 243 Rabbit Lake Road.

**Lease Agreement with Sunset Trail Riders**

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

THAT Council give three readings to a by-law to authorize the execution of a lease agreement between the City of Kenora and Sunset Trail Riders for garage space located at 241 Rabbit Lake Road.

**Private Roads/Dedication of Public Roads Policy**

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

THAT the Council of the City of Kenora hereby adopts the "Private Roads/Dedication of Public Roads Policy" as a guideline for Council, staff and the public in matters pertaining to assumption of roads; and further

THAT this policy be included in the City's Policy Manual.

**Tender – Washrooms Contract**

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





THAT the following quotations for the cleaning, garbage pick up, beach raking and open and closing of the listed public washrooms, be received:-

|                                        |                                   |
|----------------------------------------|-----------------------------------|
| Cottage Country Home Service           | \$69,000.00 + G.S.T.              |
| Amazing Cleaning & Janitorial Services | \$69,113.51 + G.S.T.              |
| MTO Janitorial Services                | \$81,030.85 + G.S.T.; and further |

THAT the quotation from Cottage Country Home Services in the amount of \$69,000.00 + G.S.T. be accepted for the 2006-2008 Public Washrooms Contract.

**By-laws – First & Second Reading**

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

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

**#131-2005** – to confirm the proceedings of Committee at its October 18 meeting

**#132-2005** – to enter into a subdivision agreement with 1629700 Ontario Inc.

**#133-2005** – to establish a Heritage Committee for the City of Kenora

**#134-2005** – to amend Council's Rules of Order and Procedures By-law #10-2005

**#135-2005** – to amend the Day Care lease agreement with KPDSB at King George School

**#136-2005** – to enter into a lease agreement with Creighton Youth Services

**#137-2005** – to enter into a lease agreement with Sunset Trail Riders

**#138-2005** – to execute a contract with R. Strain, P.O.A. Prosecutor

**#139-2005** – to amend the Tariff of Fees By-law for a municipal employee membership

**By-laws – Third & Final Reading**

**25. Moved by I. Parkes, Seconded by R. McMillan & Carried:-**

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

**#131-2005** – to confirm the proceedings of Committee at its October 18 meeting

**#132-2005** – to enter into a subdivision agreement with 1629700 Ontario Inc.

**#133-2005** – to establish a Heritage Committee for the City of Kenora

**#134-2005** – to amend Council's Rules of Order and Procedures By-law #10-2005

**#135-2005** – to amend the Day Care lease agreement with KPDSB at King George School

**#136-2005** – to enter into a lease agreement with Creighton Youth Services



**#137-2005** – to enter into a lease agreement with Sunset Trail Riders

**#138-2005** – to execute a contract with R. Strain, P.O.A. Prosecutor

**#139-2005** – to amend the Tariff of Fees By-law for a municipal employee membership rate.

**Adjournment**

**26. Moved by I. Parkes, Seconded by R. McMillan & Carried:-**

**THAT** this meeting be now declared closed at 5:38 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**