

COMMITTEE OF THE WHOLE MINUTES

**Held Tuesday, May 3, 2005
At 4:00 p.m. – City Council Chambers**

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PRESENT:

Ingrid Parkes	-	A/Mayor
Len Compton	-	Councillor
Rory McMillan	-	Councillor
Andrew Poirier	-	Councillor
Ted Szajewski	-	Councillor
Colin Wasacase	-	Councillor
B. Preisentanz	-	CAO
J. McMillin	-	City Clerk
R. Perchuk	-	Operations Mgr.
B. Reynard	-	Com.Svces Mgr.
K. Brown	-	Fin & Admin Mgr.

REGRETS: Mayor D. Canfield

PUBLIC INFORMATION NOTICES AS PER BY-LAW NUMBER 14-2003

**Take Notice that as required under Notice By-law No. 14-2003,
Council hereby advises the public of its intention to adopt the
following by-laws at its
May 9 meeting:-**

- 1. The Annual Remuneration for Mayor & Members of Council;**
- 2. To authorize an increase in rates at Anicinabe Park to take effect
May 15, 2005.**

B. DECLARATION OF PECUNIARY INTEREST

There were none declared.

C. REPORT OF COMMITTEES:-

FINANCE & ADMINISTRATION

Councillor McMillan requested that Item #6 under his Committee be moved to the first item of business.

Councillor Szajewski read the following prepared Press Release with respect to this matter:-

Today, Council takes great pride in announcing a contribution to be made by the City of Kenora to the Kenora and Lake of the Woods Regional Community Foundation. This contribution represents the net proceeds from the sale of the Keewatin-Kenora Industrial Mall, an amount totalling \$286,900.22.

At the time of amalgamation, the Towns of Keewatin and Kenora held joint-ownership in the Keewatin-Kenora Industrial Mall. When the Industrial Mall was sold, the net proceeds relating to this sale were segregated into City reserves, in accordance with the Minister's Order issued at the time of amalgamation. Since that time, at Council's request, these funds have been tracked specifically in the City's records with the intent to turn these funds back into the community.

These funds will be used by the Kenora and Lake of the Woods Regional Community Foundation, not only to help establish an Operating Endowment Fund, but also to establish a new field of interest fund within the Foundation, on behalf of the City of Kenora. The donation will be allocated as follows:

- *\$250,000.00 to establish a new fund that will be used to independently administer the municipal grants program previously performed by the City of Kenora;*
- *\$30,000.00 towards the Foundation's Operating Endowment Fund; and*
- *\$6,900.22 to administer the municipal grants program for 2005;*

This donation will put monies back into the community, and give to the community the ability to make the best use of these funds through a grants program. City Council is pleased to recognize the dedication of the various community members and volunteers who have worked so hard to make the vision of the Kenora and Lake of the Woods Regional Community Foundation a reality for this area. This foundation will only benefit our area, and Council is delighted to participate in this significant step forward in the development of this foundation as a fully viable and independent entity.

I join all of my fellow Councillors in wishing the best of luck to the Kenora and Lake of the Woods Regional Community Foundation in their continued efforts ensuring a "Kenora and Lake of the Woods region where life flourishes and communities grow".

6. Kenora & Lake of the Woods Community Foundation

RECOMMENDATION:

THAT Council authorize an appropriation of \$286,900.22 from the City contingency reserve, representing net proceeds from the Keewatin-Kenora Industrial Mall; and

THAT these funds be gifted to the Kenora and Lake of the Woods Regional Community Foundation, to be used as follows:

- A donation of \$250,000.00 to be made to establish a new field of interest fund within the Foundation, whereby benefits relating to the new fund is to be restricted to the geographic boundaries of the City of Kenora for the purposes of administering a municipal grant program;
- A donation of \$30,000.00 to be made towards the Foundation's Operating Endowment Fund; and;

- An amount of \$6,900.22 to be given to the Foundation as a “flow through” amount to administer the municipal grants program for 2005; and

THAT the various groups that made application to the City under the municipal grants program, whose applications were received following the deadline for application and whose grants were not included in the City’s 2005 operating budget, be advised of both the opportunity to apply for a grant through the Kenora and Lake of the Woods Community Foundation for 2005 and the ongoing change in the administration of the municipal grants program.

Recommendation approved.

Joanne

**1. Connect Ontario Partnering for Smart Communities (COPSC)
- Payment Processor Options**

RECOMMENDATION:

THAT Council authorize the selection of Moneris Solutions as the successful payment processor for the purpose of processing City credit card payments on the new portal; and

THAT the Manager of Finance & Administration be authorized to execute the related contracts with Moneris Solutions.

Joanne

Recommendation approved.

It was asked if there is any clause in the agreement for termination and Karen Brown advised she has not yet seen the agreement. Councillor Compton advised he agrees with proceeding with this item on the basis the City is not locked into a long term contract without an escape provision.

2. Litter, Yard Waste & Property Maintenance By-law

RECOMMENDATION:

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.

Bill Preisenz gave a brief history on how this by-law evolved and noted the City’s Solicitor had worked with various departments to prepare the draft documents. However it was mentioned that since the draft has gone back and forth between our Solicitor and the affected staff a number of times, Mr. Ormiston’s office should review the current draft.

Reference was made to the industrial section of the by-law and that this section will not be included in the by-law at this time.

Committee agreed to refer this item back to Committee and have Mr. Ormiston review the document and present a final draft.

**Bill/
Committee**

3. Council Remuneration – 1/3 Tax Free Expense Allowance

RECOMMENDATION:

WHEREAS the Council of the City of Kenora's Remuneration By-law makes reference that one-third of its remuneration shall be deemed as an expense allowance in accordance with Section 283 (5) of The Municipal Act 2001; and

WHEREAS Section 283 (7) of The Municipal Act 2001 requires that a council shall review a by-law under subsection (5) at a public meeting at least once during the three-year period corresponding to the term of office of its members; and

WHEREAS Council has advised the public that the matter of the one-third expense allowance will be considered at this 9 May 2005 meeting in accordance with the requirements within The Municipal Act 2001;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Kenora hereby declares that one-third of the remuneration paid to elected Members of Council of the City of Kenora shall continue as expenses incident to the discharge of their duties as Members of Council; and further

THAT the appropriate By-law be passed for this purpose.

Recommendation approved (resolution and by-law).

Joanne

3a. Reminder of Public Meeting – May 9 @ 4:45 p.m. – Remuneration By-law.

Council

4. Section 357 – Cancellation & Refund of Taxes

RECOMMENDATION:

THAT the report of Pat Geisel, Tax Officer, be accepted by Council; and further

THAT the Section 357 tax adjustments totalling \$1,647.38, (including applicable penalty), with resulting refunds of \$231.41, be approved.

Recommendation approved.

Joanne

5. Debenture Issue – Public Works Facility Relocation Project

RECOMMENDATION:

THAT Council approves a By-law for the issuance of construction financing in the amount of \$8,887,117.87 effective 31 December 2004 to clear the Unfinanced Capital Outlay for the Barsky Public Works Facility Project budgeted to be financed through a debenture issue.

Recommendation approved (resolution and by-law).

Joanne

A discussion ensued on costs for the Public Works Facility and Karen Brown was asked if she has a final cost for the overall project. It was further questioned if we should be issuing a debenture for this item in order to protect KMTS and if the by-law we're considering to pass for this purpose would in fact protect KMTS? Karen Brown mentioned she is not aware of the costs associated to issue a debenture internally.

7. Seasonal Water & Sewer Policy/W & S Adjustment Policy

RECOMMENDATION:

THAT the City of Kenora Seasonal Water & Sewer Policy (CU-2-2) and the City of Kenora Water Leak Adjustment Policy (CU-2-1) be approved as amended.

Recommendation approved.

Joanne

COMMUNITY SERVICES COMMITTEE

1. Wellness Centre Information Report

Councillor Szajewski will present a report at Monday's meeting.

2. Anicinabe Park Rate Increase

RECOMMENDATION:

THAT Council of the City of Kenora hereby approves the following camping rates for Anicinabe Park:-

Basic Tenting	\$19.00
Tenting/Lakeview	\$22.00
Tenting/Serviced	\$22.00
RV/No service	\$20.00
RV/Water/Electric	\$25.00
RV/Full Hook-up	\$27.00
RV/FHU/Lakeview	\$30.00

AND THAT all rates are based upon 2 adults, 2 children (under 14). Additional adults are \$4.00/night and additional children are \$2.00/night; and

THAT in accordance with Notice By-Law Number 14-2003, public notice for this increase is hereby given; 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; and further

THAT this increase takes effect May 15, 2005.

Recommendation approved (resolution and by-law).

Joanne

Barry Reynard confirmed that he is in agreement with these rates and they are competitive with current provincial rates.

3. Cemetery Office – Sewer & Water Hook Up

RECOMMENDATION:

THAT Council approve the installation of sewer and water at the Lake of the Woods Cemetery Office; and further

THAT all expenses, up to \$6,000.00 to be funded through the approved Cemetery and Parks Operating Budgets.

It was noted Council does not have to approve this item as it is under \$10,000 and can be done directly through the budget/purchasing process. This item will not go forward to Council’s Monday meeting.

**Barry R./
Barb M.
Remove**

4. Lake of the Woods Museum – Board Appointments

RECOMMENDATION:

THAT the Council of the City of Kenora hereby appoints Bonnie Jeffrey and Ray Pearson to the Lake of the Woods Museum Board, to fill two vacancies, with a term to expire November 30, 2006.

Recommendation approved.

Joanne

EMERGENCY SERVICES COMMITTEE

1. Amendment to Procedural By-law–Part 12.1–Timing of Meetings

RECOMMENDATION:

THAT Council for the City of Kenora give three readings to a by-Law to amend Part 12.1 of Procedural By-Law Number 10-2005 relating to “Timing of Meetings for Standing Committees” by changing the meeting time of the Emergency Service Committee on the first Thursday of every month as follows:

**To: between 8:30 a.m. and 10:00 a.m.
From: between 11:00 a.m. and 12:00 a.m.**

AND FURTHER THAT this change take effect upon third and final reading of the by-law.

Recommendation approved (resolution and by-law).

Joanne

OPERATIONS COMMITTEE

1. Highway 17 East Construction Report

Councillor Poirier gave the following updated construction report in place of the Public Works Information Report:-

Work has begun on the Highway 17 East Project with the completion of Phase 1 works remaining from the fall of 2004:

Remaining works:

- concrete curbing & sidewalks to Miikana Way and Pine Portage Road

- new storm sewer and reconstruction on Highway 17 East from Miikana Way to the Tourist Information Centre

Work on Phase 1 will commence the week of May 2:

Works to include:

- constructed temporary detour south side of Highway 17 E.
- removal of asphalt on north side of Highway 17 E.
- excavation crews, sub excavating and lowering 4" gas main on north side of Highway 17 E.

Week of May 9:

Works to include:

- Contractor to install storm sewer on the north side of Highway 17 E.
- install sidewalk and curbs to Miikana Way and Pine Portage Road.

(Contractor is working with local businesses during construction.)

It was requested this report be circulated to all Members of Council.

Joanne

**2.LOW Aeromodelers Club Agreement–Tri-Municipal Landfill Site
RECOMMENDATION:**

THAT the Council of the Corporation of the City of Kenora hereby approves the form of the draft agreement between the City of Kenora, the Lake of the Woods Aeromodelers Club Inc., attached hereto; and further

THAT the Council of the Corporation of the City of Kenora hereby approves the form of the draft indemnification agreement between the City of Kenora, the Lake of the Woods Aeromodelers Club Inc. and the Crown, attached to the April 28 report of R. Perchuk.

Recommendation approved (resolution and by-law).

Joanne

**3. Tender for Granular "A"
RECOMMENDATION:**

THAT the following quotations, for the supply and delivery of 3,000 tonnes of Granular "A", Part A of said tender, be received:-

Lunam Drillers Ltd.	\$12.09 per tonne
Joe Neniska & Sons Ltd.	\$14.08 per tonne
Hugh Munro Construction	\$13.87 per tonne
Pioneer Construction Inc	\$11.90 per tonne; and

THAT the quotation submitted by Pioneer Construction Inc., Kenora, Ontario, in the amount of \$11.90 per tonne (taxes included) pending approval of the proposed aggregate, be accepted; and further

THAT the attached ranking list for the supply only of Granular "A" material from private pits, Part B of said tender, for the period commencing May 10, 2005, be hereby accepted and adopted.

Recommendation approved.

Joanne

4. Garbage Shed Floor – Transfer Station – Capital 2005

RECOMMENDATION:

THAT the following quotations for the repair to the concrete floor slab of the Transfer Facility's garbage shed floor be received:-

Option 1 - Work Completed During Regular Hours of Operation:

Di-Tech International	\$158,590.05 (GST included)
Concrete Restoration Services	\$116,254.43 (GST included)
Vector	\$185,735.95 (GST included)

Option 2 - Work Completed Outside of Regular Hours of Operation:

Di-Tech International	\$170,023.00 (GST included)
Concrete Restoration Services	\$133,374.43 (GST included)
Vector	No Bid Submitted

AND THAT the quotation submitted by Concrete Restoration Services Ltd. of Winnipeg, Manitoba, in the amount of \$116,254.43 (GST included) be accepted; and further

THAT the 2005 Capital Budget be amended to reflect a transfer of \$30,000 from the Recycling Facility to the Transfer Station's allocation of \$60,000 with the balance of \$20,000 to be funded from Solid Waste Reserves.

Recommendation approved.

Joanne

PROPERTY & PLANNING COMMITTEE

- 1. Reminder of Public Meeting–Zoning By-law Various Amendment(s) - Monday, May 9 @ 4:30 p.m.**

**Council/
Jeff Port**

UTILITIES & COMMUNICATIONS COMMITTEE

- 1. K.M.T.S. Information Report.
Ongoing**
- 2. Letter of Support – NOHFC Project #24083 (NetCentral)
HOLD**
- 3. Kenora Hydro - Annual General Meeting – Thursday, June 16.
For information only.**

Other Business

Open House – Parking Alternatives for Recreation Centre

Councillor Szajewski advised of the Open House scheduled for Thursday May 5 between 3:00 p.m. and 5:00 p.m. at the Recreation Centre to review parking alternatives at the Centre.

Healthcare Economic Development

RECOMMENDATION:

THAT authorization be given for Councillor McMillan to attend the Healthcare Economic Development session taking place in Dryden on Friday, May 6, 2005; and further

THAT all eligible expenses in accordance with Council's Travel & Per Diem Policy be hereby authorized.

Recommendation approved.

Joanne

2005 AMO Conference

RECOMMENDATION:

THAT authorization be hereby given for a combination of four (4) Members of Council and staff to attend the 2005 AMO Conference taking place August 14 to 17, 2005 at the Westin Harbour Castle in Toronto, ON; and further

THAT all eligible expenses be hereby authorized.

Recommendation approved.

Joanne

It was noted this is what was approved last year for participation at AMO. It was suggested those wishing to attend should advise the Mayor's Office next week so arrangements may be made for registration, etc.

Council

Mayor's Comments at NOMA – Environmental Regulations

Councillor McMillan referenced the Mayor's session held at NOMA and his comments on various environmental regulations that were subsequently quoted in the media on Monday. Councillor McMillan was displeased with the position taken by the Mayor and advised he cannot support these comments.

Councillor Compton echoed Councillor McMillan's concerns, noting the Mayor made many radical comments during the NOMA session that he wishes to disassociate himself with.

COMRIF Funding

Councillor Poirier acknowledged and thanked staff for all their work and effort that resulted in Kenora receiving its recent COMRIF funding.

The meeting adjourned at 5:25 p.m.