

AND WHEREAS the public has made very significant use of trail systems for fitness and recreation to substantially improve their quality of life during all four (4) seasons;

AND WHEREAS those using the trail systems have historically done so at their own risk;

AND WHEREAS the cost to maintain and police trail systems would be so prohibitive as to require their closure if made mandatory, whether by case law or statute;

AND WHEREAS various lawsuits have been filed claiming liability against municipalities and other trail owners;

AND WHEREAS the cost of insurance for the use of trail systems has already proven so expensive to be prohibitive;

AND WHEREAS the Ontario Government has introduced the "Active 2010" program as part of its Ontario Trails Strategy, encouraging Ontarians to become more physically active;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Kenora requests that the Minister of Municipal Affairs and Housing, Honourable John Gerretsen, and the Minister of Tourism and Recreation, Jim Bradley, move to amend the Occupiers Liability Act so as to clearly establish that those using trail systems are deemed to do so at their own risks, so that owners and volunteer organizations will not be held liable in any way for any damages arising from the use of trails by the public.

5. COMRIF Funding Agreement – Round 1

RECOMMENDATION:

THAT Council of the City of Kenora hereby give three readings to a bylaw ratifying a Funding Agreement between Her Majesty the Queen in the Right of Ontario and the City of Kenora with respect to the COMRIF initiative for the renewal of sewer infrastructure; and further

THAT the Mayor and Clerk be hereby designated as the signing officers for purposes of this Agreement.

6. COMRIF Application - Round 2

RECOMMENDATION:

THAT Council of the City of Kenora hereby rank the Waterline Replacement (marine line from Court House to Keewatin) as the highest priority project for funding under Intake Two of the Canada-Ontario Municipal Rural Infrastructure Fund.

7. 9-1-1 Central Dispatch

RECOMMENDATION:

Whereas the Kenora Police Services Board has identified a need to recruit additional staff to provide emergency dispatch service at the Kenora Police Station on a regional basis; and

Whereas options have been identified within this report intended to reduce the need for additional staff;

Now Therefore Be It Resolved that Council of the City of Kenora request the Kenora Police Services Board review alternatives relating to staffing for the Emergency Central Dispatch as presented in this report.

8. City Hall – Access Ramp & Entrance

RECOMMENDATION:

THAT Council accept the bids from Don Hager Construction and LMD Contracting and approve award of the Access Ramp contract to LMD Contracting in the amount \$45,859.00 + GST; and

THAT Council approve additional funding to the 2005 budget in the amount of \$13,755.00 for this project, to be funded through an incremental appropriation from the City Hall reserve; and further

THAT Council give notice, in accordance with the provisions of the Notice By-law, of its intent to amend By-law #40-2005 to reflect the approved changes to the 2005 City of Kenora Capital Budget.

9. Treaty #3 – Request letter of support - Justice Initiative

COMMUNITY SERVICES COMMITTEE – COUNCILLOR T. SZAJEWSKI

NO.	REPORT SUBJECT	DISPOSITION
1.	Wellness Centre Information Report	Ongoing
2.	Lease Agreement – Kenora Kinsmen (Norman Com.Club)	By-law Only
3.	Lease Agreement – KPDSB & City (Castle of Learning)	By-law Only
4.	Lease Agreement – Dave Holland Sports Centre	By-law Only

5. Harbourfront Parking Lot Closures – Events & Attractions

RECOMMENDATION:

THAT authorization be hereby given for the following parking lot closures at the Harbourfront for various events and attractions during the 2005 summer months:-

- South Parking Lot: Wed. July 27 to Mon. August 8, 2005 (6:00 p.m.-6:00 p.m.)
- North Parking Lot: Fri. July 29 to Mon. August 1, 2005 (6:00 p.m.-6:00 p.m.); and further

THAT these approvals be subject to all necessary signage, advertising, notifications and clean-up being in place for each event.

6. Harbourfront Dock Use by LOWISA

RECOMMENDATION:

THAT Council approve the LOWISA 39 request to utilize the Harbourfront docks A & B for the LOWISA 39 regatta; and further

THAT this approval provides for the closure of the public docks A & B for July 30 and August 6, 2005.

7. Beverage Company Proposals

RECOMMENDATION:

THAT the following request for proposals for the exclusive rights to supply beverages and service of beverage equipment for a 10 year period to the Kenora Recreation Centre be received:

Company/ Supplier Name	Amount for 10 year agreement	*Note
Pepsi Bottling Group	\$284,944.00	\$183,444.00 (less equipment costs)
Coca-Cola Bottling Co.	\$114,500.00	

AND FURTHER THAT the proposal from Pepsi Bottling Group be hereby accepted.

8. Youth Drop In Centre Closure & Relocation

RECOMMENDATION:

THAT Council of the City of Kenora support the move of the Kenora Drop In Centre to the Kenora Fellowship Centre basement until conditions to remediate the moisture issues in the current location are completed; and further

THAT Council provides financial assistance for leasing of the Fellowship Centre space for July and August from approved 2005 operational budgets.

EMERGENCY SERVICES – COUNCILLOR I. PARKES

NO.	REPORT SUBJECT	DISPOSITION
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1. Council Support for “Family Safety Night”

RECOMMENDATION:

THAT Council of the City of Kenora support “Family Safety Night” by approving the waiving of rental fees at the arena on September 7th, 2005.

OPERATIONS COMMITTEE – COUNCILLOR A. POIRIER

NO.	REPORT SUBJECT	DISPOSITION
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1. Public Works Re-location Information Report Ongoing

2. Extension of Contract – Haulage of Solid Waste By-law Only

3. Transmitter Road CP Rail Crossing Project Purchase Property

RECOMMENDATION:

THAT in order to commence the City’s planned improvements to the CP Rail crossing on Transmitter Road, the City acquire Part 1 of Plan 23R 11142 for the sum of \$9,000.00 and the transfer from Hulagrocki to the City, of Parts 1, 2 and 3 of Plan 23R 5741 for the sum of \$1, plus all legal and transfer costs associated with the purchase and transfer of these properties, and further;

THAT the attached executed agreement form part of the agreement of purchase and sale, and further;

THAT the Mayor and Clerk be authorized to enter into such an agreement of purchase and sale, and further;

THAT three readings be given to a Bylaw for this purpose.

PROPERTY & PLANNING COMMITTEE – COUNCILLOR C. WASACASE

NO.	REPORT SUBJECT	DISPOSITION
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1. Amendment to Zoning By-law (1627900 Ontario Inc.)

RECOMMENDATION: to follow....

- 2. Adoption of By-law for sale of land to Daniel & Karin Marchant By-law Only
- 3. Reminder – Public Meeting Zoning By-Law (Moncrief- Pinegrove School)
- Monday July 18 @ 4:45 p.m.

UTILITIES & COMMUNICATIONS COMMITTEE – COUNCILLOR L. COMPTON

NO.	REPORT SUBJECT	DISPOSITION
1.	K.M.T.S. Information Report.	Ongoing
2.	Letter of Support – NOHFC Project #24083 (NetCentral)	HOLD
3.	Kenora Hydro Board of Directors Vacancy

RECOMMENDATION:

THAT Council of the City of Kenora hereby appoints Don McDougald to the Board of Directors of the Kenora Hydro Electric Corporation Ltd. For a one year term or until the 2006 Annual General Meeting of the Kenora Hydro Electric Corporation.

OTHER BUSINESS

Motion required adjourning to Closed Meeting:

Moved by , Seconded by , and Carried:-

THAT this meeting be now declared closed at p.m.; and further

THAT Council adjourns to a Closed Meeting to discuss the following:

- Personnel Issues
- Acquisition of Property

Adjournment.