

COMMITTEE OF THE WHOLE M I N U T E S

Held Tuesday, July 12, 2005
At 4:00 p.m. – City Council Chambers

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|-----------------|-----------------------|----------|------------------------|
| PRESENT: | David Canfield | - | Mayor |
| | Len Compton | - | Councillor |
| | Ingrid Parkes | - | Councillor |
| | Andrew Poirier | - | Councillor |
| | Rory McMillan | - | Councillor |
| | Ted Szajewski | - | Councillor |
| | Colin Wasacase | - | Councillor |
| | B. Preisentanz | - | CAO |
| | J. McMillin | - | City Clerk |
| | R. Perchuk | - | Operations Mgr. |

A. 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-law at its
MONDAY, JULY 18 MEETING:-

(1) to amend the 2005 Capital & Reserves Budget to appropriate
funds from the "City Hall Reserve" in the amount of
\$7,000 (approx.) for additional funding for the Access Ramp.

B. DECLARATION OF PECUNIARY INTEREST

Councillor Parkes made a Declaration of Pecuniary Interest on Item
#3 under Property & Planning as her husband works for Moncrief
Construction from time to time.

C. REPORT OF COMMITTEES:-

FINANCE & ADMINISTRATION

1. City Hall Mold Investigation/Remediation

RECOMMENDATION:

THAT Council accept the proposals from DST and Pinchin and approve
award of the Mold Investigation to Pinchin Environmental in the amount of
\$2000.00; and

THAT administration be authorized to proceed with the award of any
tenders for any related remediation and restoration work, together with any
related and required building, foundation and landscape / drainage repairs,
in accordance with the provisions as set out in the City's purchasing policy
for budgeted expenditures; and further

THAT Council authorize an appropriation from the City Hall Reserve to offset the costs related to the investigation as well as all remediation and restoration work, together with any related and required building, foundation and landscape / drainage repairs.

Recommendation approved (resolution and by-law).

Joanne

2. IBEW Negotiations – Water Plant

RECOMMENDATION:

THAT Council of the City of Kenora hereby approve the Memorandum Agreement between the Corporation of the City of Kenora and IBEW Local 559 Water Unit for the term January 1, 2004 to December 31, 2006.

Recommendation approved.

Joanne

3. 2005 Claw back Rates

RECOMMENDATION:

THAT Council give three readings to a By-law establishing the Claw back Rates on protected properties for 2005.

Recommendation approved (resolution and by-law).

Joanne

4. Endorsation of Resolution - Insurance & the Trail Systems

RECOMMENDATION:

WHEREAS municipalities and various Trail Clubs throughout Ontario have invested substantial public funds in the development of trails; 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.

Recommendation approved.

Joanne

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.

Recommendation approved (resolution and by-law).

Joanne

6. COMRIF Application - Round 2

RECOMMENDATION:

THAT Council of the City of Kenora hereby ranks 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.

Recommendation approved.

Joanne

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.

Recommendation approved.

Joanne

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.

Recommendation approved (resolution and by-law).

Joanne

Bill advised the above-noted amount will be reduced from \$13,755 to approximately \$7,000, and he will confirm this with Frank Bergman prior to Monday's meeting.

Bill P.

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

Councillor McMillan reviewed the details of this request for a letter of support. It was suggested this item be referred to Chief Designate Dan Jorgensen to review to determine if he has any comments, following which a letter will go forward under Mayor Canfield's signature.

**Joanne
Dan J.**

Recommendation approved (letter only).

10. 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.

Recommendation approved.

Joanne

COMMUNITY SERVICES COMMITTEE

1. Wellness Centre Information Report

Councillor Szajewski may have a report for Monday, July 18, 2005.

2. Lease Agreement Kenora Kinsmen-Norman Community Club Committee approved that the by-law proceed to Monday's meeting.

Joanne

3. Lease Agreement – KPDSB & City (Castle of Learning) Committee approved that the by-law proceed to Monday's meeting.

Joanne

4. Lease Agreement – Dave Holland Sports Centre Committee approved that the by-law proceed to Monday's meeting.

Joanne

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.

Recommendation approved.

6. Harbourfront Dock Use by LOWISA

RECOMMENDATION:

THAT Council approve the LOWISA 40 request to utilize the Harbourfront docks A & B for the LOWISA 40 regatta; and further

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

It was noted that due to a small conflict with the docks between KBI and LOWISA on Saturday, August 6, the City will provide docking on the north side of Harbourfront "B" dock only (slips 11 to 19, inclusive) to LOWISA.

AMENDED RECOMMENDATION:

THAT Council approve the LOWISA 40 request to utilize the Harbourfront docks A & B for the LOWISA 40 regatta; and

THAT this approval provides for the closure of the public docks A & B for July 30, 2005; and further

THAT the City provide docking on the north side of Harbourfront "B" dock (slips 11 to 19, inclusive) to LOWISA on August 6, 2005.

Recommendation approved as amended.

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.

Joanne

Joanne

Recommendation approved.

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.

Recommendation approved.

EMERGENCY SERVICES

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.

Recommendation approved.

OPERATIONS COMMITTEE

1. Public Works Re-location Information Report (ongoing)

Councillor Poirier noted there are some deficiencies now that will have to be addressed.

2. Extension of Contract – Haulage of Solid Waste

Committee approved that the by-law proceed to Monday's meeting.

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 by-law for this purpose.

Recommendation approved (resolution and by-law).

Joanne

Joanne

Joanne

Joanne

Joanne

PROPERTY & PLANNING COMMITTEE

1. Amendment to Zoning By-law (1627900 Ontario Inc.)

RECOMMENDATION:

THAT the City of Kenora Council give three readings to a by-law to amend Zoning By-law #160-2004 for the rezoning of property described in Schedule A to a lot size of .4 ha to bring the subject property into compliance with the by-law and further to specifically reduce the east side yard of proposed Lot 14 to 50 feet.

Recommendation approved (resolution and by-law).

2. Sale of land to Daniel & Karin Marchant

Committee approved that the by-law proceed to Monday's meeting.

3. Reminder – Public Meeting Zoning By-Law (Moncrief)

Meeting to be held Monday July 18 @ 4:45 p.m.

Joanne

Joanne

Council

UTILITIES & COMMUNICATIONS COMMITTEE

1. K.M.T.S. Information Report.

Ongoing

2. Letter of Support – NOHFC Project #24083 (NetCentral)

HOLD

MOTION REQUIRED ADJOURNING TO CLOSED MEETING:

Moved by I. Parkes, Seconded by A. Poirier, and Carried:-

THAT this meeting be now declared closed at 5:00 p.m.; and further

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

- **Personnel Issues**
- **Acquisition of Property**

NO ACTION REQUIRED FROM CLOSED MEETING.

The meeting adjourned at 5:45 p.m.