



Minutes

*Of a Meeting of the Council of the City of Kenora
Monday, August 21, 2006 – 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 I. Parkes, Councillor T. Szajewski, Councillor C. Wasacase, Bill Preisenzanz, CAO, Joanne L. McMillin, City Clerk.

Regrets: Councillor A. Poirier

## Call to Order

Mayor Canfield called the meeting to order and Councillor Parkes 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 **July 17, 2006** and of the two Special Meetings held **July 28** and **August 2, 2006**, be confirmed as written.

## 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 assume a portion of the Essex Road as a highway for public and municipal purposes;
- to name a road within a plan of subdivision;
- to deem Lots 13 and 14 on Plan 18, Block 33 not to be part of a plan of subdivision;
- to authorize the sale of land on Colonization Road to Alastair Nilson;
- to amend the 2006 budget to authorize various appropriations from reserves for the purpose of funding the City Hall Fire & Related Renovations Project;
- to amend the 2006 budget to authorize various appropriations from reserves for the purpose of funding the purchase of a water line supply.

## 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 was none declared.

## DEPUTATIONS:

### Emily Tacknyk-Roulston

Ms Tacknyk-Roulston referred to Council's May 10 Budget Meeting at which time she requested copies of invoices pertaining to repairs made to the brush cutters that both broke down at the same time. She advised she has not yet received these copies and is requesting them once again, and indicating she may have further questions following receipt of same.



Ms Tacknyk-Roulston questioned why the Operations Department re-sends the grader to the rural area instead of doing the work when it is already there? She doesn't believe it makes sense to have the operators going back and forth to grade the road as it costs so much money; she indicated there was a similar issue with the water truck. Ms Tacknyk-Roulston feels that living where she does is like living in the unincorporated area as they pay taxes and get very few services.

Ms Tacknyk-Roulston questioned what happened at the recent AMO Conference concerning meetings with the Minister of Transportation and the possibility of getting a four-lane highway in our area? Mayor Canfield invited her to get in touch with him after the meeting.

In closing, Ms Tacknyk-Roulston referred to the Discharge of Firearms By-law and that she is concerned about the restriction being relaxed under this by-law and that it really needs a lot of consideration.

#### **Thelma Wilkins-Page**

On behalf of the Kenora and District of Commerce, Ms Wilkins-Page, President, commended the Economic Development Committee for culminating the plan that is before Council tonight for approval. She indicated the Chamber is anxious to take the Plan to its members as soon as possible as it will provide the road map for future activities.

In closing Ms Wilkins-Page advised the Chamber strongly recommends that Council adopts the Economic Development Plan in its entirety so the work can begin and Kenora can progress. She then circulated copies of her presentation to Members of Council.

#### **Don Kinger**

Mr. Kinger spoke to Kenora's downtown situation and the fact the homeless have nowhere to go, and shared his thoughts on how he believes it is affecting tourism. He referred to the recent Letter to the Editor in the newspaper and similar concerns to his regarding the conditions of the streets, the fighting that goes on, the hospital's deficit, and no place for the homeless. He requested a response to his inquiries as to what the City plans to do about these situations, noting he did not receive a response to his previous deputation on these same matters.

In closing Mr. Kinger referred to winter tourism, and the cost of trail permits, noting the City has not done anything about this matter since it was discussed late last winter. He would like to see something done as soon as possible, and before the winter months arrive.

#### **Approval of Accounts**

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

THAT the Reports dated **July 20, 31, August 15, and 17, 2006** 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 **\$4,792,183.16** be hereby authorized for approval.

#### **Purchase of Land - Bulles**

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

THAT authorization be hereby given for the Mayor and Clerk to execute a Purchase & Sale Agreement between the City of Kenora and Pearl Bulles for property described as Plan M391L, Loc. X21, Lots 165 and 166, Pt. Pcl. No. 2262; and further



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

**Policy – Required Debt Issuance**

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

THAT at the time any debt issuance is required by the City, the City review the pros and cons of borrowing both internally and externally to determine which would be most beneficial for the City for that issuance; and

THAT should external borrowing be either the required or preferential method of funding a City project; preference would be given to funding through application to the Ontario Strategic Infrastructure Financing Authority.

**Approval to Recruit Accountant - KMTS**

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

THAT Council authorize the recruitment and hiring of a KMTS Accountant, to be employed directly by KMTS.

**Native Communication Inc. – CRTC Application**

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

THAT Council of the City of Kenora hereby supports Native Communication Inc.'s Application No. 2006-0796-3 to CRTC to amend its broadcasting license to add a new FM transmitter at Kenora, Ontario, conditional upon meeting the requirements of the City of Kenora Installation of Communication Towers Policy.

**Sale of Property – Colonization Road**

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

THAT Council of the City of Kenora hereby declares property along Colonization Road described as part of the West portion of Location K8, designated as Part 1, on Plan 23R-11296 being part of Parcel 10896, part of PIN 42161-0083, as surplus to the needs of the municipality; and

THAT Council hereby accepts the offer from Alastair Nilson dated June 27, 2006 in the amount of \$35,000.00 for the subject property in accordance with the terms and conditions set out in the Agreement of Purchase and Sale; and further

THAT as required by Notice By-law #14-2003 notice is hereby given that the City intends to the sell the property to Alastair Nilson by way of approving a by-law for this purpose at its August 21, 2006 meeting.

**ONE Fund Investment Portfolio**

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

THAT the City stay with the current investment portfolio with the ONE Fund, and further

THAT this decision be reviewed by the new Council in approximately one year's time.

**Attendance at Northwestern Ontario Regional Conference**

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

THAT authorization be hereby given for up to four (4) Members of Council to attend the Northwestern Ontario Regional Conference taking place in Thunder Bay, September 21 and 22, 2006; and further



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

**Implementation Plan – Tangible Capital Assets**

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

THAT staff be directed to bring back an implementation plan for the City's requirements under Section PS 3150 – Tangible Capital Assets as approved by the Public Sector Accounting Board to be funded through the City's 2007 Five Year Capital Plan for implementation by 1 January 2009.

**Approval of Lease Agreement – Metis Nation of Ontario**

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

THAT Council give three readings to a by-law to authorize the execution of a lease agreement with the Metis Nation of Ontario Secretariat for municipal property located at 70 Park Street.

**Use of South Harbourfront Parking Lot – Family Safety Night**

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

THAT authorization be hereby given for use of half of the South Harbourfront Parking Lot to be used on Wednesday, August 23 between the hours of 8:00 a.m. and 8:00 p.m. for the purpose of holding the Family Safety Night event; and further

THAT only the daily parking patrons be displaced for this purpose.

**Amendment to By-law #115-2001 – Transmitter Road Crossing**

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

THAT Council give three readings to a by-law to amend By-law Number #115-2001, being a By-law to prohibit certain vehicle use of the 16<sup>th</sup> Avenue Railway Crossing and the Transmitter Road Railway Crossing, to allow "heavy traffic" to travel over the Transmitter Road Railway Crossing.

**Amendment to Traffic By-law – New Yield Sign**

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

THAT Council give three readings to a by-law to amend Traffic Regulation By-law #127-2001 to include the following addition to Schedule "P" Yield Intersections for Rat Portage Road at Golf Course Road: -

**Add:**

| <u>Column 1</u>                          | <u>Column 2</u>                    |
|------------------------------------------|------------------------------------|
| INTERSECTION                             | FACING TRAFFIC                     |
| Rat Portage Road<br>and Golf Course Road | North bound on<br>Rat Portage Road |

**Amendment to Traffic By-law – No Parking/Tow Away Zone**

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

THAT Council give three readings to a by-law to amend Traffic Regulation By-law #127-2001 to Schedule "B" – No Parking Area – Tow Away Zone, as follows:

**Delete:**

| <u>Column 1</u>       | <u>Column 2</u>                                 | <u>Column 3</u> | <u>Column 4</u> |
|-----------------------|-------------------------------------------------|-----------------|-----------------|
| <u>STREET/HIGHWAY</u> | <u>LOCATION</u>                                 | <u>SIDE</u>     | <u>TIME</u>     |
| Valley Drive          | From Rabbit Lake Road<br>easterly for 53 metres | Both            | Anytime         |



**Add:**

| <u>Column 1</u><br>STREET/HIGHWAY | <u>Column 2</u><br>LOCATION                  | <u>Column 3</u><br>SIDE | <u>Column 4</u><br>TIME |
|-----------------------------------|----------------------------------------------|-------------------------|-------------------------|
| Valley Drive                      | From Rabbit Lake Road easterly for 86 metres | Both                    | Anytime                 |

**Amendment to Traffic By-law – Disabled Parking @ CPR**

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

THAT Council give three readings to a by-law to amend Traffic Regulation By-law #127-2001 to include the following addition to Schedule "L" – Disabled Parking Spaces on Municipal or Private Property:-

**Add:**

| <u>Column 1</u><br>ESTABLISHMENT | <u>Column 2</u><br>STREET ADDRESS/LOCATION | <u>Column 3</u><br># SPACES |
|----------------------------------|--------------------------------------------|-----------------------------|
| CPR Parking Lot                  | 400 McClellan Ave.                         | 1                           |

**Extension of School Crossing Guard Contract**

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

THAT the 2005-2006 School Crossing Guard Contract, submitted by Alpine Janitorial Kenora Inc., be extended to include the 2006-2007 school year, at a cost of \$55,420.63, taxes included, for the period August 30<sup>th</sup>, 2006 to June 21<sup>st</sup>, 2007, and further;

THAT the Contract be amended to reflect a 6% GST rate.

**Motion to Table Motion Nos. 18 & 19 – Grinder Pumps**

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

THAT Motion Nos. 18 and 19 on tonight’s agenda with respect to grinder pumps be hereby tabled until the next Council meeting.

**Grinder Pumps – Rabbit Lake Road Area**

**18. Moved by T. Szajewski, Seconded by R. McMillan.**

THAT the City of Kenora, with respect to the Rabbit Lake Road area, a) will provide each current property owner with one (1) new grinder pump b) will discern which grinder pumps have been replaced, at the homeowner’s expense, since the year 2000 and provide reimbursement up to \$3,000.00 and c) the responsibility for the future repair/replacement of the grinder pump will be that of the property owner.

**MOTION TABLED**

**Grinder Pumps – Maintenance & Replacement**

**19. Moved by T. Szajewski, Seconded by R. McMillan.**

THAT the City of Kenora assume maintenance and replacement responsibility of all grinder pumps connected to the sewer system, and further;

THAT the 2006 Operating Budget be amended for \$200,000.00 and the 2007 Operating Budget be increased by \$200,000.00, and further;

THAT the municipal water and sewer user rate be amended to cover the increased cost for grinder pump maintenance.

**MOTION TABLED**



**Assumption of Private Water & Sewer System**

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

THAT the City of Kenora hereby assumes the private water and sewer system owned by Harold and Betty Symonds, located at the west end of Keewatin Beach Road, for the sum of one dollar (\$1.00); and

THAT the City of Kenora hereby assumes the private water and sewer system based on the conditions set out in the August 11, 2006 report of the Operations Manager; and further

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

**Approval of 2006 Sidewalk Capital Priority List**

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

THAT the Council of the City of Kenora hereby approves the 2006 Sidewalk Capital Priority List as set out in R. Perchuk's July 27 Report, including the installation of a portion of paved shoulder along Railway Street.

**Acquisition of Supplementary Property - Transmitter Road**

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

THAT in order to complete the City's planned improvements to the CP Rail crossing on Transmitter Road, the City acquire supplementary property from Hulagrocki; and

THAT the Council of the City of Kenora hereby approves the form of the draft by-law and Agreement of Intent between the City of Kenora and Stephen and Donna Hulagrocki; and further

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

**Change in Meeting Schedule – Property & Planning Committee**

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

THAT as recommended by the Property & Planning Committee, authorization be hereby given for the holding of only one Planning and Property meeting on a monthly basis for September, October, and November, 2006.

**Transfer of a Portion of Essex Road to City**

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

THAT Council give three readings to a by-law for the purpose of transferring a portion of Essex Road to the City of Kenora, as set out below: -

1. The lands affected by the By-law be acquired by the City for the purposes of a highway.
2. The Corporation of the City of Kenora shall acquire from Joachim Landgraf and Ingeborg Landgraf the lands described as part of Lot 1, Concession 3, Melick, now City of Kenora, District of Kenora, designated as Part 1, Plan 23R-11282 as a highway for public\municipal purposes.
3. The portion of road is hereby named Essex Road.
4. The purchase price of the said property shall not exceed the sum of One Dollar (\$1.00).
5. The Applicant, Joachim Landgraf, has undertaken and agreed to pay all related costs including legal fees, survey fees (if required), and any other disbursements related to the transfer of the above-noted property.



6. The Mayor and Clerk be and are hereby empowered to execute any and all documents required to complete this transaction.

**Deeming of certain lots not to be part of a Subdivision**

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

THAT Council give three readings to a by-law to deem certain lots not to be part of a subdivision, as set out below: -

1. All lands contained within the Lots 13 and 14 of Registered Plan M18. Block 33, in the City of Kenora, former Town of Keewatin, in the District of Kenora are hereby deemed not to be lands described in accordance with a registered plan of subdivision for the purposes of Section 50(3) of the Planning Act, RSO 1990;

2. In accordance with the provisions of the Planning Act, the by-law shall come into force and take effect upon the final passing thereof by the Council of the Corporation of the City of Kenora and the registration of this by-law in the Land Titles office in the District of Kenora;

3. The applicant shall be responsible for all costs associated with such registration; and

4. The Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete this transaction.

**Adoption of Economic Development Plan**

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

THAT the Council of the Corporation of the City of Kenora hereby adopts the "City of Kenora Economic Development Plan" dated August 2006; and further

THAT City Administration and the Economic Development Committee proceed with plan implementation according to 2006/2007 priorities as set out in Section 6.0.

**Naming of a Private Road – "Darlington Trail"**

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

THAT the Council of the City of Kenora hereby names "Road A" on the draft plan of subdivision for Farm Location 222 E, as "Darlington Trail;" and further

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

**Listing of Surplus Property on Coney Island**

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

THAT municipal property described as Parcel 4029, Location D57 and Parcel 619, Pt. Location D57, be listed for sale with Century 21 Reynard Real Estate Ltd. for the asking price of \$199,900 + GST; and further

THAT Council of the City of Kenora hereby declares the above-described property as surplus to the needs of the municipality.

**Leasing of the Recreation Centre Concession**

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

THAT the following request for proposals for the lease of Concession at the Kenora Recreation Centre be received:



| Company/ Supplier Name | Monthly lease amount | *Note                       |
|------------------------|----------------------|-----------------------------|
| Darryl & Ivette Landry | \$ 500.00            | See RFP attached to Report. |
| Randy Nickle           | \$ 615.00            | See RFP attached to Report. |

AND THAT Council of the City of Kenora accepts the recommendation from the Leisure Services Committee to accept the Proposal from Darryl and Ivette Landry to lease the Kenora Recreation Concession on a 3 year term for \$500.00 per month.

**Purchase of High Volume Water Supply Line**

**30. Moved by I. Parkes, Seconded by L. Compton & Carried:-**

THAT Council receive the following quotations for 30 metres of 100mm or 4 inch high volume water supply line:

- 1. Acklands Grainger \$897.00 per 30 metres excluding taxes
- 2. A.J. Stone \$675.00 per 30 metres excluding taxes; and

THAT the quotation from A.J. Stone for the acquisition 100mm or 4 inch high volume water supply line based on the unit price of \$675.00 per 30 metres in the amount of \$9,225.00 excluding taxes and adapters be accepted (shipping and handling extra); and

THAT the funding source for this acquisition be allocated on a 50/50 basis to Operations and Emergency Services; and

THAT in accordance with Notice By-law #14-2003, notice is hereby given that Council intends to amend the budget for this purpose at its August 21 meeting; and further

THAT Council give three readings to a by-law to amend the 2006 Municipal Operating Budget to accommodate this purchase.

**By-laws – First & Second Reading**

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

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

**#102A-2006**– to confirm the proceedings of the August 15 & 16 Committee Meetings

**#103-2006**– to authorize entering into an agreement of purchase and sale between the City of Kenora and Alastair Nilson

**#104-2006**– to adopt amended estimates for capital and reserves to be incorporated into the sums required for municipal purposes for 2006 (City Hall Renovations)

**#105-2006**- to adopt amended estimates for capital and reserves to be incorporated into the sums required for municipal purposes for 2006 (new water supply line)

**#106-2006**– to authorize entering into an agreement of purchase and sale between the City of Kenora and Pearl Bulles

**#107-2006**– to authorize the execution of a lease with the Metis Nation of Ontario Secretariat





**#108-2006**– to authorize the transfer of land from Stephen and Donna Hulagrocki to the City of Kenora

**#109-2006**– to authorize assumption of highway and transfer of land to the City of Kenora

**#110-2006**- to deem certain lands not to be within a registered plan of subdivision

**#111-2006**- to authorize the naming of a private road

**#112-2006**- to amend By-law #127-2001 being a by-law to regulate traffic on the roads and highways of the City of Kenora (new Yield intersection and No Parking/Tow-away Zone)

**#113-2006**- to amend By-law #115-2001 being a by-law to prohibit certain vehicles use of the 16<sup>th</sup> Avenue Railway Crossing and the Transmitter Road Railway Crossing

**#114-2006**- to amend By-law #127-2001 being a by-law to regulate traffic on the roads and highways of the City of Kenora (disabled parking).

**By-laws – Third & Final Reading**

**32. 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: -

**#102A-2006**– to confirm the proceedings of the August 15 & 16 Committee Meetings

**#103-2006**– to authorize entering into an agreement of purchase and sale between the City of Kenora and Alastair Nilson

**#104-2006**– to adopt amended estimates for capital and reserves to be incorporated into the sums required for municipal purposes for 2006 (City Hall Renovations)

**#105-2006**- to adopt amended estimates for capital and reserves to be incorporated into the sums required for municipal purposes for 2006 (new water supply line)

**#106-2006**– to authorize entering into an agreement of purchase and sale between the City of Kenora and Pearl Bulles

**#107-2006**– to authorize the execution of a lease with the Metis Nation of Ontario Secretariat

**#108-2006**– to authorize the transfer of land from Stephen and Donna Hulagrocki to the City of Kenora

**#109-2006**– to authorize assumption of highway and transfer of land to the City of Kenora

**#110-2006**- to deem certain lands not to be within a registered plan of subdivision

**#111-2006**- to authorize the naming of a private road

**#112-2006**- to amend By-law #127-2001 being a by-law to regulate traffic on the roads and highways of the City of Kenora (new Yield intersection and No Parking/Tow-away Zone)



**#113-2006-** to amend By-law #115-2001 being a by-law to prohibit certain vehicles use of the 16<sup>th</sup> Avenue Railway Crossing and the Transmitter Road Railway Crossing

**#114-2006-** to amend By-law #127-2001 being a by-law to regulate traffic on the roads and highways of the City of Kenora (disabled parking).

**By-law – Symonds Sewer & Water System**

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

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

**#115-2006** - to authorize the entering into of an agreement between the Corporation of the City of Kenora and Harold and Betty Symonds.

**By-law – Symonds Sewer & Water System**

**34. Moved by I. Parkes, Seconded by L. Compton & Carried:-**

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

**#115-2006** - to authorize the entering into of an agreement between the Corporation of the City of Kenora and Harold and Betty Symonds.

**Adjournment**

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

**THAT** this meeting be now declared closed at 6:20 p.m.

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

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

**.....2006**

.....  
**MAYOR**

.....  
**CITY CLERK**