



# Minutes

*Of a Meeting of the Council of the City of Kenora  
Monday, December 10, 2007 – City Council Chambers  
5:00 p.m.*

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WITH Mayor L. Compton in the Chair, Councillor W. Cuthbert, Councillor C. Drinkwater, Councillor D. McCann, Councillor R. McMillan, Councillor A. Poirier, Councillor C. Van Walleghem, Bill Preisenzanz, CAO, Joanne L. McMillin, City Clerk.

### Call to Order

Mayor Compton called the meeting to order and Councillor Drinkwater read the Prayer.

### Confirmation of Minutes

1. Moved by C. Drinkwater, Seconded by C. Van Walleghem & Carried:-

THAT the Minutes of the last Regular Meeting of the Council of the City of Kenora held **Monday, November 26, 2007**, be confirmed as written and circulated.

### Public Information NOTICES as per By-law Number 14-2003

Mayor Compton then read the following notices:-

As required under Notice By-law #14-2003, Council hereby advises the public of its intention to adopt the following by-laws at tonight's meeting: -

- **Adoption of a New Notice By-law;**
- **Adoption of a New Comprehensive Tariff of Fees & Charges By-law including changes to the Operations Schedule of the Tariff.**

### Declarations of Pecuniary Interest & the General Nature Thereof

Mayor Compton 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.

### Statement – "Common Voice" Initiative

Mayor Compton read a statement to the citizens of Kenora with respect to the City's position regarding N.O.M.A.'s "Common Voice" Initiative.

### DEPUTATIONS:

#### Donald Copenace & Dan Essery

Messrs. Copenace & Essery addressed Council on behalf of the Kenora Aboriginal Urban Affairs Committee, advising of their support regarding the position taken by the City concerning the inclusion of First Nations in the Common Voice initiative as it pertains to the Northwestern Ontario Municipal Association (NOMA).

#### Letter from Ogichidaa Arnold Gardner - Grand Council Treaty #3

Councillor McMillan then read a letter received from Grand Council Treaty #3 extending support for the principled position the City has maintained regarding First Nations as equal partners in the Common Voice document.



**Terrance Daciuk**

Mr. Daciuk advised Council he recently used City Transit, which was an Excel school bus and he slipped down the stairs onto the concrete curb upon exiting the bus at the hospital. He feels the City should address their transit service and provide better bus service as no buses run on Sundays. In closing he advised Council this is his formal complaint regarding his slip and fall and he is not sure how he will proceed regarding compensation for his injuries as he is not able to work as a result.

**Appointment to Leisure Services Committee**

**2. Moved by C. Van Wallegghem, Seconded by C. Drinkwalter & Carried:-**

THAT Council hereby approves the appointment of Mike Shier to fill the vacancy on the Kenora Leisure Services Committee created by the resignation of Christine Hansen, with a term to expire November 30, 2010.

**Appointment to Harbourtown Centre Committee**

**3. Moved by C. Van Wallegghem, Seconded by C. Drinkwalter & Carried:-**

THAT Council approves the appointment of Keric Funk, representing Harbourtown Centre Committee to the Kenora Heritage Committee with a term to expire November 30, 2010.

**Appointment of City Auditor**

**4. Moved by A. Poirier, Seconded by D. McCann & Carried:-**

THAT the Audit Committee accept the recommendation by the Audit RFP Selection Committee, and

THAT the Audit Committee recommends to Council the appointment of BDO Dunwoody, LLP as the City's auditor for 2008 through 2012 for the City and its related entities, with the exception of Kenora Hydro; and further

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

*Councillor Poirier then read a Press Release concerning the appointment of an Auditor for the City for the next five year period.*

**Re-appointment of Audit Committee Member**

**5. Moved by A. Poirier, Seconded by D. McCann & Carried:-**

THAT Council re-appoints Kathleen O'Flaherty to the Audit Committee with a term to expire on 31 December 2009.

**Approval of Accounts**

**6. Moved by R. McMillan, Seconded by C. Van Wallegghem & Carried:-**

THAT the Reports dated **December 3 and 6, 2007** 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 **\$2,197,640.25** be hereby authorized for approval.

*Councillor McMillan requested the Rules of Order be Suspended in order to introduce the following item:*

**2006 Annual Report & Audited Financial Statements**

**6a Moved by R. McMillan, Seconded by W. Cuthbert & Carried:-**



THAT Council of the City of Kenora hereby receives and approves the 2006 City of Kenora Annual Report, including the 2006 Audited Financial Statements.

*Councillor McMillan then read a Press Release concerning the 2006 Annual Report and Audited Financial Statements.*

**Adoption of Notice By-law**

**7. Moved by C. Van Wallegghem, Seconded by W. Cuthbert & Carried:-**

THAT Council give three readings to a by-law to provide for the giving of public notice; and further

THAT By-law #14-2003 be and is hereby repealed.

**Accountability & Transparency Policy**

**8. Moved by R. McMillan, Seconded by C. Van Wallegghem & Carried:-**

THAT as a requirement of the Municipal Act, 2001, as amended, Council of the City of Kenora hereby adopts the Accountability & Transparency Policy #CC-12-1 for the Corporation of the City of Kenora; and further

THAT this policy be included and forms part of the Municipal Policy Manual.

**Delegation of Powers and Duties Policy**

**9. Moved by D. McCann, Seconded by R. McMillan & Carried:-**

THAT as a requirement of the Municipal Act, 2001, as amended, Council of the City of Kenora hereby adopts the Delegation by Council of Powers and Duties Policy #CC-13-1 for the Corporation of the City of Kenora; and further

THAT this policy be included and forms part of the Municipal Policy Manual.

**AMO OMERS Support Fund**

**10. Moved by W. Cuthbert, Seconded by C. Drinkwalter & Carried:-**

THAT Council of the City of Kenora hereby authorizes a contribution to the 2008 AMO OMERS Support Fund in the amount of \$1,372.80 to provide resources required to allow AMO to operate as a formal representative to protect the interests of municipalities as employers under the new OMERS Act.

**Load Advances – Kenora Health Care Centre**

**11. Moved by R. McMillan, Seconded by C. Van Wallegghem & Carried:-**

THAT Council of the City of Kenora hereby authorizes the following loan advances to the Kenora Health Care Centre Corporation in accordance with the terms and conditions of Bylaw Numbers, 14-2006, 127-2006, and 47-2007:

1. \$25,000 effective October 18, 2007
2. \$22,000 effective October 25, 2007

**Adoption of New Tariff of Fees & Charges By-law**

**12. Moved by A. Poirier, Seconded by C. Drinkwalter & Carried:-**

THAT Council give three readings to a by-law to authorize the adoption of a new Comprehensive Tariff of Fees & Charges By-law; and further



THAT the new fees and charges take effect and come into force on January 1, 2008.

**Adoption of Comprehensive Policy Manual**

**13. Moved by W. Cuthbert, Seconded by C. Van Wallegghem & Carried:-**

THAT Council give three readings to a by-law to adopt the Comprehensive Policy Manual for the Corporation of the City of Kenora.

**Attendance at KDSB Ontario Works Workshop**

**14. Moved by C. Van Wallegghem, Seconded by A. Poirier & Carried:-**

THAT authorization be hereby given for Councillor Rory McMillan to attend the December 13, 2007 Workshop for the KDSB Ontario Works Service Delivery Model Review; and further

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

**Provision of Marriage Solemnization Services**

**15. Moved by R. McMillan, Seconded by W. Cuthbert & Carried:-**

THAT Council hereby supports the option of providing Civil Marriage Solemnization Services through the delegating of authority by the City Clerk for this purpose in accordance with the Municipal Act; and

THAT Council hereby authorizes contracting with two Service Providers to act as Marriage Commissioners for the provision of Civil Marriage Solemnization Services for the City; and

THAT the Clerk make arrangements to obtain the required training for the Marriage Commissioners for the purpose of having such responsibility delegated to them for conducting this service; and

THAT Civil Marriage Solemnization Services be included in the 2008 municipal budget to cover costs and reflect revenue generation; and

THAT once the interested parties agree to the terms and conditions, Council give three readings to a by-law to enter into a contract with two Marriage Commissioners for the provision of Civil Marriage Solemnization Services on behalf of the City with a commencement date to be confirmed; and further

THAT the following fees be included in the new Tariff of Fees & Charges By-law to provide for i) a \$300 per ceremony fee Monday to Friday and a \$350 per ceremony on weekends; ii) a \$75 flat rate daily fee per ceremony conducted by the City's Marriage Commissioners for use of the Council Chambers, Monday to Friday only, and iii) an increase in the administration fee for marriage licenses from \$25 to \$50.

**Approval of 2008 Meeting Schedule**

**16. Moved by R. McMillan, Seconded by D. McCann & Carried:-**

THAT Council hereby adopts the 2008 Standing Committee & Council Meeting Schedule as attached to the Clerk's November 28, 2007 Report; and

THAT Notice is hereby given that for the first six (6) months of 2008 only one set of Standing Committee Meetings and one Council Meeting be held on a trial basis; and further



THAT this trial period be reflected in the Procedural By-law.

**Kenora Job Fair Stuffer**

**17. Moved by D. McCann, Seconded by R. McMillan & Carried:-**

THAT Council hereby approves inclusion of the Kenora Job Fair Stuffer in the March/April 2008 Hydro/sewer/water bills; and further

THAT authorization be hereby given for the \$.05 stuffer fee to be waived in accordance with Council Policy.

**Kenora Police Service Safety Insert**

**18. Moved by C. Drinkwalter, Seconded by D. McCann & Carried:-**

THAT Council hereby approves inclusion of the Kenora Police Service Safety insert in the December, 2007 Kenora Hydro/sewer/water bills; and further

THAT authorization be hereby given for the \$.05 stuffer fee to be waived in accordance with Council policy.

**RFP for Main & Matheson Street Docks**

**19. Moved by C. Van Wallegghem, Seconded by W. Cuthbert & Carried:-**

THAT Council of the City of Kenora hereby request proposals for the use of the Main Street dock (perpendicular portion) and Matheson Street dock for a two year period (2008-09) with a further three year option (2010-2012) as may be determined by the City.

**Funding Application – Mt. Evergreen Ski Club**

**20. Moved by W. Cuthbert, Seconded by A. Poirier & Carried:-**

THAT the Council of the City of Kenora hereby supports the funding application to Hydro One Power Program from the Mount Evergreen Ski Club for a grant in the amount of \$25,000; and

THAT it is understood the City of Kenora is the lead applicant as this grant is available to Municipalities; and further

THAT no financial contribution is required by the City of Kenora for this grant approval.

**Adoption of New Smoking in or Near Municipal Buildings By-law**

**21. Moved by C. Van Wallegghem, Seconded by A. Poirier & Carried:-**

THAT Council supports the identified changes to By-law #39-2001 prohibiting smoking within 30 ft. (9m) from the outside entrance or exit of any facility owned by the City of Kenora; and

THAT arrangements be made for the posting of the applicable signage with respect to this change; and further

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

**Status of former Keewatin Town Hall Building**

**22. Moved by C. Van Wallegghem, Seconded by W. Cuthbert & Carried:-**

WHEREAS Council adopted Resolution #9 on May 28, 2007 with respect to making a decision on declaring the former Keewatin Town Hall as surplus before December 31 of this year; and



WHEREAS the Community Services Committee has recommended this matter be deferred until such time as the City's 2008 Operational Budgets are approved;

NOW THEREFORE be it resolved that Council accepts the Committee's recommendation to defer this matter until the 2008 budgets are approved and a final decision received from the Kenora Library Board regarding the continuation of a Branch Office in Keewatin.

**Report on "Future Use of Public Wharves in the Downtown Core"**

**23. Moved by C. Van Wallegghem, Seconded by A. Poirier & Carried:-**

THAT as recommended by the Kenora Port Authority, Council hereby receives the report on the "Future Use of Public Wharves in the Downtown Core" dated November 7, 2007; and further

THAT the report be posted on the City Portal for the information of the public.

**Endorsation of Resolution – Training – Ontario Fire Marshal**

**24. Moved by C. Drinkwalter, Seconded by R. McMillan & Carried:-**

THAT Council of the City of Kenora hereby endorses the resolution received from the Township of Elizabethtown-Kitley; and

THAT the City petition the Ministry of Community Safety and Correctional Services through the Ontario Fire Marshal (OFM) to cover the costs associated with training and workshops should the OFM initiate new fire safety legislation; and further

THAT a copy of the City's resolution of support be forwarded to the Minister of Community Safety and Correctional Services, the Premier of Ontario and Howard Hampton, MPP.

**Costs associated with Mandatory Training – Ontario Fire Marshal**

**25. Moved by C. Drinkwalter, Seconded by R. McMillan & Carried:-**

THAT the Council of the City of Kenora hereby requests the Ministry of Community Safety and Correctional Services through the Ontario Fire Marshal, to fund and allocate the required and necessary resources for mandatory firefighter training in Northern Ontario; and

THAT Council for the City of Kenora petition the Ministry of Community Safety and Correctional Services to fully fund the Northwestern Campus of the Ontario Fire College so as not to compromise the Ontario Standardized Firefighter training curriculum and programs that are presently being offered and those that will be offered; and further

THAT a copy of this resolution be circulated to all municipalities with the Kenora District Municipal Association for their support.

**Increases to Tariff of Fees – Operations Department**

**26. Moved by D. McCann, Seconded by C. Drinkwalter & Carried:-**

THAT the following rate increases to the new Tariff of Fees & Charges By-law for Operations Schedule D, be hereby approved: -

|                       |          | <u>Current</u> | <u>Proposed</u> |
|-----------------------|----------|----------------|-----------------|
| <b>Brush Chipping</b> | 15 mins. | \$ 22.50       | \$ 27.50        |
|                       | 30 mins. | 44.60          | 55.00           |
|                       | 45 mins. | 66.90          | 82.50           |
|                       | 1 hour   | 89.20          | 110.00          |



|                                 |                                       |                                       |
|---------------------------------|---------------------------------------|---------------------------------------|
| <b>Culvert Installation</b>     | \$40.00/linear metre                  | \$70.00/linear metre                  |
| <b>Steaming/Culvert Thawing</b> | \$ 76.63/hr.,<br>\$306.54/min. 3 hrs. | \$100.00/hr.,<br>\$300.00/min. 3 hrs. |

|                            | <u><b>Current</b></u>          | <u><b>Proposed</b></u>                                     |
|----------------------------|--------------------------------|------------------------------------------------------------|
| <b>Tires</b>               | 17" to 20".....\$6.00 per tire | 16.5" to 20".....\$6.00 per tire                           |
| <b>40 Yard Bin Rental,</b> | \$225.00/bin                   | <b>40 Yard Bin Rental/week,</b><br>\$225.00, plus material |

|                    |                                       |               |
|--------------------|---------------------------------------|---------------|
| <b><u>NEW:</u></b> | Entrance Permits: Private Residential | \$75.00       |
|                    | Commercial Property                   | \$150.00      |
|                    | Industrial Property                   | \$240.00; and |

THAT the proposed fees and charges be exclusive of any applicable government taxes and such applicable tax will be added to these fees where required; and further

THAT these changes be incorporated into the new Tariff of Fees and Charges By-law, to be effective January 1, 2008.

**Adoption of By-law – Motorized Snow Vehicles**

**27. Moved by W. Cuthbert, Seconded by R. McMillan & Carried:-**

THAT Council of the City of Kenora give three readings to a by-law regulating, governing and controlling motorized snow vehicles in the City of Kenora.

**Easement for Utility Purposes – Hydro One**

**28. Moved by W. Cuthbert, Seconded by C. Van Wallegghem & Carried:-**

THAT the City of Kenora permit an easement for utility purposes in favour of Hydro One over Block 47 on Plan M.796, conditional upon letters of no objection being provided to the Operations Manager by the Department of Fisheries and Oceans and the Ministry of Natural Resources; and

THAT the City of Kenora is not responsible for any costs associated with the easement/installation of services; and

THAT any damage to Sunset Trail will be mitigated to the City’s satisfaction by Hydro One; and

THAT the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete this transaction; and further

THAT Council give three readings to a by-law for this purpose which shall take effect and come into force upon final passing thereof.

**Tender – Temporary Removal of Harbourfront Pedestrian Bridge**

**29. Moved by W. Cuthbert, Seconded by D. McCann & Carried:-**

THAT the following bids, for the temporary removal of the Harbourfront Pedestrian Bridge, be received as follows;

|                                   |                          |
|-----------------------------------|--------------------------|
| Sierra Construction               | \$7,897.00               |
| Jarnel Contracting Ltd            | \$14,500.00              |
| Moncrief Construction Ltd         | \$17,000.00              |
| Riverview Industries (Kenora) Inc | \$27,136.00; and further |



THAT the tender submitted by Sierra Construction in the amount of \$7,897.00 (taxes included) be accepted.

**By-laws – First & Second Reading**

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

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

#142-2007 – to confirm proceedings of Council at its Standing and Various Committee Meetings

#143-2007 – to establish Terms of Reference for the City of Kenora Heritage Committee

#144-2007 – to provide for the Giving of Public Notice

#145-2007 – to regulate smoking in or near all Buildings owned by the City of Kenora

#146-2007 – to appoint an Auditor for the Corporation of the City of Kenora

#147-2007 – to establish a General Tariff of Fees & Charges for the City of Kenora

#148-2007 – to adopt the Comprehensive Policy Manual for the City of Kenora

#149-2007 – to regulate, govern and control motorized snow vehicles in the City of Kenora.

**By-laws – Third & Final Reading**

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

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

#142-2007 – to confirm proceedings of Council at its Standing and Various Committee Meetings

#143-2007 – to establish Terms of Reference for the City of Kenora Heritage Committee

#144-2007 – to provide for the Giving of Public Notice

#145-2007 – to regulate smoking in or near all Buildings owned by the City of Kenora

#146-2007 – to appoint an Auditor for the Corporation of the City of Kenora

#147-2007 – to establish a General Tariff of Fees & Charges for the City of Kenora

#148-2007 – to adopt the Comprehensive Policy Manual for the City of Kenora

#149-2007 – to regulate, govern and control motorized snow vehicles in the City of Kenora.





**Adjourn to Closed Meeting**

**32. Moved by C. Drinkwater, Seconded by D. McCann & Carried:-**

THAT this meeting be now declared closed at 5:50 p.m.; and further

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

- **Disposition of Land Matter.**

As there was no report resulting from Closed Session, the meeting adjourned at 6:30 p.m.

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

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

**.....2008**

.....  
**MAYOR**

.....  
**CITY CLERK**