



Minutes

*Of a Meeting of the Council of the City of Kenora
Monday, January 15, 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 Wallegghem, Bill Preisentanz, CAO, Joanne L. McMillin, City Clerk.

## Call to Order

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

## Confirmation of Minutes

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

THAT the Minutes of the regular meeting of the Council of the City of Kenora held Monday, December 18, 2006, be confirmed as written and ordered filed.

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

**Mayor Compton then read the following notice:-**

As required under Notice By-law No. 14-2003, Council hereby advises the public of its intention to adopt the following by-law at tonight's meeting:-

- ***To authorize the sale of property described as Part of the Road Allowance in front of Mining Location K9, now Block H, plan M14, City of Kenora, in the District of Kenora, designated as Part 1, on Plan 23R – 11334.***

## Declarations of Pecuniary Interest

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.

## DEPUTATIONS:

### Roger Valley, M.P.

Roger Valley, M.P. thanked Council for the opportunity to address them this evening and congratulated Mayor and Council on being elected to City Council as well as acknowledging all candidates that ran in the 2006 Municipal Election. He expressed how much he enjoyed his tenure on the Dryden Council, and particularly in the capacity of Mayor.

Mr. Valley referred to Federal infrastructure programs for municipalities, noting that he will be speaking on this and other areas of mutual interest at the Annual KDMA Convention in Kenora next month. He referred to removal of various services from northern Ontario and changes in rules and regulations including medical transfers and that we collectively must have a strong voice which could start at the KDMA level to speak to issues affecting our area, and the need for more involvement by our Federal Government to tie us together. He indicated the Federal Government can be involved in many ways, and he referred to some of the tools for those communities that have suffered industry closures, such as Kenora.



Mayor Compton thanked Mr. Valley for this presentation.

**Dan Olscamp**

Mr. Olscamp presented the Clerk with a copy of his presentation for the public record, with respect to the concept of a long term sustainability study for Black Sturgeon Lake. He explained he resides on Peterson Road and is concerned about the new and any future rural residential development that may affect the Lake. He requested Council to have the foresight to be proactive with our habitat and lifestyle in Kenora rather than reactive to overpopulation and polluted waterways when it is too late.

**Lydia Harlos**

Ms Harlos circulated a list of items that she expects Council to address over the next four years in office. Mayor Compton thanked Ms Harlos and advised that Administration, in conjunction with Council, will review her concerns and respond in due course.

**Dan Essery**

Mr. Essery, representing the Kenora Health Providers, attended to advise Council of their latest project, "Kenora's Amazing Race for Health." He indicated their mission is to assist in making Kenora a healthier community.

Kenora's Amazing Race for Health is an opportunity for Kenora residents to get healthier through better eating and exercising habits. The application fee to participate is \$5.00 and participants receive a mock passport to use for setting personal health goals for healthy eating and personal activity. There will be five checkpoints for having the passports stamped once the goals have been reached. He advised there will be support offered along the way for better eating and stress management; walking and running clinics will also be offered as well as an activity fair. Corporate challenges will form part of the Race which begins on February 4 and ends on June 23, 2007. Mass registration will be February 4, but citizens may also register at the various checkpoints.

In closing, Mr. Essery advised there will be a website launched in the next couple of days and the address is: [www.kenorasamazingrace.ca](http://www.kenorasamazingrace.ca) Information will be logged on the site as a means of encouragement to participants. Mr. Essery requested Council to declare the first week in February as "Kenora's Amazing Race for Health Week" to kick off the program, and that Council take up the Corporate Challenge.

**Don Cameron**

Mr. Cameron attended to give an update to Council on the events taking place this week in conjunction with the Thistles Celebration promotion throughout the community. He advised that some elementary schools have become enthusiastically involved with an education program on the Thistles; the Museum will be hosting a display; there have been two books written; watch for Don Cherry Saturday night who apparently will be sporting Kenora's Thistles hat on CBC; and the Stanley Cup is due to arrive on January 29. He further indicated Kenora is getting national media interest both through various newspaper publications and radio coverage. He advised the Sportsmen's dinner this weekend is almost sold out and encouraged the community to purchase tickets to the big game at the end of the week as sales have been going rather slowly although he is confident Kenora will support this event as we have lots to be proud of.



**Appointments to Economic Development Committee**

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

THAT the following members be appointed to the Economic Development Committee with a term to expire November 30, 2010:-

**Council Representatives:**

Councillor Wendy Cuthbert  
Councillor Rory McMillan  
Councillor Andrew Poirier

**Business Community Representatives:**

Dennis Wallace  
Randy Nickle  
Selen Alpay  
Geordie McEwen  
Keric Funk

**Appointees:**

Thelma Wilkins-Page - Chamber of Commerce Representative  
Councillor Chan Motlong – Sioux Narrows-Nestor Falls Representative  
Adolphus Cameron - Grand Treaty #3 Representative  
Ryan Reynard - LOWBIC Representative  
Glen Morrison - Kenora Labour Council Representative

**Non-voting, City Staff Resource:**

Jennifer Rasmussen, Economic Development Officer  
Jeff Port, City Planner  
Bill Preisentanz, CAO; and further

THAT Resolution Number 11 dated December 4, 2006 be and is hereby rescinded.

**Appointments to Urban Aboriginal Affairs Committee**

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

THAT in addition to the Council appointments made on December 4, 2006, the following be hereby appointed to the Urban Aboriginal Affairs Committee with a term to expire November 30, 2010:-

Geraldine Kakeway, Aboriginal Community Liaison Officer Confederation College;  
Terry Sakohianisaks Douglas, Legal & Consulting Services;  
Martin Camire, Health Services Co-ordinator Kenora Metis Council;  
Jeff Wiebe, Kenora Police Services;  
Donald Copenace, Executive Director Ne-Chee Friendship Centre;  
Dan Essery, Kenora Community Health Providers;  
Colin Wasacase, Member-at-large  
Aboriginal Youth Rep. (Vacant).

**Appointments to Kenora Health Care Centre Board**

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

THAT Council of the City of Kenora hereby appoints the following members as Council representatives to the Kenora Health Care Centre Board of Directors for a term to expire November 30, 2010:

- Mayor Len Compton
- Councillor Rory McMillan
  - Ted Szajewski



**Approval of Accounts**

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

THAT the Reports dated **November 1, December 6, 20, 29, 2006, and January 3, 8, and 9 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 **\$6,865,568.77** be hereby authorized for approval.

**Loan Advance – Kenora Health Care Centre Corporation**

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

Whereas Council of the City of Kenora previously ratified By-law Number 14-2006 and By-law Number 127-2006, being by-laws to authorize a repayable loan up to \$2,450,00.00 to establish a community medical clinic through the Kenora Health Care Centre Corporation; and

Whereas the Kenora Health Care Centre Corporation now requires funds from the approved City loan for capital purposes;

Now Therefore Be It Resolved that Council hereby authorizes a loan advance to the Kenora Health Care Centre Corporation in accordance with the terms and conditions of By-law Numbers, 14-2006 and 127-2006 in the amount of \$125,000.00.

**Fire Protection Seminar – Fort Frances**

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

THAT Councillor Charito Drinkwalter be hereby authorized to attend the “Essentials of Municipal Fire Protection” Seminar taking place January 31, 2007 in Fort Frances; and further

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

**Attendance at K.D.M.A. Convention - Kenora**

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

THAT authorization be hereby given for the Council of the City of Kenora to attend the 66<sup>th</sup> Annual K.D.M.A. Convention taking place in Kenora, February 1, 2 & 3, 2007; and further

THAT all eligible expenses in accordance with Council’s Travel & Per Diem Policy be here by approved.

**Contribution to hosting K.D.M.A. Convention**

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

THAT Council of the City of Kenora hereby approves a contribution of \$3,000 towards the hosting of the 66<sup>th</sup> Annual Kenora District Municipal Association Convention taking place in Kenora, February 1 – 3, 2007 at the Lakeside Inn & Convention Centre; and further

THAT a variety of promotional items, as determined by the Clerk, be donated as draw prizes in conjunction with the Convention.

**Attendance at AMO Session – Municipal Act Training**

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



THAT authorization be hereby given for all Members of Council to attend the Municipal Act training sponsored by the Association of Municipalities of Ontario on February 20, 2007 in Dryden; and further

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

**Approval of various 2007 Memberships**

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

THAT Council of the City of Kenora hereby approves the following payments for 2007 municipal membership fees:

|                                                |               |
|------------------------------------------------|---------------|
| Ontario Good Roads (OGRA)                      | - \$ 834.53   |
| Federation of Canadian Municipalities (FCM)    | - \$ 1,937.21 |
| Association of Municipalities of Ontario (AMO) | - \$ 3,711.03 |
| Kenora & District Chamber of Commerce          | - \$ 159.00   |

**Conversion of K.M.T.S. Billing System**

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

THAT Council of the City of Kenora support the recommendation of the Kenora Municipal Telephone System Commission to commit to converting the existing KMTS billing system to the HickoryTech billing system on a service bureau basis.

**Cancellation of certain February Meetings**

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

THAT Council hereby cancels the Standing Committee Meetings scheduled for Tuesday, February 20 and Wednesday, February 21, 2007, as well as the Council meeting scheduled for Monday, February 26.

**Sponsorship – L.O.W. Expo 2007**

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

THAT Council of the City of Kenora hereby appropriates \$5,000.00 to the 2007 budget as a Gold Corporate Sponsor for the Lake of the Woods Forestry Expo 2007.

**Position on acquisition of Abitibi Power Dams**

**15. Moved by D. McCann, Seconded by C. Van Walleggem & Carried:-**

Whereas the Council of the City of Kenora, via a Public Information Release on September 25, 2006, had advised the public on the information gathered to-date on the Abitibi power dams and recognized the important role these dams had played in the economy of Kenora for almost a century; and

Whereas the City has expended resources these past few months, both internally and externally, to review information as to whether the City has any legal rights to one or both power dams; and

Whereas this Council has now been provided this information relating to acquisition of the dams through inherent rights and powers of expropriation;

Now Therefore Be It Resolved that Council of the City of Kenora hereby suspends further expenditure of City resources relating to City ownership of the power dams at this time.



**Position on Business License Appeal**

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

THAT further to a business license appeal hearing; Council hereby supports the recommendation of the Chief of Police of the Kenora Police Service to deny the Business License application for Raylee's Diner.

**Lease Agreement – Kenora Nordic Trails**

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

THAT Council of the City of Kenora hereby authorizes a lease agreement extension between the City of Kenora and the Kenora Nordic Trails Association (KNTA) for a five (5) year period for the use of municipal property for a trail network commencing at Mount Evergreen Ski Club and proceeding over 20 km, commencing February 1, 2007; and further

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

**Negotiations with K.A.R. for Special Events Programming**

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

THAT Council of the City of Kenora hereby authorizes Administration to proceed with negotiations with the Kenora Assembly of Resources for the provision of special events/social programming for the period January 1, 2007 to December 31, 2008.

**Ranking Lists – Non-owned Equipment & Trucks**

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

THAT Council hereby accepts and adopts the ranking lists for purposes of hiring non-owned equipment and trucks for the City of Kenora during the period January 1 to December 31, 2007.

**Snowplowing – Hidden Trail Road**

**20. Moved by D. McCann, Seconded by R. McMillan,**

THAT the City of Kenora decline from performing snowplowing operations to the end of Hidden Trail Road.

*Councillor Cuthbert requested the following amendment to Motion #20:*

**Amendment to Motion #20**

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

THAT Motion #20, be hereby amended by adding the following after Road: "effective April 30, 2007; and further

THAT the affected property owners be notified in writing of this decision."

**Motion #20 – As Amended**

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

THAT the City of Kenora decline from performing snowplowing operations to the end of Hidden Trail Road, **effective April 30, 2007**; and further

**THAT the affected property owners be notified in writing of this decision.**



**Snowmobile Corridor**

**21. Moved by R. McMillan, Seconded by W. Cuthbert,**

Whereas the Council of the City of Kenora fully supports the sport of snowmobiling, recognizing that it must be conducted in a manner that is respectful of the rights of property owners and all residents of the community; and

Whereas the City of Kenora has endeavoured to work with the Sunset Trail Riders, and all affected stakeholders with an interest in snowmobiling, to make snowmobile trails within the City safer for both riders and pedestrians; and

Whereas the City of Kenora continues to work with the Sunset Trail Riders on ways to reduce the impacts of noise and emissions on affected property owners and residents of the community;

Therefore Be It Resolved that the City of Kenora will continue to work with the Sunset Trail Riders on improving the quality of snowmobiling in the community by (i) implementing an alternative to the Nineteenth Ave North section of the trail, (ii) monitoring the effectiveness, in terms of health and safety, to the modifications made to the Highway 17 east section of the trail and (iii) seeking additional alternatives for the relocation of the section of the trail under the Keewatin Channel Bridge.

***Councillor McMillan requested the following amendment to Motion #21***

**Amendment to Motion #21**

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

THAT Motion #21 be hereby amended by adding the words "and the citizens of Kenora" after "Sunset Trail Riders" in the second line of the last paragraph.

**Motion #21 – As Amended**

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

Whereas the Council of the City of Kenora fully supports the sport of snowmobiling, recognizing that it must be conducted in a manner that is respectful of the rights of property owners and all residents of the community; and

Whereas the City of Kenora has endeavoured to work with the Sunset Trail Riders, and all affected stakeholders with an interest in snowmobiling, to make snowmobile trails within the City safer for both riders and pedestrians; and

Whereas the City of Kenora continues to work with the Sunset Trail Riders on ways to reduce the impacts of noise and emissions on affected property owners and residents of the community;

Therefore Be It Resolved that the City of Kenora will continue to work with the Sunset Trail Riders **and the citizens of Kenora** on improving the quality of snowmobiling in the community by (i) implementing an alternative to the Nineteenth Ave North section of the trail, (ii) monitoring the effectiveness, in terms of health and safety, to the modifications made to the Highway 17 east section of the trail and (iii) seeking additional alternatives for the relocation of the section of the trail under the Keewatin Channel Bridge.



**Zoning Application Approval (Z03/06)**

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

THAT Application Z03/06 for the rezoning of property described as Part of Lots II, Concessions 3 and 4, and Part 1 of KR Plan 453 from RU and RR to RR – Rural Residential be approved; and further

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

**Zoning Application Approval (Z10/06)**

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

THAT Application Z10/06 for the rezoning of the Museum Annex property from I- Institutional to GC – General Commercial be approved; and further

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

**Amendment to Official Plan – Land Use Policy**

**24. Moved by W. Cuthbert, Seconded by C. Van Walleghem & Carried:-**

THAT the following section be added to the City of Kenora Official Plan Commercial Development Area Land Use Policy:

*“Effective the date of the amendment of the Official Plan, residential land uses will be permitted on a limited basis in existing buildings and structures suitable for residential use. New residential development in the Commercial Development Area shall not be permitted”; and*

THAT Comprehensive Zoning By-law Number 160-2004 be hereby amended specifically at 1987 Highway 17 West, Mining Location 280P, Part 1 of Reference Plan 23R-9024, Parcel 40281 by adding a single family residence as a use for the subject property; and further

THAT three readings be given to the applicable by-laws for this purpose.

**Lake Capacity Study – Black Sturgeon Lake**

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

THAT Council hereby approves a \$50,000 allocation to be included in the 2007 Capital Budget in order to undertake a “Lake Capacity Study” for Black Sturgeon Lake; and further

THAT the costs be recovered through the development process.

**Sale of Land - Wetendorf**

**26. Moved by W. Cuthbert, Seconded by C. Van Walleghem & Carried:-**

THAT Council hereby authorizes the sale of land to Jeff and Candace Wetendorf, at the appraised value of \$1,000.00, plus all associated costs; and further

THAT three readings be given to a by-law to authorize the Mayor and Clerk to enter into the purchase and sale agreement for this purpose.

**Opportunity Assessment – Performing Arts/Conference Ctre**

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





THAT the following proposals for Consulting Services for the Performing Arts/Conference Centre Opportunity Assessment be received:

- Navigator Limited - \$34,609 (plus GST)
- Hilderman Thomas Frank and Cram - \$11,800 (plus GST)
- Grant Thornton - \$35,000 (plus GST)

AND FURTHER THAT the proposal of Grant Thornton Management Consultants be hereby accepted to undertake the Opportunity Assessment for Performing Arts/Conference Centre and Associated Hotel/Residential and Commercial Development at a cost not to exceed \$35,000 (plus GST).

*Councillor Van Wallegghem requested the Rules of Order be Suspended in order to introduce the following:-*

**First & Second Reading of By-law – Houseboat Adventures Lease**

**27A Moved by C. Van Wallegghem, Seconded by R. McMillan & Carried:-**

THAT further to Council agreeing to extend the lease agreement with Houseboat Adventures for the 2007 Season at a meeting held September 25, 2006, the following **By-law** be read a **FIRST & SECOND** Time: ~

**#2-2007** – to authorize a lease agreement between the City of Kenora and Jeff Gordon c.o.b. as Houseboat Adventures for use of the Main Street Dock for the 2007 Operating Season.

**Third & Final Reading of By-law – Houseboat Adventures Lease**

**27B Moved by C. Van Wallegghem, Seconded by R. McMillan & Carried:-**

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

**#2-2007** – to authorize a lease agreement between the City of Kenora and Jeff Gordon c.o.b. as Houseboat Adventures for use of the Main Street Dock for the 2007 Operating Season.

**By-laws – First & Second Reading**

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

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

**#1-2007** – to confirm the proceedings of Standing Committee Meetings held January 9 and 10, 2007

**#3-2007** – to execute a lease agreement between the City of Kenora and the Kenora Nordic Trails Association

**#4-2007** – to amend Comprehensive Zoning By-law #160-2004, as amended (Museum Annex)

**#5-2007** – to amend Comprehensive Zoning By-law #160-2004, as amended (Moncrief)

**#6-2007** - to amend the Official Plan for the City of Kenora

**#7-2007** – to amend Comprehensive Zoning By-law #160-2004, as amended (OTIS Holdings)



#8-2007 – to assume, stop up, close and sell that part of the road allowance in front of Mining Location K9, now Block H, Plan M14, City of Kenora, in the District of Kenora, designated as Part 1, Plan 23R-11334

#9-2007 – to authorize the execution of a Consulting Services Contract between the City of Kenora and Grant Thornton Management Consultants

**By-laws – Third & Final Reading**

**29. Moved by , Seconded by & Carried:-**

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

#1-2007 – to confirm the proceedings of Standing Committee Meetings held January 9 and 10, 2007

#3-2007 – to execute a lease agreement between the City of Kenora and the Kenora Nordic Trails Association

#4-2007 – to amend Comprehensive Zoning By-law #160-2004, as amended (Museum Annex)

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#9-2007 – to authorize the execution of a Consulting Services Contract between the City of Kenora and Grant Thornton Management Consultants

**Adjournment**

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

THAT this meeting be now declared closed at 5:54 p.m.

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

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

**.....2007**

.....  
**MAYOR**

.....  
**CITY CLERK**