



# Minutes

*Of a Meeting of the Council of the City of Kenora  
Monday, May 28, 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 Drinkwater read the Prayer.

### Confirmation of Minutes

1. Moved by C. Drinkwater, Seconded by R. McMillan & Carried:-

THAT the Minutes of the regular meeting of the Council of the City of Kenora held **Monday, May 14, 2007**, be confirmed as written and ordered filed.

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

N/A

### 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 were none declared.

### Presentation to Mike Richards

Councillor Van Wallegghem was called upon to make a presentation to Mike Richards and to present him with a Honourary Citizen Certificate for the City of Kenora. The Recreation Coordinator then presented Mike with a Honourary Recreational Pass and he agreed that the City be allowed to hang one of his Jersey's in the Thistle Rink.

### DEPUTATIONS:

#### Dave Scrimger

Mr. Scrimger spoke to the issue of the Coney Island South Board Walk that has been discussed for the last two years, noting the board walk is in terrible need of repair. He referred to those discussions and that the Coney Island Ratepayers Association was disappointed with the outcome at that time. He indicated he is here this evening to ask Council to delay the vote on the issue of the board walk so those affected can continue to meet with representatives of the City. As a ratepayer on Coney Island, and given the board walk has been there for some 80 years, he indicated they would like to find a solution concerning the board walk, hopefully before the end of summer.

#### David Canfield

Mr. Canfield addressed Members of Council on the matter of the NOMA levy that has been discussed over the last couple of weeks, and he felt compelled to attend to give Council, particularly the new Members, a brief background regarding the importance of NOMA. Mr. Canfield spoke to the discussions on the matter of the 'common voice initiative' and the issue surrounding the



involvement of First Nations. He cautioned Council on the ramifications in the event they do not pay the levy and possibly being excluded from both the KDMA and NOMA organizations.

**Appointments to LOW Development Commission**

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

THAT as recommended by the Economic Development Committee, the following individuals be appointed as the Board of Directors for the Lake of the Woods Development Commission for a term ending November 30, 2010:-

Selen Alpay  
Keric Funk  
Dennis Wallace  
Geordie McEwen  
Randy Nickle  
Bill Thompson  
Councillor Rory McMillan  
Councillor Wendy Cuthbert  
Mayor Len Compton; and further

THAT the following individuals be appointed for a term ending November 30, 2007:-

Adolphus Cameron  
Glen Morrison  
Thelma Wilkins-Page

**Approval of Accounts**

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

THAT the Reports dated **May 15 and 24, 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 **\$3,627,867.49** be hereby authorized for approval.

**OSTAR (Round 1) – Execution of Addendum**

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

THAT Council give three readings to a by-law designating the signing officers and authorizing the execution of the Addendum to the Funding Agreement under Round 1 of the OSTAR Infrastructure Program.

**Clawback Rates for Certain Property Classes**

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

THAT Council give three readings to By-law #62-2007 being a by-law to establish the clawback rates for certain property classes within the Corporation of the City of Kenora for 2007.

**N.O.M.A. – Special Projects Levy**

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

Whereas it is self-evident that the effective and full participation of First Nation Treaty Organizations (Governments) is an essential condition to the development and ultimate success of any regional economic development plan for Northwestern Ontario;

Therefore Be It Resolved that the City of Kenora withhold payment of any additional levy related to N.O.M.A.'s "Common Voice" economic development initiative until there is evidence from the First Nation Treaty Organizations of their full participation as partners in this process; and



Be It Resolved that the City of Kenora is prepared to lend its good offices toward fostering the creation of an effective partnership between the First Nation Treaty Organizations and the NOMA Common Voice initiative; and further

Be It Resolved that a copy of this resolution be forwarded to the Kenora District Municipal Association, Grand Council Treaty #3, Nishnabwe-Aski Nation, Robinson Superior Treaty Organization, the Federal Minister of Health Responsible for FEDNOR, Provincial Minister of Natural Resources Responsible for Aboriginal Affairs.

**Support to Kenora-Keewatin Medical Society**

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

Whereas the Kenora-Keewatin Medical Society has been advised that its CME (Continuing Medical Education) Funding has been cut-off by the Ministry of Health and the Ontario Medical Association; and

Whereas in the past this funding has allowed the Society to obtain special training for its GP's to do certain medical procedures; and

Whereas without the funding the Society's Obstetrical service will, over time, be put at risk; and

Whereas doctor recruitment to the Kenora region is very difficult given its geographical location; and

Whereas the loss of the CME funding will be a contributing factor to and will have a direct impact on Kenora's ability to successfully recruit the much needed physicians to our community;

Therefore Be It Resolved That the Council of the City of Kenora hereby lends it support to the Kenora-Keewatin Medical Society in its efforts to have its CME Funding re-instated by the Province; and further

That a copy of this resolution and Kenora's letter of support be forwarded to the Ministry of Health, the Ontario Medical Association, the Society of Rural Physicians of Ontario, and Howard Hampton, MPP for their endorsement and support regarding this critical matter.

**Agreement with Minister of Public Safety and Security**

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

THAT Council give three readings to a by-law to authorize the execution of an agreement between the Minister of Public Safety and Security, the City of Kenora and the Kenora Police Services Board for the Community Policing Partnerships (CPP) Program and the CPP Criminal Intelligence Initiative.

**Keewatin Public Library Building**

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

THAT Council of the City of Kenora hereby defer any decision with respect to declaring the former Keewatin Town Hall building to be surplus until such time as the Library Board advises of the viability of continuing with a library at that location, but not later than December 31, 2007.

**Petition – Keewatin Public Library**

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

THAT the Petition received at Council's May 14 meeting from summer residents, cottagers and visitors to the Kenora area protesting the proposed



closure of the Keewatin Library and Seniors' Drop-In Centre, be received and referred to the Kenora Public Library Board for their information and review.

**Acquisition of Certain Lands**

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

THAT authorization be hereby given for the City to acquire land described as Lot 79 on Plan M63 for municipal purposes to accommodate a commercial development; and further

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

**Participation of K. Brown on Municipal Reference Group**

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

THAT authorization be hereby given for Karen Brown, Manager of Finance & Administration to participate, on an ongoing basis, on the provincially-invited Municipal Reference Group to work with the Ministry of Finance on implementing the 2007 Ontario Budget announcements that relate to property taxes and associated issues; and further

THAT approval be given for the travel costs, if any, to be borne by the City of Kenora.

**Special Occasions Permit – Kenora Kinsmen Club**

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

THAT approval be hereby given for the Alcohol and Gaming Commission to issue a Special Occasions Permit to the Kenora Kinsmen Club for events taking place at the Harbourfront in conjunction with Canada Safeway's "Steak, Suds & Spuds Night", as noted below: -

*Saturday, June 2 between the hours of 5:30 p.m. and 12:00 a.m.; and*

THAT the City of Kenora hereby designates this event as a Community Festival in and for the City of Kenora; and further

THAT the Kenora Kinsmen Club be provided with a copy of the Municipal Alcohol Policy by the Special Events Coordinator for completion prior to the above event.

**Removal of Coney Island South Board Walk**

**14. Moved by C. Van Wallegghem, Seconded by D. McCann,**

THAT Council hereby approves the removal of the South Board Walk at Coney Island from private property.

***Councillor Van Wallegghem then introduced the following motion:***

**Motion to Postpone Motion #14**

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

THAT further consideration of Motion #14 on tonight's agenda with respect to the Coney Island Board Walk be postponed to the next Council meeting on June 11, 2007.

**Wharf Management Agreement - Aulneau**

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



THAT Council give three readings to a by-law to authorize the execution of a Wharf Management Agreement with Aulneau Marketing & Consulting, Inc. for the 2007 season.

**Development of Master Fire Plan**

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

THAT Council investigates the development of a Master Fire Plan with the assistance from the Office of the Fire Marshal.

**Amendment to Tank Truck Water Delivery Policy**

**17. Moved by D. McCann, Seconded by C. Van Wallegghem & Carried:-**

THAT the following amendment to Procedure #3 of the Tank Truck Water Delivery Policy No. OP-2-1, to allow rate changes to comply with Schedule "D" to By-law Number 33-2002 being a by-law to establish water and sewer rates, be hereby accepted: -

**Delete:**

"All orders must be placed before 8 a.m. on the day of requested delivery. Orders received after 8 a.m. requesting delivery for the same day shall be charged at the overtime rate of \$125.00."

**Replace:**

"All orders must be placed before 8 a.m. on the day of requested delivery. Orders received after 8 a.m. for the same day delivery or on a non working day shall be charged at the flat rate as per Schedule "D" of By-law No. 168-2004."

**Approval of Zoning By-law Amendment**

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

THAT subject to no objections being received from the adjacent property owners, the Council of the Corporation of the City of Kenora hereby approves Application #Z05/07 (Scheurmann), to rezone property described as PT LOC 274P PCL 20479 to add a retail fabric store to the RR – Rural Residential, subject to the following conditions:

- 1) Northwestern Health Unit approval
- 2) Sewer and Water Supervisor approval.

***Councillor Cuthbert then introduced the following amendment to Motion #18:***

**Motion to Amend Motion #18**

**18A Moved by W. Cuthbert, Seconded by C. Drinkwalter, & Carried:**

THAT Motion #18 on tonight's agenda with respect to the Zoning By-law amendment for Scheurmann be amended by removing the following condition: -

- 1) Northwestern Health Unit approval

**Approval of Zoning By-law Amendment, as Amended**

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

THAT subject to no objections being received from the adjacent property owners, the Council of the Corporation of the City of Kenora hereby approves Application #Z05/07 (Scheurmann), to rezone property described as PT LOC 274P PCL 20479 to add a retail fabric store to the RR – Rural Residential, subject to the following condition:



—Northwestern Health Unit approval  
1) Sewer and Water Supervisor approval.

**Service Agreement with Sioux Narrows-Nestor Falls**

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

THAT the City of Kenora enters into a service agreement for the provision of planning and engineering advisory services, for the year 2007; and further

THAT the Mayor and Clerk be authorized to enter into said agreement with the Township of Sioux Narrows-Nestor Falls.

**Refusal of Zoning By-law Amendment – Victory Baptist Church**

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

THAT the Council of the City of Kenora hereby refuses Application #Z02/07 Victory Baptist Church, to amend the Zoning By-law, specifically at property described as Concession 4 of Jaffray Part Location IT Designated as 23R8863, Part 1 THRU 8 & KR1975 PT 1; REM PCL 5054, from RR – Rural Residential to I – Institutional as the development of a place of worship would not conform with the character of the neighbourhood.

**Designation of Kenricia Hotel**

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

WHEREAS the property at 204 Second Street South, known as the Kenricia Hotel, meets the criteria prescribed by the Province for designation under the Ontario Heritage Act; and

WHEREAS Heritage Kenora considered a staff report recommending designation of this property at its meeting of May 28, 2007 and recommended that the property be designated under the Ontario Heritage Act; and

WHEREAS these actions of the City of Kenora Council fulfill the requirement of the Ontario Heritage Act that Council consult with the Board before giving notice of its intention to designate a property; and

WHEREAS the staff report advises that the building meets the criteria for historical designation under the Act; and

WHEREAS extensive community consultation has made very clear the significance of the building as a historical, cultural and architectural anchor, helping to define the historical character of the neighbourhood; and

WHEREAS acting now to designate the property under the Ontario Heritage Act will protect the heritage of the downtown area and City of Kenora skyline;

NOW THEREFORE BE IT RESOLVED THAT Council of the City of Kenora gives notice of its intention to designate the property at 204 Second Street South, known as the Kenricia Hotel under Part IV of the Ontario Heritage Act for its cultural heritage value or interest; and further

THAT the Planning Department be authorized and directed to take the necessary action to give effect thereto.

**2007 Bridge Inspection Services Tender**

**22. Moved by D. McCann, Seconded by C. Van Wallegghem & Carried:-**

THAT the following tenders for 2007 Bridge Inspection Services be received: -



|                         |                                       |
|-------------------------|---------------------------------------|
| <b>KGS Group</b>        | <b>\$ 62,360.00 (plus GST)</b>        |
| <b>Stantec</b>          | <b>\$ 119,240.00 (plus GST)</b>       |
| <b>Cook Engineering</b> | <b>\$ 212,808.00; (plus GST); and</b> |

further

THAT the tender received from KGS Group, in the amount of \$62,360.00, plus GST, be hereby accepted.

**2007 Municipal Road Works Tender**

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

THAT the following tenders for the 2007 Municipal Road Works Program be received: -

|                                  |                                         |
|----------------------------------|-----------------------------------------|
| <b>Pioneer Construction Inc.</b> | <b>\$885,753.34</b> (GST not included)  |
| <b>Titan Contractors</b>         | <b>\$923,933.50</b> (GST not included); |

and

THAT the tender submitted by Pioneer Construction Inc., in the amount of \$885,753.34, (GST not included), be accepted, and

THAT in accordance with Notice By-Law Number 14-2003, public notice is hereby given that Council intends to amend the 2007 Capital Budget for this purpose at its June 11<sup>th</sup> meeting; and further

THAT at that time, Council gives three readings to a by-law to amend the capital budget to authorize an appropriation from the downloaded roads reserve funds in the amount of \$59,800.07 for the purpose of funding the works related to the 2007 Municipal Road Works Program.

**Museum Annex Heating Project Quotation**

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

THAT following quotations for the Museum Annex Heating Project be received: -

|                                                    |
|----------------------------------------------------|
| <b>AK &amp; Company - \$72,350.00</b>              |
| <b>Energy Tech Services - \$75,048.00</b>          |
| <b>Parkland Plumbing - \$65,195.20</b>             |
| <b>KC Refrigeration - \$55,840.08; and further</b> |

THAT the quotation from KC Refrigeration in the amount (of the reduced price) \$54,708.00 be hereby accepted.

**By-laws – First & Second Reading**

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

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

#61-2007 – to confirm proceedings of Council at its Standing and Committee Meetings

#62-2007 – to establish the clawback rates for certain property classes for 2007

#63-2007 – to execute the addendum to the funding agreement under Round 1 of the OSTAR Infrastructure Program and to designate the signing officers for this purpose

#64-2007 – to authorize the execution of a lease agreement with Ernest John Whiting for a Water lot on Third Avenue South

#65-2007 – to authorize the execution of an agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Public Safety and Security, the Corporation of the City of Kenora and the Kenora Police Services Board for the



Community Policing Partnerships (CPP) Program and the CPP Criminal Intelligence Initiative

#66-2007 – to authorize the execution of an agreement with Aulneau Marketing & Consulting, Inc. for Wharf Management of public docking in the City of Kenora for the 2007 season

#67-2007 – to amend Comprehensive Zoning By-law Number 160-2004, as amended (Scheurmann)

#68-2007 – to acquire lands required for municipal purposes.

**By-laws – Third & Final Reading**

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

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

#61-2007 – to confirm proceedings of Council at its Standing and Committee Meetings

#62-2007 – to establish the clawback rates for certain property classes for 2007

#63-2007 – to execute the addendum to the funding agreement under Round 1 of the OSTAR Infrastructure Program and to designate the signing officers for this purpose

#64-2007 – to authorize the execution of a lease agreement with Ernest John Whiting for a Water lot on Third Avenue South

#65-2007 – to authorize the execution of an agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Public Safety and Security, the Corporation of the City of Kenora and the Kenora Police Services Board for the Community Policing Partnerships (CPP) Program and the CPP Criminal Intelligence Initiative

#66-2007 – to authorize the execution of an agreement with Aulneau Marketing & Consulting, Inc. for Wharf Management of public docking in the City of Kenora for the 2007 season

#67-2007 – to amend Comprehensive Zoning By-law Number 160-2004, as amended (Scheurmann)

#68-2007 – to acquire lands required for municipal purposes.

**Adjournment**

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

THAT this meeting be now declared closed at 5:40 p.m.

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

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

**.....2007**

.....  
**MAYOR**

.....  
**CITY CLERK**