



# Minutes

Of a Meeting of the Council of the City of Kenora  
Tuesday, October 9, 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 Preisentanz, CAO, Heather Kasprick, Deputy Clerk.

### Call to Order

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

### Confirmation of Minutes

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

THAT the Minutes of the last Regular Meeting of the Council of the City of Kenora held **Monday, September 24, 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 No. 14-2003, Council hereby advises the public of its intention to adopt the following by-laws at tonight's meeting:-

- *To authorize an appropriation of funds from the City Hall Reserve in the amount of \$5,708.50 plus applicable shipping and taxes for the replacement of the City Hall clock mechanism.*
- *To authorize an increase in tipping fees, as well as other fees and charges for certain commodities associated with the Solid Waste Transfer Station.*
- *To authorize an appropriation from the Solid Waste Reserve in the amount of \$20,000.00 for the purpose of funding the re-location of the fence and road construction on property adjacent to the Transfer Station.*

### 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.

Councillor W. Cuthbert advised of the following Declarations of Pecuniary Interest on tonight's agenda as follows: Item #19.

Councillor C. Wan Walleghem of the following Declarations of Pecuniary Interest on tonight's agenda as follows: Item #12, 21 and 22.

### DEPUTATIONS:

None.



**Appointment to the Kenora Accessibility Advisory Committee**

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

THAT Council hereby appoints Diane Pelletier to the Kenora Accessibility Advisory Committee with a term to expire November 30, 2010.

**Appointment to the Keewatin Municipal Non-Profit Housing Corporation**

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

THAT Council hereby appoints Catherine Giroux to the Keewatin Municipal Non-Profit Housing Corporation to fill a vacancy created by the resignation of Verna Wright, with a term to expire November 30, 2010.

**Approval of Accounts**

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

THAT the Reports dated **September 27, 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 **\$2,668,591.15** be hereby authorized for approval.

**Police Costing Request for Proposals**

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

THAT the Council of the City of Kenora be hereby requested to adopt and forward the Request for Proposal (RFP) for Police Costing to the Kenora Police Service and the Ontario Provincial Police; and

THAT the Request for Proposal (RFP) responses are to be returned no later than Friday, November 30<sup>th</sup>, 2007 to Mr. William Preisentanz by 4:00 p.m. local time.

**RECORDED VOTE:~**

| <b>COUNCIL</b>            | <b>AYE</b> | <b>NAY</b> | <b>Dec. of Interest</b> |
|---------------------------|------------|------------|-------------------------|
| Councillor Cuthbert       | <b>X</b>   |            |                         |
| Councillor Drinkwalter    | <b>X</b>   |            |                         |
| Councillor McCann         | <b>X</b>   |            |                         |
| Councillor McMillan       | <b>X</b>   |            |                         |
| Councillor Poirier        | <b>X</b>   |            |                         |
| Councillor Van Wallegghem | <b>X</b>   |            |                         |
| Mayor Compton             | <b>X</b>   |            |                         |

**67<sup>th</sup> Annual KDMA Conference-Feb 7-9/08, Sioux Lookout**

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

THAT authorization be hereby given for a total of four Members of Council and Staff to attend the 67<sup>th</sup> Annual KDMA Conference taking place in Sioux Lookout, ON February 7, 8, and 9, 2008, and

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



**City Hall Clock**

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

THAT in accordance with Notice By-law #14-2003, notice is hereby given that Council intends to give three readings to a by-law at its October 9 meeting to amend the 2007 Capital Budget to authorize an appropriation of funds from the City Hall Reserve in the amount of \$5,708.50 plus applicable shipping and taxes for the replacement of the City Hall clock mechanism; and further

THAT staff be directed to proceed with the replacement to the City Hall clock's mechanism in conjunction with the City's purchasing by-law.

**PACC Opportunity Assessment**

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

THAT the Grant Thornton report entitled *City of Kenora Proposed Performing Arts and Conference Centre & Downtown Opportunity Assessment September 2007* be adopted by Council.

**2008 Budget Public Consultation Meetings**

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

THAT the October 22<sup>nd</sup> and November 13<sup>th</sup> regular Council meetings be open for deputations beginning at 4:00 p.m. with regards to the 2008 budget.

**Traffic Regulation Amendment – No Parking – Tow Away Zone – Fourteenth Street North**

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

THAT the City of Kenora Traffic Regulation By-law 127-2001 be amended to include the following addition to Schedule "B" – No Parking Area – Tow Away Zone – Fourteenth Street North

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 |
|-----------------------------------|------------------------------------------------|-------------------------|-------------------------|
| Fourteenth Street North           | From Mellick Avenue westerly to Veterans Drive | Both                    | Anytime                 |

**Amendment to the General Fees & Charges By-law 100-2003 – Schedule "C" Operations – Solid Waste**

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

THAT Notice is hereby given that the Council of the City of Kenora will give three readings to a by-law on October 9, 2007 to implement an increase in tipping fees, as well as other fees and charges for certain commodities associated with the Solid Waste Transfer Station, as follows;

THAT the current rate of \$7.00 each per Blue Box Replacement be replaced in the Solid Waste Schedule of Fees with the following: -

(b) Blue Boxes.....Current Market Rate (cost recovery); and

THAT the current rate of \$50.00 each per Salvaged 90 gal blue roll out containers be replaced in the Solid Waste Schedule of Fees with the following: -

(c) Roll Out Containers..... Current Market Rate (cost recovery); and

THAT Rental of 40 yard bins be added to the Solid Waste Schedule of Fees as follows:

(t) 40 Yard Bin Rental....\$225.00 /bin; and



THAT the Schedule of Fees for ICI Recycling Services be amended to include the addition of large recycle bags and paper and that "Curbside" be replaced with "Commercial" and that the current rate of \$10.00 /container / month for 95 gallon Roll-Out Containers be replaced as follows:-

- Bulk Corrugated Cardboard (OCC) and Paper
  - up to 200 kg.....\$5.00 minimum
  - over 200 kg .....\$25.00 tonne (pro-rated)
- Commercial Collection of Blue Box Recyclable Materials:
  - Roll-out Container.....\$5.00/container/pick-up
  - Large Recycle Bags... ..\$5.00/bag /pick-up, and

THAT a Schedule of Fees for the Handling of Approved Hazardous Materials be added to Schedule "C" of By-law No. 100-2003 to contain the following:

Schedule of Fees for the Handling of Approved Hazardous Materials that Require Immediate Burial

- Handling Surcharge.....\$125.00/transaction; and

THAT Schedule "C" under Solid Waste (o) be added to include tonnes as follows:-

o) For approved contaminated materials based on a consecutive haul from a single project location:

- i) 0 -50 tonnes \$55.00 per tonne
- ii) 51 – 100 tonnes \$40.00 per tonne
- iii) 101 – 500 tonnes \$30.00 per tonne
- iv) 501 tonnes and over \$25.00 per tonne; and further

THAT By-law Number 160-2003 be and is hereby repealed.

**Motion to Amend Motion #12**

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

THAT Motion #12 on tonight's agenda with respect to Lot 79, Plan M-63 be hereby amended by replacing the word 'acquisition' in the first line with 'expropriation.'

**Abstention: Councillor Van Wallegghem**

**Abandon Expropriation of Lot 79, Plan M-63**

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

THAT Council of the City of Kenora hereby agrees to abandon the expropriation of Lot 79, Plan M-63; and further

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

**Abstention: Councillor Van Wallegghem**

**Community Improvement Project Area**

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

THAT Council give three readings to a by-law to designate a Community Improvement Project Area within the City of Kenora in accordance with the Planning Act.

**Motion to Amend Motion #14**

**13A. Moved by D. McCann, Seconded by W. Cuthbert & Carried:-**

THAT Motion #14 on tonight's agenda with respect to a procedural by-law for the Kenora Planning Advisory Committee be hereby amended by deleting the last paragraph.



**Training, etc. for Planning Advisory Committee**

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

THAT a procedural by-law be developed for the Kenora Planning Advisory Committee; and

THAT the Terms of Reference for the Committee be amended to remove the procedural portion; and

THAT Council, for the 2008 budget year, increases the individual Committee members' honourarium by \$10 per meeting in order to remunerate members for site inspections and associated cost of gas during site inspections; and further

THAT a review of fees associated with minor variance and consent applications in the City of Kenora. ~~and further~~

~~THAT Council, for the 2008 budget year, increase the Planning Advisory Committee's training/travel budget to ensure adequate training for the Committee members as continuing education is the key to the Committee members providing the best service for both the City of Kenora and applicants.~~

**Transfer of Municipal Property - Kroeger**

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

THAT Council of the City of Kenora hereby declares a portion of the road allowance abutting Eagle Crescent and property described as 59 Eagle Crescent, PLAN 23M133 LOT 20 as surplus to the needs of the municipality; and

THAT in accordance with Notice By-law #14-2003, arrangements be made to advertise the sale of the subject lands for a three-week period; and

THAT once the advertising process has been completed, Council give three readings to a by-law to authorize the sale of land to Robert Kroeger and Kathryn Kroeger at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs; and further

THAT Resolution No. 22, dated September 24, 2007 is hereby rescinded.

**Meridian Proposal – Waterfront Development Guidelines**

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

THAT Council of the City of Kenora hereby retain the services of Meridian Planning Consultants Inc. to assist the City in the preparation of Waterfront Development Guidelines conditional upon negotiating an agreement mutually agreeable to all parties.

**Application for Lease - Whiting**

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

THAT the Council of the City of Kenora agrees to enter into a lease agreement with Ernest John Whiting for a one (1) year period ending May 30, 2009 with a 3% escalation fee for use of a water lot designated as Part 1 on Plan 23R-68771.; and further

THAT three readings be given to a by-law for this purpose in May, 2008.



**Tourism Development Officer**

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

THAT the City of Kenora Council hereby approves the job description and job posting for the position of Tourism Development Officer.

**Application for purchase of Municipal Property – Pro –Auto Glass**

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

THAT Council of the City of Kenora hereby declares a portion of municipal property described as Part of Lots 5, 6 and 7 on Plan M-117 and any other parts of a lane allowance required to transfer lands as indicated on the sketch attached to the application, as surplus to the needs of the municipality; and

THAT in accordance with Notice By-law #14-2003, arrangements be made to advertise the sale of the subject lands for a three-week period; and further

THAT once the advertising process has been completed, Council give three readings to a by-law to authorize the sale of land to 1242896 Ontario Ltd., at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs, as negotiated by a third party.

**RECORDED VOTE:~**

| <b>COUNCIL</b>            | <b>AYE</b> | <b>NAY</b> | <b>Dec. of Interest</b> |
|---------------------------|------------|------------|-------------------------|
| Councillor Cuthbert       |            |            | <b>X</b>                |
| Councillor Drinkwalter    | <b>X</b>   |            |                         |
| Councillor McCann         | <b>X</b>   |            |                         |
| Councillor McMillan       | <b>X</b>   |            |                         |
| Councillor Poirier        | <b>X</b>   |            |                         |
| Councillor Van Wallegghem | <b>X</b>   |            |                         |
| Mayor Compton             | <b>X</b>   |            |                         |

**Solid Waste Transfer Station – Relocation of Fence Line**

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

THAT the following quotations, for the re-location of the fence and road construction on property adjacent to the Transfer Station, be received; and further

|                       |             |
|-----------------------|-------------|
| Wallace and Wallace   | \$17,167.74 |
| Bestway Fence Systems | \$15,800.00 |

THAT the quotation submitted by Bestway Fence Systems, Winnipeg, Manitoba, in the amount of \$15,800.00, taxes extra, for the re-location of the fence and road construction on property adjacent to the Transfer Station be hereby accepted.

THAT the 2007 Capital Budget be amended to authorize an appropriation from the Solid Waste Reserve in the amount of \$20,000.00 for the purpose of funding the re-location of the fence and road construction on property adjacent to the Transfer Station.

**Motion to Amend Motion #21**

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

THAT Motion #21 be hereby amended by removing the reference to By-law #123-2007 to a separate motion for first and second reading, and replacing the word 'acquisition' with 'expropriation'.



**By-Laws – First & Second Reading**

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

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

**#113 - 2007** – to designate a Community Improvement Project Area Pursuant to Section 28(2) of the Planning Act

**#118 - 2007** – to confirm proceedings of Council at its Standing and Various Committee Meetings

**#119 - 2007** – to amend by-law number 127-2001 being a by-law to regulate traffic on the roads and highways of the City of Kenora

**#120 - 2007** – to amend schedule “B” to by-law number 100-2003 being a by-law to establish a general tariff of fees and charges for the City of Kenora

**#121 - 2007** – to assume, stop up, close and sell that part of Chaloner Street

**#122 - 2007** – to adopt amended estimates for capital and reserves to be incorporated into the sums required for municipal purposes with regards to the City Hall Clock

~~**#123 - 2007** – to abandon the expropriation of Lot 79, Plan M-63~~

**#124 - 2007** – to adopt amended estimates for capital and reserves to be incorporated into the sums required for municipal purposes with regards to the relocation of the fence and road at the Transfer Station

**Motion to Amend Motion #22**

**21A. Moved by A. Poirier, Seconded by D. McCann & Carried:-**

THAT Motion #22 be hereby amended by removing the reference to By-law #123-2007 to a separate motion for third and final reading, and replacing the word ‘acquisition’ with ‘expropriation’.

**By-Laws – Third and Final Reading**

**22. 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: ~

**#113 - 2007** – to designate a Community Improvement Project Area Pursuant to Section 28(2) of the Planning Act

**#118 - 2007** – to confirm proceedings of Council at its Standing and Various Committee Meetings

**#119 - 2007** – to amend by-law number 127-2001 being a by-law to regulate traffic on the roads and highways of the City of Kenora

**#120 - 2007** – to amend schedule “B” to by-law number 100-2003 being a by-law to establish a general tariff of fees and charges for the City of Kenora

**#121 - 2007** – to assume, stop up, close and sell that part of Chaloner Street

**#122-2007** – to adopt amended estimates for capital and reserves to be incorporated into the sums required for municipal purposes with regards to the City Hall Clock

~~**#123 - 2007** – to abandon the expropriation of Lot 79, Plan M-63~~



#124 - 2007 – to adopt amended estimates for capital and reserves to be incorporated into the sums required for municipal purposes with regards to the relocation of the fence and road at the Transfer Station

**By-Law #123-2007 – First & Second Reading**

22B. Moved by D. McCann, Seconded by A. Poirier & Carried:-

THAT the following By-Law be read a FIRST and SECOND Time: ~

#123 – 2007 – to abandon the expropriation of Lot 79, Plan M-63.

**Abstention: Councillor Van Wallegghem**

**By-Law #123-2007 – Third and Final Reading**

22C. Moved by A. Poirier, Seconded by D. McCann & Carried:-

THAT the following By-Law be now approved in its present form and be presented for THIRD and FINAL reading: -

#123 – 2007 – to abandon the expropriation of Lot 79, Plan M-63.

**Abstention: Councillor Van Wallegghem**

**Adjournment**

23. Moved by A. Poirier, Seconded by W. Cuthbert & 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**