



MINUTES
Of the
Finance & Administration Committee
Community Services Committee
Operations Committee
Of Council

Held Monday, November 5, 2007
City Council Chambers
4:00 p.m.

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PRESENT: Mayor Compton
Councillor W. Cuthbert
Councillor C. Drinkwalter
Councillor D. McCann
Councillor R. McMillan
Councillor C. Van Wallegghem
B. Preisntanz, CAO
J. McMillin, City Clerk
K. Brown, Finance & Admin Manager
R. Perchuk, Operations Manager
C. Neil, Recreation Coordinator

REGRETS: Councillor A. Poirier

FINANCE & ADMINISTRATION COMMITTEE

A. PUBLIC INFORMATION NOTICES AS PER BY-LAW #14-2003
N/A

B. DECLARATION OF PECUNIARY INTEREST
There were none declared.

C. CONFIRMATION OF MINUTES
Moved by C. Van Wallegghem, Seconded by C. Drinkwalter & Carried:

THAT the Minutes from the last regular and closed meeting held October 15, 2007 be confirmed as written and filed.

D. STANDING COMMITTEE DEPUTATIONS:-
Councillor McMillan advised those giving a deputation who have done so before on the topic are to highlight the new information they are bringing forward, as per Council's Procedural By-law: -

Sherry Fisher - OSPCA

Ms Fisher addressed Committee regarding the stray dog issue in the neighbourhood. She referred to her October Council deputation, and with a simple reminder that the intensified stray dog problem is not going to go away

until her neighbours move their 29 or so dogs to the country.
Ms Fisher provided a copy of her deputation to the Clerk for the public record.

Judy Korecsky - OSPCA

Ms Korecsky referred to excerpts of both the Official Plan and Comprehensive Zoning By-law relating to the use of land and restrictions relating to the location of the OSPCA facility, and believes that making amendments to the existing Animal Control and Zoning By-laws in hopes of keeping a kennel close to a residential neighbourhood is another mistake. She also referred to the Noise By-law being continually broken in the neighbourhood.

Ms Korecsky provided a copy of her deputation to the Clerk for the public record.

Peter Salkowsky

Ms Korecsky read a letter on behalf of the owner of Euro Qual Orthotics, a business owner in Keewatin's Industrial Mall, regarding his decision to terminate the commercial lease effective January 31, 2008 due to the unresolved situation regarding the OSPCA that is distracting to his employees, clients and himself.

Ms Korecsky submitted a copy of the letter to the Clerk.

Anita Webb - OSPCA

Ms Webb had earlier provided a copy of her deputation to the Clerk for the public record and made her presentation regarding the OSPCA referencing a map as outlined in her presentation which she left with Committee. Ms Webb does not believe the proposed changes to the Animal Control By-law are in keeping with the Provincial Policy Statement which provides guidance to municipalities. She summarized what has transpired over the events leading up to the facility being located on Fourth Street as well as events following. Ms Webb believes the City and the OSPCA had four months to consult with the neighbourhood regarding the proposal to move into this location. In closing, Ms Webb hopes Council will take the time to read the deputations regarding this matter and that the neighbourhood concerns will not be ignored.

Ian Carmichael - OSPCA

Mr. Carmichael advised he is a homeowner adjacent to the OSPCA facility and referred to the relentless barking over the last 10 months; the concern of the stray dogs in their backyards and potential reduced value of their homes in the area. Mr. Carmichael believes the proposed by-law amendment is completely unacceptable, noting the neighbourhood is forced to seek legal assistance. In closing he played a tape recording from yesterday of the dogs barking incessantly at this location.

Mr. Carmichael provided a copy of her deputation to the Clerk for the public record.

Shelly McCool - OSPCA

Ms McCool explained that while she recognizes the OPSCA does wonderful work in the community she expressed her concerns that the present location of the facility is not a suitable one. She referred to dogs tied up in front of the building as not being acceptable and that they need a good sized run. Ms McCool believes the facility is the reason for the influx of stray dogs to the neighbourhood, and questioned why there was no public forum when the

facility was located to this site.

Ms McCool provided a copy of her deputation to the Clerk for the public record.

E. REPORTS:

1. OSPCA Facility

RECOMMENDATION:

THAT Council of the City of Kenora hereby give notice of its intent to amend the Animal Control Bylaw by allowing such uses as the Humane Society and OSPCA to operate in an area zoned light industrial to ensure compliance with the City's Zoning Bylaw No. 160-2004.

Discussion:

Councillor McMillan highlighted the report, including options and that alternative #4 forms the recommendation on today's agenda.

Councillor Van Walleggem suggested we look at carrying out all three options to remedy the situation.

Councillor Cuthbert referred to the issue of the stray dogs which appears to be the most common concern, together with the noise issues.

Bill Preisentanz explained that Council needs to make a decision and to ensure we don't leave any stone unturned. He noted the OSPCA is not exempt from the Noise By-law and charges can be laid. Reference was made to the steps that have to be taken with respect to our Insurers.

Mayor Compton explained that the City has been working over the last 10 months on the matter and that we are not taking it lightly, and that we recognize the frustration of the neighbourhood in this difficult situation.

Councillor McMillan referred to the concern expressed on the stray dog issue. He further indicated the need for a professional sound level on the noise, and to address the safety concerns in the neighbourhood. He stated perhaps a facilitator could meet with the residents regarding these issues.

It was noted the goal is to resolve the issue the best way we can and it may possibly mean re-locating the facility, however we do not want to admit anything that would prejudice our insurance company.

Committee agreed that two recommendations go forward to Council, the existing one set out above as per the report, and another regarding bringing forward a mediator to address the noise and safety issues. The wording will be prepared for a motion to be presented on November 13.

Recommendation approved.

2. Acquisition of Old Fort Island

RECOMMENDATION:

THAT Council give three readings to a by-law to authorize the execution of documents relating to the transaction with Abitibi Consolidated Inc. for the Old

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Fort Island lands.

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Recommendation approved (resolution and by-law).

3. Tax Receipts – Tunnel & Old Fort Islands

RECOMMENDATION:

THAT further to the City of Kenora entering into a Memorandum of Understanding (#1) with Abitibi Consolidated with respect to acquisition of Tunnel Island, authorization is hereby given for the City to issue a receipt to Abitibi to be used for tax purposes in accordance with the independent appraisal from Hoffer Wilkinson & Associates Ltd.; and further

THAT once the City of Kenora has officially entered into a Memorandum of Understanding (#2) with Abitibi Consolidated with respect to acquisition of Old Fort Island and has acquired title, authorization is hereby given for the City to issue a receipt to Abitibi to be used for tax purposes in accordance with the independent appraisal from Hoffer Wilkinson & Associates Ltd.

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Recommendation approved.

4. Amendment to Procedural By-law–Emergency Meetings Provision

RECOMMENDATION:

THAT Council give three readings to a by-law to amend Procedural By-law #100-2007 to provide for changes to Part 3 – Public Notification and Schedule of Meetings, as set out below:

Add:

3.10 – Notwithstanding any other provision of this by-law, an Emergency Meeting of the Council or its Committees may be held without written Notice to deal with an emergency or extraordinary situation, provided that an attempt has been made by the Clerk to notify the members about the meeting as soon as possible and in the most expedient manner available, including the posting of same on the Portal;

3.11 – No business except dealing directly with the emergency or extraordinary situation shall be transacted at the Emergency Meeting;

3.12 – Lack of receipt of a Notice or of the Agenda by the members shall not affect the validity of the meeting or any action so taken.

Discussion:

It was suggested consideration be given to changing the word 'Emergency' to either extraordinary or short-notice and include a definition for whichever term is used.

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Recommendation approved (resolution and by-law).

5. Harbourfront Concert Series – Request for Support

RECOMMENDATION:

THAT Council of the City of Kenora hereby defers any decision on the request from the Harbourfront Concert Series pending review and recommendation from the Lake of the Woods Development Commission in light of the Tourism Sub-Committee focus on maintaining and generating events within the City.

Committee questioned if a fee should be charged and that Mrs. Melnick should be advised to approach the LOW Community Foundation for assistance. It was questioned how the Concert group pays for its entertainment now and it was noted they receive donations from the business community.

Recommendation approved, and Mrs. Melnick is to be requested to approach the Foundation.

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6. Attendance @ Ontario Good Roads Conference

RECOMMENDATION:

THAT authorization be hereby given for the following Members to attend the Ontario Good Roads Association/ROMA Annual Conference taking place in Toronto at the Fairmont Royal York, February 24 to 27, 2008:

**Mayor Compton
Councillor McCann
Councillor Cuthbert
Councillor Van Wallegghem;** and further

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

Recommendation approved.

JMcMillin

7. Dryden Regional Health Centre – Support for '08 BScN Program
Information only at this time – may provide either a letter of support or forward a resolution at a future date.

8. Attendance @ Path of the Voyageur – Atikokan- Nov.8, 2007

RECOMMENDATION:

THAT the Council of the City of Kenora hereby approves the attendance of Dan Essery at the Atikokan Path of the Voyageur meeting on Thursday, November 8, 2007; and

THAT all costs be paid for by the Corporation of the City of Kenora; and further

THAT a summary report and or recommendations arising from the meeting be brought back in writing to Council by December 31, 2007.

Recommendation approved.

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OTHER BUSINESS

N/A

ITEMS ON HOLD:

- The Rat Portage
- Closed Meeting Investigator
- Proposal – Matheson Street Water Tower
- Licensing By-law #80-2006 – Vending Regulations
- Community Forest Charter

NEXT MEETING

- Monday, November 19, 2007.



COMMUNITY SERVICES COMMITTEE

At 5:15 p.m.

A. PUBLIC INFORMATION NOTICES AS PER BY-LAW NUMBER 14-2003

Take Notice that in keeping with Notice By-law #14-2003, Council intends to approve the following at its November 13 Meeting:

N/A

B. DECLARATION OF PECUNIARY INTEREST

There were none declared.

C. CONFIRMATION OF MINUTES

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

THAT the Minutes from the last regular meeting held October 15, 2007 be confirmed as written and filed.

D. REPORTS:

1. Lease Renewal – 1008 Ottawa Street

RECOMMENDATION:

That the Mayor and Council approve the renewal of the lease agreement to Deanna Fairfield (Drivers & Licensing) for the term of 3 years at a monthly rate of \$600.00, plus applicable taxes for 2007; and

THAT a 3% escalation fee be included for the 2008 and 2009 season; and

THAT in addition Deana Fairfield will provide janitorial service to public space and washrooms as well as provisions listed in the lease document for this facility at their cost; and further

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

Recommendation approved (resolution and by-law).

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OTHER BUSINESS

• Cemetery Update

Councillor Van Wallegghem read an update on actions taken to address the vandalism concerns at the Cemetery which have included landscaping the Cemetery grounds to increase visibility, trimming the hedges surrounding the Cemetery, and that the next stages will include thinning out the bushing and tree branches and clearing the underbrush on the north side.

• Smoking By-law for Recreation Centre

Councillor Van Wallegghem explained there have been complaints of smokers standing directly in front of the outside doors at the Recreation Centre and that in checking provincial standards they should be 30 feet away from any door. Currently our by-law only addresses inside buildings and that a change should be made to the by-law for all municipal buildings, not just the Recreation Centre. Bruce Graham is being approached and a recommendation will come forward at a later date once a report is prepared on this matter to make the suggested change.

HOLD

- Anicinabe Park Review
- JM Arena

NEXT MEETING

- Monday, November 19, 2007.



OPERATIONS STANDING COMMITTEE

At 5:20 p.m.

A. PUBLIC INFORMATION NOTICES AS PER BY-LAW NUMBER 14-2003

Take Notice that in keeping with Notice By-law #14-2003, Council intends to approve the following at its November 13 Meeting:

N/A

B. DECLARATION OF PECUNIARY INTEREST

There were none declared.

C. CONFIRMATION OF MINUTES

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

THAT the Minutes from the last regular meeting held October 15, 2007 be confirmed as written and filed.

D. REPORTS:

ROADS

1. 2007 Supply and Delivery of Granular "A"

RECOMMENDATION:

THAT the following quotations, for the supply and delivery of 2000 tonnes of Granular "A", as specified, be received, and further;

Pioneer Construction	\$13.58 per tonne
Hugh Munro Construction	\$15.34 per tonne
Lunam Drillers Ltd.	\$17.00 per tonne
Degagne Construction Materials	\$18.43 per tonne
Joe Neniska and Sons Ltd.	\$18.94 per tonne; and

THAT the quotation submitted by Pioneer Construction, Kenora, Ontario, in the amount of \$13.58 per tonne (taxes included), pending approval of the proposed aggregate, be accepted.

Recommendation approved.

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OTHER BUSINESS

N/A

NEXT MEETING

Monday, November 19, 2007

Motion required adjourning to Closed Meeting Session (Finance & Administration):

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

THAT this meeting be now declared closed at 5:23 p.m.; and further

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

Personal Matter about an Identifiable Individual;

Reconvene to Open Session with any Report(s)

As there was no report brought forward the meeting adjourned at 5:45 p.m.