



# Minutes

*Of a Meeting of the Council of the City of Kenora  
Monday, July 14, 2008 – City Council Chambers  
5:00 p.m.*

~~~~~  
WITH Mayor L. Compton in the Chair, Councillor W. Cuthbert, Councillor C. Drinkwalter, Councillor D. McCann, Councillor R. McMillan, Councillor C. Van Walleggem.

Regrets: Councillor A. Poirier.

Staff: Bill Preisntanz, CAO, Warren Brinkman, Fire & Emergency Services Manager, Colleen Neil, Recreation Services Manager, Rick Perchuk, Operations Manager and Joanne L. McMillin, City Clerk.

### Call to Order

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

### Confirmation of Minutes

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

THAT the following Minutes of the last Meetings of the Council of the City of Kenora and other Committees be confirmed as written and circulated:-

- Committee of the Whole Meeting held June 13, 2008
  - Regular Council Meeting held June 16, 2008
- Committee of the Whole Meeting held June 16, 2008
- Special Council Meetings held June 17 and June 26, 2008

### Public Information NOTICES as per By-law Number 144-2007

Mayor Compton then read the following notices:-

As required under Notice By-law #144 -2007, Council hereby advises the public of its intention to adopt the following at tonight's meeting:-

- To amend the 2008 Capital Budget to reallocate funds for the repainting of Zone 2 Standpipe.
- To amend the 2008 Capital Budget to appropriate \$11,500 from the City's Solid Waste Reserve fund to offset the cost of providing the Household Hazardous Waste Day service.

### DECLARATION OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

Mayor Compton then asked if any Member of Council had any Declarations of Pecuniary Interest and the General Nature Thereof pertaining to any items as follows:-

- i) On Tonight's Agenda or from a previous Meeting
- ii) From a Meeting at which a Member was not in Attendance.

There was none declared.

### **PRESENTATION:**

#### **Honourable Steven W. Mahoney P.C. - WSIB**

Mr. Mahoney, together with other representatives of WSIB attended the meeting to introduce and present the Community Workplace Health & Safety Charter to Council.

Mr. Mahoney circulated copies of a package of information entitled "Road to Zero" and also gave an overview of statistics under WSIB, explaining that their goal is for zero fatalities, zero injuries and zero illnesses in the workplace. He added that there really are no accidents in the workplace as they are all preventable. In conclusion Mr. Mahoney asked that we become champions in our own city and join the Road to Zero, and he and Mayor Compton then signed the official Charter for the City of Kenora.

### **DEPUTATIONS:**

#### **Constantine Tsentouros**

Mr. Tsentouros attended to express concern regarding the Main Street construction and complained about potholes, fencing, signs all over the streets, and especially the disarray it presents for out-of-town visitors. He further explained he waited in line for 23 minutes on his way to the Hospital, and does not feel this construction should mean stopping the traffic flow, especially for an extended period of time. He mentioned some workers were not wearing hard hats at the construction site and questioned who is responsible for these workers to ensure they carry out the work in accordance with health and safety procedures.

Mr. Tsentouros was asked to remain until the conclusion of the meeting at which time Councillor McCann would be providing an update on the construction. Mr. Tsentouros advised he would drop off a copy of his Deputation to the Clerk on Tuesday.

#### **Appointment to Northwestern Health Unit Board of Health**

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

THAT authorization be hereby given for Councillor Charito Drinkwalter to replace Councillor Chris Van Wallegghem as Council's representative on the Northwestern Health Unit Board of Health, with a term to expire November 30, 2010; and further

THAT Councillor Drinkwalter's appointment takes effect on July 14, 2008.

#### **Appointment to the OPP Community Policing Committee**

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

THAT authorization be hereby given for Councillor Cuthbert to replace Councillor Charito Drinkwalter as Council's representative on the OPP Community Policing Committee, with a term to expire November 30, 2010; and further

THAT Councillor Cuthbert's appointment takes effect on July 14, 2008.

**Appointments to the LOW Development Commission**

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

THAT the Council of the City of Kenora hereby appoints the following people to the Lake of the Woods Development Commission, retroactive to the appropriate dates:

- i) Dwayne Yaremko to replace Thelma Wilkins-Page as the representative of the Chamber of Commerce to November 30, 2008;
- ii) Robert Smith to replace Adolphus Cameron as representative of Treaty 3 to November 30, 2008;
- iii) Glen Morrison as representative of the Kenora District Labour Council to November 30, 2008;
- iv) Thelma Wilkins-Page to replace Selen Alpay as the Business Representative to November 30, 2010.

**Support of Resolution – Canada Post Corporation**

**5. Moved by C. Drinkwalter, Seconded by C. Van Walleggem & Carried:-**

**WHEREAS** the Canada Post Corporation Strategic Review, which was launched by the federal government on April 21, 2008, is looking at deregulating our public post office (i.e. reducing or removing Canada Post's exclusive privilege on letters); and

**WHEREAS** it will become increasingly difficult for our public post office to provide affordable service to everyone, no matter where they live, if the government erodes or eliminates the very mechanism that funds universal postal service - the exclusive privilege; and

**WHEREAS** postal deregulation in other countries has led to post office closures, less service, fewer jobs and higher postal rates for the public and small businesses; and

**WHEREAS** the government is not holding public hearings as part of its strategic review or adequately consulting with the real owners of the post office - the public;

**BE IT RESOLVED THAT** the Council of the City of Kenora send a letter or submission to the Canada Post Corporation Strategic Review opposing deregulation of Canada Post and insisting that the government hold public hearings and properly consult with the true owners of Canada Post - the public.

**Agreement with Service Canada – Tourism Students**

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

THAT Council give three readings to a by-law to enter into an agreement with Service Canada for the hiring of six (6) summer students for the Tourism Department.

**Banking Services Renewal**

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

THAT Council hereby accepts the renewal option for banking services with TD Canada Trust as set out in their original RFP response and subsequent confirmation from that organization; and

THAT Council hereby appoints TD Canada Trust as the main provider of banking services for the City of Kenora for an additional period ending 31 December 2009; and further

THAT City administration be directed to send out an RFP for banking services during 2009 with sufficient timing to enable the award to the successful RFP respondent on or before 31 December 2009.

**Boards & Committees Policy - Rescinded**

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

THAT Council hereby rescinds Resolution #11 dated June 16, 2008 regarding a Code of Conduct Policy for Boards & Committee Members; and further

THAT By-law #92-2008 relating to same be hereby repealed

**Approval for Tax Receipts – Canada Day Fireworks**

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

THAT Council of the City of Kenora hereby authorizes the issuance of tax receipts for any donation of \$100 or greater made to the City of Kenora between January 1, 2008 and July 31, 2008 to be used specifically towards the 2008 Canada Day fireworks display; and

THAT the City will pay the invoice(s) for the actual purchase of fireworks, including any specifically related expenditures, direct to the appropriate supplier(s) for the 2008 Canada Day fireworks display to a maximum of the actual donation amounts received; and

THAT the issuance of tax receipts for donations for Canada Day fireworks be restricted specifically to the 2008 Canada Day fireworks display in recognition of the traffic impacts related to the Downtown Revitalization project during 2008; and further

THAT the Canada Day Committee be advised of Council's decision, including all related restrictions.

**Youth Group – Letter of Support**

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

THAT Council hereby extends its support to Wabaseemoong Independent Nations Youth Council in its efforts to host the Regional Youth Conference in Kenora in 2009; and

THAT Council applauds the efforts of the Youth Council in seeking approval for the hosting of this Conference; and further

THAT as part of the Youth Council's bid development, a letter of support from the City be submitted to the Chiefs of Ontario Youth Coordinator for this purpose, with a copy to Chief Eric Fisher of Wabaseemoong Independent Nations.

**Lease Agreement with Kenora Air & River Air – Gas Tank Storage**

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

THAT Council give three readings to a by-law to authorize a two year lease agreement between the Corporation of the City of Kenora and Kenora Air Service Ltd., and River Air Limited for gas storage tanks on municipal property.

**Sponsorship – NOACC Annual Meeting - Kenora**

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

THAT Council hereby authorizes the purchase of a Platinum Sponsorship in the amount of \$750 in support of the Northwestern Ontario Associated Chambers of Commerce (NOACC) Annual General Meeting being held in Kenora on September 25 to 27, 2008.

**Dissolution of KMTS By-laws and Policies**

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

THAT Council of the City of Kenora hereby give three readings to a by-law dissolving the KMTS Commission and all supporting policies and resolutions.

**BIZLights – City Hall**

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

THAT Council hereby authorize an expenditure for Christmas lighting on City Hall to a maximum amount of \$1,000 including taxes, net of related recoveries, to be funded through the City Hall building repairs/maintenance /cleaning budget.

**Mayor Compton's meeting with Minister Cansfield**

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

THAT authorization be hereby given for Mayor Compton to attend a meeting in Dryden on Thursday, July 10, 2008 with Minister Cansfield; and further

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

**Lease Agreement with Library Board & Child Development Centre**

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

THAT approval is hereby given for the City of Kenora Public Library Board to enter into a three-year lease agreement with the Lake of the Woods Child Development Centre for the sharing of space within the Kenora Branch Library.

**Support of LOW Soccer Association – Hydro One Power Play Grant**

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

THAT Council agrees to support the Lake of the Woods Soccer Association's Hydro One Power play grant application naming the City of Kenora as a partner applicant.

**Amendment to Museum By-law**

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

THAT Council approve the amendments to By-Law 80-2000 as set out in the June 12 report of Lori Nelson, being a by-law covering the establishment, control and management of the Lake of the Woods Museum; and

THAT Section 4) of the by-law be amended to read: "That a short-term agreement between City Council, the Lake of the Woods Museum Board and Ontario 1544227 allows for the use of the Museum Annex as the Abundance gift shop"; and

THAT a Section 4a) be added to the by-law to read: "That the Museum Annex is under the control and management of the Board and all revenue from the rental of the Annex go directly to the Lake of the Woods Museum."; and further

THAT Section 12) of the by-law be amended to read: "That Board Members shall be appointed by resolution for a four (4) year term in accordance with the term of Council or until such time as determined by Council in accordance with Boards & Committees Appointments Policy #CC-14-1.

**Engineering Agreement with KGS Group**

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

THAT Council give three readings to a by-law to authorize the execution of an Engineering Agreement with KGS Group to provide engineering services for the Downtown Revitalization Project Construction Phase.

**Creation of Asset Management Technician Position**

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

THAT Council hereby approves the creation of an Asset Management Technician for the City of Kenora, with the position to be filled as soon as possible.

**Approval for activities on Rabbit Lake – Annual Regatta**

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

THAT the Council of the City of Kenora acknowledge the North West International Regatta held by the Kenora Rowing Club on July 25<sup>th</sup> & 26<sup>th</sup> 2008, on Rabbit Lake; and further,

THAT approvals be granted as outlined below in conjunction with the above-noted Special Event:

1. A variance be granted for the motor size on Rabbit Lake as set out by By-law No. 153-2005; need to operate 25-30 h.p. motors to keep up to the racing boats to ensure their safety on the water for the date above;
2. The event buoys to be placed in the water 2-3 (two to three) days prior to the event, to be removed the following week by the Kenora Rowing Club.

**Budget Amendment - Solid Waste Reserves**

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

THAT further to Council adopting Resolution #3 on June 26, 2008 with respect to awarding the 2008 Household Hazardous Waste Day tender to HAZCO Environmental Services, notice is hereby given in accordance with Notice By-Law Number 144-2007 that Council intends to amend the 2008 Capital Budget at its July 14<sup>th</sup> meeting by adopting a by-law to appropriate \$11,500 from the City's Solid Waste Reserve funds to offset the costs of providing this service.

**Amendment to Solid Waste By-law**

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

THAT Council hereby approves amending By-Law 145-2000, being a by-Law to establish, regulate and maintain a solid waste management system section "2 (b) Definitions and Word Usage" to read as follows:

"Apartment Building: shall mean multi-residential dwelling premise: A premise which contains four or more individual dwelling units which are self-contained"; and

THAT approval be given to amend By-Law 145-2000, to include the addition under section "Collection No. 28" to read as follows:

"For a multi-residential dwelling premise, recyclable materials must be collected in commercial use, 90 gallon recycling barrels which must be compatible with the City of Kenora's collection vehicles. These barrels must be placed in the designated collection area as approved by the City. The designated collection point and access route MUST be clear of vehicles, snow, ice and other possible obstructions that may impede the collection of waste/recyclable materials. There shall be no requirement for the collection crew to return to the premise until the next scheduled pick up day if access is unattainable or bins are not out;" and further

THAT the fee for collection of recycle materials from multi-residential dwelling premise shall be in accordance with Schedule "D" of the Tariff of Fees By-Law.

**Declaration of Surplus Property – 6<sup>th</sup> Street North****24. Moved by W. Cuthbert, Seconded by D. McCann & Carried:-**

THAT Council of the City of Kenora hereby declares a portion of the municipal road allowance (Sixth Street North) abutting property described as PLAN 88 BLK 8 LOT 155 as surplus to the needs of the municipality; and

THAT once surveying and advertising process, and the surveying of an easement for services has been completed, Council give three readings to a by-law to authorize the transfer of land to Sean M. Rose; and

THAT an easement be provided to the City, by Sean M. Rose, for utility purposes; and further

THAT the Mayor and Clerk be authorized to sign the transfers on behalf of the City of Kenora.

**Approval for Fence Height Increase****25. Moved by W. Cuthbert, Seconded by R. McMillan & Carried:-**

THAT the Council hereby approves an increase in permitted fence height, from .9 metres (3 feet) to 1.82 metres (6 feet) at property described as 610 Park Street (Gardner House) PT RAILWAY ST DESGN 23R6012;PT 1 & PT LOT 249 & 252 ALL;LOT 250 & 251 BLK 2 PLAN 3;23R6093 PT 1 R/W OVR 23R6012.

**Revision to Schedule "A" of Official Plan****26. Moved by W. Cuthbert, Seconded by D. McCann & Carried:-**

THAT authorization be given for Schedule "A" of the City of Kenora Official Plan to be revised so that the Harbourtown Centre land use designation boundary matches the General Commercial – GC zoning designation boundary.

**Tender – Painting of Zone Standpipes****27. Moved by D. McCann, Seconded by W. Cuthbert & Carried:-**

THAT the following proposals, to provide repainting services for the Zone 1 Standpipe (4<sup>th</sup> Street North) and the Zone 2 Standpipe (Valley Drive), GST included, be received;

| Company                   | Part 1<br>Zone 2-Valley Dr | Part 2<br>Zone 1-4 <sup>th</sup> Street N |
|---------------------------|----------------------------|-------------------------------------------|
| C3 Industrial             | \$441,459.90               | \$354,008.04                              |
| MacDonald Applicators     | \$437,430.00               | \$269,430.00                              |
| Norwec Company            | 540,231.00                 | \$453,657.75                              |
| WISL                      | \$774,138.75               | \$564,517.80                              |
| Clara Industrial Services | \$1,043,700.00             | \$765,240.00                              |



AND THAT the proposal submitted by MacDonald Applicators, Saint John, New Brunswick, in the amount of \$437,430.00 (Part 1) and \$269,430.00 (Part 2), be accepted; and further

THAT Council give three readings to a by-law to amend the 2008 Capital budget to re-allocate funds for the purpose of funding the repainting of the Zone 2 Standpipe.

**First, Second, Third & Final Reading of By-laws**

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

**THAT** the following **By-laws** be now read a **FIRST & SECOND TIME**, and approved in their present form and be presented for **THIRD & FINAL** Reading:~

**101-2008-** To confirm proceedings of Council, its Standing & other Committees

**102-2008-** To execute an Engineering Agreement with KGS Group

**103-2008-** To Amend the 2008 Budget (Solid Waste Reserves)

**104-2008-** To Amend Solid Waste By-law #145-2000

**105-2008-** To Repeal By-law #92-2008 being a Code of Conduct Policy for Boards & Committees

**106-2008-** To Amend Lake of the Woods Museum By-law #80-2000

**107-2008-** To Authorize a Shared Services Agreement between the Kenora Public Library Board and the Child Development Centre

**108-2008-** To Authorize Dissolution of the KMTS Commission and related Policies

**109-2008-** To Authorize an agreement with Kenora Air Ltd., and River Air Limited for Gas Tank Storage

**110-2008-** To Amend Animal Control By-law #20-2001

**111-2008-** To Authorize an Agreement with Service Canada

**112-2008-** To Amend the 2008 Budget to reallocate funds for the Standpipe Painting Tender.

**Adjournment**

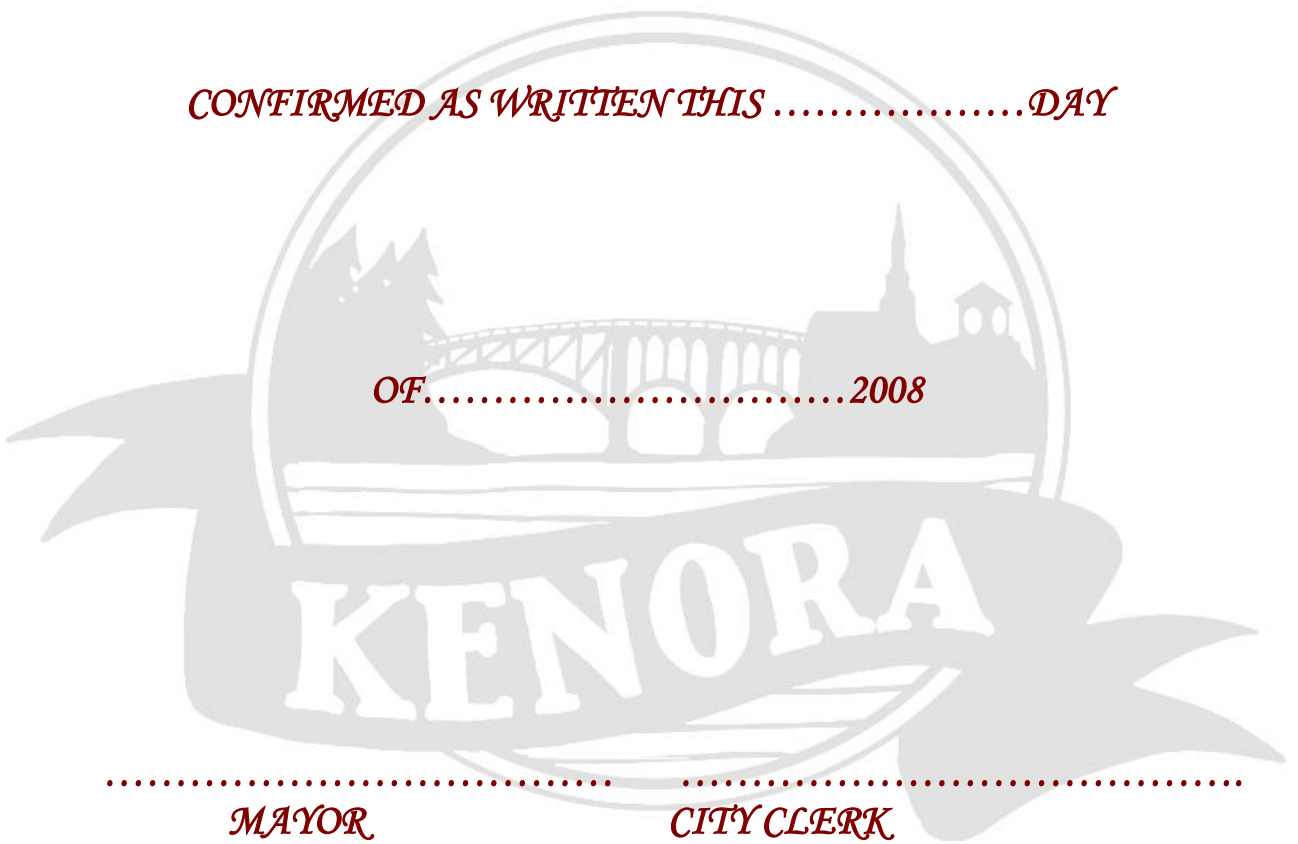
**29. Moved by R. McMillan, Seconded by W. Cuthbert & Carried:-**

THAT this meeting be and is hereby adjourned at 5:58 p.m.

*THE CORPORATION OF THE CITY OF KENORA:*

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

*OF ..... 2008*



*MAYOR*

*CITY CLERK*