



Minutes

*Of a Meeting of the Council of the City of Kenora
Monday, December 14, 2009 – 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 J. Parson, Councillor C. Van Walleghem.**

**Staff: Bill Preisntanz, CAO, Karen Brown, Finance & Administration Manager, Warren Brinkman, Fire & Emergency Services Manager, Colleen Neil, Recreation Services Manager, Sharen McDowall, Human Resources Manager, and Joanne L. McMillin, City Clerk.**

## **Call to Order**

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

## **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 its 2009 Operating and Capital Budget to authorize severances to former Kenora Police Service employees totaling \$1,485,867.11;*
- *To amend its 2009 Water & Sewer Capital Budget to authorize the reallocation of \$100,000.00 from the Water Treatment Plant Filter Media Removal & Replacement Project allocation approved under the 2009 Water & Sewer Capital Budget.*

## **Confirmation of Minutes**

**1. Moved by J. Parson, Seconded by C. Van Walleghem & Carried:-**

THAT the following Minutes of the last Meeting of the Council of the City of Kenora and other meetings, be confirmed as written and circulated:-

- **November 4, 2009 – Special Council Meeting**
- **November 16, 2009 – Regular Council Meeting**
- **November 26, 2009 - Special Council Meeting**
- **November 30 – Committee of the Whole Meeting**
- **December 4, 2009 – Committee of the Whole Meeting**

**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.

*Councillor Van Walleghem advised of a Pecuniary Interest on Motion #11 on tonight's agenda with respect to endorsing a resolution regarding AbitibiBowater pensions as he receives a pension from AbitibiBowater.*

**Deputations**

**N/A**

**Appointment to NWHU Board of Health**

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

**That** Councillor Jim Parson be hereby appointed, effective immediately, as Council's representative on the Northwestern Health Unit Board of Health to replace Councillor Charito Drinkwalter, with a term to expire November 30, 2010.

**Appointments to District of Kenora Home for the Aged**

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

**That** the following be re-appointed to the District of Kenora Home for the Aged (Pinecrest) to represent Area 1 on the Board of Management, with a term to expire November 30, 2012:-

**William McLean  
Dr. Peter Delamere**

**Appointment of City's Banking Provider**

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

**That** Council hereby appoints TD Canada Trust as the successful proposal for the City of Kenora banking services for the period 1 December 2009 through 31 December 2014, with an option to renew the proposal for an additional five year term.

**Additions to Agenda**

**5. Moved by C. Van Walleghem, Seconded by J. Parson & Carried:-**

THAT approval be hereby given for the following additional items to be added to tonight's agenda:-

- 1. Approval for attendance at a K.D.M.A. Meeting;
- 2. Inclusion of a Deeming By-law with the adoption of by-laws as a previously approved condition of sale;
- 3. Amendments to the Comprehensive Taxi By-law.

**Receipt and Approval of Various Minutes**

**6. Moved by J. Parson, Seconded by R. McMillan & Carried:-**

**That** Council hereby adopts the following Minutes from various City of Kenora Committees:

- August 20 & November 17, 2009 – Kenora Animal Welfare Advisory Committee
  - November 17, 2009 – Leisure Services Committee
  - November 24, 2009 – Lake of the Woods Museum Board; and

**That** Council hereby receives the following Minutes from other various Committees:

- September 25, 2009 – Kenora Police Services Board
  - October 27, 2009 – Harbourtown BIZ
  - October 30, 2009 – NWHU Board of Health
- November 5, 2009 – Harbourtown Centre Committee
- November 19, 2009 - Kenora Public Library Board; and further

**That** these Minutes be circulated and ordered filed.

**Acceptance of Financial Statements**

**7. Moved by R. McMillan, Seconded by J. Parson & Carried:-**

**That** Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as at October 31, 2009.

**Attendances at K.D.M.A. Annual Conference**

**8. Moved by J. Parson, Seconded by C. Van Wallegghem & Carried:-**

**That** authorization be hereby given for up to two (2) Members of Council to attend the 69<sup>th</sup> Annual KDMA Conference taking place in Ear Falls, ON February, 2010, and

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

**Loan Re-payment Paterson Medical Centre**

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

**That** Council of the City of Kenora hereby extend the interest free period for repayment of loan advances associated with the addition to the Paterson Medical Centre from January 01, 2010 to no later than June 30, 2010; and further

**That** a repayment schedule repayable by equal blended monthly payments based on a 25 year amortization period be determined by the City effective on or before July 01, 2010.

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

**10. Moved by R. McMillan, Seconded by J. Parson & Carried:-**

**That** Council of the City of Kenora hereby authorizes a cumulative loan advance of \$3,377,000.00 to the Kenora Health Care Centre Corporation in accordance with the terms and conditions of Bylaw Number 37-2009 based on the following interim advances:

1. \$65,000.00 effective March 03, 2009
2. \$75,000.00 effective April 22, 2009
3. \$100,000.00 effective May 19, 2009
4. \$210,000.00 effective June 09, 2009
5. \$500,000.00 effective July 08, 2009
6. \$500,000.00 effective August 04, 2009
7. \$10,000.0 effective August 31, 2009
8. \$365,000.00 effective September 10, 2009
9. \$487,000.00 effective October 13, 2009
10. \$655,000.00 effective November 06, 2009
11. \$410,000.00 effective December 04, 2009

### **Endorsation of Resolution – Iroquois Falls (AbitibiBowater)**

#### **11. Moved by J. Parson, Seconded by R. McMillan & Carried:-**

**Whereas** AbitibiBowater Inc. and its Unions have suspended contract talks while they press governments for commitments to protect employee pensions in the company's restructuring plan; and

**Whereas** both sides are proposing the establishment of a trust that would allow current pension benefits to continue protecting some 29,600 current and retired workers from benefit cuts of up to twenty-seven percent (27%); and

**Whereas** such pension income reductions will have critical negative impacts on National, Provincial and local economies;

**Now Therefore be it Resolved that** the Council of the City of Kenora hereby endorses the resolution from the Council of the Town of Iroquois Falls and hereby petitions both the Federal and Provincial levels of government to work with the proposal submitted by AbitibiBowater and its Unions and help find workable solutions to protect and allow current pensions to continue; and

**Be it further Resolved that** a copy of this resolution be circulated to The Right Honourable Stephen Harper, Prime Minister of Canada, the Honourable Dalton McGuinty, Premier of Ontario, the Honourable Jim Flaherty, Minister of Finance Canada, the Honourable Dwight Duncan, Minister of Finance Ontario, the Honourable Greg Rickford, Kenora MP, and the Honourable Howard Hampton, Kenora-Rainy River, MPP.

**Abstention: Councillor Van Walleggem**

**RECORDED VOTE #11**

| <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 Parson         | <b>X</b>   |            |                         |
| Councillor Van Wallegghem |            |            | <b>X</b>                |
| Mayor Compton             | <b>X</b>   |            |                         |

**Amendment to Budget (KPS Severances)**

**12. Moved by J. Parson Seconded by C. Drinkwalter & Carried:-**

**That** Council hereby approves combined severances for former employees of the Kenora Police Service in accordance with the entitlements as set out in both the current collective agreement and/or employment related contracts and as approved by the Police Services Board representing total severance payouts as follows:

- **Non-Union Employees - \$580,997.23**
- **Union Employees - \$904,869.88; and**

**That** in accordance with the Notice By-Law #144-2007, public notice is hereby given that Council intends to amend its 2009 Operating and Capital Budget at its December 14, 2009 meeting to authorize severances to former Kenora Police Service employees totaling \$1,485,867.11; and

**That** Council approves an offsetting withdrawal from the City’s contingency reserve; and further

**That** Council hereby gives three readings to a by-law to amend the 2009 budget for this purpose.

**Contracts for provision of Civil Marriage Services**

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

**That** Council give three readings to a by-law to authorize the execution of contracts for the provision of Civil Marriage Solemnization Services by the City of Kenora for a further two year period, commencing January 1, 2010.

**Approval of Accessibility Policy**

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

**That** Council hereby gives three readings to a by-law authorizing the new City of Kenora Accessibility Policy #AD-04-01.

**Approval of Pandemic Policy**

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

**That** Council of the City of Kenora give three readings to a by-law authorizing the new City of Kenora Pandemic Policy #HR-2-20.

**Approval of 2010 Meeting Schedule**

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

**That** Council hereby adopts the 2010 Committee and Council Meeting Schedule attached to the December 7 report of the City Clerk.

**Amended Terms of Reference – Environmental Committee**

**17. Moved by J. Parson, Seconded by C. Drinkwalter & Carried:-**

**That** Council give three readings to a by-law to amend By-law #16-2009 being a by-law to establish Terms of Reference for the City of Kenora Environmental Advisory Committee as follows:-

**Section 5.0 – Meetings and Administration**

**Amend the following paragraph:**

“The City of Kenora will provide sufficient resources and staff for conducting the business of the Committee. This will include, but not be limited to: taking meeting minutes, assisting the Chair in developing an agenda, the circulation of meeting notices and minutes and the advertisement and organization of public meetings”

**To read:**

“The Environmental Committee is responsible to provide its own Committee meeting support for conducting the business of the Committee, such as the taking of meeting minutes, assisting the Chair in developing an agenda, the circulation of meeting notices and minutes and the advertisement and organization of public meetings. In the event a volunteer is not available, a City employee may be made available for this purpose.”

**Councillor Parson – AMO Training**

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

**That** authorization be hereby given for Councillor Parson to attend the AMO Training Sessions taking place in Thunder Bay, January 26 and 27, 2010; and further

**That** all eligible expenses in accordance with Council’s Travel & Per Diem Policy be and are hereby approved.

**Attendance at LOW Water Quality Forum**

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

**That** authorization be hereby given for one (1) Member of Council to attend the 2010 Lake of the Woods Water Quality Forum taking place in International Falls, MN, March 10 and 11, 2010; and further

**That** all eligible expenses in accordance with Council's Travel & Per Diem Policy be hereby authorized.

**Attendance at Vermilion Bay K.D.M.A. Meeting**

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

**That** authorization be hereby given for Councillor Jim Parson to attend the Kenora District Municipal Association (KDMA) meeting taking place Thursday, December 17, 2009 at 5:00 p.m. in Vermilion Bay, ON: and further

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

**Amendments to Comprehensive Taxi By-law**

**19B Moved by C. Van Wallegghem, Seconded by J. Parson & Carried:-**

**That** the following amendments be hereby approved to the Comprehensive Taxi By-law #88-2009:-

**Schedule "A" – Licence Fees:**

➤ ***Taxi or Limousine Driver's Licence:***

Reduce rate from: \$50 per annum to \$25 per annum, effective immediately; and

**Schedule "B" – Licence Fees:**

➤ **Rates and Fares - 2010**

Add: Rates/fares take effect and come into force on June 1, 2010; and

**That** administration work with the taxi companies to review the by-law further to address the calibration of the meters; and further

**That** Council give three readings to a by-law to formalize these changes at Council's January 18, 2010 meeting.

**Lease Agreement – Keewatin Arena Concession**

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

**That** Council of the City of Kenora give three readings to a by-law authorizing an agreement between the Corporation of the City of Kenora and Donna Alders for the purpose of Food and Beverages Services at the Keewatin Memorial Arena for the term October 1, 2009 to October 1, 2012; and further

**That** authorization is hereby given for the Mayor and City Clerk to execute said agreement.

**Kenora Recreation Centre – Family Day**

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

**That** approval be given for the Kenora Recreation Centre to remain open between 8:00 a.m. and 4:00 p.m. Monday, February 15, 2010 for families and individuals to recreate on the Family Day Statutory Holiday; and further

**That** all additional overtime costs for this day be included and approved in the proposed 2010 operating budget.

### **Acquisition of Pumper Fire Apparatus**

#### **22. Moved by J. Parson, Seconded by C. Drinkwalter & Carried:-**

**That** the Council of the City of Kenora hereby approves the acquisition of one (1) Pumper Fire Apparatus as supplied by Fort Garry Fire Trucks in the amount of \$414,012.00 plus applicable taxes; and further

**That** Council hereby directs Administration to update the draft 2010 Capital Plan to carry forward the purchase of this pumper from 2009, with the additional costs of \$39,012 plus net impact of applicable taxes to be funded from the Provincial Government's Fire Service Grant.

### **Ranking Lists – Non-owned Equipment**

#### **23. Moved by J. Parson, Seconded by C. Van Walleghem & Carried:-**

**That** the ranking lists attached to the December 3, 2009 report of R. Perchuk, Operations Manager, be hereby accepted and adopted for purposes of hiring non-owned equipment and trucks for the City of Kenora during the period January 1 to December 31, 2010.

### **Amend 2009 Water & Sewer Capital Budget (UV Project)**

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

**That** an additional budget request in the amount of \$100,000.00 be hereby approved to cover the cost of additions and changes to the scope of work for the UV Sewage Treatment Plant project; and

**That** Council hereby authorizes the additional request to be funded through the reallocation of \$100,000.00 from the Water Treatment Plant Filter Media Removal & Replacement Project allocation approved under the 2009 Water & Sewer Capital Budget; and

**That** in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2009 Water & Sewer Capital Budget at its December 14, 2009 meeting; and further

**That** Council hereby gives three readings to a by-law to amend the 2009 budget for this purpose.

### **Staffing Transition Plan – Planning Office**

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



**That** Council of the City of Kenora adopt the following staffing transition plan as it relates to the vacancy of the City Planner position:

1. That the Economic Development Officer, Tourism Development Officer, Northwest Business Centre Coordinator, and Intern positions report directly to the Chief Administrative Officer with the Economic Development Officer acting in the role of team leader as identified in the Interim Organizational Chart dated December 02, 2009;
2. That the Planning Administrator position description be approved for the delivery of land use services on behalf of the City;
3. That Tara Rickaby be appointed to the position of Planning Administrator.

### **Parking Lot/Docking Facility Requirements – Lakeview Drive**

#### **26. Moved by W. Cuthbert, Seconded by J. Parson & Carried:-**

**That** the City of Kenora releases the current letter of credit associated with the development of a parking lot and docking facility owned by Bruce Krawicki Limited, to be replaced with financial security in the amount of \$2,500.00, which security will be released upon completion of the resurfacing, painting of stalls and reconfiguring of the dock structure to 38 stalls.

### **Approval of By-laws**

#### **27. Moved by C. Van Walleggem, Seconded by R. McMillan & Carried:-**

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

**#174-2009** ~ To confirm proceedings of Council and other Committee Meetings

**#175-2009** ~ To approve a City of Kenora Accessibility Policy

**#176-2009** ~ To amend the 2009 Operating & Capital Budget (KPS Severances)

**#177-2009** ~ To authorize execution of contracts for the provision of Civil Marriage Solemnization Services

**#178-2009** ~ To approve a City of Kenora Pandemic Policy

**#179-2009** ~ To authorize execution of a lease agreement with Donna Alders for operation of the Keewatin Arena Concession

**#180-2009** ~ To amend the 2009 Sewer & Water Capital Budget (UV Project)

**#181-2009** ~ To authorize execution of a lease agreement with Baker Manufacturing Ltd.

**#182-2009** ~ To authorize execution of a lease agreement with K.C. Refrigeration Ltd.

**#183-2009** ~ To amend Terms of Reference for the City’s Environmental Advisory Committee

**#184-2009** ~To deem certain lands not to be within a Registered Plan of Subdivision.

**Adjournment**

**28. Moved by J. Parson, Seconded by W. Cuthbert & Carried:-**

THAT this meeting be now declared closed at 5:41 p.m.

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

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

**OF.....2010**

.....

**MAYOR**

.....

**CITY CLERK**