



Minutes

*Of a Meeting of the Council of the City of Kenora
Tuesday, February 17, 2009 – City Council Chambers
5:00 p.m.*

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WITH Mayor L. Compton in the Chair, Councillor W. Cuthbert, Councillor C. Drinkwalter, Councillor D. McCann, Councillor A. Poirier, Councillor C. Van Wallegghem.

**Regrets: Councillor R. McMillan**

**Staff: Bill Preisenz, CAO, Karen Brown, Finance & Administration Manager, Warren Brinkman, Fire & Emergency Services Manager, Sharen McDowall HR 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 Van Wallegghem 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:-

- ***A by-law amendment to Tariff of Fees By-law #147-2007 to incorporate a charge for Commercial Roll-Out Containers delivered to the Transfer Station.***

### **Confirmation of Minutes**

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

- **Regular Council Meeting held January 19, 2009**
- **Special Council Meeting held February 2, 2009.**

### **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 were none declared.

**DEPUTATIONS:**

**Andy Savela/Jody Powers, Canadian Auto Workers (CAW)**

Messrs. Savela and Powers representing both CAW National, and Local 229, requested Council to consider endorsing and supporting a resolution with respect to "Buy-Canadian, Build Communities" and to adopt a municipal policy for this purpose in the wake of the economic downturn. They explained the economic benefits of spending dollars 'at home' helps to support local jobs, fund payrolls and generate much needed tax revenues. It was noted that several municipalities across Canada have adopted the resolution with a view to establishing a municipal policy regarding direct purchases at the local level.

The gentlemen were thanked for their presentation and filed their information with the Clerk.

**Establishment of Environmental Advisory Committee**

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

THAT Council of the City of Kenora give three readings to a by-law establishing an Environmental Advisory Committee to provide advice and direction to City Council to maximize opportunities for citizens, organizations, businesses and government to be good stewards of the environment; and further

THAT Councillor Rory McMillan be appointed as a member to the Environmental Advisory Committee and Councillor David McCann be appointed as alternate.

**Proposal from KAR**

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

THAT Council adopt the KAR proposal for the delivery of services as identified in their proposal for 2009-10 and present the proposed \$10,000 annual expenditure for tables and chairs to the 2009 budget for discussion and final decision; and

THAT KAR and Tourism Kenora work co-operatively in promoting and attracting additional special events and attractions to the City of Kenora, as a team approach and through participation at the respective committee meetings; and

THAT Kenora Tourism operate the Travel Information Centre on Hwy 17 E on a year round basis and provide seasonal visitor information at the Pavilion; and further

THAT the Special Events Coordinator position be recruited for a one year term on the condition that external, third party funding be acquired for a minimum of 50% of the cost.

**RFP – Municipal Insurance**

**4. Moved by A. Poirier, Seconded by C. Van Walleghem & Carried:-**

THAT the City of Kenora issue a Request for Proposal for the provision of Municipal Insurance coverage for the period beginning July 1, 2009 and ending June 30, 2010.

**Revised Non-Union Recruitment Policy**

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

THAT Council of the City of Kenora give three readings to a by-law, authorizing a revised City of Kenora – Non-Union Recruitment Policy HR1-1.

**POA Court House Facilities - Agreements**

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

THAT Council of the City of Kenora approve the License Agreements with the Ontario Realty Corporation for leasing space in the Kenora and Red Lake Court House Facilities for the Provincial Offences Court for a five (5) year term ending December 31, 2013; and further

THAT Council give three readings to a By-law authorizing the License agreements.

**Summer Student – City Hall**

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

THAT Council hereby approves the hiring of a summer student to act as both relief cashier and perform parking ticket processing in the Finance & Administration department; and further

THAT this position be conditional upon approval of the 2009 Municipal Budget.

**Additional Items to Agenda**

**7A Moved by C. Van Walleghem, Seconded by W. Cuthbert & Carried:-**

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

- i) Mayor Compton's attendance at an upcoming meeting;
- ii) Award of the Anicinabe Park Contract Tender;
- iii) Special Occasions Permit for the Annual Ham 'N Egger Hockey Tourney.

**Mayor Compton to Attend Conference**

**7B Moved by C. Drinkwalter, Seconded by W. Cuthbert & Carried:-**

THAT authorization be hereby given for Mayor Len Compton to attend the 2009 Lake of the Woods Water Quality Forum taking place in International Falls, MN, March 11 and 12, 2009; and further

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

**Award of Anicinabe Park Tender**

**7C Moved by D. McCann, Seconded by W. Cuthbert & Carried:-**

THAT the following tenders for contract services for Anicinabe Park, payable to the City of Kenora, for the period April 1, 2009 to December 31, 2013 be hereby received;

Larry Cruikshank  
Brad Maluornao  
Tony & Carole Bruneau (C & T Ventures)  
Ernie Larose & Marie Morrison (MML Project Manitoba), and further

THAT the tender received from Larry Cruikshank, for the operation and maintenance of Anicinabe Park as set out below, be hereby accepted:-

2009 - \$20,000.00  
2010 - \$20,600.00  
2011 - \$21,855.00  
2012 - \$22,511.00  
2013 - \$23,186.00

**Special Occasions Permit – Annual Ham 'N Egger**

**7D Moved by C. Van Walleghem, Seconded by D. McCann & Carried:-**

THAT approval be hereby granted for the Alcohol & Gaming Commission of Ontario to issue a Special Occasions Permit to the 14<sup>th</sup> Annual Larry Bowen Ham N' Egger Classic Hockey Tournament taking place at the Keewatin Memorial Arena Community Hall, in accordance with the Municipal Alcohol Policy and Liquor Control Regulations, as follows:-

March 20, 2009 -between the hours of 6:00 p.m. and 1:00 a.m.  
March 21, 2009 -between the hours of 11:00 a.m. and 1:00 a.m.  
March 22, 2009 -between the hours of 12:00 p.m. and 10:00 p.m.; and further

THAT Council hereby recognizes and dedicates this event as a "Community Festival" in and for the City of Kenora.

**Minimum Wage Step Level Plan**

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

THAT Council of the City of Kenora authorize the increase and implementation of the wage step level plan for the minimum wage staff in the Recreation Department, as outlined below:

| <b>Concession</b>         | <b>Step 1 - Start</b>      | <b>Step 2 - Experience</b> |
|---------------------------|----------------------------|----------------------------|
| Student -17 yrs & under   | \$8.90 (Ontario min. wage) | \$9.30                     |
| Adult -18 yrs & over      | \$9.50 (Ontario min. wage) | \$9.90                     |
| <b>Rink Attendants</b>    | <b>Step 1 - Start</b>      | <b>Step 2 - Experience</b> |
| Students - 17 yrs & under | \$8.90 (Ontario min. wage) | \$9.30                     |
| Students - 18 yrs & over  | \$9.50 (Ontario min. wage) | \$9.90                     |
| <b>Desk Attendants</b>    | <b>Step 1 - Start</b>      | <b>Step 2 - Experience</b> |
| Students - 17 yrs & under | \$8.90 (Ontario min. wage) | \$9.30                     |
| Students - 18 yrs & over  | \$9.50 (Ontario min. wage) | \$9.90                     |

AND FURTHER THAT the graduation to Step 2 be pending based on satisfactory performance and all Concession and Rink Attendant staff remain strictly seasonal with interested staff being required to re-apply annually.

**Summer Student – Day Care Centre**

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

THAT Council approves the hiring of one (1) summer student for The Castle of Learning and Discovery Children’s Centre for twelve (12) weeks starting June 15, 2009 and ending August 28, 2009; and further

THAT this position be conditional upon approval of the 2009 Municipal Budget.

**Annual Diamonds & Ice Hockey & Baseball Tournament**

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

THAT Council of the City of Kenora declare the 15<sup>th</sup> *Annual Diamonds & Ice Hockey & Baseball Tournament* a Community Festival; and

THAT the Council of the City of Kenora hereby grants approval for the Alcohol and Gaming Commission of Ontario to issue a Special Occasions Permit for the operation of a beer gardens at the following times during the above described event subject to compliance with the Municipal Alcohol Policy and Liquor Control Regulations:

| Location                                 | Fri. July 31 <sup>st</sup> , 2009 | Sat. August 1, 2009     | Sun. August 2, 2009     |
|------------------------------------------|-----------------------------------|-------------------------|-------------------------|
| Keewatin Community Hall (Arena upstairs) | 3:00 p.m. – 1:00 a.m.             | 11:00 a.m. – 12:00 a.m. | 12:00 p.m. – 10:00 p.m. |
| Portage Bay Keewatin                     | 3:00 p.m. – 10:00 p.m.            | 11:00 a.m. – 12:00 a.m. | 12:00 p.m. – 10:00 p.m. |

AND THAT the Council for the City of Kenora authorize the donation of a total of sixteen (16) Golf Shirts, T-Shirts &/or Sweat Shirts to be used as part of the Tournament prize package in keeping with past practice; and further

THAT the overnight parking tow-away by-law be lifted at the Keewatin Memorial Arena from Friday July 31, 2009 to Monday August 3, 2009 at 8:00 a.m. in the interest of public safety.

**Lake of the Woods Sports Association - Banquet**

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

THAT Council support the Lake of the Woods Sports Association 24<sup>th</sup> Annual Sports Banquet in the form of a donation of \$200.00; and further

THAT Councillor Chris Van Walleghem be authorized to attend the banquet on April 22, 2009 and all eligible expenses in accordance with Council's Travel & Per Diem Policy be hereby authorized.

**Kenora Safe Grad - Grant**

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

THAT the Council of the City of Kenora support the work of the Kenora Safe Grad Committee towards an all-inclusive, drug/alcohol free, safe celebration of graduation from high school; and further

THAT a grant in the amount for \$3,000.00 be authorized for the use of the Kenora Recreation Centre for this purpose.

**Extension of Agreement with KGS Group**

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

THAT Council hereby authorizes the Contract Administration Services Agreement between the Corporation of the City of Kenora and KGS Group for the Downtown Revitalization Phase 1 Project be amended to increase the limit from \$336,328.00, plus GST to \$457,970.00, plus GST; and

THAT approval be granted to extend the term of the Agreement to be no later than December 31<sup>st</sup>, 2009; and further

THAT Council give three readings to a by-law to amend the Agreement, as per By-Law #102-2008, for the purpose of authorizing the extension of a contract and associated fee between the Corporation of the City of Kenora and KGS Group.

**Amendment to Tariff of Fees & Charges By-law**

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

THAT Council hereby repeals By-Law Number 182-2008, being a By-Law to designate a charge for Commercial Roll-Out containers dropped off at the Transfer Station, in order that a new clause may be added as follows:-

1. THAT an addition to Section 23 (Solid Waste) be added and inserted into Schedule "D" to By-law 147-2007 for inclusion of a Commercial Recycling drop off charge as follows:

Roll-Out Containers delivered to the Transfer Station - \$2.00/container; and further

THAT Council give three readings to a new by-law to Amend Schedule "D" to Tariff of Fees & Charges By-law #147-2007, Section 23 (Solid Waste) regarding a charge for Commercial Roll-Out Containers delivered to the Transfer Station.

### **Recognition of Earth Hour**

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

THAT Council of the City of Kenora, being an AMO member municipality, endorse the support of the World Wildlife Fund Earth Hour, by turning off the lights in non-used municipal buildings, encouraging other sectors to participate, measuring the energy drop during the event by working with the local distribution company and engaging residents in post-Earth Hour activities that encourage individual action by highlighting programs and incentives; and further

THAT the Earth Hour event be held on Saturday, March 28, 2009, from 8:30 p.m. to 9:30 p.m.

### **Approval for Seasonal Parks Labourers**

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

THAT Council of the City of Kenora approves the hiring of two seasonal parks labourers for a total of 57 weeks between April and December, 2009; and further

THAT these positions be conditional upon Council approval of the 2009 City Operational Budgets.

### **Approval for Various Summer Students - Operations**

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

THAT Council of the City of Kenora approve the hiring of three (3) summer students for the Lake of the Woods Cemetery (for 18 weeks each for a total of 54 weeks) from April 27 - August 28, 2009; and

THAT Council of the City of Kenora approve the hiring of four (4) students for the Parks Department (for 14 weeks each for a total of 56 weeks) from May 11 - August 14, 2009; and

THAT Council of the City of Kenora approve the hiring of four (4) students for the Roads Department (for 14 weeks each for a total of 56 weeks) from May 11 - August 14, 2009; and

THAT Council of the City of Kenora approve the hiring of one (1) student for the Water & Sewer Department (for a total of 16 weeks ) from May 11 – August 28, 2009; and

THAT Council of the City of Kenora approve the hiring of two (2) students for the Solid Waste Department (for 16 weeks each for a total of 32 weeks) from May 11 – August 28, 2009; and further

THAT these positions are conditional upon Council approval of the 2009 City Operational Budgets.

**Viewing Sites – Mink Bay Walking Trail**

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

THAT approval be given to Kenora Urban Trails Committee to proceed with the plans to develop two viewing sites for the Mink Bay Walking Trail; and

THAT the City acknowledges receipt of a grant in the amount of \$4,000.00 from the Ministry of Natural Resource's Community Fisheries and Wildlife Involvement Program for the funding of 2 granite benches, 2 signs and 1 railing; and further

THAT the City of Kenora assume any insurance requirements for this purpose, as is customary for other trails on City property.

**Various Seasonal Docking Rates**

**19. Moved by A. Poirier, Seconded by C. Van Walleghem & Carried:-**

THAT Council of the City of Kenora hereby establish the following seasonal docking rate fees for the following City wharfs for 2009:

1. Keewatin and Harbourfront 'C' Dock - \$450.00/slip effective 2009 boating season;
2. Water Street Dock - \$300.00/slip effective 2009 boating season; and

THAT a 5% increase be approved for each of the 2010 and 2011 boating seasons; and

THAT a new seasonal docking rate for the Coney Island north docks be established at \$300.00/per slip effective for the 2009 boating season with a 5% increase being approved for each of the 2010 and 2011 boating seasons; and

THAT Coney Island residents residing within the interior lots be given first opportunity to rent the Coney Island north docks; and further

THAT the revenue from the seasonal docking fees be transferred to a Wharf Replacement Reserve for future wharf repairs and replacement.



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

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

THAT authorization be hereby given for the City of Kenora to enter into a service agreement for the provision of planning and engineering advisory services with the Township of Sioux Narrows-Nestor Falls for the year 2009, and further

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

**Amendment to Snowmobile By-law #149-2007**

**21. Moved by W. Cuthbert, Seconded by C. Van Wallegem & Carried:-**

THAT By-law Number 149-2007, being the Snowmobile By-law, be amended to reflect the addition of an OFSC trail, north of Rabbit Lake; and further

THAT By-law Number 21-2008 be and is hereby repealed.

**Acquisition of Land – Abitibi Consolidated**

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

THAT authorization is hereby given for the Corporation of the City of Kenora to acquire from Abitibi Consolidated Inc. the lands described as Pt Lot 4, Concession 6, Part 1 23R-11479, Jaffray, LT 42171-0172, for public\municipal purposes; and

THAT the purchase price of the said property shall not exceed the sum of One Dollar (\$1.00), of which all fees have been paid; and further

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

**Community Video Program**

**23. Moved by D. McCann, Seconded by W. Cuthbert,**

THAT the City of Kenora enter into an agreement with CGI Communications, Inc. for the development and implementation of a Community Video Program for a term of three years; and further

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

**MOTION DEFERRED**

**Motion to Defer Motion #23**

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

THAT Motion #23 on tonight's agenda with respect to a Community Video Program, be deferred to the next regularly scheduled Council meeting to be held March 9, 2009; and further

THAT approval of By-law #19-2009 regarding this matter be struck from Motion #31 on tonight's agenda.

**Declaration of Surplus Property – Second Street South**

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

THAT the Council of the City of Kenora declares surplus the property abutting property described as 831 Second Street South, PLAN 3 BLK 5 PT LOT 19; and Laurenson Creek, and

THAT in accordance with the Notice By-law, 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 Martin Poirier, as a lot addition (consolidation), at the appraised value as established by Century 21 – Reynard Real Estate, plus survey and all other associated costs; and further

THAT the Municipal Solicitor be requested to coordinate the transfers.

**Lease Agreement with Rogers Communications**

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

THAT Council of the City of Kenora approves the entering into of a lease, for use of lands, with Rogers Communications; and further

THAT the Mayor and Clerk be authorized to enter into the agreement on behalf of the City of Kenora.

**RFP – Local Real Estate Services**

**26. Moved by W. Cuthbert, Seconded by C. Van Wallegem & Carried:-**

THAT the City of Kenora invites local real estate firms to respond to a request for proposals for real estate services to provide professional real estate services for a five (5) year period including, but not limited to, opinions of fair market value of property and marketing/sale of municipal property.

**Approval for Tourism Students**

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

THAT Council of the City of Kenora approves the hiring of five (5) students for the Tourism Department: (for 16 weeks each for a total of 80 weeks) ranging from April 27 – August 29, 2009; and further

THAT all positions are conditional upon Council approval of the 2009 City Operational Budgets.

**Receipt of Proposal – Keewatin Waterfront Lands**

**28. Moved by W. Cuthbert, Seconded by C. Van Wallegem & Carried:-**

THAT the following one proposal in response to the City's Request for Proposal call, to develop the Keewatin Waterfront Property, be received:-

- 5447471 Manitoba Ltd. O/A Shoreline Developments, Winnipeg, MB

AND FURTHER THAT Council hereby rejects the Proposal on the basis it did not meet the City's reserved bid, and contained conditions the City was not prepared to entertain.

**Tender – Rehabilitation of Anicinabe Park Concession Building**

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

THAT the following two (2) request for quotations, for the rehabilitation of the perimeter and basement drainage at the Anicinabe Park Concession building, be hereby received, (GST extra)

|                     |             |
|---------------------|-------------|
| LMD Contracting     | \$13,700.00 |
| Sierra Construction | \$12,840.00 |

AND FURTHER THAT the submission received from Sierra Construction, in the amount of \$12,840.00, GST extra, be hereby accepted.

**Tender – Operation of Coney Island Shuttle**

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

THAT Council of the City of Kenora receive the following proposals to operate a shuttle service to Coney Island from the Harbourfront docks:

- Scott Green, Green Adventures
- John O'Flaherty, Kenora Marine Transportation Services
- Jennifer Schott; Proposal Withdrawn; and further

THAT the proposal from John O'Flaherty be accepted for purposes of negotiating an agreement acceptable to both parties for the 2009 and 2010 boating season with a further two year extension as may be mutually agreed.

**Adoption of By-laws**

**31. Moved by C. Drinkwalter, Seconded by D. McCann & 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:~

**#11-2009** - To confirm proceedings of Council and other Committee Meetings

**#12-2009** – To adopt a Non-Union Hiring Policy

**#13-2009** - To authorize the execution of lease agreements for POA Court House Facilities

**#14-2009** - To authorize the extension of an agreement with KGS Group for Downtown Revitalization – Phase 1

**#15-2009** – To amend the Tariff of Fees & Charges By-law

**#16-2009** – To establish Terms of Reference for the City of Kenora Environmental Advisory Committee

**#17-2009** – To authorize the execution of a lease agreement between the City and Rogers Communications Inc.

**#18-2009** – To assume, stop up, close and transfer part of Grey Street, Block 8, Plan 88, Designated as Parts 2, 3 & 4, Plan 23R11607 in exchange for an easement to the City over parts 1 & 3, Plan 23R11607, City of Kenora, District of Kenora

~~#19-2009 – To authorize the execution of a Community Video Tour Book Agreement with CGI Communications Inc.~~ **TABLED**

**#20-2009** – To amend Comprehensive Zoning By-law Number 160-2004, as amended

**#21-2009** – To amend By-law Number 149-2007 being a by-law to regulate, govern and control motorized snow vehicles within the City of Kenora

**#22-2009** – To authorize the transfer of land to the Corporation of the City of Kenora

**#23-2009** – To authorize the execution of a Service Delivery Agreement between the City of Kenora and the Township of Sioux Narrows-Nestor Falls for 2009.

**Adjournment**

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

THAT this meeting be and is hereby adjourned at 5:53 p.m.

*THE CORPORATION OF THE CITY OF KENORA:*

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

*OF.....2009*

.....

*MAYOR*

.....

*CITY CLERK*