



Minutes

*Of a Meeting of the Council of the City of Kenora
Monday, January 19, 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 A. Poirier, Councillor C. Van Walleghem.

Staff: Bill Preisentanz, CAO, 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 Cuthbert 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:-

- **An amendment to Tariff of Fees By-law #147-2007 to incorporate an additional fee under Civil Marriage Ceremonies pertaining to "Renewal of Vows."**

## **Confirmation of Minutes**

**1. Moved by C. Drinkwater, 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 December 15, 2008**
- **Special Council Meeting held December 22, 2008.**

## **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:-

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

Councillor Cuthbert declared a Conflict of Interest with respect to Item #27 on tonight's Agenda as her business is in competition with the owner of the property of the subject lands.

### **PRESENTATIONS:**

#### **Ontario Heritage - Certificate of Achievement**

Mayor Compton and Councillor McMillan presented Kenora's Nominees, Ron and Ann Baker with the 2008 Heritage Community Recognition Program Certificate of Achievement for their volunteer work associated with a number of organizations, but in particular with respect to the Railroad Museum for which they were nominated.

#### **David Schwartz – Environmental Committee**

Mr. Schwartz, on behalf of the Environmental Committee, addressed Council on matters pertaining to the recently approved Environmental Policy. Mr. Schwartz commended Council on adopting the Environmental Policy, but feels no-one in Kenora really knows that we have such a policy in the community. The purpose of his presentation today is to increase public awareness. He noted the Committee is now an official Advisory Committee to Council and will report directly to Council. The City is preparing a Terms of Reference for the Committee and interested citizens should inquire about participating as Members as a request for membership in the media will be made in due course.

Mr. Schwartz advised the Policy is very proactive, and having the policy will mean decisions will be made with environmental concerns taken into consideration. After reading the policy, Mr. Schwartz applauded Council and staff, past and present on setting up a variety of policies and procedures such as the recycling program, idling of vehicles; use of pesticides, reduction in road salt, handling of hazardous waste, the Big Spruce project, infrastructure/improvements, the roundabout, noise control by-law, and reduction of plastic bags. Mr. Schwartz explained the Advisory Committee will be able to assist the City with other works and projects required on a forward basis in accordance with this important policy which will help the health of the world environment and also the City of Kenora.

Mayor Compton thanked Mr. Schwartz for attending.

#### **Kenora Police Services 2009 Budget Submission**

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

THAT Council hereby provides the following direction to the Kenora Police Services Board with regards to the Board's 2009 budget submissions as requested by the Police Services Board:

- The Kenora Police Service Budget submissions for 2009 should reflect the following:
  - Minimum Costs to Ensure Adequate and Effective Policing during the period from January 1, 2009 through June 30, 2009, the approved date for disbandment of the KPS;

- Anticipated costs related to any expenditures deemed necessary as part of the disbandment of the KPS, including related transition costs to the OPP, reflected as a separate line item in the budget;
- Provision for Expenditures in accordance with Section 130(1) of the Police Services Act, reflected as a separate line item in the budget;
- No capital budget should be submitted for the KPS operations due to the impending disbandment;
- Regular operating budget for the entire 2009 operating year for expenses related to the Police Services Board; and further

THAT the budget submissions from the Police Services Board be submitted to the City on or before January 30, 2009, at noon in accordance with the initial budget request made by City administration on November 28, 2008 and in the format as per that original request as amended by the direction provided within this resolution.

**RECORDED VOTE:~**

| COUNCIL                  | AYE | NAY | Dec. of Interest | ABSENT |
|--------------------------|-----|-----|------------------|--------|
| Councillor Cuthbert      | X   |     |                  |        |
| Councillor Drinkwalter   | X   |     |                  |        |
| Councillor McCann        | X   |     |                  |        |
| Councillor McMillan      | X   |     |                  |        |
| Councillor Poirier       | X   |     |                  |        |
| Councillor Van Walleggem | X   |     |                  |        |
| Mayor Compton            | X   |     |                  |        |

**Charitable Donations – Kenora Golf & Country Club**

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

THAT Council accept charitable donations for the purposes of funding capital improvements at the Kenora Golf Club subject to written approval by the Kenora Golf Club of the following conditions:

- THAT the City be the direct recipient of any donation amounts for capital improvements at the Kenora Golf Club for which a donations receipt is required; and
- THAT the Kenora Golf Club submit a plan for capital improvements to be performed at the golf course that would be funded through any donations received; and
- THAT the City would either reimburse the Kenora Golf Club direct for the net cost of any related capital works performed, or pay on behalf of the Kenora Golf and Country Club for the net costs, up to a maximum of any donation amounts received and not previously paid out in this manner; and further

THAT the City will neither accept any donations nor issue any donation receipts related to capital improvements at the golf course until the Kenora Golf Club has provided the City with written agreement as to the conditions as contained within this resolution.

**LAS – Delegation of Authority**

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

THAT the Council of the City of Kenora endorse the Electricity Procurement Program in partnership with Local authority Services (LAS), a wholly owned subsidiary company of the Association of Municipalities of Ontario; and

THAT the execution of an Agency Appointment and Retainer Agreement with Local Authority Services be approved, recognizing that as agent, LAS will negotiate all required electricity purchases on behalf of all procurement program members and that the details of all contracts will then be communicated to all program members; and

THAT the authority to make all future program-related decisions for the City of Kenora be delegated to:-

- 1) Karen Brown, Manager, Finance & Administrations
- 2) Charlotte Edie, Deputy Treasurer
- 3) John Nabb, Building Inspector/ Facilities Maintenance Coordinator; and further

THAT Council authorize the Local Authority Services, through its appointed agent, to have access to consumption data from the local electricity utility on an as-needed basis in order to compile load profile information for the procurement program and to bill all enrolled accounts.

**Retainer Services – Fred Dean**

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

THAT authorization is hereby given for the City of Kenora to renew its retainer for legal services with Fred Dean, Barrister and Solicitor for the period January 1 to December 31, 2009 by including same in the 2009 Operating Budget; and further

THAT authorization is hereby given for the Clerk to execute any documents in connection with this renewal on behalf of the City of Kenora.

**Membership Renewals – NOMA & KDMA**

**6. Moved by R. McMillan, Seconded by C. Cuthbert & Carried:-**

THAT the Council of the City of Kenora hereby authorizes the renewal of memberships in 2009 with the Kenora District Municipal Association (KDMA) and the Northwestern Ontario Municipal Association (NOMA).

**Kenora's Flight Service Station**

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

WHEREAS the City of Kenora has been advised that the Level of Service for Kenora's Flight Service Station is being reviewed by Nav Canada; and

WHEREAS the intent of this review is to reduce or withdraw Air Traffic Services from Kenora; and

WHEREAS any changes made to the status-quo in Kenora will create job loss and will impact air navigation services for this region of Northwestern Ontario; and

WHEREAS the loss of these services will have an adverse affect on other services as Kenora is an MNR aircraft fire base during the spring and summer months and a year round base for Air Ambulance servicing many communities in our area; and

WHEREAS the City of Kenora as a stakeholder, is opposed to any reduction to, or closure of the Kenora Flight Service Station by Nav Canada;

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the City of Kenora hereby petitions Operations-Nav Canada, and the Honourable John Baird, Federal Minister of Transport, Infrastructure and Communities, imploring them to immediately cease and desist in implementing any reductions to the present service level at Kenora's Flight Service Station due to both the health and safety issues associated with such changes, as well as to the potential loss of some 14 jobs in Kenora and resulting job loss in our area; and further

THAT a copy of this resolution be forwarded to Greg Rickford, Kenora MP, the Kenora Airport Authority and the CAW Local 2245 Air Traffic Specialists.

**Council attendance at the Lk of the Wds Cottagers AGM**

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

THAT authorization be hereby given for Mayor Compton and Members of Council to attend the Annual General Meeting of the Lake of the Woods Cottagers taking place on May 4, 2009 in Winnipeg; and further

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

**Amendment to Tariff of Fees & Charges – Renewal of Vows**

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

THAT Council give three readings to a by-law to amend Schedule "A" to By-law #147-2007 being a by-law to establish a General Tariff of Fees and Charges for the City of Kenora for the purpose of Renewal of Vows under Civil Marriage Fees.

**Mayor Compton's attendance – Health of Lake Winnipeg Meeting**

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

THAT authorization be hereby given for Mayor Compton to attend the "Health of Lake Winnipeg" meeting taking place Monday, January 12, 2009 in Winnipeg; and further



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

**Mayor Compton's attendance – Economic Summit**

**11. Moved by A. Poirier, Seconded by C. Van Wallegghem & Carried:-**

THAT authorization be hereby given for Mayor Compton to attend the Economic Summit taking place February 2 and 3, 2009 in Thunder Bay; and further

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

**Emergency Repairs – Keewatin Memorial Arena**

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

THAT Council hereby authorizes emergency sewer repair work for the Keewatin Memorial Arena, at a cost not to exceed \$8,000.00 (incl. GST); and

THAT approval is hereby given for an appropriation of funds from the Recreation Complex - Keewatin Memorial Arena Reserves for this purpose; and further

THAT the cost of these repairs be reflected in the 2009 Municipal Operating Budget.

**Family Day Statutory Holiday – Arena Openings**

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

THAT approval be given for the Kenora Recreation Centre to remain open from 8:00 a.m. to 4:00 p.m. and the Keewatin Memorial Arena to remain open from 1:00 p.m. to 4:00 p.m. on Monday, February 16, 2009 in order that families and individuals may enjoy the recreational facilities on the Family Day Statutory Holiday; and further

THAT all additional overtime costs for this day be included and approved in the proposed 2009 operating budget.

**Implementation of Bell 911 through Central Ambulance Comm Centre**

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

THAT Council of the City of Kenora hereby proceeds with a target date of February 17, 2009 for the implementation of Bell 911 PERS, OPP CERB and City of Kenora Fire and Emergency Services dispatching through the Central Ambulance Communications Centre.

**Engineering Services Agreement - KGS Group**

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

THAT Council hereby approves KGS Group Consulting Engineers Proposal to provide Engineering Services for the review, inspection and recommendation for remedial work to the identified wharfs and to provide tender documents and contract administration for the public Wharf Renovations as described in the Terms of

Reference for a total cost as listed in their proposal of \$23,000.00 plus applicable taxes; and further

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

**GIS Hosting Agreement – Municipality of Red Lake**

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

THAT authorization be hereby given for the City of Kenora to enter into an agreement with the Corporation of the Municipality of Red Lake to provide Red Lake with a “hosted only” internet based GIS mapping service, at a monthly fee of \$375, plus GST; and

THAT the Mayor and Clerk be authorized to enter into the agreement; and further

THAT Council gives three readings to a by-law for this purpose.

**Confirmation of Commercial Recycling Fee**

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

THAT Council of the City of Kenora maintain the commercial recycling collection fee of \$5 per 90 gallon barrel for multi-residential properties, in order to offset the cost of utilizing the specialized collection vehicle.

**Public Consultation – Second Street/Water Street Intersection**

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

THAT the Council of the City of Kenora consults with the public, before a decision is made on which course of action to pursue with respect to the Second Street South/Water Street intersection improvements.

**Coney Island Snow Plowing**

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

THAT the City of Kenora not provide snow plowing services for the unopened, unclassified road allowances, on Coney Island, nor provide a winter ice road, over Lake of the Woods, to access Coney Island.

**Sale of Land - Bell**

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

THAT the Council of the City of Kenora declares surplus the property abutting property described as 88 Lakeside Crescent, PLAN M56 PT LOT 115 & 116;DES AS RP 23R8890 PART 1;PCL 17713; and

THAT in accordance with Notice By-law 144-207, 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 Ronald and Joy Bell, as a lot addition

(consolidation), at the appraised value established by Century 21-Reynard Real Estate, plus survey and all other associated costs; and further

THAT the Municipal Solicitor be authorized to coordinate the transfer documents.

**Agreement with Bruce Krawicki Limited – Parking Lot**

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

THAT the City of Kenora enters into a site plan control agreement with Bruce Krawicki Limited, for construction of; (i) a 38 car parking lot, (ii) an asphalt surface for all parking stalls and drive aisles, (iii) numbering and curbing for all parking stalls, (iv) landscaping treatments; and (v) financial security and; further

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

**Amendment to Twin Eleven Investors Development Agreement**

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

THAT Council give three readings to a by-Law to amend By-law Number 19-2005, being a by-law to authorize a development agreement with Twin Eleven Investors Ltd. for the purpose of permitting the construction of a communications tower on the subject property known as the Islandview Condominium, 5 Bay Road, conditional upon receiving a letter from the Condominium Corporation indicating they have no objections to the amendment.

**Amendment to Zoning By-law – Various Structures**

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

THAT Council of the City of Kenora give three readings to a by-law to amend Comprehensive Zoning By-Law 160-2004, as amended, to permit plastic/vinyl and cloth structures in the R1, R2 and R3 zones, subject to all the provisions set out in Section 5.1.1 – Accessory Structures.

**Meridian Planning – Waterfront Development Guidelines**

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

THAT Council hereby accepts the Waterfront Development Guidelines dated January 2009 submitted by Meridian Planning Consultants Inc.

**Award of Public Washrooms Contract**

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

THAT the following quotations be received for garbage pickup, beach raking, cleaning and opening and closing for the public washrooms contract:-

|                                       |    |                      |
|---------------------------------------|----|----------------------|
| Stover Services (Mid Canada Cleaning) | \$ | 69,236.00 + G.S.T.   |
| Cottage Country                       |    | 73,000.00 + G.S.T.   |
| MTO Janitorial Services               |    | 73,173.96 + G.S.T.   |
| Alcock Maintenance                    |    | 184,415.00 + G.S.T.  |
| Kevin & Gayle Cahill                  |    | 253,575.00 + G.S.T.; |



AND FURTHER THAT the quotation from Stover Services (Mid Canada Cleaning) in the amount of \$69,236.00 + G.S.T. be accepted for the 2009-2011 Public Washrooms Contract.

**Adoption of By-laws – Three Readings**

**26. Moved by C. Drinkwalter, 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:~

**#1-2009** - To confirm proceedings of Council and other Committee Meetings

**#2-2009** – To amend Schedule “A” to Tariff of Fees & Charges By-law #147-2007

**#3-2009** - To assume, stop up, close and sell that part of Eighth Street in the Town of Keewatin, now City of Kenora, District of Kenora, Registered Plan 18, designated as Part 1 on Plan 23R-11262

**#4-2009** - To authorize the execution of a GIS Hosting Services Agreement with the Municipality of Red Lake

**#5-2009** – To authorize a contract with KGS Group for Engineering Services associated with Public Wharf Renovations

**#6-2009** – To amend Comprehensive Zoning By-law Number 160-2004, as amended

**#7-2009** – To amend By-law Number 56-2008 being a by-law to enter into a Subdivision Agreement with 1703591 Ontario Inc.

**#8-2009** – To amend By-law Number 171-2005 being a by-law to authorize a Development Agreement with Twin Eleven Investors Ltd.

**#9-2009** – To authorize entering into a Site Plan Agreement with Bruce Krawicki Limited.

**Adoption of By-law #10-2009 – Land Exchange - Man-Ont Developments**

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

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

**#10-2009** – To transfer part of Street B, Plan M31, designated as Part 1, 23R11658 in exchange for part of Bulmer’s Mill Location, designated as Part 3, 23R11658, City of Kenora, District of Kenora.

**RECORDED VOTE:~**

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

**Adjournment**

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

THAT this meeting be and is hereby adjourned at 5:55 p.m.

*THE CORPORATION OF THE CITY OF KENORA:*

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

*OF.....2009*

.....  
*MAYOR*

.....  
*CITY CLERK*