



Minutes

*Of a Meeting of the Council of the City of Kenora
Monday, June 15, 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 R. McMillan, Councillor A. Poirier, Councillor C. Van Walleghem.

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

## Call to Order

Mayor Compton called the meeting to order and Councillor McCann 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 the 2009 Municipal Operating & Capital Budget to withdraw funds from the City's Police Building Reserve in the amount of \$21,034.00 for the purchase of a Police Dictation System.**

## Confirmation of Minutes

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

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

- **Regular Council Meeting held May 19, 2009**
- **Special Council Meeting held May 28, 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.

**PRESENTATION:**

Mayor Compton asked Mrs. Irma Milko to come forward and he presented her with Kenora's 2009 Senior of the Year Award. Mayor Compton read a summary of her volunteer accomplishments, noting that these are the items that qualified Mrs. Milko for the Award which is granted to Seniors over the age of 65. In response, Mrs. Milko thanked Mayor Compton, Council, and members of the community for this special recognition.

**DEPUTATIONS:**

**Lydia Harlos**

Miss Harlos referred to taxes in the Jaffray Melick neighbourhood, noting they have apparently tripled in 10 years since Amalgamation. She explained she was here tonight to speak on behalf of the JM residents and expressed concern that there are no sidewalks or street lights in their area, and that pot holes need repairing. Miss Harlos asked if the Ministry of Transportation could assist the City in this regard. In closing Miss Harlos circulated a 'to do' list to each Member of Council, and that she would like answers to the information. Mayor Compton thanked Miss Harlos for attending.

**Kenora Police Services Board Appointments**

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

THAT the following be appointed to the Kenora Police Services Board, effective July 20, 2009, with a term to expire November 30, 2010:-

Leonard P. Compton - Mayor  
Colin Wasacase - Community Rep.; and further

THAT Resolution Number 24 dated December 4, 2006, be and is hereby rescinded.

**Appointment to Kenora Heritage Committee**

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

THAT the Council of the City of Kenora hereby appoints Riley Sleeman to the Kenora Heritage Committee with a term to expire November 30, 2010; and further

THAT Council give three readings to a by-law to amend the Kenora Heritage Committee Terms of Reference by adding the Building Inspector/Facilities Co-ordinator as a staff resource member to the Committee.

**Appointment to CURA Project Committee**

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

THAT Council hereby appoints Councillor R. McMillan as Council's representative on the Canadian University Research Alliance (CURA) Project Committee, with a term to expire November 30, 2010.

**Kenora Health Care Centre – Lease Agreement**

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

THAT Council authorizes the City of Kenora to enter into a Lease Agreement with The Kenora Health Care Centre Corporation for the purpose of leasing municipal road allowance on Ocean Avenue; and further

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

**New Taxi By-law**

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

THAT Council give three readings to a by-law to license and regulate Taxi Cabs/Limousines and Drays operating within and from the City of Kenora; and further

THAT this by-law shall take effect and come into force on July 20, 2009 at which time By-law #94-2001, as amended, will be repealed.

**Tax Receipts – Summer Fireworks Display**

**7. Moved by W. Cuthbert, Seconded by C. Van Walleghem & 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, 2009 and July 31, 2009 to be used specifically towards the 2009 Celebrate Summer 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 2009 fireworks display to a maximum of the actual donation amounts received; and

THAT the issuance of tax receipts for donations for fireworks be restricted specifically to the 2009 fireworks display in recognition of the tourism impact the event has to the City of Kenora; and further

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

**Winscribe Workstation Typist Package**

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

THAT Council of the City of Kenora hereby authorizes the purchase of a Winscribe Workstation Typist Package in the amount of \$21,034.00 taxes included; and

THAT in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2009 Municipal Operating and Capital Budgets by by-law at its June 15, 2009 meeting to withdraw funds from the City's Police Building Reserve to cover this expenditure; and further

THAT Council hereby gives three readings to a by-law to amend the City's 2009 Municipal Operating and Capital Budgets for this purpose.

**Endorsation of Resolution – Capping Calculations (Oxford County)**

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

THAT the Council of the City of Kenora hereby supports and endorses the following resolution received from the Oxford County Council:

THAT Kenora Council requests that, in addition to the legislated capping calculation tools currently available, that the Province of Ontario enact legislation to grant municipalities the authorization to effectively eliminate capping in any or all of the protected property classes as they may determine; and further

THAT a copy of this resolution in the form of a letter of support be forwarded to the Minister of Finance, the Honourable Dwight Duncan, Howard Hampton, M.P.P., the Association of Municipalities of Ontario, the Northwestern Ontario Municipal Association, and the Municipal Finance Officers' Association advising them of Kenora's support, as well as a copy to the Oxford County Council.

**Endorsation of Resolution – Library Revenues (Smiths Falls)**

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

WHEREAS public libraries have a strong role in literacy, innovation, community and prosperity in municipalities; and

WHEREAS the Ministry of Culture is currently updating its policies related to supporting public libraries as they wish to ensure that policies position public libraries for the future; and

WHEREAS the role of learning in Ontario's future knowledge-based economy grows, the informal learning systems of public libraries will be even more important; and

WHEREAS the library of the future will need to respond to a new social, technological and economic environment; and

WHEREAS municipalities are incurring the majority of costs associated with delivering library programming; and

WHEREAS those same municipalities bear the majority of the costs to build and maintain library facilities; and

WHEREAS the province has decreased its annual grants since 1985 from 15% of annual revenue to 4% of annual revenue which continues to threaten the future of these engines of cultural and economic development;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the City of Kenora hereby petitions the Province of Ontario to increase its annual grants to 15% of library revenue; and further

THAT a copy of this resolution be forwarded to the Premier of Ontario, the Honourable Aileen Carroll Minister of Culture, the Ontario Library Service, Howard Hampton, M.P.P., the Northwestern Ontario Municipal Association, and the Town of Smiths Falls.

**Endorsation of Resolution – Harmonized Tax (Cornwall)**

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

THAT the Council of the Corporation of the City of Kenora hereby supports and endorses the City of Cornwall resolution with respect to the Provincial Harmonized Sales Tax of the 5% GST and the 8% PST; and

THAT Council hereby petitions the Government of Ontario to exempt items relating to the rental of recreation facilities and registration fees for minor sports to ensure that all youth are able to participate; and further

THAT a copy of Kenora's resolution be forwarded to the Honourable Premier McGuinty, the Association of Municipalities of Ontario, Howard Hampton, M.P.P., and the Northwestern Ontario Municipal Association for their support, as well as a copy to the City of Cornwall for their information.

**Agreement – "Movies under the Stars"**

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

THAT Council give three readings to a by-law to authorize the execution of an agreement between Her Majesty the Queen in right of Ontario as represented by the Minister of Tourism and the City of Kenora with respect to "Movies under the Stars."

**Child Minding Centre – Use of Space**

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

THAT Council of the City of Kenora support, on a trial basis, operating the Kenora Recreation Centre Child Minding Centre as a "Family Lounge"; and

THAT the trial period begin June 29, 2009 and be reviewed at the December 7, 2009 Community Services meeting; and

THAT Council directs the Recreation Services Manager to implement operational guidelines for safe and proper use of this space; including hours of availability, parent responsibilities, and responsibilities of facility staff; and further

THAT the Child Minding Centre remain available for rental and revenue opportunities.

**Special Occasions Permit – Keewatin Branch Library Fundraisers**

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

THAT Council of the City of Kenora hereby declares the 2<sup>nd</sup> Annual Keewatin Homecoming Dance to be held July 3, 2009 as a Community Festival in and for the City of Kenora; and

THAT Council hereby approves the Alcohol and Gaming Commission to issue a Special Occasions Permit to the Keewatin Library Branch Fundraisers to operate a licensed event as set out below, subject to compliance with the Municipal Alcohol Policy and Liquor Control Regulations:-

| Location                | Fri. July 3, 2009      |
|-------------------------|------------------------|
| Keewatin Memorial Arena | 8:00 p.m. to 1:00 a.m. |

AND THAT the overnight parking tow-away by-law be lifted at the Keewatin Memorial Arena for Friday July 3, 2009 and Saturday July 4, 2009 in the interest of public safety; and

THAT Council hereby approves the request from the Keewatin Library Branch Fundraisers to waive the condition of the Municipal Alcohol Policy to hire two (2) off-duty police officers for the July 3 event; and further

THAT the Keewatin Library Branch Fundraisers shall abide by all other provisions of the Municipal Alcohol Policy and Liquor License Act with regard to responsible service of alcohol.

**Kenora Dragon Boat Festival**

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

THAT the Council of the City of Kenora hereby acknowledges the Kenora Dragon Boat Festival on Sunday, August 9, 2009; and further

THAT the following approvals be granted in conjunction with the above-noted Special Event;

1. THAT authorization be granted for the officials' boats to operate 25-30 h.p. motors on Rabbit Lake.
2. THAT authorization be granted for the event buoys to be placed in the water 1 day prior to the event, to be removed in the following week.
3. THAT exclusive use of Garrow Park and the Tennis Courts at Garrow Park be approved for this event on August 9, 2009.

**Parking Lot By-law Amendment**

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

THAT approval be hereby given to amend Schedule "A" to By-Law 66-2006 to include Lot "U" for the McLeod Park Parking Lot as follows:-

|                     |                             |
|---------------------|-----------------------------|
| Lot "U":            | McLeod Park Parking Lot     |
| Control:            | Peace Officer               |
| Fees:               | No Fee                      |
| Special Regulation: | 3 hour maximum; and further |

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

**Addition of Properties to Municipal Registry**

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

THAT Council give three readings to a by-law to authorize entering the following below described properties into the municipal registry of properties of cultural heritage significance or interest:

- Kenora Courthouse: 216 Water Street PLAN 3 BLK 1 LOT 20 TO 21
- Del-Art Manor: 102 Government Road, PT MILL LOCATION RP 23R4158; PARTS 2 3 4 PCL 29906
- Knox United Church: 116 Fifth Avenue S., PLAN 25 LOT 258 TO 259
- Best Western Lakeside Inn & Convention Centre: 470 First Avenue S., WATER LOT LOC KM186 RP; KR1446 PART 1 LEASEHOLD; PARCEL 3087
- Keewatin Memorial Building: 102 Tenth Street, PART W PT BLK 57 PLAN 18; PLUS 2 S PT STRIP ADJ BLK 57; PCL 20362
- Moncrief Barn: 82 Redditt Road CON 7J PT LOT 4; RP23R 9070 PARTS 1 & 2; PCL 40758
- Stone House: 225 Main Street, PLAN 3 BLK 2 LOT 14 PT LOT;15

**Adoption of Economic Development Plan**

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

THAT the Council of the City of Kenora hereby adopts the Economic Development Plan (dated June 2009) to replace the original Economic Development Plan of 2006.

**FedNor Community Adjustment Fund Application**

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

THAT Council of the City of Kenora hereby makes application under the FedNor Community Adjustment Fund for funding the Norman Park Heritage Transportation Park.

**Tender – Janitorial Services**

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

THAT the following tenders submitted for the provision of janitorial services to City Hall, Operations Building, Kenora Police building, Kenora Public Library, Recreation Centre and Transfer Station office, (GST extra), be received:-

|                                               |                     |
|-----------------------------------------------|---------------------|
| <b>Canaan Contracting Janitorial Services</b> | <b>\$365,854.00</b> |
| <b>MTO Janitorial</b>                         | <b>\$562,201.00</b> |

|                                |                                  |
|--------------------------------|----------------------------------|
| <b>Alpine Janitorial</b>       | <b>\$636,367.16</b>              |
| <b>Amazing Janitorial</b>      | <b>\$721,818.54</b>              |
| <b>Red Lion Ent Janitorial</b> | <b>\$743,489.10;</b> and further |

THAT the quotation submitted by Canaan Contracting Janitorial Services, in the amount of \$365,854.00, GST extra, be hereby accepted.

**Adoption of By-laws**

**21. Moved by C. Van Wallegem, 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:~

**#84-2009** – To confirm proceedings of Council and other Committee Meetings

**#85-2009** – To adopt amended estimates for Operating and Capital Reserves to be incorporated into the sums required for Municipal Purposes during the year, 2009

**#86-2009** – To authorize the execution of an agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Tourism and the Corporation of the City of Kenora

**#87-2009** – To amend By-law Number 66-2006 being a by-law to regulate parking lots and structures within the City of Kenora

**#88-2009** – To licence and regulate Taxi Cabs/Limousines and Drays operating within and from the City of Kenora

**#89-2009** – To authorize the entering into of a lease agreement between the Corporation of the City of Kenora and the Kenora Health Care Centre Corporation

**#90-2009** – To reduce the number of Members on the Kenora Police Services Board from five to three Members

**#91-2009** – To authorize a contract between the Corporation of the City of Kenora and Wilco Construction Superior Inc. to perform works associated with the Downtown Revitalization 2009 landscaping

**#92-2009** – To amend the Terms of Reference for the City of Kenora Heritage Committee

**#93-2009** – To amend the register of property situated in the municipality that is of cultural heritage value or interest.

**Additional Item to Agenda – Policing Contract**

**21A Moved by D. McCann, Seconded by W. Cuthbert & Carried:-**

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



1. A by-law with respect to extending the O.P.P. Policing Contract concerning the Keewatin and Jaffray Melick neighbourhoods.

**Adoption of By-law – Extend Contract with O.P.P.**

**21B Moved by D. McCann, Seconded by R. McMillan & Carried:-**

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

**#94-2009** – To authorize the execution of an agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Community Safety and Correctional Services.

**Announcements**

Councillor Poirier announced his resignation from Council, for personal reasons, effective July 31, 2009. He confirmed that he had formally submitted his letter in writing to the Clerk this afternoon.

**Adjournment to Closed Meeting**

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

THAT pursuant to Section 239 of the Municipal Act, 2001, as amended, authorization is hereby given for Council to move into a Closed Session at 5:41 p.m. to discuss an item pertaining to the following:-

- **Personal Matter about an Identifiable Individual**

At 6:10 p.m., Council reconvened to Open Session and advised of no reports from the Closed Meeting. The meeting was declared closed at 6:11 p.m.

*THE CORPORATION OF THE CITY OF KENORA:*

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

*OF.....2009*

.....  
*MAYOR*

.....  
*CITY CLERK*