



# Minutes

*Of a Meeting of the Council of the City of Kenora  
Monday, September 21, 2009 – City Council Chambers  
5:00 p.m.*

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

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

- *An amendment to the 2009 Operating & Capital Budget, to authorize the construction of a new Emergency Services Facility in the amount of \$5,975,000, plus applicable project management fees, less any applicable funding, to be financed through a long term debt issuance;*
- *An amendment to the 2009 Operating & Capital Budget to issue debentures in the amount of \$1,038,502.00 to offset the cost of funding the Norman Park Transportation Centre Project;*
- *An amendment to the 2009 Operating & Capital Budget to issue debentures in the amount of \$2,333,334.00 to offset the cost of funding the Highway 17 Gateway Rehabilitation Project;*
- *An amendment to reallocate funds under the 2009 Municipal Capital Budget for an additional budget request in the amount of \$5,000.00 to complete landscaping works at the site of the new Columbarium;*
- *An amendment to reallocate funds under the 2009 Municipal Capital Budget for an additional budget request to be funded through the reallocation of \$60,000.00 from the unused Roads allocation;*

- *An amendment to reallocate funds under the 2009 Water & Sewer Capital Budget for an additional request to be funded through the reallocation of \$5,000.00 from the Spare Grinder Pump allocation;*
- *An amendment to reallocate funds under the 2009 Municipal Capital Budget for an additional budget request in the amount of \$40,614.40 for the purchase a Sidewalk Plough.*

### **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 August 10, 2009**
- **Special Council Meeting held September 3, 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:**

#### **Dennis Wallace, Chair – LOW Development Commission**

Mr. Wallace explained the Commission has been active since its annual meeting in June, 2009 and the work plans for the Commission and its Committees/Business Attraction, Tourism and Training and Post-Secondary are well underway.

Mr. Wallace circulated copies of the third Quarter Report to Council together with the Business Plan Priorities for 2009 for the Lake of the Woods Development Commission and gave an overview to Council.

Mr. Wallace filed his documents with the Clerk for the public record, and was thanked for his presentation.

#### **Dan Olscamp – Jones Road Landfill Site**

Mr. Olscamp expressed his concerns to Council with respect to their decision to use the Jones Road Landfill site as the principal landfill site for the City of Kenora. Mr. Olscamp is a permanent resident of Black Sturgeon Lake and President of the Black Sturgeon Property Owners Association. He explained that he fears for the health of the Black Sturgeon Lake watershed as the Jones Road Landfill site abuts Silver Lake which is upstream of Black Sturgeon. In closing Mr. Olscamp hopes that Council will give the Association's concerns credence and he asked if the Association could be provided with copies of the monitoring reports as they regularly become available. Mr. Olscamp filed a copy of his Deputation with the Clerk for the public record.

Mayor Compton then asked if there were any other Deputations, specifically on behalf of the Chamber of Commerce as Dwayne Yaremko, President was expected to attend from the Chamber to clarify his recent remarks in the Kenora Miner & News on September 17. The Clerk confirmed he had not filed a Deputation Request Form for tonight's meeting. Mayor Compton asked if there was anyone from the Chamber to speak on Mr. Yaremko's behalf.

### **Thelma Wilkins – Chamber of Commerce**

Thelma Wilkins-Page, Past President of the Chamber volunteered to speak on behalf of the Chamber, noting that Mr. Yaremko was unable to attend tonight's meeting due to personal commitment. Ms Wilkins-Page apologized that the recent remarks by Mr. Yaremko in the newspaper were made in the light they were. She explained the Chamber has been working hard in the past months to encourage small businesses to participate in the Chamber and that they have been frustrated with the lack of participation.

The Chamber attempts to keep the City informed and to provide feedback on an as-required basis when Council is making decisions and creating by-laws; and to generally keep elected officials up-to-date on their activities. She indicated the remarks were meant to explain that the Chamber has to watch what Council is doing in terms of their setting policy and making by-laws so the Chamber can be a voice for its membership and bring information to Council to assist in their decision-making.

In closing Ms Wilkins-Page apologized for the way the information was construed by the media. She further congratulated Council on the number of excellent initiatives they have accomplished which has helped local businesses, and on a forward basis the Chamber wants to continue with a strong and good working relationship with Council.

### **Appointment of Jim Parson to Office of Councillor**

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

WHEREAS pursuant to Section 263(1) of the Municipal Act, the Council of the City of Kenora has opted to appoint a new Councillor to fill the vacancy left by the July 31 resignation of Andrew Poirier; and

WHEREAS public notices were advertised in the community, seeking applications to fill this vacancy within sixty (60) days of the seat being declared vacant by Council; and

WHEREAS nine (9) qualified municipal electors responded to the advertisement, indicating their interest for the Councillor appointment;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Kenora hereby appoints Jim Schadek-Parson to fill the vacant Councillor seat subject to acceptance of this position, to hold office for the remainder of the current Council term pursuant to Section 264 of the Municipal Act; and

BE IT RESOLVED THAT three readings be given to a by-law for this purpose; and

BE IT RESOLVED THAT Jim Schadek-Parson shall be appointed to the following Committee positions left vacant as a result of Andrew Poirier's resignation:-

Chair of the Utilities & Communications Committee  
Vice-Chair of the Emergency Services Committee  
Member of the Operations Committee  
Member on the Audit Committee  
Member on the Kenora Hydro Board of Directors; and further

BE IT RESOLVED THAT the term of these appointments shall be to November 30, 2010.

**Appointment to Kenora Municipal Heritage Committee**

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

THAT Council hereby appoints Bill Richards to the Kenora Municipal Heritage Committee, as the Harbourn Centre Committee representative, for a term concurrent with this term of Council.

**Emergency Services Facility**

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

THAT the following tenders for the supply, delivery and construction of an Emergency Services Facility be received:

1. Finn Way General Contractor- \$6,920,000
2. Jarnel Contracting Ltd.- \$6,390,000; and

THAT negotiations were conducted between the City and the lowest bidder to reduce the total amount of the contract; and

THAT the reduced tender of Jarnel Contracting Ltd., in the amount of \$5,975,000 be hereby accepted; and

THAT in accordance with Notice By-Law #144-2007, public notice is hereby given that Council intends to amend its 2009 Operating & Capital Budget at its September 21, 2009 meeting, to authorize the construction of a new Emergency Services Facility in the amount of \$5,975,000, plus applicable contract administration fees, less any applicable funding and/or proceeds of disposition from the current Station 1 facility, with the balance of construction costs to be financed through a long term debt issuance and total contract administration fees to be funded through an offsetting appropriation from the Kenora Fire Station Reserve; and further

THAT Council of the City of Kenora hereby approves entering into a contract with Jarnel Contracting Ltd. in the amount of \$5,975,000 for the construction of a new Emergency Services Facility; and

THAT Council of the City of Kenora hereby approves entering into a contract with Nelson Architecture for contract administration for the construction of a new Emergency Services Facility; and further

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

**RECORDED VOTE (Resolution #4)**

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

**Build Canada Intake 2 Funding Application**

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

THAT Council of the City of Kenora give three readings to a bylaw to ratify an agreement with Her Majesty the Queen as represented by the Minister of Energy and Infrastructure and the Minister of Agriculture, Food and Rural Affairs under the Build Canada – Intake 2 Fund – Communities Component for funding the Norman Park Transportation Centre; and

THAT the Mayor and Chief Administrative Officer be hereby authorized to execute the Contribution Agreement; and

THAT in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2009 Operating & Capital Budget at its September 21, 2009 meeting and to issue debentures in the amount of \$1,038,502.00 to offset the cost of this project; and further

THAT Council give three readings to a by-law to amend the 2009 budget for this purpose.

**Infrastructure Stimulus Funding Application**

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

THAT Council of the City of Kenora give three readings to a bylaw to ratify an agreement with Her Majesty the Queen as represented by the Minister of Energy and Infrastructure and the Minister of Agriculture, Food and Rural Affairs under the Infrastructure Stimulus Fund Contribution Agreement for funding Highway 17 Gateway Rehabilitation Project; and

THAT the Mayor and Chief Administrative Officer be hereby authorized to execute the Contribution agreement; and

THAT in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2009 Operating & Capital Budget at its September 21, 2009 meeting, to issue debentures in the amount of \$2,333,334 to offset the cost of this capital project; and further

THAT Council give three readings to a by-law to amend the 2009 budget for this purpose.

**Sports Hall of Fame Donation**

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

THAT authorization be hereby given for an advertising donation in the amount of \$250.00 to the Northwestern Ontario Sports Hall of Fame in conjunction with its Annual Induction Dinner taking place Saturday, September 26, 2009 in Thunder Bay.

**Animal Welfare Advisory Committee – Terms of Reference**

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

THAT Council of the City of Kenora give three readings to a bylaw to establish terms of reference for an Animal Advisory Committee to provide advice and direction to City Council on a wide range of animal welfare matters; and

THAT the following individuals be appointed to this Committee:

- Wendy Cuthbert, City Council representative
- David McCann, City Council representative
- Rory McMillan, City Council representative, alternate
- Chris Madison, It's a Dog's Life
- Chris Rogers , Rescue North
- Celynn Alcock, Cat Shelter
- Celia Christensen, Kenora Veterinary Clinic; and

THAT a request for a representative from the public-at-large be advertised for appointment to this Committee; and further

THAT Councillor Wendy Cuthbert be appointed as Chair to the Committee in accordance with the terms of reference.

**HR Policy – Rest Breaks**

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

THAT Council of the City of Kenora hereby approves the new Human Resources Rest Breaks Policy #HR-2-16; and further

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

**Public Meeting – Maintenance & Development of Tourism By-law**

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

THAT further to Council adopting Resolution #6 dated May 19, 2009 regarding "Family Day" as an exemption under the maintenance and development of tourism by-law, approval is hereby given for the following holidays to be included in the new by-law:

- New Year's Day
  - Family Day
  - Victoria Day
  - Canada Day
  - Labour Day
- Thanksgiving Day; and further

THAT in keeping with legislative requirements, notice is hereby given that Council will hold a public meeting at 4:30 p.m. on Monday, November 16, 2009 in Council Chambers in respect of the proposed by-law to be adopted November 16, 2009 and which is expected to take effect December 16, 2009.

**MOU – Alumni Association of the Intelligent Community Forum**

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

WHEREAS the City of Kenora was selected as one of the 'Smart 21' for 2009 by the Intelligent Community Forum; and

WHEREAS the Intelligent Community Forum is currently developing the world's first Association of Intelligent Communities; and

WHEREAS the Intelligent Community Forum has approached the City of Kenora to sign a memorandum of understanding to express support for the formation of this Association, including the City of Kenora's commitment to the goals and activities as set out within that memorandum of understanding;

NOW THEREFORE BE IT RESOLVED THAT the Mayor hereby be authorized to sign the memorandum of understanding expressing support for the formation of an Alumni Association of the Intelligent Community Forum.

**Recreational Review and Analysis**

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

THAT Council of the City of Kenora give three readings to a by-law to ratify an agreement with Scatliff + Miller + Murray Inc. and Jharper & Associates to undertake a recreational review and analysis in the amount of \$50,000.00 as set out in the proposal accepted by Council at its July 13, 2009 meeting.

**New Year's Eve – Recreation Hours**

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

THAT approval be given for the Kenora Recreation Centre to remain open from 4:00 p.m. to 8:00 p.m., December 31<sup>st</sup>, 2009 for families and individuals to participate in recreation on the New Year's Eve Statutory Holiday; and further

THAT all costs for this day will be covered by the Kenora Rotary Club.

**Agreement extension with JM Arena Committee**

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

THAT Council of the City of Kenora hereby approves extending the existing lease with the Jaffray Melick Arena Committee for an additional eight (8) months commencing November 1, 2009 by giving three readings to a by-law for this purpose; and further

THAT By-law Number 164-2004 be and is hereby amended.

**Ministry of Health Promotion – Funding Agreement**

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

THAT Council give three readings to a by-law to authorize a funding agreement between the Corporation of the City of Kenora and the Ministry of Health Promotion with respect to the After-School Strategy Program.

**Kenora Recreation Centre Concession Operation**

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

THAT the following request for proposals for the Kenora Recreation Concession be received:

| <b>Company/ Supplier Name</b>         | <b>Monthly Lease Amount</b> |
|---------------------------------------|-----------------------------|
| On Deck Fries                         | \$650.00                    |
| Derrick Lamarche<br>& Barbra Leighton | \$500.00;                   |

AND THAT the proposals received be hereby rejected for Food and Beverage Services at the Kenora Recreation Centre; and further

THAT authorization is hereby given for the City of Kenora, through the Recreation Services Department shall operate the Kenora Recreation Centre Concession for the 2009-2010 Season.

**Haulage of Municipal Waste to Kenora Area Landfill Site**

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

THAT authorization be hereby given for the City of Kenora to proceed with haulage of municipal waste to the Kenora Area Landfill Site by November 1, 2009.

**RECORDED VOTE (Resolution #17)**

| <b>COUNCIL</b>           | <b>AYE</b> | <b>NAY</b> | <b>Dec. of Interest</b> | <b>ABSENT</b> |
|--------------------------|------------|------------|-------------------------|---------------|
| Councillor Cuthbert      | <b>X</b>   |            |                         |               |
| Councillor Drinkwalter   | <b>X</b>   |            |                         |               |
| Councillor McCann        | <b>X</b>   |            |                         |               |
| Councillor McMillan      | <b>X</b>   |            |                         |               |
| Councillor Van Walleghem | <b>X</b>   |            |                         |               |
| Mayor Compton            | <b>X</b>   |            |                         |               |



**Budget Amendment – Landscaping Work at Columbarium Site**

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

THAT Council hereby authorizes an additional budget request in the amount of \$5,000.00 to complete landscaping works at the site of the new Columbarium; and

THAT Council hereby authorizes the additional request to be funded through the reallocation of \$5,000.00 from the Columbarium Reserve approved under the 2009 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 Capital Budget at its September 21, 2009; and further

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

**Budget Amendment – Sidewalk Works & Asphalt Patching**

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

THAT Council hereby authorizes an additional budget request in the amount of \$60,000.00 to complete associated sidewalk works, a pedestrian handrail, vehicle guardrail and asphalt patching; and

THAT Council hereby authorizes the additional request to be funded through the reallocation of \$60,000.00 from the unused Roads allocation approved under the 2009 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 Capital Budget at its September 21, 2009 meeting; and further

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

**Budget Amendment – New Pipe Camera**

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

THAT Council hereby authorizes an additional budget request in the amount of \$5,000.00 for the purchase of a new pipe camera to televise sanitary sewers; and

THAT Council hereby authorizes the additional request to be funded through the reallocation of \$5,000.00 from the Spare Grinder Pump 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 September 21, 2009 meeting; and further

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

**Budget Amendment – Sidewalk Plough**

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

THAT Council hereby authorizes an additional budget request in the amount of \$40,614.40 to purchase a Sidewalk Plough; and

THAT Council hereby authorizes the additional request to be funded through the reallocation of \$28,000.00 from the Engineering Van approved under the 2009 Capital Budget as funds are not required as a unit was transferred from the Kenora Police Service, and \$12,614.40 be funded through an offsetting appropriation from the Equipment Reserve Fund; and

THAT in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2009 Capital Budget and its Five Year Capital Budget at its September 21, 2009 meeting; and further

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

**Traffic By-law Amendment – New Yield Intersection**

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

THAT Council give three readings to a by-law to amend City of Kenora Traffic Regulation By-law 127-2001 to include the following addition to Schedule P "Yield Intersections" at McClellan Avenue and Matheson Street South.

**Schedule "P" Yield Intersections**

Add:

| <u>Column 1</u>                            | <u>Column 2</u>                |
|--------------------------------------------|--------------------------------|
| <b>FACING TRAFFIC</b>                      | <b>INTERSECTION</b>            |
| Matheson Street South and McClellan Avenue | East bound on McClellan Avenue |

**Traffic By-law Amendment – No Parking Area/Tow Away Zone**

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

THAT Council give three readings to a by-law to amend City of Kenora Traffic Regulation By-law 127-2001 to include the following amendment to Schedule "B" – No Parking Area – Tow Away Zone – 1<sup>st</sup> Avenue South.

**AMEND:**

| <u>Column 1</u>              | <u>Column 2</u>                                            | <u>Column 3</u> | <u>Column 4</u> |
|------------------------------|------------------------------------------------------------|-----------------|-----------------|
| STREET/HIGHWAY               | LOCATION                                                   | SIDE            | TIME            |
| 1 <sup>st</sup> Avenue South | From 5 <sup>th</sup> Street South southerly for 123 metres | East            | Anytime         |

**TO READ:**

| <u>Column 1</u><br>STREET/HIGHWAY | <u>Column 2</u><br>LOCATION                                | <u>Column 3</u><br>SIDE | <u>Column 4</u><br>TIME |
|-----------------------------------|------------------------------------------------------------|-------------------------|-------------------------|
| 1 <sup>st</sup> Avenue South      | From 5 <sup>th</sup> Street South southerly for 138 metres | East                    | Anytime                 |

**Contract with Titan Contractors****24. Moved by D. McCann, Seconded by W. Cuthbert & Carried:-**

THAT Council give three readings to a by-law to authorize the entering into a contract with Titan Contractors (Kenora) Ltd., to perform works associated with the next phase of the Downtown Revitalization Underground Utilities at the First Street South Plaza, Contract 300.

**Contract with KGS Group Ltd.****25. Moved by C. Drinkwater, Seconded by R. McMillan & Carried:-**

THAT Council give three readings to a by-law to authorize the entering into a contract with KGS Group Ltd., to provide contract administration and inspection for works associated with the next phase of the Downtown Revitalization Underground Utilities at the First Street South Plaza, Contract 300.

**Agreement of Purchase and Sale (Halverson)****26. Moved by W. Cuthbert, Seconded by C. Van Walleggem & Carried:-**

THAT the Council of the City of Kenora accepts an offer made by Robert Halverson, as presented by Century 21 Reynard Real Estate as an agreement of purchase and sale, in the amount of \$11,500.00 + GST, for the property described as Lot 7, Block 8, Plan 18; and

THAT in accordance with Notice By-law #144-2007, arrangements have been made to advertise the sale of the subject lands for a three week period; and further

THAT once the advertising process has been completed, Council will give three readings to a by-law to authorize the sale of land to Robert Halverson.

**Process to Sell Lands to Carvalho and Marek****27. Moved by W. Cuthbert, Seconded by D. McCann & Carried:-**

THAT Council of the City of Kenora hereby declares property described as Lot 45 on Plan of Subdivision 23 M63, as surplus to the needs of the municipality; and

THAT Lots 44 and 45 on Plan of Subdivision 23 M63 shall be deemed to not be lots on a plan of subdivision before transfer to the owner of Lot 44, and costs associated with this process are to be paid for by the purchasers of the lands; and

THAT in accordance with Notice By-law #144-2007, arrangements be made to advertise the sale of the subject lands for a three-week period; and further

THAT once the advertising process has been completed, Council shall give three readings to a by-law to authorize the sale of land to Hermino & Vidalia CARVALHO and Craig & Joann MAREK at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs.

**Amendment to Agreement with Nelson Architecture Inc.**

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

THAT Council hereby authorizes an amendment to the contractual agreement with Nelson Architecture Inc. by adding the following component to the scope of work: “design of the interpretive programming elements for the Lake of the Woods Discovery Centre at a maximum budget of \$50,000 (including GST)”; and further

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

**Sale of Rabbit Lake Shore Allowance to Abutting Landowners**

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

THAT the Council of the City of Kenora authorizes the sale of Rabbit Lake shore allowance to abutting property owners, with the conditions that (i) there would be no negative impact to fish and wildlife values, (ii) there is no municipal interest in the property and (iii) best practices for shoreline stewardship are followed by the landowner.

**Lease Agreement with Northwoods Broadcasting (CJRL)**

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

THAT Council give three readings to a by-law authorizing an agreement between the Corporation of the City of Kenora and Northwoods Broadcasting o/a CJRL 89.5 for lease of an equipment storage building adjacent to the Valley Drive communication tower.

**Lease Agreement with Ontario Power Generation**

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

THAT Council of the City of Kenora hereby give three readings to a bylaw ratifying a Lease Agreement between the City of Kenora and Ontario Power Generation for lease of office and parking space at the Operations Centre at 60 Fourteenth Street North.

**Adoption of By-laws**

**32. Moved by C. Drinkwalter, Seconded by W. Cuthbert & 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:~

**#125-2009** ~To confirm proceedings of Council and other Committee Meetings

**#126-2009** ~ To amend the 2009 Operating & Capital Budget (New Fire Hall)

**#127-2009** ~To establish Terms of Reference for the Animal Welfare Advisory Committee

- #128-2009** ~To authorize an agreement under the Build Canada Intake 2 Fund  
**#129-2009** ~To authorize an agreement under the Infrastructure Stimulus Fund  
**#130-2009** ~To authorize a revised Rest Breaks Policy  
**#131-2009** ~To appoint Jim Parson as Councillor for the City of Kenora  
**#132-2009** ~To execute a contract for completion of a Recreational Review & Analysis  
**#133-2009** ~To authorize the extension of a lease agreement with the JM Arena Committee  
**#134-2009** ~To execute a funding agreement with the Ministry of Health Promotion  
**#135-2009** ~ To amend Comprehensive Traffic Regulation By-law #127-2001  
**#136-2009** ~To authorize a contract with Titan Contractors (Kenora) Ltd.  
**#137-2009** ~To authorize a contract with KGS Group Ltd.  
**#138-2009** ~To amend the 2009 Operating & Capital and Water & Sewer Utility Budgets  
**#139-2009** ~ **(Separate Motion)**  
**#140-2009** ~To authorize a lease agreement with Northwoods Broadcasting Limited (CJRL)  
**#141-2009** ~To authorize an amendment to agreement with Nelson Architecture Inc.  
**#142-2009** ~To authorize a lease agreement with Ontario Power Generation  
**#143-2009** ~To amend the 2009 Operating & Capital Budget (Build Canada Intake 2 & Infrastructure Stimulus Funding Agreements)

***Councillor Cuthbert then requested an additional item be added to tonight's Agenda, as follows:-***

**Addition to Agenda – Amending FedNor Agreement (Youth Internship)**

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

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

- A by-law with respect to amending By-law #16-2008 regarding an agreement under the Northern Ontario Development Program Youth Internships-Not-for-Profit Component.

**Adoption of By-law – Amending FedNor Agreement (Youth Internship)**

**32B Moved by W. Cuthbert, Seconded by R. McMillan & Carried:-**

THAT **By-law #139-2009** being a by-law to authorize the execution of an amending agreement with Her Majesty the Queen in Right of Canada as represented by the Minister of Industry, and the Corporation of the City of Kenora with respect to the Northern Ontario Development Program Youth Internships-Not-for-Profit Component, be now read a **FIRST & SECOND TIME**, and approved in its present form and presented for **THIRD & FINAL** Reading.

**Swearing In of Councillor Jim Parson**

City Clerk Joanne McMillin called upon Jim Parson to take the Declaration of Appointed Office for the position of Councillor. Councillor Parson was congratulated by Members of Council and took his place at the Council table.

**Adjournment to Closed Session**

**33. Moved by C. Drinkwalter, 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 6:10 p.m. to discuss an item pertaining to the following:-

- **Labour Relations Matter**

**Reconvene to Open Council Meeting**

At 6:50 p.m., Council reconvened to the Open Meeting with the following to report on from the Closed Session:

- Council provided direction to Staff with respect to a matter relating to an ongoing Labour Relations item that currently remains on hold on the Closed Agenda.

The meeting stood adjourned at 6:51 p.m.

*THE CORPORATION OF THE CITY OF KENORA:*

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

*OF.....2009*

.....  
*MAYOR*

.....  
*CITY CLERK*