



Minutes

**Of a Meeting of the Council of the City of Kenora
Monday, December 13, 2010 – City Council Chambers
5:00 p.m.**

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**WITH Mayor D. Canfield, Councillor C. Drinkwalter, Councillor R. Lunny,  
Councillor R. McKay, Councillor R. McMillan, Councillor L. Roussin,  
Councillor S. Smith.**

**Staff:** Karen Brown, CAO, Warren Brinkman, Fire & Emergency Services Manager, Rick Perchuk, Operations Manager, Sharen McDowall, HR Manager, Jennifer Findlay, Economic Development Officer, and Joanne L. McMillin, City Clerk.

### **Call to Order**

**Mayor Canfield called the meeting to order and Councillor Drinkwalter read the Prayer.**

### **Public Information Notices as per By-law Number 144-2007**

#### **Mayor Canfield 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 Tariff of Fees & Charges By-law to authorize a fee increase to the day camp and professional development day rates for the Castle of Learning & Discovery Children's Centre to \$30.00 per day;
- A new Comprehensive Rules of Order and Procedure By-law for the Council of the City of Kenora (Procedural By-law).

### **Confirmation of Minutes**

#### **1. Moved by R. McMillan, Seconded by R. Lunny & Carried:-**

**That** the following Minutes of the Council and Committee Meetings of the Council of the City of Kenora, be confirmed as written and circulated:-

- Special Council Meetings held October 14, November 18 and 29, 2010
- Inaugural Meeting held December 6, 2010
- Special & Regular Committee of the Whole Meetings held December 7, 2010
- Special Committee of the Whole Meeting held December 8, 2010

### **Declaration of Pecuniary Interest & General Nature Thereof**

Mayor Canfield 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**

#### **Frank Bastone & Judy Bain – Allan Cup Committee**

Frank Bastone referred to Kenora's hosting of the 2011 Allan Cup, April 11 to 16, 2011. He referred to the economic impact of the event and how successful past events of this nature have been in our city, noting that tourism is a key primer and that this event will contribute significantly to attracting visitors to Kenora with its national showcase. Mr. Bastone respectfully requested the City consider becoming an official 'Platinum Plus' sponsor which among other things would include a rink board ad in camera view during the Championship game on TSN.

In closing Judy Bain addressed Council, thanking them for the improvements to the Kenora Recreation Centre which impressed the organizers of the event, noting how much our venue has changed since the 2004 National Midget Hockey Championship was held in Kenora.

Frank Bastone filed a copy of his deputation with the Clerk and he and Judy Bain were thanked for their presentation.

#### **Tim Fullmer, Blue Taxi**

Tim Fullmer addressed Council regarding their Company's concern on unlicensed taxi operators within the city and that they are undercutting the licensed taxi drivers. Mr. Fullmer said these people are taking business away from all the licensed taxi drivers who operate legally by purchasing a City licence, pay for insurance, drive safely and pay for mechanical fitness certificates. He indicated the OPP can only assist if the Taxi Company sets up a 'sting operation' however he explained they are not able to find anyone who would be willing to do this as they would also be required to testify in court. In closing Mr. Fulmer requested the City's assistance to resolve this problem as these people are stealing their income.

Mayor Canfield thanked Tim and advised the matter will be referred to the appropriate Department.

### **Additions to the Agenda**

**1A Moved by C. Drinkwalter, Seconded by R. McMillan & Carried:-**

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

1. Authorization of a Borrowing By-law for a City of Kenora Line of Credit;
2. A By-law Amendment to the current agreement with Boreal Datacom for IT Services;
3. Authorization of a Guarantee for the Kenora Health Care Centre.

### **Landfill Liaison Committee Appointments**

#### **2. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

**That** the following Members be appointed to the Landfill Liaison Committee with a term to expire November 30, 2012:-

Councillor Rod McKay  
Councillor Rory McMillan  
Mike Mostow, City Staff Resource  
Marco Vogrig, City Staff Resource  
Ray Boivin, MOE Rep.  
Kevin Keith, MNR Rep.

Val Macins (Non-voting), WHACKO Rep.; and further

**That** Resolution #29 dated December 6, 2010 be and is hereby rescinded.

### **CERB Service Agreement**

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

**That** Council renew the 9-1-1 CERB Service contract with the Ontario Provincial Police for the City of Kenora's residential population of 13,807 at a cost of \$7,745.73; and further

**That** this costing remain constant for the 2-year term of this CERB agreement.

### **Endorsation of Resolution – Alberton**

#### **4. Moved by C. Drinkwalter, Seconded by R. Lunny & Carried:-**

**That** Council of the City of Kenora hereby endorses and supports the Corporation of The Township of Alberton's Resolution No. 2010-210 requesting the Ontario Government to replace the Amethyst Sector Field Officer after the position is vacated in January of 2011.

### **Increase in Day Care Rates**

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

**That** the Council of the City of Kenora approves the fee increase to the day camp and professional development day rates for the Castle of Learning & Discovery Children's Centre to \$30.00 per day; and

**That** in accordance with Notice By-Law Number 144-2007, public notice is hereby given that Council intends to amend Schedule "B" to its Tariff of Fees & Charges By-Law Number 147-2007 for this purpose; and further

**That** this increase comes into force and takes effect January 1, 2011.

### **Fire Dispatch – Memorandum of Understanding**

#### **6. Moved by C. Drinkwalter, Seconded by S. Smith & Carried:-**

**That** Council of the City of Kenora gives three readings to a by-law to authorize the execution of an agreement between the Corporation of the City of Kenora, Kenora Central Ambulance Communications Centre and Her Majesty the Queen in the Right of the Province of Ontario for provision of a Fire Dispatch/Control System for a five year term, January 1, 2009 to December 31, 2013.

### **Third Quarter Report – Recreation Services Department**

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

**That** Council of the City of Kenora hereby accepts the 2010 Third Quarter Report for the Recreation Services Department.

### **Approval of 2011 Council/Committee Meetings**

#### **8. Moved by R. McMillan, Seconded by S. Smith & Carried:-**

**That** Council hereby approves the 2011 Schedule of Committee and Council Meetings as prepared in accordance with the Rules of Order and Procedure.

### **ROMA/OGRA Attendances at Annual Conference**

#### **9. Moved by R. McMillan, Seconded by S. Smith & Carried:-**

**That** authorization be hereby given for the following Members of Council to attend the 2011 Annual ROMA/OGRA Conference taking place February 27 to March 2, 2011, in Toronto, ON:-

Mayor Canfield  
Councillor Drinkwalter  
Councillor McKay  
Councillor Roussin; and further

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

### **Elections Accessibility Report**

#### **10. Moved by R. McMillan, Seconded by S. Smith & Carried:-**

**That** the Council of the City of Kenora hereby receives the legislatively required report as prepared by the Clerk in accordance with The Municipal Elections Act regarding the recognition, removal and prevention of barriers identified during the 2010 municipal election process with respect to electors and candidates with disabilities; and further

**That** this report be made available to the public.

### **Municipal Councillor Training**

#### **11. Moved by C. Drinkwalter, Seconded by R. McKay & Carried:-**

**That** authorization be hereby given for the following Members of Council to attend the 2011 Municipal Councillor Training taking place January 19 and 20, 2011, in Dryden, ON:-

Councillor Lunny  
Councillor McKay  
Councillor Roussin  
Councillor Smith; and

**That** the City Clerk be authorized to attend the January 20<sup>th</sup> Meeting Series session; and further

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

### **Mayor Canfield's Attendance at Heads of Council Training**

#### **12. Moved by R. Lunny, Seconded by C. Drinkwalter & Carried:-**

**That** all eligible expenses in accordance with Council's Travel & Per Diem Policy, be hereby authorized for Mayor Canfield's attendance at the A.M.O. Heads of Council training that took place November 25, 2010, in Thunder Bay.

### **Amended Policy – Use of Corporate Resources for Election Purposes**

#### **13. Moved by R. Lunny, Seconded by S. Smith & Carried:-**

That Council hereby approves a new "Use of Corporate Resources for Election Purposes Policy #CC-10-1" to address the matter of incumbents running in a municipal election to be authorized to participate in functions on municipal property, provided all nominated candidates are also so invited; and further

That Council give three readings to a by-law to amend the City Policy Manual for this purpose.

### **Nomination – OGRA Board of Directors – Northern Zone**

#### **14. Moved by S. Smith, Seconded by C. Drinkwalter & Carried:-**

**That** the Council of the City of Kenora hereby nominates Councillor Rod McKay to fill the vacant Northern Zone seat on the Ontario Good Roads Association Board of Directors; and further

**That** should Kenora's Nomination be successful, the applicable per diem rate in accordance with Council's Travel & Per Diem Policy be hereby authorized.

## **New Procedural By-law**

### **15. Moved by R. McMillan, Seconded by R. McKay & Carried:-**

**That** Council hereby establishes a revised Standing Committee portfolio with respect to the names and mandates of the Standing Committees within the Committee of the Whole structure; and further

**That** public notice is hereby given that Council intends to give three readings to a by-law to establish Rules of Order and Procedure for the Council of the City of Kenora to reflect the portfolio changes in the Procedural By-law.

## **Approval/Receipt of Various Minutes**

### **16. Moved by L. Roussin, Seconded by R. Lunny & Carried:-**

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

- August 17, 2010 – Planning Advisory Committee
- September 16, 2010 – Planning Advisory Committee
- October 7, 2010 – Harbourtown Centre Committee
- October 19, 2010 – Planning Advisory Committee
- October 26, 2010 – Lake of the Woods Museum Board
- October 28, 2010 – Audit Committee
- November 4, 2010 – Harbourtown Centre Committee
- November 30, 2010 – Lake of the Woods Museum Board; and

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

- August 27, 2010 – Northwestern Health Unit Board of Health
- September 21, 2010 – Harbourtown BIZ
- September 22, 2010 – Kenora Police Services Board
- September 24, 2010 – District of Kenora Home for the Aged
- October 22, 2010 – District of Kenora Home for the Aged
- November 12, 2010 – Lake of the Woods Development Commission; and further

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

## **Nomination – Lakehead University Fellow Award**

### **17. Moved by R. McMillan, Seconded by S. Smith & Carried:-**

**That** the Council of the Corporation of the City of Kenora hereby nominates Jack Martin for the “Lakehead University Fellow Award” recognizing his contributions to the growth, development, welfare and well being of Northwestern Ontario; and further

**That** those arrangements be made for the City’s application to go forward to the Board of Governors at Lakehead University before January 7, 2011 in support of this Nomination.

## **Revised Contract for IT Management Services – Boreal Datacom**

### **17A Moved by R. McMillan, Seconded by R. McKay & Carried:-**

**That** Council of the City of Kenora gives three readings to a by-law to authorize a revised contract to the Service Level Agreement with Boreal Datacom for IT Management Services for a three period commencing January 1, 2011 to December 31, 2013; and further

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

**#212-2010** – A By-law to authorize a contract between the Corporation of the City of Kenora and Boreal Datacom.

## **Receipt of Reports from Lake of the Woods Development Commission**

### **18. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

**That** Council receives the November 12, 2010 Special Events Ad Hoc Committee Recommendation Report; and further

**That** Council receives the Lake of the Woods Development Commission 2011 Special Events Business Plan.

## **Funding Agreement – Ministry of Tourism & Culture**

### **19. Moved by S. Smith, Seconded by C. Drinkwalter & 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 Culture and the City of Kenora for the purpose of executing an agreement; and further

**That** the Mayor and Clerk be and are hereby authorized to execute the agreement on behalf of the City.

## **Extension with K.A.R. Service Agreement**

### **20. Moved by S. Smith, Seconded by L. Roussin & Carried:-**

That Council hereby authorizes City Administration to negotiate a four (4) month contract with the Kenora Assembly of Resources to continue to provide services as currently provided under their existing service agreement to the City of Kenora with the exception of special events; and

That Council approves the appropriate by-law once a suitable service agreement extension has been negotiated; and

That the provision of special events and other services as currently provided under the Kenora Assembly of Resources 2010 service agreement be referred to the 2011 budget deliberations for discussion; and further

That an Ad-Hoc Committee be established comprised of Councillor Smith, Councillor Lunny and Karen Brown, CAO, for the purpose of reviewing options for the delivery of services at the Harbourfront currently provided by the Kenora Assembly of Resources.

### **Addendum to Agreement - Gateway Rehabilitation Project**

#### **21. Moved by R. McKay, Seconded by S. Smith & Carried:-**

**That** Council give three readings to a by-law to amend By-law Number 129-2009 being 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 Energy and Infrastructure and the Minister of Agriculture, Food and Rural Affairs and the City of Kenora for the purpose of executing an addendum to the agreement.

### **Approval of Section 357 Tax Adjustments**

#### **22. Moved by R. Lunny, Seconded by L. Roussin & Carried:-**

**That** the Section 357 tax adjustments totaling \$15,412.79, (plus applicable penalty adjustment), with potential refunds of \$3,150.13, be hereby approved.

### **Receipt of Financial Statements**

#### **23. Moved by R. Lunny, Seconded by R. McKay & Carried:-**

**That** Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as at September 30, 2010 and October 31, 2010.

### **Line of Credit Approval – TD Bank**

#### **23A Moved by R. Lunny, Seconded by C. Drinkwalter & Carried:-**

**That** Council hereby authorizes the City of Kenora to have access to a line of credit for the purposes of funding operating expenditures up to a maximum of \$5,000,000 Canadian from the Toronto-Dominion Bank; and further

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

**#211-2010** – A By-law to authorize the borrowing of monies from the Toronto-Dominion Bank.

### **Guarantee on behalf of Kenora Health Care Centre**

#### **23B Moved by R. Lunny, Seconded by S. Smith & Carried:-**

**That** Council hereby authorizes a guarantee on behalf of the Kenora Health Care Centre up to a maximum of \$700,000 to Copperfin Credit Union for the purposes of a one-time loan to fund the Paterson Medical Clinic building renovations, subject to the loan being amortized and repaid over a period as agreed to between the Copperfin Credit Union, the Kenora Health Care Centre and the City of Kenora.



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

### **24. Moved by R. McKay, Seconded by S. Smith & Carried:-**

**That** the ranking lists set out in R. Perchuk's November 30, 2010 report be hereby accepted and adopted for purposes of hiring non-owned equipment and trucks for the City of Kenora during the period January 1 to December 31, 2011.

## **Revised Cemetery Rules & Regulations By-law**

### **25. Moved by R. McKay, Seconded by C. Drinkwalter & Carried:-**

**Whereas** the Lake of the Woods Cemetery in the City of Kenora is owned by the Corporation of the City of Kenora; and

**Whereas** the Cemeteries Act (Revised) R.S.O. 1990, Chapter C-4, Section 50 provides that an owner of a cemetery may make by-laws for regulating the operation of the cemetery;

**Therefore Be It Resolved That** the Council of the City of Kenora hereby approves the revised Rules and Regulations for the Care and Control of the Lake of the Woods Cemetery; and

**That** By-Law Number 33-2009 is hereby repealed; and further

**Be It Resolved That** Council adopts the applicable by-law for these purposes, and such by-law shall come into force and be in effect upon approval of the Ministry of Small Business & Consumer Services.

## **Columbarium Inscription Tender**

### **26. Moved by R. McKay, Seconded by L. Roussin & Carried:-**

**That** the following quotations, for on-site lettering of the Columbarium niches located at the Lake of the Woods Cemetery for 2011, 2012 & 2013, (plus applicable tax), be received:

M.C. Delandes Monuments & Memorials

First Inscription fee - \$300.00 per niche

2<sup>nd</sup> & supplement inscription fee - \$100.00 per niche

Quinn & Simpson Co. Ltd.

First inscription fee - \$349.00 per niche

2<sup>nd</sup> & supplement inscription fee - \$ 75.00 per niche; and further

**That** the quotation received from M.C. Delandes in the amount of \$300.00 for the primary inscription and \$100.00 for the 2<sup>nd</sup> & supplement inscriptions (plus applicable tax) be hereby accepted.

## **Purchase of Columbariums**

### **27. Moved by R. McKay, Seconded by L. Roussin & Carried:-**

**That** Council accepted the lowest bid submitted by KMI Columbaria Inc. for the purchase of a new 98 niche-columbarium for the Lake of the Woods Cemetery as approved under the 2010 Capital Budget; and

**That** the Five Year Capital Plan has included \$80,000.00 towards the purchase of a new columbarium in 2014; and

**That** KMI Columbaria Inc. has offered the City the 2010 price of \$30,625.00 each, including HST and shipping charges, for the purchase of two new columbariums, crane operation to unload at site is extra; and

**That** Council hereby authorizes an additional budget request in the amount of \$66,000.00 to be approved under the 2011 Capital Budget for the purchase of two additional columbariums for the Lake of the Woods Cemetery; and further

**That** staff be directed to include this item in the 2011 Capital Budget.

## **Seasonal Parks Labourer**

### **28. Moved by R. McKay, Seconded by L. Roussin & Carried:-**

**That** Council of the City of Kenora approve the hiring of one (1) Park's Seasonal Labourer for the Downtown Core (for 26 weeks) from April–October, 2011; and further

**That** this position is conditional upon Council approval of the 2011 City Operational Budget.

## **Tender for Audience Cover Tent (Harbourfront)**

### **29. Moved by S. Smith, Seconded by L. Roussin & Carried:-**

**That** Council direct the City Engineer to tender for the audience cover for the permanent events venue, for design, fabrication and installation in 2011; and further

**That** Council directs the Municipal Treasurer to develop the appropriate financing plan for the design, fabrication and installation of the audience cover.

#### **RECORDED VOTE:~**

| <b>COUNCIL</b>         | <b>AYE</b> | <b>NAY</b> | <b>Dec. of Interest</b> |
|------------------------|------------|------------|-------------------------|
| Councillor Drinkwalter | <b>X</b>   |            |                         |
| Councillor Lunny       | <b>X</b>   |            |                         |
| Councillor McKay       | <b>X</b>   |            |                         |
| Councillor McMillan    | <b>X</b>   |            |                         |
| Councillor Roussin     | <b>X</b>   |            |                         |
| Councillor Smith       | <b>X</b>   |            |                         |
| Mayor Canfield         | <b>X</b>   |            |                         |

## **Set Fines – Graffiti By-law**

### **30. Moved by L. Roussin, Seconded by R. McKay & Carried:-**

**That** Council reduces the set fine schedule originally determined for the offences of 1) Placement of Graffiti and 2) Possession of any Graffiti Implement, from \$1,000.00 to \$200.00.

### **Lease Renewal – New Horizons Seniors Centre**

#### **31. Moved by L. Roussin, Seconded by R. McMillan & Carried:-**

**That** the Council of the City of Kenora hereby approves the lease renewal with the Kenora District New Horizons Centre at the Kenora Recreation Centre; and further

**That** three readings to a by-law for this purpose.

### **By-law Enforcement Staffing**

#### **32. Moved by R. McKay, Seconded by R. McMillan & Carried:-**

**That** the 2010 approved Operating Budget By-law Enforcement staff complement of 1.6 FTE be extended to 2011; and further

**That** pending the approval of the 2011 Operating Budget, Council consider increasing the By-law Enforcement staff complement from 1.6 FTE to 2.0 FTE.

### **Fire Hall Designation By-law Review**

#### **33. Moved by L. Roussin, Seconded by R. Lunny & Carried:-**

**That** authorization is hereby given for the Council of the City of Kenora, Heritage Kenora, and the Emergency Services Manager to meet and discuss amending By-law Number 160-2008, being the Fire Hall Designation's by-law, to allow for the removal of the bell and the alarm box and bell from the existing by-law.

### **Assumption of Old Government Road**

#### **34. Moved by L. Roussin, Seconded by C. Drinkwalter & Carried:-**

**That** the Council of the City of Kenora hereby assumes lands described as Parcel 3839, Part of Lot 3, Concession 6, Jaffray, being Old Government Road, Plan M456, now City of Kenora, in the District of Kenora, described as follows: Parcel 3839, part of Lot 3, Con 6, Jaffray as in LT8014, except LT8764; LT17494, LT33798 & SRO in LT54269; Kenora; and further

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

### **Terms of Reference for Planning Advisory Committee**

#### **35. Moved by L. Roussin, Seconded by S. Smith & Carried:-**

**That** the Council of the City of Kenora gives three readings to a by-law to approve the Terms of Reference for the City of Kenora Planning Advisory Committee; and further

**That** By-law Number 86-2007 be hereby repealed.

## **Approval of By-laws**

### **36. Moved by R. Lunny, 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:~

**#199-2010-** To confirm the proceedings of Council and other Committee Meetings

**#200-2010-** To establish Rules of Order and Procedure for City Council

**#201-2010-** To amend Schedule "B" to the City's Tariff of Fees & Charges By-law

**#202-2010-** To execute an agreement with the Kenora Central Ambulance Communications Centre/Lake of the Woods District Hospital, the Minister of Health and the City of Kenora

**#203-2010-** To repeal various Committees and their applicable Terms of Reference

**#204-2010-** To execute an agreement between the City of Kenora and the Minister of Tourism & Culture

**#205-2010-** To execute an agreement between the Minister of Energy and Infrastructure, the Minister of Agriculture, Food and Rural Affairs and the City of Kenora

**#206-2010-** To establish Rules and Regulations to be used in connection with the Lake of the Woods Cemetery

**#207-2010-** To confirm the execution of a lease renewal between the City and the Kenora District New Horizons Seniors Centre

**#208-2010-** to assume and stop-up property known as Old Government Road

**#209-2010-** To establish the Terms of Reference for the Planning Advisory Committee and Committee of Adjustment

**#210-2010-** To amend the Policy Manual and approve a new Use of Corporate Resources Policy.

## **Adjournment**

### **37. Moved by R. Lunny, Seconded by C. Drinkwalter & Carried:-**

**That** this meeting be now declared closed at 5:55 p.m.

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

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

**OF.....2011**

.....

**MAYOR**

.....

**CITY CLERK**