



Minutes

*Of a Meeting of the Council of the City of Kenora
Monday, January 18, 2010 – 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 J. Parson.**

**Regrets:** Councillor C. Van Walleghem.

**Staff:** Bill Preisentanz, CAO, Karen Brown, Finance & Administration Manager, Rick Perchuk, Operations Manager and Joanne L. McMillin, City Clerk.

## **Call to Order**

**Mayor Compton called the meeting to order and Councillor Parson 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 Budget to withdraw funds from the Keewatin Memorial Arena Reserve to offset costs related to repairs at the Keewatin Arena;*
- *To accept and assume a portion of Peterson Drive and to release and discharge obligation of M & L Development;*
- *To accept and assume a portion of Bruckenberger Road and to release and discharge obligation of Moncrief Construction Limited;*
- *To declare property described as Parcel 948, Island D72 unsurveyed territory on Lake of the Woods, more commonly known as Town Island, to be surplus to the needs of the municipality.*

## **Confirmation of Minutes**

**1. Moved by J. Parson, Seconded by D. McCann & Carried:-**

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

- **December 14, 2009 – Regular Council Meeting**
- **December 17 – Committee of the Whole Meeting**
- **December 18, 2009 - Special Council Meeting**

**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.

**Deputations:**

**Gail Clark**

On behalf of the Kenora Resource Centre, Ms Clark addressed Council on the United Nations International Day for the Elimination of Racial Discrimination event to be recognized March 21, 2010, and requesting Council to proclaim this day as such. Ms Clark was thanked for attending and filed a copy of her request with the Clerk.

**Rev. R. Lamb**

Rev. Lamb expressed his concern regarding an incident that took place at the Kenora Arena on December 22, 2009 whereby he was hit by a puck as a result of a gap between the net and the glass. Rev. Lamb advised staff at the Rec. Centre of his concern at the time it occurred and he was assured it would be addressed, however to-date it has not been and he felt it necessary to make City Council aware of the situation. Rev. Lamb was thanked for his deputation which he had earlier filed with the Clerk, and he was advised the C.A.O. will look into the matter.

**Greg Rickford, MP**

Mr. Rickford addressed Council on the excitement surrounding Kenora with respect to making the Wild Card list for the "Monopoly Game." Mr. Rickford indicated we were in 8<sup>th</sup> spot but just recently moved to 9<sup>th</sup>. The City of Cornwall is in 1<sup>st</sup> position over Banff. Mr. Rickford stated his office is keeping a close eye on the results and they will be releasing some media information shortly.

Mr. Rickford is interested in undertaking a joint strategy in order to get Kenora on the top ten list and believes if we work together that by February 7 we will be one of the top ten and possibly get into the top two.

In closing, Mr. Rickford encouraged the public to get involved and vote online to get Kenora on the Monopoly Board, noting that one computer can vote every day.

Mr. Rickford was thanked for attending and he advised he will forward the media information to the Clerk's Office.

**Longbow Lake Volunteer Fire Brigade - Agreement**

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

**That** Council give three readings to a by-Law to authorize the Council of the City of Kenora to enter into an agreement with the Longbow Lake Volunteer Fire Brigade to provide Radio Circuits, Radio Licenses, and maintenance of the Kenora and Area Fire Communications System as set out in Schedule "A" attached to this report; and further

**That** By-Law 47-2004 be and is hereby repealed.

**McKenzie Clearwater Fire Protection - Agreement**

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

**That** Council give three readings to a by-Law authorizing the Council of the City of Kenora to enter into an agreement with McKenzie Clearwater Fire Protection Corporation to provide Radio Circuits, Radio Licenses, and maintenance of the Kenora and Area Fire Communications System and operating costs of Station 2 as set out in Schedule "A" attached to this report; and further

**That** By-Law Number 48-2004 be and is hereby repealed.

**Pellatt United Firefighters Inc. - Agreement**

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

**That** Council give three readings to a by-Law authorizing the Council of the City of Kenora to enter into an agreement with Pellatt United Firefighters Inc. to provide Radio Circuits, Radio Licenses, and maintenance of the Kenora and Area Fire Communications System as set out in Schedule "A" as attached to this report; and further

**That** By-Law 46-2004 be and is hereby repealed.

**Second Pumper Request**

**5. Moved by J. Parson, Seconded by C. Drinkwalter & Carried:-**

**That** Council hereby approves the acquisition of a second Pumper as supplied by Fort Garry Fire Trucks in the amount of \$414,012.00 plus applicable taxes.

**Amendments to Procedural By-law**

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

**That** Council give three readings to a by-law to amend By-law Number 29-2009 being a by-law to establish Rules of Order and Procedures for the Council of the City of Kenora to reflect the following:-

**Section 3.12** - delete "November" from meeting exception during Municipal Election

**Sections 12.7 & 12.8** - change carrying consensus by Council in Standing Committee rather than appointed Committee and **delete Section 12.9 entirely.**

**Endorsation of Resolution – Twinning of TransCanada Highway****7. Moved by D. McCann, Seconded by C. Drinkwalter & Carried:-**

**Whereas** the Ontario TransCanada Highway from Arnprior through to the Manitoba border is the only portion of the National Highway which is not four-laned; and

**Whereas** the report titled "A Vision for Ontario TransCanada Highway - North Bay to Manitoba Border" provides one vision of what is possible if the dollars are committed by the Provincial and Federal Governments over a 25 year period; and

**Whereas** the TransCanada Highway is the only fully year round continuous passable route across Canada and is extensively used by commercial and recreational traffic of North America;

**Therefore Be It Resolved That** the Council of the Corporation of the City of Kenora hereby supports the City of North Bay's position to lobby the Provincial and Federal Governments to make the four-laning of the Ontario TransCanada Highway a priority; and further

**Be It Resolved That** a copy of this resolution be forwarded to the Provincial Minister of Energy and Infrastructure; Provincial Minister of Northern Development and Mines; Provincial Minister of Transportation; Federal Minister of Transport, Infrastructure and Communities; and the Hon. Greg Rickford, M.P., Kenora.

**November, 2009 – Financial Statements****8. Moved by R. McMillan, Seconded by W. Cuthbert & Carried:-**

**That** Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as at November 30, 2009.

**Adoption/Receipt of Various Committee Minutes****9. Moved by R. McMillan, Seconded by C. Drinkwalter & Carried:-**

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

- December 10, 2009 – Kenora Animal Welfare Advisory Committee
- December 15, 2009 – Leisure Services Committee

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

- November 17, 2009 – Kenora District Services Board
- November 27 & December 18, 2009 – District of Kenora Home for the Aged
- December 15, 2009 – LOW Development Commission; and further

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

**K.D.M.A. Sponsorship****10. Moved by J. Parson, Seconded by R. McMillan & Carried:-**

**That** Council of the City of Kenora hereby authorizes sponsoring an event option to a maximum of \$250.00 for the KDMA Conference taking place in Ear Falls, February 4, 5 & 6, 2010.

**LOW Community Foundation Endowment Request**

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

**That** Council of the City of Kenora respectfully deny the request from Lake of the Woods Community Foundation for \$3.5 million in endowment funding at this time; and further

**That** Administration be directed to identify future sources of funding such as the sale of surplus property which could be ear-marked for Lake of the Woods Community Foundation.

**MPMP Program/Results**

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

**That** Council of the City of Kenora receive the August 2009 report on the Municipal Performance Measurement Program; and further

**That** the City of Kenora Municipal Performance Measurement Program – 2008 Results be provided to the Minister and circulated to the public in accordance with Section 299 of the Municipal Act.

**Mount Evergreen – Repayable Loan**

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

**That** Council hereby authorizes an extension of the repayable loan in the amount of \$25,000 to the Mount Evergreen Ski Club to be repaid in full on or before December 31, 2010; and

**That** upon default in repayment, interest shall commence and accrue at the rate of prime plus 2% per annum until collected; and further

**That** this extension be conditional upon receipt of the most recent Ski Hill financial statements as well as the 2009 financial statements once available.

**Change of Committee Name (Performing Arts)**

**14. Moved by J. Parson, Seconded by D. McCann & Carried:-**

**That** Council give three readings to a by-law to change the Terms of Reference for the Performing Arts & Conference Centre Committee to reflect the revised name of the Committee to the "Community Auditorium Conference Centre Committee;" and further

**That** By-law Number 50-2005 be and is hereby repealed.

**Provincial Standing Committee on Finance & Economic Affairs**

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

**That** authorization is hereby given for Karen Brown, Manager of Finance & Administration to attend the Dryden Session on January 27, 2009 to make a presentation to the Provincial Standing Committee on Finance and Economic Affairs.

**Contract for IT Services**

**16. Moved by R. McMillan, Seconded by J. Parson & Carried:-**

**That** Council hereby authorizes a contract for the purchase of IT related services through Boreal Datacom for a period commencing January 1, 2010 to June 30, 2011; and

**That** Council hereby directs City Administration to leave the vacated IT Supervisor position vacant during this period; and further

**That** Council give three readings to a by-law to authorize the execution of a service contract for this purpose.

**Receipt of Report - Recreation Facilities & Services**

**17. Moved by C. Drinkwalter, Seconded by J. Parson & Carried:-**

**That** Council receives the report produced by Scatliff + Miller + Murray Inc and JHarper & Associates with the regard to the City of Kenora's recreation facilities and services.

**Amend Budget – Keewatin Memorial Arena Repairs**

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

**That** Council hereby approves the quote from Energy Tech Services for repairs to the domestic water line for a cost of \$16,375.00 plus GST, including labour and material; and

**That** Council hereby authorizes an appropriation from the Keewatin Memorial Arena Reserve to offset costs related to this repair; and

**That** in accordance with the Notice By-law #144-2007, public notice is hereby given that the City intends to amend its 2009 Operating Budget at its January 18th meeting; and further

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

**Amendment to Agreement – Anicinabe Park**

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

**That** Council of the City of Kenora give three readings to a by-law to amend By-law #32-2009, being a by-law to execute an agreement between the Corporation of the

City of Kenora and Larry Cruikshank, for the Operation and Maintenance of Anicinabe Park; and further

**That** the Section 1. c. of Bylaw #32-2009 be replaced with the following:

*"1c. Cruikshank shall not allow the parking of seasonal R.V. rentals and shall adhere to the Ontario Parks Rules and Standards, with the exception of the length of stay. The length of stay is not to exceed 28 (twenty-eight) days within a 31 (thirty-one) day period. Cruikshank shall not allow long-term storage or semi-permanent or permanent structures on the camp sites or storage areas. Cruikshank shall not allow parking in the public parking lot or docking at the public docks between 11:00 p.m. and 6:00 a.m."*

**Amendment to Public Boat Docking Policy**

**20. Moved by J. Parson, Seconded by R. McMillan & Carried:-**

**That** the Council of the City of Kenora amend By-law #57-2009, a by-law which provides a policy for public boat docking within the municipality at a variety of locations and for the monitoring and enforcement of such docking; and

**That** the Section 4. Docking-Facilities of By-law #57-2009 be amended to include Anicinabe Park as a facility that is available for free daily docking by the municipality; and further

**That** no parking be permitted between 11:00 p.m. and 6:00 a.m.

**Amendment to Parking Lot By-law**

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

**That** Council of the City of Kenora give three readings to a by-law to amend By-law Number 66-2006, being a by-law which establishes and regulates parking lots and structures within the City of Kenora; and further

**That** Schedule 'A' to By-law Number 66-2006 – Anicinabe Park-Boat Launch Parking Lot be amended to state the following:

|                             |                                                                                  |
|-----------------------------|----------------------------------------------------------------------------------|
| <b>Lot "A"</b>              | <b>Anicinabe Park – Boat Launch Parking Lot</b>                                  |
| <b>Control</b>              | <b>Park Operator and City Designated Towing Company Ltd.(at owner's expense)</b> |
| <b>Fees:</b>                | <b>Free Daily Parking</b>                                                        |
| <b>Special Regulations:</b> | <b>Vehicles in excess of 6.7 meters are permitted</b>                            |
|                             | <b>No Parking permitted between 11:00 p.m. &amp; 6:00 a.m.</b>                   |

**2009 Report – Anicinabe Park**

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

**That** the Council of the City of Kenora accept the 2009 Year End Report for Anicinabe Park.

**Drinking Water Quality Management Plan**

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

**That** the Council of the City of Kenora hereby approves the Drinking Water Quality Management System Operational Plan; and further

**That** authorization is hereby given for the Mayor, the Chair of the Operations Committee, and applicable City Staff to execute the Plan on behalf of the City.

**Kenora Integrated Pest Management Final Summary Report**

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

**That** Council of the City of Kenora receive the Final Summary Report on the Kenora Integrated Pest Management Project (KIPMP) at Kenora Central Park.

**KGS Services – Downtown Revitalization Phase II**

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

**That** Council hereby authorizes the entering into of a contract with KGS Group for the provision of final design and contract administration services for the Downtown Revitalization Phase II project to a maximum of \$448,500 + GST; and further

**That** the Mayor and Clerk be authorized to enter into such agreement on behalf of the City.

**Terms of Reference – Kenora Urban Trails Committee**

**26. Moved by J. Parson, Seconded by C. Drinkwalter & Carried:-**

**That** the Council of the City of Kenora hereby approves the Terms of Reference for the Kenora Urban Trails Committee; and further

**That** three readings be given to a by-law to establish the Committee and to adopt the Terms of Reference.

**GIS Services Agreement – Red Lake**

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

**That** Council of the City of Kenora hereby authorizes entering 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 \$386.25, plus GST; and further

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

**Amendment to FoTenn Consulting Contract**

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

**That** Council of the City of Kenora give three readings to a by-law to amend By-law Number 113-2009 being a by-law to authorize a contract with FoTenn Consulting Inc.,



to provide the services of a land use planner to prepare for, and conduct, a public open house to review the draft changes to Kenora's Zoning By-law; and further

**That** this expenditure be referred to the 2010 Operating Budget for the purpose of allocating funds in the amount of \$4,450.00 + taxes to offset the associated cost to the FoTenn Consulting Inc. contract.

**Accept and Assume portion of Peterson Drive**

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

**That** Council give three readings to a by-law to accept and assume a portion of Peterson Drive, for municipal purposes, identified on Plan of Subdivision 23M953; and

**That** Council of the Corporation of the City of Kenora, by the passing of the by-law hereby declares that the Owner is not in default of any of the provisions of the Agreement; and further

**That** Council, by passing said by-law, releases the Owner from any further obligations associated with the Agreement.

**Accept and Assume Bruckenberger Road**

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

**That** Council give three readings to a by-law to accept and assume Bruckenberger Road, for municipal purposes, identified on Plan of Subdivision 23M 949 and the applicable Subdivision Agreement(s) entered into; and

**That** the Council of the Corporation of the City of Kenora, by the passing of the by-law, declares that the Owner is not in default of any of the provisions of the Agreement; and further

**That** Council, by passing said by-law, releases the Owner from any further obligations associated with the Agreement.

**Declaration of Surplus Property – Town Island**

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

**That** Council of the City of Kenora hereby declares property described as Parcel 948, Island D72 unsurveyed territory situated in Lake of the Woods south of Devils Gap, more commonly known as Town Island, to be surplus to its needs; and

**That** funding for appraisal services for the planned exchange of MNR lands and Town Island be included in the 2010 budget; and further

**That** the appraisal costs be cost-shared on an equal basis with MNR.

**Adoption of By-laws**

**32. Moved by D. McCann, 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:~

**#1-2010-** To confirm proceedings of Council and other Committee Meetings

**#2-2010-** To enter into an agreement with the Longbow Lake Volunteer Fire Brigade

**#3-2010-** To enter into agreement with McKenzie Clearwater Fire Corp.

**#4-2010-** To enter into agreement with Pellatt United Firefighters Agreement

**#5-2010-** To amend Rules of Order & Procedure By-law #29-2009

**#6-2010-** To amend Taxi By-law #88-2009

**#7-2010-** To amend the 2009 Budget for Keewatin Arena Repairs

**#8-2010-** To amend the Anicinabe Park Agreement with Larry Cruikshank

**#9-2010-** To amend the Public Docking Policy to include Anicinabe Park

**#10-2010-** To amend the Public Parking Lot By-law #66-2006

**#11-2010-** To change the name of the Performing Arts & Conference Centre Committee

**#12-2010-** To establish Terms of Reference for the Kenora Urban Trails Committee

**#13-2010-** To enter into agreement with Red Lake for GIS Hosting Services

**#14-2010-** To enter into a contract with Boreal Datacom for IT Services

**#15-2010-** To amend the contract with FoTenn Consulting Inc.

**#16-2010-** To accept and assume a portion of Peterson Road for municipal purposes

**#17-2010-** To accept and assume Bruckenberger Road for municipal purposes.

**Adjournment**

**33. Moved by J. Parson, Seconded by R. McMillan & Carried:-**

THAT this meeting be now declared closed at 5:44 p.m.

**The Corporation of the City of Kenora:**

**Confirmed as written this .....day**

**of.....2010**

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**Mayor**

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**City Clerk**