



# Minutes

*Of a Meeting of the Council of the City of Kenora  
Monday, June 14, 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, Councillor C. Van Walleghem.**

**Staff: Karen Brown, Manager of Finance and Administration, Sharen McDowall, Manager of Human Resources, Colleen Neil, Recreation Services Manager, Warren Brinkman, Fire & Emergency Services Manager, Rick Perchuk, Operations Manager and Heather Kasprick, Deputy Clerk.**

### **Call to Order**

**Mayor Compton called the meeting to order and Councillor Cuthbert read the Prayer.**

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

**Mayor Compton then read the following notices:-**

As required under Notice By-law #144 -2007, Council hereby advises the public of its intention to adopt the following at tonight's meeting:-

- *Amend the 2009 budget with respect to the KDSB Under Levy*
- *Amend the 2010 budget with respect to the KDSB 2010 Levy*
- *Amend the 2010 budget for purchase of a drop deck boat and trailer*
- *A By-law to Amend an Agreement with the Province of Ontario*
- *A By-law to regulate signs and advertising devices in the City of Kenora with a view to ensuring the safety of the public in respect to the erection and maintenance of such signs*
- *A By-law to enter into an agreement with Lunny & Production Group Inc.*

### **Confirmation of Minutes**

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

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

- Regular Meeting ~ May 17, 2010
- Special Meeting ~ May 28, 2010

## **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.

**None Declared.**

## **Presentations:**

- **Navy Centennial Namesake Picture Presentation** – Paul Staff and from the Naval Reserve Unit in Winnipeg representing the Canadian Navy at HMCS Chippawa spoke in regards to the fact that this year (2010) marks the 100<sup>th</sup> year of the Canadian Navy - Bringing the Navy to Canadians, Connecting with Canadians is the theme. Local Master Seaman Mastromatteo was also present for the presentation to Council. The presentation included a portrait of the HMCS Kenora with historical information on the ship that will be given to the Museum for display. There were 83 crew on this ship and the only Kenora citizen who sailed on that ship was in attendance for the presentation, Mr. Orville Muggaberg.
- **Presentation to Grace Kozak** – Ms. Kozak lives in Keewatin and has been there for approximately 62 years. She is extremely active being an avid curler, swimmer and regularly sings in the St. Andrews Church choir. Ms. Kozak has picked garbage along Highway 596 for over 56 years and the City is extremely thankful for her dedication as a volunteer for many years. Council presented Ms. Kozak with a Certificate of Appreciation.
- **Presentation to Citizen of the Year** – Maude Barnard was selected by Council as the Citizen of the Year. Mrs. Barnard served 2 years as President and 2 years as Vice-President on the New Horizons Senior Centre Board, retiring in 2009. While not on the Board she remains an active member at the Centre; always willing to help out wherever she can and can often be found volunteering in the kitchen on a regular basis. She served as hostess at the Centre for 20 years – every Monday from 1989 to 2009. Mrs. Barnard has also been a loyal volunteer with the Anglican Church Women since 1998 to present. She served 8 years on the Kenora Handi-Transit Board and for 17 years was an active member of the Keewatin Non-Profit Housing Corporation. As of late she is a volunteer for the Keewatin Homecoming events which is held annually on July 1st. Mrs. Barnard is a dedicated senior and deserving recipient for this prestigious 'Senior of the Year Award' in our community.

## **Deputations:**

N/A

## **Budget Amendment By-Laws (housekeeping)**

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

**That** Council hereby provides three readings to a By-law to amend the City's 2010 municipal operating budget to reflect the additional levy from the Kenora District Services Board in the amount of \$98,271 over and above the amount approved in the City's 2010 municipal operating budget based on previous budget submissions from the Kenora District Services Board; and further

**That** Council hereby approves amending its 2009 municipal operating budget to reflect the incremental costs related to the Kenora District Services Board under levy for 2009 in the amount of \$42,258, being over and above the previous budget amendment approved by Council in November 2009.

## **Monthly Financial Statements**

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

**That** Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as at April 30, 2010.

## **Various Committee Minutes**

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

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

- March 31, 2010 – Kenora Police Services Board
- May 11, 2010 – Lake of the Woods Museum Board
- March 18, 2010 – Kenora District Services Board; and
- 

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

- March 26, 2010 – Northwestern Health Unit Board of Health
- April 30, 2010 – Northwestern Health Unit Board of Health; and further

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

## **Paterson Medical Centre – Debt Repayment**

### **5. Moved by C. Van Walleghem, Seconded by J. Parson & Carried:-**

**That** Council of the City of Kenora give three readings to a bylaw to amend Bylaw No. 37-2009 by establishing a repayment schedule of blended monthly payments based on an amortization period as determined by the City effective on or before January 01, 2011; and further

**That** the interest free period for repayment of loan advances associated with the addition to the Paterson Medical Centre be extended to no later than January 01, 2011.

## **City of Kingston Resolution-Payments in Lieu of Taxes**

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

**Whereas** in a unanimous decision on 15 April the Supreme Court of Canada clearly and unequivocally stated that the federal government and its Crown Corporations must pay for the services municipalities provide in the same way private owners pay;

**Therefore be it resolved that** Kenora City Council urges the government of the Province of Ontario to follow this decision, with respect to all properties for which it makes payments in lieu of taxes (including heads and beds); and further

**That** a copy of this resolution be sent to the Honourable Dwight Duncan, Minister of Finance, and Howard Hampton, MPP for Kenora – Rainy River.

### **Motion to Table**

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

That Motion Number 7 on tonight's agenda with respect to the 2010 Insurance Renewal be hereby tabled.

### **2010/2011 Insurance Renewal**

#### **7. Moved by R. McMillan, Seconded by D. McCann**

**That** Council of the City of Kenora hereby accept the proposal from the Standard Insurance Brokers Ltd for Municipal Insurance from July 1, 2010 to June 30, 2011.

### **TABLED**

### **Violence & Harassment in the Workplace Policies**

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

**That** Council hereby approves a City of Kenora Health and Safety Violence in the Workplace Policy Statement and the City of Kenora Workplace Harassment Policy Statement; and further,

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

### **Lake of the Woods Concert Group – Celebrate Summer**

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

**That** Council of the City of Kenora support the Lake of the Woods Concert Group by purchasing 2 seats at the event in the amount of \$160.00.

### **Songs for our Scene – Community Foundation Application**

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

**That** Council hereby approves an application to the Kenora and Lake of the Woods Community Foundation in partnership with the Kenora Music Scene in the amount of \$1,000 to be used for funding the Songs for our Scene project.

### **By-Law Enforcement Officer Appointment**

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

**That** Council hereby appoints Wells Brown, as a full-time By-law Enforcement Officer in and for the City of Kenora under authority of The Police Services Act; and further,

**That** this appointment shall take effect and come into force upon third and final reading of the by-law.

**Drop Deck Boat Lake Boat Purchase**

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

**That** Council hereby authorizes an amendment to the 2010 Municipal Capital Budget to authorize the purchase of a new drop deck boat and trailer in the amount of \$42,600 plus applicable taxes to be funded through the City's Equipment Replacement Reserve; and,

**That** in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2010 Capital Budget at its June 14, 2010 meeting; and,

**That** Council hereby gives three readings to a by-law to amend the budget for this purpose; and,

**That** the following proposals for the purchase of a new drop deck Lake Boat, as specified (plus applicable taxes), be received;

Zag Fab Boats

2010 model 24' drop bow with 140hp \$37,400.00

Tandem Galvanized trailer \$ 5,200.00

Total before Taxes \$42,600.00

Stanley Boats (Woodlake)

2008 22' Drop bow with 115hp \$39,995.00

Tandem Painted trailer \$4,695.00

Total before Taxes \$44,690.00

2010 22' Drop bow with 115hp \$44,995.00

Tandem Painted trailer \$4,695.00

Total before Taxes \$49,690.00;

and further,

**That** the proposal submitted by Zag Fab Boats, Riverton, Manitoba, for the purchase of a new drop deck Lake Boat, in the amount of \$42,600.00 (plus applicable taxes), be accepted.

**Harbourfront Property Lease Renewal**

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

**That** Mayor & Council approve amended lease extension for the Harbourfront Property with Lake Navigation (Kenora) LTD as per Schedule A of the lease as it pertains specifically to the basic rent rate for the extended term; and further

**That** Council give three readings to a by-law to authorize the extension of the lease.

**Amend Traffic Regulation By-Law – Schedule K Disabled Parking**

**14. Moved by D. McCann, Seconded by J. Parson & 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 amendments to Schedule "K" - Disabled Parking Spaces on Streets and Highways – Main Street South.

| Column 1<br>STREET | Column 2<br>LOCATION                                                             | Column 3<br>SIDE | Column 4<br>TYPE OF<br>PARKING | Column 5<br># OF<br>SPACES |
|--------------------|----------------------------------------------------------------------------------|------------------|--------------------------------|----------------------------|
| <b>DELETE</b>      |                                                                                  |                  |                                |                            |
| Main Street South  | From 53 metres north of 1 <sup>st</sup> Street South, northerly for 2.7 metres   | East             | 45°                            | 1                          |
| <b>AMEND</b>       |                                                                                  |                  |                                |                            |
| Main Street South  | From 130 metres north of 2 <sup>nd</sup> Street South, northerly for 2.7 metres  | East             | 45°                            | 1                          |
| <b>TO READ</b>     |                                                                                  |                  |                                |                            |
| Main Street South  | From 122 metres north of 2 <sup>nd</sup> Street South, northerly for 10.7 metres | East             | 45°                            | 2                          |
| <b>ADD</b>         |                                                                                  |                  |                                |                            |
| Main Street South  | From 62 metres south of 2 <sup>nd</sup> Street South, southerly for 7 metres     | West             | 45°                            | 1                          |

**Waste Electrical & Electronic Equipment Collection Site  
15. Moved by D. McCann, Seconded by R. McMillan & Carried:-**

**That** Council give three readings to a by-law to enter into an agreement with the Ontario Electronic Stewardship to provide payment to the City of Kenora for the collection and storage of Waste Electrical and Electronic Equipment to be picked up from the Kenora Waste Transfer Facility.

**Amend By-Law 66-2006 Schedule A – Chipman Street Lot  
16. Moved by D. McCann, Seconded by J. Parson & 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

**That** Schedule "A" to By-law Number 66-2006 – Chipman Street Parking Lot be amended to state the following; and further,

|                      |                                                                    |
|----------------------|--------------------------------------------------------------------|
| Lot "B"              | Chipman Street Parking Lot                                         |
| Control:             | By-Law Enforcement Officer                                         |
| Fees:                | Monthly \$49.60 plus applicable taxes<br>(effective June 14, 2010) |
| Special Regulations: | Leased spaces                                                      |

**Memorandum of Agreement – IBEW Local 559  
17. Moved by C. Drinkwalter, Seconded by R. McMillan & Carried:-**

**That** Council hereby directs the Human Resources Manager to proceed with the Memorandum of Agreement between the Corporation of the City of Kenora and IBEW Local 559 Water Unit for the term January 1, 2010 to December 31, 2012.

**Adopt Sign By-Law**

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

**That** the City of Kenora adopt a by-law to regulate signs and advertising devices in the City of Kenora with a view to ensuring the safety of the public in respect to the erection and maintenance of such signs; and further

**That** By-Law number 50-2004 be hereby repealed.

**Application for Zoning By-Law Amendment Z03/10 Henley**

**19. Moved by W. Cuthbert, Seconded by J. Parson & Carried:-**

**That** the Council of the City of Kenora approves application for Zoning By-law Amendment Z03/10 Henley, to rezone property described as 503 First Street South, PLAN 3 BLK 2 LOT 168, from R2 – Residential Second Density to LC – Local Commercial with uses limited to clinic, personal services, studio, dental or other professional offices, with residential above; and that a site plan agreement be entered into to ensure that the landscaping and parking facility maintain the residential component of parts of the neighbourhood, as the use of the property is consistent with the Provincial Policy Statement, and complies with the policies of the Kenora Official Plan and Zoning By-law.

**RED Funding –Amendment to Agreement for funding**

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

**That** the City of Kenora authorizes the Mayor and Clerk to enter into an amending agreement with the Province of Ontario for funding under the “Rural Economic Development Program”; and further

**That** the appropriate by-law be adopted to adopt the amending agreement.

**LOW Development Commission – Monthly Status Report**

**21. Moved by W. Cuthbert, Seconded by J. Parson & Carried:-**

**That** Council accepts the June 2010 Monthly status report of the Lake of the Woods Development Commission.

**RFP – Development of Fire Halls**

**22. Moved by W. Cuthbert, Seconded by J. Parson & Carried:-**

**That** the Council of the City of Kenora strikes an adhoc Committee to develop a request proposals for the adaptive re-use of the former Fire Station No. 1, located at 350 Second Street South, Kenora, and for former Jaffray Melick Fire Hall and Public Works yard, located at 243 Rabbit Lake Road;

**That** the adhoc Committee, made up of the EDO, Planning Administrator, Chair of Heritage Kenora, Facilities Co-ordinator, Chief of Fire and Emergency Services and the

Chair of Property and Planning Committee, be dissolved once its recommendation to Council is made; approximately July 30, 2010.

### **Pinecrest Community Club**

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

**That** Council of the City of Kenora hereby support discussions with the Kenora Catholic District School Board for the conveyance of the former Pinecrest Community Club property; and further

**That** Administration be authorized to meet and review the terms of the draft Agreement as presented to Council with the Kenora Catholic District School Board.

### **Lake of the Woods Discovery Centre Interior Design Proposal**

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

**That** the City of Kenora accept the proposal from Lunny Design & Production Group Inc. to plan, design, fabricate and install the interior components of the Lake of the Woods Discovery Centre; and further

**That** Council give three readings to a by-law to authorize the execution of an agreement between the City of Kenora and Lunny Design & Production Group Inc. with respect to the Lake of the Woods Discovery Centre.

### **Surplus Lands**

#### **25. Moved by W. Cuthbert, Seconded by J. Parson & Carried:-**

**That** the Council of the City of Kenora declares surplus a portion of the property described as Plan M17 Lot 76 to 77, and;

**That** in accordance with the Notice By-law, 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 give three readings to a by-law to authorize the sale of land to Carol Vanasse and Lawrence Duchene, as a lot addition (consolidation) with property described as PLAN M17 LOT 75 PT PCL 11088 , at the appraised value as established by Century 21 – Reynard Real Estate, plus survey and all other associated costs; and

**That** there be a caveat to sale that the lands, once consolidated, shall remain in the name of the transferee(s) for a period not less than two (2) years, and

**That** there shall be a residential unit, as permitted in the City of Kenora Zoning By-law, constructed with the exterior completely finished, including substantial completion of landscaping, within the two (2) year period; and further,

**That** the Municipal Solicitor coordinates the transfers.

### **Motion to Introduce New Items**

#### **25A. Moved by D. McCann, Seconded by C. Van Walleghem & Carried:-**



**That** the following two items be introduced on the Agenda as new items on the June 14, 2010 Regular Meeting of Council:

2010 Fireworks  
Air Compressor – Approved Capital Budget

**That** these agenda items form item number 26 and item Number 27 in the minutes.

### **2010 Fireworks**

#### **26. Moved by C. Drinkwater, Seconded by W. Cuthbert & 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, 2010 and July 31, 2010 to be used specifically towards the 2010 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 2010 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 2010 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.

### **Air Compressor – Approved Capital Budget**

#### **27. Moved by J. Parson, Seconded by C. Drinkwater & Carried:-**

**That** Council hereby approves the acquisition of one Air Compressor as supplied by Stephenson Equipment in the amount of \$56,292 plus applicable taxes and delivery charges; and

**That** Council hereby approves an amendment to the 2010 capital plan to increase the total cost of this air compressor from \$50,000 to \$56,292 plus net impact of applicable taxes and delivery charges with the additional costs to be funded from the Provincial Government's Fire Service Grant; and further

**That** in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2010 Capital Plan by by-law at its July 12<sup>th</sup> meeting.

### **By-Law Passing**

#### **28. Moved by J. Parson, 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:~

**#103-2010** - To confirm proceedings of Council and other Committee Meetings

- #104-2010** - To amend the 2009 budget (KDSB under levy)
- #105-2010** - To amend the 2010 budget (KDSB 2010 levy)
- #106-2010** - Amend the Paterson Medical Centre debt repayment
- #107-2010** - Adopt Violence & Harassment in the Workplace Policy Statements
- #108-2010** - Appoint a By-Law Enforcement Officer
- #109-2010** - To amend the 2010 budget (drop deck boat purchase)
- #110-2010** - Authorize a lease extension with Lake Navigation (Kenora) Ltd.
- #111-2010** - Amend Schedule K to traffic regulation by-law
- #112-2010** - Authorize an agreement with Ontario Electronic Stewardship
- #113-2010** - Amend Parking Lots by-law Schedule A - Chipman Street Lot
- #114-2010** - Authorize a Memorandum of Agreement with IBEW
- #115-2010** - Adopt a sign by-law
- #116-2010** - Approve a zoning by-law amendment Z03/10
- #117-2010** - Amend the Rural Economic Development Funding agreement
- #118-2010** - Authorize an agreement with Lunny Design & Production Group Inc.

**Adjournment**

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

**That** this meeting be now declared closed at 5:59 p.m.

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

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

**OF.....2010**

.....  
**MAYOR** **CITY CLERK**