

Minutes

Of a Meeting of the Council of the City of Kenora Monday, March 15, 2010 – City Council Chambers 5:00 p.m.

WITH Mayor L. Compton in the Chair, Councillor W. Cuthbert, Councillor C. Drinkwalter, Councillor R. McMillan, Councillor J. Parson, Councillor C. Van Walleghem.

Regrets: Councillor D. McCann

Staff: Bill Preisentanz, CAO, 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:-

- An appropriation of \$20,000 from the Insurance Reserves to complete a Risk Management project
 - Amendment of a by-law to establish increased limousine rates
- Amendment to the use of Veteran's plates in the City of Kenora to allow these plates free parking for the permitted time limits per meter for three specific days per year being: June 6th (D-Day), September 17th (Anniversary of the Battle of Britain) and November 11th (Remembrance Day)
- An amendment to its 2010 Municipal Operating and Municipal Five Year Capital Plan to reallocate funds from various projects in order to proceed with the boards and glass project at the Kenora Recreation Centre in the amount of \$180,000
 - Amend the Tariff of Fees By-Law to increase Municipal Ball Field rates
- Amend the Tariff of Fees By-Law Number to reflect increase the cost of a Wax Candle
 - Amend the Tariff of Fees By-Law Number to adopt a variety of fees for park rentals
- A By-law to assume lands indicated as Barkman Close on Plan of Subdivision M.946 as a public highway

- A By-law to assume Parts 2, 4, 6, 8, 10 on Plan 23R 11363 as a public highway and name it as Peterson Road
 - A By-law to assume certain roads in the South Park Subdivision
 - A By-law to designate the whole of the City of Kenora as a site plan control area

Confirmation of Minutes

1. Moved by C. Drinkwalter, Seconded 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:-

- February 16, 2010 Regular Council Meeting
 - March 8, 2010 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.

There were none declared.

Presentations:

➤ Jennifer Findlay presented the brand new CGI Video which is a promotional video that depicts Kenora. Mayor Len Compton presented Scott DeGagne with a token gift for producing the voice over the video and also recognized 89.5 Mix FM as well as many others who gave generously to make this video possible.

Deputations:

There were no deputations requested.

Various Committee Minutes

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

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

- January 12 & February 9, 2010 Environmental Committee
- February 8, 2010 Community Policing Committee
- February 18, 2010 Kenora Animal Welfare Advisory Committee
- February 23, 2010 Lake of the Woods Museum Board
- February 23, 2010 Leisure Services Committee
- March 2, 2010 Kenora Urban Trails Committee; and

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

- January 22, 2010 Northwestern Health Unit Board of Health
- January 28, 2010 Kenora Home for the Aged Board of Management

That these Minutes be circulated and ordered filed.

Attendance at Annual AMO Conference - Windsor, ON

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

That the following four (4) Members of Council be hereby authorized to attend the Annual AMO Conference taking place in Windsor, ON, August 15 to 18, 2010:-

Mayor Len Compton Councillor Rory McMillan Councillor Charito Drinkwalter Councillor Chris Van Walleghem ; and further

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

Council Remuneration

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

That Council receive the reports prepared by Charlotte Edie, Deputy Treasurer dated February 8 and 25, 2010 as required under Section 284 of The Municipal Act, 2001, as amended, setting out the Annual Statement of Remuneration and Expenditures for Members of Council in accordance with Remuneration By-law #60-2005.

Downtown Parking Time Limits

5. Moved by C. Van Walleghem, Seconded by C. Drinkwalter,

That Council of the City of Kenora amend Traffic By-Law Number 127-2001, Schedule G, Parking Meter Zones to reflect all one and two hour meters be amended to three (3) hour meters only; and further

That the By-Law Enforcement staff adjust the meters accordingly to reflect the new time limits; and further

That these parking meter zone changes take effect immediately.

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

Councillor R. McMillan then introduced an amendment to Motion #5 as follows:

Motion to Amend Motion #5

5A. Moved by R. McMillan, Seconded by J. Parson & Carried:-

That Motion #5 on tonight's agenda be hereby amended by changing the 3 hour limit to reflect 2 hours.

Motion #5 as Amended

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

That Council of the City of Kenora amend Traffic By-Law Number 127-2001, Schedule G, Parking Meter Zones to reflect all one hour meters be amended to two (2) hour meters only; and further

THAT the By-Law Enforcement staff adjust the meters accordingly to reflect the new time limits; and further

THAT these parking meter zone changes take effect immediately.

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

Gas Tax Revenues - Agreement

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

That Council provide three readings to a By-Law authorizing the execution of the Agreement for the Transfer of Federal Gas Tax Revenues under the New Deal for Cities and Communities between the Association of Municipalities of Ontario and the City of Kenora.

NOMA 2010 Membership

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

That Council of the City of Kenora hereby direct administration to identify a funding source in the 2010 municipal operating budget in the amount of \$2,157.00 for the shortfall in funding associated with the 2010 NOMA membership.

2009 Overtime Report

8. Moved by R. McMillin, Seconded by J. Parson & Carried:-

That Council of the City of Kenora hereby receive the 2009 Overtime Analysis Report dated February 23, 2010.

Revised Boards and Committees Appointments Policy

9. Moved by R. McMillan, Seconded by J. Parson

That Council hereby approves a revised Boards & Committees Appointments Policy #CC-14-1; and further

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

MOTION DEFERRED

Risk Management Services

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

That Council of the City of Kenora retain the services of Robert Harder Consulting Inc., to complete a Risk Management Project as outlined in the proposal provided to the City; and

That in accordance with Notice Bylaw 144-2007, public notice is hereby given that Council intends to amend its 2010 Operating & Capital Budget at its March 15, 2010 meeting authorizing the withdrawal of \$20,000.00 from the Insurance Reserve to offset this project cost; and further

That Council give three readings to a by-law to amend the 2010 budget for this purpose.

Senior's Games - Parking Passes

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

That Council hereby authorizes, at no charge, the supply of up to seventy-five (75) Guest Parking Permits, to be confirmed closer to the date, for the Kenora District Senior 1A Games taking place in Kenora, June 1 and 2, 2010.

Review of Limousine Rates - Taxi By-law

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

That Council increase the rate for limousine service to \$75.00 per hour for the first hour with a one hour minimum charge; and further

That the minimum amount for weddings and funerals be 3 hours or \$225.00 and wait times for any rental above the minimum be \$65.00 per hour; and further

That by-law number 88-2009 be hereby amended to reflect these changes to Schedule B; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to pass a By-law establishing new rates to by-law number 88-2009, Schedule B for limousine services.

Tangible Capital Asset Policy Amendment

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

That Council hereby approves a revised Tangible Capital Asset Policy #FI-6-1; and further

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

Parking Exceeding Time Limits

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

That an awareness campaign take place advising those non-compliance vehicles that the chalking of tires and regular monitoring of vehicles will now be in place and regularly enforced by the City by-law enforcement officers.

Veteran Plate Parking

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

That Council give three readings to a by-law to amend Section 31 - 'Special Regulation' in Parking Lots By-Law Number 66-2006 to read "a vehicle displaying an Ontario Veteran's license plate in accordance with the definition contained in this by-

law shall be exempt from the provisions of municipal parking lot fees on June 6th (D-Day), September 17th (Anniversary of the Battle of Britain) and November 11th (Remembrance Day)" as set out in Schedule A; and further

That Council give three readings to a by-law to amend Section 5 – 'Veteran Plate Parking' in Traffic Regulation By-law #127-2001 by deleting the wording approved by By-law Number 29-2006 and to reflect that Veteran plate parking is no longer exempt from the provision of metered parking fees except as provided for on the above-noted occasions; and

That Notice is hereby given that Council intends to amend provisions in municipal bylaws as they relate to changes in Veteran Plate Parking; and further

That By-law Number 29-2006 be and is hereby repealed.

Wheelchair Curling Team Sponsorship

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

That Council support the donation of \$500 to the wheelchair curling team to help offset costs to participate in the 2010 National Wheelchair Curling Championships in Kelowna, B.C. from March 14-22, 2010.

Honey Bee Declaration

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

That Council of the City of Kenora declare May 29, 2010 as the first annual "Day of the Honey Bee".

Annual Sports Awards Dinner

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

That authorization be hereby given for Mayor Len Compton to attend the 2010 Annual Awards Dinner of the Lake of the Woods Sports Association taking place April 21, 2010.

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

That authorization be hereby given for a donation in the amount of \$200.00 to the Lake of the Woods Sports Association.

2010 NAFN Tournament Request

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

That Council of the City of Kenora hereby authorizes a grant of \$3,000.00 for the use of the Thistle Rink and The Keewatin Memorial Arena for the 21th Annual North American First Nations Hockey Tournament being held in Kenora on March 29 to April 4, 2010.

Thistle Rink Boards and Glass

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

That Council hereby authorizes the following amendments to the municipal 2010 Operating Budget and Five Year Capital Plan:

- Boards and Glass project with a total cost of \$180,000 be moved forward from 2012 and approved to proceed in 2010 to be fully funded through the City's Recreation Reserves;
- Fire Panel Upgrade project in 2010 be reduced in scope by \$40,000, with an amended approved total cost of \$15,000 for 2010;
- Events Stage project be deferred from 2010 to 2012, with \$30,000 cost deferred to 2012, and the remaining \$2,000 cost being incorporated into the City's 2010 operating budget for required repairs; and
- Electronator Cell Replacement project to be reduced in scope by \$8,000, with an amended approved total cost of \$54,500 for 2010; and

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2010 Municipal Operating Budget and Five Year Capital Plan at its March 15, 2010 meeting; and further

That Council hereby gives three readings to a by-law to amend the 2010 municipal budget for this purpose.

Community Club Grants 2010

21. Moved by C. Van Walleghem, Seconded by J. Parson & Carried:-

That Council of the City of Kenora receives the recommendation from the Leisure Services Committee, approving the grant amount of \$6000.00 to Central, Pinecrest, Rideout and Evergreen Community Clubs.

Municipal Alcohol Policy Review

22. Moved by C. Van Walleghem, Seconded by McMillan & Carried:-

That Council hereby approves a revised City of Kenora Municipal Alcohol Policy - Policy #CS-01-01; and further

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

Municipal Ball Field Rates

23. Moved by C. Van Walleghem, Seconded by J. Parson & Carried:-

That Council hereby approves the rental rates for Municipal Ball Fields proposed the Recreation Services Manager's February 17, 2010 report, effective March 15, 2010; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend the Tariff of Fees and Charges By-Law #147-2007 at its March 15, 2010 meeting to give effect to these rates; and further

That Council gives three readings to a by-law to amend Schedule "B" to Tariff of Fees and Charges by-Law Number 147-2007 for this purpose.

Utility Consumption 2009

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

That Council of the City of Kenora receives the information on utility consumption for the Kenora Recreation Centre and the Keewatin Memorial Arena for the year 2009.

Lease Renewal - Fisheries and Oceans

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

That Council give three readings to a by-law ratifying the continuation of the Lease Agreement between Fisheries and Oceans Canada (Small Craft Harbours') and The Corporation of the City of Kenora for the management of the Kenora Harbourfront Docks and Keewatin Wharf for the term April 1, 2009 to March 31, 2014; and further,

That in keeping with Clause 18 of said Lease Agreement approval be given for payment of the 2009 rent, in the amount of \$500.00.

Ice Candle Program

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

That the Council of the City of Kenora hereby receives the 2009 Ice Candle Report, as prepared by Barbara Manson; and further,

That Council hereby approves amending Schedule "B" Table 14 of Tariff of Fees By-Law Number 147-2007 to reflect the following fee:

Wax Candle only \$ 3.00; and,

That Council hereby gives three readings to a By-Law to amend the Tariff of Fees By-Law for this purpose; and further,

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its Tariff of Fees By-law at its March 15 meeting.

Kenora Water System Summary

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

That the Council of the City of Kenora hereby receives the 2009 Kenora Water System Summary Report, for the period January 1st, 2009 to December 31st, 2009, as prepared by Warren Ortlieb, Water and Sewer Supervisor.

Dog Tag Sales - Outlets

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

That Mayor and Council accept the recommendation to allow outside agencies and outlets to sell dog tags with administration developing the procedures and monitoring the success.

RFP - Bridge Inspection Service

29. Moved by J. Parson, Seconded by C. Van Walleghem & Carried:-

That the following prices for 2010 Proposals for Bridge Inspection Services be received:

AECOM \$ 98,677.00 (plus GST) KGS Group \$ 101,790.00 (plus GST) MMM Group \$ 114,694.00 (plus GST); and

That the proposal from AECOM in the amount of \$98,677.00, plus GST, is hereby accepted.

Parks Rental Permit

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

That the Council of the City of Kenora hereby receives the revised Parks Rental Permit, as prepared by Barbara Manson; and,

That Council hereby gives three readings to amend Schedule "B" Table 12 to By-Law 147-2007, being a By-Law to establish a General Tariff of Fees and Charges, to incorporate the following rate increases, effective May 1, 2010; and further,

Fee Description	Fee
Youth Groups	\$50.00 per day (includes schools & youth organizations)
Private Gatherings	\$100.00 per day (fewer than 50 people)
Special Events	\$200.00 per day (groups over 50 people)
Community Events	No Charge (must be free admission)
Municipal Events	No Charge

That in accordance with Notice By-law #144-2007, public notice is hereby given that Council intends to amend its Tariff of Fees By-Law at its March 15 meeting.

Lakeview Parking Lot – Amendment to by-law 66-2006

31. Moved by J. Parson, Seconded by R. McMillan & 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 – Lakeview Drive Parking Lot be amended to state the following; and further,

Lot "F" Lakeview Drive Parking Lot Control: By-Law Enforcement Officer

Fees: Monthly \$49.60 plus applicable taxes

(effective July 1, 2010)

Special Regulations: Leased spaces

That short form wording be added to By-Law 66-2006, Section 1.0 – Definitions to read as follows:

"By-Law Enforcement Officer" means Police Officer, By-Law Enforcement Officer or Municipal Law Enforcement Officer empowered to enforce this By-Law; and further

That Peace Officer referenced in By-Law 66-2006, Sections 4.2, 7.5 and Schedule "A" Control be replaced with By-Law Enforcement Officer.

Request for Surface Treatment

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

That the following roads be approved for inclusion under the Ministry of Transportation Surface Treatment Program for the year 2010:

Location Essex Road from Lajeneusse Bridge	Application Northerly 1.5 km to end including Beauty Bay Road	Length Single
Petersen Road from Redditt Road junction	Easterly 1.0 km	Double
Coker Road	Various patches 3.0 kms	Double
Ritchie Road from Rabbit Lake Road junction	Northerly1.0 km	Double

By-Law Enforcement/Animal Control Services

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

That Council hereby approves a seven day operation for the By-Law Enforcement/Animal Control Division of the Operations Department effective April 1 to October 31 each year.

Funding Agreement with Rural Economic Development (RED) Program

34. Moved by W. Cuthbert, Seconded by C. Van Wallghem & Carried:-

That the City of Kenora authorizes the Mayor and Clerk to enter into a funding agreement, on behalf of the City, with the Ministry of Agriculture, Food and Rural Affairs, in order to receive funding in the amount of \$250,000, under the Rural Economic Development (RED) program, for the Port of Kenora Destination Tourism Project: Phase II.

Assumption of Barkman Close and Seitler Drive, assumption of a portion of Peterson Road, assumption of a portion of Homestake Road

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

That the Council of the Corporation of the City of Kenora by the passing of by-laws, accepts and assumes portions of the following roads and establishes them as highways:

Peterson Road, identified on reference plan 23R-11363 as Parts 2,4,6,8 and 10 and the Subdivision Agreement(s) entered into between the City of Kenora and Moncrief Construction Limited; and

Barkman Close, and Seitler Drive identified on Plan of Subdivision 23M-946 and the Subdivision Agreement entered into between the City of Kenora and KB Contractors; and

Seitler Drive identified on Reference Plan 23R-9808 as Parts 4, 9 and 13 and as PIN 42177-0061;

Homestake Road, identified on Reference Plan 23R-11726 as Part 8.

Assumption of Woods Drive, Silverstone Drive, Woodfield Drive, Pine Ridge Drive, and parts of Pine Portage Road, Autumnwood Drive and South Park Drive

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

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

That the City of Kenora accepts and assumes part of Pine Portage Road and all of Woods Drive identified on Plan of Subdivision 23M. 883 and PIN 4217-0072 (Woods Drive), and portions of South Park Drive, Silverstone Drive, Autumnwood Drive, and Woodfield Drive, for municipal purposes, identified on Plan of Subdivision 23M890 and the Subdivision Agreement(s) entered into and/or on Schedule A to the By-law which shall lay out what portions of South Park Drive and Autumnwood Drive are to be assumed; and further

That the City of Kenora, by passing of said by-law, releases the Owner from any further obligations associated with the Agreement and within the boundaries established on Schedule "A" to the By-law.

Transfer of lands to Vincenzo and Filomena Cianci

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

That in accordance with Notice By-law #14-2003, 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, the Mayor and Clerk are authorized to enter into the agreement of purchase/sale.

Twin Eleven Investors - Development Agreement

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

That the City of Kenora authorizes the Municipal Solicitor to remove the site plan agreement between the City of Kenora and Twin Eleven Investors, registered on title, and that all costs associated with this matter are to be paid for by the property owner.

Twin Eleven Investors - Development Agreement

39. Moved by J. Parson, Seconded by C. Drinkwalter & 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:~

#37-2010 - To confirm proceedings of Council and other Committee Meetings

- **#38-2010** Amend the Traffic By-Law for metered parking time limits
- **#39-2010** Execute a Gas Tax Revenue Agreement
- **#41-2010** Amend the 2010 Municipal Budget (Risk Management Project)
- **#42-2010** Amend Comprehensive Taxi by-law pertaining to Limousine rates
- **#43-2010** Amend the City Tangible Capital Asset Policy
- **#44-2010 -** Amend Municipal Parking Lots and structures by-law pertaining to Veteran plates
- **#45-2010** Amend Traffic Regulation by-law pertaining to Veteran plate parking
- **#46-2010** Amend the 2010 Municipal and Five Year Capital Budget (Boards and Glass)
- **#47-2010** Amend the Municipal Alcohol Policy
- **#48-2010** Amend the Tariff of Fees by-law (Ball Field Rates)
- **#49-2010** Authorize a lease renewal with Fisheries and Oceans
- **#50-2010** Amend the Tariff of Fees & Charges By-law (wax candles)
- **#51-2010** Amend the Tariff of Fees & Charges By-law (parks rental permit)
- **#52-2010** Amend the Parking lots and structures By-law
- **#53-2010** Authorize a funding agreement for the Rural Economic Development program
- **#54-2010** Authorize the assumption of roads (Peterson and Homestake Road)
- **#55-2010** Authorize the assumption of roads (South Park roads)

Adjournment

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

That pursuant to Section 239 of the Municipal Act, 2001, as amended, authorization is hereby given for Council to move into a Closed Session at 5:58 p.m. to discuss an item pertaining to the following:-

Personal Matters about an identifiable individual

At 6:38 p.m., Council reconvened to the Open Meeting

No report as a result of Closed Session.

The Meeting adjourned at 6:38 p.m.

THE CORPORATION OF	THE CITY OF KENORA:
CONFIRMED AS WRITTE	N THISDAY
OF	2010
MAYOR	CITY CLERK