



# Minutes

**Of a Meeting of the Council of the City of Kenora  
Tuesday, February 22, 2011 – City Council Chambers  
5:00 p.m.**

~~~~~

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

**Regrets:  
Councillor R. McMillan**

**Staff:** Rick Perchuk, Operations Manager, Warren Brinkman, Fire & Emergency Services Manager, Colleen Neil, Recreation Services Manager, and Joanne L. McMillan, City Clerk.

## **Call to Order**

**Mayor Canfield called the meeting to order and Councillor Roussin 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:-

**To amend the 2010 Capital Budget to transfer \$3,000 from Public Works facility to Animal Control, and to transfer \$10,442.33 from Gear Washer/Dryer to Emergency Services Facility;**

**To assume certain lands for municipal purposes on Dufresne Island North;**

**To enter into a Site Plan Control Agreement regarding construction of a Forensic Identification Unit;**

**To amend Notice By-law #144-2007 to provide for notice for the sale of land.**

~~**To provide notice of Council's intention to amend By-law Number 160-2008 with respect to the designation of the former Fire Hall under the Ontario Heritage Act.**~~

## **Confirmation of Minutes**

**1. Moved by R. McKay, Seconded by L. Roussin & 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:-

- Regular Council Meeting held January 17, 2011
- Special Council Meeting held February 7, 2011

### **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.

**Councillor Roussin made a Declaration with respect to Motion Numbers 11 and 12 on tonight's agenda as they relate to Non-Union staff policies and his wife is employed by the City of Kenora.**

### **Presentations**

Mayor Canfield presented Laureen Parsons and Ted Szajewski with Volunteer Awards from Ontario Heritage Trust in recognition of their volunteering time and energy to preserving and promoting Kenora's heritage.

### **Deputations**

#### **Len Kropioski**

Mr. Kropioski attended to express his concern on a situation which has manifested at the entrance to his home located at 45 Third Avenue West.

The snow has been piling up and blocking the fire hydrant in front of his residence and the fence on the west side of the property is the main entrance to his home with a fire hydrant located on the right hand side of the entrance not 5 ft. from his fence. Mr. Kropioski advised he has contacted both the Kenora Fire Department and the Kenora OPP to express his concerns. Chief Brinkman had advised there is a City by-law that clearly states that parking in front of, or blocking a fire hydrant within 3 metres is prohibited; and at this location there are mounds of snow piled around his fence and the fire hydrant.

Mr. Kropioski appealed to Council to review its snow removal policy and to look into this matter as soon as possible. As a taxpayer he believes he should not have to be calling the various departments or attending a Council meeting to make sure this issue is addressed. Mr. Kropioski circulated photos of the snow and the subject area and provided the Clerk with a copy of his presentation.

In closing, Mr. Kropioski acknowledged Councillor Ron Lunny for supporting the reinstatement of parking for Veterans' in the city.

Mayor Canfield thanked Mr. Kropioski for his deputation and advised the City will look into addressing this matter as soon as possible.

## **Appointments to Harbourtown Centre Committee**

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

That Council hereby approves the amended Terms of Reference for the Harbourtown Centre Committee; and

That Council hereby gives three readings to a by-law for this purpose; and further

That Council hereby appoints the following individuals to the Harbourtown Centre Committee with a term at the pleasure of Council, but not to extend beyond November 30, 2014:

Councillor Ron Lunny  
Councillor Sharon Smith  
Councillor Rod McKay, Alternate  
Bill Richards, Kenora Business Rep  
John Berringer, Kenora Business Rep  
Marc Bissonnette, Kenora Business Rep  
Gayle Spicer, Kenora Business Rep  
Keric Funk, Kenora Improvement Area (BIA)  
Andy Scribilo, Chamber of Commerce  
Buck Matiowski, Kenora Assembly of Resources  
Janet Alcock, Kenora Shoppers Mall  
Ralph Page, Making Kenora Home  
Karen Brown, City Staff Resource  
Tara Rickaby, City Staff Resource  
Cst. Dave Cain, OPP Staff Resource; and further

That Resolution Number 12 dated December 6, 2010 be hereby rescinded.

## **Appointment to the Environmental Advisory Committee**

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

That Council of the City of Kenora hereby appoints Gregory Potvin as a member-at-large on the Environmental Advisory Committee with a term to expire November 30, 2012.

## **Allan Cup Tickets**

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

That Council of the City of Kenora hereby authorizes the Recreation Services Manager to distribute the Allan Cup Game tickets included in the approved sponsorship packages to various social services agencies throughout the community to be utilized by consumers and clients of these various agencies.

## **Community Club Grants**

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

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

### **Terms of Reference – Community Policing Committee**

#### **6. Moved by C. Drinkwater, Seconded by R. Lunny & Carried:-**

That Council give three readings to a by-law to adopt a new Terms of Reference for the Community Policing Committee; and further

That By-law Number 91-2010 be and is hereby repealed.

### **Recreation Department Year-end Report**

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

That Council accepts the February 14<sup>th</sup> 2010 year-end Report for the Recreation Department.

### **“Freedom of the City” – 116<sup>th</sup> Independent Field Battery**

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

That further to the January 17, 2011 “Freedom of the City” presentation by HLCol W.F. “Woody” Linton of the 116<sup>th</sup> Independent Field Battery (RCA) advising that Freedom of the City is an honour bestowed by municipalities to esteemed members of its community or organizations that have given the community heroic service, the Council of the City of Kenora hereby extends a request to the 116<sup>th</sup> Independent Field Battery RCA to make arrangements to obtain “Freedom of the City” from the Department of National Defense.

### **NOMA Nomination of Mayor Canfield**

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

That the Council of the Corporation of the City of Kenora hereby nominates Mayor David S. Canfield to the position of Executive Vice-President for the Northwestern Ontario Municipal Association (NOMA) for the election taking place at the Annual NOMA Conference scheduled April 27 to April 29, 2011 in Thunder Bay; and further

That Council’s letter of support of this nomination together with Mayor Canfield’s written consent be forwarded to NOMA.

### **Attendances at NOMA Annual Conference**

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

That the following Members of Council be hereby authorized to attend the 2011 Annual General Meeting & Conference of the Northwestern Ontario Municipal Association (NOMA) taking place April 27 to April 29, 2011 in Thunder Bay:-

Mayor Canfield  
Councillor Lunny

And further that all eligible expenses in accordance with Council's Travel & Per Diem policy be hereby authorized.

**Revised Non-Union Vacation Policy**

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

That Council hereby approves the City of Kenora Non-Union Vacation Policy #HR-3-2; and further

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

**Abstention: Councillor Roussin**

**Revised Non-Union Paid Holidays Policy**

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

That Council hereby approves the City of Kenora Non-Union Vacation – Paid Holidays Policy #HR-3-3; and further

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

**Abstention: Councillor Roussin**

**Revised Committee Appointments Policy**

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

That Council give three readings to a by-law to adopt a new Committee Appointments Policy #CC-14-1; and further

That By-law Number 39-2008 be and is hereby repealed.

**Signing of Various Policies**

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

That in accordance with the annual legal requirement to review, approve, and sign accordingly the below noted policies, authorization is hereby given for the Mayor and Chief Administrative Officer to execute the documents on behalf of the municipality:

- The City of Kenora Occupational Health and Safety Policy Statement;
- The City of Kenora Workplace Harassment Policy;
- The City of Kenora Workplace Violence Prevention Policy;
- The Drinking Water Quality Management System Commitment and Endorsement Page.

## **Various Minutes from Boards & Committees**

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

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

- January 6, 2011 – Harbourtown Centre Committee
- January 7, 2011 – Special Committee of the Whole
- January 10, 2011 – Committee of the Whole
- January 11, 2011 – Property & Planning Committee
- January 11, 2011 – Kenora Community Policing Committee
- January 11, 2011 – Kenora Urban Trails Committee
- January 18, 2011 – Special Committee of the Whole
- January 25, 2011 – Special Committee of the Whole
- January 31, 2011 – Special Committee of the Whole
- January 25, 2011 – Lake of the Woods Museum Board
- January 27, 2011 – Heritage Kenora
- February 3, 2011 – Harbourtown Centre Committee

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

- November 26, 2010 – Northwestern Health Unit – Board of Health
- December 20, 2010 – District of Kenora Home for the Aged
- December 9, 2010 – Kenora District Services Board
- December 10, 2010 – LOW Development Commission
- December 15, 2010 – Kenora Police Services Board
- January 7, 2011 – LOW Development Commission; and further

That these Minutes be circulated and ordered filed.

## **Free Parking – Canadian Veterans’ Licence Plates**

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

That Council of the City of Kenora hereby authorizes re-instating provisions associated with free parking at parking meters and in parking lots for vehicles with Canadian Veterans’ Licence Plates by giving three readings to two by-laws to amend Comprehensive Traffic By-law #127-2001 and Parking Lot Regulations By-law #66-2006; and

That these amending by-laws take effect and come into force upon third and final reading on February 22, 2011; and further

That By-law Numbers 44-2010 and 45-2010 be repealed.

## **Hiring of Summer Students – LOW Development Commission**

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

That the Council of the City of Kenora hereby approves the hiring of eight (8) summer students for Tourism Kenora and one (1) summer student for the Northwest Business

Centre for a total of nine (9) summer students working with the Lake of the Woods Development Commission; and further

That this approval be contingent on approval of the 2011 budget.

### **Amendment to 2010 Capital Budget – Various Projects**

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

That Council hereby approves amending its 2010 capital budget to transfer \$3,000 from Public Works facility to Animal Control, these projects belonging within the Operations Department as appropriate; and

That Council hereby approves amending its 2010 capital budget to transfer \$10,442.33 from Gear Washer/Dryer to Emergency Services Facility, these projects belonging within the Fire Department as appropriate; and further

That in keeping with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend the 2010 budget for these purposes at its February 22, 2011 meeting.

### **December, 2010 Financial Statements**

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

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as at December 31, 2010.

### **Kenora Health Care Centre – External Financing**

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

Whereas Kenora City Council provided financing to the Kenora Health Care Centre for the purchase, rehabilitation and expansion of the Kenora Medical Clinic with the intent of establishing a state of the art medical facility in the City of Kenora; and

Whereas that goal has now been achieved;

Now therefore, be it resolved that the Kenora Health Care Centre be directed to pursue external financing options to pay out the loan balance due to the City in the amount of \$6,898,000.00.

### **Kenora Health Care Centre – One-time Loan Guarantee**

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

That Council hereby give three readings to a by-law for a guarantee of a one-time loan on behalf of the Kenora Health Care Centre up to a maximum of \$700,000 to Copperfin Credit Union with a maximum repayment term of ten years as approved at its January 17<sup>th</sup>, 2011 Council Meeting.

### **Ontario Municipal Partnership Fund – Police Grant**

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

That the Council of the City of Kenora, through the 2011 budget process, safeguard the Ontario Municipal Partnership Fund (OMPF) police grant increase with the intent to transfer it to the City's contingency reserve.

**Amendment to Traffic By-law (Park Street)**

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

That Council give three readings to a by-law to amend City of Kenora Traffic Regulation By-law 127-2001 to include the following addition to Schedule "G" - Parking Meter Zones - Park Street:

**Two Hour Meters**

| <b>Column 1</b><br>Street  | <b>Column 2</b><br>Part of Street                  | <b>Column 3</b><br>Side |
|----------------------------|----------------------------------------------------|-------------------------|
| <b>ADD:</b><br>Park Street | From 2 <sup>nd</sup> Street S<br>north to the lane | West; and further       |

That Council give three readings to a by-law to amend City of Kenora Traffic Regulation By-law 127-2001 to include the following addition to Schedule "K" - Disabled Parking Spaces on Streets and Highways - Park Street:

| <b>Column 1</b><br>Street     | <b>Column 2</b><br>Location                                               | <b>Column 3</b><br>Side | <b>Column 4</b><br>Type Of<br>Parking | <b>Column 5</b><br># Of<br>Spaces |
|-------------------------------|---------------------------------------------------------------------------|-------------------------|---------------------------------------|-----------------------------------|
| <b>DELETE:</b><br>Park Street | From 30 m<br>north of 2 <sup>nd</sup><br>Street South,<br>north for 3.5 m | West                    | 45°                                   | 1                                 |
| <b>ADD:</b><br>Park Street    | From 4.4 m<br>north of 2 <sup>nd</sup><br>Street South,<br>north for 5 m  | West                    | 45°                                   | 1                                 |

**Discharge of Firearms By-law**

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

That Council uphold the intent of the Discharge of Firearms By-Law Number 148-2010 being a By-Law to Regulate the Discharge of Firearms, Air-Guns, Spring-Guns, Cross Bows, Long-Bows or Any Class or Type thereof for the purposes of public safety; and further

That the request for an exemption to By-Law Number 148-2010 to permit the discharge of a pellet gun for the purpose of recreational use in a high density residential area not be granted.

**Change in Title for Civil Engineering Technician Position**

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



That the Civil Engineering Technician position within the Operations Department be changed to "Project Engineer".

### **Hiring of Summer Students – Operations Department**

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

That Council of the City of Kenora approve the hiring of three (3) summer students for the Lake of the Woods Cemetery (for 18 weeks each for a total of 54 weeks) from April 25 – August 26, 2011; and

That Council approve the hiring of four (4) parks students for the Parks Department (for 14 weeks each for a total of 56 weeks) from May 9 – August 12, 2011; and

That Council approve the hiring of four (4) roads students for the Operations Department (for 14 weeks each for a total of 56 weeks) from May 9 – August 12, 2011; and further

That these positions are conditional upon Council approval of the 2011 City Operational Budgets.

### **Site Plan Agreement with Province of Ontario**

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

That Council give three readings to a by-law to enter into a site plan agreement with Her Majesty the Queen in the Right of Ontario as represented by the Minister of Infrastructure, for works associated with the construction of a Forensic Identification Unit on property described as Parts 1 and 3 Plan 23R-9321, Concession 7 Jaffray, Parcel 42078 PIN 42174-0198 (LT).

### **Accept and Assume Lands on Dufresne Island North**

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

That Council give three readings to a by-law to accept and assume lands described as Part of Lot 26, Plan M133, being Part 1 Plan 23R 11889 (on Dufresne Island North), for municipal purposes.

### **Amendment to Notice By-law for Sale of Land**

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

That Council give three readings to a by-law to amend By-law Number 144-2007 with respect to the giving of Notice for the Sale of Land.

### **Notice of Amendment to Heritage By-law Number 160-2008**

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

That Council hereby gives notice of its intention to amend By-law #160-2008, being a by-law to designate a certain property under the Ontario Heritage Act, with the following provisions:

- The Statement of Cultural Heritage Value or Interest be amended to remove the tower bell and the alarm box with bell from the Kenora Fire Hall located on Second St. S.;
- The tower bell and the alarm box with bell be located within the new emergency services facility property and that these items be adequately protected as they would have been had they remained at the existing heritage structure on Second St. S.;
- The City will not sell the tower bell or the alarm box with bell in conjunction with any sale of the new emergency services facility located on Fourteenth St. N., but will relocate these items either to a new emergency services facility within City boundaries or return them to the original heritage structure on Second St. S. at City cost; and
- The City will return the tower bell and the alarm box with bell to the Kenora Fire Hall heritage structure on Second St. S., at City cost, should these items ever become surplus to City needs or considered no longer required; and further

That despite the exemption as provided under Section 30.1 (2) of the Ontario Heritage Act for this amendment, Council hereby directs administration to proceed with the notice provisions and applicable appeal period as required within Section 30.1 (1) of that Act.

**Recorded Vote**

| COUNCIL                | AYE | NAY | Dec. of Interest | Absent |
|------------------------|-----|-----|------------------|--------|
| Councillor Drinkwalter | X   |     |                  |        |
| Councillor Lunny       |     | X   |                  |        |
| Councillor McKay       |     | X   |                  |        |
| Councillor McMillan    |     |     |                  | X      |
| Councillor Roussin     | X   |     |                  |        |
| Councillor Smith       | X   |     |                  |        |
| Mayor Canfield         |     | X   |                  |        |

**Motion #30 Defeated.**

**RFP Award – Kenora Recreation Centre Concession**

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

That the following request for proposals for Food and Beverage Services for the Kenora Recreation Centre Concession be received:

| Company/Supplier Name | Monthly Lease Amount |
|-----------------------|----------------------|
| Jaret Ring            | \$550.00             |
| Kim Pries             | \$525.00; and        |

That the proposal from Kim Pries, in the amount of \$525.00 per month, be hereby accepted; and

That Council of the City of Kenora gives three readings to a by-law authorizing an agreement between the City of Kenora and Kim Pries for the purpose of Food and Beverages Services at the Kenora Recreation Centre for the term March 1, 2011 to April 30, 2013; and further

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

### **Approval of By-laws**

#### **32. Moved by R. Lunny, Seconded by S. Smith & 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:~

#5-2011 – To confirm proceedings of Council

#6-2011 – To adopt a new Terms of Reference for the Community Policing Committee

#7-2011 – To adopt a revised Non-Union Paid Holidays Policy

#8-2011 – To adopt a revised Non-Union Vacation Policy

#9-2011 – To adopt a revised Committee Appointments Policy

#10-2011 – To amend Parking Regulations By-law #66-2006 (Veteran's plates/lots)

#11-2011 – To amend Traffic Regulation By-law #127-2001 (Veteran's plates/meters)

#12-2011 – To authorize an agreement with the Kenora Health Care Centre to Guarantee a Loan

#13-2011 – To amend Traffic By-law #127-2001 (accessible parking space)

#14-2011 – To authorize amendments to the 2010 Capital Budget

#15-2011 – To amend Notice By-law #144-2007 regarding the sale of land

#16-2011 – To authorize the City to assume certain lands located on Dufresne Is N.

#17-2011 – To authorize a Site Plan Agreement

#18-2011 – To adopt a new Terms of Reference for the Harbourtown Centre Committee

#19-2011 – To execute a lease agreement with Kim Pries for the operation of the Kenora Recreation Centre Concession.

**Adjournment**

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

**That** this meeting be now declared closed at 6:00 p.m.

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

**Confirmed As Written This .....Day**

**Of.....2011**

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**Mayor**

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**City Clerk**