



Minutes

**Of a Meeting of the Council of the City of Kenora
Monday, June 20, 2011 – City Council Chambers
5:00 p.m.**

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

**Staff:** Karen Brown, CAO, Warren Brinkman, Fire & Emergency Services Manager,  
Colleen Neil, Recreation Services Manager, Sharen McDowall, HR Manager, Tara  
Rickaby, Planning Administrator, Jennifer Findlay, Economic Development Officer and  
Heather L. Kasprick, Deputy Clerk.

## **Call to Order**

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

**A moment of silence was held in memory and respect of Ed Alcock,  
former Councillor and Reeve for the Town of Jaffray Melick.**

## **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:-

- Amend the Tariff of Fees by-law to increase rates for the day camp and professional development day rates for the Castle of Learning & Discovery Children's Centre
- A by-law to amend Zoning By-law 160-2010 for property at 540 Second St. S
- A by-law to adopt a Community Improvement Plan for the former mill lands
- A by-law to enter into an agreement of purchase/sale of property with B. Zrobock
- Amend the Tariff of Fees by-law to include Schedule "E" changes for Property and Planning

### **Presentations:**

Senior of the Year – Council was pleased to present the 2011 Senior of the Year award to Leonard (Kroppy) Kropioski. This award is a prestigious award issued by the Ministry of Citizenship and Immigration and the recipient is chosen annually by

Council. Mayor Canfield thanked Mr. Kropioski for all his years of dedication to our community especially in the area of sports.

Janet Findlay- A Kenora Recreation Centre employee received a prestigious Lifesaving Society award for her heroic efforts in two separate incidents last summer in saving two people from drowning. Mayor Canfield congratulated Janet and thanked her for her efforts in these events when she was off the job.

Mayor and Council presented City Clerk, Joanne McMillin with a Certificate of Appreciation from AMCTO that she received at the Annual AMCTO conference in June. This certificate was in recognition of Joanne's contribution to Zone 9 and the advancement of the municipal profession. Mayor Canfield thanked Joanne for her many years of service and for her guidance with Council and staff.

### **Confirmation of Minutes**

#### **1. Moved by R. Lunny, Seconded by R. McMillan & 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 May 16, 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** declared a direct pecuniary interest from a previous meeting that he was not in attendance as it relates to the deputation from the Kenora Public Library Board at the June 13, 2011 Committee of the Whole meeting. Councillor Roussin indicated the nature of his interest is his spouse is employed by the Kenora Public Library.

**Councillor McKay** declared a direct pecuniary interest as it relates to agenda item number 26 and 29 on tonight's agenda regarding the City of Kenora Community Improvement Plan as his employer is in discussions with the developer regarding the property.

### **Deputations**

None requested.

### **Appointment to the Accessibility Committee**

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

That Council hereby appoints Ruth Bowiec to the Accessibility Advisory Committee with a term to expire November 30, 2012.

### **Appointment to the Keewatin Non-Profit Housing Corporation**

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

That Robert J. Allan be hereby appointed to the Keewatin Municipal Non-Profit Housing Corporation to fill the vacancy created by the resignation of Sharlene Forsberg, with a term to expire November 30, 2012.

### **Appointment to the Kenora Transit Authority Commission**

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

That Chris Van Walleghem be hereby appointed to the Kenora Transit Authority Commission to fill the vacancy created by the resignation of John Balkwill, with a term to expire November 30, 2012.

### **Castle of Learning & Discovery Centre day camp & PD rates**

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

That the Council of the City of Kenora approve the fee increase to the day camp and professional development day rates for the Castle of Learning & Discovery Children's Centre to \$31.00 per day

That in accordance with Notice By-Law Number 144-2007, public notices is hereby given that Council intend to amend the Tariff By-Law by by-law at its June 20, 2011 meeting; and

That Council give three readings to a by-law to amend Schedule "B" to Tariff of Fees and Charges By-Law Number 147-2007; and

THAT this increase takes effect June 20, 2011.

### **Kenora Substance Abuse and Mental Health Task Force**

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

That Council of the City of Kenora supports the Kenora Drug Strategy, Vision, Mission, and Goals of the Kenora Substance Abuse and Mental Health Task Force in its entirety.

### **Variance to the Municipal Alcohol Policy**

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

That Council hereby authorizes a one-time variance of City of Kenora Municipal Alcohol Policy – Policy #CS-01-01 to allow 60% of all servers and door staff to be Smart Served certified and up to one hour to vacate temporary licenced city facilities for large events taking place at the Harbourfront during the months of July and August 2011.

## **Revised Terms of Reference for the Kenora Community Policing Committee**

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

That Council give three readings to a by-law to adopt a revised Terms of Reference for the Kenora Community Policing Committee for the purpose of replacing the Keewatin-Patricia District School Board representative with a representative from the Seniors Coalition; and further

That Ralph Mosher, Vice-Chair of the Seniors Coalition be appointed as the Senior representative on the Kenora Community Policing Committee, with a term to expire November 30, 2012.

## **Mayor Canfield AMO Nomination**

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

That Council of the Corporation of the City of Kenora hereby nominates Mayor David S. Canfield to the position of Director for the Northern Caucus as the Northwestern Ontario Municipal Association (NOMA) appointee to the Association of Municipalities of Ontario (AMO); and further

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

## **Closed Meeting Investigator Appointment**

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

That Council hereby authorizes a joint agreement with various municipalities for the purposes of retaining Closed Meeting Investigator Services for the year 2011, with two further one year automatic renewals under the same terms and conditions; and further

That Council give three readings to a by-law to authorize the execution of an agreement with Paul S. Heayn with respect to services as a Closed Meeting Investigator.

## **Northwestern Ontario Regional Conference attendance**

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

That authorization be hereby given for up to four (4) Council Members to attend the NWO Regional Conference in Thunder Bay, taking place September 22 and 23, 2011 at the Valhalla Inn; and further

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

## **Elections Act Amendment Resolution**

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

Whereas Section 43 of the Election Finances Act, governing the financial reporting requirements for members of the Ontario parliament provides for a 60 day period following the announcement of non-compliance by a member to comply with the reporting requirements prior to the seat being declared vacant; and

Whereas Section 80 of the Municipal Elections Act sets out the penalty to municipal election candidates who have not complied with the financial reporting requirements provides for the automatic vacancy of the seat on Council and the candidate being deemed to be ineligible to be elected or appointed to any position covered by the Municipal Elections Act until after the next municipal election; and

Whereas there is a discrepancy in the standard to which elected representatives are being held to between the provincial and municipal levels in relation to the penalty for non-compliance for election financial reporting; and

Whereas the penalty to municipal candidates appears to be far beyond what would appear to be fair and reasonable, considering that the sentence could amount to eight (8) years of ineligibility to be elected or appointed;

Now Be It Resolved That Council of the Corporation of the City of Kenora supports the position of the Corporation of the United townships of Head, Clara & Maria and strongly requests:

That the Province of Ontario immediately amend the Municipal Elections Act to ensure that municipal representatives and candidates are held to the same standard as their provincial counterpart with regard to the penalties applicable for non-compliance to the election financial reporting requirements; and further

That a copy of this resolution to be forwarded to the Honourable Dalton McGuinty, Premier of Ontario, the Honourable Rick Bartolucci, Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario and the Township of Head, Clara & Maria.

### **Conference/Per Diem Policy amendment**

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

That Council hereby approves changes to a revised Conference/Per Diem Policy to clarify the entitlement to a Per Diem on travel days as well as amending the wording for Meal Allowance and Mileage Allowance to be paid in accordance with current staff policies; and further

That Council give three readings to a by-law to adopt a revised Conference/Per Diem Policy #CC-7-1, to be included in the Comprehensive Policy Manual.

### **Service agreements with Kenora Hydro & Kenora Energy**

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

That Council hereby approves entering into a Maintenance and Service Level Agreements between Kenora Hydro Electric Corporation Ltd. and the City of Kenora as of January 1, 2011; and

That Council hereby approves entering into a Maintenance and Service Level Agreements between Kenora Energy Corporation Ltd. and the City of Kenora as of January 1, 2011; and

That the appropriate by-laws be passed for these agreements; and further

That By-law #147-2009 be hereby repealed.

### **Various Committee Minutes**

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

That Council hereby adopts the following 2011 Minutes from various City of Kenora Committees:

- May 3 – Kenora Urban Trails Committee
- May 9 – Committee of the Whole Meeting
- May 10 – Property & Planning Committee Meeting
- May 10 – Environmental Committee
- May 16 – Special Committee of the Whole Meeting
- May 17 – Kenora Community Policing Committee
- May 24 – Lake of the Woods Museum Board
- May 30 – Special Committee of the Whole
- June 2 – Harbourtown Centre Committee; and

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

- April 20 – Kenora Police Services Board
- April 21 - Northwestern Health Unit Board of Health
- May 6 – Lake of the Woods Development Commission
- May 6 – District of Kenora Home for the Aged; and further

That these Minutes be circulated and ordered filed

### **Appeal to the Northern Ontario Heritage Fund**

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

That Council of the City of Kenora support the appeal to Northern Ontario Heritage Fund (NOHFC) for \$800,000 in funding for the Harbourfront Tent.

### **Municipal Cultural Plan**

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

Whereas Council of the City of Kenora recognizes that Kenora is a vibrant, diverse and sustainable community that values arts, culture and heritage and our relationship with the natural environment; and

Whereas Kenora citizens work collaboratively to nurture and celebrate local talent and welcome others to share experiences in this place of beauty and rich history; and

Whereas a diverse Steering Committee developed a strong Municipal Cultural Plan for our community;

Therefore may it be resolved that the Council of the City of Kenora hereby adopts the Municipal Cultural Plan dated May 31, 2011; and further

That an Implementation Committee comprised of representatives from the municipality and public be hereby created.

### **MOU with Lake of the Woods Development Commission**

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

That Council hereby authorizes a revised Memorandum of Understanding (MOU) with the Lake of the Woods Development Commission to update the Commission's responsibilities to include the delivery of special events throughout the City, including programming the Harbourfront Tent and managing City-owned special events equipment; and further

That these responsibilities for the delivery of special events are effective January 1, 2011; and further

That Council give three reading to a by-law to authorize the execution of the revised Memorandum of Understanding with the Lake of the Woods Development Commission; and further

That by-law number 95-2010 be hereby repealed.

### **Monthly Financial Statements**

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

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as at April 30, 2011.

### **Lake of the Woods Concert Group**

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

That Council of the City of Kenora support the Lake of the Woods Concert Group annual Winnipeg Symphony Orchestra concert in the amount of \$500.00.

### **Agreement with John O'Flaherty for Coney Island Shuttle**

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

Whereas Council approved Resolution number 18 at the May 16, 2011 Council meeting to authorize a contract extension with John O'Flaherty to provide Coney Island Shuttle Service; and

Whereas this agreement has been completed and is ready for execution;

Therefore let it now be resolved that the Mayor and Clerk be authorized to execute the agreement on behalf of the City of Kenora; and

That Council give three readings to a by-law to authorize the contract.

### **2011 Dragon Boat Festival Exemptions**

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

**That** the Council of the City of Kenora hereby acknowledges the Kenora Dragon Boat Festival on Sunday, August 7, 2011; and further

That the following approvals be granted in conjunction with the above-noted Special Event;

1. That authorization be granted for the officials' boats to operate 50 h.p. motors on Rabbit Lake.
2. That authorization be granted for the event buoys to be placed in the water 1 day prior to the event, to be removed in the following week.
3. That exclusive use of Garrow Park and the Tennis Courts at Garrow Park be approved for this event on August 7, 2011.

### **2011 Tops and Bottoms Regatta Exemptions**

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

That the Council of the City of Kenora hereby acknowledges the Kenora Rowing Club's Tops and Bottoms Regatta to be held July 22<sup>nd</sup> and July 23<sup>rd</sup>, 2011 on Rabbit Lake; and further

That the following approvals be granted as outlined below in conjunction with this event:

1. A variance be granted for the motor size on Rabbit Lake as set out by By-law No. 153-2005 (as there is a need to operate 25-50 h.p. motors to keep up to the racing boats to ensure their safety on the water for the event).
2. The event buoys to be placed in the water two to three (2-3) days prior to the event, and to be removed the following week by the Kenora Rowing Club.

### **Agreement with Two Bears for Wharfinger Duties**

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

That Council gives three readings to a by-law to authorize the execution of a Partnership Agreement between the Corporation of the City of Kenora and Two Bears Marina Inc. with respect to Wharfinger duties for the 2011 Season.

### **Planning Fees amendment Tariff of Fees Schedule E**

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



That Council hereby approves the amended tariff of fees for the Planning Department as outlined in the June 14, 2011 report of Tara Rickaby, Planning Administrator, effective June 20, 2011; 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 June 20, 2011 meeting to give effect to these rates; and further

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

**Community Improvement Plan – Former Mill Site**

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

That the Council of the City of Kenora adopts the following incentives as part of the Community Improvement Plan for the former mill site: tax-increment based (or equivalent), Brownfields re-development tax assistance, LEED®, application and permit fees assistance; Accessibility grant; and Industrial Building Improvement grant; and further

That the Planning Administrator, the Economic Development Officer and the Municipal Treasurer be delegated as the approval authority of the applications for the Former Mill Site Community Improvement Plan.

**RECORDED VOTE:~**

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

**Community Improvement Plan extension for Harbourtown Centre**

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

That Staff be directed to submit a report and recommendation to Council, as part of 2012 budget submissions to extend the Community Improvement Plan program for the Harbourtown Centre.

**Terms of Reference for Kenora Heritage Committee**

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

That Council give three readings to a by-law to adopt a new Terms of Reference for Heritage Kenora; and further

That Heritage Kenora liaison with Council will be through the Property and Planning Committee for reporting and budgeting purposes; and further

That By-law Number 143-2007 and By-Law Number 92-2009 be and is hereby repealed.

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

#### **29. Moved by R. McKay, Seconded by L. Roussin & 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:~

#66-2011 – To confirm proceedings of Council

#67-2011 – To amend the Castle of Learning & Discovery Centre rate increase to Day Camp & PD day fees

#68-2011 – To adopt a new Terms of Reference for the Community Policing Committee

#69-2011 – To appoint a Closed Meeting Investigator

#70-2011 - To amend the Conference/Per Diem Policy

#71-2011 – To authorize an agreement with Kenora Hydro and Kenora Energy

#72-2011 – To adopt a revised MOU with Lake of the Woods Development Commission

#73-2011 – To authorize an agreement with John O’Flaherty for the Coney Island Shuttle operation

#74-2011 – To authorize an agreement Two Bears Marina for Wharfinger duties

#75-2011 – To amend Schedule E to the Tariff of Fees by-law for amended Planning fees

#76-2011 – To adopt an amended Heritage Kenora Terms of Reference

#77-2011 – To adopt a Community Improvement Plan for the former Abitibi lands

#78-2011 – To authorize a zoning by-law amendment for Ambs Z01/11

#79-2011 – To authorize the transfer of municipal lands to Zrobok

### **Announcements:**

The Lake of the Woods Museum recently received a Museum Award of Excellence in Community Programming which is awarded to a non-profit museum in Ontario showing excellence in community involvement and programming.

The museum’s exhibit “bakaan nake’ii ngii-izhi-gakinoo’amaagoomin: we were taught differently” was a landmark display chronicling the residential school experience.

### **Notice of Motion:**

Councillor Louis Roussin provided a Notice of Motion that in keeping with Section 7.11 of Council’s Procedural By-law #200-2010 that at the next regular meeting of Council to be held on Monday, July 18, 2011 and will bring forward the following motion:

That the City of Kenora perform an organizational structure and operational audit leading to incorporating the concept/policy of a zero-based budgeting policy.

**Adjournment**

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

**That** this meeting be now declared closed at 6:15 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**