



# Minutes

**Of a Meeting of the Council of the City of Kenora  
Monday, February 13, 2012 – City Council Chambers  
5:00 p.m.**

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**WITH Deputy Mayor R. Lunny, Councillor C. Drinkwalter, Councillor R. McKay,  
Councillor R. McMillan, Councillor L. Roussin,  
Councillor S. Smith.**

**Regrets: Mayor D. Canfield**

**Staff:** Karen Brown, CAO, Richard Perchuk, Operations Manager, Warren Brinkman, Fire & Emergency Services Manager, Colleen Neil, Recreation Services Manager, Sharen McDowall, Human Resources Manager, and Joanne L. McMillin, City Clerk.

## **Call to Order**

**Deputy Mayor Lunny called the meeting to order and  
Councillor Drinkwalter read the Prayer.**

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

**Deputy Mayor Lunny 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:-

- The 2012 Municipal Operating and Municipal Five Year Capital Plan;
  - The 2012 Solid Waste Utility Budget;
  - The 2012 Water & Sewer Utility Budget;
  - To provide for Council Remuneration (housekeeping item);
- An increase in the Day Care Fee Structure under the City's Tariff of Fees & Charges By-law to take effect March 1, 2012;
  - Amendment to Zoning By-Law #160-2010 (housekeeping items);
- Declaration of property abutting 115 Hilly Lake as surplus to the needs of the municipality.

## **Confirmation of Minutes**

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

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

- Regular Council Meeting held January 16, 2012.

### **Declaration of Pecuniary Interest & General Nature Thereof**

Deputy Mayor Lunny 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 of Pecuniary Interest with respect to Resolution Number's 5 and 33 on tonight's agenda.**

**Councillor McMillan made a Declaration of Pecuniary Interest with respect to Resolution Number's 5 and 33 on a portion of the 2012 municipal budget as his spouse is Member of the Kenora Police Services Board and the budget relates in part to the Board's remuneration.**

## **Presentations**

Deputy Mayor Lunny presented the following citizens with a Heritage Community Recognition Award for their work in completing the headstone inventory at the Lake of the Woods Cemetery:

Gloria Harvie  
Laureen Parsons  
Linda Pelletier  
Mareth Pediny  
Judy Stockham  
Grace Baker  
Ray Baker  
Faith Wagner  
Bud Wagner  
Jennie Herd  
Isabel Ulak

## **Deputations**

### **T. Daciuk - Wolf/Deer Problem**

Mr. Daciuk expressed concern on the serious problem that started with deer in the community and now wolves are moving into the city from outlying areas; timber wolves and wolves with mange. He indicated he is an avid trapper and traps problem beavers and would like written permission from Council to remove the problem wolves, especially the older more fearless one hanging around town from Washagamis Bay.

He mentioned there are many wolves in town and numbers are on the rise. He stated the wolf population has to be controlled in the perimeter area (same area as the deer hunting boundary) and he would be willing to help snare the wolves for the City.

Mr. Daciuk was thanked for his bringing his comments forward to Council.

### **Appointment of Youth Council**

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

That Council hereby appoints the following to the City of Kenora Youth Council with a term to expire June 30, 2012:

Will Davis  
Mitchell Frenette  
Sarah Gibson  
Desiree Dawn Kroeker  
Alexa Lesperance  
Jarrod McLean  
Colt Morrell  
Kyle Prystie

### **Appointment to District of Kenora Home for the Aged Board**

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

That in conjunction with the Township of Sioux Narrows-Nestor Falls, Council of the City of Kenora hereby appoints Whitney Roang to represent Area 1 (Kenora and Sioux Narrows-Nestor Falls) on the District of Kenora Home for the Aged Board of Management with a term to expire November 30, 2014.

### **Appointment to Planning Advisory Committee**

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

That Council hereby appoints Raymond Pearson as a member of the Kenora Planning Advisory Committee a term to expire November 30, 2012.

### **Adoption of 2012 Operating Budget & Five Year Capital Plan**

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

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2012 Municipal Operating and Municipal Five Year Capital Plan by by-law at the February 13 Council Meeting; and

That Council hereby approves the City of Kenora's 2012 Municipal Operating Budget and Five Year Capital Plan as amended; and

That Council hereby authorizes City administration to proceed with the implementation of all budget related decisions in accordance with those reflected within the amended budgets; and further

That Council hereby gives three readings to a by-law to approve the 2012 Municipal Operating Budget and the 2012 Municipal Five Year Capital Plan.

**Abstention: Councillor Roussin, Councillor McMillan**

### **Adoption of 2012 Solid Waste Utility Budget**

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

That in accordance with Notice By-Law Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2012 Solid Waste Utility Budget at the February 13 Council Meeting; and

That Council hereby approves the 2012 Solid Waste Operating Budget and Five Year Capital Plan, as amended; and

That Council hereby authorizes City administration to proceed with the implementation of all budget related decisions in accordance with those reflected with the amended budgets; and further

That Council hereby gives three readings to a by-Law to approve the 2012 Solid Waste Utility Budget.

### **Adoption of 2012 Water & Sewer Utility Budget**

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

That in accordance with Notice By-Law Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2012 Water & Sewer Utility Budget at the February 13 Council Meeting; and

That Council hereby approves the 2012 Water & Sewer Operating Budget and Five Year Capital Plan, as amended; and

That Council hereby authorizes City administration to proceed with the implementation of all budget related decisions in accordance with those reflected with the amended budgets; and further

That Council hereby gives three readings to a by-law to approve the 2012 Water & Sewer Utility Budget.

### **2012 Community Club Grants**

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

That Council of the City of Kenora hereby approves the grant amount of \$8,000 per Club to Rideout, Central and Evergreen Community Clubs.

### **Increase to Various Day Care Rates**

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

That the Council of the City of Kenora approve the fee increase to the Before and After School rates for the Castle of Learning & Discovery Children's Centre to \$6.00 from \$5.00 for Before School Care and to \$10.00 from \$9.00 for After School Care; and

That the Council of the City of Kenora approve the fee increase to the Toddler Day rate for the Castle of Learning & Discovery Children's Centre to \$35.00 from \$34.00; and

That the Council of the City of Kenora approve the fee increase to the Pre-school Day rate for the Castle of Learning & Discovery Children's Centre to \$32.00 from \$31.00; and

That the Council of the City of Kenora approve the fee increase to the Day Camp and PD Day rate for the Castle of Learning & Discovery Children's Centre to \$32.00 from \$31.00; and

That in accordance with Notice By-Law Number 144-2007, public notice is hereby given that Council intends to amend the Tariff By-Law by by-law at its February 13, 2012 meeting for this purpose and fees will take effect March 1, 2012; and further

That Council give three readings to a by-law to amend Schedule "B" to Tariff of Fees and Charges By-Law Number 120-2011.

#### **Fourth Quarter Report for the Recreation Department**

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

That Council of the City of Kenora hereby accepts the 2011 Fourth Quarter Report for the Recreation Department.

#### **Attendances at Kenora & District Chamber of Commerce AGM**

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

That authorization be hereby given for Councillor Smith (Mayor's rep) and Councillor McKay (Councillor rep) to attend the 2012 Kenora & District Chamber of Commerce Annual General Meeting and Business Awards Banquet taking place Wednesday, February 15, 2012 at the Best Western Lakeside Inn to represent City Council and present the Chamber of Commerce Mayor's Award; and further

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

#### **2011 Deer Hunt Survey Results**

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

That Council of the City of Kenora hereby receives the results from the deer hunt survey for the amendment to the Discharge of Firearms By-law trial deer hunt period from October 1<sup>st</sup> to November 15<sup>th</sup> 2011.

## **Wildlife Damage Compensation Program**

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

That the Council of the City of Kenora hereby receives the resolution from the Municipality of Tweed with respect to supporting and endorsing their position on the Wildlife Damage Compensation program as follows:-

Whereas the Ontario Wildlife Damage Compensation Program provides compensation to eligible applicants whose livestock and/or poultry have been injured or killed as a result of wildlife, and further provides for municipalities to compensate livestock owners and seek reimbursement from the Ministry of Agriculture, Food and Rural Affairs; and

Whereas livestock valuers submit the same report to the Ministry of Agriculture, Food and Rural Affairs that they do to municipalities therefore making municipal involvement redundant; and

Whereas municipalities are required to pay animal livestock valuer report claims directly and then apply for reimbursement from the Ministry of Agriculture, Food and Rural Affairs, who in turn have the option to deny such claims although the claim has been paid by the municipality; and

Whereas municipalities are required to remunerate livestock valuers although municipalities are not appropriately compensated to cover all related expenses and must do so at the expense of municipal taxpayers;

Now Therefore Be It Resolved That municipalities no longer be involved in the livestock valuation and compensation program; and further

That livestock owners, through a Provincial livestock valuer, make application directly to the Ministry of Agriculture, Food and Rural Affairs and be paid from the Ministry for wildlife damage compensation, and program guidelines be amended to provide for these changes; and further

That a copy of this resolution be forwarded to the Minister of Agriculture Food and Rural Affairs, the Association of Municipalities of Ontario, the Municipality of Tweed and Sarah Campbell, MPP.

## **White Paper on unpaid P.O.A. Fines**

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

Whereas the Ontario Association of Police Service Boards (OAPSB) was requested by the Minister of Community Safety and Correctional Services in 2010 to prepare a White Paper on the growing problem of increasing unpaid fines under the Provincial Offences court system (POA); and

Whereas the OAPSB released its White Paper "Provincial Offences Act –Unpaid Fines, A \$Billion Problem on November 1, 2011; and

Whereas the White Paper identifies a number of gaps in the system and has made recommendations which would significantly improve the ability of municipalities to collect unpaid POA fines;

Now therefore be it resolved that the Council of the City of Kenora supports the recommendations contained in the Ontario Association of Police Service Boards' White Paper on Unpaid POA Fines and urges the Province of Ontario to take immediate action to begin implementation of the recommendations; and further

That this resolution be circulated to the Minister of Community Safety and Correctional Services, the Attorney General, OAPSB, AMO, AMCTO, MFOA, County of Bruce, County of Grey, Greg Rickford, MP, and Sarah Campbell, MPP.

### **Remuneration By-law**

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

That Council give three readings to a by-law to provide for Annual Remuneration to the Mayor and Members of Council of the City of Kenora in order to reflect the per diem rate in the Remuneration By-law rather than in the Per Diem Policy, as approved by Council at its meeting held November 21, 2011; and

That in keeping with Notice By-law #144-2007, public notice is hereby given that Council intends to adopt a new Remuneration By-law for the purpose of addressing a housekeeping item only; and further

That By-law Number 125-2011 be and is hereby repealed.

### **Receipt of Various Minutes**

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

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

- January 4 - Harbourtown Centre Committee
- January 9 - Committee of the Whole
- January 10 - Property & Planning Committee
- January 10 - Kenora Urban Trails Committee
- January 18 - Environmental Advisory Committee
- January 24 - Lake of the Woods Museum Board

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

- November 30 & December 29 - District of Kenora Home for the Aged
- December 2 - Northwestern Health Unit

That these Minutes be circulated and ordered filed.

### **Agreement for 2011 Tourism Student**

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

That Council of the City of Kenora hereby give three readings to a by-law to authorize the execution of a funding agreement with the Northern Ontario Heritage Fund Corporation (NOHFC) under the Northern Ontario Youth Co-op Program for finalizing costs associated with the hiring of one Tourism Summer Student in 2011.

### **2012 Tourism Kenora Summer Students**

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

That the Council of the City of Kenora hereby approves the hiring of eight (8) summer students for Tourism Kenora to work with the Lake of the Woods Development Commission for sixteen (16) weeks.

### **December, 2011 Financial Statements**

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

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as at December 31, 2011.

### **Fire Hall Debenture**

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

That Council approve a By-law for the issuance of long term debt financing in the amount of \$4,504,572.08 effective December 31, 2011 to finance the net municipal costs related to the Fire Hall, budgeted to be financed through a \$1,000,000 subsidy from the Northern Ontario Heritage Fund and the issuance of long term debt.

### **Highway 17 East/West Rehabilitation Project Debenture**

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

That Council approve a By-law for the issuance of long term debt financing in the amount of \$2,344,191.28 effective December 31, 2011 to finance the net municipal costs related to the Highway 17 East and West Rehabilitation Project, budgeted to be financed through a \$4,666,666 subsidy from the Infrastructure Stimulus Fund and the issuance of long term debt.

### **Discovery Centre Debenture**

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

That Council approve a by-law for the issuance of long term debt financing in the amount of \$1,054,232.47 effective December 31, 2011 to finance the net municipal costs related to the Discovery Centre, budgeted to be financed through a \$2,077,006 subsidy from Intake Two of the Building Canada Fund – Communities Component and the issuance of long term debt.

### **Kenora Citizens' Prosperity Trust Fund Report**

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

That Council hereby accepts the report on the Kenora Citizens' Prosperity Trust Fund.



### **Two Hour Parking – 5<sup>th</sup> Avenue at 2<sup>nd</sup> Street South**

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

That the present two-hour parking restriction along the west side of Fifth Avenue South, between First Street South and Second Street South, remain status quo.

### **KC Refrigeration Lease for Unit A**

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

That the Council of the Corporation of the City of Kenora gives three readings to a by-law to authorize the execution of a lease agreement between the City of Kenora and K C Refrigeration for the period January 1, 2012 to December 31, 2013 for land described as Keewatin Public Works Garage Part 1, PLC126 Plan 23RR6726, 23R4158; Unit A; and further

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

### **KC Refrigeration Lease for Unit C**

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

That the Council of the Corporation of the City of Kenora gives three readings to a by-law to authorize the execution of a lease agreement between the City of Kenora and K C Refrigeration for the period January 1, 2012 to December 31, 2013 for land described as Keewatin Public Works Garage Part 1, PLC126 Plan 23RR6726, 23R4158; Unit C; and further

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

### **Lease of 224 Main Street South – Museum Annex**

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

That Council give three readings to a by-law to authorize the execution of a lease agreement for the period January 1 to December 31, 2012 with 1544227 Ontario Inc. for municipal property located at 224 Main Street South (Museum Annex).

### **Neighbourhood Watch Program - Signage**

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

That as requested by the Kenora Community Policing Committee in response to requests by the public as a means to deter neighbourhood crime, Council hereby authorizes the purchase, installation and maintenance of the "Neighbourhood Watch Signs" in support of the Neighbourhood Watch Program being organized by the Policing Committee; and

That funding for the purchase, installation and maintenance of signage for this purpose be through the approved 2012 Roads Operating Budget; and further

That the Operations Department be authorized to look after the installation, maintenance and replacement of the signs as required by requests received by the Policing Committee under this program.

### **Requirements for Proponents regarding Low Frequency Noise**

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

That the Council of the City of Kenora hereby receives the resolution from the County of Tweed with respect to supporting and endorsing the findings and recommendations of the Low Frequency Noise (LFN) Committee as follows:-

That the recommendation of the Low Frequency Noise (LFN) Committee circulate their findings and recommendations to all Ontario Municipalities, AMO and ROMA for endorsement and to the Members of Provincial Parliament (MPP), the Provincial Minister of the Environment the Honourable James Bradley and the Federal Minister of the Environment the Honourable Peter Kent, be approved; and further

That Council actively lobbies the Kenora District Municipal Association, the Northwestern Ontario Municipal Association and appropriate Ministries to encourage the development of requirements for proponents of developments which will generate LFN to provide studies by qualified professionals on the pre-development background LFN in the area of the subject property, the modeled additional LFN generated by the project and the anticipated effects of the LFN.

### **Various Amendments to Comprehensive Zoning By-law**

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

That as recommended by FoTenn Consultants Inc., in the revised Planning Report dated January 31, 2012, Council hereby authorizes the recommended amendments to the City of Kenora Zoning By-law Number 160-2010, as amended; and further

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

### **Declaration of Surplus Municipal Property (German)**

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

That Council of the City of Kenora hereby declares property abutting 115 Hilly Lake Road PT M LOC 432P PLAN M668 LOT 6, as surplus to the needs of the municipality; and

That the applicants submit an application to purchase with the required fee; and

That the applicants arrange for an Ontario Land Surveyor to provide services, and that the City of Kenora shall issue survey instructions; and

That in accordance with Notice By-law #144-2007 as amended, when the survey is complete, arrangements be made to advertise the sale of the subject lands for a two 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 Dwayne German and Donna German, subject to the condition that a minimum 3 metre natural vegetation area will be required adjacent to the shoreline to minimize the impact of development on water quality of Hilly Lake, with the exception of an access trail not to exceed to exceed 25% of the lot frontage, and at the appraised value as established by Century 21 – Reynard Real Estate, plus survey, legal and any other associated costs.

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

#### **32. Moved by R. McMillan, Seconded by R. McKay & 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:~

#5-2012 - To confirm the proceedings of Council;

#6-2012 – To provide for Annual Remuneration to Mayor and Members of Council

#7-2012 – To amend Schedule B to Tariff of Fees & Charges By-law (Day Care Rates)

#8-2012 – To execute an agreement with the Northern Ontario Heritage Fund Corporation

#9-2012 – To authorize long term debt financing to finance net municipal costs (Discovery Centre)

#10-2012 – To authorize long term debt financing to finance net municipal costs (Fire Hall)

#11-2012 – To authorize long term debt financing to finance net municipal costs (Highway 17 East/West Rehabilitation Project)

#12-2012 – To execute a lease agreement with KC Refrigeration (Unit "A")

#13-2012 – To execute a lease agreement with KC Refrigeration (Unit "C")

#14-2012 –To execute a lease agreement with 1544227 Ontario Inc. (Museum Annex)

#15-2012 – To amend Comprehensive Zoning By-law #160-2010, as amended

#### **#16-2012 – (separate motion)**

#17-2012 – To approve the 2012 Solid Waste Utility Budget

#18-2012 – To approve the 2012 Water & Sewer Utility Budget.

### **Approval of Operating Five Year Capital Plan By-law**

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

That the following By-law be now read a First & Second Time, and approved in its present form and presented for Third & Final Reading:~

#16-2012 – To approve the 2012 Municipal Operating Budget and the 2012 Municipal Five Year Capital Budget.

**Abstention: Councillor Roussin, Councillor McMillan**

## **Announcements**

Deputy Mayor Lunny announced the following Proclamations:

- February 12 to 18 as "Week of Action against Poverty"
- February 19 to 26 as "Guide-Scout Week"
- The month of March, 2012 as "Red Cross Month."

## **Adjournment**

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

**That** this meeting be now declared closed at 6:04 p.m.

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

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

**Of.....2012**

.....  
**Mayor**

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**City Clerk**