



Minutes

**Of a Meeting of the Council of the City of Kenora
Monday, November 19, 2012 – City Council Chambers
5:00 p.m.**



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

Regrets: Councillor R. Lunny, Councillor R. McMillan

Staff: Karen Brown, CAO, Warren Brinkman, Fire & Emergency Services Manager,
Colleen Neil, Recreation Services Manager, Sharen McDowall, HR Manager,
Joanne L. McMillin, City Clerk.

Call to Order

Mayor Canfield called the meeting to order and Councillor Smith 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:-

- A Comprehensive Procedural By-law governing Rules and Order of Procedure for the Council of the City of Kenora
- Declare a portion of property abutting 434 Melick Avenue, as surplus to the needs of the municipality
- Amend the Zoning By-law for the property described as 1429 Highway 17 East

Confirmation of Minutes

1. Moved by C. Drinkwater, 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 October 22, 2012.

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.

There were none declared.

Deputations

Adam Green

Adam attended to provide both a verbal and written apology to Council for his part in the theft of the Stanley Cup banner on the night of August 17, 2012. He indicated he deeply regrets the hurt his careless action caused the City at a time of such celebration and assured Council this type of behaviour is not normal for him and he is profoundly sorry for his lapse in judgment and the resulting theft. A copy of his letter was provided to the Clerk.

Jena Poschner

Jena attended to provide both a verbal and written apology to Council for taking the Thistles Stanley Cup banner. She now realizes it was a very wrong and hurtful thing to do and is sorry she took the banner the day before the Cup was brought to town. Jena stated there is nothing she wishes more than to go back and change her actions on that evening but since she can't she has accepted the consequences and will be doing community service as a result of her behaviour. She assured Council that nothing like this will happen again as she has learned her lesson. A copy of her letter was provided to the Clerk.

Eric Lovas

Eric Lovas, representing Co-ot Taxi attended to request consideration by Council for a rate increase under the Taxi By-law as it has been two and half years since the last increase. He explained the cost of taxi insurance has increased by 23% to 50% with the average cost for insurance in the vicinity of \$4,000 and up. The cost of gas fluctuates but as of late it appears gas will remain high. The price of gas also impacts the cost of repairs due to shipping parts.

The request is for the start-up to be increased to \$4.95 from \$4.30 and the kilometer rate be increased to a flat rate of \$2.00 from the present \$1.80, and they are looking towards January, 2013 for the approved increase. HST is included in the rates.

Eric referred to the ongoing problem with 'pirate taxis' that are not licenced and undercut the licenced taxis in town with doing about 30 trips a day. He indicated it is difficult for the Police to do much about it but it remains a concern.

Eric was thanked for attending and advised this matter will be referred to an upcoming Committee of the Whole meeting.

Appointments to the Accessibility Committee

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

That the following be hereby appointed as Members at-large on the Accessibility Advisory Committee and approval given to appoint a seasonal resident in keeping with Council's Appointment Policy, with a term at the pleasure of Council but not to exceed November 30, 2014:

Kenneth J. Puckall – (Seasonal Resident)
Marion McKay

Appointment to District of Kenora Home for the Aged

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

That Jim Clarke be hereby appointed to represent Area 1 on the District of Kenora Home for the Aged Board of Directors with a term to expire November 30, 2015.

Appointments to the Environmental Advisory Committee

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

That the following be hereby appointed as Members at Large on the Environmental Advisory Committee, with a term at the pleasure of Council but not to exceed November 30, 2014:

Susan McLeod – LOWDPOA Rep.
Craig Cunning – At Large

Appointments to the Recreation Event Centre Committee

5. Moved by C. Drinkwater, Seconded by S. Smith & Carried:-

That the following be hereby appointed as Members at-large on the Recreation Event Centre Committee, with a term at the pleasure of Council but not to exceed November 30, 2014:

Chris Van Walleghem
Judy Bain
Laci Dingwall
Ruth Illman
Mike Dietsch
Jolene Andrews

Appointment to the Homelessness & Behavioural Issues Task Force

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

That Debbie Lipscombe be hereby appointed to the Homelessness & Behavioural Issues Task Force, representing Grand Council Treaty 3, with a term at the pleasure of Council but not to exceed November 30, 2014.

Appointment to the Keewatin Non-Profit Housing Corporation

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

That Joyce Vacek be appointed to the Keewatin Non-Profit Housing Corporation to replace the vacancy created by Winnifred Lund, with a term at the pleasure of Council but not to exceed December 31, 2013.

Appointments to the Lake of the Woods Development Commission

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

That as recommended by the Lake of the Woods Development Commission, Council hereby appoints the following to the LOTWDC Board of Directors for a term at the pleasure of Council but not to exceed November 30, 2014:-

Don Denver
Thelma Wilkins-Page
Randy Nickle
Teresa Gallik

Mort Goss
Fred Wright
Councillor Sharon Smith

Appointments to the Non-Profit Housing Review Committee

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

That the following be appointed to make-up the Non-Profit Housing Review Committee with a term at the pleasure of Council but not to exceed December 31, 2013:

Wendy Cuthbert and Joan Schelske (Kenora)
Jack Pearson and Jerry Ortlieb (Keewatin)
Dean Barclay – At-large

Appointment of a Student Councillor

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

That Jarrod McLean be hereby appointed as a City of Kenora Student Councillor in keeping with Council's Policy #CC-16-1, with a term to be in effect from November 19, 2012 to June 15, 2013.

Appointments to the Planning Advisory Committee

11. Moved by L. Roussin, Seconded by S. Smith,

That Council of the City of Kenora hereby approves an amendment to By-law Number 209-2010 regarding the Terms of Reference for the City of Kenora Planning Advisory Committee; and

That Section 5.0 to By-law Number 209-2010 be amended by changing the Terms of Office to read as follows:-

"Members of the Committee shall be appointed by Council for a period to coincide with the term of Council. Members may be reappointed for additional terms"; and further

That the following members be appointed for a term ending November 30, 2014:

James Tkachyk
Terry Tresoor
Wendy Cuthbert
Vince Cianci

Ray Pearson
Wayne Gauld
Ted Couch

Councillor Roussin requested Motion #11 be amended.

Motion to Amend Motion #11

11A Moved by L. Roussin, Seconded by S. Smith & Carried:-

That Motion Number 11 on tonight's agenda with respect to the Planning Advisory Committee be hereby amended by deleting the first three paragraphs and replacing the last paragraph with the following:-

That in keeping with the Statutory requirement that Members of the Planning Advisory Committee shall be appointed by Council for a period to coincide with the term of Council, (and Members may be reappointed for additional terms), the following are hereby appointed for a term ending November 30, 2014:

James Tkachyk
Terry Tresoor
Wendy Cuthbert
Vince Cianci
Ray Pearson
Wayne Gauld
Ted Couch

Motion as Amended

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

That in keeping with the Statutory requirement that Members of the Planning Advisory Committee shall be appointed by Council for a period to coincide with the term of Council, (and Members may be reappointed for additional terms), the following are hereby appointed for a term ending November 30, 2014:

James Tkachyk
Terry Tresoor
Wendy Cuthbert
Vince Cianci
Ray Pearson
Wayne Gauld
Ted Couch

Appointments to Various Board and Committees

12. Moved by C. Drinkwalter, Seconded by S. Smith & Carried:-

That Council hereby re-appoints, where applicable, those persons currently serving on various municipal Boards and Committees effective December 1, 2012 with a term to expire at the pleasure of Council but not to exceed the term of this Council or beyond November 30, 2014 in keeping with Council's Appointments Policy; and

That these re-appointments shall only apply to those specific Boards and Committees not governed by special legislation or specific municipal Terms of Reference as set out in the most recently updated City of Kenora Membership Listing attached to the City Clerk's November 1, 2012 report; and further

That any appointments made previously by any resolution with a term to November 30, 2014 except where prohibited, be and are hereby rescinded as they are now appointed for a term "at the pleasure of Council."

Staffing Increase – Kenora & Keewatin Recreation Centres
13. Moved by C. Drinkwalter, Seconded by L. Roussin,

That Council of the City of Kenora hereby approves proceeding with the proposed staffing increase for the Kenora Recreation Centre and Keewatin Memorial Arena; and further

That Council approves the Recreation Services Manager to proceed immediately, in cooperation with the Human Resources Manager, to implement the changes contained within the report of the Recreation Services Manager dated November 6, 2012.

MOTION DEFEATED

This matter is to be referred to the 2013 budget process.

2013 Meeting Schedule

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

That in accordance with the Rules of Order and Procedure Council hereby approves the 2013 Schedule of Committee and Council Meetings as attached to the October 25, 2012 report of the City Clerk.

Closed Meeting Investigator's Report

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

That further to a Closed Meeting Complaint submitted by Joyce Chevrier to the City's Closed Meeting Investigator on August 14, 2012 pertaining to a Closed Meeting of Council's Standing Committees held September 8, 2008, Council hereby receives the final report of Paul S. Heayn, Closed Meeting Investigator as forwarded to the City Clerk's Office on November 6, 2012; and

That while there are no recommendations made by the Investigator concerning Council's procedures for dealing with Closed Meetings, Council hereby accepts the recommendations contained in the Investigator's Report as they relate to reporting out on matters from closed meetings; and further

That these recommendations be reflected in the City's new Procedural By-law.

Attendances at KDMA Conference

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

That authorization is hereby given for Mayor Canfield and three Members of Council to attend the 2013 Annual Conference of the Kenora District Municipal Association

(KDMA), taking place at the Best Western in Dryden, ON, February, 7, 8 and 9, 2013; and further

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

Attendances at FCM Conference

17. Moved by C. Drinkwalter, Seconded by L. Roussin & Carried:-

That authorization is hereby given for two (2) Members of Council to attend the 2013 Annual Conference of the Federation of Canadian Municipalities (FCM), taking place at the Vancouver Convention Centre, May 31 to June 3, 2013; and further

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

Council's Procedural By-law

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

That Council hereby authorizes the various and recommended changes and housekeeping items required to update the Procedural By-law in order that it continues to be in line with current practices and procedures that have been evolving over the last couple years; and

That in accordance with the Municipal Act, 2001, c.25, as amended public notice is hereby given that Council intends to adopt a new Comprehensive Procedural By-law as it provides for public notice of meetings; and

That Resolution Number 12 dated January 14, 2002 approving a Terms of Reference for the Property & Planning Committee be hereby rescinded; and further

That Council gives three readings to a by-law to establish Rules of Order and Procedures for the Council of the City of Kenora to take effect and come into force on December 1, 2012 at which time By-law Number 200-2010 will be repealed.

Attendance at Thunder Bay Training Session

19. Moved by C. Drinkwalter, Seconded by S. Smith & Carried:-

That authorization be and is hereby given for Councillor Louis Roussin to attend the MFOA Investment Basics and Beyond training session as well as the Exploring the FIR training session, taking place in Thunder Bay on November 22 and 23, 2012; and further

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

Receipt of various Minutes

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

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

- September 7 – Heritage Kenora
- September 10 – Committee of the Whole
- September 11 – Property & Planning
- September 11 – Kenora Urban Trails
- September 18 – Kenora Community Policing Committee
- September 18 – Special Committee of the Whole
- September 27 – Lake of the Woods Museum Board; and

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

- June 27 – Kenora Police Services Board
- August 9 – Kenora District Services Board
- August 10 – Northwestern Health Unit Board of Health
- August 21 – Committee of Adjustment & Planning Advisory
- August 29 & September 20 – District of Kenora Home for the Aged; and further

That these Minutes be circulated and ordered filed.

Section 357 Tax Adjustments

21. Moved by S. Smith, Seconded by C. Drinkwalter & Carried:-

That the Section 357 tax adjustments with potential refunds totaling \$14,047.86 be approved.

Revised Internal Audit Policy

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

That Council hereby approves the amended City Internal Audit Policy; and further

That the appropriate by-law be adopted for this purpose.

Donation – International LOW Water Quality Forum

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

That Council of the City of Kenora supports the request of the Lake of the Woods Water Sustainability Foundation and authorizes a donation in the amount of \$500 for the 2013 International Lake of the Woods Water Quality Forum; and further

That a copy of the resolution be forwarded to the Lake of the Woods Water Sustainability Foundation.

Kenora Citizens' Prosperity Trust Fund

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

That Council hereby accepts the report on the Kenora Citizens' Prosperity Trust Fund included in the Committee Report of the Municipal Treasurer dated October 30, 2012.

September, 2012 Financial Statements

25. Moved by C. Drinkwalter, Seconded by L. Roussin & Carried:-

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as at September 30, 2012.

Amendment to Parking Lots By-law

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

That approval be hereby given to amend Schedule "A" to By-Law 66-2006 to change Lot "U" to read: Kenora Public Library Parking Lot as follows:-

Add

Lot "U": Kenora Library Parking Lot
Control: By-Law Enforcement Officer
Fees: As per meter parking system \$0.75 per hour
Special Regulation: No overnight parking between 2:00 a.m. & 6:00 a.m.
No fees payable between 6:00 p.m. and 9:00 a.m.
No fees payable Sundays or Public Holidays; and

That approval be hereby given to amend Schedule "A" Lot "I" McLeod Park as follows:-

Amend

Lot "I": McLeod Park
Control: Peace Officer
Fees: No Fee
Special Regulation: No overnight parking between 2:00 a.m. and 6:00 a.m.

To Read

Lot "I": McLeod Park
Control: By-Law Enforcement Officer
Fees: No Fee
Special Regulation: 3 hour maximum
No overnight parking between
2:00 a.m. and 6:00 a.m.; and

That amending By-law Number 87-2009 to By-law Number 66-2009 be hereby repealed; and further

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

Amendment to Traffic By-law

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

That Council give three readings to a by-law to amend City of Kenora Traffic Regulation By-law 127-2001 to include the addition to Schedule "L" – Disabled Parking Spaces on Municipal or Private Property – Kenora Public Library and Lake of the Woods Discovery Centre as follows:-

Column 1

Column 2

Column 3

Establishment	Street Address	# Spaces
Add: Kenora Public Library	24 Main Street South	1
Add: Lake of the Woods Discovery Centre	931 Lakeview Drive	2

**September, 2012 Kenora Water & Wastewater Report
28. Moved by R. McKay, Seconded by L. Roussin & Carried:-**

That Council of the City of Kenora hereby accepts the September 2012 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by Biman Paudel, Water and Sewer Supervisor, Jim Campbell, Water Treatment Plant Operator and David Nachuk, Wastewater Treatment Plant Operator.

**Laurenson Creek – Community-based Interest Group
29. Moved by L. Roussin, Seconded by C. Drinkwalter & Carried:-**

That further to inquiries from a concerned group of citizens regarding the condition of Laurenson Creek and its navigability, the Council of the City of Kenora encourages residents who are interested in the management of Laurenson Creek to form a community-based interest group, the mandate of which is stewardship of the Laurenson Creek Provincially Significant Wetland; and further

That Council supports, in principle, the formation of such a community-based group, with the management/stewardship of the Creek to work in collaboration with the resource agencies of the Ministry of Natural Resources and the Department of Fisheries and Oceans to guide the interest group in its efforts to protect and sustain wildlife populations and their habitats; ensure the health of wildlife; manage the use of wildlife to meet the present and future needs of Ontarians, and ensure the environmental, cultural, social and economic well-being of Ontarians through activities that include hunting, fishing, wildlife viewing and tourism.

**Old Government Road – Surplus Land
30. Moved by L. Roussin, Seconded by C. Drinkwalter & Carried:-**

That the Council of the City of Kenora hereby declares a portion of property abutting 434 Melick Avenue, PLAN M456 LOTS 8 TO 10 PCL 23695 Concession 6 of Jaffray Part LOT 3, as surplus to the needs of the municipality; and

That the property owner and City Staff negotiate the actual dimensions of lands to be transferred; and

That the Kenora Catholic District School Board shall approach the abutting property owner to the south with respect to the proposed transfer of lands and provide the City with acknowledgement/agreement of the terms of the transfer of lands; and

That before the transfer of the lands the applicant provides a legal survey of the subject lands to be transferred, and a description of any encroachments of the buildings located on the Applicant's property into municipal road allowances/lands; instructions to be given by the City of Kenora, at the cost of the Applicant; and

That in accordance with Notice By-law #144-2007, as amended, 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 the property owner, subject to the conditions above, at the appraised value, as established by Century 21 – Reynard Real Estate, plus all associated costs, including survey, legal, transfer costs of the subject lands.

Zoning By-law Amendment - Bilton

31. Moved by L. Roussin, Seconded by C. Drinkwalter & Carried:-

That the decision regarding the application to amend Zoning By-law No. 160-2010, Z08/12 Bilton, be deferred to the December meeting of Property and Planning, pending receipt of a floor plan of the structure and comments from the Chief Building Official and Manager of Fire and Emergency Services.

Zoning By-law Amendment - McTaggart

32. Moved by L. Roussin, Seconded by C. Drinkwalter & Carried:-

That the zoning by-law amendment Z09/12 McTaggart, to amend the Zoning By-law No. 160-2010, as amended, for property described as 1429 Highway 17 East, PLAN M63 PT LOT 256 & 257 PCL 20983, City of Kenora, District of Kenora to add "duplex" as a use to the HC – Highway Commercial Zone be hereby approved; and further

That three readings be given to a by-law for this purpose.

Tender – Graders for Snow Plowing

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

That the following quotations for graders for Snow Plowing of Municipal Streets, be received:-

Grader	Pioneer Construction	\$160.00/hr. HST extra
Grader	Hugh Munro Construction	\$178.50/hr. HST extra
Grader	Laurence Derouard Trucking	\$ 90.00/hr. HST extra
Loader	Laurence Derouard Trucking	\$ 75.00/hr. HST extra; and further

That the quotations from Laurence Derouard Trucking for a Grader at the hourly rate of \$90.00 (HST extra) and Loader at the hourly rate of \$75.00 (HST extra), the quotation from Pioneer Construction for a grader at the hourly rate of \$160.00 (HST extra), and the quotation from Hugh Munro Construction for a grader at the hourly rate of \$178.50 (HST extra), be hereby accepted.

Approval of By-laws

34. Moved by C. Drinkwalter, 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:~

#118-2012 – To confirm the proceedings of Council

#119-2012 – To amend Parking Lots By-law #66-2006, as amended

#120-2012 – To establish Rules of Order and Procedures for City Council

#121-2012 – To amend Traffic By-law #127-2001, as amended

#122-2012 - To amend Zoning By-law #160-2010, as amended (McTaggart)

#123-2012 – To amend the City of Kenora Policy Manual (Internal Audit Policy)

Announcements

Mayor Canfield called upon Jarrod McLean and City Clerk Joanne McMillin administered his Oath of Office as Student Councillor.

Adjournment

35. Moved by S. Smith, Seconded by C. Drinkwalter & Carried:-

That this meeting be now declared closed at 5:45 p.m.

The Corporation of the City of Kenora:

Confirmed As Written ThisDay

Of.....2012

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Mayor

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City Clerk