



# Minutes

## Committee of the Whole

Monday, October 15, 2012

3:30 p.m.

City Council Chambers

**ACTION**

**Present:** Deputy Mayor R. McKay  
Councillor C. Drinkwalter  
Councillor R. Lunny  
Councillor R. McMillan  
Councillor L. Roussin  
Councillor S. Smith  
K. Brown, CAO  
R. Perchuk, Operations Manager  
S. McDowall, HR Manager  
C. Neil, Recreation Services Manager  
J. McMillin, City Clerk  
J. Findlay, EDO  
B. Manson, TDO

**Regrets:** Mayor D. Canfield

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### **A. Public information Notices**

#### **Deputy Mayor McKay then read the following:**

As required under Notice By-law #144 -2007, the public is advised of Council's intention to adopt the following at its October 22 meeting:-

- A rate increase for tank truck water delivery effective January, 2013.

### **B. Declaration of Pecuniary Interest & the General Nature Thereof**

#### **1) On Today's Agenda**

#### **2) From a Meeting at which a Member was not in Attendance.**

Councillor McMillan made a Declaration of Pecuniary Interest with respect to Item #8 (Minutes Report) under Corporate Services, and #2 (Financial Reports) under Finance as they relate to the Kenora Police Services Board to which his spouse is a Member;

Councillor Roussin made a Declaration of Pecuniary Interest with respect to any items on today's agenda as they may relate to the Kenora Public Library Board as his spouse is a Library employee.

### **C. Motion for Confirmation of Previous Committee Minutes:**

**Moved by R. McMillan, Seconded by C. Drinkwalter, and Carried:-**  
That the Minutes from the last regular Committee of the Whole Meeting held September 10, 2012, and of the Special Committee of the Whole Meeting held September 18, 2012 be confirmed as written and filed.

### **D. Deputations:**

#### **3:30 p.m. – Lake of the Woods Development Commission – Q3 Report**

Don Denver, Commission Chair, reviewed the highlights of the Q3 report which included the following:-

- Business is Up – many positive comments received by the business community; most indicated this was a very good summer;
- Summer special events that saw approx. 50,000 visitors with the majority attending events at the Whitecap Pavilion;
- Matiowski Farmer’s Market – vendor space increased by 33% in 2012;
- LOW Discovery Centre – more than 14,600 visitors to date this year which is double the total number in all of 2011;
- Economic & Business Development – there has been a focus on development and approvals of funding for investment readiness, key economic infrastructure and economic development projects;
- Lake of the Woods Project – the August 4 announcement regarding the acceptance of the IJC Task Force recommendations was the highlight this quarter;
- Today in America: Hidden Gems project – filming occurred on September 18; the production features Kenora and Lake of the Woods as one of Canada’s ‘hidden gems.’
- Discovery Centre Interpretive Forest – wording for the signs has been completed and signs ordered. TD Green Streets has sponsored the forest for \$15,000 with other contributions from LOWBIC and Common Ground as well as several smaller contributions within the community.

In closing, Don reviewed other activities of the Commission as well as what is expected to be covered in the fourth quarter.

Members of the Commission Members were thanked for attending for presentation of the report.

### **E. Reports:**

#### **Community & Protective Services**

**Councillor Drinkwalter, Chair, reviewed the Committee reports:-**

##### **1. Event Centre Committee Terms of Reference**

###### **Recommendation:**

That further to Council approving the establishment of an Event Centre Committee at its September 17, 2012 meeting, approval is hereby given to

give three readings to a by-law to authorize a Terms of Reference for the City of Kenora Event Centre Committee.

**Recommendation approved** (resolution and by-law).

**JMcMillin**

## **2. Kenora Fire 109 – Ninth Street North**

### **Recommendation:**

That Council of the City of Kenora hereby accepts the preliminary report outlining the activities and costs associated with suppressing an out of control wildfire located in an forested urban area near the Valley Drive Water Tower and Ninth Street North, known as Kenora 109.

**Recommendation approved.**

**JMcMillin**

Councillor Smith asked if Council could be advised as soon as possible when there is any type of emergency so that Members are made aware sooner than later.

Councillor Smith stated the City should be able to receive payment from those responsible for setting the wildfire as the cost associated with putting it out is going to be fairly significant and we haven't yet received the costs from other agencies involved which are expected to be substantial.

## **3. Kenora Soccer Association Lease – JM Arena**

### **Recommendation:**

Whereas the Council of the City of Kenora previously approved entering into a three (3) year agreement with the Kenora Soccer Association for the re-development and use of the Jaffray Melick Recreation Complex for the purpose of an indoor soccer and sports training facility; and

Whereas it has been determined that in order for the City to be eligible for the Trillium funding, agreements must be a minimum of five (5) years;

Now therefore be it resolved that the Council of the City of Kenora hereby approves entering into a five (5) year agreement with the Kenora Soccer Association for the re-development and use of the Jaffray Melick Recreation Complex for the purpose of an indoor soccer and sports training facility; and further

That this agreement be initiated once the funding is received for the necessary facility refurbishments (flooring) and the facility is approved for occupancy.

**Recommendation approved.**

**JMcMillin**

## **Corporate Services**

**Councillor McMillan, Chair, reviewed the Committee reports with the exception of Number 8 due to his Pecuniary Interest, and Councillor Smith introduced that item on his behalf:-**

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## **1. K.D.S.B. Report from Councillor Roussin**

Councillor Roussin highlighted various activities of the Board with the Committee regarding the following:

- Service Agreement with Habitat for Humanity – Kenora Chapter, and the distribution of Investment in Affordable Housing funds in the amount of \$50,000;
- Performance of the MicroFIT Solar PV System;
- 10 Year Capital Renewal/Financing and Reserve update and the incorporation of \$1,555,000 (an increase of \$240,000 over 2012) into the 2013 budget for Housing and EMS Equipment renewal plans;
- Homelessness and Housing, noting it is at a crossroads in Ontario and the country. A recommendation is that new public housing initiatives be developed (i.e. the creation of subsidized housing units) as well as the implementation of strategies to facilitate inter-agency collaboration and the coordination of services for those who are periodically or chronically homeless;
- Non-Profit Housing Capital Fund Requests and the KDSB is required to ensure operations follow the Housing Services Act; KDSB provides significant detail on the status of the Capital Renewal Reserves held by eight Non-Profit Housing Providers and their role is to ensure those Providers' capital renewal reserves and plans are adequate.

Councillor Roussin also referred to a recent letter from the Ministry of Finance with respect to the Ontario Municipal Partnership Fund (OMPF) and municipal social housing costs, noting that in 2012 municipalities in the North were receiving more than \$239 million dollars through the OMPF which translates into \$655 per household; nine times the average in the rest of the province. As a result in 2012 the combined benefit of OMPF and provincial uploads for northern municipalities will total \$366 million, representing an increase of 33 per cent over funding provided under the previous program.

Councillor Roussin provided the Clerk with the applicable documentation in support of the items covered in his report.

## **2. AMO Arbitration Reform Support Recommendation:**

Whereas the Council of the City of Kenora is pleased that both the Liberal government and the PC party have kept the issue of interest arbitration reform at the forefront of major policy discussions; and

Whereas the City of Kenora supports the overall intention of interest arbitration reform; and

Whereas a preliminary review indicates that there appears to be room for improvement in both pieces of draft legislation before the legislature; and

Whereas the City of Kenora trusts that through further consultation these issues can be resolved; and

Whereas the City of Kenora is aware that AMO and the Emergency Services Steering Committee are reviewing these issues and look forward to further discussion and input;

Now Therefore the Council of the City of Kenora hereby requests that the legislature work collectively in the best interests of Ontario municipalities and Ontario taxpayers on this important issue of interest arbitration reform.

**Recommendation approved.**

**JMcMillin**

### **3. BIZ Appointments**

#### **Recommendation:**

That the following be hereby appointed to the Business Improvement Area Board (or BIZ as it is commonly referred to), with a term to expire November 30, 2014:

Councillor Ron Lunny  
Lisa Lyle  
Rob Dokuchie  
Mort Goss  
Audrey Manzie; and further

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

**JMcMillin**

**Recommendation approved.**

### **4. Council Portfolios, Appointments and Reports**

#### **Recommendation:**

That Council hereby approves an amendment to Part 11 of the City's Procedural By-law to reflect the following:

- The use of Standing Committees of the Committee of the Whole shall be eliminated and replaced with a Portfolio structure within the Committee of the Whole;
- Each Portfolio shall be comprised of all Members of Council, with one Lead appointed to oversee the mandate of the Committee Portfolio, together with one Alternate;
- A realignment of the new Portfolio Structure as of December 1, 2012 to reflect the following Portfolios:
  - Business Administration;
  - Community Services;
  - Economic Development;

- Emergency Services;
- Operations;
- Property & Planning; and

That the following Members of Council be hereby appointed as Lead and Alternate for these Portfolios for the period December 1, 2012 to November 30, 2014:

<b>Portfolio:</b>	<b>Lead:</b>	<b>Alternate:</b>
Business Administration	R. Lunny	R. McMillan
Community Services	R. McMillan	R. Lunny
Economic Development	S. Smith	L. Roussin
Emergency Services	C. Drinkwalter	R. McKay
Operations	R. McKay	C. Drinkwalter
Property & Planning	L. Roussin	S. Smith

and;

That Council hereby approves an amendment to Part 12.2 of the by-law to reflect that reports will be made available to the public, at the latest, on the business day immediately preceding the applicable Committee or Council meeting; and further

That Council hereby directs the Clerk to prepare these amendments to the City's new Procedural By-law, together with other identified housekeeping changes in a separate report, to be brought forward for Council approval and which will take effect and come into force on December 1, 2012.

**Recommendation approved** (by-law to follow in November).

**JMcMillin**

**5. Lake of the Woods Water Quality Forum**

**Recommendation:**

That authorization be and is hereby given for Councillor Lunny to attend the International Lake of the Woods Water Quality Forum in International Falls, MN, taking place March 13 and 14, 2013 at the Rainy River Community College; and further

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

**Recommendation approved.**

**JMcMillin**

**6. Non-Profit Housing Review Committee – Terms of Reference**

**Recommendation:**

That Council hereby approves a Terms of Reference for the newly established Non-Profit Housing Review Committee as attached to the report of the CAO dated October 5, 2012; and further

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

**Recommendation approved** (resolution and by-law).

**JMcMillin**

**7. Non-Union Benefit Policy**

**Recommendation:**

That Council hereby approves a City of Kenora Benefit Policy (Non-Union) #HR-3-6; and further

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

**Recommendation approved** (resolution and by-law).

**JMcMillin**

**Councillor McMillan left the meeting while Item 8 was discussed.**

**8. Various Committee Minutes**

**Recommendation:**

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.

**Recommendation approved.**

**JMcMillin**

**Economic Development**

**Councillor Smith, Chair, reviewed the Committee reports:-**

**1. KAR Agreement – 2013**

**Recommendation:**

That Council hereby approves a by-law authorizing a contract between the Kenora Assembly of Resources and the City of Kenora for provision of

services at the Harbourfront and related areas for the period January 1, 2013 through December 31, 2013.

**Recommendation approved** (resolution and by-law).

**JMcMillin**

## **Finance**

**Councillor Lunny, Chair reviewed the Committee reports:-**

### **1. Audit Committee**

#### **Recommendation:**

That Council of the City of Kenora hereby dissolves the City's Audit Committee, effective November 30, 2012; and

That Council give three readings to a by-law to repeal Terms of Reference By-law Number 60-2012, effective November 30, 2012; and

That all current appointments to the City's Audit Committee will be rescinded as of November 30, 2012; and further

That Council expresses sincere thanks and appreciation to the Members of the Audit Committee for their time and commitment over the years while serving on the Committee.

**Recommendation approved** (resolution and by-law).

**JMcMillin**

### **2. August Financial Statements**

#### **Recommendation:**

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as at August 31, 2012.

**Recommendation approved.**

**JMcMillin**

### **3. Heads and Beds Levy**

#### **Recommendation:**

Whereas post-secondary institutions, hospitals and provincial institutions are exempt from paying property taxes to municipalities under provincial law and instead pay a fixed amount set by the provincial government; and

Whereas the amount of the "heads and beds" payment is \$75 per head or bed and this amount has not been changed by the province since 1987; and

Whereas Council of the City of Kenora passed a motion on April 18, 2011 with respect to the "heads and beds" payments; and

Whereas communities across Ontario have come together to advocate for this important provincial policy change and efforts to have the provincial



government review the "heads and beds" amount have not been met with a positive response to date;

Now therefore be it resolved that the Council of the City of Kenora hereby authorize staff to:

- Pursue changes to the heads and beds legislation with coordination determined by the group of Mayors, and
- Collaborate with other interested municipalities on a legal perspective, around the "heads and beds" payment amount; and further

That a copy of this resolution be circulated to all municipalities in Ontario that have universities, colleges, hospitals and provincial correctional facilities requesting their Councils to show their support for this important policy change.

**Recommendation approved.**

**JMcMillin**

## **Operations Committee**

**Councillor McKay, Chair reviewed the Committee reports:-**

### **1. Mini-Backhoe Excavator – 2012 Capital Budget**

#### **Recommendation:**

That the following six (6) tenders for the supply and delivery of a new mini backhoe excavator (HST extra), be received;

Strongco	\$52,250.00
Nortrax	\$56,029.50
Nortrax	\$45,989.50
Hitrac (includes Steel Trailer)	\$44,062.00
Hitrac (includes Aluminum Trailer)	\$46,630.00
Stratton Equipment	\$43,438.02;and further

That the quotation for the supply and delivery of a new mini backhoe excavator received from Hitrac, which includes an aluminum trailer in the amount of \$46,630.00, HST extra, be hereby accepted.

Rick explained the size of the equipment contributed to the final recommendation of going with the slightly higher tender however it is within our policy to do so. He also noted the trailer was an optional item in the tender process.

**Recommendation approved.**

**JMcMillin**

**2. Ontario Good Roads Association (OGRA) Board Nominations**

**Recommendation:**

That further to a call for Nominations for a Member to be elected to

represent one of the vacant position for the Northern Zone on the Board of Directors for the Ontario Good Roads Association (OGRA), Council of the City of Kenora hereby submits the Nomination of Councillor Rod McKay, to the Ontario Good Roads Association for the term 2013 to 2014; and

That a copy of the City's Nomination together with a copy of the required Candidate's Consent Form also be forwarded to the Ontario Good Roads Association in support of this Nomination; and further

That payment of the per diem in accordance with Council's Travel & Per Diem Policy be hereby authorized as all other travel expenses are 100% paid by the Association.

**Recommendation approved.**

**JMcMillin**

**3. Operations Dept. Restructuring & Property/Planning Manager**

**Recommendation:**

That Council hereby approves the restructuring of the current Operations Department into two separate departments as follows:

- Operations & Infrastructure
- Property & Planning; and

That Council hereby approves the creation of the new position of Manager of Property & Planning; and further

That Council hereby directs administration to proceed with the recruitment for this new position.

**Recommendation approved.**

**JMcMillin**

**4. Tank Truck Water Delivery – Rate Increase**

**Recommendation:**

That following approval at the regular meeting of Council held September 17, 2012 approving an annual rate increase over a three year period for tank truck water delivery, Council hereby gives three readings to amend Schedule "D", Table (ii) to By-law Number 168-2004, being a By-Law to establish Water and Sewer Rates, to incorporate the following rate increase effective January 1, 2013:-

Water Delivery – 0.1 to 2.27 cubic meters \$40.00 same day delivery  
Water Delivery – 2.27 to 4.54 cubic meters \$45.00 same day delivery  
Water Delivery – 4.54 to 6.81 cubic meters \$50.00 same day delivery

That further notice is hereby given in accordance with Notice By-law #144-2007 that Council intends to adopt an amending by-law at its October 22, 2012 meeting for purpose.

**Recommendation approved** (resolution and by-law).

**JMcMillin**

It was noted as required under the Notice By-law, notice will be provided annually for each of the applicable years for the rate increase by-law.

**RPerchuk**

**5. Water/Wastewater Systems Monthly Report – August Recommendation:**

That Council of the City of Kenora hereby accepts the August, 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.

**Recommendation approved.**

**JMcMillin**

**Deputy Mayor McKay the read the following Proclamations:**

- October 14 – 20 – Local Government Week
- October 14 – 20 – Ontario Public Library Week
- October 21 – 27 – Canadian Foster Family Week
- November 5 – 9 – Community Foundation Week
- November 5 – 11 – Veterans Week

**Next Meeting:**

- Tuesday, November 13, 2012 (due to Remembrance Day Monday).

**Adjournment to Closed Meeting:**

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

That this meeting be now declared closed at 4:50 p.m.; and further

That pursuant to Section 239 of the Municipal Act, 2001, as amended, authorization is hereby given for Committee to move into a Closed Session to discuss items pertaining to the following:-

- i) **Personal Matter about an Identifiable Individual (4 items)**
- ii) **Labour Relations (1 item)**

**Reconvene to Open Meeting:**

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

That Committee hereby reconvenes to the Open Meeting at 6:55 p.m. with the following from its Closed Session:

**Personal Matter about an Identifiable Individual:**

- i) Approval for the one-year trial Special Events Coordinator position to become a permanent, full-time position effective November 1, 2012.
- ii) Appointments to a Homelessness and Behavioural Issues Task Force.
- iii) Appointment of a Mayor for the Day.

**Labour Relations:**

- i) Direction to the HR Manager to proceed with a Labour Relations related matter.

**SMcDowall**

**Reports:**

**Special Events Coordinator**

**Recommendation:**

That Council hereby approves the one-year trial Special Events Coordinator position to become a permanent, full-time position effective November 1, 2012.

**Recommendation approved.**

**JMcMillin**

**Homelessness & Behavioural Issues Task Force**

**Recommendation:**

Whereas Council approved the establishment of a Task Force on Homelessness at its July 2012 Council Meeting to develop a community strategy to address homelessness and related issues in Kenora; and

Whereas it is recommended that the term homelessness be expanded to address related behavioural issues within Kenora; and

Whereas the City has now identified the members of this Task Force;

Now therefore, let it be resolved that Council hereby establishes an ad hoc Task Force on Homelessness and Behavioural Issues in Kenora; and

That Council hereby approves the appointment of the following individuals to this Task Force for a term not to extend beyond November 30, 2014:

1. Councillor Louis Roussin, Council Lead, Alternate, Councillor Rory McMillan
2. D/Commander Dave Lucas
3. Joan Schelske
4. Jack Martin
5. Rob Dokuchie
6. Randy Seller
7. **To be confirmed for Monday's meeting;** and

That the City CAO be appointed as a staff resource to this Task Force; and further

That Council hereby directs the Task Force on Homelessness and Behavioural Issues to develop a draft Terms of Reference to be brought back to Council for final approval.

**Recommendation approved.**

**JMcMillin**

**Appointment of a Mayor for the Day  
Recommendation:**

That in conjunction with Local Government Week and the related high school essay contest for "Mayor for the Day" Council hereby appoints St. Thomas Aquinas Student Maya Boivin to serve as Mayor for the Day, on a date to be mutually determined.

**Recommendation approved.**

**JMcMillin**

The meeting adjourned at 7:00 p.m.