



# MINUTES

**Of a Meeting of the Council of the City of Kenora  
Tuesday, August 13, 2013 – City Council Chambers  
12:00 noon**

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**WITH Mayor D. Canfield, Councillor C. Drinkwalter, Councillor R. Lunny,  
Councillor R. McMillan**

**Staff:** Karen Brown, CAO, Warren Brinkman, Fire & Emergency Services Manager, Rick Perchuk, Operations Manager, Colleen Neil, Recreation Services Manager, Sharen McDowall, HR Manager, Charlotte Caron, Property & Planning Manager, Lauren D’Argis, Corporate Services Manager and Joanne L. McMillin, City Clerk.

**Regrets: Councillor R. McKay, Councillor L. Roussin, Councillor S. Smith.**

## **Call to Order**

**Mayor Canfield called the meeting to order and Councillor McMillan 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 today’s meeting:-

- Council will approve an amendment to the Discharge of Firearms By-law to allow an extension to the areas in which deer hunting is allowed within City limits for 2013
- ~~Council intends to amend its 2013 Operating Budget to withdraw funds from the Kenora Recreation Centre Operating Budget for Recreation Centre Expansion conceptual design costs (funds are within current Recreation Operating budget)~~
- Amend the procedural bylaw to reflect new meeting times of Council for the balance of this Council’s term

## **Confirmation of Minutes**

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

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

- Regular Council Meeting held July 16, 2013

### **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 McMillan made a Declaration referring to Motion Number 8 on today's agenda regarding the financial reports as his spouse is a Member of the Kenora Police Services Board and receives remuneration.

### **Deputations**

#### **Kathy Oberg – Brown & Associates**

Ms Oberg of B & A Planning Group, on behalf of Les & Marie Brown, former owners of Verti-Shade Inc., provided a copy of her presentation and information to Members of Council in advance of the meeting as it relates to loading access and residential uses/parking pertaining to 150 Main Street South. The current owners, Darryl and Marion Brown approached Administration as a follow-up to the former City Planner's commitments of 2008. The request of Verti-Shade to Council is for the City to investigate specific areas for all season (electrified) residential parking for residential uses on the west side of Main Street South.

Ms Oberg was thanked for her presentation.

### **NOMA Northwestern Ontario Regional Conference**

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

That authorization is hereby given for four Members of Council to attend the NOMA Northwestern Ontario Regional Conference taking place in Thunder Bay September 25, 26 and 27, 2013; and further

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

### **CUPE Local 191 Collective Agreement**

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

That Council of the City of Kenora gives three readings to a by-law authorizing an agreement between the Corporation of the City of Kenora and the Canadian Union of Public Employees and its Local 191 for the term January 1, 2013 to December 31, 2015.

### **IBEW Local 559 Collective Agreement**

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

That Council of the City of Kenora gives three readings to a by-law authorizing an agreement between the Corporation of the City of Kenora and the International

Brotherhood of Electrical Workers (IBEW) Local 559 for the term January 1, 2013 to December 31, 2015.

### **Procurement Policy Reporting**

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

That Council hereby receives the required information report of Lauren D'Argis, Corporate Services Manager with respect to contracts awarded within the Manager's approved limits as outlined in the City of Kenora Procurement Policy for the period January 1 to June 30, 2013.

### **Committee & Council Meeting Schedule**

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

That approval be hereby given for the summer meeting schedule to remain in effect for the duration of this term of Council, specifically with the combined Committee of the Whole and Property & Planning meetings being held at 9:00 a.m., typically on the second Tuesday of every month, followed by the regular meeting of Council the next week, typically on the third Tuesday of every month at 12:00 Noon; and further

That public notice is hereby given that Council intends to continue with this revised meeting schedule for the duration of this Council's term as done during the 2013 summer months; and further

That three readings be given to a by-law to amend Council's Procedural By-law #120-2012 for this purpose.

### **Dedicated Gas Tax Funds Agreement**

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

That Council of the City of Kenora gives three readings to a by-law to authorize the execution of an agreement between the City of Kenora and the Ministry of Transportation with respect to the Dedicated Gas Tax Funds for Public Transportation Program for 2012-2013; and further

That the Mayor and Clerk be authorized to enter into the agreement.

### **June 2013 Monthly Financial Statement**

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

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as at June 30, 2013.

**Abstention: Councillor McMillan**

### **Municipal Performance Measurement Program**

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

That Council hereby accepts the Municipal Performance Measurement Program (MPMP) 2012 results for the Corporation of the City of Kenora.

## **Northwest Business Centre Q2 2013 Report**

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

That Council accepts the 2013 Second Quarter report for the Northwest Business Centre.

## **City Policy Manual Housekeeping Changes**

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

That Council hereby approves administrative changes to the City of Kenora Policy Manual to reflect realignment of various City policies contained within this report; and further

That the Administration section of the Policy manual be hereby renamed to "Legislative Services", the Community Services section be hereby renamed to "Recreation Services" the Finance section be hereby renamed to "Corporate Services" and the Customer Service section be hereby eliminated with all affected policies being renamed accordingly; and further

That three readings be given to a by-law to reflect the various changes.

## **Kenora Citizen's Prosperity Trust Fund Report**

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

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

## **Various Minutes**

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

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

- May 29 – Kenora Public Library Board
- July 4 - Event Centre Committee
- July 9 - Committee of the Whole and Property & Planning Committee
- July 4 & 24 – Special Committee of the Whole

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

- May 24 – Board of Health
- June 27 – District of Kenora Home for the Aged; and further

That these Minutes be circulated and ordered filed.

## **Amend Parking Lots Bylaw #66-2006**

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

That Council hereby approves an amendment to Schedule "A" to Parking Lots By-Law Number 66-2006 to amend "Lot C" to read:

**Lot "C"      Front Street, Keewatin Arena Parking Lot**  
**Control:**      City Designated Towing Company and Peace Officer  
**Fees:**          Front Lot #1:          See Below  
                       Back Lot #2:          Parking Prohibited

November 1<sup>st</sup> to April 30<sup>th</sup>: Nil

May 1<sup>st</sup> to October 31<sup>st</sup>:  
 Overnight: \$7.00 plus applicable taxes  
 Weekly:     \$35.00 plus applicable taxes  
 Monthly:    \$130.00 plus applicable taxes  
 Seasonal:   \$390.00 plus applicable taxes

Parking vouchers shall be available from the Recreation Centre, and shall be placed face up on the front dashboard.

No refunds for unused parking.  
 Special Regulation: Vehicles in excess of 6.7 metres are permitted; and further

That Council hereby approves an amendment to Schedule "A" to Parking Lots By-Law Number 66-2006 to amend "Lot L" – Kenora Recreation Centre Long Term Parking to read:

|              |                  |                                |
|--------------|------------------|--------------------------------|
| <b>Fees:</b> | Overnight        | \$7.00 plus applicable taxes   |
|              | Weekly (7 day)   | \$35.00 plus applicable taxes  |
|              | Monthly (30 day) | \$130.00 plus applicable taxes |
|              | Seasonal         | \$390.00 plus applicable taxes |

;and further

That Council gives three readings to a by-law to amend By-Law Number 66-2006 for this purpose.

**Recreation Centre Expansion Conceptual Design**

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

That the Recreation Services Manager, on behalf of the Event Centre Committee, be directed to request proposals for service to aid in the development of a conceptual design and establishment of costs for the expansion of the Kenora Recreation Centre; and further

That the Recreation Services Manager be directed to access funds from the current Kenora Recreation Centre Operating Budget in the amount of a maximum of \$45,000.00 to offset the cost of this purchase of service.

**Kenora Rowing Club Regatta "Tops and Bottoms" 2013**

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

That the Council of the City of Kenora hereby acknowledges the Kenora Rowing Club Tops and Bottoms Regatta to be held August 17, 2013 on Rabbit Lake; and further

That a variance be granted for the motor size on Rabbit Lake as set out by By-law No. 153-2005 so that the club may operate 25-50 h.p. motors to keep up to the racing boats to ensure their safety on the water for the event; and further

That 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.

### **June CERB 9-1-1 Report**

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

That Council of the City of Kenora accepts the June 2013 9-1-1 CERB report as presented.

### **Flying Lanterns**

#### **18. Moved by C. Drinkwalter, Seconded by R. McMillan.**

Whereas flying lanterns are a sky lantern also known as Kongming lantern or Chinese lantern which is a small hot air balloon made of paper with an opening at the bottom where a small fire is suspended to fly the lanterns; and

Whereas in recent years there has been growing concern about their potential to cause fires and harm animals that may eat their remains and several countries have banned these lanterns for these reasons; and

Whereas these lanterns pose a serious fire safety hazard as they are fuelled by an open flame and can travel for miles before potentially landing on trees, building roof tops, or other combustible properties leaving a potential disaster especially in Northwestern Ontario;

Therefore be it Resolved That Council of the City of Kenora request the Provincial Government to have Flying Lanterns banned from use and sale in the Province of Ontario and further;

That Council of the City of Kenora circulates this resolution to all Ontario Municipalities for endorsement and support; and further

That the City of Kenora Fire and Emergency Services initiate enforcement action when the identity of the owner of the device can be determined, through appropriate sections of the Ontario Fire Code.

#### **Councillor Lunny introduced the following Motion:**

### **Motion to Defer Motion #18**

#### **18A Moved by R. Lunny, Seconded by C. Drinkwalter & Carried:-**

That Motion #18 on today's agenda with respect to flying lanterns be hereby deferred.

### **Community Emergency Management Coordinator**

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

That Council of the City of Kenora reappoints Warren F. Brinkman of the City of Kenora Fire and Emergency Services as the Community Emergency Management Coordinator for the City of Kenora and further;

That Council of the City of Kenora reappoints Bruce Graham, Risk Management & Loss Prevention Officer for the City of Kenora as the Alternate Community Emergency Management Coordinator for the City of Kenora and further;

That Captain Larry Cottam of the City of Kenora Fire and Emergency Services be appointed as the second Alternate Community Emergency Management Coordinator for the City of Kenora and further;

That that Council gives three readings to a By-Law to authorize these appointments; and further

That By-Law Number 148-2005 be hereby repealed.

**School Crossing Guard Tender – Two Year Contract**  
**20. Moved by R. McMillan, Seconded by R. Lunny & Carried:-**

That the only tender to provide School Crossing Guard Service for the 2013-2014 school year and the 2014-2015 school year, HST extra, be received:

Alpine Janitorial (Kenora) Inc.

|                  |             |           |
|------------------|-------------|-----------|
| Year 2013 – 2014 | \$56,400.00 | HST extra |
| Year 2014 – 2015 | \$56,400.00 | HST extra |

That the tender received from Alpine Janitorial (Kenora) Inc., in the amount of \$112,800.00, HST extra, be hereby accepted

**Traffic Regulation Amendment – No Parking 8<sup>th</sup> Street South**  
**21. Moved by R. McMillan, Seconded by R. Lunny & Carried:-**

That Council gives three readings to a by-law to authorize an amendment to the City of Kenora Traffic Regulation By-law 127-2001 to include the following addition to Schedule "B" – No Parking Area – Tow Away Zone:-

**Schedule "B" – No Parking Tow-Away Zones**

| <u>Column 1</u>                             | <u>Column 2</u>                                                      | <u>Column 3</u> | <u>Column 4</u> |
|---------------------------------------------|----------------------------------------------------------------------|-----------------|-----------------|
| STREET/HIGHWAY                              | LOCATION                                                             | SIDE            | TIME            |
| <b>Add:</b><br>8 <sup>th</sup> Street South | From 6 <sup>th</sup> Avenue South to<br>7 <sup>th</sup> Avenue South | South           | Anytime         |

**June 2013 Water & Wastewater Systems Monthly Summary**  
**22. Moved by R. McMillan, Seconded by C. Drinkwalter & Carried:-**

That Council of the City of Kenora hereby accepts the June 2013 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by Biman Paudel, Water and Sewer Supervisor, Ryan Peterson, Water Treatment Plant Operator and David Nachuk, Wastewater Treatment Plant Operator.

### **Subdivision Agreement – Bell’s Point**

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

That Council give three readings a by-law to enter into a subdivision agreement with 2193259 Ontario Inc. (Rob & Lisa Bell) for the purpose of meeting one of the conditions of draft approval for the development of a twenty three (23) lot subdivision (S01/12) located on Black Sturgeon Lake, accessed via East Melick Road and serviced by two roads; and further

That the Mayor and Clerk be authorized to enter into the agreement on behalf of the City of Kenora.

### **Transfer of Federal Infrastructure – Keewatin Wharf**

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

That Council of the City of Kenora hereby directs the Manager of Property and Planning to proceed with the transfer of the dock/boat launch and lands associated with the Keewatin Wharf from the Federal government.

### **Amendment to Discharge of Firearms Bylaw – Deer Hunting**

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

That Council hereby approves an amendment to the Discharge of Firearms By-law #148-2010 to authorize an extension to the areas in which deer hunting is allowed within City limits for 2013 for the period September 1, 2013 up to and including 15 December, 2013, with the following restrictions:

- Hunting shall be restricted to hunting of deer only south of Highway 17A (the By-pass);
- Firearms authorized to be used for hunting within City limits south of the by-pass shall be restricted to archery equipment as defined per the rules and regulations of the Fish and Wildlife Conservation Act;
- Hunters eligible to hunt within City limits south of Highway 17A (the By-pass) shall be restricted to those eligible to hunt under the Resident – Open Season, as defined within the Ontario hunting regulations;
- Hunters shall have all required licenses and courses and comply with the rules and regulations as set out in the Fish and Wildlife Conservation Act and adhere to all related Provincial and Federal statutes;
- Hunting shall only be permitted on parcels of land of an area of five (5) acres (metric equivalent is 2.023428 hectares) or greater, as mapped;
- Hunting shall be prohibited on all city owned land;



- Hunting shall only take place on either crown land or private property which lies within the designated hunting areas and related size restrictions, as mapped;
- Hunters must obtain written permission to hunt on private land from the property owner and display written permission at request of a law or by-law enforcement officer;
- Discharging a bow and arrow within 75 metres of an occupied dwelling or roadway is prohibited;
- No bow and arrow shall be discharged in the direction of any human, roadway, structure or domestic animal within reasonable range of the weapon at an angle which might allow the projectile to strike at, or dangerously near these objects;
- Field dressing shall be done in accordance with the wishes of the property owner and remains shall not be disposed of on City property; and further

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

### **ArchAngel Fireworks Inc. Agreement**

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

That Council gives three readings a by-law to enter into an agreement with ArchAngel Fireworks Inc. for fireworks services for Canada Day and Winterfest for the years 2013 to December 31, 2015.

### **Application for Funding for Tunnel Island Partnership**

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

That Council of the City of Kenora hereby directs administration to work with the Tunnel Island partners to develop a funding application for maximum of 50% funding to the Culture Development Fund and subsequently to other funders such as FEDNOR and / or NOHFC for an additional 40%.

### **Nomination to the Advisory Group for the International Rainy-Lake of the Woods Watershed Board**

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

That Council hereby nominates Shannon Rawn, General Manager of Miisun, to the International Rainy-Lake of the Woods Watershed Board's Industry Advisory Group; and further

That Council hereby nominates Ron Lunny, City Councillor, to the International Rainy-Lake of the Woods Watershed Board's Citizen Advisory Group.

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

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

#75-2013 - Confirm the proceedings of Council Meetings

#76-2013 - Authorize a Collective Agreement with CUPE Local 191

#77-2013 - Authorize a Collective Agreement with IBEW Local 559

#78-2013 - Amend Procedural Bylaw to reflect new Council schedule

- #79-2013 - Authorize a Gas Tax Funds Agreement
- #80-2013 - Authorize various City Policy Manual amendments (housekeeping)
- #81-2013 - Amend Parking Lots bylaw for Keewatin Arena & Kenora Recreation Centre
- #82-2013 - Appoint a Community Emergency Management Coordinator & Alternates
- #83-2013 - Amend Traffic bylaw to include no parking on 8<sup>th</sup> Street South
- #84-2013 - Authorize a subdivision agreement with Rob & Lisa Bell
- #85-2013 - Authorize a fall archery hunt south of the bypass – Discharge of Firearms
- #86-2013 - Authorize an agreement with Archangel Fireworks

**Adjourn to Closed Meeting**

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

That this meeting be now declared closed at 12:40 p.m.; and further

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

- i) Personal Matter about an Identifiable Individual (1 item)**

**Reconvene to Open Meeting and Close Meeting**

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

That Council hereby reconvenes to the Open Meeting at 1:04 p.m. with the following from its Closed Session:

- Direction to Administration to proceed with the hiring in the Roads Department; and further

That this meeting be now declared closed at 1:05 p.m.

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

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

**Of.....2013**

.....  
**Mayor**

.....  
**City Clerk**