



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, April 15, 2014 – City Council Chambers
12:00 p.m.**

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

**Regrets: Councillor R. McKay**

**Staff:** Karen Brown, CAO, Warren Brinkman, Emergency Services Manager, Rick Perchuk, Operations Manager, Colleen Neil, Recreation Services Manager, Lauren D'Argis, Corporate Services Manager, Charlotte Caron, Property & Planning Manager, Joanne L. McMillin, City Clerk, Heather Kasprick, Deputy Clerk and Heather Lajeunesse, Deputy Clerk.

## **Call to Order**

**Mayor Canfield called the meeting to order and Councillor Gallivan 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 set Optional Taxing Tools**
- Council will set Tax Ratios and Tax Rates for 2014**
- Council will authorize a Tax Exemption for the Kenora Airport Authority**
- Council will amend Taxi By-Law #13-2013 to approve a 3% increase to all applicable taxi rates**

## **Confirmation of Minutes**

**1. Moved by C. Gallivan, Seconded by R. McMillan & Carried:-**

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-

- Regular Council Meeting held March 18, 2014

## **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 Today's Agenda or from a previous Meeting
- ii) From a Meeting at which a Member was not in Attendance.

**There were none declared.**

### **Presentations**

Mayor and Council recognized retiring City Clerk, Joanne McMillin, by presenting her with a plaque and flowering plant. Council offered accolades to Joanne for her many years of dedication and service to the City of Kenora. This is Joanne's last Council meeting and she will be officially retiring on July 31, 2014 after 37 years of service with the City.

### **Deputations**

N/A

### **2014 NWHU Do One Thing Conference Attendance**

#### **2. Moved by S. Smith, Seconded by C. Gallivan & Carried:-**

That authorization is hereby given for up to five (5) Members of Council to attend the 2014 Northwestern Health Unit (NWHU) Do One Thing Conference taking place in Kenora, May 27 & 28, 2014; and further

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

### **2014 Leadercast Seminar Attendance**

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

That authorization is hereby given for the following Members of Council to attend the 2014 Leadercast seminar taking place in Kenora on May 9, 2014:-

Councillor Sharon Smith  
Councillor Rory McMillan  
Councillor Louis Roussin; and further

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

### **2014 Capping Options**

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

That Council of the City of Kenora hereby approves the implementation of the following tools related to the capping process for the 2014 taxation year:

- Annualized Tax Limit of 10% for each of the commercial, industrial and multi-residential property classes.

- Prior Year's CVA Tax Limit of 5% for each of the commercial, industrial and multi-residential property classes.
- CVA Tax Threshold for Protected Properties related to increases in the amount of \$250 for each of the commercial, industrial and multi-residential property classes.
- CVA Tax Threshold for Clawed Back Properties related to decreases in the amount of \$250 for each of the commercial, industrial and multi-residential property classes.
- CVA Tax in 2013
- Cross Over CVA Tax in 2014; and further

That three readings be given to a by-law to adopt optional tools for the purposes of both administering limits for certain property classes and excluding certain properties from the capping process.

### **2014 New Construction New to Class**

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

That Council of the City of Kenora hereby approves the implementation of the minimum tax level of 100% for new construction / new to class properties for 2014; and further

That three readings be given to a by-law to adopt optional tools for the purposes of administering limits for eligible properties within the meaning of Section 331 (new construction) for the commercial, industrial and multi-residential property classes for 2014.

### **Revenue Neutral Tax Ratios**

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

That Council of the City of Kenora hereby adopts Revenue Neutral Tax Ratios for 2014 to mitigate reassessment impacts.

### **2014 Tax Rates and Ratios**

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

That Council gives three readings to the following by-laws:

- i) To set tax ratios and to set tax rate reductions for prescribed property classes and subclasses for municipal purposes for the year 2014; and
- ii) To adopt the estimates for all sums required for the year, to establish rates to be levied for same and to provide for penalty and interest in default of payment thereof for 2014; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given of Council's intention to set tax ratios and tax rates for 2014 at its April 15th, 2014 meeting.

### **2013 Fourth Quarter Contracts**

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

That Council hereby receives the information report of Lauren D'Argis, Corporate Services Manager dated March 28, 2014 with respect to contracts awarded within the Manager's approved limits for the fourth quarter of 2013.

### **2013 Council Remuneration Report - KDSB**

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

That Council receives the report prepared by Charlotte Edie, Treasurer dated March 3, 2014 as required under Section 284 of The Municipal Act, 2001, as amended, setting out the Annual Statement of Remuneration and Expenditures for Members of Council in accordance with Remuneration By-law #48-2013.

### **HR Policy Amendments**

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

That Council hereby approves the amended City of Kenora Health & Wellness Discount Policy #HR-2-17; and further

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

### **Kenora Airport Authority Tax Exemption – By-law & Agreement**

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

That Council gives three readings to a by-law to authorize the exemption of municipal property taxes for the Kenora Airport Authority; and further

That authorization be hereby given for the Corporation of the City of Kenora to enter into a Municipal Capital Facility Agreement with the Kenora Airport Authority for the purposes of providing the tax exemption.

### **Kenora Aeriales Gymnastics Club Support**

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

That Council of the City of Kenora hereby supports the request of the Kenora Aeriales Gymnastics Club (the Club) to name the City of Kenora as a sponsor in their application for funding in the amount of \$500.00 from the RBC's Employee Grants Program to purchase equipment for the parent and tot, kindergym and beginner recreation groups.

### **Taxi By-law Amendments**

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

That further to Council adopting By-law Number 23-2014 on March 18, 2014 approving amendments to Comprehensive Taxi By-law Number 13-2013, authorization is hereby given for the rewrite of that amending by-law to correct calculations to the applicable taxi rates; and

That Council hereby amends Schedule "B" to Comprehensive Taxi By-law Number 13-2013 to reflect a 3% fare increase to all taxi rates effective May 1, 2014; and

That this amendment also include provision for two supplementary increases effective May 1, 2016 and May 1, 2018; and

That two new sections be added to the Taxi By-law by amending Section 8 to include subsection 8.24, a provision that requires Taxi Driver's to display their Photo ID in their vehicle, and by amending Section 10 to include subsection 10.10, a provision that requires Taxi Driver's to post the approved rates and fares as set out in this amendment to By-law Number 13-2013; and

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to adopt a by-law at its April 15, 2014 meeting, approving a 3% increase to all applicable taxi rates; and

That these amendments shall take effect and come into force on May 1, 2014; and further

That Resolution #12 dated March 18, 2014 be and is hereby rescinded while By-law Number 23-2014 is hereby repealed.

### **Youth Internship Agreement**

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

That Council gives three readings to a bylaw to execute an agreement between the Northern Ontario Heritage Fund Corporation and the City of Kenora for a Youth Internship for the Northwest Business Centre; and further

That the Mayor and Clerk be authorized to execute this agreement.

### **Public – Rail Safety Week Resolution of Support**

#### **15. Moved by C. Gallivan, Seconded by L. Roussin & Carried:-**

Whereas *Public - Rail Safety Week* is to be held across Canada from April 28 to May 4, 2014; and

Whereas it is in the public's interest to raise citizens' awareness on reducing avoidable accidents, injuries and damage caused by collisions at level crossings or incidents involving trains and citizens; and

Whereas Operation Lifesaver is a public/private partnership whose aim is to work with the rail industry, governments, police services, the media and other agencies and the public to raise rail safety awareness; and

Whereas Operation Lifesaver has requested City Council adopt this resolution in support of its ongoing effort to save lives and prevent injuries in communities, including our municipality;

Therefore be it resolved that the Council of the Corporation of the City of Kenora supports national *Public – Rail Safety Week*, to be held from April 28 to May 4, 2014.

### **Various Committee Minutes**

#### **16. Moved by C. Gallivan, Seconded by R. Lunny & Carried:-**

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

- February 5 – Special Committee of the Whole
- February 20 – Heritage Kenora
- February 27 & March 27 – Lake of the Woods Museum Board
- March 11 - Committee of the Whole and Property & Planning
- March 11 & March 18 – Budget Meeting of Council
- March 18 – Community Policing Committee
- March 18 – Event Centre Committee
- March 19 – Environmental Advisory Committee; and

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

- January 23 - Kenora District Services Board
- February 18 – Planning Advisory Committee
- February 27 – Northwestern Health Unit Board of Health
- February 25 - District of Kenora Home for the Aged Board of Management; and further

That these Minutes be circulated and ordered filed.

### **2014 LOWDPOA Show Attendance**

#### **17. Moved by S. Smith, Seconded by C. Gallivan & Carried:-**

That authorization be and is hereby given for Mayor Canfield and Members of Council to attend the Annual General Meeting of the Lake of the Woods District Property Owners Association (LOWDPOA) taking place on Monday, April 21 in Winnipeg; and further

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

### **Phase III Downtown Revitalization – NOHFC Agreement**

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

That Council hereby authorizes the Mayor and Clerk to enter into an agreement between the Corporation of the City of Kenora and Northern Ontario Heritage Fund (NOHFC) for Phase III Downtown Revitalization; and further

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

**Water Wastewater Systems Monthly Summary Report February 2014**  
**19. Moved by S. Smith, Seconded by L. Roussin & Carried:-**

That Council of the City of Kenora hereby accepts the February 2014 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by Biman Paudel, Water and Sewer Supervisor, Ryan Peterson, Water Treatment Plant Operator and Gord St. Denis, Wastewater Treatment Plant Operator.

**Discovery Centre Vendor RFP**  
**20. Moved by R. McMillan, Seconded by R. Lunny & Carried:-**

That Council of the City of Kenora authorizes the Property & Planning Department to proceed with a Request for Proposals (RFP) to establish a non-motorized water sport sales/rental booth on municipal property between the Friday of May Long Weekend to and including the first Monday in September at the Lake of the Woods Discovery Centre (upper parking lot); and further

That these changes be reflected in the City's new Business Licensing By-law, currently under review and which is expected to be adopted prior to July, 2014 which will thereby repeal By-law Number 81-2012.

**Assumption of Portion of Mark's Lane and James Road**  
**21. Moved by S. Smith, Seconded by L. Roussin & Carried:-**

That the Council of the Corporation of the City of Kenora gives three readings to a by-law to accept and assume a portion of the James Road, described as Parts 8 and 9 on Plan 23R12248; and

That the Council of the Corporation of the City of Kenora gives three readings to a by-law to accept and assume a portion of property to be named Mark's Lane and described as Parts 1, 2 and 3 Plan 23R 12248; and

That the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete this transaction; and further

That the Municipal Solicitor is to coordinate this process.

**Agreement of Purchase and Sale - McKibbon**  
**22. Moved by R. McMillan, Seconded by L. Roussin & Carried:-**

That Council of the City of Kenora gives three readings to a by-law to authorize the Mayor and Clerk to enter into an agreement of purchase and sale of property described as Park Av Plan M102 btn Clarence St and Verna St; Park Av, Plan M102 N of Verna St; Verna St, PI M102; Lane PI M102 btn Lt 28-36 & Lt 37-45; Lane PI M102 btn Lt 19-27

& Lt 46-54, City of Kenora, in the District of Kenora to Jennifer & Gary McKibbon at the price of \$ 7400 + any applicable taxes, legal and transfer fees; and further

That the purchaser be responsible for all costs associated with the purchase/sale, including fee for provision of the opinion of value and for those associated with the deeming by-law, including registration and fee.

### **Easement over Lands to be Transferred – Hawryluk**

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

That the Council of the Corporation of the City of Kenora gives three readings to a by-law to enter into an easement agreement with Ontario Power Generation Inc. for lands described as Part of the road allowance in front of Lot 1, Concession 8, Township of Jaffray, Now fronting Lot 10 Plan M 755, being Part 3 Plan 23R12226, City of Kenora, now PIN 42174-0316; and

That the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete these transactions; and further

That the Municipal Solicitor is to coordinate this process.

### **Site Plan Agreements – Bell’s Point Subdivision**

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

That the Council of the City of Kenora hereby authorizes the Mayor and Clerk to enter into a site plan agreement with 2193259 Ontario Inc. respecting the Bell’s Point Subdivision of lands described as PT LT 5 CON 1 MELICK LESS PT 1 PLAN 23R11962; Pts 1 and 4 23R12203 and CON 1M N PT LOT 5 PCL10040; and further

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

### **Site Plan and Development Agreement - WSL**

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

That Council of the City of Kenora hereby authorizes the Mayor and Clerk to enter into a site plan agreement with the owner of Tall Pines Marina/Winnipeg Sports and Leisure, for works associated with the construction of a marina, future boat/personal watercraft/snowmobile sales and service and restaurant, on lands described as K 86, K85, S 7, X 110, PARTROAD ALLOWANCE REM PCL 12853; 13858, 12858, 13880 PLUS; WATER LOTS; and further

That once the final agreement has been received, three readings will be given to a by-law for this purpose.

### **Transfer of Municipal Property – Industrial Park**

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

That the Council of the City of Kenora directs staff to proceed with a transfer of a portion of municipal property, known as the Kenora Industrial Park and notionally described as Lot 3.



## **2014 Food Vendor Contract – Discovery Centre**

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

That further to a call for proposals for the City's 2014 Mobile Food Program by the Property & Planning Department, Council of the City of Kenora hereby receives the following RFP submitted for the Kenora Discovery Centre:

- Boreal Paddle – Green Machine; and

That in accordance with the Request for Proposal, Council hereby accepts the above food vendor to operate at the Kenora Discovery Centre for the 2014 season; and further

That three readings be given to a by-law authorizing the Mayor and Clerk to execute the required contract for the vendor.

## **Approval of By-laws**

### **28. Moved by C. Gallivan, Seconded by R. Lunny & 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:~

- #38-2014** - To confirm the proceedings of Council
- #39-2014** - To implement Tax Tools for the 2014 Capping Process
- #40-2014** - To implement Tax Tools for New Construction/New to Class properties
- #41-2014** - To set Tax Ratios and Tax Rate Reductions for 2014
- #42-2014** - To set Tax Rates for 2014
- #43-2014** - To amend the Health and Wellness Discount Policy
- #44-2014** - To authorize a Tax Exemption for the Kenora Airport Authority
- #45-2014** - To amend Taxi By-law #13-2013
- #46-2014** - To enter into a funding agreement with NOHFC for Youth Internship (NWBC)
- #47-2014** - To enter into a funding agreement with NOHFC for Phase III DTR
- #48-2014** - To enter into a contract for Food Vendor Services (Green Machine)
- #49-2014** - To assume a portion of Mark's Lane and James Road
- #50-2014** - To enter into an agreement of Purchase and Sale (McKibbon)
- #51-2014** - To enter into an Easement agreement of Lands to be Transferred (OPG)
- #52-2014** - To enter into a Site Plan Agreement (Bell's Point Subdivision)
- #53-2014** - To enter into a Site Plan Agreement (WSL)

## **Announcements**

Mayor Canfield read out the following Proclamation recognized for:

- May 10, 2014: "World Lupus Day"

The following was highlighted:

~NOMA Annual Conference/AGM is taking place in Fort Frances next week (April 23-25)

**Adjourn to Closed**

**29. Moved by C. Gallivan, Seconded by R. Lunny & Carried:-**

That this meeting now be adjourned at 1:15 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 matters:-

- i) Acquisition of Land (1 item)**
- ii) Disposition of Land (1 item)**
- iii) Labour Relations (1 item)**

**Council reconvened to Open Meeting at 2:14 p.m.**

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

That Council reconvenes to the Open Meeting with no direction/reports from its Closed Session.

**Close of Meeting**

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

That this meeting be now declared closed at 2:15 p.m.

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

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

**Of.....2014**

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**Mayor**

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**City Clerk**