



MINUTES
City of Kenora
Committee of the Whole of Council

Tuesday, August 5, 2014
9:00 am
City Hall Council Chambers

- Present:** Mayor D. Canfield
Councillor C. Gallivan
Councillor R. Lunny
Councillor R. McMillan
Councillor L. Roussin
Councillor S. Smith
- Regrets:** Councillor R. McKay
- Staff:** Rick Perchuk, Operations Manager
Sharen McDowall, HR Manager
Charlotte Caron, Property & Planning Manager
Lauren D'Argis, Corporate Services Manager
Heather Kasprick, Legislative Services Manager
Heather Lajeunesse, Deputy Clerk
Jennifer Findlay, EDO (left at 9:33 a.m.)
Heather Gropp, TDO (left at 9:33 a.m.)

1. Public Information Notices

As required under Notice By-law #144-2007, the public is advised of Council's intention to adopt the following at its August 12, 2014 meeting:-

-Council will amend its 2014 Operating and Capital Budget to withdraw funds from the LOWDC Reserve in the amount of \$43,500 to offset the cost of Special Events, Tourism and Economic Development projects

2. Declaration of Pecuniary Interest & the General Nature Thereof

- i) On today's agenda;
- ii) From a meeting at which a Member was not in attendance

There were none declared.

3. Confirmation of Previous Committee Minutes

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

That the following Meeting Minutes be confirmed as written and ordered filed:-

**Committee of the Whole – July 8, 2014
Special Committee of the Whole – July 10, 2014**

4. Presentations/Deputations

Prior to the presentation of LOWDC's Q2 Report, Mayor Canfield publicly thanked Ken O'Neil, director and host of the "The Q Morning Show" on local radio station Q104, for doing the voice over for the CGI Communications promotional videos for Kenora. Mayor Canfield provided a brief bio on Ken and presented him with a gift of appreciation from the City of Kenora. The welcome video, one of several segments narrated by Ken, was shown to Members of Council and those in attendance.

4.1. Lake of the Woods Development Commission - Q2 Report

Mort Goss, Vice-Chair of the Lake of the Woods Development Commission, presented a quarterly update to Council on behalf of the LOWDC. Mort indicated that this quarterly update is one of the Commission's most exciting Q2 reports, and shared highlights of LOWDC activities for the second quarter of 2014. Highlights include the development of the next 5 Year Tourism Strategy, success of several tourism campaigns including the release of the "Live the Lake Life" video, the unveiling of the "Kenora Eats" dining guide brochure, new business welcomes and economic development work with various clients, Tunnel Island Common Ground project funding approvals, development of the Kenora Affordable Housing Report as well as the creation of an assisted living package for developers. The Commission has also been asked to take the lead to develop the Health Care Campus concept.

Visitor statistics for the Discovery Centre were provided which have increased by 13.6% since this time last year, with 65% of current visitors travelling from Manitoba. Whitecap rentals are on par with last year and 21 events have been booked for 2015. Summer events are underway and it was noted that Canada Day at the Harboufront and 1st Kenora Arts Fest were a huge success. Mort indicated that there has been lots of positive feedback regarding the Farmers' Market this year as well. LOWDC's overall budget and funds leveraged for Tourism and Economic Development were also reviewed.

The Commission continues to work towards their goals for 2014 which include the Fall Hunting and Extended Summer Campaigns, Media Familiarization Tours, a New Tourism Strategy and Special Events Business Plan, development

of a Hotel Investment Package and continued discussions with potential Health Care Campus Concept partner organizations.

5. Business Administration Reports

5.1. 2014 Ke-Ondaatiziying Conference Attendance

Recommendation:

That authorization is hereby given for Members of Council to attend the 2014 Ke-Ondaatiziying Conference – “How We Will Sustain Ourselves” taking place in Sioux Lookout and Lac Seul First Nation, September 16 to 18, 2014; and further

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

Recommendation approved.

5.2. FedNor Agreement - DTR Phase III Funding

Recommendation:

That Council gives three readings to a by-law to authorize the execution of an agreement between the Minister of Industry (FedNor) and the Corporation of the City of Kenora for funding related to the Downtown Revitalization Phase III Project; and further

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

Recommendation approved. (resolution and by-law)

5.3. FedNor Agreement - Strategic Plan Funding

Recommendation:

That Council gives three readings to a by-law to authorize the execution of an agreement between the Minister of Industry (FedNor) and the Corporation of the City of Kenora for funding related to the City of Kenora Strategic Plan; and further

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

Recommendation approved. (resolution and by-law)

5.4. June 2014 Financial Statements

Recommendation:

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as June 30, 2014.

Recommendation approved.

5.5. MNR Proposed Fees for Seniors

Recommendation:

Whereas Ontarians benefit from healthy fish and wildlife resources through recreation, employment, tourism and enhanced biodiversity; and

Whereas recreational fishing and hunting license sales contribute approximately 94 percent of the revenues to the annual Ministry of Natural Resources budget; and

Whereas the Ministry of Natural Resources costs to deliver the programs under their mandate continue to increase, revenues continue to decrease; and

Whereas Ontario's current fish and wildlife funding model relies heavily on license fees paid by recreational anglers and hunters which limits the province's ability to maintain current levels of management while responding to external factors; and

Whereas a Discussion Paper presented in April 2014 proposes to charge a fee for an Ontario fishing license for persons over the age of 65 which currently is no charge to our senior citizens; and

Whereas successful, healthy and active aging requires a combination of social and environmental factors that work together to support the best possible experience for seniors and everyone; and

Whereas this Discussion Paper requested public feedback to the proposed changes for a Sustainability Plan for the Fish and Wildlife Special Purpose Account;

Therefore be it resolved that the City of Kenora hereby requests that the portion of the Discussion Paper relating to the implementation of a fee for seniors for their Ontario Fishing license be removed; and further

That seniors continue to receive these licenses at no charge to assist them with enjoying the health and social benefits that fishing in our Province brings to their lives.

Recommendation approved.

5.6. Municipal Performance Measurement Program 2013

Recommendation:

That Council hereby accepts the Municipal Performance Measurement Program (MPMP) 2013 results for the Corporation of the City of Kenora.

Recommendation approved.

5.7. Power Dam Special Payment Program

Recommendation:

Whereas in December 2000, the Province of Ontario passed the Continued Protection for Property Taxpayers Act, (Bill 140); and

Whereas the Continued Protection for Property Taxpayers Act, among other matters, exempted certain hydro-electric stations and poles and wires from municipal taxation as of January 1, 2001; and

Whereas the Continued Protection for Property Taxpayers Act removed the right and authority of affected municipalities across the Province to levy property tax notices to hydro-electric stations, poles & wires, representing significant taxable property assessment; and

Whereas the Province of Ontario replaced the above noted rights and authority to tax hydro-electric stations, poles & wires with a compensatory payment, known as the Power Dam Special Payment Program, equivalent to the taxes levied on the subject structures in 2000; and

Whereas the amount of payments under the Power Dam Special Payment Program were adjusted for the Consumer Price Index in some but not all years, and adjustment which did not keep pace with either changes in municipal taxation rates or costs; and

Whereas the above noted changes resulted in an unfair shift in taxation to the remaining property assessment base, more specifically to residents and businesses alike; and

Whereas upon exempting from municipal property taxation, hydro-electric stations, poles & wires that had been subject such taxation, the Province of Ontario amended the Electricity Act, 1998 requiring the owners of the subject structures to then pay to the Province of Ontario a Gross Revenue Charge (GRC) of three components:

- A property tax component payable to the Minister of Finance
- A property tax component payable to the Ontario Electricity Financial Corporation
- A water rental component payable to the Minister of Finance

Whereas in July 2014, the Province of Ontario introduced Bill 14, Building Opportunity and Securing Our Future Act (Budget Measures) which phases down or decreases the Power Dam Special Payment Program for hydro-electric stations, poles & wires by 23.53% by 2017, starting in 2015; and

Whereas the reduction in the Power Dam Special Payment Program will result in a reduction of annual revenues for affected municipalities by 2017; and

Whereas District Social Services Administration Boards (DSSAB's) that use the proceeds of the Power Dam Special Payment Program as part of their funding

formula will also be directly affected, thereby affecting municipalities who do not participate in the Power Dam Special Payment Program; and

Whereas many municipalities are already struggling as a result of accelerated cuts to the Ontario Municipal Partnership Fund (OMPF), the unknown aspects of a new OPP billing model, the elimination of the Connecting Link Program and other cuts; and

Whereas as a result of reductions in the Power Dam Special Payment Program, affected municipalities may not be able to meet their fiduciary obligations; and

Whereas the reduction in the Power Dam Special Payment Program is punitive in nature; and

Whereas the Power Dam Special Payment Program is very small when compared to the multi-billion dollar annual budget of the Province of Ontario yet the impact of the decreased funding is devastating for affected municipalities; and

Whereas affected municipalities will have to increase property tax rates to the remaining property assessment base (assessment in some cases which is decreasing) to compensate for the loss of revenue or be forced to significantly compromise municipal services;

Therefore Be It Resolved That the City of Kenora request that the Government of the Province of Ontario reverse the decision to decrease funding to the Power Dam Special Payment Program; and

That the Province of Ontario also be requested to annually increase the amount of funding by the amount of any change in the Consumer Price Index (CPI) to compensate for the increase in municipal costs; and further

That a copy of this resolution be sent to the Premier of the Province of Ontario, the Minister of Finance, the Minister of Municipal Affairs & Housing, the Minister of Northern Development & Mines, the Minister of Natural Resources, Sarah Campbell, MPP, the KDSB, FONOM, NOMA and AMO.

Recommendation approved.

5.8. Provincial Offences Write Offs

Recommendation:

That Council of the City of Kenora hereby approves the write off receivables list from the Provincial Offences department for the period of January 1, 2007 to December 31, 2007 in the amount of \$14,576.08.

Recommendation approved.

5.9. Various Committee Minutes

Recommendation:

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

- June 18 – Environmental Advisory Committee
- June 19 & July 17 – Heritage Kenora
- July 8 – Event Centre Committee
- July 8 – Committee of the Whole; and

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

- April 30 (as amended) & June 27 – Northwestern Health Unit Board of Health
- June 17 – Planning Advisory Committee
- June 26 – District of Kenora Home for the Aged Board of Management; and further

That these Minutes be circulated and ordered filed.

Recommendation approved.

6. Community Services Reports

6.1. Event Centre Fundraising Event - Tax Receipt Request

Recommendation:

That the Council of the City of Kenora hereby authorizes the request of the Event Centre Committee, for the City of Kenora to issue tax receipts of \$75.00 for every \$100.00 event ticket sold, and sponsorships or donations over \$100.00 made to the City of Kenora for the purpose of an Event Centre Fundraising Dinner; and

That the City will pay the invoice(s) for the expenses, direct to the appropriate supplier(s) for the fundraising event; and further

That the proceeds of this event will be put in reserve to fund expenses related to the Event Centre Project.

Recommendation approved.

7. Economic Development Reports

7.1. Tunnel Island Common Ground Project - Consulting Agreement

Recommendation:

That Council hereby authorizes the Mayor and Clerk to enter into an agreement between the Corporation of the City of Kenora and Black Dog Management, effective August 1, 2014 for the Tunnel Island Common Ground Project; and further

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

Recommendation approved. (resolution and by-law)

7.2. Tunnel Island Common Ground Project - Funding Agreement

Recommendation:

That Council hereby authorizes the Mayor and Clerk to enter into an agreement between the Corporation of the City of Kenora and the University of Manitoba for the Tunnel Island Common Ground Project; and further

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

Recommendation approved. (resolution and by-law)

8. Emergency Services Reports - no reports

9. Operations Reports

9.1. 2014 Parkade Rehabilitation Agreement

Recommendation:

That further to administration accepting the tender of Western Construction Services Inc. related to the 2014 Matheson Street Parkade Rehabilitation, authorization be and is hereby given for the Mayor and Clerk to execute an agreement between the Corporation of the City of Kenora and Western Construction Services Inc.; and further

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

Recommendation approved. (resolution and by-law)

9.2. Water Wastewater Systems Monthly Summary June 2014

Recommendation:

That Council of the City of Kenora hereby accepts the June 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.

Recommendation approved.

Rick Perchuk reported that all water and sewer lines are now open and there were no more frozen lines as of the month of June. The department is currently working on the last of the repairs, and are in the process of generating a detailed summary of the total costs incurred to repair and replace the damaged infrastructure caused by the winter weather.

10. Property & Planning Reports

10.1. LOWDC Budget Amendment Request

Recommendation:

That Council hereby approves an additional allocation of \$43,500 to be funded through the LOWDC Reserve for special events, tourism and economic development projects; and

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2014 Operating & Capital Budget at its August, 2014 meeting to withdraw funds from the LOWDC Reserve in the amount of \$43,500 to offset the cost of these projects; and further

That Council gives three readings to a by-law to amend the 2014 budget for this purpose.

Recommendation approved. (resolution and by-law)

10.2. Lease Agreement Renewal - Rogers Communications

Recommendation:

That Council hereby authorizes the Mayor and Clerk to execute a renewal of license (lease) agreement with Rogers Communications Inc., for use of the Kenora Water Tower (PT LOC 16V DES PT1 23R4334 PCL 31515 + PLAN M423 PT BLK G DES PT 1 23R4253 PCL 31394); and further

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

Recommendation approved. (resolution and by-law)

10.3. Subdivision Agreement - Wm Lougheed Trucking

Recommendation:

That Council give three readings a by-law to enter into a subdivision agreement with Wm. Lougheed Trucking Ltd. for the purpose of meeting one of the conditions of draft approval for the development of a ten (10) lot subdivision (S02/11) located on the Winnipeg River, accessed via Sunnyside Road and serviced by one road; and further

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

Recommendation approved. (resolution and by-law)

10.4. Repeal By-law #48-2014 - Boreal Paddle/Green Machine

Recommendation:

That Council of the City of Kenora hereby repeal By-law Number 48-2014 authorizing an agreement between the City of Kenora and Boreal Paddle – Green Machine for the operation of a Food Vendor Truck at the Lake of the Woods Discovery Centre.

Recommendation approved.

10.5. Deer Hunting Season 2014 - Discharge of Firearms

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 2014 for the period September 1, 2014 up to and including 15 December, 2014, 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;
- 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;
- 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 three readings be given to a by-law for this purpose.

Recommendation approved. (resolution and by-law)

11. Other

Councillor Smith requested Council's support to amend the Terms of Reference for the Port Authority Advisory Committee to allow for consideration of three members of the public to sit on the committee rather than the established two positions, being that three applications from the public were received. This item will be discussed further in-camera.

Councillor Gallivan shared that Ontario's Fire Marshal was in Kenora last week to provide educational training to those working in vulnerable resident facilities, including the hospital and nursing homes. It was suggested that Council may be interested in the training as well.

The following upcoming and past events were highlighted:

~Household Hazardous Waste Day will be this Sunday, August 10th from 8:00 a.m. to 4:00 p.m. There is a flat tipping fee of \$10 per vehicle to dispose of household hazardous materials.

~The museum's 50th Anniversary Gala Evening will take place September 20th, cost is \$50 per ticket which includes dinner.

~Kenora Arts Fest took place from June 27th to July 6th, it was noted that the Muskies on Main have been well received by the community and visitors.

~Coney Island Music Festival took place on July 27th and was once again a successful event.

~The 103rd Kenora Agricultural Society Fair took place July 31st to August 2nd.

~The Stanley Cup came to Kenora during the August long weekend and a parade took place on August 1st. The community is proud of Mike Richards for bringing the cup home once again.

~Harbourfest 2014 took place August 1st to 3rd and was once again a huge success.

~The Great War Project museum exhibit opening at took place August 4th, which commemorates the 100th anniversary of the start of World War I.

Committee volunteers were commended for their hard work on all of the events taking place during the summer months. It was noted that visitor comments this summer have been extremely positive.

12. Date of Next Meeting

Tuesday, September 2, 2014

13. Adjourn to Closed

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

That this meeting now be adjourned at 10:23 a.m.; and

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) Personal Matter about an Identifiable Individual (1 item)**
- ii) Disposition/Acquisition of Land (2 items)**

; and further

That in accordance with Section 13.11 of Procedural By-law #90-2013, Committee hereby gives unanimous consent of the members present to continue meeting, if required, beyond the three hour curfew of 12:00 p.m. until the established agenda is completed.

14. Reconvene to Open Meeting

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

That this meeting be now declared closed at 11:35 a.m.; and further

That Committee reconvenes to the Open Meeting with the following direction/reports from its Closed Session:

-Port Authority Advisory Committee Appointments

Personal Matter about an Identifiable Individual:-

a) Port Authority Advisory Committee Appointments

Recommendation:

That Council hereby appoints David J. Murray and Robert Bulman to the Port Authority Advisory Committee for a term ending November 30, 2014; and further

That the Committee structure of two OPP Officers and two members of the public will remain as passed in By-law Number 121-2014

Recommendation approved.

15. Close Meeting

Meeting closed at 11:35 a.m.