



MINUTES
City of Kenora
Committee of the Whole of Council

Tuesday, September 2, 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

Staff: Karen Brown, CAO
Rick Perchuk, Operations Manager
Warren Brinkman, Emergency Services Manager
Sharen McDowall, HR Manager
Colleen Neil, Recreation Services Manager
Charlotte Caron, Property & Planning Manager
Lauren D'Argis, Corporate Services Manager
Heather Kasprick, Legislative Services Manager
Heather Lajeunesse, Deputy Clerk
Tara Rickaby, Planning Administrator

Regrets: Councillor R. McKay

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 September 9, 2014 meeting:-

-Council intends to amend its 2014 Operating and Capital Budget to withdraw funds from the Fleet Reserve in the amount of \$40,000 to offset the cost of the purchase of a Mechanical Platform Lift

-Council intends to amend its 2014 Capital Budget to withdraw funds from the Equipment Reserve in the amount of \$6,976, plus applicable tax, to offset the cost to Retrofit an existing Sterling Truck to a Chipper Body

-Council intends to amend its 2014 Operating and Capital Budget to withdraw funds from the Museum Reserves in the amount of \$20,000 to offset the replacement cost of gas/air handler related heating equipment

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

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

Committee of the Whole – August 5, 2014

4. Deputations

4.1. Peter Kirby - Alternatives to Energy East

Peter Kirby made a deputation to Council on behalf of supporters of Alternatives to Energy East Kenora, to encourage Council to intervene in the Energy East project. During the upcoming National Energy Board (NEB) hearings on Energy East, applications can be submitted by the City to intervene, if it or its citizens are directly affected by the project or if the City has particular expertise it wishes to share with the NEB. Intervenor status would allow the City to participate at the table when the NEB meets to conduct its hearings. As an intervenor, the City would be able to examine what the company is offering in terms of safety and protection for the environment, as well as intervenor status provides an opportunity to give a final argument before the board decides to approve the project or not.

Mr. Kirby reviewed the importance of being stewards of the lake and the preservation of the Lake of the Woods watershed and the whole of the waters in the district. He explained that this is key to the branding of Kenora as a tourism capital and for the protection of future generations. He provided information on Energy East and the watersheds that they cross, many of which various communities draw their drinking water.

Mr. Kirby stressed that if there is a spill we need to worry, regardless of how far it happens from Lake of the Woods it will affect surrounding areas, damage wildlife and fish habitat, as well as ruin Kenora's reputation as a tourist destination. We must do what we can to ensure that the proposed pipeline distribution is safe. Whether we are relying on switches or human observance, we should ensure the best safety measures and environmental response plan in place. He encouraged Council involve and engage the public by way of

public meetings as it is important for all citizens and others in the region to be educated, as well for Council to understand concerns related to the project.

Council agreed that it is important to involve and educate the community on all advantages and disadvantages of the pipeline and that they have a responsibility to do so. Mayor Canfield indicated that it is the Northwestern Ontario Municipal Association's (NOMA) intention to apply for intervenor status on behalf of the region. Their executive has unanimously agreed to move forward and will make this official at their next meeting in three weeks. It is believed that it is in NOMA's best interest to do so as it can more easily represent to the NEB the concerns for the entire region as well as its member communities. It was suggested that the City of Kenora provide a letter of support to NOMA in moving forward with their application.

5. Business Administration Reports

5.1. K.D.S.B. Report - Councillor Roussin

Councillor Roussin updated Council on recent activities of the Kenora District Services Board. A recent KDSB press release and a copy of their new strategic plan was distributed with the meeting agenda. The strategic plan has been well received and things are looking positive moving forward. Councillor Roussin shared that there were some funds recently allocated to the KDSB to be used for housing and the board will determine at their next meeting where these funds will be used. The board will begin their 2015 budget process in next while. Zero based budgeting was touched on and it was indicated the process is working as expected. KDSB is also currently in process of recruiting a new CEO.

5.2. BMA Management Consulting Inc. Agreement

Recommendation:

That Council of the City of Kenora hereby authorizes the agreement between BMA Consulting Inc. and the City of Kenora to perform a comprehensive organizational review for the City; and further

That the CAO be hereby authorized to executive the agreement.

Recommendation approved. (resolution and by-law)

Discussion: Councillor Roussin indicated that in the RFP for the organizational review the City was seeking a consultant with experience both in private and public structures. With BMA Consulting being strictly municipal, a deviation from the RFP request, it was asked if the City will be providing guidelines due to lack of private sector experience as there are concerns regarding how they will analyze the structure. Karen indicated she will discuss this with the consultant.

5.3. City Hall Closure January 2, 2015

Recommendation:

That Council hereby approves the closure of City Hall on January 2, 2015.

Recommendation approved.

5.4. Contracts Awarded Second Quarter 2014

Recommendation:

That Council hereby receives the information report of Lauren D'Argis, Corporate Services Manager dated August 12, 2014 with respect to contracts awarded within the Manager's approved limits for January to June 2014.

Recommendation approved.

5.5. Elections Compliance Audit Committee Appointments

Recommendation:

That Council hereby appoints the following members to the Elections Compliance Audit Committee for the City of Kenora:

Doris Dyson, Emo, ON
Paul Heayn, Dryden, ON
Sheila Hintz, Ignace, ON
Bill Naturkach, Fort Frances, ON
Warren Paulson, Atikokan, ON; and further

That the committee's term of office shall be for the period of December 1, 2014 to November 30, 2018.

Recommendation approved.

5.6. Health & Safety Policy Review

Recommendation:

That Council accepts and approves the changes to the City of Kenora Health and Safety Policies outlined in Bruce Graham's August 27, 2014 Committee Report; and further

That three readings be given to a by-law amending the Comprehensive Policy Manual for this purpose.

Recommendation approved. (resolution and by-law)

5.7. IMEX Systems Inc. iPay Services Agreement

Recommendation:

That Council hereby authorizes the CAO to enter into an agreement between

the Corporation of the City of Kenora and IMEX Systems Inc. for the provision of iPay services; and further

That a bylaw be passed once negotiations have been completed.

Recommendation approved.

5.8. 2014 Second Quarter Investments Report

Recommendation:

That Council of the City of Kenora hereby accepts the 2014 Second Quarter investment report that includes details of the Kenora Citizens' Prosperity Trust Fund and other City of Kenora Investments.

Recommendation approved.

5.9. July 2014 Financial Statements

Recommendation:

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as July 31, 2014.

Recommendation approved.

5.10. K.D.S.B. Letter of Support

Recommendation:

That Council of the City of Kenora hereby supports the Kenora District Services Board request for funding to initiate a third party contract to complete a Facilities Assessment and to identify and evaluate properties available in Municipalities to create additional housing opportunities across the district; and further

That this contract would work with municipalities and community programs to identify need and properties within Municipalities where housing units can be built or renovated to meet the goals and objectives outlined in the Ten Year Housing and Homelessness Plan within the Kenora District Services Board; and further

That a letter of support will be forwarded to the Kenora District Services Board on behalf of the City of Kenora.

Recommendation approved.

5.11. Northwest Business Centre Q1 & Q2 Report

Recommendation:

That Council accepts the 2014 First and Second Quarter report for the Northwest Business Centre.

Recommendation approved.

5.12. Port Authority Advisory Committee - Housekeeping Amendment

Recommendation:

That Council hereby amends the Port Authority Advisory Committee membership by removing Heather Kasprick, Manager of Legislative Services and adding CAO Karen Brown to the membership list for the committee; and further

That Council hereby amends bylaw number 121-2014 for this purpose.

Recommendation approved.

Discussion: Councillor Smith inquired if the meetings will be open to the public. It was clarified that the meetings are not required to be open to the public, but the Committee will have that discussion at their first meeting on September 9th.

5.13. Receivable Write Offs

Recommendation:

That Council hereby approves the write off of accounts totalling \$25,312.12 including applicable taxes; and further

That City staff be directed to continue collection efforts on these accounts.

Recommendation approved.

5.14. Repeal By-law Number 89-2010 - Investment Policy

Recommendation:

That Council of the City of Kenora hereby repeals By-law Number 89-2010 authorizing an amendment to the Comprehensive Policy Manual for the City of Kenora to approve an amendment to Investments Policy Number FI-04-02.

Recommendation approved. (resolution and by-law)

5.15. Kenora Tennis Support

Recommendation:

That the Council of the City of Kenora pass a resolution supporting Kenora Tennis' request to name the City of Kenora as a sponsor in their application for funds through the Kenora & Lake of the Woods Regional Community Foundation for replacement of net posts, installation of court divider nets and player benches.

Recommendation approved.

5.16. Third Party Involvement Policy

Recommendation:

That Council hereby approves the newly created Third Party Involvement Policy; and further

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

Recommendation approved. (resolution and by-law)

5.17. Various Committee Minutes

Recommendation:

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

- August 21 – Heritage Kenora
- August 5 – Committee of the Whole; and

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

- June 19 – Kenora District Services Board
- June 26 – District of Kenora Home for the Aged Board of Management
- July 22 – Planning Advisory Committee; and further

That these Minutes be circulated and ordered filed.

Recommendation approved.

6. Community Services Reports

6.1. Lease Agreement - Stasiuk Skate Sharpening

Recommendation:

That Council hereby authorizes the Mayor and Clerk to enter into a seven (7) month lease agreement between the Corporation of the City of Kenora and Rod Stasiuk, effective September 29, 2014 for a lease space in the Kenora Recreation Centre for the purposes of skate sharpening and hockey accessory retail; and further

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

Recommendation approved. (resolution and by-law)

7. Economic Development Reports - no reports

Lake of the Woods Development Commission's Annual General Meeting will be held on September 22nd at the Discovery Centre. There will be a grand opening

of the Model Shoreline and Discovery Forest beginning at 5:00 p.m. and the AGM will commence at 5:30 following the announcements.

8. Emergency Services Reports - no reports

9. Operations Reports

9.1. 2014 Screened Winter Sand Tender

Recommendation:

That the following tenders for the 2014 supply and delivery of 9000 tonnes of screened winter sand be received:-

Joe Neniska & Sons Ltd. \$16.25 per tonne, plus HST
Ivor Hulmes & Sons Contracting Ltd. \$20.00 per tonne, plus HST; and further

That the tender submitted by Joe Neniska & Sons Ltd., in the amount of \$16.25 per tonne, plus HST, be hereby accepted.

Recommendation approved.

9.2. Mechanical Platform Lift Budget Amendment

Recommendation:

That Council hereby approves an additional allocation of \$40,000.00 to be funded through the Fleet Reserve for the purchase of Platform Lift; 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 September 9, 2014 meeting to withdraw funds from the Fleet Reserve in the amount of \$40,000.00 to offset the cost of this purchase; and further

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

Recommendation approved. (resolution and by-law)

9.3. Retrofit Sterling Dump Truck Budget Amendment

Recommendation:

That Council hereby approves an additional allocation of \$6,976.00, plus applicable tax, to be funded through the Equipment Reserve for the Retrofit of an existing 1999 Sterling truck to a Chipper Body; and

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2014 Capital Budget at its September 9, 2014 meeting to withdraw funds from the Equipment Reserve in the amount of \$6,976.00, plus applicable tax, to offset the cost of this modification; and

three (3) stop signs at the intersection of Fourth Street South and Sixth Avenue South, as set out in Richard Perchuk's August 22, 2014 Committee Report; and further

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

Recommendation approved. (resolution and by-law)

10. Property & Planning Reports

10.1. Museum HVAC Upgrade Budget Amendment

Recommendation:

That Council hereby approves an additional allocation of \$20,000.00 to be funded through the Museum Reserves for the replacement of the current gas/air handler related heating equipment; 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 September 9, 2014 meeting to withdraw funds from the Museum Reserves in the amount of \$20,000.00 to offset the cost of this purchase; and further

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

Recommendation approved. (resolution and by-law)

10.2. Deeming of Lots - Plan M123 Lots 23-38

Recommendation:

That all the lands contained within the boundaries of Lots 23-38 inclusive, on Registered Plan of Subdivision M123, in the City of Kenora, be deemed not to be lands described in accordance with a registered plan of subdivision for the purposes of Section 50(4) of the Planning Act, RSO 1990; and

That in accordance with the provisions of the Planning Act, the by-law shall come into force and take effect on the final passing thereof by the Council of the Corporation of the City of Kenora and upon registration of this by-law in the Land Titles office for the District of Kenora;

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

Recommendation approved (resolution and by-law)

10.3. Subdivision Agreement - D. Lafreniere Developments Ltd.

Recommendation:

That Council give three readings a by-law to enter into a subdivision agreement

with D. Lafreniere Developments Ltd. for the purpose of meeting one of the conditions of draft approval for the development of a fifteen (15) lot subdivision with one block for a future parking/docking facility (S03/11) located on Black Sturgeon Lake, accessed via the Coker 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.

Recommendation approved. (resolution and by-law)

10.4. Site Plan Agreement - Wm. Lougheed Trucking Ltd.

Recommendation:

That Council give three readings to a by-law to authorize the Mayor and Clerk to enter into a site plan agreement with Wm. Lougheed Trucking Ltd., an agreement respecting the placement, and specifications, for locations of boat docks, driveways and protection of shoreline/riparian zones; and further

That the Developer is responsible for all costs associated with the agreement, including the preparation, registration and administration fee.

Recommendation approved. (resolution and by-law)

11. Proclamations

Mayor Canfield read the following Proclamations:

- i) Bladder Cancer Awareness Day - September 21
- ii) Prostate Cancer Awareness Month - September 2014
- iii) Childhood Cancer Awareness Month - September 2014

12. Other

12.1. Zoning By-law Amendments

i) Z02/14 Whitta

Recommendation:

That the proposed zoning by-law amendment Z02/14 Whitta, to amend the Zoning By-law 160-2010, as amended, for the property described as 31 Villeneuve Road, CON 7J S PT LOT 3 RP KR126 PARTS 3-5 PCL 2274, City of Kenora, District of Kenora from RU to RU[31] notwithstanding any other provisions of the By-law, on lands noted by [31] on the Schedules to the By-law the lands shall be zoned to permit Rural uses and an indoor and an outdoor (open) storage facility, including structures normally incidental to the foregoing as the application is consistent with the Provincial Policy Statement (20014, and meets the purpose and intent of both the City of Kenora Official Plan (2010) and Zoning By-law No. 160-2010, as amended for the reasons outlined in the planning report.

Recommendation approved. (resolution and by-law)

ii) Z03/14 Robertson-Carvahlo

Recommendation:

That Council approves the proposed zoning by-law amendment Z03/14 Roberston-Carvahlo to amend the Zoning By-law 160-2010, as amended, for the property described as 608 Airport Road, CON 7J S PT LOT 9 KR726; PART 6 PCL25069 City of Kenora, District of Kenora from LC Local Commercial to R1 Residential First Density as the application is consistent with the Provincial Policy Statement (2014), and meets the purpose and intent of both the City of Kenora Official Plan (2010) and Zoning By-law No. 160-2010, as amended for the reasons outlined in the planning report.

Recommendation approved. (resolution and by-law)

Announcements:

The following upcoming events were highlighted:

~On behalf of the Parkinson Society, Kenora Parkinson's Support Group will be hosting the Parkinson Superwalk on September 26th from 1:00 to 3:00 p.m., beginning at Pinecrest Home. The Group will also be holding their initial meeting on September 12th from 1:00 to 3:00 p.m. at Pinecrest Home to discuss the start-up of the group.

~The Central Community Club will be holding a fundraiser BBQ this Saturday from 8:00 a.m. to 2:00 p.m.

~October is Childhood Cancer Awareness Month and in recognition the Goodwill Geyser will be lit with gold lights for the month.

13. Date of Next Meeting

Tuesday, December 9, 2014

14. Adjourn to Closed

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

That this meeting be now declared closed at 10:19 a.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 (1 item)**
 - ii) Acquisition of Land (1 item)**
 - iii) Disposition of Land (5 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.

15. Reconvene to Open Meeting

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

That this meeting be now declared closed at 12:30 p.m.; and further

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

- to discuss the transfer of municipal property on Rocky Heights
- to discuss the transfer of municipal property by easement to TransCanada Pipelines
- to discuss the amendment of an agreement for property on McLean Avenue

Disposition of Land:-

a) Transfer of Municipal Property – Rocky Heights

Recommendation:

That the Council of the City of Kenora hereby declares property abutting shoreline road allowance property on Rocky Heights Road and described as PLAN M14 PTBLK H DES RP KR847 PART 2 PCL 25053 ROW ON PART 5 6 RP KR613 PART 1 RP KR847, as surplus to the needs of the municipality; and

That the purchaser must make application to purchase the lands; and

That the survey instructions will be issued by the City of Kenora; and

That in accordance with the Notice By-law, 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 Robert Nathan Emond being the property owner, as a lot addition (consolidation via merger agreement) at the appraised value as established by Century 21 – Reynard Real Estate, plus survey and all other associated costs, conditional upon access the above-described lands being developed per the instruction of the City of Kenora Roads Supervisor, and subject to any requirements of Kenora Hydro, also at the applicant's expense.

Recommendation approved.

b) Transfer of Municipal Property by Easement–TransCanada Pipelines

Recommendation:

That the Council of the Corporation of the City of Kenora directs staff to negotiate a rate for transfer, by easement, of lands and execute the final agreement(s) necessary to bind them.

Recommendation approved.

c) Amendment of Agreement – 115 McLean Avenue

Recommendation:

That Council give three readings a by-law to amend an agreement registered on the title of Parts 7, 8, 9 and 10 on 23R6073; and further

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

Recommendation approved. (resolution and by-law)

16. Close Meeting

Meeting closed at 12:31 p.m.