



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, August 11, 2015 – City Council Chambers
12:00 p.m.**

~~~~~

**WITH Mayor D. Canfield, Councillor R. McMillan, Councillor D. Reynard,  
Councillor L. Roussin, Councillor S. Smith, Councillor C. Wasacase,  
Councillor M. Goss**

**Staff:** Karen Brown, CAO, Heather Kasprick, City Clerk, Rick Perchuk, Operations Manager, Lauren D'Argis, Corporate Services Manager, Sharen McDowall, HR Manager, Colleen Neil, Recreation Services Manager, Warren Brinkman, Emergency Services Manager

### **Call to Order**

**Mayor Canfield called the meeting to order and Councillor Reynard delivered a blessing.**

### **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 intends to amend its 2015 Operating and Capital Budget to approve an additional allocation of \$3,964.95 + HST to be funded through the Museum Annex Reserve for repair of the Museum Annex air conditioning unit
- Council intends to amend its 2015 Operating and Capital Budget to approve an additional allocation of up to \$20,000.00 to be funded through the Pedestrian Walks Reserve for improvements to the Water Street and Second Street Stairs
- Council intends to amend the Tariff of Fees and Charges By-law, Schedule D, to include the rate schedule from Water and Sewer By-law #168-2004 and increase water and sewer service rates
- Council intends to amend its 2015 Operating and Capital Budget to approve an additional allocation of up to \$565,506.00, including taxes, to be funded through long term debt financing to offset the cost of the LED streetlight upgrade project

### **Confirmation of Minutes**

**1. Moved by M. Goss, Seconded by R. McMillan & Carried:-**

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

- Regular Meeting held July 21, 2015

## **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
- Councillor R. McMillan declared an indirect pecuniary interest related to Resolution number 6 regarding Financial Statements as his spouse is a member of the Kenora Police Services Board and receives remuneration.
  - Councillor D. Reynard declared an indirect pecuniary interest related to Resolution number 12 regarding approval of non-union salary adjustment as his step-son is a non-union employee of the City of Kenora and the item relates to an increase in pay which would be a financial benefit to him.

## **Deputations**

None

## **Additions to the Agenda**

### **1A. Moved by S. Smith, Seconded by M. Goss & Carried:-**

That approval be given for the following item to be added to today's agenda:-

1. Amend Discharge of Firearms By-law for the 2015 Deer Hunting Season

## **Amend Discharge of Firearms By-law – 2015 Deer Hunting Season**

### **1B. Moved by S. Smith, Seconded by M. Goss & 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 2015 for the period September 1, 2015 up to and including December 15, 2015, 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.

**Discussion:** Council questioned about looking further into this issue in our community. The concerns continue to be raised in the community about fears from these animals and the Wildlife Committee will meet again in the near future to discuss further action.

### **Kenora Hydro Board Appointment**

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

That Council hereby appoints Councillor Rory McMillan to the Board of Directors of the Kenora Hydro Electric Corporation Ltd., for a term in effect until the 2017 Kenora Hydro Annual General Meeting; and further

That Council hereby appoints Councillor Rory McMillan as shareholder representative for the purposes of any Shareholder's meetings held during the term of his appointment to the Board of Directors for the Kenora Hydro Electric Corporation Ltd.

### **2014 Annual Report**

#### **3. Moved by D. Reynard, Seconded by M. Goss & Carried:-**

That Council approves the 2014 City of Kenora Annual Report, including the 2014 audited financial statements for the City; and further

That a copy of this report be made available for public viewing on the City's portal, as well as the front desk at City Hall.

**Councillor Reynard read a media release regarding this item.**

### **Financial Management Software Agreement - Diamond**

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

That Council hereby acknowledges that the Corporate Services Manager entered into an agreement with Diamond Software Inc. on June 15, 2015 under the authority delegated in the Procurement Policy CS-1-1; and further

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

## **2015 Second Quarter Investments Report**

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

That Council of the City of Kenora hereby accepts the 2015 Second Quarter Investment Report that includes details of the Kenora Citizens' Prosperity Trust Fund and other City of Kenora Investments.

## **June 2015 Financial Statements**

### **6. Moved by D. Reynard, Seconded by M. Goss & Carried:-**

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora as June 30, 2015.

**Councillor McMillan abstained.**

## **Ontario Community Infrastructure Fund (OCIF) Application**

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

That Council authorizes a funding application to the Ontario Community Infrastructure Fund (OCIF) for the Keewatin Channel Bridge rehabilitation.

## **PayByPhone Technologies Agreement - Parking**

### **8. Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

That Council hereby acknowledges that the Corporate Services Manager entered into an agreement with PayByPhone Technologies Inc. on July 10, 2015 under the authority delegated in the Procurement Policy CS-1-1; and further

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

## **Various Committee Minutes**

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

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

- April 22 & May 27 – Kenora Public Library Board
- July 7 – Event Centre Committee
- July 15 – Environmental Advisory Committee
- July 15 – Heritage Kenora; and

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

- June 16 – Planning Advisory Committee; and further

That these Minutes be circulated and ordered filed.

## **Cost Analysis to Support Water and Sewer Service Charge Increase**

### **10. Moved by L. Roussin, Seconded by C. Wasacase & Carried:-**

That Council receives the report and attachment forming the cost analysis of the Water & Sewer Service Charges.

## **Water and Sewer Service Charge Increase**

### **11. Moved by L. Roussin, Seconded by C. Wasacase & Carried:-**

That Council hereby authorizes an increase to the Water and Sewer service rates, effective August 11, 2015; and further

That the present rate Schedule "D" to the Water and Sewer By-Law Number 168-2004 be more beneficial to users if incorporated into the General Tariff of Fees and Charges By-Law Schedule "D"-Operations, be accepted; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to give three readings to a new Tariff of Fees and Charges By-Law Number at its August 11, 2015 meeting to give effect to these rates outlined in the revised Schedule "D" - Operations; and further

That By-law Number 162-2014 and 105-2015 be hereby repealed.

## **Non-Union Salary Grid**

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

That Council hereby approves an economic adjustment of 1.7% to the City's Non-Union pay grid effective 1 January 2015.

**Councillor Reynard abstained.**

## **Event Centre Business Case and Design Work Proposal Award**

### **13. Moved by D. Reynard, Seconded by M. Goss & Carried:-**

That Council of the City of Kenora hereby accepts the recommendation from Staff and the Event Centre Committee to accept the proposal from Stantec + Nelson Architecture Inc. related to the business case and design work for the proposed event centre.

## **Museum Annex Air Conditioning Repair – Budget Amendment**

### **14. Moved by D. Reynard, Seconded by M. Goss & Carried:-**

That Council hereby approves an additional allocation of \$3,964.95 + HST to be funded through the Museum Annex Reserve for the purchase of parts and repair of the Museum Annex air conditioning unit; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2015 Operating & Capital Budget at its August 11, 2015 meeting to withdraw funds from the Museum Annex Reserve in the amount of \$3,964.95 + HST to offset the cost of this purchase and repair; and further

That Council gives three readings to a by-law to amend the 2015 budget for this purpose.

## **Tunnel Island Consulting Contract – CDF Funding**

### **15. Moved by D. Reynard, Seconded by S. Smith & Carried:-**

That Council hereby authorizes the Mayor and Clerk to enter into a Consulting Contract between the Corporation of the City of Kenora and Black Dog Management; and further

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

**Fire Protection Agreement – Wauzhushk Onigum First Nation**

**16. Moved by C. Wasacase, Seconded by L. Roussin & Carried:-**

That Council give three readings to a by-law to renew the Fire Protection Agreement with the a rate of \$12,360.00 per year along with an annual recurring three percent (3%) increase on a forward basis; and further

That the MTO rate of \$410.00 per vehicle for the first hour, and to \$205.00 per vehicle per half hour thereafter be applied; and further

That should the MTO rate change that the invoiceable costs reflect the Provincial changes without having to renegotiate this Fire Protection Agreement with Wauzhushk Onigum First Nation; and further

That the Mayor and Clerk be hereby authorized to execute these agreements on behalf of the City; and further

That By-Law Number 113-2001 be repealed.

**Fire Protection Agreement – Ochiichagwe’ Babigo’ining Ojibway Nation**

**17. Moved by C. Wasacase, Seconded by L. Roussin & Carried:-**

That Council give three readings to a by-law to renew the Fire Protection Agreement with Ochiichagwe’ Babigo’ining Ojibway Nation at a rate of \$12,360.00 per year along with an annual recurring three percent (3%) increase on a forward basis; and further

That the MTO rate of \$410.00 per vehicle for the first hour, and to \$205.00 per vehicle per half hour thereafter be applied; and further

That should the MTO rate change that the invoiceable costs on a forward basis reflect the Provincial MTO rate changes without having to renegotiate this Fire Protection Agreement with Ochiichagwe’ Babigo’ining Ojibway Nation; and further

That the Mayor and Clerk be hereby authorized to execute these agreements on behalf of the City; and further

That By-Law Number 46-2003 be repealed.

**Disaster Response Amending Agreement – Canadian Red Cross Society**

**18. Moved by C. Wasacase, Seconded by L. Roussin & Carried:-**

That Council hereby authorizes an amendment to bylaw number 50-2015 to include amendments to the agreement for Disaster Response with the Canadian Red Cross Society for the purposes of Registration and Inquiry, Emergency Lodging, Emergency Food, Personal Services and Health Care, and Emergency Clothing; and further

That the Mayor and Clerk be hereby authorized to execute these agreements on behalf of the City; and further

That a separate bylaw for a memorandum of understanding for personal disaster agreement being bylaw number 51-2015 be hereby repealed.

### **Local Authority Services (LAS) LED Streetlight Upgrade Service**

#### **19. Moved by L. Roussin, Seconded by C. Wasacase & Carried:-**

Whereas Council has authorized the City of Kenora to enter into an agreement with Local Authority Services (LAS) partner RealTerm Energy for the design and upgrade to LED streetlights; and

Whereas Council has approved \$600,000.00 under the 2015 Capital program to complete the first phase of the works at an estimated total project cost of \$1,245,249.00, plus taxes; and

Whereas the City's eligibility for cost savings in the amount of \$198,171.50 under the "Save on Energy Program", will not be available after 2015;

Therefore be it Resolved that Council hereby approves an additional allocation, not to exceed \$565,506.00, including taxes, to be funded through long term debt financing to complete the project in one year to receive the cost saving; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2015 Operating and Capital Budget at its August 11, 2015 meeting to offset the cost to complete the project in one year; and further

That three readings be given to a by-law to authorize the Mayor and Clerk to enter into two (2) Canadian Construction Documents Committee (CCDC) contracts, one each for the Cobraheads and for the decorative lights; and further

That Council gives three readings to a by-law to amend the 2015 budget for this purpose.

### **June 2015 Water Wastewater Monthly Report**

#### **20. Moved by L. Roussin, Seconded by C. Wasacase & Carried:-**

That Council of the City of Kenora hereby accepts the June 2015 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.

### **Site Plan Amendment – Deadhead Developments Inc. (WSL)**

#### **21. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

That the Mayor and Clerk of the City of Kenora be hereby authorized to execute Schedule 1 (Drawing A0.1 Rev 7 – July 31, 2015, A0.2 Rev 8 – July 16, 2015, A0.7 Rev 3 – July 16, 2015 and A.09 Rev 3, July 16, 2015) to an application to amend a Site Plan Agreement between Deadhead Developments Inc.; and further



That the appropriate bylaw be passed for this purpose.

### **Deeming of Lots – Plan M39 Lots 209 and 210**

#### **22. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

That all the lands contained within the boundaries of Lots 209 and 210, on Registered Plan of Subdivision M39, in the City of Kenora, formerly the Town of Kenora be deemed not to be lands described in accordance with a registered plan of subdivision for the purposes of Section 50(3) of the Planning Act, RSO 1990; and further

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; and further

That the Applicant shall be responsible for all costs associated with such registration; and further

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

### **Water Street and Second Street Stairs – Budget Amendment**

#### **23. Moved by S. Smith, Seconded by C. Wasacase & Carried:-**

That Council hereby approves an additional allocation of up to \$20,000 to be funded through the Pedestrian Walks Reserve for the modification of the stairs between Water St. and Second St. and the purchase of railing; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2015 Operating & Capital Budget at its August 11, 2015 meeting to withdraw funds from the Pedestrian Walks Reserve in the amount of up to \$20,000 to offset the cost of this modification and purchase; and further

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

### **Lease Renewal – Kenora Physiotherapy and Sports Injury Clinic**

#### **24. Moved by S. Smith, Seconded by C. Wasacase & Carried:-**

That the Mayor and Clerk of the City of Kenora enter into a renewal lease agreement with Linda Alvestad and Dan Morwood carrying on business as Kenora Physiotherapy and Sports Injury Clinic within the Kenora Recreation Centre; and further

That the appropriate bylaw be passed for this purpose.

### **TBay Tel City Concurrence – 2 Tower Sites**

#### **25. Moved by S. Smith, Seconded by L. Roussin & Carried:-**



That in accordance with City of Kenora Tower Policy P-P 1-1 Summit Telecom Services, Agent for TBay Tel, has applied to the City for a letter of concurrence for the location of two new cellular towers; and further

That the Government of Canada, through Industry Canada, has exclusive jurisdiction for approval of such sites; and further

That as a result of a statutory comment period and public meeting held per the City of Kenora Tower Policy, with no outstanding objections, the CAO be authorized to execute a letter of concurrence indicating that requirements of the City of Kenora Tower Policy have been met.

### **School Crossing Guard Service Tender**

#### **26. Moved by M. Goss, Seconded by R. McMillan & Carried:-**

That the only tender submitted to provide School Crossing Guard Service for the 2015 – 2016 school year and the 2016 – 2017 school year, HST extra, be received:

Alpine Janitorial (Kenora) Inc.

|                  |             |           |
|------------------|-------------|-----------|
| Year 2015 - 2016 | \$50,008.00 | HST extra |
| Year 2016 - 2017 | \$50,008.00 | HST extra |

; and further

That the tender received from Alpine Janitorial (Kenora) Inc., in the amount of \$100,016.00, HST extra, be hereby accepted.

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

#### **27. Moved by M. Goss, Seconded by R. McMillan & 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:~

- #112-2015** – Confirm the proceedings of Council
- #113-2015** – Diamond Software Inc. Agreement
- #114-2015** – PayByPhone Technologies Inc. Agreement
- #115-2015** – New Tariff of Fees & Charges (water and sewer service charge rates)
- #116-2015** – Budget Amendment (Museum Annex air conditioning repair)
- #117-2015** – Black Dog Management Consulting Contract
- #118-2015** – Wauzhushk Onigum First Nation Agreement
- #119-2015** – Ochiichagwe' Babigo'ining Ojibway Nation Agreement
- #120-2015** – Canadian Red Cross Society Agreement
- #121-2015** – RealTerm Energy Agreements
- #122-2015** – Budget Amendment (LED streetlight upgrade project)
- #123-2015** – Amend Site Plan Agreement (WSL)
- #124-2015** – Deeming of Lots on Plan M39
- #125-2015** – Budget Amendment (Water and Second Street stairs improvements)
- #126-2015** – Kenora Physiotherapy and Sports Injury Clinic Lease Agreement
- #127-2015** – Designate the Kenora Public Library under the Ontario Heritage Act

**Approval of By-law**

**27A. Moved by M. Goss, Seconded by R. McMillan & Carried:-**

That the following By-law be now read a **First & Second Time**, and approved in its present form and presented for **Third & Final** Reading:~

**#128-2015** – Amend Discharge of Firearms By-law (2015 Deer Hunt Season)

**Proclamations**

- Prostate Cancer Awareness Month, September 2015

**Announcements**

**The following was highlighted by Council:**

1. Councillor Wasacase thanked all the volunteers who are assisting with all the activities going on throughout the summer in Kenora.
2. Councillor McMillan highlighted the Right to Play Baseball event in Kenora on Sunday, August 9<sup>th</sup> and applauded the success of the event as well as thanked all the volunteers for all the events throughout the summer

**Adjourn to Closed Session**

**28. Moved by M. Goss, Seconded by D. Reynard & Carried:-**

That pursuant to Section 239 if 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) **Education and Training (1 item)**
- ii) **Labour Relations (5 items)**

**Reconvene to Open Meeting**

Council reconvenes to open session at 4:50 p.m. with no reports from its closed session

**Close of Meeting**

**29. Moved by M. Goss, Seconded by S. Smith & Carried:-**

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

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

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

**Of.....2015**

.....

**Mayor**

.....

**City Clerk**