



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, March 17, 2015 – City Council Chambers
12:00 p.m.**

~~~~~

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

**Regrets: Councillor L. Roussin**

**Staff:** Rick Perchuk, Operations Manager (acting CAO), Warren Brinkman, Fire & Emergency Services Manager, Colleen Neil, Recreation Services Manager, Charlotte Caron, Property & Planning Manager, Heather Kasprick, Manager of Property & Planning/City Clerk

## **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 amend its 2015 Operating and Capital Budget to withdraw funds from the Transit Deferred Revenue in the amount of \$39,707.77 for bus engine replacement
- Council will amend its 2015 Operating and Capital Budget to withdraw funds from Federal Gas Tax in the amount of \$35,000 for Keewatin Channel Bridge engineering expenses
- Council will amend Schedule "D" of Tariff of Fees and Charges By-law #120-2011 for the increase of tipping fee rates

## **Confirmation of Minutes**

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

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

- Regular Meeting held February 17, 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.

**There were none declared.**

### **Deputations**

None

### **Accessibility Advisory Committee Appointment**

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

That Council of the City of Kenora hereby appoints Rev'd Sandra Tankard to the Accessibility Advisory Committee for a term at the pleasure of Council.

### **Closed Meeting Investigator Agreement**

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

That Council hereby authorizes an agreement between the Corporation of the City of Kenora and Paul S. Heayn for the services of an appointed Closed Meeting Investigator for the term of Council ending November 30, 2018; and further

That Council gives three readings to a by-law to authorize the execution of the agreement.

### **Contracts Awarded Fourth Quarter 2014**

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

That Council hereby receives the information report of Lauren D'Argis, Corporate Services Manager dated March 2, 2015 with respect to contracts awarded within the Manager's approved limits for January to December, 2014.

### **Conventional Bus Engine Replacement**

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

That Council hereby approves an additional allocation of \$39,707.77 plus applicable taxes to be funded through the transit deferred revenue for the emergency replacement of the engine in a conventional transit bus; 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 March 10, 2015 Committee of the Whole meeting to withdraw funds from the transit deferred revenue in the amount of \$39,707.77 plus applicable taxes to offset the cost of this purchase; and further

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

### **Council Remuneration – KDSB and NOMA**

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

That Council receives the report prepared by Charlotte Edie, Treasurer dated February 28, 2015 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.

### **Voterview List Management Agreement**

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

That Council gives three readings to a by-law to execute a service agreement with Comprint Systems Inc. (DataFix) for the Voterview database management in conjunction with the 2018 Municipal Election with a term ending December 31, 2018.

### **FedNor Funding Agreement – Cameron Bay**

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

That Council gives three readings to a by-law to authorize the execution of an agreement between Industry Canada (FedNor) and the Corporation of the City of Kenora for funding related to extension of municipal services to the east and west side of Cameron Bay; and further

That the CAO be authorized to execute this agreement.

### **NOHFC Funding Agreement – Cameron Bay**

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

That Council gives three readings to a by-law to authorize the execution of an agreement between the Northern Ontario Heritage Fund and the Corporation of the City of Kenora for funding related to extension of municipal services to the east and west side of Cameron Bay; and further

That the CAO be authorized to execute this agreement.

### **2014 Fourth Quarter Investments Report**

#### **10. Moved by R. McMillan, Seconded by D. Reynard & Carried:-**

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

### **Kenora Curling Club Property Tax Relief Request**

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

That in accordance with By-Law number 51-2001 Council of the City of Kenora continues to excise property tax on organizations such as the Kenora Curling Club.

### **Managed Alcohol Program Property Tax Relief Request**

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

That Council hereby approves exempting the property leased for the purposes of the Municipal Alcohol Program from property taxes under Section 110 of the Municipal Act, 2001 – Municipal Capital Facilities, effective February 1, 2015; and further

That this approval be conditional upon that program continuing to lease that property for the purpose of operating the Managed Alcohol Program; and further

That City administration be directed to ensure the appropriate by-law and agreements are developed and brought back to Council for formal approval.

### **Municipal Alcohol Policy Review**

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

That Council hereby approves the amended City of Kenora Municipal Alcohol Policy #LS-3-1; and

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

That By-law Number 65-2014 be hereby repealed.

### **Call for NOMA Nominations**

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

That the Council of the Corporation of the City of Kenora hereby nominates Mayor David S. Canfield to the position of President for the Northwestern Ontario Municipal Association (NOMA) for the election taking place at the Annual NOMA Conference scheduled April 22 to 24, 2015 in Thunder Bay; and further

That Council's letter of support of this nomination together with Mayor Canfield's written consent be forwarded to NOMA's Executive Director.

### **Poverty Reduction Summit Attendance**

#### **15. Moved by R. McMillan, Seconded by D. Reynard & Carried:-**

That Council authorizes one member of Council to attend the 2015 Poverty Reduction Summit being held in Ottawa May 6-8, 2015; and further

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

### **Section 356 – Apportionment of Property Taxes**

#### **16. Moved by R. McMillan, Seconded by D. Reynard & Carried:-**

That Council direct staff to adjust the 2014 property taxes in the amount of \$3,665.61 for Roll #6016 140 001 31101 0000 be apportioned and split amongst 3 rolls as the result of a severance of a Bruckenberger Road property as set out in Appendix A; and further;

That \$415.07 in interest and penalties to be written-off for the portion of the property sold in 2013 but not reflected on the Returned Roll until 2015.

## **Various Committee Minutes Approval**

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

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

- January 21 – Kenora Public Library Board
- February 3 – Kenora Urban Recreational Trails Committee
- February 18 – Community Policing Committee
- February 18 – Environmental Advisory Committee
- February 26 – Lake of the Woods Museum Board; and

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

- December 18 – District of Kenora Home for the Aged Board of Management
- January 15 – Kenora District Services Board
- January 20 – Planning Advisory Committee
- January 29 – Northwestern Health Unit Board of Health; and further

That these Minutes be circulated and ordered filed.

## **Kenora Baseball League Request**

### **18. Moved by D. Reynard, Seconded by R. McMillan & Carried:-**

That Council hereby authorizes a letter of support to the Lake of the Woods and Regional Community Foundation in support of The Kenora Baseball League's request for funding to implement improvements to the JM Ball fields; and further

That Council hereby directs the Recreation Services Manager to draft a joint use agreement between the Corporation of the City of Kenora and the Kenora Baseball League to be brought back to Council for consideration.

## **Kenora Safe Grad Grant**

### **19. Moved by D. Reynard, Seconded by R. McMillan & Carried:-**

That Council of the City of Kenora supports the work of the Kenora Safe Grad Committee towards an all-inclusive, drug/alcohol free, safe celebration of graduation from high school; and further

That a grant in the amount of up to \$3,000.00 be authorized for the use of payment for use of the Kenora Recreation Centre for this purpose.

## **MNDM NCIR Funding – Tunnel Island Project**

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

That Council hereby authorizes the Mayor and Clerk to enter into an agreement between the Corporation of the City of Kenora and Ministry of Northern Development & Mines' for the Tunnel Island Planning project; and further

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

### **Consulting Contract – Tunnel Island Project**

#### **21. Moved by M. Goss, Seconded by R. McMillan & 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.

### **NOHFC Funding – Coney Island Project**

#### **22. Moved by M. Goss, Seconded by D. Reynard & 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 for the Coney Island Development project; and further

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

### **Fire Control By-Law**

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

That Council of the City of Kenora gives three readings to a by-Law to adopt a Fire Control bylaw that includes short form wording and set fines subject to Part 1 of the Provincial Offences Act; and further

That By-Law Number 64-2014 be hereby repealed.

### **Medical Emergency Response Provision**

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

That Council of the City of Kenora accepts this report regarding the delivery of Medical Emergency Response by the City of Kenora Fire and Emergency Services to the ratepayers of the City of Kenora; and further

That Council for the City of Kenora directs the Emergency Services Manager to engage the Kenora District Services Board with a view to revising the present By-Law and Letter of Agreement for the provision of Ambulance Assistance and Medical First Response by the City of Kenora Fire and Emergency Services or begin the process of terminating this current By-Law and Letter of Agreement.

### **Drinking Water Guide for Municipal Council**

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

That Council recognizes they have oversight responsibilities for municipal drinking water systems and are a critical partner in providing safe drinking water to the people of Kenora; and further

That the Ministry of the Environment and Climate Change guidance document "Taking Care of Your Drinking Water: A Guide for Members of Municipal Councils" is a resource to better

understand the responsibilities under the Safe Drinking Water Act, 2002 and for information on how Ontario's drinking water is protected; and further

That the attached resource guide, specific to Kenora's drinking water system, as prepared by Biman Paudel, Water & Sewer Supervisor, be accepted.

### **Drinking Water Quality Management System Endorsement**

#### **26. Moved by D. Reynard, Seconded by R. McMillan & Carried:-**

That Council hereby authorizes the Element 3 – Commitment and Endorsement of the City of Kenora Water Quality Management System; and further

That the Drinking Water Quality Management Plan be signed in accordance with the City officials stated on the Endorsement.

### **Water Wastewater Systems Monthly Summary Report – Jan 2015**

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

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

### **Keewatin Channel Bridget Tender Engineering Expenses 2015**

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

That Council hereby approves an additional allocation of \$35,000 to be funded through Federal Gas Tax for the purchase of engineering services related to the Keewatin Channel Bridge tender; and

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 March 17, 2015 meeting to withdraw funds from Federal Gas Tax in the amount of \$35,000 to offset the cost of this purchase; and further

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

### **Solid Waste Department – Increase to Tipping Fees**

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

That Council hereby approves the tipping fee rates, as recommended by the Solid Waste Department, and outlined in Richard Perchuk's February 20, 2015 Report, effective July 1<sup>st</sup>, 2015; and further

That Council authorizes an amendment to Schedule "D" – Operations Department to the Tariff of Fees & Charges By-law #132-2013 to include the changes; 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 an amendment to Schedule "D" of the Tariff of Fees and Charges By-Law #132-2013 at its March 17, 2015 meeting; and further

That three readings be given to a new comprehensive Tariff of Fees and Charges By-law for this purpose.

That by-law number 132-2013 be hereby repealed.

### **Keeping of Animals By-Law #150-2010 Amendment**

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

That Council hereby amends By-law Number 150-2010 a By-law to Regulate the Keeping of Animals Within the City of Kenora; and further

That the appropriate bylaw be passed for this purpose.

### **Parks By-Law Authorization**

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

That Council authorizes a new City of Kenora Parks Bylaw; and further

That three readings be given to a bylaw for this purpose.

### **Coney Island Park Contract Extension**

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

That Council approves extending the Coney Island Park Contract with Jennifer Schott in the amount of \$13,560.00 for the year 2015; and further

That Council gives three readings to a by-law to authorize a one year extension to the current contract with Jennifer Schott.

### **LOWDC – RFP Harbourfront Activities**

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

That Council of the City of Kenora directs the Lake of the Woods Development Commission through its Tourism Committee to release a request for proposals to animate the Harbourfront Green Space during the summer of 2015 with fun, family friendly activities.

### **Lease Amendment – Tbaytel – McKenzie Portage Road Site**

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

That the Mayor and Clerk of the City of Kenora be authorized to enter into an amending agreement with TBaytel for uses of property described as Parcel 4245 DKF; locations JC89 PIN 42150-1384 LT; and



That the said amendment will increase the annual rent to \$5,575.50 (plus applicable taxes) for a period from 1 February, 2015 to 31 January, 2018, from \$5,310.00 (plus applicable taxes); and further

That the appropriate bylaw be passed for this purpose.

### **Lease Agreement – Municipal Property Assessment Corporation**

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

That Council authorizes a lease agreement with the Municipal Property Assessment Corporation for office space at the City of Kenora Operations Centre; and further

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

### **Transfer of Lands to City of Kenora – Part 2 Plan 23R-12358**

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

That the Council of the City of Kenora hereby accepts lands described as Part 2, Plan 23R-12358, to be entered into its inventory for municipal purposes; and further

That the City of Kenora will pay \$2 + legal/transfer fees for the property; and further

That the current owners agree and undertake that future development of a roadway will be the responsibility of the developer and any agreement of purchase and sale will so indicate; and further

That the Mayor and Clerk be authorized to execute all documents associated with the transfer; and further

That Council gives three readings to a bylaw for this purpose.

### **Zoning Amendment Z02/15**

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

That Council of the City of Kenora approves the proposed zoning by-law amendment Z02/15 Pedersen, to amend the Zoning By-law 160-2010, as amended, for the property described as 616 & 628 Anderson Branch Road, Kenora, ON P9N 4J9, CON 8J N PT LOT 1 PCL2226 , City of Kenora, District of Kenora from RU to RU[32] notwithstanding any other provisions of the By-law, on lands noted by [32] on the Schedules to the By-law the lands shall be zoned to permit EP – Environmental Protection uses and a reduced frontage on the Anderson Road as the application is consistent with the Provincial Policy Statement (2005), 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.

### **Garden & Shrub Bed Maintenance Contract 2015-2017**

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

That the following quotation be received for the, supply and planting of 2,000 dozen bedding plants, and the maintenance of City of Kenora shrub beds and gardens for a period of three years (2015, 2016 & 2017):

|                     |                                                                    |
|---------------------|--------------------------------------------------------------------|
| Debbie's Greenhouse | \$441,540.00 + GST<br>(Annually - \$147,180.00 + GST); and further |
|---------------------|--------------------------------------------------------------------|

That the quotation from Debbie's Greenhouse in the amount of \$441,540.00+ G.S.T. be accepted for the 2015-2017 Garden & Shrub Bed Maintenance Contract; and further

That the Mayor and Clerk be authorized to enter into a contract with Debbie's Greenhouse, which the quote will form the contract; and further

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

## **Bylaws**

### **39. 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:~

- #20-2015** – Confirm the proceedings of Council
- #21-2015** – Authorize an agreement with Paul S. Heayn
- #22-2015** – Amend operating and capital budget for bus engine replacement
- #23-2015** -Authorize an agreement with Comprint Systems Inc. (Datafix)
- #24-2015** – Authorize an agreement with FedNor for Cameron Bay servicing
- #25-2015** - Authorize an agreement with NOHFC for Cameron Bay servicing
- #26-2015** – Amend the Municipal Alcohol Policy #LS-3-1
- #27-2015** – Authorize an agreement with MNDM for NCIR funding for Tunnel Island
- #28-2015** – Authorize a consulting agreement with Black Dog Management
- #29-2015** - Authorize an agreement with NOHFC for Coney Island development
- #30-2015** – Adopt an amended Fire Control bylaw
- #31-2015** – Amend budget for Keewatin Channel Bridge engineering expenses
- #32-2015** – Amend Tariff of Fees bylaw for the increase of tipping fees
- #33-2015** – Amend bylaw #150-2010 Keeping of Animals bylaw
- #34-2015** – Authorize a new parks bylaw
- #35-2015** – Extend a Coney Island Park contract with Jennifer Schott
- #36-2015** – Authorize an agreement with Tbaytel for McKenzie Portage Rd property
- #37-2015** - Authorize a lease with MPAC for office space rental at Operations Centre
- #38-2015** - Accept the transfer of lands Part 2- Plan 23R-12358
- #39-2015** – Authorize a garden/shrub maintenance contract with Debbie's Greenhouse
- #40-2015** - Approve a zoning amendment Z02/15 Pedersen

## **Announcements**

### **The following was highlighted by Council:**

- 1.** Councillor Wasacase commended the people who allow buskers to come into the community to display their talent

2. Councillor Wasacase noted that they are continuing to work with the Kenora Fellowship Centre to find ways to assist their program in Kenora.
3. Councillor McMillan read two media releases from the Kenora District Services Board and noted that Sunday, March 22<sup>nd</sup> World Water day.
4. Councillor McMillan encouraged people to come out to the annual First Nations Tournament in April.
5. Councillor Smith advised that the final draft of the Official Plan and Zoning bylaw including the Keewatin CIP is posted on the kenora.ca website. Public meeting is April 21<sup>st</sup>.
6. Councillor Smith commended the staff for all their work they put into holding the Winter carnival. There was great attendance and people enjoyed this great event.
7. Councillor Goss also thanked the staff and the community involvement in the winter carnival.
8. Councillor Reynard noted the successful OFSAA Girls Hockey event that was hosted by Saint Thomas Aquinas High school. We received a lot of accolades from the visitors and this was a unique partnership with Whitefish Bay.
9. Mayor Canfield spoke about the gas pricing and referenced the pricing fluctuation between the price of gas and the price of oil.

**Close of Meeting**

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

That this meeting be now declared closed at 12:52 p.m.

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

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

**Of.....2015**

.....  
**Mayor**

.....  
**City Clerk**