



MINUTES
City of Kenora
Committee of the Whole of Council

Tuesday, March 10, 2015
9:00 am
City Hall Council Chambers

Present: Mayor D. Canfield
Councillor M. Goss
Councillor R. McMillan
Councillor D. Reynard
Councillor S. Smith
Councillor C. Wasacase (arrived at 9:07 a.m.)

Regrets: Councillor L. Roussin

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

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 March 17, 2015 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

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

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

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

Committee of the Whole February 10, 2015

4. Deputations

4.1 Jeremiah Windego - Tunnel Island Partners

Jeremiah Windego presented to Council the Tunnel Island Common Ground Board Development Project (TICGBDP). This project was sanctioned by the five (5) Tunnel Island project partners: Grand Council Treaty #3, Wauzhushk Onigum (WON), Obashkaandagaang, Ochiichagwe' Babigo' Ining (Dalles), and the City of Kenora. Jeremiah Windego of Black Dog Management and Consulting was selected to facilitate the project with the following deliverables: Determine board membership, board appointment processes, develop the board, establish By-law #1, communications plan, create governance documents, and complete a strategic plan to develop a common and long term vision for Tunnel Island.

Members of our project included; Donna Anderson – Grand Council Treaty #3, Councillor Ed Skied – WON, Elders Clifford and Janet Skead – WON, Starla Ledoux – Obashkaandagaang First Nation, John Henry, Barry Henry EDO, Elder Alice Kelly – Dalles and Jennifer Findlay EDO, Mayor David Canfield, Councillor Rory McMillen.

Meetings were held at; Grand Council Treaty #3 (September 23, 2014), Wauzhushk Onigum Nation (November 4, 2014), City of Kenora (December 4, 2014 & January 14, 2015).

Project goals were to determine board membership; Board appointment processes; develop the board; establish By-law #1; develop a communications plan; create governance documents; complete a strategic plan to develop a common and long term vision for Tunnel Island. Project deliverables were to develop a Partner Terms of Reference where each member created an individual "terms of reference" that defined the board member selection process, qualifications, length of term, communication plan, reporting requirements and responsibilities. The Group Terms of Reference was also developed where a working group members worked together to create a "group terms of reference" that defined the authority, vision, board structure, quorum, term, meetings, frequency, and internal and external communication plan. The Authority states that the land is owned 100% by each partner. The Vision statement created "Shared History, Shared Land, Shared Future". The group established By-Law #1 based on the group and

partner terms of reference. They created from the "Not-For-Profit Corporations Act: Draft Organizational By-law". The group also developed a Strategic Plan with four (4) priorities being established. Next steps are to obtain approval from each partner and follow the terms of reference to establish a governing body for TICG lands. The group has a 12 Month Plan which starts with obtaining funding for planning initiatives; explore and Create a Management Structure; establish a working board of directors; establish a finance structure for the board of directors; re-visit taxation issue regarding land ownership and tax liability.

Tunnel Island Common Ground Board Development Project was completed in February 2015 through the hard work of dedicated partners. This project focused on developing a governance structure to assist in advancing the interests of five (5) partners and the land they share. Throughout the project the power of the land and its ability to bring people together was apparent. This group walked in two worlds for a shared vision, "Shared History, Shared Land, Shared Future".

Mayor Canfield thanked Mr. Windego for his presentation and his work with the development of this important project and a copy of the presentation was left with the Clerk.

4.2 Barry Sadler - Apportionment of Assessment

Barry Sadler was present to discuss property assessment. Barry noted that his property on Bruckenburger Road was transferred to him on July 1, 2013. On February 5th, 2014 Mr. Sadler filed an application to MPAC for request for reconsideration to change from waterfront (assessed) as his property is not actually located on the water. He received correspondence from MPAC on February 17, 2014 that he would hear back from them within 90 days of receipt of his application. The notice advised that MPAC is required by legislation to notify him of his request for reconsideration results by September 30, 2014 which he still has yet to receive. Mr. Sadler was provided notice by our Tax Collector that Council could consider an application for the Apportionment of Assessment under Section 356 of the Municipal Act affecting the 2014 taxation year for this property and this is why he is before council today.

Mayor Canfield thanked Mr. Sadler for his presentation and a copy of his presentation was left with the Clerk.

4.2 (addition) Melanie Buffett – Kenora Minor Baseball League

Melanie Buffett was present to make a deputation on behalf of the Kenora Baseball League President, Cori Libitka. She noted that Cori has been President of the league for 5 years and a member of the Board for 7 years. The upgrades that they are proposing is something that she has been trying to achieve since her kids started playing baseball 10 years ago. This is a way for their league to improve the fields so that their players are safe and happy and for the City to improve fields at very little cost to the City directly. The league is proud of their increasing numbers for minor baseball and the board has made substantial changes on how they operate over the past several years with the response proving to be worthwhile. As the fields stand right now players rarely slide into a base because it simply is not safe. They do not teach or practice sliding. The group is

constantly picking rocks out of the sand before each game and after every drag. It is also very dangerous for the kids to be running in sand due to the uneven terrain with regular ankle and knee injuries to players when running the bases simply because they've stepped in a hole or tripped on a rock or ridge. When it rains, that sand holds on to the water for hours so they routinely have to cancel games and practices due to poor field conditions. As a Board they are constantly trying to do things to improve baseball in Kenora. Keeping young families and their children involved in healthy activities is important in youth today and improvements to these fields are so important. It was noted that the group joined Baseball Manitoba a few years ago to provide greater opportunities to the youth to participate in tournaments including Provincial playoffs. The group is asked annually to host the playoff events for Manitoba and need to decline due to the conditions of the fields as there is no way we could bring out of town teams here to play on our fields in the current conditions. If we make these improvements to the fields, the likelihood of us hosting a tournament improves greatly. As a league they do not have the funds to invest on improving fields that aren't owned by the league. The league is willing to fundraise, submit grant proposals and do whatever they can to make these improvements happen but need Council's support for this partnership.

Mayor Canfield thanked Ms. Buffet for her presentation and a copy of her presentation was left with the Clerk.

5. Business Administration Reports **Councillor R. McMillan, Lead Chair**

5.1 K.D.S.B. Press Releases

K.D.S.B. Press Releases were attached to the meeting agenda and will be read during the Council meeting on March 17, 2015.

5.2 Closed Meeting Investigator Agreement

Recommendation:

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.

Recommendation Approved.

5.3 Contracts Awarded Fourth Quarter 2014

Recommendation:

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.

Recommendation Approved.

5.4 Conventional Bus Engine Replacement

Recommendation:

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.

Recommendation Approved.

5.5 Council Remuneration - KDSB and NOMA

Recommendation:

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.

Recommendation Approved.

5.6 Voterview List Management Agreement

Recommendation:

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.

Recommendation Approved.

5.7 FedNor Funding - Cameron Bay Development Project

Recommendation:

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 west shore of Cameron Bay and to the Tall Pines Marina Development; and further

That the CAO be authorized to execute this agreement.

Recommendation Approved.

5.8 NOHFC Funding - Cameron Bay Development Project

Recommendation:

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 west shore of Cameron Bay and to the Tall Pines Marina Development; and further

That the CAO be authorized to execute this agreement.

Recommendation Approved.

5.9 2014 Fourth Quarter Investments Report

Recommendation:

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.

Recommendation Approved.

5.10 Kenora Curling Club Property Tax Relief Request

Recommendation:

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.

Recommendation Approved.

5.11 Managed Alcohol Program Property Tax Relief Request

Recommendation:

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

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.

Recommendation Approved.

5.12 Municipal Alcohol Policy Review

Recommendation:

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.

Recommendation Approved.

5.13 Call for NOMA Nominations - Mayor Canfield - President

Recommendation:

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.

Recommendation Approved.

5.14 Poverty Reduction Summit Attendance

Recommendation:

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.

Recommendation Approved.

5.15 Section 356 - Apportionment of Property Taxes

Recommendation:

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.

Recommendation Approved.

5.16 Various Committee Minutes Approval

Recommendation:

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.

Recommendation Approved.

6. Community Services Reports **Councillor D. Reynard, Lead Chair**

6.1 Kenora Baseball League Request

Recommendation:

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.

Recommendation Approved.

6.2 Kenora Safe Grad Grant

Recommendation:

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 \$3000.00 be authorized for the use of payment for use of the Kenora Recreation Centre for this purpose.

Recommendation Approved.

7. Economic Development Reports **Councillor M. Goss, Lead Chair**

7.1 MNDM NCIR Funding - Tunnel Island Project

Recommendation:

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.

Recommendation Approved.

7.2 Consulting Contract - Tunnel Island Project

Recommendation:

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.

Recommendation Approved.

7.3 NOHFC Funding - Coney Island Project

Recommendation:

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.

Recommendation Approved.

8. Emergency Services Reports **Councillor C. Wasacase, Lead Chair**

8.1 Fire Control By-law

Recommendation:

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.

Recommendation Approved.

8.2 Medical Emergency Response Provision

Recommendation:

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.

Recommendation Approved.

9. Operations Reports **Councillor Wasacase, Alternate Lead Chair**

9.1 Drinking Water Guide for Municipal Council

Recommendation:

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

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.

Recommendation Approved.

9.2 Drinking Water Quality Management System Endorsement

Recommendation:

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.

Recommendation Approved.

9.3 Water Wastewater Systems Monthly Summary Report - Jan 2015

Recommendation:

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.

Recommendation Approved.

9.4 Keewatin Channel Bridge Tender Engineering Expenses 2015

Recommendation:

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.

Recommendation Approved.

9.5 Solid Waste Department - Increase to Tipping Fees

Recommendation:

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 1st, 2015; and

That Council authorizes an amendment to Schedule "D" – Operations Department to the Tariff of Fees & Charges By-law #120-2011 to include the changes; and

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 #120-2011 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.

Recommendation Approved.

10. Property & Planning Reports

Councillor S. Smith, Lead Chair

10.1 Keeping of Animals By-law #150-2010 Amendment

Recommendation:

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.

Recommendation Approved.

10.2 Parks By-law Authorization

Recommendation:

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

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

Recommendation Approved.

10.3 Coney Island Park Contract Extension

Recommendation:

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.

Recommendation Approved.

10.4 Garden & Shrub Bed Maintenance Contract 2015-2017

Recommendation:

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 (Annually - \$147,180.00 + GST); and further
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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.

Recommendation Approved.

Discussion: Council questioned if this is approved for this year, does it lock the City into the three year contract. With budget pressures everywhere it may need to be considered that we look at reducing where flowers are or consider changing the types of annuals versus perennials that we plant to reduce costs.

10.5 LOWDC - RFP Harbourfront Activities

Recommendation:

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.

Recommendation Approved.

Discussion: It was discussed that this process may be too detailed for encouraging busking in our community. City Clerk Heather Kasprick advised Council that a draft busking bylaw will be brought forward to Council for consideration in the near future as she will be presenting to members of the BIZ community and the Kenora OPP for review.

10.6 Lease Amendment - TBaytel - McKenzie Portage Road Site

Recommendation:

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.

Recommendation Approved.

10.7 Lease Agreement - Municipal Property Assessment Corporation

Recommendation:

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.

Recommendation Approved.

10.8 Transfer of Lands to City of Kenora - Part 2 Plan 23R-12358

Recommendation:

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

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

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

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.

Recommendation Approved.

11. Other

11.1. Zoning By-law Amendment Public Meeting - 11:00 a.m.

i) Z02/15 Pedersen

Recommendation:

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.

Recommendation Approved.

12. Date of Next Meeting

Tuesday, April 14, 2015

13. Adjourn to Closed

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

That pursuant to Section 239 of the Municipal Act, 2001, as amended, authorization is hereby given for Committee to move into a Closed Session at 11:20 a.m. to discuss items pertaining to the following:-

- i) Personal Matter about an Identifiable Individual (2 items)
- ii) Disposition 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

3. Moved by D. Reynard, Seconded by S. Smith & Carried:-

That Council returns to the open session from its closed session at 12:28 p.m. with the following items to be introduced:

1. Appointment to the Accessibility Advisory Committee

Recommendation:

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.

Recommendation Approved.

15. Close Meeting

Meeting closed at 12:29 p.m.