

Minutes

*of a Meeting of the Council of the City of Kenora
held Monday, June 7, 2004 – City Chambers
at 5:00 p.m.*

~~~~~

**WITH Mayor D. Canfield in the Chair, Councillor L. Compton, Councillor R. McMillan, Councillor I. Parkes, Councillor A. Poirier, Councillor T. Szajewski, Councillor C. Wasacase, Joanne L. McMillin, City Clerk.**

## **Call to Order**

**Mayor Canfield called the meeting to order and Councillor Parkes read the Prayer.**

## **CONFIRMATION OF MINUTES**

**1.Moved by L. Compton, Seconded by A. Poirier & Carried:-**

THAT the Minutes of the last Regular Meeting of Council of the City of Kenora held **Tuesday, May 25, 2004** and of the Special Meeting held **Thursday, May 27, 2004** be confirmed as written and circulated.

## **DECLARATIONS OF PECUNIARY INTEREST**

**Mayor Canfield then asked if any Member of Council had any Declarations of Pecuniary Interest with respect to any items on the Agenda. There were none declared.**

## **DEPUTATIONS:**

### **Marga Zacharias**

Ms Zacharias referred to the City's decision to discontinue automatic water delivery. She advised that she lives in British Columbia and her tenants are not that reliable to be calling each time they require water. Ms Zacharias requested the City re-consider this matter and to retain the automatic service rather than a call-in service for water delivery.

### **Don Kinger**

Mr. Kinger advised he was in attendance to speak on behalf of the Murray's who have lived in the Golf Course Road area since 1955. While they realize they will not have such services as natural gas or mail delivery for the some \$5,000 they pay in taxes, they are requesting the road they travel regularly be paved again by the City. Apparently it has been this way for some time and the area is quite dirty due to the lack of pavement. They would also like street lighting to be installed due to the amount of vandalism in this area.

Mr. Kinger referred to the Main Street Traffic Plan again, noting that it is not working, and questioned why certain Members of Council stated they were against it during last year's election campaign, and yet nothing is being done to change the plan to the former design?

## **Approval of Accounts**

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

THAT the Reports dated **May 27, June 2 and June 3, 2004** of the Finance and Administration Committee, submitting for approval and authorization for

payment, invoices, accounts and payroll summaries, including transfers to Boards and Commissions for municipal and utility listings, attached hereto, totalling **\$3,710,417.40** be hereby authorized for approval.

**Stop up, Close and Sell Property to Minestic & Canadian Tire**

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

THAT Council give three readings to a by-law to stop up, close and sell certain lots, streets and lanes to Minestic Shopping Centres Limited and Canadian Tire Real Estate Limited along Highway 17 E.

**Appoint Dep.Division Registrars & Lottery Licensing Officers**

**4.Moved by I. Parkes, Seconded by L. Compton & Carried:-**

THAT Council give three readings to a by-law to appoint Deputy Division Registrars and Lottery Licensing Officers for the City of Kenora.

**Relay for Life – Noise Exemption**

**5.Moved by T. Szajewski, Seconded by R. McMillan & Carried:-**

THAT authorization be hereby given to provide an exemption to the Noise By-law for the Relay for Life event taking place at the Recreation Centre on June 25, 2004; and further

THAT the exemption be in place until Saturday, June 26 at 1:00 a.m.

**KBI – Exemption to Municipal Alcohol Policy**

**6.Moved by T. Szajewski, Seconded by R. McMillan & Carried:-**

THAT Council of the City of Kenora hereby authorizes an exemption to the Municipal Alcohol Policy under "Control" (Section 12, paragraph c), which eliminates the requirement of hiring a minimum of two off-duty police officers for the 2004 K.B.I. event; and further

THAT this exemption be in effect on August 4, 5, and 7, 2004.

**Action Plan–Under-serviced Health Professional Problem**

**7.Moved by I. Parkes, Seconded by L. Compton & Carried:-**

THAT further to Council adopting Resolution #7 on February 23, 2004 with respect to requesting an urgent Action Plan be implemented by the Ontario Medical Association to begin solving the under-serviced physician/health professional problem, Council hereby authorizes the submission of a letter to the Honourable George Smitherman as a result of the recent Ontario Budget for 2004 not including a strategy or plan to address this crisis.

**Parking Permits for Kenora Seniors 1A Games**

**8. Moved by R. McMillan, Seconded by A. Poirier & Carried:-**

THAT authorization be hereby given for the supply of fifty (50) Guest Parking Permits to the Kenora Seniors 1A Games taking place in Kenora June 9, 10 and 11, 2004; and further

THAT the Permits be provided for the three (3) days at no charge.

**Waiving of Utility Bill Stuffer Fee – LoW Concert Group**

**9. Moved by L. Compton, Seconded by A. Poirier & Carried:-**

THAT the Lake of the Woods Concert stuffer be approved for inclusion in the KMTS telephone bills for the month of August 2004; and

THAT the \$.05 stuffer fee be waived in accordance with Council policy.

**Approval of 2003 Audited Consolidated Financial Statements**

**10. Moved by R. McMillan, Seconded by T. Szajewski & Carried:-**

THAT the 2003 Audited Consolidated Financial Statements for the Corporation of the City of Kenora be received and approved by Council.

**Receipt of Urban Forestry Plan**

**11.Moved by T. Szajewski, Seconded by R. McMillan & Carried:-**

THAT Council of the City Kenora hereby receives the Kenora Urban Forestry Plan submitted by Viburnum Tree Experts as presented to Council on May 18, 2004.

**Approval of Crosswalk/Guard – 7<sup>th</sup> St N on Brinkman Road**

**12. Moved by A. Poirier, Seconded by L. Compton & Carried:-**

THAT the City of Kenora approve the installation of a school crosswalk to be located north of Seventh Street North, on Brinkman Road; and further

THAT the stationing of a School Crossing Guard at this location to cover the period of school dismissal during regular school hours only, be accepted.

**Various Amendments to Traffic Regulation By-law**

**13.Moved by A. Poirier, Seconded by L. Compton & Carried:-**

THAT Motion NUMBER 13, dated March 22, 2004, be hereby amended as follows:

THAT the City of Kenora Traffic Regulation Bylaw 127-2001 be amended to include the following addition to Schedule "B" - No Parking-Tow Away Zones:

|      | <b><u>Column 1</u></b>    | <b><u>Column 2</u></b>                  | <b><u>Column 3</u></b> | <b><u>Column 4</u></b> |
|------|---------------------------|-----------------------------------------|------------------------|------------------------|
| Add: | 6 <sup>th</sup> Avenue S. | From Park Street<br>South for 30 meters | East                   | Anytime                |

THAT the City of Kenora Traffic Regulation Bylaw 127-2001 be amended to include the following addition to Schedule "C"- Limited / Restricted Parking:

|      | <b><u>Column 1</u></b>    | <b><u>Column 2</u></b>                  | <b><u>Column 3</u></b> | <b><u>Column 4</u></b>                                      |
|------|---------------------------|-----------------------------------------|------------------------|-------------------------------------------------------------|
| Add: | 6 <sup>th</sup> Avenue S. | From Park Street<br>South for 15 meters | West                   | 15 Minutes<br>8:00 am to 5:00 pm<br><b>Monday to Friday</b> |

**Tabled Motion from May 25 – Traffic Line Painting Layout**

**14.Moved by A. Poirier, Seconded by R. McMillan:-**

THAT the Council of the City of Kenora hereby approves the traffic line painting layout on Main Street South as implemented in 2003.

**MOTION DEFEATED**

**Traffic Plan for Main Street South and McClellan Avenue**

**15.Moved by A. Poirier, Seconded by R. McMillan & Carried:-**

THAT the City of Kenora approve the existing single lane traffic plan along Main Street South as follows:-

THAT the three parking meters located north of McClellan Avenue along Main Street South be removed; and

THAT the Bus Stop, fronting the Daily Miner & News, be re-located to the three parking spaces north of McClellan Avenue, along Main Street South; and further

THAT the three parking meters removed from north of McClellan Avenue be relocated to the space occupied by the Bus Stop on Main Street South, fronting the Daily Miner & News.

**RECORDED VOTE:~**

| COUNCIL              | AYE | NAY | Dec. of Interest |
|----------------------|-----|-----|------------------|
| Councillor Compton   |     | X   |                  |
| Councillor McMillan  | X   |     |                  |
| Councillor Parkes    |     | X   |                  |
| Councillor Poirier   | X   |     |                  |
| Councillor Szajewski | X   |     |                  |
| Councillor Wasacase  |     | X   |                  |
| Mayor Canfield       | X   |     |                  |

**Process for Increasing of Fees – Solid Waste Transfer Station**

**16.Moved by A. Poirier, Seconded by R. McMillan & Carried:-**

THAT in order to amend By-law 100-2003 (General Tariff of Fees) it will be necessary to follow the requirements as set out under The Municipal Act, 2001 Regulation No. 244/02, as follows:-

- 21 days "Notice" to be given, prior to the holding of a public meeting should the City wish to implement an increase in tipping fees, as well as, other fees and charges for certain commodities associated with the Solid Waste Transfer Station, as set out on the attachment dated May 26, 2004 submitted by Richard Perchuk; and further

THAT authorization be hereby given for the Operations Department to commence the legislative process to amend Tariff of Fees By-law No. 100-2003 for this purpose.

**Process for Naming Road between Veterans Dr & Mellick Ave**

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

THAT approval be hereby given to name that section of highway between Veterans Drive and Mellick Avenue, running east and west and being approximately 570 metres in length, as "**Fourteenth Street North**" in accordance with provisions of The Municipal Act, 2001; and further

THAT prior to making arrangements to name this highway by by-law in accordance with provisions of Notice By-law #14-2003, the Clerk's Office commence the process to assume the highway once a survey has been completed and received to officially name "**Fourteenth Street North.**"

**Councillor Wasacase requested that Motion Number 18 be tabled:**

**Moved by C. Wasacase, Seconded by T. Szajewski & Carried:**

THAT Motion Number 18 with respect to surrendering a ROW easement on property owned by Changes Recovery Homes be hereby tabled; and further

THAT Motion Number 21 and Number 22 be hereby amended to table the readings and adoption of By-law Number 77-2004 concerning this easement matter.

**Surrendering of ROW Easement – Changes Recovery Homes**

**18. Moved by L. Compton, Seconded by A. Poirier:**

**“MOTION TABLED”**

THAT Council give three readings to a by-law to authorize the surrendering of the right of way easement described as Part 2 of Reference Plan 23R-3481; and further

THAT Changes Recovery Home be responsible for all legal, land registry and any associated costs.

**Tender – Site Servicing of Public Works Yard**

**19. Moved by A. Poirier, Seconded by T. Szajewski & Carried:-**

THAT the Council of the City of Kenora receive the following tenders for the site servicing of the Public Works Yard:-

1. Lafarge Materials & Construction Inc. - \$2,202,502 including GST
2. Makkinga Contracting and Equipment Rentals-\$2,389,789 including GST
3. Moncrief Construction Limited-\$2,436,946 including GST; and

THAT Council accepts the tender from Lafarge Materials & Construction Inc. in the amount of \$2,202,502 including GST to ensure that the works are completed per the original site planning process with the residents of the Rideout neighbourhood; and further

THAT Council authorize an upset KMTS contribution of \$1,056,522 to fund the additional works.

**RECORDED VOTE:~**

| <b>COUNCIL</b>       | <b>AYE</b> | <b>NAY</b> | <b>Dec. of Interest</b> |
|----------------------|------------|------------|-------------------------|
| Councillor Compton   |            | <b>X</b>   |                         |
| Councillor McMillan  | <b>X</b>   |            |                         |
| Councillor Parkes    | <b>X</b>   |            |                         |
| Councillor Poirier   |            | <b>X</b>   |                         |
| Councillor Szajewski | <b>X</b>   |            |                         |
| Councillor Wasacase  | <b>X</b>   |            |                         |
| Mayor Canfield       | <b>X</b>   |            |                         |

**Tender – Supply and Delivery of Granular “A”**

**20. Moved by L. Compton, Seconded by A. Poirier & Carried:-**

THAT the following quotations, for the supply and delivery of 3000 tonnes of Granular “A”, Part A of said tender, be received;

|                         |                   |
|-------------------------|-------------------|
| Lunam Drillers Ltd.     | \$10.55 per tonne |
| Joe Neniska & Sons Ltd. | \$12.47 per tonne |

|                                       |                        |
|---------------------------------------|------------------------|
| Hugh Munro Construction               | \$13.20 per tonne      |
| Ivor Hulmes & Sons Ltd.               | \$10.53 per tonne      |
| Lafarge Materials & Construction Inc. | \$11.69 per tonne      |
| Moncrief Construction Ltd.            | \$13.61 per tonne; and |

THAT the quotation submitted by Ivor Hulmes & Sons Ltd., Kenora, Ontario, in the amount of \$10.53 per tonne (taxes included) pending approval of the proposed aggregate, be accepted; and further

THAT the attached ranking list for the supply only of Granular "A" material from private pits, Part B of said tender, for the period commencing June 8, 2004, be hereby accepted and adopted.

### **By-laws – First and Second Reading, as amended:**

#### **21. Moved by I. Parkes, Seconded by A. Poirier & Carried:-**

**THAT** the following **By-laws** be read a **FIRST & SECOND** Time:~

**#70-2004-** to confirm proceedings of the June 1 Committee of the Whole Meeting;

**#71-2004-** to amend Comprehensive Zoning By-law Number 50-91, as amended;

**#72-2004-** to assume that part of Sixth Street (formerly Gertie Street, By-law No. 460.G.R. 785) as shown on Plan M.63 designated as Part 13, on Plan 23R-10957, Town of Kenora, now City of Kenora, District of Kenora;

**#73-2004-** to stop up and close those parts of the streets and lanes as shown on Plans M.63 and M.44, in the City of Kenora in the District of Kenora designated as Parts 1,2,3,4,7,8,9,10 and 11, on Plan 23R-10931 and Parts 13 and 15 on Plan 23R-10957 and to sell those lots, part lots and streets and lanes as shown on Plans M.63 and M.44, in the City of Kenora in the District of Kenora;

**#74-2004-** to enter into a Development Agreement between Minestic Shopping Centres Limited and the Corporation of the City of Kenora and Canadian Tire Real Estate Limited;

**#75-2004-** to appoint Deputy Division Registrars and Lottery Licensing Officers on behalf of the City of Kenora;

**#76-2004-** to amend By-law Number 127-2001 being a by-law to regulate traffic on the roads and highways of the City of Kenora;

~~**#77-2004-** to release easement #115077 for land described as Part of Parcel 29906 owned by Changes Recovery Homes;~~ **TABLED**

**#78-2004-** to authorize the execution of an Amending Agreement of Purchase and Sale between the Corporation of the City of Kenora and 1286730 Ontario Limited;

**#79-2004-** to authorize the entering into of an Assignment Agreement between the Corporation of the City of Kenora, Minestic Shopping Centres Limited and 1286730 Ontario Limited.

### **By-laws – Third and Final Reading, as amended**

#### **22. Moved by I. Parkes, Seconded by A. Poirier & Carried:-**

**THAT** the following **By-laws** be now approved in their present form and be presented for **THIRD & FINAL** Reading:-

**#70-2004-** to confirm proceedings of the June 1 Committee of the Whole Meeting;

**#71-2004-** to amend Comprehensive Zoning By-law Number 50-91, as amended;

**#72-2004-** to assume that part of Sixth Street (formerly Gertie Street, By-law No. 460.G.R. 785) as shown on Plan M.63 designated as Part 13, on Plan 23R-10957, Town of Kenora, now City of Kenora, District of Kenora;

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**#79-2004-** to authorize the entering into of an Assignment Agreement between the Corporation of the City of Kenora, Minestic Shopping Centres Limited and 1286730 Ontario Limited.

**Adjournment**

**23. Moved by T. Szajewski, Seconded by R. McMillan & Carried:-**

**THAT** this meeting be now declared closed at 5:55 p.m.

***THE CORPORATION OF THE CITY OF KENORA:***

**CONFIRMED AS WRITTEN THIS .....DAY OF**

**.....2004**

.....  
**MAYOR**

.....  
**CITY CLERK**