



Minutes

*of a Meeting of the Council of the City of Kenora
held Monday, November 8, 2004 – City Chambers
at 5:00 p.m.*

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**WITH Mayor D. Canfield in the Chair, Councillor L. Compton, Councillor R. McMillan, Councillor I. Parkes, Councillor A. Poirier, Councillor C. Wasacase, Bill Preisentanz, CAO, Paulette Grouda, D/Clerk.**

**Regrets: Councillor T. Szajewski**

**Call to Order**

**Mayor Canfield called the meeting to order and Councillor Compton 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 the Council of the City of Kenora held Monday, October 25, 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. **Councillor Parkes made a Declaration with respect to Motion #16 as her husband works for a contractor involved with the construction project on Highway 17 E. Councillor Compton made a Declaration with respect to Motion #7 as he is a member of the KMTS Commission.**

**Appointment to Museum Board**

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

THAT the Council of the City of Kenora hereby appoint Lorne Kletke to the Lake of the Woods Museum Board, to fill a vacancy for a term to expire November 2006.

**Approval of Accounts**

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

THAT the Reports dated **October 28, 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 **\$2,941,242.26** be hereby authorized for approval.

**Petition to Minister of Long-Term Care – Land Ambulance Costs**

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

THAT the Council of the Corporation of the City of Kenora hereby receives the letter and resolutions dated November 1, 2004 from the Kenora District Services Board (KDSB) seeking support from the City of Kenora to ensure the



Minister of Health and Long-Term Care will commit that Ministry to pay at least fifty percent (50%) of the Land Ambulance services costs in the District of Kenora and in the Province of Ontario, as well as petitioning the Minister of Health and Long-Term Care to recognize that property taxes in unincorporated areas are in fact property taxes for the purpose of funding the costs allocated to the unincorporated area for land ambulance costs and that the Minister ensures that annual costs allocated to the unincorporated property taxpayers for land ambulance services, by means of a method that complies with O.Reg. 129/99, are paid by the Ministry in compliance with Section 5(5) of O.Reg. 129/99; and

THAT the Council of the Corporation of the City of Kenora fully supports and endorses the position taken by the Kenora District Services Board and demands that the Minister of Health and Long-Term Care deal with these matters sooner than later, and that a copy of this resolution be forwarded to the Honourable George Smitherman, Minister of Health and Long-Term Care and the Honourable Dalton McGuinty, Premier of Ontario to immediately address this funding formula issue; and

THAT this resolution be forwarded to all municipalities in the Kenora District urging each Municipal Council to endorse this position as set out by the Kenora District Services Board and to petition the provincial government by submitting their resolutions of support to the Minister and the Premier at their earliest opportunity; and further

THAT a copy of this resolution be forwarded to the Kenora District Municipal Association as well as Howard Hampton, M.P.P."

**Approval to establish Clawbacks for certain Property Classes**

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

THAT Council give three readings to a by-law to establish the claw back rates for certain property classes within the City of Kenora for 2004.

**Budget Amendment - 2004 Budget-Police Costs**

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

THAT Council of the City of Kenora hereby authorizes an amendment to the 2004 municipal budget to fund the additional Kenora Municipal policing costs; and

THAT Council give three readings to a by-law approving the withdrawal of \$95,000.00 from the contingency Reserve for this purpose; and further

THAT public notice is hereby given in accordance with Notice By-law #14-2003 for the amending of the 2004 budget.

**2005 KMTS Stipend**

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

THAT Council of the City of Kenora refer the KMTS Commission stipend to the 2005 KMTS operating budget for consideration.

**Abstention: Councillor Compton**

**Petition to Province to revoke Civil Marriage Regulation**

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

WHEREAS in September, 2004 the Ontario government filed changes to the regulations under the Marriage Act authorizing municipal clerks to perform civil marriages; and



WHEREAS prior to giving Royal Assent to the new regulation, the Ontario government did not notify or consult with municipal clerks and/or municipal governments across the province in advance to determine if they would consider the option of performing civil marriages; and

WHEREAS municipalities were somewhat blind-sided with the News Release publicized across Ontario by the Ministry of Consumer and Business Services that municipal councils could opt into this service by authorizing municipal clerks to perform civil marriages; and

WHEREAS Ontario Regulation #285/04 as filed September 17, 2004 under the Marriage Act is very vague and ambiguous in terms of rules and regulations concerning the municipal clerk's authority for performing civil marriages; and

WHEREAS there has been very little information provided to municipalities concerning any aspect of providing this service, yet the public perception is that municipal clerks will automatically be performing these ceremonies in their municipality; and

WHEREAS not all municipalities have the resources to accommodate this type of service in their municipal offices, nor do municipal clerks have the time to perform these ceremonies; and

WHEREAS municipalities are bound by the Municipal Act in terms of imposing fees and charges for the provision of various services, many of which are restrictive and cannot be structured for the purpose of a revenue-generating opportunity; and

WHEREAS the Ontario government is once again clearly downloading their responsibilities to municipalities by taking advantage of, and imposing this discretionary legislation upon the municipal clerk's position rather than directly appointing "marriage commissioners" throughout the province and retaining this service at the provincial level; and

WHEREAS it is time for municipalities to speak out against further downloading by the province to municipal governments, especially when as key stakeholders, municipalities are not being adequately consulted, involved or informed of potential legislative changes that will have a definite impact on municipal resources and the delivery of municipal services;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the City of Kenora hereby petitions the Premier of Ontario and the Minister of Consumer and Business Services to revoke Ontario Regulation 285/04 thereby eliminating any option by a local municipality to authorize a municipal clerk to solemnize marriages; and

THAT a demand be placed on the Ontario government for the province to introduce a new regulation which authorizes the Ministry of Consumer and Business Relations to appoint marriage commissioners at-large to perform civil marriages and removing any municipal link to this service; and further

THAT a copy of this resolution be forwarded to the Association of Municipalities of Ontario (AMO) for circulating to all municipalities in the province for their support and endorsement, and a copy be forwarded to Howard Hampton, M.P.P., the Association of Municipal Managers, Clerks & Treasurers of Ontario (AMCTO), the Kenora District Municipal Association and the Northwestern Ontario Municipal Association (NOMA).

**Letter of Agreement – Dedicated Gas Tax Funds**

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



THAT Council give three readings to a by-law authorizing the City of Kenora to enter into a Letter of Agreement with the Ministry of Transportation with respect to the Dedicated Gas Tax Funds for Public Transportation Program.

**Letter of Support for Children’s Treatment Centre**

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

THAT authorization be hereby given for the Council of the City of Kenora to forward a letter of support to the Lake of the Woods Child Development Centre in support of their proposal to establish a Children’s Treatment Centre to serve children and families in the Districts of Kenora and Rainy River.

**“I’ll be Home for Christmas” Parking Promotion**

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

THAT Council of the City of Kenora hereby authorizes free public parking at the Kenora Parkade (first two floors) on Saturday, November 27 between the hours of 9:00 a.m. and 9:00 p.m. for the “I’ll be Home for Christmas” promotion, in order to provide greater access to convenient customer parking in the Business Improvement Area; and further

THAT approval also be hereby given for a temporary street closure at Second Street South and Chipman Street and from Chipman Street to First Street South on Saturday, November 27, in support of this BIA Christmas promotion.

**Closure of Museum during January, 2005**

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

THAT the Council of the City of Kenora give approval to the temporary closure of the Lake of the Woods Museum in January 2005 in order that repainting and re-carpeting can be done; and further

THAT the staff of the Lake of Woods Museum continue to work their regular hours during January 2005.

**Approval to Amend Sewer & Water Rates By-law**

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

THAT Council give three readings to a by-law to amend City of Kenora Sewer & Water By-law Number 33-2002 as outlined in the October 26 report; and further

THAT prior to the adoption of the by-law, authorization be hereby given to commence the public process for such amendment in accordance with Notice By-law 14-2003 and O.Reg. #244/02 in order for the changes to come into effect on December 1, 2004.

**Amendment to Traffic By-law (stop signs @ intersections)**

**14. Moved by A. Poirer, Seconded by L. Compton & Carried:-**

THAT Council give three readings to a by-law to amend Traffic Regulation By-law Number 127-2001 to include the following changes to Schedule O “Stop Signs at Intersections” at Shauna Crescent and Darren Avenue:-

**Add:**

**Column 1**  
**INTERSECTION**  
**Shauna Crescent and**  
**Darren Avenue**

**Column 2**  
**FACING TRAFFIC**  
**West bound on**  
**Shauna Crescent**



**Ranking Lists – Non-owned Equipment**

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

THAT the attached ranking lists be accepted and adopted for purposes of hiring non-owned equipment and trucks for the City of Kenora during the period January 1 to December 31, 2005.

**Highway 17 East 2005 Construction**

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

THAT the Council of the City of Kenora hereby grants approval for Pioneer Construction to complete Phase 1 work on Highway 17 East as early as possible in the spring of 2005.

**Abstention: Councillor Parkes**

**By-laws – First & Second Reading**

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

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

**#131-2004** - to confirm the proceedings of the Committee of the Whole meeting held November 2, 2004;

**#132-2004** - to establish the claw back rates for certain property classes within the Corporation of the City of Kenora for 2004;

**#133-2004** - to authorize the execution of a letter of agreement between the Corporation of the City of Kenora and Her Majesty the Queen in Right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario;

**#134-2004** - to amend By-law Number 127-2001 being a by-law to regulate traffic on the roads and highways of the City of Kenora;

**#135-2004** - to adopt amended estimates for reserve funds to be incorporated into the sums required for municipal purposes during the year, 2004.

**By-laws – Third & Final Reading**

**18. 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:-

**#131-2004** - to confirm the proceedings of the Committee of the Whole meeting held November 2, 2004;

**#132-2004** - to establish the claw back rates for certain property classes within the Corporation of the City of Kenora for 2004;

**#133-2004** - to authorize the execution of a letter of agreement between the Corporation of the City of Kenora and Her Majesty the Queen in Right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario;

**#134-2004** - to amend By-law Number 127-2001 being a by-law to regulate traffic on the roads and highways of the City of Kenora;



**#135-2004** – to adopt amended estimates for reserve funds to be incorporated into the sums required for municipal purposes during the year, 2004.

**Announcements**

Councillor Parkes reported on the outcome of the OPP Community Policing Meeting held today. There were concerns regarding motorists speeding in excess of the 25 km per hour on the Keewatin Beach Road. The signs are not clearly visible and the area around the signs should be brushed out.

There were also concerns with the width of Portage Bay Bridge and it was suggested that signs be posted indicating the bridge is "One Lane." There was also a suggestion that a traffic light be installed on Station Hill with arms indicating a need to stop for oncoming traffic.

Mayor Canfield advised that he will be in Thunder Bay for a Forestry Council Meeting November 24th and 25th. Eco-North 2004 is also being held in Thunder Bay November 24th-27th. Council agreed that the Mayor should attend Eco-North 2004 also.

**Adjournment**

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

**THAT** this meeting be now declared closed at 5:35 p.m.

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

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

**.....2004**

.....  
**MAYOR**

.....  
**CITY CLERK**