

COMMITTEE OF THE WHOLE MINUTES

Held Tuesday, November 2, 2004
At 4:00 p.m. – City Council Chambers



PRESENT:

David Canfield	-	Mayor
Len Compton	-	Councillor
Rory McMillan	-	Councillor
Ingrid Parkes	-	Councillor
Andrew Poirier	-	Councillor
Ted Szajewski	-	Councillor
Colin Wasacase	-	Councillor
B. Preisntanz	-	CAO
J. McMillin	-	City Clerk

Public Information NOTICES as per By-law No. 14-2003

Take Notice that as required under Notice By-law No. 14-2003, Council intends to adopt the following by-law at its November 8 meeting:

To Adopt Amended Estimates for Reserve Funds to be incorporated into the Sums required for Municipal Purposes during the Year 2004 (re: municipal policing costs.)

A. 3:00 p.m. Budget Presentation - Northwestern Health Unit

Prior to commencement of the Committee of the Whole meeting, representatives of the Northwestern Health Unit gave their budget presentation to Members of Council.

B. RESOLUTIONS PREPARED FOR Monday, November 8/2004:-

- Confirm Minutes
- Approval of Accounts
- Confirmatory By-law
- Adjournment

C. DECLARATION OF PECUNIARY INTEREST

Councillor Compton made a Declaration of Interest with respect to Item #6 on the Finance & Administration Agenda concerning the KMTS Stipend as he is a member of the Telephone Commission.

D. REPORT OF COMMITTEES:-

FINANCE & ADMINISTRATION

1. Harassment Policy

RECOMMENDATION:

THAT Council hereby amends the City of Kenora Policy Manual by approving the attached Harassment Policy #HR-1-6; and further

THAT the Harassment Policy be included in the City's Policy Manual.

HOLD

HOLD

2. Agrmt-Dedicated Gas Tax Funds for Public Transportation

RECOMMENDATION:

THAT Council approve a supporting by-law permitting the City of Kenora to enter into the letter of agreement with the Ministry of Transportation with respect to the Dedicated Gas Tax Funds for Public Transportation Program.

Recommendation approved (resolution and by-law).

**JOANNE/
PAULETTE**

3. Municipal Clerks to Perform Civil Marriages

RECOMMENDATION:

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).

Recommendation approved.

JOANNE

4. Kenora Police Service Wages & 2004 Budget

RECOMMENDATION:

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.

Recommendation approved (resolution and by-law).

**JOANNE/
PAULETTE**

5. Establishment of Claw back Rates

RECOMMENDATION:

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.

<p>Recommendation approved (resolution and by-law).</p>	<p>JOANNE/ PAULETTE</p>
<p>6. KMTS Commission Stipend RECOMMENDATION: THAT Council of the City of Kenora refer the KMTS Commission stipend to the 2005 KMTS operating budget for consideration.</p>	
<p>Recommendation approved.</p>	<p>JOANNE</p>
<p>7. Letter of Support – Children’s Treatment Centre RECOMMENDATION: 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.</p>	
<p>Recommendation approved.</p>	<p>JOANNE</p>
<p>8. Attendance of Clerk @ 2004 Access & Privacy Workshop Submitted for information only on the Clerk’s attendance at the October 7 and 8 workshop in Toronto.</p>	
<p>9. 2004 Kenora Visit by Fred Dean – November 30 The Clerk was asked to confirm with Fred Dean that Council/staff would be available to meet with him on November 30 and to proceed with his travel arrangements.</p>	<p>JOANNE</p>
<p>10. Reminder of Budget Discussion Meeting – Pinecrest Home the Aged – Monday, November 8 @ 4:15 p.m.</p>	
<p>Reminder to Members of Council.</p>	<p>COUNCIL</p>
<p><u>OTHER BUSINESS:</u></p>	
<p><u>Land Ambulance Settlement – Impact of cost to Municipalities</u> Councillor McMillan referred to this matter and two processes that should be considered: 1) funding from the unincorporated area; 2) Ministry of Health to increase the cost-sharing portion. Committee agreed that Council take the lead on this issue and requested Administration draft a motion to present at Monday’s meeting regarding land ambulance costs and funding, and that it should be circulated to municipalities in our district. It was noted that perhaps KDMA would forward one letter to the Minister as a unified voice for our district.</p>	<p>BILL/ JOANNE</p>
<p><u>COMMUNITY SERVICES COMMITTEE</u></p>	
<p>1. Wellness Centre Information Report</p>	

<p>Ongoing</p>	
<p>2. Naming of the Kenora Recreation Centre & Tabled Motion</p> <p>RECOMMENDATION:</p> <p>THAT Mayor and Council accept the recommendation from the Community Services Committee to change the name of The Kenora Recreation Centre to "The Kenora Wellness and Recreation Centre.</p> <p>HOLD</p>	<p>HOLD</p>
<p>3. Lk of the Woods Museum – Temporary Closure</p> <p>RECOMMENDATION:</p> <p>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.</p> <p>THAT the staff of the Lake of Woods Museum continue to work their regular hours during January 2005.</p> <p>Recommendation approved.</p>	<p>JOANNE</p>
<p>4. Lk of the Woods Museum – Board Appointment</p> <p>RECOMMENDATION:</p> <p>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.</p> <p>Recommendation approved.</p>	<p>JOANNE</p>
<p>5. City of Kenora Wharf Capital Planning Report</p> <p>HOLD</p>	<p>HOLD</p>
<p>6. Sunset Trail Riders - Storage for Groomer & Equipment</p> <p>HOLD</p>	<p>HOLD</p>
<p>7. Snowmobile Corridor – 19th Avenue North</p> <p>RECOMMENDATION:</p> <p>THAT Council of the City of Kenora in the interest of continuing to provide a safe snowmobile trail through the City approve an expenditure of \$3,000 to Hydro One to relocate the guy wires on 19th Avenue North; and further</p> <p>THAT the Sunset Trail Riders be required to barricade and mark the extreme drop-off area on 19th Avenue North adjacent to the snowmobile corridor.</p> <p>Bill noted that this motion will not be required as the request has been withdrawn.</p>	<p>FILE</p>

8. Request for 1) Free Public Parking @ Parkade; 2) St. Closure

RECOMMENDATION:

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 from Second Street South to Chipman Street and First Street South on Saturday, November 27, in support of this BIA Christmas promotion.

Recommendation approved.

JOANNE

OPERATIONS COMMITTEE

**1. Public Works Re-location Information Report
Ongoing**

2. Changes in Rate Structure – Water & Sewer By-law #33-2002

RECOMMENDATION:

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.

Recommendation approved. The public meeting will be held November 22 at 4:45 p.m. and the by-law adopted on the 22nd.

JOANNE

3. Traffic By-law Amendment – Shauna Cresc. @ Darren Ave.

RECOMMENDATION:

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

Recommendation approved (resolution and by-law).

**JOANNE/
PAULETTE**

4. 2005 Hourly Equipment/Truck Rental Tender

RECOMMENDATION:

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.

Recommendation approved.

JOANNE

OTHER BUSINESS:

Highway 17 East Reconstruction Project

Councillor Poirier presented a report regarding the recent meeting(s) that have taken place with stakeholders and residents on Highway 17 East concerning the construction schedule. He indicated that for the most part, the results of these consultations are to the satisfaction of those who have expressed concern over the last while.

RECOMMENDATION:

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

JOANNE

Recommendation approved.

PROPERTY & PLANNING COMMITTEE

- 1. Cancellation of November 4 P & P Meeting (only Nov. 18) Information only.**

COMMITTEE MEMBERS

UTILITIES & COMMUNICATIONS COMMITTEE

- 1. K.M.T.S. Information Report. Ongoing**

The meeting adjourned at 5:00 p.m.