



Minutes

*Of a Meeting of the Council of the City of Kenora
Monday, April 24, 2006 – City Council Chambers
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 T. Szajewski, Councillor C. Wasacase, Joanne L. McMillin, City Clerk, Karen Brown, Finance & Administration Manager.

### Call to Order

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

### Public Information NOTICES as per By-law Number 14-2003

Mayor Canfield then read the following notices:-

As required under Notice By-law No. 14-2003, Council hereby advises the public of its intention to adopt the following by-laws at tonight's meeting: -

1. **The 2006 Municipal Operating & Municipal Five Year Capital Plan;**
2. **Withdrawal from Contingency Reserves to assist in payment of the City's share of legal fees associated with the McDougald legal matter;**
3. **Amendment to By-law Number 100-2003 to include the Fire & Emergency Services Tariff of Fees as Schedule "F;"**
4. **Amendment to Parking Lot By-law Number 18-2002 to establish parking fees at the Kenora Recreation Centre.**

### Confirmation of Minutes

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

THAT the Minutes of the last Regular Meeting of the Council of the City of Kenora held **Monday, April 10, 2006** 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:

#### Jack Young – RAFT

Jack Young, President of RAFT (Residents After Fair Taxation) gave a presentation to Council with respect to the 2006 residential property tax rate for the City of Kenora.

Mr. Young explained that the RAFT organization representing largely rural property owners in under-serviced areas of the City generally bear the larger tax increases and receive minimal services. He indicated their group has approached Council with several proposals to ease the tax burden on the over-taxed, under-serviced properties but that Council has stated it would



address the inequities through service delivery. Mr. Young questioned how this type of improvement could be provided on a service that isn't provided in the first place.

In closing, Mr. Young provided copies of his deputation to the Clerk for Members of Council and the public record.

**Don Kinger – McDougald Legal Costs**

Mr. Kinger expressed his concern to Council with respect to the court decision for the City to pay its share of legal costs associated with the McDougald conflict of interest matter. He indicated he had obtained a copy of the decision from the Court House. Mr. Kinger believes the taxpayers of Kenora should not have to pay a portion of costs regarding this case, and implored Council to not vote for payment of these fees this evening.

Mr. Kinger provided the Clerk with a copy of his deputation for Members of Council and the public record.

**Joyce Chevrier – McDougald Legal Costs**

Mrs. Chevrier advised Council she also had obtained a copy of the decision from the Court House regarding this matter, and she was not surprised by the decision rendered. She also advised of her concerns with respect to the City's legal representation, as well as to the two different by-laws pertaining to indemnification, and cited certain sections from By-law #4-2005. Mrs. Chevrier firmly believes the City should re-examine the by-law and tighten it up by placing time limitations and a maximum on payment of any costs to be awarded.

Mrs. Chevrier provided the Clerk with a copy of her deputation for Members of Council and the public record. She also requested a response to her deputations of tonight and April 13 as well as to her letter with respect to the Chipping Services Agreement.

**Approval of Accounts**

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

THAT the Reports dated **April 12 and 13, 2006** 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, totalling **\$1,732,670.31** be hereby authorized for approval.

**Approval of 2006 Municipal Budgets**

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

THAT the City of Kenora 2006 Municipal Operating Budget and as further reviewed and amended by the Budget Committee be approved; and

THAT Council authorize City senior management to proceed with the implementation of all budget related decisions in accordance with the related report from City senior management dated 8 April 2006; and

THAT By-law #49-2006, a By-law to approve the 2006 Municipal Operating Budget and the Municipal Five Year Capital Plan be approved; and

THAT By-law #50-2006, a By-law to set tax ratios and to set tax rate reductions for prescribed property classes and subclasses for municipal purposes for the year 2006 be approved; and

THAT By-law #51-2006, a By-law to adopt the estimates for all sums required for the year, to establish rates to be levied for same and to provide



for penalty and interest in default of payment thereof for 2006 be approved; and

THAT in accordance with Notice By-law Number 14-2003, public notice is hereby given that Council intends to formally adopt the 2006 Municipal Operating and Municipal Five Year Capital Plan by by-law at its April 24 Council Meeting; and further

THAT a Public Meeting be scheduled for Wednesday, May 10<sup>th</sup>, at 7:00 p.m. in the Rotary Room in the Kenora Recreation Centre to both provide an overview of the approved 2006 operating budget together with an explanation of the decisions made by Council during that process, and to provide the opportunity for preliminary input into the 2007 operating budget discussions.

**Council's Governance Model**

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

THAT Council hereby approves continuing with the current Governance Model and the existing Standing Committee Structure to the end of October, 2006 as earlier approved on a trial basis; and further

THAT Council hereby adopts the schedule of Standing Committee & Council Meetings as attached to the City Clerk's April 11 report.

**Lake of the Woods Water Sustainability Foundation**

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

THAT Council of the City of Kenora hereby endorses the resolution of support as presented by the Lake of the Woods Water Sustainability Foundation requesting the Federal Government of Canada refer the question of Lake of the Woods water quality to the International Joint Commission.

**Amendment to Tariff of Fees By-law**

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

THAT Council give three readings to a by-law to amend By-law Number 100-2003 to include the Fire & Emergency Services Tariff of Fees as Schedule "F;" and

THAT public notice is hereby given that the Fire & Emergency Services Schedule of Fees will be incorporated into Tariff of Fees By-law Number 100-2003; and further

THAT all fees and charges under the Fire & Emergency Services schedule remain at the status-quo level.

**2006 Health & Safety Policy & Procedure Manual**

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

THAT Council of the City of Kenora approve the new 2006 City of Kenora Health & Safety Policy and Procedure Manual.

**Amendment to OPP Contract (1,000 Officers Program)**

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

THAT Council give three readings to a by-law to amend Schedule "C" (Level of Services) to By-law Number 105-2003 to provide for the hiring of one (1) additional O.P.P. Officer under the 1,000 Officers Partnership Program.



**Motion to Table Motion #9**

**Moved by L. Compton, Seconded by I. Parkes,**

THAT Motion #9 on tonight’s agenda with respect to payment of McDougald legal fees be hereby tabled.

**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>   |                         |

**Motion Defeated**

**City’s Share of Legal Fees - McDougald**

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

THAT Council give three readings to a by-law authorizing the withdrawal of \$93,311.72 from the Contingency Reserve representing the City’s share of legal costs associated with the Alcock vs. McDougald conflict of interest case; and further

THAT in accordance with By-law #14-2003, public notice is hereby given that Council intends to amend its 2006 Operating Budget at its April 24, 2006 meeting to authorize a withdrawal from Contingency Reserve for this purpose.

**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>   |            |                         |

***Councillor McMillan then requested the Rules of Order be Suspended to introduce the following motion:***

**Endorsation of Resolution – Ontario Physicians**

**9a Moved by R. McMillan, Seconded by A. Poirier & Carried:-**

WHEREAS presently there are thousands of family physicians treating patients in provinces outside of Ontario, and these physicians have the ability to move between provinces and open practices to see Canadians immediately in other provinces, except Ontario; and

WHEREAS Canadian family physicians, currently practicing in other parts of Canada and seeing Canadian patients, wishing to move their practice to Ontario, cannot do so immediately; they must first receive medical licensure through one of the following criteria: -

1. receive certification by examination of the College of Family Physicians of Canada (CFPC);



- 2. apply for a restricted license to practice with the understanding that certification by examination of the CFPC will be achieved within 3 years; or
- 3. apply for registration through practice assessment; and

WHEREAS each of these criteria can take up to one year before the physician is able to open a medical practice in Ontario; and

WHEREAS in this time of a critical shortage of family physicians in Ontario, the Council of the City of Kenora believes that Ontarians are being prejudiced by these regulations. Family physicians currently practicing in other provinces in Canada are meeting unreasonable barriers to practice medicine in Ontario;

THEREFORE BE IT RESOLVED THAT the Council of the Corporation of the City of Kenora requests the Government of the Province of Ontario to take immediate action to remove these barriers to family physicians who wish to relocate their medical practices to Ontario from other provinces; and further

THAT a copy of this resolution be forwarded to the Opposition Parties of the Province of Ontario, the Federal Ministry of Health and the Ontario College of Physicians.

**Assignment of Agreement of Purchase/Sale – Mount Evergreen**

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

THAT Council of the City of Kenora give three readings to a by-law to authorize the execution of an assignment of agreement of purchase and sale between the Corporation of the City of Kenora and Mount Evergreen Ski Club.

**Amendment to Parking Lot By-law – Kenora Recreation Centre**

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

THAT Council give three readings to a by-law to amend Schedule "A" to By-law Number 18-2002 being a by-law for regulating, supervising and governing of parking and the operation of vehicles within parking lots and structures; and

THAT in accordance with Notice By-law Number 14-2003, notice is hereby given that Council intends to adopt a by-law at its April 24 meeting to establish a schedule of fees associated with Lot "O" at the Kenora Recreation Centre; and further

THAT Council approve the parking rates at the Kenora Recreation Centre and hereby establishes Lot "O" by amending Schedule "A" to By-law Number 18-2002 as follows: -

**Lot "O": Kenora Recreation Centre Long Term Parking**  
**Control: Recreation Centre Manager and Peace Officer**  
**Fees: Overnight \$7.00 plus GST**  
**Weekly (7 day) \$35.00 plus GST**  
**Monthly (30 day) \$130.00 plus GST**  
**(No refunds for unused parking)**

**Code of Conduct Policy for Kenora/Keewatin Arenas**

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

THAT Council of the City of Kenora receive the recommendation from the Leisure Services Committee, to approve the Kenora Recreation Centre &



Keewatin Memorial Arena Code of Conduct Policy for City of Kenora recreation facilities; and

THAT this resolution be incorporated into the City of Kenora Policy Manual.

**Turf Management Demonstration Project**

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

THAT Council of the City of Kenora approve the Turf Management Demonstration Project; and

THAT the project site be located at the Kenora Central Park for two years; and further

THAT the Kenora Integrated Pest Management Committee submit a final report to Council after the completion of this project.

**Agreement with Kenora Trapper’s Council**

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

THAT authorization be hereby given to enter into an agreement between the Kenora Trapper’s Council and the City of Kenora, respecting nuisance beaver services for the period May 16 to September 15, 2006, inclusive.

**Report on Roads Service Delivery Review**

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

THAT the Council of the City of Kenora hereby accepts the Report on the Roads Service Delivery Review with the five (5) actions to help improve service delivery: communication, minimum maintenance standards, attitude/morale of work force, and Council response to individual/specific issues and benchmarking.

**Traffic Lanes – Downtown Core**

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

THAT due to the additional \$15,000 cost to the 2006 Line Painting Contract; and the proposed changes to Main Street South under the Downtown Revitalization Plan; and the unlikelihood that the additional southbound lane will make a significant improvement to east bound traffic gridlock beyond Veteran’s Drive, the existing lane and line painting on Main Street South remain in its current configuration.

**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>   |            |                         |

**BEC Business Plan**

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

THAT Council of the City of Kenora hereby approves the BEC Business Plan, as attached to the April 10 report of Jeff Port, City Planner, to extend the agreement with the Ministry of Northern Development and Mines for the





delivery of the Business Enterprise Centre program for the 2006/07 fiscal year.

**Contract – Northern Ontario Youth Internship**

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

THAT Council give three readings to a by-law to authorize the entering into of a contract for a “Northern Ontario Youth Internship;” and further

THAT the Mayor and Clerk be authorized to execute the agreement on behalf of the City of Kenora.

**Assumption of portion of Anderson Road & Davis Road**

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

1. THAT the Council of the Corporation of the City of Kenora assumes a portion of the Anderson Road and Davis Road;
2. THAT the Corporation of the City of Kenora assumed as a highway for public/municipal purposes, lands acquired from Joan Elizabeth Belanger, particularly, a part of parcel 18030 Sec DKF; Part of Lot 3 Concession 8 Jaffray, as in LT48203 Except LT 49863, S/T Right in LT 32042; Part 1 23R-11198, now in the City of Kenora, District of Kenora;
3. THAT the portion of the road forms part of the Anderson Road and Davis Road;
4. THAT the purchase price of the said road shall not exceed the sum of One Dollar (\$1.00);
5. THAT the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete this transaction.

**Amendment to Comprehensive Zoning By-law**

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

THAT Council of the Corporation of the City of Kenora hereby approves Application Number Z02/06 (Baker) to change the zoning on property described as 412 Darlington Drive, Location K83 Lots 7 and 8 Parcel 12862, from R1 – Residential First Density and R1/HL I to R2-Residential Second Density and R2/HL Residential Second Density and Hazard Land; and further

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

**Proclamation – Occupational Safety & Health Week**

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

THAT the Mayor be and is hereby authorized to proclaim April 30<sup>th</sup> to May 6, 2006 as “North American Occupational Safety & Health (NAOSH) Week” in and for the City of Kenora; and

THAT Council encourage all citizens and employees to be safe both at home and in the workplace.

**Proclamation – Canada Health Day**

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

THAT the Mayor be and is hereby authorized to proclaim Friday, May 12 as “Canada Health Day 2006, Public Health: Working for You” in and for the City of Kenora.







**#48-2006** - to confirm the proceedings of Council at its Standing Committee Meetings;

**#49-2006** - to approve the 2006 Municipal Operating Budget and the 2006 Municipal Five Year Capital Plan;

**#50-2006** - to set tax ratios and to set tax rate reductions for prescribed property classes and subclasses for the year, 2006;

**#51-2006** - to adopt the estimates for all sums required for the year, to establish rates to be levied for same and to provide for penalty and interest in default of payment thereof for 2006;

**#52-2006** - to authorize an assignment of agreement of purchase and sale with Mount Evergreen Ski Club;

**#53-2006** - to authorize the execution of an agreement with the Minister of Community Safety and Correctional Services;

**#54-2006** - to amend By-law #100-2003 to incorporate Fire & Emergency Services Fees & Charges;

**#55-2006** - to adopt amended estimates for Operating and Reserves for 2006;

**#56-2006** - to amend By-law #18-2002 to establish certain parking areas and to provide for the regulating, supervising and governing of parking and the operation of vehicles within parking lots and structures;

**#57-2006** - to execute a contract with the Northern Ontario Heritage Fund Corporation;

**#58-2006** - to amend Comprehensive Zoning By-law #160-2004;

**#59-2006** - to authorize the transfer of land to the City of Kenora.

**Adjournment**

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

THAT this meeting be now declared closed at 6:27 p.m.

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

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

**.....2006**

.....  
**MAYOR**

.....  
**CITY CLERK**