



Minutes

*Of a Meeting of the Council of the City of Kenora
Monday, February 27, 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 A. Poirier, Councillor T. Szajewski, Councillor C. Wasacase, Joanne L. McMillin, City Clerk, Karen Brown, Finance & Administration Manager, and Richard Perchuk, Operations Manager.

REGRETS: Councillor I. Parkes

### Call to Order

Mayor Canfield called the meeting to order and Councillor Wasacase 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, February 13, 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 was none declared.

### DEPUTATIONS:

#### Kirk Doran

Mr. Doran expressed concern regarding Council's intention to amend By-law #154-2001 for the proposed Sunset Trail Riders (STR) trail corridor in the area where he resides near First West Bay. He stated this alternate route to the already approved trail creates undue danger to pedestrians, pets, and motorists and snowmobiles alike, and that decisions must be first made with respect to the safety of all the public. Mr. Doran stated he wants to be assured the decision to allow STR continued use of this trail will be halted until all reasonable investigations and concerns are properly dealt with, and that this matter needs to be dealt with at tonight's meeting.

Mr. Doran later provided the Clerk with a copy of his full Deputation for filing as a public record.

#### Don Kinger

Mr. Kinger echoed the comments made by Mr. Doran, and further referred to the ice conditions on Lake of the Woods being 90% controlled by the Norman dam. He believes Kenora is losing money and referred to the "Sweetheart Fish Derby" that did not happen due to ice conditions. He also mentioned the spring meeting of the Lake of the Woods Control Board that representatives of the City plan to attend, suggesting it will be too late as something should have been done before now and perhaps the Ice Fishing Derby would have been held. He questioned what gives the City the right to turn over the walking trails in Keewatin to snowmobilers? He stated there are many other routes where the cross-town corridor could be, and that the City has to act fast and not wait until spring to figure it out.

**Mable Spencer & Pam Cederwall**

Mrs. Spencer requested that Council clearly state what they propose to do with the petition that was delivered to them at the end of November, 2005? Mrs. Spencer does not want to have to wait and experience a further delay as a full snowmobiling season has passed without any action from the City regarding the concerns of the residents in the 19<sup>th</sup> Avenue North area. She further explained the process that residents must endure when they phone to lodge a complaint by trying to determine the plate number of the machine, or it's not dealt with. In closing, Mrs. Spencer stated that the 19<sup>th</sup> Avenue North area is a policing problem but that it should be the City monitoring this area and taking complaints, not the O.P.P.

Mrs. Cederwall voiced her concern that the end of the snowmobiling season is nearly over and there have been no solutions offered by the City to the problems the residents have brought forward. She stated there is no patrolling of the area except for the odd noise by-law violation, and she questioned how many residents have to complain or be hurt before Council will listen to the concerns?

Mrs. Cederwall cited two accidents that have already occurred, but they were excluded from the local paper and away from the public eye. She also referred to similar concerns in the Miikana Way and Laurenson Lane areas and that residents can't use the sidewalks because of the snow machines. She questioned why year-long residents have to pay for snow machine permits when we are continually putting money into the economy on a daily basis? In closing, Mrs. Cederwall questioned where the response is that her and her husband Warren submitted, as they have heard nothing from the City?

**Sharon Smith**

Ms Smith attended to speak further to her Deputation made to the Operations Committee on February 21 concerning the Keewatin Trail 'A' West snowmobile corridor of the Sunset Trail Riders (STR), and the proposed by-law amendment being considered by Council tonight. Ms Smith referred to correspondence she has that clearly states both the City and STR admit this trail is not authorized. She stated the resolution to be voted on by Council at this meeting has no merit and should be removed from the agenda. Ms Smith made reference to Bill 101 and the authority it gives for policing the trails at the expense of the taxpayer, for what is essentially a private club. Ms Smith also referred to such other matters as winter tourism, existing land use policies, due diligence and the legal implications to the City, as well as to the damage caused by the STR groomer to the walking trail and its shrubs, and the wooden foot bridge. She further questioned if the taxpayer will have to pay to repair this damage. Ms Smith stated the only discussion Council should have concerning the unauthorized corridor is a motion to have the trail in question removed immediately, remedial action taken to repair the damage, and signage in place to end the use of the trail.

Ms Smith later provided the Clerk with a copy of her full Deputation for filing as a public record.

**Appointment to Keewatin Municipal Non-Profit Housing Corporation****2. Moved by T. Szajewski, Seconded by C. Wasacase & Carried:-**

THAT Mrs. Winnifred Lund be hereby appointed to fill the vacancy on the Keewatin Municipal Non-Profit Housing Corporation with a term to expire November 30, 2006.

**Advertising for Economic Development Committee****3. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**



THAT the City of Kenora re-appoint the Councillors and current Chair of the Executive Steering Committee to sit on the City of Kenora Economic Development Committee for the remainder of the term of the current Council; and

THAT the City of Kenora advertise for two (2) representatives from business and industry to sit on the City of Kenora Economic Development Committee in accordance with the Terms of Reference.

**Approval of Accounts**

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

THAT the Reports dated **February 14, 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 **\$1,234,624.85** be hereby authorized for approval.

**Increase in Insurance Liability Coverage**

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

THAT Council of the City of Kenora hereby authorizes an increase to its liability insurance coverage with Cowan Insurance effective immediately from \$10,000 to \$50,000; and further

THAT a Self-Insurance Contingency Reserve be established and \$20,000 be appropriated to this reserve for 2006 from the insurance premium savings.

**Writing-off of Accounts**

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

THAT Council approve the write-off of accounts totaling \$68,281.67; and further

THAT City staff be directed to continue collection efforts on these accounts.

**Lease Renewal with Kenora Condominium Corporation #2**

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

THAT Council give three readings to a by-law to authorize the execution of a lease between the Corporation of the City of Kenora and Kenora Condominium Corporation No. 2 for parking purposes.

**Receipt of Remuneration & Expenditures Reports**

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

THAT Council receive the reports prepared by Charlotte Edie, Municipal Accountant dated February 16, 2006 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 #60-2005, together with that of various Boards and Commissions.

**Attendance at Annual FCM Conference**

**9. Moved by R. McMillan, Seconded by A. Poirier,**

THAT authorization be hereby given for the attendance of a maximum of two (2) Members of Council to attend the 69<sup>th</sup> Annual Conference of the Federation of Canadian Municipalities in Montreal, June 2 – 6, 2006; and further



THAT all eligible expenses in accordance with Council’s Travel & Per Diem Policy be hereby approved.

**MOTION TABLED**

**Motion to Table Motion #9.**

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

THAT Motion #9 on tonight’s agenda with respect to attendance at the FCM Conference be hereby tabled.

**RECORDED VOTE (to Table Motion #9):~**

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

**Approval for Seasonal Staff – Community Services & Roads**

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

THAT Council of the City of Kenora approves the hiring of one (1) seasonal parks labourer for a total of 36 weeks between March to December, 2006; and

THAT Council approve the hiring of three (3) summer students for the Lake of the Woods Cemetery (for 18 weeks each for a total of 54 weeks) from April 24 – August 25, 2006; and

THAT Council approve the hiring of four (4) parks students for the Parks Department (for 14 weeks each for a total of 56 weeks) from May 15 – August 25, 2006; and further

THAT Council approves the hiring of four (4) roads students for the Operations Department (for 14 weeks each for a total of 56 weeks) from May 15 – August 25, 2006; and further that all positions approved are conditional upon council approvals of the 2006 City Operational Budgets.

**Annual Diamonds & Ice Tournament**

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

THAT Council of the City of Kenora declare the 12<sup>th</sup> Annual Diamonds & Ice Hockey & Baseball Tournament a Community Festival; and

THAT the Council of the City of Kenora approve the request to operate a beer gardens at the following times during the above described event subject to compliance with the Municipal Alcohol Policy and Liquor Control Regulations:

| LOCATION                                 | Fri. August 4, 2006    | Sat. August 5, 2006     | Sun. August 6, 2006     |
|------------------------------------------|------------------------|-------------------------|-------------------------|
| Keewatin Community Hall (Arena upstairs) | 3:00 p.m. – 1:00 a.m.  | 11:00 a.m. – 12:00 a.m. | 12:00 p.m. – 10:00 p.m. |
| Portage Bay Keewatin                     | 3:00 p.m. – 10:00 p.m. | 11:00 a.m. – 12:00 a.m. | 12:00 p.m. – 10:00 p.m. |

AND THAT the Council for the City of Kenora authorize the donation of a total of sixteen (16) Golf Shirts, T-Shirts &/or Sweat Shirts to be used as part of the Tournament prize package in keeping with past practice; and further



THAT the overnight parking tow-away by-law be lifted at the Keewatin Memorial Arena from Friday August 4, 2006 to Monday August 6, 2006 at 8:00 a.m. in the interest of public safety.

**Coney Island Winter Road**

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

THAT Council approves, that effective immediately, the Coney Island Winter road "Beach Street" portion be restricted to local use only prior to January and after the last week of February subject to weather and ground conditions; and further

THAT Resolution Number 13 dated September 11, 2000 be and is hereby rescinded.

***Councillor Wasacase then requested the Rules of Order be suspended to introduce the following motion:-***

**Request for temporary Main Street Parking - Labatt**

**12A Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

THAT authorization be hereby given for the parking of three (3) tractor trailer units along the west side of the "100 Block" on Main Street South starting at 5:00 p.m., Friday, March 3, 2006 for the purpose of a Labatt product launch, in conjunction with the Mountain Ski Patrol Team; and

THAT in order to accommodate the parking of these trailer units, authorization be given for the bagging of the appropriate parking meters on Main Street, based on four (4) regular parking stalls per truck, commencing at 3:00 p.m.; and further

THAT Labatt be required to communicate this approval through the media in advance of the event by advertising the date and times that the 'no parking' will be in effect on Main Street South, for the information of the public.

**Temporary Re-location of Keewatin "A" West Snowmobile Trail**

**13. Moved by A. Poirier, Seconded by L. Compton,**

THAT the Council of the City of Kenora hereby approves the temporary re-location of the Keewatin Trail "A" West snowmobile corridor under the Channel Bridge to the City lands (Portage Bay/McDiarmid Lumber area) as outlined in the attached map during such times as the ice conditions are deemed to be unsafe; and

THAT the Keewatin Trail "A" West snowmobile corridor be re-established as soon as ice conditions under the Keewatin Channel Bridge have been deemed safe; and further

THAT public meetings be established to consider any future or permanent changes to the approved snowmobile corridors within the City limits; and further

THAT three readings be given to a by-law to amend Schedule "C" of By-law 154-2001 to temporarily re-locate Keewatin Trail "A" West as set out above.

**MOTION DEFEATED**



**RECORDED VOTE (Motion #13): ~**

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

**Endorsation of Resolution – Bill 51**

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

WHEREAS the City of Kenora considers the establishment of new renewable and non-renewable energy projects to have significant local land use and planning implications; and

WHEREAS section 23 of Bill 51 proposes to exempt all energy projects in Ontario from the requirements of the Planning Act if they are an undertaking or class of undertakings within the meaning of the Environmental Assessment Act; and

WHEREAS it is the opinion of this Council that the Environmental Assessment Act and the associated proponent driven screening process does not adequately address matters of municipal interest; and

WHEREAS sections 17 (Official Plans), 24 (Zoning By-laws) and 41 (Site Plan Control) of the Planning Act provide municipalities with the necessary authority to establish policy and regulations for new energy projects;

THEREFORE BE IT RESOLVED THAT the Council of the City of Kenora does not support the position of Bill 51 and its concern be submitted on the Environmental Bill of Rights Registry at <http://www.ene.gov.on.ca/envregistry/026868ea.htm>

**Declaration of Surplus Lands (Keewatin)**

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

THAT the Council of the City of Kenora declares a portion of the lane property described on Plan M.18 and abutting Block 24, Lot 1 as surplus to the needs of the municipality; and

THAT once the advertising process has been completed, Council give three readings to a by-law to authorize the sale of land to Dean Moss, as a lot addition of 10 feet by approximately 72 feet, at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs; and further

THAT in accordance with Notice By-law #14-2003, arrangements be made to advertise the sale of the subject lands for a three-week period.

**Quotation – Elevator Maintenance Contract**

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

THAT the Council hereby receives the following quotations for elevator maintenance contracts for the Kenora Recreation Centre and the City Operations Centre: -



**THYSSENKRUPP ELEVATOR**

Public Works Centre (quarterly inspection) \$840 per year  
Kenora recreation Centre (monthly inspection) \$4,080 per year  
5-year contract with annual renewal of wages  
GST extra

**OTIS ELEVATOR**

Public Works Centre (quarterly inspection) \$1,560 per year  
Kenora recreation Centre (monthly inspection) \$3,120 per year  
5-year contract with annual renewal of wages  
GST extra; and further

THAT quotation from Thyssenkrupp Elevator as set out above, be hereby accepted.

**By-laws – First & Second Reading**

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

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

#21-2006 – to confirm Standing Committee proceedings;

#22-2006 - to amend Comprehensive Zoning By-law Number 160-2004;

#23-2006 – to authorize the execution of a lease between the City and Kenora Condominium Corporation Number 2.

**By-laws – Third & Final Reading**

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

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

#21-2006 – to confirm Standing Committee proceedings;

#22-2006 - to amend Comprehensive Zoning By-law Number 160-2004;

#23-2006 – to authorize the execution of a lease between the City and Kenora Condominium Corporation Number 2.

**First & Second Reading – Amendment to Snow Vehicles By-law**

**19. Moved by T. Szajewski, Seconded by C. Wasacase,**

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

#24-2006 – to amend By-law Number 154-2001 being a by-law to regulate, govern and control motorized snow vehicles in the City of Kenora.

**MOTION DEFEATED**

**RECORDED VOTE (Motion #19): ~**

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



**Third & Final Reading – Amendment to Snow Vehicles By-law**

**20. Moved by R. McMillan, Seconded by T. Szajewski,**

**THAT** the following **By-law** be now approved in its present form and be presented for **THIRD AND FINAL** Reading: -

**#24-2006** – to amend By-law Number 154-2001 being a by-law to regulate, govern and control motorized snow vehicles in the City of Kenora.

**MOTION DEFEATED**

**RECORDED VOTE (Motion #20): ~**

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

**Adjournment**

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

THAT this meeting be declared closed at 6:15 p.m.

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

**CONFIRMED AS WRITTEN THIS .....DAY OF .....2006**

.....  
**MAYOR**

.....  
**CITY CLERK**