



Minutes

*Of a Meeting of the Council of the City of Kenora
Monday, September 11, 2006 – City Council Chambers
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, Bill Preisenzanz, CAO, Joanne L. McMillin, City Clerk.

### Call to Order

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

Mayor Canfield then requested a Moment's Silence be observed in recognition of the 5<sup>th</sup> anniversary of the 9/11 disaster.

### Confirmation of Minutes

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

THAT the Minutes of the last Regular Meeting of the Council of the City of Kenora held **August 21, 2006**, be confirmed as written.

### 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: -

- ***To authorize the sale of land on Dufresne Island road allowance to Tanya and Loren Knopf;***
- ***To authorize the property transfer between the City of Kenora and Rose Derouard.***

### 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:

#### Kay Lynch

Ms Lynch expressed concern regarding the lease at 70 Park Street. She explained the property was rented for the purpose of a community centre, but is being rented with "space for lease." Ms Lynch read from a document that the premises shall not be assigned or subleased unless consent is received by the Landlord, AKA City of Kenora, and she does not believe the City has given such approval.

Ms Lynch referred to the use of the building under the lease for the purpose of operating a community centre and she does not feel this is being done. In closing she mentioned that recently she was made aware there is furniture contained in the building that is being sold. Mayor Canfield advised administration will check into the matter.



**Scott McAughey**

Mr. McAughey, a Management Biologist with MNR in Kenora spoke to the possible consideration by Council to expand the municipal boundary regarding the discharge of firearms. He indicated he is speaking today on behalf of the MNR and the Ministry's concern with the potential of losing hunting as a management tool. Mr. McAughey then gave a brief Power-point presentation regarding the Ministry's concerns. He referred to deer populations being at an all time high and explained the Ministry is considering implementing further season extensions for hunting.

Mr. McAughey referred to the economic impacts of deer hunting and that we have some 2,000 resident hunters and about the same for non-resident hunters (deer only) and explained how this impacts tourism dollars. He also referred to existing legislation under the Criminal Code, Fish and Wildlife Conservation Act as well as trespassing issues under the Conservation Act.

In closing he set out some options for Council's consideration that he is aware of in other municipalities in addressing these types of issues, such as discharging of firearms on all municipal ROW; separate firearms by weapon type; have minimum property sizes for bows and guns, and/or prohibit discharging in subdivisions.

Mr. McAughey was thanked for his presentation.

**Don Kinger**

Mr. Kinger presented the Clerk with a copy of his presentation regarding grinder pumps and that Council should be honouring the existing contracts in place with the former Town of Keewatin and Town of Jaffray Melick residents, prior to amalgamation, and referred to the impact this has had on taxes. Mayor Canfield cautioned Mr. Kinger on speaking to issues relative to his political campaign.

In closing Mr. Kinger asked the Clerk to ensure that voters are made aware that an 'under voted ballot' for any office in the election does not constitute a 'spoiled ballot.' He suggested this information should form part of the instructions to the electorate on the Vote by Mail system.

**Bruce Ranta**

Mr. Ranta explained that he and Lil Anderson reside on Austin Lake Road, and they are opposed to any changes to the current Discharge of Firearms By-law north of the by-pass. He feels hunting is a very safe activity and referred to how hunting statistics compare to other various sports according to the Canada Safety Council and Statistics Canada.

Mr. Ranta explained the highest density of deer at this time is in a portion of Kenora where there is no hunting. He referred to various statistics, such as there is a wildlife collision with a vehicle every 38 minutes in Ontario and that 90% of these involve deer. He also referred to the fatalities statistics. He believes children are more at risk on a school bus without seat belts in a high deer density neighbourhood. Mr. Ranta also expressed concerns on further restriction concerning use of firearms, noting that with Ms Anderson being a licensed wildlife rehabilitator, that if when and when required, a gunshot is an acceptable method of euthanizing an animal that is beyond rehabilitation. He further explained that with their some 230 acres of land, they want to retain the right to harvest their venison or grouse within the boundaries of their private property.

In closing Mr. Ranta requested that Council use its good judgement and do the right thing which is to maintain the status quo with respect to the by-law, and presented the Clerk with a copy of his deputation.



**Fred Ralko**

Mr. Ralko presented the Clerk with a copy of his presentation concerning the Discharge of Firearms By-law. He explained that it's all about safety, and safety for all, and that to stay safe we don't need new rules and laws, but to enforce the existing ones. Mr. Ralko believes the proposal of an encasement amendment to the by-law would be like the whole firearms registration fiasco and that only law-abiding people would follow the new law and they weren't the problem to start with. In closing he reiterated that what is simply needed is education and enforcement of existing rules and laws rather than imposing more regulations that will not be followed.

**Art Peters**

Mr. Peters advised Council of a Petition from concerned citizens opposed to any boundary/regulation changes concerning areas north of the by-pass with respect to the Discharge of Firearms By-law. He presented the Petition to the Clerk for the public record.

**Other**

Councillor McMillan referred to an e-mail received from Estelle Cantera regarding this matter and noting she has requested a response from Mayor Canfield to the concerns in her email pertaining to this very same matter.

**APPROVAL OF ACCOUNTS**

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

THAT the Reports dated **August 31 and September 5, 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 **\$2,124,918.19** be hereby authorized for approval.

**LETTER OF UNDERSTANDING – REMEMBRANCE DAY**

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

THAT Council approve a Letter of Understanding between CUPE and the City agreeing to observe Remembrance Day on November 10<sup>th</sup>, 2006, as a result of the Municipal Election on November 13, 2006; and further

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

**LETTER OF UNDERSTANDING – MATERNITY VACANCIES**

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

THAT Council approve a Letter of Understanding between CUPE and the City agreeing to special coverage for the maternity vacancies in the Finance Department; and further

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

***Councillor McMillan requested the Rules of Order be Suspended in order to introduce the following motion:-***

**ATTENDANCE AT ECONOMIC MEET & GREET**

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

THAT authorization be hereby given for Councillor McMillan to attend the Economic Development & Governance Meet & Greet aboard the MS Kenora on Thursday, September 14, 2006 at a cost of \$150.00; and further

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



**LEASE – OPERATION OF CONCESSION**

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

THAT Council give three readings to a by-law to authorize the execution of a lease between the City of Kenora and Darryl and Ivette Landry for the operation of the Concession at the Kenora Recreation Centre.

**MOTION TO TABLE MOTION #6**

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

THAT Motion #6 on tonight's agenda with respect to a lease with Houseboat Adventures be hereby tabled until September 25, 2006.

**LEASE – HOUSEBOAT ADVENTURES**

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

THAT the Council of the City of Kenora continues to partner with Houseboat Adventures to lease the Pier Head of Main St Wharf for the 2007 season commencing April 1 to November 15, 2007, subject to the same terms and conditions of the existing lease.

**MOTION TABLED**

**LEASE – CONEY ISLAND CONTRACT**

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

THAT the contract with Janice Johnson for the Operation and Maintenance of Coney Island Park & Store Contract be extended for a (1) one year term (to September 2007) under the same terms and conditions as in the existing lease, with a contract price of \$10,961.00 + G.S.T.

**COMRIF – ROUND 3**

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

THAT Council of the City of Kenora hereby ranks the Waterline Replacement (marine line from Court House to Norman) as the highest priority project for funding under Intake Three of the Canada-Ontario Municipal Rural Infrastructure Fund.

**GRINDER PUMPS – RABBIT LAKE**

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

THAT the City of Kenora, with respect to the Rabbit Lake Road area, a) will provide each current property owner with one (1) new grinder pump b) will discern which grinder pumps have been replaced, at the homeowner's expense, since the year 2000 and provide reimbursement up to \$3,000.00 and c) the responsibility for the future repair/replacement of the grinder pump will be that of the property owner.

**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**



**MOTION TO AMEND MOTION #10**

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

THAT Motion #10 be hereby amended by deleting the second paragraph, and adding the words "if required" after "be amended" in the third paragraph.

**GRINDER PUMPS – MAINTENANCE & REPLACEMENT, AS AMENDED**

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

THAT the City of Kenora assume maintenance and replacement responsibility of all grinder pumps connected to the sewer system; and further

~~THAT the 2006 Operating Budget be amended for \$200,000.00 and the 2007 Operating Budget be increased by \$200,000.00, and further;~~

THAT the municipal water and sewer user rate be amended "if required" to cover the increased cost for grinder pump maintenance.

**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>   |                         |

**AMENDMENT TO TRAFFIC BY-LAW – NO PARKING/TOW AWAY ZONE**

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

THAT Council give three readings to a by-law to amend Traffic Regulation By-law 127-2001 to include the following addition to Schedule "B" – No Parking Area – Tow Away Zone – Pine Portage Road: -

| <u>Column 1</u><br><b>STREET/HIGHWAY</b> | <u>Column 2</u><br><b>LOCATION</b>                                 | <u>Column 3</u><br><b>SIDE</b> | <u>Column 4</u><br><b>TIME</b> |
|------------------------------------------|--------------------------------------------------------------------|--------------------------------|--------------------------------|
| <b>Add:</b><br>Pine Portage Road         | From 642 metres south of South Park Drive, southerly for 63 metres | Both                           | Anytime                        |

**ACQUISITION OF PROPERTY FROM DEROUARD**

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

THAT Council of the City of Kenora give three readings to a by-law to assume as a highway for public/municipal purposes, lands acquired from Rose and Henry Derouard, particularly, Part 1 of Plan 23R-11301, now in the City of Kenora, District of Kenora; and

THAT the portion of the road forms part of the Peterson Road; and

THAT the Corporation of the City of Kenora transfers, for private purposes, lands described as Parts 2 & 3 of Plan 23R-11301; and

THAT the purchase price of the said property shall not exceed the sum of One Dollar (\$1.00); and

THAT survey costs are to be borne by Rose and Henry Derouard; and



THAT the legal and transfer fees be borne by the City of Kenora; and further

THAT the Mayor and Clerk be and are hereby authorized to execute any and all documents required to complete this transaction.

**SALE OF A PORTION OF DUFRESNE ISLAND ROAD ALLOWANCE**

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

THAT Council give three readings to a by-law at its September 25 meeting to authorize the sale of a portion of the Dufresne Island road allowance to Tanya and Loren Knopf in accordance with the terms and conditions set out on Resolution #15 dated February 13, 2006.

**BY-LAWS – FIRST & SECOND READING**

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

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

**#116-2006-** to confirm the proceedings of Council at its September 5 Committee Meetings;

**#117-2006** – to stop up, close and sell that part of the Eighth Street, in the Town of Keewatin, now City of Kenora, in the District of Kenora, Registered Plan 18, designated as Part 1 on Plan 23R-11262;

**#118-2006** - to stop up, close and sell that part of the lane, Block 24, in the Town of Keewatin, now City of Kenora, in the District of Kenora, Registered Plan 18, designated as Parts 2, 3, 4, and 5 on Plan 23R-11262;

**#119-2006** – to authorize assumption of highway and transfer of land to the Corporation of the City of Kenora and transfer of land to Rose and Henry Derouard;

**#120-2006 – HOLD → Knopf**

**#121-2006** – to amend By-law Number 127-2001 being a by-law to regulate traffic on the roads and highways of the City of Kenora;

**#122-2006** – to authorize the execution of a lease agreement between the Corporation of the City of Kenora and Darryl and Ivette Landry for the operation of the Kenora Recreation Centre Concession;

**#123-2006** – to authorize the execution of a Letter of Understanding between the Corporation of the City of Kenora and CUPE Local 191 concerning City Hall maternity vacancies;

**#124-2006** - to authorize the execution of a Letter of Understanding between the Corporation of the City of Kenora and CUPE Local 191 concerning observance of Remembrance Day by City employees.

**BY-LAWS – THIRD & FINAL READING**

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

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

**#116-2006-** to confirm the proceedings of Council at its September 5 Committee Meetings;

**#117-2006** – to stop up, close and sell that part of the Eighth Street, in the Town of Keewatin, now City of Kenora, in the District of Kenora, Registered Plan 18, designated as Part 1 on Plan 23R-11262;



**#118-2006** - to stop up, close and sell that part of the lane, Block 24, in the Town of Keewatin, now City of Kenora, in the District of Kenora, Registered Plan 18, designated as Parts 2, 3, 4, and 5 on Plan 23R-11262;

**#119-2006** – to authorize assumption of highway and transfer of land to the Corporation of the City of Kenora and transfer of land to Rose and Henry Derouard

**#120-2006 – HOLD → Knopf**

**#121-2006** – to amend By-law Number 127-2001 being a by-law to regulate traffic on the roads and highways of the City of Kenora;

**#122-2006** – to authorize the execution of a lease agreement between the Corporation of the City of Kenora and Darryl and Ivette Landry for the operation of the Kenora Recreation Centre Concession;

**#123-2006** – to authorize the execution of a Letter of Understanding between the Corporation of the City of Kenora and CUPE Local 191 concerning City Hall maternity vacancies;

**#124-2006** - to authorize the execution of a Letter of Understanding between the Corporation of the City of Kenora and CUPE Local 191 concerning observance of Remembrance Day by City employees.

**ADJOURN TO CLOSED SESSION**

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

THAT this meeting be now declared closed at 6:22 p.m.; and further

THAT Council adjourns to a Closed Meeting to discuss the following:

- **Potential Litigation Matter.**

**No action as a result of Closed Session.**

The meeting adjourned at 6:55 p.m.

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

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

**.....2006**

.....  
**MAYOR**

.....  
**CITY CLERK**