



Minutes

*Of a Meeting of the Council of the City of Kenora
Monday, March 12, 2007 – City Council Chambers
5:00 p.m.*

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WITH Mayor L. Compton in the Chair, Councillor W. Cuthbert, Councillor C. Drinkwater, Councillor D. McCann, Councillor R. McMillan, Councillor C. Van Wallegghem, Bill Preisentanz, CAO.

Regrets: Councillor A. Poirier, Paulette Grouda, Deputy Clerk.

### Call to Order

Mayor Compton called the meeting to order and Councillor McCann read the Prayer.

### Appoint Deputy Clerk for Meeting

**A. Moved by W. Cuthbert, Seconded by C. Van Wallegghem & Carried:-**

That Council of the City of Kenora hereby appoint Bill Preisentanz as Deputy Clerk under authority of Section 228(2) of the Municipal Act to record minutes of the proceedings of the March 12, 2007 Council meeting.

### Confirmation of Minutes

**1. Moved by C. Drinkwater, Seconded by W. Cuthbert & Carried:-**

THAT the Minutes of the regular meeting of the Council of the City of Kenora held Monday, February 12, 2007, be confirmed as written and ordered filed.

### Declarations of Pecuniary Interest

Mayor Compton 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:

#### Pam Cederwall – 19<sup>th</sup> Ave. N. Snowmachine Corridor

Mrs. Cederwall advised that she is a resident of 19<sup>th</sup> Ave. North. She feels they are no further ahead with respect to the snowmobile trails. She advised that moving the snowmobile trail to the street will not improve the snowmobile corridor situation. Mrs. Cederwall advised that in November 2005 a petition was circulated from the residents in the area requesting that the corridor be removed from the neighbourhood. Mrs. Cederwall advised that the Noise Bylaw needs to be available for public review before it is given final reading and that when it is passed it should be enforceable. Mrs. Cederwall presented a copy of her Deputation to Council.

#### Appointment to Kenora Non-Profit Housing Corporation

**2. Moved by W. Cuthbert, Seconded by C. Van Wallegghem & Carried:-**

THAT Susan Switch be hereby appointed to replace Doris Bielby on the Kenora Municipal Non-Profit Housing Corporation with a term to expire November 30, 2010.

#### Approval of Accounts

**3. Moved by R. McMillan, Seconded by C. Drinkwater & Carried:-**



THAT the Reports dated **February 12, 16, 20, 28, March 1 2007** 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 **\$4,488,470.51** be hereby authorized for approval.

**Chief Justice of the Superior Court**

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

Whereas the District of Kenora has had a resident District Court Judge, and since 1990, a Superior Court Judge, continuously for a period in excess of one hundred years; and

Whereas the current judge of the Superior Court of Justice at Kenora is expected to attain supernumery status this year; and

Whereas the geography of the District of Kenora places the Kenora Courthouse a distance of 500 kilometers and one time zone from the next closest Courthouse located at Thunder Bay, Ontario; and

Whereas concerns have arisen regarding the possible assignment of the Kenora vacancy of the Superior Court of Justice to a position in some other District or Municipality; and

Whereas this Council believes that it is vitally important for the future of the District of Kenora, and for the administration of Justice, that a full time resident judge of the Superior Court of Justice be maintained in Kenora;

Now therefore the Council of the City of Kenora resolves as follows:

1) To urgently request the Chief Justice of the Superior Court of Justice to continue the historic tradition of maintaining a full time resident judge of the Superior Court of Justice in Kenora.

**Species at Risk Legislation**

**5. Moved by D. McCann, Seconded by R. McMillan & Carried:-**

WHEREAS the Government of Ontario posted its framework for the development of species at risk legislation on the Environmental Bill of Rights web site on December 22, 2006 the day that most municipal offices closed until the New Year, and

WHEREAS the currently proposed language to address species at risk could impose moratoriums affecting the livelihoods of more than 1.2 million people and more than \$100 billion in economic activity, and

WHEREAS there are 12 Provincial and 5 Federal pieces of Legislation including the Federal Species At Risk Act (SARA) and the Provincial Endangered Species Act of 1971 that currently provide protection for some species, and

WHEREAS the new proposed Ontario Species of Risk Legislation as written will:

- add a new and costly layer of bureaucracy and regulatory burden
- create an Act that will not achieve recovery of endangered species
- impose an Act that will not be supported by the landowners, land Stewards, employers, unions and developers
- create a further disincentive to invest in Ontario



- result in a loss of jobs
- result in a loss of economic opportunity, and

WHEREAS the currently proposed framework for a species at risk act is wrong for Ontario and will negatively impact the farming community, the forestry and mining sectors, the urban planners and homebuilders, fur managers, anglers and hunters, sand, stone and gravel industry, hydro electric developers and many, many others, and

WHEREAS public hearings by a Legislative Committee prior to Second Reading adoption by the Ontario Legislature will allow for a full and proper debate on the principle of the Bill not just how well the clauses meet the intent of the Act;

THEREFORE BE IT RESOLVED that the Council of the City of Kenora forward a copy of this resolution to the Honourable Dalton McGuinty, Premier of Ontario, requesting the full public hearings be held into the proposed Species at Risk Act and that those hearings be held prior to Second Reading by the Ontario Legislature; and

FURTHER BE IT RESOLVED that copies of this resolution and appropriate letter be forwarded to various Government Agencies and related associations for their information and support.

**Draft Noise By-law**

**6. Moved by W. Cuthbert, Seconded by C. Van Wallegghem & Carried:-**

THAT Council give two readings to a by-law to Regulate Noise in the City of Kenora; and further

THAT arrangements be made through our Solicitor's office to forward the draft Noise By-law to the Attorney General's office for draft approval with respect to short form wordings prior to Council giving third and final reading to the by-law.

**Rick Hansen Man in Motion Foundation - Agreement**

**7. Moved by C. Van Wallegghem, Seconded by C. Drinkwalter & Carried:-**

WHEREAS the Rick Hansen Foundation has generously provided the City of Kenora with the opportunity to accept a grant in the amount of \$2,019.40 on behalf of the Kenora Curling Club for the purposes of providing an accessible washroom at that facility; and

WHEREAS the Kenora Curling Club is in need of an accessible washroom; and

WHEREAS it is the City's understanding that the Kenora Curling Club will construct this accessible washroom through this grant program at no cost to the City of Kenora, and that the City is acting merely as a flow through agent for this grant program;

NOW THEREFORE BE IT RESOLVED

THAT Council approve entering into a grant agreement between the City of Kenora and the Rick Hansen Foundation for the purposes of an accessible washroom at the Kenora Curling Club; and

THAT the Kenora Curling Club be given a copy of said grant agreement and made aware of the various responsibilities within that agreement; and



THAT the Kenora Curling Club be responsible to comply with the terms as set within the Grant Agreement between the Rick Hansen Foundation and the City of Kenora, and

THAT upon proof of full compliance with the requirements of that agreement, and the submission of a copy of the separate general ledger required in accordance with this agreement, including copies of invoices for all costs incurred, the City will release the funds to the Kenora Curling Club as outlined within the Grant Agreement and received from the Rick Hansen Foundation; and further

THAT Council give three readings to a by-law for this purpose.

**Loan Advances – Kenora Health Care Centre**

**8. Moved by D. McCann, Seconded by R. McMillan & Carried:-**

WHEREAS Council of the City of Kenora previously ratified By-law Number 14-2006 and By-law Number 127-2006, being by-laws to authorize a repayable loan up to \$2,450,00.00 to establish a community medical clinic through the Kenora Health Care Centre Corporation; and

WHEREAS the Kenora Health Care Centre Corporation now requires funds from the approved City loan for capital purposes;

Now Therefore Be It Resolved that Council hereby authorize the following loan advances to the Kenora Health Care Centre Corporation in accordance with the terms and conditions of By-law Numbers, 14-2006 and 127-2006:-

1. \$35,000 effective January 19, 2007
2. \$155,000 effective February 15, 2007
3. \$195,000 effective March 06, 2007

**Annual Statement of Remuneration & Expenditures**

**9. Moved by R. McMillan, Seconded by D. McCann & Carried:-**

THAT Council receive the reports prepared by Charlotte Edie, Deputy Treasurer dated February 27, 2007 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.

**2006 Overtime Analysis Report**

**10. Moved by C. Drinkwalter, Seconded by D. McCann & Carried:-**

THAT Council of the City of Kenora hereby receives the 2006 Overtime Analysis Report.

**Attendance at Annual NOMA Conference**

**11. Moved by C. Van Wallegghem, Seconded by R. McMillan & Carried:-**

THAT authorization be hereby given for five (5) Members of Council to attend the Annual N.O.M.A. Conference taking place in Dryden, April 25 to 28, 2007; and further

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

**Attendance at Annual AMO Conference**

**12. Moved by D. McCann, Seconded by C. Drinkwalter & Carried:-**



THAT authorization be hereby given for four (4) Members of Council and one (1) staff member to attend the Annual A.M.O. Conference taking place in Ottawa, August 19 to 22, 2007; and further

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

**Kenora Safe Grad**

**13. Moved by C. Van Wallegghem, Seconded by W. Cuthbert & Carried:-**

THAT Council of the City of Kenora supports the work of the Kenora Safe Grad Committee towards an all-inclusive, drug/alcohol free, safe celebration of graduation from high school; and further

THAT a grant in the amount for \$3,000.00 be authorized for the use of the Kenora Recreation Centre for this purpose.

**Bill Marr Proposal – 1907 Thistles Hockey Team**

**14. Moved by C. Van Wallegghem, Seconded by C. Drinkwalter & Carried:-**

THAT Council hereby supports in principle, the concept of promoting the 1907 Stanley Cup win by the Kenora Thistles Hockey Team; and further

THAT Council supports Bill Marr's efforts in establishing various billboard signage in the Kenora area as well as placement of a Stanley Cup replica in a prominent location within the city, subject to the appropriate approvals being received.

**Protective Door Coverings Project**

**15. Moved by C. Van Wallegghem, Seconded by D. McCann & Carried:-**

THAT Council approve the capital funding project for the protective door coverings at the Kenora Recreation Centre; and

THAT Council authorize the inclusion of the snow protection project for the Thistle Arena in the City's 2007 Capital Budget; and further

THAT Council authorize the Manager of Community Services to proceed with this project prior to final approval of the City's 2007 Five Year Capital Plan.

**Amendment to Traffic By-law (Darlington Drive)**

**16. Moved by D. McCann, Seconded by C. Drinkwalter & Carried:-**

THAT the City of Kenora Traffic Regulation By-law 127-2001 be amended to include the following changes to Schedule T "Rate of Speed" from Highway 17 A to Duffus Road and from Duffus Road to Peterson Drive:

**Schedule "T" Rate of Speed**  
80 KILOMETERS PER HOUR ZONE

| Column 1<br>STREET                        | Column 2<br>LOCATION               | Column 3<br>MAXIMUM SPEED |
|-------------------------------------------|------------------------------------|---------------------------|
| <b><u>Remove:</u></b><br>Darlington Drive | From Highway 17A<br>to Duffus Road | 80 kilometres per hour    |

60 KILOMETERS PER HOUR ZONE

| Column 1<br>STREET                       | Column 2<br>LOCATION                  | Column 3<br>MAXIMUM SPEED |
|------------------------------------------|---------------------------------------|---------------------------|
| <b><u>Amend:</u></b><br>Darlington Drive | From Duffus Road to<br>Peterson Drive | 60 kilometres per hour    |



| Column 1<br>STREET                  | Column 2<br>LOCATION                 | Column 3<br>MAXIMUM SPEED |
|-------------------------------------|--------------------------------------|---------------------------|
| <b>To Read:</b><br>Darlington Drive | From Highway 17A<br>to Peterson Road | 60 kilometres per hour    |

**Amendment to Traffic By-law (Lakeview Trail)**

**17. Moved by D. McCann, Seconded by W. Cuthbert & Carried:-**

THAT the City of Kenora Traffic Regulation By-law 127-2001 be amended to include the following changes to Schedule O "Stop Signs at Intersections" and to Schedule P "Yield Signs at Intersections" at Lakeview Trail and Peterson Road:-

**Schedule "O" Stop Signs at Intersections**

| Column 1<br>INTERSECTION                           | Column 2<br>FACING TRAFFIC   |
|----------------------------------------------------|------------------------------|
| <b>Remove:</b><br>Lakeview Trail and Peterson Road | East bound on Lakeview Trail |

**Schedule "P" Yield Signs at Intersections**

| Column 1<br>INTERSECTION                        | Column 2<br>FACING TRAFFIC   |
|-------------------------------------------------|------------------------------|
| <b>Add:</b><br>Lakeview Trail and Peterson Road | East bound on Lakeview Trail |

**Contract with G. Thornton Management Consultants**

**18. Moved by R. McMillan, Seconded by C. Drinkwalter & Carried:-**

WHEREAS the Council of the Corporation of the City of Kenora accepted the proposal of Grant Thornton Management Consultants to provide consultant services for *the* Performing Arts/Conference Centre Opportunity Assessment; and

WHEREAS Council adopted By-law #9-2007 to authorize the execution of a contract for this purpose;

NOW THEREFORE the Council of the Corporation of the City of Kenora enacts as follows:-

THAT the Mayor and Clerk in accordance with By-law #9-2007 be and are hereby authorized to execute a contract between the Corporation of the City of Kenora and Grant Thornton Management Consultants, under the terms and conditions therein and affix the Seal of the Corporation thereto.

**Consulting Services for Black Sturgeon Lake Capacity Study**

**19. Moved by W. Cuthbert, Seconded by C. Drinkwalter & Carried:-**

THAT Council retain the professional consulting services of Kelli Saunders/Gartner Lee, per the proposal dated February 2007, to undertake the Black Sturgeon Lake Capacity Study to a maximum limit not to exceed \$45,557 plus GST; and further

THAT once the contract has been received, Council give three readings to a by-law authorizing the Mayor and Clerk to enter into the contract for the completion of the work.



**First & Second Reading – Noise By-law**

**20. Moved by W. Cuthbert, Seconded by D. McCann & Carried:-**

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

**#27–2007** – To regulate Noise in the City of Kenora.

**By-laws – First & Second Reading**

**21. Moved by C. Drinkwalter, Seconded by C. Van Wallegem & Carried:-**

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

**#25–2007** – to confirm the proceedings of Council at its Standing Committee Meetings held March 6 & 7, 2007;

**#26-2007** – to execute a grant agreement between the City of Kenora and the Rick Hansen Man in Motion Foundation;

**#27-2007** – (separate motion)

**#28-2007** – to amend Traffic By-law Number 127-2001 (Darlington Drive);

**#29-2007** – to amend Traffic By-law Number 127-2001 (Lakeview Trail).

**By-laws – Third & Final Reading**

**22. Moved by D. McCann, Seconded by W. Cuthbert & Carried:-**

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

**#25–2007** – to confirm the proceedings of Council at its Standing Committee Meetings held March 6 & 7, 2007;

**#26-2007** – to execute a grant agreement between the City of Kenora and the Rick Hansen Man in Motion Foundation;

**#27-2007** – (separate motion)

**#28-2007** – to amend Traffic By-law Number 127-2001 (Darlington Drive);

**#29-2007** – to amend Traffic By-law Number 127-2001 (Lakeview Trail).

**ANNOUNCEMENTS:**

1. Councillor Van Wallegem extended thanks for authorizing ice time for the girl's hockey.
2. Notice of Video Surveillance Public Meeting at 7:00 p.m. this evening.
3. Congratulations to Bob Poirier – Full Colonel. Reception at Legislature Building.

**Adjournment**

**23. Moved by W. Cuthbert, Seconded by C. Drinkwalter & Carried:-**

THAT this meeting be now declared closed at 5:41 p.m.



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

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

**.....2007**

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**MAYOR**

.....  
**CITY CLERK**