



Minutes

*Of a Meeting of the Council of the City of Kenora
Monday, September 24, 2007 – City Council Chambers
5:00 p.m.*

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WITH Mayor L. Compton in the Chair, Councillor W. Cuthbert, Councillor D. McCann, Councillor R. McMillan, Councillor A. Poirier, Councillor C. Van Walleghem, Bill Preisentanz, CAO, Joanne L. McMillin, City Clerk.

Regrets: Councillor C. Drinkwalter.

### Call to Order

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

### Confirmation of Minutes

1. Moved by A. Poirier, Seconded by D. McCann & Carried:-

THAT the Minutes of the last Regular Meeting of the Council of the City of Kenora held **Monday, September 10, 2007** be confirmed as written and circulated.

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

Mayor Compton then read the following notices:-

*As required under Notice By-law #14-2003, Council hereby advises the public of its intention to adopt the following by-laws at tonight's meeting:-*

- To amend the 2007 Capital Budget to authorize an appropriation of funds from the City Hall Reserve in the amount of \$6,050.00 for works related to surface drainage repairs at City Hall.
- ~~To authorize the sale of KMTS-807 Assets to TBayTel.~~
- To amend the 2007 Capital budget to authorize an additional allocation in the amount of \$1,039.96 plus applicable taxes, representing funding to cover the costs to replace the existing Winkler plaque at the Harbourfront.
- To amend the 2007 Capital Budget to authorize an appropriation from the Solid Waste Reserve in the amount of \$30,000.00 for the purpose of funding the design and construction of a new scale building at the Transfer Station.
- To assume a part of Essex Road as a municipal highway.
  - To assume Agur Street.
  - To assume Mineault Drive.

### 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:**

### **Carolyn Lough**

Ms Lough brought to Council's attention, the deplorable condition of some Canadian flags flown on civic property. She asked that an effort be made so that only clean, unfaded, untattered flags of the correct dimensions are flown on municipal property.

Ms Lough provided a copy of her deputation to the City Clerk for the public record.

### **Paula Broeders**

On behalf of the Kenora Sexual Assault Centre, Ms Broeders requested Council's support in proclaiming "Honouring Women Week" from September 26 to October 4, 2007. Ms Broeders commented on the number of local events planned in the community during the proclaimed week.

### **Appointment to Handi-Transit Board**

#### **2. Moved by A. Poirier, Seconded by C. Van Wallegghem & Carried:-**

THAT Council hereby appoints B.C. (Bert) Alcock to fill a vacancy on the Kenora Handi-Transit Board with a term to expire November 30, 2010.

### **Appointment to Accessibility Advisory Committee**

#### **3. Moved by D. McCann, Seconded by A. Poirier & Carried:-**

THAT Council hereby appoints Dianne Griffiths to fill a vacancy on the Kenora Accessibility Advisory Committee with a term to expire November 30, 2010.

### **Approval of Accounts**

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

THAT the Reports dated **September 13 and 20, 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 **\$3,061,058.39** be hereby authorized for approval.

### **Health Care Centre Loans**

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

THAT Council of the City of Kenora hereby authorize the following loan advances to the Kenora Health Care Centre Corporation in accordance with the terms and conditions of Bylaw Numbers, 14-2006, 127-2006, and 47-2007:-

1. \$50,000 effective August 10, 2007
2. \$10,000 effective September 14, 2007

### **Common Voice Partnership Proposal**

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

THAT the Council of the City Kenora not support participating in the Northwestern Ontario Municipal Association led Common Voice Partnership proposal to be submitted under the Northern Communities Investment Readiness Program.

### **Amendment to Procedural By-law**

#### **7. Moved by C. Van Wallegghem Seconded by A. Poirier & Carried:-**

THAT Council give three readings to a by-law to amend Section 11 of Council's Procedural By-law #100-2007 for the purpose of transferring the



'strategic planning' responsibilities from the Property & Planning Standing Committee to the Finance & Administration Standing Committee.

**Community Forest Charter**

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

THAT Council of the City of Kenora consult further with Treaty No. 3 and other stakeholders on the Community Forest Charter and hereby defer any decision on support of the Community Forest Charter at this time.

**2006 Municipal Performance Measurement Results**

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

THAT in accordance with Section 299 of The Municipal Act, 2001 as amended, Council provide the City of Kenora Municipal Performance Measurement Program 2006 Results to the Minister of Municipal Affairs & Housing, and circulate same to the public.

**Sale of KMTS-807 Assets**

**10. Moved by A. Poirier, Seconded by D. McCann,**

THAT Council of the City of Kenora hereby approves the sale of the KMTS 807 assets to TBayTel at a price of \$627,000.00; and further

THAT in keeping with Notice By-law #14-2003 notice is hereby given that Council intends to approve the sale of the KMTS 807 assets to TBayTel at its meeting scheduled for September 24, 2007.

***Councillor Poirier then introduced the following Motion to Table #10:-***

**Tabling of Motion #10**

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

THAT Motion #10 on tonight's agenda with respect to the sale of the KMTS-807 Assets be tabled for the time being.

**Motion #10 Tabled - Sale of KMTS-807 Assets**

THAT Council of the City of Kenora hereby approves the sale of the KMTS 807 assets to TBayTel at a price of \$627,000.00; and further

THAT in keeping with Notice By-law #14-2003 notice is hereby given that Council intends to approve the sale of the KMTS 807 assets to TBayTel at its meeting scheduled for September 24, 2007.

**MOTION TABLED**

**Endorsation of Resolution – North Grenville (Wells)**

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

WHEREAS a recent comment by a Senior Public Health Inspector with Durham Region indicating the metering of private wells in Ontario is inevitable has renewed wide-spread concerns among residents serviced by private wells in rural Ontario; and

WHEREAS denials by the Provincial Government of intentions to meter private residential wells have, to this point, been only verbal;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Kenora hereby supports the Municipality of North Grenville in calling on the Premier of Ontario to issue written assurance that his Government will not implement



a policy requiring meters on private residential wells now or at any time in the future; and further

THAT this resolution be forwarded to Premier Dalton McGuinty, and Howard Hampton, MPP.

**Endorsation of Resolution – Kawartha Lakes (Physicians)**

**12. Moved by C. Van Wallegghem, Seconded by A. Poirier & Carried:-**

WHEREAS the City of Kawartha Lakes is identified "as an under-serviced area" by the Ministry of Health and Long Term Care in the province of Ontario for public access to a family physician; and

WHEREAS over 20,000 residents in the City of Kawartha Lakes do not have a family physician; and

WHEREAS the volunteer community-based organization, namely the Kawartha Lakes Health Care Initiative whose mission is to recruit and retain primary health care professionals in the City of Kawartha Lakes" is restricted in its mission as they observe family physicians closing their practice and taking advantage of salaried positions in local hospitals and emergency departments where these same family physicians are provided with enhanced remuneration and lifestyle opportunities;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Kenora hereby supports the City of Kawartha Lakes in requesting the Minister of Health to review this situation and to offer effective incentives to Health Care Professionals in Ontario to continue to practice comprehensive, community-based family medicine; and

THAT this resolution be sent to the Premier of Ontario, Dalton McGuinty, George Smitherman, Minister of Health and Long Term Care, and Howard Hampton, M.P.P.

**Analysis for New Fire Station**

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

THAT Council hereby engages Nelson Architecture Inc. for the amount of \$5000.00, flat rate plus applicable taxes to perform an analysis of the options as presented for the development of a new Fire Station; and

THAT Council authorizes an offsetting appropriation from the Kenora Fire Station Reserve to fund the costs related to this analysis; and

THAT in accordance with Notice By-law Number 14-2003, public notice is hereby given that Council intends to amend the 2007 Budget for this purpose at its September 24<sup>th</sup> meeting; and further

THAT Council gives three readings to a By-Law to amend the Operating Budget to authorize an appropriation from the Kenora Fire Station Reserve for this purpose.

**Development of Master Fire Plan**

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

THAT Council of the City of Kenora hereby supports the development of a Master Fire Plan; and further

THAT Council requests the assistance and participation of the Office of the Fire Marshal of Ontario in the Master Fire Plan process.



**Traffic By-law Amendment**

**15. Moved by D. McCann, Seconded by A. Poirier & Carried:-**

THAT the City of Kenora Traffic Regulation By-law 127-2001 be amended to include the following additions to Schedule "R"- Community Safety Zones and Schedule "T" Rate of Speed for Birchwood Crescent from the intersection of Rabbit Lake Road to Garrow Park:

**SCHEDULE "R" - COMMUNITY SAFETY ZONES**

Add:

| <u>Column 1</u><br>STREET | <u>Column 2</u><br>LOCATION          | <u>Column 3</u><br>TIME                                                                                | <u>Column 4</u><br>PENALTY |
|---------------------------|--------------------------------------|--------------------------------------------------------------------------------------------------------|----------------------------|
| Birchwood Crescent        | From Rabbit Lake Road to Garrow Park | 12:01 a.m. to 11:59 p.m. CST or CDST (whichever is currently in effect)<br>7 Days per Week<br>All Year | Fines Increased            |

**SCHEDULE "T" – RATE OF SPEED**

Add:

| <u>Column 1</u><br>STREET | <u>Column 2</u><br>LOCATION                                          | <u>Column 3</u><br>MAXIMUM SPEED |
|---------------------------|----------------------------------------------------------------------|----------------------------------|
| Birchwood Crescent        | From its intersection with Rabbit Lake Road westerly to Garrow Park. | 40 kilometers per hour           |

**Approval of Community Improvement Plan**

**16. Moved by W. Cuthbert, Seconded by D. McCann,**

THAT Council give three readings to a by-law to designate a Community Improvement Project Area within the City of Kenora in accordance with The Planning Act.

*Councillor Cuthbert then introduced the following Motion to Table #16:-*

**Motion to Table #16**

**15A Moved by W. Cuthbert, Seconded by C. Van Wallegghem & Carried:-**

THAT Motion #16, #29 and #30 on tonight's agenda with respect to the approval of a Community Improvement Plan be tabled at this time.

**Motion #16 Tabled - Approval of Community Improvement Plan**

THAT Council give three readings to a by-law to designate a Community Improvement Project Area within the City of Kenora in accordance with The Planning Act.

**MOTION TABLED**

**Assume Agur Street for Highway Purposes**

**17. Moved by C. Van Wallegghem, Seconded by A. Poirier & Carried:-**

THAT Council of the City of Kenora hereby approves assumption of Agur Street for highway purposes and directs the Municipal Solicitor to proceed with the necessary course of action to do so; and further

THAT in accordance with Notice By-law #14-2003, notice has been given that Council intends to adopt a by-law at its September 24 meeting for this purpose.



**Branding Logo Policy**

**18. Moved by W. Cuthbert, Seconded by A. Poirier & Carried:-**

THAT the Council of the City of Kenora hereby approves the Branding Logo Policy; and further

THAT the Tourism Committee of the Lake of the Woods Development Commission is hereby authorized to make decisions with respect to exceptions to the Branding Logo Policy.

**Assume portion of Essex Road**

**19. Moved by R. McMillan, Seconded by W. Cuthbert & Carried:-**

THAT the Council of the Corporation of the City of Kenora assumes a portion of the Essex Road; and

THAT the Corporation of the City of Kenora assumes as a highway for public/municipal purposes lands acquired from George Ivor Hulmes particularly, part of property described as CON 8J S PT LOT 13 PCL7968; LESS PT 1 PLAN 23R7013 PCL; 37222 PIN 42177-0192 (LT), designated as Part 1 on Plan 23R- 11416 now in the City of Kenora, District of Kenora; and

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

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

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

**Accept and Assume Mineault Drive as a Public Highway**

**20. Moved by W. Cuthbert, Seconded by R. McMillan & Carried:-**

THAT the City of Kenora hereby accepts and assumes Mineault Drive as a public highway; and

THAT by the passing of a by-law the City of Kenora declares that the Owner is not in default of any of the provisions of the Agreement; and further

THAT by passing of said by-law the City of Kenora releases the Owner from any further obligations associated with the Agreement.

**Approval Process to sell Shore Allowance - Hosegood**

**21. Moved by W. Cuthbert, Seconded by R. McMillan & Carried:-**

THAT Council of the City of Kenora hereby declares a portion of the road allowance abutting Black Sturgeon Lake and property described as CON 8J PT LOT 12; PLAN M718 LOT 4 PCL 32312 as surplus to the needs of the municipality; and

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; and further

THAT once the advertising process has been completed, Council give three readings to a by-law to authorize the sale of land to Bruce Hosegood and Audrey Hosegood, at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs.

**Approval Process to sell Shore Allowance - Kroeger**

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



THAT Council of the City of Kenora hereby declares a portion of the road allowance abutting Black Sturgeon Lake and property described as 59 Eagle Crescent, PLAN 23M133 LOT 20 as surplus to the needs of the municipality; and

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; and further

THAT once the advertising process has been completed, Council give three readings to a by-law to authorize the sale of land to Robert Kroeger and Kathryn Kroeger at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs.

**Proclamation – “Honouring Women Week”**

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

THAT the Mayor be and is hereby authorized to proclaim the week of September 26 to October 4, 2007 as “Honouring Women Week” in and for the City of Kenora.

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

**Proclamation – “Safe Communities Canada Day”**

**23A Moved by R. McMillan, Seconded by A. Poirier & Carried:-**

THAT the Mayor be and is hereby authorized to proclaim Wednesday, October 3, 2007 as “Safe Communities Canada Day” in and for the City of Kenora.

**Winkler Harbourfront Park Replacement Plaque**

**24. Moved by C. Van Wallegghem, Seconded by A. Poirier & Carried:-**

THAT Council hereby receives the following quotes for the replacement of the Kelvin Winkler plaque at Winkler Harbourfront Park: -

- Guinn & Simpson Company \$ 1,039.96 plus applicable taxes
- Kenora Community Funeral Home \$ 1,195.00 plus applicable taxes
- MC Delandes Monuments & Memorials \$ 1,600.00 plus applicable taxes
- Firlotte Memorials \$ 1,800.00 plus applicable taxes
- Alpine Printing Promotions \$ 3,090.00 plus applicable taxes, & installation included; and

THAT the quote from Guinn & Simpson Company Limited in the amount of \$1,039.96 (plus applicable taxes) for the supply of a 24” X 30” granite plaque (including lettering and photo) be hereby accepted; and

THAT Council authorize an additional allocation in the 2007 budget in the amount of \$1,039.96 plus applicable taxes, representing funding to cover the costs to replace the existing Winkler plaque at the Harbourfront; and further

THAT notice is hereby given that Council intends to give three readings to a by-law at its September 24, 2007 meeting to authorize a corresponding appropriation from the City’s Parks Reserve for this purpose.

**Repairs to Water Treatment Plant Roof**

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



THAT the following quotation for the repairs to the roof and flashing at the Water Treatment Plant, be received: -

**Flynn Canada Ltd.                      \$69,396.00;** and further

THAT the quotation submitted by Flynn Canada Ltd., of Winnipeg, Manitoba, in the amount of \$69,396.00 (taxes extra) be hereby accepted.

**Design/Construction of New Scale Building @ Transfer Station**

**26. Moved by D. McCann, Seconded by A. Poirier & Carried:-**

THAT as recommended by NWO Claims Services Inc., the following quotation for the design and construction of a new scale building at the Solid Waste Transfer Station be hereby accepted: -

**LMD Contracting                      \$105,172.00 (taxes extra);** and further

THAT Council give three readings to a by-law to amend the 2007 Capital Budget to authorize an appropriation from the Solid Waste Reserve Funds in the amount of \$30,000.00 for the purpose of funding the design and construction of a new scale building at the Transfer Station.

**By-laws – First & Second Reading**

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

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

**#107-2007** – to confirm proceedings of Council at its Standing and Various Committee Meetings

**#108-2007** – to assume Agur Street, Plan M63, except Part 1, Plan 23R6068, Part 1, 23R5783 and Part 1, Plan 23R6737, City of Kenora, District of Kenora

**#109-2007** – to adopt amended estimates for Operating and Reserves to be incorporated into the sums required for municipal purposes, during the year 2007 (Winkler plaque)

**#110-2007** – to adopt amended estimates for Operating and Reserves to be incorporated into the sums required for municipal purposes, during the year 2007 (City Hall drainage)

**#111-2007** – to amend By-law #100-2007 being a by-law to establish Rules of Order and Procedures for the Council of the City of Kenora

**#112-2007** – to amend Comprehensive Traffic By-law #127-2001

**#113-2007** – (separate motion)

**#114-2007** – to establish a road as a highway (Mineault Drive) and discharge obligations under a Development Agreement between Phillip Mineault and Joycelyn Mineault

**#115-2007** – to adopt amended estimates for Operating and Reserves to be incorporated into the sums required for municipal purposes, during the year 2007 (New Scale Building)

**#116-2007** – to authorize the transfer of land to the Corporation of the City of Kenora

**#117-2007** - to adopt amended estimates for Operating and Reserves to be incorporated into the sums required for municipal purposes, during the year 2007 (Fire Station Analysis).





**By-laws – Third & Final Reading**

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

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

**#107-2007** – to confirm proceedings of Council at its Standing and Various Committee Meetings

**#108-2007** – to assume Agur Street, Plan M63, except Part 1, Plan 23R6068, Part 1, 23R5783 and Part 1, Plan 23R6737, City of Kenora, District of Kenora

**#109-2007** – to adopt amended estimates for Operating and Reserves to be incorporated into the sums required for municipal purposes, during the year 2007 (Winkler plaque)

**#110-2007** – to adopt amended estimates for Operating and Reserves to be incorporated into the sums required for municipal purposes, during the year 2007 (City Hall drainage)

**#111-2007** – to amend By-law #100-2007 being a by-law to establish Rules of Order and Procedures for the Council of the City of Kenora

**#112-2007** – to amend Comprehensive Traffic By-law #127-2001

**#113-2007** – (separate motion)

**#114-2007** – to establish a road as a highway (Mineault Drive) and discharge obligations under a Development Agreement between Phillip Mineault and Joycelyn Mineault

**#115-2007** – to adopt amended estimates for Operating and Reserves to be incorporated into the sums required for municipal purposes, during the year 2007 (New Scale Building)

**#116-2007** – to authorize the transfer of land to the Corporation of the City of Kenora

**#117-2007** - to adopt amended estimates for Operating and Reserves to be incorporated into the sums required for municipal purposes, during the year 2007 (Fire Station Analysis).

**Motion #29 Tabled – Community Improvement Plan By-law**

**29. Moved by W. Cuthbert, Seconded by C. Van Wallegghem,**

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

**#113-2007** – to designate a Community Improvement Project Area pursuant to Section 28(2) of the Planning Act, RSO, 1990, cP13, as amended.

**MOTION TABLED**

**Motion #30 Tabled – Community Improvement Plan – By-law**

**30. Moved by W. Cuthbert, Seconded by C. Van Wallegghem,**

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

**#113-2007** – to designate a Community Improvement Project Area pursuant to Section 28(2) of the Planning Act, RSO, 1990, cP13, as amended.

**MOTION TABLED**



**Adjournment**

**31. Moved by D. McCann, Seconded by C. Van Walleghem & Carried:-**

THAT this meeting be now declared closed at 5:33 p.m.

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

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

**.....2007**

.....

**MAYOR**

.....

**CITY CLERK**