



Minutes

*Of a Meeting of the Council of the City of Kenora
Monday, April 14, 2008 – City Council Chambers
5:00 p.m.*

~~~~~  
WITH Mayor L. Compton in the Chair, Councillor W. Cuthbert, Councillor C. Drinkwalter, Councillor D. McCann, Councillor R. McMillan, Councillor A. Poirier.

**REGRETS: Councillor C. Van Wallegghem**

**Staff: Bill Presentanz, CAO, Karen Brown, Finance & Administration Manager, Sharen McDowall, HR Manager, Warren Brinkman, Fire & Emergency Services Manager, Rick Perchuk, Operations Manager, Colleen Neil, Recreation Services Manager, and Joanne L. McMillin, City Clerk.**

## Call to Order

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

## Public Information NOTICES as per By-law Number 144-2007

**Mayor Compton then read the following notices:-**

As required under Notice By-law #144 -2007, Council hereby advises the public of its intention to adopt the following at tonight's meeting:-

*~ Adoption of KMTS Budget for January, 2008;*

*~ To amend the Tariff of Fees & Charges By-law to provide for an increase in Post Secondary Student Rates at the Recreation Centre.*

## Confirmation of Minutes

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

THAT the following Minutes of the last Regular Meetings of the Council of the City of Kenora and certain other Committees be confirmed as written and circulated:

- Council Meetings of February 19 & March 17, 2008
- Special Council Meetings held March 25, and April 3, 2008
- Committee of the Whole Meetings of February 8, 15, 19, 2008
  - Budget Committee Meeting of April 3, 2008
- Special Finance & Administration Committee Meeting of January 21, 2008.

**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.

Councillor Cuthbert advised of a Declaration of Pecuniary Interest with respect to Item #'s 29, 33 and 34 on tonight's agenda as she is a member of the Company referred to therein.

**DEPUTATIONS:**

**Dwayne Yaremko – Chamber of Commerce**

Mr. Yaremko, Chamber President, addressed Council indicating the Kenora & District Chamber of Commerce is very encouraged by the progress made between the Ontario Union of Indians, Treaty 3, Treaty 9 and Common Voice and recognize Council as the catalyst in bringing all parties to the table, and as a result, the Chamber would like to see Council once again become a Member of KDMA and NOMA.

Mr. Yaremko presented a copy of his Deputation to the Clerk for the public record.

**Loris Letain – Canadian Hearing Society**

Miss Letain, Member of the Canadian Hearing Society explained to Council the current situation in Hearing Health Care Services in the Kenora area, and that there is no full time audiologist and therefore no-one is able to have a hearing test in Kenora. She explained there is a waiting list of 3-4 months in other communities and some individuals are incapable of traveling to these locations for various reasons. In closing, Miss Letain requested Council take a leadership role and establish a working group to request an explanation from the Government as to why we are losing essential hearing health services in the Kenora-Rainy River District.

Miss Letain presented a copy of her Deputation to the Clerk for the public record.

**Appointments to Performing Arts/Conference Committee**

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

THAT Council hereby appoints Carolyn Hudson and Sarah-Lynn Klassen to the Performing Arts and Conference Centre Committee to replace Ruth Bergman and Jeff Rasmussen, with a term to expire November 30, 2010.

***Councillor McMillan then introduced the following new item:***

**Appointments to Harbourtown BIZ**

**2A Moved by R. McMillan, Seconded by D. McCann & Carried:-**

THAT in accordance with the Municipal Act 2001, as amended and City of Kenora By-law #166-2003 with respect to appointments to the BIA Board of Management Business Improvement Area, Council hereby appoints the following to the "Harbourtown Centre Business Improvement Board" with a term to expire November 30, 2010:-

**Keric Funk  
Mort Goss  
Rob Dokuchie  
Audrey Manzie**

**Approval of Accounts**

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

THAT the Reports dated **March 13, 27, 28 and April 10, 2008** 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 **\$5,627,592.27** be hereby authorized for approval.

**RFP for Investments relating to KMTS**

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

THAT Council hereby directs City administration to undergo a request for proposal (RFP) process for investments related to the sale proceeds from the KMTS Entities; and

THAT the City's Audit Committee be used as an independent resource for the purposes of overseeing the investment RFP process, including the independent review of the RFP responses and final recommendation to Council; and further

THAT the investment RFP process commence following the completion of the City's 2008 budget process.

**Amend description of Lands sold to Bell Aliant**

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

THAT Council give three readings to a by-law to amend the description of Kenora Municipal Telephone System (KMTS) lands sold to Bell Aliant.

**Endorsation of Ottawa Resolution - MPAC**

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

THAT the Council of the City of Kenora hereby supports and endorses the following resolution adopted by the Council of the City of Ottawa:

WHEREAS the work of the Municipal Property Assessment Corporation provides services to both municipal governments and the provincial government for the purpose of collecting property taxes; and

WHEREAS Ontario municipalities pay for MPAC services and costs and the Province does not;

THEREFORE BE IT RESOLVED that the City of Kenora hereby requests that the Province of Ontario pay a proportional share of MPAC costs related to education property taxes; and

BE IT FURTHER RESOLVED that the City of Kenora communicates this request to MPAC Board of Directors, LUMCO, MARCO and AMO's Regional and Single Tier Caucus to solicit the support for this request.

**Funding Agreement with MTO – Roads/Bridges**

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

WHEREAS the Province, through the Ministry 2008 Provincial Budget, has provided a new commitment towards municipal road and bridge capital investment needs for 2007 – 2008; and

WHEREAS the Province has allocated \$463,040 to the City of Kenora under this new funding program;

NOW THEREFORE, BE IT RESOLVED THAT Council give three readings to a By-law authorizing the City to participate in this new funding program and committing to meet the requirements of that program; and

THAT this by-law specifically includes the City's commitment to adhering to the following program requirements:

- THAT a final summary report detailing expenditures, use of provincial funding, and outcomes achieved shall be submitted to the ministry and the ministry may request an independent audit of the project; and

THAT any funds intended for the project that are not used in accordance with the rehabilitation of the municipal road and bridge capital investment needs or the terms outlined in the Ministry's letter dated March 31, 2008, will be returned to the Ministry.

**Sponsorship – 2009 OFSAA Events**

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

THAT Council of the City of Kenora hereby supports the Ontario Federation of School Athletic Associations (OFSAA) by purchasing a one-time Gold Sponsorship in the amount of \$2,000.00 in recognition of events taking place in Kenora in 2009.

**Charitable Donation Receipts - STR**

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

THAT Council accept charitable donations for the purposes of purchasing an additional groomer, subject to the conditions as outlined; and

THAT the City require the Sunset Trail Riders to submit an appropriate proposal for the purchase of a new groomer, including the long-term responsibility for that groomer, as well as how that new groomer would be used to expand the Sunset Trail

Riders grooming abilities, enhancing snowmobiling in and around the City of Kenora and ultimately promoting winter snow machine related tourism to the Kenora area; and

THAT approval of this proposal be dependent upon Council review and consideration; and

THAT if approved, following purchase of this groomer, the City will reimburse the Sunset Trail Riders for the purchase of this groomer, up to a maximum of the related donation amounts received, direct to this organization; and

THAT once the purchase has been made, the groomer, as well as the ongoing responsibility for the groomer, including all ongoing upkeep, maintenance, expenditures, liability and all other related operations, would be the sole property/responsibility of the Sunset Trail Riders who shall also indemnify and save harmless the Corporation of the City of Kenora, its officers and employees from any and against all claims, demands, actions, suits or other proceedings; and further

THAT if the proposal from the Sunset Trail Riders is not approved by Council, the City would not accept any donation receipts related to this purchase.

**2008 Safe Grad Grant**

**10. Moved by C. Drinkwater, Seconded by R. McMillan & 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 of \$3,000.00 be authorized for use of the Kenora Recreation Centre for this purpose.

**Approval of Write Offs Policy**

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

THAT Council hereby approves City Policy #FI-5-1 – Receivables Write Off; and further

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

**Approval of Write Offs**

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

THAT Council hereby approves the write off of accounts totaling \$23,195.89; and further

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

**Approval to enter into Contracts for Civil Marriage Services**

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

THAT Council give three readings to a by-law to authorize the execution of contracts for the provision of Civil Marriage Solemnization Services by the City of Kenora.

**Approval of January 2008 KMTS Budget**

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

THAT in accordance with Notice By-law #144-2007, public notice is hereby given of Council's intention to adopt the January 2008 KMTS Operating Budgets; and further

THAT as recommended by the KMTS Commission, the January 2008 Operating Budgets of the Kenora Municipal Telephone System be and are hereby approved by the Council of the City of Kenora.

***Councillor A. Poirier requested the Rules of Order be Suspended in order to introduce the following new items:***

**Annual General Meeting of LOW Cottagers Association/Change in Meeting**

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

THAT authorization be hereby given for Mayor Compton and Members of Council to attend the Annual General Meeting of the Lake of the Woods Cottagers taking place on May 5<sup>th</sup>, 2008 in Winnipeg; and

THAT all eligible expenses in accordance with Council's Travel & Per Diem Policy be hereby authorized; and further

THAT in order to accommodate Council's attendance at the AGM, approval is hereby given to move the May 5 Standing Committee Meetings to Tuesday, May 6, 2008 at 11:30 a.m.

**Attendance at Regional Meeting in Dryden**

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

THAT authorization be hereby given for Mayor Compton to attend the Inaugural Regional Meeting in Dryden, ON on April 22, 2008 to review the draft Northern Ontario Growth Plan; and further

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

**Student Rate increase at Recreation Centre**

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

THAT Council of the City of Kenora receives the recommendation from the Leisure Services Committee, approving the following student rates:

|                    |               |
|--------------------|---------------|
| Day Pass:          | \$4.71        |
| 10 Visit Pass:     | \$38.25       |
| 25 Visit Pass:     | \$79.70       |
| 90 Day Membership: | \$138.00      |
| Annual Membership: | \$490.00; and |



THAT Council give three readings to a by-law to amend Schedule "B" to Tariff of Fees and Charges By-law Number 100-2003; and further

THAT the new rates take effect upon third and final reading of the by-law.

**Extension of Wharf Agreement with Aulneau**

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

THAT Council hereby authorizes to continue to partner with Aulneau Marketing & Consulting, Inc. to manage the City Wharf Agreement for Public Docking and Mooring Ball Collections for the 2008 operating season to November with the following conditions:

THAT the proposal from the Aulneau based on a fee structure of 40% seasonal docking, 50% overnight docking and 90% for mooring ball docking revenue be accepted; and further

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

**Agreement for South Harbourfront Parking Lot**

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

THAT Council hereby authorizes entering into a Contract Agreement with Ann Matiowski for the operation of the Kenora Harbourfront Parking Lot for a six (6) month period commencing May 1, 2008; and further

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

**Lease Agreement – Museum Annex**

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

THAT Council gives three readings to a by-law to authorize entering into a lease agreement for the Museum Annex with 1544227 Ontario Inc. for a 3-year term effective May 1, 2008 to April 30, 2011.

***Councillor McCann requested the Rules of Order be Suspended in order to introduce the following new item:***

**Argyle II Restoration Committee – Storage Agreement**

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

THAT authorization be hereby given for the Argyle II Restoration Committee to utilize municipal property located southeast of Millennium Park on Fifth Street South for the storing of salvage materials from the Argyle II salvage operation project; and further

THAT this storage arrangement be subject to negotiation of an agreement suitable to both the City and the Restoration Committee.

**Reduction in Emergency Operations Centres****19. Moved by C. Drinkwalter, Seconded by W. Cuthbert & Carried:-**

THAT Council of the City of Kenora hereby authorizes the Emergency Services Manager to terminate the "live or active" telephone system at KMTS so as to reduce the costs associated with maintaining two Emergency Operations Centres.

**Fire By-law – Short Form Wordings****20. Moved by C. Drinkwalter, Seconded by R. McMillan & Carried:-**

THAT Council of the City of Kenora hereby authorizes pursuing "short form wordings" for offences contained in Fire Control By-Law #44-2003 with a view to enforcing this By-Law under Part 1 of the Provincial Offences Act.

**Warren Brinkman's Nomination for Re-Election (O AFC)****21. Moved by C. Drinkwalter, Seconded by R. McMillan & Carried:-**

THAT Council supports the Ontario Association of Fire Chiefs' (O AFC) Nominating Committee's nomination to allow Warren F. Brinkman let his name stand for re-election to the Ontario Association of Fire Chiefs 2008/2009 Board of Directors.

**Approval of Surface Treatment Program****22. Moved by D. McCann, Seconded by R. McMillan & Carried:-**

THAT the following roads be approved for inclusion under the Ministry of Transportation Surface Treatment Program (double application) for the year 2008:

| <u>Location</u> | <u>Length</u>                                                | <u>Application</u> |
|-----------------|--------------------------------------------------------------|--------------------|
| Essex Road      | From one kilometer south of the Lajeunesse bridge, southerly | 1.0 km double      |
| Duffus Road     | From the junction of Darlington Drive, westerly              | 1.0 km double      |
| Peterson Road   | From the junction of the Redditt Road, westerly              | 1.0 km double      |
| Anderson Road   | From Norlean Bridge, westerly to Carlton Road junction       | 1.0 km double      |
| Sunnyside Road  | From Crystal Street junction, easterly to Sunnyside Camp     | 250 m double       |
| Herbacz Road    | From Gould Road junction, southerly                          | 250 m double       |

**Service Agreement with Sioux Narrows-Nestor Falls****23. Moved by W. Cuthbert, Seconded by R. McMillan & Carried:-**

THAT authorization be hereby given for the City of Kenora to enter into a service agreement for the provision of planning and engineering advisory services with the Township of Sioux Narrows-Nestor Falls for the year 2008, and further

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



**NBC Business Plan & Extension of Agreement**

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

THAT the Council of the City of Kenora approves the 2008/2009 NBC Business Plan, and further

THAT Council give three readings to a by-law authorizing the Mayor and Clerk to execute an extension to the agreement with the Ministry of Northern Development and Mines for the delivery of the Business Enterprise Centre program for the 2008/09 fiscal year.

**Zoning Application Approval - #Z07/06**

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

THAT Application Z07/06 to rezone the subject property from R2 – Residential First Density to R3\* 15 – Residential Third Density, with a reduction in required lot size from 700 square metres to 450 square metres, and reduced site width from 23 metres to 15.24 metres be hereby approved.

**Surplus Property Declaration**

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

THAT Council of the City of Kenora hereby declares a portion of the property described as PLAN 18 BLK 58 N PT LOT 2; AND PT 1 & 2 RP23R3420 as surplus to the needs of the municipality; and further

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

**Surplus Property Declaration**

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

THAT Council of the City of Kenora hereby declares property described as Lot 117 on Plan M39 as surplus to the needs of the municipality; and further

THAT once the condition of the provision of an undertaking to reconfigure lots 115, 1156 and 117 into two lots abutting Mikado Avenue has been met, Council give three readings to a by-law to authorize the sale of land to Jamie Minor (or Jamie Minor and spouse as appropriate) at the appraised value as established by Century 21 – Reynard Real Estate, plus all associated costs.

**Approval of Subdivision Agreement – 1703591 Ontario Inc.**

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

THAT Council give three readings to a by-law to enter into a subdivision agreement with 1703591 Ontario Inc. owners of lands for which draft approval is in force for the

purpose of meeting one of the conditions of draft approval for the development of a nineteen (19) lot subdivision on an extension of Williams Road; and further

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

**Property Transaction with 1242896 Ontario Ltd.**

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

THAT part of Lots 5, 6 & 7, Plan M117, City of Kenora, District of Kenora, designated as Parts 1, 2, 3, & 7, 23R11549 and the same is hereby stopped up and closed; and

THAT The Corporation of the City of Kenora hereby declares that the land described as that part of Lots 5, 6 & 7, Plan M117 City of Kenora, District of Kenora designated as Parts 1, 2, 3 & 7, Plan 23R11549 as surplus lands; and

THAT The Corporation of the City of Kenora shall transfer to 1242896 Ontario Ltd. that part of Lots 5, 6 & 7, Plan M.117 City of Kenora, District of Kenora, designated as Parts 1, 2, 3 & 7 Plan 23R11549 in exchange for Part of Lot 7, Plan M.117 designated as Part 9, 23R11549 owned by 1242896 Ontario Ltd.; and

THAT the Purchaser has undertaken and agreed to pay all related costs including appraisal fees, advertising fees, legal fees, survey fees and any other disbursements related to the transfer of the above-noted property; and further

THAT the Mayor and the Clerk be and they are hereby empowered to execute documents in connection with the selling of the hereinbefore mentioned lands.

| COUNCIL                   | AYE      | NAY | Dec. of Interest | ABSENT   |
|---------------------------|----------|-----|------------------|----------|
| Councillor Cuthbert       |          |     | <b>X</b>         |          |
| Councillor Drinkwalter    | <b>X</b> |     |                  |          |
| Councillor McCann         | <b>X</b> |     |                  |          |
| Councillor McMillan       | <b>X</b> |     |                  |          |
| Councillor Poirier        | <b>X</b> |     |                  |          |
| Councillor Van Wallegghem |          |     |                  | <b>X</b> |
| Mayor Compton             | <b>X</b> |     |                  |          |

**ABSTENTION: W. Cuthbert**

**Town Island – Environmental Inventory & Impact Assessment**

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

THAT the following proposals for the Environmental Inventory and Impact Assessment for Town Island, be received:-

**Kelli Saunders & Ryan Haines  
DST**

**\$ 19,700 + GST  
118,255 + GST; and**

THAT the proposal submitted by Kelli Saunders & Ryan Haines in the amount of \$19,700 + GST be hereby accepted; and further

THAT three readings be given to a by-law authorizing the Mayor and Clerk to enter into an agreement with Kelli Saunders and Ryan Haines for this purpose.

**By-laws – First & Second Reading**

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

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

- #43-2008: To confirm Proceedings of Council at its Standing and Various Committee Meetings
- #44-2008: To amend Zoning By-law #160-2004, as amended
- #45-2008: To execute a funding agreement with Industry Canada (Port of Kenora)
- #46-2008: To execute a funding agreement with Industry Canada (Potable Water Program)
- #47-2008: To amend Policy By-law Number 148-2007 to incorporate new policies
- #48-2008: To execute contracts for the provision of Civil Marriage Solemnization Services
- #49-2008: To amend General Tariff of Fees & Charges By-law (Student Rates)
- #50-2008: To execute a Wharf Management Agreement for 2008
- #51-2008: To authorize a contract with Ann Matiwski for the South Harbourfront Parking Lot
- #52-2008: To execute a lease agreement for the Museum Annex
- #53-2008: To amend the description of KMTS lands sold to Bell Aliant
- #54-2008: See Separate Motion.
- #55-2008: To authorize a Service Agreement with the Township of Sioux Narrows-Nestor Falls
- #56-2008: To authorize the execution of a Subdivision Agreement with 1703591 Ontario Inc.
- #57-2008: To authorize a contract with Kelli Saunders and Ryan Haines
- #58-2008: To authorize extending the agreement for the Regional Business Enterprise Centre
- #59-2008: To authorize execution of an agreement for the Infrastructure Investment Program.

**By-laws – Third & Final Reading**

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

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

- #43-2008: To confirm Proceedings of Council at its Standing and Various Committee Meetings
- #44-2008: To amend Zoning By-law #160-2004, as amended
- #45-2008: To execute a funding agreement with Industry Canada (Port of Kenora)
- #46-2008: To execute a funding agreement with Industry Canada (Potable Water Program)

- #47-2008: To amend Policy By-law Number 148-2007 to incorporate new policies
- #48-2008: To execute contracts for the provision of Civil Marriage Solemnization Services
- #49-2008: To amend General Tariff of Fees & Charges By-law (Student Rates)
- #50-2008: To execute a Wharf Management Agreement for 2008
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- #53-2008: To amend the description of KMTS lands sold to Bell Aliant
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- #55-2008: To authorize a Service Agreement with the Township of Sioux Narrows-Nestor Falls
- #56-2008: To authorize the execution of a Subdivision Agreement with 1703591 Ontario Inc.
- #57-2008: To authorize a contract with Kelli Saunders and Ryan Haines
- #58-2008: To authorize extending the agreement for the Regional Business Enterprise Centre
- #59-2008: To authorize execution of an agreement for the Infrastructure Investment Program.

**By-law #54-2008 – First & Second Reading**

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

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

#54-2008: To authorize the transfer of parts of lots 5, 6, & 7, Plan M117 in exchange for part of lot 7, Plan M117 between the City and 1242896 Ontario Ltd.

| <b>COUNCIL</b>            | <b>AYE</b> | <b>NAY</b> | <b>Dec. of Interest</b> | <b>ABSENT</b> |
|---------------------------|------------|------------|-------------------------|---------------|
| Councillor Cuthbert       |            |            | <b>X</b>                |               |
| Councillor Drinkwalter    | <b>X</b>   |            |                         |               |
| Councillor McCann         | <b>X</b>   |            |                         |               |
| Councillor McMillan       | <b>X</b>   |            |                         |               |
| Councillor Poirier        | <b>X</b>   |            |                         |               |
| Councillor Van Wallegghem |            |            |                         | <b>X</b>      |
| Mayor Compton             | <b>X</b>   |            |                         |               |

**ABSTENTION: W. Cuthbert**

**By-law #54-2008 – Third & Final Reading**

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

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

#54-2008: To authorize the transfer of parts of lots 5, 6, & 7, Plan M117 in exchange for part of lot 7, Plan M117 between the City and 1242896 Ontario Ltd.

| COUNCIL                 | AYE      | NAY | Dec. of Interest | ABSENT   |
|-------------------------|----------|-----|------------------|----------|
| Councillor Cuthbert     |          |     | <b>X</b>         |          |
| Councillor Drinkwalter  | <b>X</b> |     |                  |          |
| Councillor McCann       | <b>X</b> |     |                  |          |
| Councillor McMillan     | <b>X</b> |     |                  |          |
| Councillor Poirier      | <b>X</b> |     |                  |          |
| Councillor Van Walleghe |          |     |                  | <b>X</b> |
| Mayor Compton           | <b>X</b> |     |                  |          |

**ABSTENTION: W. Cuthbert**

**Adjournment**

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

THAT pursuant to Section 239 of the Municipal Act, 2001, as amended, authorization is hereby given for Council to move into a Closed Session at 5:42 p.m. to discuss an item pertaining to the following: -

- **Personal Matter about an Identifiable Individual**

**At 6:22 p.m., Council reconvened to the Open Meeting with no report.**

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

THAT this meeting now stands adjourned at 6:25 p.m.

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

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

***OF.....2008***

.....  
***MAYOR***

.....  
***CITY CLERK***