



City of Kenora
Committee of the Whole
Minutes

Tuesday, October 12, 2021
9:00 a.m.

City Hall Council Chambers – Council Only

***Due to COVID-19 and the requirement for physical distancing, the public was not permitted into the meeting at this time**

Public Access to the livestream recorded meeting can be found on the at:

<https://kenora.civicweb.net/Portal/>

Present:

Deputy Mayor Sharon Smith, Acting Chair
Mayor Daniel Reynard (virtual attendance)
Councillor Graham Chaze
Councillor Mort Goss
Councillor Rory McMillan
Councillor Andrew Poirier
Councillor Chris Van Wallegem

Staff: Heather Pihulak, Director of Corporate Services/City Clerk, Charlotte Edie, Director of Finance, Kevin Gannon, Director of Engineering & Infrastructure, Stace Gander, Director of Community Services, Roberta Marsh, Director of Human Resources

Blessing & Land Acknowledgment – Councillor McMillan

As we gather, we recognize that we are on Treaty Three Lands which are steeped in rich Indigenous history and home to many First Nations and Metis people today. We continue to be thankful for the partnerships with our Indigenous people.

We give thanks for the many blessings we enjoy in the City of Kenora. We seek wisdom in our minds, clearness in our thinking, truth in our speaking and always love in our hearts, so that we may try always to unite the Citizens of Kenora. Let these principles guide us in our decision making.

A. Public Information Notices

As required under Notice By-law #144 -2007, the public is advised of Council's intention to adopt the following at its October 19, 2021 meeting:-

- Permanently close and declare surplus to the needs of the municipality parts of Twelfth Avenue South and McCrae Street
- Permanently close and declare surplus and authorize the sale of parts of Tenth Avenue South and Twelfth Avenue South
- Authorize a purchase and sale agreement between the Corporation of the City of Kenora and the Kenora District Services Board (KDSB) for the sale of the lands identified above, in the amount of \$106,080

B. Declaration of Pecuniary Interest & the General Nature Thereof

- 1) On Today's Agenda
- 2) From a Meeting at which a Member was not in Attendance.
There were none declared.

C. Confirmation of Previous Committee Minutes

Resolution #1 - Moved by Councillor Van Walleghem, Seconded by M. Goss & Carried:
That the Minutes from the last regular Committee of the Whole Meeting held September 14, 2021 be confirmed as written and filed.

D. Deputations/Presentations

Anne Zwierzynski-Hotel Development Hwy 17 E

Ms. Zwierzynski resides at 1220 Hwy 17 E next door to the Comfort Inn. She is a lifelong resident of the community and is referencing the sale of the lands next door to her residence for the development of a hotel. They have experienced a number of changes in the neighbourhood and would like to have their concerns considered as the development proceeds. Noise and lighting are concerns for the residents as the commercial development will add further impacts to them as residential neighbours.

E. Reports:

1. Corporate Services & Finance

1.1 Q2 2021 Investments

Recommendation:

That Council hereby accepts the 2021 second quarter investment report that includes details of the Kenora Citizens' Prosperity Trust Fund and other City of Kenora investments.

Discussion: In 2008, City Council approved the establishment of the Kenora Citizens' Prosperity Trust Fund. The proceeds of disposition from the sale of the KMTS entities of \$40,896,446 were transferred to this Fund.

In 2020 Council, on administration's recommendation moved the City's investments to the Prudent Investor regime. The regime removes restrictions on municipal investments and creates a new governance model. Municipalities delegate their investing powers to a Joint Investment Board.

The first KCPTF portfolio is with the ONE Public Sector Group of Funds. The book value is \$22,609,145 (March 31, 2021 \$22,511,886). The market value of this investment at March 31, 2021 is \$23,680,831 (March 31, 2021 \$23,080,986). This portfolio is held in bond, universal corporate bond and equity funds. The year to date actual return on these ONE fund investments until June 30 is 3%. The return since inception is 8.4%. This rate reflects the total return including market impact. These investments were transferred from the legal list ONE fund and RBC Dexia on July 2, 2020. As a result gains of \$1,922,765 were triggered when the accumulated gains on investments were realized. The new investments now have a higher cost base.

In September a second portfolio of \$4,937,008 in securities from RBC Dexia were transferred

to CIBC Mellon in trust to be monitored by the ONE JIB. The movement to 'in trust' status was to allow the securities to be moved over on a more gradual basis as opposed to liquidating all the securities at once. As the securities mature they will be moved to ONE Investments. The market value of these investments at June 30 is \$5,092,298 (March 31, 2021 \$5,031,879).

The third portfolio of \$4,642,213 remained with Manulife Asset Management with RBC Dexia as custodians. Securities held in this portfolio are bank and federal and provincial government issues. The market value at the end of June 2021 is \$4,708,968 (March 2021 \$4,712,222). The year to date return is -.41%. The rate of return since inception is 2.68%. These returns take the market impact into account. These investments will be gradually liquidated when funds are required for debt financing purposes.

In addition, the KCPTF holds \$11,749,037 (at December 31, 2020) in debt from the City of Kenora. The rate of return on this debt is 3% and 3.32%.

The City of Kenora maintains investment portfolios separate from the Kenora Citizen's Prosperity Trust Fund. These investments were entirely held in the ONE Public Sector Group of Funds and most were transferred to the Prudent Investor regime as well, realizing a gain of \$1,563,395. The market value of these investments at June 30, 2021 is \$20,024,763 (March 31, 2021 \$19,355,031) and the book value is \$18,584,277 (March 31, 2021 \$18,455,434). This portfolio is held in bond, universal corporate bond and equity funds. The year to date return for the contingency outcome portfolio is 6.4% (since inception 14.4%) and for the 3 to 5 year outcome portfolio is .7% (since inception 4.4%). The City also holds \$5,763,761 in a high interest savings account outside the Prudent Investor regime in the ONE Public Sector Group of Funds.

When the debt is transferred over to the TD Bank, it will be invested in the ONE Fund Prudent Investor. The money has been transferred over and the Treasurer has a meeting with them later this month on how that will be distributed.

1.2 August 2021 Financial Statements

Recommendation:

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora at August 31, 2021.

Discussion: At the end of August, the year is 8/12 complete, so not including any seasonal or timing differences, there should be 33.33% of the budget remaining. Most of the negative impacts are COVID related and will be funded by the Safe Start funding received in 2020. Expenses at the end of August 2021 were close to budget with 39.52% remaining to be spent. User fee revenues to the end of August 2021 are under budget with 60.94% left to collect.

Where we are seeing a difference is \$61,000 of direct expenses associated with the evacuations we incurred this summer. The report has been submitted for full reimbursement by the province.

Transit is largely COVID related and it continues to be highly subsidized. Other revenues are down due to COVID. Solid waste is a good news story with bag tags and tipping fee revenues continuing to increase. Expenditures are close to budget so that will reflect positively on the year end for that department.

Council would like to see the MAT tax reporting and Charlotte will send that out to Council following the meeting.

1.3 Section 357

Recommendation:

That Council hereby approves Section 357 tax adjustments with potential refunds totaling \$3,487.48.

1.4 Modernization Program Application-Records Management System

Recommendation:

That Council accepted the 2021 Service Delivery Review Report as prepared by Optimus SBR under the Municipal Modernization Funding Program Intake 1; and further

That Council has directed administration to continue to improve the data underlying the plan and strategies with which to manage the City's infrastructure; and further

That Council directs staff to submit an Expression of Interest through Intake 3 of the Municipal Modernization Program for document digitization and electronic records management software; and further

That Council hereby approves the allocation of \$35,000 in the 2022 Capital/Unusual Spend Budget to support the municipal share of the project under the Municipal Modernization Program.

Discussion: This is the third intake of the modernization program where funding is available for modernizing and streamlining electronic systems. This will make a big difference in staff efficiencies and access to pertinent documents.

2. Fire & Emergency Services

No Reports

3. Engineering & Infrastructure

3.1 Reduced Load Restrictions Bylaw

Recommendation:

That Council hereby authorizes a new Reduced Load By-law to add one (1) highway and remove nine (9) highways from Schedule "A" of the By-law; and further

That By-law Number 155-2008 be hereby repealed; and further

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

Discussion: There have been several improvements and upgrades of the road system, upgrading certain roads from surface treatment to hot mix asphalt and seasonal reduced load restrictions are no longer required for these improved roads. There is one surface treated road that is being added to the list, namely Bayridge Road, as it is only accessible via Golf Course Road that will be removed from the load restriction by-law. The bylaw will be repealed and adopted with the recommended changes for various roads.

3.2 Wastewater Treatment Plan Grit Separator Tender Award

Recommendation:

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That the tender submitted by Peterson Machine and Supply Inc. for labour and materials related to the Wastewater Treatment Plant Grit Separator Raking Mechanism Refurbishment be hereby accepted.

Discussion: Council would like to see tours again for Council to various facilities as it is an important part of the overall system and many members of Council can gain a further understand the system and process from these tours.

4. Community Services

4.1 Application to OTF Community Building Program Fund

Recommendation:

That Council of the City of Kenora approves an application to the Ontario Trillium Foundation Community Building Fund – Capital Stream for an accessible playground and outdoor naturalized play area at Norman Park in the amount of \$210,000; and further

That the City of Kenora confirms its financial commitment of at least \$100,000 from the 2022 Capital Budget; and further

That Council hereby approves any cost overruns associated with the project.

4.2 License of Occupation Agreement

Recommendation:

That Council hereby authorizes the Mayor and the Clerk to execute a license of occupation agreement between the Corporation of the City of Kenora and Her Majesty the Queen, in Right of Canada, represented by the Minister of the Environment for the use of property located at the intersection of Bay Street and Government Road (North-East corner), City of Kenora, in the Province of Ontario; and further

That the appropriate by-law be passed for this purpose.

4.3 Reopening Fund for Heritage Organizations

Recommendation:

That Council hereby approves application to the Reopening Fund for Heritage Organizations to assist with operating expenses for the Lake of the Woods Museum and the operating expenses of the Douglas Family Art Centre.

4.4 Tenant Rent Concessions-COVID-19 Impacts

Recommendation:

That Council hereby approves a 50% City lease reduction for River Air, Houseboat Adventures and Middle Lake Enterprises (Anicinabe Park) and waives the City lease for MS Kenora due to the impacts of the COVID-19 border closures.

Discussion: Council questioned the length of the Houseboat Adventures lease which ends at the end of 2023 season. Council questioned the funding that these businesses may have received for loss of revenue. That is an option Council can consider and tie the financials to the amount they would be discounted.

5. Development Services

5.1 Closure of Roads and Surplus of Land-Pine Portage Area

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Recommendation:

That Council of the City of Kenora permanently close and declare surplus parts of Twelfth Avenue South and McCrae Street; and further

That the lands described as all of PIN 42168-0150, all of PIN 42168-0155, and part of PIN 42168-0154, be declared surplus to the requirements of the Municipality; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to declare these described lands as surplus to the needs of the municipality at its October 19, 2021 meeting; and further

That three readings be given to the applicable by-laws for these purposes.

5.2 KDSB Request to Purchase Pine Portage Area

Recommendation:

That the Council hereby permanently close, declare surplus and authorize the sale of parts of Tenth Avenue South and Twelfth Avenue South; and further

That the lands described as PIN 42168-0143 and PIN 42168-0152, be declared surplus to the requirements of the Municipality; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to declare these described lands as surplus to the needs of the municipality at its October 19, 2021 meeting; and further

That Council hereby authorizes a purchase and sale agreement between the Corporation of the City of Kenora and the Kenora District Services Board (KDSB) for the sale of the lands identified above, in the amount of \$106,080; and further

That three readings be given to the applicable by-laws for these purposes.

F. Proclamations

Deputy Mayor Smith then read the following proclamations:

- Waste Reduction Week – October 18-24, 2021

G. Other

- Councillor Goss referenced September 30th Orange Shirt Day and was pleased that the City staff was involved with an educational experience. The exhibit is still on at the Museum and Councillor Goss encourages everyone to attend this exhibit. It was a highly emotional day for people and there were a lot of tears. The exhibition of First Nations pride and recognition of those in attendance at the tent was a very emotional day and hope this continues.
- Deputy Mayor Smith echoes Councillor Goss and the comments from Justice Gibson and Ogichidaa Kavanaugh reflected the significance of that day. She would rather kids stay in school and people stay at work where it can be recognized and truly reflected upon.
- Mayor Reynard echoed the comments on September 30th and thanked the staff for their efforts in putting together a significant day honouring, listening and learning.

H. Next Meeting

- Tuesday, November 9, 2021

I. Adjourn to Closed

Resolution #2 - Moved by Councillor Goss, Seconded by C. Van Wallegem & Carried:

That Council now adjourn to a closed session at 9:56 a.m.; and further

That pursuant to Section 239 of the Municipal Act, 2001, as amended, the Closed Session will discuss items pertaining to the following:-

- i) Educating & Training Members of Council (1 matter-Team Kenora update)
- ii) Labour Relations (1 matter-vaccine mandate)

J. Reconvene to Open Meeting

Council reconvenes to open session at 11:15 a.m. with no reports from its closed session.

K. Close Meeting

Meeting adjourned at 11:15 a.m.