



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, August 24, 2021
12:00 p.m.
Virtual Attendance**

Council met electronically as permitted by the City of Kenora Procedural bylaw. Citizens and our Media Partners are encouraged to view the public meeting via the Public Live Stream Event at:

<https://video.isilive.ca/kenora/2021-08-24.html>

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**With** Mayor D. Reynard in the Chair, Councillor G. Chaze, Councillor M. Goss, Councillor R. McMillan Councillor A. Poirier, Councillor S. Smith, Councillor C. Van Walleghem

**Staff:** Kyle Attanasio, CAO, Heather Pihulak, Director of Corporate Services/City Clerk, Charlotte Edie, Director of Finance, Roberta Marsh, Director of Human Resources, Stace Gander, Director of Community Services, Adam Smith, Director of Development Services

## **Call to Order**

Mayor Reynard called the meeting to order at 12:04 p.m.

## **Blessing & Land Acknowledgment Delivered by Councillor Poirier**

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.

## **Public Information Notices as per By-law Number 144-2007**

Mayor Reynard 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 today's meeting:-

- Amend the 2020 Operating & Capital Budgets with the following amendments:
  - an additional allocation of \$25,050 to the Parking Pay Station capital purchase, to be funded through the Anicinabe, KRC and KMA capital purchases
  - an additional allocation of \$725 to the Recycle Truck capital purchase, to be funded through the Co-mingle Truck capital purchase
  - an additional allocation of \$1,799 to the Mower capital purchase, to be

- funded through the Used Roads Crew Cab capital purchase
  - an additional allocation of \$162 to the Tommy Gate for the Parks Vehicle, to be funded through the Used Roads Crew Cab capital purchase
  - an additional allocation of \$15,508 to the KRC flooring project, to be funded through the Pool Electrical Pump/System project
  - an additional allocation of \$7,400 to the ¾ Ton Truck with Hoist purchase, to be funded through the Rock Hammer purchase
  - an additional allocation of \$108,051 to the Water Main Program, to be funded through the Wastewater Collection Program
  - an additional allocation of \$59,413 to the WTP Window Replacement, to be funded through the WTP Roof Replacement project
  - an additional allocation of \$6,656 to the Transfer Facility Canopy Paving project, to be funded through the Extension of the Scale Building project
- Amend the 2021 Operating & Capital Budgets for the following:
    - an additional allocation of \$66,500 (plus HST) of which \$19,843.38 is to be funded through the Bearwise Funding Reserve and \$46,656.62 to be funded from the Solid Waste Reserve, for a municipal subsidized purchase of 250 FoodCycler Units, in order to implement a FoodCycler Pilot Program in partnership with Food Cycle Science Corporation
    - an allocation of \$80,900 from Contingency Reserves for E-Permitting and Process Modernization
    - an allocation of \$370,000 to be taken from the Police Station Replacement Reserves to provide an additional funding stream to the Central Community Club project
  - Authorize a Letter Agreement with the Toronto-Dominion Bank, for a new multiple draw loan facility of up to \$11,749,038

### **Declaration of Pecuniary Interest & General Nature Thereof**

Mayor Reynard then asked if any Member of Council had any Declarations of Pecuniary Interest and the General Nature Thereof pertaining to any items as follows:-

- i) On Today's Agenda or from a previous Meeting
- ii) From a Meeting at which a Member was not in Attendance

There were none declared.

### **Confirmation of Minutes**

**1. Moved by C. Van Wallegghem, Seconded by M. Goss & Carried:-**

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-  
Regular Council – July 20, 2021

### **Deputations**

None

### **Additions to the Agenda**

**Authorize a Letter Agreement with the Toronto-Dominion Bank for Debt Transfer**  
**2. Moved by M. Goss, Seconded by S. Smith & Carried:-**

That Council hereby authorizes the Mayor and Director of Finance/Treasurer to enter into a Letter Agreement dated August 16, 2021 between the Corporation of the City of Kenora and the Toronto-Dominion Bank, for a new multiple draw loan facility of up to \$11,749,038; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to authorize a Letter of Agreement with the Toronto Dominion Bank for a new multiple draw loan facility at its August 24, 2021; and further

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

**Discussion:** Administration is proposing to transfer our debt from the Citizens Prosperity Trust Fund to the TD Bank. Interest rates with the Prosperity Trust Fund range from 3% to 3.32%. When reviewing the interest rates with the TD Bank they were significantly lower and we are now in the Prudent Investor regime and the benefit is two-fold. We do save on interest expense in the City proper and that savings is over \$1M for the term of the mortgages and also frees up the \$11,750M to invest in the Prudent Investor stream. In addition, the debt is unsecured and we will have the ability to pay down 10% per year of the debt annually. The City's total debt capacity should not be impeded. The TD Bank total debt limit they will look at our total debt repayment and we must be under that annual repayment limit. In addition the TD Bank has waived any set up fees and looking to sign off on this letter agreement during this meeting of Council.

**2020 Annual Report**

**3. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

That Council approves the 2020 City of Kenora Annual Report including the 2020 audited financial statements for the City; and further

That a copy of this report be made available for public viewing.

**2020 Budget Amendments Authorized by Finance**

**4. Moved by R. McMillan, Seconded by G. Chaze & Carried:-**

That Council approve the 2020 Budget Amendments Approved by the Director of Finance or Deputy Treasurer from January 1 to December 31, 2020.

**2021 Capital & Unusual Spending**

**5. Moved by G. Chaze, Seconded by A. Poirier & Carried:-**

That Council hereby accepts the 2021 Capital and Unusual Spending report.

**2021 Q2 Contracts**

**6. Moved by A. Poirier, Seconded by C. Van Walleghem & Carried:-**

That Council hereby accepts the 2021 April – June Contracts & Expenditures Approved report.

### **Section 357 Approval**

#### **7. Moved by C. Van Wallegghem, Seconded by M. Goss & Carried:-**

That Council hereby approves Section 357 tax adjustments with potential refunds totaling \$10,193.50.

### **June 2021 Financial Statements**

#### **8. Moved by M. Goss, Seconded by S. Smith & Carried:-**

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora at June 30, 2021.

### **Crossing Guard Contract Extension**

#### **9. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

That Council hereby approves an extension to a contract agreement between the City of Kenora and Alpine Janitorial (Kenora) Inc. as established in the original Agreement authorized by By-law number 126-2019 for School Crossing Guard Services for the school seasons of 2021-2022 and 2022-2023 in the amount of \$117,249.00 (plus HST).

### **Township of Machin Water & Wastewater Reciprocal Agreement**

#### **10. Moved by R. McMillan, Seconded by G. Chaze & Carried:-**

That three readings be given to a by-law to execute a reciprocal Agreement for services related to the Water & Wastewater Division between the Township of Machin and the Corporation of the City of Kenora; and further

That the Mayor & Clerk be authorized to execute this agreement.

### **The Muse Community Museum Operating Grant Application**

#### **11. Moved by G. Chaze, Seconded by A. Poirier & Carried:-**

That Council hereby approves an application by The Muse to the Community Museum Operating Grant to assist with operational expenses at the Lake of the Woods Museum.

### **The Muse Seniors Community Grant Application**

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

That Council hereby approves an application by The Muse to the Seniors Community Grant to provide funding for free arts/heritage programming at the Lake of the Woods Museum and the Douglas Family Art Centre from October 2021-March 2022.

### **Budget Amendment – Central Community Club**

#### **13. Moved by C. Van Wallegghem, Seconded by M. Goss & Carried:-**

That Council hereby authorizes a budget amendment in the amount of \$370,000 to be taken from the Police Station Replacement Reserves to provide an additional funding stream to the Central Community Club project; and further

The budget for the Central Community Club project will not exceed \$1,167,800.00 which is inclusive of all funding streams and will provide an aesthetically enhanced public space for the Community Club and for local residents beyond what was conceived in the Club’s initial vision for the area; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2021 Operating and Capital Budgets at its August 24, 2021 meeting to withdraw funds from the Police Station Reserves for a total amount of \$370,000 to complete the Central Community Club project; and further

That Council give three readings to a By-law to amend the 2021 Operating & Capital Budgets for this purpose.

**Discussion:** The City acknowledged all the funding partners for this project. There is an interest and desire to plan a covered roof over the ice pad in future project development. The community club is open to continuing to fundraise for this extended project.

Mayor Reynard requested a recorded vote on Motion #13.

| <b>Recorded Vote</b>     | <b>AYE</b> | <b>NAY</b> | <b>Dec. of Interest</b> | <b>Absent</b> |
|--------------------------|------------|------------|-------------------------|---------------|
| Councillor Chaze         | <b>X</b>   |            |                         |               |
| Councillor Goss          | <b>X</b>   |            |                         |               |
| Councillor McMillan      |            | <b>X</b>   |                         |               |
| Councillor Poirier       | <b>X</b>   |            |                         |               |
| Councillor Smith         | <b>X</b>   |            |                         |               |
| Councillor Van Walleggem | <b>X</b>   |            |                         |               |
| Mayor Reynard            |            | <b>X</b>   |                         |               |

**Application to the CMHC Housing Supply Challenge**

**14. Moved by M. Goss, Seconded by S. Smith & Carried:-**

That Council supports an application to the Canada Mortgage and Housing Corporation (CMHC) Housing Supply Challenge for the development of an innovative communications package and social marketing strategy to address challenges in the pre-development phase of affordable housing.

**Budget Amendment - FoodCycler Household Organic Waste Division Pilot Project–Impact Canada Food Waste Reduction Challenge**

**15. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

That Council hereby approves an additional allocation of \$66,500 (plus HST) of which \$19,843.38 is to be funded through the Bearwise Funding Reserve and \$46,656.62 to be funded from the Solid Waste Reserve, for a municipal subsidized purchase of 250

FoodCycler Units, in order to implement a FoodCycler Pilot Program in partnership with Food Cycle Science Corporation; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2021 Operating & Capital Budget at its August 24, 2021 meeting to withdraw funds from the identified Reserves for a total amount of \$66,500 (plus HST) to complete this project; and further

That Council give three readings to a By-law to amend the 2021 Operating & Capital Budgets for this purpose.

### **Budget Amendment – E-Permitting and Process Improvements**

#### **16. Moved by R. McMillan, Seconded by G. Chaze & Carried:-**

That Council hereby approves a budget amendment in the amount of \$80,900 in which \$28,315 will come from Contingency Reserves and \$52,585 from the Ontario Government for E-Permitting and Process Modernization; and further

That Council hereby authorizes the Mayor and Clerk to enter into a Transfer Payment Agreement with the Government of Ontario to support total eligible project costs up to a maximum of \$52,585; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2021 Operating & Capital Budget at its August 24, 2021 meeting to withdraw funds from Contingency Reserves in the amount of \$28,315; and further

That Council give three readings to a By-law to amend the 2021 Operating & Capital Budgets for this purpose.

### **D14-21-06 Zoning Bylaw Amendment - 865 East Melick Road**

#### **17. Moved by G. Chaze, Seconded by A. Poirier & Carried:-**

That the Application for Zoning By-law Amendment, File No. D14-21-06, to change the zoning of a portion of the subject property from "RU" Rural Zone to "HC" Highway Commercial Zone be hereby approved; and further

That three readings be given to a bylaw for this purpose.

#### **Councillor Smith then introduced an amendment to Motion #17**

### **Amendment to Motion #17**

#### **17a. Moved by S. Smith, Seconded by C. Van Wallegghem & Carried:-**

That Motion #17 on today's agenda with respect to Application for Zoning By-law Amendment, File No. D14-21-06 be amended as follows:

- Delete: zoning of a portion of the subject property from "RU" Rural Zone to "HC" Highway Commercial Zone

- Replace with: zoning of a portion of the subject property from "RU" Rural Zone to "RU[51]" Rural, Exception Zone to allow for development of a commercial storage facility in the subject property

**Discussion:** The highway commercial zone under the zoning bylaw is to allow for commercial development along major roads that serves the travelling public and the site in question does not have the infrastructure to support many of the permitted uses to support the highway commercial zone and is prudent to be site specific on this application and restrict the use to only what is requested, a commercial storage facility.

**D14-21-06 Zoning Bylaw Amendment - 865 East Melick Road (as amended)  
17. Moved by S. Smith, Seconded by C. Van Walleghem & Carried:-**

That the Application for Zoning By-law Amendment File No. D14-21-06 to change the zoning of a portion of the subject property from "RU" Rural Zone to "RU[51]" Rural, Exception Zone to allow for development of a commercial storage facility in the subject property be hereby approved; and further

That three readings be given to a bylaw for this purpose.

**Discussion:** Kevan Sumnar, City Planner noted that based on preliminary information provided we believe it is likely a site plan control agreement for approval we have been in discussion with the agent for the property owners that they have no desire to build on the ridge where drainage would feed into the wetland on the eastern portion of the property and would be reflected in the site plan agreement that is brought back to Council for approval.

**Letter of Intent with Solid Construction for the Central Community Club Build**

**18. Moved by A. Poirier, Seconded by C. Van Walleghem & Carried:-**

That Council hereby authorizes a Letter of Intent with Solid Construction Inc. for the design and construction of the new Central Community Club, rink and amenities which includes preliminary required construction work such as soil testing, foundation design and certification work in order to complete the design; and further

That the formal design and subsequent CCDC-14 Design Bid Stipulated Price Contract with a maximum dollar amount of \$1,167,800 will be submitted with certified drawings to the City for future approval.

Mayor Reynard requested a recorded vote on Motion #18

| <b>Recorded Vote</b> | <b>AYE</b> | <b>NAY</b> | <b>Dec. of Interest</b> | <b>Absent</b> |
|----------------------|------------|------------|-------------------------|---------------|
| Councillor Chaze     | <b>X</b>   |            |                         |               |
| Councillor Goss      | <b>X</b>   |            |                         |               |
| Councillor McMillan  |            | <b>X</b>   |                         |               |
| Councillor Poirier   | <b>X</b>   |            |                         |               |
| Councillor Smith     | <b>X</b>   |            |                         |               |

|                           |          |          |  |  |
|---------------------------|----------|----------|--|--|
| Councillor Van Wallegghem | <b>X</b> |          |  |  |
| Mayor Reynard             |          | <b>X</b> |  |  |

**Agreement – ICIP – Central Community Club Funding**

**19. Moved by C. Van Wallegghem, Seconded by M. Goss & Carried:-**

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and the Minister of Infrastructure for the provision of the Central Community Club Recreation Facility Reconstruction Project; and further

That the Mayor & Clerk be authorized to execute this agreement.

**Agreement – ICIP – COVID-19 Funding**

**20. Moved by M. Goss, Seconded by S. Smith & Carried:-**

That three readings be given to a bylaw to execute a funding Agreement between the Corporation of the City of Kenora and Her Majesty the Queen as represented by the Minister of Infrastructure for the provision of funding for the dehumidifier installation at the Kenora Recreation Centre in the amount of \$227,771.00; and further

That the Mayor and Clerk be authorized to execute the agreement.

**Agreement of Purchase & Sale–CP Rail Property–Railway Street Project**

**21. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

That Council hereby authorizes a Purchase and Sale Agreement between the Corporation of the City of Kenora and Canadian Pacific Railway Company for the purchase of approximately 11.79 acres of land in the amount of \$159,159.16 + applicable taxes which are deemed required for municipal purposes; and further

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

**Discussion:** This approval has delayed the completion of the Railway Street project however it was a strategic decision to hold off to ensure that active transportation could be incorporated into the project.

**Contract for Service-LocalIntel Economic Development Tools**

**22. Moved by R. McMillan, Seconded by G. Chaze & Carried:-**

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and LocalIntel Economic Development for the provision of online economic development tools; and further

That the Mayor & Clerk be authorized to execute this agreement.

**Agreements for Digital Squad Service**

**23. Moved by G. Chaze, Seconded by A. Poirier & Carried:-**

That three readings be given to a bylaw to execute a funding agreement between the Corporation of the City of Kenora and the Ontario Business Improvement Area Association for the Digital Service Squad Plan; and further

That three readings be given to two bylaws to execute agreements between the Corporation of the City of Kenora and Hannah Edie and Miranda Patterson for the Digital Service Squad Program; and further

That the Mayor and Clerk be authorized to execute these agreements.

### **Agreement with Simply Voting for Electronic Voting Platform**

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

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and Simply Voting Inc. for the provision of an electronic voting system for the 2022 Municipal Elections; and further

That the Mayor & Clerk be authorized to execute this agreement.

### **2021 Water & Wastewater Systems Monthly Summary Report–June**

#### **25. Moved by C. Van Walleghem, Seconded by M. Goss & Carried:-**

That Council of the City of Kenora hereby accepts the June 2021 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by City administration.

### **Approval of By-laws**

#### **26. Moved by M. Goss, Seconded by S. Smith & Carried:-**

That the following By-laws be now read a First & Second Time, and approved in their present form and presented for Third & Final Reading:~

#102-2021 – Confirmatory

#103-2021 – Letter of Agreement with the Toronto-Dominion Bank for debt transfer

#104-2021 - 2020 Budget Amendments Authorized by Finance

#105-2021 - Agreement with Alpine Janitorial for the crossing guard contract extension

#106-2021 - Township of Machin Water & Wastewater reciprocal Agreement

#108-2021 - Budget Amendment-FoodCycler Household Organic Waste Division Project

#109-2021 - Budget Amendment – E-Permitting and Process Improvements

#111-2021 - Agreement – ICIP – Central Community Club funding

#112-2021 - Agreement – ICIP – COVID-19 funding

#113-2021 - Agreement of Purchase & Sale – CP Rail property – Railway Street project

#114-2021 - Contract for Service-LocalIntel Economic Development Tools

#115-2021 - Agreement with Ontario Business Improvement Area (OBIAA) Association

#116-2021 - Agreement with Hannah Edie – Digital Squad Service (NWBC)

#117-2021 - Agreement with Miranda Patterson - Digital Squad Service (NWBC)

#118-2021 - Agreement with Simply Voting for Electronic Voting Platform

### **Approval of By-laws**

#### **27. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

That the following By-law be now read a First & Second Time, and approved in its present form and presented for Third & Final Reading:~

#110-2021 - D14-21-06 Zoning Bylaw Amendment - 865 East Melick Road, as amended

### Approval of By-laws

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

That the following By-law be now read a First & Second Time, and approved in its present form and presented for Third & Final Reading:~

#107-2021-Budget Amendment – Central Community Club

Mayor Reynard requested a recorded vote for Motion #28

| Recorded Vote             | AYE | NAY | Dec. of Interest | Absent |
|---------------------------|-----|-----|------------------|--------|
| Councillor Chaze          | X   |     |                  |        |
| Councillor Goss           | X   |     |                  |        |
| Councillor McMillan       |     | X   |                  |        |
| Councillor Poirier        | X   |     |                  |        |
| Councillor Smith          | X   |     |                  |        |
| Councillor Van Wallegghem | X   |     |                  |        |
| Mayor Reynard             |     | X   |                  |        |

### Notices of Motion

None

### Proclamations

None

### Announcements

#### The following was highlighted by Council:

1. Councillor Smith provided a shout out to all the small businesses including restaurants that are trying to survive throughout the pandemic. Encourage the community to continue to go out and support our local businesses.
2. Councillor Van Wallegghem noted that last week we had some significant weather and our Roads Division responded to all the concerned damage.

### Adjourn to Closed Session

#### 29. Moved by R. McMillan, Seconded by G. Chaze & Carried:-

That pursuant to Section 239 of the Municipal Act, as amended, authorization is hereby given for Council to move into a Closed Session at 1:02 p.m. to discuss items pertaining to the following:-

- i) Education & Training Members of Council (3 matters – CAO, Mayor, Development Services updates, Risk and Liability Education)
- ii) Disposition of Land (1 matter-Keewatin Property)
- iii) Receiving advice that is subject to solicitor-client privilege (1 matter-Municipal Land)

- iv) Personal matters about an identifiable individual, including municipal employees (1 matter-vaccines)

**Reconvene to Open Meeting**

Council reconvenes to open session at 4:37 p.m. with no reports from its closed session.

**Close of Meeting**

**29. Moved by G. Chaze, Seconded by A. Poirier & Carried:-**

That this meeting be now declared closed at 4:37 p.m.

**The Corporation of the City of Kenora:**

**Confirmed As Written This .....Day**

**Of.....2021**

.....  
**Mayor**

.....  
**City Clerk**