



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, December 21, 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/2021-12-21.html>

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

**Regrets:** Councillor A. Poirier

**Staff:** Kyle Attanasio, CAO, Heather Pihulak, Director of Corporate Services/City Clerk, Adam Smith, Director of Development Services, Charlotte Edie, Director of Finance, Roberta Marsh, Director of Human Resources, Kevin Gannon, Director of Engineering & Infrastructure

## **Call to Order**

Mayor Reynard called the meeting to order at 12:00 p.m.

## **Blessing & Land Acknowledgment**

***Delivered by Councillor Smith***

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 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:-

- Adopt its 2022 Municipal Capital and Unusual Spending Budget
  - Adopt a new General Tariff of Fees and Charges By-Law
- Adopt a new Planning Act Applications Tariff of Fees and Charges By-Law

## **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

Councillor Smith declared a direct pecuniary interest on Motion #13 on today's agenda regarding the Engineering & Infrastructure Q4 report. Councillor Smith's direct pecuniary interest relates to her partner who works with NADM and was part of the audit for the fleet division.

## **Confirmation of Minutes**

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

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-

Regular Council – November 16, 2021

## **Deputations**

None

## **Additions to the Agenda**

None

## **Crime Prevention and Community Well Being Committee**

### **2. Moved by G. Chaze, Seconded by C. Van Wallegghem & Carried:-**

That Council hereby appoints Kent Readman, Fire Chief to the Crime Prevention & Community Well-Being Advisory Committee for a term at the pleasure of Council no later than November 14, 2022; and further

That the appointment of Kyle Attanasio, CAO be hereby repealed.

## **October 2021 Financial Statements**

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

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

## **2021 Q3 Investments**

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

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

## **2021 Write Offs**

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

That Council hereby approves the write off of accounts totalling \$2,913.56 in 2019 including applicable taxes; and further

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

## **2022 Capital Budget Approval**

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

That Council hereby approves the 2022 Municipal Capital Budget, including Unusual Spending, as amended; and further

That Council hereby directs staff to actively proceed with the projects included in that budget in accordance with the provisions of the City procurement bylaw; and further

That in accordance with Notice Bylaw 144-2007, public notice is hereby given that Council intends to adopt its 2022 Municipal Capital and Unusual Spending Budget at its December 21, 2021 Council meeting; and further

That Council hereby gives three readings to a bylaw for this purpose.

## **Request to Phase Out Vacancy Rebate Program**

### **7. Moved by G. Chaze, Seconded by C. Van Walleghem & Carried:-**

Whereas Section 364 of the Municipal Act, 2001, as amended (hereinafter referred to as the "Municipal Act") sets out the program by which tax rebates may be provided for property in respect of eligible vacant buildings for properties within the commercial, industrial or other prescribed property class; and

Whereas a local municipality, pursuant to subsection 364(1.1) of the *Municipal Act*, may choose that it will not maintain a program to provide rebates under section 364 for the 2022 vacancies; and

Whereas for the purposes of this by-law the Commercial classes shall be considered a single property class and the Industrial classes shall be deemed to be a single property class; and

Whereas the Minister of Finance may by regulation under paragraph 364(a.0.1) identify property classes other than the commercial and industrial property classes to be *Prescribed Classes* for the purposes of Section 364; and

Whereas the Council of the Corporation of the City of Kenora deems it appropriate to end the application of section 364;

Now Therefore the City of Kenora enacts as follows:

1. That in accordance with subsection 364(1.1) of the *Municipal Act*, Council hereby supports a phase-out on the elimination of the vacant unit rebate, and pass a by-law

to support fifty percent of rebates on the 2021 vacancies and elimination of the program entirely for 2022 or any subsequent taxation years; and

2. That this by-law shall apply to property in the commercial property class, the industrial property class, and to property in any other class identified as a prescribed class, including but not limited to the landfill property class.

### **Section 357 Tax Adjustments**

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

That Council hereby approves Section 357 tax adjustments with potential refunds totaling \$2,101.26.

### **General Tariff of Fees & Charges Bylaw**

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

That Council hereby approves a new Tariff of Fees and Charges bylaw to adopt rate increases in various divisions; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to give three readings to a new General Tariff of Fees and Charges By-Law at its December 21, 2021 meeting to give effect to these rates outlined in the revised Schedules; and further

That By-law Number 41-2021 be hereby repealed.

### **Handi Transit Service Agreement**

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

That Council hereby authorizes a services agreement with the Kenora Handi Transit Board which outlines the responsibilities of the Board and the City to provide specialized transit services in the City of Kenora; and further

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

### **Accounts Receivable Collections Policy**

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

That Council hereby adopts City Policy #AF-5-3 Accounts Receivable, Collections & Procedures Policy which forms part of the Comprehensive City Policy Manual; and further

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

### **Harbourfront Downtown Service Delivery Model**

#### **12. Moved by G. Chaze, Seconded by C. Van Wallegghem & Carried:-**

That Council hereby commits the reallocation of funding from the Pines/KHS Service Agreement totalling \$166,500.00 to the Community Services Division operating budget to support street beautification, cleaning and maintenance services through the delivery of:

- The Harbourfront/Downtown Service Delivery Model which includes the addition of one (1) Full Time Harbourtown Labourer and two (2) Labourer Helpers to the permanent staff complement at a net zero impact to the operating budget; and
- The New Harbourtown Ambassador Pilot Program to be delivered between May 1<sup>st</sup>– September 9, 2022. The amount to be funded for the delivery of this pilot program is \$153,000.00. Administration to consult with our community partners to identify synergies and opportunities for alternate funding sources.

### **Engineering & Infrastructure Q4 Report**

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

That Council hereby receives the Engineering and Infrastructure Services fourth quarter update as presented.

Councillor Smith declared a Pecuniary Interest and abstained from the vote.

### **Application for Funding-ICIP Program – Kenora Recreation Centre**

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

That Council hereby directs administration to resubmit an application under the Investing in Canada Infrastructure Program (ICIP) – Community, Culture and Recreation (CCR) program related to rehabilitation work at the Kenora Recreation Centre; and further

That the City of Kenora confirms its financial commitment of up to \$1,333,499.84 from the 2022 and 2023 Capital Budgets; and further

That Council hereby approves any expenditures for costs incurred that are deemed ineligible; and further

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

### **Application to NOHFC Rural Enhancement Funding Stream**

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

That Council hereby authorizes an application for funding to Northern Ontario Heritage Fund Corporation (NOHFC) under its Rural Enhancement Funding Stream for projects identified within the City's capital plan; and further

That Council approves any cost overruns associated with these projects.

### **Application to NOHFC for Kenora Peace Park**

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

That Council hereby authorizes an application for funding to the Northern Ontario Heritage Fund Corporation (NOHFC) on behalf of Kenora Rotary and Murdered Indigenous Women and Girls, Transgendered and Two Spirited Persons for the new Peace Park; and further

That Council approves any cost overruns associated with the project.

## **Missing & Murdered Indigenous Women Monument MOU**

### **17. Moved by G. Chaze, Seconded by C. Van Walleghem & Carried:-**

That Council hereby authorizes the Mayor and Clerk to execute the Memorandum of Understanding (MOU) between The Corporation of the City of Kenora and Wabaseemoong Independent Nation authorizing the placement of a monument honouring Missing and Murdered Indigenous Women and Girls, Transgendered and Two Spirited Persons in the new Peace Park; and further

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

## **Community Services Q4 Report**

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

That Council hereby receives the Community Services Division fourth quarter update as presented.

## **Construction, Demolition & Change of Use Permits & Inspections**

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

That Council gives three readings to a bylaw to adopt a new Construction, Demolition and Change of Use Permits and Inspections bylaw; and further

That By-law Number 100-2005 be hereby repealed.

**Discussion:** Within the existing bylaw there are provisions for construction without a permit and there are fees associated with that. There are steps within the bylaw to issue orders and Provincial Offences provisions if necessary.

## **Tariff of Fees for Planning Act Applications**

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

That Council gives three readings to a by-law to amend fees contained within By-law 37-2020, a By-law to Establish a Tariff of Fees for Planning Act Applications; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to give three readings to a new Planning Act Applications Tariff of Fees and Charges By-Law at its December 21, 2021 meeting to give effect to these rates outlined in the revised Schedules; and further

That bylaw number 37-2020 be hereby repealed.

## **Application to NOHFC for McLeod Park & Husky the Muskie**

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

That Council approves an application to the Northern Ontario Heritage Fund Corporation (NOHFC) in the amount of \$493,077 for the rehabilitation and renovation of McLeod Park and Husky the Muskie; and further

That Council confirms its financial commitment of up to \$94,128 for the project to be funded through Municipal Accommodation Tax revenues; and further

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

**Bell Canada Lease Confirming & Amending Agreement Town Island  
22. Moved by G. Chaze, Seconded by C. Van Walleghem & Carried:-**

That Council hereby authorizes the Mayor and Clerk to enter into a ten (10) year lease confirming and amending agreement between the Corporation of the City of Kenora and Bell Canada, effective January 1, 2022 for a portion of Town Island; and further

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

**Site Plan Agreement – Two Bears Marina  
23. Moved by C. Van Walleghem, Seconded by M. Goss & Carried:-**

That the Mayor and Clerk of the City of Kenora be authorized to execute a site plan agreement between the Corporation of the City of Kenora and Canadian Pacific Railway Company; and further

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

**Zoning Bylaw Amendment-D14-21-10 Unaddressed Property East of  
Ninth Avenue North  
24. Moved by M. Goss, Seconded by S. Smith & Carried:-**

That Council hereby approves an Application for Zoning By-law Amendment, File No. D14-21-10, to change the zoning of the subject property from "RU Rural Zone and "I" Institutional Zone, to "R3" Residential – Third Density Zone; and further

That Council gives three readings to a by-law to that effect.

**ESRI GIS Software Renewal Agreement  
25. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

That Council authorizes a three year agreement with Esri Canada for access to GIS Software in the amount of \$57,160.00; and further

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

**FedNor Harbourfront Agreement Amendment  
26. Moved by R. McMillan, Seconded by G. Chaze & Carried:-**

That three readings be given to a bylaw to execute an amending agreement between the Corporation of the City of Kenora and FedNor for the Harbourfront Business Development Plan detailed design and tender specifications project to extend the end date to December 31, 2022 and revise the Project Costs and Financing Table; and further

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

**FedNor – McLeod Park & Husky’s Landing - Funding Agreement**

**27. Moved by G. Chaze, 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 the Federal Economic Development Agency for Northern Ontario as represented by the Minister of Indigenous Services and Minister responsible for the Federal Economic Development Agency for Northern Ontario for the for the construction and refurbishment of McLeod Park and Husky’s Landing; and further

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

**KGS Group Consulting Agreement-Harbourfront Business Development Plan**

**28. Moved by C. Van Walleghem, 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 KGS Group for the provision of professional consulting services to deliver detailed design and tender specifications for the Harbourfront Business Development Plan; and further

That the Mayor & Clerk be authorized to execute this agreement

**NWBC Sublease Agreement-Business Development Bank of Canada (BDC)**

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

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and the Business Development Bank of Canada for the Sublease Agreement; and further

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

**NWBC Amending Agreement-Starter Company**

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

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and the Ministry of Economic Development, Job Creation and Trade related to the Starter Company Plus Initiative and Summer Company Initiative with the Northwest Business Centre; and further

That the CAO be authorized to execute this agreement.

**Various Committee Minutes**

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

That Council hereby adopts the following Minutes from various City of Kenora Committees:

- October 28, 2021– The Muse

That Council hereby receives the following Minutes from other various Committees:

- October 22, 2021 – Northwestern Health Unit; and further

That these Minutes be circulated and ordered filed.

**Wastewater Treatment Plant Agreement-Grit Separator Refurbishment  
32. Moved by G. Chaze, Seconded by C. Van Walleghem & Carried:-**

That further to City Council accepting the bid of Peterson Machine and Supply Inc. for the Wastewater Treatment Plant Grit Separator Raking Mechanism Refurbishment, authorization be and is hereby given for the Mayor and Clerk to execute an agreement between the Corporation of the City of Kenora and Peterson Machine and Supply Inc.; and further

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

**Water & Wastewater Monthly Summary – October 2021  
33. Moved by C. Van Walleghem, Seconded by M. Goss & Carried:-**

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

**Tree Cutting Services 2022  
34. Moved by M. Goss, Seconded by S. Smith & Carried:-**

That the hourly rates for tree cutting and stump grinding, submitted by United Tree Service on a “call as needed” basis only, be hereby accepted.

**Hourly Equipment & Truck Rental Tender 2022  
35. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

That the tenders for the Hourly Rental of Equipment and Trucks for 2022 be received; and further

That the ranking lists for Hourly Rental of Equipment and Trucks for 2022 be accepted and adopted for the purposes of hiring non-owned equipment and Trucks during the period of January 1, 2022 through to December 31, 2022.

**Approval of By-laws  
36. Moved by R. McMillan, Seconded by G. Chaze & 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:~

- #149-2021 – Confirm the proceedings of Council
- #150-2021 - 2022 Capital Budget Approval
- #151-2021 - General Tariff of Fees & Charges Bylaw
- #152-2021 - Handi Transit Service Agreement
- #153-2021 - Accounts Receivable Collections Policy
- #154-2021 - MOU Missing & Murdered Indigenous Women Monument
- #155-2021 - Construction, Demolition & Change of Use Permits & Inspections Bylaw

- #156-2021 - Tariff of Fees for Planning Act Applications
- #157-2021 - Bell Canada Lease Confirming & Amending Agreement Town Island
- #158-2021 - Site Plan Agreement–Two Bears Marina
- #159-2021 - Zoning Bylaw Amendment D14-21-10-Unaddressed property, E of 9th Ave N
- #160-2021 - ESRI Software Renewal Agreement
- #161-2021 - FedNor Funding Amendment – Harbourfront Detailed Design
- #162-2021 - FedNor Funding Agreement - McLeod Park/Husky Landing
- #163-2021 - KGS Contract Execution - Harbourfront Detailed Design
- #164-2021 - BDC Lease Agreement for NWBC
- #165-2021 - Amending Agreement - NWBC Starter Company Plus
- #166-2021 - Agreement with Peterson Machine and Supply Inc. WTP Grit Separator
- #167-2021 -Agreement-Middle Lake Enterprises-Old Chalet Lane Rd Closure (Nov Council)
- #168-2021 -Agreement MMAH-Municipal Modernization Program Funding (Nov Council)

### **Notices of Motion**

None

### **Proclamations**

None

### **Announcements**

#### **The following was highlighted by Council:**

1. Councillor McMillan noted that it is year end and wish our staff and fellow Councillors and citizens of our community a safe and healthy Christmas. We are amidst another wave of the pandemic and encourage everyone to reach out and support others in the community.
2. Councillor Van Walleghem encouraged everyone to keep their chin up and we are behind all citizens and staff.
3. Councillor Goss extended a happy holiday season to everyone. It has been a tough but productive year. It is difficult to demonstrate the progress in the community but hoping we get past this wave and we encourage everyone to do the right thing and stay safe.
4. Councillor Chaze wished everyone a happy holiday.
5. Councillor Smith wished the best of the season to Council colleagues, staff and the community. Recognizing it has been a difficult year for many families in this community and offer support to many. Continue to be kind. Get outside and it will be a different holiday season. We have been here before and we can do this again. Have a safe and happy holiday with family.
6. Mayor Reynard expressed that it has been a difficult year however it has been a successful year for the City. Acknowledged all City staff, the community and the senior leadership team. Mayor Reynard firmly believes in the direction we are going. Have the best Christmas season we can and remain positive.

### **Adjourn to Closed Session**

#### **37. Moved by G. Chaze, Seconded by C. Van Walleghem & 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 12:42 p.m. to discuss items pertaining to the following:-

- i) Education & Training Members of Council (6 matters – branding progress, CAO, Mayor, Development Services, OPP, KDSB updates)
- ii) Receiving Advice that is Subject to Solicitor-Client Privilege (1 matter-land development)
- iii) A Trade secret or scientific, technical, commercial or financial information that belongs to the municipality and has monetary value or potential monetary value (1 matter – Synergy North presentation)

**Reconvene to Open Meeting**

Council reconvenes to open session at 5:20 p.m. with no reports from its closed session.

**Close of Meeting**

**38. Moved by R. McMillan, Seconded by C. Van Walleghem & Carried:-**

That this meeting be now declared closed at 5:20 p.m.

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

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

**Of.....2022**

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**Mayor**

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**City Clerk**