



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, January 19, 2021
12:00 p.m.**

Due to the COVID-19 Pandemic, Council met electronically as permitted by Council's Procedural Bylaw. Citizens and our Media Partners are encouraged to attend the virtual meeting via the Public Live Stream Event at:
<https://video.isilive.ca/kenora/2021-01-19.html>

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**With** Mayor D. Reynard in the Chair, Councillor M. Goss, Councillor R. McMillan Councillor A. Poirier, Councillor K. Ralko, Councillor S. Smith, Councillor C. Van Wallegghem

**Staff:** Kyle Attanasio, CAO, Heather Pihulak, Manager of Administration/City Clerk, Stace Gander, Manager of Community Services, Charlotte Edie, Manager of Finance/Treasurer, Jeff Hawley, Manager of Operations & Infrastructure, Roberta Marsh, HR Manager, Adam Smith, Manager of Development Services, Marco Vogrig, Municipal Engineer

## **Call to Order**

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

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

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:-

- Adopt the 2021 Municipal Operating Budget, Water & Wastewater Operating & Capital Budget and Solid Waste Operating & Capital Budget

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

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-  
Regular Council – December 15, 2020

## **Deputations**

### **Eric R. Tranquada - Stantec**

Eric Tranquada, Bridge Engineer from Stantec presented the 2020 bridge inspection report for Kenora.

The BCI rating was reviewed for each of the 21 bridges that were inspected. Jeff confirmed there are two bridges included in the 2021 capital budget that will have works completed as part of this report. It was noted there is a great deal of expense coming to the municipality with the costs associated with these bridge repairs.

Mayor Reynard thanked Mr. Tranquada for his presentation and a copy was left with the Clerk.

## **Additions to the Agenda**

None

## **November 2020 Financial Statements**

### **2. Moved by R. McMillan, Seconded by K. Ralko & Carried:-**

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora at November 30, 2020.

## **Ontario Regulation 284/09:2021 Budget Matters**

### **3. Moved by K. Ralko, Seconded by A. Poirier & Carried:-**

That Council hereby adopts the report dated December 30, 2020 related to 2021 budget matters by Resolution as required under the Municipal Act, 2001, Ontario Regulation 284/09.

## **2021 Operating Budget Approval**

### **4. Moved by A. Poirier, Seconded by C. Van Walleggem & Carried:-**

That Council hereby approves the City of Kenora's 2021 Municipal Operating Budget, as reviewed and amended; and further

That Council give three readings to a By-law to approve the 2021 Municipal Operating Budget; and further

That Council authorize City administration to proceed with the implementation of all budget related decisions in accordance with those reflected within the amended budgets; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2021 Municipal Operating Budget by-law at its January 19<sup>th</sup> Council Meeting.

### **2021 Water & Wastewater Budget Approval**

#### **5. Moved by C. Van Walleggem, Seconded by M. Goss & Carried:-**

That Council hereby approves the 2021 Water and Sewer Utility Budget; and further

That Council hereby authorizes City administration to proceed with the implementation of all budget related decisions including operating and capital works in accordance with those reflected within the Water & Sewer Budgets; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2021 Water and Sewer Utility Budget bylaw at its January 19<sup>th</sup> Council Meeting; and further

That the appropriate bylaw be passed for this purpose.

**Discussion:** There was a question raised of recent of the Prosperity Trust Fund and requested staff provide some clarity around those funds. Charlotte explained that the Prosperity Trust Fund was established in 2009 and was set to safeguard the proceeds of the sale of KMTS and to provide long term stability of the City. The fund was allowed to lend money to the capital fund to assist with capital projects but the interest rate was set at 3%. All funds were to be paid back to the fund at the 3% interest. Subsidizing the utility with the Prosperity Trust fund could be done but would need to be done with the established 3% payback. The reason for the careful accounting of this utility as it is required to be self-supporting. Utility revenue must cover utility expenses. The Prosperity Trust fund was established to support all the taxpayers of Kenora not just the utility customers. It would not conform to the intent of the Prosperity Trust Fund.

### **2021 Solid Waste Budget Approval**

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

That Council hereby approves the 2021 Solid Waste Utility Budget; and further

That Council hereby authorizes City administration to proceed with the implementation of all budget related decisions which includes operating and capital works in accordance with those reflected within the Solid Waste Budgets; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2021 Solid Waste Utility Budget by bylaw at its January 19<sup>th</sup> Council Meeting; and further

That the appropriate bylaw be passed for this purpose.

### **Hings Lease Renewal**

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

That Council authorizes a one year lease extension to an existing lease agreement with 446562 Ontario Ltd. (Hing) for use of the Chipman Street parking lot adjacent to the Hing's Restaurant at 101 Matheson Street South; and further

That the said renewal will increase the annual rent by three (3%) percent (plus applicable taxes) for a period from 1 January, 2021 to 31 December 2021; and further

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

### **Kenora Rotary Peace Park MOU**

#### **8. Moved by R. McMillan, Seconded by K. Ralko & 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 the Kenora Rotary Club authorizing the conversion and maintenance of a Peace Park to be located on First Avenue South; and further

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

### **2021 Pines Service Agreement**

#### **9. Moved by K. Ralko, Seconded by A. Poirier & Carried:-**

That Council gives three readings to a by-law authorizing a contract between the Pines/Kenora Harbourfront Services (Pines/KHS) and the City of Kenora for provision of services at the Harbourfront and related areas for the period January 1, 2021 through December 31, 2021; and further

That by-law Number 054-2020 be hereby repealed.

### **Funding Application to the RED Program-Husky the Muskie Restoration**

#### **10. Moved by A. Poirier, Seconded by C. Van Walleggem & Carried:-**

That Council hereby approves an application to the Rural Economic Development (RED) program for the restoration of Husky the Muskie in the amount of \$50,000; and further

That the City of Kenora confirms its financial commitment of up to \$35,000; and further

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

**Mayor Reynard left the Chair at 1:05 p.m. and turned the Chair to Deputy Mayor Ralko.**

### **Deeming Bylaw-Lots 47&48 Plan M639 & Repeal of Deeming Bylaw 76-2014**

#### **11. Moved by C. Van Walleggem, Seconded by M. Goss & Carried:-**

Pursuant to the provisions of Section 50(4) of the Planning Act, RSO 1990, c. P.13, as amended, the Council of a local municipality may by by-law designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall

be deemed not to be a registered plan of subdivision for the purposes of Subsection 50(3) of the said Act; and further

That Lots 47,48 and 55, Plan M639 on Registered Plan of Subdivision M-1, in the City of Kenora, are within a plan of subdivision registered for more than eight years; and further

That Council repeals the deeming By-law No. 76-2014, which currently deems lots 47, 48, and 55, Plan M639 not to be a registered plan of subdivision for the purposes of Subsection 50 (3) of the Act; and further

That Council gives three readings to a new bylaw to deem Lots 47 and 48 not to be a registered plan of subdivision for the purposes of Subsection 50(3) of the Planning Act.

**Mayor Reynard returned to the Chair at 1:06 p.m. and resumed the Chair.**

### **Submission to Canada's Centre of Excellence in Next Generation Networks (CENGN) Intake #4**

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

That Council supports a submission to Canada's Centre of Excellence in Next Generation Networks (CENGN) Northern Ontario Residential Broadband Program Intake #4.

### **Zoning Bylaw Amendment D14-20-04 – 63 Nash Street**

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

That Council hereby approves the application for Zoning By-law Amendment, File No. D14-20-04, 63 Nash Street, to change the zoning of the subject property from "R3" Residential – Third Density Zone to "HC" Highway Commercial Zone; and further

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

### **Black Sturgeon Water Quality Monitoring**

**14. Moved by R. McMillan, Seconded by K. Ralko & Carried:-**

That Council hereby accepts the 2020 Black Sturgeon Lakes Water Quality Monitoring Report, as prepared by Kenora Resource Consultants Inc.

### **Application to Expropriate Land Known as the 'Outen Strip'**

**15. Moved by K. Ralko, Seconded by A. Poirier & Carried:-**

That Council hereby authorizes the City Planner to proceed with the publication and service of Notice of Application for approval to expropriate the lands described in the Application for Approval to Expropriate Land respecting the acquisition of the lands locally known as 'Outen Strip'; and further

That the City Planner is hereby directed to report to Council with respect to any Notice requesting an inquiry filed by the owner of any lands affected by the said Application; and further

That the City Planner is hereby authorized to do such acts and things as may be necessary and expedient in the processing of the said Applications, all as required by The Expropriations Act, R.S. > 1990, Chapter E.26.

### **Homerun Gardens Land Use**

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

That Council hereby authorizes the use of Municipal lands locally known as the Old Keewatin Ball Diamonds to continue to be operated as a community garden by Harvest Kenora for a period of five (5) years; and further

That should the decision be determined not to proceed in subsequent years, Harvest Kenora will be required to level all growing beds and apply grass seed in order for the park to be restored to its previous condition.

### **2020 Q4 Kenora Fire Report**

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

That Council hereby receives the 2020 Fourth Quarter Report from the Kenora Fire and Emergency Services Department for the period of October 1 to December 31, 2020.

### **Municipal Transit Enhanced Cleaning Agreement**

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

That three readings be given to a by-law to execute an agreement between the Corporation of the City of Kenora Her Majesty the Queen in Right of the Province of Ontario represented by the Minister of Transportation for the Province of Ontario for the provision of funding for enhanced cleaning for the public transit system in the amount of \$6,442; and further

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

### **November 2020 Water Wastewater Systems Monthly Summary**

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

That Council of the City of Kenora hereby accepts the November 2020 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by City administration.

### **2021 Hourly Equipment & Truck Rental**

#### **20. Moved by R. McMillan, Seconded by K. Ralko & Carried:-**

That the tenders for the Hourly Rental of Equipment and Trucks for 2021 be received; and further

That the attached Ranking Lists for Hourly Rental of Equipment and Trucks for 2021 be accepted and adopted for the purposes of hiring non-owned equipment and trucks during the period of January 31, 2021 through to December 31, 2021.

## **Approval of By-laws**

### **21. Moved by K. Ralko, Seconded by A. Poirier & 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:~

- #1-2021 - Confirmatory
- #2-2021 - 2021 Operating Budget Approval
- #3-2021 - 2021 Water & Wastewater Budget Approval
- #4-2021 - 2021 Solid Waste Budget Approval
- #5-2021 - Hings Lease Renewal
- #6-2021 - Kenora Rotary Club Peace Park MOU
- #7-2021 - 2021 Pines Service Agreement
- #8-2021 - Deeming Bylaw-Lots 47 & 48 Plan M639
- #9-2021 - Repeal of Deeming Bylaw 76-2014
- #10-2021 - Public Zoning Amendment D14-20-04 – 63 Nash Street
- #11-2021 - Municipal Transit Enhanced Cleaning Agreement

## **Notices of Motion**

None

## **Proclamations**

None

## **Announcements**

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

There were no updates.

## **Adjourn to Closed Session**

### **22. Moved by A. Poirier, Seconded by C. Van Walleggem & 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 1:16 p.m. to discuss items pertaining to the following:-

- i) Education & Training Members of Council (3 matters –Economic Development & Tourism Strategy development update, CAO & Mayor update)
- ii) Labour Relations (1 matter-CAO Performance Review)
- iii) Disposition of Land (1 matter-municipal property sale)
- iv) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization (1 matter-Abitibi lands)
- v) Personal Matter about an Identifiable Individual (1 matter-Sustainability Advisory Committee Appointments)

## **Reconvene to Open Meeting**

Council reconvenes to open session at 4:43 p.m. with one report from its closed session

**Sustainability Advisory Committee Appointments**

**22a. Moved by R. McMillan, Seconded by K. Ralko & Carried:-**

That Council hereby appoints the following members to the Sustainability Advisory Committee for a term at the pleasure of Council no later than November 14, 2022:

- Patrick Paulo representing LOWDSA
- Kylie Hissa, Special Projects & Research Officer (non-voting member)
- Mukesh Pokharel (non-voting member)
- Ashley Nordlund
- Brittany Bolan
- Scott Schelske
- Peter Hettinga
- Andrew Fafard
- Teika Newton
- Nancy Wagenaar

**Close of Meeting**

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

That this meeting be now declared closed at 4:43 p.m.

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

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

**Of.....2021**

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**Mayor**

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**City Clerk**