



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, July 20, 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/2021-07-20.mp4.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

**Regrets:** Councillor C. Van Walleggem

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

## **Call to Order**

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

## **Declaration of Office**

City Clerk, Heather Pihulak, administered the Declaration and Oath of Office to Graham Chaze, Councillor.

## **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 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:-

- Council will appoint Graham Chaze to City Council effective July 20, 2021 to fulfill the remaining term of Council
- Amend the 2021 Operating & Capital budgets for the following purposes:
  - ~~\$366,402.24 of which \$358,402.24 is to be funded through the Police Station Replacement Reserve and \$8,000 to be funded from the Community Club Reserve to fund green space and amenity construction to take place at the Central Park Community Club Project (deferred)~~
  - \$227,771.00 to be funded through the Investing in Canada Infrastructure Program – Resilience Infrastructure Stream for the purchase and installation of a dehumidifier in the Thistle Arena at the Kenora Recreation Centre
  - \$193,000 to allow for implementation of the 2021 Municipal Accommodation Tax (MAT) Operational Workplan
- Authorize a Certificate of Approval sanctioning and approving the expropriation of lands locally known as “Outen Strip” to enable the unencumbered future transfer of property containing the former Jaffray Melick municipal office.
- Enter into an Option to Purchase Agreement for the sale of a 16.17 acre parcel of vacant land located east of Veterans Drive and south of 14th Street North

### **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 Sharon Smith declared an indirect pecuniary interest as it relates to resolution #17 as it relates to Wake Marketing & Design as her niece is an associate of Wake Marketing & Design and will be part of this project.

### **Confirmation of Minutes**

#### **1. Moved by A. Poirier, Seconded by M. Goss & Carried:-**

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-  
 Regular Council – June 22, 2021  
 Special Council – June 30, 2021

### **Deputations**

None

### **Additions to the Agenda:**

#### **Debt Transfer**

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

That Council hereby directs the Treasurer to work with the TD Bank on a formal proposal to transfer the debt from the Prosperity Trust Fund to the TD Bank; and further

That the proposal be brought back to Council for approval.

**Discussion:** Charlotte Edie, Treasurer, advised that in the June meeting Council had a presentation on our debt and there was information on debt transfer. She did approach the TD Bank and they had a good discussion. They got back to her quickly on rates that were impressive and they are working on a proposal to have to present to Council in August. This will allow us to invest the excess funds in the OneInvestor Prudent Investor. There will be no set up fees for the transfer of the debt.

### **Appointments to the Crime Prevention & Community Well-Being Advisory Committee**

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

That Council hereby appoints the following members to the Crime Prevention and Community Well-Being Advisory Committee for a term at the pleasure of Council no later than November 14, 2022:

Sue Devlin;  
Randi Casey;  
Denise Forsyth;  
Michelle Guitard;  
Sara Dias;  
Amy Kristalovich;  
Rhett Zurkan;  
Sheri Norlen;  
Jeff Duggan;  
Kelli Ducharme; and  
Kyle Attanasio, City Administration

### **Council Vacancy**

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

That Council hereby accepts the resignation of Councillor Kirsi Ralko effective June 22, 2021; and further

That Council hereby appoints Graham Chaze as a Councillor for the City of Kenora to replace the vacancy created by Councillor Kirsi Ralko effective June 22, 2021; and further

That Councillor Graham Chaze be hereby appointed to the BIZ Executive replacing Councillor Ralko for a term at the pleasure of Council no later than November 14, 2022; and further

That Councillor Graham Chaze be hereby appointed as the alternate to the Kenora Library Board replacing Councillor Ralko for a term at the pleasure of Council no later than November 14, 2022.

### **May 2021 Financial Statements**

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

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

## **Fort Frances/International Falls International Bridge**

### **6. Moved by A. Poirier, Seconded by M. Goss & Carried:-**

Whereas the Fort Frances, Ontario and International Falls, Minnesota International bridge is a critical economic and community link connecting not only the two communities, but all of Northwestern Ontario to the United States; and

Whereas the International Bridge sees more than 800,000 vehicle crossings annually which include for the purposes of tourism destinations throughout Northwestern Ontario, local travel for business, personal, recreational, medical, emergency, and family, commercial traffic serving the resource based economy west of Thunder Bay, and importing goods used in mining, forestry and agriculture sector; and

Whereas the International Bridge has been privately owned by the operators of the local paper mills since it was built in 1908 and is currently owned, through subsidiaries, by the Packaging Corporation of America and Resolute Forest Products which is required by the Customs Act to provide the Canada Border Services Agency with facilities on the Canadian side of the International Bridge; and

Whereas in Ontario, tolls on international bridges are authorized by the provincial Minister of Transportation under the Toll Bridges Act, but the bridge owners have placed their toll collection on the Minnesota side; and

Whereas these tolls have become a growing concern for the citizens of Fort Frances and the surrounding communities and deter American locals and visitors from crossing into Canada to support local businesses; and

Whereas the only other privately owned toll bridge connecting Canada and the United States is the Ambassador Bridge between Detroit and Windsor which is 7,500 feet in length and charges less per crossing; and

Whereas a January 31, 2006 public meeting revealed that one span of the International Bridge had only 15 to 20 years left in its lifespan before it needed to be replaced, at a then-estimated cost of \$8 million (USD); and

Whereas since 2006 it has been understood that high tolls were being charged by the bridge owners in order to rehabilitate the bridge in the 2020's but Resolute now indicates that it wishes to divest itself from ownership, after collecting these high tolls for many years; and

Whereas Council of the Town of Fort Frances adopted resolutions in 2005 and 2006 calling on the Government of Canada and the Province of Ontario to acquire the International Bridge and make it a public asset without tolls, but no response was received; and

Whereas the Town of Fort Frances and its neighbouring communities are concerned that new private ownership of the International Bridge will result in even higher tolls or that public access to the bridge will be compromised for safety or financial reasons; and

Whereas Ontario's Toll Bridges Act, R.S.O. 1990 permits the Province of Ontario to enter into agreements with any Canadian or foreign authority for the joint financing,

construction or operation of any international bridge or tunnel and for any matter incidental thereto as reflected in the provincial and state governments \$30 million investment to replace the Rainy River-Baudette Bridge which continues to operate without tolls; and

Whereas access to the International Bridge facilitates treaty obligations, including under the Jay Treaty of 1794, which allows Indigenous people from Canada to live and work freely in the United States and allows access to traditional territories in northern Minnesota;

Therefore Be It Resolved that Council of the City of Kenora calls on the Government of Canada and the Province of Ontario to immediately intervene in the sale of the International Bridge and make all necessary efforts to acquire the International Bridge with their American counterparts, operate it as a public asset and remove tolls; and further

That a copy of this resolution be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable Greg Rickford, Kenora-Rainy River MPP, Marcus Powlowski, Thunder Bay-Rainy River MP, Eric Melillo, Kenora MP, Sol Mamakwa, Kiiwetinoong MPP, the Honourable Caroline Mulroney, Minister of Transportation, the Honourable Omar Alghabra, Minister of Transport (Canada), and The Honourable Bill Blair, Minister of Public Safety Emergency Preparedness.

### **Motion to Defer Motion #7 (Budget Amendment Central Community Club Project)**

**7a. Moved by R. McMillan, Seconded by M. Goss & Carried:-**

That motion #7 on today's agenda with respect to approving a budget amendment be hereby tabled to a meeting date no later than September 14, 2021 to permit time for further review and clarification on the complete project.

### **Budget Amendment-Central Community Club Construction Project**

**7. Motion Deferred to September 14, 2021 (or sooner) as per Resolution #7a**

That Council hereby approves a budget amendment in the amount of \$366,402.24 of which \$358,402.24 is to be funded through the Police Station Replacement Reserve and \$8,000 to be funded from the Community Club Reserve to fund green space and amenity construction to take place at the Central Park Community Club Project; 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 July 20, 2021 meeting to withdraw funds from the identified Reserves for a total amount of \$366,402.24 to complete this work; and further

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

**Motion Deferred.**

## **Budget Amendment – Recreation Centre Dehumidifier**

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

That Council hereby approves a budget amendment in the amount of \$227,771.00 to be funded through the Investing in Canada Infrastructure Program – Resilience Infrastructure Stream for the purchase and installation of a dehumidifier in the Thistle Arena at the Kenora Recreation Centre; 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 budgets at its July 20<sup>th</sup>, 2021 meeting for this purpose; and further

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

## **Expropriate Lands from JM Former Municipal Office**

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

That Council has authorized staff to proceed with the publication and service of a Notice of Application for Approval to expropriate the lands described in Schedule A; and further

That the Mayor and Clerk be hereby authorized and directed to execute a Certificate of Approval sanctioning and approving the expropriation of the lands more particularly described in Schedule "A" appearing that due publication and service of the Notice of Application was given and no requests for an Inquiry having been received from the owner of the said lands; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to proceed with the publication and service of a Notice of Application for Approval to Expropriate the lands locally known as "Outen Strip"; and further

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

## **Budget Amendment-5 Year Tourism & Economic Development Strategy**

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

That Council hereby accepts the Five Year Tourism and Economic Development Strategy, as prepared by Urban Systems; and further

That Council hereby approves a budget amendment in the amount of \$193,000 to allow for implementation of the 2021 Municipal Accommodation Tax (MAT) Operational Workplan; 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 July 20, 2021 meeting to allocate funds from the MAT reserves; and further

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

### **1430 River Street License Agreement**

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

That the Mayor and Clerk be hereby authorized and directed to execute a License Agreement with the Government of Ontario to utilize a portion of the lands at 1430 River Street to access easements in favour of the City of Kenora; and further

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

### **Option to Purchase Agreement – 14th St N Operations Lands**

#### **12. Moved by A. Poirier, Seconded by M. Goss & Carried:-**

That Council hereby enters into an Option to Purchase Agreement between the Corporation of the City of Kenora and 5901058 Manitoba Ltd. in the amount of \$323,000.00; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends enter into an Option to Purchase Agreement for the sale of a 16.17 acre parcel of vacant land located east of Veterans Drive and south of 14<sup>th</sup> Street North at its July 20, 2021 meeting; and further

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

### **Agreement with Kontzamanis Graumann Smith Macmillan – Consulting Services**

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

That Council gives three readings to a bylaw to execute an agreement between the Corporation of the City of Kenora and Kontzamanis Graumann Smith Macmillan for consulting services for the study for Keewatin and Norman marine watermain looping and redundancy.

### **Agreement with Titan Contractors for the Central Park Sewer Water Reconstruction**

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

That further to City Council accepting the bid of Titan Contractors related to the 2021 Central Park Sewer and Water Reconstruction works, authorization be and is hereby given for the Mayor and Clerk to execute an agreement between the Corporation of the City of Kenora and Titan Contractors; and further

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

### **Policy Amendment - Council-CAO Covenant Policy #CC-1-1**

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

That Council gives three readings to a bylaw to adopt an amended #CC-1-1 Council CAO Covenant Policy which will form part of the City of Kenora Comprehensive Policy Manual; and further

That bylaw number 162-2020 be hereby repealed.

**Agreement with RC Strategies for a Recreation Master Plan development  
16. Moved by G. Chaze, Seconded by A. Poirier & Carried:-**

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and RC Strategies for the provision of the development of a Recreation Master Plan; and further

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

**Discussion:** Would like to see active transportation considered and included as this plan.

**Agreement with Wake Marketing & Design for a destination brand, website & marketing strategy  
17. Moved by A. Poirier, 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 Wake Marketing & Design for the provision of the development of a tourism destination marketing strategy & brand redevelopment; and further

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

**Councillor Smith Abstained with Declaration of Pecuniary Interest**

**Various Committee Minutes**

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

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

- May 27, 2021 – The Muse
- September 23, 2020, October 28, 2020, November 25, 2020, January 27, 2021, March 17, 2021, April 28, 2021, May 26, 2021, June 23, 2021 – Kenora Public Library

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

- April 27, 2021 – Kenora Police Services Board
- May 28, 2021 – Northwestern Health Unit; and further

That these Minutes be circulated and ordered filed.

**May 2021 Water & Wastewater Monthly Summary**

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

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

## **Coney Island Shuttle Service Contract Execution**

### **20. 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 Green Adventures for the operation of the 2021 Coney Island Shuttle Service.

**Discussion:** The contract has been amended to include data collection.

## **Vending Truck Agreement – Kenora Harbourfront**

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

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and Bridge Drive In Ice Cream for the purposes of a vending Agreement for the 2021 season.

## **Approval of By-laws**

### **22. Moved by A. Poirier, Seconded by M. Goss & 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:~

- #87-2021 – Confirmatory
- #89-2021 - Budget Amendment-Recreation Centre Dehumidifier
- #90-2021 - Certificate of Approval Outlen Lane JM lands
- #91-2021 - Budget Amendment-2021 MAT Operational Plan projects
- #92-2021 - License Agreement-1430 River St easement access Ontario Govt
- #93-2021 - Optional Purchase Agreement with 5901058 Manitoba Ltd
- #94-2021 - Agreement- Kontzamanis Graumann Smith Macmillan Consulting Services
- #95-2021 - Agreement-Titan Contractors Central Park Sewer Water Reconstruction
- #96-2021 - Council-CAO Covenant Policy Amendment #CC-1-1
- #97-2021 - Agreement - RC Strategies Recreation Master Plan development
- #98-2021 – Agreement-Wake Marketing & Design
- #99-2021 - Coney Island Shuttle Service Contract Execution
- #100-2021 - Vending Truck Agreement – Kenora Harbourfront
- #101-2021 - Alternative voting authorization

**Councillor Smith Abstained with Declaration of Pecuniary Interest on Motion #17, for bylaw #98-2021**

## **Approval of By-laws**

### **23. Motion Deferred to September 14, 2021 (or sooner) as per Resolution #7a**

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

- ~~#88-2021 – Budget Amendment Central Community Club amenities construction~~

**Motion Deferred.**

## Notices of Motion

None

## Proclamations

None

## Announcements

### The following was highlighted by Council:

1. Councillor Smith recognized the work of MNR and other firefighters. This is difficult job and have great respect for these firefighters and all the support staff at the MNR.
2. Councillor Chaze extended gratitude to the City staff and other volunteers on the support being extended to the evacuees in the community.
3. Councillor McMillan welcomed Councillor Graham to the Council table.
4. Mayor Reynard and Councillor McMillan met the Chief of Poplar Hill and they are very grateful for everything we are doing. Thank you to City staff for their extended efforts in hosting the evacuees.

The last few Wednesdays at the Farmer's Market, the street market you really notice there is a great deal of people coming back and shopping downtown. You can see the energy and excitement. Thank you to all the small business who have had an extremely challenging year and a half.

Gabe Mastromatteo is representing Canada next week in the Olympics and we all extend best wishes to him in the Olympics. He has earned this spot after years of preparation for this moment.

## Adjourn to Closed Session

### 24. Moved by M. Goss, Seconded by S. Smith & 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 12:38 p.m. to discuss items pertaining to the following:-

- i) Education & Training Members of Council (3 matters – CAO & Mayor updates, Governance training)
- ii) Disposition of Land (1 matter-Keewatin property sale)

## Reconvene to Open Meeting

Council reconvenes to open session at 3:46 p.m. with no reports from its closed session.

## Close of Meeting

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

That this meeting be now declared closed at 3:46 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**