



City of Kenora

## Committee of the Whole Minutes

Monday, December 5, 2022

9:00 a.m.

City Hall Council Chambers

Live Stream Access: <https://kenora.civicweb.net/Portal/>

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**Present:**

Mayor Andrew Poirier  
Councillor Robert Bernie  
Councillor Graham Chaze  
Councillor Lindsay Koch  
Councillor Barbara Manson  
Councillor Lisa Moncrief  
Councillor Kelsie Van Belleghem

**Staff:** Kyle Attanasio, CAO, Heather Pihulak, Director of Corporate Services/City Clerk, Marco Vogrig, Acting Director of Engineering & Infrastructure, Ryan Marsh, Incoming Director of Finance, Stace Gander, Director of Community Services, Roberta Marsh, Director of Human Resources, Risk & Insurance, Dave Pratt, Director of Fire & Emergency Services

### **Blessing & Land Acknowledgment** – Councillor Bernie

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.

### **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 December 20, 2022 meeting:-

- Establish the 2023 meeting calendar and amend the Procedural Bylaw
  - Adopt a new Public Notices Bylaw

### **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.

Councillor L. Koch declared an indirect pecuniary interest as it relates to the Northwestern Health Unit Board of Health Appointment. The nature of her interests is it relates to her employment.

## **C. Confirmation of Previous Committee Minutes**

### **Resolution #1 - Moved by Councillor L. Moncrief, Seconded by K. Van Belleghem & Carried:**

That the Minutes from the last regular Committee of the Whole Meeting held October 3, 2022 and the Special Committee of the Whole meetings held October 25, November 17, 22, 24 (2 sessions) 29, 30, be confirmed as written and filed.

## **D. Deputations/Presentations**

### **Joe Barnes, Kenora Chiefs Advisory Projects**

Joe Barnes, Executive Director of Kenora Chiefs Advisory provided an overview of the projects that are underway with KCA. The youth camp that has been built out on the former Strecker property has been a huge success. They continue to develop the property with further recreational opportunities being added. The Youth Wellness Hub that is located downtown is a successful program that is being offered as well as the new Community Justice Centre that will be opening in the coming weeks. The Community Justice Centre there are three of them in Ontario and this is where first time offenders and we are looking at wrap around services for those people. It is a great opportunity to assist youth.

Council thanked Mr. Barnes for his deputation and the new Council would like to visit the property and have a tour in the spring.

### **Teika Newton – Sustainability & Climate**

Ms. Newton provided a presentation to Council on climate change and sustainably and ideas to consider as Council begins their new term.

Council thanked Ms. Newton for her presentation and copies was left with the Clerk.

### **Susan Evenden – Anicinabe Park Contract Extension**

Ms. Evenden is one of the operators of Anicinabe Park under contract which is currently a five year contract. They are seeking an extension to the contract to focus on investing further in the park if they have an established longer term contract in place.

### **Susan Evenden – Old Chalet Lane closure**

The contract operators are seeking closure of Old Chalet Lane for the purposes of promoting winter tourism activities.

Council thanked Ms. Evenden for her two presentations and a copy was left with the Clerk.

### **Dean & Mike Barclay – Old Chalet Lane closure**

Dean Barclay would like Old Chalet Lane left open for them to access their home. If there is a need for emergency services to access their home, they would not have access. Mike Barclay is also concerned about the road being closed and it should be left open which creates a safe corridor for people to walk.

Council thanked Mr. Dean Barclay and Mr. Mike Barclay for their deputation.

## **E. Reports:**

### **1. Corporate Services / Finance / Human Resources**

#### **1.1 2023 Council Meeting Calendar & Adoption of new Procedural Bylaw**

**Recommendation:**

That Council gives three readings to a bylaw to adopt an amended Rules of Order and Procedures for the Council of the City of Kenora; and further

That Council hereby accepts the 2023 Council meeting calendar as presented; and further

That in accordance with By-law Number 144-2007, public notice is hereby given that Council intends to establish their 2023 meeting calendar and amend the Procedural bylaw; and further

That bylaw number 102-2022 be hereby repealed.

#### **1.2 Public Notices Bylaw Amendment**

**Recommendation:**

That Council gives three readings to adopt a new bylaw with respect to Policies to the Provision of Public Notice; and further

That in accordance with Public Notices bylaw 144-2007 public notice is hereby given that Council intends to adopt a new public notices bylaw at its December 20, 2022 meeting; and further

That bylaw number 144-2007 be hereby repealed.

#### **1.3 Conventional Transit Contract Extension**

**Recommendation:**

That three readings be given to a bylaw to authorize a contract extension agreement with First Student/Transit Canada for the operation of the City's conventional transit system ending December 31, 2023; and further

That all other terms and conditions of the original agreement outlined in bylaw number 161-2017 remain in force and effect.

**Discussion:** Kenora has had a Public Transit System in continuous operation since 1934. The current conventional bussing model used in Kenora is classified as a traditional fixed route bussing. The day-to-day operating of the bus service is outsourced to First Student Canada, which is overseen by the City's Corporate Services Department. In 2017 Council entered into a five year agreement with First Student/Transit Canada for the operation of the conventional transit services for the City of Kenora. Under this agreement, the Contractor provides all maintenance and storage facilities and equipment, bus drivers, dispatchers, mechanics, supervision, clerical staff, and management required to carry out the service in accordance with the contract.

The Contractor works with the City to distribute transit route maps and timetables to the ridership and the City distributes, or makes available to the general public, the bus route schedules and promotes the service. The Contractor is responsible for the day to day operation of the service, and staffing the bus operations.

Over the past year there has been an increased interruption of service from the extreme worker

shortage and the lack of drivers available to operate the service. Each driver must hold a Class CZ license and be trained in the operation of the specialized bus.

Transit ridership has continued to decline over the past five years. We have made significant investment and improvements to the transit system with investments in new buses, new shelters, amended bus routes, increased notice of bus times and visibility of transit times, as well as promotion. A comprehensive review of the transit routes were conducted four years ago which included surveys with the ridership and extensive discussions with the bus drivers for feedback. From this consultation, new routes were introduced, yet ridership continued to decline. This service continues to be highly subsidized by the municipality.

In 2022 the City applied for a Micro Transit Study grant opportunity and was successful in the application. This Rural Transit Solutions fund is the first federal fund to target the development of transit solutions in rural communities. The project main deliverable, a Micro-Transit Feasibility Study will summarize the study work undertaken, a preferred conceptual service plan and estimated capital and operating costs. The tender is currently out for the micro-transit feasibility study and the work for this study will be conducted in 2023 with a report available mid year to Council for a decision/direction on the service.

The contract with First Student Canada ends December 31, 2022. In order to continue service until the study is complete, we have asked First Student for a one year extension to the existing contract. This will allow us the time to conduct the study, prepare a recommendation for Council and a decision made for the service in 2024. The 2023 extension agreement includes a 6.5% increase for the operation.

#### **1.4 City / CUPE Joint Gender Neutral Job Evaluation Information Only:**

The Pay Equity Act was enacted in 1987, the purpose of the act is to redress systemic sex-based wage discrimination in Ontario workplaces. The Act applies to all public sector employers and all private sector employers with more than ten employees, to all employees of these employers, and to their bargaining agents.

The Act requires assessment of all jobs in an organization and an unbiased comparison of the work done by women to the work done by men in order to determine whether the women are being compensated equitably. The CUPE Gender-Neutral Job Evaluation Plan is recognized nationally as best practice to achieve Equal Pay for Work of Equal Value.

Job Evaluation is the process that measures the value of jobs in relation to each other: this value is expressed in points. These points support the organization, determination, and placement of individual jobs on the salary/wage schedule that is negotiated through Collective Bargaining. Job evaluation applies the following principals in the assessment and determination of the value:

- a) The jobs is rated on the content of job, and not the performance of the incumbent(s).
- b) Jobs are evaluated without regard to existing wage rates;
- c) Jobs are rated against established degree levels in each of the factors in a consistent and objective manner.

On November 14, 2022 The City of Kenora and CUPE Local 191 renewed our shared commitment to carry out Joint Gender-Neutral Job Evaluation in accordance with the general objectives and principles set out in CUPE Gender-Neutral Job Evaluation Program.

The Parties have agreed to Terms of Reference that will guide and support the process including the procedure for maintenance and outlines the mandate for the Joint Job Evaluation Committee (J.J.E.C.)

The J.J.E.C. consists of equal representation and participation from the parties, 3 representatives from the employer and 3 representatives from the local union. The mandate of the (J.J.E.C.) is to maintain the CUPE Gender-Neutral Job Evaluation Program by:

- a) Evaluating all the jobs using the job evaluation plan;
- b) Maintaining the integrity of the program;
- c) Recommending to the parties changes to the job evaluation plan, its procedures or methods, as may be deemed necessary from time to time.
- d) Recording the results and rationale on the rating sheet and complete the Advice of Rating Form. Copies of the Advice of Rating Form and job description will be provided to the J.J.E.C., Co-chairs, incumbent(s), supervisor and the union.

### **1.5 2023 Economic Adjustment – Professional & Managerial Pay Grid**

#### **Recommendation:**

That Council hereby review and consider economic adjustment to the Professional and Managerial Pay Grid effective January 1, 2023, in accordance with HR-3-1 Salary Administration Policy.

**Discussion:** Economic adjustments to the Management Pay Grid may be authorized by Council through budget approval. This is an annual report and decision made by Council in accordance with HR-3-1 Salary Administration Policy. Economic adjustments are important for a couple of reasons. Recruitment and retention and the ability of the Municipality to pay based on approved budget guidelines.

For 2023 negotiated wage increases for the City's bargaining groups are as follows:

CUPE – Main	1.5%
IBEW	1.5%
KPFFA	1%
CUPE - Library	1.5%

In 2022 the Management Pay Grid received an economic adjustment of 1.5%, this increase was consistent with the negotiated increases collectively bargained for CUPE (Main and Library) and IBEW.

The following options for economic adjustment are available for Council consideration:

- 1.5% effective January 1, 2023, reflective of the increase received by CUPE (Main and Library) and IBEW. This option ensures that the salary differential is maintained for those who supervise employees within the above noted bargaining units.
- 1.37% effective January 1, 2023, reflects an average of the increases received by all bargaining groups.
- An economic adjustment at a level determined by Council
- No economic adjustment

Budget impacts would be included in the operating budget. Council approved economic adjustment will be built into the 2023 Operating Budget. A 1.5% economic adjustment to the Management Pay Grid equates to approximately \$74,542.00. Inflation does present a high risk this year. Those types of things are impacting compensation.

## 2. Fire & Emergency Services

**No Reports**

## 3. Engineering & Infrastructure

### 3.1 Coker Road Closure Update

**Information Only:**

During May and early June of the 2022 flooding event, a 370 m long portion of the Coker Road was inundated by approximately 0.45 m to 0.75 m of flood waters. The flooding resulted in the closure of the road.

The prolonged submersion of the road surface resulted in extensive potholes, granular surface degradation, and other surface deformations to be repaired prior to opening the road for public use.

As the flood waters began to stabilize in early June, the Emergency Operating Committee determined that rehabilitation and potential grade raise work should be considered to reopen the affected area of the Coker Road. During a June 10<sup>th</sup>, 2022 Special Meeting of Council, a report was presented detailing the damage sustained to the Coker Road and laid out options for Council consideration. A resolution was passed to allocate funds to support the work.

Contractors completed the rehabilitation and grade raise work on June 28<sup>th</sup>, 2022 resulting in the reopening of the Coker Road. Included in the scope of work was road sub-base and base support, replacement and installation of additional storm water drainage culverts and granular surface placement.

The existing road base was assessed to be stable given the age of the Coker Road, indications of previous stabilization work completed prior to amalgamation, and no known history of significant settlement in the road after amalgamation. Engineering staff anticipated some settlement would occur and initiated a bi-annual monitoring program with measurements occurring after the spring thaw and prior to the winter freeze. The first set of measurements occurred on October 28<sup>th</sup> 2022, which indicated minimal amounts of settlement typical of a granular road construction project.

During grading operations on November 2<sup>nd</sup>, 2022, a City staff member reported a concern with the road as it appeared to have settled in a localized area. The road was promptly inspected on November 2<sup>nd</sup> confirming settlement was occurring outside of typical levels. The morning of November 3<sup>rd</sup> the Coker Road had settled in excess of 1m from its June 2022 level. Given the extreme change in condition over a short time period the Coker Road was closed to the public.

The area was monitored daily from November 3<sup>rd</sup> to November 10<sup>th</sup> 2022 to measure settlement. The settlement appeared to subside on November 6<sup>th</sup>. The two photos below show the affected area both during construction in June and on November 8<sup>th</sup>. Additional time was given from November 6<sup>th</sup> to the 10<sup>th</sup> to confirm staff observations that settlement had subsided.

The length of the settlement area is approximately 90 m longitudinally. Referencing the photos above, the north lane abutting the bedrock can be observed to be experiencing more substantial settlement, thus creating an unstable road surface. The south lane has experienced settlement over the same longitudinal area however, the surface appears to be more stable and observations indicate that it experiences less severe changes.

Given our findings, rehabilitation efforts began on November 14<sup>th</sup>, 2022 where geotextile and geogrid stabilization fabrics, a culvert, and granular materials were added to the affected area. Monitoring continued during construction and isolated settlement persisted however, the amount of settlement appeared to be reducing indicating the road was beginning to stabilize.

Material placement continued through to November 22<sup>nd</sup> in an effort to stabilize the road base which proved to be unsuccessful. On November 24<sup>th</sup> bedrock refusal drilling was performed which indicated bedrock depths ranging from 13.5m to 17.5m below grade. Given the depth to bedrock, soil type observed during test pitting, and level of effort undertaken to stabilize the road to date, the decision was made to cease rehabilitation operations.

A detailed geotechnical analysis is required to determine a solution to stabilize the Coker Road. The City's Engineering Department does not have the capacity or specialized knowledge to complete this level of geotechnical analysis in house. Stantec has been engaged through the City's General Engineerings Services Agreement to complete the work.

The geotechnical analysis will include borehole drilling to determine the soil type, stratification and bearing capacity parameters. The results of the geotechnical analysis is anticipated to provide a long term solution and associated cost estimates to stabilize the road. Concurrently, City engineering staff will be assessing alternate solutions outside the scope of Stantec's geotechnical analysis such as relocation of this section of road to ensure all viable options are entertained.

Administration understands the impact the closure of the Coker Road has on residents and service providers in the area. In addition to a long term stabilization plan, Stantec will be providing an opinion on the City's ability to reopen the road a short term basis in its current condition. This could involve opening the road to a single shared lane arrangement for the winter.

Currently, potential option(s), future scopes of work, and a work schedule are to be determined based on the results of the geotechnical investigation with a further follow up report to Council upon receipt of the geotechnical findings.

Safety is the concern and if there are any statistics concerning traffic counts to have an idea of how many people are inconvenienced by the closure. The City does not have traffic counts on that specific road, but we could estimate how many vehicles may use that section of the road full time, and summer months would increase with seasonal residents. That is something we could look at in the future.

Communication is key and how we can continue to communicate this out is vitally important.

## 4. Community Services

### 4.1 Application to Ontario Trillium Fund – Resilient Communities

**Recommendation:**

That Council hereby authorizes a funding application to the Ontario Trillium Foundation (OTF) under its Resilient Communities Fund by The Muse.

**Discussion:** The Resilient Communities Fund is a funding envelope to support recovery efforts for Municipalities as a result of COVID 19. This funding is intended to support projects that are immediate, medium and longer-term recovery projects.

Applicants can apply for up to \$200,000 and there is no requirement for the municipality to co-fund the project.

Projects should demonstrate how the project helps to rebuild an organization’s capacity, enhance its resiliency, and meet changing needs of the community that focus on:

- Developing new approaches;
- Starting new activities;
- Adjusting strategies, or
- Planning for future challenges.

Administration feels that the planned Muse project is a good fit for the criteria identified. The project is to purchase a large document scanner that is capable of scanning the bound copies of the Miner and News (which were donated to the Lake of the Woods Museum during COVID) as well as the rest of the archival collection. The digitization of the collection ensures the continued preservation of fragile and at-risk documents and the continued use of those documents without physical handling which can degrade them. In addition, the hiring of part-time contract staff, a Digitization Coordinator, will be included in the grant application. This person will oversee the project and train the volunteers in the use of the equipment.

The total amount of the request from OTF will be \$110,000.

## 5. Development Services

### 5.1 Application to FedNor Investment Attraction Project

**Recommendation:**

That Council approves an application to FedNor in the amount of \$270,000 for the delivery of an Investment Attraction Strategy and Implementation Project; and further

That Council confirms its financial commitment of up to \$30,000 for the project to be funded through Municipal Accommodation Tax revenues; and further

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

**Background:**

The 2022 City of Kenora Strategic Plan includes the focus area of Tourism, Economic Growth and Development. To enable this, the plan prioritizes the activation of the 2021 Five Year Tourism and Economic Development Strategy. The Tourism and Economic Development Strategy includes the goal to generate new development, business growth and economic diversity through objectives including to support the growth and retention of local businesses and growth in emerging sectors.

December 5, 2022

Committee of the Whole Meeting Minutes

To achieve this objective, the strategy outlines several tactics. Specifically, to “position Kenora to take advantage of strategic sector opportunities” which includes well defined actions. Current external developer market data is outdated and there is the need to redevelop materials and data in order to maximize effectiveness in supporting investment attraction efforts.

City staff are proposing to deliver an Investment Attraction Strategy and Implementation project which will outline new and innovative ways to facilitate business growth, retention and investment that align with local and regional economic trends, emerging opportunities and the needs of developers.

## **F. Proclamations**

None

## **G. Other**

- 12:00 noon - Public Proceedings – Zoning Bylaw Amendment D14-22-07

## **H. Next Meeting**

- Wednesday, January 11, 2023

## **I. Adjourn to Closed**

**Resolution #2 - Moved by Councillor L. Koch, Seconded by R. Bernie & Carried:**

That Council now adjourn to a closed session at 11:05 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) Labour Relations (2 matters-salary review, vacancy)
- ii) Disposition of Land (1 matter-application to purchase municipal property)
- iii) Personal Matter about an Identifiable Individual (2 matters-NWHU, Accessibility Advisory Committee Appointments)
- 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-policing coalition)

## **J. Reconvene to Open Meeting**

Council reconvenes to open session at 2:23 p.m. with the following reports from its closed session:-

### **Northwestern Health Unit Board of Health Appointment Recommendation:**

That Council hereby appoints Rebecca Vineberg to the Board of Health for the Northwestern Health Unit Board for a term at the pleasure of Council no later than November 14, 2026.

**Councillor Koch Abstained.**

### **Accessibility Advisory Committee Appointment**

#### **Recommendation:**

That Council hereby appoints Chad English to the Accessibility Advisory Committee for a term at the pleasure of Council no later than November 14, 2026.

### **2023 Economic Adjustment – Professional & Managerial Pay Grid**

#### **Recommendation:**

That Council hereby approves an economic adjustment to the Professional and Managerial Pay Grid effective January 1, 2023, in accordance with HR-3-1 Salary Administration Policy at 1.5%.

### **K. Close Meeting**

Meeting adjourned at 2:30 p.m.