



City of Kenora
Committee of the Whole
Minutes

Wednesday, July 12, 2023

9:00 a.m.

City Hall Council Chambers

Live Stream Link: <https://kenora.civicweb.net/document/18494/?splitscreen=true&media=true>

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, Greg Breen, Director of Engineering & Infrastructure, Ryan Marsh, Director of Finance, Roberta Marsh, Director of Human Resources, Risk & Insurance, Janis Pochailo, Director of Planning & Building Services, Andrew Smith, General Manager of Recreation and Culture

Land Acknowledgment – Councillor Moncrief

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 #160-2022 the public is advised of Council's intention to adopt the following at its July 19, 2023 meeting:-

- Authorize a budget amendment in the amount of \$46,688.30 for the purchase of replacement servers for the City IT asset replacement funded through the IT reserves
- Declare lands surplus to the needs of the Municipality – 117 Main Street South and sell lands

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 Koch declared an indirect pecuniary interest as it relates to agenda item number 1.2 regarding Municipal Insurance. Her spouse is employed by the insurance brokerage.

C. Confirmation of Previous Committee Minutes

Resolution #1 - Moved by Councillor B. Manson, Seconded by L. Koch & Carried:

That the Minutes from the last regular Committee of the Whole Meeting held June 14, 2023 and Special Committee of the Whole Minutes June 16 and 22, 2023 be confirmed as written and filed.

D. Deputations/Presentations

Dave Canfield – Rural Roads

Former Mayor Dave Canfield provided information on the rural roads including historical information on works to the roads, specifically Coker Road. He provided information regarding the flood of 1999 and the damage that was done to those roads at the time.

Council thanked Mr. Canfield for his deputation.

E. Reports:

1. Corporate Services / Finance / Human Resources

1.1 Council Committee Work Updates

Councillor Manson – No updates at this time.

Councillor Koch – No updates at this time.

Councillor Bernie – The NWHU celebrated their 75th anniversary event last week which was well attended. The BIZ group has not met to date but Councillor Bernie has had various conversations with the businesses.

Councillor Chaze – No updates at this time.

Councillor Van Belleghem – No updates at this time.

Councillor Moncrief – No updates at this time.

Mayor Poirier – Commended all the individuals who attended the NWHU 75th anniversary. Mayor Poirier had the opportunity to attend two high school graduation events. Listening to what the students are looking at for careers was very interesting and impressive with a wide variety. They are our future leaders and Mayor Poirier was honoured to attend those two events.

1.2 2023/2024 Insurance Renewal

Recommendation:

That Mayor and Council accept the premium quoted by Intact Public Entities (IPE) in the amount of \$686,194.00 plus applicable taxes; and further

That Council directs administration to finalize the 2023 Municipal Insurance Program for the policy term July 1, 2023 to July 1, 2024.

Discussion: In spring of 2023 the Corporation's insurance renewal was provided to the market for bid with the support of Westland Insurance. Intact Public Entities (IPE) was successful. The renewal represents an overall increase of 28% (\$155,181.00) from the 2022/2023 program.

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Liability insurance took a hit this year as claims in the Kenora region increased significantly due to the floods, fires and windstorms. Our experience is no different than anyone else across the region and the country. Last year we did market comparison and we were one of the lowest cost insurance.

We use both local brokerages for different insurance coverages. We will be conducting a more fulsome review at a future date for both insurances including employee benefits.

Councillor Koch Abstained.

1.3 Budget Amendment -IT Server Replacements

Recommendation:

That Council hereby authorizes a budget amendment in the amount of \$46,688.30 for the purchase of replacement servers for City IT asset replacements to be funded through the IT reserves; and further

That in accordance with the Public Notices Bylaw 160-2022, notice is hereby given that Council intends to amend their 2023 capital budget for the immediate replacement of these servers from the IT reserves; and further

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

Background:

For Windows Server 2012, the EOL deadline is October 2023. As of this date, Microsoft will cease to provide any support or updates, leaving systems running on Windows Server 2012 vulnerable to potential security threats and compatibility issues. As the end of life for Windows Server 2012 approaches, the City had needs to ensure that these servers are replaced prior to the EOL deadline. Our IT support provider has impressed the importance of this purchase in early fall of 2023 and cannot wait until the 2024 budget, requiring a 2023 budget amendment. The 10 year server upgrades were missed by administration in the capital budget.

1.4 Section 357's

Recommendation:

That Council hereby approves Section 357 tax adjustments with potential refunds totaling \$2,431.41.

Discussion: A Section 357 tax appeal is filed due to a change of event that occurred during the current taxation year. The owner, spouse, tenant, other occupant or person in possession of the land may submit an application to the municipality by February 28th of the year following the taxation year to which the application is made.

2. Fire & Emergency Services

No Reports

3. Engineering & Infrastructure

3.1 Notice of Motion Report – Keewatin Dog Park Potential

Recommendation:

That Council receives a land evaluation and report required by resolution #22 from the April

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19, 2023 meeting of Council to evaluate the potential addition of an off-leash dog park in the City; and further

That the potential development of this off-leash dog park location within Keewatin be added to the unfunded list, for discussion and decision as a part of the upcoming 2024 budget deliberations.

Discussion: Following a Notice of Motion by Council for Administration to explore the development of an off-lease dog park within the western neighbourhood of the City (Keewatin), administration has conducted a review of potential locations. Staff evaluated prospective sites firstly on size to ensure ample area to accommodate a park that could provide two separate enclosed areas so that large and small dogs can run and play independently, but also parking and amenities such as water fountain and park seating. Six (6) municipally owned sites were selected.

Keewatin Central Park is the recommended location. The location offers green space, a picnic shelter, and a playground which will receive upgrades in 2023. Additionally, the Park is home to Harvest Kenora community garden. Street parking is available along Superior Street, Tenth Street and Erie Street. The location is accessible from Superior Street and walkable from other areas of Keewatin, offering sidewalks along many local streets.

During internal review, it was determined that a portion of Keewatin Central Park is privately owned. Creating an off-leash dog park with a long running length for larger dogs would require construction that is considerate of the privately owned lot. Otherwise, it is zoned as open space in the Official Plan and suited for an off-leash dog park. Chain link fencing is relatively light weight and would not be an issue to install. The costs proposed includes fencing, some servicing costs and other.

3.2 Coker Road Geotechnical Report Options

Recommendation:

That Council receives the Coker Road geotechnical investigation and recommendation report provided by Stantec Consulting Ltd; and further

That given the stabilization of Rice Bay water levels during June 2023, Council directs administration to proceed immediately with the reopening of Coker Road, subject to both:

- the recommended conditions of Option 3, and
- the required road maintenance, culvert repair, and drainage ditching, acknowledging that the costs for the City of Kenora's Engineering Department support and the required contractor costs and contract administration costs are not included in Stantec's Option 3 opinion of probable cost; and further

That administration presents a budget amendment, to be developed through total scope pricing of Option 3, to Council in Council's September 2023 Committee of the Whole meeting; and further

That Council directs administration to proceed with Option 2B – Realignment of Coker Road with a 50km/h design speed and that a placeholder for this work be incorporated into the 2024 budget development process.

Discussion: The report is based on the recommendations and risks presented in the Stantec report. When the water levels are quite high it creates very saturated material very close to the

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road surface causing unstable road. Now that the water levels have stabilized, it requires monitoring by Stantec to ensure that the road remains stable so we aren't facing a recurrence of failure. Stantec and the Engineering group would go out once a week to monitor the water levels. Grading needs to take place; the culverts do need repairs and there is ditching that would need to take place. It is not deep ditching; it is surface level ditching that just allows the water to get under the road surface and escape into the bay.

The recommendation is the 50 km/hr option and would give us the absolute limited amount of balancing the budget and minimizing the potential for closure and future failures. The immediate reopening would be part of this year's spend through a budget amendment and the balance in the 2024 budget deliberations.

It was questioned how effective limiting weight on a road is. Limiting weight traffic to a road will lengthen the longevity of a road. That question will be posed to Stantec.

Are the opportunities that may be out there to offset the costs of this. The only avenue would be the flood claim and they are very specific to bringing the road back to the original condition. The work proposed wouldn't be covered in this. Staff are always reviewing funding opportunities out there to help assist with the costs of these projects.

Is it necessary for Stantec to do this monthly monitoring or can our staff do this work. The equipment that is required to get the readings off the instruments are very expensive and we do not have that in house.

If we have rain events this summer or we get into water changes and water is migrating beneath the road, giving it an easy path to travel through will help stabilize the road by leaving the most material in place will help keep the road stable.

It was questioned if it is necessary to build a new road. When the road elevation was built up, it was built up to 1 meter in elevation and it failed, it is lower in elevation now. It takes less water for the road to become flooded now and more potential for road failures. How many road closures are we willing to entertain without realigning it we will be into two per year based on water level changes and traffic travelling across it.

Council commended the staff for their understandable and technical reports with good information.

At Council next week, we will be making a decision on option 3. A budget amendment will come in September and the decision will be asked to make the decision based on that information of \$80,000-\$100,000 in September. Option 2b will be added to the budget discussions. At the July Council meeting making a decision on option 3 without the numbers.

Does this preclude us from starting this process and the work after next week. It would be nice to see something done and get started right away and get the road open and what it looks like as the weather patterns change throughout the season.

The Total length that will be realigned is close to 600m. All of the options to realigned we are building directly on bedrock. Contract administration, getting the contracts in place and the road buildup would take us across two seasons because their will be work in two seasons and multiple budget years.

4. Recreation & Culture

No Reports

5. Planning & Building Services

5.1 D14-21-05 – Removal of Holding Provision -321 First Ave S

This item has been deferred. There are final steps required for the Record of Site Condition process to be completed and will come back to Council at a later date.

5.2 Deeming Certain Lands not to be a Registered Plan of Subdivision

Recommendation:

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 bylaw 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(4) of the said Act; and further

That Lots 11 and 12, Block 72 on Registered Plan of Subdivision Plan 18 in the City of Kenora are within a plan of subdivision registered for more than eight years; and further

That Council gives three readings to a bylaw to deem the above-mentioned lands not to be a registered plan of subdivision for the purposes of Subsection 50(3) of the Planning Act.

Discussion: Staff recommended an application for deeming by-law be applied for after the sale as a condition of purchase and be registered against title. We want to consolidate the two lots together and need to do it by a deeming bylaw. When the sale is registered on title, it will be registered as a single lot and then it can't be sold separately without bylaw approval.

5.3 Declare Lands Surplus to the Needs of Municipality and Sell Lands – 117 Main Street South

Recommendation:

That The Corporation of the City of Kenora identify the lands commonly described as 117 Main Street South as surplus land to the needs of the municipality; and further

That Council hereby authorize the Mayor and Clerk to execute a purchase and sale agreement between the Corporation of the City of Kenora and Kenora HK Properties Ltd. for the sale of the identified lands with civic address 117 Main Street South in the amount of \$135,000 plus HST; and further

That in accordance with public notices bylaw 160-2022 Council hereby provides notice of the intention of Council to pass this By-law to sell the surplus lands; and further

That three readings be given to two by-laws for this purpose.

Discussion: We have an offer to purchase this property and the respective owner owns other businesses in the Kenora region. They are looking to purchase this property to create a pizza franchise with four residential units as affordable housing for staff that they would be bringing in to operate the business. Asking Council to declare the land surplus and authorize the sale of the property for \$135,000.

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6. Economic Growth & Recovery

No Reports

F. Proclamations

None

G. Other

Zoning Bylaw Amendment D-14-23-05 - 725 Railway Street

Recommendation:

That the Application for Zoning By-law Amendment, File No. D14-23-05, to change the zoning of the subject property located at 725 Railway Street from "LC" Local Commercial Zone to "LC[57]" Local Commercial, Exception Zone with permitted site-specific use of a shelter kennel to be used exclusive for cats and with no outdoor housing of animals, be approved; and further

That Council gives three readings to a bylaw to that effect.

H. Next Meeting

- Wednesday, September 13, 2023

I. Adjourn to Closed

Resolution #2 - Moved by Councillor L. Koch, Seconded by B. Manson & Carried:

That Council now adjourn to a closed session at 10:01 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:-

- Personal Matters about an Identifiable Individual (1 matter – Crime Prevention Committee Appointment, recruitment status)
- Educating & Training Members of Council (3 matters-Development, CAO and Mayor updates)

J. Reconvene to Open Meeting

Council reconvenes to open session at 2:04 p.m. with the following reports from its closed session:-

Crime Prevention & Community Well-Being Advisory Committee

Recommendation:

That Council hereby appoints Cynthia McDougall/Hayley Neniska (WNHAC) to the to the Kenora Crime Prevention & Community Well-Being Advisory Committee for a term at the pleasure of Council no later than November 14, 2026.

K. Close Meeting

Meeting adjourned at 2:05 p.m.

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