



City of Kenora
Committee of the Whole
Minutes

Wednesday, June 14, 2023

9:00 a.m.

City Hall Council Chambers

Live Stream Recording: <https://kenora.civicweb.net/document/17920/?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, Stace Gander, Director of Economic Growth and Recovery, David Pratt, Director of Fire & Emergency Services, 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, Heather Lajeunesse, Enforcement Services Manager/Deputy Clerk

Land Acknowledgment – Councillor Koch

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 June 21, 2023 meeting:-

- Budget amendment in the amount of up to \$120,000 plus taxes to be funded through the Future Land Development Reserve to fund an access road from 9th St N to Brinkman Rd
- Adopt a Development Contribution Bylaw which will enable the municipality to enter into agreements for private sector projects, that can clearly demonstrate public benefit in the interest of the municipality

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.

None Declared.

C. Confirmation of Previous Committee Minutes

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

That the Minutes from the last regular Committee of the Whole Meeting held May 10, 2023 and Special Committee of the Whole meetings held May 25, 2023 be confirmed as written and filed.

D. Deputations/Presentations

Tim Gosnell, Kenora Islanders Jr A Hockey Club

Tim Gosnell provided an outline of the requests to Administration at the City for a Junior A hockey team to be considered for ice time in Kenora for the upcoming 2023/2024 ice season.

Council expressed the following concerns/questions:

- Youth are not affected by any impacts to this team taking ice time from them
- What does the SIJHL require as a team from the City
- What type of revenue would this additional team bring to the City

Council thanked Mr. Gosnell for his deputation and a copy was left with the Clerk.

Risk Table Presentation

Sara Dias and Jim Neild provided an overview of the Risk Table program. There are numerous agencies and support groups that sit as part of this table. Partners meet every other Thursday to collaboratively discuss and resolve situations of acutely elevated risk. Individuals in complex situations, facing multiple risk factors that cannot be addressed by any single agency on its own, are presented. The most appropriate service provider then takes the lead and interventions are planned.

Council thanked Ms. Dias and Mr. Neild for the presentation and copies of the program information were left with the Clerk.

NWHU Presentation – Thomas Nabb, Part 8 of the Building Code

Thomas Nabb from the Northwestern Health Unit provided an overview of the Part 8 program of the Building Code Act. The NWHU is the designated Principal Authority by the Ontario Building Code Act for Part 8 oversight for the NWHU entire catchment area. This is similar to other Northern public health units. It includes both municipal and unorganized territories land not serviced by a municipal wastewater system. As required by the Ontario Building Code Act, the program must run as a fee for service, ensuring that the total fees do not exceed the anticipated costs.

Council thanked Mr. Nabb for the presentation and a copy was left with the Clerk.

Northwest Business Centre Presentation

Allyson Pele and Cierra Parkhill provided 2022 highlights and 2023 programming information for the Northwest Business Centre. The NWBC is a small business enterprise centre funded by the Government of Ontario and the City of Kenora. They serve the Kenora and Rainy River

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District which includes 18 municipalities. Cierra is looking forward to the upcoming grant review for Starter Company Plus program, planning for Kenora Small Business Week events and District outreach in the fall.

Customer Service Presentation, Heather Pihulak, Director of Corporate Services

On behalf of Kelly Galbraith, Customer Services Manager, Heather presented an overview of the processes for customer service and the digital investment into monitoring and tracking our service requests. A soft launch of the new self-reporting service request module has occurred and an overview of how to reach the city was provided.

E. Reports:

1. Corporate Services / Finance / Human Resources

1.1 Council Committee Work Update

Councillor Manson – No updates for this meeting.

Councillor Koch – A farewell event was held at the Muse for outgoing Director of the Muse Lori Nelson which was well attended.

Councillor Bernie – The BIZ did not meet last month but is meeting tomorrow. Spoke about a beautification of Hennepin Lane project and look forward to moving that forward. Community Safety Committee will be operational soon. The NWHU Board meeting members were attending the Association of local public health agencies in Toronto, however Councillor Bernie wasn't able to attend. Trudy is the Association president and the conference chair, so we are well represented. The NWHU is also submitting delegation requests at AMO. The 2022 annual report has been compiled but not yet released. It contains valuable information for the public.

Councillor Moncrief – The Sustainability Advisory Committee suggested regarding large signage at the Transfer Station. Free Cycle Days uptake was not good, and it was suggested if there was large permanent signage at the Transfer Station and can prepare for that annual it would help. There are ongoing conversations about opening the re-use area at the Transfer Station. Kenora Airport Authority is in a situation where they are trying to attract new airlines.

Councillor Van Belleghem – Accessibility Advisory Committee meets tomorrow and there are still vacancies on that committee. The Police Services Board attended the OAPSB conference in Niagara Falls along with S. Dias, D. Canfield, J. Kitowski, and Detachment Commander Duggan and had the opportunity to speak with the Solicitor General regarding policing costs. The Solicitor General reminded them that the way to get the costs down are the calls for service. It was reminded that the LCBO security was raised and no action has been taken on this initiative by the province.

Councillor Chaze – No updates for this meeting.

Mayor Poirier – Has joined the Northwestern Ontario Municipal Association (NOMA) Board. He will be bringing up the policing costs again. The costs of policing in the NW Region is increasing everywhere. Mayor Poirier attended the Federation of Canadian Municipalities (FCM) Conference at the end of May and will update at Council meeting.

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Council then paused the Regular Committee of the Whole meeting to hold the Public Proceedings for Planning matters at 12:00 p.m. Council resumed the Regular Committee of the Whole meeting at 1:08 p.m.

1.2 2023 Financial Status and Forecast Report (@March 31, 2023)

Recommendation:

That Council hereby accepts the Financial Status and Forecast Report as of March 31, 2023, as information

Discussion: Ryan Marsh, Director of Finance provided the financial forecast report. It is a process in which we monitor the budget. We are comparing budget to actuals and forecasts to year end. It allows for proactive planning and solutions for areas where they may be experiencing financial pressures. These are done on a quarterly basis to gain a better understanding of where we expect to end. The departments have allocated their revenue expenses on a monthly basis by current year knowledge and is an estimate at a point in time with assumptions on expenditures. The forecast is an estimate at a point in time with current assumptions and improves the financial position that can be established.

A surplus in the net tax levy is taken into a contingency reserve earmarked for future projects but essentially is determined by Council where we utilize those. Year end is finalized after our budget process and often is a timing issue as we don't typically know that number until the budgets are passed.

Administration provided an overview of capital projects status. It is estimated that all sewer and water projects will be completed this year. Pearson Street parking lot has been put on pause, the work at Moncrief Construction Sports Centre ice pad has been paused to 2024. The painting on the standpipes may be paused for further analysis. Greg can provide Council with speaking notes around the projects to ensure Council has the information.

1.3 Customer Service Standards Policy

Recommendation:

That Council hereby adopts the amended Customer Service Standards Policy #HR-2-23; and further

That policy #AF-10-9 form part of the City of Kenora's Comprehensive Policy Manual; and further

That three readings be given to a bylaw for this purpose; and further

That by-law 126-2012 be hereby repealed.

Discussion: This policy has been supported by the SLT and feedback from all areas. It is a complete redraft of the existing policy and contains components of the former policy and incorporates expectations of staff on customer responses and timelines. It focuses on what customers can expect of the City for follow up to their requests. We will be meeting with all staff to roll out the policy and working with staff on the policy and expectations of the policy. Heather will take away the comments Council shared during the presentation to the roll out of the policy so staff understand the expectations of Council related to customer service.

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1.4 Corporate Complaints Policy

Recommendation:

That Council hereby adopts the Corporate Complaint Policy; and further

That the Corporate Complaint Policy form part of the City of Kenora's Comprehensive Policy Manual; and further

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

Discussion: The Corporate Complaint Policy is intended to enable the City to promptly and effectively address program and service delivery concerns raised by members of the public. The City is committed to establishing a consistent and uniform process to respond to complaints received regarding the dissatisfaction of programs, facilities, City services, City employees or operational procedures at the point of service delivery. The Corporate Complaint Policy establishes guidelines and standards for the efficient handling and resolution of complaints made toward the municipality to address concerns raised and improve services.

Council provided feedback on the form and the letter follow up that will be removed as attachments to the policy. It was questioned if there could be a summary of complaints provided to Council so they are aware of the issues.

1.5 Parking Lots & Structures Bylaw Amendments (2023 Summer Season)

Recommendation:

That Council hereby approves amendments to Schedule "A" of the Parking Lots and Structures By-Law to amend "Lot K" & "Lot Y"; and further

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

Discussion: This report is to capture the works being done at the Moncrief Construction Sports Centre this summer. The bylaw amendment is to amend the existing by to allow for charging for lots 2,3 and 4. Recognizing with the closure of lot 6 there will be no long-term parking at Rec Centre and redirecting long term parking to Miikana Way. We would allow long term parking at this location for overnight parking free of charge.

1.6 Receive Communication Audit Report

Recommendation:

That Council hereby receives the Communication Audit Report as prepared by The Hub @ Sutherland and presented to Council at a Special Committee of the Whole meeting June 8, 2023.

Discussion: The report provided a lot of positive aspects and included areas for room for growth. It bears repeating around the media piece and the click baiting by our media partners. Look forward to some of the work we can do to make sure we are communicating effectively.

2. Fire & Emergency Services

No Reports

3. Engineering & Infrastructure

No Reports

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4. Recreation & Culture

4.1 Muse Policy Additions (Community, Conservation, Interpretation & Education, Investment & Reserve Fund)

Recommendation:

That Council hereby authorizes the adoption of Muse Policies #MU-01-08 Community Policy, #MU-01-09 Conservation Policy, #MU-01-10 Interpretation and Education Policy, #MU-01-11 Investment Policy, #MU-01-12 Reserve Fund Policy; and further

That these new policies form part of the City's Comprehensive Policy Manual for the various policies pertaining to the Muse recognizing that from time-to-time amendments will be required as policies are added, removed and amended; and further

That three readings be given to five bylaws to adopt these policies.

Discussion: A lot of the policies represent a sharpening of previous policies and are based on what the former policies may have included. These has been reviewed by Administration and advanced to the Board level. The policies reflect a lot of hard work. Overall, there are four different reserves that the Muse has. The reserves we hold are for the building. The City maintains the building and anything related to the building that's where that sits. Council would have allocated capital reserves to each building over the years. There was a separate fund set up to keep up with the heritage requirements of the building. Those components are in the City's reserves for buildings.

5. Planning & Building Services

5.1 Budget Amendment – 9th Street North Development Road Access

Recommendation:

That Council hereby approves a budget amendment in the amount of up to \$120,000 plus taxes to be funded through the Future Land Development Reserve; and further

That in accordance with Notice By-law Number 160-2022, public notice is hereby given that Council intends to amend the 2023 Capital budget at its June 21, 2023 meeting for this purpose; and further

That Council gives three readings to a By-law to amend the 2023 capital budgets for this purpose.

Discussion: This would be to reorientate the road that was coming off Ninth Street North now to Brinkman Road. The parties have all worked together to get this price as low as possible and will be funded out of the Land Development reserve. There will be an amendment to the Site Plan as a result of this change.

5.2 Development Contribution Bylaw

Recommendation:

That Council hereby approves a Development Contribution By-law; and further

That in accordance with Notice By-law Number 160-2022, public notice is hereby given that Council intends to give three readings to a Development Contribution By-law at its June 21, 2023 meeting which authorizes the City to enter into agreements for private sector projects, that can clearly demonstrate public benefit in the interest of the municipality; and further

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That Council gives three readings to a by-law for this purpose.

Discussion: Stace Gander reviewed the draft development contribution bylaw. There are concerns about the wording of the contributions. Council has the complete discretion to decide what they support and to what extent. The public benefit is quite broad and that is why we wanted to provide a broad-based bylaw. This bylaw gives staff the opportunity to decide and want to understand what the money is. If we were to receive a request for a development that would come to Council. For some projects we are using the Land Development reserves but we will need to think about that moving forward. Typically, there is not an ask until a project is moving forward to a particular point. There is also the CIP program but it is very limited with a small budget and primarily restricts to façade. When we look at a project, maybe we look at the long term benefits of the projects and keep all the options open. Stace feels he would be doing a business case study whether it is tangible or intangible.

6. Economic Growth & Tourism

6.1 Application to NOHFC Investment Attraction Plan

Recommendation:

That Council approves an application to the Northern Ontario Heritage Fund Corporation (NOHFC) in the amount of \$30,000 for funds to support the development of investment attraction content and strategy to support economic and business attraction; and further

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

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

Discussion: The intent is not to duplicate effort. When people start to come here we need to attract specific sectors. We would get a contractor. We could do project in four months.

F. Proclamations

None

G. Other

Public Statutory Meeting – Planning Applications (D14-23-04)

Recommendation:

That the Application for Temporary Use By-law, File No. D14-23-04, to permit the temporary use of the property legally described as PIN 42152-0467, for a campground for a single recreational vehicle connected to an approved septic system, for a period of up to two (2) years, in the "RR" Rural Residential Zone be hereby approved; and further

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

H. Next Meeting

- Wednesday, July 12, 2023

I. Adjourn to Closed

Resolution #2 - Moved by Councillor G. Chaze, Seconded by K. Van Belleghem & Carried:

That Council now adjourn to a closed session at 2:02 p.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:-

Pursuant to Section 239 of the Municipal Act, 2001, as amended, authorization will be provided for Committee to move into a Closed Session to discuss items pertaining to the following:-

- i) Education & Training Members of Council (2 matters - Mayor and Economic Development update)
- ii) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality, 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 (2 matters – Development request & request for support from another municipality)
- iii) Personal Matters about an Identifiable Individual (1 matter - Kenora Crime Prevention & Community Well-Being Advisory Committee Appointments)
 - iv) Labour Relations (1 matter - Staffing)
 - v) Disposition of Land (1 matter-City project)

J. Reconvene to Open Meeting

Council reconvenes to open session at 7:08 p.m. with the following reports from its closed session:-

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

Recommendation:

That Council hereby appoints the following members 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:

Taras Manzie
Shannon Bailey
Denise Forsyth
Darcia Curtis
Regan Dearborn
Laurel Pirrie
Jill Hager
Jared Olson
Jodelle Maksymchuk
Jeff Duggan (alternates: Jim Neild & Grant Cowles)

Support for Township of Armour Resolution-Regulations Transport Canada Water Aerodrome

Recommendation:

WHEREAS some proponents of water aerodromes claim federal jurisdiction to bypass provincial and municipal authorities and build massive docks and boathouses under the guise of the Aeronautics Act; and

WHEREAS Transport Canada does not require proponents of water aerodromes to follow the

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same registration and certification procedures as land aerodromes; and

WHEREAS Transport Canada's current regulations for water aerodromes fail to state that mixed-use docks and structures are not permitted; and

WHEREAS Transport Canada does not require a proponent to be transparent with local authorities about their intentions or submit a building permit and final construction plans; and

WHEREAS Transport Canada does not require a proponent to provide the municipality with a copy of the water aerodrome registration or certification documents; and

WHEREAS Registration and certification of water aerodromes are done without environmental impact assessments from provincial and municipal authorities; and

WHEREAS Registration and certification of water aerodromes are done without safety assessments from local authorities; and

WHEREAS Transport Canada's loopholes in the regulations lead to lengthy court battles paid by provincial and municipal jurisdictions;

NOW THEREFORE, be it resolved that the Council of the City of Kenora supports efforts to raise awareness about the loopholes in current regulations regarding water aerodromes that allow proponents to build massive docks and boathouses without municipal consultation, approval, or adherence to bylaws and regulations; and further

That Council of the City of Kenora calls on Transport Canada to:

- ~ Amend current legislation regarding water aerodromes to require mandatory consultation and transparency with provincial and municipal authorities prior to construction;
- ~ State that 'mixed-use' docks and structures will not be permitted

and further;

That Council of the City of Kenora urges all mentioned in this resolution to support petition e-4364 to the Minister of Transport, Omar Alghabra. Petition e-4364 - Petitions (ourcommons.ca); and further

That this resolution be forwarded to neighbouring municipalities, the Association of Municipalities of Ontario (AMO), the Federation of Canadian Municipalities (FCM), Federation of Northern Ontario Municipalities (FONOM), Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), MP Eric Melillo, and MPP Greg Rickford

K. Close Meeting

Meeting adjourned at 7:10 p.m.