



# MINUTES

**Of a Meeting of the Council of the City of Kenora  
Wednesday, September 20, 2023  
5:00 p.m.**

Livestream Recording: <https://kenora.civicweb.net/Portal/>

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**With** Mayor A. Poirier in the Chair, Councillor G. Chaze, Councillor L. Koch, Councillor B. Manson, Councillor L. Moncrief, Councillor K. Van Belleghem

**Regrets:** Councillor B. Bernie

**Staff:** Kyle Attanasio, CAO, Heather Pihulak, Director of Corporate Services/City Clerk, Ryan Marsh, Director of Finance, Janis Pochailo, Director of Planning & Building Services, David Pratt, Director of Fire & Emergency Services, Roberta Marsh, Director of Human Resources Risk and Insurance, Stace Gander, Director of Economic Growth & Recovery, Greg Breen, Director of Engineering & Infrastructure, Andrew Smith, General Manager of Recreation & Culture

## **Call to Order**

Mayor Poirier called the meeting to order at 5:00 p.m.

## **Land Acknowledgment Delivered by 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.

Councillor Koch provided a statement regarding marches across the country under the guises against the rights of LGBTQ inclusive contents in school policies and parental rights. The City of Kenora stands by inclusivity in our community.

## **Public Information Notices as per By-law Number 160-2022**

Mayor Poirier then read the following notices:-

As required under Notice By-law #160-2022, Council hereby advises the public of its intention to adopt the following at today's meeting:-

- Amend the 2023 Operating & Capital budgets to authorize a financial contribution in the amount of \$39,220 enabled through the Municipal Capital Facilities By-law to be funded through the Future Land Development Reserve
- Stop up, permanently close, declare surplus to the needs of the municipality and

- authorize sale of:
- Shoreline Road Allowance, Part 1 23R 14935
    - Part 1 23R-14505
  - Financial contribution in the amount of \$39,220 to Kenora HK Properties Ltd. enabled by the City's Municipal Capital Facilities By-law for Municipal Housing Project Facilities to be funded through the Future Land Development Reserve

### **Declaration of Pecuniary Interest & General Nature Thereof**

Mayor Poirier 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 Van Belleghem declared a pecuniary interest as it relates to Motion #28 and #31 regarding an agreement with Lake of the Woods Electric. Her pecuniary interest is indirect as it relates to her spouse who is an employee of Lake of the Woods Electric.

Councillor Moncrief declared a pecuniary interest as it relates to Motion #28 and #31 regarding an agreement with Lake of the Woods Electric. Her pecuniary interest is indirect as it relates to her child who is the owner of Lake of the Woods Electric.

### **Confirmation of Minutes**

#### **1. Moved by L. Moncrief, Seconded by G. Chaze & Carried:-**

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-

Regular Council – July 19, 2023

Special Council – July 26, 2023

### **Deputations**

None

### **Additions to the Agenda**

#### **2. Moved by K. Van Belleghem, Seconded by L. Koch & Carried:-**

That approval be hereby given for the following additional item to be added to tonight's agenda:-

1. Lake of the Woods Soccer Association Tax Arrears

### **Lake of the Woods Soccer Association – Property Tax Arrears**

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

That Council hereby authorizes waiving tax penalty interest for the Lake of the Woods Soccer Association located at 1465 Valley Drive, Kenora, for the years 2020-2021-2022 and up to August 31, 2023 in the amount of \$5,570.81; and further

That this all tax arrears be paid prior to September 30, 2023.

### **Financial Status and Forecast Report at June 30, 2023**

#### **3. Moved by B. Manson, Seconded by L. Koch & Carried:-**

That Council hereby accepts the Financial Status and Forecast Report as of June 30, 2023, as information.

### **National Truth & Reconciliation Day – September 30**

#### **4. Moved by L. Koch, Seconded by B. Manson & Carried:-**

That Council declare September 30<sup>th</sup> – National Day for Truth and Reconciliation as a civic holiday; and further

That Council encourages all municipal employees and the community to observe the occasion as intended.

**Discussion:** Administration confirmed that staff will be engaging in learning and awareness on another day to honour the intent of the day.

### **Human Resources Policy #HR-2-11 and #HR-3-2 Amendments**

#### **5. Moved by G. Chaze, Seconded by K. Van Belleghem & Carried:-**

That Council hereby adopts amended Human Resources Policy #HR-3-2 Vacation Policy and Human Resources Policy #HR-2-11 Minimum Standards Policy; and further

That these policies form part of the City's Comprehensive Policy Manual; and further

That bylaw numbers 153-2019 and former HR-2-11 policy be hereby repealed; and further

That three readings be given to two bylaws for this purpose.

### **Human Resources Q2 Report**

#### **6. Moved by K. Van Belleghem, Seconded by G. Chaze & Carried:-**

That Council hereby receives the 2023 Second Quarterly Report for the Human Resources, Risk and Insurance Department.

### **Corporate Services Q2 Report**

#### **7. Moved by G. Chaze, Seconded by K. Van Belleghem & Carried:-**

That Council hereby receives the 2023 Second Quarter Report for the Corporate Services Department.

### **Closed Meeting Protocol Policy #CC-2-5**

#### **8. Moved by B. Manson, Seconded by L. Koch & Carried:-**

That Council hereby adopts Council Policy #CC-2-5 a Closed Meeting Protocol Policy to be included and form part of the Comprehensive City Policy Manual; and further

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

## **Emergency Services Q2 Report**

### **9. Moved by L. Koch, Seconded by B. Manson & Carried:-**

That Council hereby receives the 2023 Second Quarter Report for Fire & Emergency Services.

## **Station 2 - McKenzie Clearwater Lease Agreement**

### **10. Moved by L. Moncrief, Seconded by G. Chaze & Carried:-**

That Council hereby authorizes the Mayor and Clerk to enter into a five (5) year lease agreement between the Corporation of the City of Kenora and McKenzie Clearwater Fire Protection Corporation, effective September 1, 2023, for five (5) years; and further

That bylaw number 3-2010 be hereby repealed; and further

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

## **Station 2 - St Johns Council for Ontario Lease Agreement**

### **11. Moved by K. Van Belleghem, Seconded by L. Koch & Carried:-**

That Council hereby authorizes the Mayor and Clerk to enter into a one (1) year lease agreement, with the option of four (4) one-year extensions, between the Corporation of the City of Kenora and St. John's Council for Ontario, effective September 1, 2023 to December 31, 2024; and further

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

## **Engineering & Infrastructure Q2 Report**

### **12. Moved by G. Chaze, Seconded by K. Van Belleghem & Carried:-**

That Council hereby receives the 2023 Second Quarter Report for the Engineering and Infrastructure Department.

## **Crossing Guard Contract**

### **13. Moved by B. Manson, Seconded by L. Koch & Carried:-**

That Council hereby approves a contract with Alpine Janitorial (Kenora) Inc. for the purposes of crossing guard services for the 2023-2024 and 2024-2025 school years; and further

That in accordance with Section 15.1 (c) (ii) of Procurement Policy AF-1-1 this contract was sole-source-procured to Alpine Janitorial (Kenora) Inc. in the amount of \$145,803.10; and further

That three readings be given to a bylaw authorizing a contract with Alpine Janitorial (Kenora) Inc. for this purpose.

## **Amendment to Water & Wastewater Bylaw-Leak Responsibility**

### **14. Moved by L. Koch, Seconded by B. Manson & Carried:-**

That Council hereby approves an amendment to the Water and Sewer By-law Number 70-2018, Section 29 (1) to correct and clarify the determination of City and Property Owner responsibility for Leaks in the Water Distribution System; and further

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

### **Rural Roads Study**

#### **15. Moved by L. Moncrief, Seconded by G. Chaze & Carried:-**

That Council hereby receives the rural roads study and recommendation report provided by Stantec Consulting Ltd; and further

That staff are directed to provide Council with a request for budget decision report in the 2024 draft capital and/or operating budget review meetings with options to maintain or increase the service levels for the roads north of the bypass.

### **Recreation & Culture Q2 Report**

#### **16. Moved by K. Van Belleghem, Seconded by G. Chaze & Carried:-**

That Council hereby receives the 2023 Second Quarter Report for the Recreation and Culture Department.

### **The Muse Bylaw Amendment**

#### **17. Moved by G. Chaze, Seconded by L. Koch & Carried:-**

That Council gives three readings to a bylaw to authorize a bylaw respecting the Muse Board; and further

That bylaw number 88-2020 be hereby repealed.

### **Planning & Building Services Q2 Report**

#### **18. Moved by B. Manson, Seconded by L. Koch & Carried:-**

That Council hereby receives the 2023 Second Quarter Report for the Planning and Building Department.

### **Declare Surplus and Authorize the Sale of Shoreline Road Allowance**

#### **19. Moved by L. Koch, Seconded by B. Manson & Carried:-**

That Council hereby authorizes to stop up, permanently close, declare surplus and authorize the sale of Part 1 23R 14935; and further

That Council hereby authorizes the Mayor and Clerk to complete purchase and sale agreements between the Corporation of the City of Kenora and Ray and Donna Gagnon for the sale of Part 1 23R 14935 in the amount of \$1,150 + HST; and further

That in accordance with public notice bylaw 160-2022 public notice is hereby given of the intention of Council to stop up, permanently close, declare surplus and authorize sale of said lands; and further

That three readings be given a bylaw for this purpose.

**D14-19-09 Mill Site–Removal of Holding Provision from Part of Lot 5  
20. Moved by L. Moncrief, Seconded by K. Van Belleghem & Carried:-**

That Council hereby approves the removal of the Holding “[h]” provision from a portion of lot 5 for which a Record of Site Condition has been completed, to allow the use of the land in accordance with the “R3” Residential – Third Density Zone; and further

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

**Economic Development & Tourism Q2 Report  
21. Moved by K. Van Belleghem, Seconded by G. Chaze & Carried:-**

That Council hereby receives the 2023 Second Quarter Report for the Economic Growth Development and Tourism.

**Capital Facilities Contribution–HK Properties 117 Main St S  
22. Moved by G. Chaze, Seconded by K. Van Belleghem & Carried:-**

That Council approves a financial contribution in the amount of \$39,220 to Kenora HK Properties Ltd. enabled by City of Kenora By-law 58-2023 Municipal Capital Facilities By-law for Municipal Housing Project Facilities to be funded through the Future Land Development Reserve; and further

That Council hereby authorizes the Mayor and Clerk to execute a Municipal Capital Facilities Agreement between the Corporation of the City of Kenora and Kenora HK Properties Ltd. for the provision of four (4) new affordable housing units to be located at 117 Main Street South; and further

That in accordance with Notice By-law Number 160-2022 public notice is hereby given that Council intends to amend its 2023 Budget at its September 20, 2023 meeting; and further

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

**Application to Housing Accelerator Fund  
23. Moved by B. Manson, Seconded by L. Koch & Carried:-**

That Council hereby authorizes an application for funding to the CMHC under its Housing Accelerator Fund to support housing developments in the City of Kenora.

**Authorize Sale of Part 1 23R-14505 to Shelley Margaret Allen  
24. Moved by L. Koch, Seconded by B. Manson & Carried:-**

That Council hereby authorizes to stop up, permanently close, declare surplus and authorize the sale of Part 1 23R 14505; and further

That Council hereby authorizes the Mayor and Clerk to complete a purchase and sale agreement between the Corporation of the City of Kenora and Shelley Allan Margaret for the sale of Part 1 23R 14505 in the amount of \$1,000 + HST; and further

That in accordance with public notices bylaw 160-2022 public notice is hereby given of the intention of Council to stop up, permanently close, declare surplus and authorize the sale of said lands; and further

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

### **Repeal CBO Temporary Appointment**

#### **25. Moved by L. Moncrief, Seconded by G. Chaze & Carried:-**

That three readings be given to a bylaw to appoint Devon Staley as the Chief Building Official of the Corporation of the City of Kenora during the pleasure of Council and until the said office is filled on a permanent basis by a further By-law of the Corporation; and further

That bylaw number 99-2023 be hereby repealed; and further

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

### **Keewatin Concession Operational Agreement – J. Schott**

#### **26. Moved by K. Van Belleghem, Seconded by L. Koch & Carried:-**

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and Jennifer Schott for the provision of Bowman Electric Keewatin Memorial Arena Concession Food and Beverage Services; and further

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

### **Various Agreements**

#### **27. Moved by G. Chaze, Seconded by L. Koch & Carried:-**

That the Mayor and Clerk be hereby authorized to execute the following agreements on behalf of the Corporation of the City of Kenora:

- Service Agreement - MSO Construction
- Service Agreement - Docks & Lifts Unlimited
- Service Agreement - Wallace and Wallace
- Funding Agreement - Northern Heritage Fund Corp
- Funding Agreement - Ministry of Northern Affairs and Housing
- Site Plan Control Agreement - 1000059403 Ontario Inc.
- Site Plan Control Agreement - 2793507 Ontario Inc.

That three readings be given to bylaws for this purpose.

### **Agreement – Lake of the Woods Electric**

#### **28. Moved by B. Manson, Seconded by L. Koch & Carried:-**

That the Mayor and Clerk be hereby authorized to execute the following agreements on behalf of the Corporation of the City of Kenora:

- Service Agreement - Lake of the Woods Electric (Kenora) Ltd. – North Hamilton lift station generator & automatic transfer switch replacement

That three readings be given to bylaw for this purpose.

**Councillor Van Belleghem & Councillor Moncrief Abstained.**

### **Water & Wastewater Monthly Summary – June & July 2023**

#### **29. Moved by L. Koch, Seconded by B. Manson & Carried:-**

That Council of the City of Kenora hereby accepts the June and July 2023 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by City administration.

### **Approval of By-laws**

#### **30. Moved by K. Van Belleghem, Seconded by G. Chaze & Carried:-**

That By-laws #110-2023 through to #125-2023 and #127-2023 through to #133-2023 be now read a First & Second Time and approved in their present form and presented for Third & Final Reading.

- #110-2023 - Confirmatory
- #111-2023 - Human Resources Policy #HR-2-11 – Minimum Standards
- #112-2023 - Human Resources Policy #HR-3-2 – Vacation
- #113-2023 - Closed Meeting Protocol Policy #CC-2-3
- #114-2023 - Station 2 - McKenzie Clearwater Lease Agreement
- #115-2023 - Station 2 - St Johns Council for Ontario Lease Agreement
- #116-2023 - Agreement – Alpine Janitorial - Crossing Guard Contract
- #117-2023 - Amendment to Water & Wastewater Bylaw - Leak Responsibility
- #118-2023 - The Muse Bylaw Amendment
- #119-2023 - Declare Surplus and Authorize the Sale of Shoreline Road Allowance
- #120-2023 - D14-19-09 Mill Site-Removal of Holding Provision from Part of Lot 5
- #121-2023 - Budget Amendment -Municipal Capital Facilities By-law
- #122-2023 - Agreement-Capital Facilities-Kenora HK Properties Ltd.
- #123-2023 - Authorize Sale of Part 1 23R-14505 to Shelley Margaret Allen
- #124-2023 - Repeal CBO Appointment
- #125-2023 - Keewatin Concession Operational Agreement – J. Schott
- #127-2023 - Service Agreement - MSO Construction (Division of Miller Paving Ltd)
- #128-2023 - Service Agreement - Docks & Lifts Unlimited
- #129-2023 - Service Agreement - Wallace and Wallace
- #130-2023 - Funding Agreement - Northern Heritage Fund Corp
- #131-2023 - Funding Agreement - Ministry of Northern Affairs and Housing
- #132-2023 - Site Plan Control Agreement - 1000059403 Ontario Inc.
- #133-2023 - Site Plan Control Agreement - 2793507 Ontario Inc.

### **Approval of By-laws**

#### **31. Moved by G. Chaze, Seconded by L. Koch & Carried:-**



That By-laws #126-2023 be now read a First & Second Time and approved in its present form and presented for Third & Final Reading.

#126-2023 - Service Agreement - Lake of the Woods Electric (Kenora) Ltd.

**Councillor Van Belleghem & Councillor Moncrief Abstained.**

## **Notices of Motion**

### **Councillor Moncrief - Reinstating the re-use area at the Transfer Station 32. Moved by L. Moncrief, Seconded by K. Van Belleghem & Carried:-**

I, Councillor Lisa Moncrief, provided Council a Notice of Motion at the July 19, 2023 regular meeting of Council of my intent to bring forward the following motion at tonight's September 20<sup>th</sup>, 2023 meeting:

That circular economy retains and recovers as much value as possible from resources by reusing, repairing, refurbishing, remanufacturing or repurposing products and materials before they are recycled or thrown out; and further

That traditional 3Rs (reduce, reuse, recycle) considers the value of materials and products we purchase before they become waste; and further

That a goal of the Sustainability Advisory Committee is finding innovative ways to better the environment and reducing waste that ends up in landfills is a contributing factor to negative impacts to our environment; and further

That reintroducing a reuse area at the City of Kenora Transfer Station will help build a culture of waste reduction, reuse, sharing and repairing in Kenora, with a Community Reuse Program;

Therefore Be it Resolved that the Council for the City of Kenora directs administration to investigate a Community Reuse Program at the Kenora Transfer Station as soon as possible.

**Discussion:** Administration will look at the costs and any implications to introducing the program and a report will come back to Council.

### **New Notices of Motion:**

- Councillor Kelsie Van Belleghem intends to bring a notice motion at the October 18<sup>th</sup> meeting of Council directing administration to draft a policy to table and present an annual report at a public Council meeting outlining the ways in which the City has addressed the municipal Calls to Action of the Truth and Reconciliation Commission in the year before.
- Councillor Lindsay Koch intends to bring forward a Notice of Motion to the October 18, 2023 meeting of Council related to developing a Diversity, Equity, and Inclusion committee of the city.

**Proclamations**

- Franco-Ontarian Day September 25, 2023

**Announcements**

**The following was highlighted by Council:**

- 1. Councillor Koch Lake of the Woods Brewing Company Charity brunch that was to be held this past Sunday for the Muse had to be cancelled and will be rescheduled and encourage everyone to attend.
- 2. Councillor Van Belleghem September 22<sup>nd</sup> is the Take Back the Night event. The Science Festival is September 18-23 with a large variety of events taking place as well as Octoberfest this Saturday. Thanked Mosswood Adventures for a great ecotourism business in Kenora this summer.
- 3. Mayor Poirier attended the sod turning ceremony this week of the Treaty 3 building that will be located on the former mill lands.

**Adjourn to Closed Session**

**33. Moved by B. Manson, Seconded by L. Koch & 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 5:45 p.m. to discuss items pertaining to the following:-

- i) Receiving Advice that is Subject to Solicitor-Client Privilege (1 matter-recreation lands)
- ii) Education & Training Members of Council (1 matter-CAO update)
- iii) Labour Relations (1 matter-CAO Performance Appraisal Process)

**Reconvene to Open Meeting**

Council reconvenes to open session at 8:26 p.m. with no reports from its closed session.

**Close of Meeting**

**34. Moved by L. Koch, Seconded by B. Manson & Carried:-**

That this meeting be now declared closed at 8:26 p.m.

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

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

**Of.....2023**

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**Mayor**

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**City Clerk**