



City of Kenora
Committee of the Whole
Minutes
Tuesday, July 10, 2018
9:00 a.m.
City Hall Council Chambers

Present: Mayor David Canfield
Councillor Mort Goss
Councillor Rory McMillan
Councillor Dan Reynard
Councillor Sharon Smith
Councillor Colin Wasacase (arrived at 9:10 a.m.)

Staff: Karen Brown, CAO, Heather Kasprick, City Clerk

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 July 17, 2018 meeting:-

- Amend the 2018 Operating & Capital Budget to withdraw funds from the Contingency Reserve in the amount of up to \$33,333 to offset the cost of the delivery of the Harbourfront Business Development Plan
- Declare the office held by Councillor Louis Roussin on Kenora City Council to be vacant
- Appoint Kelly Galbraith as Deputy Clerk
- Appoint Jonathan Ranger as Deputy Treasurer
- Amend the 2018 Operating Budget for the 2018 funding allocation for the Kenora Public Library from \$629,364 to \$613,001
- Amend the 2018 Operating Budget to increase the City's funding contribution towards the Museum's operating budget in the amount of \$14,394 to offset the amount of the arts centre curator wages
- Amend the 2018 Municipal Capital & Operating Budget to withdraw funds from the Water & Sewer Reserve in the amount of \$23,000 for water standpipe/booster station utilities
- Amend the 2018 Capital and Operating Budgets to withdraw funds from sidewalk reserves in the amount of \$320,000 plus applicable taxes to offset the cost of the two (2) track machines and \$22,500 to offset the cost of hiring two (2) additional seasonal operators for the remainder of the 2018 winter maintenance
- Amend the 2018 Capital Budget to withdraw funds from the Water & Sewer Reserve in the amount of \$389,000 to offset the cost of the Wastewater System purchases
- Amend the 2018 Capital to withdraw funds from the Citizens Prosperity Trust Fund to be debt financed in the amount of \$250,000 for 1/3 of the funding for the detailed design drawings and tender preparation for the Kenora Recreation Centre
- Amend the 2018 Capital and Operating Budgets to withdraw funds from City Reserves to remediate the Garrow Park Playground cover.

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.**

There were none declared.

C. Confirmation of Previous Committee Minutes

Resolution #1 - Moved by Councillor R. McMillan, Seconded by M. Goss & Carried:

That the minutes from the last Regular Committee of the Whole meeting held June 5, 2018 be confirmed as written and filed.

D. Deputations/Presentations

Citizen Volunteer Recognition Award – Alice Jardine

Alice Jardine was presented with a citizen volunteer recognition award. Alice has a lengthy volunteer history in our community. She began her volunteer commitment in 1968 with the Kendo Credit Union serving on the Education committee for eight consecutive years. Over the years she has volunteered for the Ladies Auxiliary Branch 12 Royal Canadian Legion 1976-present, Canadian Cancer Society 1976-1987, LOW District Hospital Board 1983-1991, Tree of Life for LOW Hospital Foundation and was instrumental in its formation in 1988, Salvation Army Christmas Kettle fundraiser 1998-present, Canadian Blood services for 40 years until they removed donations from Kenora last year. She is a dedicated volunteer in many roles and with many organizations for almost 50 years and strongly demonstrates "service above self". Alice has made contributing to our community a full time job.

Council presented Alice with a bouquet of flowers, a token of appreciation and certificate and thanked her for her long standing commitment to our community.

Debbie Novak, Triple Play – Diamonds & Ice Parking

On behalf of my Triple P.L.A.Y. committee and all of our applicants, Debbie Novak thanked Council for their continued support.

Debbie requested Council for assistance with regards to their upcoming event. Triple Play took over Diamonds & Ice, from the City, in order to keep the very successful community event going and to make it one of their key fundraisers. Parking on the long weekend at the two venues is always a headache for the event organizers and the City. The baseball teams and hockey teams find it a challenge with parking at the arena. Many of the spots are filled with trucks and trailers taking up two parking spots which cuts the available parking in half, if not more. With four baseball teams and two hockey teams playing at the same time and previous teams leaving and the next teams arriving, there is not enough parking within walking distance of both venues. Their request is to allow parking on one side of the road to the West Bay ball diamonds, similar to the allowance you made for the Farmer's Market on Wednesdays by allowing parking along the green belt. The request would be for Friday, Saturday and Sunday only on the August long weekend.

Council discussed marking only one side of the street or other options to assist Triple Play for this event. Council thanked Debbie for her deputation and will refer to staff for review and report to Council to consider.

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Shauna DeGagne, Garrow Park Playground

Shauna was present to discuss the Garrow Park playground material. Shauna was born and raised in Kenora and have chosen to raise her three sons here. She has come to talk about a very hot topic at Garrow Beach. Something that has families concerned.

Parents were pretty excited when the playground at Garrow Park was replaced with something safe and new. The wood fiber at the Garrow Park Playground is not child friendly. Our kids are getting splinters in their feet and more importantly, parents, are getting splinters, too. Nothing ruins a day at the beach quite like listening to screaming children with slivers stuck in their feet while picking splinters out of their own feet! Maybe these wood fibers would work at a playground where children are always wearing shoes. At a school playground, say. But our kids are in and out of the water, back and forth to the playground. It is a pain to try to get the kids to put their shoes on once a day, never mind five or six.

Most beaches are covered in sand. Garrow Beach is covered in sand with Engineered Wood Fiber. They are everywhere now, even in the water. They stick to the kid's feet and their towels and end up all over the beach. Not exactly the kind of thing tourists will be raving about when they go home.

In a June 22 report to council on this topic, Parks and Facilities Division Lead James Tkachyk wrote that one of the pros of Engineered Wood Fiber was "no splinter problems". That just isn't the case. The kids are getting hurt when they walk on it. He also wrote that it is "accessible for those with disabilities." How does a non-accessible ground cover material get approved to cover an accessible playground? Or does accessible mean different things to different people? To us, it means that all our children can play and explore together. It means we want Kenora to be seen as innovative, that we are an inclusive community that welcomes all families, even if that means it might cost more money. Accessible means that children and parents who use walkers and wheelchairs should be able to easily maneuver on the playground. In his report, Mr. Tkachyk has recommended that council ignore the public's concerns over the groundcover at the Garrow Park Playground because the Engineered Wood Fibre is "the best functioning and affordable option." The group suggests we spend more money on a better, longer lasting option. Council has invested in a new playground, so investing in proper playground coverage makes the most sense.

The group recommends that Council should invest in artificial grass for the groundcover at the Garrow Park Playgound. It can last for 15-20 years, has no maintenance costs, and is wheelchair accessible, according to Mr. Tkachyk's report, and best of all, no splinters.

Council thanked Ms. Degagne for her presentation and a copy was left with the Clerk.

E. Reports:

1. Finance & Administration

1.1 May Financial Statements

Recommendation:

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora at May 31, 2018.

Discussion: Council questioned the cost recovery for the Kenora Thistle Arena at only 32%.

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The salaries have not been allocated and the budget was a preliminary estimate. Recovery is during the winter operation during ice season.

1.2 Vacant & Excess Land and Vacant Unit Rebate Program

Recommendation:

Whereas Section 313 of the Municipal Act, 2001 sets out the legislated discounts for prescribed property vacant and excess land sub-classes of the commercial and industrial property classes; and

Whereas Section 364 of the Act states that every local municipality shall have a program to provide tax rebates in respect of vacant portions of commercial and industrial properties; and

Whereas recent amendments to these sections of the Act have provided the Ontario Minister of Finance with expanded authority to set locally specific program rules and parameters via regulation; and

Whereas the Minister has invited municipalities to engage in local policy consideration and planning efforts and to make submissions detailing locally indicated reforms to these programs; and

Whereas Council of the City of Kenora has had the opportunity to review these programs, recommendations of City administration and public input solicited in respect of these matters;

Now Therefore Be It Resolved that the City of Kenora deems it appropriate to pursue the elimination of the rebate program set out under section 364 of the Act; and further

That the City also wishes to be granted greater local authority over the setting of tax rate discounts for prescribed sub-classes so that these may be set at any level between zero and thirty five percent (0 and 35%) for any taxation year; and further

That administration is hereby directed to prepare a formal package to be submitted to the Minister of Finance in order to request these changes; and further

That the Minister of Finance is requested to consider and implement the proposed changes so that the elimination of the vacant unit rebate program may come into force as of January 1, 2018 and the enhanced authority regarding sub-class discounts for vacant and excess land may come into force as of January 1, 2019.

Discussion: Staff are asking for flexibility on the discounts between 0 and 35%. We have the option to leave industrial and only eliminate commercial. The rebate percentage would be part of the budget discussion in 2019. If this is approved, the rebate would disappear. The second piece Council could still decide on the discount. Charlotte indicated they could break down the difference between commercial and industrial for Council and provide the financial information. Council discussed tabling the item when it comes before Council next week.

1.3 Lake of the Woods Amateur Radio Community Foundation Application

Recommendation:

That the Council of the City of Kenora pass a resolution supporting the Lake of the Woods Amateur Radio Society's (LOWARS) request to name the City of Kenora as a sponsor in their application for funds up to \$2,500 through the Kenora & Lake of the Woods Regional Community Foundation for the purchase of equipment for the provision of back up amateur radio emergency

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services for City of Kenora Emergency Services.

1.4 Budget Amendment – Lake of the Woods Museum Art Centre

Recommendation:

That Council hereby approves an additional funding allocation of \$14,394 to the Lake of the Woods Museum for the arts curator wages in 2018; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2018 Operating Budget at its July 17, 2018 meeting to increase the City's funding contribution towards the Museum's operating budget in the amount of \$14,394 to offset the amount of these wages; and further

That Council give three readings to a by-law to amend the 2018 budget for this purpose.

Discussion: The request of the Museum presentation was not incorporated into the 2018 budget and this officially incorporates it into the budget. There appears to be some issues with the construction of the new art centre and may be delays in opening. It was questioned if this position is still required in 2018. Charlotte will discuss with Lori Nelson and respond to Council for next week's meeting.

1.5 Budget Amendment – Kenora Public Library

Recommendation:

That Council hereby amends the 2018 funding allocation to the Kenora Public Library to be \$613,001 from the approved allocation of \$629,364; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2018 Operating Budget at its July 17, 2018 to amend the 2018 funding allocation for the Kenora Public Library from \$629,364 to \$613,001; and further

That Council give three readings to a by-law to amend the 2018 budget for this purpose.

1.6 HR Recruitment Policy

Recommendation:

That Council hereby approves the amended City of Kenora Recruitment Policy HR-1-1; and further

That Council hereby removes Lake of the Woods Museum Hiring Policy HR-1-5 from the Comprehensive Policy Manual; and further

That Council gives three readings to a by-law to amend the Comprehensive Policy Manual for this purpose.

Discussion: Page 7 in the policy will be amended to reflect the human rights code and will be updated for Council. Karen will circulate.

1.7 Appointment of Deputy Clerk

Recommendation:

That Council gives three readings to a by-law to appoint Kelly Galbraith to the position of Deputy Clerk in and for the City of Kenora, effective July 2, 2018.

Discussion: Council questioned the appointment of two Deputy Clerks. City Clerk Heather

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Kasprick clarified that the appointments are legislative appointments that allow for certain documents to be signed and certain functions to be performed within the parameters of the Clerk's authority.

1.8 Appointment of Deputy Treasurer

Recommendation:

That Council hereby appoints Jon Ranger to the position of Deputy Treasurer for the City of Kenora and removes Natalie Pearson; and further

That bylaw number 38-2016 be hereby repealed.

1.9 Council Vacancy

Recommendation:

That the City of Kenora City Clerk received the resignation of Councillor Louis Roussin from City Council effective July 6, 2018; and further

That Council hereby declares the office held by Councillor Louis Roussin on Kenora City Council to be vacant; and further

That Council hereby directs that the process for filling the vacant office to be an appointment by Council of someone with municipal council experience from the City of Kenora area who is not running in the 2018 regular municipal election.

1.10 Council Appointment to the KDSB

Recommendation:

That Council hereby appoints Councillor Rory McMillan to the Kenora District Services Board replacing Councillor Louis Roussin for a term to November 30, 2018; and further

That Councillor Goss be hereby appointed as the alternate on the Kenora District Services Board.

2. Fire & Emergency Services

No Reports.

3. Operations & Infrastructure

3.1 Budget Amendment – General Water Standpipe Booster Stations

Recommendation:

That Council hereby approves an additional funding allocation of \$23,000 to the General Water Standpipe/Booster Stations department for utilities in 2018 to be funded through the Water & Sewer Reserve; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2018 Municipal Capital & Operating Budget at its July 17, 2018 meeting to withdraw funds from the Water & Sewer Reserve in the amount of \$23,000; and further

That Council gives three readings to a by-law to amend the 2018 budget for this purpose.

3.2 Budget Amendment – Waste Water Collection Program

Recommendation:

That Council hereby approves an additional allocation of \$389,000 to be funded through the Water & Sewer Reserve for the Waste Water Collection Program; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2018 Capital Budget at its July 17, 2018 meeting to withdraw funds from the Water & Sewer Reserve in the amount of \$389,000 to offset the cost of the Wastewater System purchases; and further

That Council give three readings to a by-law to amend the 2018 budget for this purpose.

3.3 Traffic Amendment – Andy’s Camp Road Rate of Speed

Recommendation:

That Council authorizes an amendment to the City of Kenora Traffic Regulation By-law Number 180-2015 to include changes to Schedule “T” – Rate of Speed - 30 Kilometres Per Hour Zone for Andys Camp Road, for the entire length; and further

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

3.4 Minimum Maintenance Standards

Recommendation:

Whereas on May 3, 2018, Ont Reg 366/18 came into force, amending O.Reg 239/02 under the Municipal Act, 2001, SO 2001, c.25 which established minimum standards for the maintenance of municipal highways in Ontario; and

Whereas these changes will have significant impact to the operations to meet the new winter minimum maintenance standards for sidewalks which will require the purchase of two additional track machines for sidewalk plows as well as two additional seasonal operators;

Now therefore let it be resolved that Council hereby approves a re-allocation of \$320,000 plus applicable taxes to be funded through the Sidewalk Reserve for two (2) new track machines for sidewalk plows; and further

That Council hereby approves the hiring of two (2) additional seasonal operators at a cost of \$22,500 for 2018; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2018 Capital and Operating Budgets, at its July 17, 2018 meeting to withdraw funds from sidewalk reserves in the amount of \$320,000 plus applicable taxes to offset the cost of the two (2) track machines and \$22,500* to offset the cost of hiring two (2) additional seasonal operators for the remainder of the 2018 winter maintenance; and further

That direction be hereby given to administration to amend the City’s Winter Maintenance Policy No. OP-4-1 to reflect the new requirements of the Minimum Maintenance Standards as defined in the Ontario Regulation 239/02 for approval at the August 2018 Council meeting; and further

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

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Discussion: This will be a key issue at AMO and NOMA should also include this in their presentations to Ministers. This has a huge impact to Northern communities, and likely does not impact southern Ontario to the extent it does northern communities.

4. Community & Development Services

4.1 National Crime Prevention Strategy Funding Application

Recommendation:

That Public Safety Canada provides up to \$400,000 under the National Crime Prevention Strategy (NCPS), Strengthening Community Readiness stream, for projects that can focus on community assessments and planning, including expert advice and consultation; and further

That Council directs administration to apply for funding under the National Crime Prevention Strategy (NCPS) Strengthening Community Readiness stream for a study assessing the high volume of runaway youth in our community and to support the creation of additional programs that can reduce the occurrence of runaway youth in Kenora.

4.2 Enabling Accessibility Funding Application

Recommendation:

That through the Enabling Accessibility Fund, small component, municipalities may submit two project applications and have sixty five percent of costs covered with a maximum Federal contribution of \$100,000 towards accessible projects; and further

That Council directs administration to apply for funding under the Enabling Accessibility Fund, small component, for an accessible trail/washroom at Norman Park and a ramp replacement at the Kenora Library.

4.3 Budget Amendment – Harbourfront Business Development Plan

Recommendation:

That Council hereby approves an additional allocation of up to \$33,333 to be funded through the Contingency Reserves for the delivery of the Harbourfront Business Development Plan; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2018 Operating & Capital Budget at its July 17, 2018, meeting to withdraw funds from the Contingency Reserve in the amount of up to \$33,333 to offset the cost of this purchase; and further

That Council give three readings to a by-law to amend the 2018 budget for this purpose.

4.4 Scott Island Zoning Bylaw Amendment

Recommendation:

That Council hereby approves Zoning Bylaw Amendment D-14-17-05, Scott Island; and further

That in accordance with the resolution of the PAC; which is for a site specific amendment to enable the creation of through lots with a minimum frontage of 22 metres, and lot area of 0.82 hectares; as well as to zone that portion of the shoreline protecting fish habitat and providing habitat for Golden Eye Lichen and Cartilage Lichen, being 20 metres in width and approximately 420 metres in length along the south shoreline.

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4.5 Request to Remove Restrictive Covenant

Recommendation:

That Council gives three readings to a by-law to remove a restrictive covenant which prohibits any buildings from being constructed on property located adjacent to 81 Wyder Road; and further

That a merger agreement between the property owner and the City is entered into to ensure that the lots will become one, which would allow for the development of an accessory building (garage) in accordance with the provisions of the Zoning By-law.

4.6 Request to Exempt Lands from Part Lot Control – Kings Landing

Recommendation:

That Council exempt property located at 1731 Railway Street, being PIN # 42176-0338; described as Part of Block B, Plan M28, from being subject to Part Lot Control for 2 years, for the purpose of separating the proposed stage 1 condominium from stage 2, that exemption from part lot control is granted to allow for development of multiple attached dwellings, to ensure that the common centre wall between two dwelling units is constructed on the property line as displayed on Schedules A and B.

4.7 Garrow Park Playground Cover

Recommendation:

That Council supports Engineered Wood Fibre (EWF) as the groundcover material at the Garrow Park playground as the best functioning and affordable option.

Discussion: Remove the wood chips and install sand in the short term. Staff can then recommend an alternative material. We are maxed with staff to remove the materials and don't have the resources to do that. We will need someone to remove the materials and install the specialized sand. We will need to resource the entire project. Very important we communicate what we are doing. A budget amendment will be coming forward for Council on July 17th for consideration.

Amended Recommendation:

That Council hereby directs administration to bring a budget amendment forward to July Council for the purposes of removing the Engineered Wood Fibre (EWF) from the Garrow Park Play Structure; and further

That administration be directed to replace the Engineered Wood Fibre (EWF) with sand as an interim measure; and further

That administration be directed to work with the Accessibility Advisory Committee on a longer term solution based on the advice of the Committee.

4.8 Kenora Recreation Centre Twinning

Recommendation:

That Council hereby accepts a total project cost for detailed design drawings and tender preparation for the twinning of the Kenora Recreation Centre in the amount of \$750,000 with two thirds (2/3) of the funding from NOHFC and one third (1/3) funding being ; and further

That an application has been made to the Northern Ontario Heritage Fund Corporation (NOHFC) in the amount of \$500,000 (2/3 funding) to undertake the detailed design work and tender ready drawings; and further

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That Council hereby approves an allocation of \$250,000 to be debt financed through the Citizen's Prosperity Trust Fund a financial commitment of 1/3 funding for detailed design drawings and tender preparation for the twinning of the Kenora Recreation Centre contingent on NOHFC funding approval; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2018 Capital Budget at its July 17, 2018 meeting to withdraw funds from the Citizens Prosperity Trust Fund to be debt financed in the amount of \$250,000 for 1/3 of the funding for the detailed design drawings and tender preparation for the Kenora Recreation Centre; and further

That Council give three readings to a by-law to amend the 2018 budget for this purpose.

F. Proclamations

Mayor Canfield then read the following proclamations:

- National Drowning Prevention Week – July 15-21

G. Other

- Councillor Smith expressed condolences to the families in regards to the recent drownings

H. Next Meeting

- Tuesday, August 7, 2018

I. Adjourn to Closed

Resolution #2 - Moved by Councillor McMillan, Seconded by S. Smith & Carried:

That Council now adjourn to a closed session at 12:08 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:-

ii) Personal Matter about an Identifiable Individual (3 matters)

J. Reconvene to Open Meeting

Council reconvenes to open session at 1:36 p.m. with no reports from its closed session.

K. Close Meeting

Meeting adjourned at 1:36 p.m.