



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, April 17, 2018 – City Council Chambers
12:00 p.m.**

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**With** Mayor D. Canfield in the Chair, Councillor M. Goss, Councillor R. McMillan Councillor D. Reynard Councillor L. Roussin, Councillor S. Smith, Councillor C. Wasacase

**Staff:** Karen Brown, CAO, Heather Kasprick, City Clerk, Sharen McDowall, HR Strategist, Jeff Hawley, Manager of Operations & Infrastructure, Matt Boscarior, Manager of Community & Development Services, Megan Dokuchie, Economic Development Officer

## Call to Order

Mayor Canfield called the meeting to order and Councillor Roussin delivered a blessing followed by a moment of silence to honour Elder Clifford Skead who passed away and will be fondly remembered in the community.

## Public Information Notices as per By-law Number 144-2007

### Mayor Canfield then read the following notices:-

As required under Notice By-law #144 -2007, Council hereby advises the public of its intention to adopt the following at today's meeting:-

- Adopt the 2018 Solid Waste Utility Operating and 5 Year Capital Plan Budget
- Adopt the 2018 Water and Sewer Utility Operating and 5 Year Capital Plan Budget
- Intends to amend the Tariff of Fees and Charges bylaw to increase water and sewer rates by 5.5% effective January 1, 2019
- Amend its 2018 Capital Budget to withdraw funds from the City Hall Reserves in the amount of \$75,000 to offset the cost of City Hall interior renovations
- Amend the 2018 Capital Budget to withdraw funds from the Infrastructure Planning Reserve in the amount of \$80,652 offset the cost of wayfinding signage
- Intends to amend its Video Surveillance Policy #CS-1-3 to improve the best practices for managing the City's video surveillance program
- Amend the Election Signs bylaw
- ~~Amend the Municipal Water Supply and the Provision of Sanitary Sewage Services bylaw pertaining to individual meters in buildings of four or more units~~
- Amend the 2018 Operating & Capital Budget to withdraw additional funds from the OCIF Formula Based Funding in the amount of \$1,149,904.63 to offset the cost of bridge rehabilitation work
- Intends to implement a four percent (4%) Municipal Accommodation Tax (MAT) on all fixed accommodations in the City of Kenora effective September 1, 2018

## Declaration of Pecuniary Interest & General Nature Thereof

Mayor Canfield then 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

There were none declared.

### **Confirmation of Minutes**

#### **1. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-  
Regular Council - March 20, 2018

### **Deputations**

None

### **Additions to the Agenda**

None

### **Strategic Plan Update**

#### **2. Moved by M. Goss, Seconded by D. Reynard & Carried:-**

That Council hereby accepts the 2017 Strategic Plan Progress Report to highlight the previous year's activities by City departments in accordance with the City of Kenora's Strategic Plan – Our Vision is 20/2020.

### **Community Foundation Support – Canada Day Committee**

#### **3. Moved by D. Reynard, Seconded by M. Goss & Carried:-**

That Council of the City of Kenora hereby supports the Canada Day Committee's request to name the City of Kenora as a sponsor in their application for funds through the Kenora & Lake of the Woods Regional Community Foundation for support of the 2018 Canada Day festivities.

### **Community Foundation Support – Kenora Rowing Club**

#### **4. Moved by L. Roussin, Seconded by C. Wasacase & Carried:-**

That Council hereby supports the Kenora Rowing Club's (KRC) request to name the City of Kenora as a sponsor in their application for funds up to \$5,000 through the Kenora & Lake of the Woods Regional Community Foundation for the purchase of a storage trailer for the Canada Summer Games legacy regatta equipment.

### **2018 Solid Waste Utility Budget Approval**

#### **5. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

That Council hereby approves the 2018 Solid Waste Utility Operating and 5 Year Capital Plan Budget; and further

That Council hereby authorizes City administration to proceed with the implementation of all budget related decisions in accordance with those reflected within the Solid Waste Budgets; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2018 Solid Waste Utility Operating and 5 Year Capital Plan Budget by bylaw at its April 17<sup>th</sup> Council Meeting; and further

That the appropriate bylaw be passed for this purpose.

### **2018 Water & Wastewater Utility Budget Approval**

#### **6. Moved by R. McMillan, Seconded by L. Roussin & Carried:-**

That Council hereby approves the 2018 Water and Sewer Utility Operating and 5 Year Capital Plan Budget; and further

That Council hereby authorizes City administration to proceed with the implementation of all budget related decisions in accordance with those reflected within the Water & Sewer Budgets; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2018 Water and Sewer Utility Operating and 5 Year Capital Plan Budget by bylaw at its April 17<sup>th</sup> Council Meeting; and further

That the appropriate bylaw be passed for this purpose.

### **2019 Water Rate Increase**

#### **7. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

That as recommended by BMA Management Consulting Inc. in the Water and Wastewater Long Range Financial Plan Forecast approved by Council resolution on November 17, 2015, the 2019 water and sewer rates be increased by 5.5% over the 2018 rates; and further

That in accordance with Notice By-Law Number 144-2007, public notice is hereby given that Council intends to amend the Tariff of Fees and Charges bylaw to increase water and sewer rates by 5.5% in 2019; and further

That Council give three readings to a by-law for this purpose; and further  
That bylaw number 125-2017 be hereby repealed; and further

That these rates shall take effect and come into force on January 1, 2019.

**Discussion:** Council would like to see what was projected and what actually occurred. Would like a report that establishes what the long range plan was and what was the actual expenditures were.

### **Wayfinding Signage Budget Amendment**

#### **8. Moved by M. Goss, Seconded by R. McMillan & Carried:-**

That Council hereby approves an additional allocation of \$220,000 to be funded through FedNor, NOHFC and the Infrastructure Planning Reserve for the implementation of the wayfinding 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 April 17, 2018 meeting to withdraw funds from the Infrastructure Planning Reserve in the amount of \$80,652 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.

### **City Hall Interior Renovations Budget Amendment**

#### **9. Moved by D. Reynard, Seconded by M. Goss & Carried:-**

That Council hereby approves an additional allocation of \$75,000 to be funded through the City Hall Reserve for the interior renovations to City Hall first and second floor offices; 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 April 17, 2018 meeting to withdraw funds from the City Hall Reserve in the amount of \$75,000 to offset the cost of these interior renovations; and further

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

### **Video Surveillance Policy #CS-1-3**

#### **10. Moved by L. Roussin, Seconded by C. Wasacase & Carried:-**

That Council gives three readings to a bylaw to amend the video surveillance policy #CS-1-3; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its Video Surveillance Policy #CS-1-3 at its April 17, 2018 meeting to improve the best practices for managing the City's video surveillance program.

### **Elections Sign Bylaw**

#### **11. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

That Council gives three readings to a bylaw to adopt a new Elections Sign Bylaw; and further

That in accordance with Notice By-Law Number 144-2007, public notice is hereby given that Council intends to adopt a new Elections Sign bylaw; and further

That bylaw number 89-2014 be hereby repealed.

### **CUPE Local 191 Collective Agreement**

#### **12. Moved by R. McMillan, Seconded by L. Roussin & Carried:-**

That Council gives three readings to a by-law authorizing an agreement between the Corporation of the City of Kenora and the Canadian Union of Public Employees (CUPE) Local 191 for the term January 1, 2016 to December 31, 2019.

### **Human Resources Management Strategy Update**

#### **13. Moved by S. Smith, Seconded by M. Goss & Carried:-**

That Council hereby accepts the Human Resources Management Strategy Progress Report dated March 2018 to highlight the activities by the Human Resources department in accordance with the City of Kenora's Human Resources Management Strategy.

### **LAS Service Line Warranty Agreement**

#### **14. Moved by M. Goss, Seconded by D. Reynard & Carried:-**

That Council endorses the Service Line Warranty Canada (SLWC) program as proposed by the Local Authority Services (LAS); and further

That three readings be given to a bylaw authorizing the City of Kenora to enter into a Marketing License Agreement with Service Line Warranty Canada (SLWC).

### **Budget Amendment for Bridge Maintenance Repairs**

#### **15. Moved by D. Reynard, Seconded by M. Goss & Carried:-**

That Council hereby approves an additional allocation of \$1,149,904.63 to be funded through the OCIF Formula Based Funding for the repairs to the Bay Street Overpass, Darlington Bay Bridge and the Norlen Bridge; 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 April 17, 2018 meeting to withdraw additional funds from the OCIF Formula Based Funding in the amount of \$1,149,904.63 to offset the cost of this work; and further

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

That the tender submitted by Moncrief Construction Ltd, in the amount \$1,687,590.19 (plus HST) related to Option 2 of the 2018 Bridge Maintenance Repairs for Bay Street Overpass, Norlen Bridge and Darlington Bay Bridge repair works be hereby accepted.

### **Student Wages in Recreation Division**

#### **16. Moved by L. Roussin, Seconded by R. McMillan & Carried:-**

That Council of the City of Kenora authorizes the increase for the student staff in the Recreation department as outlined; and further

That the change takes effect January 1, 2018; and further

That on a forward basis administration be authorized to set the wage schedule as adjustments are made to minimum wage.

### **Accommodation Tax Implementation**

#### **17. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

That the Council of the City of Kenora implement a four percent Municipal Accommodation Tax (MAT) on all fixed accommodations effective September 1, 2018; and further

That all excess revenue garnered from the MAT after remittances to the Kenora Hospitality Alliance be allocated to tourism and economic development projects through establishment of a reserve fund; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to implement a four percent Municipal Accommodation Tax (MAT) on all fixed accommodations effective September 1, 2018; and further

That three readings be given to a bylaw to establish this Municipal Accommodation Tax (MAT) on all fixed accommodations effective September 1, 2018.

### **Kenora Recreation Centre Ice Twinning Funding Application**

#### **18. Moved by R. McMillan, Seconded by D. Reynard & Carried:-**

That Council of the City of Kenora hereby approves an application to the Northern Ontario Heritage Fund Corporation (NOHFC) in the amount of \$500,000.00 (2/3 funding) to undertake a detailed design process and prepare tender ready drawings that will support a half-bowl expansion to the Kenora Recreation Centre; and further

That Council hereby confirms its financial commitment of up to \$250,000.00 (1/3 funding) for the detailed design process and preparation of tender ready drawings for the Kenora Recreation Centre expansion project; and further

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

**Moved by Councillor S. Smith, Seconded by Councillor M. Goss that motion #18 be deferred indefinitely. Motion Defeated.**

| <b>Recorded Vote</b> | <b>AYE</b> | <b>NAY</b> | <b>Dec. of Interest</b> | <b>Absent</b> |
|----------------------|------------|------------|-------------------------|---------------|
| Councillor Goss      |            | <b>X</b>   |                         |               |
| Councillor McMillan  | <b>X</b>   |            |                         |               |
| Councillor Reynard   | <b>X</b>   |            |                         |               |
| Councillor Roussin   |            | <b>X</b>   |                         |               |
| Councillor Smith     |            | <b>X</b>   |                         |               |
| Councillor Wasacase  | <b>X</b>   |            |                         |               |
| Mayor Canfield       | <b>X</b>   |            |                         |               |

### **D14-18-01 Zoning Bylaw Amendment – 166 Ritchie Road**

#### **19. Moved by S. Smith, Seconded by M. Goss & Carried:-**

That Council hereby accepts the recommendation of the Kenora Planning Advisory Committee for D14-18-01 Zoning Amendment Application for 166 Ritchie Road; and further

That Council, in lieu of public comments, gives three readings to a by-law to authorize approval of the amendment to enable a change in zoning from RU to RR.

## **D14-18-02 Zoning Bylaw Amendment – 1930 Highway 17 W**

**20. Moved by M. Goss, Seconded by D. Reynard & Carried:-**

That Council hereby accepts the recommendation of the Kenora Planning Advisory Committee for D14-18-02 Zoning Amendment Application for 1930 Highway 17 W; and further

That Council, in lieu of public comments, gives three readings to a by-law to authorize approval of the amendment to enable a change in zoning from RR to a site specific zone RR[38] to allow for a converted dwelling of three dwelling units.

## **AMO Main Street Funding Agreement**

**21. Moved by D. Reynard, Seconded by M. Goss & Carried:-**

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and the Association of Municipalities of Ontario for the provision of Ontario's Main Street Revitalization Initiative in the amount of \$51,000.25; and further

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

## **Agreement with Manshield Construction for Bunny St Sewage Pumping**

**22. Moved by L. Roussin, Seconded by R. McMillan & Carried:-**

That further to Council accepting the tender of Manshield Construction related to the Bunny Street Sewage Pumping Station Rehabilitation, authorization be and is hereby given for the Mayor and Clerk to execute an agreement between the Corporation of the City of Kenora and Manshield Construction; and further

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

## **Council Remuneration**

**23. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

That Council receive the reports prepared by Charlotte Edie, Treasurer, as required under Section 284 of The Municipal Act, 2001, as amended, setting out the Annual Statement of Remuneration and Expenditures for Members of Council in accordance with Remuneration By-law #48-2013.

## **Legacy Tours Dock Rental Agreement**

**24. Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

That Council gives three readings to a bylaw to authorize the Rental Agreement with Heather MacMurphy O/A Legacy Tours for dock space rental at the Kenora Harbourfront for the 2018 season.

## **Kenora Kinsmen Lease Agreement**

**25. Moved by S. Smith, Seconded by M. Goss & Carried:-**

That Council authorizes a 5 year lease extension to an existing lease agreement with the Kenora Kinsmen Club for use of the Norman Community Club; and further

That said renewal shall be for \$1.00 dollar plus applicable taxes, for the period from 1 March, 2018 to 28 February 2023; and further

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

### **Tbaytel Keewatin Water Tower Lease Agreement**

#### **26. Moved by M. Goss, Seconded by D. Reynard & Carried:-**

That Council give three readings to authorize the extension of lease agreement for 5 years commencing May 1 2018 and ending April 30, 2023 with Tbaytel for the lease fees of \$7,700.00 annually as outlined in the original Telecommunications Site Agreement for the 1<sup>st</sup> of three (3) five (5) year extensions.

### **Various Committee Minutes**

#### **27. Moved by D. Reynard, Seconded by M. Goss & Carried:-**

That Council hereby adopts the following Minutes from various City of Kenora Committees:

- November 22 & February 28 – Kenora Public Library Board
- February 1 & March 1 – Environmental Advisory Committee
- March 1 & 22 – Lake of the Woods Museum Board; and

That Council hereby receives the following Minutes from other various Committees:

- January 10 – Kenora Police Services Board
- January 19 & February 28 – Northwestern Health Unit Board of Health
- January 25 - District of Kenora Home for the Aged Board of Management
- February 8 – Kenora District Services Board; and further

That these Minutes be circulated and ordered filed.

### **Water & Wastewater Monthly Systems Summary – February 2018**

#### **28. Moved by L. Roussin, Seconded by R. McMillan & Carried:-**

That Council of the City of Kenora hereby accepts the February 2018 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by City administration.

### **Right to Approve Landfill Developments Resolution of Support**

#### **29. Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

Whereas municipal governments in Ontario do not have the right to approve landfill projects in their communities, but have authority for making decisions on all other types of development; and



Whereas this out-dated policy allows private landfill operators to consult with local residents and municipal Councils, but essentially ignore them; and

Whereas municipalities already have exclusive rights for approving casinos and nuclear waste facilities within their communities; and further

That the province has recognized the value of municipal approval for the siting of power generation facilities; and

Whereas the recent report from Ontario's Environmental Commissioner has found that Ontario has a garbage problem, particularly from Industrial, Commercial and Institutional (ICI) waste generated within the City of Toronto, where diversion rates are as low as 15%; and

Whereas municipalities across Ontario are quietly being identified and targeted as potential landfill sites; and

Whereas municipalities should be considered experts in waste management, as they are responsible for this within their own communities, and often have decades' worth of in-house expertise in managing waste, recycling, and diversion programs; and

Whereas municipalities should have the right to approve or reject these projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns;

Therefore Be It Resolved That the City of Kenora supports Bill 16, Respecting Municipal Authority Over Landfilling Sites Act introduced by MPP Ernie Hardeman and calls upon the Government of Ontario, and all political parties, to formally grant municipalities the authority to approve landfill projects in or adjacent to their communities; and further

That the City of Kenora send copies of this resolution to MPP Ernie Hardeman, MPP Sarah Campbell, MP Bob Nault, NOMA and all municipalities.

### **Proposed Changes to the Fire Protection & Prevention Act Regulatory Changes**

#### **30. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

That Council hereby accepts the report from the Kenora Fire and Emergency Services Department concerning the proposed regulatory changes to the Fire Protection and Prevention Act.

**Discussion:** It was questioned if we are moving any closer to being a regional training centre. Karen will speak with the Chief in regards to this matter.

### **Kenora Fire 1<sup>st</sup> Quarter Report**

#### **31. Moved by S. Smith, Seconded by M. Goss & Carried:-**

That Council hereby accepts the 2018 First Quarter Report from the Kenora Fire and Emergency Services Department for the period of January 1 to March 31, 2018.

## **Bunny Street Sewage Pumping Station Rehabilitation Tender Award**

### **32. Moved by M. Goss, Seconded by D. Reynard & Carried:-**

That Council hereby approves the sole bid received from Mansfield Construction, Thunder Bay, in the amount \$438,900, (plus HST) for the rehabilitation of the Bunny Street Sewage Pumping Station in the amount of \$509,900 (plus HST), which includes the cost for Contract Administration and Inspection provided by LBE Group Inc, in the amount of \$11,000 with a \$60,000 project contingency.

## **Approval of By-laws**

### **33. Moved by D. Reynard, Seconded by M. Goss & Carried:-**

That the following By-laws be now read a First & Second Time, and approved in their present form and presented for Third & Final Reading:~

- #23-2018 – Confirmatory
- #24-2018 – 2018 Solid Waste Utility Budget
- #25-2018 – 2018 Water & Wastewater Utility Budget
- #26-2018 – Tariff of Fees & Charges
- #27-2018 – Budget Amendment – Wayfinding signage
- #28-2018 – Budget Amendment – City Hall interior renovations
- #29-2018 – Video Surveillance Policy #CS-1-3
- #30-2018 – Election Signs
- #31-2018 – CUPE Local 191 Collective Agreement
- #32-2018 – LAS Service Line Warranty Agreement
- #33-2018 – Budget Amendment – Bridges
- #34-2018 – Accommodation Tax Implementation
- #35-2018 – D14-18-01 Zoning Bylaw Amendment
- #36-2018 – D14-18-02 Zoning Bylaw Amendment
- #37-2018 – AMO Main Street Funding Agreement
- #38-2018 – Mansfield Construction Agreement
- #39-2018 – Legacy Tours Dock Rental Agreement
- #40-2018 – Kenora Kinsmen Club Lease Agreement
- #41-2018 – Tbaytel Lease Agreement

## **Notices of Motion**

None

## **Proclamations**

None

## **Announcements**

### **The following was highlighted by Council:**

1. Councillor McMillan referenced the 3 on 3 fundraiser at both arenas and what a success the event was. Volunteer appreciation week is next week and he referenced all the volunteers in our community and how thankful we are for all they do to make Kenora a great place to be.

2. Mayor Canfield referenced the upcoming NOMA conference agenda that is being held in Kenora and a final version will be out shortly. We have two confirmed leaders attending.

**34. Moved by L. Roussin, Seconded by R. McMillan & Carried:-**

That pursuant to Section 239 (3.1) of the Municipal Act, 2001, as amended, authorization is hereby given for Committee to move into a Closed Session at 12:56 p.m. for the purpose of educating/training Members pertaining to CAO education; and further

That at this meeting no Member will discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council.

**Reconvene to Open Meeting**

Council reconvenes to open session at 2:34 p.m. with no reports from its closed session.

**Close of Meeting**

**35. Moved by L. Roussin, Seconded by R. McMillan & Carried:-**

That this meeting be now declared closed at 2:34 p.m.

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

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

**Of.....2018**

.....  
**Mayor**

.....  
**City Clerk**