



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, December 18, 2018 – City Council Chambers
12:00 p.m.**



With Mayor D. Reynard in the Chair, Councillor M. Goss, Councillor R. McMillan Councillor A. Poirier, Councillor, K. Ralko, Councillor S. Smith, Councillor C. Van Wallegghem

Staff: Karen Brown, CAO, Heather Kasprick, City Clerk, Jeff Hawley, Manager of Operations & Infrastructure

Call to Order

Mayor Reynard called the meeting to order and Councillor Goss delivered a blessing.

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

Mayor Reynard 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:-

- Council will approve the 2019 Capital, Solid Waste and Water/Wastewater Budgets
 - Council will establish their 2019 Meeting dates

Declaration of Pecuniary Interest & General Nature Thereof

Mayor Reynard 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

Councillor Poirier declared an indirect pecuniary interest as it relates to agenda item 1.6 regarding the 2019 capital budget approval as his spouse is a member of the Kenora Public Library Board.

Councillor Ralko declared an indirect pecuniary interest as it relates to resolution number 3 relating to the Kenora Airport Authority request and resolution number 21 relating to the Anicinabe Park contract arising from her employment with the Shewchuk Law Office. An addition to the agenda motion was introduced following these declarations and Councillor Ralko introduced a further declaration of indirect pecuniary interest as it

related to that new motion, multi unit water charges, arising from her employment with the Shewchuk Law office.

Councillor McMillan declared a direct pecuniary interest as it relates to agenda item 4.3 regarding the Agreement with the Pines/Kenora Harbourfront Joint Services as he is a member of the Board of the Pines/KHS.

Confirmation of Minutes

1. Moved by R. McMillan, Seconded by C. Van Walleghem & Carried:-

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

- Regular Council – September 25, 2018
- Special Council – October 31, 2018

Deputations

Charlene Ramage – The Getting Ahead Program

Ms Ramage expressed her concerns to Council regarding the water meter billing. Don (Parfitt) and Wes (Siemens) made a presentation and they are asking that this be deferred as this will have an impact on affordable housing. People in poverty, seniors, and many others need to be consulted with. Ms. Ramage has done some research on this and is new to Kenora. If Council passes this law it will have a trickle affect with your landlords and properties here. Rents here are crazy and the math doesn't work for landlords. Ms. Ramage indicated that she is standing here today asking for wisdom and to use that wisdom because if you don't you won't have seniors living here and will have more people out on the street. There will be more people evicted because they can't afford this increase. She suggested deferring this item 3-6 months and get the input from all your taxpayers from the City of Kenora. Her request to Council, on behalf of The Getting Ahead Program, and landlords who own properties, is to please put this on hold.

Wes Siemens – Water Meter Billing

Mr. Siemens expressed his disappointment with his submission as part of his deputation on December 11. He felt what submitted should have been on the City website in its entirety as he talked about affordable housing and it was not fair that it was left out of the presentation online.

Mr. Siemens indicated that he has heard from some sources that the amounts are much higher than referenced. He is concerned that the unintended consequences are high and he has also heard from many in the community with the effects in our community where affordable housing is going. Right now landlords don't know where to go with vacancies. When they have units turned over in the last month or two they have to decide whether to jack their rent but many are keeping the units empty because they are in limbo. At the beginning of December people received letters to advise which buildings are effected. It was supposed to go out to buildings who have four units or more. Most either have too many or not enough units. Mr. Siemens felt that the City's work has been inadequate.

Don Parfitt – Water Meter Billing

Mr. Parfitt withdrew his deputation request on the floor.

Additions to the Agenda

1a. Moved by A. Poirier, Seconded by R. McMillan & Carried:-

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

1. Multi Unit Water Meter Changes

Councillor Ralko introduced a new indirect pecuniary interest when the addition was introduced and abstained.

Multi Unit Water Meter Changes

1b. Moved by A. Poirier, Seconded by S. Smith & Carried:-

That Council hereby directs administration to put the multi-unit water charge changes in accordance with the provisions in bylaw number 78-2017, as amended, on hold to allow Council further time to review information and impacts; and further

That this matter be returned to Council no later than June 4, 2019.

Discussion: This deferral will allow Council more time to review further information on this matter.

Joint Appointment to the NWHU Board

2. Moved by K. Ralko, Seconded by A. Poirier & Carried:-

That Council hereby appoint Bill Thompson to the Northwestern Health Unit Board of Directors as supported by the Township of Sioux Narrows-Nestor Falls for a term at the pleasure of Council no later than November 14, 2022.

Airport Authority Request

3. Moved by A. Poirier, Seconded by R. McMillan & Carried:-

That it is deemed expedient and in the best interest of the Corporation of the City of Kenora whom is the Guarantor to lend assistance to KENORA AIRPORT AUTHORITY INC. in connection with its borrowings, both present and future, from ROYAL BANK OF CANADA; and further

That Council hereby authorizes the Resolution of Directors, E-Form 00222, identifying the Corporation of the City of Kenora as the Guarantor for the Kenora Airport Authority Inc as the borrower (SRF:161898499) be hereby executed by the CAO for the Corporation; and further

That the City guarantees payment to the Royal Bank of Canada of all present and future debts and liabilities, including interest due at any time by the Kenora Airport Authority to the Bank; provided that the liability of the Guarantor shall be limited to the sum of \$1,000,000.00 together with interest from the date of demand for payment at the Bank's Prime Interest Rate plus 5.00 percent per annum.

Councillor K. Ralko Abstained.

October 2018 Financial Statements

4. Moved by C. Van Walleggem, Seconded by A. Poirier & Carried:-

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

Citizens Prosperity Trust Fund

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

That Council of the City of Kenora hereby accepts the 2018 third quarter investment report that includes details of the Kenora Citizens' Prosperity Trust Fund and other City of Kenora investments.

Tax Appeals Under Section 357

6. Moved by S. Smith, Seconded by R. McMillan & Carried:-

That Council hereby approves Section 357 tax adjustments with potential refunds totaling \$18,081.27.

2019 Capital Budget Approval

7. Moved by R. McMillan, Seconded by K. Ralko & Carried:-

That Council hereby approves the 2019 Municipal Capital Budget, including Unusual Spending, as amended; and further

That Council hereby directs staff to actively proceed with the projects included in that budget in accordance with the provisions of the City procurement bylaw; and further

That in accordance with Notice Bylaw 144-2007, public notice is hereby given that Council intends to adopt its 2019 Municipal Capital and Unusual Spending Budget at its December 18, 2018 Council meeting; and further

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

Councillor Poirier Abstained.

2019 Solid Waste Utility Budget Approval

8. Moved by K. Ralko, Seconded by R. McMillan & Carried:-

That Council hereby approves the 2019 Solid Waste Utility 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 2019 Solid Waste Utility Budget by bylaw at its December 18th Council Meeting; and further

That the appropriate bylaw be passed for this purpose.

2019 Water & Wastewater Utility Budget Approval

9. Moved by A. Poirier, Seconded by R. McMillan & Carried:-

That Council hereby approves the 2019 Water and Sewer Utility 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 2019 Water and Sewer Utility Budget by bylaw at its December 18th Council Meeting; and further

That the appropriate bylaw be passed for this purpose.

2018 Election Survey Results

10. Moved by C. Van Wallegem, Seconded by A. Poirier & Carried:-

That Council hereby accepts the report of the 2018 Election Survey results including community priority questions as compiled by Nicole Goodman, Director, Centre for e-Democracy.

2019 Council Meeting Calendar

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

That Council hereby accepts the 2019 Council meeting calendar as presented.

Planning Advisory Additional Member Appointments

12. Moved by S. Smith, Seconded by R. McMillan & Carried:-

That Council hereby authorizes an amendment to bylaw number 34-2014 being a bylaw establish a Terms of Reference and Rules of Order and Procedure for the City of Kenora Planning Advisory Committee to increase the size of membership for the committee; and further

That section 3.0, membership, be amended to include five (5) to nine (9) members appointed by resolution replacing the existing five (5) to seven (7) members; and further

That John McDougall and Tanis McIntosh be hereby appointed to the Planning Advisory Committee at the term at the pleasure of Council no later than November 14, 2022; and further

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

Council/CAO Covenant

13. Moved by R. McMillan, Seconded by A. Poirier & Carried:-

That Council hereby adopts an amended Council/CAO Covenant Policy #CC 1-1 to the City of Kenora Comprehensive Policy Manual which reflects the new members of Council; and further

That the appropriate bylaws be passed for this purpose.

Cannabis Retail Outlets

14. Moved by M. Goss, Seconded by R. McMillan & Carried:-

That Council hereby supports the retail sales of recreational cannabis in the City of Kenora; and further

That applications for retail outlets will follow the AGCO cannabis licensing process which will require notice of a proposed cannabis store site be posted for comments from area residents and businesses before a site authorization is made; and further

That Council directs administration to draft a municipal policy statement which may address local sensitive uses and principles for cannabis Retail Store Locations.

TBay Tel Agreement – Use & Maintenance of City Infrastructure

15. Moved by A. Poirier, Seconded by S. Smith & Carried:-

That Council gives three readings to a bylaw to authorize an amended agreement with regard to the use and maintenance of City infrastructure with TBayTel a municipal service board established by the Corporation of the City of Thunder Bay; and further

That The Mayor and the Clerk be hereby authorized to execute this agreement.

Pines / Kenora Harbourfront Services Contract

16. Moved by C. Van Wallegem, Seconded by M. Goss & Carried:-

That Council gives three readings to a by-law authorizing a contract between the Pines/Kenora Harbourfront Services (Pines/KHS) and the City of Kenora for provision of services at the Harbourfront and related areas for the period January 1, 2019 through December 31, 2019; and further

That by-law Number 96-2018 be hereby repealed.

Councillor McMillan Abstained.

Harbourfront Development Plan FedNor Agreement

17. Moved by M. Goss, Seconded by A. Poirier & Carried:-

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and the Federal Economic Development Initiative for Northern Ontario (FedNor) for the delivery of a Harbourfront Development Plan; and further

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

Downtown Revitalization III NOHFC Revival Agreement

18. Moved by S. Smith, Seconded by A. Poirier & Carried:-

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and the Northern Ontario Heritage Fund Corporation for the revival of the original Downtown Revitalization Phase III agreement dated May 2, 2014; and further

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

Recreation Services 3rd Quarter Report

19. Moved by R. McMillan, Seconded by A. Poirier & Carried:-

That Council accepts the 2018 Third Quarter Report for the Recreation Services Department.

Discussion: Council referenced an assessment done on Anicinabe Park beach and Coney Island beach and questioned if we had the results back from those tests. Karen will check and report back to Council.

Water/Wastewater Systems Monthly Summary Sept 2018

20. Moved by K. Ralko, Seconded by R. McMillan & Carried:-

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

Anicinabe Park Contract

21. Moved by A. Poirier, Seconded by S. Smith & Carried:-

That further to the City receiving three (3) submittals in response to the Anicinabe Park Contract tender 2019-2023, the Council of the Corporation of the City of Kenora hereby enters into an agreement with Middle Lake Enterprises (MLE) for the operation and maintenance of Anicinabe Park, on the terms and conditions as contained in the said contract, a copy of which is annexed to the By-law, to be effective for the period January 1, 2019 to October 31st, 2023; and further

That the land known as Anicinabe Park be exempt from taxation for municipal and school purposes, from this date until November 1, 2023; and further

That Council give three readings to a by-law for this purpose, and authorizes the Mayor and Clerk to execute all documents related to this Agreement on behalf of the Corporation of the City of Kenora; and further

That By-law Number 098-2013 is hereby repealed.

Councillor K. Ralko Abstained.

Janitorial Services Contract

22. Moved by C. Van Wallegghem, Seconded by M. Goss & Carried:-

That the City of Kenora received five tender submissions for the Janitorial Services Contract for City Facilities for 2019-2021; and further

That the tender submitted by Bee-Clean, in the amount of \$555,824.95 (plus HST) be hereby accepted.

2019 Hourly Equipment & Truck Rental

23. Moved by M. Goss, Seconded by A. Poirier & Carried:-

That the tenders for the Hourly Rental of Equipment and Trucks for 2019 be hereby received; and further

That the attached Ranking Lists for Hourly Rental of Equipment and Trucks for 2019 be accepted and adopted for the purposes of hiring non-owned equipment and Trucks during the period of January 1 through to December 31, 2019.

Approval of By-laws

24. Moved by S. Smith, 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:~

- #146-2018 - Confirmatory
- #147-2018 - 2019 Capital Budget Approval
- #148-2018 - 2019 Solid Waste Utility Budget Approval
- #149-2018 - 2019 Water & Wastewater Utility Budget Approval
- #150-2018 - Planning Advisory Terms of Reference Bylaw Amendment
- #151-2018 - Council/CAO Covenant Amendment
- #152-2018 - Use and Maintenance of City Infrastructure Agreement with TBay Tel
- #153-2018 - Anicinabe Park Contract Agreement
- #154-2018 - Pines/Kenora Harbourfront Services 2019 Contract Agreement
- #155-2018 - Harbourfront Development Plan FedNor Agreement
- #156-2018 - Downtown Revitalization III NOHFC Revival Agreement

Notices of Motion

None

Proclamations

None

Announcements

The following was highlighted by Council:

1. Councillor Goss was pleased that the Cannabis legislation is moving forward but disappointed in the recent decision with only allowing 51 initial outlets and

anticipates that the Province will recognize the geographical challenges and some northern outlets will be part of that 51.

2. Councillor Smith extended best wishes for a happy holidays
3. Councillor McMillan extended best wishes for the holidays to staff and media as well as encouraged everyone to recognize the less fortunate and reach out to them if you can throughout the season.
4. Councillor Ralko echoes the best wishes to everyone for the holidays
5. Councillor Poirier extends best wishes to everyone and over the last few weeks have witnessed the generosity of the community members and kudos to the individuals in the community who give to the less fortunate. Merry Christmas to everyone and best wishes in 2019.
6. Mayor Reynard expressed he tends to hear about the negative in the community and there is more positives than go out or are publicly recognized. He expressed his excitement about where this Council is going and the senior leadership team is making strides and really coming together. He recognized our staff throughout all the departments from sanding, snow plowing, water breaks, fire personnel and all staff who step up during the holidays and work when they would prefer to be home with their families. All the best to everyone.

Adjourn to Closed Session

25. Moved by R. McMillan, Seconded by A. Poirier & 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 12:45 p.m. to discuss items pertaining to the following:-

- i) **Education & Training Members of Council (2 matters)**
- ii) **Personal Matters about an Identifiable Individual (1 matter)**

Reconvene to Open Meeting

Council reconvenes to open session at 2:15 p.m. with no reports from its closed session.

Close of Meeting

26. Moved by K. Ralko, Seconded by R. McMillan & Carried:-

That this meeting be now declared closed at 2:15 p.m.

The Corporation of the City of Kenora:

Confirmed As Written ThisDay

Of.....2019

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Mayor

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City Clerk