



# MINUTES

**Of a Meeting of the Council of the City of Kenora  
Tuesday, September 25, 2018 – City Council Chambers  
12:00 p.m.**

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

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

### Call to Order

Mayor Canfield called the meeting to order and Councillor McMillan delivered a blessing.

### 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:-

- Council will appoint MNP LLP as the Municipal Auditors for a 5 year period
- Council will establish the December 2018 meeting dates
- Amend the 2018 municipal operating & capital budgets for repairs to CPR fences in the amount of \$40,086.75 to be taken from the Roads Reserves
- Amend the 2018 municipal operating & capital budgets for emergency repairs to the Dectron Air Handling Unit at the Kenora Recreation Centre
- Amend the 2018 municipal operating & capital budgets to reflect a proportionate allocation of \$9,727.06 to be funded through Sewer & Water reserves, Solid Waste Reserves and the Contingency Reserve to allocate the cost of a CVOR audit
- Council will establish Council remuneration rates for 2019

### 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

Councillor Smith declared an indirect pecuniary interest on resolution numbers 9b and 23 with regards to a budget amendment of a CVOR regulatory audit. Her spouse works with NADM and was part of this audit.

### Confirmation of Minutes

**1. Moved by R. McMillan, Seconded by R. Lunny & Carried:-**

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-  
Regular Council – August 14, 2018

## **Deputations / Presentations**

### **Childhood Cancer Awareness Week Proclamation**

Mayor Canfield read the Childhood Cancer Proclamation and presented Chloe Poirier and two other students who are support for Chloe with a small token for attending the meeting and advocating for Childhood Cancer awareness.

### **Don Parks, Animal Bylaw Exemption**

Mr. Parks has been advised by bylaw enforcement that they need to get rid of four hens that are located on their property. He would like Kenora to allow hens in the City of Kenora and advised Council that pet hens are becoming a trend right across the world. Mr. Parks is not here to change the keeping of animals keeping of animals bylaw, but in keeping with Kenora's vision statement as a sustainable lifestyle community, feels this needs to be looked at. There is a mural on the King Furniture building to demonstrate chickens included in the area. Chickens were a part of life in earlier years before our connection to nature had to be ruled by bylaws.

He has a huge garden on their property and the chickens are only in the backyard and have their own insulated 16x16 room. They do not come out from the first snowfall until the end of April. He has never had a complaint but have had many compliments and are many tourist attraction. There is not any roosters that make noises. They are not being raised for meat or eggs but are pets. There is a trend around the world for raising chickens and raising them in urban areas is a growing trend.

They become members of the family and the ideal thing would be to change the bylaw completely but would die if they had to be moved. They are quieter than dogs, and become members of the family. They are emotional support animals and Kenora is unique for deer throughout the area and they don't fight like cats and dogs. The world is changing and North America is changing and why not Kenora.

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

## **Additions to the Agenda**

### **2. Moved by C. Wasacase, Seconded by R. Lunny & Carried:-**

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

1. Budget Amendment – CP Rail Fence Damages
2. 2019 Council Remuneration
3. Budget Amendment - Kenora Recreation Centre Emergency Repair
4. Budget Amendment – CVOR Regulations Audit
5. Informational Report on Marijuana Legalization
6. Community Foundation Support for Mount Evergreen Ski Club

### **All Nations Health Partners Committee Appointment**

#### **3. Moved by R. Lunny, Seconded by R. McMillan & Carried:-**

That Council hereby appoints Councillor Dan Reynard to the All Nations Health Partners replacing Councillor Louis Roussin for a term to November 30, 2018.

### **July 2018 Financial Statements**

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

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

### **Joint Elections Audit Compliance Committee**

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

That Council gives three readings to a Joint Compliance Audit Committee Terms of Reference for the 2018-2022 Term of Council; and further

That this regional joint committee includes partnerships with the Cities of Dryden and Kenora; the Municipalities of Machin, Red Lake and Sioux Lookout; and the Townships of Ear Falls, Ignace and Pickle Lake.

### **December 2018 Council Meeting Series**

#### **6. Moved by S. Smith, Seconded by D. Reynard & Carried:-**

That Council hereby establishes the December 2018 meeting calendar for the new Council as December 11, 2018 Committee of the Whole at 9:00 a.m. and December 18, 2018 Council at 12 noon; and further

That the 2019 meeting calendar will be presented to Council at the December Committee of the Whole meeting for their consideration.

### **Power of Entry Bylaw**

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

That Council gives three readings to a new Power of Entry Bylaw for the City of Kenora.

### **2019 Council Remuneration**

#### **7a. Moved by C. Wasacase, Seconded by R. Lunny & Carried:-**

That Council hereby approves Council Remuneration to be set at \$38,115 for the Mayor and \$19,058 for Councillors (subject to any economic adjustment for 2019 granted to non-union staff); and further

That in accordance with public notice bylaw #144-2007 public notice is hereby given that Council intends to pass a bylaw establishing Council remuneration rates for 2019; and further

That three readings be given to a bylaw to establish Council remuneration rates for 2019.

## **Informational Report on Legalization of Marijuana**

### **7b. Moved by R. Lunny, Seconded by R. McMillan & Carried:-**

That Council hereby accepts the report on Legalization of Marijuana from the City Clerk dated September 3, 2018.

## **Support for Application to the Community Foundation – Mount Evergreen**

### **7c. Moved by D. Reynard, Seconded by M. Goss & Carried:-**

That Council supports Mount Evergreen Ski Hill request to name the City of Kenora as a sponsor in their application for funds up to \$10,000 through the Kenora & Lake of the Woods Regional Community Foundation for the purchase of a new ATV for the Ski Hill.

## **Traffic Amendment – West Bay Road South Side**

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

That Council authorizes an amendment to the City of Kenora Traffic Regulation By-law Number 180-2015 to include changes to Schedule "B" – No Parking – Tow Away Zone for the south side of West Bay Road, to remove the No Parking restriction; and further

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

## **Wauzhushk Onigum Servicing Letter of Intent**

### **9. Moved by S. Smith, Seconded by D. Reynard & Carried:-**

Whereas Anishinabe of Wauzhushk Onigum has been under a boil water advisory for several years now; and

Whereas the Government of Canada has committed to end all long-term drinking water advisories on public water systems on reserve by March 2021, and through Budget 2016 has identified funding within the Federal budget to be used for this purpose; and

Whereas Anishinabe of Wauzhushk Onigum has been able to secure a commitment from the Government of Canada to fund a connection to the City of Kenora's Water Distribution and Wastewater Collection systems; and

Whereas the City of Kenora's Water Treatment Plant and Wastewater Treatment Plant have sufficient capacity to provide these services to Anishinabe of Wauzhushk Onigum and its residents; and

Whereas Anishinabe of Wauzhushk Onigum and the City of Kenora wish to continue to work together to improve relationships between our two communities and quality of life for all residents, including recognizing the importance of both safe drinking water and being stewards of the environment; and

Whereas the City of Kenora water and wastewater systems, including treatment plants, operate as a user pay system, and do not rely on property taxes from City of Kenora residents; and

Whereas the City is mandated to meet provincially legislated requirements in operating its water and wastewater systems; and

Whereas Anishinabe of Wauzhushk Onigum is federally regulated;

Now Therefore, Let it be Resolved That the City of Kenora is committed to entering into a mutually acceptable agreement between Anishinabe of Wauzhushk Onigum and the City of Kenora to provide potable water and wastewater treatment services; and

That this agreement shall be negotiated fairly between the parties, based on the following principles:

- The Government of Canada is committed to paying 100% of the full costs of the installation of these services to Anishinabe of Wauzhushk Onigum;
- Anishinabe of Wauzhushk Onigum and / or their representatives shall obtain any and all required Provincial approvals prior to any connection to the City of Kenora's water and wastewater systems, as well as ensure any ongoing requirements are maintained;
- The City of Kenora shall continue to operate the City water and wastewater systems, up to the point of demarcation for services to Anishinabe of Wauzhushk Onigum;
- Anishinabe of Wauzhushk Onigum shall be responsible for all manpower and costs associated with the safe operation of the new water and wastewater system constructed for the purposes of providing services to residents of Wauzhushk Onigum beyond the City of Kenora demarcation points, including though not limited to ongoing operating, repairs, maintenance and capital programs as appropriate;
- The new servicing installed shall be designed in accordance with City of Kenora requirements, and shall include any and all measures necessary to prevent cross contamination with the City water distribution systems and any mitigation and / or monitoring requirements necessary to minimize the potential for wastewater spills;
- Anishinabe of Wauzhushk Onigum shall be responsible to pay the appropriate fees to the City related to the provision of potable water and the collection and treatment of wastewater in recognition that the City of Kenora runs these services as user pay systems;
- An appropriate communications protocol for providing notice and updates between the parties shall be formalized;
- This agreement shall also include any and all provisions normally considered within this type of servicing agreement, including but not limited to the duration of the agreement and conditions for the continued provision of services by the City of Kenora to Anishinabe of Wauzhushk Onigum;

and further

That this agreement may also consider opportunities for partnering between Anishinabe of Wauzhushk Onigum and the City of Kenora, including but not limited to:

- The opportunity of a mentorship program for Anishinabe of Wauzhushk Onigum employees working for the water and sewer system with the appropriate City staff;

- The sharing of information, including appropriate plans and studies, written for the purpose of ensuring compliance with the provincial legislation governing the municipal water and wastewater operations;

and further

That Council hereby authorizes Mayor David Canfield to sign a letter of intent to Anishinabe of Wauzhushk Onigum and Indigenous Services Canada based on the provisions as contained within this resolution.

**Discussion:** This is a terrific partnership and we are looking forward to moving the project forward. Council expressed concerns with regards to costs of servicing and who will be responsible for paying the bills on an ongoing basis. Also, the issues related to the lines going under the lake will need to be clearly addressed in the servicing agreement.

### **Budget Amendment – CP Rail Fence Damages**

#### **9a. Moved by R. McMillan, Seconded by R. Lunny & Carried:-**

That Council hereby authorizes a budget amendment in the amount of \$40,086.75 to be funded through Roads Reserves for reconstruction of damaged sections of CP Rail fence at five (5) locations; and further

That in accordance with public notices bylaw #144-2007 notice is hereby given that Council intends to amend the 2018 municipal operating & capital budgets for the repairs to these fences in the amount of \$40,086.75 to be taken from the Roads Reserves at its September 18th, 2018 meeting for this purpose; and further

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

### **Budget Amendment – CVOR Regulations Audit**

#### **9b. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

That Council hereby approves a proportionate allocation of \$9,727.06 to be funded through Sewer & Water reserves, Solid Waste Reserves and the Contingency Reserve to allocate the cost of a CVOR audit; 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 September 18th, 2018 meeting for this purpose; and further

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

**Councillor Smith abstained.**

### **Keewatin Public Works Yard Land Lease Opportunity**

#### **10. Moved by R. McMillan, Seconded by R. Lunny & Carried:-**

That Council hereby approves staff to continue discussions in accordance with the City Sale and Other Disposition of Land Policy #PP 4-1 for the property known as Keewatin Public Works yard located at 80 Boatlift Road; and further

That if the terms of an agreement are in accordance with City Policy #PP 4-1 the proposal be authorized by the CAO to execute a lease agreement.

### **Funding Application-Growth Management & Vacant Land Supply Analysis**

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

That Council of the City of Kenora approves an application to the Rural Economic Development (RED) Program for the delivery of a Growth Management and Vacant Land Supply Analysis; and further

That the City of Kenora confirms its financial commitment of up to \$20,000 for the project; and further

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

### **D-14-18-05 / 1053 Lakeview Drive Zoning Bylaw Amendment**

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

That the Application for Zoning By-law Amendment, D14-18-05, 1053 Lakeview Drive, be approved, to exempt the subject property which is zoned Heavy Industrial (MH) from certain provisions; and further

That relief is granted from the lot area minimum requirement to allow for creation of one new lot with both the retained portion (approximately 0.97 ha) and the new lot (approximately 0.28 ha), being less than the required lot area for an unserviced lot zoned MH. Permitted use of the property will be limited to existing uses which include industrial/commercial barging, marine transportation depot and contractor services, as site specific provisions.

### **Budget Amendment – Kenora Recreation Centre Emergency Repair**

#### **12a. Moved by S. Smith, Seconded by M. Goss & Carried:-**

That Council hereby approves an allocation of \$50,000.00 funded through the Recreation Reserves for the Wellness Centre to make emergency repairs to the Dectron Air Handling Unit; 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 September 18th, 2018 meeting for this purpose; and further

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

### **Nordik Institute Agreement for NWBC Social Enterprise Partnership**

#### **13. Moved by R. McMillan, Seconded by R. Lunny & Carried:-**

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and NORDIK Institute to support the employment of a Social Enterprise Development Coordinator; and further

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

### **Agreement with NOHFC for the NWBC Internship Agreement**

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

That Council gives three readings to a by-law to authorize the execution of a funding agreement between the Northern Ontario Heritage Fund Corporation (NOHFC) and the Corporation of the City of Kenora for the Program Coordinator Intern Position for Year 2 with the Northwest Business Centre and further;

That the CAO be hereby authorized to execute the agreement on behalf of the City.

### **RED Program Contribution Agreement Amendment**

#### **15. Moved by R. Lunny, Seconded by R. McMillan & Carried:-**

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and the Ministry of Agriculture, Food and Rural Affairs for the 'Choose Kenora' project; and further

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

### **Agreement with Titan Contractors for Sewer & Water Rehab**

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

That Council gives three readings to a bylaw to authorize an agreement between the Corporation of the City of Kenora and Titan Contractors for the 2018 Water and Sewer Rehabilitation Works.

### **July 2018 Water & Wastewater Systems Monthly Summary**

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

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

### **Workplace Harassment /Workplace Sexual Harassment Policy Statement**

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

That Council of the City of Kenora hereby accepts the City of Kenora Workplace Harassment and Workplace Sexual Harassment Policy Statement; and further

And that the signatures of the Mayor and CAO are affixed to said policy along with the date of endorsement and are posted in all workplaces.

### **Appointment of Municipal Auditor**

#### **19. Moved by R. McMillan, Seconded by R. Lunny & Carried:-**



That Council hereby accepts the Request for Proposal (RFP) for Audit Services for a five year period, 2018-2022, from MNP LLP for a total of \$467,298; and further

That Council hereby authorizes the appointment of MNP LLP as the City's external auditor for a five year period commencing January 1, 2018; and further

That three readings be given to a by-law to appoint an Auditor for the Corporation of the City of Kenora.

### **Coney Island Park Contract**

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

That Council hereby accepts the Coney Island Park Contract from Jennifer Schott in the amount of \$13,500.00 + HST each year for the years 2019, 2020 and 2021; and further

That Council gives three readings to a by-law to authorize the three year Coney Island Park and Store Maintenance Contract with Jennifer Schott.

### **Kenora Recreation Centre Concession Contract**

#### **21. Moved by R. Lunny, Seconded by R. McMillan & Carried:-**

That Council hereby receives the proposal for food and beverage services for the Kenora Recreation Centre from Chad Gropp; and further

That Council gives three readings to a bylaw authorizing an agreement between the Corporation of the City of Kenora and Chad Gropp for the purpose of Food and Beverages Services at the Kenora Recreation Centre for the term of October 1, 2018 to August 31, 2021 in the amount of \$500 per month (October-April), and \$50 per operational day beyond the ice season (May-September) for a three year term.

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

#### **22. 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:~

- #123-2018 - Confirmatory
- #124-2018 - Budget Amendment – CP Rail Fence Damages
- #125-2018 - Budget Amendment - Kenora Recreation Centre Emergency Repair
- #127-2018 - 2019 Council Remuneration
- #128-2018 - Joint Elections Audit Compliance Committee
- #129-2018 - Power of Entry Bylaw
- #130-2018 - Traffic Amendment – West Bay Road South side
- #131-2018 - D14-18-05 / 1053 Lakeview Drive Zoning Bylaw Amendment
- #132-2018 - Nordik Institute Agreement for NWBC Social Enterprise Partnership
- #133-2018 - Agreement with NOHFC for the NWBC Internship Agreement
- #134-2018 - RED Program Contribution Agreement Amendment
- #135-2018 - Agreement with Titan Contractors for Sewer and Water Rehab
- #136-2018 – Appointment of Municipal Auditor

#137-2018 – Agreement with Chad Gropp for Concession Services  
#138-2018 – Agreement with Jennifer Schott for Coney Island Park Services

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

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

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

#126-2018 - Budget Amendment – CVOR Regulations Audit

**Councillor Smith abstained.**

### **Notices of Motion**

None

### **Proclamations**

- Childhood Cancer Awareness Week – September 24-28, 2018
- Franco Ontarian Day – September 25, 2018
- Occupational Therapy Month – October 2018
- World Mental Health Day – October 10, 2018
- National Bereavement Day – November 22, 2018

### **Announcements**

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

1. Councillor McMillan thanked Mayor Canfield for his commitment, passion and leadership to the City of Kenora over the many years of his political career and thanked him for his passion for the City of Kenora.
2. Councillor Smith thanked her colleagues and echoed Rory's sentiments. Thanked the City of Kenora and was an honour to be on this Council. Wished all her colleagues well and it's been an honour.
3. Councillor Goss thanked Mayor Dave for his commitment. He expressed he will miss his wisdom and leadership.
4. Councillor Reynard thanked Mayor Canfield for his passion.
5. Mayor Canfield reminded everyone of the airport grand opening this Saturday at 1:00 p.m.
6. Mayor Canfield expressed his dissatisfaction on the price of gas in Kenora and advocated for change in the prices to reflect current market price of oil.

### **Adjourn to Closed Session**

#### **24. Moved by S. Smith, Seconded by M. Goss & 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 1:17 p.m. to discuss items pertaining to the following:-

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

**Reconvene to Open Meeting**

Council reconvenes to open session at 3:30 p.m. with no reports from its closed session.

**Close of Meeting**

**25. Moved by R. McMillan, Seconded by R. Lunny & Carried:-**

That this meeting be now declared closed at 3:30 p.m.

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

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

**Of.....2018**

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**Mayor**

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**City Clerk**