



City of Kenora
Committee of the Whole
Minutes
Tuesday, September 10, 2019
9:00 a.m.
City Hall Council Chambers

Present:

Mayor Daniel Reynard
Councillor Mort Goss
Councillor Rory McMillan
Councillor Andrew Poirier
Councillor Kirsi Ralko
Councillor Sharon Smith
Councillor Chris Van Wallegghem

Staff: Heather Pihulak, Manager of Administration/City Clerk, Charlotte Edie, Manager of Finance/Treasurer, Jeff Hawley, Manager of Operations/Infrastructure, Stace Gander, Manager of Community Services, Adam Smith, Manager of Development Services, Jon Ranger, Deputy Treasurer, Bruce Graham, Risk Management & Loss Prevention Officer

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 September 17, 2019 meeting:-

- Amend the 2019 Capital Budget to withdraw funds from the Roads Reserve in the amount of \$16,200.00 (plus applicable taxes) to offset the cost of the consultant work related to an Aggregate Pit Extension on Ritchie Road project
- Amend the Tariff of Fees and Charges bylaw, Schedule D, to increase water and sewer rates by 5.5% in 2020 and give effect to new sewer and water service fees for multiplex units and properties serviced by one meter with multiple individual living units on a parcel of land(s)
- Amend the 2019 Operating & Capital Budget to withdraw funds from the Art Centre Capital Funds in the amount of \$779,842 to offset the cost of this construction and related capital expenses
- Amend the 2019 Operating & Capital Budget to withdraw additional funds from Roads Reserve in the amount of \$10,000.00 for additional CCTV works and LDS flushing
- Rename a portion of what is locally known as First Street South (from Chipman Street to Park Street) to ~~Jean Street~~ Thistle Drive
- Reconfirm the January 2010 resolution declaring Town Island as surplus to the needs of the municipality and direct administration to proceed with a competitive RFP process for the sale of Town Island

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 K. Ralko, Seconded by R. McMillan & Carried:

That the Minutes from the last regular Committee of the Whole Meeting held August 6, 2019 and the Special Committee of the Whole meeting held July 15 and July 31, 2019 be confirmed as written and filed.

D. Deputations/Presentations

Teika Newton – Climate Action Plan

Ms. Newton addressed Mayor Reynard, members of Council, City staff and guests. She acknowledged that we meet on Treaty 3 lands in the ancestral homeland of the Anishinaabeg of Lake of the Woods.

Ms. Newton is a representative of Climate Action Kenora, an informal community organization that began in January of this year to provide a local forum for community-level discussions and action on climate change and climate justice. Members of their group are united in their commitments to principles of equity, justice, inclusion, accountability and transparency in their volunteerism in support of greater climate action. Their members hail from all walks of life, all ages from students to elders, and though most reside in Kenora, some are also members of neighbouring First Nations communities. Included amongst them are doctors, lawyers, faith leaders, teachers, scientists, social workers and other professionals, as well as mothers and fathers, grandparents and caregivers, children and dependents. They represent the diversity of this community which is appropriate, given that climate change affects us all.

The group wishes to support of the declaration of climate emergency that is before Council. We wish to comment on what our understanding is of a declaration of climate emergency, its value, and what it compels an endorsing city to do.

Council may be interested to know that, as of September 1, there are 987 global municipalities that have issued declarations of climate emergency. These are cities and towns in 18 different countries, representing more than 212 million people. Canada leads the world with 449 separate government declarations of climate emergency already, including the June 2019 passing of a federal motion in the House of Commons in support of a declaration of climate emergency. The Assembly of First Nations unanimously endorsed the Global Climate Emergency Declaration in June, and this was supported by many Indigenous governments including the Union of BC Indian Chiefs.

In addition to government declarations, prominent civil society groups are also issuing their own statements on climate emergency, including a recent motion passed by Toronto & York Regional Labour Council. Many labour unions have passed motions on climate change, all supporting greater action to protect the health, safety and long-term prosperity and well-being of workers and communities in Canada. Canadian high school and university students, organizing under the banner Climate Strike Canada, petitioned the federal government for the

climate emergency declaration earlier this year, articulating a 7-point climate pledge they hoped the government would heed.

Among the youth demands were that government sets bold emissions reduction targets, works to eliminate state fossil fuel subsidies and puts a price on pollution, guarantees a just and equitable process of transitioning current oil and gas workers into the new clean energy economy, and protects biodiversity and environmental rights, as well as all human rights including those of Indigenous peoples, migrants and other vulnerable groups. This list of demand perhaps sounds like a tall order, but given the diverse, complex and intersecting ways that climate change impacts all aspects of life, these are considerations that today's decision makers must take into account when planning for long-term public safety and public interest.

But what does a declaration of climate emergency mean at the municipal level? And more importantly, what does it mean for Kenora? First, it is important to understand that getting a city council to declare a climate emergency isn't the end goal. Rather, this is the start of an important process of responding responsibly to the burgeoning climate crisis.

The global climate truly is in a state of crisis in 2019. July was the hottest month recorded in human history. Both the Arctic and the Amazon (and a huge swath of Africa) are on fire. July's Northern Hemisphere heat wave led to some of the most severe glacial melt in Greenland that we've ever seen, exacerbating the amount of sea level rise globally and threatening to disrupt ocean currents (among other things). We could list many, many serious impacts that we are already seeing as climate change unfolds and this is just the beginning. Recognizing that failure to act now means much more severe and even catastrophic impacts in the decades and centuries to come, governments around the world are declaring that we live in a time of 'climate emergency', in which governments and societies must step up and marshal resources to prioritize climate action as a top public administrative priority.

Despite being relatively insulated from the more severe effects already being experienced in many parts of the world, Kenora is not immune to climate change. Declaring an emergency today, in 2019, gives municipal government a mandate to prioritize action on climate change now so that we can plan for, adapt to, and hopefully forestall the worst of the potential climate impacts that would otherwise face our community in the coming years. It is as much a preventative, risk-aversion measure as it is a reactive one.

The physical changes are already impacting us right here at home - from increased prevalence of algal blooms in Lake of the Woods, to an influx of pathogens like Lyme disease or West Nile Virus, once limited to warmer regions, to our changing weather patterns that bring us more intense, sudden (and destructive) rainfall events in summer. Environment and Climate Change Canada's 2019 report on Canada's Changing Climate predicts that our region will see escalating impacts over the coming decades, with shorter, warmer winters, hotter, drier summers, and a massive increase in forest fire risk.

The social costs of climate change may well be what hits Canada and Kenora hardest in coming years. As climate change makes other regions of the world less and less habitable due to excessive heat and drought or food scarcity and competition for other resources, the global migration of people that we're already seeing at a low level today is certain to gain momentum. People looking to escape the intolerable heat of even urban Toronto, which is predicted to have summer temperatures nearing 40C in the mid- to late-century, will be looking to places like Kenora as refuges from heat and humidity. There will be new and unique pressures put on our community to respond to these demands to accommodate those displaced by climate change.

It is imperative that governments of today be proactive and think ahead to best equip future residents with the foundations required to thrive under changing conditions and demands.

For Kenora, a declaration of climate emergency in 2019 means that Mayor & Council recognize that climate change is a very real, present and growing risk to the community, its citizens, and its assets. It is a way of publicly demonstrating support for prioritizing long-term strategic planning to address, accommodate, and adapt to climate risks and impacts. It is both an important social signal, helping fellow community members to also recognize that climate change is a serious problem in need of attention and resources, and it is an important regulatory or administrative directive, enabling the City to prioritize long-term risk-avoidance / risk-management planning. Ultimately, if nothing else, declaring a climate emergency and then applying municipal resources to long-term strategic planning for climate change is just a good economic policy that will prevent the city from incurring heavy expenses down the line to deal with climate change emergencies when they start hitting fast and furious in the future.

Consider, for example, the difference if the City prioritizes a climate-aware approach to planning municipal roads and sewer systems versus continuing on a business-as-usual pathway. By late century, extreme precipitation events may increase in frequency from a 1-in-20 year event to as much as a 1-in-5 year event. Also, much of the precipitation Kenora will see later this century will come as rain, not snow, which has significant bearing on how we should be building our roads, parking lots, landscaping, transportation and drainage infrastructure. We have the choice to plan for these changes and adapt our building practices now and over time at no greater cost than that of usual ongoing maintenance and replacement, or to be faced with a very hefty bill for emergency response and repairs and sudden, unscheduled rebuilding in future.

The delegation encouraged Council to consider the opportunity nested within the climate emergency to be proactive and pragmatic in long-term planning to benefit Kenora now and for years to come. They request Council for the vision and support of the declaration of climate emergency - and then take to heart the tasks that must follow. Constituents and fellow community members, are here to support this work in all ways.

Council thanked Ms. Newton for her deputation and a copy was left with the Clerk.

E. Reports:

1. Administration & Finance

1.1 July 2019 Financial Statements

Recommendation:

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora at July 31, 2019.

1.2 Prudent Investor Standard for Municipal Investments

Recommendation:

That Council direct staff to work with ONE Investment to bring information back to Council related to a new Investment Policy Statement (IPS) and agreements associated with establishing a new Joint Investment Board (JIB) and implementing the Prudent Investor (PI) regime.

Discussion: Charlotte Edie, Manager of Finance/Treasurer advised Council on the options with our investments. We have had our investment income as a key piece of our annual budget. The legal list that we were allowed to invest in previous years sometimes didn't even keep up with inflation. This is an opportunity to increase our investment and returns. There are other options to this regime, because we have other options such as our own investment board. There are risks to the Prudent Investment regime that Council needs to be aware of. There is an investment policy statement that Council will receive in the next couple of months. Council will set the tone and direct the investment plan for the municipality. Council controls the approach that will be taken for our investments. Council will pass an authorizing bylaw in the future which will set the direction on the Board. As a founding member we will get a discount on the management fees which is looking like two basis points and that is a benefit to the municipality.

Council thanked the Treasurer for the thorough work she has done on this review.

1.3 Section 357 Adjustments

Recommendation:

That Council hereby approves Section 357 tax adjustments with potential refunds totaling \$3,905.51.

1.4 Water & Sewer 2020 Rate Increase

Recommendation:

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 2020 water and sewer rates be increased by 5.5% over the 2019 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 2020; and further

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

That these rates shall take effect and come into force on January 1, 2020; and further

That bylaw number 118-2019 be hereby repealed.

Discussion: Council is receiving increased calls about the ongoing increased rates. There will be another review in 2020 for our 5 year projections. Our net incomes are not hitting what the net incomes should be. There have been some major expenditures with infrastructure. The operating expenditures that are higher does not include our capital investments. One of the reasons we set those rates were to reinvest in capital. Is there an analysis to review what the projected revenues were and investments in capital works? We have received capital grants for some of those capital works and at the end of any year any net surplus goes into reserves for future capital projects. There is no indication of what money we received from government funding. It would be net of that as that is the gross amount. It is important for Council to know where reserves are at and Charlotte can provide to Council.

1.5 Integrity Commissioner Request for Inquiry

Recommendation:

That Council hereby receives the request for inquiry report from Lisa Wheatley, Integrity Commissioner for the City of Kenora.

1.6 Health & Safety Policy Amendments

Recommendation:

That Council hereby approves an amended Health and Safety Policy #HS-07 Health and Safety Responsibilities – Program Coordinator, Health & Safety Policy #HS-08 Posted Health and Safety Materials, Health & Safety Policy #HS-12 Emergency Preparedness, #HS-19 Non Routine Work, Health & Safety Policy #HS-30 Health and Safety Representatives or Committees and Health & Safety Policy #HS-38 Health and Safety Inspections; and further

That bylaw number 27-2012 be hereby repealed; and further

That all Health & Safety Policies form part of the City's Comprehensive Policy Manual under the new category Health and Safety.

Discussion: Bruce Graham referenced the amendments to various policies. This was a recommendation as part of the organizational review and will be ongoing for both health and safety policies and human resources policies. We are over and above on what is required for certified training of employees, but there is not a lot of organizations out there that provides the training. It is important that the language references what is consistent with the Act.

2. Fire & Emergency Services

No Reports

3. Operations & Infrastructure

3.1 Budget Amendment – CCTV Works

Recommendation:

That Council hereby approves an additional allocation of \$10,000.00 to be funded through the Roads Reserves for additional CCTV works and LDS Flushing; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2019 Operating & Capital Budget at its September 17, 2019 meeting to withdraw additional funds from Roads Reserve in the amount of \$10,000.00 to offset the cost of this work; and further

That Council give three readings to a by-law to amend the 2019 budget for this purpose.

Discussion: Jeff Hawley, Manager of Operations has been increasing the storm sewer works. These changes once we get it flushed and televised that it will be able to adequately handle the flows.

3.2 Kenora Drinking Water Quality Management Standards

Recommendation:

That Council hereby receives the Kenora Drinking Water Quality Management Standards (DQWMS) re-accreditation audit results, conducted on May 29 & 30, 2019 by SAI Global.

Discussion: This was an audit conducted by SAI Global. The documentation of records is very important and the learning of that reference is important for us. Council was pleased with the report.

3.3 DTR Project – Renaming of First Street

Recommendation:

That as part of the Downtown Revitalization, Phase 4, the Council of the City of Kenora hereby re-names a portion of a road, locally known as First Street South (from Chipman Street to Park Street), as shown on the attached imagery, to Jean Street; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to adopt a by-law at its September 17 Council Meeting, re-naming the above-described portion of road to Jean Street.

Discussion: There is only one business located on this street and this was the recommendation of that particular business. There is extensive heritage and history to this location a name similar to that history would be more pertinent. This will be a one-way street with angled parking long term and the name will be longer than short term. Council supports 'Thistle Drive' to recognize the history in Kenora. Council requested in the future when renaming streets, would request that administration consult with the Heritage Committee and the BIZ committee.

Amended Recommendation:

That as part of the Downtown Revitalization, Phase 4, the Council of the City of Kenora hereby re-names a portion of a road, locally known as First Street South (from Chipman Street to Park Street), as shown on the attached imagery, to Thistle Drive; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to adopt a by-law at its September 17 Council Meeting, re-naming the above-described portion of road to Thistle Drive.

3.4 Budget Amendment – Ritchie Road Aggregate Pitt Road

Recommendation:

That Council hereby approves a reallocation of \$16,200.00 (plus applicable taxes) to be funded through the 2019 Roads Reserve for the remaining balance of a 2018 unusual spend project that is now nearing completion; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2019 Capital Budget at its September 17, 2019 meeting to withdraw funds from the Roads Reserve in the amount of \$16,200.00 (plus applicable taxes) to offset the cost of this project; and further

That Council give three readings to a by-law to amend the 2019 budget for this purpose.

3.5 Screened Winter Sand Tender

Recommendation:

That the tender from Joe Neniska & Sons for the supply, delivery and stockpile of up to 9,000 tonnes of screened winter sand be hereby received; and further

That the tender received from Joe Neniska & Sons in the amount of \$20.00 per tonne (HST extra) for the year 2019, \$20.00 per tonne (HST extra) for the year 2020 and \$21.00 per tonne (HST extra) for the year 2021 be hereby accepted.

3.6 Tariff of Fees & Charges – Schedule D – Multi Unit Water Rates

Recommendation:

That Council hereby approves an amendment to Schedule “D” of the Tariff of Fees and Charges By-law to include various amended water and wastewater rate charges, along with routine rate changes for 2020; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to give three readings to a new Tariff of Fees and Charges By-Law Number at its September 15, 2019, meeting to give effect to these rates outlined in the revised Schedule “D”; and further

That By-law Number 118-2019 be hereby repealed.

Discussion: Some members of Council are concerned about this going forward immediately. Some members would like this held for an undetermined period to have time to reflect and review the information. There is some serious thought that needs to be put into this decision.

4. Community Services

4.1 Budget Amendment – Douglas Art Centre

Recommendation:

That Council hereby approves an additional allocation of \$779,842 to be funded through the Art Centre capital project funds which have come solely from senior levels of government and private donations for the construction of the Douglas Family Art Centre; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2019 Operating & Capital Budget at its September 17, 2019 meeting to withdraw funds from the Art Centre Capital Funds in the amount of \$779,842 to offset the cost of this construction and related capital expenses; and further

That Council give three readings to a by-law to amend the 2019 budget for this purpose.

Discussion: This report is a result partly of how the project is unfolding and a reflection of lack of knowledge of how capital budgets are presented to Council. This includes the original architectural fees and change orders and anticipated change orders that may be forthcoming.

4.2 Extension to Douglas Art Centre Loan Agreement

Recommendation:

That Council hereby approves an extension to the loan agreement between Bryce Douglas and the Lake of the Woods Museum as established in the original Agreement authorized by By-law number 38-2019 in anticipation of adding further objects which are to be included in the Original Agreement; and further

That the Mayor & Clerk be hereby authorized to execute the extension to the loan agreement; and further

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

4.3 Ice Allocation Policy #CS-1-1

Recommendation:

That Council hereby approves an amended Ice Allocation Policy #CS-1-1 to the City's Comprehensive Policy Manual to assist and guide administration in ensuring there is a fair, transparent and equitable process for access to prime ice time; and further That bylaw number 95-2019 be hereby repealed; and further

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

Discussion: Recreation staff have been working with user groups in an effort to allocate ice times that is fair and equitable and aligned with the City's Ice Allocation Policy. Given the demand for prime time ice relative to ice time supply, there will sometimes be challenges that arise in an effort to meet all user groups' requests. With ice time demand increasing amongst certain organized user group programs the Recreation Services Department is recommending an amendment to the current ice allocation policy. The updated policy will assist and guide staff and the public in ensuring there is a fair, transparent and equitable process.

4.4 City Trails Use by Horses

Recommendation:

Whereas Kenora Bed and Bale submitted an application to the City of Kenora for an Official Plan Amendment & Zoning By-law Amendment related to 66 Cambrian Drive; and

Whereas through the submission process the City became aware of the use of City property in the area of Rabbit Lake and the Rabbit Lake Trails by Kenora Bed and Bale operation which includes horses on the City lands and trails; and

Whereas in a July 30th report to Council the City Planner conveyed that the Community Services Department would provide a separate report to Council on the Bed and Bale's use of City property; and

Whereas the City Parks By-law #34-2015 prohibits certain animals including horses in and on City Parks and Trails unless authorized in writing by the Parks Supervisor;

Therefore Let it be Resolved that Council directs administration to communicate with the proprietors of the Bed and Bale operation that horses are not permitted on City parks and trails; and further

That the Trails Committee review the requirement for additional signage pertaining to the permitted use on the City trails.

Discussion: Under the bylaw as it exists for trail use, there is a provision that would allow for horses or ATV use on trails if City staff were to approve that. There was an exhaustive analysis of the issue, including consultation with Frank Cowan our insurer, review of public concerns from citizens, and discussed with the Kenora Urban Trails Committee.

5. Development Services

5.1 Town Island Sale

Recommendation:

That Council hereby reconfirms the January 2010 resolution declaring Town Island as surplus to the needs of the municipality; and further

That Council hereby directs administration to proceed with a competitive RFP process for the sale of Town Island following the receipt of an appraisal on this property.

Discussion: We are sitting on a very large piece of critical property and we are facing a housing crisis that we need to help address and enable housing in our community. This is something that Council feels we need to do. A key element to this is the communication and is starting now. This is a very valuable asset owned by the citizens and we can utilize disposing of this property that we cannot utilize to benefit the community in other ways. It is the best decision moving forward for our community.

5.2 Tree Canopy Policy

Recommendation:

That Council hereby approves a new Tree Canopy and Natural Vegetation Policy #DS-7-1 which outlines the benefits of protecting and enhancing the tree canopy and natural vegetation in the municipality; and further

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

Discussion: We can enhance this policy and continue to work on it. Looking outside the downtown area. We need to have more trees in our parks for shade and consider lifting our canopy. Hoping we can develop an urban tree strategy and enhance what we already have. Many of those elements will be part of the urban forestry study.

F. Proclamations

Mayor Reynard then read the following proclamations:

- Prostate Cancer Awareness Month - September 2019

G. Other

- Councillor Goss wanted to address a comment in the local media about Carlton Road and a false sign that was made and installed by a member of the public. The roads department is doing a good job and the road is not made out to what it was portrayed as in the media.
- Councillor McMillan encouraged men of all ages to be cognizant of prostate cancer and get the message out to all men and get the health testing as this is preventable.
- Mayor Reynard referenced the Kenora Police Service Board meeting and statistics that the Detachment Commander shared. They are specifically the year over year the violent crime is down 4.1% property crimes are down 12.6% and drug crime is down 19%. Those crimes have been in existence for quite some time, but are not a direct reflection of the Service Hub. That is a misconception presented through social media.

H. Next Meeting

- Tuesday, October 8, 2019

I. Adjourn to Closed

Resolution #2 - Moved by Councillor R. McMillan, Seconded by K. Ralko & Carried:

That this meeting now be adjourned to a closed session at 10:30 a.m.; and further

That pursuant to Section 239 of the Municipal Act, 2001, as amended, authorization is hereby given for Committee to move into a Closed Session to discuss items pertaining to the following:-

- i) Personal Matters About an Identifiable Individual (2 matters-PAC Committee Applications, impending retirement)
- ii) Disposition of Land (housing development)

J. Reconvene to Open Meeting

Council reconvenes to open session at 11:13 a.m. with the following reports from its closed session:-

Planning Advisory Committee Appointment Recommendation:

That Council hereby accepts the resignation of Graham Chaze from the Kenora Planning Advisory Committee effective immediately; and further

That Council hereby appoints Peter Fox to the Planning Advisory Committee for a term at the pleasure of Council.

K. Close Meeting

Meeting adjourned at 11:14 a.m.