



AGENDA

Regular Meeting of Council of the City of Kenora

**Tuesday, April 16, 2019
12:00 p.m.
City Hall Council Chambers**

1. Call to Order

2. Blessing – Councillor Smith

3. Public Information Notices

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

- Council will establish their remuneration rates for 2019
- Amend the 2019 Capital Budget to withdraw funds from the Bridge Audit Reserves in the amount of \$100,000 to offset the costs of preventative bridge maintenance and repairs
- A new Tariff of Fees and Charges By-Law to give effect to new Rates in Schedule "D" Operations and Infrastructure, Water and Wastewater Fees
- Declare the City owned lands described as Part of "Mining Street" on Plan 3, also known as Fourth Avenue North, between Third Street North and Fifth Street North, described as PIN 42170-0145 in the City of Kenora as surplus to the requirements of the Municipality
- Amend the 2019 budget to increase the total pickleball project cost from \$120,361 to \$137,763 based on funding and donations towards the project (\$17,402)

4. Declaration of Pecuniary Interest and the General Nature Thereof

The Mayor will ask if any Member of Council has 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

5. Confirmation of Previous Council Minutes

- Regular Council – March 19, 2019

6. Presentations/Deputations (Approximately five (5) minutes per person/group)

- Council Presentation to Jesse Bachinsky
- Valerie Ryan – Opposing the Proposed Development of Group home 400 4th St N

7. Additions to Agenda (urgent only)

8. Appointments

- None

9. Reports from Committee of the Whole

9.1 Administration & Finance

- Council 2019 Remuneration
- Human Resources Management Strategy Update
- Drinking Water Quality Management System Endorsement
- Ministry of Municipal Affairs & Housing One Time Funding
- Prudent Investor Standard for Municipal Investments: Next Steps
- Synergy North – Council & Shareholder Representative Appointments

9.2 Fire & Emergency Services

- No Reports

9.3 Operations & Infrastructure

- Traffic Bylaw Amendment – 24 Hour Parking Lakeside
- Budget Amendment – Bridge Repairs
- Tariff of Fees & Charges Amendment – Water & Wastewater Fees (meters/frost plate)

9.4 Community Services

- Lake of the Woods Museum Constitution
- Parking Lot Bylaw Amendment – Kenora Recreation Centre Boat Launch
- Norman Park Aqua Park
- Budget Amendment - Pickle Ball Park Works

9.5 Development Services

- 2018 Strategic Plan Progress Report
- Community Energy Plan
- Community Safety & Well-Being Plan
- Subdivision Agreement – 47D Andy's Camp Road
- Land Sale – 4th Avenue North
- Zoning Amendment – D14-19-03 Ninth Street North (former mill site)

10. Housekeeping Resolutions

- Harbourfront Dock Management Agreement
- Health & Safety Policy Amendments
- HR Policy #3-10 - Short & Long Term Disability
- Lease Extension Amendment – Tbaytel
- Contract Agreement – LMD Construction – Transfer Station Works
- Various Committee Minutes
- Water & Wastewater Systems Monthly Summary – February 2019

11. Tenders

- Municipal Road Works Tender
- Water & Sewer Rehabilitation Tender
- Vending Truck Agreements – Harbourfront & Discovery Centre Locations

12. By-laws

Council will give three readings to the following by-laws: -

- Confirmatory
- 2019 Council Remuneration
- Traffic Bylaw Amendment – 24 Hour parking Lakeside
- Budget Amendment – Bridge Repairs
- Tariff of Fees & Charges Amendment – Water & Wastewater Fees (meters/frost plate)
- Lake of the Woods Museum Constitution
- Parking Lot Bylaw Amendment – Kenora Recreation Centre Boat Launch
- Budget Amendment – Pickle Ball Works
- Subdivision Agreement – 47D Andy's Camp Road
- Land Sale – 4th Avenue North
- Zoning Amendment – D14-19-03 Ninth Street North (former mill site)
- Harbourfront Dock Management Agreement
- Health & Safety Policy Amendments
- HR Policy #3-10 - Short & Long Term Disability
- Lease Extension Amendment – Tbaytel
- Contract Agreement – LMD Construction – Transfer Station Works
- Agreement with Chad Gropp, Gropps Country Catering – Kenora Harbourfront
- Agreement with Chad Gropp, El Groppo Grande – Kenora Harbourfront
- Agreement with Ben Libitka, Shaved Ice/Snow Cone – Kenora Harbourfront
- Agreement with Ryan Landon, T&L Holdings Kenora Inc.– LOW Discovery Centre

13. Notices of Motion

14. Proclamations

- None

15. Announcements (non-action)

16. Adjourn to a Closed Session

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

- i) Litigation or Potential Litigation (3 matters)
- ii) A Position, Plan, Procedure, Criteria or Instruction to be Applied to any Negotiations Carried on or to be Carried on by or on Behalf of the Municipality (1 matter)
- iii) Education & Training Members of Council (2 matters)

17. Adjourn Meeting

Information on Voting by Mayor & Council under The Municipal Act, 2001

243. Except as otherwise provided, **every member** of a council shall have **one** vote;

245. Any question on which there is a **tie vote shall be deemed to be lost**, except where otherwise provided by any Act;

246. (1) If a member present at a meeting at the time of a vote requests immediately before or after the taking of the vote that the vote be recorded, each member present, except a member who is disqualified from voting by any Act, shall announce his or her vote openly and the clerk shall record each vote;

(2) A **failure to vote** under subsection (1) by a member who is present at the meeting at the time of the vote and who is qualified to vote shall be **deemed to be a negative vote**.



Housekeeping Reports NOT attached to Committee of the Whole Agenda



March 24, 2019

Housekeeping Council Briefing

(direct to Council – does not appear at COW)

Agenda Item Title: Harbourfront Docks Management and Operation Agreement

Background Information:

An agreement was reached between the Corporation of the City of Kenora and Her Majesty the Queen in right of Canada represented by the Minister of Fisheries and Oceans for the provision of the management and operation of the Harbourfront docks for the term of April 1, 2019 to March 31, 2024 in the amount of \$500 (plus taxes) per annum or 20% of gross revenue (plus taxes). The agreement is now ready for execution by bylaw.

Resolution for Council:

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and the Minister of Fisheries and Oceans for the provision of Management and Operation of the Harbourfront docks; and further

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

Budget: \$500 per year per annum or 20% of gross revenue plus applicable tax

Risk Analysis: There is a low risk associated with this report. While it is recognized that as part of this agreement we are responsible for minor day to day repairs to the docks, any significant repair or replacement belongs with the Minister. Being a management agreement, any claims for events which take place on those docks would include the Minister.

Communication Plan/Notice By-law Requirements: Bylaw

Strategic Plan or Other Guiding Document:

1-11 The City will support Kenora's "North America's Premier Boating Destination" brand implementation strategy

2-4 The City will act as the catalyst for continuous improvements to the public realm

Briefing By: Heather Pihulak, City Clerk

Bylaw Required: Yes



April 1, 2019

City Council Committee Report

TO: Mayor and Council

FR: Bruce Graham

RE: Amendments to Policy HS-02, HS-03, and HS-04, for the creation of new Policy HS-02

Recommendation:

That Council hereby rescinds policies HS-02, HS-03, and HS-04 and approves a new policy HS-02.

That three readings be given to a bylaw for this purpose; and further

That bylaw number ----- be hereby repealed.

Background:

A recommendation of the HRM Strategy Report was to combine Policies HS-02, HS-03, and HS-04, and to remove the wording that had been included from the Occupational Health and Safety Act. As a result, the three original policies have been combined into one, and the wording from the Occupational Health and Safety Act that related to the duties of employers and supervisors was removed. Additionally, titles were changed to reflect titles currently in use (ie. Senior Leadership Team member instead of Manager).

Budget:

N/A

Risk Analysis: *Identify any perceived risk(s) to the recommendation and describe how the City will treat the risk (avoid, mitigate, transfer, accept, pursue)*

There are no perceived risks with adopting this recommendation, and in fact the revised policy will actually reduce risk exposure as it more clearly defines roles and responsibilities for all workplace parties.

Communication Plan/Notice By-law Requirements:

By-law required.

Strategic Plan or Other Guiding Documents:

Human Resources Management Strategy 2015-2020

Health and Safety Responsibilities - Managers



Section Health and Safety Policies	Date March 19, 2012	Approved by By-law Number: 27-2012	Page 1	Of 4
Subsection Responsibilities and Accountabilities	Supersedes By-law Number: 105-2011		Policy Number: HS-02	

PURPOSE

It is recognized that involving and engaging managers with health and safety performance expectations is vital in achieving a healthy and safe operation. A key aspect of the Internal Responsibility System is that responsibility and authority are delegated from the top down and accountability is required from the bottom up. This policy provides instruction in what managers are expected to do, how it should be done, and what constitutes a job well done.

RESPONSIBILITY

Each Department Manager is responsible for establishing specific Health and Safety objectives to be performed each year. These objectives will be established in consultation and agreement with the Chief Administrative Officer at the beginning of each year and a plan will be developed in writing to implement the objectives over the course of the year.

As a minimum, the objectives established must include each of the following points:

- Managers will participate in workplace inspections;
- Managers will attend and participate in information sessions;
- Managers will perform employee safety observations.

(The exact content and timing of each of the above activities will be agreed to between the Manager and the Chief Administrative Officer at the beginning of each calendar year).

-Managers will participate in incident investigations as required but will, as a minimum, review and sign-off all incident reports from their department.

-Managers will participate in and show support for employee training.

-Managers will correct substandard acts or conditions through coaching or discipline.

-Managers will commend employee and supervisor health and safety performance.

-Managers will comply with sections 25 and 26 of the Occupational Health and Safety Act (Ontario) as follows:

Section 25 – Duties of employers

- (1) An employer shall ensure that,
- (a) the equipment, materials and protective devices as prescribed are provided;
 - (b) the equipment, materials and protective devices provided by the employer are maintained in good condition;
 - (c) the measures and procedures prescribed are carried out in the workplace;
 - (d) the equipment, materials and protective devices provided by the employer are used as prescribed; and
 - (e) a building, structure, or any part thereof, or any other part of a workplace, whether temporary or permanent, is capable of supporting any loads that may be applied to it,
 - (i) as determined by the applicable design requirements established under the version of the Building Code that was in force at the time of its construction,
 - (ii) in accordance with such other requirements as may be prescribed, or
 - (iii) in accordance with good engineering practice, if subclauses (i) and (ii) do not apply.
- (2) Without limiting the strict duty imposed by subsection (1), an employer shall,
- (a) provide information, instruction and supervision to a worker to protect the health or safety of the worker;
 - (b) in a medical emergency for the purpose of diagnosis or treatment, provide, upon request, information in the possession of the employer, including confidential business information, to a legally qualified medical practitioner and to such other persons as may be prescribed;
 - (c) when appointing a supervisor, appoint a competent person;
 - (d) acquaint a worker or a person in authority over a worker with any hazard in the work and in the handling, storage, use, disposal and transport of any article, device, equipment or a biological, chemical or physical agent;
 - (e) afford assistance and co-operation to a committee and a health and safety representative in the carrying out by the committee and the health and safety representative of any of their functions;
 - (f) only employ in or about a workplace a person over such age as may be prescribed;
 - (g) not knowingly permit a person who is under such age as may be prescribed to be in or about a workplace;
 - (h) take every precaution reasonable in the circumstances for the protection of a worker;

Health and Safety Responsibilities - Managers

POLICY NO.	PAGE	OF
HS-02	3	4

- (i) post, in the workplace, a copy of this Act and any explanatory material prepared by the Ministry, both in English and the majority language of the workplace, outlining the rights, responsibilities and duties of workers;
- (j) prepare and review at least annually a written occupational health and safety policy and develop and maintain a program to implement that policy;
- (k) post at a conspicuous location in the workplace a copy of the occupational health and safety policy;
- (l) provide to the committee or to a health and safety representative the results of a report respecting occupational health and safety that is in the employer's possession and, if that report is in writing, a copy of the portions of the report that concern occupational health and safety; and
- (m) advise workers of the results of a report referred to in clause (l) and, if the report is in writing, make available to them on request copies of the portions of the report that concern occupational health and safety.

(3) For the purposes of clause (2)(c), an employer may appoint himself or herself as a supervisor where the employer is a competent person.

(3.1) Any explanatory material referred to under clause (2) (i) may be published as part of the poster required under section 2 of the *Employment Standards Act, 2000*.

(4) Clause (2) (j) does not apply with respect to a workplace at which five or fewer workers are regularly employed.

Section 26 – Additional Duties of Employers

- (1) In addition to the duties imposed by section 25, an employer shall,
 - (a) establish an occupational health service for workers as prescribed;
 - (b) where an occupational health service is established as prescribed, maintain the same according to the standards prescribed;
 - (c) keep and maintain accurate records of the handling, storage, use and disposal of biological, chemical or physical agents as prescribed;
 - (d) accurately keep and maintain and make available to the worker affected such records of the exposure of a worker to biological, chemical or physical agents as may be prescribed;
 - (e) notify a Director of the use or introduction into a workplace of such biological, chemical or physical agents as may be prescribed;
 - (f) monitor at such time or times or at such interval or intervals the levels of biological, chemical or physical agents in a workplace and keep and post accurate records thereof as prescribed;

Health and Safety Responsibilities - Managers

POLICY NO.	PAGE	OF
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- (g) comply with a standard limiting the exposure of a worker to biological, chemical or physical agents as prescribed;
- (h) establish a medical surveillance program for the benefit of workers as prescribed;
- (i) provide for safety-related medical examinations and tests for workers as prescribed;
- (j) where so prescribed, only permit a worker to work or be in a workplace who has undergone such medical examinations, tests or x-rays as prescribed and who is found to be physically fit to do the work in the workplace;
- (k) where so prescribed, provide a worker with written instructions as to the measures and procedures to be taken for the protection of a worker; and
- (l) carry out such training programs for workers, supervisors and committee members as may be prescribed.

(2) For the purposes of clause (1)(a), a group of employers, with the approval of a Director, may act as an employer.

(3) If a worker participates in a prescribed medical surveillance program or undergoes prescribed medical examinations or tests, his or her employer shall pay,

- (a) the worker's costs for medical examinations or tests required by the medical surveillance program or required by regulation;
- (b) the worker's reasonable travel costs respecting the examinations or tests; and
- (c) the time the worker spends to undergo the examinations or tests, including travel time, which shall be deemed to be work time for which the worker shall be paid at his or her regular or premium rate as may be proper.

ACCOUNTABILITY

The above 8 activities will be incorporated into the annual Performance Evaluation for Managers. Economic and merit increases will be dependent on satisfactorily completing all responsibilities as established each year.

TRAINING

Managers will be given necessary training to enable them to complete their responsibilities as established by this policy. All training will be documented.

REFERENCES

The Occupational Health and Safety Act (Ontario) – Sections 25 and 26
Workwell Core Health and Safety Audit – Element 2.1 (a) and (b)

Health and Safety Responsibilities - Supervisors



Section Health and Safety Policies	Date March 19, 2012	Approved by By-law Number: 27-2012	Page 1	Of 2
Subsection Responsibilities and Accountabilities	Supersedes By-law Number: 105-2011		Policy Number: HS-03	

PURPOSE

It is recognized that having specific health and safety responsibilities for supervisors will increase the likelihood that each supervisor meets their expectations, resulting in the achievement of a healthy and safe operation. A key aspect of the Internal Responsibility System is that responsibility and authority are delegated from the top down and accountability is required from the bottom up. This policy provides instruction in what supervisors are expected to do, how it should be done, and what constitutes a job well done.

RESPONSIBILITY

Each Supervisor is responsible for establishing specific Health and Safety objectives to be performed each year. These objectives will be established in consultation and agreement with the Supervisor's Manager at the beginning of each year and a plan will be developed in writing to implement the objectives over the course of the year.

As a minimum, the objectives established must include each of the following points:

- Supervisors will complete and document periodic inspections of their workplace.
- Supervisors will complete and document monthly health and safety meetings with their staff.
- Supervisors will complete and document incident investigations for any incident involving their staff.
- Supervisors will correct substandard acts or conditions through coaching or discipline.
- Supervisors will arrange for, and participate in as appropriate, employee training.
- Supervisors will commend employee health and safety performance.
- Supervisors will perform a minimum of 6 employee safety observations each year.
- Supervisors will comply with section 27 of the Occupational Health and Safety Act (Ontario) as follows:

Health and Safety Responsibilities - Supervisors

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HS-03	2	2

Section 27 – Duties of Supervisor

- (1) A supervisor shall ensure that a worker,
- (a) works in the manner and with the protective devices, measures and procedures required by this Act and the regulations; and
 - (b) uses or wears the equipment, protective devices or clothing that the worker's employer requires to be used or worn.
- (2) Without limiting the duty imposed by subsection (1), a supervisor shall,
- (a) advise a worker of the existence of any potential or actual danger to the health or safety of the worker of which the supervisor is aware;
 - (b) where so prescribed, provide a worker with written instructions as to the measures and procedures to be taken for protection of the worker; and
 - (c) take every precaution reasonable in the circumstances for the protection of a worker.

ACCOUNTABILITY

The above 8 activities will be incorporated into the annual Performance Evaluation for Supervisors. Economic and merit increases will be dependent on satisfactorily completing all responsibilities as established each year.

TRAINING

Supervisors will be given necessary training to enable them to complete their responsibilities as established by this policy. All training will be documented.

REFERENCES

The Occupational Health and Safety Act (Ontario) – Section 27
Workwell Core Health and Safety Audit – Element 2.1 (c) and (d)

Health and Safety Responsibilities - Workers



Section Health and Safety Policies	Date March 19, 2012	Approved by By-law Number: 27-2012	Page 1	Of 2
Subsection Responsibilities and Accountabilities	Supersedes By-law Number: 105-2011		Policy Number: HS-04	

PURPOSE

It is recognized that providing workers with knowledge of their responsibilities is likely to result in their active participation in health and safety initiatives, which should lead to reduction of injury and illness in the workplace. A key aspect of the Internal Responsibility System is that responsibility and authority are delegated from the top down and accountability is required from the bottom up. This policy provides instruction in what workers are expected to do, how it should be done, and what constitutes a job well done.

RESPONSIBILITY

Every worker is responsible for compliance with applicable City of Kenora policies and procedures, with Section 28 of the Occupational Health and Safety Act (Ontario) as listed below, and with all applicable regulations. Health and safety goals may be established for workers at the beginning of each year. These goals may be specific to the individual worker as established between the worker and their supervisor or they may be applicable to all workers in a specific department.

Section 28 – Duties of Workers

- (1) A worker shall,
 - (a) work in compliance with the provisions of this Act and the regulations;
 - (b) use or wear the equipment, protective devices or clothing that the worker's employer requires to be used or worn;
 - (c) report to his or her employer or supervisor the absence of or defect in any equipment or protective device of which the worker is aware and which may endanger himself, herself or another worker; and
 - (d) report to his or her employer or supervisor any contravention of this Act or the regulations or the existence of any hazard of which he or she knows.
- (2) No worker shall,
 - (a) remove or make ineffective any protective device required by the regulations or by his or her employer, without providing an adequate temporary protective device and when the need for removing or making ineffective the protective device has ceased, the protective device shall be replaced immediately;

Health and Safety Responsibilities - Supervisors

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HS-04	2	2

(b) use or operate any equipment, machine, device or thing or work in a manner that may endanger himself, herself or any other worker; or
(c) engage in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct.

(3) A worker is not required to participate in a prescribed medical surveillance program unless the worker consents to do so.

ACCOUNTABILITY

Health and Safety performance will be incorporated into the annual Performance Evaluation for workers. A progressive discipline approach will be used to achieve compliance with health and safety rules. Workers will be made aware of this at least annually and this will be documented.

TRAINING

Workers will be given necessary training to enable them to complete their responsibilities as established by this policy. All training will be documented.

REFERENCES

The Occupational Health and Safety Act (Ontario) – Section 28
Workwell Core Health and Safety Audit – Element 2.1 (e) and (f)

Health and Safety Roles & Responsibilities



Section Health and Safety Policies	Date March 22, 2019	Approved by By-law Number: 27-2012	Page 1	Of 3
Subsection Responsibilities and Accountabilities	Supersedes By-law Number: 105-2011		Policy Number: HS-02	

PURPOSE

It is recognized that involving and engaging Senior Leaders, supervisors and workers in health and safety initiatives, objectives, and performance expectations is vital in reducing workplace injuries and illness and achieving a safe and healthy operation. A key aspect of the Internal Responsibility System is that responsibility and authority are delegated from the top down and accountability is required from the bottom up. This policy provides instruction in what each party is expected to do, how it should be done, and what constitutes a job well done.

SENIOR LEADERSHIP:

At the beginning of each year, the Senior Leadership team will work together as a group to establish and prioritize specific Health and Safety objectives for the upcoming year.

As a minimum, the objectives established must include each of the following points:

- Senior Leaders will participate in a minimum of one workplace inspection every quarter;
- If a Senior Leader has multiple workplaces or divisions, the Senior Leader will also attend a minimum of one workplace inspection per year for every workplace
- Senior Leaders will attend and participate in a minimum of one information session per quarter;
- If the Senior Leader has multiple workplaces or divisions, the Senior Leader will also attend a minimum of one information session per year for every workplace;
- Senior Leaders will participate in incident investigations as required but will, as a minimum, review and sign-off all incident reports from their department.
- Senior Leaders will participate in and show support for employee training.
- Senior Leaders will correct substandard acts or conditions through coaching or discipline.
- Senior Leaders will commend employee and supervisor health and safety performance.

Senior Leaders will comply with all aspects of sections 25 and 26 of the Occupational Health and Safety Act (Ontario).

SUPERVISORS:

Each Supervisor is responsible for understanding and adhering to any requirements related to the Health and Safety objectives identified by the Senior Leadership Team. As a minimum, the responsibilities of supervisors will include each of the following:

Health and Safety Roles & Responsibilities

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- Where appropriate, supervisors will ensure that monthly workplace inspections are being completed for each of their workplaces and attend a minimum of one workplace inspection per quarter for each workplace.
- Supervisors will complete and document monthly health and safety meetings with staff, and where appropriate, will attend a minimum of one health and safety meeting per year for every workplace if the supervisor has multiple sites.
- Supervisors will complete and document incident investigations for any incident involving their staff.
- Supervisors will correct substandard acts or conditions through coaching or discipline.
- Supervisors will arrange for, and participate in as appropriate, employee training.
- Supervisors will commend employee health and safety performance.
- Supervisors will perform a minimum of 6 employee safety observations each year.

Supervisors will comply with all aspects of section 27 of the Occupational Health and Safety Act (Ontario).

WORKERS:

Every worker is responsible for compliance with applicable City of Kenora policies and procedures, with Section 28 of the Occupational Health and Safety Act (Ontario) as listed below, and with all applicable regulations. Health and safety goals may be established for workers each year. These goals may be specific to the individual worker as established between the worker and their supervisor or they may be applicable to all workers in a specific department.

Section 28 – Duties of Workers

- (1) A worker shall,
 - a) work in compliance with the provisions of this Act and the regulations;
 - b) use or wear the equipment, protective devices or clothing that the worker's employer requires to be used or worn;
 - c) report to his or her employer or supervisor the absence of or defect in any equipment or protective device of which the worker is aware and which may endanger himself, herself or another worker; and
 - d) report to his or her employer or supervisor any contravention of this Act or the regulations or the existence of any hazard of which he or she knows.
- (2) No worker shall,
 - a) remove or make ineffective any protective device required by the regulations or by his or her employer, without providing an adequate temporary protective device and when the need for removing or making ineffective the protective device has ceased, the protective device shall be replaced immediately;
 - b) use or operate any equipment, machine, device or thing or work in a manner that may endanger himself, herself or any other worker; or

Health and Safety Roles & Responsibilities

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HS-02	3	3

- c) engage in any prank, contest, feat of strength, unnecessary running or rough and boisterous conduct.

(3) A worker is not required to participate in a prescribed medical surveillance program unless the worker consents to do so.

TRAINING

All parties will be given necessary training to enable them to complete their responsibilities as established in this policy. All training will be documented.

REFERENCES

The Occupational Health and Safety Act (Ontario) – Sections 25, 26, 27 & 28.



April 1, 2019

City Council Committee Report

TO: Mayor and Council

FR: Bruce Graham

RE: Amendments to Policy HR-3-10 Leaves of Absence Policy – Illness Non Union

Recommendation:

That Council hereby amends the Leaves of Absence Policy – Illness Non Union #HR-3-10, in the Comprehensive Policy Manual; and further

That three readings be given to a bylaw for this purpose; and further

That bylaw number #-2004 be hereby repealed.

Background:

This Policy had not been revised since 2004 and it contained reference to practices which the City no longer follows. The revised Policy more clearly defines the process to be followed for administering Short Term and Long Term Disability leaves for non-union staff. The original policy and the revised policy are attached for reference.

Budget:

There are no budget implications associated with this recommendation, as the practices outlined in the revised policy are currently in place.

Risk Analysis: *Identify any perceived risk(s) to the recommendation and describe how the City will treat the risk (avoid, mitigate, transfer, accept, pursue)*

There are no perceived risks with adopting this recommendation, and in fact the revised policy will actually reduce risk exposure as it more clearly defines our short and long term disability programs and thereby reduces our financial risk.

Communication Plan/Notice By-law Requirements:

By-law required.

Strategic Plan or Other Guiding Documents:

Focus on our People

Leaves of Absence Policy – Illness Non Union



Section	Date	Resolution Number	Page	Of
Human Resources	April 26, 2004	7	1	3
Subsection	Repeals By-Law Number		Policy Number	
Non-Union			HR- 3-10	

Sick Leave Defined

Sick leave or leave due to illness shall mean the period of time an employee is absent from work with full pay by virtue of being sick or disabled, exposed to a contagious disease, or because of an accident for which compensation is not payable under the Workers Safety Insurance Board of Ontario.

Annual Paid Sick Leave

Supervisory and management personnel shall be entitled to 18 days of sick leave per year, which shall accrue at a rate of 1 ½ sick days credited per month provided he/she has worked more than half of the working days in a calendar month, unless the absence is by reason of annual vacation under circumstances that entitle him to WSIB.

Accumulation of Sick Leave

Unused sick leave credits may accumulate from year to year with no set maximum.

Employees Hired Prior to January 1, 1974

Employees hired prior to January 1st, 1974 will be entitled to payment in cash on leaving the service of the City of Kenora equal to a set percentage (e.g. 25 – 50%) of their unused sick leave credits up to a ceiling or set maximum (40-100 day's pay).

Leaves of Absence – Illness Non Union

Policy Number	Page	Of
HR-3-10	2	3

- a) If the employee leaves the services of the City of Kenora through normal retirement, termination by the employer, voluntary termination by the employee, or death, the employee may collect payment for 50 percent of his/her unused sick leave credits up to a ceiling of 100 days' pay.

Employees Hired After January 1, 1974 Not Entitled to Payment for Unused Sick Leave Credits

Employees hired after January 1st, 1974 may use sick leave credits for sickness purposes only. There will be no vesting of sick leave credits to provide these employees with a payment for unused credits while employed by the Corporation.

Payment for Unused Sick Leave Credits

Employees other than regular full-time employees shall be entitled to sick leave credits on a prorated basis as the number of days worked per month year to number of days worked per month by regular full-time employees.

To qualify for payment of sick pay, an employee must:

- 1) Have an established sick leave credit;
- 2) Ensure that his/her illness is reported to his/her immediate supervisor as soon as possible;
- 3) Be suffering from an illness or accident that prevents his/her useful employment and is not compensable under the Workers Safety Insurance Board;
- 4) Return to work as soon as possible, following recovering from the illness or accident;
- 5) Provide a doctor's certificate to confirm the illness if so requested by the employer

Leaves of Absence - Illness Non Union

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HR-3-10	3	3

Sick Leave Incentive Program

In an effort to ensure the proper use of sick leave, the employer will pay out to a maximum of three (3) days pay to employees for the following unused sick leave days in each calendar year:

- for six (6) unused sick days in a calendar year, the employee will be paid out for one (1) day.
- for twelve (12) unused sick days in a calendar year, the employee will be paid out for two (2) days.
- for eighteen (18) unused sick days in a calendar year, the employee will be paid out for three (3) days.

The Incentive pay will be paid in the first pay period of the year following.

Short and Long Term Disability Policy



Section	Date	Resolution Number	Page	Of
Human Resources	March 1, 2019		1	3
Subsection	Repeals By-Law Number		Policy Number	
Non-Union			HR- 3-10	

Application

The City will provide Short Term Disability (STD) and Long Term Disability (LTD) coverage for all employees.

Unionized Employees

STD and LTD coverage for unionized employees will be provided as per the terms of the appropriate Collective Agreement, and as per the terms of the agreement in place with the City's benefits provider.

Non-Unionized Employees

STD and LTD coverage will be provided to non-unionized employees as per the terms of this policy.

Short Term Disability Definition

Short Term Disability refers to absences due to injury, illness, or other medical reasons for which the employee is not eligible for benefits under the Workplace Safety and Insurance Act (WSIA), or for which the employee has not satisfied the waiting period for LTD benefits.

Once an employee has been approved for LTD and has satisfied the waiting period as established by the City's benefits provider, they are no longer eligible to receive STD payments.

From time to time the definition of STD, or the requirements for entitlement to STD may be changed as a result of the collective bargaining process, and said changes will become part of the definition in this policy.

Short Term Disability Payment

While on STD, employees will receive 100% of their regular wages, provided they have sufficient accumulated credits to cover their absence.

Short and Long Term Disability Policy

Policy Number	Page	Of
HR-3-10	2	3

Short Term Disability Credits – Unionized Employees

Unionized employees will earn short term disability credits in accordance with current Collective Agreements.

Short Term Disability Credits – Non-Unionized Employees

Supervisory and management personnel shall be credited with 18 days of short term disability coverage per year, which shall accrue at a rate of 1.5 days credited per month provided the employee has worked more than half of the working days in the calendar month. If an employee is absent for greater than half of the working days in the calendar month due to vacation or due to an injury or illness for which benefits under the WSIA are applicable, STD credits shall accrue as if the employee had been at work for the calendar month.

Unused STD credits may accumulate from year to year with no set maximum.

Employees who have unused STD credits when they end their employment with the City, will not be compensated for those credits in any way.

Long Term Disability Definition

Long Term Disability means an absence due to illness, injury, or other medical reasons for which an employee is not eligible for benefits under the WSIA, that is of sufficient length to satisfy the waiting period as established by the City's benefits provider.

Long Term Disability Payment

LTD payments will be as per the terms provided by the City's benefits provider.

Medical Documentation

The employer reserves the right to request medical documentation to support an employee's claim to STD or LTD benefits.

Deviations From Policy

Any deviations in the application of this policy will occur only with the pre-approval of the Chief Administrative Officer.

Short and Long Term Disability Policy

Policy Number	Page	Of
HR-3-10	3	3

Responsibilities

Employees are responsible for advising their supervisor of STD absences without delay.

Employees are responsible for completing and submitting the necessary paperwork for establishing an LTD claim to allow sufficient time to establish the LTD claim before the LTD waiting period expires. Employees who do not have an established LTD claim when the waiting period expires will no longer receive STD payments.

March 26, 2019

Housekeeping Council Briefing

(direct to Council – does not appear at COW)

Agenda Item Title: Lease Renewal – Amending Lease Agreement Tbaytel at the Valley Drive telecommunication site

Background Information:

At the March 19, 2019 council meeting the incorrect current amount was provided in the committee report. The annual fee of \$7,000.00 dollars increased over the past 5 years by the Consumer Price Index (CPI) and is currently at the rate of \$8,242.09. The report should have read as follows;

Tbaytel entered into a 10 year lease with the City of Kenora on January 1, 2008 for a telecommunication site legally described as Part of location 16V, Plan 23R-5391, excepting Part 2 on Plan 23R-9498, with a possible 5 year extension upon expiry on December 31st 2018.

The 10 year lease signed in 2008 has expired on December 31st 2018. At this time a five (5) year extension for the identical provisions in the original lease has been requested.

The Lease fee during the agreement shall be as follows;

$\$8,242.09 + 10\% = \9066.30 + HST annually, increasing each year by the CPI for the 5 year term.

Budget: The proposed fees are an increase of 10% from the previous lease amount.

Resolution for Council:

That Council authorizes an amendment to By-law Number 21-2019 that was approved by Council at the March 19, 2019 meeting in regards to a (5) year extension of lease agreement with Tbaytel for the telecommunication site on Valley Drive to reflect an amended annual fee; and further

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

Briefing By: Stace Gander

Bylaw Required: Yes

March 25, 2019

Housekeeping Council Briefing

(Direct to Council – does not appear at COW)

Agenda Item Title: Waste Transfer Station – Scale Building

Background Information:

In January 2019, a tender was issued by Nelson Architecture on behalf of the Operations and Infrastructure Division for an addition and renovations to the Waste Transfer Facility Scale Building. The low bid, LMD Construction, was awarded the works as per Resolution No. 13 at the March 19, 2019 regular meeting of Council. It is now in order for the City to enter in to an agreement with LMD Construction in order to perform the works.

A copy of the agreement document is available via the clerk's office.

Resolution for Council:

That further to City Council's award of the works to LMD Construction, authorization be and is hereby given for the Mayor and Clerk to execute an agreement between the Corporation of the City of Kenora and LMD; and further

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

Briefing By: Jeff Hawley, Manager of Operations & Infrastructure

Bylaw Required: Yes

Housekeeping Council Briefing

(direct to Council – does not appear at COW)

Agenda Item Title:

Receipt and Approval of Various Committee Minutes

Background Information:

This static monthly report is for the purpose of Council approving and/or receiving various Committee Minutes. Those being approved are the Committees of Council which Council should be approving the actions of those Committees and does so in the form of a by-law under the Confirmatory By-law.

The Minutes being received are typically from local Boards or Corporations for information only (and cannot be 'approved' by Council).

The various Minutes will appear under separate cover as an attachment on SharePoint to this report.

Resolution for Council:

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

- March 7, 2019 – Lake of the Woods Museum Board
- January 23, 2019 – Kenora Public Library Board
- October 12, 2018 & December 17, 2018 – Kenora Police Services Board
- January 10, 2019 – Lake of the Woods Development Commission
- February 6, 2019 – Accessibility Advisory Committee
- March 20, 2019 – Heritage Kenora Committee
- February 13, 2019 – Kenora Urban Trails Committee

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

- February 13, 2019 – Handi Transit Board
- January 10, 2019 – Kenora District Services Board
- December 13, 2018 & January 31, 2018 - District of Kenora Home for the Aged Board of Management
- November 30, 2018 & January 18, 2019 – Northwestern Health Unit
- January 24, 2019 – Kenora Airport Authority Inc. Board of Directors;
- February 19, 2019 - Harbourn town Biz
- February 14, 2019 – Kenora District Municipal Association; and further

That these Minutes be circulated and ordered filed.

Briefing By: Kelly Galbraith, Deputy Clerk

Bylaw Required: No



March 20, 2019

Housekeeping Council Briefing

(direct to Council – does not appear at COW)

Agenda Item Title: 2019 Water & Wastewater Systems Monthly Summary Report – February

Background Information:

The Water and Wastewater Division will be providing Council with Water and Wastewater Systems Summary Reports, on a monthly basis.

The purpose of the Report is to provide Council with an understanding on how the water and wastewater systems they own and operate are maintained. Data will be collected at the end of each month and presented to Council for acceptance, see attached.

The Operations and Infrastructure Department recommends that Council accept the 2019 Water and Wastewater Systems Monthly Summary Report for February.

Resolution for Council:

That Council of the City of Kenora hereby accepts the February 2019 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by City administration.

Budget: N/A

Risk Analysis:

The risk level is low to moderate. The monthly reporting is just standard practice for transparency purposes, and an opportunity to further Council's understanding of the Division's monthly budgeting. No mitigating strategies are required.

Communication Plan /Notice By-law Requirements:

Resolution required. Jeff Hawley, Biman Paudel, WTP, WWTP

Strategic Plan or other Guiding Document:

Goal #2 Strengthen Our Foundations

2-1 The City will ensure that our municipal infrastructure is maintained using available resources with the intent of moving towards all City infrastructure being in a good state of repair to ensure certainty, security and long-term stability of our systems.

2-2 The City will keep in the forefront that there is a significant infrastructure deficit, and current and future Councils will need to continue to work towards allocating sufficient resources to be able to adequately address this issue.

2-3 The City will ensure prompt and immediate response times supported by resilient communications in the event of system outages and other emergencies.

Briefing By: Jeff Hawley, Operations & Infrastructure Manager

Bylaw Required: No

CITY OF KENORA

**Monthly Summary Report
Water & Wastewater Systems**

February 2019

Prepared by: Biman Paudel, Water & Wastewater Division Lead
Ryan Peterson, ORO, Water Treatment Plant
Darryl Wilson, ORO, Wastewater Treatment Plant

1.0 Introduction

This report contains the major maintenance activities and operational events that occurred during the month of February 2019 at the Kenora Area Water Treatment Plant, Kenora Wastewater Treatment Plant, Water Distribution System and Wastewater Collection System. This information report has been prepared for Council to better understand how the systems they own and operate are maintained on a monthly basis.

2.0 Water Treatment Plant

2.1 Monthly Flow and Operating Data – See Schedule “A”

2.2 Weekly Bacteriological Samples

1 Raw, 1 Treated and 6 Distribution for a total of eight (8) samples are taken on a weekly basis.

Sampling was conducted on the following dates:

- Feb 5
- Feb 11
- Feb 19
- Feb 25

All samples tested were within the allowable parameters.

2.3 Maintenance

- Worked with electricians preparing for VFD installation on highlift #2.
- Finished clean up in clarifier area after gas heater installation was completed.

2.4 Training

- No training took place in the month of February.

2.5 Water Quality Complaints

- There was one water quality complaint for the month of February. A resident complained of a strong chlorine smell in the water. The Operator was unable to sense the same smell and the residual was 1.91 mg/L which is an appropriate level for the area.

2.6 Other Information

- Distribution chlorine residuals were collected on a weekly basis.
- ESA was on site at the WTP and Boosters for annual Continuous Safety Services (CSS) Inspection.

3.0 Water Distribution System and Wastewater Collection System

3.1 Maintenance

3.1.1. Water Distribution

- February 1 – Dug and repaired curb stop at: 143 Regina Ave.
- February 8 – Dug and pulsated at: 8 Kay Street.
- February 20 – Dug and repaired watermain break at: 1415 Hwy 17E.
- February 22 – Dug and pulsated at: 1406 Beach Road.
- February 26 – Dug and repaired watermain break at: 1415 Hwy 17E.

3.1.2. Wastewater Collection

- February 3 – Rodded plugged sewer at: 1110 Valley Drive.
- February 4 – Steamed frozen sewer at: 93 Norman Drive.
- February 6 – Rodded plugged sewer at: 706 Fourth Avenue South.
- February 7 – Rodded plugged sewer at: 82 Norman Drive.
- February 7 – Rodded plugged sewer at: 98 Norman Drive.
- February 9 – Rodded plugged sewer at: 57 Parson Street.
- February 11 – Rodded plugged sewer at: 102 Wharf Street (Masonic Lodge).
- February 11 – Steamed frozen sewer at: 534 First Avenue South.
- February 11 – Steamed frozen sewer at: 608 First Street South.
- February 11 – Rodded plugged sewer at: 226 Fourth Street North.
- February 12 – Rodded plugged sewer at: 612 Third Street South.
- February 13 – Steamed frozen sewer at: 1025 Park Street.
- February 15 – Rodded and steamed frozen sewer at: 320 First Avenue South.
- February 19 – Steamed frozen sewer at: 818 Second Street South.
- February 21 – Steamed frozen sewer at: 844 Robertson Street.
- February 21 – Steamed frozen sewer at: 131 Mellick Avenue.
- February 22 – Steamed frozen sewer at: 1335 Ninth Street North.
- February 25 – Steamed frozen sewer at: 135 Mellick Avenue.
- February 26 – Rodded plugged sewer at: 209 Seventh Street South.
- February 27 – Rodded and steamed plugged sewer at: 401 Seventh Avenue North.
- February 27 – Rodded plugged sewer at: 8 Universal Drive.

- February 27 – Replaced grinder pump at: 15 Universal Drive.
- February 27 – Rodded plugged sewer at: 140 Minto Crescent.
- February 28 – Dug and replaced grinder pump at: 1 Birchwood Road.

3.1.3. Water Thaws:

	February 2018	February 2019
City	8	27
Private	6	11

3.2 Training

- No training took place in the month of January.

3.3 Water Quality Complaints

There was one water quality complaint reported to the Water Treatment Plant for the month of January, see item 2.5 for details.

3.4 Boil Water Advisory(s) - 2019

Date and Location:

- February 26 – Sixteen (16) residents on Highway 17E.

3.5 Other Information

- There is no further information to report for the month of February.

4.0 Wastewater Treatment Plant

4.1 Monthly Flows & Operating Data – See Schedule “B”

4.2 Samples

4.2.1. Monthly - Complete Analyses of Treated Effluent and Raw Sewage

Samples sent out on February 19, 2019 - Results:

- a. Total BOD (biological oxygen demand) Raw Sewage: 135 [mg/L]
- b. Total BOD Final Effluent: 9.1 [mg/L] - limit is 25 [mg/L].
- c. Total Suspended Solids Raw Sewage: 187 [mg/ L]
- d. Total Suspended Solids Final Effluent: 8.5 [mg/ L] - limit is 25 [mg/L]

4.2.2. Weekly - Final Effluent Bacti Samples sent to ALS Laboratory on

February 5, 12, 19, 26, 2019 - Results: Organisms/100 ml

- a. Geometric Means from samples in February: 10 organisms/100mL.
- b. Geometric Means Limit as per Certificate of Approval is 200 organisms/100 mL.

In summary, raw sewage enters the plant with a bacti count of approximately 3 million organisms/100 mL and effluent leaves the plant with a geometric mean of 10 organisms/100 mL, which is within the limit of 200 organisms/100 mL. Plant final effluent BOD was 9.1 p.p.m., and final effluent T.S.S. was 8.5 p.p.m., both well within the C of A requirements.

4.3 Maintenance

- 4.3.1. Sludge press maintenance (clean and grease) 700 Building.
- 4.3.2. Changed ballast on module 5 Bank B on the UV disinfection.
- 4.3.3. Fabricated two floor drain covers for the 400 Building.
- 4.3.4. Electrician worked on the SCADA system.
- 4.3.5. Changed burnt bulb on module 1 Bank B on the UV disinfection.
- 4.3.6. Installed guard on the scum pump in the 300 Building.
- 4.3.7. Installed capacity decal on mono rail in the 500 Building.
- 4.3.8. Changed air filter in the HRV in the 100 Building.
- 4.3.9. Greased and lime away Bank B on the UV disinfection.

4.4 Training

- 4.4.1. Staff undertook orientation on a new vehicle.

4.5 Other Information

- 4.5.1 Health and Safety inspection was conducted on February 6, 2019. An employee from the Water Treatment Plant attended this inspection to add a new perspective to the inspection.

Water Systems Flow and Operating Data Monthly Summary Report - 2019

[illegible]

Schedule "B"

Wastewater Systems Flow & Operating Data

Monthly Summary Report - 2019

[illegible]

Schedule "B"

Wastewater Systems Flow & Operating Data

Monthly Summary Report - 2018

[illegible]