



# MINUTES

**Of a Meeting of the Council of the City of Kenora  
Tuesday, December 17, 2019 – City Council Chambers  
12:00 p.m.**

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

**Regrets:** Councillor C. Van Wallegghem

**Staff:** Heather Pihulak, Manager of Administration/City Clerk (Acting CAO), Kelly Galbraith, Deputy Clerk, Jeff Hawley, Manager of Operations & Infrastructure, Adam Smith, Manager of Development Services

## **Call to Order**

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

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

Mayor Reynard then read the following notices:-

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

- Adopt its 2020 Municipal Capital and Unusual Spending Budget
- Accept the draft 2020 billing statement from the Ontario Provincial Police for policing services in Kenora
- Amend the 2019 Capital Budget to authorize a re-allocation of \$285,000.00 (plus applicable taxes) to be funded through the sewer and water reserves for completing an emergency replacement of existing OmniSite Radios at the City's fifty-eight (58) different locations, including the Water Treatment Plant, Wastewater Treatment Plant, Water Booster Stations, and Sewage Pumping Stations

## **Declaration of Pecuniary Interest & General Nature Thereof**

Mayor Reynard then asked if any Member of Council had any Declarations of Pecuniary Interest and the General Nature Thereof pertaining to any items as follows:-

- i) On Today's Agenda or from a previous Meeting
  - ii) From a Meeting at which a Member was not in Attendance
- There were none declared.

## **Confirmation of Minutes**

**1. Moved by Councillor McMillan, Seconded by Councillor Poirier & Carried:-**

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-  
Regular Council – November 19, 2019  
Special Council – November 25, 2019

## **Deputations/Presentations**

### **OPP Municipal Policing Bureau – New Policing Contract**

A/S/Sgt. Pete Marshall, with the OPP is working with the Municipal Policing Bureau. The Bureau is primarily responsible for managing municipal policing agreements with various stakeholders, and upon requests made by municipalities to the Minister of the Solicitor General, develop OPP municipal policing contract proposals. They also oversee the transition process in those circumstances where municipal police services disband and the OPP assumes responsibility for providing policing services.

The figures presented are based on OPP reconciled costs for 2018/19 actuals. An illustration of where the money is allocated to, what services the OPP provides was presented. In the Provincial/Specialized Responsibilities section, 64% makes up the mandated provincial responsibilities, which includes areas such as traffic safety, investigations, intelligence, and specialized response teams. Under the municipal policing resources section 35% of the total makes up the costs for municipal policing that are recovered from municipalities, which include frontline detachment staff and support positions that are required to meet service demands.

Municipalities policed by the OPP fall into one of two categories. Either they have a formal contract as per Section 10 of the Police Services Act, or there is no contract, and policing services are provided under section 5.1 of the Act. Prior to 2014, the method of billing for each of those categories was different. It was complicated, difficult to explain and based on many complicated measures. It also led to a wide disparity of policing costs throughout the Province of Ontario. Some municipalities were paying less than \$50/household for policing and others were paying well over \$800/household.

A diagram depicting the development of the bureau's Model with its deep roots in engagement sessions and consultations with Ministries, Agencies, Associations and municipalities was shown. Lines representing a municipality and how much they were paying in 2014 prior to the model were highlighted indicating how the gap/ or disparity has been addressed through the implementation of the model.

To address the transparency, new reports have been created to share with municipalities specific to their billing. Annually webinars are held when the statements are distributed to explain the statements, presentations and explanations are done at the request of municipalities, and information is posted on opp.ca for public access.

The billing model is provincially focused. This means it focuses on all the municipal policing the OPP does in the province. Costs are recovered from each municipality for services provided. Those costs are estimated in a prepared statement provided in the fall prior to the billing year, and then reconciled once the year of service is completed. For example in 2020, municipalities will receive their statement this fall (2019) and the reconciliation of certain billing components will be reconciled in 2021 when the year has been completed.

The model divides the majority of municipal policing costs into 2 categories: base service and calls for service. The base service is how the equitable share for policing services is achieved. It is a per property cost that municipalities pay based on the number of properties in their boundaries. This rate is the same for all OPP policed municipalities.

Activity covered in the base service cost includes legislated requirements, proactive policing, training, administration and supervision.

The second category, calls for service, is specific to each municipality and allocated based on their individual usage level. A municipality that has more calls for service will pay more in this area than one with fewer calls for service.

While base service and calls for service are the two main categories in the billing, there are some additional costs that are recovered for. These costs may or may not be applicable to each municipality. For example if a municipality provides facilities for the OPP to work from, they will not be billed accommodation costs. However, if the OPP are policing a municipality from their provincial detachment, then the municipality will be charged a fee for accommodation costs. Another example is court security. This would only apply to municipalities with a court house and not to those without a court house.

Kenora has seen an increase in policing costs since 2015. The more significant cost increase appears to relate to Calls for Service. More specifically to drugs; methamphetamine, property crime, 911 hang ups and pocket dials. Kenora has reduced Calls for Service in areas such as other criminal code violations, traffic and violent criminal code.

A copy of the annual billing statement for 2020 that is included in the contract proposal provides a breakdown of the cost estimates for 2020. In summary there was an increase in calls for service percentage from reconciled 2018 at 2.2581% of 151,961,589 to 2.5584% - of 162,805,510. So if we take the 2020 estimated calls for service recovery of Kenora specifically it's \$4,165,201 minus \$3,431,508 we see an estimated difference of \$733,693. This is where we are seeing a significant cost increase. That is well above the provincial average of \$350. Kenora is \$748.93.

Council asked for clarification on the costs for court officers and prisoner transportation. Municipalities with a court house pay for court security however those municipalities transporting prisoners, pay to transport Kenora does not absorb those costs.

Councillor requested the ratio threshold. A/S/Sgt. Pete Marshall did not have the information available at but will provide it to Council.

Heather Pihulak advised Council that the only way to reach that threshold is for our calls for service to go up, which is something we obviously don't want. Council can advocate at AMO, and we have an excellent relationship with Detachment Commander Duggan who is always looking for initiatives such as self-reporting to promote in the community as a way to reduce calls for service. D/C Duggan is working hard to reduce the numbers of calls for service in any way he can locally and it is important for the Police Services Board and Council to advocate to the Ministry for changes in the billing structure.

Mayor Reynard thanked A/S/Sgt. Pete Marshall for his presentation and thanked the OPP for their continued service in the community.

### **Additions to the Agenda**

None

### **Appointment to the Muse Board**

#### **2. Moved by Councillor Ralko, Seconded by Councillor McMillan & Carried:-**

That Council hereby appoints Kate Hare to The Muse board for a term at the pleasure of Council no later than November 14, 2022.

### **October 2019 Financial Statements**

#### **3. Moved by Councillor Poirier, Seconded by Councillor Ralko & Carried:-**

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

### **Section 357**

#### **4. Moved by Councillor Goss, Seconded by Councillor Poirier & Carried:-**

That Council hereby approves Section 357 tax adjustments with potential refunds totaling \$1,841.71.

### **Keewatin Medical Clinic Property Taxes**

#### **5. Moved by Councillor Goss, Seconded by Councillor Poirier & Carried:-**

That Council hereby approves the cancellation of the property taxes, both municipal and education, for the Keewatin Medical Clinic effective January 1, 2020 in accordance with Section 110 of the Municipal Act; and further

That the Clerk of the City provide notice in writing of the contents of this by-law upon final passing thereof to the Minister of Finance, the Municipal Property Assessment Corporation and the relevant School Boards with jurisdiction within the City of Kenora in accordance with the provisions of Section 110(5) and (8) of the Municipal Act.

### **2019 Write Offs**

#### **6. Moved by Councillor Smith, Seconded by Councillor McMillan & Carried:-**

That Council hereby approves the write off of accounts totalling \$3,205.50 in 2017 including applicable taxes; and further

That City staff be directed to continue collection efforts on these accounts.

### **2020 Capital Budget**

#### **7. Moved by Councillor Ralko, Seconded by Councillor McMillan & Carried:-**

That Council hereby approves the 2020 Municipal Capital Budget, including Unusual Spending, as amended; and further

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

That in accordance with Notice Bylaw 144-2007, public notice is hereby given that Council intends to adopt its 2020 Municipal Capital and Unusual Spending Budget at its December 17, 2019 Council meeting; and further

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

### **New OPP Policing Contract**

#### **8. Moved by Councillor McMillan, Seconded by Councillor Poirier & Carried:-**

That Council hereby receives the contract proposal for the OPP to provide policing services for the City of Kenora; and further

That the proposal is based on the OPP Billing Model with the City paying an amount equal to the sum of its allocated portion of the OPP's total municipal policing Base and Calls for Service costs, as well as the costs for Overtime, Prisoner Transportation, Court Security, and Accommodation/Cleaning Services as applicable; and further

That the proposal reflects the integrated policing concept, incorporating a police services contract for the City of Kenora with OPP highway patrol services and provincial responsibilities under one administration with maintaining all existing community service programs and community policing committees; and further

That the estimated policing cost for 2020 associated to the proposal as presented in the Annual Billing Statement is \$5,991,453 which is reflective of the most current cost estimates under the OPP Billing Model, exclusive of the year-end adjustments; and further

That Council continues to advocate to the Minister for further reductions to our policing costs; and further

That the Mayor and Clerk be hereby authorized to execute an agreement between the Corporation of the City of Kenora and the Ministry of Solicitor General for policing services by the OPP for the City of Kenora; and further

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

**Discussion:** Heather Pihulak informed Council that they need to provide direction on the term of the contract. It was cautioned that the term not end on the same year as the term of council.

Council agreed upon a five year term beginning in 2020, which will expire mid-term of the next term of Council. City Clerk, Heather Pihulak and Mayor Reynard will execute the agreement once received.

### **Health & Safety Policy Amendments**

#### **9. Moved by Councillor Poirier, Seconded by Councillor McMillan & Carried:-**

That Council hereby approves amendments to the following Health and Safety Policies – #HS-09 – Workplace Hazards Analysis, #HS-18 – Personal Protective Equipment, #HS-

34 – Designated Substances, #HS-36 – Materials Handling, and #HS-42 First Aid Requirements; 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; and further

That three readings be given to five bylaws for this purpose.

### **Human Resources Policy Amendments**

#### **10. Moved by Councillor Goss, Seconded by Councillor Poirier & Carried:-**

That Council hereby approves a new #HR-2-16 Coffee Breaks Policy which forms part of the City of Kenora Comprehensive Policy Manual; and further

That Council hereby repeals Human Resources Policy #HR-2-02 Employee Assistance Policy, #HR-2-20 Emergency Due to an Influenza Pandemic, #HR-2-10 Smoking in the Workplace; and further

That bylaw number 130-2009 be hereby repealed; and further

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

### **Fire Dispatch Services Agreement**

#### **11. Moved by Councillor Smith, Seconded by Councillor Ralko & Carried:-**

That Council hereby authorizes the Mayor and Clerk to enter into a six (6) year agreement between the Corporation of the City of Kenora and Kenora Central Ambulance Communications Centre (CACC), Lake of the Woods District Hospital, effective January 1, 2020; and further

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

### **Dryden Recycle Haulage Agreement**

#### **12. Moved by Councillor McMillan, Seconded by Councillor Poirier & Carried:-**

That Council hereby authorizes the Mayor and Clerk to enter into an extended five (5) year agreement between the Corporation of the City of Kenora and the City of Dryden, effective January 1, 2020 and ending December 31, 2024; and further

That effective January 1, 2020, the adjusted rate for haulage of recyclable material from the Corporation of the City of Dryden be \$1,275.00 per trip, plus HST to include all regularly scheduled maintenance costs for the equipment in service; and further

That By-Law 17-2015, being a by-law to authorize the execution of a contract between the Corporation of the City of Kenora and the Corporation of the City of Dryden, be hereby repealed; and further

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

#### **4<sup>th</sup> Avenue South Parking Amendment**

##### **13. Moved by Councillor Ralko, Seconded by Councillor McMillan & Carried:-**

That Council authorizes an amendment to the City of Kenora Traffic Regulation By-law Number 180-2015 to include changes to Schedule "F" – No Parking –Seasonal Basis, for Fourth Avenue South, for 145 meters south of Eighth Street South, southerly for 45 meters on the east side; and further

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

#### **Emergency Sewer & Water Purchase – Replacing OmniSite System**

##### **14. Moved by Councillor Poirier, Seconded by Councillor Ralko & Carried:-**

That Council hereby approves a re-allocation of \$285,000.00 (plus applicable taxes) to be funded through the sewer and water reserves for completing an emergency replacement of existing OmniSite Radios at the City's fifty-eight (58) different locations, including the Water Treatment Plant, Wastewater Treatment Plant, Water Booster Stations, and Sewage Pumping Stations; 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 December 17<sup>th</sup>, 2019 meeting for this purpose; and further

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

#### **Harvest Kenora Micro Farm**

##### **15. Moved by Councillor Goss, Seconded by Councillor Poirier & Carried:-**

That Council hereby approves an extension of Harvest Kenora's agreement to operate the Collective Urban Micro Farm in Millennial Park in Keewatin located on Superior Street; and further

That Kenora Harvest be able to expand its existing garden footprint to allow for the expansion of its gardening activity including the erection of some small structures; and further

That should the decision be determined not to proceed in subsequent years, Harvest Kenora will be required to level all growing beds and apply grass seed in order for the park to be restored to its previous condition.

#### **Harbourfront Development Business Plan**

##### **16. Moved by Councillor Smith, Seconded by Councillor Poirier & Carried:-**

That Council of the City of Kenora hereby accepts the 2019 Harbourfront Business Development Plan, as presented and prepared by HTFC Planning and Design.

#### **Zoning Bylaw Amendment D14-19-10 – 310 Matheson St S, Boathouse**

##### **17. Moved by Councillor McMillan, Seconded by Councillor Poirier & Carried:-**



That the Application for Zoning By-law Amendment, File No. D14-19-10, to change the zoning of the area identified to allow for an existing legal non complying building and restaurant, by changing the Zoning from GC- General Commercial and HL- Hazard Lands to GC- General Commercial and HL- Hazard Lands, Exception [47] for a portion of the property located south of the retaining wall be hereby approved; and further

That the effect would allow relief from parking provisions as per Table 4: Required Parking Spaces within the Kenora Zoning By-law 101-2015 and limit use to a restaurant which is legally non-complying; and further

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

**Zoning Bylaw Amendment D14-19-12 – 768 9<sup>th</sup> St N, Rideout Bay  
18. Moved by Councillor Ralko, Seconded by Councillor Poirier & Carried:-**

That the Application for Zoning By-law Amendment, File No. D14-19-12, located at 768 Ninth Street North, Rideout Bay, Winnipeg River described as Part Block F of Plan 158, and by reference plan of survey being Parts 8, 10, 11 and 12 on Plan 23R-14566, being PIN # 42163-0274 to rezone the subject lands from Heavy Industrial (MH) to General Commercial (GC) be hereby approved; and further

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

**Official Plan Amendment & Zoning Bylaw Amendment Repeal  
19. Moved by Councillor Poirier, Seconded by Councillor McMillan & Carried:-**

That By-law Number 171-2019, being a bylaw for Official Plan Amendment File Number D09-19-03 be hereby repealed; and further

That Bylaw number 172-2019, being a bylaw for Zoning Bylaw Amendment File Number D14-19-09 be hereby repealed; and further

That three readings be given to two bylaws for this purpose.

**Official Plan Amendment & Zoning Bylaw Amendment-Former Abitibi Mill Site  
20. Moved by Councillor Goss, Seconded by Councillor Poirier & Carried:-**

That sufficient notice has been given in respect of the proposed Official Plan Amendment and Zoning By-law Amendment relating to the "Former Abitibi Mill Site" and no further notice is required prior to the passage of the said By-laws.

**Official Plan Amendment & Zoning Bylaw Amendment Adoption  
20a. Moved by Goss, Seconded by Councillor Poirier & Carried:-**

That Council hereby approves the application for Official Plan Amendment, File No. D09-19-03, and the Application for Zoning By-law Amendment, File No. D14-19-09; and further



That three readings be given to a bylaw to authorize the Official Plan Amendment for File Number D09-19-03; and further

That three readings be given to a bylaw to authorize for the Zoning Bylaw Amendment for File Number D14-19-09.

### **McKenzie Portage Pit Material Removal Policy #OI-1-1 Repeal**

#### **21. Moved by Councillor Smith, Seconded by Councillor Goss & Carried:-**

That Council hereby repeals Material Removal – McKenzie Portage Pit Policy #OI-1-1; and further,

That Council give three readings to a By-law to amend the Comprehensive Policy Manual for this purpose.

### **Planning Advisory Committee Board Composition Repeal**

#### **22. Moved by Councillor McMillan, Seconded by Councillor Ralko & Carried:-**

That Council hereby repeals bylaw number 150-2018, being a bylaw to increase the membership compliment to the Planning Advisory Committee; and further

That the appointment of Peter Fox to the Planning Advisory Committee be hereby repealed.

### **Recreation Services Q3 Report**

#### **23. Moved by Councillor Ralko, Seconded by Councillor Poirier & Carried:-**

That Council hereby accepts the 2019 Third Quarter Report for the Recreation Services Department.

### **Various Committee Minutes**

#### **24. Moved by Councillor Poirier, Seconded by Councillor McMillan & Carried:-**

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

- October 17, 2019 & October 29, 2019 – Planning Advisory Committee
- November 13, 2019 – Accessibility Advisory Committee
- November 20, 2019 - Heritage Committee
- November 28, 2019 – The Muse

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

- September 9, 2019– Kenora Police Services Board
- October 9, 2019 & November 13, 2019 – Handi Transit Board
- October 24, 2019 - District of Kenora Home for the Aged Board of Management; and further

That these Minutes be circulated and ordered filed.

## **Water & Wastewater October 2019 Monthly Summary**

### **25. Moved by Councillor Goss, Seconded by Councillor Poirier & Carried:-**

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

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

#### **26. Moved by Councillor Smith, Seconded by Councillor 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:~

- #173-2019 - Confirmatory
- #174-2019 - 2020 Capital Budget
- #176-2019 - Workplace Hazards Analysis Policy #HS-09
- #177-2019 - Personal Protective Equipment Policy #HS-18
- #178-2019 - Designated Substances Policy #HS-34
- #179-2019 - Materials Handling Policy #HS-36
- #180-2019 - First Aid Requirements #HS-42
- #181-2019 - Coffee Breaks Policy #HR-2-16
- #182-2019 - Agreement with LOW District Hospital Central Ambulance Dispatch Services
- #183-2019 - Agreement with City of Dryden - Recycle Haulage
- #184-2019 - 4<sup>th</sup> Avenue South Parking Amendment
- #185-2019 - Budget Amendment - Sewer & Water - Replacing OmniSite System
- #186-2019 - Zoning Bylaw Amendment D14-19-10 - 310 Matheson Street South
- #187-2019 - Zoning Bylaw Amendment D14-19-12 - 768 Ninth Street North
- #188-2019 - Official Plan Amendment Repeal - Bylaw #171-2019
- #189-2019 - Zoning Bylaw Amendment Repeal - Bylaw #172-2019
- #190-2019 - Official Plan Amendment - File Number D09-19-03 - Clarifier Site
- #191-2019 - Zoning Bylaw Amendment - File Number D14-19-09 - Clarifier Site
- #192-2019 - McKenzie Portage Pit Material Removal Policy #OI-1-1 Repeal
- #193-2019 - Planning Advisory Committee Board Composition Repeal

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

#### **27. Moved by Councillor McMillan, Seconded by Councillor Poirier & 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:~

- #175-2019 - 2020 OPP Policing Contract

### **Notices of Motion**

None

### **Proclamations**

None

**Announcements**

**The following was highlighted by Council:**

- Councillor Smith noted this is the last Council meeting of this year. She extended a Merry Christmas & Happy New Year to Council staff and citizens.
- Councillor McMillan extend his appreciation to staff for their support and to the community, press, and emergency services personnel for their services. He encouraged everyone to reach out to those less fortunate during the holiday season.
- Councillor Poirier wished everyone all the best this Christmas season. He recognized the generosity of community which continues to amaze year after year. The generosity is a tremendous part of the makeup of our community.
- Mayor Reynard recognized the City’s senior leadership team and staff. He reminded Council there has been some tremendous accomplishments in 2019 which sets us forward for 2020. He thanked Council for their efforts and extended holiday wishes to all.

**Adjourn to Closed Session**

**28. Moved by Councillor Ralko, Seconded by Councillor Poirier & Carried:-**

That pursuant to Section 239 of the Municipal Act, as amended, authorization is hereby given for Council to move into a Closed Session at 1:22 p.m. to discuss items pertaining to the following:-

- i) Education & Training Members of Council (2 matters-CAO & Mayor update)

**Reconvene to Open Meeting**

Council reconvenes to open session at 3:46 p.m. with no reports from its closed session.

**Close of Meeting**

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

That this meeting be now declared closed at 3:47 p.m.

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

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

**Of.....2020**

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**Mayor**

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**City Clerk**