



# MINUTES

**Of a Meeting of the Council of the City of Kenora  
Tuesday, October 15, 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, Councillor C. Van Wallegghem

**Staff:** Karen Brown, CAO, Heather Pihulak, City Clerk

## **Call to Order**

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

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

Mayor Reynard then read the following notices:-

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

- Council will establish their 2020 meeting schedule
- Amend the 2019 Capital and Operating Budgets in the amount of \$14,100.00 to be funded through the IT Reserve for the purchase of a modern governance solution
- Rename the new portion of road as part of the Downtown Revitalization Project extending from the existing First Street South, to First Street South.
- Amend the 2019 Capital and Operating Budgets in the amount of \$6,500.00 to be funded through the Cemetery Ice Candle Reserve for the purchase of a reefer trailer to continue the Ice Candle Program

## **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, Seconded by & Carried:-**

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-  
Regular Council – September 17, 2019

## Deputations

### **Melissa Klippenstein – Proposed Four Plex Location**

Ms. Klippenstein lives close to the proposed area to be turned into a ball diamond and parking lot and is opposed to the location for the ball diamonds and parking lot and believes that the space should remain a forested area, a nature park reserve, and left as is. The area of forest is used by many nature enthusiasts, hikers, dog walkers, families, bird watchers, cyclists. It is part of a rabbit lake trail loop and includes 4 already existing hiking trails.

Ms. Klippenstein would like to see a clear description of why administration picked the forested area of Garrow Park/Rabbit Lake trails system for this proposal, and what evidence indicates that this was a better choice than an already cleared and flat and partially developed piece of land. She further requested any reports on the environmental impact to the area for this proposal. She felt the residents of the area should have been notified by the city of this proposal, as it affects our area, instead of finding out about it after the fact, through the newspaper.

### **John Mash – Proposed Four Plex Development**

Mr. Nash provided a letter to Council which was read as part of his deputation in regards to his concerns over the proposed location of the development of a 4-plex baseball facility in the Garrow Park Thomas Aquinas School area. Development of this facility will eliminate a significant portion of a high-value greenspace area within Kenora and portions of an extremely popular urban trail network.

Mr. Nash suggested some sites that may be viable options recognizing the City will have more access to land ownership and feasibility. He suggested a partnership with Mount Evergreen Ski Hill and use Nav Canada tower site on Airport Road across from old Skyline Store Flat Sand Field Requires moving existing tower. Mud Lake Area directly east of Transfer Station (Old mill site).

### **Marty Laffin – Proposed Four Plex Development**

Mr. Laffin lives in the area and noted it is an increasingly busy Birchwood neighbourhood. Developments and improvements in recent years to Garrow Park and the beach, the Rowing Club, the pickleball courts, and the nature trail, while beneficial to the City of Kenora as a whole, have increased traffic and noise in the neighbourhood quite dramatically. Now the Green Space is being threatened. He is also concerned about the irreparable damage done to the environment by the destruction of the green space.

## Additions to the Agenda

None

### **Procurement Policy #AF-1-1**

#### **2. Moved by M. Goss, Seconded by A. Poirier & Carried:-**

That Council hereby approves an amended City of Kenora Procurement Policy #AF-1-1 which forms part of the City's Comprehensive Policy Manual; and further

That bylaw number 10-2018 be hereby repealed; and further

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

### **Central Community Club**

#### **3. Moved by S. Smith, Seconded by A. Poirier & Carried:-**

That the Council of the City of Kenora hereby authorizes the issuance of tax receipts for any donation of \$50 or greater made to the City of Kenora up to September 30, 2020, unless otherwise specified, to be used specifically towards the rebuild of the Central Community Club; and

That the City will pay the invoice(s), direct to the appropriate supplier(s) for the construction to a maximum of the actual donations received; plus the \$100,000 commitment; and further

That the issuance of tax receipts for donations for construction be restricted specifically to the Community Club rebuild in recognition of the recreation impact to the City of Kenora.

### **August 2019 Financial Statements**

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

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

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

#### **5. Moved by K. Ralko, Seconded by R. McMillan & Carried:-**

That Council hereby approves an amended Health and Safety Policy #HS-01 Health and Safety Policy Statement, #HS-14 Lock-out and Tag-out, #HS-37 Employee Orientation; and further

That Council hereby repeals #HS-13 Work Refusals, #HS-32 Applicable Legislation and #HS-33 WHMIS Training health and safety policies; 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 three bylaws for this purpose.

### **Human Resources Policy Amendments & Repeals**

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

That Council hereby approves a new #HR-3-02 Vacation and Leaves of Absence Policy for non-union staff which forms part of the City of Kenora Comprehensive Policy Manual; and further

That Council hereby repeals Human Resources Policy #HR-3-03 Vacation–Paid Holidays Policy, #HR-3-09 Leaves of Absence (Non-Union), #HR-3-11 Leaves of Absence–Other, #HR-3-04 Hours of Work; and further

That bylaws number 7-2011, 8-2011, 117-2012 be hereby repealed; and further

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

**Joint & Several Liability AMO Support of Submission to AG of Ontario**  
**7. Moved by C. Van Wallegghem, Seconded by A. Poirier & Carried:-**

That Council of the City of Kenora hereby supports the AMO report submitted to the Attorney General of Ontario entitled “Towards a Reasonable Balance: Addressing growing municipal liability and insurance costs”; and further

That a copy of the City of Kenora resolution be forwarded to the attention of the Attorney General and AMO prior to November 1, 2019.

**Council 2020 Meeting Calendar**  
**8. Moved by M. Goss, Seconded by A. Poirier**

That Council hereby accepts the 2020 Council meeting calendar as presented.

**Councillor Smith introduced a motion to amend Motion #8 as follows:-**

**Amendment to Motion #8 – Council 2020 Meeting Calendar**  
**8a. Moved by S. Smith, Seconded by C. Van Wallegghem & Carried:-**

That Motion #8 on today’s agenda with respect to the 2020 Council Meeting Calendar be hereby amended as follows:

- Remove: ‘as presented’
- Add: and further; That the August meeting series be held August 11 and 25, 2019 and included in the 2020 Council Meeting Calendar.

**Motion #8, as amended – 2020 Council Meeting Calendar**  
**8. Moved by S. Smith, Seconded by C. Van Wallegghem & Carried:-**

That Council hereby accepts the 2020 Council meeting calendar; and further

That the August meeting series be held August 11 and 25, 2019 and included in the 2020 Council Meeting Calendar.

**Budget Amendment - Digital Meeting Management System**  
**9. Moved by R. McMillan, Seconded by S. Smith & Carried:-**

That Council hereby authorizes a budget amendment in the amount of \$14,100.00 to be funded through the IT Reserve for the purchase of a modern governance solution through iCompass; 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 and Operating Budgets in the amount of \$14,100.00 at its October 15th, 2019 meeting for this purpose; and further

That Council gives three readings to a By-law to amend the 2019 capital and operating budget for this purpose.

### **Provincial Downloading Resolution of Support**

#### **10. Moved by K. Ralko, Seconded by A. Poirier**

Whereas the Province of Ontario has announced changes in its funding formulas for Health Units and District Social Services Boards; and

Whereas these Boards are funded by municipalities within their service areas; and

Whereas the full impacts of how these funding reductions may impact Health Units and District Social Services Boards are not yet known; and

Whereas Kenora City Council wishes to ensure that these funding reductions not result in a further downloading of costs to municipalities and as a result local taxpayers to help offset funding reductions;

Now Therefore Let It Be Resolved:-

That the City of Kenora hereby requests the board of the Northwestern Health Unit and the Kenora District Services Board review their operations to determine where offsetting savings can be achieved to ensure the funding reductions are not ultimately passed on to local taxpayers of the various municipalities within their service areas; and further

That a copy of this resolution be forwarded to the Northwestern Health Unit, the Kenora District Services Board, and all municipalities within their respective service areas.

### **Provincial Downloading Resolution of Support**

#### **10a. Moved by S. Smith, Seconded by A. Poirier & Carried:-**

That Motion #10 on today's agenda with respect to the Provincial Downloading Resolution of Support be hereby deferred indefinitely.

**Discussion:** It was suggested that the Board Chair and CAO's come to meet with Council and/or Administration. It is hoped that we can have that discussion prior to our budget discussion. The CAO of the NWHU and the KDSB have reached out to the City. The two members of Council that represent the NWHU and the KDSB work with those boards and CAO to address the City's concerns.

**Motion #10 Deferred Indefinitely.**

### **First Street South Road Naming Extension - DTR**

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

That as part of the Downtown Revitalization Phase 4, Council of the City of Kenora hereby names a newly created portion of a road as First Street South; 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 October 15<sup>th</sup>, 2019 Council Meeting, naming the above-described portion of road as First Street South; and further

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

### **Traffic Bylaw Amendment – DTR Street Changes**

#### **12. Moved by C. Van Wallegghem, Seconded by M. Goss & Carried:-**

That Council hereby approves multiple amendments to the Traffic Regulation By-law Number 180-2015, for Schedules "B", "C", "G", "K", "O", and "P" as reflected in the background section of this report, to accommodate modifications made as part of Phase 4 of Downtown Revitalization; and further

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

### **Traffic Bylaw Amendment – No Parking Zone Third Street South**

#### **13. Moved by M. Goss, Seconded by C. Van Wallegghem & Carried:-**

That Council authorizes an amendment to the City of Kenora Traffic Regulation By-law Number 180-2015 to include changes to Schedule "B" – No Parking – Tow Away Zone for Third Street South, to eliminate the current parking restrictions along the south side of the street between Fifth Avenue South and Seventh Avenue South; and further

That the restrictions to the north side of the street between Fifth Avenue South to Sixth Avenue South and from Sixth Avenue South, easterly for 112 metres be added; and further

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

### **Traffic Bylaw Amendment – Accessible Parking Mill Street**

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

That Council hereby approves an amendment to the Traffic Regulation By-law Number 180-2015, Schedule "K" – Accessible Parking on Municipal Streets, to add a designated accessible parking spot outside Keewatin Public School located on Mill Street; and further

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

### **Traffic Bylaw Amendment – Yield Sign @ Wynd Rd & Ritchie Rd**

#### **15. Moved by R. McMillan, Seconded by C. Van Wallegghem & Carried:-**

That Council hereby approves an amendment to the Traffic Regulation By-law Number 180-2015, Schedule "P" – Yield Intersections, to add a designated Yield Sign at the intersection of Wynd Road and Ritchie Road; and further

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

### **Budget Amendment – Cemetery Ice Candle Program**

#### **16. Moved by K. Ralko, Seconded by C. Van Wallegghem & Carried:-**

That Council hereby authorizes a budget amendment in the amount of \$6,500.00 to be funded through the Cemetery Ice Candle Reserve for the purchase of a reefer trailer to continue the Ice Candle Program; 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 in the amount of \$6,500.00 at its October 15th, 2019 meeting for this purpose; and further

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

### **Investing Canada Infrastructure Program–Recreation Stream Application**

#### **17. Moved by M. Goss, Seconded by K. Ralko**

#### **MOTION DEFEATED**

That through the Investing in Canada Infrastructure Program—Community Culture and Recreation Stream, municipalities may submit a project application and have 73.33 percent of costs covered with a maximum project cap of \$50 million; and further

That Council directs staff to apply for funding under the Investing in Canada Infrastructure Program—Community, Culture and Recreation Stream to proceed with the development and construction of a new ball diamond fourplex; and further

That Council hereby authorizes any cost overruns of the project.

**Discussion:** The intent of relocating the ball diamonds is to move the ball diamonds to one concentrated area and focus on the available lands from that relocation for development of housing. We do not have enough taxation, or enough customers on our water and sewer system to keep costs reasonable. We are short of housing and need to address working with developers to build housing but need attractive suitable lands to do that.

Councillor Van Wallegghem felt the better use of the money would be to focus on supporting winter tourism. Community clubs could expand with a roof over the outdoor rinks. Councillor Van Wallegghem requested a recorded vote for motion #17.

Councillor McMillan referenced that it is not often that \$0.73 cent dollar funding is available for municipalities, especially for recreation. He remains excited about the fourplex project and the benefits are exciting for the community. Councillor McMillan visited the site and it has caused him to step back and take a second look and after viewing the site and reviewing the information shared with respect to cost and what it will do to the property area. The recommendation is specific to funding, however, the application for funding would have to have a site attached to it. Staff have reviewed many different sites and this was the recommendation. Councillor McMillan continues to support the fourplex but not the specific location being proposed.



Councillor Smith noted that we are having a housing shortage and desirable housing is first and foremost. The 73 cent dollars are a wonderful opportunity in our community and that never comes along. Councillor Smith conducted two site visits to green space on Garrow and had a good look at it. There is a mixture of hard woods and soft wood on typical Canadian Shield and a \$2M price tag for blowing that up. Councillor Smith is protective of green space in her neighbourhood and the value of green space has paid off immensely in that area. There is a better site out there.

Mayor Reynard noted that all of Council's election priority during the election was housing as their number one priority. We need to look at items that create synergies throughout our community and focus on the overall big picture, and not the 'not in my back yard' concerns. Every proposal that we try to move forward on pertaining to housing or otherwise, the community has met with opposition. This fourplex complex originally came forward because someone wanted the A & W area for a development but there was no money available at the time to proceed with the development. This area was identified as the best site for a fourplex at that time. At some point you have to stand up and really believe in housing and move this community forward or we will not solve the housing shortage.

Councillor Van Wallegghem requested a recorded vote. The Clerk asked each member to declare their vote.

| <b>Recorded Vote</b>      | <b>AYE</b> | <b>NAY</b> | <b>Dec. of Interest</b> | <b>Absent</b> |
|---------------------------|------------|------------|-------------------------|---------------|
| Councillor Goss           | <b>X</b>   |            |                         |               |
| Councillor McMillan       |            | <b>X</b>   |                         |               |
| Councillor Poirier        |            | <b>X</b>   |                         |               |
| Councillor Ralko          |            | <b>X</b>   |                         |               |
| Councillor Smith          |            | <b>X</b>   |                         |               |
| Councillor Van Wallegghem |            | <b>X</b>   |                         |               |
| Mayor Reynard             | <b>X</b>   |            |                         |               |

**The Clerk declared the Motion Defeated.**

### **OHRC Report on Homelessness in Kenora**

#### **18. Moved by C. Van Wallegghem, Seconded by A. Poirier & Carried:-**

That Council hereby receives the informational report prepared by Adam Smith, Development Services Manager regarding the Ontario Human Rights Commissioner (OHRC) report on Homelessness in Kenora.

**Discussion:** Councillor Smith echoed her concerns from the Committee of the Whole meeting in regards to the unjust report by the Human Rights Commissioner. She feels her reference in the report in regards to a confidential source on Facebook's 'Rant and Rave' page completely discredited her and her report. We need to stand up for the good work we are doing in our community around the social issues and homelessness.

### **Site Plan Control Policy Review**

#### **19. Moved by M. Goss, Seconded by C. Van Wallegghem**



Whereas the Investment Readiness Assessment completed in 2018 recommended that public consultation requirements be eliminated under section 2.1.6 of DS-5-1 Site Plan Control; now therefore let it be resolved

That Council hereby continues to support the exclusion of these requirements from the site plan control process.

**Councillor Smith introduced a motion to amend Motion #19 as follows:-**

**Amendment to Motion #19 – Site Plan Control Policy Amendment  
19a. Moved by S. Smith, Seconded by C. Van Walleggem**

That Motion #19 on today's agenda with respect to the Site Plan Control Policy be hereby amended to read as follows:

- That Site Plan Control Policy #DS-5-1 be amended to include a change to the policy to include the need for public consultation on Site Plan Control Applications; and further

That Site Plan Control Policy #DS-5-1 return to the November Council agenda for bylaw consideration and repeal.

**Amended Motion Defeated.**

**Stantec Agreement for Bridge Rehabilitation Works  
20. Moved by S. Smith, Seconded by M. Goss**

That Council hereby authorizes the execution of an agreement for consulting services related to the 2020 rehabilitation of the Beggs Arc Culvert and Lajeunesse Bridge works between the Corporation of the City of Kenora and Stantec; and further

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

**Motion Deferred Indefinitely.**

**Continuum Bylaw Amendment  
21. Moved by R. McMillan, Seconded by S. Smith & Carried:-**

That Council gives three readings to a bylaw to amend Continuum bylaw #130-2019; and further

That the Mayor and Clerk execute this bylaw and provide to the Municipal Solicitor for completion.

**Recreation 2<sup>nd</sup> Quarter Report  
22. Moved by K. Ralko, Seconded by R. McMillan & Carried:-**

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

### **Traffic Bylaw Amendment – Thistle Drive**

#### **23. Moved by A. Poirier, Seconded by C. Van Wallegghem & Carried:-**

That Council hereby approves an amendment to the Traffic Regulation By-law Number 180-2015, for multiple schedules, to replace “First Street South” where applicable, with “Thistle Drive” as per recently approved By-law No 142 -2019; and further

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

### **Receipt & Approval of Various Minutes**

#### **24. Moved by C. Van Wallegghem, Seconded by A. Poirier & Carried:-**

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

- June 18, 2019 - Kenora Police Services Board
- August 21, 2019 – Kenora Urban Recreation Trails Committee (Special Meeting)
- September 4, 2019 – Environmental Advisory Committee
- September 4, 2019 – Accessibility Advisory Committee
- September 25, 2019 – Kenora Public Library
- September 26, 2019 – The Muse

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

- July 11, 2019 & August 15, 2019 – Kenora District Services Board
- July 25, 2019 - District of Kenora Home for the Aged Board of Management; and further

That these Minutes be circulated and ordered filed.

**Discussion:** Councillor Van Wallegghem questioned the receipt of the Handi Transit Minutes and the KDMA minutes. The Clerk will look into these.

### **Water & Wastewater Monthly Summary – August 2019**

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

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

### **Municipal Snow Plowing Tender**

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

That the hourly rates for two graders from Brooks Francis, in the amount of \$150/hr (HST extra) on a “call as needed” basis only, be hereby accepted.

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

#### **27. Moved by R. McMillan, Seconded by S. Smith & 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:~

#148-2019 – Confirmatory  
#149-2019 – Procurement Policy #AF-1-1 Amendment  
#150-2019 - Amend #HS-01 Health and Safety Policy Statement  
#151-2019 - Amend #HS-14 Lock-out and Tag-out Policy  
#152-2019 - Amend #HS-37 Employee Orientation Policy  
#153-2019 - Amend #HR-3-02 Vacation and Leaves of Absence Policy-Non Union  
#154-2019 – Budget Amendment – Digital Meeting Management System  
#155-2019 – First Street South Road Renaming Extension – DTR  
#156-2019 - Traffic Bylaw Amendment – DTR Street Changes  
#157-2019 - Traffic Bylaw Amendment – No Parking Zone  
#158-2019 - Traffic Bylaw Amendment – Accessible Parking  
#159-2019 - Traffic Bylaw Amendment – Yield sign  
#160-2019 - Budget Amendment – Cemetery Ice Candle  
~~#161-2019 – Agreement with Stantec for Bridge Rehabilitation Works (Deferred Indefinitely)~~  
#162-2019 - Continuum Bylaw #130-2019 Amendment  
#163-2019 - Traffic Bylaw Amendment – Thistle Drive

### **Notices of Motion**

None

### **Proclamations**

Waste Reduction Week  
Fire Safety Week

### **Announcements**

**The following was highlighted by Council:**

1. Councillor Van Wallegghem reminded everyone of the grand opening of the new Art Centre this coming weekend Sunday, October 20<sup>th</sup> at 1:00 p.m.
2. Councillor Ralko reminded everyone that the week of October 21<sup>st</sup> is Small Business Week.

### **Adjourn to Closed Session**

**28. Moved by K. Ralko, Seconded by R. McMillan & 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 1:20 p.m. to discuss items pertaining to the following:-

- i) Labour Relations (1 matter-Negotiations)
- ii) Disposition of Land (1 matter-Sale of Town Island)
- iii) Education and Training Members of Council (2 matters-CAO & Mayor update)

### **Reconvene to Open Meeting**

Council reconvenes to open session at 3:07 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 3:08 p.m.

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

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

**Of.....2019**

.....

**Mayor**

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**City Clerk**