



City of Kenora
Committee of the Whole
Minutes

Tuesday, July 14, 2020
9:00 a.m.

Electronic Attendance / City Hall Council Chambers

Due to the COVID-19 Pandemic, Council will be meeting electronically as permitted by Bill 187, Municipal Emergency Act, 2020. Citizens and our Media Partners are encouraged to attend the virtual meeting via the Public Live Stream Event at:

<https://video.isilive.ca/kenora/2020-07-14.html>

Present:

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

Staff: Heather Pihulak, Manager of Administration/City Clerk/Acting CAO, Jeff Hawley, Manager of Operations & Infrastructure, Charlotte Edie, Manager of Finance/Treasurer, Adam Smith, Manager of Development Services, Stace Gander, Manager of Community Services, Kevan Sumner, City Planner, Kelly Galbraith, Deputy Clerk/Customer Service Division Lead, Todd Skene, Fire Chief

A. Public Information Notices

As required under Notice By-law #144 -2007, the public is advised of Council's intention to adopt the following at its July 21, 2020 meeting:-

- Adopt a new Public Loitering By-law to prohibit the loitering of persons in public places
 - Amend its 2020 Capital and Operating Budget in the amount of \$25,000 for the purchase of Fire Training Aids
- Amend its Capital Budget in the amount of \$7,000 (plus applicable taxes) for the repair of truss brackets on the Winter Sand Storage Building
- Amend its Capital and Operating Budget in the amount of \$200,000 for the emergency rehabilitation of 9th Street in Keewatin
- Amend its 2020 Capital Budget in the amount of \$5,157 for the Evergreen Community Club Rink Project
 - Amend its Capital budget in the amount of \$50,000 for the construction of a Handi Transit Bus Garage

- Amend its Capital Budget in the amount of \$40,000 for enhancements to the downtown decorative structures

B. Declaration of Pecuniary Interest & the General Nature Thereof

- 1) On Today's Agenda
- 2) From a Meeting at which a Member was not in Attendance.

There were none declared.

C. Confirmation of Previous Committee Minutes

Resolution #1 - Moved by Councillor Ralko, Seconded by Councillor VanWalleghem & Carried:

That the minutes from the last regular Committee of the Whole Meeting held June 2, 2020 be confirmed as written and filed.

D. Deputations/Presentations

None

E. Reports:

1. Administration & Finance

1.1 May 2020 Monthly Financial Statements

Recommendation:

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora at May 31, 2020.

Discussion:

Council questioned the 17% variance in OPP costs from 2019 to 2020. Charlotte Edie, Treasurer noted the OPP billing system was not working for approximately two months. The billing issue has been rectified and the 2020 billing now aligns with the 2019 billing.

1.2 COVID-19 Updated Overview of Potential Financial Impacts

Discussion:

Council extended their appreciation to staff for a job well done and continuing to monitor the situation closely. It was asked if there is a list of possible reduction/deferral of purchases to keep as close to the 2020 budget as possible. There are still many unknowns in the remaining 5 months of the budget year however, over the next few weeks there will be a better understanding of user groups and expenses will be reviewed for reductions.

1.3 Canadian Medical Association Foundation COVID-19 Funding

Recommendation:

That Council hereby accepts a COVID-19 Community Response Funding donation from the Canadian Medical Association Foundation to support vulnerable populations during this pandemic; and further

That Council hereby authorizes the donation to be transferred, on behalf of the City, to the Kenora District Services Board (KDSB) who is the service delivery agency for social programs

July 14, 2020

Committee of the Whole Meeting Minutes

including social housing, homelessness programs, and emergency medical services/land ambulance; and further

That all reporting requirements associated with the funding be completed by the KDSB; and further

That three readings be given to a bylaw to execute the agreement between the Corporation of the City of Kenora and the CMA Foundation.

1.4 CAO Recruitment Policy

Recommendation:

That Council hereby approves a new #CC-1-5 CAO Recruitment Policy which will form part of the City of Kenora Comprehensive Policy Manual; and further

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

1.5 Public Loitering By-law

Recommendation:

That Council gives three readings to a bylaw to prohibit the loitering of persons in public places.

Discussion: The draft bylaw and community concerns was discussed at length by Council. Enforcement and fine questions were posed. There are several issues that the municipality is now dealing with that are not our doing. We can't wait for other levels of government for bricks and mortar and programs. We have yet to see anything from them and we need to act for our constituents for our community. It is recognized that this is not going to fix and solve the complex issues but it will assist with some concerns that the municipality continues to receive.

It was suggested staff could look at consulting with Treaty 3 and Kenora Chiefs Advisory on input and other stakeholders should be included such as, BIZ, Chamber, etc. as this has a direct impact on them as well. Council was advised that they always have the option to defer the matter for further review.

2. Fire & Emergency Services

2.1 Budget Amendment – Live Fire and Fire Training Aids

Recommendation:

That Council hereby approves a budget amendment in the amount of \$25,000.00 to be funded through deferred revenue for the Live Fire Burn Cells and Fire Training Aids; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2020 Operating & Capital Budget at its July 21, 2020 meeting to withdraw the funds from deferred revenue (donations) in the amount of \$25,000.00 for the purchase of Fire Training Aids to offset the cost of this purchase; and further

That Council give three readings to a by-law to amend the 2020 budget for this purpose.

3. Operations & Infrastructure

3.1 Electrical Upgrade on blowers at the Wastewater Treatment Plant

Recommendation:

That Council hereby accepts the proposal submitted by AutomationNow, in the amount \$317,738 (plus HST) for the electrical upgrades on blowers at the Wastewater Treatment Plant.

3.2 Budget Amendment – Operations Facility Reserve for Sand Storage Repair Recommendation:

That Council hereby approves a budget amendment in the amount of \$7,000.00 from the Operations Facility Reserve for the repair of truss brackets on the Winter Sand Storage Building; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2020 Capital Budget at its July 21, 2020 meeting to withdraw funds from the Operations Facility Reserve in the amount of \$7,000.00 (plus applicable taxes) for the repair of truss brackets on the Winter Sand Storage Building; and further

That Council give three readings to a by-law to amend the 2020 budget for this purpose.

3.3 Budget Amendment – Emergency Rehabilitation of 9th Street in Keewatin Recommendation:

That Council hereby approves an additional allocation of \$200,000.00 for the 2020 Municipal Paving capital works program to be funded through the Roads Reserve for the emergency rehabilitation of 9th Street in Keewatin, located between Highway 17 West and Beach Road; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2020 Operating & Capital Budget at its July 21, 2020 meeting to withdraw funds from the Roads Reserve in the amount of \$200,000.00 to offset the cost of this work; and further

That Council give three readings to a by-law to amend the 2020 budget for this purpose.

4. Community Services

4.1 Ontario Power Generation Inc. (OPG) Lease Renewal Recommendation:

That the Mayor and Clerk of the City of Kenora be authorized to enter into a lease renewal agreement with OPG for the use of commercial space located at 60 Fourteenth Street N.; and further

That the appropriate by-law be passed for this purpose.

4.2 Budget Amendment – Evergreen Community Club Rink Project Recommendation:

That Council hereby authorizes a budget amendment in the amount of \$5,157.00 to be funded through Community Club Reserves for the Evergreen Community Club Rink Project; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2020 Capital Budget at its July 21st, 2020 meeting for this purpose; and further

That Council give three readings to a By-law to amend the 2020 capital budget for this purpose.

4.3 Budget Amendment – Handi Transit Bus Garage

Recommendation:

That Council hereby approves a budget amendment in the amount of \$50,000 towards the construction of a three stall bus garage at the Operations Center to be funded through the Dedicated Gas Tax; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2020 Capital Budget at its July 21st, 2020 meeting to withdraw funds from Dedicated Gas Tax reserves in the amount of \$50,000 for the construction of the garage; and further

That Council give three readings to a by-law to amend the 2020 capital budget for this purpose.

4.4 Budget Amendment – Downtown Safety Enhancement

Recommendation:

That Council hereby approves a budget amendment in the amount of \$40,000 to be funded through contingency reserves for enhancements to the downtown decorative structures; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2020 Capital Budget at its July 21st, 2020 meeting to withdraw funds from contingency reserves in the amount of \$40,000; and further

That Council give three readings to a by-law to amend the 2020 capital budget for this purpose.

Discussion: Council questioned what type of decorative structures will be purchased with the \$40,000. Staff will provide Council with renderings of the plans. The downtown cleanliness was discussed. It was noted the City purchased additional equipment to wash existing structures and added a second staff member, along with two summer by-law students to assist with trying to keep the downtown clean.

5. Development Services

5.1 Certificate of Release, Phase 1: Pine Portage Road

Recommendation:

That Council of the City of Kenora hereby declares that the owners of all affected properties of the Subdivision Agreement for Phase 1 – Pine Portage Road are not in default of any of the provisions of the agreement; and further

That a Certificate of Completion be provided to the owners of affected properties, in a form suitable for registration or deposit in the applicable Registry or Land Titles Office.

5.2 Letter of Concurrence and Lease Agreement for Tbaytel Communications Tower – Miikana Way and 7th Avenue South

Recommendation:

That in accordance with City of Kenora Tower Policy P-P 1-1 Jay Lewis, Forbes Bros. Ltd., Agent for Tbaytel, has applied to the City for a letter of concurrence and lease agreement, for the location of a new cellular tower; and further

That the Government of Canada, through Industry Canada, has exclusive jurisdiction for approval of such sites; and further

That having reviewed submissions received from the public during the statutory comment period, per the City of Kenora Tower Policy; and further

That the CAO be authorized to execute a letter of concurrence indicating that requirements of the City of Kenora Tower Policy have been met; and further

That Council hereby authorizes a five (5) year lease agreement with TBaytel For a new telecommunication site on the corner of Miikana Way and 6th Avenue South for a five year term commencing September 1, 2020 and ending August 31, 2025; and further

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

Discussion: Council acknowledged the petition that was received regarding the communication tower. It was noted that the City has very little say in the placement of the tower as it is the Government of Canada who sets the regulations.

6. Deeming By-Law – Lots 191 and 192 on Registered Plan of Subdivision M-1 Recommendation:

Pursuant to the provisions of Section 50(4) of the Planning Act, RSO 1990, c. P.13, as amended, the Council of a local municipality may by by-law designate any plan of subdivision, or part thereof, that has been registered for eight years or more, which shall be deemed not to be a registered plan of subdivision for the purposes of Subsection 50(3) of the said Act; and further

That Lots 191 and 192 on Registered Plan of Subdivision M-1, in the City of Kenora, are within a plan of subdivision registered for more than eight years; and further

That Council gives three readings to a bylaw to deemed the above mentioned lands not to be a registered plan of subdivision for the purposes of Subsection 50(3) of the Planning Act.

6.1 Funding Application Approval - Harbourfront Business Development Plan Recommendation:

That Council accepted the Harbourfront Business Development Plan in December 2019; and further

That Council hereby approves an application to the Northern Ontario Heritage Fund Corporation (NOHFC) in the amount of \$325,000 for the delivery of detailed design and tender ready drawings to implement the Harbourfront Business Development Plan; and further

That Council approves an application to the Federal Economic Development Initiative for Northern Ontario (FedNor) in the amount of \$325,000 for the delivery of detailed design and tender ready drawings to implement the Harbourfront Business Development Plan; and further

That Council confirms its financial commitment of up to \$275,000 for the project; and further

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

6.2 2020 vacant Lands and Growth Strategy Recommendation:

That Council hereby accepts the 2020 Vacant Lands and Growth Strategy Report, as prepared by Urban Systems.

Discussion: It was questioned if the report will be made public. In the current state of the report there is confidential information but once the document is filtered, a revised report will be made public.

6.3 Kenora's Economic Recovery Plan

Recommendation:

That Council hereby accepts Kenora's Economic Recovery Plan, as presented and prepared by Development Services.

6.4 Amendment to Business Licensing By-Law 80-2006

That Business Licensing By-law #80-2006 be hereby amended to reflect the temporary use of vending on municipal property for businesses that have been approved under a Licence of Occupation for 2020.

Discussion: It was questioned how many establishments have participated in the patio policy. To date close to 10 establishments have submitted applications. Council is hopeful that businesses will capitalize the summer season and see recovery.

F. Proclamations

None

G. Other

- Councillor Smith extended her thanks to the Community Services Department for the work on the portage bay trail. Repairs to the sign, benches, and bleachers make a huge difference. Thanks was also extended to the staff responsible for cleaning the downtown streets. Councillor Smith encouraged residents to take advantage of patios opening up and recognized businesses for the creativeness they are undertaking during these uncertain times. Thank you to the community for supporting and helping these businesses. Challenges create opportunities.
- Councillor VanWalleghem encouraged residents to support local businesses and come enjoy City attractions such as the Museum, Art Centre, Library and Discovery Centre.
- Councillor Poirier recognized staff for organizing tomorrow's event of the reopening of the city and encouraged staff and residents to keep all the great ideas coming.
- Councilor McMillan expressed with the discussion had today regarding the loitering by-law, a week's time may not be sufficient to make a decision on the matter. More time for the consultation period may be required.
- Mayor Reynard shared he attended last week's farmers' market. It was the first time in a long time, where people were downtown in shops and restaurants. It is a great step forward. Moving into Phase 3 on Friday, we need to continue to follow what we've done for the past four and half months such as social distancing and hand washing, to continue to move forward.

H. Next Meeting

- Tuesday, August 11, 2020

I. Adjourn to Closed

Resolution #2 - Moved by Councillor Ralko, Seconded by Councillor VanWalleghem & Carried:

That Council now adjourn to a closed session at 10:34 a.m.; and further

That pursuant to Section 239 of the Municipal Act, 2001, as amended, the Closed Session will discuss items pertaining to the following:-

- i) Disposition of Lands (3 matters – Municipal vacant lands, MNR Property Sale, KDSB development)

J. Reconvene to Open Meeting

Council reconvenes to open session at 12:22 p.m. with no reports from its closed session.

K. Close Meeting

Meeting adjourned at 12:23 p.m.