



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, April 21, 2020
Electronic Attendance / City Hall Council Chambers
12:00 p.m.**

Due to the COVID-19 Pandemic, Council met electronically as permitted by Bill 187, Municipal Emergency Act, 2020 and the amended Procedural bylaw. Citizens and our Media Partners may view the recorded Live Stream meeting at:

<https://video.isilive.ca/kenora/2020-04-21.html>

~~~~~

**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:** Heather Pihulak, Manager of Administration/City Clerk, Jeff Hawley, Manager of Operations & Infrastructure/Acting CAO, Charlotte Edie, Manager of Finance/Treasurer, Adam Smith, Manager of Development Services, Stace Gander, Manager of Community Services

### Call to Order

Mayor Reynard called the meeting to order and Councillor Ralko 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 the 2020 Business Improvement Board Levy
- Adopt a new Tariff of Fees and Charges By-Law to increase Ball Field Rates
- Amend the 2020 Capital and Operating Budget for the following:
  - \$23,000 for the installation of soundproofing materials to the Operations Center boardroom and two offices to be funded through the Operation Centre Building Reserve
  - \$21,000 for the repairs at the Kenora Recreation Centre Fire Suppression System funded through contingency reserves
  - \$33,383.65 for the completion of an accessible entrance upgrade project at the Kenora Public Library funded from Library reserves
  - \$35,000 from the Land Planning Reserve for the delivery of the Vacant Land Supply and Growth Analysis project
  - \$58,576.00 + HST for PVC Roof Repairs at Kenora Fire Station 1 to be funded from the Kenora Fire Station Reserve
  - \$7,000 to supplement the funding required for the Urban Street and Highway Line Painting project from the Roads Reserve
- Direct administration to enter into negotiations with Forbes Bros Ltd, Agent on behalf of Tbaytel, for the installation of a 30m monopole, land equipment shelter and a 10' x 10' compound located on Municipal property at the corner of Miikana

Way and 6<sup>th</sup> Avenue South, with access off 9<sup>th</sup> Street South for the expansion of Tbaytel's 4G HSPA & LTE wireless project and authorize the requirement for a public meeting under Policy #DS-1-1

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

That the minutes from the following meetings he hereby confirmed as written and filed:

- Regular Council - March 31, 2020
- Special Council as the Kenora Municipal Non Profit Housing Board -December 5, 2019
- Special Council – April 8, 2020

### **Deputations**

None

### **Additions to the Agenda**

None

### **2020 BIZ Levy Request**

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

That Council hereby approves the Harbourtown Centre Business Improvement Board budget request in the amount of \$48,255.65 for 2020; and further

That Council gives three readings to a bylaw to adopt the estimates for funds to be raised for 2020 on behalf of the Harbourtown Centre Business Improvement Board; and further

That in accordance with Notice Bylaw Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2020 Business Improvement Board Levy at its April 21<sup>st</sup> meeting.

### **February 2020 Financial Statements**

#### **3. Moved by A. Poirier, Seconded by C. Van Walleghem & Carried:-**

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora at February 29, 2020.

### **Budget Amendment – PVC Roof Repairs**

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

That Council hereby approves an additional allocation of \$58,576.00 + HST to be funded through the Kenora Fire Station Reserves for the repairs to the PVC Roof of Kenora Fire Station 1; 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 April 21st, 2020 meeting for the PVC Roof Repairs project in the amount of \$58,576.00 + HST to be withdrawn from the Kenora Fire Station Reserve; and further

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

### **Budget Amendment – Line Painting Contract**

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

That the revised tender submitted by Northwest Lines in the amount of \$183,500.00 plus HST with an hourly rate of \$200.00 (plus HST) for extra work for the 2020 Urban Street and Highway Line Marking works be hereby accepted; and further

That Council hereby approves an increase in total cost for the line painting of \$7,000 to be funded through Roads Reserves; 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 the regular meeting of Council on April 14, 2020 to supplement the funding required for the Urban Street and Highway Line Painting project by way of the Roads Reserve in the amount of \$7,000.00; and further

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

### **Lease Renewal – Environment & Climate Change Canada**

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

That Council of the City of Kenora hereby authorize the Mayor and Clerk to enter into a five (5) year lease renewal agreement with Her Majesty the Queen, in Right of Canada, represented by the Minister of the Environment for the use of property located at the southeast corner of Dick Banning location, Plan 23R-4158, Part 1 in the City of Kenora, Ontario; and further

That the said renewal will increase the lease by four (4%) percent annually (plus applicable taxes) for a period from June 1st, 2020 to May 31<sup>st</sup>, 2025 payable in yearly lump sums; and further

That the appropriate bylaw be passed for this purpose.

### **Lease Renewal – Tbaytel Keewatin Ball Field**

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

That Council hereby authorizes a five (5) year lease agreement with TBaytel for a new telecommunication site at the Keewatin Portage Bay ball fields for a five year term commencing April 1, 2020 and ending March 31, 2025; and further

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

### **Lease Renewal – 89.5 Mix FM Acadia Broadcasting**

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

That the Mayor and Clerk of the City of Kenora be authorized to enter into a renewal agreement with Acadia Broadcasting Limited o/a CJRL 89.5 for use of property described as LOC 16V PT DES 23R-5391 PART; 1, 2 & 3 PCL 33990 LESS PART; 2 23R-9498 1335A Valley Drive; and further

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

### **Tariff of Fees & Charges Bylaw – Ball Field Rental Rates**

#### **9. Moved b A. Poirier, Seconded by C. Van Walleghem & Carried:-**

That Council gives three readings to a bylaw to authorize a new Tariff of Fees and Charges bylaw to adopt new Municipal Ball Field rates effective May 1<sup>st</sup>, 2020; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to adopt a new Tariff of Fees and Charges By-Law Number at its April 21<sup>st</sup>, 2020 meeting to give effect to these rates outlined in the revised Schedule "B"; and further

That By-law Number 38-2020 be hereby repealed.

### **Budget Amendment – Kenora Recreation Centre Fire Suppression System**

#### **10. Moved by C. Van Walleghem, Seconded by A. Poirier & Carried:-**

That Council hereby approves a budget amendment in the amount of \$21,000 to repair the Kenora Recreation Centre Fire Suppression System to be funded through contingency reserves; 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 April 21<sup>st</sup>, 2020 meeting to withdraw funds from contingency reserves in the amount of \$21,000 for the repairs at the Kenora Recreation Centre Fire Suppression System; and further

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

### **Budget Amendment – Library Accessible Entrance**

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

That Council hereby approves an additional allocation of \$33,383.65 to be funded through Library reserves for an accessible entrance upgrade at the Kenora Public Library which was a project that was in progress at year-end; and further

That \$29,517.39 was an approved 2019 capital budget expenditure not completed in 2019 and therefore is carried over and \$3,866.26 is cost overrun for the project for a total project cost of \$33,383.65; 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 April 21, 2020 meeting to withdraw funds from the Library Reserve in the amount of \$33,383.65 to offset the completion of this accessible entrance upgrade project; and further

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

### **Budget Amendment – Operations Centre Soundproofing**

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

That Council hereby approves a budget amendment in the amount of \$23,000 for the installation of soundproofing materials to the Operations Center boardroom and two offices to be funded through the Operation Centre Building Reserve; 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 April 21st, 2020 meeting to withdraw funds from the Operations Centre Building Reserve in the amount of \$23,000 to perform the required work; and further

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

### **Tenders During COVID-19**

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

That Council hereby approve staff's recommendation to cease public tenders related to tenders associated with travel during travel restriction and self-isolation protocols due to the COVID-19 pandemic.

### **Budget Amendment – Growth Management & Vacant Land Supply**

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

That Council hereby approves an allocation of \$35,000 to be funded through the Land Planning Reserve for the delivery of the Vacant Land Supply and Growth Analysis 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 Operating & Capital Budget at its April 21, 2020, meeting to withdraw funds from the Land Planning Reserve in the amount of \$35,000 to offset the cost of this project; and further

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

## **Planning Advisory Committee Terms of Reference**

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

That Council gives three readings to a bylaw to authorize amendments to the Rules of Order and Procedure for the City of Kenora Planning Advisory Committee (PAC) to allow for electronic participation at meetings; and further

That by-law number 34-2014 be hereby repealed.

## **TBaytel Use of Municipal Lands – Miikana Way**

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

That Council hereby directs administration to enter into negotiations with Forbes Bros Ltd, Agent on behalf of Tbaytel, for the installation of a 30m monopole, land equipment shelter and a 10' x 10' compound located on Municipal property at the corner of Miikana Way and 6<sup>th</sup> Avenue South, with access off 9<sup>th</sup> Street South for the expansion of Tbaytel's 4G HSPA & LTE wireless project; and further

That, in accordance with City of Kenora approved *Installation of Communication Policy*, Policy No. DS-1-1, Council waive the requirement for a public meeting, during the declaration of a municipal emergency as part of the ongoing effort to stop **COVID-19**; and further

That the Applicant will continue with public consultation by advertising in the local newspaper, posting an informational sign on the proposed site and shall provide a notification package to land-use authorities, businesses, and property owners, located within a radius of three times the tower height (270 m Radius); and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to provide public notice on their agenda in lieu of the requirement for a public meeting in accordance with Installation of Communication Policy DS-1-1 which is in addition to the public notification efforts of the Applicant on the file; and further

That a "Letter of Concurrence" shall be provided by the City of Kenora to Forbes Bros Ltd., Agent on behalf of Tbaytel, if the City is satisfied that the Applicant has acted reasonably in mitigating any concerns with the proposed tower in the absence of a public meeting as per the provisions of Public Consolation within Policy No. DS-1-1.

**Discussion:** Adam Smith, Development Services Manager clarified with Council that the requested radius around expanding the contact. Direction from Council was expanding to the 270 m radius.

## **Dedicated Gas Tax Letter of Agreement**

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

That three readings be given to a by-law to authorize the execution of a letter of agreement between the City of Kenora and the Ministry of Transportation with respect to the Dedicated Gas Tax Funds for Public Transportation Program for future years; and further

That the Mayor and Treasurer be authorized to execute this agreement.

### **FedNor Funding Amendment – Digital Creator Program**

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

That three readings be given to a bylaw to execute a project amendment between the Corporation of the City of Kenora and FedNor for the Digital Creator Program; and further

That the Mayor & Acting CAO be authorized to execute this agreement.

### **Community Accessibility Stream Agreement EAF**

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

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and Government of Canada to proceed with accessibility improvements at Norman Park; and further

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

### **FedNor Contribution Agreement – DTR Phase IV Activities**

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

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and Her Majesty the Queen in Right of Canada as represented by the Minister of Industry for the delivery of activities related to the Phase IV Downtown Revitalization Project; and further

That the Mayor & Acting CAO be authorized to execute this agreement.

### **LOWDH Agreement**

#### **21. Moved by A. Poirier, Seconded by C. Van Walleggem & Carried:-**

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and Lake of the Woods District Hospital for the use of the Keewatin Arena during COVID-19; and further

That the Mayor & Acting CAO be authorized to execute this agreement.

### **MMAH Agreement – Municipal Modernization Funding**

#### **22. Moved by C. Van Walleggem, Seconded by A. Poirier & Carried:-**

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and the Government of Ontario for the provision of Municipal Modernization Program Funding in the amount of \$100,000; and further

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

## **NOHFC Agreement – Growth Mgmt & Vacant Land Supply Analysis**

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

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and the Province of Ontario for the delivery of the Growth Management and Vacant Land Supply Analysis; and further

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

## **Agreement with Titan Contractors – Municipal Paving**

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

That further to City Council accepting the bid of Titan Contractors related to the 2020 Municipal Paving Program, authorization be and is hereby given for the Mayor and Clerk to execute an agreement between the Corporation of the City of Kenora and Titan Contractors; and further

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

## **Agreement with Moncrief Construction – Railway/Park St Construction**

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

That further to City Council accepting the bid of Moncrief Construction related to the Park and Railway Street rehabilitation works, authorization be and is hereby given for the Mayor and Clerk to execute an agreement between the Corporation of the City of Kenora and Moncrief Construction; and further

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

## **Recreation Department 2019 4<sup>th</sup> Quarter Report**

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

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

## **Water Systems Monthly Summary – February 2020**

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

That Council of the City of Kenora hereby accepts the February 2020 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by City administration.

## **Concrete Rehabilitation – Chlorine Contact Chamber at WWTP**

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

That Council hereby accepts the tender submitted by KEM Construction, Thunder Bay in the amount of \$489,000 (plus HST) for concrete rehabilitation of the chlorine contact chamber at the Kenora Wastewater Treatment Plant.



## **Approval of Bylaws**

### **29. Moved by M. Goss, 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:~

- #61-2020 - Confirmatory
- #62-2020 - 2020 BIZ Levy Request
- #63-2020 - Budget Amendment - PVC Roof Repairs
- #64-2020 - Budget Amendment - Line Painting Contract
- #65-2020 - Lease Renewal - Environment & Climate Change Canada
- #66-2020 - Lease Renewal - Tbaytel Keewatin Ball field
- #67-2020 - Lease Renewal - 89.5 Mix FM Acadia Broadcasting
- #68-2020 - Tariff of Fees & Charges Bylaw - Ball field Rental Rates
- #69-2020 - Budget Amendment - Kenora Recreation Centre Fire Suppression System
- #70-2020 - Budget Amendment - Library Accessible Entrance
- #71-2020 - Budget Amendment - Operations Centre Soundproofing
- #72-2020 - Budget Amendment - Growth Management & Vacant Land Supply
- #73-2020 - Planning Advisory Committee Terms of Reference
- #74-2020 - Dedicated Gas Tax Letter of Agreement
- #75-2020 - FedNor Funding Amendment - Digital Creator Program
- #76-2020 - Enabling Accessibility Agreement - Norman Park upgrades
- #77-2020 - FedNor Contribution Agreement - DTR Phase IV activities
- #78-2020 - LOWDH Agreement - Keewatin Arena
- #79-2020 - MMAH Funding Agreement - Municipal Modernization
- #80-2020 - NOHFC Funding Agreement-Growth Mgmt & Vacant Land Supply Analysis
- #81-2020 - Agreement with Titan Contractors - Municipal Paving
- #82-2020 - Agreement with Moncrief Construction - Railway/Park St Construction
- #83-2020 - HR Policy Amendment #3-08 Employment Classification

## **Notices of Motion**

None

## **Proclamations**

Mayor Reynard read Call for a National Day of Prayer - April 23, 2020 on behalf of the Anishinaabe Nation in Treaty 3 and the Grand Council, requesting that April 23, 2020 be recognized as a National Day of Prayer.

The COVID-19 pandemic has impacted all people across Mother Earth and in these dire times our prayers and ceremonies can be a powerful source of strength and reassurance. All people, regardless of religion, faith, denomination, or belief system are encouraged to join us in this Day of Prayer while maintaining physical distancing guidelines. We all have our ways of giving thanks to Creation and in the spirit of reconciliation as a community of nations, sharing our faith can bring us closer together at a time when we are forced to be apart.

Ogichidaa Francis Kavanaugh extends that he hopes that in our time of need we can all find comfort and solace in our connection to Creation, our ancestors, and the world around us.

The National Day of Prayer will include a synchronized moment of prayer to commence simultaneously across Turtle Island according to regional time zones: 10 a.m. CST.

Ogichidaa Kavanaugh asks that you join him alongside the citizens, Chiefs and Councils, pipe carriers, bundle and knowledge keepers, and the staff of Grand Council Treaty 3 to pray for the wellbeing of our loved ones during this pandemic.

## **Announcements**

### **The following was highlighted by Council:**

- 1.** Councillor VanWalleghem acknowledged National Volunteer Week and there is so much that goes on behind the scenes with all the volunteers.
- 2.** Councillor Ralko referenced the BIZ board meeting and general membership meeting held earlier this morning. There was a lot of discussion on how several different businesses and agencies are trying to keep services going and adapt to circumstances. There will be a much bigger focus on downtown businesses and will have a further report in May.
- 3.** Councillor McMillan to put this in context, comments have been shared regarding negative behaviours between our residents and those from out of Province. I wish to reinforce what Mayor Reynard and our community partners are stating along with the Health care professionals across the country and our Provincial and Federal Leaders – stay at home and practice social distancing. I am truly saddened that there are those that choose to ignore all warnings and proven facts addressing prevention – this does not exclude those from within and external to our community who are engaging in negative behaviour. What is it about PANDEMIC that people do not understand, by ignoring the stated practices people’s lives are put in danger. Please respect the choices of those who do follow the directives provided with respect to staying home and practicing social distancing regardless of where you may live. I ask you to do the same. Thank you to those that are following the recommended practices, it will aid in flattening the curve.
- 4.** Councillor McMillan further took a moment to reach out to the Municipalities and residents in Nova Scotia that have been impacted by the recent tragic and senseless killings; I am also thinking of the emergency services personnel at all levels - police, fire , paramedics. It is a very sad time for residents of Nova Scotia and Canada; let’s remember those that have died, their immediate and extended families and support network.
- 5.** Councillor Goss expressed thanks to all the employees of the City of Kenora. This is a very stressful time and it is reassuring to see work being done by City staff. People are pushing hard against this pandemic and with good fortune we are seeing a flattening of the curve and congratulate the fine work everyone is doing. He is a local businessman and rely on the local traffic as much as the summer resident traffic. He encourages everyone to try to be reasonable with people and be gracious and not fall into the right wing mentality. We can be respectful with everyone who comes here and return to the opening and welcoming community of Lake of the Woods.
- 6.** Councillor Smith thanked everyone in the community and their part to keep everyone safe. We have been lucky and we have been taking the measures to keep safe. Councillor Smith thanked the essential workers, nurses, doctors, pharmacists, paramedics, grocery store, staff and City workers. Lastly, we need to remember that many are struggling to feed kids right now and she encouraged

people to reach out to the organizations who are helping those in need and make a contribution if you can. Stay safe, keep practicing the safety measures, and sincere condolences to the communities where the tragedy unfolded.

7. Mayor Reynard echoed the comments. It is very reassuring that when we do go out, you see the extent and precautions being taken by grocery stores and pharmacies that we need for just day to day. Not only for the protection of staff but consumers. It is a total community effort and it extends beyond City boundaries, to our First Nations Communities who have put precautions in place to protect their citizens and communities as well. We are very fortunate to be where we are and if we continue to follow the guidelines we are optimistic we will come back stronger.

### **Adjourn to Closed Session**

**30. Moved by S. Smith, Seconded by M. Goss & 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 12:44 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 2:00 p.m. with no reports from its closed session.

### **Close of Meeting**

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

That this meeting be now declared closed at 2:00 p.m.

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

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

**Of.....2020**

.....  
**Mayor**

.....  
**City Clerk**