



# MINUTES

**Of a Meeting of the Council of the City of Kenora  
Tuesday, February 18, 2020 – City Council Chambers  
12:00 p.m.**



**With** Councillor R. McMillan, Deputy Mayor in the Chair, Councillor M. Goss, Councillor K. Ralko, Councillor S. Smith, Councillor C. Van Walleggem

**Regrets:** Mayor D. Reynard, Councillor A. Poirier

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

### **Call to Order**

Deputy Mayor McMillan 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:-

- Amend the 2019 Capital Budget in the amount of \$9,906.20 and the 2020 Capital budget in the amount of \$3,816.00 for security renovations at City Hall
- Amend the 2020 Capital Budget in the amount of \$553,008.90 for the Kenora Sportsplex Mezzanine Renovations project that remains in progress
- Adopt a new Planning Act Application Fees By-law to give effect to the tariff of fees outlined in Schedule “A”
- Amend the Tariff of Fees and Charges By-Law to give effect to changes outlined in the revised Schedule “E” for the Planning Department
- Amend the 2020 Solid Waste Budget to withdraw funds from the Solid Waste Reserve in the amount of \$315,153 to offset the costs of these projects

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

Deputy Mayor McMillan 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 K. Ralko, Seconded by C. Van Walleghem & Carried:-**

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-  
Regular Council – January 28, 2020

## **Deputations**

None

## **Additions to the Agenda**

None

## **December 2019 Financial Statements**

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

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

## **2019 Q4 Investments**

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

That Council of the City of Kenora hereby accepts the 2019 fourth quarter investment report that includes details of the Kenora Citizens' Prosperity Trust Fund and other City of Kenora investments.

## **Investment Policy Statement & Municipal Client Questionnaire**

### **4. Moved by C. Van Walleghem, Seconded by K. Ralko & Carried:-**

That Council of the City of Kenora adopts the Investment Policy Statement, the Municipal Client Questionnaire, which provide a framework for a joint investment board to manage the City of Kenora's long-term investments under the Prudent Investor regime as required by Ontario Regulation 438/97.

## **LOW District Stewardship Association Community Foundation Application**

### **5. Moved by K. Ralko, Seconded by M. Goss & Carried:-**

That the Council hereby supports the Lake of the Woods District Stewardship Association's (LOWDSA) request to name the City of Kenora as a sponsor in their application for funds up to \$10,000 through the Kenora & Lake of the Woods Regional Community Foundation to fund the continuation of the LakeSmart program.

## **Ontario Regulation 284/: 2020 Budget Matters**

### **6. Moved by S. Smith, Seconded by C. Van Walleghem & Carried:-**

That Council hereby adopts the report dated January 31, 2020 related to 2020 budget matters by Resolution as required under the Municipal Act, 2001, Ontario Regulation 284/09.

## **Endorsement of Health & Safety Policy Statements**

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

That Council hereby approves and endorses the City's Health and Safety Policy Statement, the Workplace Violence Prevention Policy Statement, and the Workplace Harassment Policy Statement.

## **Health & Safety Policy Amendments**

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

That Council hereby approves amendments to the following Health and Safety Policies – #HS-06 Health and Safety Responsibilities – Visitors; #HS-10 – Incident Reporting; #HS-11 – Hazards Reporting; and #HS-16 – Hot Work; and further

That Council hereby repeals #HS-15 – Confined Spaces; #HS-17 – Pre-start Reviews; #HS-31 – Training Needs Review; #HS-39 – Incident and Injury Investigations; #HS-43 – Workplace Inspections – Supervisors and Managers; #HS-45 – Pre-use Inspections; #HS-46 – Preventive Maintenance; and #HS-47 – Incident Investigation; 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 four bylaws for this purpose.

## **Human Resources Policy Amendments**

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

That Council hereby approves a new #HR-2-06 Technology Usage Policy, a new #HR-2-21 Emergency Hours of Work Policy, and a new #HR-3-08 Employment Classification policy which will form part of the City of Kenora Comprehensive Policy Manual; and further

That Council hereby repeals Human Resources policies #HR-1-03 Hiring and Employment of Family Members, #HR-2-06 Personal Use of Office Equipment, #HR-2-09 Internet and Email, #HR-2-22 Procurement Use of City Supplied Cellphone; and further

That bylaw numbers 142-2010, 143-2010 be hereby repealed; and further

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

## **Budget Amendment – Solid Waste**

### **10. Moved by S. Smith, Seconded by C. Van Wallegghem & Carried:-**

That Council hereby approves an additional allocation of \$315,153 to be funded through the Solid Waste Reserve for two Capital Projects that were not completed in 2019; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2020 Solid Waste Budget at its February 18th, 2020

meeting to withdraw funds from the Solid Waste Reserve in the amount of \$315,153 to offset the costs of these projects; and further

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

### **Budget Amendment – City Hall Renovations**

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

That Council hereby approves a budget amendment for the City Hall Second Floor Security Partition Renovation project to be funded through Health and Safety Reserves (2019) in the amount of \$9,906.20 and Health and Safety Reserves (2020) in the amount of \$3,816.00 for a total budget amendment in the amount of \$13,722.20; 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 \$9,906.20 and the 2020 Capital budget in the amount of \$3,816.00 at its February 18th, 2020 meeting for this purpose; and further

That Council give three readings to a by-law to amend the 2019 and 2020 capital budgets for this purpose.

### **Budget Amendment – Kenora Sportsplex Mezzanine Project**

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

That Council hereby approves a budget amendment in the amount of \$553,008.90 for the Kenora Sportsplex Mezzanine Renovations project related to the project that remains in progress; and further

That Council approve an additional budget amendment of \$2,621 related to costs for Architectural review and building permit to be taken from 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 February 18th, 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.

### **Community Club Funding**

#### **13. Moved by K. Ralko, Seconded by M. Goss & Carried:-**

That Council of the City of Kenora receives the recommendation from the Parks and Facilities Division Lead, approving the grant amount of \$8,000.00 each to Rideout and Evergreen Community Clubs once they have successfully submitted the Grant Application documents; and further

That Council approves that the Central Community Club grant in the amount of \$8,000 to be held in reserve until such time as the Central Community Club becomes operational.

### **Assumption of Roads & Lands – Spence Street**

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

That Council assume and stop up certain roads and lanes on Plan M-35 being PIN 42168-0105, legally described as PCL 299 Sec DFK; Spence Street Plan M35; Kenora and assume them as public highways for municipal purposes; and further

That by owning and assuming the roads/lanes/highways, the City of Kenora is not bound to develop or maintain any road/lane/highway which is not already open and maintained by the City of Kenora; and further

That three readings be given to a bylaw to execute documents in connecting with assuming and stopping up of the hereinbefore mentioned lands; and further

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

### **Building Officials Code of Conduct**

#### **15. Moved by M. Goss, Seconded by C. Van Walleghem & Carried:-**

That Council hereby approves a new Building Officials Code of Conduct Policy #DS-8-1 which will form part of the City's Comprehensive Policy Manual; and further

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

### **MTCU Ontario Job Creation Partnership Application – CSWP Coordinator**

#### **16. Moved by C. Van Walleghem, Seconded by M. Goss & Carried:-**

That Council of the City of Kenora hereby directs administration to apply to the Ministry of Training, Colleges and Universities, Ontario Job Creation Partnership Program for temporary staffing and funding in support of the re-developed Community Safety and Well-Being Plan.

### **Job Action Centre Funding Application**

#### **17. Moved by K. Ralko, Seconded by M. Goss & Carried:-**

That Council of the City of Kenora hereby directs administration to apply as the lead applicant to the Ministry of Training, Colleges and Universities, Adjustment Advisory Program for temporary staffing and funding in support of the Kenora Forest Products displaced mill workers to create a temporary Action Centre; and further

That Council authorizes the City Clerk to execute all documents related to the establishment of the Action Centre and funding application.

### **Open & Establish Woronoa Rd as Public Highway**

#### **18. Moved by S. Smith, Seconded by C. Van Walleghem & Carried:-**

That Council hereby authorizes a by-law to open and establish Worona Road as a public highway to formalize jurisdiction and control of an existing condition; and further

That the consent of the Minister of Transportation to such opening is required pursuant to Subsection 24(3) of the Public Transportation and Highway Improvement Act R.S.O. 1990, c. 50; and further

That Council gives three readings to a bylaw to open up and establish the a public highways of The Corporation of the City of Kenora, bearing the name "Worona Road", legally described as PART BROKEN LOT 12 CONSESSION 4 MELICK BEING PART 3 PLAN 23R14681; CITY OF KENORA; BEING ALL OF THE PIN 42136-0777(LT).

### **Planning Act Application Fees**

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

That Council hereby authorizes a new Planning Act Application Fees By-law, which establishes a tariff of fees for applications made in respect of planning matters; and further

That Council gives three readings to a bylaw to adopt a new Planning Act Application Fees By-law, which establishes a tariff of fees for Applications made in respect of planning matters; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to give three readings to a new Planning Act Application Fees By-law at its February 18, 2020 meeting to give effect to the tariff of fees outlined in Schedule "A"; and further

That Council hereby approves the new title in 'Schedule E' of the City's Tariff of Fees and Charges Bylaw as listed in Section 1 of the said By-law effective February 18, 2020; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to give three readings to a new Tariff of Fees and Charges By-Law Number at its February 18, 2020 meeting to give effect to these changes outlined in the revised Schedule "E"; and further

That By-law Number 9-2020 be hereby repealed.

**Discussion:** Would like to see the fees for the Whitecap Pavillion reviewed and other fees outlined in Schedule E. Adam will review and bring a future report back to Council for review.

### **RED Application – Business Retention & Expansion Project**

#### **20. Moved by C. Van Wallegem, Seconded by M. Goss & Carried:-**

That through the Rural Economic Development (RED) program— Economic Diversification and Competitiveness Stream, municipalities may submit a project application and have up to 50% of eligible project costs to a maximum of \$150,000; and further

That Council directs staff to apply for funding under the RED Program to proceed with a Business Retention and Expansion (BR&E) Project.

### **2019 Black Sturgeon Water Quality Monitoring**

**21. Moved by K. Ralko, Seconded by M. Goss & Carried:-**

That Council hereby accepts the 2019 Black Sturgeon Lakes Water Quality Monitoring Report, as prepared by Kenora Resource Consultants Inc.

### **Kenora Fire 2019 Q4 Report**

**22. Moved by S. Smith, Seconded by C. Van Walleghem & Carried:-**

That Council hereby accepts the 2019 Q4 Report from the Kenora Fire and Emergency Services Department for the period of October 1 to December 31, 2019.

### **NOHFC Funding Agreement – Kenora SportsPlex**

**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 Northern Ontario Heritage Fund to complete the mezzanine viewing area project at the Kenora SportsPlex; and further

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

### **NOHFC Funding Application–5 Year Economic Development & Tourism Strategy**

**24. Moved by C. Van Walleghem, Seconded by M. Goss & Carried:-**

That Council approves an application to the Northern Ontario Heritage Fund Corporation (NOHFC) for the delivery of a five year economic development and tourism strategy; and further

That Council confirms a contribution of up to \$7,500 for the project to be funded through Municipal Accommodation Tax revenues as previously approved by the Lake of the Woods Development Commission; and further

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

### **Transfer of Lands to Ministry of Transportation**

**25. Moved by K. Ralko, Seconded by C. Van Walleghem & Carried:-**

That Council hereby directs the City Clerk to complete all required documents for the transfer of lands described as Part of Lot 3 Concession 7, Geographic Township of Jaffray, designated as Parts 1, 2 and 3 on Plan 23R-10246 together with right of way over PART 1 on Plan KR-1966 to her Majesty the Queen in Right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario.

## **Sale of Municipal Lands Agreement**

### **26. Moved by S. Smith, Seconded by C. Van Walleghem & Carried:-**

That Council hereby authorizes the sale of property legally described as PT MINING ST PL 3 AKA Fourth Ave N, Btn Third St N & Fifth St N; Pt 1 23R14694; Kenora; Being Part of the PIN 42170-0145 (LT); and further

That it is deemed in the best interests of the Corporation of the City of Kenora to dispose of such lands to allow for continued housing developments in the City of Kenora; and further

That the Corporation of the City of Kenora shall enter into an Agreement of Purchase and Sale with the Kenora District Services Board to sell the lands described above; and further

That in accordance with Notice By-law Number 144-2007, public notice was given that Council intended to sell municipal property locally known as Fourth Avenue North; and further

That the Clerk be and are hereby authorized to execute the Agreement of Purchase and Sale and any and all documents required to complete this transaction; and further

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

## **December 2019 Water & Wastewater Systems Monthly Summary**

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

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

## **Various Committee Minutes**

### **28. Moved by C. Van Walleghem, Seconded by K. Ralko & Carried:-**

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

- November 28, 2019 & January 23, 2020 – The Muse

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

- November 15, 2019 & January 24, 2020 – Northwestern Health Unit
- December 19, 2019 - District of Kenora Home for the Aged Board of Management; and further

That these Minutes be circulated and ordered filed.

## **Ayrie Developments (Kenora) Inc. Site Plan Agreement**

### **29. Moved by K. Ralko, Seconded by C. Van Walleghem & Carried:-**



That the Mayor and Clerk of the City of Kenora be authorized to execute an amendment to a site plan agreement between the City of Kenora and Ayrie Developments (Kenora) Inc.; and further

That bylaw #22-2020 be hereby repealed; and further

That the appropriate bylaw be passed for this purpose.

**RED Program – Harbourtown Centre Beautification Funding Agreement  
30. Moved by S. Smith, Seconded by M. Goss & 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 Harbourtown Centre Beautification and Urban Forest project; and further

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

**Approval of By-laws**

**31. Moved by M. Goss, Seconded by C. Van Walleghem & 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:~

- #23-2020 - Confirmatory
- #24-2020 - Health and Safety Responsibilities-Visitors Policy #HS-06
- #25-2020 - Incident Reporting Policy #HS-10
- #26-2020 - Hazards Reporting Policy #HS-11
- #27-2020 - Hot Work Policy #HS-16
- #28-2020 - HR-2-06 Technology Usage Policy
- #29-2020 - HR-2-21 Emergency Hours of Work Policy
- #30-2020 - HR-3-08 Employment Classification Policy
- #31-2020 - Budget Amendment – Solid Waste
- #32-2020 - Budget Amendment – City Hall Renovations
- #33-2020 - Budget Amendment – Kenora Sportsplex Mezzanine Project
- #34-2020 - Assumption of Roads & Lanes Spence Street
- #35-2020 - Building Official Code of Conduct Policy #DS-8-1
- #36-2020 - Open & Establish Worona Rd Public Hwy
- #37-2020 - Planning Act Application Fees
- #38-2020 - Tariff of Fees and Charges
- #39-2020 - NOHFC Funding Agreement Kenora Sportsplex Mezzanine Project
- #40-2020 - Sale of Lands to KDSB - 4th Ave N
- #41-2020 - Ayrie Developments (Kenora) Inc Site Plan Agreement
- #42-2020 - RED Program Funding Agreement Harbourtown Centre Beautification

**Notices of Motion**

None

**Proclamations**

- February 20, 2020 – Kin Canada Day
- February 16-22, 2020 – Kin Canada Week

**Announcements**

**The following was highlighted by Council:**

1. Councillor Smith and McMillan attended the Metis Nation of Ontario celebration on Monday at the Kenora SportsPlex. It was a great venue and was an enlightening and entertaining event.
2. Councillor Smith made a public statement about policing costs in Kenora and 90% of policing calls being attributed to alcohol. That is old information and is not accurate. Councillor Smith will amend her submission to the Minister and want to ensure that the public is aware that information is not factual and will update it when she gets better data.
3. Deputy Mayor McMillan provided accolades to the event at the Kenora SportsPlex and what a great venue it was. Such a deep rich culture and it was evident yesterday at the event. He further went to the start of the dogsled event at the landing and as soon as the musher started the dogs were gone and it was a significant partnership and we are proud of the Metis culture in our community.

**Adjourn to Closed Session**

**32. Moved by C. Van Wallegghem, Seconded by K. Ralko & 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 12:35 p.m. to discuss items pertaining to the following:-

- i) Education & Training Members of Council (3 matters-CAO & Development Services updates)

**Reconvene to Open Meeting**

Council reconvenes to open session at 1:47 p.m. with no reports from its closed session.

**Close of Meeting**

**33. Moved by K. Ralko, Seconded by M. Goss & Carried:-**

That this meeting be now declared closed at 1:47 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**