



# MINUTES

**Of a Meeting of the Council of the City of Kenora  
Tuesday, July 21, 2020  
Virtual/City Council Chambers  
12:00 p.m.**

Due to the COVID-19 Pandemic, Council met electronically as permitted by Bill 187, Municipal Emergency Act, 2020. Citizens and our Media Partners are encouraged to view the virtual meeting via the Public Recording at:

<https://video.isilive.ca/kenora/2020-07-21.html>

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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 Wallegem

**Staff:** Heather Pihulak, Manager of Administration/City Clerk/Acting CAO, Kelly Galbraith, Deputy Clerk, Adam Smith, Manager of Development Services, Jeff Hawley, Manager of Operations and Infrastructure, Charlotte Edie, Manager of Finance/Treasurer, Stace Gander, Manager of Development Services, Todd Skene, Fire Chief

## **Call to Order**

Mayor Reynard called the meeting to order and Heather Pihulak delivered a blessing on behalf of Councillor McMillan.

## **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 a new Public Loitering By-law to prohibit the loitering of persons in public places
- Amend its 2020 Capital and Operating Budget for the following:
  - \$25,000 for the purchase of Fire Training Aids
  - \$7,000 (plus applicable taxes) for the repair of truss brackets on the Winter Sand Storage Building
  - \$200,000 for the emergency rehabilitation of 9<sup>th</sup> Street in Keewatin
  - \$5,157 for the Evergreen Community Club Rink Project
  - \$50,000 for the construction of a Handi Transit Bus Garage
  - \$40,000 for enhancements to the downtown decorative structures

## **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 K. Ralko, Seconded by A. Poirier & Carried:-**

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-  
Regular Council – June 16, 2020

### **Deputations**

None

### **Additions to the Agenda**

None

### **Appointments**

None

### **May 2020 Monthly Financial Statements**

#### **2. Moved by A. Poirier, Seconded by C. VanWalleghem & Carried:-**

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

### **Canadian Medical Association Foundation COVID-19 Funding**

#### **3. Moved by C. VanWalleghem, Seconded by M. Goss & Carried:-**

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 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.

### **CAO Recruitment Policy CC-1-5**

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

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.

### **Public Loitering Bylaw**

#### **5. Moved by S. Smith, Seconded by R. McMillan**

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

#### **Motion Defeated**

### **Budget Amendment – Live Fire and Fire Training Aids**

#### **6. Moved by K. Ralko, Seconded by A. Poirier & Carried:-**

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.

### **Budget Amendment – Operations Facility Reserve for Sand Storage Repair**

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

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.

### **Budget Amendment – Emergency Rehabilitation of 9<sup>th</sup> Street in Keewatin**

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

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.

### **Ontario Power Generation Inc. (OPG) Lease Renewal**

#### **9. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

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.

### **Budget Amendment – Evergreen Community Club Rink Project**

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

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.

### **Budget Amendment – Handi Transit Bus Garage**

#### **11. Moved by K. Ralko, Seconded by A. Poirier & Carried:-**

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.

### **Budget Amendment – Downtown Safety Enhancement**

#### **12. Moved by A. Poirier, Seconded by C. VanWalleghem**

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.

### **Motion Defeated**

#### **Certificate of Release, Phase 1: Pine Portage Road**

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

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.

#### **Tbaytel Communications Tower Miikana Way Site Agreement**

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

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.

#### **Deeming Bylaw–Lots 191 and 192 on Registered Plan of Subdivision M-1**

##### **15. Moved by S. Smith, Seconded by R. McMillan & Carried:-**

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.

**Funding Application Approval – Harbourfront Business Development Plan  
16. Moved by R. McMillan, Seconded by K. Ralko & Carried:-**

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.

**2020 Vacant Landa and Growth Strategy  
17. Moved by K. Ralko, Seconded by A. Poirier & Carried:-**

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

**Discussion:** Council noted that the motion is to approve the 2020 Vacant Lands and Growth Strategy Report and does not mean that all recommendations within the report will be actioned upon.

**Kenora’s Economic Recovery Plan  
18. Moved by A. Poirier, Seconded by C. VanWalleghem & Carried:-**

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

**Amendment to Business Licensing Bylaw 80-2006  
19. Moved by C. VanWalleghem, Seconded by M. Goss & Carried:-**

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 License of Occupation for 2020.

**FCM Agreement Authorization – sustainable Neighbourhood Action Plan  
20. 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 Federation of Canadian Municipalities for the provision of Green Municipal Program Funding in the amount of \$40,000; and further

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

**Kenora Fire 2020 Q2 Report**

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

That Council hereby accepts the 2020 Second Quarter Report from the Kenora Fire and Emergency Services Department for the period of April 1 to June 30, 2020.

**Bridge and Structure inspection Engineering Services Contract Execution  
22. Moved by R. McMillan, Seconded by K. Ralko & Carried:-**

That Council gives three readings to a bylaw to execute an agreement between the Corporation of the City of Kenora and Stantec Consulting Ltd for engineering services for the 2020 Bridge and Structure Inspection Services.

**Repeal Closure and Declaration of Surplus Bylaw – Twelfth Street  
23. Moved by A. Poirier, Seconded by C. VanWalleghem & Carried:-**

That By-law Number 170-2019 is hereby repealed.

**New Closure of Roads, Declaration of Surplus Bylaw – Twelfth Street  
24. Moved by K. Ralko, Seconded by A. Poirier & Carried:-**

That the Council of the City of Kenora declares the following City owned lands as surplus to the requirements of the Municipality, and that the southern portion of Twelfth Street, being described as Parts 1 and 2 on Plan 23R-14695, having an area of 0.058 ha be closed; and further

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

**Agreement of Purchase and Sale – Twelfth Street**

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

That the Mayor and Clerk be hereby authorized to execute a Purchase and Sale Agreement for Part 1 between the Corporation of the City of Kenora, and Ron and Robyn Arnason, and for Part 2 between the Corporation of the City of Kenora and Dean Carrie and Caroline Wilson for the sale of land.

**NOHFC Funding Agreement Economic Development and Tourism Strategy  
26. Moved by S. Smith, 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 the NOHFC for the delivery of a Five Year Economic Development and Tourism Strategy; and further

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

**May 2020 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 May 2020 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by City administration.

**Electrical Upgrades on Blowers at the Wastewater Treatment Plant  
28. Moved by A. Poirier, Seconded by C. VanWalleghem & Carried:-**

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.

**Approval of Bylaws**

**29. Moved by K. Ralko, Seconded by R. McMillan & 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:~

- #106-2020 - Confirmatory
- #107-2020 - Agreement with CMAF – COVID-19 funding
- #108-2020 - CAO Recruitment Policy #CC-1-5
- #110-2020 - Budget Amendment-Live Fire & Training Aids
- #111-2020 - Budget Amendment-Operations Sand Storage Repair
- #112-2020 - Budget Amendment-9th Street Emergency Road Repairs
- #113-2020 - OPG Lease Renewal
- #114-2020 - Budget Amendment-Evergreen Community Club Rink Project
- #115-2020 - Budget Amendment-Handi Transit Bus Garage
- #117-2020 - Tbaytel Site Agreement – Miikana Way
- #118-2020 - Deeming-Lots 1919 and 192 Registered Plan of Subdivision M-1
- #119-2020 - Business License bylaw amendment 80-2006 outdoor patios
- #120-2020 - Agreement with FCM- Sustainable Neighbourhood Action Plan
- #121-2020 - Agreement with Stantec Bridge & structure inspection engineering services
- #122-2020 - Repeal Closure & Declaration Surplus Bylaw #170-2019
- #123-2020 - Declare surplus, close roads – 12th St
- #124-2020 - Agreement of Purchase Ron & Robyn Arnason/Dean Carrie & Caroline Wilson
- #125-2020- NOHFC Funding Agreement Economic Development & Tourism Strategy



### **Approval of Bylaw**

#### **30. Moved by R. McMillan, Seconded by K. Ralko**

That the following By-law be now read a First & Second Time, and approved in its present form and presented for Third & Final Reading:~

#109-2020 - Public Loitering

#### **Motion Defeated by Motion #5**

### **Approval of Bylaw**

#### **31. Moved by R. McMillan, Seconded by K. Ralko**

That the following By-law be now read a First & Second Time, and approved in its present form and presented for Third & Final Reading:~

#116-2020 – Budget Amendment – Downtown Safety Enhancements

#### **Motion Defeated by Motion #12**

### **Notices of Motion**

None

### **Proclamations**

None

### **Announcements**

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

1. Councillor Ralko encouraged residents to support local business and enjoy the complimentary downtown parking.
2. Councillor McMillan shared he had the opportunity to speak with an Elder who is also a friend. They shared words of encouragement to continue building on relationships and we can come together to address the issues in the community.

### **Adjourn to Closed Session**

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

That pursuant to Section 239 of the Municipal Act, 2001, as amended, authorization for Council to move into a Closed Session to discuss items pertaining to the following:-

- i) Education & Training Members of Council (4 matters – KDSB, CAO, Mayor, Development Services updates)
- ii) Disposition of Land (2 matters – Request to purchase municipal property)

### **Reconvene to Open Meeting**

Council reconvenes to open session at 3:40 p.m. with no reports from its closed session.

### **Close of Meeting**

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

That this meeting be now declared closed at 3:40 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**