



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, May 19, 2020
Electronic Attendance/ City Council Chambers
12:00 p.m.**

COVID-19 Pandemic, Council met electronically as permitted by Council's Procedural Bylaw. Citizens and our Media Partners are encouraged to attend the virtual meeting via the Public Live Stream Event at:
<https://video.isilive.ca/kenora/2020-05-19.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 Walleghem

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

### 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:-

- Amend the 2020 Capital & Operating budget to withdraw funds from the financial computer systems Reserve in the amount of \$36,685 to offset the cost of capital budgeting software
- Update the Schedule of Rates to be used in connection with the Lake of the Woods Cemetery
- Amend the 2020 Operating & Capital Budget to withdraw funds from the Equipment Reserve in the amount of \$280,000.00 plus HST for the purchase of a recycle trailer

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

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-  
Regular Council – April 21, 2020

## **Deputations**

### **Judy Underwood – Railway Street Project**

Ms. Underwood expressed the excitement with the infrastructure redevelopment and municipal improvements project for Railway and Park Street. Railway Street is a major arterial route that connects the north and south of our community. It provides access for two schools - Beaver Brae and Valleyview, and potential development for new seniors housing. Addressing the issue of multimodal transportation on this route is important. The Trails Committees mandate is to work with the City and provide input on new and redevelopment projects through a trails lens to support built environments for active transportation and connectivity. Ms. Underwood, on behalf of the Trails Committee is asking that Council consider the information presented and ensure that they are considering all the options for active transportation.

Mayor Reynard thanked Ms. Underwood for her presentation and a copy was sent to the Clerk.

### **Stephen Strachan – Railway Street Development**

Mr. Strachan is the owner of The Hardware Company, which is a bicycle retail and professional repair shop for the last 35 years. Mr. Strachan was concerned that the upcoming Railway Street project might go ahead without consideration of inclusion for active transportation. This is a well-known busy route, 1 of only 3 ways to get to the north side of town. This is an opportunity to open up this route for safer calmer traffic flow for all including vehicular traffic. Mr. Strachan started an online petition regarding the development to demonstrate the importance of the development and including cycling lanes in the development.

Mayor Reynard thanked Mr. Strachan for his deputation and clarified that the project always had sidewalks contained within the specs of the project.

## **Additions to the Agenda**

None

## **2020 Q1 Investments**

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

That Council hereby accepts the 2020 first quarter investment report that includes details of the Kenora Citizens' Prosperity Trust Fund and other City of Kenora investments

## **2020 Q1 Contracts**

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

That Council hereby accepts the 2020 January – March Contracts & Expenditures Approved report.

## **March 2020 Financial Statements**

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

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

## **Budget Amendment – Budget Software**

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

That Council hereby approves an additional allocation of \$36,685 to be funded through the financial computer systems Reserve for the purchase of capital budgeting software; 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 & Operating budget at its May 19, 2020 meeting to withdraw funds from the financial computer systems Reserve in the amount of \$36,685 to offset the cost of capital budgeting software; and further

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

## **Budget Amendment – Recycle Trailer**

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

That Council hereby approves an additional allocation of \$280,000 plus HST to be funded through the Equipment Reserves for the purchase of a recycle trailer; 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 May 19, 2020 meeting to withdraw funds from the Equipment Reserve in the amount of \$280,000.00 plus HST for the purchase of a recycle trailer; and further

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

## **Fleet Department Staffing Complement**

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

That Council authorizes the addition of a full time mechanic for the Fleet Division; and further

That the Acting Human Resources Manager be directed to begin recruitment efforts.

## **Presentation-Railway Street Project:**

Matt Good, Project Engineer for the City presented his report and development images for the Railway Street Project.

## **Railway Street Development Project**

### **8. Moved by M. Goss, Seconded by S. Smith (defeated)**

That Council directed staff to present options with regards to the Railway Street reconstruction project; and further

That staff provide the following recommended choices for Council to choose between:

Option #1:

Maintain the current design parameters, wherein the project will see the installation of a sidewalk on the north side of Railway Street, between 10<sup>th</sup> Avenue South and 16<sup>th</sup> Avenue North crossing,

or;

Option #2:

Accommodate paved shoulders in addition to the planned sidewalk. Should Council choose to include 1.5 metre paved shoulders on both the east and west bound lanes from the intersection of Park Street and 10<sup>th</sup> Avenue South to the 16<sup>th</sup> Avenue North crossing on Railway Street, it is estimated that the cost to accommodate this change could exceed \$400,000. It should also be noted that this amount is based on design concepts that have not been finalized. There are a number of unknowns that could impact cost and schedule of construction up to and including possibly preventing the suggested design from moving forward.

**Motion 8 Defeated by Amendment 8b.**

**Amendment to Motion #8 (Railway Street Development Project)**

**8a. Moved by S. Smith, Seconded by M. Goss (defeated)**

That Resolution #8 with respect to the Railway Street Development Project be hereby amended to remove Option #1.

**Motion 8a Defeated by Amendment 8b.**

**Discussion:**

Council discussed the various options and the new sidewalk will be a huge improvement for the area. It is a tough decision as we want to support active transportation but also have to be aware of costs. Council is facing a very challenging budget coming forward with the increase in OPP policing costs, NWHU, KDSB and we are guaranteed to see decreases in provincial funding with the impacts of the pandemic. Expect Ontario municipalities into double digit increases due to COVID-19.

We have development plans towards active transportation, and have had development opportunities in the past where we did not meet these. We are working towards a better active transportation plan and while the plans before us will allow for a sidewalk, we want to try and accommodate cyclists wherever possible. Railway Street is a major artery into the City and paved shoulders would accommodate both.

There was a misconception amongst some people that there was no consideration for a sidewalk in the project. This has been on the long term capital project list for years and we never envisioned having the opportunity to move this forward when funding came

through. When we looked at this project the priorities were needing to improve the roadways for vehicular traffic and the second important component was introducing a sidewalk to make it safer for pedestrians. Providing a safe transportation route for bicycles is another important factor. Council has concerns about costs, but need to address it so it allows for all three of those transportation methods to safely go up and down Railway Street. The big concern is not as much with year one, it is when we get to year two, and especially year three. Council needs to recognize that we may not be able to go this way as the property may not be able to be there as our negotiations with CP have not been successful.

### **Amendment to Motion #8 (Railway Street Development Project)**

#### **8b. Moved by M. Goss, Seconded by A. Poirier & Carried-**

That Resolution #8 with respect to the Railway Street Development Project be hereby amended to remove Option #1; and further

That Option #2 be amended to include paved shoulders on both the east and west bound lanes at the intersection of 10<sup>th</sup> Avenue South and Railway Street to the 16<sup>th</sup> Avenue North crossing on Railway Street which excludes the paved shoulder on both sides of 10<sup>th</sup> Avenue to the start of Railway Street.

### **Motion #8, as amended (Railway Street Development Project)**

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

That Council directed staff to present options with regards to the Railway Street reconstruction project; and further

That Council hereby accepts Option #2 which includes accommodating paved shoulders in addition to the planned sidewalk; and further

That this includes 1.5 metre paved shoulders on both the east and west bound lanes at the intersection of 10<sup>th</sup> Avenue South and Railway Street to the 16<sup>th</sup> Avenue North crossing on Railway Street; and further

That this excludes the paved shoulder on both sides of 10<sup>th</sup> Avenue to the start of Railway Street; and further

That the change to accommodate paved shoulders on both sides of the development could exceed \$400,000 which is based on design concepts that have not been finalized; and further

It is recognized that there are a number of variables to the change in project that could impact cost and schedule of construction up to and including possibly preventing the suggested design from moving forward.

### **Cemetery Rate & Fee Review**

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

That Council gives three readings to a bylaw to authorize a new Schedule of Rates to be Used in Connection with the Lake of the Woods Cemetery; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to update the Schedule of Rates to be used in connection with the Lake of the Woods Cemetery; and further

That this By-Law shall come into effect and be fully implemented upon approval by the Bereavement Authority of Ontario; and further

That By-law Number 23-2017 be hereby repealed.

### **COVID-19 Reopening of Public Tenders**

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

That Council accept staff recommendation to re-open the process of Public Tenders related to projects in the 2020 Capital budget.

### **COVID-19 Tenant Concessions**

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

That Council provide direction to staff regarding requests for lease concessions by City of Kenora tenants impacted by restrictions connected to essential service and travel restrictions due to COVID 19 in the closed portion of the meeting; and further

That this matter be deferred to the in-camera session for consideration.

### **Muse Board Bylaw**

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

That Council gives three readings to a bylaw to authorize a bylaw respecting the Muse Board; and further

That bylaw number 49-2019 be hereby repealed.

### **Doug Lafreniere Developments Site Plan Agreement**

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

That the Mayor and Clerk be hereby authorized to execute a site plan agreement between the City of Kenora and 2672342 Ontario Inc. to allow for the development of a 30 unit apartment dwelling, all associated facilities; and further

That the appropriate bylaw be passed for this purpose; and further

That bylaw 55-2020 be hereby repealed.

### **Summer Students Bylaw Enforcement Officer Appointments**

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

That Council hereby appoints Rhett Zurkan and Chase Birch as summer student By-Law Enforcement Officers in and for the City of Kenora under the authority of the Police Services Act; and further

That this appointment is hereby authorized for the period of May 19, 2020 to September 15, 2020.

### **CAO Appointment Repeal**

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

That Council hereby repeals bylaw 79-2010, a bylaw to appoint the CAO for the City of Kenora.

### **HR Policy #3-7 Non Union Grievance Policy Repeal**

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

That Council hereby authorizes the repeal of the Non-Union Grievance Human Resources Policy #HR-3-7; and further

That Policy #HR-3-7 be removed from the Comprehensive City Policy Manual.

### **2020 Q1 Kenora Fire Report**

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

That Council hereby accepts the 2020 First Quarter Report from the Kenora Fire and Emergency Services Department for the period of January 1 to March 31, 2020.

### **Lynxfield Hosting Agreement**

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

That Council authorizes a five (5) year agreement between the Corporation of the City of Kenora and Lynxfield Canada for the provision of GPS services; and further

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

### **March 2020 Water & Wastewater Monthly Summary Report**

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

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

### **Agreement with Optimus SBR – Service Delivery Review**

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

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and Optimus SBR for the Service Delivery Review project; and further

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

### **Agreement with Urban Forest Innovations Inc -Harbourtown Centre**

#### **21. Moved by C. Van Wallegghem, 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 Urban Forest Innovations Inc. for the delivery of the Harbourn Centre Beautification and Urban Forest program project and further

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

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

#### **22. Moved by A. Poirier, Seconded by K. Ralko & 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:~

- #84-2020- Confirmatory
- #85-2020- Budget Amendment – Budget Software
- #86-2020- Budget Amendment – Recycle Trailer
- #87-2020- Cemetery Rate & Fee Review
- #88-2020- Muse Bylaw
- #89-2020- Doug Lafreniere Developments Site Plan Agreement
- #90-2020- Summer Students Bylaw Enforcement Officer Appointments
- #91-2020- CAO Appointment Repeal
- #92-2020- HR Policy 3-7 Non Union Grievance Policy Repeal
- #93-2020- Lynxfield Hosting Agreement
- #94-2020- Agreement with Optimus SBR-Service Delivery Review
- #95-2020- Agreement with Urban Forest Innovations Inc

### **Notices of Motion**

None

### **Proclamations**

None

### **Announcements**

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

1. Councillor Goss suggested that things are going to get very tough for municipal budgeting and will see some businesses disappear from downtown Kenora, which will include a drop in commercial taxation. We have increased costs and will see decreased funding from the province and federal governments. We have heard scare stories in other communities of increases in taxation into double digits. We might find ourselves in a budgetary hole and be facing tight times. We ask citizens and residents that things are going to be tough for a while. With those budgetary challenges there will be opportunities for change as well.
2. Councillor Poirier reviewed an article in Municipal World which referenced 8 or 9 things that municipalities should start to do now. Planning and looking forward as no one knows what the damage will be from this pandemic. Councillor Poirier provided a shout out to local businesses and encouraged residents to visit local businesses that are open under strict rules and regulations. He offered congratulations to our local businesses for their level of commitment and what they are trying to change in order to have a revenue stream. It amazes him what they have been able to do and to be open and look forward to other innovative



ways as they begin to open up. He encouraged everyone to shop local as we have a lot of good businesses here we need to support especially now.

3. Councillor Van Wallegghem encouraged people to keep their chin up as their have been lots of bad news and he is optimistic that things will turn around here soon.
4. Councillor Smith noted we are in for interesting and different times. Supporting community and as shopping restrictions lift safely get out and support. It was a beautiful weekend this past weekend and people get complacent. People need to continue practicing physical distancing, take all precautions as this can come back to us very quickly.
5. Councillor McMillan acknowledged the cooperation around the Council table and to staff to help clarify issues and questions. Much of it is a result of the leadership of Mayor Reynard.
6. Mayor Reynard also referenced the budget theme and noted that plans are underway for the 2021 budget as staff will start capital planning in June. Shortly after that staff will be developing the operating budget and requests will be made to Managers to get those in as soon as possible. There are a lot of unknowns at this time, and we are going to have some very difficult decisions.
7. Mayor Reynard acknowledged Karen Brown, retiring CAO for her commitment to the organization over the years. You could always count on Karen to steer us in the right direction, she was strong and a good leader. He learned a lot from her. At some point when this is all over, we want to do something special to acknowledge her and her contributions made over the years.

### **Adjourn to Closed Session**

#### **23. 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 1:39 p.m. to discuss items pertaining to the following:-

- i) trade secret or scientific, technical, commercial, financial or labour relations information supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization (1 matter)
  - ii) Labour Relations (1 matter-senior titles)
  - iii) Disposition of Land (1 matter-DTR support)
- iv) A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality (1 matter-City leases)
- v) Education & Training Members of Council (3 matters-CAO, Mayor, Development Services updates)

### **Reconvene to Open Meeting**

Council reconvenes to open session at 3:54 p.m. with no reports from its closed session.

### **Close of Meeting**

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

That this meeting be now declared closed at 3:54 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**