



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, October 20, 2020 – City Council Chambers
12:00 p.m.**

Due to the 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/2020-10-20.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 Wallegghem

**Staff:** Kyle Attanasio, CAO, Kelly Galbraith, Deputy Clerk, Charlotte Edie, Manager of Finance/Treasurer, Adam Smith, Manager of Development Services, Heather Pihulak, Manager of Administration/Clerk

## Call to Order

Mayor Reynard called the meeting to order and Councillor McMillan 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 2021 Meeting Calendar
- Amend the Tariff of Fees and Charges bylaw, 'Schedule D-Operations & Infrastructure', to increase water and sewer rates by 3.1% in 2021
- Authorize a budget amendment in the amount of \$3,800 to be funded through the Water and Waste Water Reserve for the purchase of 2020 Xcentric Ripper
- Amend 'Schedule D-Operations & Infrastructure' of the Tariff of Fees and Charges Bylaw to remove the fees for tires up to 16", tires 16.5" to 20" and tires over 20"
- Authorize a budget amendment in the amount of \$54,849 to be funded through contingency reserves to enable the Maintenance Manager Module (MMM) in the City Wide asset management program
- Declare City owned lands known as the 'Howard Property' as surplus to the requirements of the Municipality
- Declare municipal lands locally known as the "Howard Property" surplus to the needs of the municipality and sell such lands to the Kenora District Services Board for the development of Senior's housing
- Council will dissolve the Lake of the Woods Development Commission
- Direct Staff to proceed with the negotiations of the sale of Town Island to the Nature Conservancy of Canada

## **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 following Minutes of the Council of the City of Kenora be adopted as circulated:-  
Regular Council – September 15, 2020

## **Deputations**

None

## **Additions to the Agenda**

None

## **August 2020 Financial Statements**

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

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

## **2021 Water & Sewer Rate Increase**

### **3. Moved by C. Van Walleggem, Seconded by M. Goss:-**

That as recommended by BMA Management Consulting Inc. in the Water and Wastewater Long Range Financial Plan Forecast received by Council resolution on September 15, 2020, the 2021 water and sewer rates be increased by 3.1% over the 2020 rates; and further

That in accordance with Notice By-Law Number 144-2007, public notice is hereby given that Council intends to amend the Tariff of Fees and Charges bylaw to increase water and sewer rates by 3.1% in 2021; and further

That Council give three readings to a by-law for this purpose; and further  
That these rates shall take effect and come into force on January 1, 2021; and further

That bylaw number 102-2020 be hereby repealed.

## **Discussion:**

The consultant's findings and the financial impacts that the pandemic has had on residents were highlighted. Council requested a recorded vote and the motion was defeated.

| <b>Recorded Vote</b>      | <b>AYE</b> | <b>NAY</b> | <b>Dec. of Interest</b> | <b>Absent</b> |
|---------------------------|------------|------------|-------------------------|---------------|
| Councillor Goss           |            | <b>X</b>   |                         |               |
| Councillor McMillan       |            | <b>X</b>   |                         |               |
| Councillor Poirier        |            | <b>X</b>   |                         |               |
| Councillor Ralko          |            | <b>X</b>   |                         |               |
| Councillor Smith          | <b>X</b>   |            |                         |               |
| Councillor Van Wallegghem | <b>X</b>   |            |                         |               |
| Mayor Reynard             |            | <b>X</b>   |                         |               |

**The motion was defeated.**

### **Backyard Chickens**

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

That Council provide staff direction to bring the matter of keeping backyard chickens forward as part of the Official Plan and Zoning Bylaw comprehensive review process; and further

That any changes to the Keeping of Animals bylaw be deferred until the Official Plan and Zoning Bylaw review process is complete.

### **Yard Maintenance Bylaw Exemption Request**

#### **5. Moved by M. Goss, Seconded by S. Smith**

That Council hereby authorizes an exemption to Yard Maintenance Bylaw #49-2017 to allow grass and other plants to grow longer than 20cm for the months of May and June for citizens with designated bee signage to allow honeybees and pollinators to succeed; and further

That this exemption be conditional on the approval of a minor variance to the City's Zoning bylaw to permit beekeeping in an area zoned other than Rural (RU).

**The motion was defeated.**

### **Motion to Defer Motion #5**

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

That Council hereby defers resolution #5 indefinitely relating to a Yard Maintenance bylaw exemption request.

#### **Discussion:**

As per the City's zoning by-law beekeeping is considered an agricultural use which is only permitted in rural zones within the City. A review of this will be conducted with the City's comprehensive review of the Official Plan and Zoning Bylaw.

## **2021 Council Meeting Calendar**

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

That Council hereby accepts the 2021 Council meeting calendar as presented.

## **Budget Amendment – Xcentric Hydraulic Ripper Attachment**

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

That Council hereby approves an additional allocation of \$3,800 to be funded through the Water and Waste Water Reserve for the purchase of 2020 Xcentric Ripper; 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 October 13, 2020 meeting to withdraw funds from the Water and Wastewater Reserve in the amount of \$3,800.00 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.

## **Tariff of Fees and Charges – Tipping Fee for Tires at Transfer Station**

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

That Council hereby approves an amendment to Schedule "D" of the Tariff of Fees and Charges bylaw to remove the fees for tires up to 16", tires 16.5" to 20" and tires over 20"; and further

That in accordance with Notice By-law Number 9-2020, public notice is hereby given that Council intends to give three readings to a new Tariff of Fees and Charges By-Law at its October 20, 2020 meeting to give effect to these rates outlined in the revised Schedule "D"; and further

That By-law Number 102-2020 be hereby repealed.

## **Anicinabe Park – Old Chalet Lane Closure**

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

That Council hereby authorizes staff to keep Old Chalet Lane closed at Anicinabe Park for the 2020/2021 winter season.

## **Application for New Horizons Seniors Program Funding**

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

That Council of the City of Kenora approves an application to The Government of Canada's New Horizons for Seniors Program (NHSP) in the amount of \$25,000 to make improvements to the Portage Bay walking bridge; and further

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

## **New Horizons Seniors Centre Lease Agreement**

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

That the Mayor and Clerk be hereby authorized to enter into a lease renewal agreement with the Kenora District New Horizons Senior Centre for the use of commercial space located in the Kenora Recreation Centre located at 18 Mike Richards Way; and further

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

### **Kenora Rotary Club – Peace Park**

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

That Council hereby authorizes the use of Municipal lands locally known as the designated green space on First Avenue South between the former Blue Heron and former Laundromat to be designated as a "Peace Park" which will include a monument honouring Missing and Murdered Indigenous Women and Girls, Transgendered and Two Spirited Persons in partnership with the Kenora Rotary Club; and further

That Council directs staff to draft a Memorandum of Understanding (MOU) between The Corporation of the City of Kenora and the Kenora Rotary Club authorizing the conversion and maintenance of a Peace Park to be located on First Avenue South.

### **Budget Amendment – Maintenance Manager Module**

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

That Council hereby approves a budget amendment in the amount of \$54,849 to be funded through contingency reserves to enable the Maintenance Manager Module (MMM) in the City Wide asset management program; 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 October 20, 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.

### **Muse Policy Review**

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

That Council hereby authorizes the adoption of a Comprehensive Official Policy Manual for the various policies pertaining to the Muse recognizing that from time to time amendments will be required as policies are added, removed and amended; and further

That three readings be given to a bylaw to adopt the policies and terms of reference governing the operation of the Muse, Muse staff, subcommittees and the Muse Board.

### **Declaration of Surplus and Sale of Land – KDSB Seniors Housing Project**

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

That Council hereby declares the property known as the 'Howard Property' as surplus to the needs of the municipality; and further

That Council authorizes the Mayor and Clerk to enter into a Purchase and Sale Agreement with the Kenora District Services Board for the property in the amount of \$304,000; and further

That public notice is hereby provided in accordance with our public notices bylaw 144-2007 that Council intends to declare the Howard Property lands surplus to the needs of the municipality and sell such lands at its October 20, 2020 meeting; and further

That Council hereby commits \$250,000 from the Land Development Reserves in 2021 to support the extension of servicing to the site in support of the development of senior's housing in Kenora; and further

That three readings be given to the respective by-laws for these purposes.

### **Dissolution of the Lake of the Woods Development Commission**

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

That Council hereby directs administration to complete the required measures to achieve the dissolution of the Lake of the Woods Development Commission (LOWDC) and the termination of the Memorandum of Understanding between the City of Kenora and the LOWDC dated October 15, 2013; and further

That three readings be given to a bylaw to reflect the amendments to the City of Kenora's role in allocating the Municipal Accommodation Tax; 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 By-law to amend the Municipal Accommodation Tax By-Law at its October 20, 2020 meeting to give effect to the new regulation; and further

That bylaw number 34-2018 be hereby repealed.

#### **Discussion:**

Council extended their gratitude to past and present LOWDC members.

### **Economic Development and Tourism Advisory Committee**

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

That the Council of the City of Kenora hereby establishes a new Economic Development and Tourism Advisory Committee to make recommendations and offer input into economic development and tourism initiatives led by the municipality; and further

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

### **Sale of Town Island**

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

That Council hereby directs Development Services staff to negotiate a purchase and sale agreement with the Nature Conservancy of Canada for its acquisition of Town Island in the amount of \$2.25 million; and further

That negotiations include a proposed closing date of August 31, 2022, including a condition for a phased donation to the stewardship endowment fund of \$50,000 over 3 years by the City of Kenora.

**The motion was defeated.**

**Amendment to Motion #18 – Sale of Town Island**

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

That Motion #18 on today's agenda with respect to the Sale of Town Island be hereby amended as follows:

- Remove the second paragraph which references the negotiations closing date and donation.

**Motion #18, as amended – Sale of Town Island**

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

That Council hereby directs Development Services staff to negotiate a purchase and sale agreement with the Nature Conservancy of Canada for its acquisition of Town Island in the amount of \$2.25 million.

**By-law Enforcement Officer Appointment**

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

That Council hereby appoints Timothy Zawacki as a By-Law Enforcement Officer in and for the City of Kenora under the authority of the Police Services Act; and further

That this appointment shall take effect and come into force upon third and final reading thereof; and further

That By-law Number 79-2009 be hereby repealed.

**CAO Appointment**

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

That Council gives three readings to a bylaw to appoint Kyle Attanasio as the CAO for the City of Kenora effective October 5, 2020.

**CAO-Council Policy #CC-1-1 Amendment**

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

That the Council-CAO Covenant Policy CC-1-1 as part of the City's Comprehensive Policy Manual be hereby amended to reflect the new CAO appointment; and further

That bylaw number 151-2018 be hereby repealed.

**Kennedy Consulting Limited for the Sustainable Action Plan Project**

**22. Moved by C. Van Wallegghem, 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 Kennedy Consulting Limited for the Sustainable Action Plan project; and further

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

### **Amendment to Traffic By-Law Number 180-2015**

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

That Council authorizes an amendment to the City of Kenora Traffic Regulation By-law Number 180-2015 to include changes to Schedule "K" – Accessible Parking Spaces on Municipal Streets, Schedule "O" – Stop Signs at Intersections, and Schedule "P" – Yield Intersections; and further

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

### **Various Committee Minutes**

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

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

- August 28 & September 16, 2020 – The Muse
- September 16, 2020 – Heritage Kenora

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

- May 22 & June 25, 2020 – Kenora Police Services Board
- July 30 & August 27, 2020- District of Kenora Home for the Aged Board of Management; and further

That these Minutes be circulated and ordered filed.

### **Water & Wastewater Monthly Summary Report – August 2020**

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

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

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

#### **26, as amended. Moved by K. Ralko, Seconded by A. Poirier & 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:~

148-2020-Confirmatory

149-2020-Tariff of Fees & Charges-2021 Water & Sewer Rate Increase/Tire Tipping Fees

150-2020-Budget Amendment – Xcentric Hydraulic Ripper Attachment

151-2020-New Horizons Seniors Centre Lease Agreement

152-2020-Budget Amendment – Maintenance Manager Module



153-2020-Adoption of Comprehensive Policy Manual for the Muse  
154-2020-Arts Centre Advisory Committee Terms of Reference  
155-2020-Indigenous Advisory Committee Terms of Reference  
156-2020-Museum Advisory Committee Terms of Reference  
157-2020-Declaration of Surplus and Sale of Land – Howard Property  
158-2020-Municipal Accommodation Tax Amendment  
159-2020-Economic Development and Tourism Advisory Committee Terms of Reference  
160-2020-Bylaw Enforcement Officer Appointment  
161-2020-CAO Appointment  
162-2020-CAO-Council Policy #CC-1-1 Amendment  
163-2020-Kennedy Consulting Limited for the Sustainable Action Plan Project  
164-2020-Amendment to Traffic By-Law Number 180-2015  
165-2020-Budget Amendment-Operations Centre office reno-bylaw only- passed Sept 15/20

### **Notices of Motion**

None

### **Proclamations**

- Child Care Worker & Early Childhood Education Appreciation Day-October 22<sup>nd</sup>
- Waste Reduction Week – October 19-25<sup>th</sup>
- World Polio Day – Kenora Rotary – October 24<sup>th</sup>

### **Announcements**

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

1. Councillor Smith encouraged residents to stay the course and continue to practice COVID safety measures as winter approaches. The things we are doing in our community are making a difference.
2. Councillor McMillan shared that members of Council attended a fall feast with members of the Common Ground working group. Good discussion and positive dialogue took place. We remain committed to moving forward and looking at opportunities.
3. Councillor Ralko shared that her recent experience at the COVID testing location was efficient and the staff were good with helping her through the testing process. She commended local and regional COVID testing locations and encouraged community members to contact the Health Unit if they think they should be tested.

### **Adjourn to Closed Session**

#### **27. Moved by Poirier, Seconded by C. Van Walleghem & 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 1:10 p.m. to discuss items pertaining to the following:-

- i) Education & Training Members of Council (2 matters – CAO & Mayor update)
- ii) Labour Relations (1 matter-CUPE negotiations)

### **Reconvene to Open Meeting**

Council reconvenes to open session at 2:38 p.m. with no reports from its closed session.

### **Close of Meeting**

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

That this meeting be now declared closed at 2:38 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**