



City of Kenora
Committee of the Whole
Minutes

Tuesday, September 13, 2022
9:00 a.m.

City Hall Council Chambers

Live Stream Access: <https://kenora.civicweb.net/Portal/>

Present:

Mayor Daniel Reynard
Councillor Mort Goss
Councillor Graham Chaze
Councillor Rory McMillan
Councillor Andrew Poirier
Councillor Sharon Smith
Councillor Chris Van Wallegem

Staff: Kyle Attanasio, CAO (virtual attendance), Heather Pihulak, Director of Corporate Services/City Clerk, Stace Gander, Director of Community Services, Charlotte Edie, Director of Finance, Ryan Marsh, Incoming Director of Finance, Roberta Marsh, Director of Human Resources, Risk & Insurance, Kent Readman, Director of Fire & Emergency Services

Blessing & Land Acknowledgment

Councillor Chaze

As we gather, we recognize that we are on Treaty Three Lands which are steeped in rich Indigenous history and home to many First Nations and Metis people today. We continue to be thankful for the partnerships with Indigenous people.

We give thanks for the many blessings we enjoy in the City of Kenora. We seek wisdom in our minds, clearness in our thinking, truth in our speaking and always love in our hearts, so that we may try always to unite the Citizens of Kenora. Let these principles guide us in our decision making.

A. Public Information Notices

As required under Notice By-law #144 -2007, the public is advised of Council's intention to adopt the following at its September 20, 2022 meeting:-

- Council will amend their October meeting schedule to reflect the October Committee of the Whole date being October 3 at 9 a.m. and October 7 as Council at 12 noon

B. Declaration of Pecuniary Interest & the General Nature Thereof

- 1) On Today's Agenda
- 2) From a Meeting at which a Member was not in Attendance.
There were none declared.

C. Confirmation of Previous Committee Minutes

Resolution #1 - Moved by Councillor Poirier, Seconded by G. Chaze & Carried:

That the Minutes from the last regular Committee of the Whole Meeting held August 2, 2022 and the minutes of the Special Committee of the Whole meeting held September 8, 2022 be confirmed as written and filed.

D. Deputations/Presentations

Keith Taylor, One Investment Presentation

Charlotte Edie introduced Keith Taylor from One Investment who has been part of our investment process since the transfer to Prudent Investor.

Mr. Taylor confirmed that Kenora has realized more gains than losses over the last two years. The money invested is long term money that should be invested for long term returns. We need to focus on the long term investment goals.

Council thanked Mr. Taylor for his presentation.

E. Reports:

1. Corporate Services / Finance / Human Resources

1.1 Q2 Investments

Recommendation:

That Council of the City of Kenora hereby accepts the 2022 second quarter investment report that includes details of the Kenora Citizens' Prosperity Trust Fund and General City of Kenora investments.

Discussion: Our Prosperity Trust Fund is invested in perpetuity and is a long term investment. The market value of this investment took a down turn in 2022 in the amount of \$2,279,256. This is an unrealized loss and is not a permanent erosion. The year to date actual return on these ONE fund investments until June 30 is -10.2%. The return since inception is .2%. Income for the quarter is \$11,174. Most income distributions happen in the 4th quarter. The market value in the 2nd quarter for RBC Dexia decreased by \$47,378. The City still has \$4,676,355 in investments with RBC Dexia. The year to date return is -2.34%. The rate of return since inception is 2.27%. These returns take the market impact into account. These investments will be gradually liquidated when funds are required for debt financing purposes. We will wait until the market comes back to make any changes here. The City of Kenora maintains investment portfolios separate from the Kenora Citizen's Prosperity Trust Fund. The market value of this investment took a down turn in 2022 in the 2nd quarter in the amount of \$1,489,794. This is an unrealized loss and is not a permanent erosion. The year to date actual return on these ONE fund investments until June 30 is -13.4% and -7.7%. The return since inception is 2.4% and -1.2%. Income for the quarter is \$2,021 as most income distributions happen in the 4th quarter. The City also has a high interest savings account with the ONE Funds. The balance at the end of June 2022 is \$7,221,708.

1.2 July 2022 Financial Statements

Recommendation:

That Council hereby accepts the monthly Financial Statements of the Corporation of the City of Kenora at July 31, 2022.

Discussion: With the monthly statements for 2022 we like to look at previous year to see how we are doing compared to that year. 2021 was a COVID year so it is difficult to look back at the revenues and expenses from the previous years. 2022 is a more normal year except perhaps the start of the year where we did close our facilities and had some COVID impacts early in 2022 and to keep this in mind when reviewing financial statements. The department differences are the same from the June financial statements. Overall sewer and water expenditures are under budget. December user fees are accrued and are recorded at year end. Solid waste expenses are under budget and user fees were a bit under budget because we increased the user fee increases in July so now that will catch up with this increase. We had significant emergency measures expenditures and

1.3 Joint Elections Compliance Audit Committee

Recommendation:

That Council gives three readings to a Joint Compliance Audit Committee Terms of Reference for the 2018-2022 Term of Council bylaw; and further

That this regional joint committee includes partnerships with the Cities of Dryden and Kenora; the Municipalities of Machin, Red Lake and Sioux Lookout; and the Townships of Ear Falls, Ignace and Pickle Lake; and further

That the regional participating clerks are hereby delegated the joint authority to make the appointments to the committee through mutual consensus.

Discussion: The Municipal Elections Act, 1996 (MEA) requires that all municipalities appoint a Compliance Audit Committee. A qualified elector who believes on reasonable grounds that a candidate has contravened a provision of the MEA relating to election campaign finances, may apply to the Compliance Audit Committee for a compliance audit of the candidate's finances. Recruitment of members for this committee can be challenging. The Regional Clerks Network discussed the committee at their spring meeting and agreed that it was in our best interest to work collaboratively to form one regional committee rather than each of us trying to recruit members for our own independent committee. The Clerks Network group has worked together over the past several months to finalize this draft terms of reference.

1.4 October Meeting Dates

Recommendation:

That Council hereby amends the 2022 Council meeting calendar to reflect the October Committee of the Whole meeting date be rescheduled to Monday, October 3 and the October Council meeting rescheduled to Friday, October 7, 2022.

Discussion: We are now well into the election cycle and have identified the voting period for the 2022 election. Voting will open on Tuesday, October 11th at 10:00 a.m. and the Council Chambers will be converted to an election headquarters for voting assistance.

The initial Council calendar identified Tuesday, October 4th as Committee of the Whole, and Council as Tuesday, October 11th. We need to shift the October Council meeting to ensure that the Chambers can be closed off effective Friday, October 7th to prepare the room for Tuesdays voting.

I am recommending we hold the COW meeting on Monday and Council the Friday of the same week to allow for a few days between the two meetings, but completed the same week.

1.5 Potential Redistribution of Federal Ridings Advocacy

Recommendation:

Whereas the Federal Electoral Boundaries Commission for the Province of Ontario has proposed a new electoral map that would cut the number of federal election districts in northern Ontario from ten to nine; and

Whereas the Constitution of Canada requires that the federal elector districts be reviewed every ten years; and

Whereas the most significant change would see the two largest ridings in the far north, Kenora and Timmins-James Bay, amended and combined into one massive riding called Kiiwetinoong-Mushkegowuk, spanning from the Manitoba border to Quebec, and Kenora's current riding boundary readjusted dramatically and combined with Thunder Bay-Rainy River with further significant changes to the Thunder Bay-Superior North and Algoma-Manitoulin-Kapuskasing boundaries; and

Whereas the land mass size of the new Kenora-Thunder Bay-Rainy River riding would make it virtually ungovernable, and ultimately infringe on the democratic rights of northerners; and

Whereas our region has diverse and unique interests which are quite different from one another and deserve adequate diverse representation in Ottawa; and

Whereas the legislation would in fact support, according to the population quota to be applied by the Commission, a reduction of two, but the commission has recommended one; and

Whereas the Kenova District was deemed an "extraordinary circumstance" in 2012 during the last boundary review, and because of which it was not revised at that time; and

Now therefore be it resolved that Council of the Corporation of the City of Kenora strongly opposes the proposed reduction of Northern ridings and representatives; and further

That the City of Kenora calls upon the Federal Electoral Boundary Commission to consider the vast land mass that already exists within our electoral boundary and refrain from extending any boundary which reduces northern ridings and representatives; and further

That further consideration be given to the uniqueness of Northwestern Ontario, especially smaller municipalities in the north and expanding this boundary provides for further imperiled and underrepresented by so few seats; and further

That copies of this resolution be forwarded to Eric Melillo, MP Kenora Riding, the Federal Electoral Boundaries Commission for Ontario, the Kenora District Municipal Association, the Rainy-River District Municipal Association Grand Chief Francis Kavanaugh, Grand Council Treaty 3 and the Northwestern Ontario Municipal Association.

Discussion: The Federal Electoral Boundaries Commission for the Province of Ontario has proposed a new electoral map that would cut the number of federal election districts in northern Ontario from ten to nine. The most significant change is the recommendation that the Kenora riding be merged into Thunder Bay-Rainy River, creating a much more widely spread-out riding as the Kiiwetinoong-Mushkegowuk riding and has been proposed to represent the vast majority of Ontario's Far North, stretching from the Manitoba border to the James Bay coast and the

The Federal Electoral Boundaries Commission for Ontario is holding public hearings, in person and virtually, to gather comments and feedback on the proposed boundaries and electoral district names. Council is still encouraged to attend this public open house being held in Kenora on October 4th at 6:30 p.m. at the Douglas Family Art Centre, or alternatively the virtual session will be held Wednesday, October 26, 2022 at 6:30 p.m. but you must register by September 25th to attend.

1.6 Disconnect from Work Policy #HR-2-18

Recommendation:

That three readings be given to a bylaw to adopt the new Disconnect from Work Policy #HR-2-18 in accordance with the Employment Standards Act, 2000 (ESA); and further

That Policy #HR-2-18 form part of the City's Comprehensive Policy Manual.

Discussion: This is a policy that is an administrative policy that is new to the City. On December 2, 2021 the Ontario Government passed Bill 27, Working for Workers Act, 2021. This Bill amended the Employment Standards Act, 2000 introducing the requirement for employers that employ 25 or more employees to have a written policy with respect to disconnecting from work. Employers are required to provide a copy of the written policy to all employees.

The term "disconnecting from work" is defined in the ESA to mean not engaging in work-related communications, including emails, telephone calls, video calls or sending or reviewing other messages, to be free from the performance of work.

This policy will address:

- The employer's expectations, if any, of employees to read or reply to work-related emails or answer work-related phone calls after their shift is over.
- Sets out employer expectations for different situations. For example, the policy may contain different expectations depending on:
 - the time of day of the communication
 - the subject matter of the communication
 - who is contacting the employee (for example the client, supervisor, colleague); and
- The employer's requirements for employees turning on out-of-office notifications and/or changing their voicemail messages, when they are not scheduled to work, to communicate that they will not be responding until the next scheduled work day.

2. Fire & Emergency Services

No Reports

3. Engineering & Infrastructure

No Reports

4. Community Services

4.1 904 Ottawa Street Lease Renewal

Recommendation:

That Council hereby authorizes the Mayor and Clerk to enter into an extended lease agreement between the Corporation of the City of Kenora and the medical professionals representing the Keewatin Medical Clinic for the term ending September 30, 2027 for the municipal property

located at 904 Ottawa Street, legally described as Plan 18, Block 50, Pt. Lot 2, all lots 3 & 4; and further

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

4.2 Kenora Recreation Centre Concession Contract Agreement

Recommendation:

That Council of the City of Kenora gives three readings to a bylaw authorizing an agreement between the City of Kenora and Chad Gropp for the purpose of providing Food and Beverages Services in the Kenora Recreation Centre concession for the term of October 1, 2022 to August 31, 2025.

5. Development Services

5.1 Submission to Reseau du Nord Call for Proposals

Recommendation:

That Council approve a submission to the Reseau du Nord call for proposals to select communities that are wishing to develop their immigration capacity in Northern Ontario.

F. Proclamations

None

G. Other (from 12:00 p.m. Public Zoning Bylaw Amendment Proceedings)

Zoning Bylaw Amendment - D14-22-06 – 216 Matheson Street South

Recommendation

That the application for Zoning By-law Amendment, File No. D14-22-06, to seek relief from the regulations of the "GC" General Commercial Zone by amending the zoning to "GC[54]" General Commercial, exception [54] Zone should be approved, with an amendment to the proposed reduction in required parking to 1.0 parking space per dwelling unit, with the approved exceptions being:

1. to permit the location of a dwelling unit on the ground floor of a multi-storey building;
2. to permit the location of a commercial use on the fourth floor;
3. to reduce the number of required parking spaces from 1.5 parking spaces plus 0.2 visitor parking spaces per dwelling unit (total of 1.7 parking spaces per unit) to 1.0 parking spaces per unit; and
4. to increase the maximum permitted building height from 11.0m to 13.9m.

That Council gives three readings to a by-law to that effect.

H. Next Meeting

- Monday, October 2, 2022

I. Adjourn to Closed

Resolution #2 - Moved by Councillor Goss, Seconded by Councillor Smith & Carried:

That Council now adjourn to a closed session at 9:34 a.m.; and further

That pursuant to Section 239 of the Municipal Act, 2001, as amended, the Closed Session will discuss items pertaining to the following:-

- i) Educating & Training Members of Council (3 matters-Parks & Recreation Master Plan progress, Tourism initiatives, CAO update)
- ii) Labour Relations (2 matters – Policy review)

J. Reconvene to Open Meeting

Council reconvenes to open session at 11:34 a.m. with the following reports from its closed session:-

Repeal City Policy #HR-2-15

Recommendation:

That City Policy #HR-2-15 that forms part of the Comprehensive City Policy Manual be hereby repealed; and further

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

Repeal City Policy #ES-1-1

Recommendation:

That City Policy #ES-1-1 that forms part of the Comprehensive City Policy Manual be hereby repealed; and further

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

K. Close Meeting

Meeting adjourned at 11:35 a.m.