



MINUTES

**Of a Meeting of the Council of the City of Kenora
Tuesday, March 22, 2022
12:00 p.m.
Virtual Attendance**

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

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**With** Mayor D. Reynard in the Chair, Councillor G. Chaze, Councillor M. Goss, Councillor R. McMillan, Councillor S. Smith,

**Regrets:** Councillor A. Poirier & Councillor C. Van Walleggem

**Staff:** Kyle Attanasio, CAO, Heather Pihulak, Director of Corporate Services/City Clerk, Charlotte Edie, Director of Finance, Adam Smith, Director of Development Services, Roberta Marsh, Director of Human Resources Kevin Gannon, Director of Engineering & Infrastructure, Stace Gander, Director of Community Services

### **Call to Order**

Mayor Reynard called the meeting to order at 12:00 p.m.

### **Blessing & Land Acknowledgment Delivered by 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.

### **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:-

- Budget amendments for 2021 carry forward projects that were not complete in 2021:
  - \$227,771 to be funded through the Investing in Canada Infrastructure Program – Resilience Infrastructure Stream for the purchase and installation of a dehumidifier in the Thistle Arena at the Kenora Recreation Centre;

- \$22,432 to be funded through the Municipal Asset Management Program (MAMP) and the Contingency Reserve for the Asset Management Plan update with \$17,946 coming from the MAMP and \$4,486 from the Contingency Reserve;
  - \$23,772 which \$7,001.79 is to be funded through police commission reserves and \$16,770.21 plus HST funded through contingency reserves for a strategic planning process for the Kenora Police Services Board;
  - \$10,000 to be added to the total project costs as part of the Chipman Lot Redevelopment carry forward that is funded through a contribution from BIZ;
  - \$15,417 for the completion of the Sustainability Action Plan to be funded from land planning reserve;
  - \$30,244 of which \$27,220 is to be funded through FedNor and the balance of \$3,024 to be funded through Contingency reserves for the completion of the Strategic Plan;
  - \$57,625 for the completion of the Parks & Recreation Master Plan to be funded through Contingency Reserves;
  - \$52,310 for the Tourism Branding and Marketing project to be funded through the Brand Leadership Team Reserve and the MAT fund;
  - \$30,350 for downtown reforestation project through net tax levy;
  - \$5,399 to be funded through the Land Planning Reserve for the Official Plan/Zoning By-law Review
- Council will pass the 2022 water & wastewater operating & 5 year capital plan budgets
  - Council will pass the 2022 solid waste operating & 5 year capital plan budgets
  - Council will amend their 2022 meeting calendar to reflect a change to the April Committee of the Whole meeting date

### **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 G. Chaze, Seconded by R. McMillan & Carried:-**

That the following Minutes of the Council of the City of Kenora be adopted as circulated:-

- Regular Council - February 15, 2022
- Special Council – February 28, 2022
- Special Council (KMNPBH) - December 5, 2019

### **Deputations**

#### **Kenora Moving Forward – approval of zoning amendment to permit residential development**

Mr. Peter Kirby and Mr. Richard Kurtz appeared virtually to address the proposed zoning bylaw amendment that will be discussed today. They requested the City and developer to work out an agreement to reserve a percentage of units for low-income citizens, Indigenous people, the disabled and other marginalized groups as there is much needed housing for these people in our community.

Mayor Reynard thanked the delegation for their presentation and a copy was left with the Clerk.

### **Additions to the Agenda**

None

### **Appointment to the Muse Board**

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

That Council hereby appoints Terence Douglas to the Muse Board for a term at the pleasure of Council no later than November 14, 2022.

### **Appointment to the Planning Advisory Committee**

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

That Council hereby appoints Chris Price to the Planning Advisory Committee for a term at the pleasure of Council no later than November 14, 2022

### **January 2022 Financial Statements**

#### **4. Moved by M. Goss, Seconded by R. McMillan & Carried:-**

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

### **2021 Q4 Capital & Unusual Spend**

#### **5. Moved by G. Chaze, Seconded by R. McMillan & Carried:-**

That Council hereby accepts the 2021 Capital and Unusual Spending Q4 report.

### **2022 Water & Wastewater Budgets**

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

That Council hereby approves the 2022 Water and Sewer Utility Budget; and further

That Council hereby authorizes City administration to proceed with the implementation of all budget related decisions in accordance with those reflected within the Water & Sewer Budgets; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2022 Water and Sewer Utility Budget by bylaw at its March 22<sup>nd</sup> Council Meeting; and further

That the appropriate bylaw be passed for this purpose.

### **2022 Solid Waste Budgets**

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

That Council hereby approves the 2022 Solid Waste Utility Budget; and further

That Council hereby authorizes City administration to proceed with the implementation of all budget-related decisions in accordance with those reflected within the Solid Waste Budgets; and further

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to formally adopt the 2022 Solid Waste Utility Budget by bylaw at its March 22nd Council Meeting; and further

That the appropriate bylaw be passed for this purpose.

Councillor Chaze requested a recorded vote.

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

**Motion is Carried.**

### **Budget Amendments-2021 Project Carry Forwards**

#### **8. Moved by M. Goss, Seconded by G. Chaze & Carried:-**

That Council hereby approves the following budget amendments for 2021 carry forward projects that were not complete in 2021:

- \$227,771 to be funded through the Investing in Canada Infrastructure Program – Resilience Infrastructure Stream for the purchase and installation of a dehumidifier in the Thistle Arena at the Kenora Recreation Centre;
- \$22,432 to be funded through the Municipal Asset Management Program (MAMP) and the Contingency Reserve for the Asset Management Plan update with \$17,946 coming from the MAMP and \$4,486 from the Contingency Reserve;
- \$23,772 which \$7,001.79 is to be funded through police commission reserves and \$16,770.21 plus HST funded through contingency reserves for a strategic planning process for the Kenora Police Services Board;
- \$10,000 to be added to the total project costs as part of the Chipman Lot Redevelopment carry forward that is funded through a contribution from BIZ;
- \$15,417 for the completion of the Sustainability Action Plan to be funded from land planning reserve;
- \$30,244 of which \$27,220 is to be funded through FedNor and the balance of \$3,024 to be funded through Contingency reserves for the completion of the Strategic Plan;
- \$57,625 for the completion of the Parks & Recreation Master Plan to be funded through Contingency Reserves;
- \$52,310 for the Tourism Branding and Marketing project to be funded through the Brand Leadership Team Reserve and the MAT fund;

- \$30,350 for downtown reforestation project through net tax levy;
- \$5,399 to be funded through the Land Planning Reserve for the Official Plan/Zoning By-law Review

That in accordance with Notice By-law Number 144-2007, public notice is hereby given that Council intends to amend its 2022 Capital budget at its March 22, 2022 meeting for these purposes; and further

That Council give three readings to a By-law to amend the 2022 Capital budget for this purpose.

### **Taxi Bylaw**

#### **9. Moved by G. Chaze, Seconded by R. McMillan & Carried:-**

That Council hereby adopts a bylaw to license and regulate taxi cabs, limousines and Drays in the City of Kenora; and further

That bylaw number 104-2019 be hereby repealed.

### **April Committee of the Whole Meeting Date**

#### **10. Moved by R. McMillan, Seconded by G. Chaze & Carried:-**

That Council hereby amends the 2022 Council meeting calendar to reflect the April 12 Committee of the Whole meeting date be rescheduled to April 5, 2022.

### **2018-2022 Term of Council Boards & Committees Review**

#### **11. Moved by S. Smith, Seconded by G. Chaze & Carried:-**

That the 2018-2022 term of Council reviewed the existing Boards and Committees that form part of this term of Council; and further

That Council directs Administration to conduct a legal review on the membership of members of Council on the Kenora Health Care Board of Directors; and further

That the Kenora Urban Recreational Trails Committee and the Heritage Kenora Committee review their terms of reference and bring a recommendation through Administration to Council for review no later than September 13, 2022.

### **Application for Funding – Inclusive Community Grants Program**

#### **12. Moved by M. Goss, Seconded by R. McMillan & Carried:-**

That Council hereby authorizes a funding application to the Ministry for Seniors and Accessibility under its Inclusive Community Grant to support costs identified within the City's 2022 capital plan; and further

That Council approves any cost overruns associated with this project.

### **Application to Trans Canada Trail**

#### **13. Moved by G. Chaze, Seconded by R. McMillan & Carried:-**

That Council hereby authorizes an application for funding to Trans Canada Trails under its Trail Care Grant initiative.

### **Hoopla Island Memorandum of Understanding**

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

That Council hereby authorizes the Mayor and Clerk to execute a Memorandum of Understanding (MOU) with Twenty-One Ventures Inc. for the operation of a floating water park in the waters off Norman Beach; and further

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

### **Repeal License of Occupation Agreement**

#### **15. Moved by S. Smith, Seconded by G. Chaze & Carried:-**

That Council hereby repeals bylaw #135-2021, being a bylaw to authorize a license of occupation agreement between the Corporation of the City of Kenora and Her Majesty the Queen, in Right of Canada, represented by the Minister of the Environment for the use of property located at the intersection of Bay Street and Government Road (North-East corner), City of Kenora, in the Province of Ontario; and further

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

### **Funding Application to NOHFC – Canada Day Activities**

#### **16. Moved by M. Goss, Seconded by G. Chaze & Carried:-**

That Council hereby direct staff to complete an application to the Northern Ontario Heritage Fund (NOHFC) Cultural Supports program for Canada Day 2022 in the amount of \$10,000; and further

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

### **Funding Application – Active Transportation Fund**

#### **17. Moved by G. Chaze, Seconded by S. Smith & Carried:-**

That Council hereby approves an application to the Government of Canada Active Transportation Fund: Planning and Design Project Stream for the development of an Active Transportation Master Plan; and further

That an application be made to the Capital Project Stream for the development of an accessible trail link between Norman Park and the Lake of the Woods Discovery Centre.

### **Zoning Bylaw Amendment-D14-22-02 / 1415 & 1435 Valley Drive**

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

That Council hereby approves an Application for Zoning By-law Amendment, File No. D14-22-02, to change the zoning of the subject properties from "RU Rural Zone and "HC" Highway Commercial Zone, to "RU" Rural Zone, "HC[52]" Highway Commercial, Exception Zone, and "R3" Residential – Third Density Zone should be approved, in lieu of public comments that may yet to be received.; and further

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

### **Bylaw Officer Appointment**

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

That Council hereby appoints Andrew Barclay 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 140-2017 & 118-2005 be hereby repealed.

### **2021 Council Remuneration**

#### **20. Moved by M. Goss, Seconded by G. Chaze & Carried:-**

That Council receive the reports prepared by Charlotte Edie, Director of Finance/Treasurer dated March 9, 2022 as required under Section 284 of The Municipal Act, 2001, as amended, setting out the Annual Statement of Remuneration and Expenditures for Members of Council in accordance with Remuneration By-law #48-2013.

### **Health & Safety Policy Statements**

#### **21. Moved by G. Chaze, Seconded by S. Smith & Carried:-**

That Council of the City of Kenora hereby accepts the amended City of Kenora Occupational Health and Safety Policy, the City of Kenora Workplace Harassment Policy and the City of Kenora Workplace Violence Prevention Policy; and further

That the signatures of the Mayor and CAO are affixed to said policies along with the date of endorsement and are posted in all workplaces.

### **KGS Contract - McLeod Park**

#### **22. Moved by R. McMillan, Seconded by G. Chaze & Carried:-**

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and KGS Group for the provision of professional consulting services to deliver design work for McLeod Park upgrades; and further

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

**Discussion:** This was discussed at the capital budget and this project is included in that budget. We do have NOHFC and FedNor funding for this project. We are planning to get this work done this summer but the tender period is getting tight.

### **NOHFC Funding Agreement – Rec Centre projects**

#### **23. 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 Northern Ontario Heritage Fund Corporation

for the delivery of detailed design and tender specifications to implement the upgrades at the Kenora Recreation Centre; and further

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

### **NORDS Funding Agreement - Railway Street road project**

#### **24. Moved by M. Goss, Seconded by G. Chaze & Carried:-**

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and the Minister of Northern Development, Mines, Natural Resources and Forestry for the Railway Street road project; and further

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

**Discussion:** During the capital budget discussion regarding the Railway Street project we mentioned the ICIP funding (northern & rural stream) which is going to be funding the majority of that project. At that time we were 95% there with respect to the NORDS funding which is new funding that just presented. The cash flow on that funding is over 322,000 per year for 5 years for a total of \$1.6M for the course of five years. The funding will flow, \$322,000 each year, and we may spend more or less each year. The vast majority of that funding will be used for the Railway Street project and we anticipate that we will spend the entire amount on that project. The first year of the construction project we did not have this funding and anything not covered by ICIP will be covered by long term debt along with the NORDS funding.

### **Services Contract with PSD – E-Permitting**

#### **25. Moved by G. Chaze, 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 Public Sector Digest for the development of an E-Permitting platform in the amount of \$39,000; and further

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

### **RED Funding Agreement–Harbourtown Centre Revitalization Streetscaping**

#### **26. Moved by R. McMillan, Seconded by G. Chaze & Carried:-**

That three readings be given to a bylaw to execute an agreement between the Corporation of the City of Kenora and Her Majesty the Queen in Right of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs for the delivery of the Harbourtown Centre Streetscaping project; and further

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

### **Various Committee Minutes**

#### **27. Moved by S. Smith, Seconded by G. Chaze & Carried:-**

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

- November 25, 2021 & January 27, 2022 – The Muse



- January 13, 2022 – Accessibility Advisory Committee
- February 16, 2022 – Heritage Kenora
- October 27, 2021, November 24, 2021 & January 26, 2022 – Kenora Public Library Board

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

- January 4 & 21, 2022 – Northwestern Health Unit
- November 25, 2021 & January 27, 2022 Police Services Board
- February 23, 2022 – NOMA Board Meeting Report to Membership; and further

That these Minutes be circulated and ordered filed.

### **Water & Sewer Write offs**

#### **28. Moved by M. Goss, Seconded by R. McMillan & Carried:-**

That Council hereby approves the write off of accounts totalling \$11,538.49 in 2019; and further

That City staff be directed to continue collection efforts on these accounts.

### **Water & Wastewater Monthly Summary – January 2022**

#### **29. Moved by G. Chaze, Seconded by M. Goss & Carried:-**

That Council of the City of Kenora hereby accepts the January 2022 Kenora Water and Wastewater Systems Monthly Summary Report, as prepared by City administration.

**Discussion:** Kevin Gannon, Director of Engineering & Infrastructure is open to suggestions for changes from Council on this informational report.

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

#### **30. Moved by R. McMillan, Seconded by G. Chaze & 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:~

- #15-2022- Confirmatory
- #16-2022- 2022 Water & Wastewater Budgets
- #17-2022- 2022 Solid Waste Budgets
- #18-2022- Budget Amendments-2021 Project Carry Forwards
- #19-2022- Taxi Bylaw
- #20-2022- Hoopla Island Memorandum of Understanding
- #21-2022- Repeal License of Occupation Agreement
- #22-2022- Zoning Bylaw Amendment-D14-22-02-1415 & 1435 Valley Drive
- #23-2022- Bylaw Officer Appointment
- #24-2022- KGS Contract - McLeod Park
- #25-2022- NOHFC Funding Agreement – Rec Centre projects
- #26-2022- NORDS Funding Agreement - Railway Street road project
- #27-2022- Services Contract with PSD – E-Permitting
- #28-2022- RED Funding Agreement – Harbourtown Centre Revitalization Streetscaping

## Notices of Motion

None

## Proclamations

None

## Announcements

### The following was highlighted by Council:

1. Councillor Smith good to be back in Chambers
2. Councillor McMillan referenced World Water Day. There is a celebration taking place today near Husky the Musky coordinated by Kenora Chiefs Advisory acknowledging and recognizing the significance of water in the Indigenous culture as it is the pathway to life.
3. Kyle Attanasio, CAO, celebrated the success of the grant applications and the significant investments in our community with this funding as it addresses core elements of projects in our community.
4. Mayor Reynard expressed the needs in the community for infrastructure improvements and when we can access government funding it relieves the pressure on the taxpayers and reserve funds.
5. Mayor Reynard despite the snow the next priority will be the pothole needs. If you want a pothole fixed, encourage you to call the pothole hotline and we are not the only community with these and people should use the proper mechanism to report these concerns.
6. Mayor Reynard as we move into the next phase, let's respect everyone's decision regarding wearing masks and continue to slowly move forward.

## Adjourn to Closed Session

### 31. Moved by S. Smith, Seconded by G. Chaze & 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 12:39 p.m. to discuss items pertaining to the following:-

- i) Education & Training Members of Council (3 matters-CAO, Mayor & Tourism Brand presentation)
  - ii) Disposition of Land (1 matter-potential sale of municipal land)
- iii) 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-OPP policing costs)
  - iv) Labour Relations (1 matter-CAO Performance Review)

## Reconvene to Open Meeting

Council reconvenes to open session at 4:17 p.m. with no reports from its closed session.

## Close of Meeting

### 32. Moved by M. Goss, Seconded by R. McMillan & Carried:-

That this meeting be now declared closed at 4:18 p.m.

**The Corporation of the City of Kenora:**

**Confirmed As Written This .....Day**

**Of.....2022**

.....

**Mayor**

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**City Clerk**