



AGENDA

Corporation of the Town of Kirkland Lake
Regular Meeting of Council
Council Chambers
October 6, 2020
4:40 p.m.

1. **Call to Order and Moment of Silence**

2. **Approval of the Agenda**

BE IT RESOLVED THAT the Agenda for the Regular Meeting of Council held on October 6, 2020 beginning at 4:40 p.m. be approved as circulated to all Members of Council.

3. **Declaration of Pecuniary Interest**

4. **Petitions and Delegations**

4.1 MP Charlie Angus

BE IT RESOLVED THAT the delegation by MP Charlie Angus be received.

4.2 Penny Fournel – Kirkland Ave. Encroachment

BE IT RESOLVED THAT the delegation by Penny Fournel be received.

5. **Acceptance of Minutes and Recommendations**

BE IT RESOLVED THAT Council accept the minutes of the following meetings:

- *Minutes of the Regular Meeting of Council held September 22, 2020*

6. **Reports of Municipal Officers and Communications**

6.1 COVID-19 Update, Verbal
Ric McGee, CAO

BE IT RESOLVED THAT the verbal update titled “COVID-19 Update” be received.

6.2 Request to Encroach onto the Kirkland Avenue Road Allowance in Swastika
Ashley Bilodeau, Director of Development Services

BE IT RESOLVED THAT Report Number 2020-DEV-052 entitled “Request to Encroach onto the Kirkland Avenue Road Allowance in Swastika”, be received,

PLEASE NOTE: All items on this Agenda are for Council’s consideration and will be voted on at the meeting.

THAT staff be directed to reject the request to encroach onto the Kirkland Avenue road allowance in Swastika, and

THAT the applicants be advised to remove the encroaching structure no later than October 30, 2020.

6.3 Airport Land Lease
Ashley Bilodeau, Director of Development Services

BE IT RESOLVED THAT Report Number 2020-DEV-046 entitled “**Land Lease Agreement - Kirkland Lake Airport**” be received, and

THAT a By-law be presented to Council to authorize the execution of a ten (10) year land lease agreement with Dr. Bill Durocher for the land his private hanger occupies at the Kirkland Lake Airport.

6.4 Waste Reduction Week 2020
Ashley Bilodeau, Director of Development Services

BE IT RESOLVED THAT Report Number 2020-DEV-053 entitled “**Waste Reduction Week 2020**”, be received, and

THAT October 19 – 25, 2020 is hereby declared by Council as Waste Reduction Week in the Town of Kirkland Lake.

6.5 Lobby Advertising
Bonnie Sackrider, Director of Community Services

BE IT RESOLVED THAT Report Number 2020-CS-008 entitled “**Lobby Advertising**”, be received, and

THAT staff continue the partnership with Futuresign Multimedia Displays to provide Lobby Advertising at the Community Complex in Kirkland Lake.

6.6 Police Services Board Recommendations
Meagan Elliott, Clerk

BE IT RESOLVED THAT Memorandum Number 2020-CLK-006 entitled “**Police Service Board Recommendations**” be received,

THAT staff be directed to assess the warrants to determine if Main Street should be designated a Community Safety Zone and report back to Council in Q1 of 2021, and

THAT no action be taken to permit additional recreational vehicles to be included in the Town of Kirkland Lake Off-Road Vehicle By-Law.

6.7 Training, Education and Development Policy
Kassandra Young, Human Resources Supervisor

BE IT RESOLVED THAT Report Number 2020-HR-006 entitled “**Training, Education and Development Policy**” be received,

THAT Council for the Corporation of the Town of Kirkland Lake hereby approves the revised Policy as presented, and

THAT staff be directed to insert the approved policy into the Corporate Policy Manual and upload the Training, Education and Development Policy to the Town’s website.

6.8 Kirkland Lake Water Treatment Plant PLC and SCADA Replacement
Michel Riberdy, Director of Public Works

BE IT RESOLVED THAT Report Number 2020-PW-005 entitled “**Kirkland Lake Water Treatment Plant PLC and SCADA Replacement**”, be received,

THAT Council hereby awards the Kirkland Lake Water Treatment Plant PLC and SCADA replacement to Stroma Automation Solutions at an upset limit of \$215,236.97 (HST excluded),

THAT Council approves \$26,125.89 (HST excluded) to the Ontario Clean Water Agency for support services to facilitate the Kirkland Lake Water Treatment Plant PLC and SCADA replacement project,

THAT staff is hereby authorized to execute the necessary documents to complete the terms and conditions of RFB No.: OCWA056KLSCADA,

THAT Council authorizes the reallocation of \$160,000.00 from the Energy Efficiency Capital Project to the SCADA Upgrade in the 2020 Approved Capital Budget with the residual amount carried forward as a fifteen-month project into the 2021 Capital Budget, and

THAT staff be directed to include \$90,000.00 dollars in the 2021 Capital Budget for SCADA Upgrades as a pre-approved project.

6.9 Award of RFT-557-20 Supply and Delivery of Winter Sand
Michel Riberdy, Director of Public Works

BE IT RESOLVED THAT Report Number 2020-PW-008 entitled “**Award of RFT-557-20 Supply and Delivery of Winter Sand**”, be received,

THAT Council hereby awards RFT-557-20 Supply and Delivery of Winter Sand to A. Miron Topsoil Limited in the amount of \$29,560 plus HST, and

THAT staff is hereby authorized to execute the necessary documents to complete the terms of RFT-557-20.

7. Consideration of Notices of Motion

8. Introduction, Reading and Consideration of By-Laws

By-Law 20-080 Being a by-law to authorize the execution of an agreement with William Durocher for a portion of municipal property located at the Kirkland Lake Municipal Airport

BE IT RESOLVED THAT the following by-law be read a first, second, and third time, numbered, passed, signed by the Mayor and the Clerk, and the Seal of the Corporation be affixed thereto;

By-law Number 20-080, being a by-law to authorize the execution of an agreement with William Durocher for a portion of municipal property located at the Kirkland Lake Municipal Airport

9. Questions from Council to Staff

9.1 Audible Crosswalk
Patrick Adams, Councillor

BE IT RESOLVED THAT the question from Councillor Patrick Adams regarding the Audible Crosswalk be received.

10. Notice(s) of Motion

11. Councillor's Reports

11.1 Councillor Updates

BE IT RESOLVED THAT the verbal updates from members of Council be received.

12. Additional Information

12.1 Notice of Integrity Commissioner Report for Oct. 20, 2020 Meeting

BE IT RESOLVED THAT the verbal notice of an Integrity Commissioner Report coming to the October 20, 2020 Regular Meeting of Council be received.

13. Closed Session

BE IT RESOLVED THAT Council move into a Closed Session pursuant to Section 239(2) to discuss 1 land disposition matter.

13.1 Minutes of the Closed Session of Council held September 22, 2020

13.2 Request to Purchase Laneway – Queen Street
Ashley Bilodeau, Director of Development Services

14. Matters from Closed Session

15. Confirmation By-Law

By-law 20-081 Being a by-law to confirm the proceedings of Council at its meeting held October 6, 2020

BE IT RESOLVED THAT the following by-law be read a first, second, and third time, numbered, passed, signed by the Mayor and the Clerk, and the Seal of the Corporation be affixed thereto;

By-law Number 20-081, being a by-law to confirm the proceedings of Council at its meeting held October 6, 2020.

16. Adjournment

BE IT RESOLVED THAT Council adjourn the October 6, 2020 Regular Meeting of Council.



MINUTES

Corporation of the Town of Kirkland Lake
Regular Meeting of Council
Heritage North
September 22, 2020
4:40 p.m.

Attendance

Mayor: Pat Kiely
Councillors: Casey Owens
Stacy Wight
Patrick Adams
Eugene Ivanov
Rick Owen
Absent: Dennis Perrier
Staff: Chief Administrative Officer: Ric McGee
Municipal Clerk: Meagan Elliott
Director of Corporate Services: Keith Gorman
Director of Development Services: Ashley Bilodeau (*electronically*)
Director of Community Services: Bonnie Sackrider
Director of Public Works: Michel Riberdy
Fire Chief: Rob Adair
Director of Care: Nancy Loach

1. Call to Order and Moment of Silence

Mayor Pat Kiely requested a moment of silence.

2. Approval of the Agenda

Moved By: Rick Owen

Seconded By: Eugene Ivanov

BE IT RESOLVED THAT the Agenda for the Regular Meeting of Council held on September 22, 2020 beginning at 4:45 p.m. be approved as circulated to all Members of Council with the addition of a Closed Session item to be listed as 13.2 – Heritage North – Request to Purchase.

CARRIED

3. Declaration of Pecuniary Interest

Mayor Pat Kiely requested those present to declare any pecuniary interest with matters appearing on the agenda. Councillor Eugene Ivanov and Councillor Patrick Adams declared a pecuniary interest on Closed item 13.2 – Heritage North Request to Purchase.

4. **Petitions and Delegations**

4.1 MPP John Vanthof

Moved By: Stacy Wight
Seconded By: Casey Owens

BE IT RESOLVED THAT the delegation by MPP John Vanthof be received.

CARRIED

5. **Acceptance of Minutes and Recommendations**

Moved By: Patrick Adams
Seconded By: Rick Owen

BE IT RESOLVED THAT Council accept the minutes of the following meetings:

- Minutes of the Regular Meeting of Council held September 8, 2020

CARRIED

6. **Reports of Municipal Officers and Communications**

6.1 COVID-19 Update, Verbal
Ric McGee, CAO

Moved By: Casey Owens
Seconded By: Stacy Wight

BE IT RESOLVED THAT the verbal update titled "**COVID-19 Update**" be received.

CARRIED

6.2 By-Law Enforcement Policy Review
Ashley Bilodeau, Director of Development Services

Moved By: Eugene Ivanov
Seconded By: Patrick Adams

BE IT RESOLVED THAT Report Number 2020-DEV-040 entitled "**By-law Enforcement Policy Review**", be received,

THAT Council for the Corporation of the Town of Kirkland Lake hereby approves the revised By-law Enforcement Policy as presented, and

THAT staff be directed to insert the approved policy into the Corporate Policy Manual and upload the By-law Enforcement Policy to the Town's website.

CARRIED

6.3 Municipal Law Enforcement Officer – Appointment
Ashley Bilodeau, Director of Development Services

Moved By: Rick Owen
Seconded By: Casey Owens

BE IT RESOLVED THAT Report Number 2020-DEV-050 entitled "**Municipal Law Enforcement Officer - Appointment**", be received, and

THAT a By-law to Appoint Tracy Barbe as a Municipal Law Enforcement Officer be presented to Council.

CARRIED

6.4 Draft Consent Application No. 54-C-209966: Jamieson, Grenfell Road
Ashley Bilodeau, Director of Development Services

Moved By: Stacy Wight

Seconded By: Rick Owen

BE IT RESOLVED THAT Report Number 2020-DEV-048 entitled “**Draft Consent Application No. 54-C-209966: Jamieson, Grenfell Road**”, be received, and

THAT staff be directed to respond to the Ministry of Municipal Affairs and Housing on behalf of the Town of Kirkland Lake to advise the Ministry that the Town opposes any new development in unorganized townships as it contravenes the PPS and until such time as the following recommendations are addressed:

1. **THAT** the Province conduct a comprehensive review to determine whether development in the unorganized townships places an undue strain on public service facilities and infrastructure of surrounding municipalities; and
2. **THAT** the Province meet with Local Roads Boards and the Town of Kirkland Lake to determine the potential of developing a “Planning Area”.

CARRIED

6.5 RFT-558-20 Lakeshore Road and McCamus Avenue Resurfacing Tender Award
Michel Riberdy, Director of Public Works

Moved By: Patrick Adams

Seconded By: Eugene Ivanov

BE IT RESOLVED THAT Report Number 2020-PW-007 entitled “**RFT-558-20 Lakeshore Road and McCamus Avenue Resurfacing Tender Award**”, be received,

THAT Council hereby awards RFT-558-20 Lakeshore Road and McCamus Avenue Resurfacing to Miller Paving Limited in the amount of \$124,712.87 plus a 5% contingency not to exceed \$130,948.51 (HST excluded), and

THAT staff is hereby authorized to execute the necessary documents to complete the terms of RFT-558-20.

CARRIED

Moved By: Patrick Adams

Seconded By: Eugene Ivanov

BE IT RESOLVED THAT staff be directed to negotiate (at the same unit prices) additional resurfacing of loose top gravel sections of asphalt roads within the municipality on a priority basis determined by the Director of Public Works utilizing the remaining funds in Budget Account Number B2020-0042 not to exceed \$180,878.00.

CARRIED

6.6 Kirkland Lake – Municipal Drinking Water Licence Renewal Application
Michel Riberdy, Director of Public Works

Moved By: Casey Owens

Seconded By: Stacy Wight

BE IT RESOLVED THAT Report Number 2020-PW-006 entitled “**Kirkland Lake – Municipal Drinking Water Licence Renewal Application**”, be received,

THAT Council for the Corporation of the Town of Kirkland Lake hereby accepts the Corporation of the Town of Kirkland Lake Drinking Water System Financial Plan as presented,

THAT staff be directed to submit the updated Kirkland Lake Drinking Water System Financial Plan - Number 214-301 (2019 to 2025) in accordance with O. Reg. 453/07 to the Ministry of Environment, Conservation and Parks (MECP) for the Kirkland Lake – Municipal Drinking Water Licence Renewal, and

THAT staff be directed to upload a copy of the Corporation of the Town of Kirkland Lake Drinking Water System Financial Plan to the Town’s Website.

CARRIED

6.7 Swim Pass Donation Request
Bonnie Sackrider, Director of Community Services

Moved By: Casey Owens

Seconded By: Patrick Adams

BE IT RESOLVED THAT Memorandum Number 2020-CS-001 entitled “**Swim Pass Donation Request**”, be received, and

THAT staff be directed to prepare 200 swim passes for the Chamber of Commerce Halloween Scavenger Hunt and expense the cost of the donation to the Community Grants Fund Account.

CARRIED

6.8 Municipal Asset Management Program Funding Application
Keith Gorman, Director of Corporate Services

Moved By: Eugene Ivanov

Seconded By: Casey Owens

BE IT RESOLVED THAT Report Number 2020-FIN-006 entitled “**Municipal Asset Management Program Funding Application**”, be received,

THAT staff be directed to apply for a grant from the Federation of Canadian Municipalities’ Municipal Asset Management Program to advance the Town’s Asset Management Program, and

THAT the Town of Kirkland Lake allocate up to \$15,000 in the 2021 Budget as the Town’s contribution to the costs of this project.

CARRIED

7. Consideration of Notices of Motion

None noted.

8. Introduction, Reading and Consideration of By-Laws

Moved By: Stacy Wight

Seconded By: Rick Owen

BE IT RESOLVED THAT the following by-law be read a first, second, and third time, numbered, passed, signed by the Mayor and the Clerk, and the Seal of the Corporation be affixed thereto;

By-law Number 20-076, being a by-law to Authorize the Mayor and Clerk to Execute Documents Related to the Sale of a Property Located to the North of 4 Summerset Drive to Marc Bronson

CARRIED

Moved By: Casey Owens

Seconded By: Patrick Adams

BE IT RESOLVED THAT the following by-law be read a first, second, and third time, numbered, passed, signed by the Mayor and the Clerk, and the Seal of the Corporation be affixed thereto;

By-law Number 20-077, being a by-law to Deem Lot 1 of Registered Plan M-218T Not to be Registered (North of 4 Summerset Drive, Marc Bronson)

CARRIED

Moved By: Eugene Ivanov

Seconded By: Stacy Wight

BE IT RESOLVED THAT the following by-law be read a first, second, and third time, numbered, passed, signed by the Mayor and the Clerk, and the Seal of the Corporation be affixed thereto;

By-law Number 20-078, being a by-law to Appoint Municipal Law Enforcement Officers for the Purpose of Enforcing By-Laws in the Town of Kirkland Lake

CARRIED

9. Questions from Council to Staff

None noted.

10. Notice(s) of Motion

None noted.

11. Councillor's Reports

11.1 Council Meeting Locations
Pat Kiely, Mayor

Moved By: Eugene Ivanov

Seconded By: Casey Owens

BE IT RESOLVED THAT Memorandum Number 2020-CNL-005 entitled "**Council Meeting Location**" be received, and

THAT future Council Meetings will resume in Council Chambers beginning October 6, 2020 or sooner at the Call of the Chair should the need arise for a Special Meeting of Council.

CARRIED

11.2 Councillor Updates

Moved By: Stacy Wight
Seconded By: Patrick Adams

BE IT RESOLVED THAT the verbal updates from members of Council be received.

CARRIED

12. Additional Information

12.1 Royal Canadian Legion – Request to Hang Banners

Moved By: Rick Owen
Seconded By: Eugene Ivanov

BE IT RESOLVED THAT the correspondence from The Royal Canadian Legion dated September 14, 2020 be received,

THAT Council approve the request to have staff hang banners on Government Road for an additional 3 seasons, and

THAT staff be directed to present a Banner Policy

CARRIED

13. Closed Session

Moved By: Casey Owens
Seconded By: Stacy Wight

BE IT RESOLVED THAT Council move into a Closed Session pursuant to Section 239(2) to discuss 1 litigation matter, 2 land disposition matters, 1 potential litigation matter, and 1 matter involving identifiable individuals.

CARRIED

Council moved into Closed Session at 6:23pm

13.1 Minutes of the Closed Session of Council held September 8, 2020

13.2 Heritage North – Request to Purchase
Ashley Bilodeau, Director of Development Services

13.3 Statement of Claim – 9775706 Canada Inc. vs TKL, TKL Solar Inc., Energie
Kapusksing Energy Inc., 2325524 Ontatio Inc., 2325524 Ontario Inc. O/A
Sentinel Solar, Sentinel Solar Corp., Sentinel Solar Holdings Ltd.
Richard McGee, CAO

13.4 Request to Purchase – Calbeck Avenue
Ashley Bilodeau, Director of Development Services

13.5 Encroachment – Kirkland Avenue
Ashley Bilodeau, Director of Development Services

13.6 Executive Director Hiring
Keith Gorman, Director of Corporate Services

Council rose from Closed Session at 8:17pm

14. Matters from Closed Session

None noted.

15. Confirmation By-law

Moved By: Stacy Wight

Seconded By: Rick Owen

BE IT RESOLVED THAT the following by-law be read a first, second, and third time, numbered, passed, signed by the Mayor and the Clerk, and the Seal of the Corporation be affixed thereto;

By-law Number 20-079, being a by-law to confirm the proceedings of Council at its meeting held September 22, 2020.

CARRIED

16. Adjournment

Moved By: Patrick Adams

Seconded By: Casey Owens

BE IT RESOLVED THAT Council adjourn the September 22, 2020 Regular Meeting of Council.

CARRIED

The meeting adjourned at: 8:19pm

Pat Kiely, Mayor

Meagan Elliott, Clerk



REPORT TO COUNCIL

Meeting Date: 10/6/2020	Report Number: 2020-DEV-052
Presented by: Ashley Bilodeau	Department: Development Services

REPORT TITLE

Request to Encroach onto the Kirkland Avenue Road Allowance in Swastika

RECOMMENDATION(S)

BE IT RESOLVED THAT Report Number 2020-DEV-052 entitled “**Request to Encroach onto the Kirkland Avenue Road Allowance in Swastika**”, be received,

THAT staff be directed to reject the request to encroach onto the Kirkland Avenue road allowance in Swastika, and

THAT the applicants be advised to remove the encroaching structure no later than October 30, 2020.

BACKGROUND

Mr. and Mrs. Fournel first requested permission to encroach onto the Kirkland Avenue road allowance in August of 2014. The purpose of the encroachment is to place an 8 foot x 40 foot storage container immediately beside the existing wall of the building, creating a covered area to park their vehicles and an outdoor deck space off of the second storey of the building. The application was heard at a Closed Session Council meeting in October of 2014; however, an encroachment agreement was never formalized at an open session Council meeting. After several conversations with the applicants regarding the outstanding agreement and a need for a building permit and structural engineer’s approval, it was noted in July of 2020 that the placement of the structure had transpired, without the necessary approvals. Staff circulated notice to the property owners, requesting the removal of the structure from the property shortly thereafter. The property owners have responded to the notice and have requested an encroachment agreement be entered into, to legalize the encroachment and rectify the non-compliance. The applicants have expressed that they were not aware of the need to return to Council, or the need for a building permit. The evidence present within the Town’s file does not support this assertion and indicates that the property

owners were advised on numerous occasions that permits, approvals and an encroachment agreement were necessary prior to any action being taken by them.

R A T I O N A L E

Staff are concerned with the location of the storage container on the road allowance. Road allowances are designed to be 20.0 metres wide to accommodate snow storage, on-street parking, boulevards, water and sewer infrastructure, public utilities, etc. Encroachments onto public road allowances are not permitted unless it is to recognize the incorrect placement of a building that was constructed many years prior. Encroachment agreements are typically registered on title to raise awareness for future property owners, in expectation that the encroachment will be corrected by demolishing the building that is encroaching, or at the very least, removing the portion that encroaches in the future.

In addition, the structure is close to water and sewer infrastructure and a natural gas line. Should either the Town or the natural gas company be required to repair these lines, the encroaching structure may be damaged. The Department of Public Works has also raised concerns related to snow storage.

The Chief Building Official has reviewed the building and although the applicant's intent may have been for the structure to remain movable for the purpose of repairing water and/or sewer infrastructure or the gas line, staff are concerned about the structural integrity of the structure to meet the Ontario Building Code. The storage container has been significantly altered and requires the approval from a structural engineer to determine the structural integrity of the container. The property owner intends to build a deck on top of the storage container, which will only increase the weight bearing load on the structure. Staff are concerned that the structure will not be structurally sufficient to warrant the issuance a building permit in accordance with the Ontario Building Code.

O T H E R A L T E R N A T I V E S C O N S I D E R E D

Council may decide to enter into an encroachment agreement to support this activity. Staff cannot recommend this as a course of action to Council as it defies the intent for which encroachment agreements are intended. As well, while the property owners may propose that Council consider the sale of the road allowance to accommodate the encroachment, this should not be considered as the sale of an open and necessary road allowance is entirely inappropriate.

If Council chooses to enter into an encroachment agreement, staff will draft an encroachment agreement to protect the municipality ensuring that any and all costs required to move the container in support of infrastructure upgrades, damage to the

container, etc. are entirely the responsibility of the property owner and the structure would have to be movable. There will be added costs associated with modifying the structure to ensure compliance with the Ontario Building Code. The intent would be to bring the property into compliance with all laws and regulations.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with the proposed recommendations. Should Council decide to enter into an encroachment agreement, annual fees of \$146.00 would be collected. The fees are subject to annual increases, as stipulated in the User Fees By-law.

RELATIONSHIP TO STRATEGIC PRIORITIES

The proposed recommendations are consistent with the Town's Strategic Plan.

An encroachment agreement or land sale is not consistent with the Town's strategic priority of reducing liability and risk to the municipality. Additionally, the encroachment is contrary to the Town's Lease/encroachment Policy adopted by Council.

ACCESSIBILITY CONSIDERATIONS

None.

CONSULTATIONS

Michel Riberdy, Director of Public Works
Courtney Nylund, Building Inspector/Property Standards Officer
Gerald Moore, Chief Building Official, RSM Consultants
Richard McGee, Chief Administrative Officer

ATTACHMENTS

Attachment 1 – Photos of Storage Structure







REPORT TO COUNCIL

Meeting Date: 10/6/2020	Report Number: 2020-DEV-046
Presented by: Ashley Bilodeau	Department: Development Services

REPORT TITLE

Land Lease Agreement - Kirkland Lake Airport

RECOMMENDATION(S)

BE IT RESOLVED THAT Report Number 2020-DEV-046 entitled “**Land Lease Agreement - Kirkland Lake Airport**” be received, and

THAT a By-law be presented to Council to authorize the execution of a ten (10) year land lease agreement with Dr. Bill Durocher for the land his private hanger occupies at the Kirkland Lake Airport.

BACKGROUND

Dr. Bill Durocher has been leasing a portion of land at the Kirkland Lake Airport for over twenty (20) years for an aircraft hangar that was constructed on the property. The hangar houses a small fixed wing aircraft. The hanger is located between the refueling area and the large aircraft hangar. Dr. Durocher’s’ hanger does not impede daily operations at the Airport.

The existing five-year lease expired in August of 2020. Staff recommend that a ten-year agreement be executed, to eliminate the need to bring the agreement back to Council in five years.

RATIONALE

This lease has been in place for over twenty years and does not impede daily operations.

At this time, the sale of the land is not consistent with the Town’s Official Plan; however, staff are reviewing opportunities to sell property along the runway for the purpose of

private/business development at the Airport and will report any findings to Council in the coming years along with funding opportunities that may support such an initiative.

OTHER ALTERNATIVES CONSIDERED

Council may choose to reject the lease agreement; however, the hanger would then need to be removed from the site. In addition, the Town of Kirkland Lake must continue to encourage activity at the Kirkland Lake Airport to improve the business case at this facility.

FINANCIAL CONSIDERATIONS

There are revenues generated from the lease agreement. The fees are defined within the User Fees By-law, which is approved each year by Council.

In 2020, the annual fee for this lease is \$880.00. There is typically a 2% increase to user fees on an annual basis. As a result, the following chart depicts the annual revenue for the life of the lease:

Year	Annual Fee
2020	\$880.00
2021	\$897.60
2022	\$915.55
2023	\$933.86
2024	\$952.54
2025	\$971.59
2026	\$991.02
2027	\$1,010.84
2028	\$1,031.06
2029	\$1,051.68
TOTAL	\$9,635.74

There are also additional revenues generated from the sale of fuel.

RELATIONSHIP TO STRATEGIC PRIORITIES

The Strategic Plan identifies a need to be fiscally responsible. The lease of unused property at the Airport is fiscally responsible.

ACCESSIBILITY CONSIDERATIONS

Not applicable.

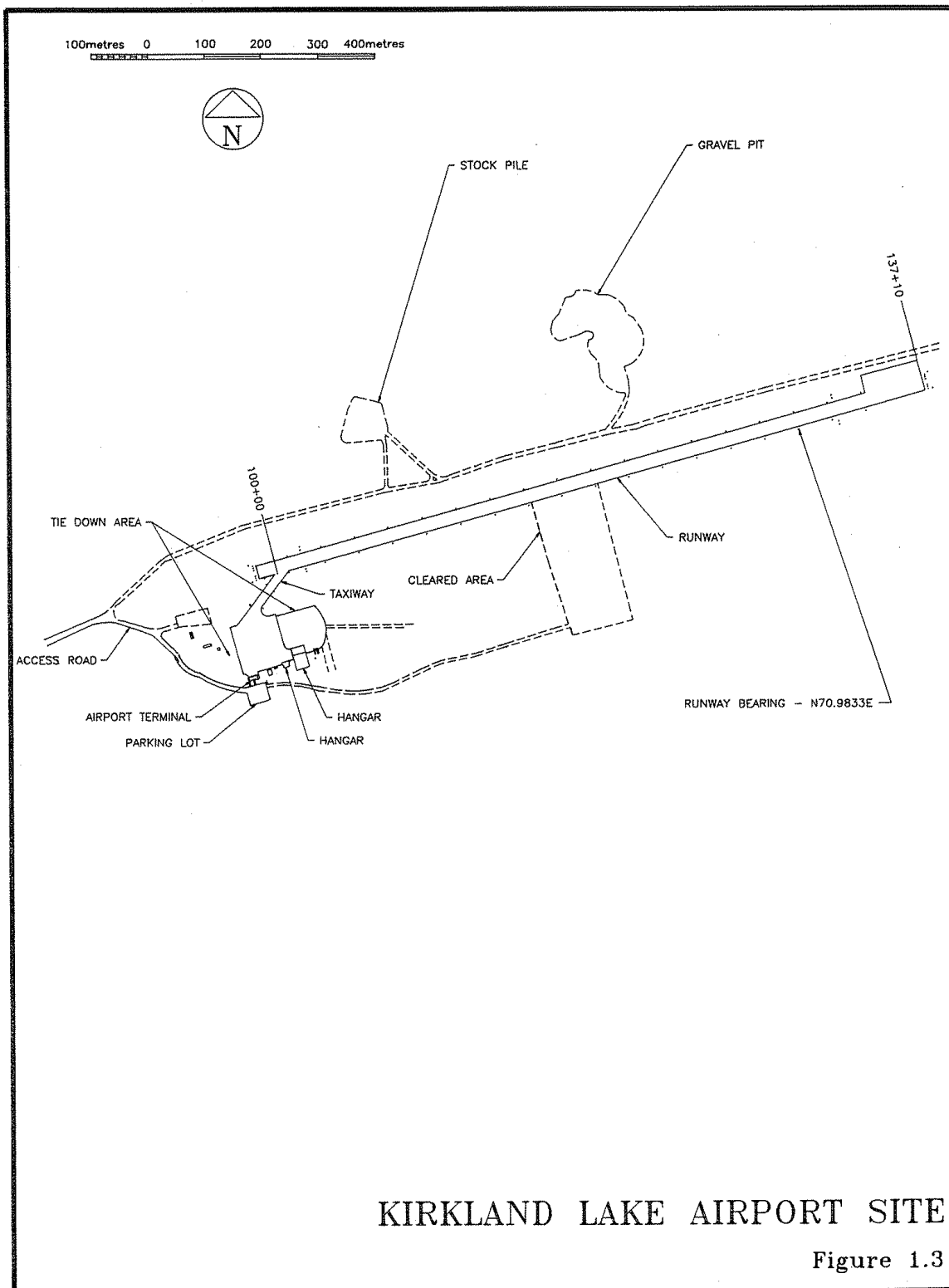
C O N S U L T A T I O N S

Richard Charbonneau, Airport Manager
Keith Gorman, Director of Corporate Services

A T T A C H M E N T S

Attachment 1 – Airport Layout

Attachment 1





REPORT TO COUNCIL

Meeting Date: 10/6/2020

Report Number: 2020-DEV-053

Presented by: Ashley Bilodeau

Department: Development Services

REPORT TITLE

Waste Reduction Week 2020

RECOMMENDATION(S)

BE IT RESOLVED THAT Report Number 2020-DEV-053 entitled “**Waste Reduction Week 2020**”, be received, and

THAT October 19 – 25, 2020 is hereby declared by Council as Waste Reduction Week in the Town of Kirkland Lake.

BACKGROUND

Waste Reduction Week in Canada is a national campaign that raises awareness around sustainable and responsible consumption, encourages the selection of environmentally responsible products/services and promotes actions that divert waste from landfill and conserves natural resources.

The Town of Kirkland Lake currently offers drop off locations for batteries, electronics, scrap metal and tires. On September 5th, 2020, the Town offered a hazardous waste collection event. During Waste Reduction Week, these collection programs are highlighted focusing on one particular item such as textiles, E-waste, plastics and food waste each day.

In the past, Council authorized a local drop-off for electronics during fall clean-up week; however, due to the COVID-19 Pandemic, Ontario Electronic Stewardship is not scheduling any further events this year. This report is presented to Council to raise awareness for the 3 R's and to divert recyclable material from landfill.

RATIONALE

By proclaiming Waste Reduction Week in the Town of Kirkland Lake, it demonstrates the importance of waste reduction and encourages residents and businesses to contribute to environmental protection.

OTHER ALTERNATIVES CONSIDERED

Council may decide not to declare Waste Reduction Week from October 19 – 25, 2020. This is not recommended, as it is a strategic initiative to reduce waste and mitigate the need for additional landfill capacity. The proclamation of Waste Reduction Week is a great opportunity to raise awareness with the public regarding the diversion of waste at the landfill site.

FINANCIAL CONSIDERATIONS

The Town of Kirkland Lake receives funding for the Blue Box recycling program. If the Town was able to divert more waste from landfill, which would result in higher recycling quantities, more funding would be received.

Currently, the Town does not recycle material from commercial properties as the funding is directly related to residential recycling. Some commercial establishments in the Town of Kirkland Lake do have recycling programs, which ensures the proper disposal of these items. Many commercial businesses however, are disposing of the recyclable material into the landfill. This is significantly affecting the lifespan of the landfill. Staff intend to bring forward a Report to Council on this matter, as suggested in the Strategic Plan, in the coming weeks.

RELATIONSHIP TO STRATEGIC PRIORITIES

Find and Implement Efficiencies - OE-61 – reduce waste and mitigate the need for additional landfill capacity.

ACCESSIBILITY CONSIDERATIONS

None.

CONSULTATIONS

Jenna McNaughton, Planning Administrator/Recycling Coordinator/Data Manager
Richard Charbonneau, Waste Management Manager

ATTACHMENTS

Attachment 1 – Waste Reduction Week in Canada Proclamation

hereby declares

Waste Reduction Week in Canada

October 19 - 25, 2020

We commit to waste reduction, resource conservation, and community education for sustainable living. We recognize that losing waste to disposal and as litter are local and global threats to the environment. We will take action to reduce our waste and support the circular economy.

Name, Title

Signed

Date



WASTE
REDUCTION
WEEK
IN CANADA



REPORT TO COUNCIL

Meeting Date: 10/6/2020	Report Number: 2020-CS-008
Presented by: Bonnie Sackrider	Department: Community Services

REPORT TITLE

Lobby Advertising

RECOMMENDATION(S)

BE IT RESOLVED THAT Report Number 2020-CS-008 entitled “**Lobby Advertising**”, be received, and

THAT staff continue the partnership with Futuresign Multimedia Displays to provide Lobby Advertising at the Community Complex in Kirkland Lake.

BACKGROUND

At the Regular Meeting of Council held on March 24, 2020, Council received Report Number 2020-CS-002, entitled “**Community Complex Lobby Advertising**” from the Community Services Department. That report is attached as Attachment 1 to this report for Council’s review. At the March 24, 2020 meeting Council passed the following motion to report back to Council analyzing the potential for in-house options for lobby advertising.

BE IT RESOLVED THAT Report Number 2020-CS-002 entitled “**Community Complex Lobby Advertising**” be received, and

THAT council approve an extension of the current agreement with Futuresign Multimedia Displays for one year, and

THAT Council direct staff to investigate options for keeping the service in-house and bring a report back to Council by the first meeting of October 2020.

CARRIED

This report is presented in response to the motion passed by Council.

RATIONALE

In an effort to gather additional information on this subject, the Directors of Corporate and Community Services, the Management Information Systems Coordinator, and the Chief Administrative Officer met to discuss options for in-house advertising. It was determined that the Town of Kirkland Lake is not equipped and does not possess the experience nor expertise in-house to provide an option equal to the service currently being provided by Futuresign Multimedia Displays. Backlit screens with static advertising, combined with a screen insert with a slide show of information is a specialized function of a multimedia design company that Town staff have been unable to source at this point. Therefore, Council and the community should expect a less professional presentation than the service that currently exists.

Staff is able to source and install a screen and related equipment as well as create content for a slideshow. The cost to purchase equipment is approximately \$3,000.00 and could be included in the 2021 Capital Budget if Council wishes to proceed in that direction.

Staff do not recommend this option for the following reasons:

- Selling advertising does not align with the Town's Strategic Plan and could be considered competition with the other two user groups that currently sell advertising in the group's respective areas of the Complex.
- Selling advertising and creating professional looking advertising slides is time consuming, takes staff away from their assigned strategic responsibilities and does not fit the skill set of recreation staff focused on facilities operations, recreation programming and customer service.
- Staff believe that the combination of advertisements and information in the slide show would be lengthy and that facility users would not wait to view the full content as they would in other venues where this type of option is utilized, such as medical waiting rooms where the patient is seated for long periods of time.
- The year 2020 has been an economically challenging year for local businesses due to the pandemic. With many restrictions still in place, many businesses have not returned to pre-COVID-19 operations and with the current spike in positive COVID-19 tests, there is no date in the foreseeable future of when Ontario will return to pre-COVID-19 economic activities.
- As the Province teeters on the precipice of Stage 2, it is very possible that additional restrictions on businesses may be imposed by the Province of Ontario and/or Public Health. Therefore, the last initiative staff wish to present to local business owners would be an opportunity to pay additional money to the Town after paying property taxes and trying to endure the economic challenges brought

about by COVID-19, not to mention the everyday challenges that small business owners face on a daily basis during strong economic times.

It is for these reasons that staff recommend that Council receive this information, take no further action and continue the partnership with Futuresign Multimedia Displays to provide Lobby Advertising at the Community Complex in the Town of Kirkland Lake.

OTHER ALTERNATIVES CONSIDERED

Council may wish to consider the following as alternatives to the recommendations presented:

1. Extension of current or revised agreement with Futuresigns.
2. Purchase of a stand alone kiosk (that resembles an ATM machine) which could provide the following options:
 - Automated registration,
 - Program information,
 - Seasonal Brochures,
 - Directories & wayfinding, and
 - Event calendars.

FINANCIAL CONSIDERATIONS

	Existing Futuresign Agreement	In-House Screen & Advertising
Annual Revenue Estimate	\$1,000	\$900
Initial Cost:		
Equipment Purchase	-	(3,000)
Recurring Expenditures:		
Internal Labour	-	(1,500)
Net Return - One Year	1,000	(3,600)
Net Return - Five Years	5,000	(6,000)

Should council wish to further explore the purchase of a stand alone kiosk, staff would begin sourcing quotes and preparing a business case as part of the 2021 budget process. Revenues would likely remain consistent with that of the in-house option, however there are potential efficiencies and synergies which could be realized, helping reduce costs and improve the return on investment.

RELATIONSHIP TO STRATEGIC PRIORITIES

Not applicable.

ACCESSIBILITY CONSIDERATIONS

Options for stand alone kiosks can be extremely positive for persons with disabilities.

Technical features

Features can be technical, including:

- colour contrast on the display screen,
- extra time for people to complete tasks,
- audio instructions, and
- voice-activated equipment.

Structural features

Accessibility features can be structural, such as:

- height and stability of the kiosk,
- headset jacks with volume control, and
- specialized keypads or keyboards, such as a tactile keyboard.

CONSULTATIONS

Keith Gorman, Director of Development Services
Shawna Ducharme, Management Information Systems Coordinator
Richard McGee, Chief Administrative Officer

ATTACHMENTS

Attachment 1 – Report Number 2020-CS-002



REPORT TO COUNCIL

Meeting Date: 3/17/2020	Report Number 2020-CS-002
Decision Requested: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Direction Only	Priority: <input type="checkbox"/> High <input checked="" type="checkbox"/> Low Type of Meeting: <input checked="" type="checkbox"/> Open <input type="checkbox"/> Closed
Presented by: Bonnie Sackrider	Department: Community Services

REPORT TITLE

Community Complex Lobby Advertising

RECOMMENDATIONS

BE IT RESPOLVED THAT Report Number 2020-CS-002 entitled “Community Complex Lobby Advertising”, be received, and

THAT council approve an extension of the current agreement with Futuresign Multimedia Displays.

BACKGROUND

At the Regular Meeting of Council held on February 15, 2015, Council passed By-law Number 15-069, attached to this report as *Attachment 1* authorizing the municipality to enter into an agreement with Futuresign Multimedia Displays for installation of two digital backlit units in the lobby of the Community Complex.

At the Parks and Recreation Advisory Committee (PRAC) meeting of February 11, 2020, PRAC discussed the agreement since there was interest from a user group in securing the rights to Lobby Advertising.

At the Regular Meeting of Council held on March 3, 2020, Council for the Corporation of the Town of Kirkland Lake received a report entitled “Recreation Committee Briefing” from the Community Services Department. That report is attached as *Attachment 2* to this report for Council’s review. Council made a motion that is provided below to refer this report back to staff to provide additional information to be presented at the March 17, 2020 Regular Meeting of Council.

BE IT RESPOVED THAT the Recreation Committee Briefing Report be received, and **THAT** the Recreation Committee Briefing Report be referred back to staff.

Report Number 2020-CS 002 is provided to Council in response to that direction.

RATIONALE

At the Council meeting of March 3, 2020, Councillors expressed interest in providing a similar marketing service in-house. The Communications Coordinator from the Information Technology (I.T.) Department has confirmed that they have the capacity to purchase a screen and run a slide show with provided content. I.T. does not have the capacity to create the back lit displays as currently utilized as this is a specialized function of a multimedia design company.

I.T. Staff and Community Services staff recommend continuing with the professional graphic design of the current kiosks due to the impact of the impression it leaves with patrons using the Recreation Complex. The high quality design gives the facility credibility and entices visitors to stay around and read the content that staff has populated into the system and appears on the screen. The current multimedia service provides a professional image at the Recreation Complex and adds value to the customer experience and enhances customer service. Please see the attached pictures as *Attachment 3*.

The current agreement allows local businesses an opportunity to deliver state of the art branding and establish a community profile in Kirkland Lake at an economical cost, while providing the Recreation Complex with a revenue stream, a method to disseminate important information and the multimedia infrastructure at no cost to the taxpayer.

Forty-two (42) communities in Ontario currently partner with Futuresign Multimedia Displays to provide advertising in their community facilities. A list of these communities is provided for your review at *Attachment 4* to this report.

Current Community Complex Advertising Agreements

Two local user groups currently hold exclusive advertising rights in the respective program areas of the Community Complex that their club utilizes.

The Kirkland Lake Goldminers Junior Hockey Club have exclusive arena advertising including rink boards, wall space and on the Olympia Ice Resurfer. (*RFP attachment 5*). For the 2019/2020 season, the Kirkland Lake Goldminers Junior Hockey Club have indicated they will receive \$50,500.00 from this advertising and pay the municipality \$5,050.00 or 10% in accordance with the agreement.

The Kirkland Lake Aquatic Club has exclusive advertising rights in the pool area. The Kirkland Lake Aquatic Club has paid the municipality \$800.00 for the 2019/2020 year in accordance with the outcome of the delegation the Club made to Town Council and the

subsequent Council direction provided to staff. The Council direction to Staff is provided as *Attachment 6* to this report.

Futuresigns Current Agreement – provides for revenues of \$1,000.00 per year beginning in Year 4 and thereafter. Costs for businesses to advertise with Futuresigns at the Community Complex are as follows:

1. 1 x Digital Display ad - \$300.00
2. Small Kiosk Ad + Kiosk Digital Display ad - \$950.00
3. Large Kiosk Ad + Kiosk Digital Display ad - \$1450.00

Based on the number of advertisers currently on the two signs, staff estimate the total advertising revenue generated by Futuresigns per annum to be approximately \$9,650.00.

FINANCIAL IMPLICATIONS

If Council adopts the recommendations as presented, the Town of Kirkland Lake will generate \$5,000.00 in revenue over the next 5 years. No equipment, maintenance, set up or replacement costs will be incurred by the Town of Kirkland Lake.

ALTERNATIVES TO THE RECOMMENDATIONS

Council may choose to select one of the following alternatives provided below and direct staff to implement that direction:

1. Purchase screens that the Information Coordinator would create a slideshow of information prepared by Recreation staff. This option would require the purchase of equipment at an approximate cost of \$3,000.00. This option does not include advertising for the following reasons:
 - The time to get through the content of a slide show with the combination of information items and advertising screens would limit the impact and effectiveness of advertising and is anticipated to deter local businesses from finding this media opportunity unappealing,
 - The concern that advertisers would not see value in purchasing a moving slide,
 - The concern that local businesses are not interested in paying additional dollars to the municipality after having paid property taxes, and
 - The increased cost associated with staff creating pricing and a package to sell the advertising and the time required to solicit advertising space,
-

-
2. Purchase screens that the Information Coordinator would create a slideshow of information prepared by Recreation staff as well as advertising from businesses interested in paying for this advertising opportunity,
 3. Release an RFQ for backlit kiosks including user friendly content management software, sales and collection of advertising dollars, onsite training and support, production, installation, maintenance and IT support to operate the Displays, or
 4. Direct staff to negotiate with Futuresigns to increase the percentage of revenue realized by the Town of Kirkland from the total revenues generated from advertising in the lobby area of the Community Complex.

CONSULTATIONS

Shauna Ducharme, Information Communicator
Keith Gorman, Treasurer
Richard McGee, Chief Administrative Officer

ATTACHMENTS

Attachment 1 – By-law Number 15-069
Attachment 2 - Report to Council March 3 2020
Attachment 3 – Pictures of current back lit advertising boards
Attachment 4 – List of municipalities partnering with Futuresign
Attachment 5 – Copy of RFP for Arena Advertising
Attachment 6 – Motion from January 29th, 2019 Regular Meeting of Council



MEMORANDUM TO COUNCIL

Meeting Date: 10/6/2020

Memo Number: 2020-CLK-006

Presented by: Meagan Elliott

Department: Corporate Services

MEMO TITLE

Police Service Board Recommendations

RECOMMENDATION(S)

BE IT RESOLVED THAT Memorandum Number 2020-CLK-006 entitled “**Police Service Board Recommendations**” be received,

THAT staff be directed to assess the warrants to determine if Main Street should be designated a Community Safety Zone and report back to Council in Q1 of 2021, and

THAT no action be taken to permit additional recreational vehicles to be included in the Town of Kirkland Lake Off-Road Vehicle By-Law.

BACKGROUND

Members of the Police Services Board (PSB) met on Monday, September 21st, 2020. Items for discussion can be found on the agenda posted on the Town’s website listed as Attachment 1.

RATIONALE

Item 6.8 Speeding on Main Street was requested to be discussed at the PSB meeting by a member of Council. Discussions on this item resulted in the following motion being passed:

BE IT RESOLVED THAT the verbal discussion of Speeding on Main Street be received,

THAT OPP will monitor traffic and report back to the Police Services Board, and

THAT the Police Services Board recommends to Council to assess if there is a need to keep Main Street deemed a Community Safety Zone.

CARRIED

Item 6.9 Changes to Off-Road Vehicle By-Law was referred to the PSB meeting from Council at the August 11, 2020 Regular Meeting of Council. Discussion on this topic resulted in the following motion being passed:

***BE IT RESOLVED THAT** correspondence relating to the Changes to Off-Road Vehicle By-Law be received, and*

THAT the Police Services Board recommends to Council to opt-out of the additional recreational vehicles permitted from the July 2020 changes.

CARRIED

Correspondence from a resident was received on October 1, 2020 on this matter as attachment 2.

Item 6.10 Protester Rights / Charges was referred to the PSB from Council at the September 8, 2020 Regular Meeting of Council. There were no recommendations made to Council from this item, but did identify that the specified protester that generated the inquiry was arrested and charged.

CONSULTATIONS

Michel Riberdy, Director of Public Works
Ashley Bilodeau, Director of Development Services

ATTACHMENTS

Attachment 1 -

<https://www.kirklandlake.ca/common/pages/DisplayFile.aspx?itemId=17059726>

Attachment 2 – Correspondence from Steve Patterson

October 1, 2020

To Mayor Kelly and Council,

Re: Proposed bylaw 20-069 To Permit the use of Off-Road vehicles

The 2020 amendment of the Ontario Highway Traffic Act (HTA). Reg 316/03 grants municipalities the right to update local municipal bylaws to permit the use of “extreme terrain vehicles” (XTV) on municipal roadways.

Unfortunately, this change to the act creates new problems for the town, and for law enforcement. While the previous version of the act only allowed ATVs on public roadways, the update may create a source of confusion for motorists unaware that local bylaws must be updated. While prior to the changes, any vehicle with more than four wheels was known to not be permitted on public roads, this is now in question. By passing the new bylaw to allow XTVs in the same areas as existing ATVs, the municipality will eliminate this potential confusion, potentially reducing time spent by law enforcement.

Although with any non-standard vehicle, there are safety concerns, the updates to the act have taken this into account, specifying what vehicles are required to have what safety features. The addition of regulations requiring XTVs that are to be used off private property or crown land to display a license plate and have insurance also reduce risk. Law enforcement will be better able to gage the legality of a vehicle based on the plate. If a plate has not been displayed, it is likely that other requirements have not been met.

The Town of Kirkland Lake is in the enviable position of abutting significant amounts of crown land. With direct access to logging, mining, hunting, snowmobile and hiking trails it a logical base for both industry and recreational use. The “Promote Economic Growth” pillar of Kirkland Lake’s strategic plan refers to investing in Kirkland Lake. Allowing the use of XTVs, largely designed for business and industrial use, rather than recreational is an investment without the burden of additional costs.

I hope that this bylaw will be passed, allowing Kirkland Lake to take advantage of the potential growth this may allow, or will look at other opportunities to increase the ease with which industrial and recreational users can access the surrounding area and continue to support the Kirkland Lake economy.

Regards,

Steve Patterson



MEMORANDUM TO COUNCIL

Meeting Date: 10/6/2020

Memo Number: 2020-HR-006

Presented by: Cassandra Young

Department: Corporate Services

MEMO TITLE

Education, Training and Development Policy

RECOMMENDATION(S)

BE IT RESOLVED THAT Report Number 2020-HR-006 entitled “**Training, Education and Development Policy**” be received,

THAT Council for the Corporation of the Town of Kirkland Lake hereby approves the revised Policy as presented, and

THAT staff be directed to insert the approved policy into the Corporate Policy Manual and upload the Training, Education and Development Policy to the Town’s website.

BACKGROUND

The Strategic Plan identifies a need to review policies, bring the policies up-to-date to ensure consistency and present them to Council. The Education and Training Policy that was passed by Council on June 16th, 2016 has been reviewed and amended to align the Policy with the Strategic Plan.

RATIONALE

The current Education and Training Policy has been amended to include the Seminar, Convention Reports Policy and was reviewed and edited with the help of Management.

The Education and Training Policy has been amended to include an eligibility criteria to identify the conditions that must be met for an employee to participate in education or training programs.

The following sections in the current Education and Training Policy have been replaced and included in the Application and Approval Process of the new policy to clearly outline how Employees shall request approval to complete discretionary training or conference opportunities:

- Absence from Work,
- No Absence from Work, and
- Approvals.

The following sections have been replaced and included in the Reimbursement section of the new policy which outlines that the Town may pay expenses relating to course fees, tuition, books, travel, accommodation and associated fees up to a maximum amount of \$2,000 per year. Reimbursement will be provided to an Employee after submitting proof of successful completion of the training.

- Employee Commitment, and
- Education Support.

The current Seminar, Convention Reports Policy that was approved by Council on September 15, 1981, has been included in the new Education, Training and Development Policy to remove the need for multiple policies.

ATTACHMENTS

Attachment 1 – Education and Training Policy

Attachment 3 – Education, Training and Development Policy

SECTION: Personnel	SUBJECT: Education & Training	Pg. 1 of 4
		DATE: June 16, 2016
		REPEALED: February 1, 2011

INTRODUCTION Staff Education, Training and Development is a joint responsibility of the Town and the Employee. While Employees have an obligation to maintain current in their field the Town also recognizes an obligation to assist in such efforts.

POLICY It is the Policy of the Town that every effort will be made to encourage all permanent staff to further their education and training insofar as their duties and responsibilities with the Town are concerned.

DEFINITIONS

Training & Development is any attempt to improve current or future employee performance by increasing an employee's ability to perform through learning, usually by changing the employee's attitude or increasing his or her skills and knowledge.

Education is the process of receiving or giving systematic instruction at a school or university usually resulting in a certificate, diploma or degree.

Mandatory - required by law or rules; compulsory

Discretionary -Left to or regulated by Director's discretion or judgment

TRAINING

Where a Manager deems it necessary to send an employee to an educational or training course in the interest of the Town during regular working hours and where such course is legislatively required within the Department in which the employee is engaged, attendance at such course shall involve no expense to the employee concerned for tuition fee, books, transportation and related salary while on course shall continue.

ABSENCE FROM WORK

Where the attendance of an employee at a training course involves absence from regular duties for a period of more than three (3) days the Manager shall obtain approval of the Director prior to the commencement of such course.

NO ABSENCE FROM WORK

Where an Employee requests permission from a Manager and/or the Manager feels that the employee's attendance at an educational or training course related to their activities of employment, involving no absence from regular duties, would be of benefit to the employee and the Town, the Manager shall in authorizing attendance at such course will negotiate portion of reimbursement of course expenses and instructional materials Town will pay , subject to the employee providing proof of successful completion where such is available or an indication of attendance at 75% of the instructional sessions where marks or certificates are not provided.

APPROVALS

Any employee that wishes to be reimbursed for registration fees shall submit to the Manager an Education/Training Approval Form before registering for a course. The form shall be submitted to the Director with the appropriate recommendation by the Manager and thereafter returned to the Employee with the appropriate recommendation of the Director.

EMPLOYEE COMMITMENT

Where an employee attends an educational or training course and is reimbursed for tuition which exceeds \$200.00 per course (excluding salary), and the employee does not remain for a period of one year following the completion of the course, the employee shall reimburse the Town at the rate of 10% of the expense for each month of the year for which the employee is not employed, to a maximum of 100%. Expenses include course fees; travel, accommodation and associated fees and salaries.

Example - Course completed June, Employee leaves October reimbursement rate is therefore 60% of fee paid by Town.

EDUCATION SUPPORT

Where a Director approves a course(s) which is deemed to be beneficial to the activities of the department but not required by legislation, the Town may pay expenses of tuition and books and the employee will repay these expenses through payroll deduction. Wages while in attendance of course(s) is not included.

EMPLOYEES ENGAGED LACKING REQUIRED ACADEMIC QUALIFICATIONS

In the event an employee is hired who does not have the academic qualifications for the position to which the person is engaged and the Manager requires that such qualifications be obtained, the Manager shall require the Employee to sign a waiver indicating that the employee will complete the requirements at the employee's cost within a time frame considered reasonable between the Department and the Employee.

Such waiver shall be signed prior to engagement and form part of the employee's personnel record.

Approved By: Council

Date: June 21, 2016

POLICY	
Policy Number: CORP2020-009	Date Approved: June 2016
Department: Corporate	Date Reviewed: October 2020
Education, Training and Development	

1. **Policy Statement**

It is the Policy of the Town of Kirkland Lake to encourage all permanent staff to participate in education and training to support their duties and responsibilities with the Town.

2. **Purpose**

Staff Education, Training and Development is a joint responsibility of the Town and the Employee. While Employees have an obligation to maintain competency and qualifications in their field, the Town also recognizes an obligation to support these growth and development efforts.

3. **Scope**

This Education, Training and Development Policy applies to all employees of the Town who meet the eligibility criteria.

4. **Definitions**

Training & Development: means any attempt to improve current or future employee performance by increasing the employee's performance through learning, by provoking the employee's perspective and/or increasing the employees' skills and knowledge.

Education: means the process of receiving or giving systematic instruction at a training venue, school or post-secondary institution resulting in a certificate, diploma or degree.

Mandatory: means required by the Employer, law or rules; compulsory.

Discretionary: means a decision determined at the Director's discretion or judgment.

5. Policy & Procedures

Where a Director deems it necessary to send an employee to educational or training in the interest of the Town, or a Director approves discretionary education or training, attendance at such course shall involve no expense to the employee for tuition fees, books, transportation and related salary while on course, as long as proof of successful completion is submitted to the relevant Director.

ELIGIBILITY CRITERIA

1. Satisfactory completion of probationary period;
2. Satisfactory performance and attendance as determined by the Director.

REIMBURSEMENT

Where a Director requires mandatory and/or approves discretionary training which is determined to be beneficial to the Corporation, the Town may pay expenses relating to course fees, tuition, books, travel, accommodation and associated fees up to a maximum amount of \$2,000 per year. Wages while in attendance at the training is in addition to the annual maximum amount of \$2,000 per year .

Reimbursement will be provided to an Employee after successful completion of the training and/or courses within the approved training program by submitting a paid receipt and proof of successful completion to the Department Director.

Payments to an Employee will be forgiven over a two-year period following the successful completion of the training as follows:

- If the employee continues to be employed by the Town twelve (12) months after successful completion, the Town will forgive 50% of the total reimbursement paid to the employee.
- If the employee continues to be employed by the Town twenty-four (24) months after the successful completion, the Town will forgive the remaining 50% of the total reimbursement paid to the employee.

For clarity, if the Employee voluntarily leaves the employ of the Town anytime during the twenty-four (24) month repayment period, the Employee shall repay to the Employer, 100% of the monies paid to the Employee within the first twelve (12) months and 50% of the monies paid to the Employee within the second twelve (12) month period. After twenty-four (24) months from the successful completion of the

training, the Employee shall not be required to repay any amount to the Employer for payments made relating to training.

APPLICATION & APPROVAL PROCESS

1. Employees are required to complete an *Application for Training form* to apply for Discretionary Training or Conference opportunities with as much advance notice as possible.
2. All applications require the approval of the Employee's Supervisor (if applicable) and Department Director.
3. Upon approval, the Employee may proceed to register for the training.
4. Employees are required to pay for the training and associated fees and then will be reimbursed in accordance with the process defined above. Under extenuating circumstances, exceptions may be made. All exceptions must receive prior approval from the Employee's Director before registration.
5. This Policy shall apply only to one (1) time training opportunities to advance and enhance an Employee's skills, knowledge and performance. Routine and regular credentialing is not eligible.

REQUIRED QUALIFICATIONS AT HIRE

In the event an Employee is hired who does not have the qualifications for the position to which the person has been hired and the Town requires that such qualifications shall be obtained, the Human Resources Division shall require the Employee to sign an Employment Agreement obligating the Employee to complete the requirements within a reasonable time frame. This Agreement shall be a Condition of Employment. Failure to complete the requisite training shall constitute a breach of the Employment Agreement and may result in termination of employment.

This Employment Agreement shall be signed prior to engagement and shall be inserted into the Employee's personnel record.

ELECTED OFFICIALS ATTENDING SEMINARS OR CONFERENCES

Elected or appointed officials attending any seminar or conference must submit a written report at the time when filing the expense report. That report shall be distributed to the Mayor and Members of Council.

If one or more persons attend the same conference, individual reports are required.

6. Summary

Directors may determine it to be necessary to enroll an Employee in an education or training program or approve discretionary education or training requested by the Employee. Attendance at education and/or training programs shall include no expense to the employee for tuition fees, books, transportation and related salary while on course, and may be reimbursed for specific expenses up to a maximum amount of \$2,000 per year. These amounts shall be forgiven over a two-year period following the successful completion of the training.

REPORT TO COUNCIL

Meeting Date: 10/6/2020	Report Number: 2020-PW-005
Presented by: Michel Riberdy	Department: Public Works

REPORT TITLE

Kirkland Lake Water Treatment Plant PLC and SCADA Replacement

RECOMMENDATION(S)

BE IT RESOLVED THAT Report Number 2020-PW-005 entitled “**Kirkland Lake Water Treatment Plant PLC and SCADA Replacement**”, be received,

THAT Council hereby awards the Kirkland Lake Water Treatment Plant PLC and SCADA replacement to Stroma Automation Solutions at an upset limit of \$215,236.97 (HST excluded),

THAT Council approves \$26,125.89 (HST excluded) to the Ontario Clean Water Agency for support services to facilitate the Kirkland Lake Water Treatment Plant PLC and SCADA replacement project,

THAT staff is hereby authorized to execute the necessary documents to complete the terms and conditions of RFB No.: OCWA056KLSCADA,

THAT Council authorizes the reallocation of \$160,000.00 from the Energy Efficiency Capital Project to the SCADA Upgrade in the 2020 Approved Capital Budget with the residual amount carried forward as a fifteen-month project into the 2021 Capital Budget, and

THAT staff be directed to include \$90,000.00 dollars in the 2021 Capital Budget for SCADA Upgrades as a pre-approved project.

BACKGROUND

The existing SCADA system is aging and is at risk of failure, which will result in business interruption and additional costs to the operation of the plant. If the SCADA system fails, OCWA will be forced to man the water treatment plant 24/7 until the

SCADA system is replaced. Therefore, this would result in additional costs to the Town.

The Ontario Clean Water Agency (OCWA) was given the lead to prepare, manage and review the Request for Bid (RFB No.: OCWA056KLSCADA) - Kirkland Lake Water Treatment Plant PLC and SCADA Replacement with the assistance of Kirkland Lake Management Staff.

A mandatory virtual site tour was held at the Water Treatment Plant on June 4, 2020 using the Cisco Webex Meetings platform. The site tour was well attended by forty-four (44) bidders that downloaded the request for bid (RFB) from Jaggaer. Eight (8) bidders (Brock Solutions Inc., Lakeside Process Controls, Ontario Clean Water Agency, Stroma Automation Solutions Inc., Summa Engineering Limited, Synergi-FX Inc., WSP Canada Inc. and TwoWiredGuys Ltd.) submitted bids for the Kirkland Lake Water Treatment Plant PLC and SCADA Replacement RFB, OCWA0526KLSCADA.

OWCA staff and Kirkland Lake staff conducted the evaluation of the RFB submissions in the following four (4) stages:

Stage	Evaluation of Criteria	Points Allocated
I	Mandatory Requirements	Pass / Fail
II	Rated Requirements	60
III	Pricing	40
IV	Cumulative Score	Total Points Available in Stage II and III = 100

Stage I

Stage I consisted of a review of the Bids submitted in response to this RFB to determine compliance with the mandatory requirements. Bids that did not comply with the mandatory requirements were disqualified as non-compliant and were not evaluated further.

Stage II

Stage II consisted of reviewing and scoring the Bidders submissions to the questions in Appendix F of the RFB.

Stage III

Upon completion of Stage II, the sealed pricing envelope provided by each qualified Bidder was opened and the pricing submitted was scored. The evaluation of price/cost

was undertaken after the evaluation of Stages I and II had been completed.

Stage IV

At the conclusion of Stage III, all scores from Stage II and Stage III were added. Subject to satisfactory reference checks and the express and implied rights of OCWA, the highest scoring Bidder was identified to enter into an Agreement in accordance with Part 4 of the RFB.

The proposals and the bid pricing were submitted in separate envelopes/files to maintain the integrity of the scoring process. The detailed information for each stage was provided to the evaluation committee at the relevant time. The evaluation results are provided in the following table:

Ontario Clean Water Agency								
RFB#OCWA0526KLSCADA								
Kirkland Lake Water Treatment Plant PLC and SCADA Replacement RFB								
Final Evaluation Result								
	Brock Solutions Inc	Lakeside Process Controls	Ontario Clean Water Agency	Stroma Automation Solutions Inc.	Summa Engineering Limited	Synergi-FX Inc.	TwoWiredGuys Ltd	WSP Canada Inc.
Compliance with All Mandatory Requirements (Y / N)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Rated Criteria Score (Total 60 Points)	41.00	35.33	37.00	32.00	41.67	31.33	24.67	41.33
Pricing Score (Total 40 Points)	15.21	18.77	16.63	40.00	12.48	22.71	5.12	13.53
Total Score (Out of 100)	56.21	54.10	53.63	72.00	54.15	54.04	29.79	54.86
Winner (Y / N)	no	no	no	yes	no	no	no	no

Bidder	Bid Amount (\$)	Overall Score
--------	-----------------	---------------

		Ranking
Brock Solutions Inc.	352,000.00	2
Lakeside Process Controls	307,140.00	5
Ontario Clean Water Agency	322,000.00	7
Stroma Automation Solutions Inc.	155,893.00	1
Summa Engineering Ltd.	436,491.00	4
Synergi-FX Inc.	250,800.00	6
TwoWiredGuys Ltd.	1,045,000.00	8
WSP Canada Inc.	395,864.00	3

OCWA's Bid was disqualified due to conflict of interest and the potential unfair advantage over the other bidders which could not be overlooked.

Stroma Automation Solutions Inc. ranked in first place followed by Brock Solution Inc. in second place. The evaluation committee had initial concerns with Stroma's bid amount given the pricing difference between first and second place as demonstrated in the table above.

To alleviate the concerns, the evaluation committee had a series of questions through the evaluation process to be answered from both proposals and requested the bidders to provide answers in order to further evaluate their submissions. Furthermore, a reference check was conducted for both parties and the service delivery was acceptable to all the individuals contacted. No concerns were raised.

The evaluation committee agrees that Stroma Automation Solutions Inc. understands the scope of work and was able to provide the best price because it is a small company with low overhead. Stroma will be providing Rockwell Automation hardware for the new SCADA system which can be maintained and serviced by other service providers in the industry without any issues, if the occasion arises.

R A T I O N A L E

OCWA and Town of Kirkland Lake staff conducted a site visit on Wednesday, September 2, 2020 at the Water Treatment Plant with Stroma Automation Solutions Inc. to ensure the proposal that was submitted met the scope of work requirements.

Additional work was identified through the review process that will bring value and improvements to the SCADA system and that will be beneficial to the Water Treatment Plant operation and the Ministry of Environment, Conservation and Parks (MECP) compliance and reporting.

The extra cost for the additional work identified would apply to all bidders due to gaps in the RFP documentation and challenges associated with a virtual tour. With the additional identified costs, Stroma Automation Solutions Inc. would still rank in first

place. With all submissions, OCWA staff will be required to provide support services to implement the PLC and SCADA replacement at various stages of the project. The cost breakdown of the additional work can be found in Attachment 1.

The Kirkland Lake Water Treatment Plant PLC and SCADA replacement cost will be consistent with the following:

Stroma Automation Solutions Inc.	Project Cost (\$)
Initial Bid Amount	155,892.92
Additional Work	59,344.05
Total	215,236.97

OCWA	Support Services Cost (\$)
Operational assistance	4,800.00
Narrative instrumentation assistance	3,400.00
Site acceptance testing instrumentation assistance	5,100.00
Contingency (5%)	12,825.89
Total	26,125.89

OTHER ALTERNATIVES CONSIDERED

Not applicable.

FINANCIAL CONSIDERATIONS

In the 2020 Budget, Council approved the “Energy Efficiencies at the Water Treatment Plant” project in the amount of \$1,246,808. This was anticipated to be an extensive project, which within the scope included a necessary replacement of the SCADA System. Subsequent to budget approval, the Town received notification that it had not been approved in its application for funding. Given the lack of funding for the originally proposed project, the Town will not proceed as per original scope and therefore not utilize the approved commitment of \$166,242 in 2020.

Staff are requesting these funds should be utilized offset the costs of the required SCADA system replacement.

The project will commence this fall and continue into mid-year of 2021 at the water treatment plant through various stages of implementing the PLC and SCADA replacement.

RELATIONSHIP TO STRATEGIC PRIORITIES

The SCADA upgrade is in line with the Town of Kirkland Lake strategic priorities and ties into the *Implementation of Sustainable Service Delivery* and ties-in with the Financial Plan in accordance with the Safe Drinking Water Act, 2002, Ontario Regulation 453/07. The SCADA upgrade will also reduce any liabilities associated with the water treatment plant, enhance operations and compliance reporting to the MECP.

ACCESSIBILITY CONSIDERATIONS

Not applicable.

CONSULTATIONS

Richard McGee, CAO
Keith Gorman, Director of Corporate Services

ATTACHMENTS

Attachment 1 - Cost Breakdown - Additional Work



September 16, 2020

Kirkland Lake SCADA Replacement Proposal

On August 24th, results of the recent Request for Bid regarding the Kirkland Lake SCADA proposal were tabulated and communicated to Michel Riberdy. Based on this information and a subsequent meeting, it was determined that a site visit would be prudent to ensure that all aspects of the project were clearly understood by the bidder who was most successful with the scoring. The original prices for bids from the 7 considered submissions came in as shown below:

Brock = \$352,000	Total score = 56.21
Lakeside = \$307,140	Total score = 54.10
Stroma = \$155,893	Total score = 72.00
Summa = \$436,491	Total score = 54.15
Synergy = \$250,800	Total score = 54.04
TWG = \$1,045,000	Total score = 29.79
WSP = \$395,864	Total score = 54.88

On September 2, 2020 Claudel Leveille of Stroma Automation Solutions was invited to the Kirkland Lake Water Treatment Plant (KLWTP) to further ascertain SCADA installation costs and ensure that he was aware of all needs regarding the install and programming of the new SCADA system to be utilized at the KLWTP. Team Lead Patrick Roy, Instrumentation Technician Kirk Shorrock, Senior Operations Manager Anthony Danis, Regional Manager Eric Nielson, Director of Physical Services Michel Riberdy, and town councilor Denis Perrier were in attendance.

Discussions included the finding that a greater number of input/output (I/O) signals would be required than originally priced, and due to the lack of current narrative information, it was also determined that more time would be required, and that both operational and technical assistance would be required in order to successfully complete the SCADA project. Also considered during the site visit was PLC communication between the filter building and the control room at the plant, as well as communication upgrades required at the Chaput Hughes Standpipe and the Swastika Booster Station.

OCWA operational assistance = 60 hours @ \$80/hr = \$4,800
 OCWA narrative instrumentation assistance = 40 hours @ \$85/hr = \$3,400
 OCWA Site Acceptance Testing instrumentation assistance = 60 hours @ \$85/hr = \$5,100
 Revise Quotation from Stroma = \$243,217.78
 Contingency of 5% = \$12,825.89- every effort will be made to avoid this.

Total SCADA = \$ 269,343.67

I will be available to accompany at council if required, and I have also mentioned to Stroma that he may also be needed at council should any questions arise.

Thank you

Eric Nielson
Regional Manager
Ontario Clean Water Agency



555 HWY 654, Callander
ON P0H 1H0

Quotation

DATE: Sep 15/2020
 Quotation #: 329-2007-2
 Customer ID: OCWA-DR

Prepared For:
 OCWA
 Kirkland Lake Water Treatment Plant
Comments or Special Instructions:

Quotation valid for: 30 Days
 Prepared by: JCL

Item	QTY	Description	ORIGINAL COST	UNIT COST	AMOUNT
New BreakDown of Project					
		1. PLC equipment. Wrong I/O count, Analog Input Cards are all Isolated and there is a lot more then I estimated. Digital output 24Vdc Cards were not contact they are sink which are more expensive. We also added an additional controller for High and Low Lift area, We agreed to breakdown the plant into two sections. New equipment or parts for VFD Commuication.	\$ 42,590.92	\$ 66,401.58	\$66,401.58
		2. SCADA equipment. No Change to SCADA equipment	\$ 18,640.54	\$ 18,640.54	\$18,640.54
		3. Licencing. No Change as Software cost is the same from iFix or Rockwell, iFix is more expensive but we don't need Report package to access Values.	\$ 24,178.21	\$ 24,178.21	\$24,178.21
		4. Price for PLC upgrade, new code. More time to program as we don't have the PLC file. We will go with Drawings and nothing else. We will build the programing all using the operator experience and create new narratives.	\$ 12,920.00	\$ 28,099.21	\$28,099.21
		5. Price for SCADA development. Additional SCADA development for PLC programing may need to make SCADA Screen Change to incorporate the NEW/ADDED controls.	\$ 18,020.00	\$ 23,400.00	\$23,400.00
		6. Temporary wire ring. Some more I/O to wire.	\$ 4,122.25	\$ 6,312.96	\$6,312.96
		7. Site Testing, Management, Drawing, shipping, expenses, Manuals. Will Require more time to do our SAT which affect and increase the onsite duration and Expenses.	\$ 35,421.08	\$ 41,787.43	\$41,787.43
		8. Networking equipment and install "NEW" Originally this was NOT included. Includes remote locations 3G router, Antenna's and cabling. 3 Cisco Gateway Routers. ONE at Plant and One for each Remote Location.	\$ -	\$ 6,417.04	\$6,417.04
SUBTOTAL					\$215,236.97
HST					\$27,980.81
			TOTAL	TOTAL	\$243,217.78

If you have any questions concerning this quotation, contact:

Claudiel Leveille, ME. PLC /SCADA Programmer
 Director; Automation Department
 Phone (705)-492-8193
 Email: claudiel.c.levaille@gmail.com

THANK YOU FOR YOUR BUSINESS!



REPORT TO COUNCIL

Meeting Date: 10/6/2020	Report Number: 2020-PW-008
Presented by: Michel Riberdy	Department: Public Works

REPORT TITLE

Award of RFT-557-20 Supply and Delivery of Winter Sand

RECOMMENDATION(S)

BE IT RESOLVED THAT Report Number 2020-PW-008 entitled “**Award of RFT-557-20 Supply and Delivery of Winter Sand**”, be received,

THAT Council hereby awards RFT-557-20 Supply and Delivery of Winter Sand to A. Miron Topsoil Limited in the amount of \$29,560 plus HST, and

THAT staff is hereby authorized to execute the necessary documents to complete the terms of RFT-557-20.

BACKGROUND

Every year, the Town of Kirkland Lake issues a Tender for the supply and delivery of winter sand to maintain the road system during the winter months and to meet the Minimum Maintenance Standards for Municipal Highways. This report is presented to recommend the award of the Winter Sand Tender.

RATIONALE

Staff received tender submissions from Miller Paving Limited and A. Miron Topsoil Limited for the supply and delivery of winter sand. Both submissions met the specification requirements. A. Miron Topsoil Limited was the lowest bidder and the Director of Public Works recommends that A. Miron Topsoil Limited be selected to fulfill the terms of RFT-557-20 Supply and Delivery of Winter Sand Tender. The bid results can be found on the next page and in Attachment 1 to this report.

Contractor	Bid Amount (\$)
A.Miron Topsoil Ltd.	29,560.00
Miller Paving Ltd.	43,025.00

OTHER ALTERNATIVES CONSIDERED

Not applicable.

FINANCIAL CONSIDERATIONS

Sufficient funds were approved in Account Number 1-4-321363-2820 as part of the 2020 Operating Budget for the supply and delivery of winter sand in the amount of \$60,000.

RELATIONSHIP TO STRATEGIC PRIORITIES

The Town of Kirkland Lake has identified sustainable service delivery of core service as a strategic priority to maintain the road system during winter control in accordance with the Minimum Maintenance Standards for Municipal Highways and to ensure the safety of the general public.

ACCESSIBILITY CONSIDERATIONS

Not applicable.

CONSULTATIONS

Richard McGee, CAO
Keith Gorman, Director of Corporate Services

ATTACHMENTS

Attachment 1 – Tender Bid Results

Form of Tender

Each FORM OF TENDER should contain the legal name under which the Bidder carries on business, telephone number and fax number, as well the name or names of appropriate contact personnel which the Town may consult regarding the Tender.

I/We, the undersigned, have carefully examined the attached documents and conditions of the Tender. I/We understand and accept those specifications, conditions, and details as described herein, and, for these rates/prices offer to furnish all equipment, labour, apparatus and documentation as are required to satisfy this Tender.

NOTE: All portions of "Form of Tender" must be accurately and completely filled out.

Section 1

ITEM	DESCRIPTION	QUANTITY	UNIT PRICE PER TONNE 2020 – 2021	TOTAL
1	Supply and deliver winter sand, as per specifications to: Public Works Yard, 1 Dunfield Road, Kirkland Lake ON	2,500	6 ⁸²	\$ 17,050 ⁰⁰
2	Mix and stockpile 4500 mt of sand and salt as per specification stated within at Public Works Yard, 1 Dunfield Road, Kirkland Lake ON	4,500	2 ⁷⁸	\$ 12,510 ⁰⁰
SUB TOTAL				29,560 ⁰⁰
H.S.T.				3,842 ⁸⁰
TOTAL				33,402 ⁸⁰

This is Page 1 of 6 to be submitted

Form of Tender

Each FORM OF TENDER should contain the legal name under which the Bidder carries on business, telephone number and fax number, as well the name or names of appropriate contact personnel which the Town may consult regarding the Tender.

I/We, the undersigned, have carefully examined the attached documents and conditions of the Tender. I/We understand and accept those specifications, conditions, and details as described herein, and, for these rates/prices offer to furnish all equipment, labour, apparatus and documentation as are required to satisfy this Tender.

NOTE: All portions of "Form of Tender" must be accurately and completely filled out.

Section 1

ITEM	DESCRIPTION	QUANTITY	UNIT PRICE PER TONNE 2020 – 2021	TOTAL
1	Supply and deliver winter sand, as per specifications to: Public Works Yard, 1 Dunfield Road, Kirkland Lake ON	2,500	\$9.20	\$23,000.00
2	Mix and stockpile 4500 mt of sand and salt as per specification stated within at Public Works Yard, 1 Dunfield Road, Kirkland Lake ON	4,500	\$4.45	\$20,025.00
			SUB TOTAL	\$43,025.00
			H.S.T.	\$5,593.25
			TOTAL	\$48,618.25

This is Page 1 of 6 to be submitted



THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NUMBER 20-080

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH WILLIAM DUROCHER FOR A PORTION OF MUNICIPAL PROPERTY LOCATED AT THE KIRKLAND LAKE MUNICIPAL AIRPORT

WHEREAS William Durocher has expressed interest in leasing a portion of municipal property on which his hangar currently is situated on, at the Kirkland Lake Municipal Airport;

AND WHEREAS William Durocher has leased this same piece of land for over twenty years and there has been no impediment to operations at the Kirkland Lake Municipal Airport;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:

The Mayor and Clerk be and they are hereby authorized to execute an Agreement with William Durocher, a copy of which Agreement is attached hereto and marked Schedule "A" to this By-law.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 6th DAY OF OCTOBER, 2020.

Patrick Kiely, Mayor

Meagan Elliott, Clerk

LEASE AGREEMENT

BETWEEN: THE CORPORATION OF THE TOWN OF KIRKLAND LAKE
hereinafter referred to as the “Lessor” OF THE FIRST PART

-and-

DR. W. P. DUROCHER
hereinafter referred to as the “Lessee” OF THE SECOND PART

WHEREAS the Lessor owns and operates an airport in the Town of Kirkland Lake, in the District of Timiskaming; and

WHEREAS the Lessor has available for rent a certain parcel of land which the Lessee’s aircraft hangar is situated upon;

NOW THEREFORE in consideration of the rents, covenants and agreements contained herein and other goods and valuable consideration, the parties hereto agree as follows:

1. THE LESSOR hereby leases to the lessee on the terms and conditions contained herein that certain parcel of land situated at the Kirkland Lake Municipal Airport in the former Township of Morissette, in the District of Timiskaming, more particularly outlined in red on the sketch attached hereto as “Schedule A” and forming part of this lease (hereinafter referred to as the “said land”) consisting of approximately 150 square meters.
2. The term of this Lease shall be for a period of ten (10) years commencing the 6th day of October 2020 and terminating the 5th day of October 2030.
3. Payment of the annual “land lease for private hangar” fee as specified within the User Fees By-law for each given year as approved by the Council for the Town of Kirkland Lake.
4. It is further agreed that:
 - a. The Lessee shall pay or cause to be paid all rates, taxes and assessments of whatsoever description, that at any time during the existence of this agreement be lawfully imposed or become due and payable, upon or in respect of the said land, or any part thereof.
 - b. The Lessee shall in all respects abide by and comply with all rules, regulations and by-laws of the municipality and other governing bodies, in any manner affecting the said land.
 - c. The Lessee shall not make any assignment of the agreement nor any transfer or lease or sub-lease of any of the lands, rights or privileged demised or leased hereunder.

- d. The Lessor, through any of its appointed representatives, shall have full and free access for inspection purposes during normal business hours and in the presence of the Lessee or a representative of the Lessee to any and every part of the said land, it being expressly understood and agreed, however, that in the case of emergency, the Lessor, through any of its duly appointed representatives, shall at all times and for all purposes have full and free access to the said land.
- e. The said land shall be used as a site for the Lessee's aircraft hangar erected thereon, and for purposes in connection with the storage and handling of the Lessee's aircraft only and shall be used for no other purpose or purposes whatsoever than those associated with general aviation operations at the Kirkland Lake Municipal Airport.
- f. The Lessee shall not have any claim or demand against the municipality for detriment damage, accident or injury of any nature whatsoever or howsoever caused to the said land, the said facilities or to any person or property, including any structures, erections, motor or other vehicles, aviation fuel, materials, supplies, articles, effects or things at any erected, brought, placed, made or being on or about the said land, in the said facilities or on the said airport, unless such damage or injury is due to the negligence of the Lessor through and of its duly appointed representatives, while acting within the scope of his/her duties or employment.
- g. Without limiting or restricting the generality of the provisions of clause (f) hereof, the Lessee shall not have nor make any claim or demand, nor bring any action or suit of petition against the Lessor for any damage which the Lessee may sustain by reason of any suspension, interruption or discontinuance, in whole or in part and whether temporary or permanent, from whatever cause arising in the services supplied by the Lessor hereunder.
- h. The Lessee shall not at any time during the currency of this agreement, do or permit to be done, any act or thing which may impair, damage or injure the said land or any part thereof, beyond the damage occasioned by a reasonable user, the Lessor, through any of its duly appointed representatives being the sole judge of the meaning of the words "reasonable user": and shall, at the Lessee's own cost at all times during the currency of this Lease, keep the said land in a good state of repair and shall renew all portions of the said land at any time be damaged, other than in the reasonable use thereof, all to the satisfaction of the Lessor.

5. The Lessee shall:

- a. Abide and comply with all regulations regarding fire precautions, traffic control and all other regulations relative to the management of the Lessor.
- b. Not store or sell any aviation fuels, motor fuels, or any flammable liquids on or within the premises situated on the said land excepting small quantities for the Lessee's aircraft.

- c. Not enter onto the aircraft operating areas with a motor vehicle or any vehicle other than an aircraft without the consent of the Lessor or its representatives;
 - d. Have the right to make improvements to the leased premises provided that the Lessee has first obtained the written consent of the Lessor and provided such improvements do not contravene any municipal by-law or Transport Canada regulation pertaining to the height or location and provided further, that such improvements are aesthetically compatible with the surrounding area;
 - e. Not install or connect or cause to be installed or connected any hazardous heating or lighting device or any volatile material which may constitute a hazard to the premises or adjacent premises;
 - f. Not operate or cause to be operated any electrical or electronic equipment, which interferes with or is capable of interfering with the radio communications and/or radio navigation equipment installed for the use of the Kirkland Lake Municipal Airport;
 - g. Not install or cause to be installed any external lights of such nature as might create a hazard to aircraft operations;
 - h. Not interfere with or inhibit movement of any authorized vehicles or aircraft in the maneuvering area in front of or adjacent to the said land;
 - i. Not do or permit to be done on the said land or adjacent land anything, which may be deemed to be offensive or result in a nuisance or annoyance to the Lessor or to other tenants at the Kirkland Lake Municipal Airport;
 - j. Not discard motor oils or any other materials, which may contaminate the said land or cause environmental damage. The Lessee is to keep the leased lands in a clean and uncluttered state.
6. The Lessee shall not construct, erect, place or install on the said land any building, poster, advertising sign, display, or other structure without first obtaining the consent, in writing, of the Lessor.
 7. The Lessee shall at all times indemnify and save harmless the Lessor from and against all claims and demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, brought or prosecuted, in any manner based upon, occasioned by or attributable to the execution of this agreement, or any action taken or things done or maintained by virtue hereof, or any exercise in any manner of rights arising hereunder, except claims for damage resulting from the negligence of the Lessor through any of its duly appointed representatives while acting within the scope of his duties or employment.
 8. The lease may be terminated at any time by the Lessor by providing ninety (90) days'

notice in writing and either delivered to the Lessee or any officer of the Lessee, or mailing addressed to the last known place of business or office of the Lessee, or by the Lessee by providing ninety (90) days' notice delivered to or mailed to the Lessor and thereupon, after the expiration of such period of notification, this lease shall be terminated and ended, and the Lessee shall thereupon, and also in the event of termination of this lease in any other manner, forthwith remove from the said land all suppliers articles, equipment, materials, effects and things at any time brought or placed thereon by the Lessee, and shall also, to the satisfaction of the Lessor, repair all and every damage and injury occasioned to the land of the Lessor by reason of such removal or in the performance thereof, by the Lessor shall not, by reason of any action taken or things performed or required under this clause, be entitled to any compensation whatsoever, provided that, unless required by the Lessor, no goods, chattels, materials, effects to things shall be removed from the premises of the Lessor until all rent due or to become due under this lease is fully paid.

9. If the rent above reserved, or any part thereof, be in arrears, or unpaid for thirty (30) days next after any of the days hereinbefore appointed for the payment, whether or not the same shall have been in any manner demanded, or in case default, breach or non-observance be made or suffered by the Lessee at any time or times, in, or respect of any of the covenants, provisoes, conditions and reservations herein contained, which on the part of the Lessee ought to be observed or performed, then, and in every case, it shall be lawful for the Lessor through any of its duly appointed representatives, to re-enter and thereafter to have, possesses and enjoy the said land and all improvements thereon. And no acceptance of rent subsequent to any breach or default shall be taken to operate as a waiver of this condition in any way to defeat or affect the right of the Lessor hereunder.
10. It is agreed that the word "Lessor", when used herein, shall mean the Corporation of the Town of Kirkland Lake and shall include the Successors and Assigns of the Town of Kirkland Lake; the word "lessee" or other words relative thereto, or of like import, shall mean and include, irrespective of gender or number, the party or parties of the second part as above designated or described, and their or any of their executors, administrators, successors or assigns.
11. The Lessee shall insure and maintain insurance against liability for bodily injury and property damage in an amount not less than two million dollars (\$2,000,000). The policy or insurance shall include the name of the Lessor as the one insured. The Lessee shall pay the premium on the policy or policies of insurance and shall from time to time furnish the Lessor with satisfactory evidence that such insurance is in full force and effect and that the premiums are paid upon request.

CORPORATION OF THE TOWN OF KIRKLAND LAKE:

Officers:

Name (Print)_____

Seal

Name (Print)_____

Date _____

LESSEE:

DR. W. P. DUROCHER

DATE

Hi Meagan,

Would it be possible to add this question to the agenda?

Hoping Council would be given the opportunity to direct staff too investigate alternative audible signals for the crosswalks downtown.

Thanks,

Hi Patrick,

I am writing to you concerning the audible crosswalk near my building at 14 Government Road West. Although I am very happy with the upgrade to help those in need, I am finding it very difficult to ignore the constant beeping 24/7.

I was recently in Toronto and found theirs were barely audible at point and stayed in a hotel room directly above one and could not hear it at all.

I wonder if a different tone can be used, if it can be initiated upon pushing a button or if it can be set to a lower volume and still be effective?

Thanks for your consideration,

Karen Suykens DD



THE CORPORATION OF THE TOWN OF KIRKLAND LAKE

BY-LAW NUMBER 20-081

**BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS
REGULAR MEETING HELD OCTOBER 6, 2020**

WHEREAS Subsection 5(1) of the Municipal Act, 2001, S.O. 2001, Chapter 25, as amended, provides that the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS Subsection 5(3) of the said Municipal Act provides that the powers of every Council are to be exercised by by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Town of Kirkland Lake at this meeting be confirmed and adopted by by-law;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWN OF KIRKLAND LAKE ENACTS AS FOLLOWS:

- 1 The actions of the Council of the Town of Kirkland Lake in respect of each motion passed and other actions taken by the Council of the Town of Kirkland Lake at this meeting are hereby adopted and confirmed as if all such proceedings were expressly embodied in this by-law.
- 2 The Mayor and Councillors of the Town of Kirkland Lake are hereby authorized and directed to do all things necessary to give effect to the actions of the Council of the Town of Kirkland Lake referred to in the preceding section.
- 3 The Mayor and the Clerk are hereby authorized to execute all documents necessary on behalf of the Council and to affix thereto the corporate seal of the Town of Kirkland Lake.
- 4 This by-law comes into force upon adoption by Council of the Town of Kirkland Lake.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 6th DAY OF OCTOBER, 2020.

Pat Kiely, Mayor

Meagan Elliott, Clerk