



City Council Meeting Minutes

Monday, November 27, 2023, 8:59 p.m.

S.H. Blake Memorial Auditorium

Present:

- Mayor Ken Boshcoff
- Councillor Rajni Agarwal
- Councillor Albert Aiello
- Councillor Mark Bentz
- Councillor Shelby Ch'ng
- Councillor Kasey Etreni
- Councillor Andrew Foulds
- Councillor Trevor Giertuga
- Councillor Brian Hamilton
- Councillor Greg Johnsen
- Councillor Kristen Oliver
- Councillor Dominic Pasqualino
- Councillor Michael Zussino

Officials:

- Krista Power, City Clerk
- Kerri Marshall, Acting City Manager
- Kathleen Cannon, Acting General Manager - Corporate Services
- Kelly Robertson, General Manager - Community Services
- Keri Greaves, City Treasurer
- Kayla Dixon, Director – Engineering & Operations
- Kelvin Jankowski, Supervisor – Capital Facilities Construction
- Gordon Stover, Committee & Meeting Management System Coordinator

1. City Council

Chair: Mayor Ken Boshcoff

2. Opening Ceremonies

One Minute of Silence.

3. Disclosures of Interest

Councillor Rajni Agarwal declared a conflict relative to the Receipt of Report from Integrity Commissioner as they are the subject of the report.

4. Confirmation of Agenda

MOVED BY: Councillor Albert Aiello
SECONDED BY: Councillor Kristen Oliver

WITH RESPECT to the November 27, 2023 City Council, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

5. Minutes of Previous Meetings

5.1 City Council

The Minutes of the following Meetings of the Thunder Bay City Council, to be confirmed:

1. The Thunder Bay City Council held on November 20, 2023 was distributed separately on Friday, November 24, 2023.

MOVED BY: Councillor Shelby Ch'ng
SECONDED BY: Councillor Kasey Etrene

THAT the Minutes of the following Meetings of the Thunder Bay City Council, be confirmed:

1. The Thunder Bay City Council meeting held on November 20, 2023.

CARRIED

6. Reports of Committees, Boards, and Outside Agencies

6.1 Committee of the Whole Minutes

The Minutes of the following Committee of the Whole meeting, to be adopted:

1. November 20, 2023 Committee of the Whole was distributed separately on Friday, November 24, 2023.

MOVED BY: Councillor Michael Zussino

SECONDED BY: Councillor Brian Hamilton

THAT the Minutes of the following Committee of the Whole meeting, be adopted:

1. November 20, 2023 Committee of the Whole.

6.1.1 Committee of the Whole Minutes – November 20, 2023 – Referral – Multi-Use Indoor Sports Facility – Report 335/2023

It was requested that the following motion be extracted from the minutes and voted on separately:

MOVED BY: Councillor Mark Bentz

SECONDED BY: Councillor Kasey Etrene

WITH RESPECT to Report 335-2023 (Corporate Services), we recommend that a maximum limit for the construction costs of a permanent hard sided structure, the Multi-use Indoors Sports Facility (MUISF) be set at \$30 million and that administration work to revise the scope of the project to achieve this costing target through consultation with stakeholders to develop options for the Statement of Requirements;

AND THAT considerations to lower cost may include, reduction of project scope including but not limited to the size of the field, amenities included, LEED Silver Certification, COTB Design Guidelines, Net Zero Strategy;

AND THAT the price for the MUISF be based on Ontario Building Code Standards with additional pricing to meet COTB Design Guidelines and LEED Silver Certification;

AND THAT Administration recommend a project delivery and related procurement process that is best suited to ensuring a total construction cost not to exceed \$30M while achieving the lowest life cycle and estimated operating costs of such a facility;

AND THAT Administration recommend a financing strategy for the project;

AND THAT we approve the use of the Negotiation Method pursuant to section 4.09 of Corporate By-law 113-2011 (Supply Management) to engage Stantec Architecture Ltd. to consult on necessary studies and potential facility options;

AND THAT Administration report back with options for the Statement of Requirements on or before March 24, 2024;

AND THAT any necessary by-laws be presented to City Council for ratification.

Amendment - Referral – Multi-Use Indoor Sports Facility – Report 335/2023

MOVED BY: Councillor Mark Bentz

SECONDED BY: Councillor Kasey Etreni

WITH RESPECT to the Referral – Multi-Use Indoor Sports Facility – Report 335-2023, we recommend that Paragraph 2 be replaced with the following:

“AND THAT considerations to lower the cost may include, reduction of project scope, amenities included, LEED Silver Certification, COTB Design Guidelines, Net Zero Strategy but excluding field size.”

CARRIED

A recorded vote was requested on the above noted resolution, the results of which are as follows:

YEA	NAY
Mayor K. Boshcoff	
Councillor R. Agarwal	
	Councillor A. Aiello
Councillor M. Bentz	
Councillor S. Ch’ng	

Councillor K. Etreni	
	Councillor A. Foulds
	Councillor T. Giertuga
	Councillor B. Hamilton
	Councillor G. Johnsen
Councillor K. Oliver	
Councillor. D. Pasqualino	
	Councillor M. Zussino

Amended - Referral – Multi-Use Indoor Sports Facility – Report 335/2023

MOVED BY: Councillor Mark Bentz
 SECONDED BY: Councillor Kasey Etreni

WITH RESPECT to Report 335-2023 (Corporate Services), we recommend that a maximum limit for the construction costs of a permanent hard sided structure, the Multi-use Indoors Sports Facility (MUISF) be set at \$30 million and that administration work to revise the scope of the project to achieve this costing target through consultation with stakeholders to develop options for the Statement of Requirements;

AND THAT considerations to lower the cost may include, reduction of project scope, amenities included, LEED Silver Certification, COTB Design Guidelines, Net Zero Strategy but excluding field size.

AND THAT the price for the MUISF be based on Ontario Building Code Standards with additional pricing to meet COTB Design Guidelines and LEED Silver Certification;

AND THAT Administration recommend a project delivery and related procurement process that is best suited to ensuring a total construction cost not to exceed \$30M while achieving the lowest life cycle and estimated operating costs of such a facility;

AND THAT Administration recommend a financing strategy for the project;

AND THAT we approve the use of the Negotiation Method pursuant to section 4.09 of Corporate By-law 113-2011 (Supply Management) to engage Stantec Architecture Ltd. to consult on necessary studies and potential facility options;

AND THAT Administration report back with options for the Statement of Requirements on or before March 24, 2024;

AND THAT any necessary by-laws be presented to City Council for ratification.

LOST

A recorded vote was requested on the above noted resolution, the results of which are as follows:

YEA	NAY
Mayor K. Boshcoff	
	Councillor R. Agarwal
	Councillor A. Aiello
Councillor M. Bentz	
	Councillor S. Ch'ng
	Councillor K. Etrene
	Councillor A. Foulds
	Councillor T. Giertuga
	Councillor B. Hamilton
	Councillor G. Johnsen
	Councillor K. Oliver
	Councillor D. Pasqualino
	Councillor M. Zussino

Soccer Northwest Ontario – Multi-Use Indoor Sports Facility Concept – Financing Strategy

MOVED BY: Councillor Andrew Foulds

SECONDED BY: Councillor Brian Hamilton

WITH RESPECT to Report 335-2023 Corporate Services, we recommend that the financing strategy to support the multi-use indoor sports facility concept, as proposed by Soccer Northwest Ontario (with City of Thunder Bay Facility Design Standard), be approved as outlined in this report;

AND THAT City Council approve the use of the Negotiation Method pursuant to section 4.09 of Corporate By-law 113-2011 (Supply

Management) to engage Stantec Architecture Ltd. to consult on necessary studies and preliminary design;

AND THAT Administration report back in the first quarter 2024 with the results of these studies, a recommended project delivery approach, and the results of public engagement prior to commencement of a competitive procurement process;

AND THAT any necessary by-laws be presented to City Council for ratification.

Amendment - Soccer Northwest Ontario – Multi-Use Indoor Sports Facility Concept – Financing Strategy

Memorandum from Councillor Trevor Giertuga dated November 27, 2023 containing a request to vote on the referral separately relative to Report 335-2023 (Corporate Services – Financing Strategy) for the Multi Use Indoor Sports Facility within the November 20, 2023 Committee of the Whole minutes was distributed separately on Monday, November 27, 2023.

Revised Memorandum from Councillor Trevor Giertuga dated November 27, 2023 containing a request to vote on the referral separately relative to Report 335-2023 (Corporate Services – Financing Strategy) for the Multi Use Indoor Sports Facility within the November 20, 2023 Committee of the Whole minutes was distributed separately on desks on Monday, November 27, 2023.

MOVED BY: Councillor Trevor Giertuga

SECONDED BY: Councillor Greg Johnsen

WITH RESPECT to the memorandum from Councillor Trevor Giertuga dated November 27, 2023 relative to the Committee of the Whole minutes from November 20, 2023 and Report 335-2023 (Corporate Services – Financing Strategy), we recommend the following amendment;

Paragraph 1 – delete (with City of Thunder Bay Facility Design Standard) as outlined in this report and add (OBC Compliant);

Paragraph 2 –Add “AND THAT the total project budget of \$38,033,400 excluding site development/ancillary work and all other discretionary items (ball diamond, additional parking, road access, etc.) as listed in R254-2023 be approved”

Paragraph 3 – no changes

Paragraph 4 – update the date of the report back to “on or before March 25, 2024” and add “a review of the operating business model (business plan)”

Paragraph 5 – no changes

Request to Waive Procedural Rules – Limits on Speaking

MOVED BY: Councillor Kristen Oliver
SECONDED BY: Councillor Trevor Giertuga

WITH RESPECT to Procedural By-law Section 7.03 (C) – Limits on Speaking, we recommend that Councillor Albert Aiello be granted the opportunity to speak for an additional 5 minutes.

CARRIED

Amendment - Soccer Northwest Ontario – Multi-Use Indoor Sports Facility Concept – Financing Strategy

MOVED BY: Councillor Trevor Giertuga
SECONDED BY: Councillor Greg Johnsen

WITH RESPECT to the memorandum from Councillor Trevor Giertuga dated November 27, 2023 relative to the Committee of the Whole minutes from November 20, 2023 and Report 335-2023 (Corporate Services – Financing Strategy), we recommend the following amendment;

Paragraph 1 – delete (with City of Thunder Bay Facility Design Standard) as outlined in this report and add (OBC Compliant);

Paragraph 2 –Add “AND THAT the total project budget of \$38,033,400 excluding site development/ancillary work and all other discretionary items (ball diamond, additional parking, road access, etc.) as listed in R254-2023 be approved”

Paragraph 3 – no changes

Paragraph 4 – update the date of the report back to “on or before March 25, 2024” and add “a review of the operating business model (business plan)”

Paragraph 5 – no changes

CARRIED

A recorded vote was requested on the above noted resolution, the results of which are as follows:

YEA	NAY
	Mayor K. Boshcoff
Councillor R. Agarwal	
	Councillor A. Aiello
	Councillor M. Bentz
Councillor S. Ch'ng	
Councillor K. Etreni	
Councillor A. Foulds	
Councillor T. Giertuga	
	Councillor B. Hamilton
Councillor G. Johnsen	
Councillor K. Oliver	
Councillor. D. Pasqualino	
Councillor M. Zussino	

Amended - Soccer Northwest Ontario – Multi-Use Indoor Sports Facility Concept – Financing Strategy

MOVED BY: Councillor Andrew Foulds

SECONDED BY: Councillor Brian Hamilton

WITH RESPECT to Report 335-2023 Corporate Services, we recommend that the financing strategy to support the multi-use indoor sports facility concept, as proposed by Soccer Northwest Ontario (OBC Compliant) be approved;

AND THAT the total project budget of \$38,033,400 excluding site development/ancillary work and all other discretionary items (ball diamond, additional parking, road access, etc.) as listed in R254-2023 be approved;

AND THAT the Negotiation Method pursuant to section 4.09 of Corporate By-law 113-2011 (Supply Management) be approved to engage Stantec Architecture Ltd. to consult on necessary studies and preliminary design;

AND THAT Administration report back on or before March 25, 2024 with the results of these studies, a recommended project delivery approach, a review of the operating business model (business plan) and the results of public engagement prior to commencement of a competitive procurement process;

AND THAT any necessary by-laws be presented to City Council for ratification.

Request for Deferral - Amended - Soccer Northwest Ontario – Multi-Use Indoor Sports Facility Concept – Financing Strategy

MOVED BY: Councillor Mark Bentz
 SECONDED BY: Councillor Rajni Agarwal

WITH RESPECT the amended – Soccer Northwest Ontario – Multi-Use Indoor Sports Facility Concept – Financing Strategy, we recommend that the decision be deferred to the December 11, 2023 City Council meeting for ratification.

LOST

A recorded vote was requested on the above noted resolution, the results of which are as follows:

YEA	NAY
Mayor K. Boshcoff	
Councillor R. Agarwal	
Councillor A. Aiello	
Councillor M. Bentz	
	Councillor S. Ch’ng
	Councillor K. Etrene
	Councillor A. Foulds
	Councillor T. Giertuga
Councillor B. Hamilton	
	Councillor G. Johnsen
	Councillor K. Oliver
	Councillor. D. Pasqualino
	Councillor M. Zussino

Amended - Soccer Northwest Ontario – Multi-Use Indoor Sports Facility Concept – Financing Strategy

MOVED BY: Councillor Andrew Foulds
 SECONDED BY: Councillor Brian Hamilton

WITH RESPECT to Report 335-2023 Corporate Services, we recommend that the financing strategy to support the multi-use indoor sports facility concept, as proposed by Soccer Northwest Ontario (OBC Compliant) be approved;

AND THAT the total project budget of \$38,033,400 excluding site development/ancillary work and all other discretionary items (ball diamond, additional parking, road access, etc.) as listed in R254-2023 be approved;

AND THAT the Negotiation Method pursuant to section 4.09 of Corporate By-law 113-2011 (Supply Management) be approved to engage Stantec Architecture Ltd. to consult on necessary studies and preliminary design;

AND THAT Administration report back on or before March 25, 2024 with the results of these studies, a recommended project delivery approach, a review of the operating business model (business plan) and the results of public engagement prior to commencement of a competitive procurement process;

AND THAT any necessary by-laws be presented to City Council for ratification.

CARRIED

A recorded vote was requested on the above noted resolution, the results of which are as follows:

YEA	NAY
	Mayor K. Boshcoff
Councillor R. Agarwal	
	Councillor A. Aiello
	Councillor M. Bentz
Councillor S. Ch'ng	
Councillor K. Etrene	
Councillor A. Foulds	
Councillor T. Giertuga	
	Councillor B. Hamilton
Councillor G. Johnsen	
Councillor K. Oliver	

Councillor. D. Pasqualino	
Councillor M. Zussino	

6.1.2 Committee of the Whole Minutes – November 20, 2023 – Amendment - Receipt of Report from Integrity Commissioner

Councillor Rajni Agarwal declared a conflict relative to the Receipt of Report from Integrity Commissioner and refrained from voting on the resolution.

It was requested that the following motion be extracted from the minutes and voted on separately:

MOVED BY: Councillor Trevor Giertuga
 SECONDED BY: Councillor Mark Bentz

WITH RESPECT to the recommendation relative to Receipt of Report from Integrity Commissioner, we recommend that paragraph two be amended by replacing “period of 30 days (2 pay periods)” with “period of 15 days (1 pay period)”.

LOST

A recorded vote was requested on the above noted resolution, the results of which are as follows:

YEA	NAY
Mayor K. Boshcoff	
Councillor A. Aiello	
Councillor M. Bentz	
	Councillor S. Ch’ng
	Councillor K. Etrene
	Councillor A. Foulds
Councillor T. Giertuga	
	Councillor B. Hamilton
Councillor G. Johnsen	
	Councillor K. Oliver
	Councillor. D. Pasqualino
Councillor M. Zussino	

11:00 p.m. Resolution

During the discussion of the above noted item the following resolution was presented:

MOVED BY: Councillor Brian Hamilton
SECONDED BY: Councillor Trevor Giertuga

THAT the hour being 11:00 p.m., we continue with the business at hand.

CARRIED

6.1 Committee of the Whole Minutes

The Minutes of the following Committee of the Whole meeting, to be adopted:

1. November 20, 2023 Committee of the Whole was distributed separately on Friday, November 24, 2023.

MOVED BY: Councillor Michael Zussino
SECONDED BY: Councillor Brian Hamilton

THAT the Minutes of the following Committee of the Whole meeting, be adopted:

1. November 20, 2023 Committee of the Whole.

CARRIED

7. Ratifying Resolution

Pending the passage of the resolutions relative to the above-noted at the Committee of the Whole meeting, to be held earlier in the evening, the resolutions will be presented for ratification and under Council's policy will require a two-thirds vote.

MOVED BY: Councillor Michael Zussino
SECONDED BY: Councillor Dominic Pasqualino

THAT the following ratifying resolutions be introduced, read, dealt with individually:

1. Memorandum - Request to Amend By-law 113-2022;
2. Confidential Memorandum - Financial Matter Update;
3. Report 2023CLS.043 - Human Resources Matter.

CARRIED

8. By-laws and By-law Resolution

8.1 By-law 338-2023 - A By-law to Amend By-law Number BL 113-2022 that Authorized the Borrowing Upon Serial Debentures

A By-law to amend By-law Number 113/2022 that authorized the borrowing upon serial debentures in the aggregate principal amount of \$1,181,123.98 towards the cost of certain capital works set out in Schedule "A" to that by-law.

8.2 By-law 339-2023 - A By-law to Authorize the Borrowing upon Serial Debentures

A By-law to authorize the borrowing upon serial debentures in the aggregate principal amount of \$201,574.60 towards the cost of certain capital works described in Schedule "A" to this by-law.

8.3 By-law 340-2023 - A By-law to Authorize the Borrowing upon Serial Debentures

A By-law to authorize the borrowing upon serial debentures in the aggregate principal amount of \$6,177,282.12 towards the cost of certain capital works described in Schedule "A" to this by-law.

8.4 By-law 341-2023 - A By-law to Authorize the Borrowing upon Serial Debentures

A By-law to authorize the borrowing upon serial debentures in the aggregate principal amount of \$1,999,994.62 towards the cost of certain capital works described in Schedule “A” to this by-law.

8.5 By-law 342-2023 - A By-law to Authorize the Borrowing upon Serial Debentures

A By-law to authorize the borrowing upon serial debentures in the aggregate principal amount of \$4,299,997.58 towards the cost of certain capital works described in Schedule “A” to this by-law.

8.6 By-law 373-2023 - A By-law to Authorize the Borrowing upon Serial Debentures

A By-law to authorize the borrowing upon serial debentures in the principal amount of \$372,635.66 towards the cost of certain capital works described in Schedule “A” to this by-law.

8.7 By-law Resolution

By-law Resolution - November 27, 2023 - City Council

MOVED BY: Councillor Greg Johnsen

SECONDED BY: Councillor Kasey Etreni

THAT the following By-laws be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

By-law Number: BL 338/2023

1. A By-law to Amend By-law Number BL 113/2022 that Authorized the Borrowing Upon Serial Debentures

By-law Number: BL 339/2023

2. A By-law to Authorize the Borrowing Upon Serial Debentures

By-law Number: BL 340/2023

3. A By-law to Authorize the Borrowing Upon Serial Debentures

By-law Number: BL 341/2023

4. A By-law to Authorize the Borrowing Upon Serial Debentures

By-law Number: BL 342/2023

5. A By-law to Authorize the Borrowing Upon Serial Debentures

By-law Number: BL 373/2023

6. A By-law to Authorize the Borrowing Upon Serial Debentures

CARRIED

9. Confirming By-law and Confirming By-law Resolution

9.1 By-law 359-2023 – Confirming By-law – November 27, 2023

A By-law to confirm the proceedings of a meeting of Council, this 27th day of November, 2023.

9.2 Confirming By-law Resolution

Confirming By-law Resolution - November 27, 2023 - City Council

MOVED BY: Councillor Kristen Oliver

SECONDED BY: Councillor Trevor Giertuga

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

By-law Number: BL 359/2023

1. A By-law to confirm the proceedings of a meeting of Council, this 27th day of November, 2023.

CARRIED

10. Adjournment

The Meeting adjourned at 11:12 p.m.

Mayor

City Clerk