



**Monday, November 14, 2022**

**Committee of the Whole - Special Session in the McNaughton Room at 6:00 p.m.**

Present:

- Councillor Albert Aiello
- Councillor Mark Bentz
- Councillor Shelby Ch'ng
- Councillor Andrew Foulds
- Councillor Cody Fraser
- Councillor Brian Hamilton
- Councillor Rebecca Johnson
- Councillor Brian McKinnon
- Councillor Kristen Oliver
- Councillor Aldo Ruberto
- Councillor Peng You

Officials:

- Krista Power, City Clerk
- Norm Gale, City Manager
- Patty Robinet, City Solicitor
- Karen Lewis, General Manager – Development & Emergency Services
- Emma Westover, Acting General Manager – Corporate Services & Long-Term Care
- Michael Grimaldi, Solicitor

**1. Committee of the Whole - Special Session**

Chair: Councillor Aldo Ruberto

**2. Disclosures**

None.

### 3. Reports of Municipal Officers

#### 3.1 Establishment of Committee of the Whole - Closed Session

At the September 12, 2022 Committee of the Whole meeting the following resolution was passed to establish a Committee of the Whole Closed Session meeting on November 14, 2022 at 6:00 pm.

MOVED BY: Councillor Andrew Foulds

SECONDED BY: Councillor Aldo Ruberto

THAT a Committee of the Whole - Closed Session meeting be scheduled for Monday, November 14, 2022 at 6:00 p.m. in order to receive information pursuant to the *Municipal Act* (Section 239 (2)) relative to: (b) personal matters about an identifiable individual, including municipal or local board employees.

CARRIED

#### **Amendment - Establishment of Committee of the Whole - Closed Session**

MOVED BY: Councillor Kristen Oliver

SECONDED BY: Councillor Albert Aiello

WITH RESPECT to the resolution to establish the Monday, November 14, 2022 Committee of the Whole – Closed Session, we recommend that the resolution be amended to include the following reasons:

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

#### **Amended - Establishment of Committee of the Whole - Closed Session**

MOVED BY: Councillor Andrew Foulds

SECONDED BY: Councillor Albert Aiello

THAT a Committee of the Whole - Closed Session meeting be scheduled for Monday, November 14, 2022 at 6:00 p.m. in order to receive information pursuant to the *Municipal Act* (Section 239 (2)) relative to:

(b) personal matters about an identifiable individual, including municipal or local board employees.

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

**Committee of the Whole - Closed Session in the McNaughton Room at 6:00 p.m.**

Present: Councillor Albert Aiello  
Councillor Mark Bentz  
Councillor Shelby Ch'ng  
Councillor Andrew Foulds  
Councillor Cody Fraser  
Councillor Brian Hamilton  
Councillor Rebecca Johnson  
Councillor Brian McKinnon  
Councillor Kristen Oliver  
Councillor Aldo Ruberto  
Councillor Peng You

Officials: Krista Power, City Clerk  
Norm Gale, City Manager  
Patty Robinet, City Solicitor  
Karen Lewis, General Manager – Development & Emergency Services  
Emma Westover, Acting General Manager – Corporate Services & Long-Term Care  
Michael Grimaldi, Solicitor

**1. Committee of the Whole - Closed Session**

Chair: Councillor Aldo Ruberto

## **1.1 Disclosures of Interest**

Councillor Cody Fraser declared a conflict relative to Board Appointment - Tbaytel Board of Directors as the applicant is known to him through his employment.

## **1.2 Reports of Municipal Officers**

### **1.2.1 Board Appointment - Tbaytel Board of Directors**

Confidential Memorandum from Councillor Brian McKinnon, Chair – Thunder Bay Synergy North/Tbaytel Recruitment Committee, dated November 8, 2022 relative to the above noted was distributed to Members of Council, City Manager, City Solicitor and General Manager – Corporate Services & Long-Term Care, City Treasurer only.

Councillor Cody Fraser declared a conflict and left the meeting room.

City Clerk Krista Power responded to questions.

It was consensus of Committee to proceed as directed.

The City Clerk advised that the recommendation relative to the above noted would be presented at the Committee of the Whole meeting to be held later in the evening.

Councillor Cody Fraser re-entered the meeting room.

### **1.2.2 Property Related Matter**

Joel DePeuter, Director - Development & Emergency Services and Devon McCloskey, Director - Planning Services entered the meeting room.

Confidential Memorandum from Michael Grimaldi, Solicitor, dated November 14, 2022 relative to the above noted was distributed to Members of Council, City Manager, City Solicitor and General Manager – Development & Emergency Services only.

Michael Grimaldi, Solicitor provided an overview and responded to questions.

**1. Committee of the Whole – Open Session in the S.H. Blake Auditorium at 6:30 p.m.**

Present:

- Councillor Albert Aiello
- Councillor Mark Bentz
- Councillor Shelby Ch'ng
- Councillor Andrew Foulds
- Councillor Cody Fraser
- Councillor Trevor Giertuga
- Councillor Brian Hamilton
- Councillor Rebecca Johnson
- Councillor Brian McKinnon
- Councillor Kristen Oliver
- Councillor Aldo Ruberto
- Councillor Peng You

Officials:

- Krista Power, City Clerk
- Norm Gale, City Manager
- Patty Robinet, City Solicitor
- Emma Westover, Acting General Manager - Corporate Services & Long-Term Care
- Karen Lewis, General Manager - Development & Emergency Services
- Kerri Marshall, General Manager - Infrastructure & Operations
- Kelly Robertson, General Manager - Community Services
- Tracie Smith, Director - Corporate Strategic Services
- Kayla Dixon, Director - Engineering & Operations
- Cory Halvorsen, Manager – Parks & Open Spaces
- Kathleen Cannon, Director – Financial Services
- Chantal Harris, Manager – Billing & Collections
- Gordon Stover, Committee & Meeting Management System Coordinator

**2. Open Session Operations**

Chair: Councillor Brian McKinnon

**3. Disclosures of Interest**

Councillor Kristen Oliver declared a conflict relative to Report 125/2022 - Enbridge Gas - Notice of Application as she is employed by Enbridge Gas.

Councillor Cody Fraser declared a conflict relative to Board Appointment - Tbaytel Board of Directors as the applicant is known to him through his employment.

**4. Confirmation of Agenda**

MOVED BY: Councillor Peng You  
SECONDED BY: Councillor Trevor Giertuga

WITH RESPECT to the November 14, 2022 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

**5. Presentations**

**5.1 2022 Mayor's Community Safety Awards**

Memorandum from Lee-Ann Chevrette, Community Safety & Well-Being Specialist Thunder Bay, dated November 3, 2022, requesting to provide a presentation relative to the above noted.

General Manager - Development & Emergency Services Karen Lewis, Acting Mayor Albert Aiello, Community Safety & Well-Being Chair - Jeff Upton and Community Safety & Well-being Specialist Lee-Ann Chevrette provided an introduction to the 2022 Mayor's Community Safety Awards and presented a recognition video.

The following individuals and organizations were recognized in the video for their efforts in making our community safer and more welcoming for everyone:

Community Hero Bryan Tucker

Young Leader Tisha Duncan

Outstanding Community Project Team DEK (DEK Foundation)

Outstanding Community Project Elevate NWO (Unsheltered Homelessness Project)

Outstanding Community Project Hospice Northwest (A Personal Lens on Grief)

Outstanding Community Project Niizhaayek Alliance

## **5.2 NorWest Community Health Centres**

Memorandum from Cynthia Olsen, Manager - Community Strategies, dated October 25, 2022, requesting to provide a presentation relative to the above noted, for information.

Juanita Lawson – CEO, NorWest CHC and Jennifer Lawrance – Director of Health Services, NorWest CHC appeared before Committee, provided a PowerPoint presentation and responded to questions.

## **6. Items Arising from Closed Session**

### **6.1 Board Appointment Recommendation – Tbaytel Board of Directors**

Confidential Memorandum from Councillor Brian McKinnon, Chair – Thunder Bay Synergy North/Tbaytel Recruitment Committee, dated November 8, 2022 relative to the above noted distributed separately Thursday, November 10, 2022 to Members of Council, City Manager, City Solicitor and General Manager - Corporate Services & Long-Term Care and City Treasurer only.

Councillor Cody Fraser declared a conflict relative to the above noted and refrained from discussing or voting on the following resolution.

MOVED BY: Councillor Aldo Ruberto

SECONDED BY: Councillor Peng You

WITH RESPECT to the recruitment of one individual to serve as Director on the Tbaytel Board of Directors, we recommend that Doug Shanks be appointed for the remainder of a 3 year term, expiring June 30, 2024, or

until such time as a replacement has been appointed.

CARRIED

The City Clerk advised that the above noted resolution will be presented at City Council to be held later in the evening and will require a two-thirds vote.

## **7. Reports of Municipal Officers**

### **7.1 Report R 125/2022 - Enbridge Gas - Notice of Application**

Report R 125/2022 (Infrastructure & Operations - Engineering & Operations) recommending the form of draft by-law and franchise agreement, as appended to this report, be approved and authorizes the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the *Municipal Franchises Act* distributed separately on Thursday, November 10, 2022.

Correspondence received from Brian Lennie, Senior Advisor - Municipal and Stakeholder Engagement - Enbridge Gas, dated November 7, 2022, requesting to appear before Committee to provide a deputation relative to the above noted.

Councillor Kristen Oliver declared a conflict relative to the above noted and refrained from discussing or voting on the following resolution.

Brian Lennie, Senior Advisor - Municipal and Stakeholder Engagement - Enbridge Gas, Nicole Lehto, Director, Northern Region Operations and Michelle Samms - Enbridge Gas appeared before Committee via MS Teams, provided a PowerPoint presentation and responded to questions.

MOVED BY: Councillor Rebecca Johnson

SECONDED BY: Councillor Peng You

WITH RESPECT to Report R125/2022 (Infrastructure & Operations - Engineering), we recommend the form of draft by-law and franchise agreement, as appended to this report, be approved and authorizes the submission thereof to the Ontario Energy Board for approval pursuant to the provisions of Section 9 of the *Municipal Franchises Act*;

AND THAT a request be sent to the Ontario Energy Board to make an Order declaring and directing that the assent of the municipal electors to

the attached draft by-law and franchise agreement pertaining to the Corporation of the City of Thunder Bay is not necessary pursuant to the provisions of Section 9(4) of the *Municipal Franchises Act*;

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

CARRIED

## **7.2 Report R 167/2022 - James Whalen Tug Recovery**

Report R 167/2022 (Infrastructure & Operations - Engineering & Operations) outlining the circumstances of the emergency, actions taken and budgetary adjustments relative to the above noted, for information only distributed separately Thursday, November 10, 2022.

City Manager Norm Gale provided introductory remarks.

## **8. Petitions and Communications**

### **8.1 Automated Speed Enforcement – Administration Update**

At the November 2, 2020 Committee of the Whole meeting, a resolution was passed recommending that Administration provide a report to Council with respect to the costs and timelines associated with implementing Automated Speed Enforcement. An extension to the due date was passed by Council on March 7, 2022.

Memorandum from Kayla Dixon, Director - Engineering & Operations, dated November 4, 2022, relative to the above noted.

MOVED BY: Councillor Brian Hamilton

SECONDED BY: Councillor Shelby Ch'ng

WITH RESPECT to the Memorandum from Kayla, Director – Engineering & Operations Division dated November 4, 2022, we recommend that the report back date relating to Outstanding Item No. 2020-048-INO (Automated Speed Enforcement) be changed from December 12, 2022 to February 28, 2022.

CARRIED

## **9. Outstanding Items**

## **9.1 Outstanding List for Operations**

Memorandum from City Clerk Krista Power dated October 31, 2022, providing the Operations Session Outstanding List, for information.

## **10. Open Session Community Services**

Chair: Councillor Shelby Ch'ng

## **11. Reports of Committees, Boards and Outside Agencies**

### **11.1 The District of Thunder Bay Social Services Administration Board**

Minutes of Meetings 12-2022, 13-2022 (Closed), 14-2022, 15-2022 (Closed), 16-2022 and 17-2022 (Closed) of The District of Thunder Bay Social Services Administration Board held on July 21, 2022, September 21, 2022, and October 3, 2022, for information.

### **11.2 Thunder Bay District Health Unit - Board of Health Minutes**

Minutes of Thunder Bay District Health Unit - Board of Health Meeting held on June 15, 2022 and September 21, 2022, respectively, for information.

## **12. Reports of Municipal Officers**

### **12.1 Report R 168/2022 - Preventing Unlawful Activities Within Facility Rentals**

At the April 25, 2022 Committee of the Whole meeting Report R 67/2022 (City Manager's Office - City Solicitor & Corporate Council) was presented. A resolution was passed directing Administration to review existing policies relating to rental of city facilities for public use which may be construed as illegal activities including but not limited to conversion therapy. Administration was directed to report back on or before September 12, 2022.

At the August 8, 2022 Committee of the Whole meeting, Memorandum from Leah Prentice, Director - Recreation & Culture dated July 29, 2022 was presented recommending that the report back date relating to review of policies, processes and practices to prevent unlawful activities within

rentals of public facilities be changed from September 12, 2022 to November 14, 2022.

Report R 168/2022 (Community Services - Recreation & Culture) providing information on existing policies, processes and practices, and the planned go-forward approach to prevent unlawful activities, such as conversion therapy, within a rental of a public facility, for information only.

**13. Petitions and Communications**

**13.1 Update on Enrolment in Canada Wide Early Learning Child Care System and Impacts to Municipal Child Care Operations**

Memorandum from Andrea Morrison, Manager - Central Support dated October 31, 2022, relative to the above noted, for information.

**14. Outstanding Items**

**14.1 Outstanding List for Community Services**

Memorandum from City Clerk Krista Power dated October 31, 2022, providing the Community Services Outstanding List, for information.

**15. Open Session Planning**

Councillor Aldo Ruberto

**16. Petitions and Communications**

**16.1 Request to Postpone Heritage Grant Program - Outstanding Item**

At the June 20, 2022, Committee of the Whole meeting, a resolution was passed relative to the development of a Heritage Grant Program and that Administration report back on or before December 19, 2022.

Memorandum from Devon McCloskey, Director - Planning Services, dated October 27, 2022, containing a recommendation to remove the Outstanding Item relative to the above noted.

MOVED BY: Councillor Trevor Giertuga

SECONDED BY: Councillor Cody Fraser

WITH RESPECT to the Memorandum from Devon McCloskey, Manager of Planning Services dated October 25, 2022, we recommend that Outstanding Item 2022-104-DEV (Heritage Grant Program) be removed from the outstanding list.

CARRIED

**17. Outstanding Items**

**17.1 Outstanding List for Planning Services**

Memorandum from City Clerk Krista Power dated October 31, 2022, providing the Planning Services Outstanding List, for information.

**18. Open Session Administration**

Councillor Mark Bentz

**19. Reports of Committees, Boards and Outside Agencies**

**19.1 Police Service Board Minutes**

Minutes of Meeting(s) 16-2022, 19-2022, 20-2022 and 22-2022 of the Thunder Bay Police Services Board, held on March 22, 2022, April 19, 2022, May 24, 2022 and June 28, 2022, for information.

**20. Reports of Municipal Officers**

**20.1 Report R 164/2022 - Uncollectable Accounts**

Report R 164/2022 (Corporate Services & Long Term Care - Revenue) seeking approval to write off uncollectible accounts which remain unpaid on the 2022 General Accounts Receivable files.

Confidential Memorandum from Chantal Harris, Manager – Billings & Collections, dated October 26, 2022, relative to Report R 164/2022 (Corporate Services & Long Term Care – Revenue) Uncollectable Accounts, distributed separately to Members of Council, City Manager, City Solicitor and General Manager – Corporate Services & Long Term Care and City Treasurer only on Thursday, November 10, 2022.

MOVED BY: Councillor Cody Fraser

SECONDED BY: Councillor Brian McKinnon

WITH RESPECT to Report R 164/2022 (Corporate Services & Long Term Care - Revenue), we recommend that the uncollectible accounts, which remain unpaid on the 2022 receivable files, be written off as follows:

General Accounts (including interest)	\$ 77,151.64
Municipal Child Care	\$ 486.69

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

CARRIED

**20.2 Report R 165/2022 - Follow-up Report – City of Thunder Bay 2019-2022 Corporate Strategic Plan**

Report R 165/2022 (City Manager's Office - Strategic Initiatives & Engagement) providing a report relative to Follow-up Report – City of Thunder Bay 2019-2022 Corporate Strategic Plan, for information.

**20.3 Report R 166/2022 - Budget Variance Report #3**

Report R 166/2022 (Corporate Services & Long-Term Care - Financial Services) reviewing year-to-date revenues and expenditures and completes a forecast of the City’s financial position to year-end (December 31, 2022). The forecast is compared to the 2022 approved budget and presented to City Council, for information.

**21. Outstanding Items**

**21.1 Outstanding List for Administrative Services**

Memorandum from City Clerk Krista Power dated October 31, 2022, providing the Administrative Services Outstanding List, for information.

**22. New Business**

**22.1 Establishment of Committee of the Whole - Closed Session Meetings**

THAT a Committee of the Whole – Closed Session meeting be scheduled for Tuesday, November 15, Wednesday, November 16, Thursday, November 17, Tuesday, November 22, Wednesday, November 23 and

Thursday, November 24, 2022 at 5:00 p.m. in order to receive information pursuant to the *Municipal Act* (Section 239) relative to:

(3.1) the purpose of educating or training the members relative to City Council orientation;

AND THAT a Committee of the Whole – Closed Session meeting be scheduled for Tuesday, November 29, 2022 at 4:30 p.m. in order to receive information pursuant to the *Municipal Act* (Section 239 (2)) relative to:

(b) personal matters about an identifiable individual, including municipal or local board employees;

AND THAT a Committee of the Whole Closed Session meeting be scheduled for Monday, December 5, 2022 at 5:00 p.m. in order to receive information pursuant to the *Municipal Act* (section 239 (2)) relative to:

(a) the security of the property of the municipality or local board;

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

(j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or

(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(3.1) the purpose of educating or training the members relative to City Council orientation.

MOVED BY: Councillor Shelby Ch'ng  
SECONDED BY: Councillor Albert Aiello

THAT a Committee of the Whole – Closed Session meeting be scheduled for Tuesday, November 15, Wednesday, November 16, Thursday, November 17, Tuesday, November 22, Wednesday, November 23 and Thursday, November 24, 2022 at 5:00 p.m. in order to receive information pursuant to the *Municipal Act* (Section 239) relative to:

(3.1) the purpose of educating or training the members relative to City Council orientation;

AND THAT a Committee of the Whole – Closed Session meeting be scheduled for Tuesday, November 29, 2022 at 4:30 p.m. in order to receive information pursuant to the *Municipal Act* (Section 239 (2)) relative to:

(b) personal matters about an identifiable individual, including municipal or local board employees;

AND THAT a Committee of the Whole Closed Session meeting be scheduled for Monday, December 5, 2022 at 5:00 p.m. in order to receive information pursuant to the *Municipal Act* (section 239 (2)) relative to:

(a) the security of the property of the municipality or local board;

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

(j) a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value; or

(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

(3.1) the purpose of educating or training the members relative to City Council orientation.

CARRIED

**23. Adjournment**

The meeting adjourned at 9:02 p.m.