



**Committee of the Whole Meeting Minutes**

**Monday, August 14, 2023**

**Committee of the Whole – Open Special Session in the McNaughton Room at 5:00 p.m.**

Present: Mayor Ken Boshcoff  
Councillor Albert Aiello  
Councillor Mark Bentz  
Councillor Kasey Etreni  
Councillor Andrew Foulds  
Councillor Trevor Giertuga  
Councillor Greg Johnsen  
Councillor Kristen Oliver  
Councillor Dominic Pasqualino  
Councillor Michael Zussino

Officials: Krista Power, City Clerk  
Kerri Marshall, Acting City Manager  
Dawne Latta, Deputy City Solicitor  
Emma Westover, Acting General Manager - Corporate Services  
& Long-Term Care, Treasurer

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

Chair: Councillor Andrew Foulds

**1.1 Establishment of Committee of the Whole - Closed Session**

At the July 24, 2023 Committee of the Whole meeting the following resolution was passed to establish the Committee of the Whole - Closed Session for August 14, 2023.

MOVED BY: Councillor Michael Zussino  
SECONDED BY: Councillor Albert Aiello

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, August 14, 2023 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;
- (c) a proposed or pending acquisition or disposition of land by 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; and
- (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.

CARRIED

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

MOVED BY: Councillor Michael Zussino

SECONDED BY: Councillor Greg Johnsen

THAT the resolution relative to the Establishment of the Committee of the Whole – Closed Session meeting scheduled for Monday, August 14, 2023 passed at the Monday, July 24, 2023 Committee of the Whole meeting, be amended to include the following reason:

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

CARRIED

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

MOVED BY: Councillor Michael Zussino

SECONDED BY: Councillor Albert Aiello

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, August 14, 2023 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;(b) personal matters about an identifiable individual, including municipal or local board employees;

(c) a proposed or pending acquisition or disposition of land by 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; and

(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.

CARRIED

### **Committee of the Whole – Closed Session in the McNaughton Room at 5:02 p.m.**

Present: Mayor Ken Boshcoff  
Councillor Rajni Agarwal  
Councillor Albert Aiello  
Councillor Mark Bentz  
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  
Dawne Latta, Deputy City Solicitor  
Emma Westover, Acting General Manager - Corporate Services  
& Long-Term Care, Treasurer

## **2. Committee of the Whole - Closed Session**

Chair: Councillor Andrew Foulds

### **2.1 Disclosures of Interest**

Councillor Mark Bentz declared a conflict relative to Report 2023CLS.027 (Legal Services) Synergy North Matter, as he is a Director on the Synergy North Board.

### **2.2 Reports of Municipal Officers**

#### **2.2.1 Synergy North Matter**

Report 2023CLS.027 (Legal Services) relative to the above noted was distributed to Members of Council, City Manager, City Solicitor, and Acting City Treasurer only.

Ron Clark, Counsel - Aird & Berlis joined the meeting via MS Teams.

Emma Westover, Deputy City Treasurer and Cynthia Cline, Deputy City Solicitor entered the meeting room.

Cynthia Cline provided an overview and responded to questions.

Ron Clark responded to questions.

Emma Westover responded to questions.

It was the consensus of Committee that Administration proceed as directed.

The City Clerk advised that the resolution relative to the above noted will be presented to Committee of the Whole to be held later in the evening.

Councillor Mark Bentz entered the meeting room.

### **2.2.2 Tbaytel Shareholder Update**

Dan Topatigh, President & CEO – Tbaytel and Scott Potts, Chair – Tbaytel Board entered the meeting room.

Second Quarter Financial Update Report was distributed to Members of Council, City Manager and Deputy Treasurer only.

Dan Topatigh provided an overview and responded to questions.

Scott Potts responded to questions.

Dan Topatigh, President & CEO – Tbaytel and Scott Potts, Chair – Tbaytel Board left the meeting room.

### **2.2.3 Appointment to the 2024 Ontario Winter Games Organizing Committee**

Memorandum from Norm Gale, City Manager, dated August 2, 2023 relative to the above noted distributed to Members of Council and City Manager only.

It was the consensus of Committee that Administration proceed as directed.

The City Clerk advised that the resolution relative to the above noted will be presented to Committee of the Whole to be held later in the evening.

### **2.2.4 Request for Information - City of Thunder Bay Assets**

Memorandum from Councillor Trevor Giertuga, dated August 1, 2023 relative to the above noted distributed to Members of Council, City Manager, City Solicitor and Acting City Treasurer only.

Dawne Latta, Deputy City Solicitor responded to questions.

**Committee of the Whole – Open Session in the S. H. Blake Memorial Auditorium at 6:33 p.m.**

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  
Dawne Latta, Deputy City Solicitor  
Kelly Robertson, General Manager - Community Services  
Emma Westover, Acting General Manager - Corporate Services & Long-Term Care, Treasurer  
Karie Ortgiese, Director - Human Resources & Corporate Safety  
Kayla Dixon, Director – Engineering & Operations  
Decio Lopes, Supervisor – Planning Services  
Kelvin Jankowski, Construction Services Supervisor  
Gordon Stover, Committee & Meeting Management System Coordinator

**3. Open Session - Operations**

Vice-Chair: Councillor Albert Aiello

**4. Disclosures of Interest**

Councillor Mark Bentz declared a conflict relative to Report 2023CLS.027 (Legal Services) Synergy North Matter, as he is a Director on the Synergy North Board.

**5. Confirmation of Agenda**

MOVED BY: Councillor Kasey Etreni  
SECONDED BY: Councillor Greg Johnsen

WITH RESPECT to the August 14, 2023 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

**6. Items Arising from Closed Session**

**6.1 Synergy North Matter**

Report 2023CLS.027 (Legal Services) relative to the above noted was previously presented in Closed Session held earlier in the evening.

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

Councillor Mark Bentz declared a conflict and refrained from voting or discussing the above noted resolution.

MOVED BY: Councillor Michael Zussino  
SECONDED BY: Councillor Kristen Oliver

WITH RESPECT to Report 2023CLS.027 (Legal Services), we recommend that Administration proceed as directed in Closed Session.

CARRIED

**6.2 Appointment to the 2024 Ontario Winter Games Organizing Committee**

Memorandum from Norm Gale, City Manager, dated August 2, 2023 relative to the above noted was previously presented in Closed Session held earlier in the evening.

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

MOVED BY: Councillor Greg Johnsen  
SECONDED BY: Councillor Brian Hamilton

WITH RESPECT to the Confidential Memorandum from Norm Gale dated August 2, 2023, notwithstanding the Council and Citizen appointment process as outlined in Corporate Policy 08-01-01, we recommend that the following be appointed to the 2024 Ontario Winter Games Organizing Committee (Special Purpose Committee of Council):

(a) 2024 Ontario Winter Games Organizing Committee – Citizen Appointments

Executive Member:

1. Cynthia Olsen, Acting Director Strategic Initiatives & Engagement - Co-Chair

CARRIED

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

### **7.1 Waterfront Development Committee**

Minutes of Meeting 01-2023 of the Waterfront Development Committee dated February 28, 2023, for information.

## **8. Reports of Municipal Officers**

### **8.1 Local Improvement – Central Avenue Street Lighting**

Report 241-2023 (Infrastructure, Development & Operations - Engineering & Operations) recommending that the local improvement project for street lighting on Central Avenue from Oliver Road easterly to Highway 11/17 (Thunder Bay Expressway) be approved for construction.

MOVED BY: Councillor Dominic Pasqualino

SECONDED BY: Councillor Kasey Etreni

WITH RESPECT to Report 241-2023-Infrastructure, Development & Operations-Engineering & Operations, we recommend that the local improvement project for street lighting on Central Avenue from Oliver Road easterly to Highway 11/17 (Thunder Bay Expressway) be approved for construction;

AND THAT Appropriation Change Order 8 be approved;

AND THAT the Mayor and Clerk be authorized to sign all documentation related to this matter;

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

CARRIED

## **8.2 Application to 2023 Federal Housing Accelerator Fund – Additional Information and Updates**

At the July 17, 2023 Committee of the Whole meeting, Report 203-2023 - Infrastructure, Development & Operations - Planning Services was presented. A resolution was passed referring the report back to Administration to review and finalize initiatives to ensure that they align with the CMHC application requirements as well as detailed cost incentive information and that Administration report back on August 14, 2023.

Report 203-2023 (Infrastructure, Development & Operations - Planning Services), re-presented.

Memorandum from Decio Lopes, Supervisor - Planning Services containing a recommendation relative to the above noted.

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

MOVED BY: Councillor Dominic Pasqualino  
SECONDED BY: Councillor Brian Hamilton

WITH RESPECT to Report 203-2023 – Infrastructure, Development and Operations – Planning Services and this memorandum dated July 31, 2023, we recommend that Administration submit a Housing Accelerator Fund Application to the Canada Mortgage and Housing Corporation;

AND THAT Council approve the initiatives proposed in the Action Plan, as appended to this memorandum;

AND THAT Administration report back recommending additional Zoning By-law Amendments intended to achieve additional housing units and implement Action Plan initiatives on or before December 18, 2023;

AND THAT should the City be awarded Housing Accelerator Fund grant funds, Administration report back with recommended Community Improvement Plans and related grant program details;

AND THAT the Treasurer be authorized to sign the required Integrity Declaration and Attestation Letter in support of the application;

AND THAT the Director of Development Services and City Clerk be authorized to execute all required documentation including the related funding agreement on terms and form satisfactory to the Treasurer and City Solicitor respectively;

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

CARRIED

## **9. Petitions and Communications**

### **9.1 Outstanding Item-Request for Deferral-Tree Production at the Conservatory**

At the June 6, 2022 Committee of the Whole, City Council passed a resolution deferring Report R 168/2021- Tree Production- Feasibility Assessment, to be presented before September 1, 2023.

Memorandum from Cory Halvorsen, Manger Parks and Open Spaces, dated August 1, 2023 containing a motion recommending that Outstanding Item 2021-107-INO – Tree Production at the Conservatory be deferred from September 1, 2023 to December 4, 2023.

MOVED BY: Councillor Brian Hamilton

SECONDED BY: Councillor Greg Johnsen

WITH RESPECT to the Memorandum from Cory Halvorsen, Manager-Parks & Open Spaces, dated August 1, 2023 we recommend that Outstanding Item 2021-107-INO – Tree Production at the Conservatory be deferred from September 1, 2023 to December 4, 2023;

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

CARRIED

## **10. Outstanding Items**

### **10.1 Outstanding List for Operations**

Memorandum from City Clerk Krista Power, dated August 1, 2023 providing the Operations Session Outstanding Items List, for information.

**11. Open Session - Community Services**

Chair: Councillor Kristen Oliver

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

**12.1 2024 Ontario Winter Games Organizing Committee**

Minutes of Meeting 05-2023 of the 2024 Ontario Winter Games Organizing Committee dated June 8, 2023, for information.

**13. Reports of Municipal Officers**

**13.1 Professional Services Award – Legal Services Office Relocation**

At the July 17, 2023 Committee of the Whole meeting, Report 232-2023 (Community Services - Facilities, Fleet and Energy Management) was presented. A resolution was passed deferring the Report to August 14, 2023.

Report 232-2023 (Community Services - Facilities, Fleet and Energy Management) re-presented.

MOVED BY: Councillor Andrew Foulds

SECONDED BY: Councillor Brian Hamilton

WITH RESPECT to Report 232-2023 (Community Services – Facilities, Fleet and Energy Management), we recommend that City Council approve the use of the negotiated method of procurement as outlined in Sections 4.08 and 4.09 of the Supply Management By-law No. 113-2011 to approve the professional fees associated with the work on the Legal Services Office Relocation;

AND THAT Critchley Hill Architecture Inc. be awarded \$90,965.00 (HST included) for fees associated with the work;

AND THAT the Manager – Supply Management be authorized to issue any required Purchase Orders related to this Project;

AND THAT the General Manager – Community Services be authorized to sign all documentation related to these matters;

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

CARRIED

### **13.2 Tournament Centre Reserve Fund – Continued Ice Plant Refurbishment**

Report 243-2023 (Community Services - Recreation & Culture) recommending that repairs to the ice plant at the Thunder Bay Tournament Centre be approved to an upset limit of \$29,894.89.

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

MOVED BY: Councillor Kasey Etreni  
SECONDED BY: Councillor Andrew Foulds

WITH RESPECT to Report 243-2023-Community Services-Recreation & Culture, we recommend that repairs to the ice plant at the Thunder Bay Tournament Centre be approved to an upset limit of \$29,894.89;

AND THAT the Thunder Bay Tournament Centre Capital Reserve Fund be approved as the source of funds for the repairs;

AND THAT Appropriation 9 – Recreation & Culture, Tournament Centre be approved;

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

CARRIED

## **14. Petitions and Communications**

### **14.1 Interim Update - Amalgamated Transit Union (ATU) 966 Safety Concerns**

At the April 3, 2023 Committee of the Whole meeting, deputation was heard from ATU 966 and a resolution was passed referring the contents of the deputation to Administration and the Employee Safety Task Force for review and to report back on or before October 16, 2023 and that an interim update be provided on or before August 14, 2023.

Memorandum from Brad Loroff, Manager - Transit Services Division dated July 21, 2023 providing the interim update, for information.

During discussion of the above noted item Councillor Kristen Oliver left the Chair. Councillor Michael Zussino assumed the Chair.

Councillor Kristen Oliver re-assumed the Chair.

**15. Outstanding Items**

**15.1 Outstanding List for Community Services Session as of August 1, 2023**

Memorandum from City Clerk Krista Power, dated August 1, 2023 providing the Community Services Session Outstanding Items List, for information.

**16. New Business**

**16.1 Establishment of Closed Session Meeting - August 28, 2023**

The following resolution was presented to Committee of the Whole.

MOVED BY: Councillor Andrew Foulds

SECONDED BY: Councillor Kasey Etreni

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, August 28, 2023 at 5:00 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; and

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

CARRIED

**17. Adjournment**

The meeting adjourned at 8:13 p.m.