



Committee of the Whole Meeting Minutes

Monday, May 27, 2024

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, Director - Legislative Services & City Clerk
- Norm Gale, City Manager
- Patty Robinet, City Solicitor
- Cynthia Cline, Deputy City Solicitor

1. Committee of the Whole - Special Session 5:34 p.m.

Chair: Councillor Andrew Foulds

2. Establishment of Committee of the Whole Closed Session Meeting

At the May 13, 2024 Committee of the Whole meeting the following resolution was passed to establish a Committee of the Whole - Closed Session meeting on Monday, May 27, 2024:

MOVED BY: Councillor Michael Zussino

SECONDED BY: Councillor Greg Johnsen

THAT a Committee of the Whole - Closed Session meeting be scheduled for Monday, May 27, 2024 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;

(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; 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.

The following recommendation will be presented to amend the purpose of the May 27, 2024 Committee of the Whole - Closed Session meeting:

Amendment - Establishment of Committee of the Whole Closed Session Meeting

MOVED BY: Councillor Kristen Oliver

SECONDED BY: Councillor Michael Zussino

WITH RESPECT to the resolution to establish the Monday, May 27, 2024 Committee of the Whole – Closed Session, we recommend that the meeting start time be changed to 5:30 p.m.;

AND THAT the following reason be removed:

(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

CARRIED

Amended - Establishment of Committee of the Whole Closed Session Meeting

MOVED BY: Councillor Michael Zussino

SECONDED BY: Councillor Greg Johnsen

THAT a Committee of the Whole - Closed Session meeting be scheduled for Monday, May 27, 2024 at 5:30 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;
- (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.

CARRIED

3. Closed Session in the McNaughton Room 5:35 p.m.

- Present:
- Mayor Ken Boshcoff
 - Councillor Rajni Agarwal
 - Councillor Albert Aiello
 - Councillor Mark Bentz
 - Councillor Shelby Ch'ng
 - Councillor Kasey Etrene
 - Councillor Andrew Foulds
 - Councillor Trevor Giertuga

Councillor Brian Hamilton
Councillor Greg Johnsen
Councillor Kristen Oliver
Councillor Dominic Pasqualino
Councillor Michael Zussino

Officials: Krista Power, Director - Legislative Services & City Clerk
Norm Gale, City Manager
Patty Robinet, City Solicitor
Cynthia Cline, Deputy City Solicitor

Chair: Councillor Andrew Foulds

Closed Session Agendas were distributed separately to Members of Council and EMT only.

4. Disclosures of Interest

Councillor Shelby Ch'ng declared a conflict with respect to Report 2024CLS.020 (Legal Services) as their partner is employed by Synergy North.

5. Reports of Municipal Officers

5.1 Committee and Board Appointments

Memorandum from Director of Legislative Services & City Clerk Krista Power dated May 23, 2024, relative to the above noted, was distributed to Members of Council, City Manager, and City Solicitor only.

Coordinator - Boards, Committees & Special Projects Tina Larocque entered the meeting room.

City Manager Norm Gale responded to questions.

Director of Legislative Services & City Clerk Krista Power responded to questions.

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

The 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.

5.2 Committee and Board Appointments - Thunder Bay Public Library Board

Memorandum from Director of Legislative Services & City Clerk Krista Power dated May 23, 2024, relative to the above noted, was distributed to Members of Council, City Manager, and City Solicitor only.

Director of Legislative Services & City Clerk Krista Power responded to questions.

City Solicitor Patty Robinet responded to questions.

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

The 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.

Coordinator - Boards, Committees & Special Projects Tina Larocque left the meeting.

5.3 Legal Matter - Synergy North Corporation - Shareholder Consent

Report 2024CLS.020 (Legal Services) relative to the above noted was distributed to Members of City Council, City Manager, and City Solicitor only.

General Manager - Corporate Services Karen Lewis, General Manager - Infrastructure, Development & Operations Kerri Marshall, City Treasurer Keri Greaves, and Deputy City Treasurer Andrea Morrison entered the meeting room.

Councillor Shelby Ch'ng declared a conflict and left the meeting room.

Deputy City Solicitor Cynthia Cline provided an overview relative to the above noted and responded to questions.

Andrea Morrison responded to questions.

Keri Greaves responded to questions.

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

The 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.

At 6:04 p.m. the Closed Session concluded. It was the consensus of Committee that Open Session reconvene immediately following City Council (Public Meeting).

6. Open Session (Planning Services) in the S.H. Blake Memorial Auditorium 6:58 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, Director - Legislative Services & City Clerk
Norm Gale, City Manager
Cynthia Cline, Deputy City Solicitor
Keri Greaves, City Treasurer
Karen Lewis, General Manager – Corporate Services
Kerri Marshall, General Manager – Infrastructure, Development & Operations
Kelly Robertson, General Manager – Community Services
Andrea Morrison, Deputy Treasurer
Karie Ortgiese, Director - Human Resources & Corporate Safety
Kayla Dixon, Director – Engineering & Operations
Kelvin Jankowski, Manager - Capital Facilities Construction
Lorraine MacPhail, Manager - Talent Acquisition & Development
Flo-Ann Track, Council & Committee Clerk

Chair: Councillor Andrew Foulds

7. Disclosures of Interest

Councillor Shelby Ch'ng declared a conflict with respect to Report 2024CLS.020 (Legal Services) as their partner is employed by Synergy North.

8. Confirmation of Agenda

MOVED BY: Councillor Kristen Oliver
SECONDED BY: Councillor Brian Hamilton

WITH RESPECT to the May 27, 2024 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

9. Presentations

9.1 Official Recognition

Memorandum from Director - Legislative Services & City Clerk Krista Power dated May 17, 2024 relative to the presentation of the Citizens of Outstanding Achievement Awards to the Thunder Bay and Area Victims Services for their dedication in providing continuous support for victims affected by crime.

Councillor Michael Zussino provided an overview of the Thunder Bay and Area Victims Services accomplishments, and Mayor Ken Boshcoff presented a certificate of Outstanding Achievement to Board Chair Deborah Dika and Executive Director Penny Radford - Thunder Bay and Area Victims Services, for their dedication and service to victims affected by crime.

10. Reports of Committees, Boards and Outside Agencies

10.1 Lakehead Region Conservation Authority

Minutes of the Lakehead Region Conservation Authority dated March 27, 2024, for information.

10.2 Lakehead Source Protection Authority

Minutes of the Lakehead Source Protection Authority dated April 20, 2023, for information.

10.3 Anti-Racism & Equity Advisory Committee

Minutes of Meeting 02-2024 and 03-2024 of the Anti-Racism & Equity Advisory Committee, dated February 27, 2024 and March 26, 2024 respectively, for information.

10.4 Council Composition Review Committee

The Minutes of Meetings 03-2024, 04-2024 and 05-2024 of the Council Composition Review Committee held on March 5, 2024, March 14, 2024, and April 2, 2024 respectively, for information.

10.5 Inter-Governmental Affairs Committee

The Minutes of Meeting 02-2024 and 03-2024 of the Inter-Governmental Affairs Committee held on March 13, 2024 and April 10, 2024 respectively, for information.

11. Reports of Municipal Officers

11.1 Contract 11, 2024 – McKellar River Bridge Deck Replacement

Report 147-2024 Infrastructure, Development & Operations providing a recommendation to award Contract 11, 2024 - McKellar River Bridge Deck Replacement to Kem Construction (Thunder Bay) Ltd., that consulting & engineering services be awarded to the firm WSP Engineering Ltd., and that Appropriation Change Order 15-2024 be approved, for Council's consideration, distributed separately on Thursday, May 23, 2024.

Memorandum from Director of Engineering - Infrastructure, Development & Operations - Engineering & Operations Kayla Dixon dated May 27, 2024 providing information relative to Report 147-2024 Infrastructure, Development & Operations - Engineering & Operations, for information. Distributed separately on Monday, May 27, 2024.

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 Brian Hamilton
SECONDED BY: Councillor Greg Johnsen

WITH RESPECT to Report 147-2024-Infrastructure, Development & Operations-Engineering & Operations, we recommend that Contract 11, 2024 for McKellar River

Bridge Deck Replacement, be awarded to Kem Construction (Thunder Bay) Ltd., who submitted the lowest tender in the amount of \$1,955,972.55 [inclusive of HST];

AND THAT the amount shown is based on estimated quantities; final payment for this contract will be based on measured quantities for the completed work and may be higher than tender amount;

AND THAT consulting engineering services be awarded to the firm of WSP Engineering Ltd. with an agreement approved in the amount of \$108,598.65 [inclusive of HST] for construction administration and inspection associated with this contract;

AND THAT the General Manager of Infrastructure, Development and Operations report any circumstances to City Council should any significant variations in the contract quantities occur;

AND THAT the Mayor and City Clerk be authorized to sign all documentation related to these matters;

AND THAT Appropriation Change Order No. 15-2024 be approved;

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

CARRIED

11.2 Contract 17, 2024 – Burwood Road Sanitary Sewer & Central Avenue Storm Sewer

Report 148-2024 - Infrastructure, Development & Operations providing a recommendation to award Contract 17, 2024 - Burwood Road Sanitary Sewer & Central Avenue Storm Sewer to Bay City Contractors, for Council consideration.

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: Mayor Ken Boshcoff

SECONDED BY: Councillor Kasey Etreni

WITH RESPECT to Report 148-2024-Infrastructure, Development & Operations-Engineering & Operations, we recommend that Contract 17, 2024 for Burwood Road Sanitary Sewer & Central Avenue Storm Sewer, be awarded to Bay City Contractors who submitted the lowest tender in the amount of \$1,692,565.70 [inclusive of HST];

AND THAT the amount shown is based on estimated quantities; final payment for this contract will be based on measured quantities for the completed work and may be higher than tender amount;

AND THAT consulting engineering services be awarded to the firm of Hatch Ltd. with an agreement approved in the amount of \$123,730.48 [inclusive of HST] for construction administration and inspection associated with this contract;

AND THAT the General Manager of Infrastructure, Development and Operations report any circumstances to City Council should any significant variations in the contract quantities occur;

AND THAT the Mayor and City Clerk be authorized to sign all documentation related to these matters;

AND THAT any necessary bylaws be presented to City Council for ratification.

CARRIED

11.3 Multi Use Indoor Sports Facility Recommendation

Report 203-2024 - Infrastructure, Development & Operations - Engineering & Operations providing a recommendation relative to a Design Build Request for Proposal for an Indoor Turf Facility, for Council's consideration. Distributed separately on Thursday, May 23, 2024.

Correspondence received from Mike Giona - Ontario Soccer dated May 17, 2024 requesting to provide a deputation relative to the above noted. Distributed separately on Friday, May 24, 2024.

President - Soccer Canada Peter Augruso and Director of Facilities - Soccer Ontario Mike Giona appeared before Committee, provided a deputation relative to the above noted and responded to questions.

MOVED BY: Councillor Brian Hamilton

SECONDED BY: Mayor Ken Boshcoff

WITH RESPECT to Report 203-2024-Infrastructure, Development & Operations-Engineering & Operations, we recommend that Administration prepare a Design-Build Request for Proposal for an Indoor Turf Facility based on Option 3 (CTB Building Standard with Energy Efficiency Improvements) with a mandatory bid cap of \$42.7 million as detailed in this report;

AND THAT the 2026 and future proposed budgets include operating costs and resources for the facility and commit required capital lifecycle renewal costs;

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

CARRIED

12. Outstanding Items - Planning Services

Memorandum from City Clerk Krista Power dated May 14, 2024 relative to the above noted, for information.

13. Open Session (Administrative Services)

Chair: Councillor Michael Zussino

14. Reports of Committees, Boards and Outside Agencies

14.1 Thunder Bay District Health Unit - Board of Health

Minutes of the Thunder Bay District Health Unit - Board of Health, held on March 20, 2024 and April 17, 2024 respectively, for information.

15. Reports of Municipal Officers

15.1 2023 Employment Equity Report

Report 058-2024 - City Manager's Office - Human Resources providing a recommendation relative to the above noted, for Council's consideration.

MOVED BY: Councillor Kristen Oliver

SECONDED BY: Councillor Greg Johnsen

WITH RESPECT to Report 184-2024 (City Manager's Office - Human Resources Division) we recommend that Administration be directed through the Human Resources Division, to continue to support and promote equal opportunities for employment through current and new initiatives as per the referenced Employment Outreach and Retention Plan;

AND THAT the Human Resources Division (HR) conduct an Employment Equity Survey in 2026 and report the result back to Committee of the Whole in the second quarter of 2027;

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

CARRIED

15.2 2024 Community Partnership Fund

Report 166-2024 - Corporate Services recommending that funding, pursuant to applications submitted under the Community Partnership Fund, be awarded, extended, and released, for Council's consideration.

MOVED BY: Councillor Greg Johnsen

SECONDED BY: Councillor Trevor Giertuga

WITH RESPECT to Report 166-2024-Corporate Services, we recommend that funding in the amount of \$500,000 be approved for the Regional Food Distribution Association pursuant to an application submitted under the Community Partnership Fund to be funded from the Community Partnership Reserve Fund;

AND THAT funding in the amount of \$14,275 be approved for Community Clothing Assistance pursuant to an application submitted under the Community Partnership Fund to be funded from the Community Partnership Reserve Fund;

AND THAT an extension of the Ontario Aboriginal Housing Services project be approved as per previous direction from City Council;

AND THAT the Community Partnership Reserve Fund commitment of \$108,000 for the Wequedong Lodge project be released in consultation with the organization due to the expiry of the agreement;

AND THAT authority be delegated to the General Manager – Corporate Services to make amendments to the service agreement within parameters of the program and not to exceed the amount approved by Council as outlined in this report;

AND THAT Administration be directed to provide updates on released commitments in subsequent Community Partnership Fund reports to Council;

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

CARRIED

15.3 2023 Operating Budget Q4 Financial Status and Reserve and Reserve Fund Report

Report 168-2024 - Corporate Services - Office of the City Treasurer providing the 2023 Q4 Financial Status Update and the 2023 Reserve and Reserve Fund Summary, and a recommendation relative to a funding source for a portion of the 2023 tax-supported operating deficit, for Council's consideration.

MOVED BY: Councillor Rajni Agarwal

SECONDED BY: Councillor Shelby Ch'ng

WITH RESPECT to Report 168-2024 – Corporate Services – Office of the City Treasurer, we recommend that \$1.0 million be transferred from the WSIB Reserve Fund to fund a portion of the 2023 tax-supported operating deficit;

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

CARRIED

15.4 2024 Operating Budget Q1 Financial Status Update

Report 194-2024 Corporate Services - Office of the City Treasurer providing a year-to-date quarterly review of the 2024 Operating Budget revenues and expenses, and a forecast of the City's financial position to year-end, for information.

16. Petitions and Communications

16.1 Request for Limitation - Members of Council - Budgets

Memorandum from Councillor Trevor Giertuga dated May 3, 2024 containing a Motion relative to limitations to Councillor Budgets with respect to ticket purchases for community events, for Council's consideration.

MOVED BY: Councillor Trevor Giertuga

SECONDED BY: Councillor Greg Johnsen

WITH RESPECT to the memorandum from Councillor Trevor Giertuga, dated May 3, 2024, we recommend that City Councillor's publicly funded Council accounts shall no longer be utilized to attend functions such as Community Dinners, Breakfasts, and Retirement Celebrations with the exception of duties assigned to the Acting Mayor where the Acting Mayor budget is assigned;

AND THAT any relevant policies or procedures be updated to reflect this change;

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

LOST

17. Outstanding Items - Administrative Services

Memorandum from City Clerk Krista Power dated May 14, 2024 relative to the above noted, for information.

18. New Business

18.1 Establishment of Closed Session - Monday, June 3, 2024

The following recommendation will be presented for Council's consideration:

MOVED BY: Councillor Greg Johnsen

SECONDED BY: Councillor Andrew Foulds

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, June 3, 2024 at 4:30 p.m. in order to receive information pursuant to the Municipal Act (Section 239 (2)) relative to:

(c) a proposed or pending acquisition or disposition of land by the municipality or local board;

(d) labour relations or employee negotiations;

(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

19. Adjournment

The meeting adjourned at 9:58 p.m.