



Committee of the Whole Meeting Minutes

Monday, September 23, 2024

Committee of the Whole – Special Session in the McNaughton Room at 4:34 p.m.

Present: Councillor Albert Aiello
Councillor Andrew Foulds
Councillor Trevor Giertuga
Councillor Brian Hamilton
Councillor Greg Johnsen
Councillor Dominic Pasqualino
Councillor Michael Zussino

Officials: Dana Earle, Deputy City Clerk
John Collin, City Manager
Patty Robinet, City Solicitor

1. Committee of the Whole - Special Session

Chair: Councillor Andrew Foulds

1.1 Establishment of Committee of the Whole - Closed Session

At the September 16, 2024 Committee of the Whole meeting the following resolution was passed to establish a Committee of the Whole - Closed Session meeting on Monday, September 23, 2024:

MOVED BY: Councillor Greg Johnsen
SECONDED BY: Councillor Albert Aiello

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, September 23, 2024 at 5:00 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.

Amendment - Establishment of Committee of the Whole - Closed Session

The following resolution was presented to amend the purpose of the September 23, 2024 Committee of the Whole - Closed Session meeting:

MOVED BY: Councillor Greg Johnsen

SECONDED BY: Councillor Dominic Pasqualino

WITH RESPECT to the resolution to establish the Monday, September 23, 2024 Committee of the Whole – Closed Session, we recommend that the following reason be added:

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

(h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;

(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;

(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

Amended - Establishment of Committee of the Whole - Closed Session

MOVED BY: Councillor Greg Johnsen

SECONDED BY: Councillor Albert Aiello

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, September 23, 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;
- (h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them;
- (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;
- (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 4:36 p.m.

- Present:
- Councillor Rajni Agarwal
 - Councillor Albert Aiello
 - Councillor Mark Bentz
 - Councillor Shelby Ch'ng
 - Councillor Kasey Etrei
 - Councillor Andrew Foulds
 - Councillor Trevor Giertuga
 - Councillor Brian Hamilton
 - Councillor Greg Johnsen
 - Councillor Kristen Oliver
 - Councillor Dominic Pasqualino
 - Councillor Michael Zussino

- Officials:
- Dana Earle, Deputy City Clerk
 - John Collin, City Manager

Patty Robinet, City Solicitor
Karen Lewis, General Manager - Corporate Services
Keri Greaves, City Treasurer

2. Committee of the Whole – Closed Session

Chair: Councillor Andrew Foulds

2.1 Disclosures of Interest

2.2 Reports of Municipal Officers

2.2.1 Labour Relations Matter - Collective Bargaining Mandate for the Ontario Nurses' Association (ONA)

Director Human Resources Karie Ortgiese, Employee Relations Manager Erin Anderson, Senior Employee Relations Consultant Liane MacIntosh, General Manager Community Services Kelly Robertson and Administrator Pioneer Ridge Lee Mesic entered the meeting room.

Report 2024CLS.025 (Human Resources) was distributed to Members of Council, City Manager, Director - Human Resources and City Solicitor only.

Erin Anderson provided an overview and responded to questions.

It was consensus of Committee to proceed as directed.

The Deputy City Clerk advised that the amended resolution will be presented to Committee of the Whole to be held later in the evening.

2.2.2 Labour Relations Matter - Collective Bargaining Mandates for Unifor Local 229 (Pioneer Ridge Homes for the Aged) and Unifor Local 229 (Jasper Place)

Report 2024CLS.032 (Human Resources) was distributed to Members of Council, City Manager, Director - Human Resources and City Solicitor only.

Senior Employee Relations Consultant Liane MacIntosh provided an overview and responded to questions.

Employee Relations Manager Erin Anderson responded to questions.

It was consensus of Committee to proceed as directed.

The Deputy City Clerk advised that the amended resolution will be presented to Committee of the Whole to be held later in the evening.

Director Human Resources Karie Ortgiese, Employee Relations Manager Erin Anderson, Senior Employee Relations Consultant Liane MacIntosh, General Manager Community Services Kelly Robertson and Administrator Pioneer Ridge Lee Mesic left the meeting room.

2.2.3 Property Related Matter - Information

Deputy City Solicitor Cynthia Cline, General Manager Infrastructure, Development & Operations Kerri Marshall, Project Manager Aaron Ward, Director Development Services Joel DePeuter and Manager Realty Services Deanna Walker entered the meeting room.

Sylvain Rouleau - Weir Foulds entered the meeting via MS Teams.

Confidential Memorandum from Deputy City Solicitor Cynthia Cline dated September 23, 2024 was distributed to Members of Council, City Manager, City Solicitor, General Manager - Corporate Services, General Manager - Infrastructure, Development & Operations only.

City Manager John Collin provided an overview.

City Solicitor Patty Robinet and Joel DePeuter provided an overview and responded to questions.

Patty Robinet and Sylvain Rouleau responded to questions.

John Collin responded to questions.

Cynthia Cline responded to questions.

City Treasurer Keri Greaves responded to questions.

Joel DePeuter responded to questions.

General Manager Infrastructure, Development & Operations Kerri Marshall responded to questions.

Project Engineer Aaron Ward responded to questions.

It was consensus of Committee to proceed as directed.

The Deputy City Clerk advised that the amended resolution will be presented to Committee of the Whole to be held later in the evening.

Sylvain Rouleau - Weir Foulds left the meeting.

2.2.4 Property Related Matter - Availability of Lands for Potential Housing Development

Report 2024CLS.041 (Realty Services) was distributed to Members of Council, City Manager, General Manager - Infrastructure, Development & Operations and City Solicitor only.

General Manager Infrastructure, Development & Operations Kerri Marshall provided an overview.

Director Development Services Joel DePeuter provided an overview.

Manager Realty Services Deanna Walker provided a presentation.

City Manager John Collin provided an overview.

Joel DePeuter responded to questions.

John Collin responded to questions.

Deanna Walker responded to questions.

Project Manager Aaron Ward responded to questions.

Committee of the Whole – Open Session in the S.H. Blake Auditorium at 6:42 p.m.

Present: 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: Dana Earle, Deputy City Clerk
John Collin, City Manager
Patty Robinet, City Solicitor
Karen Lewis, General Manager - Corporate Services
Kerri Marshall, General Manager - Infrastructure, Development & Operations
Kelly Robertson, General Manager - Community Services
Keri Greaves, City Treasurer
Cynthia Olsen, Director - Strategy & Engagement
Karie Ortgiese, Director - Human Resources
Krista Power, Director – Legislative Services & City Clerk
Kathleen Cannon, Director – Revenue
Andrea Morrision, Deputy City Treasurer
Kerri Bernardi, Manager – Safety & Wellness
Doug Vincent, Manager – Licensing & Enforcement
Rachel Labate, Accountant
Danielle Thom, Climate Action Specialist
Gordon Stover, Committee & Meeting Management System Coordinator

3. Open Session (Administrative Services)

Chair: Councillor Michael Zussino

4. Disclosures of Interest

5. Confirmation of Agenda

MOVED BY: Councillor Shelby Ch'ng

SECONDED BY: Councillor Greg Johnsen

WITH RESPECT to the September 23, 2024 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

6. Presentations

6.1 Citizens of Outstanding Achievement Award Presentation - September 23, 2024

Memorandum from Krista Power, Director of Legislative Services & City Clerk dated September 10, 2024 requesting to present the Citizens of Outstanding Achievement – Monthly Awards.

Chair Anthony Foglia - Official Recognition Committee along with Councillor Michael Zussino appeared before Committee and presented the Citizens of Outstanding Achievement - Monthly Awards to the following individuals:

Lori Adamson

Ella Nichols

Societa Principe Di Piemonte Ladies Auxiliary

Heidi Kruger, Erin Black, Caroline Kauzlarich, Yvette DeGagne & Carolyn Milne

6.2 Council Composition Review Update – Phase 1

Memorandum from Krista Power, Director of Legislative Services & City Clerk dated September 4, 2024 requesting that Chair Rebecca Johnson provide a presentation, for information.

Chair Rebecca Johnson - Council Composition Review Committee appeared before Committee, provided a PowerPoint presentation and responded to questions.

7. Items Arising from Closed Session

7.1 Property Related Matter - Information

Confidential Memorandum from Deputy City Solicitor Cynthia Cline dated September 23, 2024 was previously presented at the Committee of the Whole - Closed Session meeting held earlier in the evening.

The Deputy City Clerk advised that the resolution will 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 Trevor Giertuga

WITH RESPECT to the Confidential Memorandum from Deputy City Solicitor Cynthia Cline dated September 23, 2024, we recommend that Administration proceed as directed in Closed Session.

CARRIED

7.2 Labour Relations Matter - Collective Bargaining Mandate for the Ontario Nurses' Association (ONA)

Report 2024CLS.025 (Human Resources) was previously presented at Committee of the Whole - Closed Session held earlier in the evening.

MOVED BY: Councillor Kasey Etreni
SECONDED BY: Councillor Albert Aiello

WITH RESPECT to Report 2024CLS.025 (Human Resources), we recommend that Administration proceed as directed in Closed Session.

CARRIED

7.3 Labour Relations Matter - Collective Bargaining Mandates for Unifor Local 229 (Pioneer Ridge Home for the Aged) and Unifor Local 229 (Jasper Place)

Report 2024CLS.032 (Human Resources) was previously presented at Committee of the Whole - Closed Session held earlier in the evening.

MOVED BY: Councillor Brian Hamilton
SECONDED BY: Councillor Shelby Ch'ng

WITH RESPECT to Report 2024CLS.032 (Human Resources), we recommend that Administration proceed as directed in Closed Session.

CARRIED

8. Reports of Committees, Boards and Outside Agencies

8.1 Thunder Bay Police Services Board Minutes

Minutes of the Thunder Bay Police Service Board meetings held on April 23, 2024, May 21, 2024 and June 18, 2024, respectively, for information.

8.2 Accessibility Advisory Committee

Minutes of meeting 04-2024 of the Accessibility Advisory Committee held on June 12, 2024, for information

8.3 Audit Committee

Minutes of Meeting 01-2024 of the Audit Committee held on February 1, 2024, for information.

8.4 Council Composition Review Committee

Minutes of Meetings 06-2024 and 07-2024 of the Council Composition Review Committee held on May 7, 2024 and June 4, 2024 respectively, for information.

9. Reports of Municipal Officers

9.1 City Manager By-law

Report 365-2024 - City Manager's Office - Human Resources recommending that a new by-law be adopted by Council (and the current one repealed) so as to update and standardize the duties and responsibilities of the City Manager.

Director Human Resources Karie Ortgiese appeared before Committee and provided a PowerPoint presentation.

MOVED BY: Councillor Kristen Oliver

SECONDED BY: Councillor Kasey Etreni

WITH RESPECT to Corporate Report 365-2024 - City Manager – Human Resources we recommend that the draft City Manager By-law, as attached to this report as Attachment “A”, be approved and brought forward for formal presentation at the October 7, 2024 meeting;

AND THAT the current City Manager By-law (being By-law Number 84-1993) be brought forward for repeal in addition to Chapter 113, titled City Manager – Duty, of the Municipal Code at the October 7, 2024 City Council meeting.

CARRIED

9.2 Safety Mid-Year Update 2024

Report 346-2024 - City Manager's Office - Human Resources providing an overview of safety-related incidents for the period of January – June 2024, for information only.

9.3 Unsuccessful Tax Sale Properties

Report 353-2024 - Corporate Services - Revenue recommending that the City Treasurer vest unsuccessful tax sale properties, as recommended in this Report.

Confidential Memorandum from Kathleen Cannon, Director - Revenue dated September 9, 2024 relative to Report 353-2024 Unsuccessful Tax Sale Properties was distributed separately to Members of Council, City Manager, General Manager - Corporate Services, City Treasurer and City Solicitor only on Friday, September 20, 2024.

MOVED BY: Councillor Brian Hamilton

SECONDED BY: Councillor Albert Aiello

WITH RESPECT to Report 353-2024-Corporate Services-Revenue, we recommend that Administration be authorized to enter into agreements with the Crown relative to any Crown liens registered against the following properties that did not sell in the 2024 tax sale:

<u>Roll Number</u> <u>2024</u>	<u>Address</u>	<u>Balance at August 31,</u>
04.144.00400.0000	130 May Street South	\$845,556.81
04.173.36300.0000	814 112 th Street	\$3,736.02
04.217.08300.0000	113 Amelia Street West	\$43,899.57

AND THAT upon entering into agreements with the Crown relative to any Crown liens, the City Treasurer vest the following properties in the name of the municipality being properties having a low environmental risk and that the properties be retained by the municipality:

<u>Roll Number</u>	<u>Address</u>
04.173.36300.0000	814 112 th Street

AND THAT upon entering into agreements with the Crown relative to any Crown liens, the City Treasurer vest the following properties in the name of the municipality, having low environmental risk and that the properties be declared surplus to municipal needs and advertised for sale on the open market:

<u>Roll Number</u>	<u>Address</u>
04.144.00400.0000	130 May Street South
04.217.08300.0000	113 Amelia Street West

AND THAT upon the vesting of properties, taxes be written off as uncollectible;

AND THAT immediately upon the vesting of properties, Administration take the appropriate steps to manage all risks associated with ownership of the properties;

AND THAT the Director – Development Services be authorized to execute all required documentation with respect to the sale of the properties in a content and form satisfactory to the Manager - Realty Services;

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

CARRIED

9.4 Application for Cancellation, Reduction or Refund of Taxes Under Section 357 of the Municipal Act

Report 338-2024 - Corporate Services - Revenue recommending the cancellation, reduction and/or refund of property taxes, totaling \$56,136.19.

Confidential Memorandum from Chantal Harris, Manager - Billing & Collection Services dated September 10, 2024 relative to Report 338-2024 Proposed Tax Reductions Arising from Application Under Section 357 of the Municipal Act, 2001 was distributed separately to Members of Council, City Manager, General Manager - Corporate Services, City Treasurer and City Solicitor only on Friday, September 20, 2024.

MOVED BY: Councillor Andrew Foulds

SECONDED BY: Councillor Kasey Etreni

WITH RESPECT to Report 338-2024-Corporate Services-Revenue, we recommend that the cancellation, reduction or refund of taxes totaling \$56,136.19 as outlined in the Report be approved;

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

CARRIED

9.5 Application For Cancellation, Reduction of Refund of Taxes Under Section 358 of The Municipal Act

Report 339-2024 - Corporate Services - Revenue recommending the reduction and/or refund of property taxes, totaling \$24,080.58 in accordance with Section 358 of the Municipal Act, 2001.

Confidential Memorandum from Chantal Harris, Manager - Billing & Collection Services dated September 10, 2024 relative to Report 339-2024 Proposed Tax Reductions Arising from Application Under Section 358 of the Municipal Act, 2001 was distributed separately to Members of Council, City Manager, General Manager - Corporate Services, City Treasurer and City Solicitor only on Friday, September 20, 2024.

MOVED BY: Councillor Trevor Giertuga

SECONDED BY: Councillor Kristen Oliver

WITH RESPECT to Report 339-2024-Corporate Services– Revenue, we recommend that the cancellation, reduction or refund of taxes totaling \$24,080.58 due to gross or manifest errors in the preparation of the assessment rolls as outlined in the Report be approved;

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

CARRIED

9.6 Request for Review – Municipal Accommodation Tax

At the March 25, 2024 Committee of the Whole meeting a resolution was passed recommending that Administration review the Municipal Accommodation Tax program to determine if an increase in the tax is warranted and report back with options for Council’s consideration.

Report 262-2024 - Corporate Services - Revenue recommending that the Municipal

Accommodation Tax rate should be increased from 4% to 5% effective January 1, 2025, to support the municipal infrastructure projects and programs that promote tourism and benefit both residents and visitors.

Memorandum from Karen Lewis - General Manager - Corporate Services dated September 11, 2024 requesting a presentation.

Director Revenue Kathleen Cannon and Accountant Rachel Labate appeared before Committee, provided a PowerPoint presentation and responded to questions.

MOVED BY: Councillor Kasey Etreni
SECONDED BY: Councillor Rajni Agarwal

WITH RESPECT to Report 262-2024-Corporate Services-Revenue, we recommend that the Municipal Accommodation Tax (MAT) rate be increased from 4% to 5% effective January 1, 2025;

AND THAT By-law 74/2018 be amended by changing the MAT rate from 4% to 5% and deleting Schedule A and Schedule B;

AND THAT Outstanding List Item 2024-004-ADM Corporate Services – Request for Review - Municipal Accommodation Tax, be removed from the Outstanding List;

AND THAT the amendment to By-law 74-2018 be presented to City Council for ratification on October 7, 2024.

CARRIED

9.7 Reserve & Reserve Fund Amendments and Additions

Report 335-2024 - Corporate Services - Office of the City Treasurer recommending that Council approve the amendments to the Capital General Reserve Fund and Stabilization Reserve as outlined in this report.

MOVED BY: Councillor Albert Aiello
SECONDED BY: Councillor Brian Hamilton

WITH RESPECT to Report 335-2024-Corporate Services-Office of the City Treasurer, we recommend that the amendments to the Capital General Reserve Fund and Stabilization Reserve be approved as outlined in this Report.

AND THAT By-law Schedule 8 to By-law 220-2023 - Capital General Reserve Fund Policy be repealed and replaced with the revised Schedule 8 - Capital General

Reserve Fund as appended in Attachment 1;

AND THAT the Stabilization Reserve schedule within Appendix A – Schedule of Reserves included in the Reserve and Reserve Fund Policy (Policy No. 05-01-08) be replaced with the revised Stabilization Reserve schedule as appended in Attachment 2;

AND THAT a Recreation & Culture Capital Reserve Fund and Thunder Bay Community Tennis Centre Capital Reserve Fund be created as detailed in this Report;

AND THAT By-law 220-2023 be amended by adding Schedules 49 and 50, as appended in Attachments 3 and 4;

AND THAT the Art in Public Places Trust Fund, Community Centres Reserve Fund, and Fort William Stadium Reserve Fund be repealed and closed. The remaining balances and commitments will be transferred to the Recreation & Culture Capital Reserve Fund as detailed in this Report;

AND THAT By-law 220-2023 be further amended by repealing Schedule 12 - Community Centres Reserve Fund and Schedule 20 - Fort William Stadium Reserve Fund;

AND THAT By-law 220-2023 be further amended by adding Schedule 51 -Building Faster Fund Reserve Fundas appended in Attachment 5;

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

CARRIED

10. First Reports

10.1 Boulevard Garden and Maintenance By-law Report

At the September 20, 2021 Committee of the Whole meeting, a resolution was passed recommending that Administration review the enforcement of a boulevard garden and maintenance bylaw as outlined in Report R 120/2021 (Development & Emergency Services/Licensing & Enforcement).

Report 349-2024 - City Manager's Office - Strategic Initiatives & Engagement recommending the draft Boulevard Garden and Maintenance By-law as appended to

this report as Attachment A be approved.

Memorandum from Cynthia Olsen, Director - Strategy & Engagement dated September 10, 2024 requesting the opportunity for Danielle Thom – Climate Action Specialist to provide a presentation.

Danielle Thom – Climate Action Specialist appeared before Committee provided a PowerPoint presentation and responded to questions.

This report was introduced as a 'first report' to allow Committee of the Whole and the general public time to consider the implications of the report before the following recommendations are considered by Committee of the Whole on October 28, 2024.

MOVED BY: Councillor Andrew Foulds
SECONDED BY: Councillor Trevor Giertuga

WITH RESPECT to Report 349-2024 - City Manager's Office - Strategic Initiatives & Engagement, we recommend that the recommendations included in this report be re-presented at the October 28, 2024 Committee of the Whole meeting for approval and include any feedback received internally and externally for information.

CARRIED

11. Petitions & Communications

11.1 Outstanding Item- Request for Deferral- Cemetery By-Law

Memorandum from Matthew Pearson, Manager - Central Support dated September 13, 2024 recommending a revised report back date for Outstanding Item 2024-101-INO - Cemetery By-Law.

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

WITH RESPECT to the Memorandum from Matt Pearson, Manager – Central Support Infrastructure, Development and Operations, dated September 13, 2024, we recommend that Outstanding Item 2024-101-INO-Cemetery By-Law be deferred from October 7, 2024 to on or before December 16, 2024.

CARRIED

12. Outstanding Items

12.1 Outstanding Items - Administrative Services

Memorandum from Krista Power, Director of Legislative Services & City Clerk dated September 10, 2024 containing the Outstanding List for Administrative Services.

13. Adjournment

The meeting adjourned at 9:14 p.m.