Committee of the Whole Meeting Minutes

Monday, December 9, 2024
Committee of the Whole – Special Session in the McNaughton Room at 5:30 p.m

Present: Mayor Ken Boshcoff
Councillor Rajni Agarwal
Councillor Albert Aiello
Councillor Mark Bentz
Councillor Shelby Ch'ng
Councillor Kasey Etreni
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

Vice-Chair: Councillor Brian Hamilton

1.1 Establishment of Committee of the Whole - Closed Session

At the December 2, 2024 Committee of the Whole meeting the following resolution was passed to establish a Committee of the Whole - Closed Session meeting on Monday, December 9, 2024:

MOVED BY: Mayor Ken Boshcoff
SECONDED BY: Councillor Michael Zussino

THAT a Committee of the Whole - Closed Session meeting be scheduled for Monday, December 9, 2024 at 5:30 p.m. in order to receive information pursuant to the Municipal Act (Section 239 (2)) relative to:

(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.

Amendment - Establishment of Committee of the Whole - Closed Session

The following resolution will be presented to amend the purpose of the December 9, 2024 Committee of the Whole - Closed Session meeting:

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

WITH RESPECT to the resolution to establish the Monday, December 9, 2024 Committee of the Whole – Closed Session, we recommend that the following reasons be added:

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

(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;

(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: Mayor Ken Boshcoff
SECONDED BY: Councillor Michael Zussino

THAT a Committee of the Whole - Closed Session meeting be scheduled for Monday, December 9, 2024 at 5:30 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;

(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.

(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;

(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 5:31 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 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
Keri Greaves, Commissioner - Corporate Services & 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 Property Related Matter

Kerri Marshall, Commissioner - Growth, Joel DePeuter, Director - Development Services, Deanna Walker, Manager - Realty Services, Peder Olsen, Property Agent and Cynthia Cline, Deputy City Solicitor entered the meeting room.

John Collin, City Manager provided a PowerPoint Presentation.

Joel DePeuter responded to questions.

Deanna Walker responded to questions.

John Collin responded to questions.

Kerri Marshall, Joel DePeuter, Deanna Walker, Peder Olsen and Cynthia Cline left the meeting room.

2.2.2 Legal Matter - Litigation

Allan McKitrick and Annie McKitrick - McKitrick's Law Office and Kathleen Cannon, Director - Revenue entered the meeting room.

Report 2024CLS.038 (Legal Services) was distributed to Members of Council, City Manager, City Solicitor and General Manager – Corporate Services & City Treasurer.

Allan McKitrick provided a PowerPoint Presentation.

Patty Robinet, City Solicitor responded to questions.

Allan McKitrick responded to questions.

Kathleen Cannon responded to questions.

John Collin, City Manager responded to questions.

Committee of the Whole – Open Session in the S. H. Blake Auditorium at 6:47 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 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
Keri Greaves, Commissioner - Corporate Services & City Treasurer
Kerri Marshall, Commissioner – Growth
Kayla Dixon, Commissioner – Infrastructure & Operations
Leah Prentice, Acting Commissioner - Community Services
Gordon Stover, Committee & Meeting Management System Coordinator

3. Open Session (Community Services)

Chair: Councillor Shelby Ch'ng

4. Disclosures of Interest

5. Confirmation of Agenda

MOVED BY: Councillor Brian Hamilton
SECONDED BY: Mayor Ken Boshcoff

WITH RESPECT to the December 9, 2024 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

6. Reports of Committees, Boards and Outside Agencies

6.1 Community, Youth & Cultural Funding Appeals Committee Minutes

Meeting 02-2023 of the Community, Youth & Cultural Funding Appeals Committee, held on November 22, 2023, for information.

6.2 District of Thunder Bay Social Services Administration Board Minutes

Minutes of Meetings 17-2024 (Open) and 18-2024 (Closed) of the District of Thunder Bay Social Services Administration Board held on October 17, 2024, for information.

7. Reports of Municipal Officers

7.1 2025 Interim Tax Levy

Report 423-2024 - Corporate Services - Revenue recommending an interim property tax levy of 50% of the 2024 property tax obligation, collected over two installments due March 5 and May 7, 2025.

MOVED BY: Mayor Ken Boshcoff
SECONDED BY: Councillor Michael Zussino

WITH RESPECT to Report 423-2024-Corporate Services-Revenue, we recommend that the 2025 interim tax levy be established at 50% of the 2024 final tax obligation;

AND THAT the 2025 interim tax levy be due in two installments, March 5 and May 7;

AND THAT the penalty shall be one and one-quarter per cent (1.25%) of the amount in default on the first day immediately following the installment due date for tax installments due in 2025;

AND THAT interest shall be one and one-quarter per cent (1.25%) against all amounts that have become due and remain unpaid. Such interest shall be calculated and imposed on the first day of the calendar month;

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

CARRIED

7.2 CEDC/NRCAN Plug-In Thunder Bay Electric Charger Funding Program

Report 428-2024 - Community Services - Fleet Services recommending Council approval to increase the 2023 Electric Truck capital budget project by $4,284.82 in order to reflect the value of the funding received by Natural Resources Canada through the CEDC Plug-In Thunder Bay Fund.

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

WITH RESPECT to Report 428-2024-Community Services-Fleet Services, we recommend that Appropriation 23 be approved to increase the existing 2023 capital budget in order to record $4,284.82 of grant funding awarded by Natural Resources Canada through the Thunder Bay Community Economic Development Commission Plug-In Thunder Bay Fund;

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

CARRIED

8. Petitions and Communications

8.1 To Repeal and Replace Authorization in Report 284-2023 – Property Description Correction

Memorandum from Shannon Labelle, Acting Senior Planner, dated November 27, 2024 containing a recommendation requesting that the property description as contained in Report 284-2023 be corrected to allow for the authorization required for the Condominium Exemption By-law 355-2024.

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 Albert Aiello
SECONDED BY: Councillor Kasey Etreni

WITH RESPECT to the Memorandum from Shannon Labelle, Acting Senior Planner, dated November 27, 2024, recommending an exemption under Section 51 of the Planning Act, pursuant to Section 9(6) of the Condominium Act to be granted for a

five unit vacant land plan of condominium Part Lot 8 Plan 371 McIntyre, Parts 1, 2, 3 and 4 55R15221; subject to an easement over Part 3 55R15221 as in TBR331905; Subject to an easement over Part 1 55R15221 as in TBR337559; subject to an easement as in TY332841; in the City of Thunder Bay, in the District of Thunder Bay, municipally known as 1457 John Street Road;

AND THAT By-law 355-2024 be presented to City Council for ratification on December 9, 2024.

CARRIED

8.2 Outdoor Rink Options - Request for Deferral

At the June 3, 2024 Committee of the Whole meeting, a resolution was passed recommending that Administration investigate the various options relative to Outdoor Rinks was presented. The resolution requested Administration report back on or before December 16, 2024.

Memorandum from Cory Halvorsen, Manager - Parks & Open Spaces, dated November 22, 2024 containing a recommendation requesting the report back date for Outdoor Rink Options Item be deferred from December 16, 2024 to March 2, 2025.

MOVED BY: Councillor Michael Zussino
SECONDED BY: Mayor Ken Boshcoff

WITH RESPECT to the Memorandum from Cory Halvorsen, Manager – Parks & Open Spaces, dated November 22, 2024, we recommend that report back date for Outdoor Rink Options be deferred from December 16, 2024 to March 3, 2025;

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

CARRIED

8.3 Cemetery By-Law – Request for Deferral - Outstanding Item 2024-101-INO

At the June 3, 2024 Committee of the Whole meeting, a resolution was passed recommending that Administration review the feasibility of including pets in cemeteries and to report back on or before October 7, 2024. At the September 23, 2024 Committee of the Whole meeting, a resolution was passed deferring the O/S item to December 16, 2024 COW.

Memorandum from Matt Pearson, Senior Advisor - Growth, dated November 27,

2024 containing a recommendation requesting the report back date for Cemetery By-Law Item be deferred from December 16, 2024 to February 10, 2025.

MOVED BY: Councillor Dominic Pasqualino
SECONDED BY: Mayor Ken Boshcoff

WITH RESPECT to the Memorandum from Matt Pearson, Senior Advisor - Growth, dated November 27, 2024, we recommend that Outstanding Item 2024-101-INO-Cemetery By-Law be deferred from December 16, 2024 to on or before February 10, 2025;

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

CARRIED

9. Outstanding Items

There are currently no listed Outstanding Items for the Community Services Session.

10. New Business

10.1 Establishment of Committee of the Whole - Closed Session - December 16, 2024

The following resolution will be presented to Committee of the Whole for consideration:

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

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, December 16, 2024 at 4:30 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;

(d) labour relations or employee negotiations; and

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

CARRIED

11. Adjournment

The meeting adjourned at 6:56 p.m.