



MEETING: Committee of the Whole

DATE: Monday, May 16, 2022 *Reference* COW – 26/53

CLOSED SESSION in the McNaughton Room at 4:40 p.m.

Committee of the Whole - Closed Session
Chair: Councillor Aldo Ruberto

PRESENT:

Mayor Bill Mauro
Councillor Albert Aiello
Councillor Andrew Foulds
Councillor Brian Hamilton
Councillor Aldo Ruberto

OFFICIALS:

Krista Power, City Clerk

OFFICIALS - ELECTRONIC PARTICIPATION:

ELECTRONIC PARTICIPATION:

Councillor Mark Bentz
Councillor Cody Fraser
Councillor Trevor Giertuga
Councillor Rebecca Johnson
Councillor Brian McKinnon
Councillor Kristen Oliver

DISCLOSURES OF INTEREST

REPORTS OF MUNICIPAL OFFICERS

2022CLS.014 Property Related Matter

Norm Gale, City Manager and Karen Lewis, General Manager - Development & Emergency Services entered the meeting room.

Cynthia Cline, Deputy City Solicitor, Joel DePeuter, Manager - Realty Services, Lisa Zawadski, Senior Property Agent and Allan McKitrick, McKitricks Law Office entered the meeting via MS Teams.

Report 2022CLS.014 (City Solicitor & Corporate Counsel) relative to the above noted was distributed to Members of Council, City Manager and City Solicitor only.

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

Joel DePeuter provided an overview relative to the above noted and responded to questions.

Allan McKitrick responded to questions.

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

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

Joel DePeuter, Lisa Zawadski, Karen Lewis and Allan McKitrick left the meeting.

Board Appointment - Tbaytel

Confidential Memorandum from City Clerk Krista Power dated May 11, 2022 relative to the above noted was distributed to Members of Council, City Manager, City Solicitor and General Manager - Corporate Services & Long Term Care only.

Linda Evans, General Manager - Corporate Services & Long Term Care entered the meeting via MS Teams.

It was the consensus of Committee to proceed as directed.

The City Clerk advised that this item would come out to Committee of the Whole and if passed would be presented for ratification.

Linda Evans and Cynthia Cline left the meeting.

SNEMS Master Plan District Consultation and Update of Work Plan

Confidential Memorandum from Karen Lewis, General Manager - Development & Emergency Services dated May 10, 2022 relative to the above noted was distributed to Members of Council, City Manager and City Solicitor only.

Karen Lewis entered the meeting room. Wayne Gates, Chief of SNEMS and Steve Harkness, Senior Labour Relations Consultant entered the meeting via MS Teams.

Karen Lewis provided an overview relative to the above noted and responded to questions.

Chief Wayne Gates responded to questions.

The City Clerk advised that this item was scheduled to be presented at Committee of the Whole later this evening and if passed be presented for ratification.

Karen Lewis, Chief Wayne Gates, Steve Harkness and Patty Robinet left the meeting.

City Manager Performance Review

Confidential Memorandum from Karie Ortgiese, Director - Human Resources & Corporate Safety dated April 26, 2022 relative to the above noted was distributed separately to Members of Council only.

Karie Ortgiese entered the meeting room.

Norm Gale, City Manager provided an overview and responded to question.orm Gale left the meeting room.

Karie Ortgiese provided an overview of the confidential documents.

It was the consensus of the Committee that this item be deferred to a future Committee of the Whole - Closed Session meeting.

Karie Ortgiese left the meeting.

Appeals to the New Zoning By-law 1/2022

Memorandum from Solicitor Michael Grimaldi dated May 11, 2022 relative to the above noted was distributed to Members of Council, City Manager and City Solicitor only.

Patty Robinet, Leslie McEachern, Director - Planning Services and Michael Grimaldi, Solicitor entered the meeting via MS Teams.

Michael Grimaldi responded to questions.

The meeting recessed at 6:53 p.m. It was consensus of Committee to reconvene Committee of the Whole (Open Session) immediately following City Council (Public Meeting).

OPEN SESSION in S.H. Blake Memorial Auditorium at 7:10 p.m.

Committee of the Whole - Planning Session
Chair: Councillor Aldo Ruberto

PRESENT:

Mayor Bill Mauro
Councillor Albert Aiello
Councillor Andrew Foulds
Councillor Brian Hamilton
Councillor Aldo Ruberto

OFFICIALS:

Krista Power, City Clerk
Karen Lewis, Acting City Manager
Jamie Kirychuk, Planner II
Lori Wiitala, Council & Committee Clerk

ELECTRONIC PARTICIPATION:

Councillor Mark Bentz
Councillor Cody Fraser
Councillor Trevor Giertuga
Councillor Rebecca Johnson
Councillor Brian McKinnon
Councillor Kristen Oliver

OFFICIALS - ELECTRONIC PARTICIPATION:

Patty Robinet, City Solicitor
Linda Evans, General Manager – Corporate Services
& Long Term Care & City Treasurer
Kerri Marshall, General Manager – Infrastructure &
Operations
Karie Ortgiese, Director – Human Resources &
Corporate Safety
Tracie Smith, Director – Strategic Initiatives &
Engagement
Chief Wayne Gates, Superior North EMS
Cynthia Olsen, Manager – Community Strategies
Kelly Andrew, Accountant

DISCLOSURES OF INTEREST

Councillor Albert Aiello declared a conflict relative to Report R 74/2022 Community Partnership Policy (05-06-02) as they are employed by Thunder Bay Boys and Girls Club who may be eligible.

Councillor Mark Bentz declared a conflict relative to City of Thunder Bay Landfill Gas Generation Project - Outstanding Item 2009-028 as they are a Synergy North Board Member.

Councillor Cody Fraser declared a conflict relative to Report R 90/2022 Pioneer Ridge Resident Call System with Marquee Signs - Request for Single Source Approval as a family member is employed by CRC Communications.

CONFIRMATION OF AGENDA

Confirmation of Agenda - May 16, 2022 - Committee of the Whole

MOVED BY: Councillor Andrew Foulds
SECONDED BY: Mayor Bill Mauro

WITH RESPECT to the May 16, 2022 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

AND THAT the order of the agenda be amended to allow for the presentation of Report R 74/2022 Community Partnership Policy (05-06-02) prior to the Memorandum from Cynthia Olsen, Manager – Community Strategies, Strategy Development for Reducing Homelessness and Poverty in Our Community.

CARRIED

PRESENTATIONS

Presentation - Citizen Satisfaction Survey Results

Memorandum from Tracie Smith, Director - Strategic Initiatives & Engagement, dated April 14, 2022, requesting that Diana MacDonald, Director - IPSOS, provide a presentation relative to the 2022 Citizen Satisfaction Survey results, for information.

Tracie Smith and Diana McDonald appeared before Committee via MS Teams and provided a presentation and responded to questions.

ITEMS ARISING FROM CLOSED SESSION

Legal Matter - Report 2021CLS.014 (Legal Services)

Report 2021CLS.014 (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.

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

WITH RESPECT to Report 2022CLS.014 (Legal Services) we recommend that Administration proceed as directed in Closed Session.

CARRIED

SNEMS Master Plan, District Consultation and Update on Work Plan

Confidential Memorandum from Karen Lewis, General Manager - Development & Emergency Services, dated May 11, 2022, 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 Albert Aiello
SECONDED BY: Councillor Brian Hamilton

WITH RESPECT to the Confidential Memorandum from Karen Lewis, General Manager – Development & Emergency Services and Chief Wayne Gates, Superior North EMS, dated May 10, 2022, we recommend that the date for Outstanding list item 2021-104-DEV relative to the Work Plan for Superior North EMS 2021-2030 Master Plan be changed from May 16, 2022 to July 25, 2022;

AND THAT Administration proceed as directed as outlined in the Confidential Memorandum.

CARRIED

Board Appointment – Tbaytel

Confidential Memorandum from City Clerk Krista Power, dated May 12, 2022, 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 Brian McKinnon
SECONDED BY: Councillor Andrew Foulds

WITH RESPECT to the recruitment of three individuals to serve as Directors on the Tbaytel Board, we recommend that the following be re-appointed:

- Stephanie Noel be appointed for a 3 year term, expiring June 30, 2025, or until such time as a replacement has been appointed;
- Scott Potts be appointed for a 3 year term, expiring June 30, 2025, or until such time as a replacement has been appointed;
- Paul Healey be appointed for a 3 year term, expiring June 30, 2025, or until such time as a replacement has been appointed;

AND THAT Administration be directed to bring forward an extension of the temporary amendment to By-law 257-2004 being a by-law to establish a Municipal Services Board known as Tbaytel, with respect to Section 2.03A (Qualifications for Some Members);

AND THAT the temporary amendment be extended until June 30, 2025.

CARRIED

REPORTS OF COMMITTEES, BOARDS AND OUTSIDE AGENCIES

Anti-Racism & Respect Advisory Committee Minutes

Minutes of Meeting 03-2022 of the Anti-Racism & Respect Advisory Committee held on March 28, 2022, for information.

Heritage Advisory Committee Minutes

Minutes of Meeting 04-2022 of the Heritage Advisory Committee held on March 24, 2022, for information.

REPORTS OF MUNICIPAL OFFICERS

Proposed Changes to Fence By-law

Report R 73/2022 (Development & Emergency Services - Municipal Enforcement Services) recommending that the City's Fencing By-law (Number 314-1994) be amended to exempt Federal and Provincial correctional and detention facilities from all but section 24 provisions, of By-law 314-1994.

MOVED BY: Mayor Bill Mauro
SECONDED BY: Councillor Rebecca Johnson

WITH RESPECT to Report R 73/2022 (Development & Emergency Services – Licensing & Enforcement Division), we recommend that the City's Fencing By-law 314-1994 be amended to exempt Federal and Provincial correctional and detention facilities from all but section 24 provisions, of By-law 314-1994;

AND THAT Outstanding Item Subject, "Fence Related Bylaws" (Reference No. 2021-114-DEV) be amended to a report back date of on or before December 18, 2023 on the Outstanding List for Planning Services;

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

CARRIED

Part Lot Control Exemption – Blocks 44-46, Weiler Blvd

Report R 85/2022 (Development & Emergency Services - Planning Services) recommending that the application by Syncor Contracting Limited for an exemption to Part Lot Control under Section 50(7) of the Planning Act, for the creation of no more than 17 lots in Registered Plan 55M-643, Blocks 44, 45 and 46, shown as "Property Location" on Attachment "A" to this report, be approved for a period of three years.

MOVED BY: Councillor Mark Bentz
SECONDED BY: Councillor Trevor Giertuga

WITH RESPECT to Report R 85/2022 (Development & Emergency Services – Planning Services), we recommend that the application by Syncor Contracting Limited for an exemption to Part Lot Control under Section 50(7) of the Planning Act, for the creation of no more than 17 lots in Registered Plan 55M-643, Blocks 44, 45 and 46, shown as "Property Location" on Attachment "A" to this report, be approved for a period of three years.

AND THAT the by-law to exempt the lands from Part Lot Control for three years, pursuant to Section 50(7) of the Planning Act be presented to City Council for ratification.

CARRIED

PETITIONS AND COMMUNICATIONS

Presentation - Breaking Free App

Memorandum from Cynthia Olsen, Manager - Community Strategies, dated May 3, 2022, requesting the opportunity for Christine Vita and Ashley Palmer from St. Joseph's Care Group to provide a presentation on Breaking Free.

Christine Vita, Manager, Residential & Clinical Programs - Thunder Bay Regional Health Sciences Centre and Ashley Palmer, Breaking Free Online Implementation Lead, Northwest Region - St. Joseph's Care Group appeared before Committee, provided a presentation and responded to questions.

Community Partnership Policy (05-06-02)

Report R 74/2022 (Corporate Services & Long-Term Care - Financial Services) recommending that the amended Community Partnership Policy be approved.

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 Albert Aiello declared a conflict and refrained from discussing or voting on the following resolution.

MOVED BY: Councillor Rebecca Johnson
SECONDED BY: Councillor Brian Hamilton

WITH RESPECT to Report R 74/2022 (Corporate Services & Long-Term Care), we recommend that the amended Community Partnership Policy be approved;

AND THAT \$800,000 be transferred from the Renew Thunder Bay Reserve Fund to the Community Partnership Reserve fund to bring the uncommitted balance to \$1.0 million;

AND THAT a sustaining Community Partnership Reserve Fund contribution be included in the proposed 2023 budget and annually thereafter;

AND THAT Administration report back in Q1, 2023 to present Community Partnership applications to Council for approval;

AND THAT Administration report back in Q3, 2024 to provide an update on the impact of the amended Community Partnership Policy for information purposes;

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

CARRIED

Strategy Development for Reducing Homelessness and Poverty in Our Community

Memorandum from Cynthia Olsen, Manager - Community Strategies, dated May 3, 2022, providing an update on the three strategies Administration was directed to take further action on as outlined in Report R 181/2021 (Development & Emergency Services – Community Strategies) for a multi-faceted approach to finance, leverage and influence solutions to address homelessness and poverty in Thunder Bay.

MOVED BY: Councillor Cody Fraser
SECONDED BY: Councillor Kristen Oliver

WITH RESPECT to the Memorandum from Cynthia Olsen – Manager, Community Strategies dated April 29, 2022, we recommend that Outstanding Item Subject, “Strategy Development for Reducing Homelessness and Poverty in Our Community” (Reference No. 2021-100-DEV) be removed from the Outstanding List for Planning Services;

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

CARRIED

New Zoning By-law 1/2022 - Status Update

Memorandum from Leslie McEachern, Director - Planning Services, dated May 4, 2022, providing an update on the status of the New Zoning By-law - BL 1/2022, which was approved April 11, 2022, for information.

Official Plan - Partial Servicing & Advanced Wastewater Treatment for Subdivisions

At the November 15, 2021 Committee of the Whole meeting a resolution was passed directing Administration to review the planned development or partially-serviced subdivisions and, in consultation with the Thunder Bay District Health Unit and Lakehead Region Conservation Authority review implications and other options which may be available including advanced treatment systems and to report back on or before February 14, 2022.

Memorandum from Leslie McEachern, Director - Planning Services, dated May 3, 2022, containing a recommendation and providing an update on the work underway following the Deputation by the Thunder Bay District Health Unit (TBDHU) to the Committee of the Whole on November 15, 2021.

MOVED BY: Mayor Bill Mauro
SECONDED BY: Councillor Andrew Foulds

WITH RESPECT to the Memorandum from Leslie McEachern, Director – Planning Services, dated May 3, 2022, we recommend that the report back date for Outstanding Item Subject, "Official Plan - Partial Servicing & Advanced Wastewater Treatment for Subdivisions" (Reference No. 2021-112-DEV) be amended from May 16, 2022 to September 12, 2022, to support a consultative and collaborative approach to this complex issue.

CARRIED

OUTSTANDING ITEMS

Outstanding List for Planning Services as of May 3, 2022

Memorandum from City Clerk Krista Power, dated May 3, 2022 providing the Planning Services Outstanding Items List, for information.

NEW BUSINESS

Request for Deferral – Sign By-law #135-1992 - Outstanding Item

Memorandum from Karen Lewis, General Manager - Development & Emergency Services, dated May 10, 2022 recommending a revised report back date for Item 2018-010-DEV Sign By-law #135-1992 Amendments on the outstanding list from May 16, 2022 to September 12, 2022.

MOVED BY: Councillor Rebecca Johnson
SECONDED BY: Councillor Albert Aiello

WITH RESPECT to the Memorandum from Karen Lewis, General Manager – Development & Emergency Services dated May 10, 2022, we recommend that the report back date for Outstanding Item No 2018-010-DEV Sign By-law #135-1992 be changed from May 16, 2022 to September 12, 2022.

CARRIED

OPEN SESSION in the S.H. Blake Memorial Auditorium

Committee of the Whole - Administrative Services Session
Chair: Councillor Mark Bentz

REPORTS OF COMMITTEES, BOARDS AND OUTSIDE AGENCIES

Thunder Bay Police Services Board Minutes

Minutes of Meeting 10 of the Fifty-Third Thunder Bay Police Services Board held on February 15, 2022, for information.

REPORTS OF MUNICIPAL OFFICERS

Payment Card Handling Policies

Report R 84/2022 (City Manager's Office - Strategic Initiatives & Engagement) recommending that the Payment Card Handling Policy – Attachment A and the PCI Security Policy – Attachment B be approved and included in the Corporate Policy Manual.

MOVED BY: Councillor Rebecca Johnson
SECONDED BY: Councillor Albert Aiello

WITH RESPECT to Report R 84/2022 (City Manager's Office - Strategic Initiatives & Engagement) we recommend that the Payment Card Handling Policy – Attachment A and the PCI Security Policy – Attachment B be approved and included in the Corporate Policy Manual;

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

CARRIED

Pioneer Ridge Resident Call System with Marquee Signs – Request for Single Source Approval

Report R 90/2022 (Corporate Services & Long Term Care - Long Term Care and Senior Services) recommending that CRC Communications Ltd. be awarded the contract to supply and install an upgraded resident call system with marquee signs at Pioneer Ridge at a total cost of \$62,400 plus HST.

Councillor Cody Fraser declared a conflict and refrained from discussing or voting on the following resolution

MOVED BY: Councillor Brian Hamilton

SECONDED BY: Councillor Aldo Ruberto

WITH RESPECT to Report R 90/2022 (Corporate Services and Long Term Care – Long Term Care and Senior Services), we recommend that CRC Communications Ltd. be awarded the contract to supply and install an upgraded resident call system with marquee signs at Pioneer Ridge in the amount of \$70,512.00 (inclusive of HST);

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

Contract 2, 2022 - Sidewalk & Pedestrian Crossover Construction

Report R 65/2022 (Infrastructure & Operations - Engineering & Operations) we recommend that Contract 2, 2022 – Sidewalk and Pedestrian Crossover Construction be awarded to Bay City Contractors who submitted the lowest compliant tender in the amount of \$1,230,010.65 [inclusive of HST], was distributed separately on Thursday, May 12, 2022.

The City Clerk advised that Report R 65/2022 - Contract 2, 2022 (Infrastructure & Operations - Engineering & Operations), has been withdrawn from the agenda and will be re-presented at a later date.

Contract 4, 2022 - Sewer & Watermain II

Report R 56/2022 (Infrastructure & Operations - Engineering & Operations) we recommend that Contract 4, 2022 Sewer and Watermain II be awarded to Nadin Contracting Ltd which submitted the lowest tender in the amount of \$2,982,581.89 (inclusive of HST), was distributed separately on Thursday, May 12, 2022.

The City Clerk advised that Report R 56/2022 - Contract 4, 2022 (Infrastructure & Operations - Engineering & Operations), has been withdrawn from the agenda and will be re-presented at a later date.

Contract 6, 2022 - Storm and Sanitary Sewer

Report R 57/2022 (Infrastructure & Operations – Engineering & Operations) recommending that Contract 6, 2022 Storm and Sanitary Sewer be awarded to Nadin Contracting Ltd, which submitted the lowest tender in the amount of \$3,087,941.11 (inclusive of HST), was distributed separately on Thursday, May 12, 2022.

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: Mayor Bill Mauro

WITH RESPECT to Report R 57/2022 (Infrastructure & Operations – Engineering & Operations), we recommend that Contract 6, 2022 Storm and Sanitary Sewer be awarded to Nadin Contracting Ltd, which submitted the lowest tender in the amount of \$3,087,941.11 (inclusive of HST); it being noted that the amount shown is based on estimated quantities; final payment for this Contract will be based on measured quantities for the complete work;

AND THAT the General Manager of Infrastructure and Operations report significant variations in the Contract quantities to City Council;

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

AND THAT Appropriation Change No. 15 be approved;

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

CARRIED

PETITIONS AND COMMUNICATIONS

City of Thunder Bay Landfill Gas Generation Project - Outstanding Item 2009-028

At the September 14, 2009 Committee of the Whole meeting, Report No. 2009.155 (Engineering) - City of Thunder Bay Landfill Gas Generation Project was presented requesting that the policy for the distribution of net proceeds between the City of Thunder Bay and TBHRPI and proposed amendments to the Agreement be presented to City Council for approval. The item has since been referred to be re-presented on or before May 16, 2022.

Memorandum from Linda Evans, General Manager - Corporate Services & Long-Term Care, dated May 3, 2022, recommending that the report back date relating to Outstanding Item 2009-028, City of Thunder Bay Landfill Gas Generation Project, be revised from May 16, 2022 to on or before December 22, 2025.

The Chair, Councillor Mark Bentz declared a conflict and refrained from discussing or voting on the following resolution.

Vice-Chair Councillor Brian Hamilton assumed the Chair.

MOVED BY: Councillor Rebecca Johnson
SECONDED BY: Councillor Trevor Giertuga

WITH RESPECT to the Memorandum from Linda Evans, General Manager – Corporate Services & Long Term Care dated May 3, 2022, we recommend that the report back date relating to Outstanding Item No. 2009-028, City of Thunder Bay Landfill Gas Generation Project, be revised from May 16, 2022 to on or before December 22, 2025 given that TBHRI debt covenants exist that prevent any royalty payments until the IO loans are fully repaid at the end of 2025.

CARRIED

OUTSTANDING ITEMS

Outstanding List for Administrative Services as of May 3, 2022

Memorandum from City Clerk Krista Power, dated May 3, 2022 providing the Administrative Services Outstanding Items List, for information.

NEW BUSINESS

Establishment of Closed Session Meeting – June 6, 2022

The following resolution will be presented to Committee of the Whole in order to establish Committee of the Whole – Closed Session on June 6, 2022.

MOVED BY: Councillor Rebecca Johnson
SECONDED BY: Councillor Andrew Foulds

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, June 6, 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;
- (c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- (d) labour relations or employee negotiations;
- (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

Establishment of a City Council Special Session - June 6, 2022

MOVED BY: Councillor Andrew Foulds

SECONDED BY: Councillor Albert Aiello

THAT a City Council – Special Session meeting be established for Monday, June 6, 2022 immediately following Committee of the Whole, for the purpose of ratifying any necessary resolutions from the May 16, 2022 and June 6, 2022 Committee of the Whole meetings.

CARRIED

ADJOURNMENT

The meeting adjourned at 8:46 p.m.