



MEETING: Committee of the Whole

DATE: Monday, September 13, 2021 *Reference No. COW – 36/52*

OPEN SESSION in the Martin Room at 4:33 p.m.

Committee of the Whole – Special Session
Vice Chair: Councillor Andrew Foulds

PRESENT:

Councillor Albert Aiello
Councillor Cody Fraser

OFFICIALS:

Dana Earle, Deputy City Clerk

ELECTRONIC PARTICIPATION:

Councillor Mark Bentz
Councillor Andrew Foulds
Councillor Trevor Giertuga
Councillor Rebecca Johnson
Councillor Brian McKinnon

OFFICIALS - ELECTRONIC PARTICIPATION:

Norm Gale, City Manager
Cynthia Cline, Acting City Solicitor
Linda Evans, General Manager – Corporate Services
& Long Term Care & City Treasurer

Establishment of Committee of the Whole – Closed Session

At the August 23, 2021 Committee of the Whole meeting, the following resolution was passed to establish the Committee of the Whole – Closed Session for September 13, 2021.

MOVED BY: Mayor Bill Mauro
SECONDED BY: Councillor Peng You

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, September 13, 2021 at 4:30 p.m. in order to receive information relative to the personal matters about an identifiable individual, including municipal or local board employees; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Resolution to Amend the Purpose of Closed Session

MOVED BY: Councillor Cody Fraser
SECONDED BY: Councillor Albert Aiello

WITH RESPECT to the resolution to establish the Monday, September 13, 2021 Committee of the Whole – Closed Session, we recommend that the following reason be added:

“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 Resolution – Establishment of Committee of the Whole – Closed Session

MOVED BY: Mayor Bill Mauro
SECONDED BY: Councillor Peng You

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, September 13, 2021 at 4:30 p.m. in order to receive information relative to the personal matters about an identifiable individual, including municipal or local board employees; labour relations or employee negotiations; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and 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

CLOSED SESSION in the Martin Room at 4:34 p.m.

Committee of the Whole – Closed Session

Chair: Councillor Aldo Ruberto

PRESENT:

Councillor Albert Aiello
Councillor Shelby Ch’ng
Councillor Cody Fraser
Councillor Brian Hamilton

OFFICIALS:

Dana Earle, Deputy City Clerk

OFFICIALS - ELECTRONIC PARTICIPATION:

Norm Gale, City Manager
Cynthia Cline, Acting City Solicitor
Linda Evans, General Manager – Corporate Services
& Long Term Care & City Treasurer

ELECTRONIC PARTICIPATION:

Mayor Bill Mauro
Councillor Mark Bentz

Councillor Andrew Foulds
Councillor Trevor Giertuga
Councillor Rebecca Johnson
Councillor Brian McKinnon
Councillor Kristen Oliver
Councillor Aldo Ruberto
Councillor Peng You

DISCLOSURES OF INTEREST

REPORTS OF MUNICIPAL OFFICERS

Legal Matter

2021CLS.032 (Human Resources & Corporate Safety) relative to the above noted, distributed to City Council, City Manager, City Solicitor, General Manager – Corporate Services & Long-Term Care & City Treasurer, and Director – Human Resources & Corporate Safety, only.

City Clerk Krista Power entered the meeting room.

Director – Human Resources & Corporate Safety Karie Ortgiese, Manager - Labour Relations Terry O'Neill, and Mark Mason, Hicks Morley Hamilton Stewart Storie LLP entered the meeting room via MS Teams.

Karie Ortgiese provided an overview and responded to questions.

Mark Mason responded to questions. Deputy City Clerk Dana Earle responded to questions. City Manager Norm Gale responded to questions. Acting City Solicitor Cynthia Cline responded to questions.

Mark Mason left the meeting room.

Human Resources Matter

2021CLS.029 (Human Resources & Corporate Safety) relative to the above noted, distributed to City Council, City Manager, City Solicitor, General Manager – Corporate Services & Long-Term Care & City Treasurer, and Director – Human Resources & Corporate Safety, only.

Senior Labour Relations Consultant Liane MacIntosh entered the meeting room via MS Teams.

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

The Deputy City Clerk advised that the recommendation relative to the above noted would be presented at the Committee of the Whole meeting to be held later in the evening.

Director – Human Resources & Corporate Safety Karie Ortgiese, Manager – Labour Relations Terry O'Neill and Liane MacIntosh left the meeting room.

Board Appointments

At the August 23, 2021 Committee of the Whole – Closed Session meeting, confidential memorandums from City Clerk Krista Power, dated August 18, 2021 relative to the above noted were presented. At that time, the memorandums were referred to Administration for more information.

Confidential memorandum from City Clerk Krista Power, dated September 8, 2021 relative to the above noted, distributed to Members of Council, City Manager and City Solicitor only.

Confidential memorandum from City Clerk Krista Power, dated September 8, 2021 relative to the above noted, distributed to Members of Council, City Manager and City Solicitor only.

Confidential memorandum from City Clerk Krista Power, dated September 8, 2021 relative to the above noted, distributed to Members of Council, City Manager and City Solicitor only.

Confidential memorandum from City Clerk Krista Power, dated September 9, 2021 relative to the above noted, distributed to Members of Council, City Manager and City Solicitor only.

City Clerk Krista Power provided an overview and responded to questions.

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

The Deputy City Clerk advised that the recommendation relative to the above noted would be presented at the Committee of the Whole meeting to be held later in the evening.

City Clerk Krista Power left the meeting room.

Litigation Update

2021CLS.026 (Legal Services) relative to the above noted, distributed to City Council, City Manager, City Solicitor, General Manager – Corporate Services & Long-Term Care & City Treasurer, and General Manager – Infrastructure & Operations, only.

General Manager – Infrastructure & Operations Kerri Marshall, Director – Environment Division Michelle Warywoda, Law Clerk & Land Development Specialist Deanna Walker, Larry Theall, Theall Group LLP, and Christiaan Jordaan, Theall Group LLP entered the meeting room via MS Teams.

Larry Theall provided an overview and responded to questions. City Manager Norm Gale responded to questions. Acting City Solicitor Cynthia Cline responded to questions. General Manager – Corporate Services & Long-Term Care and City Treasurer Linda Evans responded to questions.

OPEN SESSION in S.H. Blake Memorial Auditorium at 6:33 p.m.

Committee of the Whole - Operations Session

Chair: Councillor Brian McKinnon

PRESENT:

Councillor Albert Aiello
Councillor Shelby Ch'ng
Councillor Cody Fraser
Councillor Brian Hamilton

OFFICIALS:

Dana Earle, Deputy City Clerk
Leanne Lavoie, Council & Committee Clerk
Lori Wiitala, Council & Committee Clerk

ELECTRONIC PARTICIPATION:

Mayor Bill Mauro
Councillor Mark Bentz
Councillor Andrew Foulds
Councillor Trevor Giertuga
Councillor Rebecca Johnson
Councillor Brian McKinnon
Councillor Kristen Oliver
Councillor Aldo Ruberto
Councillor Peng You

OFFICIALS - ELECTRONIC PARTICIPATION:

Norm Gale, City Manager
Cynthia Cline, Acting City Solicitor
Linda Evans, General Manager – Corporate Services
& Long Term Care & City Treasurer
Kerri Marshall, General Manager – Infrastructure &
Operations
Kelly Robertson, General Manager – Community
Services
Karen Lewis, General Manager – Development &
Emergency Services
Tracie Smith, Director – Strategic Initiatives &
Engagement
Kayla Dixon, Director – Engineering & Operations
Jason Sherband, Manager – Solid Waste & Recycling
Services
Brad Loroff, Manager – Transit Services
Steven Murphy, Project Manager

DISCLOSURES OF INTEREST

Councillor Mark Bentz declared a conflict relative to Synergy North Corporation – Request for Board Member Compensation Increase and By-law Term Limit Proposed Provision and Report R 98/2021 Synergy North Corporation – Rate Model as he is a Synergy North Board Member.

CONFIRMATION OF AGENDA

Confirmation of Agenda - September 13, 2021 - Committee of the Whole

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

WITH RESPECT to the September 13, 2021 Committee of the Whole meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

DEPUTATIONS

Thunder Bay River Wave Project

Correspondence from Brett Sharman, Surfmasons River Surfing Association, dated August 26, 2021 requesting to provide a deputation relative to the above noted.

Brett Sharman appeared before Committee via MS Teams, provided a PowerPoint presentation and responded to questions.

Pat Forrest and Gord Knowles appeared before Committee via MS Teams and responded to questions.

Referral Resolution - Thunder Bay River Wave Project

MOVED BY: Councillor Andrew Foulds
SECONDED BY: Councillor Aldo Ruberto

WITH RESPECT to the deputation from Surfmasons River Surfing Association on September 13, 2021, we recommend that the contents of the deputation be referred to Administration to determine the feasibility of including the project in the City's Permit to Take Water and Water Management Plan for Boulevard Lake;

AND THAT Administration report back on or before March 7, 2022.

LOST

ITEMS ARISING FROM CLOSED SESSION

Board Appointments

Confidential memorandum from City Clerk Krista Power, dated September 9, 2021 relative to the above noted was presented in Closed Session held earlier in the evening.

Confidential memorandums from City Clerk Krista Power, dated September 8, 2021 relative to the above noted were presented in Closed Session held earlier in the evening.

The Deputy 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 Rebecca Johnson
SECONDED BY: Councillor Brian Hamilton

WITH RESPECT to the confidential memorandums from City Clerk Krista Power, dated September 8, 2021, relative to Board and Advisory Committee Appointments, we recommend that the following people be appointed:

THUNDER BAY PORT AUTHORITY

(1) One Citizen to serve a three year term expiring September 11, 2024, or as soon as their replacement has been appointed:

1. Patrick Bushby

THUNDER BAY INTERNATIONAL AIRPORT AUTHORITY

(1) One Citizen to serve a three year term expiring November 30, 2024, or as soon as their replacement has been appointed:

1. Ken Boshcoff
2. Margaret Wanlin

DOWNTOWN FORT WILLIAM REVITALIZATION COMMITTEE – Council Appointments

(2) Council Members to serve the remainder of a four year term expiring November 30, 2022, or as soon as their replacements have been appointed:

1. Councillor Mark Bentz
2. Councillor Brian Hamilton

DOWNTOWN FORT WILLIAM REVITALIZATION COMMITTEE – Citizen Appointments

(2) Citizens to serve a four year term expiring June 30, 2025, or as soon as their replacement has been appointed;

1. Robert Frenette
2. Scotia-leigh Kauppi

(2) Citizen to serve a three year term expiring June 30, 2024, or as soon as their replacement has been appointed;

1. Stephen Margarit
2. Scott Bradley

(1) Citizen to serve a two year term expiring June 30, 2023, or as soon as their replacement has been appointed.

1. Michael Larizza

CARRIED

Human Resources Matter

Report 2021CLS.029 (Human Resources & Corporate Safety) relative to the above noted was previously presented in Closed Session held earlier in the evening.

The Deputy 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 Kristen Oliver

WITH RESPECT to Report 2021CLS.029 (Human Resources & Corporate Safety) we recommend that the Memorandum of Settlement between the Corporation of the City of Thunder Bay and the International Brotherhood of Electrical Worker (IBEW), Local 339, Traffic Control and Street Lighting be approved;

AND THAT the Mayor and Clerk be authorized to execute all necessary agreements;

AND THAT the necessary by-law be presented to City Council for ratification.

CARRIED

PETITIONS AND COMMUNICATIONS

Asset Management Planning Update

Memorandum from Project Manager Steven Murphy, dated August 30, 2021 providing an update on the progress of the City of Thunder Bay's Asset Management Plan, for information.

Memorandum from Project Manager Steven Murphy, dated August 30, 2021 requesting to provide a presentation relative to the above noted.

Project Manager Steven Murphy appeared before Committee via MS Teams, provided a presentation and responded to questions.

Centennial Botanical Conservatory - Request for Supporting Resolution for Enhance Your Community Stream Fund

Memorandum from Manager – Parks and Open Spaces Cory Halvorsen, dated September 2, 2021 recommending application to the Northern Ontario Heritage Fund Corporation (NOHFC) Enhance Your Community Stream fund for the Centennial Botanical Conservatory Renewal.

The Deputy 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 Bill Mauro
SECONDED BY: Councillor Shelby Ch'ng

WITH RESPECT to the Memorandum from Cory Halvorsen, Manager – Parks and Opens Spaces dated September 2, 2021, we confirm Council's support of the \$7.1M Centennial Botanical Conservatory renewal and recommend that Administration submit an application to the Northern Ontario Heritage Fund Corporation (NOHFC) Enhance Your Community Stream fund for the Centennial Botanical Conservatory Renewal understanding that the City will be required to provide the additional funds to complete the project including any cost overruns that may occur;

AND THAT the General Manager of Infrastructure and Operations will be the authorized signing authority for the application;

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

Tactile Walking Indicators

Memorandum from Councillor Rebecca Johnson, dated August 24, 2021 containing a motion relative to the above noted.

MOVED BY: Councillor Rebecca Johnson
SECONDED BY: Councillor Kristen Oliver

WITH RESPECT to the Memorandum from Councillor Rebecca Johnson, dated August 24, 2021, we recommend that Administration implement a pilot project relating to tactile walking indicators that would include paint solutions for existing indicators as well as new pre-manufactured yellow indicators;

AND THAT the pilot project be in place from October 2021 – December 2023;

AND THAT the Accessibility Advisory Committee be consulted to determine two intersections to be included in the pilot project;

AND THAT Administration include the costs associated with the pilot project in the 2022 and 2023 budgets;

AND THAT Administration report back the outcome of the pilot project and research on tactile plate implementation in other Ontario municipalities on or before January 15, 2024 with potential recommendations for Council's consideration prior to final 2024 budget deliberations;

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

CARRIED

Request for Report – Mandatory Residential Solid Waste Containers

Memorandum from Councillor Aldo Ruberto, dated August 24, 2021 containing a motion relative to mandatory residential solid waste containers.

MOVED BY: Councillor Aldo Ruberto
SECONDED BY: Councillor Shelby Ch'ng

WITH RESPECT to the Memorandum from Councillor Aldo Ruberto dated August 24, 2021, we recommend that Administration review the requirement for mandatory residential solid waste containers;

AND THAT the report include options and costs associated with a mandatory system;

AND THAT Administration report back on or before March 31, 2022;

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

LOST

Synergy North Corporation – Request for Board Member Compensation Increase and By-law Term Limit Proposed Provision

Memorandum from City Clerk Krista Power, dated August 27, 2021 containing a recommendation and attaching a memorandum from President & CEO Tim Wilson, Synergy North, dated August 23, 2021 and memorandums from Synergy North Corporation and Thunder Bay Hydro Corporation Board Chair Gary Armstrong, dated August 23, 2021 relating a compensation increase for Board Members as well as a proposed amendment to the Synergy North by-law relating to term limits.

Synergy North Board of Directors Chair Gary Armstrong appeared before Committee via MS Teams and responded to questions.

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

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

WITH RESPECT to the Memorandum from Gary Armstrong, Chair – Synergy North Corporation and Thunder Bay Hydro Corporation relative to Board Member Compensation Increase and Term Limit Proposed Provision, we recommend that the annual stipend for Directors be increased from six thousand dollars (\$6,000) annually to seven thousand six hundred dollars (\$7,600) annually;

AND THAT the Chair of the Board receive an additional annual stipend which will be increased from one thousand five hundred (\$1,500) annually to two thousand (\$2,000) annually;

AND THAT Standing Committee Chairs receive an additional stipend which will be increased from one thousand dollars (\$1,000) annually to one thousand three hundred dollars (\$1,300) annually;

AND THAT in addition to the annual stipend, Directors receive an increase from one hundred dollars (\$100) to three hundred dollars (\$300) for all Board related meetings, including Board and Committee meetings;

AND THAT the compensation shall increase by an amount equal to the lesser of the average increase in Synergy North employee compensation and the Canada Consumer Price Index on an annual basis;

AND THAT the proposed by-law amendment to Synergy North By-law 1, being a by-law relating generally to the transaction of the business and affairs of Synergy North Corporation, section 3.5 Term Limit be presented to City Council for approval;

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

CARRIED

OUTSTANDING ITEMS

Outstanding List for Operations as of August 31, 2021

Memorandum from City Clerk Krista Power, dated August 31, 2021 providing the Operations Outstanding Items List, for information.

OPEN SESSION in the S.H. Blake Memorial Auditorium

Committee of the Whole - Community Services Session
Chair: Councillor Shelby Ch'ng

REPORTS OF COMMITTEES, BOARDS AND OUTSIDE AGENCIES

The District of Thunder Bay Social Services Administration Board Minutes

Minutes of Meetings 09/2021 and 10/2021 (Closed) of The District of Thunder Bay Social Services Administration Board held on June 17, 2021, for information.

REPORTS OF MUNICIPAL OFFICERS

Transit Fare Strategy Update

Report R 115/2021 (Community Services - Transit Services) providing an update on the Transit Fare Strategy Review project, for information.

Recreation & Culture Division User Fee Review

Report R 116/2021 (Community Services - Recreation & Culture) relative to the Recreation & Culture Division's User Fee Review project, for information.

Mandatory COVID-19 Vaccine Disclosure - Policy

At the August 23, 2021 Committee of the Whole meeting, a resolution was passed directing Administration report back to Council relative to Directive #6 issued under Section 77.7 of the Health Protection and Promotion Act, and any vaccination policy(cies) that they are developing.

Report R 119/2021 (City Manager's Office - Human Resources & Corporate Safety) recommending that the Mandatory COVID-19 Vaccine Disclosure Policy be approved, distributed separately on Friday, September 10, 2021.

MOVED BY: Mayor Bill Mauro
SECONDED BY: Councillor Brian McKinnon

WITH RESPECT to Report R 119/2021 (City Manager's Office – Human Resources & Corporate Safety) we recommend that the Mandatory COVID-19 Vaccine Disclosure Policy, appended to this report, be approved;

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

Amending Resolution – Mandatory COVID-19 Vaccine Disclosure - Policy

Memorandum from Councillor Brian McKinnon, dated September 13, 2021 containing an amending motion relative to Mandatory COVID-19 Vaccine Disclosure – Policy, distributed separately on Monday, September 13, 2021.

MOVED BY: Councillor Brian McKinnon
SECONDED BY: Mayor Bill Mauro

WITH RESPECT to Report R 119/2021 (City Manager’s Office – Human Resources and Corporate Safety), we recommend that the definition for Covered Individuals within Corporate Policy 06-01-39 for Mandatory COVID-19 Vaccine Disclosure be deleted and replaced with the following:

‘Covered Individuals’ means all City of Thunder Bay employees, students, volunteers and Members of Council. The Policy also applies to all contractors identified in Directives and Instructions issued by the Office of the Chief Medical Officer of Health.

CARRIED

Amended Resolution – Mandatory COVID-19 Vaccine Disclosure - Policy

The Deputy 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 Bill Mauro
SECONDED BY: Councillor Brian McKinnon

WITH RESPECT to Report R 119/2021 (City Manager’s Office – Human Resources & Corporate Safety) we recommend that the Mandatory COVID-19 Vaccine Disclosure Policy, appended to this report, be approved;

AND THAT the definition for Covered Individuals within Corporate Policy 06-01-39 for Mandatory COVID-19 Vaccine Disclosure be deleted and replaced with the following:

‘Covered Individuals’ means all City of Thunder Bay employees, students, volunteers and Members of Council. The Policy also applies to all contractors identified in Directives and Instructions issued by the Office of the Chief Medical Officer of Health.;

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

CARRIED

FIRST REPORTS

Synergy North Corporation – Rate Model

Report R 98/2021 (Corporate Services & Long-Term Care) recommending that City Council approve the transition from a Rate Minimization model to a Rate of Return model for Synergy North Corporation.

This report is being 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 recommendations are considered by Committee of the Whole on October 18, 2021.

Synergy North President & CEO Tim Wilson appeared before Committee via MS Teams and responded to questions.

Receive Report R 98/2021 as a First Report

Recommendation to receive Report R 98/2021 as a First Report.

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

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

WITH RESPECT to Report R 98/2021 (Corporate Services & Long-Term Care), we recommend that the Report be received;

AND THAT Report R 98/2021 (Corporate Services & Long-Term Care) be presented at the October 18, 2021 Committee of the Whole meeting for consideration.

CARRIED

NEW BUSINESS

Establishment of Closed Session – September 20, 2021

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

THAT a Committee of the Whole – Closed Session meeting be scheduled for Monday, September 20, 2021 at 5:00 p.m. in order to receive information relative to personal matters about an identifiable individual, including municipal or local board employees; A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied: The meeting is held for the purpose of educating or training the members; and at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

CARRIED

OUTSTANDING ITEMS

Outstanding List for Community Services as of August 31, 2021

Memorandum from City Clerk Krista Power, dated August 31, 2021 providing the Community Services Outstanding Items List, for information.

ADJOURNMENT

The meeting adjourned at 9:20 p.m.