



**MEETING:** City Council

**DATE:** June 22, 2020

*Reference No. CC – 15/51*

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**OPEN SESSION in the S.H. Blake Memorial Auditorium at 11:13 p.m.**

City Council

Chair: Mayor B. Mauro

**PRESENT:**

Mayor B. Mauro  
Councillor M. Bentz  
Councillor C. Fraser  
Councillor K. Oliver  
Councillor A. Ruberto  
Councillor Peng You

**ELECTRONIC PARTICIPATION:**

Councillor A. Aiello  
Councillor S. Ch'ng  
Councillor A. Foulds  
Councillor T. Giertuga  
Councillor B. Hamilton  
Councillor R. Johnson  
Councillor B. McKinnon

**OFFICIALS:**

Ms. K. Power, City Clerk  
Mr. N. Gale, City Manager

**OFFICIALS - ELECTRONIC PARTICIPATION:**

Ms. L. Evans, General Manager – Corporate Services & Long Term Care  
Ms. K. Marshall, General Manager – Infrastructure & Operations  
Ms. K. Robertson, General Manager – Community Services  
Mr. M. Smith, General Manager – Development & Emergency Services  
Mr. M. Grimaldi, Solicitor  
Ms. K. Lewis, Director – Corporate Strategic Services  
Ms. M. Panizza, Director – Human Resources & Corporate Safety  
Mr. G. Stover, Committee Coordinator

***OPENING CEREMONIES***

One Minute of Silence.

***DISCLOSURES OF INTEREST***

Councillor A. Aiello declared a conflict relative to Report No. R 75/2020 (Community Services) Community, Youth & Cultural Funding Program Emergency Funding - Phase 2 as he is the Executive Director of the Thunder Bay Boys & Girls Club.

***CONFIRMATION OF AGENDA***

Confirmation of Agenda - June 22, 2020 - City Council

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

With respect to the June 22, 2020 City Council meeting, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

***MINUTES OF PREVIOUS MEETINGS***

**City Council Minutes**

The Minutes of the following Meeting of the Thunder Bay City Council, to be confirmed:

1. The Thunder Bay City Council (Public Meeting) held on June 15, 2020 were distributed separately on Friday, June 19, 2020.
2. The Thunder Bay City Council held on June 15, 2020 were distributed separately on Friday, June 19, 2020.

MOVED BY: Councillor Rebecca Johnson  
SECONDED BY: Councillor Peng You

The Minutes of the following Meeting of the Thunder Bay City Council, to be confirmed:

1. The Thunder Bay City Council (Public Meeting) held on June 15, 2020;
2. The Thunder Bay City Council held on June 15, 2020.

CARRIED

***REPORTS OF COMMITTEES***

**Committee of the Whole Minutes**

The Minutes of the following Committee of the Whole meeting, to be adopted:

1. June 15, 2020 Committee of the Whole minutes were distributed separately on Friday, June 19, 2020.

MOVED BY: Councillor Shelby Ch'ng  
SECONDED BY: Councillor Cody Fraser

The Minutes of the following Committee of the Whole meeting, to be adopted:

1. June 15, 2020 Committee of the Whole.

**June 15, 2020 Committee of the Whole Minutes - Request for Report - Development of a Nuisance By-law**

It was requested that the above noted resolution as contained in the June 15, 2020 Committee of the Whole minutes be voted on separately.

MOVED BY: Councillor Aldo Ruberto  
SECONDED BY: Councillor Albert Aiello

With respect to the potential development of a Nuisance By-law for the City of Thunder Bay, we recommend that Administration report back to City Council with information, recommendations and any relevant financial impacts that relate to how a by-law may assist with some of the concerns presented by the public;

AND THAT Administration seek input from Anti-Racism & Respect Advisory Committee, Thunder Bay Drug Strategy Implementation Panel and Thunder Bay Police;

AND THAT this report be received on or before September 28, 2020;

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

**Amending Resolution - Request for Report - Development of a Nuisance By-law**

MOVED BY: Councillor Shelby Ch'ng  
SECONDED BY: Councillor Cody Fraser

With respect to the Resolution relative to Request for Report – Nuisance By-law, we recommend that the Crime Prevention Council be added to the second paragraph.

CARRIED

**Amended Resolution - Request for Report - Development of a Nuisance By-law**

MOVED BY: Councillor Aldo Ruberto  
SECONDED BY: Councillor Albert Aiello

With respect to the potential development of a Nuisance By-law for the City of Thunder Bay, we recommend that Administration report back to City Council with information, recommendations and any relevant financial impacts that relate to how a by-law may assist with some of the concerns presented by the public;

AND THAT Administration seek input from Anti-Racism & Respect Advisory Committee, Thunder Bay Drug Strategy Implementation Panel, Crime Prevention Council and Thunder Bay Police;

AND THAT this report be received on or before September 28, 2020;

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

CARRIED

### **Committee of the Whole Minutes**

MOVED BY: Councillor Shelby Ch'ng  
SECONDED BY: Councillor Cody Fraser

The Minutes of the following Committee of the Whole meeting, to be adopted:

1. June 15, 2020 Committee of the Whole.

CARRIED

### **Ward Meeting Minutes**

The Minutes of the following Ward Meeting to be received:

1. Meeting No. 01-2020 of the Westfort Ward held on March 5, 2020.

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

The Minutes of the following Ward Meeting to be received:

1. Meeting No. 01-2020 of the Westfort Ward held on March 5, 2020.

CARRIED

### **Ratifying Resolution**

The City Clerk advised that the following resolutions previously adopted by Committee of the Whole held earlier in the evening require ratification by Council. Under Council's policy a two-thirds vote of Council was necessary.

### **Property Related Matter**

Report No. 2020CLS.025 (Development & Emergency Services - Realty Services) relative to the above noted was previously presented at the June 15, 2020 Committee of the Whole – Closed Session meeting.

WITH RESPECT TO Report No. 2020CLS.025 (Development & Emergency Services - Realty Services) we recommend the City, follow certain principles of the Canada Emergency Commercial Rent Assistance (CECRA) program by offering certain rent relief and deferral to the City's commercial tenants for the months of April, May and June 2020 noting that the City would not be benefitting from the government assistance available through CECRA;

AND THAT the General Manager Development & Emergency Services be authorized to extend the City's rent relief program for a maximum of one month should the CECRA program also be extended;

AND THAT the cost of this rent relief program for the City's tenants be funded from the Land Development Fund.

AND THAT the General Manager Development & Emergency Services be authorized to execute all required documentation to the satisfaction of the City Solicitor;

### **Legal Matter**

Report No. 2020CLS.028 (Legal Services) relative to the above noted was previously presented at the Committee of the Whole – Closed Session meeting held earlier in the evening.

With respect to Report No. 2020CLS.028 (Legal Services), we recommend that Administration proceed as directed in Closed Session.

### **Board Appointment**

Confidential Memorandum from Ms. K. Power, City Clerk, dated June 12, 2020 relative to the above noted was previously presented at the Committee of the Whole – Closed Session meeting held earlier in the evening.

With respect to the Thunder Bay Community Foundation Board of Trustees, we recommend that Mr. Don Rusnak be appointed to fill the position of Trustee for a 3-year term ending on June 22, 2023.

**Non-Consolidated Financial Statements, Reserve Fund, and Investment of Municipal Funds Update**

Report No. R 59/2020 (Corporate Services & Long Term Care - Financial Services), recommending that the Non-Consolidated Financial Statements, Reserve Fund, and Investment of Municipal Funds Update for The Corporation of the City of Thunder Bay be received by City Council for information purposes was previously presented at the Committee of the Whole – Closed Session meeting held earlier in the evening.

With respect to Report No. R 59/2020 (Corporate Services & Long Term Care - Financial Services), we recommend that the Non-Consolidated Financial Statements (Attachment A) for the Corporation of the City of Thunder Bay be received by City Council for information purposes;

AND THAT the 2019 tax-supported surplus of \$3.4 million be transferred to the Stabilization Reserve Fund;

AND THAT the 2019 update on the Reserve Funds and Investment of Municipal Funds be received by City Council for information purposes;

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

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

**2020 Tax Policy Report**

Report No. R 68/2020 (Corporate Services & Long-Term Care - Revenue) providing City Council with recommendations on the Corporate Tax Policy options and requirements under the Municipal Act, 2001 for the setting of tax policies, tax rates and due dates in preparation for the 2020 final property tax billing.

With respect to the Corporate Tax Policy Report R 68/2020 (Corporate Services & Long Term Care - Revenue), we recommend that the special service area boundary be extended for sewage and land drainage to include all properties on Dogwood Crescent;

AND THAT graduated taxation apply to the large industrial property class for 2020 with two bands of taxation, the lower band being taxed at 90% of the upper band and the CVA boundary between taxation bands be \$18.5 million;

AND THAT the recommended tax ratios and tax rates included in Attachment 11 be approved for the 2020 taxation year;

AND THAT the final tax levy be due in two installments on September 2 and October 7, 2020;

AND THAT the penalty shall be one half per cent (0.5%) of the amount in default on the first day immediately following the installment due date for the installments due on July 8, 2020, September 2, 2020 and October 7, 2020;

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 the installment due March 4, 2020;

AND THAT interest shall accrue at a rate of 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 by-law 277/1990 being a by-law to provide for penalties for non-payment of taxes be repealed;

AND THAT by-law 276/1990 being a by-law to provide for interest to be added to tax arrears be repealed;

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

**Amended Resolution - Financial Assistance Program for Private Lead Water Service Replacement**

Report No. R 55/2020 (Infrastructure & Operations - Environment) recommending an interest free loan program be established to allow eligible property owners to borrow funds from the City to assist them in the replacement of their privately owned lead water service connection.

With respect to Report No. 55/2020 (Infrastructure & Operations - Environment) we recommend that City Council approve an interest free loan program for Private Lead Water Service Replacements as contained within this report;

AND THAT the maximum loan amount be \$3,000 of eligible costs;

AND THAT the term of the loan be five years or a maximum of 10 years;

AND THAT Administration report back on the success of the program after two years;

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.

**Contract Award - Waterfront Market Square Phase 2**

Report No. R 78/2020 (Infrastructure & Operations – Engineering) recommending that the contract for Waterfront Market Square Phase II be awarded to Thunder Contracting Inc, which submitted the lowest tender in the amount of \$638,309.88 (inclusive of HST).

With respect to Report No. 78/2020 (Infrastructure and Operations – Engineering & Operations), we recommend that the contract for Waterfront Market Square Phase II be awarded to Thunder Contracting Inc, which submitted the lowest tender in the amount of \$638,309.88 (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 Brook McIlroy be retained for site supervision and further on going design in the amount of \$72,144.85 (including HST);

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

**COVID-19: Phase 2 Summer 2020 Operations Service Level Changes**

Report No. R 76/2020 (Community Serves – Recreation & Culture) recommending that Administration be directed to implement the Phase 2 Summer 2020 Operations service level changes outlined in the report (Attachment A) be approved.

With Respect to Report R 76/2020 (Community Services – Recreation & Culture) we recommend that Administration be directed to implement the Phase 2 Summer 2020 Operations service level changes outlined in the report (Attachment A) be approved;

AND THAT Administration report back on or before July 27, 2020 relative to Operations Under Review for Reopening identified in Attachment A;

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

**Community, Youth & Cultural Funding Program Emergency Funding – Phase 2**

Report No. R 75/2020 (Community Services – Recreation & Culture) recommending that \$43,850 in Community, Youth & Cultural Funding Program Emergency Funding be allocated in Phase II and that the funds be allocated to two (2) organizations as follows: Regional Food Distribution Association (\$40,100), Community Clothing Assistance (\$3,750).



With Respect to Report R 75/2020 (Community Services – Recreation & Culture) we recommend that \$43,850 in Community, Youth & Cultural Funding Program Emergency Funding be allocated in Phase II;

AND THAT the funds be allocated to two (2) organizations as follows: Regional Food Distribution Association (\$40,100), Community Clothing Assistance (\$3,750);

AND THAT these allocations be conditional, that the City may request repayment of funds if provincial or federal funding is allocated towards the specific needs funded by CYCFP Emergency Fund;

AND THAT administration seek updated information from eligible organizations and report back with recommendation for allocation of the remaining \$22,850 in Emergency Funding in September, 2020;

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

### **Transition of the Blue Box to Full Producer Responsibility Resolution**

Memorandum dated Friday, June 12, 2020 from Councillor B. McKinnon, Chair – Intergovernmental Affairs Committee the City of Thunder Bay transitioning their Blue Box program to full producer responsibility on July 1, 2023.

WHEREAS the amount of single-use plastics leaking into our lakes, rivers, waterways is a growing area of public concern;

WHEREAS reducing the waste we generate and reincorporating valuable resources from our waste stream into new goods can reduce GHGs significantly;

WHEREAS the transition to full producer responsibility for packaging, paper and paper products is critical to reducing waste, improving recycling and driving better economic and environmental outcomes;

WHEREAS the move to a circular economy is a global movement, and that the transition of Blue Box programs would go a long way toward this outcome;

WHEREAS the City of Thunder Bay is supportive of a timely, seamless and successful transition of Blue Box programs to full financial and operational responsibility by producers of packaging, paper and paper products;

AND WHEREAS the Association of Municipalities of Ontario has requested municipal governments with Blue Box programs to provide an indication of the best date to transition our Blue Box program to full producer responsibility;

THEREFORE BE IT RESOLVED:

THAT the City of Thunder Bay transition their Blue Box program to full producer responsibility on July 1, 2023.

AND THAT this decision is based on the following rationale:

1. Cost avoidance. Early termination fees in the first two years of transition for the City of Thunder Bay's municipal blue box collection and processing contract provide cost savings to taxpayers. Transition in the last year results in additional costs to the City for contract termination.
2. The requirement for the City of Thunder Bay to have a curbside food and organic waste collection program in place by 2025, as per Provincial Waste Policy Statement. Potential financial savings from the Blue Box program delivery could be used to offset costs with this new program.

AND THAT the City of Thunder Bay would be interested in examining options around providing collection services to Producers should we be able to arrive at mutually agreeable commercial terms.

AND THAT any questions regarding this resolution can be directed to Jason Sherband, Manager – Solid Waste and Recycling Services at 807-625-3851 or [jsherband@thunderbay.ca](mailto:jsherband@thunderbay.ca)

AND THAT the resolution be forwarded to the Association of Municipalities of Ontario and the Ontario Ministry of the Environment, Conservation and Parks.

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

### **Contract 14, 2020 Multi-Use Trails & Electrical Works**

Report No. R 63/2020 (Infrastructure & Operations – Engineering & Operations) recommending that Contract 14, 2020 for Multi-Use Trails & Electrical Works be awarded to PNI Contracting, which submitted the lowest tender in the amount of \$1,338,640.38 (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;

With respect to Report No. R 63/2020 (Infrastructure & Operations – Engineering & Operations), we recommend that Contract 14, 2020 for Multi-Use Trails & Electrical Works be awarded to PNI Contracting, which submitted the lowest tender in the amount of \$1,338,640.38 (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 Schedule One –Traffic Signals of City of Thunder Bay Traffic By-law be amended by inserting Arthur Street and Ford Street;

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 any necessary By-laws be presented to City Council for ratification.

**Request for Information – Safety Measures on Transit**

Memorandum from Councillor Peng You, dated June 19, 2020 relative to Safety Measures on Transit.

With respect to the memorandum from Councillor Peng You, dated June 19, 2020 relative to public health considerations for transit users, we recommend that Administration provide an information report relative to the public messaging relative to COVID-19;

AND THAT Administration report back on or before July 20, 2020;

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

**Ratifying Resolution**

MOVED BY: Councillor Rebecca Johnson

SECONDED BY: Councillor Shelby Ch'ng

THAT the following ratifying resolutions be introduced, read, dealt with individually:

1. Property Related Matter
2. Legal Matter
3. Board Appointment
4. Non-Consolidated Financial Statements, Reserve Fund, and Investment of Municipal Funds Update
5. 2020 Tax Policy Report
6. Amended Resolution - Financial Assistance Program for Private Lead Water Services Replacement
7. Contract Award – Waterfront Market Square Phase 2
8. COVID-19: Phase 2 Summer 2020 Operations Services Level Changes
9. Community, Youth & Cultural Funding Program Emergency Funding – Phase 2
10. Transition of the Blue Box to Full Producer Responsibility Resolution
11. Contract 14, 2020 Multi-Use Trails & Electrical Works
12. Request for Information – Safety Measures on Transit

CARRIED

***BY-LAWS***

**BL 58/2020 - A By-law to amend 99-2005 - Appointment of Persons to Enforce Parking**

A By-law to amend By-law Number 99-2005 being a By-law to appoint Municipal Law Enforcement Officers for The Corporation of the City of Thunder Bay for the enforcement of Municipal Parking By-laws.

**BL 66/2020 - A By-law to provide for the final levy of taxes for 2020**

A By-law to establish tax ratios, optional property classes, penalty and interest rates on taxes, tax policy decisions and provide for the final levy of taxes for 2020.

**BL 71/2020 – To repeal By-law 277-1990**

A By-law to repeal By-law 277-1990, being a By-law to provide for penalties for non-payment of taxes.

**BL 72/2020 – A By-law to repeal By-law 276-1990.**

A By-law to repeal By-law 276-1990, being a By-law to provide for interest to be added to tax arrears.

**BL 73/2020- Designated Truck Route**

A By-law to establish a Designated Truck Route through the City of Thunder Bay.

Letter received from Ms. C. Robinson, President – Chamber of Commerce, dated June 18, 2020 relative to the Designated Truck By-law was distributed separately on Friday, June 19, 2020.

Correspondence received from Ms. L. Kloosterhuis, Mayor, Oliver Paipouge and Mr. Kevin Holland, Mayor, Conmee Township on June 22, 2020 relative to Designated Truck Route By-law was distributed separately on Monday, June 22, 2020

**BL 75/2020 - Amendment to User Fee By-law 028-2007**

A By-law to amend By-law Number 028-2007, being a by-law to set fees and charges imposed for various Municipal Services.

It was requested that By-law 73/2020 – Designated Truck Route voted on separately and that the remaining by-laws be voted on at this time.

**By-law Resolution**

By-law Resolution - June 22, 2020

MOVED BY: Councillor Trevor Giertuga  
SECONDED BY: Councillor Cody Fraser

THAT the following By-laws be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. A By-law to amend By-law Number 99-2005 being a By-law to appoint Municipal Law Enforcement Officers for The Corporation of the City of Thunder Bay for the enforcement of Municipal Parking By-laws.

By-law Number: BL 58/2020

2. A By-law to establish tax ratios, optional property classes, penalty and interest rates on taxes, tax policy decisions and provide for the final levy of taxes for 2020.

By-law Number: BL 66/2020

3. A By-law to repeal By-law 277-1990, being a By-law to provide for penalties for non-payment of taxes.

By-law Number: BL 71/2020

4. A By-law to repeal By-law 276-1990, being a By-law to provide for interest to be added to tax arrears.

By-law Number: BL 72/2020

5. A By-law to amend By-law Number 028-2007, being a by-law to set fees and charges imposed for various Municipal Services.

By-law Number: BL 75/2020

CARRIED

**BL 73/2020- Designated Truck Route**

A By-law to establish a Designated Truck Route through the City of Thunder Bay.

A recorded vote was requested on the following resolution, the results of which are as follows:

YEA	NAY
	Mayor B. Mauro
Councillor A. Aiello	
	Councillor M. Bentz
Councillor S. Ch’ng	
Councillor A. Foulds	
Councillor C. Fraser	
Councillor T. Giertuga	
	Councillor B. Hamilton
	Councillor R. Johnson
	Councillor B. McKinnon
	Councillor K. Oliver
Councillor A. Ruberto	
	Councillor Peng You

MOVED BY: Councillor Trevor Giertuga

SECONDED BY: Councillor Cody Fraser

THAT the following By-laws be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. A By-law to establish a Designated Truck Route through the City of Thunder Bay.

By-law Number: BL 73/2020

LOST

**Designated Truck Route - Polling Dates**

MOVED BY: Councillor Mark Bentz

SECONDED BY: Councillor Peng You

With respect to the subsequent presentation of the designated truck route by-law in the City of Thunder Bay, we recommend that the past practice of polling Members of Council for dates where all Members of Council indicate their intention to attend continue;

AND THAT the work of polling and scheduling be completed by the City Clerk;

AND THAT this practice remain in place until the by-law is passed or a notice of motion to rescind the decision is approved by Council.

CARRIED

### **12 a.m. Resolution**

During discussion of the above noted item, the following resolution was passed:

MOVED BY: Councillor Kristen Oliver

SECONDED BY: Councillor Shelby Ch'ng

THAT the hour being 12:00 a.m., we continue with the business at hand.

CARRIED

### **Designated Truck Route - Legal Opinion**

MOVED BY: Councillor Cody Fraser

SECONDED BY: Councillor Aldo Ruberto

With Respect to Procedural By-law 128-2012 approved by the City of Thunder Bay, we recommend that Administration report back with an opinion from Legal Services relative to any recommendations and any available options to respond retroactively or otherwise with changes to the Procedural By-law that may resolve the issues related to the decision to approve a Designated Truck Route.

CARRIED

### ***CONFIRMING BY-LAW***

#### **BL 69/2020 - Confirming By-law - June 22, 2020**

A By-law to confirm the proceedings of a meeting of Council, this 22nd day of June, 2020.

#### **Confirming By-law Resolution - June 22, 2020 - City Council**

MOVED BY: Councillor Aldo Ruberto

SECONDED BY: Councillor Rebecca Johnson

City Council – June 22, 2020

THAT the following By-law be introduced, read, dealt with individually, engrossed, signed by the Mayor and Clerk, sealed and numbered:

1. A By-law to confirm the proceedings of a meeting of Council, this 22nd day of June, 2020.

By-law Number: BL 69/2020

CARRIED

***ADJOURNMENT***

The meeting adjourned at 12:14 a.m.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk