CITY OF WINDSOR MINUTES 08/08/2022

City Council Meeting

Date: Monday, August 08, 2022
Time: 4:00 o'clock p.m.

Members Present:

Mayor
Mayor Dilkens

Councillors
Ward 1 - Councillor Francis
Ward 2 - Councillor Costante
Ward 3 - Councillor Bortolin
Ward 5 - Councillor Sleiman
Ward 6 - Councillor Gignac
Ward 7 - Councillor Gill
Ward 8 - Councillor Kaschak
Ward 9 - Councillor McKenzie
Ward 10 - Councillor Morrison

Councillors Regrets
Ward 4 - Councillor Holt

Clerk's Note: Councillor McKenzie, several members of Administration, and members of the public participated via video conference (Zoom), in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation.

1. ORDER OF BUSINESS

2. CALL TO ORDER

Following the playing of the Canadian National Anthem and reading of the Land Acknowledgement, the Mayor calls the meeting to order at 4:00 o'clock p.m.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

4. ADOPTION OF THE MINUTES

4.1. Adoption of the Windsor City Council meeting minutes held July 25, 2022

Moved by: Councillor Gill
Seconded by: Councillor Bortolin

That the minutes of the meeting of Council held July 25, 2022 **BE ADOPTED** as presented.
Carried.

Report Number: SCM 216/2022

5. NOTICE OF PROCLAMATIONS

Proclamations

"230th Anniversary: Black Loyalist Exodus - 15 Ships to Sierra Leone" – Monday, August 1, 2022

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

That Council do now rise and move into Committee of the Whole with the Mayor presiding for the purpose of dealing with:
(a) communication items;

(b) consent agenda;
(c) hearing requests for deferrals, referrals and/or withdrawals of any items of business;
(d) hearing presentations and delegations;
(e) consideration of business items;
(f) consideration of Committee reports:
(g) Report of Special In-Camera Meeting or other Committee as may be held prior to Council (if scheduled); and
(h) consideration of by-laws 115-2022 through 122-2022 (inclusive).
Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence for August 8, 2022

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Decision Number: CR339/2022
That the following Communication Items 7.1.1 through 7.1.7 (inclusive) as set forth in the Council Agenda **BE REFERRED** as noted; and that Item 7.1.8 be dealt with as follows:

7.1.8. Request to introduce a bill to outlaw protests near places such as medical clinics, hospitals, schools, daycares, Covid-19 vaccination sites and testing centres

Moved by: Councillor Bortolin
Seconded by: Councillor Gignac

Decision Number: CR340/2022
That the correspondence item from the Dr. Huma Kazmie, Dr. Erica Meyers, and Wiquar Husain dated August 4, 2022 requesting the introduction of a bill to outlaw protests near places such as medical clinics, hospitals, schools, daycares, Covid-19 vaccination sites, and testing centres **BE RECEIVED** for information; and further,

That this correspondence **BE REFERRED** to Windsor Police Services (WPS) to confirm whether protests can legally occur within 50 km of medical clinics in Ontario; and that this information **BE PROVIDED** to Council for their consideration.
Carried.

Clerk's File: MH/13786

No.	Sender	Subject
7.1.1.	Minister of Tourism, Culture and Sport	Letter informing that the 2022 Can-Am Police-Fire Games was a successful applicant of the Reconnect Ontario 2022 program, delivered by Ontario's Ministry of Tourism, Culture and Sport Commissioner, Corporate Services CFO/ City Treasurer Commissioner, Community Services Senior Manager, Communications & Customer Service GP2022 Note & File
7.1.2.	Town of Tecumseh	The Town of Tecumseh will hold a virtual/electronic public meeting on Tuesday, August 9, 2022 at 6:00 p.m. to consider a proposed Zoning By-law amendment pursuant to the provisions of the *Planning Act, R.S.O. 1990*. City Planner Commissioner, Legal & Legislative Services Deputy City Solicitor Chief Building Official Development Applications Clerk Z2022 Note & File
7.1.3.	Town of Tecumseh	The Town of Tecumseh will hold a virtual/electronic public meeting on Tuesday, August 9, 2022 at 5:00 p.m. to consider a proposed Official Plan amendment pursuant to the provisions of the *Planning Act, R.S.O. 1990*. City Planner Commissioner, Legal & Legislative Services Deputy City Solicitor Chief Building Official Development Applications Clerk Z2022 Note & File

No.	Sender	Subject
7.1.4.	Essex Region Conservation Authority (ERCA)	Essex Region Conservation Authority 2021 Audited Financial Statements (December 31, 2021) Commissioner, Corporate Services CFO/ City Treasurer Commissioner, Legal & Legislative Services EI/10108 Note & File
7.1.5.	Manager of Urban Design	Recent Site Plan Control (SPC) applications: • Blueprint2build (Chris Hatfield), 4730 Walker, commercial unit with drive-thru restaurant/store/gas bar/car wash. • Alberici Constructors Ltd (Brian Conklin), 0 E C Row & Banwell, manufacturing facility for Lithium-Ion electrolytic cells and cell modules • D.C. McCloskey Engineering Ltd. (Mark McCloskey), 1885 Provincial, addition of pre-engineered steel building • Gary's Railing and Fencing (Arman Celik), 0 Cantelon @ Kew/Lauzon Pkwy, new industrial building • Corporation of the City of Windsor (Darron Ahlstedt), 397 Erie E, 16 stall parking lot - Wigle Park • Lukasz Troczynski, 3236 Peter, new duplex building • Rosati Construction Inc. (Denis Gauthier), 3235 Banwell, alternative commercial building orientation Z2022 Note & File
7.1.6.	Committee of Adjustment	Applications to be heard by the Committee of Adjustment/Consent Authority, Thursday, August 18, 2022 at, 3:30 p.m., at Room 204 and electronic meeting participation through Zoom Z2022 Note & File

No.	Sender	Subject
7.1.7.	Manager of Environmental Quality, City of Windsor AND Soil & Materials Engineering Inc.	Notice of intention to apply non-potable groundwater site condition standards record of site condition (0 Lennon Court). The City of Windsor has no objection to the application. Commissioner, Infrastructure Services EI/11165 Note & File
7.1.8.	Dr. Huma Kazmie Dr. Erica Meyers Wiquar Husain	Request to introduce a bill to outlaw protests near places such as medical clinics, hospitals, schools, daycares, Covid-19 vaccination sites and testing centres. City Solicitor Police Chief MH/13786 COUNCIL DIRECTION REQUESTED, otherwise Note & File

Carried.

Report Number: CMC 12/2022

7.2. Detroit-Windsor Regional Centre of Expertise for Sustainable Development - City Wide

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Decision Number: CR341/2022
That the report of the Environment & Sustainability Coordinator dated July 18, 2022 entitled "Detroit-Windsor Regional Centre of Expertise for Sustainable Development - City Wide" **BE RECEIVED** for information.
Carried.

Report Number: C 126/2022
Clerk's File: EI/10822

7.3. Your Quick Gateway (Windsor) Inc. – 1st Quarter 2022 Financial Statements - City Wide

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

Decision Number: CR342/2022
That City Council **RECEIVE** for information, the Your Quick Gateway (Windsor) Inc. 1st Quarter 2022 Financial Statements.
Carried.

Report Number: C 139/2022
Clerk's File: AL/14399

8. CONSENT AGENDA

8.1. 2021 Tax Relief - Extreme Poverty and/or Illness - City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR343/2022
That City Council **ACCEPT** Administration's recommendation with regards to approval of two (2) applications for a total tax relief of $1,837.01 (inclusive of education portion); and,

That City Council **SUPPORT** Administration's recommendation with regards to the denial of eight (8) applications for tax relief; and further,

That City Council **ACCEPT** Administration's recommendation with regards to maintaining the home assessment value threshold at $168,000 for the 2023 Tax Relief Program – for 2022 taxes.
Carried.

Report Number: C 137/2022
Clerk's File: AF2022

8.2. Renewal of Payment Card Services with Chase Paymentech - City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR344/2022
That City Council **APPROVE** the renewal of the City's payment card services contract on a sole source basis to Chase Paymentech for a five year period beginning January 1, 2023 and ending December 31, 2027, with a five year renewal option; and further,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract and other service related agreements between Chase Paymentech and the Corporation of the City of Windsor, subject to approval in form by the City Solicitor and in technical and financial content by the CFO & City Treasurer.
Carried.

Report Number: C 128/2022
Clerk's File: AF/14450

8.4. External Auditor Contract Extension - 2022-2026 - City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR346/2022
That City Council **APPROVE** the appointment of KPMG LLP as the External Auditor for the Corporation of the City of Windsor and all associated Agencies, Boards and Commissions, as listed in Table 1 in this report, for the 2022-2026 fiscal years; and,

That City Council **AUTHORIZE** the Chief Administrative Officer and City Clerk to sign an agreement / letters of engagement for the 2022-2026 fiscal years with KPMG LLP in a form satisfactory to the City Solicitor and in financial and technical content satisfactory to the Chief Financial Officer & City Treasurer.
Carried.

Report Number: C 125/2022
Clerk's File: AF/14041

8.5. 2022 Second Quarter Operating Budget Variance Report - City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR347/2022
That City Council **RECEIVE FOR INFORMATION** the 2022 2nd Quarter Operating Budget Variance Report, including the updated COVID-19 financial impacts as presented by the Chief Financial Officer & City Treasurer; and,

That the Chief Administrative Officer and the Chief Financial Officer & City Treasurer **BE DIRECTED** to monitor the 2022 Operating Budget and continue to seek further means for offsetting any potential variances that may arise; and,

That the Mayor and City Council **STRONGLY ADVOCATE** on behalf of the City for continued senior level government relief funding to address the City's projected 2022 COVID related deficit including the costs incurred by the City to address the recent border blockade; and further **TO ENCOURAGE** the senior levels of government to establish post pandemic sustainable financial relief for municipalities in order to assist with appropriate planning as they move into the 2023 and future budgets cycles and gradually return to more normalized budgetary levels.
Carried.

Report Number: C 131/2022
Clerk's File: AF/14148

8.6. 2023 Budget Process - Public Engagement - City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR348/2022
That the report of the Manager of Operating Budget Development & Control dated July 21, 2022 entitled "2023 Budget Process - Public Engagement - City Wide" **BE RECEIVED** for information; and further,

That City Council **APPROVE** an amount of up to $16,000 to be funded from the Budget Stabilization Reserve (BSR) to renew the subscription cost for the Balancing Act Software Solution. Carried.

Report Number: C 135/2022
Clerk's File: AF/14372

8.7. Renewal of Banking/Cash Management Services Agreement with the Bank of Nova Scotia - City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR349/2022
That City Council **APPROVE** the renewal of the City's banking services contract on a sole source basis to the Bank of Nova Scotia for a five year period beginning January 1, 2023 and ending December 31, 2027, with a five year renewal option; and further,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a banking services contract and any other service related agreements between The Bank of Nova Scotia and the Corporation of the City of Windsor, subject to approval in form by the City Solicitor and in technical and financial content by the CFO & City Treasurer; and further,

That with regards to Administrative matters City Council **RECONFIRM** the following resolutions previously approved for the current banking services contract:

> That the Mayor and CFO & City Treasurer **BE DESIGNATED** as the signing authorities for all City of Windsor bank accounts except for those ancillary bank accounts highlighted in Appendix A; and,
>
> That City Council be required to **APPROVE** the establishment of new bank accounts where the signing authorities are other than that of the Mayor and the CFO & City Treasurer; and,
>
> That the CAO be **AUTHORIZED** to approve requests associated with establishing new bank accounts where the signing authorities will be the Mayor and the CFO & City Treasurer; and,

That the CAO or designate (as determined by the CAO) **BE AUTHORIZED** to execute service agreements associated with the operation of all City bank accounts, subject to approval in form by the City Solicitor and in technical and financial content by the CFO & City Treasurer; and,

That all employees of the City of Windsor that are required to sign bank related documents **BE INDEMNIFIED** from personal liability. This indemnification by the City to the employee would be in respect of their exercise of their power so long as the employee was acting on behalf of the City in good faith and in the best interest of the City as could be reasonably discerned at the time; and,

That all outgoing payments on behalf of the City of Windsor, made payable in the amount of $250,000 or more, **INCLUDE** the mechanical facsimile signature of the Mayor and the handwritten signature of the City Treasurer or one of the three Deputy Treasurers; and,

That the CAO or designate (as determined by the CAO) **BE AUTHORIZED** to approve administrative requests associated with the operation of all existing City administered bank accounts regardless of signing authority; and,

That the CAO and City Clerk **BE AUTHORIZED** to execute any documents deemed necessary in order to administer the City's bank accounts, subject to approval in form by the City Solicitor and in technical and financial content by the CFO & City Treasurer.

Carried.

Report Number: C 127/2022
Clerk's File: AF/13023

8.8. Appointment of a Drainage Engineer for New Access Bridge over the Little 10th Concession Drain (3940 Lauzon Road) - Ward 9

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR350/2022

I. That the firm of Baird AE **BE APPOINTED** as the Drainage Engineer in accordance with section 8 of the *Drainage Act,* to prepare a Drainage Report for a new access bridge over the Little 10th Concession Drain, serving municipal address 3940 Lauzon Road (Property Roll No. 090-040-01900), under Section 78 of the *Drainage Act.*

Carried.

Report Number: C 113/2022
Clerk's File: SW2022

11.1. CIP Applications in a "Lame Duck" Council Situation - City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR351/2022
That City Council **APPROVE** the following recommendations effective August 19, 2022 to November 15, 2022, unless further extended by Council, and only be applicable should Council be determined to be 'Lame Duck':

1. That, on a case-by-case basis, in order to facilitate investment in targeted neighbourhoods, heritage properties, brownfield redevelopments and targeted economic sectors for the purpose of diversifying the local economy and creating/retaining jobs, and where such applications are deemed by the Chief Administrative Officer to be in the public interest and reasonably necessary to ensure new investment are not missed, the Chief Administrative Officer **BE DELEGATED** authority to approve participation in the Economic Revitalization CIP, Downtown Windsor Enhancement Strategy and CIP, Brownfield Redevelopment CIP, Sandwich Town CIP, Main Streets Building Facade CIP, Ford City CIP, University Avenue West and Wyandotte Avenue West CIP, Community Heritage Fund, Built Heritage Fund, and Heritage Property Tax Reduction Program, with an estimated grant value exceeding $50,000, up to an estimated value of $2,500,000; and,

2. That he Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign grant agreements between the City and CIP or Heritage Incentive applicants to implement the relevant financial incentive programs; and,

3. That the Chief Administrative Officer **BE DELEGATED** authority to approve the use of established Reserve Funds to provide funding to the respective capital projects, should eligible work for approved applications be completed to the satisfaction of the City Planner.

That this Delegated Authority **BE SUBJECT** to the following:

4. That agreements between the City and CIP or Heritage Incentive applicants **BE IN ACCORDANCE** with applicable policies, requirements, and provisions contained within the relevant CIP or Heritage Bylaws and guidelines; and,

5. That agreements between the City and CIP or Heritage Incentive applicants **ARE COMPLETED** to the satisfaction of the City Planner for content, the Commissioner of Legal & Legislative Services as to legal form, and the CFO/City Treasurer as to financial implications; and,

6. That a report **BE BROUGHT FORWARD** to City Council in early 2023 advising of all instances in which this delegation of authority was utilized; and further,

That City Council **PASS A BY-LAW**, being By-Law 116-2022 to authorize the CAO to approve participation in financial incentive programs contained in the Economic Revitalization CIP, Downtown Windsor Enhancement Strategy and CIP, Brownfield Redevelopment CIP, Sandwich Town CIP, Main Streets Building Facade CIP, Ford City CIP, University Avenue West and Wyandotte Avenue West CIP, Community Heritage Fund, Built Heritage Fund, and Heritage Property Tax Reduction Program with an estimated grant value exceeding $50,000, up to an estimated value of $2,500,000, between August 19, 2022 to November 15, 2022, unless further extended by Council, and only be applicable should Council be determined to be 'Lame Duck'.
Carried.

Report Number: C 142/2022
Clerk's File: ACO2022

11.2. Investing in Canada Infrastructure Program – Public Transit – Automatic Passenger Counters – City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR352/2022
That City Council **APPROVE** the $743,500.00 for the project recommended in this report for submission to Intake 3 for the Investing in Canada Infrastructure Program (ICIP) – Public Transit; and,

That City Council **SUPPORT** the use of $90,000 in funding previously approved in the 2022 Capital Budget for use in this project and **PRE-COMMIT** the use of 2024 funds, previously approved in principle in project TRN-003-22 for immediate use; and,

That City Council **AUTHORIZE** the Chief Administrative Officer to sign and submit applications to Intake 3 for the Investing in Canada Infrastructure Program (ICIP) – Public Transit, subject to the documents being satisfactory in technical content to the Commissioner of Infrastructure Services, or designate, in financial content to the City Treasurer or designate, and in legal form to the Commissioner of Legal & Legislative Services; and,

That in the event the City receives written confirmation, of the Grant funding being awarded to the City, the grant funding awarded is no less than the Project's costs outlined in the Financial Matters section herein, implementation of the Project does not result in a need for additional city funding to be approved by City Council and where the Grant provider confirms that expenditures as of that date are eligible, then City Council **APPROVES** the following recommendations:

a. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute and sign any agreements, declarations or approvals required resulting from receiving grant funding approval for Intake 3 for the Investing in Canada Infrastructure Program (ICIP) – Public Transit subject to such documents being satisfactory in technical content to the Commissioner of Infrastructure Services or designate, in financial content to the City

Treasurer or designate, and in Legal form to the Commissioner of Legal & Legislative Services; and,

b. That the Mayor, in addition to the CAO and City Clerk, also **BE AUTHORIZED** to execute any agreements, declarations and other such documents required as part of receiving funding under the ICIP-Public Transit program, and only if deemed required by the grant provider, to be satisfactory in form, technical content and financial content by the parties outlined in the original approvals granting the CAO and City Clerk authority to execute such documents; and,

c. That the Chief Administrative Officer **BE AUTHORIZED** to delegate signing of all claims, progress reports and applicable schedules and other such documents as may be required as part of the request for payment to the Commissioner of Infrastructure Services or designate, subject to financial content approval from the area's Financial Planning Administrator or their manager; and,

d. That Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the Investing in Canada Infrastructure Program (ICIP) – Public Transit project, provided that the procurement(s) are within approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to City Treasurer, and in technical content to the Commissioner of Infrastructure Services; and,

e. That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendation noted above, subject to all specification being satisfactory in technical content to the Commissioner of Infrastructure Services**;** in financial content to City Treasurer; and,

f. That in the event that written confirmation is received by the City indicating that funding has been approved under the ICIP-Public Transit program, Administration **BE AUTHORIZED** to make any expenditures that are related to the ICIP-Public Transit projects, provided such expenditures are within previously-approved budget amounts and that they are required to be made prior to the formal public announcements or agreement execution, due to project timelines; and,

g. That City Council **AUTHORIZE** the City Solicitor to prepare the required bylaws, if required by the grant provider, in order to execute agreements as part of receiving grant funding, conditional upon the recommendation of the Chief Financial Officer & City Treasurer; and,

That should the City not be successful in this grant submission, a communication report **BE PROVIDED** to inform City Council.
Carried.

Report Number: C 140/2022
Clerk's File: MT/13478

11.3. Exemption to Noise By-law 6716 for Nighttime Construction Work – Huron Church Road – Ward: 2 & 10

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR353/2022
I) That the following exemption requests to the provisions of the Noise By-law 6716 (as amended), **BE GRANTED**:

***a. Specific exemption request*:**
The Public Works Department of the City of Windsor is requesting a noise by-law exemption for the time periods for the operation of construction equipment as dictated by the City of Windsor By-Law No. 6716 in order to allow 24/7 construction work.

***b. Scope of Exemption*:**
The project limits are located in the City of Windsor on Huron Church Road from Tecumseh Road West to Dorchester Road and Pool Avenue to Industrial Drive.

***c. Duration of Exemption*:**
This Noise By-Law Exemption is requested for the dates commencing on August 1st, 2022 and continuous through November 25th, 2022.

Carried.

Report Number: C 132/2022
Clerk's File: AB2022

11.4. Applications for Tax Reductions under S. 357/358 of the *Ontario Municipal Act 2001* - City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR354/2022
That City Council **ACCEPT** Administration's recommendations with regards to approval of property tax relief for those applications for Tax Reduction, Cancellation and Refunds as outlined and included in Appendixes A through C; and,

That City Council **SUPPORT** Administration's recommendation with regards to the denial of applications for Tax Reduction, Cancellation and Refund as outlined in Appendix D; and,

That the CFO/City Treasurer (or designate) **BE AUTHORIZED** to amend the City's Tax Master Collector's Roll for the 2019 through 2021 taxation years in the amount of $86,847.19 (including the education portion) as outlined in Appendix E.
Carried.

Report Number: C 136/2022
Clerk's File: AF2022

11.5. Properties Under Municipal Vesting Considerations - Wards 5 & 9

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR355/2022
As relates to the properties located at:

3005 Deziel Dr. – Roll No. 37 39 070 301 05100 0000;

3142-3146 Walker Rd. - Roll number 37 39 070 290 01500 0000;

3136-3140 Walker Rd. - Roll 37 39 070 290 01600 0000;

1585 St. Luke – Roll Number 37 39 010 310 14100 0000; and

2429 Seminole – Roll Number 37 39 010 310 13800 0000

That City Council **AUTHORIZE** the properties be vested in the name of the Municipality; and,

That City Council **AUTHORIZE** the City Treasurer/designate to remove from the tax roll property taxes estimated in the amount of $7,398,340 (inclusive of education tax) plus any additional levies or penalties that may be added from the date of this report until the date of actual removal and the amount be funded as charges as follows:

- $6,347,589 to be charged to the Property Acquisition through Vesting capital project (Project ID #7171059),
- $1,050,751 to be recovered by way of a charge back to the Province.

That City Council **AUTHORIZE** all future costs associated with the ongoing ownership of the vested properties held for sale, until such time as the properties can be sold, be charged to the Property Acquisition through Vesting capital project (Project ID # 7171059); and,

That City Council **DIRECT** that future proceeds from the subsequent sale of the vested properties held for sale be credited to the Property Acquisition throught Vesting capital project (Project ID # 7171059).
Carried.

Report Number: C 134/2022
Clerk's File: AF2022

11.7. UV Module Replacement for the UV disinfection system at the Lou Romano Water Reclamation Plant(LRWRP)-City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR357/2022

I. That the Council **APPROVE** the Purchase of UV Disinfection Module Replacements required for the Lou Romano Water Reclamation Plant (LRWRP); and,

II. That the Purchasing Manager **BE AUTHORIZED** to issue a Purchase Order to Trojan Technologies Group for the Provision of the UV Disinfection Module Replacements to the amount of $221,629.40 plus HST, satisfactory in financial content to the Commissioner of Corporate Services/CFO & City Treasurer and in technical content to the Commissioner of Infrastructure Services; and,

III. That Council **APPROVE** a transfer of $119,808.14 from the Little River Pollution Control (LRPCP) Sluice Gate refurbishment project (ID 7219006) to the LRWRP UV Module Replacement project (ID 7189007).

Trojan Technologies Group
3020 Gore Road
London, Ontario, Canada, N5V 4T7
T-519-457-3400
F-519-457-3030
Quotation Number-128203 (Appendix 1)
Amount: $221,629.40 CDN (Excluding HST)

Carried.

Report Number: C 141/2022
Clerk's File: SW/14451

11.9. Economic Revitalization Community Improvement Plan (CIP) application submitted by NextStar Energy Inc. for Automotive Battery Manufacturing Facility located at Banwell Road and EC ROW Avenue East (Ward 9)

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR359/2022

I. That the request made by NextStar Energy Inc. to participate in the Business Development Grant Program **BE APPROVED** for the property located at Banwell Road and EC ROW Avenue East (shown in Appendix 1) for a period that ends the earlier of 20 years or when 100% of the eligible costs are repaid pursuant to the City of Windsor Economic Revitalization Community Improvement Plan and subject to employment requirements set out in Appendix 3; and,

II. That Administration **BE DIRECTED** to prepare an agreement between the City and NextStar Energy Inc. to implement the Business Development Grant Program in accordance with Recommendation # I; applicable policies, requirements, and provisions contained within the Economic Revitalization Community Improvement Plan; employment requirements set out in Appendix 3; and applicable lease terms for the subject property to the satisfaction of the City Planner for content, the Commissioner of Legal Services as to legal form, and the CFO/City

Treasurer as to financial implications; and,

III. That the CAO and City Clerk **BE AUTHORIZED** to sign the Business Development Grant Agreement.

Carried.

Report Number: C 108/2022
Clerk's File: SPL/14449

11.10. Confirm And Ratify Report – Town of LaSalle-Transit Service Agreement Renewal—City Wide

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR360/2022
That the results of the email poll to the members of the Environment, Transportation & Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors, conducted by the Deputy City Clerk on August 4, 2022, **BE CONFIRMED AND RATIFIED**:

That the Environment, Transportation and Public Safety Standing Committee, sitting as the Transit Windsor Board of Directors and City Council **RECEIVE** for information the update regarding transit services provided to the Town of LaSalle; and,

That Transit Windsor **BE AUTHORIZED** to update and renew the existing Agreement to another five-year term (September 1, 2022 – August 31, 2027) with the Town of LaSalle to provide a transit route that connects with services provided by Transit Windsor; and,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the Agreement with the Town of LaSalle, satisfactory in form to the Commissioner of Legal and Legislative Services, in financial content to the Commissioner of Corporate Services, and in technical content to the Commissioner of Infrastructure Services and the Executive Director of Transit Windsor.

Carried.

Report Number: C 144/2022
Clerk's File: MT2022

9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

8.3. Bernard Road Subdivision – NOC Development Inc. Cost Sharing/Oversizing/Servicing - Ward 5

Moved by: Councillor Gignac
Seconded by: Councillor Bortolin

Decision Number: CR345/2022
That the report of the (Acting) Development Engineer dated June 17, 2022 entitled "Bernard Road Subdivision – NOC Development Inc. Cost Sharing/Oversizing/Servicing - Ward 5" **BE DEFERRED** to a future meeting of Council to allow for further discussion between the parties to take place.
Carried.

Report Number: C 104/2022
Clerk's File: Z2022

10. PRESENTATIONS AND DELEGATIONS

11.6. Rosalie Trombley Commemorative Statue Project and Funding-City Wide

Donna Mayne, Artist and Sculptor

Donna Mayne, artist and sculptor, appears before Council regarding the report entitled "Rosalie Trombley Commemorative Statue Project and Funding-City Wide" and is available for questions.

John Fairley, Sculptor Donor/Sponsor on behalf of St. Clair College

John Fairley, sculptor donor/sponsor on behalf of St. Clair College, appears before Council regarding the report entitled "Rosalie Trombley Commemorative Statue Project and Funding-City Wide" and provides details related to St. Clair College's commitment to investing in the community regarding their contribution to the statue; and concludes by providing information related to the project and St. Clair College's history with the Trombley family including a scholarship in her name, and the fundraising efforts that have been ongoing.

Tim Trombley, Supporter

Tim Trombley, supporter, appears before Council regarding the report entitled "Rosalie Trombley Commemorative Statue Project and Funding-City Wide" and provides a brief history related to the Trombley family and their association with CKLW radio and Rosalie's role as a music director with the station; and the role that she played in promoting many musicians during her career; and concludes by suggesting that Rosalie was an icon in her field and should be commended for bridging the cultural divide between the Unites States and Canada with music.

Diane Lauzon, Rosalie Trombley's Daughter, Family Representative, and Project Supporter

Diane Lauzon, Rosalie Trombley's daughter, family representative, and project supporter, appears before Council regarding the report entitled "Rosalie Trombley Commemorative Statue Project and Funding-City Wide" and reiterates Mr. Trombley's comments; and concludes by providing details related to letters of support that she received from several musicians related to Rosalies's contributions to the community and how thankful her family is for this important project moving forward.

Moved by: Councillor Morrison
Seconded by: Councillor Kaschak

Decision Number: CR356/2022
That City Council **APPROVE** the allocation and setting up of a capital project account of up to $100,000 for the creation, installation and unveiling of a commemorative statue to honour the life, work and impact of Rosalie Trombley; and,

That City Council **APPROVE** the use of monies available in the Arts Endowment Capital Project (Project ID 7179003) to fund the City's share of the capital project; and,

That City Council **APPROVE** administration retaining the services of artist Donna Jean Mayne to undertake the work required to have the sculpture cast in bronze, and prepared for installation accordingly; and further,

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action required to effect the recommendations noted above and sign any required documentation/agreement(s) for the project, satisfactory in legal form to the Commissioner, Legal & Legislative Services, in technical content to the Executive Director of Engineering and in financial content to the Commissioner, Corporate Services/Chief Financial Officer.
Carried.

Report Number: C 138/2022
Clerk's File: SR2022

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

11.8. CQ 10-2022 - Response to CQ 10-2022 - Expansion of Tennis/Pickleball Courts within the City - City Wide

Moved by: Councillor McKenzie
Seconded by: Councillor Kaschak

Decision Number: CR358/2022
That the report of the Executive Initiatives Coordinator dated July 29, 2022 entitled "CQ 10-2022 - Response to CQ 10-2022 - Expansion of Tennis/Pickleball Courts within the City - City Wide" **BE RECEIVED** for information; and further,

That Administration **BE DIRECTED** to begin the process of installing two new sets of tennis/pickleball courts to be located at Goldenwood Park and at Rivard (Fountainebleau) Park, which is to **BE FUNDED** as follows:

- Reallocation of $720,000 in 2022 PAYG funds from Capital Project PFO 003 -15 – Central Riverfront Improvement Plan (CRIP) to Capital Project PFO-004-21 - Parks Sports Courts Improvements.

- The $720,000 in 2022 PAYG funds from Capital Project PFO 003 -15 – Central Riverfront Improvement Plan is to be replaced with the transfer of $720,000 from Fund 151 – Parkland Acquisition Reserve. (The funds identified in the CRIP would meet the criteria to access the Reserve Fund 151, the project would only commence when there are additional funds available in the Reserve Fund 151 which is anticipated to be in the third quarter 2022)

Carried.

Report Number: C 143/2022
Clerk's File: ACOQ2022 & SR2022

12. CONSIDERATION OF COMMITTEE REPORTS

12.1. (i) Report of the Special In-Camera meeting or other Committee as may be held prior to Council

Moved by: Councillor Gill
Seconded by: Councillor Kaschak

Decision Number: CR361/2022
That the report of the In Camera meeting of Council held August 8, 2022 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACO2022

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Kaschak
Seconded by: Councillor McKenzie

That the following By-laws No. 115-2022 through 122-2022 (inclusive) be introduced and read a first and second time:

115-2022 BEING A BY-LAW RESPECTING THE LICENSING OF SHORT-TERM RENTAL OWNERS AND TO REGULATE ALL RELATED ACTIVITY, authorized by CR67/2022, dated February 14, 2022.

116-2022 A BY-LAW TO AUTHORIZE THE DELEGATION OF AUTHORITY TO CHIEF ADMINISTRATIVE OFFICER FOR THE PURPOSE OF APPROVING COMMUNITY IMPROVEMENT PLAN AND HERITAGE GRANT APPLICATIONS BETWEEN AUGUST 19, 2022 AND NOVEMBER 15, 2022 (THE "LAME DUCK PERIOD"), authorized by C 142/2022, dated August 8, 2022 (**See Item 11.1**).

117-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR300/2022, dated July 11, 2022.

118-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR299/2022, dated July 11, 2022.

119-2022 A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW", authorized by CR315/2022, dated July 25, 2022.

120-2022 A BY-LAW TO APPROVE THE SUBMISSION OF AN APPLICATION TO ONTARIO INFRASTRUCTURE AND LANDS CORPORATION ("OILC") FOR THE LONG-TERM BORROWING FOR FINANCING A CAPITAL WORK OF THE CORPORATION OF THE CITY OF WINDSOR ("CITY") AND TO AUTHORIZE THE ENTERING INTO OF A RATE OFFER LETTER AGREEMENT PURSUANT TO WHICH THE CITY WILL ISSUE DEBENTURES TO OILC, authorized by CR284/2022, dated July 11, 2022.

121-2022 A BY-LAW TO DELEGATE AUTHORITY TO THE OUTGOING COUNCIL TO PASS BY-LAW(S) TO AUTHORIZE THE ISSUE OF DEBENTURES FOR A CAPITAL WORK OF THE CORPORATION OF THE CITY OF WINDSOR ("CITY"), authorized by CR284/2022, dated July 11, 2022.

122-2022 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 8th DAY OF AUGUST.
Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Morrison
Seconded by: Councillor Sleiman

That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee:
1) Communication Items (as amended)
2) Consent Agenda (as amended)
3) Items Deferred
   Items Referred
4) Consideration of the Balance of Business Items (as amended)
5) Committee Reports (as presented)
6) By-laws given first and second readings (as presented)

Carried.

15. NOTICES OF MOTION

None presented.

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

That the By-laws No. 115-2022 through 122-2022 having been read a first and second time be now read a third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.
Carried.

17. PETITIONS

None presented.

18. QUESTION PERIOD

18.3. CQ 13-2022

Moved by: Councillor Gill
Seconded by: Councillor Sleiman

Decision Number: CR362/2022
That the following Council Question by Councillor Bortolin **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ 13-2022:
Assigned to Commissioner, Infrastructure Services:

> Asks that Administration provide Council with a report on potential changes to the encroachment policy that would permit memorial signs and historical features to be placed in the right-of-way. Also, report on potential options to the Engineering Landscape Best Practice BP3.2.2 that would allow mulch in right-of-way without a permit.

Carried.

Clerk's File: ACOQ2022 & SE2022

18.4. CQ 14-2022

Moved by: Councillor Gill
Seconded by: Councillor Sleiman

Decision Number: CR363/2022
That the following Council Question by Councillor Costante **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ 14-2022:
Assigned to Commissioner, Community Services:

> Asks that, as part of the Urban Forest Management Plan, Administration should include information about the following: How a tree is determined to be either public or privately owned. Reason(s) for potential change in ownership status. The impacts of change in ownership status for the municipality and the private property owner with respect to liability, maintenance and replacement costs.

Carried.

Clerk's File: ACOQ2022 & SRT2022

21. ADJOURNMENT

Moved by: Councillor Morrison
Seconded by: Councillor Francis

That this Council meeting stand adjourned until the next regular meeting of Council or at the call of the Mayor.
Carried.

Accordingly, the meeting is adjourned at 5:00 o'clock p.m.

Mayor City Clerk

SPECIAL MEETING OF COUNCIL – IN CAMERA
August 8, 2022

Meeting called to order at: 1:30 p.m.

Members in Attendance:

Mayor D. Dilkens
Councillor F. Francis
Councillor F. Costante
Councillor R. Bortolin
Councillor G. Kaschak
Councillor J. Gignac
Councillor J. Morrison
Councillor E. Sleiman
Councillor J. Gill

Members in Attendance (electronically):

Councillor K. McKenzie

Members Absent:

Councillor C. Holt

Also in attendance:

O. Colucci, Acting Chief Administrative Officer
C. Nepsy, Commissioner, Infrastructure Services (except Item 8)
J. Mancina, Commissioner, Corporate Services CFO/City Treasurer (except Item 8)
W. Vendrasco, Acting Commissioner, Legal and Legislative Services (except Item 8)
R. Mensour, Commissioner, Community Services (except Item 8)
J. Payne, Commissioner Economic Development and Innovation (except Item 8)
S. Vlachodimos, City Clerk
A. Ciacelli, Deputy Clerk (except Item 8)
A. Teliszewsky, Mayor's Chief of Staff
J. Guthrie, Deputy Treasurer Taxation (Item 4)

S. Bajaj, T. Moore, Coordinators of Housing Administration (Item 6)
K. Whittal, Executive Director of Housing (Item 6)
A. Daher, Executive Director Employment and Social Services (Item 6)
J. Chacko, Executive Director of Parks and Facilities (Item 7)
J. Knights, Executive Director of Recreation and Culture (Item 7)
A. Busa, Manager Facilities Operations (Item 7)
V. Mihalo, Executive Director of Human Resources (Items 8 and 9)
J. Baker, Deputy Chief Building Official (Item 9)
R. Vani, Deputy Chief Building Official (Item 9)
J. Revell, Chief Building Official (Item 9)
B. Rusan,.Manager of Policy/Deputy Chief Building Official (Item 9)
A. Hartley, Senior Legal Counsel (Item 10)
A. Farough, Legal Counsel (Item 10)
D. Paladino, Deputy City Solicitor (Items 7 and 10)
T. Hunt, City Planner (Item 10)
P. Winters, Development Engineer (Item 10)
S. Rosen, Gowlings WLG, LLP, External Counsel (Item 10)

Verbal Motion is presented by Councillor Gill, seconded by Councillor Sleiman, to move in Camera for discussion of the following item(s):

Item No.	**Subject**	**Section – Pursuant to Municipal Act, 2001, as amended**
1.	**Property matter – sale of land**	**239(2)(c)**
2.	**Property matter – commence expropriation**	**239(2)(c)**
3.	**Property matter – acquisition of land/expropriation settlement**	**239(2)(c)**
4.	**Property matter – disposition of land – See Item 11.5 on regular agenda**	**239(2)(c)**
5.	**Property matter – lease renewal**	**239(2)(c)**
6.	**Property matter – disposition of land/plan**	**239(2)(c)(h)**
7.	**Legal matter – litigation/advice subject to solicitor-client privilege**	**239(2)(e)(f)**

8.	**Personal matter - about identifiable individual/appointment**	**239(2)(b)**
9.	**Personal matter – about identifiable individuals/labour negotiations**	**239(2)(b)(d)**
10.	**Property matter – lease/advice subject to solicitor-client privilege**	**239(2)(c)(f)**

Motion Carried.

Declarations of Pecuniary Interest:

None declared

Discussion on the items of business.

Verbal Motion is presented by Councillor Gignac, seconded by Councillor Francis, to move back into public session.
Motion Carried.

Moved by Councillor Gill, seconded by Councillor Sleiman,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held August 8, 2022 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Coordinator of Real Estate Services, Manager of Real Estate Services, Commissioner, Legal and Legislative Services, Commissioner, Infrastructure Services and Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – sale of land **BE APPROVED**.

2. That the recommendation contained in the in-camera report from the Coordinator of Real Estate Services, Manager of Real Estate Services, Commissioner, Legal and Legislative Services, Commissioner, Infrastructure Services and Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – commence expropriation **BE APPROVED**.

3. That the recommendation contained in the in-camera report from the Lease Administrator, Manager of Real Estate Services, Commissioner, Legal and Legislative Services, Commissioner, Infrastructure Services and Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – acquisition of land/expropriation settlement **BE APPROVED**.

4. That the recommendation contained in the in-camera report from the Commissioner, Legal and Legislative Services, Commissioner, Infrastructure Services, Commissioner, Economic Development and Innovation and Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – disposition of land **BE APPROVED**.

5. That the recommendation contained in the in-camera report from the Lease Administrator, Manager of Real Estate Services, Commissioner, Legal and Legislative Services, Executive Director of Recreation and Culture, Executive Director of Parks and Facilities, Commissioner, Community Services, Deputy Treasurer Taxation and Commissioner, Corporate Services CFO/City Treasurer respecting a property matter – lease renewal **BE APPROVED**.

6. That the recommendation contained in the in-camera report from the Coordinators of Housing Administration and Development, Executive Director of Housing and Children's Services, Commissioner, Human and Health Services, Commissioner, Legal and Legislative Services and Commissioner, Corporate Services/CFO/City Treasurer respecting a property matter – disposition of land/plan **BE APPROVED**.

7. That the recommendation contained in the in-camera report from the Executive Director of Parks and Facilities, Executive Director of Recreation and Culture, Commissioner, Community Services, Commissioner, Legal and Legislative Services and Commissioner, Corporate Services CFO/City Treasurer respecting a legal matter – litigation/advice subject to solicitor-client privilege **BE APPROVED**.

8. That the recommendation contained in the in-camera report from the Executive Director of Human Resources and Commissioner, Corporate Services CFO/City Treasurer respecting a personal matter – about identifiable individual/appointment **BE APPROVED**.

9. That the recommendation contained in the in-camera report from the Chief Building Official, Financial Planning Administrator, Executive Director of Human Resources, Commissioner, Economic Development and Innovation and Commissioner, Corporate Services CFO/City Treasurer respecting a personal matter – about identifiable individuals/labour negotiations **BE APPROVED AS AMENDED**.

10. That the recommendation contained in the in-camera report from the Commissioner, Legal and Legislative Services, Commissioner, Corporate Services CFO/City Treasurer and Commissioner, Economic Development and Innovation respecting a property matter – lease/advice subject to solicitor-client privilege **BE APPROVED**.

Motion Carried.

Moved by Councillor Costante, seconded by Councillor Kaschak,
That the special meeting of council held August 8, 2022 BE ADJOURNED.
(Time: 3:36 p.m.)
Motion Carried.