CITY OF WINDSOR MINUTES 03/09/2023

City Council Sitting as the BIA Board of Directors Minutes

Date: Thursday, March 9, 2023
Time: 4:00 o'clock p.m.

Members Present:

Mayor
Mayor Drew Dilkens

Councillors
Ward 1 - Councillor Fred Francis
Ward 2 - Councillor Fabio Costante
Ward 3 - Councillor Renaldo Agostino
Ward 4 - Councillor Mark McKenzie
Ward 5 - Councillor Ed Sleiman
Ward 6 - Councillor Jo-Anne Gignac
Ward 7 - Councillor Angelo Marignani
Ward 8 - Councillor Gary Kaschak
Ward 9 - Councillor Kieran McKenzie
Ward 10 - Councillor Jim Morrison

Clerk's Note: Councillor Fabio Costante 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

The Mayor calls the meeting to order at 4:20 o'clock p.m.

Moved by: Councillor Jo-Anne Gignac
Seconded by: Councillor Angelo Marignani

That Mayor Dilkens **BE APPOINTED** Chairperson of City Council sitting as the BIA Board of Directors.
Carried.

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

Councillor Fred Francis discloses an interest and abstains from voting on Item 5-1.9 being the Summary of Requests to Date Approved- Erie Street BIA asking for approval of payment and dates to hold the Carrousel of Nations event as it relates to his employer.

Councillor Renaldo Agostino discloses an interest and abstains from voting on any matters being considered by Council sitting as the BIA Board of Directors as he has a continuing business relationship providing services to the various BIA boards which, he is informed by the Integrity Commissioner, results in him having a disqualifying interest in Council's decisions with respect to its governance review of BIA matters and the temporary appointment of Council as constituting the City's BIA boards.

4. COMMENTS BY ONORIO COLUCCI, ACTING CHIEF ADMINISTRATIVE OFFICER

Onorio Colucci, Chief Administrative Officer (A) appears before City Council sitting as the BIA Board of Directors and provides a brief history of the steps taken related to the BIA's as well as details regarding the administrative meeting held virtually with representatives from each of the BIA's that provided information related to recommendations to streamline processes moving forward. Mr. Colucci adds that a dedicated BIA e-mail address was set up to receive requests for approvals from all BIA's, and a standard form was created. Mr. Colucci refers to the list of requests that have been approved as well as the list that requires Council approval. Mr. Colucci concludes by providing details related to consideration of the motion related to delegation of authority and the process for more involved requests that would be brought forward to Council.

Debbie Croucher, Executive Director, DWBIA

Debbie Croucher, appears before City Council sitting as the Executive Director, DWBIA regarding "Summary of request to Date-Approved By the CAO Pending Council (sitting as the BIA Board of Directors) Approval and Ratification" and requests that DWBIA information be kept confidential, and provides details related to the type of information she is referring to. Ms. Croucher provides information related to risk and liability if confidential information is divulged. Ms. Croucher concludes by expressing concern with the information that was posted to the City's website.

Councillor Kieran McKenzie requests that administration respond to Ms. Croucher related to the disclosure of private information. Steve Vlachodimos, City Clerk, appears before City Council sitting as the BIA Board of Directors and indicates that the current process that is in place will be reviewed and the BIA form will be updated requesting that the BIA's provide details related to the nature of the confidential information as part of their request to ensure privacy concerns can be addressed.

5. SUMMARY OF REQUESTS TO DATE—APPROVED By the CAO Pending Council (sitting as the BIA Board of Directors) Approval and Ratification-**Table 1**

Moved by: Councillor Gary Kaschak
Seconded by: Councillor Jim Morrison

That Table 1 entitled "BIA Requests Approved by the CAO" **BE APPROVED**.
Carried.
Councillors Fred Francis and Renaldo Agostino disclose an interest and abstain from voting on this matter.

6. MOTION FOR CONSIDERATION

Moved by: Councillor Fred Francis
Seconded by: Councillor Angelo Marignani

I. That in order to facilitate and expedite the normal Business Improvement Areas (BIAs) business activities while City Council is acting as the Board of the Windsor BIAs, Council formally **DELEGATE** authority to the Chief Administrative Officer for the approval of various minor, recurring, and routine requests, including changes to the current signing authorities if required, for all BIAs; and,

II. That the Ward Councillor **BE REGULARLY KEPT ADVISED** of the decisions that have been made by the CAO under this delegated authority; and,

III. That the full list of decisions made by the CAO under this delegated authority since the last meeting of Council acting as the Board of the BIAs, **BE BROUGHT FORWARD** for information to the next meeting of City Council acting as the Board of the BIAs; and,

IV. That the Chief Administrative Officer be **DIRECTED** to bring to City Council, as the acting Board of the BIAs, those issues or requests which, in consultation with the Ward Councillor, are determined by the CAO to be significant in nature and generally outside of the regular recurring activities of the BIA, and which therefore should be approved by Council; and,

That administration **BE REQUESTED** to ask the Auditor General to provide information related to a potential audit of all nine City of Windsor Business Improvement Areas including best practices, accounting and financial practices; and that this information **BE INCLUDED** in the final report for Council's consideration; and,

That the final report also **BE FORWARDED** to the Windsor Business Improvement Area Advisory Committee to provide suggestions for potential further enhancements in future.
Carried.
Councillor Renaldo Agostino discloses an interest and abstains from voting on this matter.

Councillor Kieran McKenzie indicates that there is already an audit plan in place and inquires as to how that fits into the existing City work plan, and whether other scheduled work might be delayed or not undertaken as a result. Mayor Dilkens indicates that administration will work with the Auditor General related to the scope and framework of the potential audit, and provide options for Council's consideration.

Councillor Fabio Costante is in agreement with the suggestion but expresses concern with the size of some BIA's and whether a potential audit would be warranted for every BIA. The Mayor agrees that this would be a labour intensive task for some of the smaller BIA's and indicates that this will be outlined in the information that will be brought back to Council.

Councillor Fabio Costante inquires about the list of concerns that he received from his BIA. The Mayor encourages all BIA's to provide comment and public feedback. The Mayor indicates that a by-law will be implemented governing rules and procedures and that this will take place at an open session of Council and encourages the public to take part.

Councillor Gary Kaschak inquires as to whether administration has researched best practices from other Municipalities. Mr. Colucci advises that staff has looked at other jurisdictions although the *Municipal Act* is the driver.

7. NEW BUSINESS UPDATED SUMMARY OF REQUESTS TO DATE—PENDING APPROVAL to be considered by Council (sitting as the BIA Board of Directors)—Table 2

Moved by: Councillor Fred Francis
Seconded by: Councillor Ed Sleiman

That Table 2 entitled “BIA Request Pending Review and Decision” **BE APPROVED**.
Carried.
Counillor Renaldo Agostino discloses an interest and abstains from voting on this matter.

Moved by: Councillor Mark McKenzie
Seconded by: Councillor Gary Kaschak

That administration **BE REQUESTED** to ask the BIA administrators to submit current employment agreements for their respective BIA to the Chief Administrative Officer for review.
Carried.
Counillor Renaldo Agostino discloses an interest and abstains from voting on this matter.

8. ADJOURNMENT

Moved by: Councillor Ed Sleiman
Seconded by: Councillor Jim Morrison

That the meeting of City Council Sitting at the BIA Board of Directors stand adjourned until the next meeting or at the call of the Chair.
Carried.

Accordingly, the meeting is adjourned at 4:47 o'clock p.m.

Mayor

City Clerk