

Regular

Council meets in formal session this day at 6:02 o'clock p.m., in the Council Chambers.

Members Present: Mayor Francis
Councillor Brister
Councillor Dilkens
Councillor Gignac
Councillor Halberstadt
Councillor Hatfield
Councillor Jones
Councillor Lewenza
Councillor Marra
Councillor Postma
Councillor Valentinis

Members Absent: None.

Call to Order

Following the playing of the Canadian National Anthem, Deacon Ray Mady from St. Peter's Roman Catholic Maronite Church, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

Councillor Marra discloses an interest and abstains from voting on Item No.16, being the report of the Licence Commissioner respecting "Opening of a Bingo Hall at 3975 Wyandotte St. E." as he is the Executive Director of New Beginnings which holds bingos on an annual basis, deriving income from the bingo hall at Walker and Ottawa Street.

Councillor Hatfield discloses an interest and abstains from voting on Item No. 16, being the report of the Licence Commissioner respecting "Opening of a Bingo Hall at 3975 Wyandotte St. E." as he is a member of a charity group started by his spouse, which is in the process of applying for a bingo licence.

Councillor Valentinis discloses an interest and abstains from voting on Item No.16, being the report of the Licence Commissioner respecting "Opening of a Bingo Hall at 3975 Wyandotte St. E." as he sits on a non-profit board, which derives revenues from bingo operations.

Councillor Lewenza discloses an interest and abstains from voting on Item No. 16, being the report of the Licence Commissioner respecting "Opening of a Bingo Hall at 3975 Wyandotte St. E." as he is employed by the CAW, which in turn has members working at a local bingo.

Minutes

Moved by Councillor Dilkens, seconded by Councillor Gignac,
That the Minutes of the regular meeting of Council held March 29, 2010 **BE ADOPTED**
as presented.

Carried.

Notice of Proclamations

Pink Shirt Day – April 14, 2010

Committee of the Whole

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
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 or referrals of any items of business;
 - (d) hearing presentations and delegations;
 - (e) consideration of business items;
 - (f) consideration of Committee reports:
 - (i) **Report of Special In-Camera Meeting or other Committee as may be held prior to Council** (if scheduled);
 - (ii) **Report of Special In-Camera Meeting** held April 6, 2010;
 - (iii) **Report No. 4 of the Seniors Advisory Committee** of its meeting held March 30, 2010 (revised version); and
 - (iv) **Report of Special In-Camera Meeting** held March 29, 2010 (Session 1 & 2);
 - (g) consideration of by-laws 55-2010 through 57-2010 and 59-2010
- Carried.

Communications

Moved by Councillor Jones, seconded by Councillor Lewenza,
M107 –2010 That the following Communication Items 1 to 20 and 22 to 29 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted, and that Communication No. 21 **BE RECEIVED**, and further, that Administration **PREPARE** a report in terms of disclosure of expenses paid on behalf of other agencies and boards, and to allow for direction by Council on how these are reported on a go-forward basis:

Item	From	Description
1	Ministry of Transportation	City of Windsor Awarded with One-Time Grant for the Replacement of Municipal Transit Buses Chief Financial Officer & City Treasurer General Manager of Transit Windsor Note & File MT/10430
2	Ministry of Community and Social Services	New Funding Available for EnAbling Change Partnership Program 2010/2011 A/ Diversity & Accessibility Officer Note & File MB2010

3	Ministry of the Environment	<p>Certificate of Approval – Municipal and Private Sewage Works – Construct Trunk Sanitary Sewers on Lauzon Road, Lauzon Parkway, Service Road „B” and Easement from Lauzon Parkway to County Road 42</p> <p style="text-align: right;">City Engineer Executive Director of Operations Manager of Environmental Services Note & File SW2010</p>
4	Ministry of the Environment	<p>Certificate of Approval – Municipal and Private Sewage Works – Construct Combined Sewer Overflow Collection and Treatment Facility on the Windsor Riverfront between Ouellette Avenue to east of Devonshire Rd</p> <p style="text-align: right;">City Engineer Executive Director of Operations Manager of Environmental Services Note & File SW2010</p>
5	Ministry of the Environment	<p>Certificate of Approval – Municipal and Private Sewage Works – Construct Storm and Sanitary Sewers on Sunset Avenue, from Wyandotte Street West to University Avenue</p> <p style="text-align: right;">City Engineer Executive Director of Operations Manager of Environmental Services Note & File SW2010</p>
6	Federation of Canadian Municipalities (FCM)	<p>Message to All Members Interested in Running for a Position on FCM’s National Board of Directors</p> <p style="text-align: right;">Note & File MMF2010</p>
7	Federation of Canadian Municipalities (FCM)	<p>First Annual Watershed Awards – IBC and FCM Join Forces to Recognize Communities That Are Adapting to Climate Change</p> <p style="text-align: right;">City Engineer Note & File MMF2010</p>
8	Association of Municipalities of Ontario (AMO)	<p>Provincial Government Introduces New Retirement Homes Act</p> <p style="text-align: right;">City Planner Chief Building Official & Executive Director of Building City Solicitor Community Development & Health Commissioner Note & File MMA2010</p>
9	Association of Municipalities of Ontario (AMO)	<p>LAS Municipal Energy Performance Benchmarking Project</p> <p style="text-align: right;">Note & File SR2010</p>
10	Brookfield Power	<p>Gosfield and Comber Wind Energy Projects Newsletter</p> <p style="text-align: right;">Note & File MU2010</p>

11	Stantec Consulting Ltd.	Lakeshore Eastern Communities Sewage Works – Class Environmental Assessment – Town of Lakeshore City Engineer Executive Director of Operations Note & File EI2010
12	Drinking Water Source Protection	Essex Region Proposed Assessment Report Posted for Comment City Engineer Note & File EI/10108
13	Windsor Utilities Commission	Windsor Utilities Commission Water Treatment Plant – 2009 Annual Compliance Report Note & File MU2010
14	Welcoming Communities Initiative	Welcoming Communities Initiative Website Launch Note & File MC2010
15	Secretary/Treasurer Committee of Adjustment	Consent Authority Agenda Record Hearing to be held on Wednesday, April 21, 2010, Council Chambers, 3rd Floor, Windsor City Hall, 350 City Hall Square West, Windsor Note & File ZC2010
16	Secretary/Treasurer Committee of Adjustment	Consent Authority Agenda Record Hearing held on Wednesday, April 7, 2010, Council Chambers, 3rd Floor, Windsor City Hall, 350 City Hall Square West, Windsor Note & File ZC2010
17	Executive Director, Housing and Children's Services	Homeownership Program Application – 10% Down – Canada-Ontario Affordable Housing Program Extension (COAHPE) Note & File GH/6905
18	Executive Director, Housing and Children's Services	10% Homeownership Downpayment Assistance Program – Canada-Ontario Affordable Housing Program Extension (COAHPE) Note & File GH/6905
19	City Engineer	City of Windsor Notice of "Unconfirmed Significant Drinking Water Threat" Note & File EI/10108
20	Office of the Chief Administrative Officer	AMO Local Authority Services (LAS) Usage Note & File MMA2010
21	Chief Financial Officer	Councillors and Appointees 2009 Statement of Remuneration and Reimbursed Expenses Note & File ACO/7090
22	Windsor Accessibility Advisory Committee	Minutes of meeting held March 16, 2010 (attached for members of Council only) (copy available upon request) Note & File MB2010

23	Environmental Master Plan (EMP) Committee	Minutes of meeting held March 24, 2010 (attached for members of Council only) (copy available upon request) Note & File MB2010
24	Multi-Residential Taxpayers Committee	Minutes of meeting held March 5, 2010 (attached for members of Council only) (copy available upon request) Note & File MB2010
25	Town & Gown Committee	Minutes of meeting held February 25, 2010 (attached for members of Council only) (copy available upon request) Note & File MB2010
26	Windsor-Essex County Environment Committee	Minutes of meeting held March 4, 2010 (attached for members of Council only) (copy available upon request) Note & File MB2010
27	Seniors Advisory Committee	Minutes of meeting held February 17, 2010 (attached for members of Council only) (copy available upon request) Note & File MB2010
28	Housing Advisory Committee	Minutes of meeting held March 24, 2010 (attached for members of Council only) (copy available upon request) Note & File MB2010
29	Office of the Mayor, City of Windsor	Letter to Ambassador of Poland expressing condolences on the tragic death of the President of Poland, Lech Kaczynski, his wife & so many other prominent members of the Government of Poland. Note & File APR2010

Carried.

Consent Agenda

Moved by Councillor Marra, seconded by Councillor Postma,
That the following Consent Agenda and the recommendations contained in the administrative reports **BE APPROVED** as amended:

- Item 1 Life Insurance Contracts – Interim Arbitration Award – Windsor Professional Firefighters Association (WPFPA)
- Item 2 Development of Evidentiary Sample Guidelines for Sewer Use By-law Enforcement and an Update on the CCME Municipal Wastewater Effluent Strategy
- Item 3 Quality Way Multi-use Trail Construction (Bikeway Development – ISF 2822)
- Item 4 Windsor-Detroit Tunnel Corporation Board of Directors – Request for Indemnity
- Item 5 Purchasing By-law Amendment
- Item 6 Bridge Rehabilitation – Central Avenue over E.C. Row, Tender No. 01-10
- Item 7 Former Wickes Manufacturing Facility, 9082, 9100 and 9152 Tecumseh Road East, Sole Source for Miscellaneous Waste Removal
- Item 8 Amendments to Closed East Riverside Landfill Monitoring Program
- Item 9 Land Donation – South Cameron

- Item 10 Rescinding City of Windsor By-law Creating Windsor Tunnel Commission
- Item 11 City of Windsor Corporate Insurance Review
- Item 12 2010 Schedule of Council Meetings – Updated to Reflect Election Day Moved Forward to Fourth Monday of October
- Item 13 Weed and Grass Cutting – E.C. Row Expressway, Roadside Ditches, Vacant Lots
- Item 14 Delegation of Authority to Sign Confidentiality Agreements for the Purposes of Conflict Resolution/Mediation
- Item 15 2009 Year-End Budget Variance Report
- Item 17 Memorandum of Agreement with CANUE

Carried.

Deferrals and/or Referrals and Withdrawals

Opening of a Bingo Hall at 3975 Wyandotte St. E.

Phil Haddad, President, Charities of Classic Bingo IV

Phil Haddad, President, Charities of Classic Bingo IV, appears before Council to request that the report of the Licence Commissioner dated March 30, 2010 entitled "Opening of a Bingo Hall at 3975 Wyandotte St. E." be deferred at least 18 months, to allow for an analysis of the e-bingo initiative.

Clerk's Note: A motion for deferral is not supported and will be dealt with as scheduled for April 12, 2010.

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Presentations & Delegations:

PRESENTATIONS:

Windsor Spitfires Memorial Cup Bid Presentation

Nicole Piach, Co-owner, Banner Sign Company; and Rob Gagnon, Public Relations Coordinator, Windsor Spitfires Hockey Club

Nicole Piach, Co-owner, Banner Sign Company; and Rob Gagnon, Public Relations Coordinator, appear before Council, and along with Mayor Francis present a massive hockey jersey signed by thousands of local area residents, which will be part of a presentation in Toronto on April 14, 2010 as part of the city's bid for the 2011 Memorial Cup.

DELEGATIONS

Opening of a Bingo Hall at 3975 Wyandotte Street East

David Wilson, Gateway-Windsor Community Service Booster

David Wilson, Gateway-Windsor Community Service Booster, appears before Council to request that Council endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., providing a brief overview of their proposal, and concludes by suggesting that the current monopoly has not been beneficial as it only helps to control that entity's profits, and suggests that healthy competition should be encouraged.

Donna Krumme, Consultant, Gateway-Windsor

Donna Krumme, Consultant, Gateway-Windsor, appears before Council to request that Council endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., stating that there are charities on a waiting list eager to run bingos for their respective charities and are therefore losing fundraising opportunities, and concludes that a new hall would be favourable for the market, and that the City of Windsor would benefit from additional licensing revenues.

John Elliott, Mike McKenzie and Linh Floresca, Sandwich Teen Action Group

John Elliott, Mike McKenzie and Linh Floresca, Sandwich Teen Action Group (STAG), appear before Council to request that Council endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., stating that organizations such as STAG need revenue sources and that approval of this proposal would be a step in the right direction.

Bob Williams, Treasurer, Gateway-Windsor

Bob Williams, Treasurer, Gateway-Windsor, appears before Council to request that Council endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E.

Ron Holden, Canadian Historical Aircraft Association

Ron Holden, Canadian Historical Aircraft Association, appears before Council to request that Council endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., stating that it is essential for their long-term survival, as they have endured hardship since the closure of Hollywood Bingo.

Steven Carver and John Shellhorn representing Metropolitan Community Church of Windsor

Steven Carver and John Shellhorn representing Metropolitan Community Church of Windsor, appear before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., stating that their charitable organization was taken off the waiting list and is pleased with the current hall operating bingos.

Walter Willms and Bill MacArthur, President, Rotary Club of Windsor (1918)

Walter Willms and Bill MacArthur, President, Rotary Club of Windsor (1918), appear before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E.

Patricia McLaughlin and Gay Heney, Windsor Classic Chorale

Patricia McLaughlin and Gay Heney, Windsor Classic Chorale, appear before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., suggesting that it is important to first measure the impact of e-bingo in the community.

Pam Winik, President, Paradise Bingo

Pam Winik, President, Paradise Bingo, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., stating that revenues are down everywhere due to economic challenges, and that it is imperative that stabilization occur first, as opposed to expansion during market shrinkage, and concludes by suggesting that at minimum, consideration of this proposal be deferred a minimum of 18 months.

Ed Cecile, representing Brentwood Recovery Home

Ed Cecile, representing Brentwood Recovery Home, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E.

Tony Rosa, President & CEO, Community Gaming & Entertainment Group

Tony Rosa, President & CEO, Community Gaming & Entertainment Group, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., stating that the main goal should be to maximize monies for charity and to not hurt all 349 of them who currently operate bingo for a few, and that at a minimum, this proposal should be deferred at least 18 months to allow for an assessment of the impact of e-bingo.

Eric Dowdy, Community Gaming and Entertainment Group

Mayor Francis leaves the meeting at 7:20 o'clock p.m. and Councillor Dilkens assumes the Chair.

Eric Dowdy, Community Gaming and Entertainment Group, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., suggesting that the peak times are no longer a reality.

Phil Haddad, President, Charities of Classic Bingo IV

Phil Haddad, President, Charities of Classic Bingo IV, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., stating that there would be two halls in close proximity and would therefore result in all parties making less money as a whole, and per charity.

Dan Batson, Administrator for the Windsor Moose Lodge

Mayor Francis returns to the meeting at 7:32 o'clock p.m., and Councillor Dilkens returns to his seat at the Council table.

Dan Batson, Administrator for the Windsor Moose Lodge, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., stating that bingo revenues are down sharply, and the economic climate has not helped, and suggests that the focus should be on e-bingo on a go-forward basis.

Ron Foster, President of Bingo Country Bingo Association of Windsor

Ron Foster, President of Bingo Country Bingo Association of Windsor, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., and concludes by suggesting that the list of charities supporting the proposal should have been provided for public awareness, as opposed to it being treated in a confidential manner.

Genny Rudzinski, Director of Orphaned Kitten Nurseries

Genny Rudzinski, Director of Orphaned Kitten Nurseries, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., suggesting it would negatively impact her funding.

Ray Kupko Jr., Ward 2 resident

Ray Kupko Jr., Ward 2 resident, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., as it would have a negative impact.

Justin Langlois, representing Arts Council Windsor & Region

Justin Langlois, representing Arts Council Windsor & Region, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., suggesting that time needs to be spent analysing the impact of e-bingo.

Brian Dozois, Big D Bingo

Brian Dozois, Big D Bingo, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., as it would hurt many different stakeholders, including the workers at the current bingo hall who would be negatively impacted if sessions were reduced due to the opening of a competing hall.

Victoria Shearon, Schizophrenia Society of Ontario (Windsor Essex Chapter)

Victoria Shearon, Schizophrenia Society of Ontario (Windsor Essex Chapter), appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., stating that bingo revenues have decreased significantly and another hall opening would lead to further hardships.

Mike Stanish, Ten Friends Diner

Mike Stanish, Ten Friends Diner, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., as it would hurt their program due to less funding opportunities.

Fazle Baki, President, South Asian Centre

Fazle Baki, President, South Asian Centre, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., stating that bingo revenues have declined sharply and any further reductions will cause even greater hardships.

Alida MacLeod, President, Windsor Volunteers for Literacy Foundation

Alida MacLeod, President, Windsor Volunteers for Literacy Foundation, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E.

Bob McGuire, Windsor Men's Forum

Bob McGuire, Windsor Men's Forum, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E.

Mike Havey, Friends of the University of Windsor Invitational High School Basketball Tournament

Mike Havey, Friends of the University of Windsor Invitational High School Basketball Tournament, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., stating that at a minimum, it should be deferred until such time as the e-bingo initiative proceeds and is analysed in terms of impact on the market.

Sandy Bondy, Charities of Bingo City

Sandy Bondy, Charities of Bingo City, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., suggesting that its opening would be at the expense of others, and that even though it would benefit the city in terms of additional licensing revenue, the current economic climate and hardships being endured in the community should be considered first.

Marty Carroll, Paradise Bingo

Marty Carroll, Paradise Bingo, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., stating that there will be a negative impact on other charities currently operating bingos if a new hall were to open.

Harvey Kessler, Windsor Jewish Community Centre

Harvey Kessler, Windsor Jewish Community Centre, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., suggesting that the charities currently operating bingos cannot afford to have any further declines in revenue potential.

Mayor Francis leaves the meeting at 8:07 o'clock p.m., and Councillor Dilkens assumes the Chair.

Mary McCarthy, Windsor and District Highland Dancers Association

Mary McCarthy, Windsor and District Highland Dancers Association, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., suggesting that the charities currently operating bingos cannot afford to have any further declines in revenue potential.

Wayne Harris, HCAA for Charities of Classic Bingo IV

Wayne Harris, HCAA for Charities of Classic Bingo IV, appears before Council to request that Council not endorse the proposal to open a bingo hall located at 3975 Wyandotte St. E., as revenue would decline for charities if this were to be approved, and concludes by suggesting that the matter be noted and filed.

Mayor Francis returns to the meeting at 8:09 o'clock p.m., and Councillor Dilkens returns to his seat at the Council table.

Clerk's Note: Mayor Francis indicates that reference was made that his brother is employed with the Multicultural Council, which perhaps also has charitable licences or bingos, and were not listed as a delegation on this matter. The Mayor reviewed the *Municipal Conflict of Interest Act*, and discloses that he does not have a conflict, and even if a conflict were determined, it would be remote in nature and subject to the qualifying exceptions that may be present.

(For final disposition of this matter, see Clause **CR136/2010** in Schedule "A" attached hereto.)

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Regular Business Items (for final disposition of these matters see Schedule "A" attached)

None.

Consideration of Committee Reports

- M108-2010** Moved by Councillor Dilkens, seconded by Councillor Gignac,
presented. That the **Report of the special In-camera** meeting held April 12, 2010 **BE ADOPTED** as
Carried. ACO2010
- M109-2010** Moved by Councillor Dilkens, seconded by Councillor Gignac,
presented. That the **Report of the Special In-Camera** Meeting held April 6, 2010 **BE ADOPTED** as
Carried. MB2010
- M110-2010** Moved by Councillor Dilkens, seconded by Councillor Gignac,
BE ADOPTED as presented. That **Report No. 4 of the Seniors Advisory Committee** meeting held March 30, 2010
Carried. MB2010
- M111-2010** Moved by Councillor Dilkens, seconded by Councillor Gignac,
ADOPTED as presented. That the **Report of the Special In-Camera** meeting held March 29, 2010 (Session 1) **BE**
Carried. MB2010
- M112-2010** Moved by Councillor Dilkens, seconded by Councillor Gignac,
ADOPTED as presented. That **Report of the Special In-Camera** meeting held March 29, 2010 (Session 2) **BE**
Carried. MB2010

By-laws

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
That the following By-laws No. 55-2010 through 57-2010 and 59-2010 **BE INTRODUCED**
and read a first and second time, and that By-law No. 58-2010 **BE DEFERRED** at the request of
Administration:

- 55-2010 "A BY-LAW TO AMEND BYLAW 400-2004, BEING A BYLAW OF THE CITY OF WINDSOR GOVERNING PURCHASING POLICIES AND PROCEDURES"
- 56-2010 "A BY-LAW TO DISSOLVE THE WINDSOR TUNNEL COMMISSION"
- 57-2010 "A BY-LAW TO PERMIT 1681230 ONTARIO INC., CARRYING ON BUSINESS AS WINDSOR CHRYSLER AND 1381230 ONTARIO INC., CARRYING ON BUSINESS AS WINDSOR BODYWORKS TO REMAIN OPEN ON A HOLIDAY IN THE CITY OF WINDSOR"
- 58-2010 "A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES" (DEFERRED AT THE REQUEST OF ADMINISTRATION)
- 59-2010 "A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE TWELFTH DAY OF APRIL, 2010"

Carried.

Moved by Councillor Jones, seconded by Councillor Lewenza,
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 (see Schedule "A")
- 5) Committee Reports (as presented)
- 6) By-laws given first and second readings (as amended)

Carried.

Notices of Motion

Moved by Councillor Halberstadt, seconded by Councillor Valentinis,
M113-2010 That Rule 13.9(a) of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of a motion without prior notice respecting a methadone clinic opened recently at 1574 Lincoln Road.

Carried.

Councillor Postma voting nay.

Moved by Councillor Halberstadt, seconded by Councillor Valentinis,
M114-2010 WHEREAS the Erie St. Clair Methadone Clinic opened recently at 1574 Lincoln Road, without notice to the neighbours, and with the intent to grow into a Regional Addiction Centre; and,

WHEREAS the head of the clinic, Dr. Tony Hammer, agreed at a subsequent meeting with angry neighbours at the clinic on April 7, 2010, to work with the City to identify another location;
Thereby be it resolved that Administration **BE DIRECTED** to work through the Windsor-Essex County Community Drug Strategy Framework, seeking the involvement of the Erie St. Clair Local Health Integration Network and the offices of our local Members of Provincial Parliament, to coordinate the formation of a committee to investigate, with continued input from the City of Windsor Planning and Building Departments, relocation options relative to a methadone clinic currently located at 1574 Lincoln Road, and to also explore longer term strategies for methadone clinics that fit with our community's needs and resources; and,

THAT members of City Council **BE KEPT APPRISED** of the process.
Carried.

Third Reading of By-laws

Moved by Councillor Marra, seconded by Councillor Postma,
That the following By-laws No. 55-2010 through 57-2010 and 59-2010, 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.

Petitions

None presented.

Council Questions

Moved by Councillor Dilkens, seconded by Councillor Gignac,
M115-2010 That the Council Questions arising from the previous meeting of Council and listed by the Clerk **BE NOW CONSIDERED** for purposes of discussion, and further, that the Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Questions consistent with Council's instructions.
Carried.

ACOQ2010

PROPOSED IN-CAMERA AGENDA FOR APRIL 19, 2010

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
M116-2010 That the following proposed In Camera Agenda for April 19, 2010 **BE APPROVED**:

Item No.	Subject	Section – Pursuant to Municipal Act, 2001, as amended
1.	Border Update – update on Legal matters (verbal report as necessary)	239(2)(a), (c), (e) and (f)

and further, that in accordance with By-law 46-2003, the Chief Administrative Officer, in consultation with the Mayor **BE AUTHORIZED** to add matters deemed to be of an urgent or time sensitive nature.
 Carried.

ACO2010

Adjournment

Moved by Councillor Jones, seconded by Councillor Lewenza,
 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 9:50 o'clock p.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

SCHEDULE "A" TO COUNCIL MINUTES**April 12, 2010**

Marra
Postma

CR121/2010

That as a result of the recent Windsor Professional Firefighter Association Arbitration Award, the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an amendment acceptance page with Great-West Life Assurance Company and AXA insurance, satisfactory in legal form to the City Solicitor, in technical content to the Executive Director of Human Resources, and financial content to the Chief Financial Officer; and

That approval for contract renewals or future amendments of this nature **BE DELEGATED** to the Chief Administrative Officer under the Delegation of Authority By-Law 208-2008.

Carried.

Report Number 14601 ASU2010 C1

Internal Distribution

Human Resources – Jennifer Kehoe
Executive Director of Human Resources
City Solicitor
Chief Financial Officer & City Treasurer
City Clerk

Marra
Postma

CR122/2010

That the Mayor and City Council **APPROVE** the City of Windsor's \$1,000 contribution to the Canadian Water & Wastewater Association (CWWA) to financially assist the CWWA with the development of a Canadian Municipal Guideline on Protecting Evidentiary Samples for Sewer use By-law Enforcement; and further,

That the update on the Canadian Council of the Ministers of the Environment Canada-wide Strategy for Municipal Wastewater Effluents **BE RECEIVED** by the Mayor and City Council **FOR INFORMATION**.

Carried.

Report Number 14600 EI2010 C2

Internal Distribution

Environmental Services – Paul Drca
Interim Director Pollution Control – John Guidolin
City Engineer
Executive Director of Operations

Marra
Postma

SCHEDULE "A" TO COUNCIL MINUTES**April 12, 2010**

CR123/2010

That Council **APPROVE** additional funding of \$150,000 from the 5-Year Capital Contingency account 007-5410-7092024, resulting in a total project cost of \$550,000 to construct the Quality Way Multi-Use Trail from Lauzon Parkway to Jefferson Boulevard.

Carried.

Report Number 14604 AFB/10444 C3

Internal Distribution

Engineering & Corporate Projects – Josette Eugeni
Deputy City Engineer – Wes Hicks
City Engineer
Chief Financial Officer & City Treasurer

Marra
Postma

CR124/2010

That City Council **AUTHORIZE** the City Solicitor and City Clerk to enter into an Indemnity Agreement between the Corporation of the City of Windsor and the Directors and Officers of the Windsor-Detroit Tunnel Corporation, satisfactory in legal content to the City Solicitor.

Carried.

Report Number 14616 ST/9726 C4

Internal Distribution

City Solicitor

Marra
Postma

CR125/2010

That Bylaw 55-2010 **BE ADOPTED** by Council to amend bylaw 400-2004, being a bylaw of the City of Windsor Governing Purchasing Policies and Procedures, to remove reference to a requirement for bidders" corporate seals on bid or bonding documents.

Carried.

Report Number 14609 AB2010 C5

Internal Distribution

Manager of Purchasing & Risk Management
City Solicitor

Marra
Postma

SCHEDULE "A" TO COUNCIL MINUTES**April 12, 2010**

CR126/2010

I. THAT the following low tender **BE ACCEPTED**:

Tenderer:	Facca Incorporated 2097 County Rd. 31, R.R. #1 Ruscom, Ontario N0R 1R0
Work:	Rehabilitation of Central Avenue over E.C. Row Bridge Tender #01-10
Total Tended Price:	\$799,110.00 (excluding GST)
Accounts Charged:	007-5310-1790-02942-7081025

AND THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract, satisfactory in form to the City Solicitor, technical content to the City Engineer, and financial content to the Chief Financial Officer & City Treasurer, with Facca Incorporated for Tender No. 01-10.

II. THAT **APPROVAL BE GIVEN** to undertake an expenditure of \$799,110.00 for the bridge rehabilitation of Central Avenue structure, to be funded from the approved Capital Budget of for Bridge Rehabilitation (Project ID No. 7081025).

III. THAT **APPROVAL BE GIVEN** to undertake an expenditure of up to an amount of \$88,000., plus GST, for the retention of Dillon Consulting Limited. as outlined for site observation and contract administration of Tender No. 01-10, in accordance with their Proposal for Engineering Services dated January 30, 2010, said fee to be in accordance with the most recent Schedule of Fees published by the Professional Engineers of Ontario; and further, that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement, satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the City Engineer.

Carried.

Report Number 14618 SW/10354 C6

Internal Distribution

Operations – Mark Winterton
Executive Director of Operations
City Engineer
Chief Financial Officer & City Treasurer
Manager of Purchasing & Risk Management
City Solicitor

SCHEDULE "A" TO COUNCIL MINUTES**April 12, 2010**

Marra
Postma

CR127/2010

That Conestoga-Rovers & Associates (CRA), **BE RETAINED** via Sole Source to manage the removal of Miscellaneous Waste, from the former Wickes Manufacturing facility located at 9082, 9100, and 9152 Tecumseh Road East, Windsor, at a total fee of \$231,081 (plus GST) in accordance with their proposal (dated March 30, 2010), and

That the project **BE FUNDED** from \$103,744 remaining in project #7081019, and the balance of \$127,337 be a first charge to the 2010 Capital Budget, and

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement, satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the City Engineer.

Carried.

Report Number 14617 APR/10340 C7

Internal Distribution

Engineering & Corporate Projects – Camila Duarte
City Engineer
City Solicitor
Chief Financial Officer & City Treasurer

Marra
Postma

CR128/2010

That the Mayor and City Council **APPROVE** amendments to the closed East Riverside Landfill sampling, monitoring and reporting program (Golder Associates Agreement for Consulting Services for the East Riverside Landfill Monitoring Program, CR93/2008, amended by CR276/2008) at a cost of \$25,200 over the 2010–2012 monitoring period.

Carried.

Report Number 14593 SW/9998 C8

Internal Distribution

Environmental Services – Paul Drca
City Engineer
Interim Director Pollution Control – John Guidolin
Executive Director of Operations
Chief Financial Officer & City Treasurer
Purchasing & Risk Management – Scott Fraser

Marra

SCHEDULE "A" TO COUNCIL MINUTES**April 12, 2010**

Postma

CR129/2010

That **APPROVAL BE GIVEN** to the acquisition, by way of a donation receipt, of the following vacant land for the future creation of a community park (See Concept Plan Appendix "B") which contains a BMX bike track, 1 senior soccer pitch, walking paths, dog park, enhanced storm retention area and tree planting program.

VENDOR: **J.W.J. Holdings Ltd.**
 c/o Daniel Bornais
 Barrister & Solicitor
 Istl & Bornais
 261 Shepherd Street E.
 Windsor, ON N8X 2K6

PROPERTY: Approximate 7.61 acre vacant parcel located on the west side of South Cameron Boulevard described legally as Lots 154 to 180 and 201 to 227 Registered Plan 1289, Part closed Rockwell Boulevard, Part Closed Alley.

ACQUISITION

PRICE:

- a) In lieu of a cash payment the City will issue a donation receipt to the Vendor in the amount of the independently appraised market value of \$399,000.00.
- b) The closing date of the transaction will be April 30, 2010.
- c) The City will cover the cost of the 2010 realty taxes from January 1, 2010 to April 30, 2010 estimated at \$800.00.

Carried.

Report Number 14581 APM2010 C9

Appendices

South Cameron Proposed Land Donation – Concept Plan

Internal Distribution

Executive Director of Parks & Facility Operations
 Parks & Facility Operations – Mike Clement
 City Engineer
 City Solicitor
 Chief Financial Officer & City Treasurer

Marra
 Postma

SCHEDULE "A" TO COUNCIL MINUTES**April 12, 2010**

CR130/2010

That City of Windsor By-law Number 10456 establishing the Windsor Tunnel Commission **BE RESCINDED** and that By-law 56-2010 **BE PASSED** by Council for this purpose.

Carried.

Report Number 14590 ST/9726 C10

Internal Distribution

City Solicitor

Chief Financial Officer & City Treasurer

Executive Director of the Windsor Tunnel Commission – Mark Galvin

Marra

Postma

CR131/2010

I. That Administration **BE DIRECTED** to issue a Request for Proposals to engage a consultant to review the City's insurance needs and to assist in the preparation and evaluation of a Request for Proposals for insurance services; and,

II. That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with the successful proponent, approved by the City Solicitor as to legal content, the Chief Financial Officer and City Treasurer as to financial content, and the Manager of Purchasing and Risk Management as to technical content.

Carried.

Report Number 14611 AS2010 C11

Internal Distribution

Purchasing & Risk Management – Shelby Askin Hager

City Solicitor

Chief Financial Officer & City Treasurer

Marra

Postma

CR132/2010

That the weekly schedule of City Council meetings for 2010 and the "Deadlines for Submissions of Reports Scheduled for Consideration by City Council" for January 1, 2010 to December 31, 2010 approved by Council Resolution CR408/2009 at the November 30, 2009 meeting of Council **BE AMENDED** to reflect the municipal election date as October 25, 2010, as opposed to November 8, 2010, thereby cancelling the October 25, 2010 meeting of Council and rescheduling it to November 8, 2010.

Carried.

Report Number 14606 ACO2010 C12

Appendices

Revised Weekly Schedule of City Council Meetings - 2010

SCHEDULE "A" TO COUNCIL MINUTES**April 12, 2010**Internal Distribution

Deputy City Clerk & Senior Manager of Council Services
 City Clerk
 All Departments
 Facilities

Marra
 Postma

CR133/2010

To **APPROVE** a two-year extension of contracts #2251, 2252, and 2253, to Jones Group Incorporated, 3171 Middle Sideroad, Amherstburg, ON N9V 2Y9, for Weed and Grass Cutting (i) E.C. Row Expressway, (ii) Roadside Ditches, and (iii) Vacant Lots; and

That Purchasing, City of Windsor **BE AUTHORIZED** to issue purchase orders to Jones Group Incorporated for the two (2) year extension of Weed and Grass Cutting with all terms and conditions of tenders #155-06, 158-06, and 162.06.

Carried.

Report Number 14597 SR/9614 C13

Internal Distribution

Executive Director of Parks & Facility Operations
 City Engineer
 Chief Financial Officer & City Treasurer
 City Solicitor
 Manager of Purchasing & Risk Management

Marra
 Postma

CR134/2010

THAT City Council **AUTHORIZE** the Executive Director of Human Resources to **SIGN** confidentiality agreements on behalf of the Corporation of the City of Windsor with the University of Windsor Mediation Services, as they relate to mediation to resolve conflicts involving City of Windsor employees.

Carried.

Report Number 14621 AS2010 C14

Internal Distribution

Human Resources – Bruno Ierullo
 Executive Director of Human Resources
 City Solicitor
 City Clerk

Marra
Postma

CR135/2010

1. THAT Council RECEIVE FOR INFORMATION the 2009 Year-end Operating Budget Variance Report, dated March 31, 2010.
2. THAT Council APPROVE the transfer of the 2009 net year end operating surplus of \$2,740,013 to the Budget Stabilization Reserve Fund.
3. THAT, in order to avoid the need to re-budget for various items, Council APPROVE \$8,188,460 in budget carryovers as detailed in Appendix C – 2009 Budget Carry-Forwards.
4. THAT Council APPROVE the balancing and transfer of capital projects, as detailed in Appendix D.
5. THAT consistent with previous reports, Council APPROVE the recovery from the Budget Stabilization Reserve Fund for 2009 expenditures amounting to \$4,848 related to the Interim Control Bylaw – Rail Issues; \$1,018,416 for Border Traffic Issues; and \$53,165 for DRIC Alternatives.
6. THAT pursuant to Bill 124 legislation, Council APPROVE the transfer of \$1,337,010 from the Building Permit Reserve to the Operating Fund, in order to recover the net Bill 124 expenditures incurred during 2009 in the Operating Fund.
7. THAT Council APPROVE the establishment of a Fire Small Fleet Reserve Account.
8. THAT Council APPROVE the following transfers, of a housekeeping nature, to/from various reserves
 - a. The transfer of the excess 2009 claims costs of \$162,985 from the Self Insurance Reserve Fund to the Risk Management & Loss Prevention Operating Account (Dept. ID #0131690).
 - b. The transfer of non-recurring transitional costs related to the temporary upkeep of Riverside and Adstoll Arenas and Edward Community Centre in the amount of \$155,690.52 from the Capital Expenditure Reserve Fund to Recreation's Operating Accounts.
 - c. The transfer of the remaining balance of \$53,296.04 in the EnWin Recapitalization reserve account to consolidate with the Energy Reserve Fund, in order to fund corporate energy initiatives.
 - d. The transfer of \$67,370.36 of expenditures from Fund 403 – Joint Justice Facility Capital Maintenance Trust Fund to Fund 139 – Budget Stabilization Fund to properly reflect the year-end fund balances in each account.
 - e. The transfer of \$199,349.03 for the Landfill #3 Leachate Treatment costs to properly reflect the final 2008 EWSWA billings, from the Budget Stabilization Reserve Fund to the Environmental Services operating account.
 - f. The recovery of non-union Labour Relation costs in the amount of \$25,037 from the Budget Stabilization Reserve Fund.

Carried.

Report Number 14610 AFB/10064 C15

Appendices

2009 Budget Carry-Forwards
Summary of Capital projects Closed (for 2008)

Internal Distribution

Finance – Andrew Daher
Chief Financial Officer & City Treasurer
City Solicitor
City Engineer
Community Development & Health Commissioner
City Clerk

Gignac
Postma

CR136/2010

That in terms of the proposal to open a bingo hall located at 3975 Wyandotte St. E., that the Applicant **BE REQUIRED** to fund an independent market study in compliance with Appendix 4, Section 4(1)(e) of the Alcohol and Gaming Commission of Ontario's "Criteria and Procedures for Establishing Bingo Halls".

Carried.

At the request of Mayor Francis a recorded vote is taken.

In Favour: Councillors Gignac, Postma, Jones, Brister, Halberstadt, Dilkens and Mayor Francis.
Opposed: None
Abstain: Councillors Lewenza, Hatfield, Marra and Valentinis.
Absent: None

Report Number 14626 ACLL/9564 16

Internal Distribution

Licensing – Michael Chantler
City Clerk
City Solicitor
Chief Financial Officer & City Treasurer
Manager of Policy, Gaming & Licensing – Gary Cian

***CR137/2010 APPENDIX F-REPEALED & CONVERT POLICIES TO PROCEDURES
BY CR127/2016 adopted by Council on March 7, 2016***

Marra
Postma

CR137/2010

That City Council **RECEIVE FOR INFORMATION** this report regarding the signed Memorandum of Agreement between the Corporation of the City of Windsor (Corporation) and CANUE (Corporate Association of Non Union Employees); and

That City Council **AUTHORIZE** the CAO and City Clerk to sign a Promissory Note to be issued to each eligible Regular Full Time Non Union employee hired on or before May 16, 2006 confirming receipt of Post Retirement Benefits should they appropriately qualify as per the OMERS eligibility requirement for an unreduced pension with are in place at the time of retirement, which note is acceptable as to legal form to the City Solicitor, as to technical content to the Executive Director of Human Resources and as to financial content to the Chief Financial Officer and City Treasurer; and

That City Council **REPEAL** all existing policies respecting the hours of work/overtime for Non-Union staff; and

That City Council **APPROVE** the policy on Hours of Work/Overtime for Non-Union Employees as proposed in Appendix B (attached).

Carried.

Report Number 14639 AS/9596 C17

Appendices

Hours of Work/Overtime for Non-Union Employees Policy

Internal Distribution

Executive Director of Human Resources
City Clerk
Chief Financial Officer & City Treasurer
City Solicitor

SPECIAL MEETING OF COUNCIL – IN CAMERA
April 12, 2010

Meeting called to order at: 4:30 p.m.

Members in Attendance:

Mayor E. Francis
Councillor D. Brister
Councillor D. Dilkens
Councillor C. Postma
Councillor R. Jones
Councillor A.
Halberstadt
Councillor F. Valentinis
Councillor K. Lewenza
Councillor B. Marra
Councillor P. Hatfield
Councillor J. Gignac

Also in attendance:

H. Reidel, Chief Administrative Officer
R. Warsh, Community Development and Health Commissioner
M. Sonego, City Engineer
G. Wilkki, City Solicitor
V. Critchley, City Clerk
O. Colucci, Chief Financial Officer
V. Mihalo, Executive Director of Human Resources (Item 1)
P. Brode, Senior Legal Counsel (Item 3)
W. Willis and T. Serafimovski, Legal Counsel (Item 4)

Verbal Motion is presented by Councillor Postma, seconded by Councillor Marra, that Rule 3.3 (a) of the *Procedure By-law, 420-2001 as amended*, be waived to add the following Agenda items:

- 6. Legal Matter – Re Item 16 on Open Agenda – opening of bingo hall;**
- 7. Legal Matter – Re Item 7 on Open Agenda – former Wickes Manufacturing site.**

Motion Carried.

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

<u>Item No.</u>	<u>Subject</u>	<u>1 – Pursuant to Municipal Act, 2001, as amended</u>
1.	Personal matter – about an identifiable individual	239(2)(b)
2.	Legal matter – litigation – solicitor-client privilege	239(2)(e)(f)
3.	Legal matter – decision	239(2)(e)
4.	Legal matter – update	239(2)(c)(e)(f)
5.	Border Update – update on Legal matters	239(2)(a), (c), (e) and (f)
6.	Legal Matter – Item 16 on Open Agenda – ADDED	239(2)(e)
7.	Legal Matter – Item 7 on Open Agenda	239(2)(a)(e)

Motion Carried.

Declarations of Pecuniary Interest:

Councillor Valentinis declares an interest and abstains from voting on Item 3 as he owns property in the Spring Garden ANSI area.

Councillor Marra declares an interest and abstains from voting on Item 6 (Item 16 on the Open Agenda) as his employer currently runs charity bingos.

Councillor Hatfield declares an interest and abstains from voting on Item 6 (Item 16 on the Open Agenda) as he is a member of a charity that intends to apply for a bingo licence.

Councillor Lewenza declares an interest and abstains from voting on Item 6 (Item 16 on the Open Agenda) as his employer, the CAW, represents workers at some area bingo halls.

Councillor Valentinis declares an interest and abstains from voting on Item 6 (Item 16 on the Open Agenda) as he sits on the Board of an organization that holds bingo licences.

Discussion on the items of business. (Items 2, 1, 3, 4, 6 and 7)

**Verbal Motion is presented by Councillor Postma, seconded by Councillor Brister,
to move back into public session.
Motion Carried.**

**Moved by Councillor Postma, seconded by Councillor Jones,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held April 12, 2010 directly to Council for consideration at the next Regular Meeting.**

1. That the confidential report from the Executive Director of Human Resources, City Clerk and Policy Coordinator Human Resources Department respecting a personal matter about an identifiable individual **BE RECEIVED** and further that the matter **BE DEFERRED** to a Joint meeting of City Council and the Audit Committee.

Councillor Dilkens voting nay.

2. That the recommendation contained in the in-camera report from the Manager of Purchasing and Risk Management, City Solicitor, City Engineer, Chief Financial Officer and City Treasurer and Executive Director of Operations respecting a legal matter – litigation – solicitor-client privilege **BE REFERRED** to the open session on April 19, 2010.

3. That the recommendation contained in the in-camera report from Senior Legal Counsel, City Solicitor and Chief Financial Officer and City Treasurer respecting a legal matter - decision **BE APPROVED**.

Councillor Valentinis declares an interest and abstains from voting.

4. That the confidential report from the Chief Administrative Officer, City Solicitor and Chief Financial Officer and City Treasurer respecting a legal matter – update **BE RECEIVED** and further that Administration **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

5. No report.

6. That the confidential memo from the City Clerk/Licence Commissioner respecting Item 16 on the open agenda respecting opening of a bingo hall **BE RECEIVED FOR INFORMATION**.

Councillors Marra, Hatfield, Lewenza and Valentinis declare an interest and abstain from voting.

7. That the confidential memo from the City Engineer and City Solicitor respecting Item 7 on the open agenda respecting the former Wickes Manufacturing site **BE RECEIVED FOR INFORMATION**.

Motion Carried.

**Moved by Councillor Hatfield, seconded by Councillor Marra,
That the special meeting of council held April 12, 2010 BE ADJOURNED.
(Time: 5:40 p.m.)**

Motion Carried.

**SPECIAL MEETING OF COUNCIL – IN CAMERA
April 6, 2010**

Meeting called to order at: 5:00 p.m.

Members in Attendance:

Mayor E. Francis
Councillor D. Brister
Councillor D. Dilkens
Councillor C. Postma
Councillor R. Jones
Councillor A.
Halberstadt
Councillor F. Valentinis
Councillor K. Lewenza
Councillor B. Marra
Councillor P. Hatfield
Councillor J. Gignac

Also in attendance:

H. Reidel, Chief Administrative Officer
R. Warsh, Community Development and Health Commissioner
M. Sonego, City Engineer
G. Wilkki, City Solicitor
V. Critchley, City Clerk
O. Colucci, Chief Financial Officer
N. Coleman, Mayor's Chief of Staff
M. Galvin, Executive Director Windsor Tunnel Commission (Item 2)
F. Nazzani, Manager YQG (Windsor Airport) (Items 1 and 2)
M. Solcz, S. Mastroianni, E. Solcz, Valiant Tool (Item 1)

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

<u>Item No.</u>	<u>Subject</u>	Section – Pursuant to Municipal Act, 2001, as amended
1.	Legal Matter – Economic Development	239(2)(a), (c), (e) and (f)
2.	Border Update – update on Legal matters	239(2)(a), (c), (e) and (f)

Motion Carried.

Declarations of Pecuniary Interest:

Councillor Brister declares an interest and abstains from voting on Item 1 as he has a family member that is employed at one of the interested parties.

Discussion on the items of business. (Items 1 and 2)

Councillor Halberstadt leaves the meeting at 6:18 p.m.

Verbal Motion is presented by Councillor Postma, seconded by Councillor Brister, to move back into public session.

Motion Carried.

Moved by Councillor Brister, seconded by Councillor Dilkens, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held April 6, 2010 directly to Council for consideration at the next Regular Meeting.

1. That the verbal update respecting a legal matter – economic development **BE RECEIVED** and that the Mayor **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

Councillor Brister declares an interest and abstains from voting.

2. That the verbal update respecting the border issue **BE RECEIVED** and that the Mayor **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

Councillor Halberstadt is absent for the vote.

Motion Carried.

Moved by Councillor Brister, seconded by Councillor Jones, That the special meeting of council held April 6, 2010 BE ADJOURNED.

(Time: 7:05 p.m.)

Motion Carried.

REPORT NO. 4
of the
SENIORS ADVISORY COMMITTEE (S.A.C.)
of its meeting held March 30, 2010
Parks Boardroom, 2450 McDougall

Present: Bill Marra, Councillor
Larry Duffield, Chair
Bruce Draper

Frank Duralia

Ellen Hope
Calvin Little

Marilyn Morrison

Natalie Taylor

Your Committee submits the following recommendation:

That the Seniors Advisory Committee (S.A.C.) **SUBMIT** an application for the “New Horizons for Seniors Program Community Participation and Leadership Funding Grant Application/Agreement”, provided by Human Resources and Skills Development Canada, by April 16, 2010.

NOTE: A brief explanation of the Committee’s decision to apply for the grant funding is attached.

CHAIRPERSON _____

COUNCIL COMMITTEE COORDINATOR

Notification:

Name	Email Address
Seniors Advisory Committee	On File
Celia Southward, Coordinator Leisure Services for Special Populations, Recreation & Culture	On File

Human Resources and Skills Development Canada:

“Community participation and Leadership Funding provides one-time, start-up grant funding for community-based projects that enable Seniors to play an important part in their communities. It encourages Seniors to contribute their skills, experience, and wisdom in support of social well-being in their communities, and helps to reduce their risk of social isolation. The deadline for application is April 16, 2010.

Funded projects will be inspired, led and carried out primarily by Seniors. The project must occur within a 12-month period. The maximum funding available for the project is \$25,000. Eligible costs include the following:

- *Facility rentals*
- *Supplies, materials and equipment*
- *Professional services (e.g. presenters, trainers, facilitators, researchers, consultants, coordinators, report writers)*
- *Hospitality and travel*
- *Publication development, printing and distribution”*

At the Seniors Advisory Committee meeting of March 30, 2010, the Committee reviewed the New Horizons for Seniors grant application. The Centres for Seniors, Calvin Little, Executive Director, will provide a letter of community support from the Centre.

The Committee’s intent is to publish a thorough and detailed Windsor Seniors Report and Service Plan, which will entail holding Town Hall meetings, Focus Groups, a Senior-needs Study, and Age-Friendly Forum. The Committee has already approached the University of Windsor regarding obtaining the services of one of their students to assist with the Senior-needs Study.

The Committee plans to introduce the Value of Active Living Among Seniors to the community, and has discussed the following topics:

- Senior Population Profile
- Changing face of the adult population
- Adult trends
- Need for volunteer services
- Programs and activities
- Relevant and appropriate services
- Affordable access to services
- Healthy community
- Healthcare
- Transportation
- Housing and Home
- Safety

Similar studies have been successfully achieved in such communities as Kingsville, Ontario and Richmond, British Columbia and have been welcomed as a resource tool by the Municipal Governments in those cities.

**SPECIAL MEETING OF COUNCIL – IN CAMERA
March 29, 2010 (Session 1)**

Meeting called to order at: 3:06 p.m.

Members in Attendance:

Mayor E. Francis
Councillor D. Brister
Councillor D. Dilkens
Councillor R. Jones
Councillor A. Halberstadt
Councillor F. Valentinis
Councillor K. Lewenza (arrives at 3:21
p.m.)
Councillor B. Marra (arrives at 3:55
p.m.)
Councillor P. Hatfield
Councillor J. Gignac

Members Absent:

Councillor C. Postma

Also in attendance:

H. Reidel, Chief Administrative Officer
J. Wilson, Executive Director Recreation and Culture (for R. Warsh)
(arrives at 3:45 p.m.)
M. Sonego, City Engineer
M. Nazarewich, Senior Legal Counsel (for G. Wilkki)
V. Critchley, City Clerk
O. Colucci, Chief Financial Officer
T. Gilbert, Dr. G. Diamond, D. McDougall, Ministry of Environment (Item 1)
L. George, Zalev Brothers (Item 1)
Dr. A. Heimann, Medical Officer of Health (Item 1)
S. Johnson, representing J. Slopen, Legal Counsel for Zalev Brothers (Item 1)

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

<u>Item No.</u>	<u>Subject</u>	Section – Pursuant to Municipal Act, 2001, as amended
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1.	Legal Matter – Solicitor-client privilege (verbal report)	239(2)(f)
2.	Property Matter – acquisition of easement	239(2)(c)
3.	Property Matter – acquisition of easement	239(2)(c)
4.	Property Matter – expropriation of properties for Walker/Provincial improvements	239(2)(c)
5.	Personal Matter – Solicitor-client privilege	239(2)(b)
6.	Legal Matter – litigation	239(2)(e)
7.	Border Update – update on Legal matters	239(2)(a), (c), (e) and (f)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business. (Items 2, 3, 4, 5 and 1)

Delegations

D. McDougall, T. Gilbert and Dr. G. Diamond, representing the Ministry of Environment and Dr. A. Heimann, Medical Officer of Health, enter the meeting at 3:32 p.m. Discussion regarding legal issues. The delegations leave the meeting at 3:40 p.m.

L. George, representing Zalev Brothers and S. Johnson, representing J. Slopen, Solicitor for Zalev Brothers enter the meeting at 3:42 p.m. Discussion regarding legal issues. The delegations leave the meeting at 3:46 p.m.

**Verbal Motion is presented by Councillor Valentinis, seconded by Councillor Dilkens,
to move back into public session.**

Motion Carried.

**Moved by Councillor Dilkens, seconded by Councillor Hatfield,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held March 29, 2010 (Session 1) directly to Council for consideration at the next Regular Meeting.**

1. That the verbal report respecting a legal matter – solicitor-client privilege **BE RECEIVED FOR INFORMATION**, and that Administration **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

Councillor Postma absent for vote.

2. That the recommendation contained in the in-camera report from the Property Coordinator, Property Supervisor, City Solicitor and Chief Financial Officer and City Treasurer respecting a property matter – acquisition of easement **BE APPROVED**.

Councillors Postma, Marra and Lewenza absent for vote.

3. That the recommendation contained in the in-camera report from the Property Coordinator, Property Supervisor, City Solicitor and Chief Financial Officer and City Treasurer respecting a property matter – acquisition of easement **BE APPROVED**.

Councillors Postma, Marra and Lewenza absent for vote.

4. That the recommendation contained in the in-camera report from the Property Coordinator, Property Supervisor and City Solicitor respecting a property matter – expropriation of properties for Walker/Provincial improvements **BE APPROVED**

Councillors Postma, Marra and Lewenza absent for vote.

5. That the confidential report from the City Solicitor and Manager of Purchasing and Risk Management respecting a personal matter – solicitor-client privilege **BE RECEIVED** and that Administration **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

Councillors Postma, Marra and Lewenza absent for vote.

6. That the confidential report from the Executive Director of Parks, City Engineer and City Solicitor respecting Item 7 on the Regular Agenda **BE RECEIVED** and further that Administration **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

Councillors Postma and Marra absent for vote.

7. That the verbal report respecting the border issue **BE RECEIVED FOR INFORMATION**.

Councillors Postma and Marra absent for vote.

Motion Carried.

**Moved by Councillor Jones, seconded by Councillor Brister,
That the special meeting of council held March 29, 2010 (Session 1) BE ADJOURNED.
(Time: 4:00 p.m.)**

Motion Carried.

**SPECIAL MEETING OF COUNCIL – IN CAMERA
March 29, 2010 (Session 2)**

Meeting called to order at: 4:06 p.m.

Members in Attendance:

Mayor E. Francis
Councillor D. Brister
Councillor D. Dilkens
Councillor R. Jones (arrives at 4:07
p.m.)
Councillor A. Halberstadt
Councillor F. Valentinis
Councillor K. Lewenza
Councillor B. Marra
Councillor P. Hatfield
Councillor J. Gignac

Members Absent:

Councillor C. Postma

Also in attendance:

H. Reidel, Chief Administrative Officer
J. Wilson, Executive Director Recreation and Culture (for R. Warsh)
M. Sonego, City Engineer
M. Nazarewich, Senior Legal Counsel (for G. Wilkki)
V. Critchley, City Clerk
O. Colucci, Chief Financial Officer

Verbal Motion is presented by Councillor Hatfield, seconded by Councillor Valentinis,

That Rule 3.3(a) of the *Procedure By-law, 420-2001 as amended*, BE WAIVED to allow for the Mayor to call a special meeting without 24 hours notice, to discuss a legal matter - Solicitor-client privilege – request for proposal update *Section 239(2)(f) of the Municipal Act*)

Motion Carried.

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

<u>Item No.</u>	<u>Subject</u>	Section – Pursuant to Municipal Act, 2001, as amended
1.	Legal Matter – Solicitor-client privilege – Request for Proposal update (verbal report)	239(2)(f)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business. (Item 1)

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

Motion Carried.

Moved by Councillor Dilkens, seconded by Councillor Brister, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held March 29, 2010 (Session 2) directly to Council for consideration at the next Regular Meeting.

8. That the verbal update from the Chief Administrative Officer and City Solicitor regarding a Request for Proposal process **BE RECEIVED FOR INFORMATION** and that Administration **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

Councillor Postma absent for vote.

Motion Carried.

Moved by Councillor Jones, seconded by Councillor Brister, That the special meeting of council held March 29, 2010 (Session 2) BE ADJOURNED. (Time: 4:10 p.m.)

Motion Carried.