

Regular

Council meets in formal session this day at 6:00 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, Major Dale Steward from The Salvation Army, South Windsor Citadel, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

Councillor Hatfield discloses an interest and abstains from voting on Item No.11 being the report of the Executive Director of Recreation and Culture respecting "Agreement with the Greater Essex District School Board for Windsor Stadium", as his spouse is an elected trustee and Chair of the Greater Essex County District School Board.

Minutes

Moved by Councillor Postma, seconded by Councillor Valentinis,
That the Minutes of the regular meeting of Council held June 7, 2010, **BE ADOPTED**
as presented.
Carried.

Notice of Proclamations

World Elder Abuse Awareness Day – June 15, 2010
A Day of Recognition & Awareness of Preventing Workplace Harassment & Violence – June 15, 2010
Elvis Week – June 18 – 20, 2010
Rizal Day – June 19, 2010
World Refugee Day 2010 – June 20, 2010

Committee of the Whole

Moved by Councillor Brister, seconded by Councillor Dilkens,
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).
 - (g) consideration of by-laws 90-2010 through 101-2010 (inclusive).
- Carried.

Communications

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
M173-2010 That the following Communication Items 1 and 3 to 18 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted; that the minutes of the Transit Windsor Board of Directors and the Windsor Chartabus Inc. of their meetings held May 26, 2010 **BE ADOPTED**; and Communication No. 2 which is dealt with as follows:

Communication No. 2:

Moved by Councillor Valentinis, seconded by Councillor Gignac,
M174-2010 **WHEREAS** the municipality of Windsor recently experienced a one in a hundred year rainfall event on June 5, 2010 and has experienced substantial flooding within infrastructure and has received reported losses of private damage, as well as municipally incurred costs to deal with this disaster, the Council of the City of Windsor hereby requests the Minister of Municipal Affairs and Housing to declare the City of Windsor a “disaster area” for the purposes of the Ontario Disaster Relief Assistance Program (ODRAP) – public and private components; and further,

THAT should the Minister declare a disaster area regarding the private component of ODRAP, Council will immediately, under the authority of ODRAP, appoint members to a disaster relief committee to administer ODRAP.

Carried.

SW2010

Item	From	Description
1	Ministry of the Environment	Certificate of Approval – Municipal and Private Sewage Works – Establishment of a combined sewer overflow collection and treatment facility at the Windsor Riverfront between Ouellette Avenue to east of Devonshire Road <p style="text-align: right;"> City Engineer Executive Director of Operations Manager of Environmental Services Note & File SW2010 </p>

2	Ministry of Municipal Affairs and Housing	Summary of Ontario Disaster Relief Assistance Program (ODRAP) City Engineer Chief Financial Officer & City Treasurer Note & File GP2010
3	Ontario Municipal Board (OMB)	Appeal of Peg Dorner, under the <i>Planning Act, R.S.O. 1990</i> permitting a lodging house for lands known as 677 Victoria Avenue City Planner Chief Building Official & Executive Director of Building City Solicitor Zoning Clerk Note & File ZB/10541
4	The Terry Fox Run for Cancer Research	The 30 th Anniversary of Terry Fox's Marathon of Hope Note & File APR2010
5	Dillon Consulting Limited	Howard Avenue @ CPR Grade Separation – Construction Update City Engineer Note & File SW/9173
6	Manager of Development Applications	Public Notice of Meeting – City of Windsor – Walkerville Heritage Area Note & File ZB/10707
7	Essex-Windsor Solid Waste Authority	Minutes of the Essex-Windsor Solid Waste Authority Board Meeting – April 15, 2010 Note & File EI2010
8	Essex-Windsor Solid Waste Authority	Minutes of the Essex-Windsor Solid Waste Authority Board Meeting – May 11, 2010 Note & File EI2010
9	Transit Windsor Board of Directors	Minutes of the Transit Windsor Board of Directors meetings held May 26, 2010 and the minutes of the Windsor Chartabus Inc. meeting held May 26, 2010 TO BE ADOPTED MB2010
10	Manager of Development Applications	Application of 3150 Donnelly Inc. for Draft Plan of Subdivision / Condominium to permit a 53-unit residential apartment building for lands located at 3150 Donnelly Street Note & File ZP/10700
11	Manager of Development Applications	Application of 1520162 Ontario Inc. for Zoning Amendment to permit a retail store, personal service shop, day nursery, light repair shop, restaurant, take-out food outlet, etc. for lands located at 4280 Howard Ave. Note & File ZB/10699
12	Manager of Traffic Operations	CQ 30-2010 – Handicap Signage on Chatham Street WAAC Coordinator Note & File ST2010

13	Supervisor of Health & Safety	Ministry of Labour Orders re: Occupational Hearing Loss Claim and Joint Health and Safety Committee Recommendations Note & File AS/5686
14	City Engineer	Staff Participation in the Group Study Exchange Program of the Rotary International Foundation Note & File AS2010
15	Town and Gown Committee	Minutes of meeting held June 2, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
16	Windsor Accessibility Advisory Committee	Minutes of meeting held May 27, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
17	Greater Essex County District School Board	Encouraging Facility Partnerships Note & File ME2010
18	North American Forensic Entomology Association	Sponsorship of the 8 th Annual NAFEA Meeting held in Windsor from July 7-10, 2010 Council for Direction Requested APR2010

Carried.

Consent Agenda

Moved by Councillor Postma, seconded by Councillor Jones,

That the following Consent Agenda and the recommendations contained in the administrative reports **BE APPROVED** as amended:

- Item 2 Building Inspections for Condominium Conversions
- Item 3 Andrew Dowie – Inaugural G. Gordon M. Sterling Engineering Intern Award
- Item 4 Request to close a portion of the north/south alley between Benjamin and Langlois Avenue northerly from Hanna Street East
- Item 7 Training Initiative for Older Workers
- Item 9 Taxi Vehicle Safety Standards Certificates
- Item 10 Drouillard Park – New Spray Pad
- Item 11 Agreement with the Greater Essex District School Board for Windsor Stadium
- Item 12 2010 Municipal Election Advance Vote Times and Dates and Early Closing of Institutional Voting Stations
- Item 13 Bridge Rehabilitation – Lauzon Parkway over E.C. Row – Tender No. 02-10
- Item 14 360Facility LLC Contract for Parks and Facilities
- Item 19 Part Lot Control Exemption Request – Hanna’s Homes Inc. – Lots 49 to 70, inclusive and Part Lot 71, Registered Plan 558 and Part Closed Alley, now designated as Parts 1 to 10, Parts 12 to 15, Parts 17 to 24, all inclusive in Reference Plan 12R-20705 – West side of Alexandra Avenue, south of Ojibway Street (known municipally as 2211-2259, Alexandra Avenue)
- Item 22 Payne and Bebbington/Leigh v. The Corporation of the City of Windsor

Carried.

Councillor Hatfield discloses an interest and abstains from voting on Item No. 11.

Deferrals and/or Referrals and Withdrawals

Item 8 - Employment Ontario Transformation Project

At the request of Administration, this matter is being deferred to the June 28, 2010 meeting of City Council, to allow for additional review.

By-Law 100-2010 – a by-law to close, stop up and convey the 3.65 metre (12 foot) wide northerly and southerly portions of Cleary Street, easterly from Glenwood Avenue, City of Windsor

Moved by Councillor Lewenza, seconded by Councillor Marra,

M176 2010 That first, second and third reading of By-law 100-2010, being “a by-law to close, stop up and convey the 3.65 metre (12 foot) wide northerly and southerly portions of Cleary Street, easterly from Glenwood Avenue, City of Windsor” **BE DEFERRED** to the July 12, 2010 meeting of City Council, to allow for further review.

Carried.

Presentations & Delegations:

Application to close east/west alley and north/south alley between St. Patrick’s Drive and Randolph Avenue southerly from Labelle Street

Pauline Trealout, Applicant

Pauline Trealout, Applicant, appears before Council as the owner of a vacant lot located south of the east-west alley and is requesting the closure of only a portion of the alleys which abut her property for lot consolidation purposes to facilitate the construction of a new garage.

James Gillis, Ward 1 resident

James Gillis, Ward 1 resident, appears before Council to request that if the application to close the east/west alley between St. Patrick’s Drive and Randolph Avenue southerly from Labelle Street is granted, he would like the opportunity to purchase his half of the alley.

SAA/10569 5

(For final disposition of this matter, see Clause **CR241/2010 and CR242/2010** in Schedule “A” attached hereto.)

Request to close north/south alley west of California Avenue, northerly from College Avenue

Sam Helou, Ward 2 resident

Sam Helou, Ward 2 resident, appears before Council to request that Council approve his application to close the 4.57 metre (15 feet) wide north/south alley west of California Avenue and northerly from College Avenue for a distance of 39.75 metres, for lot consolidation purposes to facilitate development of a parking lot and to maximize the parking area.

Jerry Udell, Solicitor representing the University of Windsor

Jerry Udell, Solicitor representing the University of Windsor, appears before Council to state that with regards to the request to close the north/south alley west of California Avenue, northerly from College Avenue, the University of Windsor is now interested in purchasing half of the alley if Council approves its closure.

SAA/10623 1

(For final disposition of this matter, see Clause **CR219/2010** in Schedule “A” attached hereto.)

3rd Annual St. Elias Festival, July 9-11, 2010, Noise By-law Exemption Permit Request**Paul Jacobs, Ward 1 resident**

Paul Jacobs, Ward 1 resident, appears before Council to express concern regarding the 3rd Annual St. Elias Festival scheduled for July 9 to 11, 2010, stating that he is not opposed to the event itself, but that the request for it to be held until midnight on July 9 and 10 and until 11 p.m. on July 11 is concerning as the noise affects the quality of life for nearby residents, and concludes by suggesting the event be held in the daytime, until 8 p.m.

Mikhail Chahin, Chairman, Parish Council; Fr. John Ayoub, Priest; and George Gharib, Parish Council member, St. Ignatius Church

Mikhail Chahin, Chairman, Parish Council; Fr. John Ayoub, Priest; and George Gharib, Parish Council member, St. Ignatius Church, appear before Council to request a noise by-law exemption permit for the 3rd Annual St. Elias Festival on July 9 through July 11, stating that the Church relies on this event as a revenue generator, and conclude by stating that measures are being taken to alleviate neighbourhood concerns this year.

SR/10689 6

(For final disposition of this matter, see Clause **CR225/2010** in Schedule “A” attached hereto.)

Response to CQ37-2010 Respecting Excessive Vehicle Noise**Andy Furlong, Ward 3 resident**

Mayor Francis leaves the meeting at 7:25 o'clock p.m., and Councillor Postma assumes the Chair.

Andy Furlong, Ward 3 resident, appears before Council to state that there is a need to step up enforcement of excessive vehicle noise, suggesting that there have been a growing number of modified motorcycles generating engine noise far in excess of what city by-laws and provincial laws allow.

Mayor Francis returns to the meeting at 7:33 o'clock p.m., and Councillor Postma returns to her seat at the Council table.

SB2010 17

(For final disposition of this matter, see Clause **CR236/2010** in Schedule “A” attached hereto.)

Windsor Boat Charters Agreement**Capt. Mike Brill, representing Windsor Boat Charters**

Capt. Mike Brill, representing Windsor Boat Charters, appears before Council to request that he be granted permission to disembark and embark passengers at Dieppe Gardens and Reaume Park, commencing June 1, 2010 and ending on October 31, 2010 stating that he has all his papers in order, and concludes by requesting that any third party information expressing concern of his operation and received by administration should be made available to him, so that he can respond accordingly.

MT/10679 18

(For final disposition of this matter, see Clause **CR237/2010** in Schedule “A” attached hereto.)

2010 First Quarter Operating Budget Variance Report**Andrew Daher, Manager of Operating Budget Control and Financial Administration and Tony Ardovini, Deputy Treasurer - Financial Planning**

Andrew Daher, Manager of Operating Budget Control and Financial Administration, and Tony Ardovini, Deputy Treasurer - Financial Planning, appear before Council to provide an overview and context regarding the 2010 First Quarter Operating Budget Variance Report, including tax supported variances, mitigating steps and strategies, other potential risks areas and non-tax supported variances.

AFB/10444 15

(For final disposition of this matter, see Clause **CR234/2010** in Schedule “A” attached hereto.)

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

- Item 16 Central Riverfront Festival Plaza Amphitheatre – Infrastructure Stimulus Fund (ISF)
- Item 20 2010 Final Property Tax Rates
- Item 21 The Corporation of the Town of Tecumseh Application to the Ontario Highway Transport Board for a Public Vehicle Operating Licence - UPDATE Report

Consideration of Committee Reports

M175-2010 Moved by Councillor Postma, seconded by Councillor Valentinis,
That the **Report of the special In-camera** meeting held June 14, 2010, **BE ADOPTED**
as presented.

Carried.

ACO2010

By-laws

Moved by Councillor Brister, seconded by Councillor Dilkens,
That the following By-laws No. 90-2010 through 99-2010 and 101-2010 (inclusive), be introduced
and read a first and second time:

- 90-2010 "A BY-LAW TO PROVIDE FOR ADVANCE VOTING TO BE HELD PRIOR TO VOTING DAY"
- 91-2010 "A BY-LAW TO PROVIDE FOR REDUCED HOURS OF VOTING IN INSTITUTIONS AND RETIREMENT HOMES"
- 92-2010 "A BY-LAW TO ADOPT OPTIONAL TOOLS FOR THE PURPOSES OF ADMINISTERING LIMITS FOR THE COMMERCIAL, INDUSTRIAL AND MULTI-RESIDENTIAL PROPERTY CLASSES"
- 93-2010 "A BY-LAW TO ADOPT OPTIONAL TOOLS FOR THE PURPOSES OF ADMINISTERING LIMITS FOR ELIGIBLE PROPERTIES WITHIN THE MEANING OF SECTION 331 (NEW CONSTRUCTION) FOR THE COMMERCIAL, INDUSTRIAL AND MULTI-RESIDENTIAL PROPERTY CLASSES"
- 94-2010 "A BY-LAW TO SET TAX RATE REDUCTIONS FOR PRESCRIBED PROPERTY SUBCLASSES FOR THE YEAR 2010"
- 95-2010 "A BY-LAW TO ESTABLISH TAX RATIOS FOR PRESCRIBED PROPERTY CLASSES"
- 96-2010 "A BY-LAW TO PROVIDE FOR THE IMPOSITION OF SPECIAL CHARGES UPON PRESCRIBED BUSINESS PROPERTY CLASSES OF RATEABLE PROPERTY WITHIN IMPROVEMENT AREAS FOR THE YEAR 2010"
- 97-2010 "A BY-LAW TO FIX THE TAX RATES AND TO PROVIDE FOR THE LEVY AND COLLECTION OF MUNICIPAL TAXES FOR THIS YEAR"
- 98-2010 "A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "WINDSOR CORE AREA ZONING BY-LAW"
- 99-2010 "A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN REGISTERED PLAN 558 IN THE CITY OF WINDSOR"
- 100-2010 "A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 3.65 METRE (12 FOOT) WIDE NORTHERLY AND SOUTHERLY PORTIONS OF CLEARY STREET, EASTERLY FROM GLENWOOD AVENUE, CITY OF WINDSOR" – **DEFERRED (see Deferral stage)**
- 101-2010 "A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE FOURTEENTH DAY OF JUNE, 2010"

Carried.

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
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 presented)

Carried.

Notices of Motion

None presented.

Third Reading of By-laws

Moved by Councillor Hatfield, seconded by Councillor Jones,
That the following By-laws No. 90-2010 through 99-2010 and 101-2010 (inclusive), 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 Postma, seconded by Councillor Valentinis,
M177-2010 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

Adjournment

Moved by Councillor Brister, seconded by Councillor Dilkens,
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 9:05 o'clock p.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Jones
Hatfield

CR219/2010

That the report of the City Solicitor dated May 31, 2010 entitled "Request to close north/south alley west of California Avenue, northerly from College Avenue" **BE DEFERRED** to allow for Administration to meet with both the Applicant and representatives from the University of Windsor, to determine what is best for the community's interests, and that a Site Plan **BE SUBMITTED** to allow for comment.

Carried.
Councillors Postma and Halberstadt voting nay.

Report Number **14739 SAA/10623 1**

Internal Distribution

Building [Don Wilson]
Chief Building Official
City Planner
City Engineer
Building – Sharon Amlin
City Clerk/Licence Commissioner
Property Coordinator – Frank Scarfone
City Solicitor

Postma
Jones

CR220/2010

- i) That Council **AUTHORIZE** the Building Department to charge fees commensurate with the cost of conducting inspections and preparing reports respecting building conditions for condominium conversion applications; and
- ii) That Council **AMEND** By-law 53-2007 to include the Building Department fees.

Carried.

Report Number **14707 SB2010 C2**

Internal Distribution

Building [Lee Anne Doyle, CBO]
Manager of Inspection – Al Peach
City Planner
City Solicitor

Postma
Jones

CR221/2010

That City Council **ACKNOWLEDGE** the awarding of the G. Gordon M. Sterling Engineering Intern Award to Andrew Dowie of the Public Works Department.

Carried.

Report Number **14727 AS2010 C3**

Internal Distribution

Public Works [Mario Sonogo, City Engineer]

Postma
Jones

CR222/2010

That the 3.05 metre (10 feet) wide north/south alley between Langlois Avenue and Benjamin Avenue northerly from Hanna Street East for a distance of 20.12 metres (66 feet) as shown on Drawing Number CC-1599, attached hereto as Appendix "A" **BE ASSUMED** for subsequent closure and conveyance to the abutting property owners and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law.

Carried.

Report Number 14705 SAA/10574 C4

Appendices

Drawing Number CC-1599

Internal Distribution

Building [Don Wilson]

Chief Building Official

Legal - Sharon Amlin

Legal [Frank Scarfone; Cheryl Glassford]-Prepare the Easement/Assuming/Closing By-law.

Postma
Jones

CR223/2010

That the 3.05 metre (10 feet) wide north/south alley between Langlois Avenue and Benjamin Avenue northerly from Hanna Street East for a distance of 20.12 metres (66 feet) as shown on Drawing Number CC-1599, attached hereto as Appendix "A" **BE CLOSED AND CONVEYED**, subject to the following:

- Easements are required in favour of:
 - Bell Canada for aerial plant
 - Enwin Utilities – hydro division for an existing overhead span guy support wire
 - City of Windsor for a 1050mm storm sewer

- Conveyance cost to each owner:
 - \$1.00 plus the deed preparation fee and proportionate share of the 12R cost as invoiced to the City of Windsor by an Ontario Land Surveyor for lands abutting properties zoned RD1.3

- The alley shall be divided at the centreline of the existing fence or as directed by both property owners as mutually agreed upon.

and further, the City Engineer **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1599, attached hereto as Appendix "A", the City Solicitor, or a delegate, **BE AUTHORIZED** to publish the required legal notice, and **BE REQUESTED** to prepare the By-law to close and further the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved in form and content satisfactory to the City Solicitor, and the transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Report Number 14705 SAA/10574 C4

APPENDICES

Drawing No. CC-1599

Aerial Photo

Internal Distribution

Building [Don Wilson]

Chief Building Official

Legal - Sharon Amlin - Prepare Ad

Legal - Documents Clerk - Laura MacDonald

City Planner

City Engineer

City Treasurer

Legal [Frank Scarfone; Cheryl Glassford] - Prepare the Easement/Assuming/Closing By-law

City Solicitor

Postma

Jones

√√SV

CR224/2010

That the report of the City Solicitor dated June 14, 2010, with respect to an Application against the City by Hilary Payne and Dan Bebbington and a Notice of Motion to remove Dan Bebbington as an Applicant and add Lawrence Leigh and other relief **BE RECEIVED** for information, that the actions of the City Solicitor to respond to the Application **BE RATIFIED AND CONFIRMED**.

√Clerk's Note: To be charged to the Budget Stabilization Reserve Fund.√

Carried.

Report Number 14770 ZB/10324 Z/8581 C22

Internal Distribution

Legal [George Wilkki, City Solicitor]

City Planner

Chief Financial Officer/City Treasurer

Lewenza

Postma

CR225/2010

That the request from St. Ignatius Church of Antioch Orthodox Church (1808 Labelle) for a Noise By-law Exemption Permit, for the 3rd Annual St. Elias Festival **BE APPROVED** as follows:

July 9, 2010 from 6 p.m. to 12:30 a.m.

July 10, 2010 from 12 p.m. to 1:00 a.m.

July 11, 2010 from 12 p.m. to 11 p.m.

Carried.

Councillors Brister and Dilkens voting nay.

Report Number 14706 SR/10689 6

Internal Distribution

Recreation [Walt Metulynsky]
Executive Director of Recreation and Culture
Community Development and Health Commissioner
Manager of Compliance & Enforcement - Ann Kalinowski

Postma
Jones

√√SV

CR226/2010

THAT the Community Development and Health Commissioner **BE AUTHORIZED** to execute an agreement with the Ministry of Training, Colleges and Universities (MTCU) for a new initiative called Training Initiative for Older Workers (TIOW) for the period of ~~√June 1, 2010—March 31, 2011√~~ √April 1, 2010 to March 31, 2012, with an effective date of July 1, 2010√;

THAT the Executive Director of Employment and Social Services **BE AUTHORIZED** to enter into negotiations on behalf of the Corporation with MTCU for the Training Initiative for Older Workers program; and

THAT the Community Development & Health Commissioner **BE AUTHORIZED** to sign contracts or related documents as necessary to enable implementation of the Training Initiative for Older Workers agreement such that it does not exceed an upset limit of \$2,500,000. gross expenditures. For contracts in excess of \$1,000,000 gross expenditure, that in addition to the Community Development and Health Commissioner signature, the Chief Administrator Officer **BE REQUIRED** to sign as secondary authority. Authorization would be subject to approval as to technical content by the Executive Director of Employment and Social Services, as to legal content by the City Solicitor, approval of financial content by the Chief Financial Officer and City Treasurer or designate, and subject to there being no required net city contribution.

Carried.

Report Number 14746 GP/10258 C7

Internal Distribution

Coordinator, Career Development Services [Dianne Holman]
Manager, Employment and Training Initiatives [Diane Quinn]
Executive Director, Employment and Social Services
Community Development and Health Commissioner
Executive Director of Human Resources
Chief Financial Officer/City Treasurer
City Solicitor

Lewenza
Marra

CR227/2010

That the report of the Community Development and Health Commissioner dated June 1, 2010 entitled "Employment Ontario Transformation Project" **BE DEFERRED** to the June 28, 2010 meeting of Council, to allow for additional review by administration.

Carried.

Report Number 14749 GP/10258 8

Internal Distribution

Project Manager, Employment Ontario Transformation Project [Mary Ellen Bernard]
Executive Director, Employment and Social Services
Community Development and Health Commissioner
Chief Financial Officer/City Treasurer

Postma
Jones

CR228/2010

That taxi vehicle safety standards certificates, obtained by Taxicab Plate Holders for Spring Safety Lane to be held June 14-18, 2010, **BE ACCEPTED** by the City of Windsor Licensing Division during Taxicab Plate Holder Licence renewals in August 2010.

Carried.

Report Number #: 14753 ACLT2010 C9

Internal Distribution

Licensing [Michael Chantler]
City Clerk & Licence Commissioner
Manager of Policy, Gaming & Licensing & Deputy Licence Commissioner
Executive Director/Chief Building Official

Postma
Jones

CR229/2010

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

TENDERER: TCI Titan Contracting
1153 Tecumseh Rd. W.
Windsor, ON N8X 1H7

TENDER NO: 103-10

TOTAL TENDER PRICE: \$105,500 (excluding GST)

for the Drouillard Park- New Spray Pad **BE APPROVED** to supply all labour and materials as stipulated in the tender to construct a new spray pad in Drouillard Park: and

THAT the Chief Administrative officer and the City Clerk **BE AUTHORIZED** to sign a contract with the lowest compliant tenderer TCI Titan Contracting in the amount of \$105,500. plus GST, satisfactory in form to the City Solicitor, in technical content to the Executive Director of Parks and Facilities and in financial content to the City Treasurer and Chief Financial Officer.

THAT Council **APPROVE** funding for the Drouillard Spray Park at a total project cost of \$260,000.00 with funding to be as follows:

1. \$130,000 from the Budget Stabilization Reserve Fund to be repaid by a pre-commitment to the 2014 capital budget(project PFO-029-07) and
2. \$130,000 contribution from the Ford City Redevelopment Committee (FCRC) to be received prior to the start of the project.

Carried.

Report Number 14738 SR/10537 C10

Internal Distribution

Parks [Mike Clement]
Executive Director of Parks & Facilities
City Engineer
Manager of Purchasing & Risk Management
Chief Financial Officer/City Treasurer
City Solicitor

Postma
Jones

CR230/2010

That the request from the Greater Essex County District School Board (GECDSB) for the City of Windsor to maintain the facilities at the school board owned Windsor Stadium for a period of one year commencing May 1, 2010 and ending April 30, 2011 **BE APPROVED** under the following terms and conditions:

- That the City of Windsor will provide all maintenance activities for the Windsor Stadium including the field, spectator stands, washroom and dressing room facilities;
- That the City of Windsor will be responsible for the booking of the facility to community groups according to the existing City sport field booking procedures and schedule of fees with the GECDSB sanctioned activities receiving priority allocation;
- That the GECDSB will be responsible for all net costs for the maintenance of the facility including maintenance and repairs to the field and associated infrastructure, custodial activities, and utilities;
- That the City of Windsor and the GECDSB each provide proof of insurance in the amount of \$2 million public liability and property damage (CGL) with the Corporation of the City of Windsor be added as an additional insured with cross liability and/or severability of interest clause. There must be 30 day notice of cancellation should the insurance policy be cancelled;
- That community organizations using the facility provide proof of insurance as required by the Manager of Purchasing and Risk Management listing both the City of Windsor and the GECDSB as additional insured;
- That the agreement be renewed for an additional year upon mutual agreement;

and further, that the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the agreement satisfactory in form to the City Solicitor, in technical content to the Executive Director of Recreation and Culture, and in financial content to the City Treasurer.

Carried.

Councillor Hatfield discloses an interest and abstains from voting on this matter.

Report Number 14721 SR/10691 C11

Internal Distribution

Recreation [Jan Wilson]
Executive Director, Recreation & Culture
Executive Director, Parks and Facilities
Community Development and Health Commissioner
Chief Financial Officer/City Treasurer
City Solicitor

Postma
Jones

CR231/2010

I That Council **APPROVE** the six advance vote days October 9, 12, 13, 14, 15, and 16, 2010 as per *Section 43* of the *Municipal Elections Act*, for the purpose of the 2010 municipal election; and

That Council **APPROVE** advance voting hours to be between the hours of 10:00 o'clock a.m. and 8:00 o'clock p.m. at the advance voting locations, as listed in **Figure 1**, with the exception of Devonshire Mall, 3100 Howard Avenue, on October 9, 2010 which will be open between the hours of 9:00 o'clock a.m. and 6:00 o'clock p.m. for the 2010 municipal election as per *Section 43* of the *Municipal Elections Act*, and

That By-law No. 90-2010 **BE APPROVED** for the purpose of establishing advance voting dates and times; and

II That Council **APPROVE** the institutional voting stations listed in **Figure 2** to be open between the hours of 10:00 o'clock a.m. and 4:00 o'clock p.m. on Election Day, October 25, 2010 and further that By-Law No. 91-2010 **BE APPROVED** for this purpose.

Carried.

Report Number 14740 ACEE/9887 C12

Appendices

Figure 1 & Figure 2

Internal Distribution

Council Services [Chuck Scarpelli]
City Clerk
Deputy Clerk
City Solicitor

Postma
Jones

CR232/2010

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

Tenderer:	AMICO Infrastructure Inc. 2199 Blackacre Drive Oldcastle, Ontario N0R 1R0
Work:	Rehabilitation of Lauzon Parkway over E.C. Row Bridge Tender #02-10
Total Tendered Price:	\$1,978,000.00
Account Charged:	007-5310-1790-02942-7101004 \$1,200,000 007-5310-1790-02942-7091024 \$ 778,000

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 Amico Infrastructure Inc. for Tender No. 02-10.

II. THAT **APPROVAL BE GIVEN** to undertake an expenditure of \$1,978,000.00 for the bridge rehabilitation of the Lauzon Parkway structure, to **BE FUNDED** from the approved Capital Budget for Bridge Rehabilitation (Project ID No. 7101004 and 7091024).

Carried.

Report Number **14744 SW/10693 C13**

Internal Distribution

Public Works [Mark Winterton]
City Engineer
Executive Director of Operations
Manager of Purchasing & Risk Management
Chief Financial Officer/City Treasurer
City Solicitor

Postma
Jones

CR233/2010

THAT **APPROVAL BE GIVEN** to retain the services of 360Facility LLC to provide a Hosted Facility Asset Management Software solution for the City of Windsor in accordance with their Proposal in response to City of Windsor RFP Number 93-09 for a three year term with a total contract value of \$113,472 (US Funds); and

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the contract, satisfactory in form to the City Solicitor, in technical content the Executive Director of Information Technology, and financial content to the City Treasurer.

Carried.

Report Number **14745 SR/10692 C14**

Internal Distribution

Manager of Project Management and Applications [Melisa Urban]
Manager of Facility Operations [John Miceli]
Executive Director of Information Technology
Chief Financial Officer/City Treasurer
City Solicitor

Postma
Lewenza

CR234/2010

THAT Council **RECEIVE FOR INFORMATION** the 2010 1st Quarter Operating Budget Variance Report dated June 2, 2010 from the CFO & City Treasurer and;

THAT the CAO in concert with the CFO & City Treasurer **BE DIRECTED** to continue monitoring the 2010 Operating Budget and continue to seek further means of offsetting the projected variances.

Carried.

Report Number **14724 AFB/10444 15**

Internal Distribution

Finance [Andrew Daher]
Deputy Treasurer – Financial Planning
City Engineer
City Clerk

Community Development and Health Commissioner
Chief Financial Officer/City Treasurer
City Solicitor

Hatfield
Jones

CR235/2010

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

TENDERER: DeAngelis Construction Inc
5138 County Road 46
R. R. #3
Maidstone, Ontario N0R 1K0

TENDER NO: #96-10

TOTAL AWARDED PRICE: \$3,094,283.74 (excluding G.S.T.)

for the Civic Plaza Amphitheatre **BE APPROVED** to supply all labour and materials as stipulated in the tender to construct a new performance stage at the Central Riverfront Festival Plaza.

2. **THAT** the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign a contract with the lowest compliant tenderer DeAngelis Construction Inc. in the amount of \$3,094,283.74 plus G.S.T., satisfactory in form to the City Solicitor, in technical content to the Executive Director of Parks and Facilities and in financial content to the City Treasurer and Chief Financial Officer and;
3. **THAT APPROVAL BE GIVEN** to increase the project budget of Project #7092023-Central Riverfront Festival Plaza to \$3,600,000 and award Tender No 96-10,
4. **THAT APPROVAL BE GIVEN** to transfer \$ 1,600,000 from Project #7095000 (Capital Contingency – ISF-RiNC) to Project 709202300.

Carried.

Councillor Valentinis voting nay.

Report Number 14725 SR/10696 16

Internal Distribution

Parks [Don Sadler]
Manager of Parks Development
Manager of Facility Operations
ACity Engineer
Manager of Purchasing & Risk Management
Chief Financial Officer/City Treasurer
City Solicitor

Gignac
Jones

CR236/2010

That the report of the Chief Building Official dated June 3, 2010 entitled "Response to Council Question 37-2010 Respecting Excessive Vehicle Noise" **BE DEFERRED** to allow for representatives from Windsor Police Services to be in attendance and available for questions.

Carried.

Report Number **14702 SB2010 17**

Internal Distribution

Building [Ann Kalinowski]
City Clerk & Licence Commissioner
Chief Building Official
City Solicitor

Marra
Valentinis

CR237/2010

That the application to embark and disembark passengers at Dieppe and Reaume Parks **BE DENIED**; and, **THAT** the report dated May 18, 2010, submitted by the Recreation Department based on information available to them, **BE NOTED AND FILED**.

Carried.

Report Number **14722 MT/10679 18**

Internal Distribution

Recreation [Walt Metulynsky]
Executive Director of Recreation and Culture
Community Development and Health Commissioner
Chief Financial Officer/City Treasurer
City Solicitor

Postma
Jones

CR238/2010

I That the application of Hanna's Homes Inc. – Michael Laba, agent) for part lot control exemption for the lands legally described as Lots 49 to 70, inclusive, and Part Lot 71, Registered Plan 558 and Part Closed Alley, now designated as Parts 1 to 10, Parts 12 to 15, Parts 17 to 24, all inclusive in Reference Plan 12R-20705 all located on the west side of Alexandra Avenue, south of Ojibway Street (see attached Map No. PLC-001/10) to allow for the lands to be sold for single unit dwellings **BE APPROVED** for a period of 3 years.

II That By-law No. 99-2010 **BE ENACTED**.

Carried.

Report Number **14760 ZPLC2010 C19**

Appendices

Map No. PLC-001/10

Internal Distribution

Planning [Jim Abbs]
City Planner

Manager of Development Applications
City Engineer
City Solicitor

Marra
Jones

C239/2010

THAT City Council **APPROVE** the 2010 Tax Rates for Municipal purposes as provided in Table 1 of the report; and

THAT City Council **ENDORSE** Administration's recommendation that the final tax bills be issued in two (2) phase; and

THAT City Council **APPROVE** the 2010 Business Improvement Area rates as provided in Table 4 of the report; and

THAT the City Solicitor **BE DIRECTED** to prepare the necessary by-law.

Carried.
Councillors Brister and Halberstadt voting nay.

Report Number **14759 AF2010 20**

Internal Distribution

Finance [Janice Guthrie]
Chief Financial Officer/City Treasurer
City Solicitor

Postma
Jones

CR240/2010

THAT the update report of the City Solicitor dated June 14, 2010, with respect to an application by the Town of Tecumseh for a public vehicle operating licence for the transportation of passengers on a scheduled service between the Town of Tecumseh and the City of Windsor **BE RECEIVED** for information.

Carried.

Report Number **14771 MT2010 C21**

Internal Distribution

Legal [George Wilkki, City Solicitor]
General Manager, Transit Windsor

Dilkens
Marra

CR241/2010 RESCINDED BY M193-2010 ADOPTED JUNE 28, 2010

CR241/2010

That the whole width of the 4.27 metre (14 feet) wide east/west alley between St. Patrick's Drive and Randolph Avenue **BE ASSUMED** for subsequent closure and conveyance to Pauline Maria Trealout, owner of 2999 Randolph Avenue (Lot 149, Plan 1193) and to James Gillis, 2986 St. Patrick's Drive (Pt. Lots 1-4 and Block I, Plan 1193), and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law; and further,

That consideration of the north/south alley between St. Patrick's Drive and Randolph Avenue **BE DEFERRED** until Administration comes back with a report on how the City can better deal with having residents take ownership of land once the alley is closed.

Carried.

Report Number 14703 SAA/10569 5

Internal Distribution

Building [Don Wilson]
Chief Building Official
Legal - Sharon Amlin
City Planner
City Engineer
City Solicitor

Dilkens
Marra

CR242/2010 RESCINDED BY M193-2010 ADOPTED JUNE 28, 2010

CR242/2010

That the whole width of the 4.27 metre (14 feet) wide east/west alley between St. Patrick's Drive and Randolph Avenue **BE CLOSED AND CONVEYED** to Pauline Maria Trealout, owner of 2999 Randolph (Lot 149, Plan 1193) and James Gillis, owner of 2986 St. Patrick's Drive (Pt. Lots 1-4 and Block I, Plan 1193) subject to the following:

- Easements required in favour of:
 - Cogeco Cable Systems Inc
 - Enwin Utilities – hydro division for pole line
 - Bell Canada for maintenance of their plant/cable
- the lands are to be conveyed at \$1.00 plus deed preparation cost (approximately \$400.00) plus a proportionate share of survey cost as invoiced to the City of Windsor by an Ontario Land Surveyor for land abutting property zoned RD1.4

and further, the City Engineer **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1598, attached hereto as Appendix "A", and the City Solicitor or a delegate, **BE AUTHORIZED** to publish the required legal notice and **BE REQUESTED** to prepare the By-law to close and further the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved in form and content satisfactory to the City Solicitor, and the transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Report Number 14703 SAA/10569 5

Appendices

Drawing No. CC-1598

Internal Distribution
Building [Don Wilson]
Chief Building Official
Legal - Sharon Amlin
City Planner
City Engineer
City Solicitor

ADOPTED by Council at its meeting held June 14, 2010 [M175-2010]
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA
June 14, 2010**

Meeting called to order at: 3:00 p.m.

Members in Attendance:

Mayor E. Francis
Councillor D. Brister (arrives at 3:09 p.m.)
Councillor D. Dilkens
Councillor C. Postma
Councillor R. Jones
Councillor A. Halberstadt
Councillor F. Valentinis (arrives at 3:28
p.m.)
Councillor K. Lewenza (arrives at 3:08
p.m.)
Councillor B. Marra (arrives at 3:08 p.m.)
Councillor P. Hatfield
Councillor J. Gignac

Also in attendance:

H. Reidel, Chief Administrative Officer
R. Warsh, Community Development and Health Commissioner (arrives at 3:08 p.m.)
M. Sonogo, City Engineer
G. Wilkki, City Solicitor
V. Critchley, City Clerk
O. Colucci, Chief Financial Officer
P. Brode, Senior Legal Counsel (Item 2)
Representatives, Windsor Police Service (Item 6)

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

- 6. Personal matter – about an identifiable individual (Item 18 on regular agenda)**

Motion Carried.

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

to move in Camera for discussion of the following item(s), removing Items 3 and 4 which will be placed on the open session agenda for June 14, 2010:

<u>Item No.</u>	<u>Subject</u>	<u>Section – Pursuant to Municipal Act, 2001, as amended</u>
1.	Property matter –purchase of land	239(2)(c)
2.	Property matter – claim settlement	239(2)(c)
3.	REMOVED AND PLACED ON OPEN SESSION	
4.	REMOVED AND PLACED ON OPEN SESSION	
5.	Personal matter – about an identifiable individual(s) – recruitment	239(2)(b)
6.	Personal matter – about an identifiable individual(s) (Item 18 on regular agenda)	239(2)(b)

Motion Carried.

Declarations of Pecuniary Interest:

None declared

Discussion on the items of business. (Items 1, 2, 5 and 6)

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

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 June 14, 2010 directly to Council for consideration at the next Regular Meeting.

1. 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 – sale of land **BE APPROVED.**

2. That the recommendation contained in the in-camera report from Senior Legal Counsel, City Solicitor, Chief Financial Officer and City Treasurer and City Engineer respecting a property matter – claim settlement **BE APPROVED.**

3. That the confidential report from the City Solicitor and General Manger of Transit Windsor respecting a litigation application **BE REFERRED** to the regular meeting of Council on June 14, 2010.
4. That the confidential report from the City Solicitor, Chief Financial Officer and City Treasurer and City Planner respecting a legal matter – litigation **BE REFERRED** to the regular meeting of Council on June 14, 2010.
5. That the recommendation contained in the in-camera report from the City Solicitor, Executive Director of Human Resources and Chief Financial Officer and City Treasurer respecting a personal matter about an identifiable individual **BE APPROVED**.
6. That the confidential report from the Chief Administrative Officer respecting Item 18 on the June 18, 2010 Regular Agenda **BE RECEIVED FOR INFORMATION**.

Motion Carried.

**Moved by Councillor Jones, seconded by Councillor Postma,
That the special meeting of council held June 14, 2010 BE ADJOURNED.**

(Time: 4:02 p.m.)

Motion Carried.