

**Regular**

Council meets in formal session this day at 6:05 o'clock p.m., in the Council Chambers.

**Members Present:**

Mayor Francis  
Councillor Gignac  
Councillor Halberstadt  
Councillor Hatfield  
Councillor Jones  
Councillor Maghnieh  
Councillor Marra  
Councillor Payne  
Councillor Sleiman

**Members Absent:**

Councillor Dilkens [Away on City business representing Mayor and Council at the 2011 International Children's Winter Games in Kelowna British Columbia]

Councillor Valentinis

**Call to Order**

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

**Disclosures of Pecuniary Interest and the General Nature Thereof**

Councillor Payne discloses an interest and abstains from voting on Item 4, being the report of the City Planner dated December 13, 2010 entitled "Request for Demolition of Four – Plex Unit at 339-345 Dougall Avenue", due to his involvement in the BUHDAG Application to quash certain by-laws related to the boarded up houses west of the Ambassador Bridge.

SB2011

**Minutes**

Moved by Councillor Hatfield, seconded by Councillor Jones,  
That the Minutes of the Strategic Planning meeting of Council held on January 18, 2011,  
**BE ADOPTED** as presented; and that the Minutes of the regular meeting of Council held January 24, 2011,  
**BE ADOPTED** as presented.  
Carried.

**Notice of Proclamations**

Congenital Heart Defects Awareness Week – February 8-14, 2011

Committee of the Whole

Moved by Councillor Maghnieh, seconded by Councillor Marra,

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 No. 2 of the Small Business Advisory Panel** of its meeting held January 31, 2011.
  - (g) consideration of by-laws 18-2011 through 23-2011 (inclusive).
- Carried.

Communications

Moved by Councillor Payne, seconded by Councillor Sleiman,

**M31-2011** That the following Communication Items 1 to 3 and 5 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication No. 4 which is dealt with as follows:

Communication No. 4:

Moved by Councillor Hatfield, seconded by Councillor Jones,

**M32-2011** That the correspondence date January 25, 2011 pertaining to the request from the National Wall of Remembrance Association **BE NOTED AND FILED**, and further request that local legions contact the City of Windsor when local fundraiser events happen.

Carried.

Item	From	Description
1	Ministry of Municipal Affairs and Housing	"A Land Use Planning Guide for Businesses" ( <i>previously distributed</i> ). City Planner Note & File GM2011
2	Environment Canada	Lake Erie Lakewide Management Plan - Annual Report 2010. City Engineer Note & File GP2011
3	Pathway to Potential	Pathway to Potential 2010 Community Report. Community Development & Health Services Commissioner Note & File SS/10488
4	Office of The Mayor	National Wall of Remembrance – Request for Financial Support. COUNCIL DIRECTION REQUESTED Chief Financial Officer & City Treasurer APR2011

5	City Engineer	Public Works – Traffic Operations: Capital Budget 2010.	<b>Note &amp; File AFB2011</b>
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Carried.

### Consent Agenda

Moved by Councillor Gignac, seconded by Councillor Jones,

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

Item 2 Response to CQ82-2010 and CQ83-2010 Matters Pertaining to the Little River

Item 3 Amendment of By-law 366-2003

Item 9 Superior Court File 7161, Proposed Settlement

Carried.

### Deferrals and/or Referrals and Withdrawals

#### Request Automotive Repair Business at 3540 Wolfe Court

At the request of Mr. Daniel Vollans, Item No. 1, being the report of the City Planner dated January 14, 2011 entitled “Request Automotive Repair Business at 3540 Wolfe Court”, is being withdrawn at this time.

MH/9899 1

(For final disposition of this matter, see Clause **CR44/2011** in Schedule “A” attached hereto.)

#### Request for Demolition of Four-Plex Unit at 339-345 Dougall Avenue

At the request of Jeff Belanger, property owner of 339-345 Dougall Avenue, the matter is being deferred to the February 28, 2011 meeting of Council to all for the property owner to receive a formal report with findings, including photographic documentation.

SB2011 4

(For final disposition of this matter, see Clause **CR47/2011** in Schedule “A” attached hereto.)

### Final Approval of the Draft Economic Revitalization Community Improvement Plan (CIP)

#### Chris Schnurr, resident of Ward 4

Chris Schnurr, resident of Ward 4, appears before Council to request that the report of the City Planner dated January 14, 2011 entitled “Final Approval of the Proposed Economic Revitalization Community Improvement Plan (CIP)” **BE DEFERRED** for a 30 day period to allow ample time for review.

Moved by Councillor Payne, seconded by Councillor Halberstadt,

That the report of the City Planner, dated January 14, 2011 entitled “Final Approval of the Proposed Economic Revitalization Community Improvement Plan (CIP)” **BE DEFERRED** for a minimum of 30 days to allow ample time for review.

The motion is put and is lost.

Aye Votes: Councillors Payne and Halberstadt.

Nay Votes: Councillors Gignac, Hatfield, Jones, Maghnieh, Marra and Sleiman.

Absent: Councillors Dilkens and Valentinis.

**Clerks Note:** As the motion to defer did not obtain majority support, the matter will be heard this evening.

### **Presentations & Delegations:**

#### **DELEGATIONS**

#### **Request for Reduction of Development Charges by Tuscany Oaks Ltd. at 11003 Tecumseh Road East**

##### **John Rauti, representing Tuscany Oaks Ltd.**

John Rauti, representing Tuscany Oaks Ltd., appears before Council to request that Council reject the administrative recommendation to deny the reduction of the development charges for 11003 Tecumseh Road East pertaining to Tuscany Oaks Ltd., and the construction of two six unit multiple dwellings, suggesting that to avoid paying development charges the Applicant would have had to apply for a building permit by the May 31, 2010 deadline, due to the provincial requirements surrounding accessibility issues, adjustments were required which created a delay in obtaining a building permit, and concludes by stating that if granted, construction can begin immediately.

**ZS/10686 8**

(For final disposition of this matter, see Clause **CR51/2011** in Schedule “A” attached hereto.)

#### **Request for the Waiver of Fees by Habitat for Humanity – 1088 Lawrence Avenue and 1094 Dawson Avenue**

##### **Laura Gould, Executive Director, Habitat for Humanity**

Laura Gould, Executive Director, Habitat for Humanity, appears before Council to request that Council reject the administrative recommendation to refer the request for the waiver of the fees pertaining to the 2011 build project at 1088 Lawrence Avenue and 1094 Dawson Avenue, to the 2011 budget deliberations, stating that in the past City Council has been generous in approving grants-in-lieu of for building, development and related fees, and concludes by stating that such a grant will improve their ability to fulfill their mandate and provide decent, affordable housing in partnership with families in need.

**GH/10878 5**

(For final disposition of this matter, see Clause **CR48/2011** in Schedule “A” attached hereto.)

**ABC Governance Review – Consultant’s Report****Carol Easton, resident of Ward 5**

Carol Easton, resident of Ward 5, appears before Council to speak in support of the administrative recommendation to change the governance structure of Agencies, Boards, Commissions, and Committees, suggesting that the Bicycling Committee be replaced with an Active Transportation Committee to meet the needs of the pedestrian traffic.

Mayor Francis leaves the meeting at 6:32 o’clock p.m. and Councillor Jones assumes the Chair.

**David Hanna, resident of Ward 1**

David Hanna, resident of Ward 1, appears before Council to speak in support of the administrative recommendation to change the governance structure of Agencies, Boards, Commissions, and Committees, suggesting that a Public Space Committee be established, referencing the Windsor “SEEN” Report of 2004.

Mayor Francis returns to the meeting at 6:55 o’clock p.m. and Councillor Jones returns to his seat at the Council table.

**Al Nelman, resident of Ward 8**

Al Nelman, resident of Ward 8, appears before Council to request that Council reject the administrative recommendation to change the governance structure of Agencies, Boards, Commissions, and Committees, suggesting that this would be a huge undertaking, and concludes by stating further review of the comprehensive consultant’s report is required prior to the endorsement of the new governance structure.

**Alex Foley, resident of Ward 10**

Alex Foley, resident of Ward 10, appears before Council to speak in support of the administrative recommendation to change the governance structure of Agencies, Boards, Commissions, and Committees, suggesting that the new governance will streamline the process and reduce costs, and concludes by stating that further review of the comprehensive consultant’s report is required prior to the endorsement of the new governance structure.

**Les Chaif, resident of Ward 2**

Les Chaif, resident of Ward 2, appears before Council to request that Council reject the administrative recommendation to change the governance structure of Agencies, Boards, Commissions and Committees, suggesting that the new structure lacks in transparency and concludes by stating that further review of the comprehensive consultant report is required prior to the endorsement of the new governance structure.

**Merv Dependleton, resident of Ward 7**

Merv Dependleton, resident of Ward 7, appears before Council appears before Council to request that Council reject the administrative recommendation to change the governance structure of Agencies, Boards, Commissions and Committees, suggesting that the recommendations presented in the Consultant’s report will have a large impact on the future direction of the City of Windsor, and concludes by requesting that a one month deferral of the matter be granted to further review the comprehensive consultant report.

**Bruce Peever, Consulting Manager, Performance and Technology, KPMG**

Bruce Peever, Consulting Manager, Performance and Technology, KPMG, appears before Council and is available for questions regarding the Consultant's report pertaining to the governance structure of Agencies, Boards, Commissions and Committees he is proposing for the City of Windsor.

GH/10878 6

(For final disposition of this matter, see Clause **CR49/2011** in Schedule "A" attached hereto.)

**Final Approval of the Draft Economic Revitalization Community Improvement Plan (CIP)**

Mayor Francis leaves the meeting at 8:33 o'clock p.m. and Councillor Jones assumes the Chair.

**Kevin Flood, resident of Ward 2**

Kevin Flood, resident of Ward 2, appears before Council to request that Council reject the administrative recommendation to approve the City of Windsor Economic Revitalization Community Improvement Plan (CIP), suggesting that the document presented has numerous unanswered questions, respecting the benefits to the current business community, and concludes by requesting a one month deferral of the matter to allow for further review.

Mayor Francis returns to the meeting at 8:36 o'clock p.m. and Councillor Jones returns to his seat at the Council table.

**Terry Berthiaume, Essex Terminal Railway and Morterm Ltd.**

Terry Berthiaume, Essex Terminal Railway and Morterm Ltd., appears before Council to speak in support of the administrative recommendation to approve the City of Windsor Economic Revitalization Community Improvement Plan (CIP), suggesting that though he endorses the CIP, existing businesses may find it difficult to compete with new businesses and their lower cost structure, and concludes by suggesting lower taxes for all businesses new or current.

**Chris Schnurr, resident of Ward 4**

Chris Schnurr, resident of Ward 4, appears before Council to request that Council reject the administrative recommendation to approve the City of Windsor Economic Revitalization Community Improvement Plan (CIP), suggesting that the development of a criteria for Council is required, outlining the following: assist Councillors in determining whether or not incentives are necessary; conduct a risk/benefit analysis; refine the Community wide CIP to include special zones, examples being the downtown, BIA districts and the Windsor Airport; to provide an alternative to the tax increment grant structure, and concludes by requesting a one month deferral of the matter to further develop the criteria for Council.

**Ron Gaudet, Chief Executive Officer, WindsorEssex Economic Development Corporation and Patrick Persichilli, Executive Vice President, WindsorEssex Economic Development Corporation**

Ron Gaudet, Chief Executive Officer, WindsorEssex Economic Development Corporation and Patrick Persichilli, Executive Vice President, WindsorEssex Economic Development Corporation, appear before Council to speak in support of the administrative recommendation to approve the City of Windsor Economic Revitalization Community Improvement Plan (CIP), suggesting that the CIP is a valuable tool for Council to utilize in attracting new business and investment opportunities to Windsor, and conclude by stating that the region must be recognized as region with low taxes, infrastructure, and great incentives.

**Chris Edwards, Executive Director of the Downtown Windsor BIA; and Michael Jagatic, Development Committee Chair of the Downtown Windsor BIA**

Chris Edwards, Executive Director of the Downtown Windsor BIA, and Michael Jagatic, Development Committee Chair of the Downtown Windsor BIA, appear before Council to speak in support of the administrative recommendation to approve the City of Windsor Economic Revitalization Community Improvement Plan (CIP), suggesting that Council is taking bold steps to address the issue of economic development within the city of Windsor, and conclude by stating that any initiative for the revitalization of the downtown core will be supported by the Downtown Windsor BIA.

SPL/10759 7

(For final disposition of this matter, see Clause **CR50/2011** in Schedule "A" attached hereto.)

**Capitol Theatre Operation**

**Sarah Ilijanich, representing Lakeshore Academy of Fine Arts**

Sarah Ilijanich, representing Lakeshore Academy of Fine Arts, appears before Council to speak in support of the administrative recommendation to operate the Capitol Theatre through the Recreation and Culture Department using Interim Model # 2 for a period of approximately 3-10 months, providing access to community organizations, suggests that the Capitol Theatre is a beautiful theatre with great architecture and history, and concludes by stating that the theatre gives children an opportunity to shine.

**Calvin Little, Executive Director, Centres for Seniors Windsor**

Calvin Little, Executive Director, Centres for Seniors Windsor, appears before Council before to speak in support of the administrative recommendation to operate the Capitol Theatre through the Recreation and Culture Department using Interim Model # 2 for a period of approximately 3-10 months, providing access to community organizations and suggests that the Capitol Theatre has tremendous historical value

**Sheila Wisdom and Elaine Weeks, representing Citizens for the Capitol Theatre: Act 2**

Sheila Wisdom and Elaine Weeks, representing Citizens for the Capitol Theatre: Act 2, appear before Council to speak in support of the administrative recommendation to operate the Capitol Theatre through the Recreation and Culture Department using the Interim Model #2 for a period of approximately 3-10 months, providing access to community organizations, suggesting that the Capitol Theatre is vitally important for the economic development of Windsor, and conclude by stating that consultations with the art community should begin immediately, prior to entering into any partnership agreements.

**Michelle Mainwaring, representing Galeforce Productions**

Michelle Mainwaring, representing Galeforce Productions, appears before Council to speak in support of the administrative recommendation to operate the Capitol Theatre through the Recreation and Culture Department using the Interim Model #2 for a period of approximately 3-10 months, providing access to community organizations and suggests that Council must support all aspects of culture and recreation, and concludes by stating that if an educational institution secures ownership a monopoly may occur.

**Christine Burchnall, representing Artcite Inc.**

Christine Burchnall, representing Artcite Inc., appears before Council to speak in support of the administrative recommendation to operate the Capitol Theatre through the Recreation and Culture Department using the Interim Model #2 for a period of approximately 3-10 months, providing access to community organizations, stating that it is important that consultations occur with the art community prior to entering into any partnership agreements, and concludes by stating that Artcite Inc. is interested in continuing with their current rental agreement.

APM/9485 10

(For final disposition of this matter, see Clause **CR53/2011** in Schedule "A" attached hereto.)

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

Nil.

**Consideration of Committee Report**

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,  
**M34-2011** That **Report No. 2 of the Small Business Advisory Panel** of its meeting held January 31, 2011, **BE ADOPTED** as presented.  
Carried.

MB2011

**By-laws**

Moved by Councillor Maghnieh, seconded by Councillor Marra,  
That the following By-laws No. 18-2011 through 23-2011 (inclusive), be introduced and read a first and second time:

- 18-2011 "A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE CITY OF WINDSOR ZONING BYLAW"
- 19-2011 "A BY-LAW TO FURTHER AMEND BY-LAW 366-2003 BEING A BYLAW TO AUTHORIZE DESIGNATED CITY EMPLOYEES TO ELECTRONICALLY SIGN REAL PROPERTY DOCUMENTS REQUIRING ELECTRONIC REGISTRATION"



- 20-2011      “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE WINDSOR CORE AREA ZONING BYLAW”
- 21-2011      “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE CITY OF WINDSOR ZONING BYLAW”
- 22-2011      “A BY-LAW TO PROVIDE FOR INTERIM TAX LEVIES FOR 2011”
- 23-2011      “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE THIRTY-FIRST DAY OF JANUARY, 2011”

Carried.

Moved by Councillor Payne, seconded by Councillor Sleiman,  
That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee:

- 1)            **Communication Items (as amended)**
- 2)            **Consent Agenda (as amended)**
- 3)            **Items Deferred**  
**Items Referred**
- 4)            **Consideration of the Balance of Business Items (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 Jones, seconded by Councillor Maghnieh,  
That the following By-laws No. 18-2011 through 23-2011 (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 Hatfield, seconded by Councillor Jones,  
**M33-2011** 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.

ACOQ2011

PROPOSED IN-CAMERA AGENDA FOR FEBRUARY 7, 2011

Moved by Councillor Maghnieh, seconded by Councillor Marra,  
**M35-2011** That the following proposed In Camera Agenda for February 7, 2011 **BE APPROVED**:

<u>Item No.</u>	<u>Subject</u>	Section – Pursuant to Municipal Act, 2001, as amended
1.	Property matter – lease	239(2)(c)
2.	Legal matter – order	239(2)(e)
3.	Property matter – letter of agreement	239(2)(a)(f)
4.	Personal matter – recruitment	239(2)(b)
5.	Legal matter – appeal	239(2)(e)
6.	Legal matter – appeal	239(2)(e)
7.	Property/Legal matter – lease	239(2)(c)
8.	Personal matter – agreement	239(2)(b)

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.

ACO2011

Adjournment

Moved by Councillor Payne, seconded by Councillor Sleiman,  
 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 10:54 o'clock p.m.

**MAYOR**

**CITY CLERK**

**THIS IS A DRAFT COPY**

**DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES**

**SUPERVISOR OF COUNCIL SERVICES**

Jones  
Marra

CR44/2011

That the report of the City Planner dated January 14, 2011 entitled "Request Automotive Repair Business at 3540 Wolfe Court" respecting the request of Daniel Vollans for an automotive repair business at 3540 Wolfe Court **BE NOTED AND FILED** as the Applicant has withdrawn his application at this time.

Carried.

Report Number **15051 MH/9899 1**

Gignac  
Jones

CR45/2011

That the Office of the City Engineer's response to CQ82-2010 and CQ83-2010, matters pertaining to the Little River, **BE RECEIVED** for information.

Carried.

Report Number **14986 SW2011 C2**

Gignac  
Jones

CR46/2011

A. THAT the report of the City Solicitor regarding the amendment of By-law 366-2003 **BE RECEIVED** for information; and

B. AND THAT By-Law 366-2003 **BE AMENDED** by deleting,  
"*...the following named solicitors of the Corporation are authorized to bind the Corporation by signing, by electronic means, any documents on behalf of the Corporation requiring electronic registration relating to the said transaction:*

*George A. Wilkki, City Solicitor*

*Wira Vendrasco, Legal Counsel*

*Patrick Brode, Legal Counsel*

*Mark Nazarewich, Legal Counsel*

*Shelby Dawn Askin Hager, Barrister and Solicitor*"

And inserting in its place the following:

*"the City Solicitor, or his or her designate(s), in the City Solicitor's discretion, is authorized to bind the Corporation by signing, by electronic means, any documents on behalf of the Corporation requiring electronic registration relating to the said transaction."*

And by identifying the foregoing paragraph as paragraph 1.

C. AND THAT By-law 366-2003 **BE FURTHER AMENDED** by inserting paragraph 2 as follows:

*"Transactions completed between November 3, 2003 and January 31, 2011, inclusive, by electronic means in accordance with the by-law or resolution which authorized the transaction, save and except that*

*such transactions were signed electronically by employees other than George Wilkki, Wira Vendrasco, Patrick Brode, Mark Nazarewich, or Shelby Dawn Askin Hager are hereby ratified.”*

- D. AND THAT By-law 366-2003 **BE FURTHER AMENDED** by identifying the final paragraph, which states, “this by-law shall come into force and take effect on the day of its final passing” as paragraph 3.
- E. AND THAT amending By-Law # 19-2011 **BE PASSED** at this meeting of Council.

Carried.

Report Number **15057 AL2011 C3**

Marra  
Sleiman

CR47/2011

That the report of the City Planner dated December 13, 2010, entitled “Request for Demolition of Four-Plex Unit at 339-345 Dougall Avenue” **BE DEFERRED** to the February 28, 2011 meeting of Council to allow for the property owner to receive a formal report with findings, including photographic documentation.

Carried.

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

Report Number **15012 SB2011 4**

Marra  
Hatfield

CR48/2011

That City Council **APPROVE** the waiver of fees request for the Habitat for Humanity relating to the 2011 build project at 1088 Lawrence Avenue and 1094 Dawson Avenue, and that this **BE CHARGED** to the Budget Stabilization Reserve Fund.

Carried.

Report Number **15061 GH/10878 5**

Hatfield  
Jones

CR49/2011

That the consultant’s final report by KPMG, *ABC Governance Review*, regarding a restructuring of the City’s Agencies, Boards, Commissions, and Committees of Council (ABC’s) dated January 6, 2011, **BE RECEIVED** for information and further;

1. That Council **APPROVE** a change in the governance *structure* of Agencies, Boards, Commissions, and Committees by establishing the following presented option:
  - a. Option B (Consultant’s recommended option) – Executive Committee Model as amended to reflect a (6) six Standing Committees Structure combining Internal Services and

Public Engagement Standing Committee with the Executive Committee (as outlined in the consultant’s report, Appendix “A”);

2. That Council **APPROVE** a change in governance strategy, governance process, governance practices, and governance culture for Agencies, Boards, Commissions, and Committees as outlined in the consultant’s report, as Appendix “A”, and

and further,

3. That Council **ADOPT** the “*City of Windsor Council Appointment Policy*” as recommended by the consultant, in the consultant’s report as Appendix “B” as amended, to allow for Council to make appointments at their discretion as opposed to limiting their choices to only eligible electors in the City of Windsor, and
4. That the City Clerk **BE DIRECTED** to report back to City Council with an implementation plan based on Council direction regarding proposed changes to the governance structure, and that in addition 3 members at large **BE ADDED** to Planning Standing Committee.

Carried.

Report Number **15065 GM/10239 C6**

Appendices  
Policy

Marra  
Jones

CR50/2011

- I. THAT the City of Windsor Economic Revitalization Community Improvement Plan **BE APPROVED**, and that the City Planner **BE DIRECTED** to prepare the necessary by-law for final adoption of the Community Improvement Plan; and
- II. THAT the City Planner **BE DIRECTED** to include the changes described by Appendix B to the City of Windsor Economic Revitalization Community Improvement Plan.

Carried.

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

**RESULTS OF RECORDED VOTE:**

In Favour	Councillors, Gignac, Sleiman, Halberstadt, Payne, Maghnieh, Hatfield, Marra, Jones and Mayor Francis
Opposed	None
Abstain	None
Absent	Councillors Valentinis and Dilkens

Report Number **15059 SPL/10759 7**

Hatfield  
Sleiman

CR51/2011

That the request from Tuscany Oak Ltd. at 11003 Tecumseh Road East for the reduction of development charges in the amount of \$22,865.00 for the construction of two six unit multiple dwellings

**BE APPROVED** and **CHARGED** to the Budget Stabilization Fund.

Carried.

Councillor Gignac voting nay.

Report Number **15054 ZS/10686 8**

Gignac  
Jones

CR52/2011

That Council **INSTRUCT AND AUTHORIZE** the City Solicitor to settle an application brought in the Superior Court of Ontario (Northwest Region) identified as court file number 7161 in accordance with terms proposed in the draft Minutes of Settlement appended as a Schedule to this report and that the City Solicitor **BE AUTHORIZED** to sign the Minutes on behalf of the City.

Carried.

Report Number **15073 AL2011 C9**

Marra  
Hatfield

CR53/2011

That the report from the Executive Director of Recreation and Culture dated January 5, 2011 on the operation of the Capitol Theatre **BE RECEIVED** and further, that Administration proceed with the following actions:

Operate the Capitol Theatre through the Recreation and Culture Department using the Interim Model #2 for a period of approximately 3 - 10 months commencing February 1, 2011, providing access to community organizations as per standard terms and conditions for events on municipal property, at rates comparable to fees charged prior to February 1, 2011; and

That administration immediately **CONSULT** with the arts community prior to entering into any partnership agreement, or community use agreement; and

That an upset limit of \$10,000.00 **BE ALLOCATED** for the purpose of cleaning the theatre, and that this **BE CHARGED** to the Budget Stabilization Reserve Fund.

Carried.

Report Number **15044 APM/9485 10**

City Solicitor

ADOPTED by Council at its meeting held January 31, 2011 [M34-2011]  
SV

Windsor, Ontario January 31, 2011

**REPORT NO. 2**  
of the  
**Small Business Advisory Panel**  
at its meeting held  
January 31, 2011  
10:00 o'clock a.m.

Meeting Room 402, 400 City Hall Square East

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**Present:**     **Dr. Alfie Morgan, Chair**  
                  **Norm Marcoux**  
                  **James Marsh**  
                  **Vicky Smith**  
                  **Jim Williams**  
                  **Alan Halberstadt**

The Small Business Advisory Panel submits the following recommendations:

Moved by A. Halberstadt, seconded by N. Marcoux

That the comments provided by the Small Business Advisory Panel **BE FORWARDED** to City Council for information purposes.

**NOTE:**        See also Item No. 7 on the January 31, 2011 Council Agenda.

**NOTE:**        A copy of the report entitled *Small Business Advisory Panel's Feedback to Council on the CIP*, dated January 27, 2011 which was considered by the Committee is **attached**.

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CHAIR

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COMMITTEE COORDINATOR