

Regular

Council meets in formal session this day at 6:00 o'clock p.m., in the Council Chambers.

Members Present:

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

Members Absent:

None.

Call to Order

Following the playing of the Canadian National Anthem, Pastor Ernie Harris from New Beginnings Christian Church, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

Councillor Payne discloses an interest and abstains from voting on Communication No. 5, being the decision of Justice Gates in the matter of Hilary Payne et al v. The Corporation of the City of Windsor et al., due to his involvement in the BUHDAG Application to quash certain by-laws related to the boarded-up-houses west of the Ambassador Bridge.

Councillor Payne discloses an interest and abstains from voting on Report No. 27 of the Planning Standing Committee respecting "Update 357-359 Indian Road ICBL Exemption Request – Summary of Meeting held September 7, 2011", due to his involvement in the BUHDAG Application to quash certain by-laws related to the boarded-up-houses west of the Ambassador Bridge.

Minutes

Moved by Councillor Jones, seconded by Councillor Maghnieh,
That the Minutes of the regular meeting of Council held September 6, 2011 **BE ADOPTED**
as presented.
Carried.

Notice of Proclamations

City of Windsor Employee Learn @ Work Week – September 19-23, 2011
Polenta Fest Day – September 24, 2011
Windsor Reads Week – September 26-30, 2011
Raise-A-Reader Day – September 28, 2011

Committee of the Whole

Moved by Councillor Marra, seconded by Councillor Payne,
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 the Striking Committee** of its meeting held September 6, 2011;
 - (iii) **Report 22-24 of the Environment & Transportation Standing Committee** of its meeting held August 31, 2011;
 - (iv) **Report No. 30-33 & 35-36 of the Executive Committee** of its meeting held August 30, 2011;
 - (g) consideration of by-laws 159-2011 through 166-2011.
- Carried.

Communications

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M241-2011 That the following Communication Items 1 to 19 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication No. 20 which is dealt with as follows:

Communication No. 20:

Moved by Councillor Gignac, seconded by Councillor Dilkens,
M242-2011 That Council **APPROVE** the award of Tender No. 78-11 for the Roof Replacement Parks Yard, located at 2461 McDougall Avenue to Rauth Roofing Limited in the amount of One Hundred Seventy Two Thousand, Six Hundred Eighty Eight Dollars (\$172,688.00) excluding HST to be funded from Roof Replacement project 7085008 in accordance with the 2011 Approved Capital Budget; and

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the low bidder, satisfactory in form to the City Solicitor, in financial content to the Chief Financial Officer and City Treasurer, and in technical content to the Manager of Real Property Asset Planning.

Carried.

APM/11131

Item	From	Description
1	Heritage Canada	Building Communities through Arts and Heritage. Executive Director of Recreation & Culture Note & File APR2011
2	Ministry of Citizenship and Immigration	Nominations for the June Callwood Outstanding Achievement Award for Voluntarism in Ontario. Note & File APR2011

3	Ministry of Municipal Affairs and Housing	Municipal Tools for Affordable Housing. Executive Director of Housing & Children's Services Note & File SS2011
4	Association of Municipalities of Ontario (AMO)	AMO's 2011 Municipal Insurance Survey Results. City Solicitor Note & File MMA2011
5	Ontario Superior Court of Justice	Decision of Justice Gates in the matter of Hilary Payne et al. V. The Corporation of the City of Windsor et al. Re: Court File No. CV-10-14295. (P & C memo for Mayor and members of Council only.) Note & File Z/8581 ST/5710
6	Corporation of the County of Essex, Mary S. Brennan, Director of Council Services/Clerk	Adoption of resolution 191-11 to support the extension of the contract of the Environmental Coordinator Assistant/WECEC Coordinator for the period of August 27, 2011 until April 27, 2012. Windsor-Essex County Environment Committee Note & File MB2011
7	Corporation of The City Of Windsor	City of Windsor Looking for Poet Laureate. Note & File APR2011
8	<ul style="list-style-type: none"> • Go For Health Windsor-Essex • County of Essex • Share the Road Cycling Coalition 	Active Communities Summit to be held at Canadian Transportation Museum & Heritage Village on October 3, 2011. Executive Director of Operations Windsor Bicycling Committee Note & File APR2011
9	Care for a Cause 2011 Committee	Requesting that council purchase a table for local secondary students for the 18 th annual gala event on November 11, 2011. COUNCIL DIRECTION REQUESTED APR2011
10	A Group of Grandparents from Southern Ontario	Letter of thanks for endorsing Bill 22, an act to amend the Children's Law Reform Act. Note & File SS2011
11	Southwest Economic Alliance	Request to support the resolution to create an economic development fund specifically for Southwestern Ontario. COUNCIL DIRECTION REQUESTED GP2011
12	Manager of Urban Design	Application of Madiva 2000 Inc. for Site Plan Approval to permit industrial use located at Maplewood Drive. Note & File ZS/11176
13	Manager of Urban Design	Application of Windsor Regional Hospital for Site Plan Approval to permit new residence and pool addition located at 1453 Prince Road. Note & File ZS/11177

14	Manager of Urban Design	Application of Cor-Del Inc. for Site Plan Approval to permit a Beer Store and future retail/commercial property located at 790 Goyeau. Note & File ZS/11178
15	Manager of Urban Design	Application of Office Authority Inc. for Site Plan Approval to permit construction of a warehouse addition at the rear of the existing warehouse located at 1835 Provincial Road. Note & File ZS/11179
16	Manager of Urban Design	Application of Les Aliments Dainty Foods Inc. for Site Plan Approval to permit a truck loading bay expansion located at 725 Broadway Street. Note & File ZS/11180
17	Manager of Development Applications	Application of Gurbax Singh Wahid for zoning amendment to permit the addition of a light automobile repair shop to the permitted uses and the associated parking area for lands located at 1587 Windsor Avenue. Note & File ZB/11183
18	Manager of Development Applications	Application of City of Windsor for zoning amendment to permit supplementary use to allow for a medical clinic in part of the building for lands located at 3325 College Avenue and the parking lot across the street. Note & File ZB/11044
19	Manager of Development Applications	Application of Roman Catholic Episcopal Corporation of the Diocese of London for zoning amendment to permit the parcel to be divided and sold in two parts for lands located at 1630/1640 Partington. Note & File ZB/11130
20	Manager of Real Property Asset Planning	Correction to Council Resolution CR210/2011. COUNCIL DIRECTION REQUESTED APM/11131

Carried.

Councillor Payne discloses an interest and abstains from voting on Communication No. 5.

Consent Agenda

Moved by Councillor Dilkens, seconded by Councillor Gignac,

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

- Item 1 Application for Part Lot Control Exemption, 617847 Ontario Limited (11969, 11973, 11985 and 11989 Cobblestone Crescent)
- Item 2 Request to Grant Executive Director, Operations, Signing Authority on Vehicle Information Agreements

Item 3 Riverside Drive Vista Improvements – Phase 1 – Riverdale Drive to Lauzon Road RFP #04-11-
Retain Consultant

Item 4 City Centre Streetscape Improvements, Phase 3, 4 & 5 – Completion Report

Carried.

Deferrals and/or Referrals and Withdrawals

None requested.

Presentations & Delegations:

PRESENTATIONS:

Special presentation to recently retired City of Windsor Fire Chief Dave Fields from Mayor and City Council.

David Fields, recently retired City of Windsor Fire Chief, appears before Council at the request of the Mayor and Members of Council for a special presentation in appreciation for his years of Public Service and Commitment to the Community.

DELEGATIONS

Report No. 31 of the Social Development, Health & Culture Standing Committee (The Salvation Army – Closure of Residential Programs)

Major Patricia Phinney, Divisional Secretary for Public Relations and Development, The Salvation Army (Ontario Great Lakes Division)

Major Patricia Phinney, Divisional Secretary for Public Relations and Development, The Salvation Army (Ontario Great Lakes Division), appears before Council and is available for questions regarding the request to approve the allocation of up to \$200,000. per year in each of 2011 and 2012 to the Salvation Army Windsor Community and Rehabilitation Centre for the provision of enhanced employment services.

(For final disposition of this matter, see Report Section.)

Report No. 23 of the Environment & Transportation Standing Committee (Parking By-law 9023 – Recommended Amendments on Lappan Ave., Woodward Blvd., Blossom Crt., and Jane Crt.)

John Charbonneau, resident of Ward 9

John Charbonneau, resident of Ward 9, appears before Council to speak in opposition to the proposed parking restrictions on Lappan Avenue as the subdivision has been in existence for the past 21 years and the on-street parking has never been an issue during all this time, and concludes by stating that he has medical reasons which require support workers to tend to him at his house daily and thus require parking.

Moved by Councillor Payne, seconded by Councillor Dilkens,

That the Executive Director of Operations BE DIRECTED to develop an overall City policy regarding parking on both sides of streets and the need for safe, efficient access by emergency vehicles as well as Public Works Operations for refuse collection and snow removal.

The motion is put and is lost.

Aye Votes: Councillors Payne and Dilkens.

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

(For final disposition of this matter, see Report Section.)

Report No. 27 of the Planning Standing Committee (Update 357-359 Indian road ICBL Exemption Request – Summary of Meeting held September 7, 2011)

Djordje Stajic, resident of Ward 2

Djordje Stajic, resident of Ward 2, appears before Council to speak in support of the Applicant's request for exemption to the Sandwich Interim Control By-law for 357-359 Indian Road, stating that this particular file has experienced many time consuming challenges required by the Planning Standing Committee.

John Palombo, resident of Ward 2

John Palombo, resident of Ward 2, appears before Council to speak with regards to the request by the Applicant for exemption to the Sandwich Interim Control By-law for 357-359 Indian Road, stating that the area has had to endure a negative image lately, and that Council needs to do the right thing when it comes to this area, and concludes by requesting that at minimum, Council authorize the erection of signage in the area, indicating as to what is currently taking place.

Ashley Hebert, resident of Ward 2

Ashley Hebert, resident of Ward 2, appears before Council to speak in support of the Applicant's request for exemption to the Sandwich Interim Control By-law for 357-359 Indian Road, stating that the goals being sought should be allowed to be achieved, or at least offer a fair compromise.

Bill Davies, resident of Ward 2

Bill Davies, resident of Ward 2, appears before Council to speak in support of the Applicant's request for exemption to the Sandwich Interim Control By-law for 357-359 Indian Road, stating that the Applicant has had nothing but frustrations with this particular file, with too many requirements by the City, which in turn is unfair to the immediate surrounding area and to taxpayers.

Kevin Flood, property owner

Kevin Flood, property owner, appears before Council to speak in support of his request for exemption to the Sandwich Interim Control By-law for 357-359 Indian Road, providing a brief overview of his proposal, as well as a historical summary of the subject property, and concludes by stating that he has agreed to every requirement directed by the Planning Department, with the exception of cedar shade siding as it is not financially viable for him.

Anne Marie Laniak, property owner

Anne Marie Laniak, property owner, appears before Council to speak in support of the request for exemption to the Sandwich Interim Control By-law for 357-359 Indian Road, and concludes by questioning some of the requirements directed by the Planning Department with regards to “historical / architectural significance”.

Mayor Francis leaves the meeting at 7:10 o’clock p.m. and Councillor Dilkens assumes the Chair.

Mayor Francis returns to the meeting at 7:14 o’clock p.m. and Councillor Dilkens returns to his seat at the Council table.

(For final disposition of this matter, see Report Section)

Ontario Ministry of Agriculture, Food and Rural Affairs Funding Agreement – City of Windsor Aquatic and Library Complex**David Hanna, resident of Ward 1**

David Hanna, resident of Ward 1, appears before Council to speak in support of the Ontario Ministry of Agriculture, Food and Rural Affairs Funding Agreement for the City of Windsor Aquatic and Library Complex, and concludes by offering suggestions in terms of long-range planning and foresight, such as greening initiatives.

SR/11026 5

(For final disposition of this matter, see **CR246/2011** in Schedule “A” attached hereto.)

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

Nil.

Consideration of Committee Reports

Moved by Councillor Gignac, seconded by Councillor Jones,
M243-2011 That **Report No. 27 of the Planning Standing Committee** - Update - 357-359 Indian Road ICBL Exemption Request - Summary of Meeting held September 7, 2011, of its meeting held September 12, 2011 **BE ADOPTED** as presented.

Carried.

Councillors Halberstadt and Sleiman voting nay.

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

Moved by Councillor Jones, seconded by Councillor Maghnieh,
M244-2011 That the **Report of the special In-camera** meeting held September 19, 2011
BE ADOPTED as presented.
Carried.
Councillor Marra was absent from the meeting when the vote was taken on this matter.

ACO2011

Moved by Councillor Jones, seconded by Councillor Maghnieh,
M245-2011 That the **Report of the Striking Committee** of its meeting held September 6, 2011
BE ADOPTED as presented.
Carried.
Councillor Marra was absent from the meeting when the vote was taken on this matter.

MB2011

Moved by Councillor Jones, seconded by Councillor Maghnieh,
M246-2011 That **Report No. 22 of the Environment & Transportation Standing Committee** -
Parking By-Law 9023 – Amendments surrounding St. James Elementary Catholic School, of its meeting held
August 31, 2011 **BE ADOPTED** as presented.
Carried.

Report Number 15452 ST2011

Moved by Councillor Hatfield, seconded by Councillor Sleiman,
M247-2011 That **Report No. 23 of the Environment & Transportation Standing Committee** -
Parking By-law 9023 – Recommended Amendments on Lappan Ave., Woodward Blvd., Blossom Crt., and
Jane Crt., of its meeting held August 31, 2011 **BE ADOPTED AS AMENDED** to reflect the following:

That the Parking By-law 9023 **BE AMENDED** as listed and attached in Appendix “A”,
modifying as appropriate to restrict parking on the north side of Lappan Avenue from Bliss Road to
Woodward Boulevard, thereby allowing parking on the south side and further, that the City Solicitor
BE DIRECTED to prepare the necessary documents to amend the by-law.

Carried.

Report Number 15451 ST2011

Moved by Councillor Jones, seconded by Councillor Maghnieh,
M248-2011 That **Report No. 24 of the Environment & Transportation Standing Committee** -
Enviro-Expo 2011, of its meeting held August 31, 2011 **BE ADOPTED** as presented.
Carried.

Report Number 15404 GCE2011

M249-2011 RESCINDED BY CR252/2014 ADOPTED OCTOBER 6, 2014

M249-2011 AMENDED BY M105-2013 ADOPTED MARCH 25, 2013

Moved by Councillor Jones, seconded by Councillor Maghnieh,
M249-2011 That **Report No. 30 of the Executive Committee** - Project Management Methodology
Policy & Procedure, of its meeting held August 30, 2011 **BE ADOPTED** as presented.
Carried.

Report Number 15454 APM/7057

Moved by Councillor Jones, seconded by Councillor Maghnieh,
M250-2011 That **Report No. 31 of the Executive Committee** - Building Department Assumption of Water Service Inspections from Windsor Utilities Commission (WUC), of its meeting held August 30, 2011 **BE ADOPTED** as presented.
Carried.

Report Number 15250 MU2011

Moved by Councillor Jones, seconded by Councillor Maghnieh,
M251-2011 That **Report No. 32 of the Executive Committee** - Delegation of Authority Semi-Annual Status Report for Period January 1, 2011 through June 30, 2011, of its meeting held August 30, 2011 **BE ADOPTED** as presented.
Carried.

Report Number 15456 AS/7748

Moved by Councillor Jones, seconded by Councillor Maghnieh,
M240-2011 That **Report No. 33 of the Executive Committee** - Memorandum of Understanding for Service Delivery Collaboration, of its meeting held August 30, 2011 **BE ADOPTED** as presented.
Carried.

Report Number 15439 GP2011

Moved by Councillor Jones, seconded by Councillor Maghnieh,
M252-2011 That **Report No. 35 of the Executive Committee** -- Proposed Building Permit Fee Reserve Deficit Reduction Action Plan, of its meeting held August 30, 2011 **BE ADOPTED** as presented.
Carried.

Report Number 15110 SB2011

Moved by Councillor Jones, seconded by Councillor Maghnieh,
M253-2011 That **Report No. 36 of the Executive Committee** Capital Project Variance Report as at June 30, 2011, of its meeting held August 30, 2011 **BE ADOPTED** as presented.
Carried.

Report Number 15446 AFB/10824

Moved by Councillor Jones, seconded by Councillor Maghnieh,
M254-2011 That **Report No. 31 of the Social Development, Health & Culture Standing Committee** – The Salvation Army – Closure of Residential Programs, of its meeting held September 14, 2011 **BE ADOPTED** as presented.
Carried.

Report Number 15477 SSI/1857

By-laws

Moved by Councillor Hatfield, seconded by Councillor Payne,
That the following By-laws No. 159-2011 through 166-2011 be introduced and read a first

and second time:

- 159-2011 “A BY-LAW TO PROVIDE THAT PART-LOT CONTRAL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN *REGISTERED PLAN 12M465*, IN THE CITY OF WINDSOR”
- 160-2011 “A BY-LAW TO AUTHORIZE THE ENTERING INTO OF AN AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF WINDSOR AND HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, AS REPRESENTED BY THE MINISTER OF AGRICULTURE, FOOD AND RURAL AFFAIRS”
- 161-2011 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9023 BEING A BY-LAW TO REGULATE VEHICLUAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES”
- 162-2011 “A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS NORTHWOOD STREET, IN THE CITY OF WINDSOR”
- 163-2011 “A BY-LAW TO FURTHER AMEND BY-LAW 188-2000, BEING A BY-LAW TO APPOINT PROVINCIAL OFFENCES OFFICERS FOR THE CORPORATION OF THE CITY OF WINDSOR”
- 164-2011 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 85-18 CITED AS THE "TOWNSHIP OF SANDWICH SOUTH COMPREHENSIVE ZONING BY-LAW"
- 165-2011 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE "CITY OF WINDSOR ZONING BY-LAW" "
- 166-2011 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE NINETEENTH DAY OF SEPTEMBER, 2011”

Carried.

Councillor Marra was absent from the meeting when the vote was taken on this matter.

Moved by Councillor Sleiman, seconded by Councillor Valentinis,

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 presented)**
- 3) **Items Deferred**
Items Referred
- 4) **Consideration of the Balance of Business Items (see Schedule “A”)**
- 5) **Committee Reports (as amended)**
- 6) **By-laws given first and second readings (as presented)**

Carried.

Councillor Marra was absent from the meeting when the vote was taken on this matter.

Notices of Motion

None presented.

Third Reading of By-laws

Moved by Councillor Dilkens, seconded by Councillor Gignac,
That the following By-laws No. 159-2011 to 166-2011, 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.

Councillor Marra was absent from the meeting when the vote was taken on this matter.

Petitions

None presented.

Council Questions

Moved by Councillor Jones, seconded by Councillor Maghnieh,
M255-2011 That the following Council Question by Councillor Gignac **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a verbal report at the Executive Committee of Council, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ60-2011

Asks what bylaws/prior regulations are in place to address e-bikes, where they can be operated, and by whom (age restrictions)? Do these vehicles require insurance?

ST2011 (September 19, 2011)

Carried.

Councillor Marra was absent from the meeting when the vote was taken on this matter.

Moved by Councillor Jones, seconded by Councillor Maghnieh,
M263-2011 That the following Council Question by Councillor Halberstadt **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a verbal report at the Executive Committee of Council, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ61-2011

Asks for a verbal report at Executive Committee on the prospect of rehabilitation at the road and curb on Willistead Crescent, including information on the last time the Crescent was improved and the estimated cost of bringing it up to 2011 standards.

SW2011 (September 19, 2011)

Carried.

Councillor Marra was absent from the meeting when the vote was taken on this matter.

Adjournment

Moved by Councillor Hatfield, seconded by Councillor Payne,
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 8:32 o'clock p.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Dilkens
Gignac

CR242/2011

I That the application of 617847 Ontario Limited for part-lot control exemption for lands known municipally as 11969, 11973, 11985 and 11989 Cobblestone Crescent and legally described as Part of Block 28, Registered Plan 12M-465, now designated as Parts 36 and 65, and 38 and 67, on Reference Plan 12R-19773, as identified on attached **Map No. PLC-005/11-1**, to allow the creation of 4 lots for semi-detached dwelling units, **BE APPROVED** for a period of 3 years.

II That By-law No. 159-2011 **BE ENACTED**.

Carried.

Report Number 15466 ZPLC2011 C1

Appendices
Map No. PLC-005/11-1

Dilkens
Gignac

CR243/2011

That City Council **AUTHORIZE** the Executive Director, Operations to **BE ADDED** to the list of those individuals who are recognized by the Ministry of Transportation of Ontario (MTO) as having signing authority with respect to all matters concerning the Authorized Requester Agreement; in order to obtain driver and vehicle related information; and

That City Council **AUTHORIZE** the Executive Director, Operations to **BE AUTHORIZED** to sign the Contractual Agreement for Driver, Vehicle and Related Information (and/or any other necessary documents or declarations) as required by the Michigan Department of State in order to obtain driver and vehicle related information.

Carried.

Report Number 15476 MT2011 C2

Dilkens
Gignac

CR244/2011

I. That the firm of RC Spencer and Associates, **BE RETAINED** for the design, preparation of contract drawings and specifications for Phase 1, Stages 1 and 2, and contract administration for Phase 1, Stage 1, for Riverside Drive Vista Improvements at a maximum fee of \$209,695.00 (plus HST) in accordance with their proposal for consulting services, dated June 16, 2011 to be charged to chart field: 007-5310-1790-02942-7086001.

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

- III. That, in order to proceed with construction of the Riverside Drive Vista Improvements, Phase 1, Stage 1, the City Engineer **BE AUTHORIZED** to proceed with the Award of Tender to the low bidder, subject to the tender meeting project specifications and being within the approved budget and subject to the terms and conditions of the City's Purchasing By-law 400-2004 (as amended); and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign contract with the low Tenderer, satisfactory in form to the City Solicitor, in financial content to the Chief Financial Officer and City Treasurer, and in technical content to the City Engineer.
- IV. That the report on CQ93/2010, Pedestrian Node at Riverside Drive East and Buckingham/Ford, **BE RECEIVED** by Council for information.

Carried.

Report Number **15450 SW/8513 C3**

Dilkens
Gignac

CR245/2011

1. That the report on the completion of the Downtown Windsor Utilities & Streetscape Improvements, Phase 3 Project and City Centre Streetscape, Phase 4 & 5 (ISF project) **BE RECEIVED** for information, and
2. That approval **BE GIVEN** to transfer \$131,431 from the Streetscape Improvements (project #7092020) surplus to the Streetscape Improvements (project #7052085) to cover the deficit, as outlined in the financial matters section of the report.

Carried.

Report Number **15479 SW/10372 C4**

Jones
Sleiman

CR246/2011

That the report of the City Solicitor and the City Treasurer **BE RECEIVED** for information, that the entering into of a funding agreement with the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) **BE APPROVED** and that the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute the agreement substantially in the form and content attached as Appendix "A", approved as to form and content by the City Solicitor and the City Treasurer and that By-law 160-2011 **BE PASSED** to authorize this.

Carried.

Report Number **15492 SR/11026 5**

Appendices
Agreement

ADOPTED by Council at its meeting held September 19, 2011 [M244-2011]
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA
September 19, 2011**

Meeting called to order at: 4:03 p.m.

Members in Attendance:

Mayor E. Francis
Councillor D. Dilkens (arrives at 4:09 p.m.)
Councillor R. Jones
Councillor A. Halberstadt
Councillor F. Valentinis (arrives at 4:15
p.m.)
Councillor B. Marra (arrives at 4:06 p.m.)
Councillor P. Hatfield
Councillor J. Gignac
Councillor A. Maghnieh
Councillor H. Payne
Councillor E. Sleiman

Also in attendance:

H. Reidel, Chief Administrative Officer
R. Warsh, Community Development and Health Commissioner and
Corporate Leader Social Development, Health, Recreation and Culture
M. Sonego, City Engineer and Corporate Leader Environmental Protection and
Transportation
G. Wilkki, City Solicitor and Corporate Leader Economic Development and
Public Safety
V. Critchley, City Clerk/Licence Commissioner and Corporate Leader Public
Engagement and Human Resources
T. Ardovini, Acting Chief Financial Officer/City Treasurer
M. Stamp, Senior Property Agent (Items 2 and 3)
C. Glassford, Legal Counsel (Item 4)

**Verbal Motion is presented by Councillor Jones, seconded by Councillor
Sleiman,
that Rule 3.3 (c) of the *Procedure By-law, 98-2011*, BE WAIVED to add the following
Agenda items:**

- 5. Personal Matter – Tourism Windsor Essex Pelee Island - update**
- 6. Property Matter – Economic Development matter**

Motion Carried.

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

<u>Item No.</u>	<u>Subject</u>	<u>Section – Pursuant to Municipal Act, 2001, as amended</u>
1.	Property matter – lease	239(2)(a)(c)
2.	Property matter – expropriation	239(2)(c)
3.	Property matter – disposition of land	239(2)(c)
4.	Property/Legal matter-security of the property/advice subject to solicitor-client privilege	239(2)(a)(f)
5.	Personal matter – Tourism Windsor Essex Pelee Island – update – ADDED	239(2)(b)
6.	Property matter – Economic Development matter – ADDED	239(2)(a)

Motion Carried.

Declarations of Pecuniary Interest:

Mayor Francis discloses an interest on Item 2 as his wife is the tenant in a building owned by one of the property owners.

Councillor Maghnieh discloses an interest and abstains from voting on Item 2 as he was the provincial representative on this file before his election to Council.

Councillor Hatfield discloses an interest and abstains from voting on Item 3 as it relates to the Public School Board as his wife is a member of that Board.

Discussion on the items of business. (Items 1, 2, 4, 3, 6 and 5)

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

Motion Carried.

**Moved by Councillor Valentinis, seconded by Councillor Marra,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held September 19, 2011 directly to Council for consideration at the next Regular Meeting.**

1. That the recommendation contained in the in-camera report from the Asset/Lease Administrator, Property Supervisor, City Solicitor and Corporate Leader Economic Development and Public Safety and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter - lease **BE DEFERRED**.

2. That the recommendation contained in the in-camera report from the Property Coordinator, Property Supervisor, City Solicitor and Corporate Leader Economic Development and Public Safety and City Engineer and Corporate Leader Environmental Protection and Transportation respecting a property matter - expropriation **BE APPROVED**.

Mayor Francis discloses an interest on this item.

Councillor Maghnieh discloses an interest and abstains from voting.

3. That the recommendation, as amended, contained in the in-camera report from the Property Supervisor, City Solicitor and Corporate Leader Economic Development and Public Safety, Executive Director of Parks and Facilities, City Engineer and Corporate Leader Environmental Protection and Transportation and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – disposition of land **BE APPROVED**.

Councillor Hatfield discloses an interest and abstains from voting.

4. That the recommendation contained in the in-camera report from Legal Counsel, City Solicitor and Corporate Leader Economic Development and Public Safety and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property/legal matter – security of the property/advice subject to solicitor-client privilege **BE APPROVED**.

5. That the confidential verbal update from Mayor Francis regarding an update on Tourism Windsor Essex Pelee Island **BE RECEIVED** and that Administration **BE DIRECTED** to proceed in accordance with the verbal direction of Council.

6. That the confidential verbal update from Mayor Francis on an economic development matter **BE RECEIVED**.

Motion Carried.

**Moved by Councillor Jones, seconded by Councillor Sleiman,
That the special meeting of council held September 19, 2011 BE ADJOURNED.
(Time: 5:22 p.m.)**

Motion Carried.

ADOPTED by Council at its meeting held September 19, 2011 [M245-2011]
VC/bm
Windsor, Ontario, September 19, 2011

REPORT OF THE STRIKING COMMITTEE
of its meeting held
September 6, 2011

PRESENT: Mayor Francis, Chair
Councillor B. Marra
Councillor J. Gignac
Councillor R. Jones
Councillor H. Payne
Councillor A. Maghnieh
Councillor P. Hatfield
Councillor E. Sleiman
Councillor A. Halberstadt
Councillor D. Dilken
Councillor Valentinis

Your Committee submits the following recommendations:

1. That Michael Cardinal **BE APPOINTED** as a citizen member to the *Town & Gown Committee* for the 2011 - 2014 term, at the pleasure of Council or until a successor is appointed.
2. That Councillor Hatfield **BE APPOINTED** to the *Windsor Essex Community Housing Corporation* for the 2011 - 2014 term, to replace Councillor Sleiman, resigned.
3. That the resignation of Councillor Marra on the *Seniors Advisory Committee* **BE ACCEPTED**.
4. That Councillors Dilken and Marra **BE APPOINTED** to the *City & School Boards Liaison Committee* for the 2011 - 2014 term.
5. That the resignation of Roger Marentette on the *Committee of Revision* **BE ACCEPTED** and further that the Clerk **BE REQUESTED** to review applications on file (submitted in 2011) and submit a recommendation to Council on a replacement for Mr. Marentette.

CHAIR

CITY CLERK

ADOPTED by Council at its meeting held September 19, 2011 [M243-2011]
/AA
Windsor, Ontario September 19, 2011

REPORT NO. 27 of the
PLANNING STANDING COMMITTEE
of its meeting held September 12, 2011

Present:
Councillor Bill Marra, Chair
Councillor Percy Hatfield
Councillor Joanne Gignac
Councillor Al Maghnieh
Councillor Ed Sleiman

That the following recommendations of the Planning Standing Committee **BE APPROVED** as follows:

Moved by Councillor Maghnieh, seconded by Councillor Gignac,
That an exemption from the Interim Control By-law 19-2007 as amended by By-law 35-2008 and the Demolition control By-law 20-2007, BE DENIED for Anne-Marie Laniak, the owner of the residential duplex at 357-359 Indian Road.

Carried.

Councillor Sleiman voting nay.

Clerk's Note: The Report from the Executive Director of Planning/City Planner, entitled "Update- 357-359 Indian Road ICBL Exemption request – Summary of Meeting held September 7, 2011" dated September 8, 2011 is **attached** as background information.

Livelihood #15405, Z/8581

CHAIRPERSON

DEPUTY CITY CLERK

ADOPTED by Council at its meeting held September 19, 2011 [M246-2011]

/RB

Windsor, Ontario September 19, 2011

REPORT NO. 22 of the
ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE
of its meeting held August 31, 2011

Present:

Councillor Hatfield, Chair
Councillor Halberstadt
Councillor Payne
Councillor Sleiman
Councillor Valentinis

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Valentinis , seconded by Councillor Payne,

That the Parking By law 9023 – Amendments surrounding St. James Elementary Catholic School” **BE DEFERRED** to allow the St. James Elementary Parents Council, The Windsor-Essex County District School Board (WECDSB) and residents in the affected area to consult with the Traffic Department in determining a solution to the matter; and further;

That a final School Zone Policy **BE ACCOMPANIED** in that report; and further;

That Parking Enforcement **BE DIRECTED** to patrol the St. James Elementary neighbourhood and address “No Parking” and “No Stopping” by law violations during the week of September 6, 2011.

Carried.

LIVELINK 15452, ST2011

Clerk’s Note: The report of the City Engineer dated August 25, 2011 entitled “Parking Bylaw 9023 – Amendments surrounding St. James Elementary Catholic School” is *attached* for information.

CHAIRPERSON

COUNCIL ASSISTANT

ADOPTED by Council at its meeting held September 19, 2011 [M247-2011]

/RB

Windsor, Ontario September 19, 2011

REPORT NO. 23 of the
ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE
of its meeting held August 31, 2011

Present:

Councillor Hatfield, Chair
Councillor Payne
Councillor Sleiman
Councillor Valentinis
Councillor Halberstadt

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Payne, seconded by Councillor Halberstadt ,

That the Parking By law 9023 **BE RECOMMENDED** to Council for amendment as listed and attached in Appendix "A" **EXCLUDING** Lappan Avenue from the most westerly limit of Woodward Boulevard to Bliss Road, and further;

That the City Solicitor **PREPARE** the necessary documents to amend the by law.

Carried.

Councillor Hatfield voting nay.

LIVELINK 15451, ST2011

Clerk's Note: The report of the City Engineer dated August 25, 2011 entitled "Parking Bylaw 9023 – Recommended Amendments on Lappan Ave., Woodward Blvd., Blossom Cr., and Jane Cr." is *attached* for information.

CHAIRPERSON

COUNCIL ASSISTANT

ADOPTED by Council at its meeting held September 19, 2011 [M248-2011]

/RB

Windsor, Ontario September 19, 2011

REPORT NO. 24 of the
ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE
of its meeting held August 31, 2011

Present:

Councillor Hatfield, Chair
Councillor Payne
Councillor Sleiman
Councillor Valentinis
Councillor Halberstadt

That the following recommendations of the Environment and Transportation Standing Committee **BE APPROVED:**

Moved by Councillor Halberstadt, seconded by Councillor Sleiman,

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the exhibitor contract agreement for the Enviro-Expo satisfactory in form to the City Solicitor, in financial content to the City Treasurer and in technical content to the City Engineer .

Carried.

Livelihood 15404, GCE2011

Clerk's Note: The report of the City Engineer dated July 15, 2011 entitled "Enviro-Expo 2011" is *attached* for information.

CHAIRPERSON

COUNCIL ASSISTANT

M249-2011 AMENDED BY M105-2013 ADOPTED MARCH 25, 2013
ADOPTED by Council at its meeting held September 19, 2011 [M249-2011]
/AA
Windsor, Ontario September 19, 2011

REPORT NO. 30 of the
EXECUTIVE COMMITTEE
of its meeting held August 30 2011

Members Present:

- Mayor E. Francis**
- Councillor D. Dilkens**
- Councillor J. Gignac**
- Councillor A. Halberstadt**
- Councillor P. Hatfield**
- Councillor R. Jones**
- Councillor A. Maghnieh**
- Councillor H. Payne**
- Councillor E. Sleiman**
- Councillor F. Valentinis**

Members Absent: **Councillor B. Marra**

The following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Hatfield, seconded by Councillor Maghnieh,
That City Council **APPROVE** the Project Management Methodology Policy and Procedure **attached** as Schedule B.

Carried.

Clerk's Note: The Report from the Senior Manager, Development & Geomatics dated August 15, 2011 titled "Project Management Methodology Policy and Procedure" is *attached* as background information

Livelihood 15454 APM/7057

CHAIRPERSON

CITY CLERK

ADOPTED by Council at its meeting held September 19, 2011 [M250-2011]
/AA
Windsor, Ontario September 19, 2011

REPORT NO. 31 of the
EXECUTIVE COMMITTEE
of its meeting held August 30 2011

Members Present:

- Mayor E. Francis**
- Councillor D. Dilkens**
- Councillor J. Gignac**
- Councillor A. Halberstadt**
- Councillor P. Hatfield**
- Councillor R. Jones**
- Councillor A. Maghnieh**
- Councillor H. Payne**
- Councillor E. Sleiman**
- Councillor F. Valentinis**

Members Absent: **Councillor B. Marra**

The following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Maghnieh, seconded by Councillor Gignac,
That the City of Windsor **ENTER INTO AN AGREEMENT** with Windsor Utilities Commission (WUC) to provide the certification and inspection of water service installations on private property, effective January 1, 2012.

Carried.

Clerk's Note: The Report from the Chief Building Official dated July 22, 2011 titled "Building Department Assumption of Water Service Inspections from Windsor Utilities Commission (WUC)" is *attached* as background information

Livelihood 15250 MU2011

CHAIRPERSON

CITY CLERK

ADOPTED by Council at its meeting held September 19, 2011 [M251-2011]
/AA
Windsor, Ontario September 19, 2011

REPORT NO. 32 of the
EXECUTIVE COMMITTEE
of its meeting held August 30 2011

Members Present:

Mayor E. Francis
Councillor D. Dilkens
Councillor J. Gignac
Councillor A. Halberstadt
Councillor P. Hatfield
Councillor R. Jones
Councillor A. Maghnieh
Councillor H. Payne
Councillor E. Sleiman
Councillor F. Valentinis

Members Absent: **Councillor B. Marra**

The following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Maghnieh, seconded by Councillor Valentinis,
THAT the Executive Standing Committee receive **FOR INFORMATION** the Delegation of Authority Status Report for the first half of 2011 (January 1, 2011 to June 30, 2011); and

THAT City Council **APPROVE** the addition of *Short Term Use of Facilities* to the list of items the Chief Administrative Officer, or designate, is authorized to approve through the Delegation of Authority By-law.

Carried.

Clerk's Note: The Report from the Manager of Corporate Administration and Assistant to the CAO dated August 12, 2011 titled "Delegation of Authority Semi-Annual Status Report for period January 1, 2011 through June 30, 2011" is *attached* as background information

Livelihood 15456 AS/7748

CHAIRPERSON

CITY CLERK

ADOPTED by Council at its meeting held September 19, 2011 [M252-2011]

/AA

Windsor, Ontario September 19, 2011

REPORT NO. 35 of the
EXECUTIVE COMMITTEE
of its meeting held August 30 2011

Members Present:

- Mayor E. Francis**
- Councillor D. Dilkens**
- Councillor J. Gignac**
- Councillor A. Halberstadt**
- Councillor P. Hatfield**
- Councillor R. Jones**
- Councillor A. Maghnieh**
- Councillor H. Payne**
- Councillor E. Sleiman**
- Councillor F. Valentinis**

Members Absent: **Councillor B. Marra**

The following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Hatfield, seconded by Councillor Sleiman,

- A. THAT Council **APPROVE** each of the following proposed Building Permit Fee Reserve Deficit Reduction Recommendations:

#	Action Plan Item	(Reduction)/ Increase to Draw on Reserve	(Reduction)/ Increase to Tax Levy Funded Portion of Budget	Budget Year
(1)	Adjustment to Building Department Costs Apportionment (Property Standards Enforcement)	\$ (341,394)	\$ 341,394	2012
(2)	In-Camera Item	(69,678)	(17,420)	2012
(3)	In-Camera Item	(71,152)	(30,980)	2012
(4)	Revenue from adopted Water Service Inspections	(15,000)		2012
(5)	In-Camera Item	(116,534)	(12,948)	2012
(6)	In-Camera Item		(87,785)	2012
(7)	Additional permit revenue at proposed new minimum permit fee of \$125 instead of former fee of \$75	(70,000)		2012
(8)	In-Camera Item	(353,962)	16,448	2013/14
(9)	Retain levy savings as contingency from items 2, 3, 5, 6 (only if accepted)	(149,132)	149,132	2012
(10)	Adjust Building Dept. Revenue Budget to Reflect Projected Actuals	400,000	-	2012
TOTAL PROPOSED NET COST (REDUCTIONS) / INCREASES *		\$ (786,853)	\$ 357,842	

* Total savings assumes that all recommendations (1) through (10) receive approval.

B. THAT Council **APPROVE** the establishment of an independent contra reserve fund (offsetting placeholder) to the Building Permit Fee Reserve fund to be funded from future Corporate Reserve Enhancement Funding for the purpose of mitigating the reported deficit balance in the Building Permit Fee Reserve until such time that it returns to a positive balance.

Carried.

Clerk's Note: The Report from the Financial Planning Administrator & Building Department Management Team dated July 19, 2011 titled "Proposed Building Permit Fee Reserve Deficit Reduction Action Plan" is *attached* as background information

Livelihood 15110 SB2011

CHAIRPERSON

CITY CLERK

ADOPTED by Council at its meeting held September 19, 2011 [M253-2011]
/AA
Windsor, Ontario September 19, 2011

REPORT NO. 36 of the
EXECUTIVE COMMITTEE
of its meeting held August 30 2011

Members Present:

Mayor E. Francis
Councillor D. Dilkens
Councillor J. Gignac
Councillor A. Halberstadt
Councillor P. Hatfield
Councillor R. Jones
Councillor A. Maghnieh
Councillor H. Payne
Councillor E. Sleiman
Councillor F. Valentinis

Members Present: **Councillor B. Marra**

The following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Dilkens,
THAT Council **RECEIVE FOR INFORMATION** the 2011 Life-to-Date Capital
Project Variance Report as at June 30, 2011 from the Chief Financial Officer and City Treasurer.
Carried.
Councillors Valentinis and Payne voting nay.

Clerk's Note: The Report from the Chief Financial Officer dated August 12, 2011 titled "Capital
Project Variance Report as at June 30, 2011" is *attached* as background information
Liveline 15446 AFB/10824

CHAIRPERSON

CITY CLERK

ADOPTED by Council at its meeting held September 19, 2011 [M254-2011]
AA/
Windsor, Ontario, September 19, 2011

REPORT NO. 31 of the
**SOCIAL DEVELOPMENT,
HEALTH & CULTURE STANDING COMMITTEE**
of its meeting held September 14, 2011

Present: **Councillor Al Maghnieh, Chair**
 Councillor Alan Halberstadt
 Councillor Percy Hatfield
 Councillor Ron Jones

Regrets: **Councillor Ed Sleiman** (city business)

That the following recommendation of the Social Development, Health and Culture Standing Committee **BE APPROVED** as follows:

Moved by Councillor Jones, seconded by Councillor Hatfield,

THAT City Council **APPROVE** the allocation of up to \$200,000 per year in each of 2011 and 2012 to the Salvation Army Windsor Community & Rehabilitation Centre for the provision of enhanced employment services. The funding will draw upon unexpended Employment funding earned in 2009 and carried over to the 2011 fiscal year. This funding allocation will have no budget impact on the 2011 Approved Budget, and further

THAT the Community Development and Health Commissioner BE AUTHORIZED to execute a contract with The Salvation Army Windsor Community & Rehabilitation Centre and The Corporation of the City of Windsor provided the agreement is in form and content satisfactory to the City Solicitor, satisfactory in financial content to the City Treasurer and satisfactory in technical content to the Executive Director of Employment and Social Services.

Carried.

Clerk's Note: The report of the Executive Director, Housing and Children's Services and the Manager of Residential Services entitled "The Salvation Army – Closure of Residential Programs" dated August 26, 2011 is *attached* for information.

LiveLink #15477
File SSI/1857

CHAIRPERSON

DEPUTY CITY CLERK