

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 Luc Leboeuf from Windsor Christian Fellowship, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

Councillor Valentinis discloses an interest and abstains from voting on Report No. 51 of the Executive Committee regarding sales of land to St. Clair College-woodlot as St. Clair College is his employer.

Councillor Dilkens discloses an interest and abstains from voting on Report No. 48 of the Planning Standing Committee regarding Hiatus House, Official Plan & Zoning By-law Amendments for vacant lands formerly known as 237, 245-249, & 259-261 Louis Avenue, as his employer is dealing with this matter.

Councillor Payne discloses an interest and abstains from voting on Communication No. 9, regarding zoning amendment to permit demolishing existing building located at 1150 Edward Avenue; Planning Standing Committee Report No. 52 regarding a request to demolish residential dwelling 1155 McDougall Street and Planning Standing Committee Report No. 53 regarding exemption to Sandwich Interim Control By-law for 373 Detroit Street (Dunhill Apartments) – Minor Amendment to M191-2011 PSC10/11, due to his involvement in the BUHDAG application to quash certain bylaws.

Minutes

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
That the Minutes of the regular meeting of Council held January 23, 2012 **BE ADOPTED**
as presented.

Carried.

Notice of Proclamations

Congenital Heart Defects Awareness Week – February 8-14, 2012

Rotary International World Peace & Understanding Week – February 19-25, 2012

Committee of the Whole

Moved by Councillor Jones, seconded by Councillor Maghnieh,
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 18-2012 through 19-2012 (inclusive).
- Carried.

Communications

Moved by Councillor Marra, seconded by Councillor Maghnieh,
M65-2012 That the following Communication Items 1 to 10 and 12 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication No. 11 which is dealt with as follows:

Communication No.11:

Moved by Councillor Marra, seconded by Councillor Hatfield,
M66-2012 That the City of Windsor **FILE NO OBJECTION** to the Alcohol and Gaming Commission of Ontario (AGCO) to the issuance of a Temporary Extension Liquor Sales Licence to Joanne Thompson of Maggio's Kildare House and Colleen Kelly of Average Joe's.
Carried.

GPLL2012

Item	From	Description
1	Ministry of Community and Social Services	Launch of the 2012-13 EnAbling Change Program. Community Development & Health Commissioner Diversity & Accessibility Officer Note & File GPL/10190
2	Province of Ontario & The Association of Municipalities of Ontario (AMO)	Joint Annual Memorandum of Understanding Statement. Executive Director of Housing & Children's Services City Engineer Chief Financial Officer & City Treasurer Diversity & Accessibility Officer Note & File GP2012

3	Association of Municipalities of Ontario (AMO)	Supreme Court of Canada Decision Released: January 20, 2012. Case: Catalyst Paper Corporation and the Corporation of the District of North Cowichan. City Solicitor City Clerk/Licence Commissioner Chief Building Official Note & File MMA2012
4	Ontario Good Roads Association (OGRA)	Notice of Poll – OGRA Board of Directors. City Engineer Note & File GP2012
5	Corporation of The City of Windsor, Office of The City Engineer	Notice of Public Information Centre to be held February 8, 2012 regarding Wyandotte Street West Streetscaping Improvements. (from Sunset Avenue to Campbell Avenue) City Engineer Note & File SW2012
6	Heart & Stroke Foundation of Ontario	Information on the Ontario Defibrillator Access Initiative (ODAI) to place Automated External Defibrillators (AEDs) in publicly funded community sport and recreation facilities and schools across Ontario. Executive Director of Recreation & Culture Fire Chief Note & File SF/10207
7	International Association of Fire Fighters (IAFF)	Condolences on the passing of Fire Fighter Darrell O. Ellwood. City Solicitor Fire Chief SF2012
8	Association of Ontario Road Supervisors (A.O.R.S.)	Association of Road Supervisors (AORS) 2012 Training and Professional Development Program Booklet. <i>(available for viewing in the Clerk's office)</i> City Engineer Executive Director of Operations Executive Director of Human Resources Manager of Purchasing & Risk Management Note & File PW2012
9	Manager of Development Applications	Application of City of Windsor for zoning amendment to permit demolishing the existing building and creating 14 residential building lots for lands located at 1150 Edward Avenue. Note & File ZB/11262
10	Town of Lakeshore	Notice of Adoption of Official Plan Amendment No. 3 regarding Official Plan Amendment Application, Town of Lakeshore, File: OPA-3-2012. City Planner City Solicitor Senior Secretary, Council Services Note & File GM2012

11	Executive Director of Recreation and Culture	Alcohol Gaming Commission (AGCO) Temporary Extension Application Request from Joanne Thompson of Maggio’s Kildare House and Colleen Kelly of Average Joe’s. <p style="text-align: right;">COUNCIL DIRECTION REQUESTED City Clerk/Licence Commissioner Manager of Compliance & Enforcement Chief Building Official Fire Chief Acting Chief of Police City Engineer GPLL2012</p>
12	City Treasurer	Launch of New City of Windsor Website. <p style="text-align: right;">Note & File SI2012</p>

Carried.

Councillor Payne discloses an interest and abstains from voting on Communication No. 9.

Consent Agenda

Moved by Councillor Sleiman, seconded by Councillor Valentinis,

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

- Item 2 YQG Corporate Documents
- Item 3 Contract 130-10 Prince Road Sewer, Phase 9A, Noise By-law Exemption for Construction Activities
- Item 4 Airport Hangar Amending Agreement
- Item 6 Photocopier Lease
- Item 7 2012 Service Contracts, Ministry of Community and Social Services (MCSS), Ministry of Children and Youth Services (MCYS)
- Item 8 2012 Ministry of Education (MEDU) Child Care Service Agreement
- Item 9 Chemical Requirements 2012 – Lou Romano Water Reclamation Plant (LRWRP) & Little River Pollution Control Plant (LRPCP)
- Item 10 Agreement with Province regarding Provincial Funding for Local Road Projects
- Item 11 Acquisition of Two (2) Fire Trucks
- Item 12 The Bequest from the Estate of Mr. L. Odette
- Item 13 Weed and Grass Cutting/Cleaning of E. C. Row, Vacant Lots and Ditches throughout the City
- Item 15 Tree Trimming (1,500 trees more or less) at various locations throughout the City of Windsor (Tender No. 145-11)

Consent Committee Reports

<i>Planning Standing Committee</i>		
No.		Description
1	Report No. 48	Hiatus House, Official Plan & Zoning By-law Amendments (for vacant lands formerly known as 237, 245-249, & 259-261 Louis Avenue, at the southwest corner of Louis Avenue and Chatham Street East intersection)
2	Report No. 50	Request to close the north/south alley between Thompson Boulevard and Ford Boulevard from Ontario Street southerly to Raymond Avenue
3	Report No. 51	Request to close the east/west and north/south alleys between Edward Avenue and Isabelle Place, south of Edgar Street
4	Report No. 52	Request to Demolish Residential Dwelling at 1155 McDougall Street

5	Report No. 53	Exemption to Sandwich Interim Control By-Law for 373 Detroit Street (Dunhill Apartments) – Minor Amendment to M191-2011 PSC10/11
6	Report No. 54	Source Protection Plan Process
7	Report No. 55	Property Standards Committee minutes of its meeting held November 24, 2011

<i>Executive Committee</i>		
No.		Description
1	Report No. 50	Letter of Intent – Co-hosting 2014 Ontario ParaSport Games and Ontario 55+ Summer Games
2	Report No. 52	Town and Gown Association of Ontario 2013 Application Request

Carried.

Councillor Payne discloses an interest and abstains from voting on Report No. 52 and 53 of the Planning Standing Committee.

Councillor Dilkens discloses an interest and abstains from voting on Report No. 48 of the Planning Standing Committee.

Deferrals and/or Referrals and Withdrawals

Report No. 49 of the Planning Standing Committee (Rezoning, 675 Goyeau, Days Inn, 1037109 Ontario Limited)

Moved by Councillor Marra, seconded by Councillor Halberstadt,

M22-2012 That **Report No. 49 of the Planning Standing Committee** regarding rezoning at 675-687 Goyeau Street, Days Inn **BE DEFERRED** to the February 21, 2012 meeting of Council, as requested by the Applicant to allow for further consultations on this matter.

Carried.

Report Number 15673 ZB/11240

Report No. 26 of the Environment and Transportation Standing Committee (Roseland Area Traffic Calming Project)

Moved by Councillor Dilkens, seconded by Councillor Marra,

M58-2012 That at the request of Councillor Dilkens, **Report No. 26 of the Environment and Transportation Standing Committee** (Roseland Area Traffic Calming Project) **BE DEFERRED** to the March 19, 2012 meeting of Council to allow administration to review newly submitted proposals from affected residents.

Carried.

Report Number 15521 ST2012

Presentations & Delegations:

PRESENTATIONS:

Communication No. 12 – Launch of New City of Windsor Website**Harry Turnbull, Executive Director of Information Technology**

Harry Turnbull, Executive Director of Information Technology appears before Council to provide an overview of the launch of the City of Windsor's new website, highlighting improved technology, simpler navigation, promotional opportunities, improved access, and a design with the user in mind.

Mayor Francis leaves the meeting at 6:50 o'clock p.m. and Councillor Dilkens assumes the Chair.

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

Moved by Councillor Gignac, seconded by Councillor Jones,
M67-2012 That the presentation by the Executive Director of Information Technology regarding the new City of Windsor website **BE RECEIVED** for information.
Carried.

SI2012

Results of Research into the City of Windsor and University of Windsor, Great Lakes Institute for Environmental Research (GLIER) Partnership for Research and Development**Ernie Lamont, resident of Ward 8**

Ernie Lamont, resident of Ward 8, appears before Council to present to Council a proposal that in his estimation could create 2500 jobs, involving an aquarium being built across from the Casino, with a retired jet/plane placed on the rooftop with an Executive Dining Room and slot machines.

EW/9197 1

(For final disposition of this matter, see Clause **CR16/2012** in Schedule "A" attached hereto.)

Update of Corporate Opportunities Initiatives**Michael Mueller, Consultant**

Michael Mueller, Consultant, appears before Council to provide an update on "Corporate Opportunities Step 3 Project Update", including the current project status, the Purchasing Initiative, the Facilities Initiative, the Fleet Initiative, the Technology Infrastructure Initiative, alternative Service Delivery, Next Steps, and concludes by recommending to Council that they grant him the authority to sub-contract the development of a business case for shared services.

GP/9577 14

(For final disposition of this matter, see Clauses **CR29/2012, CR30/2012 and CR31/2012** in Schedule "A" attached hereto.)

Mayor Francis leaves the meeting at 7:10 o'clock p.m.

Mayor Francis returns to the meeting at 7:12 o'clock p.m.

Mayor Francis leaves the meeting at 7:22 o'clock p.m. and Councillor Jones assumes the Chair.

Mayor Francis returns to the meeting at 7:25 o'clock p.m. and Councillor Jones returns to his seat at the Council table.

DELEGATIONS

Report No. 51 of the Executive Committee (Sale of Land to St. Clair College – Woodlot)

M68-2012 Moved by Councillor Dilkens, seconded by Councillor Jones,
That Rule 3.3(c) of the Procedure By-law 98-2011 **BE WAIVED** to allow for a special in-camera meeting without 24 hours notice.

Carried.

Councillor Halberstadt voting nay.

Report Number 15718 APM2012

M69-2012 Moved by Councillor Dilkens, seconded by Councillor Jones,
That Council move in-camera for discussion of the following:

- Legal matter – proposed or pending acquisition or disposition of land by the municipality or local boards – Section 239(c) of the *Municipal Act*, 2001 as amended.

Carried.

Councillor Halberstadt voting nay.

Council convenes in-camera at 7:48 o'clock p.m.

Council reconvenes in public session at 8:15 o'clock p.m.

Gerald Trottier, Solicitor and Dr. John Strasser, President, representing St. Clair College

Gerald Trottier, Solicitor and Dr. John Strasser, President, representing St. Clair College, appear before Council and are available for questions regarding the proposed disposition of the woodlot to St. Clair College.

M70-2012 Moved by Councillor Marra, seconded by Councillor Gignac,
That **Report No. 51 of the Executive Committee** regarding the sale of land to St. Clair College-Woodlot **BE ADOPTED AS AMENDED**:

THAT the report of the City Solicitor regarding the disposition of the woodlot to St. Clair College **BE RECEIVED** for information.

AND THAT Administration **BE AUTHORIZED** to finalize an Agreement of Purchase and Sale with St. Clair College for the disposition of the woodlot, in accordance with the following terms:

Purchaser: The St. Clair College of Applied Arts and Technology (“College”)

Property: 0 Janisse Street of an irregular shape, as depicted on Appendix A, subject to the following:

A. Vacant Lands

That the lands identified in purple on Appendix A be transferred to the Purchaser, subject to the Special Provisions and that the City proceed with closing of the applicable rights-of-way bound within the purple highlighted portion of Appendix A; Should the City not close the applicable rights-of-way such portions of the Property shall form part of the Rights-of-Way conveyance;

B. Drain Lands

That the lands identified in blue on Appendix A be transferred to the Purchaser, subject to the Special Provisions and the following additional conditions:

- the City grant any easements necessary to third party utilities, as determined by the City Engineer, such easement(s) to be satisfactory in content to the City Engineer and in form to the City Solicitor;
- the City reserve an easement(s) for the sewer contained within the drain lands, such easement to be satisfactory in content to the City Engineer and in form to the City Solicitor;
- the City reserve an easement(s) for the Lennon Drain for maintenance, improvements and access, such easement(s) to be satisfactory in content to the City Engineer and in form to the City Solicitor;
- the City obtain an easement(s) for the Lennon Drain for maintenance, improvements and access located on the College lands approximately as set out in the attached Appendix B, such easement(s) to be satisfactory in content to the City Engineer and in form to the City Solicitor;

C. Rights-of-Way

That the lands identified in red and orange on Appendix A be subject to an Option agreement in favour of the Purchaser, such Option to be subject to the Special Provisions and the following additional conditions:

- to be exercised prior to the expiry of 25 years;
- the College must acquire all the abutting lands (save and except lands currently owned by MTO under the parkway project);
- the City grant any easements or other rights necessary to third party utilities, as determined by the City Engineer, but in any case such installations or rights (including for example, pursuant to a Franchise Agreement) to exist as of February 29, 2012, such easement(s) to be satisfactory in content to the City Engineer and in form to the City Solicitor;
- the City reserve any easements necessary for its own installations, including an easement for the Wildon Drain, as determined by the City Engineer, but in any case such installations to exist as of February 29, 2012, such easement(s) to be satisfactory to the City Engineer and in form to the City Solicitor;
- in the case of lands identified in orange on Appendix A (open rights-of-way), upon notice that the College is exercising the Option, the City proceed to close the open rights-of-way, for which this resolution shall constitute authority to proceed directly to the preparation of a bylaw, and subject only to any requirements at law.

Purchase Price: Nominal

Closing Date: As mutually agreed between administration and the College, and following the closure of the applicable rights-of-way and ERCA approval, if required.

- Special Provisions:**
1. The Purchaser accept the property “As Is” and that the City will provide no representations or warranties as to the quality of the land or its fitness for use; and further that any and all due diligence be completed by the Purchaser at the Purchaser’s sole cost;
 3. Save and except for Survey Costs (as applicable) or as otherwise set out herein (which costs shall be borne by the City), that all costs be borne by the Purchaser, including but not limited to Land Transfer Tax, if any, (City and College would need to agree on a land value for purposes of calculation of LTT), Registration Costs, and legal fees and disbursements (not including City internal);
 4. That a Conservation Easement, satisfactory in form and content to the City Solicitor, be registered over the lands to be conveyed in favour of the Essex Region Conservation Authority, for a nominal sum, registration costs to be paid by the City; or alternatively, if determined necessary by the City Solicitor, that a conservation easement be reserved in favour of the City; and further that such conservation easement contain language which ensures that the College will not be required to pay monies pursuant to the Management Plan;
 5. That the City register a restrictive covenant on the property to limit the sale of the property by the Purchaser, specifically that Purchaser shall not sell/transfer the property and further that should the property cease to be used for educational, environmental conservation and promotion that the property revert to the City’s ownership for the sum of \$1.00.

AND THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign a finalized Agreement of Purchase and Sale, satisfactory in technical content to the City Engineer and in form and content to the City Solicitor **AND FURTHER THAT** the Chief Administrative Officer **BE AUTHORIZED** to approve minor amendments to such Agreement of Purchase and Sale, if needed.

AND THAT the transaction **BE COMPLETED** electronically, for the properties where it is available, pursuant to By-Law 366-2003 and that the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to execute all documents necessary to complete the transaction, as required and that the City Solicitor or designate **BE AUTHORIZED** to execute documents standard to a real estate transaction.

AND THAT, pursuant to the *Planning Act*, any money received on the sale of land, less any amount spent by the municipality out of its general funds in respect of the land, be paid into the Parkland Acquisition Reserve Account and spent only for the acquisition of land to be used for park or other public recreational purposes, including the erection, improvement or repair of buildings and the acquisition of machinery for park or other public recreational purposes.

AND THAT Council waive the requirements of By-law 247-2007 (being the by-law for the acquisition and disposition of land) with respect to the disposition, including but not limited to the following:

- Public notice of sale
- Adoption in open session
- Appraisal(s) obtained
- Sold at Current Market Value

- Listed on MLS, unless (a) non-viable property, in which case it may be sold directly to the abutting property owner at a cost-recovery basis; or (b) land sale to governmental or quasi-governmental agencies; or (c) as directed by Council
- Marketed for minimum of 10 days
- Minimum deposit of \$1,000.00
- Environmental audit obtained

AND THAT Council waive the requirements of CR106/2003 (being the Street & Alley Policy), as amended, with respect to the disposition, including but not limited to the following:

- Closures go through Street & Alley Committee
- Streets offered at Market Value for building lots where possible, regardless of zoning

Carried.

At the request of Mayor Francis a **recorded vote** is taken:

RESULTS OF RECORDED VOTE:

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

Report No. 17 of the Economic Development Standing Committee (Report No. 5 of the Small Business Advisory panel of its meeting held October 18, 2011)

Jim Williams, a member of the Small Business Advisory Panel

Jim Williams, a member of the Small Business Advisory Panel, appears before Council to provide an overview of the recommendations of the Small Business Advisory Panel in term of their Progress report to Council.

Mayor Francis leaves the meeting at 9:22 o'clock p.m. and Councillor Jones assumes the Chair.

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,

M71-2012 That Report No. 17 of the Economic Development Standing committee of its meeting held December 7, 2011 **BE ADOPTED** as presented, save and except the following recommendation which is to **BE REFERRED** to the 2012 Budget Meeting of Council: "That a Small Business Coordinator" position be implemented to be the internal champion to assist with the issues for small business owners when dealing with City Hall"; and further,

That the City Planner **BE REQUESTED** to determine if there are funds available up to \$2,500 through the Planning Department for facility rental and promotion for a town hall meeting to be hosted by the Small Business Advisory Panel.

Carried.

Councillors Marra, Maghnieh and Mayor Francis were absent from the meeting when the vote was taken on this matter.

2011 Annual Report Card on the Community Strategic Plan**Carol Easton, resident of Ward 5**

Carol Easton, resident of Ward 5, appears before Council to provide comments regarding the 2011 Annual Report Card on the Community Strategic Plan, suggesting that some additional indicators need to be included, such as a measurement of road traffic accidents in the areas: vehicle to vehicle, vehicle to pedestrian and vehicle to cyclist.

GM/7387 5

(For final disposition of this matter, see Clause **CR20/2012** in Schedule "A" attached hereto.)

Mayor Francis returns to the meeting at 9:50 o'clock p.m. and Councillor Jones returns to his seat at the Council table.

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

None.

Consideration of Committee Reports

M72-2012 Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
as presented. That the **Report of the special In-camera** meeting held February 6, 2012, **BE ADOPTED**

Carried.

ACO2012

By-laws

Moved by Councillor Jones, seconded by Councillor Maghnieh,
That the following By-laws No. 18-2012 through 19-2012 (inclusive), be introduced and read a first and second time:

18-2012 "A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES"

19-2012 "A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE SIXTH DAY OF FEBRUARY, 2012"

Carried.

Moved by Councillor Marra, seconded by Councillor Payne,
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 amended)
- 6) By-laws given first and second readings (as presented)

Carried.

Notices of Motion

None presented.

Third Reading of By-laws

Moved by Councillor Sleiman, seconded by Councillor Valentinis,

That the following By-laws No. 18-2012 through 19-2012 (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

Moved by Councillor Dilkens, seconded by Councillor Gignac,

M35-2012 That the petition presented by Councillor Hatfield from the residents of the Blue Heron Twin Villas, petitioning the City of Windsor to remove the "jersey barriers" on Leathorne Dr. and facing Blue Heron Dr. and Kirkland Dr. **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the Chief Building Official for the purpose of an examination of the requested works or undertakings; and further that a report **BE PROVIDED** consistent with the direction provided.

Carried.

ACO/11248

Council Questions

Moved by Councillor Halberstadt, seconded by Councillor Jones,

M73-2012 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 written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ7-2012

Asks Traffic Engineering to report on the level of lifecycle or "pavement management" planning or analysis in existence at the City of Windsor, whereby full reconstruction of a deteriorated road can cost up to five times the amount of simple repaving or mill and pave that extends the life of our road network.

Carried.

SW2012

Adjournment

Moved by Councillor Jones, seconded by Councillor Maghnieh,
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 9:59 o'clock p.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Marra
Valentinis

CR16/2012

That the City of Windsor **NOT PURSUE** an aquarium at this time as the market is limited, particularly after a new aquarium in Toronto is currently under construction.

Carried.

Report Number **15686 EW/9197 1**

Sleiman
Valentinis

CR17/2012

THAT the report of the City Solicitor regarding Shareholder's Resolutions for Your Quick Gateway (Windsor) Inc. ("YQG") **BE RECEIVED** for information; and further

THAT the Chief Administrative Officer **BE AUTHORIZED** to sign the Special Resolution of the Sole Shareholder, dated May 25th, 2011 and the Shareholder's Resolution, dated May 25th, 2011, to be in form and content satisfactory to the City Solicitor.

Carried.

Report Number **15594 APM/9795 C2**

Sleiman
Valentinis

CR18/2012

That an exemption to the prohibition of operation of any equipment in connection with construction activities, excluding pile driving operations under By-Law 6716 (as amended) **BE GRANTED** between the hours of 8:00 p.m. and 11:00 p.m. for construction activities related to City of Windsor Contract 130-10 until June 1, 2012.

Carried.

Report Number **15699 SW/10929 C3**

Sleiman
Valentinis

CR19/2012

- I. That Council **APPROVE** that The Corporation of the City of Windsor enter into an amending agreement to amend certain insurance related provisions of the Agreement between The Corporation of the City of Windsor, Your Quick Gateway (Windsor) Inc., and Premier Aviation Windsor Inc. regarding the Airport Hangar.
- II. That the CAO and City Clerk **BE AUTHORIZED** to execute the amending agreement, satisfactory in form and content to the City Solicitor.

Carried.

Report Number **15710 APM/10883 C4**

Halberstadt
Valentinis

CR20/2012

- I. THAT the 2011 Report Card (enclosed) on the Community Strategic Plan **BE RECEIVED**, and

- II. THAT the CAO, with the assistance of the Performance Management Reporting Executive Committee **BE AUTHORIZED** on an on-going basis, to prepare recommendations for City Council which include the:
 - i) creation of new indicators and modification to existing;
 - ii) development of a system to evaluate the success of an indicator in meeting the objectives of the Community Strategic Plan; and
 - iii) establishment of targets for performance in consultation with reporting departments and agencies; and further,

That Administration **REVIEW** the recommendations brought forward by Ms. Carol Easton, resident of Ward 5, regarding potential safety measurements that can be explored (attached).

Carried.

Mayor Francis was absent from the meeting when the vote was taken on this matter.

Report Number **15700 GM/7387 5**

Appendices
Recommendations

Sleiman
Valentinis

CR21/2012

WHEREAS in the opinion of the Treasurer and the Council the proposed lease will not materially impact the debt and financial obligation of the City of Windsor, and its risks, in combination with all other leases of that category entered into or proposed to be entered into this year by the City of Windsor and will not result in a material impact for the community; therefore

BE IT RESOLVED THAT Council **APPROVE** the new addition of:

- One photocopier for Recreation & Culture (Adie Knox Herman Pool & Community Centre).

Carried.

Report Number **15707 AE2012 C6**

Sleiman
Valentinis

CR22/2012

1. THAT City Council **AUTHORIZE** the signing of the 2012 Services Contracts and subsequent Service Agreements for the three year period covered by the Service Contracts, to be signed as follows:
 - 2012 MCSS/MCYS Service Contract - CAO and City Clerk subject to review of technical content by the Community Development & Health Commissioner, review of legal content by the City Solicitor, and financial review by the Chief Financial Officer or designate; and
 - 2012, 2013, 2014 Ontario Works Service Agreements and/or amendments – Executive Director of Employment & Social Services and Chief Financial Officer or designate; and
 - 2012, 2013, 2014 Transfer Payment Service Agreement and/or amendments – Executive Director of Housing Services & Children’s Services, Executive Director of Employment & Social Services and Chief Financial Officer or designate subject to a report to City Council summarizing significant program changes, additions and deletions; and
2. THAT the City **ENTER** into agreements with qualified Employer/Purchase of Service agencies as determined by the Community Development & Health Commissioner; and
3. THAT the Community Development & Health Commissioner **BE AUTHORIZED** to sign, amend, or terminate agreements with Employer/Purchase of Service agencies on behalf of the City in accordance with the criteria established by the 2012-2014 MCSS\MCYS Service Agreement where the net city contribution does not exceed \$150,000 or \$1,000,000 gross. For Employer/Purchase of Service agreements that exceed a \$150,000 net city contribution or a \$1,000,000 gross contribution, that in addition to the Community Development & Health Commissioner that the Chief Administrative Officer **BE REQUIRED** to sign as a secondary authority; and
4. THAT Employer/Purchase of Service agreements **BE APPROVED** as to technical content by the Executive Director of Employment & Social Services or Executive Director of Housing Services & Children’s Services, as to legal form by the City Solicitor and as to financial content by the City Treasurer and Chief Financial Officer, or designate. As long as the agreements conform to the standard format reviewed and pre-approved by the City Solicitor, the City Solicitor is not required to approve each individual as to form, and
5. THAT the Community Development & Health Commissioner **HAVE THE DISCRETION** to terminate any Employer/Purchase of Service agreement upon the grounds as set out in the agreement and without the need to obtain Council approval, except as provided herein.

Carried.

Report Number **15692 SS2012 C7**

Sleiman
Valentinis

CR23/2012

1. THAT the City **ENTER** into an agreement with the Ministry of Education for the delivery of child care programs for 2012 (the 2012 MEDU Service Agreement) in accordance with the City’s legislated obligations under the *Day Nurseries Act*, R.S.O. 1990, c. D.2; and

2. THAT the City Clerk and the Chief Administrative Officer **BE AUTHORIZED** to execute the 2012 MEDU Service Agreement on behalf of the City subject to **APPROVAL** as to technical content by the Community Development & Health Commissioner, as to legal form by the City Solicitor and as to financial content by the City Treasurer and Chief Financial Officer; and
3. THAT the following schedules to the 2012 MEDU Service Agreement, namely, 2012 Service Description Schedules, Budget Schedules, Contractual Service Target Schedules, Reporting Schedules, and/or amendments **BE APPROVED** as to technical content by the Executive Director of Housing Services & Children's Services, as to legal form by the City Solicitor and as to financial content by the City Treasurer and Chief Financial Officer; and
4. THAT the City **ENTER** into Purchase of Service agreements with qualified agencies as determined by the Community Development & Health Commissioner; and
5. THAT the Community Development & Health Commissioner **BE AUTHORIZED** to sign, amend, or terminate agreements with Purchase of Service agencies on behalf of the City in accordance with the criteria established by the 2012 MEDU Service Agreement where the net city contribution does not exceed \$150,000 or \$1,000,000 gross. For Purchase of Service agreements that exceed a \$150,000 net city contribution or a \$1,000,000 gross contribution, that in addition to the Community Development & Health Commissioner that the Chief Administrative Officer **BE REQUIRED** to sign as a secondary authority; and
6. THAT Purchase of Service agreements **BE APPROVED** as to technical content by the Executive Director of Housing Services & Children's Services, as to legal form by the City Solicitor and as to financial content by the City Treasurer and Chief Financial Officer, or designate. As long as the agreements conform to the standard format reviewed and pre-approved by the City Solicitor, the City Solicitor is not required to approve each individual as to form, and
7. THAT the Community Development & Health Commissioner **HAVE THE DISCRETION** to terminate any Purchase of Service agreement upon the grounds as set out in the agreement and without the need to obtain Council approval, except as provided herein.

Carried.

Report Number **15676 SS/11256 C8**

Sleiman
Valentinis

CR24/2012

THAT, in accordance with the requirements of Purchasing By-Law 400-2004, the Purchasing Supervisor **SET UP** contract purchase orders for the supply of the following chemicals:

- (1) CHEMICALS FOR PHOSPHORUS REMOVAL – LRWRP & LRPCP - APPENDIX "A" & "E"

That the tender dated November 21, 2011 of General Chemical Corporation, 90 East Halsey Road, Parsippany, NJ, USA, 07054 **BE ACCEPTED** to supply 3,575 tonnes (more or less) of aluminum sulphate at the tendered price of \$267.00(CDN)/tonne to the Lou Romano Water Reclamation Plant and to the Little River Pollution Control Plant as and when required, the estimated expenditure of \$1,078,613.25 to be charged to Chart Field 001-2130-1790-02942-0174201 [LRWRP] and 001-2130-1790-02942-0174301 [LRPCP].

- (2) ANIONIC POLYMER - LRWRP - APPENDIX "B"

That the tender dated November 21, 2011 of Polydyne Inc., P.O. Box 279, 1 Chemical Plant Road, Riceboro, Georgia, USA, 31323 **BE ACCEPTED** to supply 21,000 kg. (more or less) of Clarifloc A-3330, at the tendered price of \$3.17 (CDN)/kg to the Lou Romano Water Reclamation Plant as and when required, the estimated expenditure of \$75,224.10 to be charged to Chart Field 001-2140-1790-02942-0174201.

(3) CATIONIC POLYMER - LRWRP - APPENDIX "C"

That the tender dated November 21, 2011 of Jes-Chem Limited, 3 Berkeley Place, Guelph, ON, M1E 1E5 **BE ACCEPTED** to supply 40,000 kg. (more or less) of Pam C-453, at the tendered price of \$3.39 (CDN)/kg to the Lou Romano Water Reclamation Plant as and when required, the estimated expenditure of \$153,228.00 to be charged to Chart Field 001-2135-1790-02942-0174201.

(4) PHOSPHORIC ACID - LRWRP - APPENDIX "D"

That the tender dated November 21, 2011 of Anchem, 120 Stronach Crescent, London, ON, N5V 3A1 **BE ACCEPTED** to supply 60,000 kg (more or less) of phosphoric acid at the tendered price of \$1.14(CDN)/kg to the Lou Romano Water Reclamation Plant as and when required, the estimated expenditure of \$77,292.00 to be charged to Chart Field 001-2140-1790-02942-0174201.

(5) SLUDGE CONDITIONING - LRPCP - APPENDIX "F"

That the tender dated November 21, 2011 of Polydyne Inc., P.O. Box 279, 1 Chemical Plant Road, Riceboro, Georgia, USA, 31323 **BE ACCEPTED** to supply 23,000 kg. (more or less) of Clarifloc C-3275 at the tendered price of of \$3.61 (CDN)/kg to the Little River Pollution Control Plant as and when required, the estimated expenditure of \$93,823.90 be charged to Chart Field 001-2135-1790-02942-0174301.

(6) DISINFECTION – LRWRP & LRPCP - APPENDIX "G"

That the tender dated November 21, 2011 of Anchem, 120 Stronach Crescent, London, ON, N5V 3A1 **BE ACCEPTED** to supply 90,000 litres (more or less) of sodium hypochlorite at the tendered price of \$0.1887(CDN)/L to the Lou Romano Water Reclamation Plant and Little River Pollution Control Plant as and when required, the estimated expenditure of \$19,190.79 be charged to Chart Field 001-2140-1790-02942-0174201 [LRWRP] and 001-2140-1790-02942-0174301 [LRPCP].

(7) POTASSIUM PERMANGANATE - APPENDIX "H"

That the tender dated November 21, 2011 of Univar Canada Ltd., 64 Arrow Road, North York, ON, M9M 2L8 **BE ACCEPTED** to supply 13,000 kg. (more or less) of potassium permanganate at the tendered price of \$4.40/kg to the Little River Pollution Control Plant as and when required, the estimated expenditure of \$60,060.00 be charged to Chart Field 001-2135-1790-02942-0174301.

(8) POLYALUMINIUM CHLORIDE – LRPCP – APPENDIX "I"

That the tender dated November 21, 2011 of Kemira Water Solutions, 3405 Marie-Victorin Blvd, Varennes, Quebec, J3X 1T6, **BE ACCEPTED** to supply 80,000 litres (more or less) of polyaluminum chloride at the tendered price of \$0.430/L to the Little River Pollution Control Plant as and when required, the estimated expenditure of \$38,872.00 be charged to Chart Field 001-2140-1790-02942-0174301.

Carried.

Appendices

Chemical Requirements

Sleiman
Valentinis

CR25/2012

That the City of Windsor **APPROVE** entering into an agreement with the Province of Ontario (Majesty of the Queen in right of Ontario) represented by the Ministry of Transportation for the Province of Ontario and the City of Windsor, to receive \$8,549,000 in Provincial funding from the Building Together Fund for local road design and improvements in the City of Windsor, and that the agreement

BE SIGNED by the City Clerk and the Chief Administrative Officer, subject to approval as to technical content to the City Engineer, in form to the City Solicitor and in financial content to the Chief Financial Officer and City Treasurer.

Carried.

Report Number **15711 SW/11257 C10**

Sleiman
Valentinis

CR26/2012

That City Council **APPROVE** the purchase of two (2) Rear Mount Pumper/Rescue from ResQTech Systems Inc. at a cost of \$908,000 CAD plus hst and that, the Purchasing Supervisor,

BE AUTHORIZED to issue a purchase order for this purchase. Equipment required to make the vehicles operational will be an additional cost of \$80,000 CAD plus hst per truck. The total expenditure will be \$1,068,000 CAD plus hst, to **BE FUNDED** from Project 7101014.

Carried.

Report Number **15709 SF2012 C11**

Sleiman
Valentinis

CR27/2012

That the report from the Recreation and Culture Department on the Bequest made through the Estate of L. Odette **BE RECEIVED** and further, that the City Solicitor **BE AUTHORIZED** to accept this bequest and further, that the City Solicitor **BE AUTHORIZED** to negotiate with the Executor of the Estate regarding wording of the conditions and terms as provided in the Will Extract and further that the \$250,000 in matching funds from the City **BE APPROVED** as a pre-commitment to the 2012 Capital Budget.

Carried.

Report Number **15708 SR/7573 C12**

Sleiman
Valentinis

CR28/2012

- a. That the following tender **BE ACCEPTED** to supply all labour, materials and equipment to maintain weed and grass cutting/cleaning of EC ROW, in accordance with the Purchasing By-Law:

TENDERER:	Siefker Inc. 212 Oak Dr. Essex, On N8M 3C6
TENDER NO:	120-11
TOTAL TENDER PRICE:	\$600,000.00 (excluding HST) Total cost for 3 year contract
ACCOUNT CHARGED:	001-2980-0606-03378-0280353 When this 3 year total is annualized, it falls materially within <i>proposed</i> annual budgetary parameters.

And that the CAO and the City Clerk **BE AUTHORIZED** to sign a three year contract with Siefker Inc.

- b. That the following tender **BE ACCEPTED** to supply all labour, materials and equipment to maintain weed and grass cutting of Vacant Lots, in accordance with the Purchasing By-Law.

TENDERER:	Bellaire Landscape Inc. 2025 Ellis Sideroad Maidstone, On NOR 1K0
TENDER NO:	121-11
TOTAL TENDER PRICE:	\$42,570.00 (excluding HST) Total cost for 3 year contract (One cut per year)
ACCOUNT CHARGED:	001-2980-1057-03378-0280354 When this 3 year total is annualized, it falls within annual budgetary parameters.

And that the CAO and the City Clerk **BE AUTHORIZED** to sign a three year contract with Bellaire Landscape Inc.

- c. That the following tender **BE ACCEPTED** to supply all labour, materials and equipment to maintain weed and grass cutting Roadside Ditches, in accordance with the Purchasing By-Law.

TENDERER:	Bellaire Landscape Inc. 2025 Ellis Sideroad Maidstone, On NOR 1K0
TENDER NO:	119-11
TOTAL TENDER PRICE:	\$52,790.40 (excluding HST) Total cost for 3 year contract (One cut per year)
ACCOUNT CHARGED:	001-2980-1594-03378-0280354

	When this 3 year total is annualized, it falls within annual budgetary parameters.
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And that the CAO and the City Clerk **BE AUTHORIZED** to sign a three year contract Bellaire Landscape Inc. and Siefker Inc. and that, all three (3) contracts are to be satisfactory in form to the City Solicitor, Corporate Leader Economic Development and Public Safety, in technical content to the City Engineer and Corporate Leader Environmental Protection and Transportation, and in financial content to Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology.

Carried.

Report Number **15702 SR/11259 C13**

Jones
Hatfield

CR29/2012

That the portion of the report of the Chief Administrative Officer dated January 6, 2012 entitled “Update of Corporate Opportunities Initiatives”, regarding the 311/211 Call Centre **BE DEFERRED**.

Carried.

At the request of Councillor Gignac **a recorded vote** is taken.

RESULTS OF RECORDED VOTE:

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

Report Number **15719 GP/9577 14**

Hatfield
Jones

CR30/2012

That with regards to the report of the Chief Administrative Officer dated January 6, 2012 entitled “Update of Corporate Opportunities Initiatives”, that it **BE CONFIRMED** that there will be no offshore options considered as part of any proposed initiatives for shared services.

Carried.

Report Number **15719 GP/9577 14**

Gignac
Valentinis

CR31/2012

That the report of the Chief Administrative Officer dated January 6, 2012 entitled "Update of Corporate Opportunities Initiatives" (save and except the portion regarding the 311/211 Call Centre, which has been deferred), and Mr. Mueller's February 6, 2012 presentation detailing progress in the Corporate Opportunities Initiatives **BE RECEIVED**; and further,

That City Council **ACKNOWLEDGES** an extension of the timelines of Mr. Mueller's assignment with the understanding that the upset limit of the contract in the amount of \$100,000 is not to be exceeded; and

That Mr. Mueller **BE GRANTED** the authority to sub contract the development of the Business Case for shared services and that this sub-contract work not exceed \$75,000 (which is in addition to the amount already authorized).

Carried.

Report Number **15719 GP/9577 14**

Sleiman
Valentinis

CR32/2012

That the tender, as submitted by Forest Glade Tree Experts Ltd. **BE ACCEPTED** for the trimming of 1,500 trees (more or less) at various locations throughout the City of Windsor for a term of one year at a total tender price of \$112,485.00 plus H.S.T. to **BE CHARGED** to account 001 2980 0464 02942 0280314; and further

That the CAO and City Clerk **BE AUTHORIZED** to sign an agreement 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

That upon the expiration of the one year term set out in the agreement, the Executive Director of Parks and Facilities **BE AUTHORIZED** to extend the contract for one additional one year term as identified in the tender documents upon mutual consent based on the same conditions and price of the original tender.

Carried.

Report Number **15685 SR/11260 C15**

STANDING COMMITTEE RESOLUTIONS

Moved by Councillor Sleiman, seconded by Councillor Valentinis,

M74-2012 That **Report No. 48 the Planning Standing Committee** of its meeting held January 16, 2012 respecting Hiatus House, Official Plan & Zoning By-Law Amendments (for vacant lands formerly known as 237, 245-249, & 259-26 Louis Avenue, at the southwest corner of Louis Avenue and Chatham Street East intersection), **BE ADOPTED** as presented.

Carried.

Report Number 15670 ZO/11242 ZB/11241

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M75-2012 That **Report No. 50 the Planning Standing Committee** of its meeting held January 16, 2012 respecting request to close the north/south alley between Thompson Boulevard and Ford Boulevard from Ontario Street southerly to Raymond Avenue, **BE ADOPTED** as presented.
Carried.

Report Number 15663 SAA2012

M76-2012 RESCINDED BY CR71/2012 ADOPTED APRIL 2, 2012

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M76-2012 That **Report No. 51 the Planning Standing Committee** of its meeting held January 16, 2012 respecting request to close the east/west and north/south alleys between Edward Avenue and Isabelle Place, south of Edgar Street, **BE ADOPTED** as presented.
Carried.

Report Number 15669 SAA2012

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M77-2012 That **Report No. 52 the Planning Standing Committee** of its meeting held January 16, 2012 respecting request to Demolish Residential Dwelling at 1155 McDougall Street, **BE ADOPTED** as presented.
Carried.

Report Number 15661 SB2012

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M78-2012 That **Report No. 53 the Planning Standing Committee** of its meeting held January 16, 2012 respecting exemption to Sandwich Interim Control By-Law for 373 Detroit Street (Dunhill Apartments) – Minor Amendment to M191-2011 PSC10/11, **BE ADOPTED** as presented.
Carried.

Report Number 15329 ZP/11068

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M79-2012 That **Report No. 54 the Planning Standing Committee** of its meeting held January 16, 2012 respecting Source Protection Plan Process, **BE ADOPTED** as presented.
Carried.

EI/10108

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M80-2012 That **Report No. 55 the Planning Standing Committee** of its meeting held January 16, 2012 respecting Property Standards Committee minutes of its meeting held November 24, 2011, **BE ADOPTED** as presented.
Carried.

MB2012

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M81-2012 That **Report No. 50 of the Executive Committee** of its meeting held January 30, 2012 respecting Letter of Intent – Co-hosting 2014 Ontario ParaSport Games and Ontario 55+ Summer Games, **BE ADOPTED** as presented.

Carried.

Carried.

Report Number 15717 SR/11258

√Clerk's Note√ *oene*

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
M82-2012 That **Report No. 52 of the Executive Committee** of its meeting held January 30, 2012 respecting Town and Gown Association of Ontario 2013 Application Request, **BE ADOPTED** as presented, and further, that the funding in the amount up to \$22,100.00 for costs related to hosting the 2013 Town & Gown Symposium if the City of Windsor is the successful applicant **BE APPROVED** from the Budget Stabilization Reserve Fund.√

Carried.

Report Number 15722 GH/10286

ADOPTED by Council at its meeting held January 23, 2012 [M72-2012]
VC/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA
February 6, 2012

Meeting called to order at: 4:00 p.m.

Members in Attendance:

Mayor E. Francis
Councillor D. Dilkens
Councillor R. Jones
Councillor A.
Halberstadt
Councillor F. Valentinis
Councillor B. Marra
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. Sonogo, 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
O. Colucci, Chief Financial Officer/City Treasurer and Corporate Leader Finance
and Technology
N. Coleman, Mayor's Chief of Staff (arrives at 4:05 p.m.)
P. Brode, Senior Legal Counsel (Item 1)

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

- 5. Personal Matter – Labour Relations Issues re public report – Corporate Opportunities, Item #14, Open Agenda, February 6, 2012.**

Motion Carried.

Verbal Motion is presented by Councillor Dilkens, seconded by Councillor Jones, to move in Camera for discussion of the following item(s), adding Item 5

<u>Item No.</u>	<u>Subject</u>	<u>Section – Pursuant to Municipal Act, 2001, as amended</u>
1.	Legal/Property matter – proposed settlement	239(2)(e)(f)
2.	Property matter – lease	239(2)(c)
3.	Personal matter – Human Rights settlement	239(2)(b)(e)(f)
4.	Personal matter – about an identifiable individual – <u>REPORT TO BE DISTRIBUTED AT MEETING</u>	239(2)(b)
5.	Personal matter – labour relations issues re public report – Corporate Opportunities, Item #14, Open Agenda, February 6, 2012 - ADDED	239(2)(d)

Motion Carried.

Declarations of Pecuniary Interest:

None declared

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

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

Motion Carried.

Moved by Councillor Gignac, 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 February 6, 2012 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from Senior 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 legal/property matter – proposed settlement **BE APPROVED.**

Councillors Halberstadt, Maghnieh and Payne voting nay.

2. That the recommendation contained in the in-camera report from the Property Supervisor, City Solicitor and Corporate Leader Economic Development and Public Safety, Community Development and Health Commissioner and Corporate Leader Social Development, Health, Recreation and Culture and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter - lease **BE DEFERRED.**
3. That the recommendation contained in the in-camera report from the City Clerk/Licence Commissioner and Corporate Leader Public Engagement and Human Services, Manager of Employee Relations and City Solicitor and Corporate Leader Economic Development and Public Safety respecting a personal matter – human rights settlement **BE APPROVED.**
4. That the recommendation contained in the in-camera report from the Chief Administrative Officer respecting a personal matter about an identifiable individual **BE APPROVED.**
5. That the confidential verbal report from the Chief Administrative Officer and City Clerk respecting a personal matter – labour relations issue re public report – Corporate Opportunities, Item #14, Open Agenda, February 6, 2012 **BE RECEIVED.**

Motion Carried.

**Moved by Councillor Jones, seconded by Councillor Sleiman,
That the special meeting of council held February 6, 2012 BE ADJOURNED.
(Time: 4:56 p.m.)
Motion Carried.**

ADOPTED by Council at the February 6, 2012 meeting
REFERRING paragraph two to 2012 Budget [M71-2012]

/AA

Windsor, Ontario, February 6, 2012

REPORT NO. 17 of the
ECONOMIC DEVELOPMENT
STANDING COMMITTEE
of its meeting held December 7, 2011

Present: Councillor Payne (Vice-Chair)
Councillor Valentinis
Councillor Sleiman
Councillor Marra

Regrets: Councillor Dilkens

Referencing: Report No. 5 of the Small Business Advisory Panel

That the following recommendation of the Economic Development Standing Committee
BE APPROVED as follows:

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
THAT the *revised* "Windsor Small Business Advisory Panel Progress Report to City Council" dated October 18, 2011 **BE APPROVED**; and

THAT a "Small Business Coordinator" position **BE IMPLEMENTED** to be the internal champion to assist with the issues for small business owners when dealing with City Hall; and

THAT the City Planner **BE DIRECTED** to prepare a report to City Council presenting possible financial incentive programs for small businesses in the hospitality, service and retail sectors; and

THAT the City continue to lower the Small Business Tax Rates in the Commercial and Small Industrial sectors to compare with the average of like sized communities across the Province of Ontario; and

THAT the Panel **SEEK SUPPORT** of the Mayor and Council in reaffirming its mission to keep the small business sector as a major job creation/retention engine and a major contributor to its tax base. To that extent, the Panel recommends the following:

- That the Panel's Terms of Reference **BE PUBLICIZED** among City staffers so they can consult with the Panel on matters pertaining to small business.
- That the Panel **BE CONSULTED** in the development of a Small Business Panel Website as part of the City's website redesign.

Carried.

Clerk's Note: Report No. 5 of the Small Business Advisory Panel of its meeting held October 18, 2011 is attached as background information.

CHAIRPERSON

DEPUTY CITY CLERK

DEFERRED to the March 19, 2012 meeting of Council
as ADOPTED by Council at its meeting held February 6, 2012 [M58-2012]
/AA
Windsor, Ontario February 6, 2012

REPORT NO. 26 of the
ENVIRONMENT & TRANSPORTATION STANDING COMMITTEE
of its meeting held October 26, 2011

Present: Councillor Hatfield, Chair
Councillor Payne
Councillor Sleiman
Councillor Halberstadt

Regrets: Councillor Valentinis

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

Moved by Councillor Halberstadt, seconded by Councillor Sleiman,
That a six (6) month pilot project for traffic calming in the Roseland area
BE APPROVED with the following features:

- I. That Mansfield Drive be converted to a northbound One Way Street; and
- II. That a pork chop island be installed at the intersection Neal Blvd. and Bartlet Drive; and
- III. That a pork chop island be installed at the intersection of Cousineau Road and Casgrain Drive; and

That Administration cost out the proposed six month pilot project, and provides comment for Council; and further

That Administration circulates the proposed pilot project to all the area residents.

Carried.

Livelink 15521, ST2011

Clerk's Note: The report of the Policy Analyst dated September 16, 2011 titled "Roseland Area Traffic Calming Project" is *attached* for information.

CHAIRPERSON

DEPUTY CLERK

ADOPTED by Council at its meeting held February 6, 2012 [M81-2012]

/AA

Windsor, Ontario February 6, 2012

REPORT NO. 50 of the
EXECUTIVE COMMITTEE
of its meeting held January 30, 2012

Members Present:

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

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

Moved by Councillor Dilkens, seconded by Councillor Marra,

THAT Administration **BE DIRECTED** to submit a Letter of Intent to co-host the 2014 Ontario ParaSport Games and the 2014 Ontario 55+ Summer Games in conjunction with other participating local municipalities.

Carried.

Clerk's Note: The report authored by the Acting Manager of Leisure Outreach Services dated January 20, 2012 entitled "Letter of Intent – Co-hosting 2014 Ontario ParaSport Games and Ontario 55+ Summer Games" is *attached* as background information.

Livelinek 15717, SR/11258

CHAIRPERSON

CITY CLERK

ADOPTED AS AMENDED by Council
at its meeting held February 6, 2012 [M70-2012]

/AA
Windsor, Ontario February 6, 2012

REPORT NO. 51 of the
EXECUTIVE COMMITTEE
of its meeting held January 30, 2012

Members Present:

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

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

Moved by Councillor Dilkens, seconded by Councillor Hatfield,

THAT St. Clair College of Applied Arts and Technology **BE OFFERED** a 99-year lease for \$1.00 for the vacant lands identified in Appendix “A” (Sketch of City Lands) to the report of the City Solicitor dated January 25, 2012 entitled “Sale of Land to St. Clair College – Woodlot”; and further,

THAT NO destruction to the lands or woodlot be permitted.

Carried.

Councillors Payne, Gignac and Sleiman voting nay.

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

Clerk’s Note: The report authored by the Legal Counsel dated January 25, 2012 entitled “Sale of Land to St. Clair College - Woodlot” is *attached* as background information.

Livelihood 15718, APM2012

CHAIRPERSON

CITY CLERK

ADOPTED as presented, *✓* **and further**, that the funding in the amount up to \$22,100.00 for costs related to hosting the 2013 Town & Gown Symposium if the City of Windsor is the successful applicant **BE APPROVED** from the Budget Stabilization Reserve Fund, *✓✓*

by Council at its meeting held February 6, 2012 [M82-2012]

/AA

Windsor, Ontario February 6, 2012

REPORT NO. 52 of the
EXECUTIVE COMMITTEE
of its meeting held January 30, 2012

Members Present:

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

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

Moved by Councillor Hatfield, seconded by Councillor Jones,

THAT City Council **APPROVE** the creation of a Host Committee to assist in the preparation of the Town & Gown Association of Ontario (TGAO) Symposium Expressions of Interest to the Town & Gown Association of Ontario, and further,

THAT City Council **APPROVE** funding in the amount up to \$22,100.00 for costs related to hosting the 2013 Town & Gown Symposium if the City of Windsor is the successful applicant; and

THAT funds collected by way of delegate registration fees or partnership agreements to co-host the Symposium **BE RETURNED** to the City of Windsor to help offset the costs of the Symposium.

Carried.

Clerk's Note: The report authored by the Council Secretariat dated January 18, 2012 entitled "Town and Gown Association of Ontario 2013 Application Request" is *attached* as background information.

Livelihood 15722, GH/10286

CHAIRPERSON

CITY CLERK

ADOPTED by Council at its meeting held February 6, 2012 [M74-2012]

/AA

Windsor, Ontario February 6, 2012

REPORT NO. 48 of the
PLANNING STANDING COMMITTEE
of its meeting held January 16, 2012

Present:

Councillor Bill Marra
Councillor Ed Sleiman
Councillor Joanne Gignac
Councillor Al Maghnieh
Merrill Baker
Barbara Bjarneson
Cheryl Cross-Leal

Regrets: **Councillor Percy Hatfield**

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

Moved by Councillor Gignac, seconded by Councillor Maghnieh,

I **THAT** the City of Windsor Official Plan, Volume II, Part 1 – Special Policy Areas, **BE AMENDED** by adding site specific policies as follows:

- (1) The property described as Lots 10 to 12, Part Lots 7 to 9, and Part Block ‘A’, PLAN 136, on the southwest corner of Louis Avenue and Chatham Street East intersection is designated on Schedule A: Planning Districts and Policy Areas in Volume I – The Primary Plan
- (2) Notwithstanding the “Residential” designation of these lands on Schedule E: City Centre Planning District in Volume I – The Primary Plan, “a business office and other facilities of a non-profit organization” may be an additional permitted use

II **THAT** an amendment to the Zoning By-law 8600 for the property located at the southwest corner of Louis Avenue and Chatham Street East, described as Lots 10 to 12, Part Lots 7 to 9, and Part Block ‘A’, Plan 136, (Roll No. 030-070-03200) **BE APPROVED** by deleting Section 20(1)250 of the By-law, and replacing with the following Site Specific provision:

“A lodging house, a business office and other facilities of a non-profit organization, and a combined use building shall be additional permitted uses, and the following regulations shall apply:

- (i) Minimum front yard depth and rear yard depth requirements of the RD2.2 zoning district
- (ii) Minimum side yard width 2.5 metres on each side
- (iii) Minimum lot area and lot width - as existing on the effective date of this clause

- (iv) Minimum landscape open space yard 20% of the lot area
- (v) Maximum building height-6 storeys”

Carried.

Clerk's Note: The report authored by the Planner II – Development Review dated December 21, 2011 entitled “Hiatus House, Official Plan & Zoning By-law Amendments (for vacant lands formerly known as 237, 245-249, & 259-261 Louis Avenue, at the southwest corner of Louis Avenue and Chatham Street East intersection)” is attached as background information.

Livelihood #15670, ZO/11242 ZB/11241

CHAIRPERSON

DEPUTY CITY CLERK

DEFERRED to the February 21, 2012 meeting of Council
as ADOPTED by Council at its meeting held February 6, 2012 [M22-2012]

/AA

Windsor, Ontario February 6, 2012

REPORT NO. 49 of the
PLANNING STANDING COMMITTEE
of its meeting held January 16, 2012

Present: Councillor Bill Marra
Councillor Ed Sleiman
Councillor Joanne Gignac
Councillor Al Maghnieh
Merrill Baker
Barbara Bjarneson
Cheryl Cross-Leal

Regrets: Councillor Percy Hatfield

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

Moved by Councillor Gignac, seconded by Councillor Sleiman,

1) **THAT** an amendment to Zoning By-law 8600 **BE APPROVED** changing the zoning of 675-687 Goyeau Street; Lots 125, 128, 129, Part of Lots 124 and 132, Plan 1303, located on the northwest corner of the intersection of Goyeau Street and Tuscarora Street; from CD3.1 to CD3.1, with site specific provision as follows:

- (a) A lodging house, multiple dwelling and residential care facility as additional permitted uses;
- (b) Ground floor dwelling units in a lodging house, multiple dwelling and/or residential care facility are permitted;
- (c) A maximum of 100 beds in a lodging home or a residential care facility.

Carried.

Council Marra voting nay.

Merrill Baker voting nay.

Clerk's Note: The report authored by the Senior Planner dated December 19, 2011 entitled "Rezoning – 675 Goyeau (Days Inn, 1037109 Ontario Limited)" is attached as background information.

Livelink #15673, ZB/11240

CHAIRPERSON

DEPUTY CITY CLERK

ADOPTED by Council at its meeting held February 6, 2012 [M75-2012]

/AA

Windsor, Ontario February 6, 2012

REPORT NO. 50 of the
PLANNING STANDING COMMITTEE
of its meeting held January 16, 2012

Present: **Councillor Bill Marra**
 Councillor Ed Sleiman
 Councillor Joanne Gignac
 Councillor Al Maghnieh

Regrets: **Councillor Percy Hatfield**

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

Moved by Councillor Gignac, seconded by Councillor Sleiman,

I **THAT** the 6.1 metre (20 feet) wide north/south alley between Thompson Boulevard and Ford Boulevard from Ontario Street southerly to Raymond Avenue as shown on Drawing Number CC-1621 **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.

II **THAT** the 6.1 metre (20 feet) wide north/south alley between Thompson Boulevard and Ford Boulevard from Ontario Street southerly to Raymond Avenue as shown on Drawing Number CC-1621 **attached** hereto as Appendix "A" **BE CLOSED AND CONVEYED** to the abutting property owners subject to the following:

- Easements are required for the full width and length of the subject alley in favour of:
 - EnWin Utilities Ltd.
 - Bell Canada
 - Cogeco Cable Systems
- Conveyance cost to each owner
- \$1.00 plus the deed preparation and registration fees and proportionate share of the cost of the 12R Plan as invoiced to the City of Windsor by an Ontario Land Surveyor for land abutting properties zoned RD1.2

and further:

- the City Engineer **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number CC-1621, **attached** hereto as Appendix "A"
- the City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice,
- the City Solicitor **BE REQUESTED** to prepare the by-law to close
- the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor,

- the transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Clerk's Note: The report authored by the Planner II – Development Review dated December 13, 2011 entitled “Request to close the north/south alley between Thompson Boulevard and Ford Boulevard from Ontario Street southerly to Raymond Avenue” is ***attached*** as background information.

Livelihood #15663, SAA2012

CHAIRPERSON

DEPUTY CITY CLERK

ADOPTED by Council at its meeting held February 6, 2012 [M76-2012]

/AA

Windsor, Ontario February 6, 2012

REPORT NO. 51 of the
PLANNING STANDING COMMITTEE
of its meeting held January 16, 2012

Present: **Councillor Bill Marra**
 Councillor Ed Sleiman
 Councillor Joanne Gignac
 Councillor Al Maghnieh

Regrets: **Councillor Percy Hatfield**

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

Moved by Councillor Gignac, seconded by Councillor Sleiman,

I **THAT** the 4.26 metre (14 feet) wide east/west alley and the 2.12 metre (7 feet) wide north/south alley between Edward Avenue and Isabelle Place, south of Edgar Street, as shown on Drawing No. CC-1622 **attached** hereto as Appendix "A" **BE ASSUMED** for subsequent closure and to be consolidated into the City's own land municipally known as 1150 Edward Avenue for eventual sale and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law.

II **THAT** the 4.26 metre (14 feet) wide east/west alley and the 2.12 metre (7 feet) wide north/south alley between Edward Avenue and Isabelle Place, south of Edgar Street, as shown on Drawing No. CC-1622 **attached** hereto as Appendix "A" **BE CLOSED AND RETAINED** by the Corporation of the City of Windsor for lot consolidation purposes subject to the following:

- Easements are required in favour of:
EnWin Utilities Ltd.
Bell Canada
Cogeco Cable Systems

and further:

- The City Engineer and City Solicitor **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing Number. CC-1622, **attached** hereto as Appendix "A"
- The City Planner, or designate, **BE AUTHORIZED** to publish the required legal notice,
- The City Solicitor **BE REQUESTED** to prepare the by-law to close
- The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents approved as to form and content satisfactory to the City Solicitor,
- The transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Clerk's Note: The report authored by the Planner II – Development Review dated December 15, 2011 entitled “Request to close the east/west and north/south alleys between Edward Avenue and Isabelle Place, south of Edgar Street” is attached as background information.

Livelihood #15669, SAA2012

CHAIRPERSON

DEPUTY CITY CLERK

ADOPTED by Council at its meeting held February 6, 2012 [M77-2012]

/AA

Windsor, Ontario February 6, 2012

REPORT NO. 52 of the
PLANNING STANDING COMMITTEE
of its meeting held January 16, 2012

Present: **Councillor Bill Marra**
 Councillor Ed Sleiman
 Councillor Joanne Gignac
 Councillor Al Maghnieh

Regrets: **Councillor Percy Hatfield**

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

Moved by Councillor Sleiman, seconded by Councillor Maghnieh,
THAT an application made by George Dimopoulos for an exemption from the Howard-Erie Neighbourhood Improvement Programme Area Demolition Control By-law 9198 for the demolition of a one-storey residential building at 1155 McDougall Street **BE DEFERRED** to allow the planning staff to meet with the Applicant to ascertain possible solutions.

Carried.

Clerk's Note: The report authored by the Planner III – Special Projects dated December 12, 2011 entitled “Request to Demolish Residential Dwelling at 1155 McDougall Street” is attached as background information.

Livelihood #15661, SB2012

CHAIRPERSON

DEPUTY CITY CLERK

ADOPTED by Council at its meeting held February 6, 2012 [M78-2012]

/AA

Windsor, Ontario February 6, 2012

REPORT NO. 53 of the
PLANNING STANDING COMMITTEE
of its meeting held January 16, 2012

Present: **Councillor Bill Marra**
 Councillor Ed Sleiman
 Councillor Joanne Gignac
 Councillor Al Maghnieh

Regrets: **Councillor Percy Hatfield**

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

Moved by Councillor Sleiman, seconded by Councillor Maghnieh,

THAT M191-2011 PSC10/11 **BE AMENDED** to include the following wording:

THAT an exemption from the Interim Control By-law 19-2007 as amended by By-law 35-2008 **BE GRANTED** to Randy Vadnais (Agent) representing Butterfield Holdings Limited, owner of the apartment located at 373 Detroit Street, to renovate an oversized bedroom into two smaller bedrooms in one of the residential apartment units, and construct an additional exterior window for the second bedroom *for all eight floors as per the attached drawings*, on condition that the Olde Sandwich Towne Community Improvement Plan, the Olde Sandwich Towne Supplemental Development and Urban Design Guidelines be incorporated into this development.

Carried.

Clerk's Note: The report authored by the Senior Planner-Special Projects dated November 30, 2011 entitled "Exemption to Sandwich Interim Control By-law for 373 Detroit Street (Dunhill Apartments) – Minor Amendment to M191-2011 PSC10/11" is attached as background information.

Livelihood #15329, ZP/11068

CHAIRPERSON

DEPUTY CITY CLERK

ADOPTED by Council at its meeting held February 6, 2012 [M79-2012]

/AA

Windsor, Ontario February 6, 2012

**REPORT NO. 54 of the
PLANNING STANDING COMMITTEE
of its meeting held January 16, 2012**

Present:

**Councillor Bill Marra
Councillor Ed Sleiman
Councillor Joanne Gignac
Councillor Al Maghnieh
Merrill Baker
Barbara Bjarneson
Cheryl Cross-Leal**

Regrets: **Councillor Percy Hatfield**

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

Moved by Councillor Sleiman, seconded by Barbara Bjarneson,
THAT the presentation by Stan Taylor, Project Manager, Source Water Protection, Essex Region Conservation Authority regarding the pre-consultation on the draft source protection plan policies **BE RECEIVED** as information.

Carried.

Clerk's Note: The PowerPoint presentation by Stan Taylor Project Manager, ERCA dated January 2012 entitled "Source Protection Plan Process" is **attached** as background information.

CHAIRPERSON

DEPUTY CITY CLERK

ADOPTED by Council at its meeting held February 6, 2012 [M80-2012]

/AA

Windsor, Ontario February 6, 2012

REPORT NO. 55 of the
PLANNING STANDING COMMITTEE
of its meeting held January 16, 2012

Present: **Councillor Bill Marra**
 Councillor Ed Sleiman
 Councillor Joanne Gignac
 Councillor Al Maghnieh

Regrets: **Councillor Percy Hatfield**

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

Moved by Councillor Gignac, seconded by Councillor Sleiman,
THAT the minutes of the Property Standards Committee meeting held November 24, 2011 **BE RECEIVED** as information.

Carried.

Clerk's Note: The minutes of the Property Standards Committee meeting held November 24, 2011 are attached as background information.

MB2012

CHAIRPERSON

DEPUTY CITY CLERK