

Monday, May 16, 2016
6:00 o'clock p.m.

Members Present:

Mayor

Mayor Dilkens

Councillors

Ward 10 - Councillor Borrelli
Ward 2 - Councillor Elliott
Ward 1 - Councillor Francis
Ward 6 - Councillor Gignac
Ward 4 - Councillor Holt
Ward 7 - Councillor Kusmierczyk
Ward 8 - Councillor Marra
Ward 9 - Councillor Payne
Ward 5 - Councillor Sleiman

Members Absent:

Ward 3 - Councillor Bortolin [away on City business]

- 1. ORDER OF BUSINESS**

- 2. CALL TO ORDER - Playing of the National Anthem & Moment of Silent Reflection**

Following the playing of the Canadian National Anthem and a moment of silent reflection, the Mayor calls the meeting to order.

- 3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None disclosed.

4. ADOPTION OF THE MINUTES

4.1. Minutes of the Special Meeting of Council held April 25, 2016

Moved by: Councillor Sleiman
Seconded by: Councillor Borrelli

That the Minutes of the Special Meeting of Council held April 25, 2016 **BE ADOPTED** as presented.
Carried.

4.2. Minutes of the May 2, 2016 City Council Meeting

Moved by: Councillor Sleiman
Seconded by: Councillor Borrelli

That the Minutes of the regular meeting of Council held May 2, 2016 **BE ADOPTED** as presented.
Carried.

5. NOTICE OF PROCLAMATIONS

None presented.

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Elliott
Seconded by: Councillor Francis

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, referrals and/or withdrawals 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 May 2, 2016; and
 - (g) consideration of by-laws 63-2016 through 75-2016 (inclusive).
- Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence - May 16, 2016

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR310/2016

That the following Communication Items 7.1.1 to 7.1.11 and 7.1.13 to 7.1.16 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication No. 7.1.12 which is dealt with as follows:

Communication No. 7.1.12

Moved by Councillor Gignac
Seconded by Councillor Francis

Decision Number: CR311/2016

That the Mayor of the City of Windsor **BE AUTHORIZED** to sign a renewal agreement on behalf of the City of Windsor with Her Majesty the Queen in Right of Ontario as represented by the Ministry of Community Safety and Correctional Services to continue to fund the Windsor Police Services Board under the Safer Communities-1,000 Officers Partnership Program for one additional year to March 31, 2017 at \$910,000 per year, co-sharing in the cost of 26 Police Officers; and

That the Mayor of the City of Windsor **BE AUTHORIZED** to sign a renewal agreement on behalf of the City of Windsor with Her Majesty the Queen in Right of Ontario as represented by the Ministry of Community Safety and Correctional Services to continue to fund the Windsor Police Services Board under the Community Policing Partnerships Program for one additional year to March 31, 2017 at \$600,000 per year, co-sharing in the cost of 20 Police Officers.

Carried.

No.	Sender	Subject
7.1.1	Manager of Urban Design	Application of Hospice of Windsor Essex for Site Plan Approval to permit an expansion at 6038 Empress. Note & File ZS/12553
7.1.2	Manager of Urban Design	Application of Greek Orthodox Community of Windsor for Site Plan Approval to permit a new church and community center at 3052 Walker Road. Note & File ZS/12554

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7.1.3	Manager of Urban Design	Application of Salvatore Holdings for Site Plan Approval to permit a daycare centre at 3511 Walker Road. Note & File ZS/12555
7.1.4	Association of Municipalities of Ontario (AMO)	Call for Nominations for the 2016-2018 AMO Board of Directors. Note & File MMA2016
7.1.5	Windsor Symphony Orchestra	Quarterly update of the operations of the Capitol Theatre. Note & File SR2016
7.1.6	Ministry of the Environment and Climate Change	Environmental Compliance Approval for sanitary and storm sewers on Marentette, Vimy and Lens Avenues. Note & File SW/12527
7.1.7	Secretary/Treasurer	Committee of Adjustment agenda for meeting to be held Thursday, May 19, 2016 at 3:30 p.m. Note & File ZC2016
7.1.8	Downtown Windsor Business Improvement Area	Reinstatement of one-hour free parking in municipal parking garages. City Engineer Chief Financial Officer & City Treasurer COUNCIL DIRECTION REQUESTED, otherwise Note & File AFB/12131 ST2016
7.1.9	Environment and Land Tribunals Ontario Ontario Municipal Board	Section 43 Request for Review; Decision of Blair S. Taylor, Issued December 4, 2015; OMB Case No. PL080049 City Planner City Solicitor Note & File ZB/7801 ZO/7802
7.1.10	Jayne Lauzon, Resident	Request for a ban on Circus acts containing animal performances in the City of Windsor. City Solicitor Executive Director, Recreation & Culture COUNCIL DIRECTION REQUESTED, otherwise Note & File APR2016
7.1.11	Association of Municipalities of Ontario (AMO)	AMO Support for Fort McMurray – Call to Action. Note & File APR2016

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7.1.12	Chief, Windsor Police Service	Grant Renewals: CPP and SCOOP. City Solicitor Chief Financial Officer & City Treasurer COUNCIL DIRECTION REQUESTED SP/10110
7.1.13	City Engineer	Notice of Study Completion – Class Environmental Assessment – 6 th Concession Road / North Talbot Road. Note & File SW2016
7.1.14	Manager of Development Applications	Application of Shawn Lippert for Zoning Amendment to add an additional use as a Haunted House at 1441 McDougall. Note & File ZB/12562
7.1.15	Union Gas Limited	2015 Deferral Account Balances and 2015 Utility Earnings. Note & File MU2016
7.1.16	Planning & Building Services	Status update for the “Comprehensive Planning Study” Related to Development Charge Reductions Note & File GPL/3905

Carried.

7.2. FINA 2016 WSC (25m) Expenditures Made Under the Purchasing Bylaw Exemption - City Wide

Moved by: Councillor Gignac
Seconded by: Councillor Holt

Decision Number: CR312/2016

THAT Council **RECEIVE FOR INFORMATION** the 4th Quarterly report on FINA 2016 WSC (25m) Expenditures Procured under the Purchasing Bylaw Exemption for the quarter ending on March 31, 2016.

Carried.

Report Number: CM 15/2016
Clerk's File: SR/11543 7.2

8. CONSENT AGENDA

8.1. Signing Authority for Registration of Constructors and Employers Engaged in Construction Forms ("Form 1000") - City Wide (PWD#6055)

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR313/2016

THAT the City Solicitor **BE DIRECTED** to amend the Delegation of Authority By-law 208-2008 as necessary to authorize the City Engineer or designate to sign "Registration of Constructors and Employers Engaged in Construction" forms ("Form 1000s") for any projects requiring a completed Form 1000, and;

THAT given the strictly routine and administrative nature of these legislative requirements, and in order to reduce unnecessary administrative costs, these approvals **BE EXEMPTED** from the need to be reported back to council after the fact as is the normal practice with other DOA approvals.

Carried.

Report Number: C 91/2016
Clerk's File: SW2016 8.1

8.2. Leamington Tripartite Cost Sharing Agreement with Windsor-Essex Children's Aid Society and Windsor-Essex County Health Unit City Wide

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR314/2016

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute a cost sharing agreement (Tripartite Cost Sharing Agreement) with Windsor-Essex Children's Aid Society (WECAS) and Windsor-Essex County Health Unit (WECHU), suitable in technical content to the Executive Director of Employment and Social Services, in financial content to the City Treasurer, and in form to the City Solicitor, pertaining to the premises located at 33 Princess Road, Leamington; and

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign any and other further AMENDMENTS to the cost sharing agreement with the Windsor-Essex Children's Aid Society (WECAS) and Windsor-Essex County Health Unit (WECHU) as well as any MEMORANDA OF UNDERSTANDING or OTHER PROCEDURAL DOCUMENTS developed in collaboration with the foregoing partner agencies. Authorization would be subject to approval as to technical content by the Executive Director of Employment and Social Services, as to form by the City Solicitor, and as to financial content by the Chief Financial Officer and City Treasurer.

Carried.

Report Number: C 93/2016
Clerk's File: SS/12557 8.2

8.3. Windsor Essex Community Housing Corporation Shareholder's Declaration and Operational and Accountability Rules - City Wide

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR315/2016

- A. THAT the report of Legal Counsel regarding the Shareholder's Declaration and the report of Housing and Children's Services regarding the Operational and Accountability Rules for the Windsor Essex Community Housing Corporation ("WECHC") **BE RECEIVED** for information;
- B. AND THAT the Shareholder's Declaration, attached as Appendix A **BE ADOPTED** as presented; and the Operational and Accountability Rules, attached as Appendix B **BE ADOPTED** as presented;
- C. AND THAT the Chief Administrative Officer and the City Clerk **BE DIRECTED** to sign the Shareholder's Declaration, attached as Appendix A; and the Operational and Accountability Rules, attached as Appendix B;
- D. AND THAT the Chief Administrative Officer and the City Clerk **BE DIRECTED** to sign the Shareholder's Resolution for financial information for the years 2008 to 2014, attached as Appendix E.

Carried.

Report Number: C 85/2016
Clerk's File: SS/12557 8.3

Appendices

Appendix A, B, E

8.4. Windsor Bicycling Committee Report No. 64 (bike signage and road markings)

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR316/2016 ETPS 376

That Report No. 64 of the Windsor Bicycling Committee (bike signage and road markings) **BE APPROVED** as amended as follows:

That Administration **BE REQUESTED** to provide a report outlining the top five collision areas in the City of Windsor and to provide mitigating factors, i.e. how to prevent accidents from reoccurring.

Carried.

Report Number: SCM 43/2016
Clerk's File: MB2016 8.4

8.5. Windsor Bicycling Committee 2015 Annual Report

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR317/2016 ETPS 375

That the report of the Windsor Bicycling Committee 2015 Annual Report **BE APPROVED**.
Carried.

Report Number: SCM 42/2016
Clerk's File: MB2016 8.5

8.6. Minutes of the Windsor Bicycling Committee meeting held February 3, 2016

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR318/2016 ETPS 377

That the Minutes of the Windsor Bicycling Committee meeting held February 3, 2016
BE RECEIVED for information.

Carried.

Report Number: SCM 44/2016
Clerk's File: MB2016 8.6

**8.7. A By-law for the Construction of New Streetlighting
on St John Street from Cedarview Street to Menard as a Local Improvement**

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR319/2016 ETPS 378

That Council **ADOPT** By-law 67/2016 for the construction of new streetlighting on
St John Street from Cedarview Street to Menard Street as a Local Improvement in accordance with
Section 5 of Ontario Regulation 586/06, made under Municipal Act 2001.

Carried.

Report Number: S 72/2016
Clerk's File: SL/12374 8.7

8.8. Continuation of Health Canada Partnership for the Study of the Downtown Windsor Urban Heat Island - City Wide

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR320/2016 ETPS 379

That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the Memorandum of Agreement (MOA) with Health Canada, satisfactory in form to the City Solicitor, in financial content to the City Treasurer and in technical content to the City Engineer, for a \$12,500 (plus HST) grant to continue the partnership with Health Canada to study the Urban Heat Island in Downtown Windsor.

Carried.

Report Number: S 63/2016
Clerk's File: MH/11217 8.8

8.9. CQ65-2011 - "Welcome to Windsor" Sign on Girardot and Huron Church Road Pedestrian Bridge - Ward 2

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR321/2016 ETPS 381

That the report regarding CQ65-2011 in respect to a "Welcome to Windsor" sign on the pedestrian overpass at Assumption High School near Girardot at Huron Church Road

BE RECEIVED by Council for information.

Carried.

Report Number: S 18/2016
Clerk's File: APR2016 8.9

8.10. Traffic Around Northwood Public School - Ward 10

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR322/2016 ETPS 382

That Administration **UNDERTAKE** a warrant study to determine the feasibility of adding a crossing guard, or alternatively moving one of the existing crossing guards in the area of Northwood Street and Longfellow Avenue; and further,

That the results **BE REPORTED** back to the standing committee for direction; and further,

That Administration **BE REQUESTED** to meet with the Health Unit to determine the possibility of reinstating the active safe routes to school program; and

That the report of the City Engineer entitled Traffic Around Northwood Public School dated April 4, 2016 **BE RECEIVED** for information.

Carried.

Report Number: S 75/2016
Clerk's File: ST2016 8.10

8.11. Intelligent Transportation System Project Update - City Wide

Moved by: Councillor Kusmierczyk

Seconded by: Councillor Marra

Decision Number: CR323/2016 ETPS 383

- I. That the Environment, Transportation and Public Safety Standing Committee and the Transit Windsor Board of Directors **AUTHORIZE** the Corporate Leader of Transportation Services to sign the Amendment to the Strategic Mapping Inc contract to include Next Vehicle Arrival SMS/text messaging and additional hardware of 14 GPS units to be installed in transit support vehicles.
- II. That the Environment, Transportation and Public Safety Standing Committee and the Transit Windsor Board of Directors **APPROVE** the use of funds from Capital Project 7075189 – Transit Windsor Master Plan in the amount of \$119,900 (plus HST) to cover the cost of the Next Vehicle Arrival SMS/ text messaging module plus the annual license fee for year one.
- III. That the Environment, Transportation and Public Safety Standing Committee and the Transit Windsor Board of Directors **APPROVE** the use of funds from Capital Project 7139007 – TW ITS/Smart Bus Project contingency fund in the amount of \$13,230 (plus HST) to cover the associated costs for the 14 GPS units at \$945.00 per unit.

Carried.

Report Number: S 73/2016
Clerk's File: MT/12255 8.11

8.12. Accounts Payable Approval Limits

Moved by: Councillor Kusmierczyk

Seconded by: Councillor Marra

Decision Number: CR324/2016 ETPS 384

That the Environment, Transportation and Public Safety Standing Committee and the Transit Windsor Board of Directors **APPROVE** the Recommended Accounts Payable Approval Limits as noted below:

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Current Approval Limits	Recommended Approval Limits
General Manager – Unlimited	Delete
Director - \$250,000	Replaced by Executive Director - \$1,000,000
Director - \$250,000	Replaced by Senior Manager - \$250,000
Managers - \$25,000	No Change – to remain at \$25,000

Carried.

Report Number: S 38/2016
Clerk's File: AF2016 8.12

8.13. 2015 - 2019 Adjustment for Non-Union Employees

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR325/2016 ETPS 385

- I. That for the 2015 - 2019 term, the non-union employees of Transit Windsor **BE GRANTED** a salary and fringe benefit adjustment consistent with the union settlement for Amalgamated Transit Union, Local 616; and
- II. That the negotiated benefits **BE EXTENDED** to non-union retirees and surviving spouses in accordance with the agreement reached with Amalgamated Transit Union, Local 616.

Carried.

Report Number: S 30/2016
Clerk's File: AS2016 8.13

8.14. Management Action Plan for PwC "User Fee Revenue Management" Internal Audit Report

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR326/2016 EC 246

THAT City Council **AUTHORIZE** administration to proceed to implement the Management Action Plan in response to the findings from the "User Fee Revenue Management" internal audit report; and

THAT City Council **DIRECT** administration to report on the progress of the implementation of the Management Action Plan and that such reports should coincide with Pricewaterhouse Coopers LLP's quarterly updates to Council.

Carried.

Report Number: S 81/2016
Clerk's File: AF/11247 8.14

8.15. PwC User Fee Revenue Management (dated 8 March 2016)

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR327/2016 EC 247

That the report of PricewaterhouseCoopers entitled "PwC User Fee Revenue Management" dated April 11, 2016 **BE RECEIVED** for information.

Carried.

Report Number: SCM 50/2016
Clerk's File: AF2016 8.15

8.16. PwC 2015-16 Internal Audit Performance Dashboard - March 31, 2016

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR328/29016 EC 248

That the report of PricewaterhouseCoopers entitled "PwC 2015-16 Internal Audit Performance Dashboard" dated March 31, 2016 **BE RECEIVED** for information.

Carried.

Report Number: SCM 48/2016
Clerk's File: AF2016 8.16

8.17. Tourism Windsor Essex Pelee Island presentation

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR329/2016 EC249

That the presentation by Gordon Orr, CEO, Lynnette Baine, VP, Tourism Programs and Development; and Kris Racine, Director of Marketing and Special Events – Tourism Windsor Essex Pelee Island **BE RECEIVED** for information.

Carried.

Report Number: SCM 74/2016
Clerk's File: MB2016 8.17

8.18. Community Energy Plan presentation

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR330/2016 EC 250

That the presentation by Susan Hall, LURA Consulting and Peter Garforth International regarding the Community Energy Plan **BE RECEIVED** for information.

Carried.

Report Number: SCM 76/2016
Clerk's File: MB2016 8.18

8.19. Summary of Hotline Issues Referred to Management by PwC - 2016 Q1

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR331/2016 EC 251

THAT City Council **RECEIVE FOR INFORMATION** the Summary of Hotline Issues Referred to Management by PwC from January 1, 2016 to March 31, 2016 (attached as Appendix A).

Carried.

Report Number: S 79/2016
Clerk's File: AF/11247 8.19

Appendices
Summary

8.20. Status Report on Implementation of Audit Recommendations - 2016 Q1

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR332/2016 EC 252

THAT City Council **RECEIVE FOR INFORMATION** the Status Report on Implementation of Audit Recommendations for 2016 Q1 (attached as Appendix A).

Carried.

Report Number: S 80/2016
Clerk's File: AF/11247 8.20

Appendices
Status Report

8.21. Compliance with Applicable Laws & Regulations , 2016 Q1

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR333/2016 EC 253
THAT City Council **RECEIVE FOR INFORMATION** the Status Report on Compliance with Applicable Laws and Regulations, 2016 Q1.

Carried.

Report Number: CM 13/2016
Clerk's File: AF/11247 8.21

8.22. Centralized Assessment Appeals for Banner Stores across Ontario

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR334/2016 EC 254
THAT City Council **AUTHORIZE** the CFO/City Treasurer (or delegate) to sign Minutes of Settlement as it relates to the Centralized Property Appeals.
THAT the CFO/City Treasurer (or delegate) **BE REQUIRED** to report the results of the Minutes of Settlement to City Council once all appeals have been finalized.

Carried.

Report Number: S 76/2016
Clerk's File: AF2016 8.22

8.23. 2016 BIA Budget Approval-City Wide

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR335/2016 EC 255
THAT City Council **APPROVE** the 2016 Budget Submissions for the Downtown Windsor, Erie Street (Via Italia), Olde Riverside Towne Centre, Olde Sandwich Towne, Walkerville District, Ottawa Street, Pillette Village, Wyandotte Town Centre and Ford City BIA's (Appendices A through I) and related levy requests as detailed in Table 1.

Carried.

Report Number: S 78/2016
Clerk's File: AF/11247 8.23

Appendices
Submissions A-I

8.24. Minutes of the New City Hall Project Steering Committee of its meeting held April 12, 2016

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR336/2016

That the Minutes of the New City Hall Project Steering Committee of its meeting held April 12, 2016 **BE RECEIVED**.

Carried.

Clerk's File: MB2016 8.24

8.25. Windsor Accessibility Advisory Committee Report No. 109 (accessible amenities at East Windsor Community Pool)

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR337/2016 SDHC 399

That Report No. 109 of the Windsor Accessibility Advisory Committee of the meeting held March 29, 2016 regarding Accessible Amenities at East Windsor Community Pool **BE APPROVED** as presented.

Carried.

Report Number: SCM 55/2016
Clerk's File: MB2016 8.25

11.1. Capital Funding for Fire Alarm System Upgrade at the WFCU Centre

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR340/2016

That Council **APPROVE** a capital expenditure to an upset limit of \$115,000 plus HST to upgrade the fire alarm system at the WFCU Centre as a pre-commitment to the 2017 Capital Budget.

Carried.

Report Number: C 88/2016
Clerk's File: SR/8880 11.1

11.2. Conclusion to study of private sewer connections in partially serviced areas

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Marra

Decision Number: CR341/2016

- I. That Council receive the report of the City Engineer dated April 14, 2016 **FOR INFORMATION**, summarizing the findings of the Study of Private Sewer Connections in Partially Serviced Areas [ARN10-007]
- II. That based on the findings of the study, Administration **PURSUE OVER TIME**, as approved funding allocations allow, the installation of full municipal services in the areas identified under the study in accordance with the provisions of Ontario Regulation 586/06 of the Municipal Act 2001.
- III. That administration **BE AUTHORIZED** to transfer the remaining funding from the completed study [Project ID 7109006] to the project ID for the Local Improvements Sanitary Sewer Program, Project ID 7159000.

Carried.

Report Number: C 80/2016
Clerk's File: SW2016 11.2

9. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

Item 11.3 Advance of Capital Funds Required to Relocate Employment and Training Services (ETS) Staff to the 3rd Floor of 400 City Hall Square (CHS) Due to Permanent Location Required for Employee Service Center - Ward 3

Mayor Dilkens requests that this item be deferred to a future meeting of Council to allow for more evaluation to be undertaken.

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CR338/2016

That the report of the City Engineer dated May 2, 2016 entitled "Advance of Capital Funds Required to Relocate Employment and Training Services (ETS) Staff to the 3rd Floor of 400 City Hall Square (CHS) Due to Permanent Location Required for Employee Service Center - Ward 3" **BE DEFERRED** to a future meeting of Council to allow for more evaluation to be undertaken.

Carried.

Report Number: C 92/1016
Clerk's File: AS/12558

Item 11.4 Lancaster Bomber 2015 Progress Report and Request to Exchange Stabilizers with the Royal Air Force Battle of Britain Memorial Flight Project Team

A request for deferral was received May 10, 2016 from Dan Docherty, Partner to the Stewardship Agreement requesting this matter be deferred to the July 18, 2016 meeting of Council stating *"As of this morning, final arrangements are in place for me to travel to England and review the proposal regarding the Horizontal Stabilizer exchange with Lancaster FM212 in Windsor. I will return to Windsor on the 29th of June prepared to address this matter with Council on July 18th, 2016"*.

Dan Docherty, Partner to the Stewardship Agreement

Dan Docherty, Partner to the Stewardship Agreement, appears before Council in support of the Deferral request regarding the Lancaster Bomber 2015 Progress Report and Request to Exchange Stabilizers with the Royal Air Force Battle of Britain Memorial Flight Project Team and concludes by suggesting that more information is required before an exchange of parts should be considered.

Al Nelman, resident of Ward 8

Al Nelman, resident of Ward 8, appears before Council in support of the Deferral request regarding the Lancaster Bomber 2015 Progress Report and Request to Exchange Stabilizers with the Royal Air Force Battle of Britain Memorial Flight Project Team, and concludes by suggesting more time is required to make an informed decision in addition to a consolidated report should be received regarding the current status of the Lancaster restoration.

John G. Robinson, President, Canadian Historical Aircraft Association

John G. Robinson, President, Canadian Historical Aircraft Association, appears before Council and expresses concern with the Deferral request regarding the Lancaster Bomber 2015 Progress Report and Request to Exchange Stabilizers with the Royal Air Force Battle of Britain Memorial Flight Project Team and concludes by suggesting that a delay in approving the exchange could delay schedules and negatively affect this unique opportunity.

Don Christopher, Vice-President, Canadian Historical Aircraft Association

Don Christopher, Vice-President, Canadian Historical Aircraft Association, appears before Council and expresses concern with the Deferral request regarding the Lancaster Bomber 2015 Progress Report and Request to Exchange Stabilizers with the Royal Air Force Battle of Britain Memorial Flight Project Team and concludes by suggesting an expert opinion has been received and further delays may be counter-productive to the project.

Moved by: Councillor Marra
Seconded by: Councillor Elliott

That the report of the Commissioner of Social Development Health & Culture dated April 15, 2016 entitled "Lancaster Bomber 2015 Progress Report and Request to Exchange Stabilizers with the Royal Air Force Battle of Britain Memorial Flight Project Team" **BE DEFERRED** to a future meeting of Council.

The motion is **put** and is **lost**.

Aye Votes: Councillors Marra and Elliott

Nay Votes: Councillors Sleiman, Francis, Payne, Holt, Kusmierczyk, Borelli, Gignac

Absent: Councillor Bortolin

Report Number: S 90/2015 SDHC 403

Clerk's File: APR/1699

10. PRESENTATIONS AND DELEGATIONS (5 Minute maximum per delegate)

- 10.1. Ron Marshall, President and Carrie Thwaites, Event Organizer, representing The Friends of Fontainebleau, along with six children from area schools to briefly update council on the group's activities along with details on the Ribbon Cutting Ceremony held for the new park equipment.**

Ron Marshall, President and Carrie Thwaites, Event Organizer, representing the Friends of Fountainbleu along with many children from the area schools

Ron Marshall, President and Carrie Thwaites, Event Organizer, representing the Friends of Fountainbleu along with many children from the area schools appear before Council thanking them for their past support. They provide details of the ribbon cutting ceremony held for the new playground equipment. They also provide a brief history regarding their group and outline their past and current fundraising efforts. The children display a banner and highlight a list of future amenities that they would like to see in the park.

Moved by: Councillor Marra
Seconded by: Councillor Kusmierczyk

Decision Number: CR339/2016

That the presentation by Ron Marshall, President and Carrie Thwaites, Event Organizer, representing the Friends of Fountainbleu along with many children from the area schools

BE RECEIVED.

Carried.

Clerk's File: APR2016

11.4. Lancaster Bomber 2015 Progress Report and Request to Exchange Stabilizers with the Royal Air Force Battle of Britain Memorial Flight Project Team - City Wide

Item 11.4 Lancaster Bomber 2015 Progress Report and Request to Exchange Stabilizers with the Royal Air Force Battle of Britain Memorial Flight Project Team
Dan Docherty, Partner to the Stewardship Agreement

Dan Docherty, Partner to the Stewardship Agreement, appears before Council and expresses concern regarding the administrative report Lancaster Bomber 2015 Progress Report and Request to Exchange Stabilizers with the Royal Air Force Battle of Britain Memorial Flight Project Team, and concludes by suggesting that the decision be delayed until he returns from England after speaking with the proponents in England.

Al Nelman, resident of Ward 8

Al Nelman, resident of Ward 8, appears before Council and expresses concern regarding the administrative report Lancaster Bomber 2015 Progress Report and Request to Exchange Stabilizers with the Royal Air Force Battle of Britain Memorial Flight Project Team and concludes by suggesting this decision be delayed until the report relating to the condition of the Lancaster Bomber is brought forward to Council.

John G. Robinson, President, Canadian Historical Aircraft Association

John G. Robinson, President, Canadian Historical Aircraft Association, appears before Council in support of the administrative report Lancaster Bomber 2015 Progress Report and Request to Exchange Stabilizers with the Royal Air Force Battle of Britain Memorial Flight Project Team, and concludes by suggesting that this is a unique opportunity that will benefit the community.

Don Christopher, Vice-President, Canadian Historical Aircraft Association

Don Christopher, Vice-President, Canadian Historical Aircraft Association, appears before Council in support of the administrative report Lancaster Bomber 2015 Progress Report and Request to Exchange Stabilizers with the Royal Air Force Battle of Britain Memorial Flight Project Team, and concludes by providing a brief outline of the parts to be exchanged and the benefit that the exchange will have for Windsor.

Moved by: Councillor Payne
Seconded by: Councillor Gignac

Decision Number: CR342/2016 SDHC 403

THAT the progress report provided by the Canadian Historical Aircraft Association (CH2A) **BE RECEIVED** for information as required by the Stewardship Agreement of October 2006, and further;

THAT the Executive Director of Recreation and Culture **BE DIRECTED** to confirm with the Royal Air Force Battle of Britain Memorial Flight Project Team and the Canadian Historical Aircraft Association the details to exchange the RAF Lancaster Horizontal Stabilizers with Windsor's Horizontal Stabilizers with all associated costs (shipping and transportation, etc.) to be borne by the Battle of Britain Memorial Flight Project Team, and further;

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a Letter of Understanding with the Battle of Britain Memorial Flight Project relative to the exchange of stabilizers, in form satisfactory to the City Solicitor, and in technical content to the Commissioner of Community Development and Health and Executive Director of Recreation and Culture.
Carried.

Report Number: S 90/2016
Clerk's File: APR/1699 11.4

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

None.

12. CONSIDERATION OF COMMITTEE REPORTS

12.1. Striking Committee Report - May 2, 2016

Moved by: Councillor Borrelli
Seconded by: Councillor Elliott

Decision Number: CR343/2016
That the Report of the Striking Committee of its meeting held May 2, 2016 **BE ADOPTED** as presented.
Carried.

Clerk's File: MB2016

12.2. Report of the Special In-Camera meeting or other committee as may be held prior to Council (if scheduled).

Moved by: Councillor Borrelli
Seconded by: Councillor Elliott

Decision Number: CR344/2016
That the **Report of the Special in-camera** meeting held May 16, 2016 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACO2016

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Francis
Seconded by: Councillor Gignac

That the following By-laws No. 63-2016 through 75-2016 (inclusive) be introduced and read a first and second time:

63-2016 "A BY-LAW TO AMEND BY-LAW NUMBER 15-2010 BEING A BY-LAW TO APPOINT CHIEF BUILDING OFFICIAL, DEPUTY CHIEF BUILDING OFFICIALS AND INSPECTORS TO ENFORCE THE BUILDING CODE ACT AND REGULATIONS IN WINDSOR", authorized by CAO3439, approved April 10, 2016

64-2016 "A BY-LAW TO AMEND BY-LAW NUMBER 208-2008, BEING A BY-LAW TO DELEGATE TO ADMINISTRATION THE AUTHORITY TO PROCESS, MAKE DECISIONS ON, AND TO EXECUTE AGREEMENTS FOR CERTAIN MATTERS", authorized by CR143/2016, adopted March 7, 2016

65-2016 "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", authorized by CR200/2016, adopted March 29, 2016

66-2016 "A BY-LAW TO ASSUME CYPRESS AVENUE FROM McHUGH STREET TO MISTY DAWN STREET BEING STREETS SHOWN ON PLAN 12M-566 KNOWN AS CYPRESS AVENUE FROM McHUGH STREET TO MISTY DAWN STREET AND THE MUNICIPAL SERVICES LOCATED THEREIN, IN THE CITY OF WINDSOR", authorized by M98-2012, adopted February 21, 2012

67-2016 "A BY-LAW TO AUTHORIZE THE CONSTRUCTION OF NEW STREETLIGHTING ON ST JOHN STREET FROM CEDARVIEW STREET TO MENARD STREET, IN THE CITY OF WINDSOR, AS A LOCAL IMPROVEMENT" (See Item 8.7)

68-2016 "A BY-LAW TO ASSUME FOR PUBLIC USE AS A PUBLIC HIGHWAY THE 4.27 METRES (14 FEET) WIDE EAST/WEST ALLEY BETWEEN PARENT AVENUE AND ELSMERE AVENUE ABUTTING THE NORTH LOT LINES OF 804, 808, 840, 848 AND 886 SOUTH PACIFIC AND THE WESTERLY 3.05 METRES (10 FEET) WIDE PORTION OF THE 30.48 METRES (100 FEET) WIDE PARENT AVENUE RIGHT-OF-WAY ABUTTING THE PROPERTY KNOWN AS 886 SOUTH PACIFIC, CITY OF WINDSOR", authorized by M404-2015, adopted October 5, 2015

69-2016 “A BY-LAW TO CLOSE AND STOP UP AND CONVEY, THE 4.27 METRES (14 FEET) WIDE EAST/WEST ALLEY BETWEEN PARENT AVENUE AND ELSMERE AVENUE ABUTTING THE NORTH LOT LINES OF 804, 808, 840, 848 AND 886 SOUTH PACIFIC AND THE WESTERLY 3.05 METRES (10 FEET) WIDE PORTION OF THE 30.48 METRES (100 FEET) WIDE PARENT AVENUE RIGHT-OF-WAY ABUTTING THE PROPERTY KNOWN AS 886 SOUTH PACIFIC, CITY OF WINDSOR”, authorized by M404-2015, adopted October 5, 2015

70-2016 “A BY-LAW TO ASSUME FOR PUBLIC USE AS A PUBLIC HIGHWAY THE 20.12 METRES (66 FEET) WIDE PORTION OF ELSMERE AVENUE RIGHT-OF-WAY LOCATED NORTH OF SOUTH PACIFIC AVENUE ABUTTING THE SOUTH LIMIT OF THE CANADIAN PACIFIC RAILWAY CORRIDOR, CITY OF WINDSOR”, authorized by CR20/2016, adopted January 4, 2016

71-2016 “A BY-LAW TO CLOSE AND STOP UP TO BE RETAINED BY THE CORPORATION OF THE CITY OF WINDSOR FOR THE PURPOSE OF SALE AS RESIDENTIAL BUILDING LOTS THE 20.12 METRES (66 FEET) WIDE PORTION OF ELSMERE AVENUE RIGHT-OF-WAY LOCATED NORTH OF SOUTH PACIFIC AVENUE ABUTTING THE SOUTH LIMIT OF THE CANADIAN PACIFIC RAILWAY CORRIDOR, CITY OF WINDSOR”, authorized by CR20/2016, adopted January 4, 2016

72-2016 “A BY-LAW TO FURTHER AMEND BY-LAW 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”, authorized by CAO3490, approved April 28, 2016

73-2016 “A BY-LAW TO PROHIBIT THE POSSESSION OF ALCOHOL ON THE PARK LANDS AND CLOSED PUBLIC RIGHTS-OF-WAY (AN ALCOHOL FREE ZONE), PURSUANT TO SECTION 35 OF THE LIQUOR LICENCE ACT, AND TO TEMPORARILY CLOSE TO VEHICULAR TRAFFIC ALL NORTH-SOUTH, EAST-WEST STREETS WITHIN THE AREA DESIGNATED ALCOHOL FREE FOR THE PURPOSE OF STAGING THE "FORD INTERNATIONAL FIREWORKS NIGHT 2016", authorized by CAO3490, approved May 11, 2016

74-2016 “A BY-LAW TO TEMPORARILY CLOSE CERTAIN STREETS AND 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 FOR THE PURPOSE OF STAGING “FORD INTERNATIONAL FIREWORKS NIGHT” authorized by CAO3490, approved May 11, 2016

75-2016 “A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 16TH DAY OF MAY, 2016”

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Holt

Seconded by: Councillor Kusmierczyk

That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee:

- 1) **Communication Items (as amended)**
- 2) **Consent Agenda (as amended)**
- 3) **Items Deferred**
Items Referred
- 4) **Consideration of the Balance of Business Items (see Schedule "A")**
- 5) **Committee Reports (as presented)**
- 6) **By-laws given first and second readings (as presented)**

Carried.

15. NOTICES OF MOTION

Moved by: Councillor Elliott

Seconded by: Councillor Sleiman

Decision Number: CR345/2016

That Rule 13.9 of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of a motion for consideration without prior notice regarding the enforcement of the Sign By-law.

Carried.

CR346/2016 RESCINDED BY CR619/2018 ADOPTED NOVEMBER 19, 2018

Moved by: Councillor Elliott

Seconded by: Councillor Marra

Decision Number: CR346/2016

That Administration **STAND DOWN** on the enforcement of the Sign By-law specifically regarding advertising on tractor-trailers until such time that a survey with other municipalities can be conducted and further information be provided to Council.

Carried.

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Marra
Seconded by: Councillor Payne

That the following By-laws No. 63-2016 through 75-2016 (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.

17. PETITIONS

None presented.

18. QUESTION PERIOD

Moved by: Councillor Elliott
Seconded by: Councillor Francis

Decision Number: CR347/2016

That the following Council Question by Councillor Payne **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:

CQ20-2016

Re: DC Planning Study

1. Will the findings result in subsidizing development where the market is already economically feasible for construction of additional residential units in a particular sub-market?
2. Will the findings result in a positive or negative change in revenue to the City for infrastructure required for new development?
3. Will the findings have any particular impact on development in the downtown area?
4. Overall will the findings result in improved equity for both the development industry and the City?

Carried.

Moved by: Councillor Elliott
Seconded by: Councillor Francis

Decision Number: CR348/2016

That the following Council Question by Councillor Payne **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:

CQ21-2016

Asks for a report on the feasibility of a ban on Circus acts containing animal performance in the City of Windsor.

MHS/9496

Carried.

21. ADJOURNMENT

That this Council meeting stand adjourned until the next regular meeting of Council or at the call of the Mayor.

Accordingly, the meeting is adjourned at 8:06 o'clock p.m.

Mayor

City Clerk

Adopted by Council at its meeting held May 16, 2016 [CR343/2016]

VC/bm

Windsor, Ontario, May 16, 2016

REPORT OF THE STRIKING COMMITTEE
of its meeting held
May 2, 2016

PRESENT: Mayor D. Dilkens
Councillor F. Francis
Councillor J. Gignac
Councillor J. Elliott
Councillor H. Payne
Councillor I. Kusmierczyk
Councillor E. Sleiman
Councillor R. Bortolin
Councillor C. Holt
Councillor B. Marra

ABSENT: Councillor P. Borrelli

Also in attendance:

O. Colucci, Chief Administrative Officer
J. Payne, Community Development and Health Commissioner and
Corporate Leader Social Development, Health, Recreation and Culture
M. Winterton, City Engineer and Corporate Leader Environmental Protection and
Transportation
V. Critchley, City Clerk/Licence Commissioner and Corporate Leader Public
Engagement and Human Resources
J. Mancina, Chief Financial Officer/City Treasurer and Corporate Leader Finance
and Technology
S. Askin-Hager, City Solicitor and Corporate Leader Economic Development
and Public Safety
C. Brown, CEO for YQG and WDTTC/Corporate Leader of Transportation Services

Declarations of Pecuniary Interest:

None declared.

Your Committee submits the following recommendations:

- (1) That Matthew Maenpaa, representing bars and nightclubs, **BE APPOINTED** to the ***Downtown Business Improvement Area Board of Management*** for the term expiring November 30, 2018, or until successors are appointed.
- (2) That the resignation of Mike Cardinal on the ***Town & Gown Committee*** **BE ACCEPTED** and that Jeffery Williams **BE APPOINTED** to the Committee to fill this vacancy for the term ending November 30, 2018 or until successors are appointed.
- (3) That Brian Brown **BE APPOINTED** to the ***Community Public Art Advisory Committee*** for the term expiring November 30, 2018 or until successors are appointed.

CHAIR

CITY CLERK

Adopted by Council at its meeting held May 16, 2016 [CR344/2016]
VC/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA
May 16, 2016

Meeting called to order at: 5:30 p.m.

Members in Attendance:

Mayor D. Dilkens
Councillor F. Francis
Councillor J. Elliott
Councillor C. Holt
Councillor B. Marra
Councillor J. Gignac
Councillor P. Borrelli
Councillor H. Payne
Councillor E. Sleiman
Councillor I. Kusmierczyk

Members Absent:

Councillor R. Bortolin (attending a conference)

Also in attendance:

O. Colucci, Chief Administrative Officer
J. Payne, Community Development and Health Commissioner and
Corporate Leader Social Development, Health, Recreation and
Culture
M. Winterton, City Engineer and Corporate Leader Environmental
Protection and Transportation (arrives at 5:31 p.m.)
V. Critchley, City Clerk/Licence Commissioner and Corporate Leader
Public Engagement and Human Resources
J. Mancina, Chief Financial Officer/City Treasurer and Corporate Leader
Finance and Technology
S. Askin-Hager, City Solicitor and Corporate Leader Economic
Development and Public Safety
C. Brown, CEO for YQG and WDTC/Corporate Leader of Transportation
Services

Verbal Motion is presented by Councillor Elliott, seconded by Councillor Gignac, 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 – sale of land	2 3 9 (2) (c)

Motion Carried.

Declarations of Pecuniary Interest:

Councillor Sleiman declares an interest on Item 1 as it involves his brother.

Discussion on the items of business. (Item 1)

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

Motion Carried.

Moved by Councillor Kusmierczyk, seconded by Councillor Holt, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held May 16, 2016 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report and memo from the Acting Coordinator of Real Estate Services, Manager of Real Estate Services, 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 – sale of land **BE APPROVED.**

Motion Carried.

Moved by Councillor Francis, seconded by Councillor Payne, That the special meeting of council held May 16, 2016 BE ADJOURNED.

(Time: 5:33 p.m.)

Motion Carried.