

**Monday, September 18, 2017**  
**6:00 o'clock p.m.**

**Members Present:**

**Mayor**

Mayor Dilkens

**Councillors**

Ward 10 - Councillor Borrelli

Ward 3 - Councillor Bortolin

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

**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 at 6:25 o'clock p.m.

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

Councillor Holt discloses an interest and abstains from voting on Item 7.1.6 being a Zoning By-Law amendment application as he has ownership interest in the applicant company.

**4. ADOPTION OF THE MINUTES**

**4.1 Council Minutes of the meeting Held August 28, 2017**

Moved by: Councillor Payne  
Seconded by: Councillor Sleiman

That the Minutes of the regular meeting of Council held August 28, 2017 **BE ADOPTED** as presented.

Carried.

Councillor Bortolin was absent at the time the vote was taken on this matter.

Report Number: SCM 171/2017

**4.2 Council Minutes of the Meeting Held September 5, 2017**

Moved by: Councillor Payne  
Seconded by: Councillor Sleiman

That the Minutes of the regular meeting of Council held September 5, 2017 **BE ADOPTED** as presented.

Carried.

Councillor Bortolin was absent at the time the vote was taken on this matter.

Report Number: SCM 176/2017

**5. NOTICE OF PROCLAMATIONS**

International Day of Older Persons – October 1, 2017

Taoist Tai Chi Week – October 1-7, 2017

**Flag Raisings:**

International Day of Older Persons – September 29, 2017 12:00 p.m.

Run for the Cure Month – September 29, 2017 2:30 p.m.

**6. COMMITTEE OF THE WHOLE**

Moved by: Councillor Borrelli

Seconded by: Councillor Bortolin

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); and
- (g) consideration of by-laws 140-2017 through 143-2017 (inclusive).

Carried.

**7. COMMUNICATIONS INFORMATION PACKAGE**

**7.1 Correspondence - September 18, 2017**

Moved by: Councillor Elliott

Seconded by: Councillor Francis

Decision Number: CR549/2017

That the following Communication Items 7.1.1 to 7.1.7 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted:

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No.	Sender	Subject
7.1.1.	Secretary/Treasurer Committee of Adjustment	Committee of Adjustment agenda for Meeting to be held September 21, 2017  Note & File ZC2017
7.1.2.	Manager of Urban Design	Application of Igor Konakov for proposed new double duplex residential building with 4 new parking spaces at 3453 Sandwich  Note & File ZS/12934
7.1.3.	Manager of Development Applications	Application of 2402595 Ontario Inc. to amend Zoning By-law 8600 to allow a proposed development to create 9 single family residential lots by draft Plan of Subdivision at 650 Talbot Road  Note & File ZP/12940 ZB/12942
7.1.4.	Manager of Development Applications	Application of Heritage Tire Sales Inc. to amend Zoning By-law 8600 from RD1.3 to CD4.1 to allow Wholesale, Retail, Installation and Repair of tires, wheels and related items at 1791-1793 Benjamin Avenue  Note & File ZB/12939
7.1.5.	Manager of Development Applications	Application of 2178817 Ontario Inc. to amend Zoning By-law 8600 by adding a site specific provision to allow for Automotive Repair as additional use at 3255 Jefferson Blvd.  Note & File ZB/12938
7.1.6.	Manager of Development Applications	Application of Chapter Two Brewery to amend Zoning By-law 8600 by adding a site specific provision to allow a Microbrewery as additional permitted use at 862-866 Walker Road  Note & File ZB/12941
7.1.7.	Manager of Urban Design	Application of the Windsor Essex Catholic District School Board (WECDSB) for Kiss N Ride Parking consisting of 14 new parking spaces at 2751 Partington  Note & File ZS/12943

Carried.

Councillor Holt discloses an interest and abstains from voting on item 7.1.6.

**7.2 Engineering Consultants Engaged via Roster – January 1 2017 to June 30 2017 - City Wide**

Moved by: Councillor Elliott  
Seconded by: Councillor Francis

Decision Number: CR550/2017

That the report of the Purchasing Manager dated August 9, 2017 entitled Engineering Consultants Engaged via Roster – January 1 2017 to June 30 2017 **BE RECEIVED** by Council for information in compliance with section 163 of Bylaw 93-2012 (the “Purchasing Bylaw”).

Carried.

Report Number: CM 33/2017  
Clerk’s File: AL2017

**8. CONSENT AGENDA**

**8.2 South Western Intergrated Fibre Technology - City Wide**

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

Decision Number: CR553/2017

That City Council **AUTHORIZE** the CAO and City Clerk to sign the necessary agreements to allow the City of Windsor to be part of the SWIFT initiative; subject to approval as to technical content by the CIO/Executive Director of IT; as to Form by the City Solicitor and as to financial content by the CFO and City Treasurer; and,

That City Council **PRE-COMMIT** the \$250,000 plus applicable taxes from the Smart Community Capital budget 7009015 broken down as follows:

- \$62,500 plus taxes from already approved Capital Budget
- \$62,500 plus taxes from each of 2019, 2020 and 2021 approved in principal from the Smart Community Initiative Capital Budget.

Carried.

Report Number: C 147/2017  
Clerk’s File: SI/12932

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### 8.3 Acceptable Use Policy - Update -- City Wide

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

Decision Number: CR554/2017

That the report of the CIO, Executive Director of Information Technology dated August 29, 2017 entitled, "Acceptable Use Policy – Update", attached as Appendix A **BE APPROVED**.  
Carried.

Report Number: C 149/2017  
Clerk's File: SI2017

### 8.4 Applications for Tax Reductions under Sec 357/358 of the *Ontario Municipal Act, 2001* 2017 Final Report - City Wide

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

Decision Number: CR555/2017

That City Council **ACCEPT** Administration's recommendations with regards to Applications for Tax Reduction, Cancellation and Refunds as noted in Appendices A through D; and,

That City Council **SUPPORT** Administration's recommendation for the denial of applications received in regards to 333 Riverside Dr. W. - Roll Number 37 39 040 040 00202, for taxation years 2015 & 2016; and,

That the CFO/City Treasurer (or designate) **BE AUTHORIZED** to amend the City's Tax Master Collector's Roll for the years 2015 through 2017 in the amount of \$166,059.60 (including the education portion).

Carried.

Report Number: C 148/2017  
Clerk's File: AF2017

### 8.5 Relief from Property Taxation 2016 - Extreme Illness and/or Poverty

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

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Decision Number: CR556/2017

That City Council **ACCEPT** Administration's recommendation with regards to approval of 15 applications for total tax relief of \$19,043.40 (inclusive of education portion); and,

That City Council **SUPPORT** Administration's recommendation with regards to the denial of 18 applications for tax relief; and,

That as a result of the current four-year reassessment cycle, for purpose of the 2017 – 2020 program administration City Council **APPROVE** a change to the assessment value threshold as follows:

Tax Year	Threshold
2017	\$154,500
2018	\$159,000
2019	\$163,500
2020	\$168,000

Carried.

Report Number: C 144/2017  
Clerk's File: AF2017

### 8.6 Minutes of the Windsor Licensing Commission of its meeting held July 26, 2017

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

Decision Number: CR557/2017 ETPS 522

That the Minutes of the Windsor Licensing Commission meeting held July 26, 2017 **BE RECEIVED** as presented.

Carried.

Report Number: SCM 142/2017  
Clerk's File: MB2017

### 8.7 CQ15-2017 - Trucks on College Avenue

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

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Decision Number: CR558/2017

That the report of the Environment, Transportation & Public Safety Standing Committee of its meeting held August 23, 2017 entitled CQ15-2017 Trucks on College Avenue **BE RECEIVED** for information.

Carried.

Report Number: S 117/2017

Clerk's File: ST2017

### 8.8 Response to CQ 22-2017 – Pollution Fallout from the Zalev Brothers Company Operations - City Wide

Moved by: Councillor Gignac

Seconded by: Councillor Chris Holt

Decision Number: CR559/2017

That Administration's response to CQ 22-2017 pertaining to air emissions and fallout from the Zalev Brothers Company **BE RECEIVED** by the Mayor and Council for information.

Carried.

Report Number: S 137/2017

Clerk's File: EI/10533

### 8.9 Application to the Federation of Canadian Municipalities Sustainable Communities Awards - City wide

Moved by: Councillor Gignac

Seconded by: Councillor Holt

Decision Number: CR560/2017 ETPS 527

That Council **DIRECT** the Supervisor, Environmental Sustainability and Climate Change to apply for the Federation of Canadian Municipalities Sustainable Communities Awards for Windsor's recently approved Community Energy Plan; and further,

That Council **ENDORSE** the application with a letter of support (attached as Appendix A).

Carried.

Report Number: S 146/2017

Clerk's File: MMF2017



**8.10 Response to CQ12-2017: Implementing a Policy for Complete Streets**

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

Decision Number: CR561/2017

- I. That this Council Report responding to CQ12-2017 – Implementing a Policy for Complete Streets **BE RECEIVED** for information; and
- II. That the research findings and sample policies contained in this report **BE FORWARDED** to the City Engineer for consideration as part of the upcoming study regarding the Active Transportation Master Plan.

Carried.

Report Number: S 145/2017  
Clerk's File: APR/10711

**8.11 CQ 11-2017 – Transit Passes for City of Windsor Employees**

Moved by: Councillor Gignac  
Seconded by: Councillor Chris Holt

Decision Number: CR562/2017 ETPS 529

That the Environment, Transportation & Public Safety Standing Committee and the Transit Windsor Board of Directors **RECEIVE** for information the report regarding CQ 11-2017 – Transit Passes for City of Windsor Employees.

Carried.

Report Number: S 142/2017  
Clerk's File: AS2017

**8.12 The Contributory Pension Plan for Employees of Transit Windsor - Actuarial Valuation as at December 31, 2016**

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

Decision Number: CR563/2017

That City Council and the Transit Windsor Board of Directors:

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- I. **APPROVE** the Actuarial Valuation of the Contributory Pension Plan for Employees of Transit Windsor as at December 31, 2016 and;
- II. **APPROVE** increasing the Letter of Credit from a current cumulative total of \$4,379,400 to an upset limit \$4,533,936 which is allowable under the maximum Letter of Credit room of \$5,867,100 based on 15% of plan liabilities as shown in the Actuarial Valuation as at December 31, 2016 for Transit Windsor's Contributory Pension Plan, with all the remaining payments charged to the operating budget in Transit Windsor.
- III. **DIRECT** the Plan Administrator to forward the Actuarial Valuation as at December 31, 2016 to the Office of the Superintendent of Financial Institutions and to the Canada Revenue Agency.

Carried.

Report Number: S 141/2017  
Clerk's File: AS2017

### 8.13 Ministry of Education, Child Care Expansion and Funding Agreement - City Wide

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

Decision Number: CR564/2017 SDHC505

1. That the City Clerk and the Chief Administrative Officer **BE AUTHORIZED** to execute Ministry of Education (MEDU) Service Agreements for 2017 and subsequent years on behalf of the City for the delivery of Child Care and Child and Family Programs including Ontario Early Years Child and Family Centres (OEYCFC) in accordance with the City's legislated obligations as determined by the Ministry of Education. Authorization would be subject to **APPROVAL** as to the technical content by the Community Development & Health Commissioner, as to the legal form by the City Solicitor and as to financial content by the City Treasurer and Chief Financial Officer, and subject to the municipal cost share requirement, as specified in the agreement, remaining at the current level; and further,
2. That the Community Development & Health Commissioner **BE AUTHORIZED** to sign Grant Letters for 2017 and subsequent years, on behalf of the City for the delivery of Child Care and Child and Family Programs including Ontario Early Years Child and Family Centres in accordance with the City's legislated obligations as determined by the Ministry of Education. Authorization would be subject to **APPROVAL** as to the technical content by the Executive Director of Housing & Children's Services, as to the legal form by the City Solicitor and as to financial content by the City Treasurer and Chief Financial Officer, and subject to no municipal contribution being required; and further,

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3. That City Council **AUTHORIZE** the Executive Director of Housing & Children's Services to sign and/or submit the following administrative reports:
  - Annual Transfer Payment Budget Submission
  - Memorandums of Understanding
  - Estimates
  - Revised Estimates/Interim Reports
  - Year End Financial Reports/ (Transfer Payment Annual Reconciliation)
  - Financial Statements
  - Other Administrative Reports as specified from time to time by the Ministry; and further,
4. That the City **ENTER INTO** Purchase of Service Agreements with licensees, agencies and/or school boards as determined by the Community Development & Health Commissioner; and further,
5. That the Community Development & Health Commissioner **BE AUTHORIZED** and **GIVEN DISCRETION** to sign, amend, or terminate Purchase of Service agreements with licensees, agencies and/or school boards on behalf of the City in accordance with the criteria established by the MEDU Service Agreement and mitigation funding 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, in addition to the Community Development & Health Commissioner, the Chief Administrative Officer will be required to sign as a secondary authority; and further,
6. That Purchase of Service Agreements **BE APPROVED** as to technical content by the Executive Director of Housing & 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 designates. 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.

Carried.

Report Number: S 158/2017  
Clerk's File:SS/11256

### 8.14 Transition Plan for the Development of the Windsor Essex Ontario Early Years Child and Family Centres - City Wide

Moved by: Councillor Gignac

Seconded by: Councillor Holt

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Decision Number: CR565/2017 SDHC509

That City Council **APPROVE** the submission to the Ministry of Education of the Initial Plan for Ontario Early Years Child and Family Centres for Windsor and Essex County, as required under the Service Agreement with the Ministry of Education; and further;

That the Executive Director of Housing and Children's Services **BE AUTHORIZED** to acquire resources and partner to deliver the Ontario Early Years Child and Family Centres program and any affiliated programs, at a cost not to exceed the provincial funds provided by the Ministry of Education, or any amounts allocated to the program in the approved City budget in each respective year; and further,

That the Executive Director of Housing and Children's Services **BE AUTHORIZED** throughout the duration of the Ontario Early Years Child and Family Centres program to take such actions as required to implement and operationalize programs with a systemic approach, to apply practical operational tasks and activities, approve projects, participate in sector related activities, allocate funds, withdraw, negotiate and re-allocate program funds including, but not limited to, program extensions, agencies and organizations to achieve a successful implementation of the Ontario Early Years Child and Family Centres. Further, to maintain and ensure compliance with program rules and criteria, to enable full take-up of program funds and/or to address local needs at a cost not to exceed the funds provided by the funding programs, and not to exceed amounts allocated in the approved City budget in each respective year.

Carried.

Report Number: S 159/2017

Clerk's File: SS2017

### 11.2 Synchro Canada 2018 National Qualifier

Moved by: Councillor Gignac

Seconded by: Councillor Holt

Decision Number: CR568/2017

That that the Chief Administrative Officer **BE AUTHORIZED** to sign the letter of support for the bid document for the 2018 Synchro Canada National Qualifier; and further,

That upon being successfully awarded the event, the CAO and City Clerk **BE AUTHORIZED** to sign a host agreement and any other related agreements/forms which may be required by Synchro Canada, satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the Executive Director and Recreation and Culture; and further,

That City Council **APPROVE** a waiver of fees for the rental of the facility in accordance with the Waiver of Fees and Grant Funding Policy up to a maximum of \$16,100.

Carried.

**9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS**

None requested.

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

**Maestro Robert Franz, Windsor Symphony Orchestra**

Maestro Robert Franz, Windsor Symphony Orchestra appears before Council and thanks the Mayor, City Council and Administration for the many years of support and provides some background regarding the celebrating activities planned for the Windsor Symphony Orchestra's (WSO's) 70<sup>th</sup> Season in Windsor; and concludes with a musical performance by the Windsor Symphony Choristers.

**11. REGULAR BUSINESS ITEMS (Non-Consent Items)**

**11.1 Little River Dykes Flood Protection**

**Cindy Piec, resident of Ward 6**

Cindy Piec, resident of Ward 6, appears before Council regarding the administrative report Little River Dykes Flood Protection and indicates that homeowners were not afforded the opportunity to ask questions and the meetings that took place were counterproductive as questions related to costs of removing current encumbrances and maintenance were unanswered.

**Tammy Kapsalis, resident of Ward 6**

Tammy Kapsalis, resident of Ward 6 appears before Council expressing concern with the administrative recommendation in the report Little River Dykes Flood Protection and requests a deferral to allow for residents to speak with ERCA and Administration regarding their concerns in greater detail; and concludes by providing a petition that has been signed by many surrounding residents concerning this matter.

Moved by: Councillor Gignac  
Seconded by: Councillor Bortolin

Decision Number: CR567/2017

That the report of the City Engineer dated February 15, 2017, entitled "Little River Dykes Flood Protection" **BE DEFERRED** to a future meeting of Council to allow for Administration to conduct visits to every home which has encumbrances in order to have discussions with the affected property owners; and,

That Administration **REPORT** back to Council options for homeowners including any available financial assistance to offset costs and timelines moving forward.

Carried.

Report Number: C 34/2017  
Clerk's File: SW2017

### **11.3 Improvements to the Basement Flooding Protection Subsidy Program - City Wide**

#### **John Holmes, resident of Ward 6**

John Holmes, resident of Ward 6, appears before Council expressing concern regarding the administrative report Improvements to the Basement Flooding Protection Subsidy Program; and concludes by suggesting that more money should be utilized for maintaining existing infrastructure instead of holding special events.

#### **Raymond Hoang, resident of Ward 7**

Raymond Hoang, resident of Ward 7, appears before Council in support of the administrative report Improvements to the Basement Flooding Protection Subsidy Program; and concludes by suggesting that installation of back flow valves become mandatory for all households in Windsor.

Moved by: Councillor Gignac  
Seconded by: Councillor Sleiman

Decision Number: CR569/2017

That Council **APPROVE** increasing the eligible subsidy percentage related to the cost of installation of specific flood prevention devices as outlined in the City's Basement Flooding Protection Subsidy Program from the current 80% to 100% with the maximum eligible subsidy amount payable per home/unit remaining at \$2,800; and,

That Council **APPROVE** up to a maximum of \$3,500,000 in additional funds to be transferred from the Sewer Surcharge Reserve Fund to the Basement Flooding Protection Subsidy Program in order to assist with funding the one time influx of Basement Flooding Protection Subsidy Program applications; and,

That Council **SUPPORT** streamlining the Basement Flooding Protection Subsidy Program application process as noted in the report; and,

That the Basement Flooding Protection Subsidy Program **INCLUDE** homes with crawl spaces.  
Carried.

Report Number: C 158/2017  
Clerk's File: SW2017

**8.1 Award of Tender #131-17 - Asphalt Pavement Widening - Malden Road & South  
Cameron Boulevard - Ward**

**Jessica Bondy, resident of Ward 1**

Jessica Bondy, resident of Ward 1 appears before Council in support of the administrative report regarding Award of Tender #131-17 – Asphalt Pavement Widening – Malden Road & South Cameron Boulevard – Ward 1; and concludes by suggesting that signs be erected in the area to cover the gap in cycling infrastructure until proper infrastructure is put in place in the area.

Moved by: Councillor Francis  
Seconded by: Councillor Marra

Decision Number: CR551/2017

I . That the following low tender to construct the Asphalt Pavement Widening – Malden Road & South Cameron Tender 131-17 **BE ACCEPTED**:

<b>TENDERER:</b>	Coco Paving Inc.
<b>TENDER NO:</b>	131-17
<b>TENDER PRICE:</b>	\$1,125,250 plus HST
<b>ACCOUNT CHARGED:</b>	007-5410-7P05-14070-7111031; Part 1 Malden Road \$407,050 plus HST
	007-5410-7P05-14069-7111031; Part 2 South Cameron Boulevard \$718,200 plus HST; and further,

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That the Chief Administrative Officer and the City Clerk, **BE AUTHORIZED** to execute the contract to the low bidder, satisfactory in form to the City Solicitor, in financial content to the City Treasurer and in technical content to the City Engineer; and,

- II. That **APPROVAL BE GIVEN** to fund the estimated project shortfall of up to \$463,057 in the following order:
  - a. \$325,000 in surplus funds in the Cabana Road project, as a result of obtaining a grant for the bike lanes, and further that these funds which are available in 2020 be pre-commitment to allow for immediate use and;
  - b. \$138,057 from the Bikeways Development project (7111031); and,
- III. That share the road signage **BE ERECTED** along Malden Road to address the gap in cycling facilities between Armada (the north limits of this project) and the MTO jurisdiction north of this project at approximately EC Row Expressway.

Moved by: Councillor Borrelli

Seconded by: Councillor Sleiman

Decision Number: CR552/2017

That the possibility of augmenting the bicycle path with a walking trail on either side or both sides of the road in the area of South Cameron from Dougall to Totten **BE INVESTIGATED**.

Carried.

Report Number: C 151/2017

Clerk's File:SW/12931

## 12. CONSIDERATION OF COMMITTEE REPORTS

### 12.1 Report of the Special In-Camera meeting or other Committee as may be held prior to Council (if scheduled)

Moved by: Councillor Payne

Seconded by: Councillor Sleiman

Decision Number: CR570/2017

That the report of the In-Camera meeting held September 18, 2017 **BE ADOPTED** as presented.

Carried.



**13. BY-LAWS (First and Second Reading)**

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

That the following By-laws No. 140-2017 through 143-2017 (inclusive) be introduced and read a first and second time:

**140-2017** 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 CAO4186, approved September 1, 2017

**141-2017** 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 EXECUTE AGREEMENTS FOR CERTAIN MATTERS, authorized by CR464/2017, approved August 8, 2017

**142-2017** A BY-LAW TO AUTHORIZE THE CORPORATION OF THE CITY OF WINDSOR TO ENTER INTO EXTENSION AGREEMENTS AND FOR THE CHIEF ADMINISTRATIVE OFFICER AND CLERK TO EXECUTE SUCH AGREEMENTS, authorized by M41-2012, adopted January 23, 2012; and By-law 47-2010, adopted March 22, 2010

**143-2017** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE EIGHTEENTH DAY OF SEPTEMBER, 2017  
Carried.

**14. MOVE BACK INTO FORMAL SESSION**

Moved by: Councillor Elliott  
Seconded by: Councillor Francis

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

Carried.

**15. NOTICES OF MOTION**

None presented.

**16. THIRD AND FINAL READING OF THE BY-LAWS**

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

That the following By-laws No. 140-2017 through 143-2017 (inclusive), having been read a first and second time be now read a third time and finally passed and that the Mayor and Deputy City Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.  
Carried.

**17. PETITIONS**

Moved by: Councillor Kusmierczyk  
Seconded by: Councillor Marra

Decision Number: CR571/2017

That the petition presented by Councillor Gignac from the residents of Canterbury Place, 5125 Riverside Drive East asking for a flashing light to be installed with yellow lines for a crosswalk in front of Canterbury Place, going across Riverside Drive East to Reaume Park and to complete the bicycle lane on Riverside Drive East from Strabane to St. Rose **BE RECEIVED** by the Clerk and that the Clerk **BE DIRECTED** to forward the petition to the City Engineer 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.

Clerk's File: ACO/12746

**18. QUESTION PERIOD**

Moved by: Councillor Kusmierczyk  
Seconded by: Councillor Sleiman

Decision Number: CR572/2017

That the following Council Question by Councillor Kusmierczyk **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council

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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:

CQ 37-2017:

### **Assigned to City Engineer**

Administration work with Mr. Horrobin of the Windsor Police Services to review and report back on safety concerns on Banwell Road - from Tecumseh Road East to EC Row - as a result of the absence of street lighting and bring forward a plan and timetable to address the concerns.

Carried.

Councillor Francis voting nay.

Clerk's File: ST2017

Moved by: Councillor Kusmierczyk

Seconded by: Councillor Sleiman

Decision Number: CR573/2017

That the following Council Question by Councillor Kusmierczyk **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:

CQ 38-2017:

### **Assigned to City Engineer**

Administration report back on the current education and outreach strategy for the Basement Protection Subsidy Program - including the components of this strategy, examples of content, metrics of effectiveness (e.g. YouTube views; Social Media views) and recommendations for improvements including best practises from other cities.

Carried.

Councillor Francis voting nay.

Clerk's File: SW2017

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**21. ADJOURNMENT**

Moved by: Councillor Borrelli  
Seconded by: Councillor Bortolin

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

Accordingly, the meeting is adjourned at 8:18 o'clock p.m.

Mayor

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Adopted by Council at its meeting held September 18, 2017 (CR570/2017)

VC/bm

### SPECIAL MEETING OF COUNCIL – IN CAMERA September 18, 2017

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 R. Bortolin  
Councillor B. Marra  
Councillor J. Gignac  
Councillor P. Borrelli  
Councillor H. Payne  
Councillor E. Sleiman  
Councillor I. Kusmierczyk

#### Also in attendance:

V. Critchley, Acting Chief Administrative Officer and City Clerk/Licence Commissioner and  
Corporate Leader Public Engagement and Human Resources  
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  
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  
J. Wilson, Corporate Leader, Parks, Facilities, Recreation and Culture  
F. Scarfone, Manager of Real Estate Services (Items 1 and 2)

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

4. Legal matter - update
5. Property matter – disposition of land – Economic Development Opportunity

**Motion Carried.**

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

<b><u>Item No.</u></b>	<b><u>Subject</u></b>	<b>Section – Pursuant to Municipal Act, 2001, as amended</b>
1.	Property matter – sale of land	2 3 9 ( 2 ) ( c )
2.	Property matter – sale of land	2 3 9 ( 2 ) ( c )
3.	Property matter – expropriation of land	2 3 9 ( 2 ) ( c )
4.	Legal matter – update – ADDED	2 3 9 ( 2 ) ( e ) ( f )
5.	Property matter – disposition of land – Economic Development opportunity – ADDED	2 3 9 ( 2 ) ( c )

**Motion Carried.**

**Declarations of Pecuniary Interest:**

Councillor Payne discloses an interest and abstains from voting on Item 4 as a result of his litigation involving BUDHAG and the Ambassador Bridge.

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

Verbal Motion is presented by Councillor Francis, seconded by Councillor Holt, to move back into public session.

**Motion Carried.**

**Moved by Councillor Borrelli, seconded by Councillor Kusmierczyk,**

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**THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held September 18, 2017 directly to Council for consideration at the next Regular Meeting.**

1. That the recommendation contained in the in-camera report from the 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**.

2. That the recommendation contained in the in-camera report from the Acting Lease Administrator, 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**.

3. That the recommendation contained in the in-camera report from the Acting Lease Administrator, Manager of Real Estate Services, City Solicitor and Corporate Leader Economic Development and Public Safety, City Engineer and Corporate Leader Environmental Protection and Transportation and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter –expropriation of land **BE APPROVED**.

4. That the confidential verbal report from the City Solicitor and Corporate Leader Economic Development and Public Safety respecting a legal matter – update **BE RECEIVED** and that Administration **PROCEED** on the verbal direction of Council.

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

5. That the confidential verbal report from Mayor Dilkens respecting a property matter – potential disposition of land – economic development opportunity **BE RECEIVED** and Administration **PROCEED** on the verbal direction of Council.

**Motion Carried.**

**Moved by Councillor Sleiman, seconded by Councillor Elliott,  
That the special meeting of council held September 18, 2017 BE ADJOURNED.**

**(Time: 6:20 p.m.)**

**Motion Carried.**

**THE CORPORATION OF THE CITY OF WINDSOR**

**Acceptable Use Policy**

**Updated: August 10, 2017**



**THE CORPORATION OF THE CITY OF WINDSOR**

**Acceptable Use Policy**

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## **THE CORPORATION OF THE CITY OF WINDSOR**

### ***Executive Summary – Acceptable Use Policy***

The Acceptable Use Policy (hereinafter referred to as “This Policy”) identifies roles, responsibilities, and requirements for the appropriate use of Corporate Technology Resources. The goal of This Policy is to protect The Corporation of the City of Windsor from legal liability and to reduce the risk of damage, loss, or theft to Corporate Technology Resources.

### **Technology Resources:**

Includes data, Hardware, software, Communication Systems, Internet Access, e-mail, televisions, Telephones, and Telephone systems.

### **User Responsibilities:**

- Understand, accept, and abide by This Policy including its associated procedures and Governing Rules and Regulations for each type of Corporate Technology Resource.
- Use the Corporation’s Technology Resources for business purposes that benefit the Corporation and are directly applicable to your job.
- Ensure all activity using Corporate Technology Resources, whether from work or remotely, conforms to This Policy and any other Corporate policies, codes of conduct, health and safety standards, and any related legislation.
- Know that suspected infractions of This Policy may be reported to an employee’s immediate supervisor or to the Concerned Citizen/Concerned Employee Hotline.
- Know that any person who witnesses, or is the recipient of Child Pornography, on any Corporate Technology Resource, is legally bound by the *Child and Family Services Act*, to report it to his/her immediate supervisor or the Concerned Citizen/Concerned Employee Hotline.
- Conform to the requirements of This Policy, as failing to do so may result in disciplinary action up to and including termination, legal action and/or due criminal process.

### **Governing Rules and Regulations for the Use of Corporate Technology Resources:**

#### **Corporate Data:**

- Ensure the Corporate data for which you are responsible is accurate and up-to-date and that you do not knowingly enter invalid data.
- Only use, copy, or distribute Corporate data for the business purposes of the Corporation.
- Know the disclosure level for Corporate data according to Corporate policy and legislative acts.
- Protect systems with a Password.
- Ensure that data is stored in the assigned secure location, and do not store data on or in devices or services not sanctioned by the Corporation’s Information Technology Department.
- Ensure that data is backed up properly and securely and follows Records Retention By-law Number 21-2013.
- Archive data in a suitable location or removeable media, if required.

**Software Licensing/Copyright:**

- Do not download, copy, or install any software if the Corporation does not have a software license agreement and Corporate approval was not obtained.
- Do not download, copy, or install any electronic data files that violate copyright laws, or Information Technology standards.
- Do not violate any existing software licensing agreements.
- Notify Information Technology if you notice any illegal software or electronic data files on your Corporate Hardware.
- Co-ordinate with Information Technology to download, copy, or install approved software or electronic data files.

**Corporate Telephones and Telephone Systems:**

- Know and follow the voice mail procedures for the voice mail system(s) on your Corporate Phone(s).
- Report unusual occurrences with your voice mail such as frequent hang-ups, off work-hour activity, and suspicion of Password tampering.
- Know that Telephone calls and/or voice mail messages may be monitored.

**Passwords/Certificates:**

- Keep Passwords and assigned certificates, private and secure.
- Change Passwords whenever they are suspected of no longer being private or secure.
- Use Information Technology's Password procedure for the resetting or assigning of new Passwords.

**Corporate Hardware:**

- Do not move Corporate Hardware or Corporate Communication Systems without consent from Information Technology.
- Protect and secure your Corporate Hardware, including laptops, handhelds, and smartphones, from theft, loss, or damage.
- Know that only Information Technology staff are authorized to alter, modify, or dismantle Corporate Hardware or Corporate Communication Systems.
- Return all your assigned Corporate Hardware to your supervisor upon termination of employment or when job duties no longer require use of that Hardware.

**Internet Access:**

- Ensure proper usage of the Internet. Proper usage includes, but is not limited to, the following:
  - Networking with colleagues, the private sector, industry, and professional associations.
  - Researching and sharing authorized information.
  - Monitoring the latest news and trends as it pertains to your job function.
  - Conducting Corporate business.

**Electronic Mail:**

- Know that electronic mail messages are considered Corporate data and that you should have no expectation of privacy with respect to electronic mail messages sent or received.
- Maintain the confidentiality of messages except where disclosure is required by law or in accordance with Corporate policy.
- Use your Corporate e-mail account for conducting the Corporation's business even while working outside the workplace.

**Policy Violations:**

Any individual who willfully or purposefully does not abide by the sections pertaining to him/her is considered to be in violation of This Policy. Additionally, using any Corporate Technology Resources for the following purposes is considered a violation of This Policy:

- Compromising the security of Corporate Technology Resources.
- Soliciting for personal business reasons, promoting personal causes or associations, or advertising the sale of any item. The Corporate bulletin boards (electronic or otherwise) are available for these purposes, but any postings shall conform to This Policy and any other Corporate policies.

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- Using Internet Access or electronic mail to visit sites, download, solicit, or disseminate materials that are offensive and/or threatening, pornographic in nature, contain hate propaganda, or other disparagement towards others based on their race, ethnicity, sex, sexual orientation, age, disability, and religious or political beliefs.
- Concealing or misrepresenting, or so attempting to do, the origin of any communication of a malicious nature initiated by the sender or forwarded.
- Using system resources for the storage of non-business related data or information (e.g. photos, games, music).
- Degrading system performance such as reducing available bandwidth for others through non-business use of Internet resources.
- Representing oneself as someone else through the use or misuse of technology.
- Distributing any messages of a political or religious nature not actively promoted by the Corporation.
- Participating in frivolous communications.
- Violation of any of the Corporation's policies, By-laws, employee codes and standards of conduct, such as, but not limited to the Standards of Employee Department, Workplace Violence Prevention Policy, Respectful Workplace Policy, etc.
- Violations of any provincial or federal legislation and regulations.

#### **Corporate Authority:**

Disciplinary action may be taken in accordance with the severity and frequency of the violation to This Policy. This discipline could include removing access to the Technology Resource, a verbal or written warning, a suspension, termination of employment, and/or billing the employee for misuse of the technology. To regulate compliance of the policy, the Corporation reserves the right to do the following:

- Use technology systems, activity logs, performance analyzers, data recovery and archive tools, monitoring and filtering tools, and visual confirmation as a means of tracking and documenting violations of This Policy.
- View and access any files or data on Corporate systems, by using forensic tools to retrieve deleted information, even if they are marked or flagged as "personal."
- Delete or archive, personal or non-essential data or files on Corporate resources.
- Enlist law enforcement officers or bring legal action against a violator depending upon the severity of the breach of compliance with the policy.
- Exercise discretion on instances where the policy violation was unsolicited by the User.

*Refer to the Acceptable Use Policy for further details including disciplinary action, clarification and/or dispute process, policy exceptions and formal challenges.*

**THE CORPORATION OF THE CITY OF WINDSOR**  
**POLICY**

Service Area:	<b>Office of the City Treasurer</b>	Policy #:	
Department:	<b>Information Technology</b>	Approval Date:	
Division:		Approved By:	
		Effective Date:	<b>September 1, 2017</b>
		Procedure Ref.	
Subject:	<b><i>ACCEPTABLE USE POLICY</i></b>	Pages:	
			Replaces: M109/2013
			Date: February 14, 2013

**1. POLICY**

- 1.1** The Acceptable Use Policy identifies roles, responsibilities, and requirements for the appropriate use of Corporate Technology Resources.
- 1.2** Authorized Users are granted permission to use data, systems, and technologies that belong to the Corporation in accordance with the Acceptable Use Policy.
- 1.3** Failure to conform to the requirements of This Policy may result in disciplinary action up to and including termination, legal action, and/or possible criminal proceedings.

**2. PURPOSE**

- 2.1** The goal of This Policy is to protect The Corporation of the City of Windsor from legal liability and to reduce the risk of damage, loss, or theft to Corporate Technology Resources. The following additional goals are specific to the technologies listed:
  - 2.1.1 Corporate Data:** To protect the integrity of Corporate electronic data, and to safeguard it from unauthorized access, damage, loss, theft, or unauthorized disclosure.
  - 2.1.2 Software Licensing/Copyright:** To ensure legal compliance with licensing agreements for software and copyright laws for electronic data files, and to ensure that legal compliance with proper process is approved throughout the Corporation.

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- 2.1.3 **Corporate Hardware:** To ensure that Corporate Hardware and Corporate Communication Systems are used for business purposes, and to eliminate damage, loss, and theft of the Hardware / Communication Systems.
- 2.1.4 **Passwords/Certificates:** To protect and safeguard Corporate resources, and to uniquely identify a User.
- 2.1.5 **Internet Access:** To ensure proper usage and availability of the Internet, and to protect Corporate resources from external Internet threats.
- 2.1.6 **Electronic Mail:** To define responsibilities with regard to privacy and appropriate use of electronic mail.
- 2.1.7 **Corporate Telephones and Telephone Systems:** To define responsibilities with regard to the appropriate use of Corporate Telephones and Telephone systems.

### 3. SCOPE

3.1 This Policy applies to the following Users of Technology Resources owned, leased, hosted by a 3<sup>rd</sup> party technology entity or licensed to the Corporation:

- Employees
- Management
- The Mayor and City Council
- Members of agencies, boards, and commissions that use Corporate Technology Resources
- Any individual retained by the Corporation who uses the Corporation's Technology Resources

### 4. RESPONSIBILITY

4.1 The following parties, as identified in Section 3.1 and described under Section 5.2 of This Policy are responsible for the various aspects of This Policy:

- Users
- Management
- Security Administrator
- System Administrators
- Technology Group Leaders
- Executive Director of Information Technology

4.2 The general responsibilities of each of the parties identified in Section 4.1 is detailed with duties pertaining to specific technologies defined in Section 5:

4.2.1 Each **User** has the following responsibilities:

4.2.1.1 Understand, accept, and abide by This Policy including its Governing Rules and Regulations and associated procedures.

4.2.1.2 Use the Corporate Technology Resources for business purposes that benefit the Corporation and are directly applicable to his/her job.

4.2.1.3 Ensure use of the Corporate Technology Resources conforms to This Policy and any other Corporate policies, codes of conduct, Corporate health and safety standards, and any related legislation.

4.2.1.4 Know that suspected infractions of This Policy may be reported to his/her immediate supervisor or to the Concerned Citizen/Concerned Employee Hotline.

4.2.1.5 Know that any person who witnesses, or is the recipient of Child Pornography, on any Corporate Technology Resource, is legally bound by the *Child and Family Services Act*, to report it to his/her immediate supervisor or the Concerned Citizen/Concerned Employee Hotline.

4.2.1.6 Know that the identity of an individual who reports a suspected infraction concerning Child Pornography is protected under the *Child and Family Services Act*.

4.2.2 **Management** has the following responsibilities:

4.2.2.1 Abide by the responsibilities of a User.

4.2.2.2 Ensure staff are aware of and have attended training for This Policy.

4.2.2.3 Ensure any changes or amendments to This Policy are adequately communicated to and understood by supervised staff.

4.2.2.4 Authorize the access of supervised staff to Technology Resources that falls under their responsibility.



- 4.2.2.5 Ensure that any policy exception requests or Technology Resource access changes for supervised staff members follow the Corporate technology procedures.
- 4.2.2.6 Report any suspected infraction of This Policy to the Executive Director of Information Technology.
- 4.2.2.7 Notify the Executive Director of Human Resources immediately, and the appropriate Executive Director, if applicable, if any disciplinary action is intended or suspected as a result of an infraction of This Policy.
- 4.2.2.8 Track their employees' infractions of This Policy as well as the resulting corrective actions, recommendations, and referrals.
- 4.2.2.9 Work with Information Technology when acquiring any technology for the Corporation, as per the Corporation's Purchasing By-law and Information Technology's Project Management Policy.
- 4.2.3 The **Security Administrator** has the following responsibilities:
  - 4.2.3.1 Abide by the responsibilities of a User.
  - 4.2.3.2 Review, recommend, and implement changes to This Policy and its associated procedures.
  - 4.2.3.3 Audit the Technology Resources to ensure compliance with established policies and procedures, and work with the Executive Director of Information Technology to accommodate Audit requirements.
  - 4.2.3.4 Act as a liaison with Management and System Administrators throughout the Corporation regarding security-related issues occurring with information and Technology Resources.
  - 4.2.3.5 Investigate any reported infractions of This Policy. In the case of suspected criminal activity the investigation will be the responsibility of law enforcement.
- 4.2.4 **System Administrators** have the following responsibilities:
  - 4.2.4.1 Abide by the responsibilities of a User.

- 4.2.4.2 Implement This Policy and its associated procedures on the Technology Resources they are authorized to administer.
- 4.2.4.3 Audit Technology Resources for compliance to This Policy and its associated procedures.
- 4.2.4.4 Track and approve requests for adds/removes/changes and policy exceptions for Technology Resources they administer.
- 4.2.5 **Technology Group Leaders** have the following responsibilities:
  - 4.2.5.1 Abide by the responsibilities of a User.
  - 4.2.5.2 Be up-to-date with Information Technology policies, standards, and procedures.
  - 4.2.5.3 Provide local assistance to staff for designated responsibilities defined in the Information Technology procedures.
  - 4.2.5.4 Liaise with Information Technology with regard to Corporate technology issues for their area of responsibility.
- 4.2.6 **The Executive Director of Information Technology** and his/her appointed designate(s) have the following responsibilities:
  - 4.2.6.1 Establish procedures and standards related to This Policy to ensure the Corporation's technology systems are running in an efficient and optimal manner (e.g. setting system maintenance schedules, and data archiving).
  - 4.2.6.2 Provide Users access to all Information Technology policies and procedures.
  - 4.2.6.3 Provide education and address any concerns the User may have as to his/her responsibilities under This Policy.
  - 4.2.6.4 Access the Corporation's Technology Resources for the purposes of Auditing, investigations, conducting e-discovery, performance analysis, backup, filtering, and work continuity.

- 4.2.6.5 Conduct monitoring, reproduction of deleted data, review of current and archived data, and User activity of the Corporation's Technology Resources according to established policies and procedures.
- 4.2.6.6 Establish related procedures for the acquisition and justification of Hardware, software, and Technology Resources.
- 4.2.6.7 Issue Corporate-wide emails pertaining to system maintenance and technology-related bulletins (e.g. virus alerts).
- 4.2.6.8 Be responsible for records produced pertaining to and including This Policy, and do the following:
  - 4.2.6.8.1 Maintain standards and policies for Corporate technology acquisition and use within the Corporation, with advice from City departments, as per Purchasing By-law 93-2012.
  - 4.2.6.8.2 Review This Policy at least once during each term of City Council.
  - 4.2.6.8.3 Develop and maintain Corporate approval forms relating to the request for access, acquisition, relocation, and removal of Corporate Technology Resources.
  - 4.2.6.8.4 Track the requests for access, acquisition, relocation, and removal of Corporate Technology Resources to ensure accurate and up-to-date inventory records and security requirements.
- 4.2.6.9 Recommend adequate security measures for Technology Resources.
- 4.2.6.10 Be responsible in the case of a suspected criminal activity violation to report it to, and take direction from, the City Solicitor.

## **5. GOVERNING RULES AND REGULATIONS**

**5.1** The processes required to attain the policy goals, including jurisdiction and control requirements, include the following:

**5.1.1 User Duties:** Users shall do the following for the Technology Resources noted below:

**5.1.1.1 Corporate Data:**

- 5.1.1.1.1** Ensure the Corporate data for which he/she is responsible is accurate and up-to-date and that he/she does not knowingly enter invalid data.
- 5.1.1.1.2** Ensure he/she does not use, copy, or distribute Corporate data for any purpose other than for the business purposes of the Corporation.
- 5.1.1.1.3** Know the disclosure level for Corporate data according to Corporate policy and legislative acts as listed under Section 6.
- 5.1.1.1.4** Ensure that the data for which he/she is responsible is stored in the assigned secure location. This includes the requirement to not store Corporate data, even temporarily, on devices or with services that are not sanctioned by the Corporation's Information Technology Department. In extenuating circumstances, employees may use personal or non-Corporate devices or services to store Corporate data as long as the following conditions are met:
- The employee has obtained the approval of his/her manager prior to storing the data on the personal or non-Corporate device or service;
  - A copy of the data is stored in the appropriate Corporate system, ensuring that the Corporation's information is protected; and
  - The data is immediately deleted from the personal or non-Corporate device or service as soon as possible after dealing with the extenuating circumstance.

Employees should know that they could be held responsible if Corporate information should be lost or exposed due to the use of their personal or non-Corporate devices or services.

- 5.1.1.1.5** Know that User access controls, created by Users or otherwise, to resource secure locations are for the benefit of the Corporation and not to be considered private by the User.
- 5.1.1.1.6** Contact the Corporation's Information Technology Department to arrange for the back-up of Corporate data that is not currently stored on the Corporate network.
- 5.1.1.1.7** Archive data in a suitable and secure location and/or removable media if the maintenance schedule for the system in which the data currently resides is shorter than the requirements of the Corporation's Records Retention By-law Number 21-2013.

- 5.1.1.1.8 Remove personal data and non-essential duplicate data from Corporate Technology Resources to conserve storage and ensure systems run optimally.

**5.1.1.2 Software Licensing/Copyright:**

- 5.1.1.2.1 Shall not download, copy, or install any software for which the Corporation does not have a software license agreement and Information Technology approval was not obtained.
- 5.1.1.2.2 Shall not download, copy, or install any electronic data files, e.g. music, movies, or ebooks, that violate copyright laws, or violate any existing software licensing agreements.
- 5.1.1.2.3 Notify Information Technology if he/she notices any illegal software or electronic data files on any Corporate resource.
- 5.1.1.2.4 Coordinate with Information Technology to download, copy, or install approved software or electronic data files.

**5.1.1.3 Corporate Hardware:**

- 5.1.1.3.1 Use Corporate Hardware and Corporate Communication Systems for the Corporation's business purposes.
- 5.1.1.3.2 Shall not move Corporate Hardware or Corporate Communication Systems that are designated to be stationary (e.g. PCs, desk Phones, printers) without consent from Information Technology.
- 5.1.1.3.3 Ensure that his/her Corporate Hardware, including laptops, handhelds, smartphones, are protected and secure from theft, loss, or damage.
- 5.1.1.3.4 Ensure his/her Corporate Hardware is screen locked, i.e. Password-protected, when leaving the system unattended.
- 5.1.1.3.5 Know that mobile Corporate Hardware, i.e. laptops, handhelds, tablets, smartphones, etc., are considered Corporate Technology Resources and issued for work purposes even though they may periodically be used as stand alone devices.

- 5.1.1.3.6 Return all his/her assigned Corporate Hardware to his/her supervisor upon termination of employment or when job duties no longer require use of the Hardware.
- 5.1.1.3.7 Know that only Information Technology staff are authorized to alter, modify or dismantle Corporate Hardware or Corporate Communication Systems.

**5.1.1.4 Passwords/Certificates:**

- 5.1.1.4.1 Keep Passwords private and secure. Users are fully responsible for all activities invoked through their Userid and Password.
- 5.1.1.4.2 Know that an assigned Userid and Password does not constitute User privacy, but is for the purpose of User authentication and authorization and does not preclude Corporate access.
- 5.1.1.4.3 Change Passwords whenever they are suspected of no longer being private and secure.
- 5.1.1.4.4 Use Information Technology's Password procedure for the resetting or assigning of new Passwords.
- 5.1.1.4.5 Ensure that the Password complexity selected is at an acceptable security level.
- 5.1.1.4.6 Assigned certificates should be treated as Passwords and kept private and secure.

**5.1.1.5 Internet Access:** Ensure proper usage of the Internet. Proper usage includes, but is not limited to, the following:

- 5.1.1.5.1 Networking with colleagues, the private sector, industry, and professional associations.
- 5.1.1.5.2 Researching and sharing authorized information.
- 5.1.1.5.3 Monitoring the latest news and trends as it pertains to the User's job function.

**5.1.1.5.4** Conducting Corporate business.

**5.1.1.6 Electronic Mail:**

**5.1.1.6.1** Know that electronic mail messages are considered Corporate data, and that Users should have no expectation of privacy in their electronic mail messages sent or received.

**5.1.1.6.2** Maintain the confidentiality of electronic mail messages except where disclosure is required by law or in accordance with Corporate policy.

**5.1.1.6.3** Use electronic mail for the Corporation's business purposes.

**5.1.1.6.4** Use his/her Corporate e-mail account when conducting the Corporation's business; this includes while working outside the workplace. In extenuating circumstances, employees may use their personal or other non-Corporate e-mail account as long as the following conditions are met:

- A copy of the e-mail is sent to their Corporate e-mail account, ensuring that the Corporation's information is stored in a protected Corporate system;
- The e-mail is immediately deleted from their personal or non-Corporate e-mail account as soon as possible after dealing with the extenuating circumstance; and
- The amount of confidential information collected, accessed, used, or disclosed is limited to the least amount necessary to deal with the extenuating circumstance.

Employees should know that they could be held responsible if Corporate information should be lost or exposed due to the use of their personal or non-Corporate e-mail account.

**5.1.1.6.5** Know that any department other than the Mayor's Office, Chief Administrative Officer's Office, or Corporate Communications shall obtain permission to send Corporate-wide electronic mail prior to sending.

**5.1.1.7 Corporate Telephones and Telephone Systems:**

**5.1.1.7.1** Use Corporate Telephones and voice mail for Corporate business purposes. Reasonable personal calls are permitted if they fall within the duration and time periods acceptable to an individual's supervisor and do not violate any other sections of This Policy, or any other Corporate policy. Personal

Telephone use is not permitted if there is a cost to the Corporation (e.g. long distance, toll numbers, unreasonable time lost, etc); however, it is recognized that there may be a rare occasion where a personal long distance call is necessary. If a personal long distance call is required, permission must be obtained from the individual's supervisor prior to making the call.

- 5.1.1.7.2** Know and follow the voice mail procedures for the voice mail system(s) on his/her Corporate Telephone(s).
- 5.1.1.7.3** Maintain the confidentiality of voice mail messages except where disclosure is required by law or in accordance with Corporate policy.
- 5.1.1.7.4** Report unusual occurrences with his/her voice mail, such as frequent hang-ups, off work-hour activity, and suspicion of Password tampering.
- 5.1.1.7.5** Know that Telephone calls and voice mail messages may be monitored and as such, there should be no expectation of privacy.
- 5.1.1.7.6** For those employees who have access to televisions, it is unacceptable for employees to view sexually explicit programming or programming that contains material of a discriminatory or harassing nature.

**5.1.2 Management Duties:** In addition to abiding by User duties, Management also shall do the following for the Technology Resources noted below:

**5.1.2.1 Corporate Data:**

- 5.1.2.1.1** Review their staff requests to use personal or non-Corporate devices or services for transmitting and/or storing Corporate data. Management should know that they could be held responsible if Corporate information should be lost or exposed due to their staff's use of personal or non-Corporate devices or services.
- 5.1.2.1.2** Grant and revoke access rights for departmental data and applications.
- 5.1.2.1.3** Submit their employees' permission requests for Corporate electronic data (i.e. for the granting, revoking, and maintaining of same).
- 5.1.2.1.4** Notify Information Technology if a User requires temporary access rights to Corporate electronic data.



- 5.1.2.1.5 Ensure that their staff who enter data into Corporate systems have received the appropriate training and are aware of the rules for entering data into those systems.

**5.1.2.2 Corporate Hardware:**

- 5.1.2.2.1 Submit a request to Information Technology if Hardware or software needs to be moved, added, or replaced.
- 5.1.2.2.2 Notify Information Technology immediately if departmental staff members have added, removed, or moved equipment so Corporate inventory records may be kept up-to-date.
- 5.1.2.2.3 Obtain Corporate Hardware from supervised employees when the employee has been terminated or the Hardware is no longer required for his/her job function.
- 5.1.2.2.4 Work with Information Technology to protect and secure Corporate Hardware that is accessible by the public.

**5.1.3 Policy Violations:** Any individual who willfully or purposefully does not abide by the sections pertaining to him/her is considered to be in violation of This Policy. Additionally, using any Corporate technology for the following purposes is considered a violation of This Policy:

- 5.1.3.1 Compromising the security of Corporate Technology Resources.
- 5.1.3.2 Soliciting for personal business reasons, promoting personal causes or associations, or advertising the sale of any item. The Corporate bulletin boards (electronic or otherwise) are available for these purposes, but any postings shall conform to This Policy and any other Corporate policies.
- 5.1.3.3 Using Internet Access or electronic mail to visit sites, download, solicit, or disseminate materials that are offensive and/or threatening, pornographic in nature, contain hate propaganda, or other disparagement towards others based on their race, ethnicity, sex, sexual orientation, age, disability, and religious or political beliefs.
- 5.1.3.4 Concealing or misrepresenting, or so attempting to do, the origin of any communication of a malicious nature initiated by the sender or forwarded.

- 5.1.3.5 Using system resources for the storage of non-business related data or information (e.g. personal photos, desktop wallpaper, games, music).
  - 5.1.3.6 Degrading system performance such as reducing available bandwidth for others through non-business use of Internet and network resources.
  - 5.1.3.7 Representing oneself as someone else through the use or misuse of technology.
  - 5.1.3.8 Participating in frivolous communications.
  - 5.1.3.9 Violation of any of the Corporation’s policies, By-laws, employee codes and standards of conduct, such as, but not limited to the Standards of Employee Department, Workplace Violence Prevention Policy, and the Respectful Workplace Policy.
  - 5.1.3.10 Violations of any provincial or federal legislation or regulations.
- 5.1.4 Corporate Authority:** The following describes the methods available to the Corporation for regulating compliance of This Policy:
- 5.1.4.1 The Corporation reserves the right to use technology systems, activity logs, performance analyzers, data recovery and archival tools, monitoring and filtering tools, and visual confirmation as a means of tracking and documenting violations of This Policy.
  - 5.1.4.2 The Corporation reserves the right to view and access data on Corporate systems even if they are marked or flagged as “personal”. This includes, but not limited to the use of forensic tools to retrieve deleted information, or access information from Corporate systems that cannot be readily seen, e.g. log files.
  - 5.1.4.3 The Corporation reserves the right to delete or archive, personal or non-essential data or files on Corporate resources.
  - 5.1.4.4 Appropriate disciplinary action will be taken in accordance with the severity and frequency of the violation to This Policy. This discipline could include removing access to the Technology Resource, a verbal or written warning, a suspension, termination of employment, and/or billing the employee for misuse of the technology.

**5.1.4.5** The Corporation reserves the right to enlist law enforcement officers or bring legal action against a violator according to the severity of the breach of compliance with the policy.

**5.1.4.6** The Corporation will exercise discretion on instances where the policy violation was unsolicited by the User.

**5.1.5 Policy Exceptions, Clarifications, and Formal Challenges:** A User making a policy exception request shall follow proper process by making the request to his/her immediate supervisor. Likewise, a User may request a clarification of This Policy or its related procedures at any time and shall follow proper process by making the request to his/her immediate supervisor. If necessary, the supervisor will bring the request forward.

**5.1.6 Personal Use of Corporate Technology:** Notwithstanding the foregoing regulations, limited personal use may be permitted where such use does not:

- increase costs
- reduce productivity
- impact network performance
- interfere with work duties
- limit accessibility of shared Corporate technology
- violate This Policy
- impact negatively on the Corporation's reputation

Data or information created or stored using the Corporation's electronic media is not private and may be monitored or tracked by the Corporation at any time without notice. If a confidential means of sending and receiving personal communications and storing of personal files are required, use a personal device unconnected to any Corporate Technology Resource.

## **5.2 Definitions:**

**5.2.1 "Audit"** means to engage a Technology Resource in e-discovery for the purposes of legal requirements; ensure continuity of work processes; to improve business processes and manage productivity; and to prevent misconduct and ensure compliance with the law.

**5.2.2 "Child Pornography"** is defined as stated in the *Child and Family Services Act* of Ontario.

**5.2.3 "Communication Systems"** include, but are not limited to, the following:

- E-mail
- Phones (including cell Phones)
- Voice mail

- Faxes
- Internet communication services (such as instant messaging, SMS, blogs, forums, social-networking, etc.)

**5.2.4** “**Corporate**” means of or pertaining to the Corporation.

**5.2.5** “**Corporation**” refers to The Corporation of the City of Windsor.

**5.2.6** “**Hardware**” includes, but is not limited, to the following:

- Desktop computers
- Laptops
- Notebooks
- Handheld computers (including personal information devices)
- Printers
- Modems
- Cables
- CD’s (i.e. compact disks)
- Floppy disks (i.e. floppies)
- Electronic devices connected to Corporate assets
- Peripherals
- Wireless devices

**5.2.7** “**Internet Access**” includes Instant Messenger and other Internet services.

**5.2.8** “**Legally Owned Software**” is software for which proof of legal ownership can be produced. If the proof cannot be produced, then it is considered to be illegal. Any of the following can serve as proof of ownership:

- The original license for the software package.
- A purchase order for the software package.
- A cheque request for the software package.
- An original disk/cd with a serial number for the software package.
- Proof of purchase from the vendor.
- Vendor documentation for freeware/free downloads.

**5.2.9** “**Management**” is defined as non-union staff members with direct reports.

**5.2.10** “**Password**” includes Personal Identification Numbers, pass phrases, and two-factor authentication devices. A digital **certificate** is another mechanism that can identify a specific User or device.

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- 5.2.11 “**Phones**” and “**Telephones**” includes cell Phones, desk Phones, fax machines, and the voice option on BlackBerrys.
- 5.2.12 “**Security Administrator**” is the designated staff person who is responsible for the security of information and information technology. In some situations, this function may be combined with the System Administrator.
- 5.2.13 “**System Administrator**” is the designated staff person who is responsible for the day-to-day operation of system and network resources.
- 5.2.14 “**Technology Group Leader**” is the designated staff person who will assist assigned work area staff with technology policy and procedure issues and questions, as well as act as a liaison with Information Technology to ensure technology procedures are being followed. This function is performed by the Managers of Administration for the department; however, depending on the departmental structure, this role could be filled by different staff (e.g. Phone book editors, Internet/Intranet web content editors).
- 5.2.15 “**Technology Resources**” include, but are not limited to, data, software, Hardware, telecommunications, and networking.
- 5.2.16 “**This Policy**” is defined as the Acceptable Use Policy and its associated procedures.
- 5.2.17 “**User**” is defined as an employee, student, intern, volunteer, councillor, Mayor or board member of the City of Windsor or its agencies who uses Corporate Technology Resources, whether explicitly or implicitly, by signing on or using a system.
- 5.2.18 “**Userid**” is a unique individual identification protected by a Password, or other secure authentication method, to gain access to Corporate and departmental systems, resources and applications, for example voice mail.

## 6. RECORDS AND REFERENCES

- 6.1 Documents generated as a result of This Policy will be maintained in accordance with the Corporation’s Records Retention By-Law 21-2013.
- 6.2 The following Information Technology procedures and forms are related to This Policy and are located on the Corporate Intranet:

- Exception Request procedure
- User Add/Change/Delete Access procedure
- Hardware, Software, or System Acquisition and Justification procedure.
- Relocation and/or Removal of Corporate Hardware, Software, Data, or Systems procedure.
- Telephone and Telephone System procedures
- Password procedure
- Archiving of Corporate Data and E-mail procedure
- Out-of-Office procedure for Voice Mail and E-mail

**6.3 Referenced Policies:** The Acceptable Use Policy is intended to support and augment the following policies and legislation, or their latest revision, dealing with similar or related issues:

- Code of Ethics and Conflict of Interest for Staff and Volunteers Policy – M287/2015, July 20, 2015.
- Concerned Employee Policy – M140/2015, April 20, 2015.
- Records Retention By-law 21-2013.
- Code of Conduct for Members of Council and Boards and Committees – CR180/2011, June 7, 2011.
- Cellular Devices Policy – CR6/2015, January 5, 2015.
- Fraud and Misuse of Assets Policy – M140/2015, April 20, 2015.
- Social Media Policy – M247/2013, June 17, 2013.
- Standards of Employee Department – CR479/2006, October 2, 2006.
- Workplace Violence Policy – CR217/2010, June 7, 2010.
- Respectful Workplace Policy – CR746/2005, December 5, 2005.
- Project Management Methodology Policy – CR252/2014.

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**City Council**  
**Monday, September 18, 2017**

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- The Province of Ontario’s Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).
- The Federal Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (CanSPAM).
- The Federal Personal Information Protection and Electronic Documents Act (PIPEDA).
- Purchasing By-law 93-2012.
- Child and Family Services Act (C.11).
- Criminal Code (Canada).

If a conflict should arise between policies in the areas of interpretation, application, or responsibility, the policy with the more stringent or restrictive interpretation shall apply.

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**City Council**  
**Monday, September 18, 2017**

CR555/2017 – Appendix A – Item No. 8.4

<b>2016</b>						
<b>Roll Number</b>	<b>Property Address</b>	<b>Amount of Assessment</b>	<b>Tax Class</b>	<b>Number of days in 2016 Affected by Application</b>	<b>Tax Reduction</b>	<b>Reason for Application</b>
010 010 03300	5055 Wyandotte St. E.	\$ 60,000	RT-E	136	\$ 409.44	Exempt
020 120 06200	1171 Windermere Ave.	\$ 1,000	RT	75	\$ 3.76	Demolition
040 090 04800	474-480 Vera Pl.	\$ 92,000	RT	366	\$ 1,689.53	Fire Damage
050 090 06000	227 Rankin Ave	\$ 81,000	RT	67	\$ 272.31	Fire Damage
050 090 09600	356 Randolph Ave	\$ 87,000	RT	226	\$ 986.56	Fire Damage
070 450 08700	5071 McDonald Crt	\$ 10,000	RT	237	\$ 118.92	Demolition
070 670 58100	7007 Enterprise Way	\$ 535,000	RT-E	366	\$ 9,825.00	Exempt
080 680 17000	0 Halliday Ave	\$ 1,200	RT-E	366	\$ 22.05	Exempt
090 040 01500	3860 Lauzon Rd.	\$ 422,000	RT-E	214	\$ 4,531.31	Exempt
				<b>TOTAL</b>	<b>\$ 17,858.88</b>	

<b>2017</b>						
<b>Roll Number</b>	<b>Property Address</b>	<b>Amount of Assessment</b>	<b>Tax Class</b>	<b>Number of days in 2016 Affected by Application</b>	<b>Tax Reduction</b>	<b>Reason for Application</b>
040 090 03400	579 Church St	\$ 56,901	RT	255	\$ 603.18	Demolition
080 090 01100	4223 Roseland Dr E	\$ 39,984	RT	243	\$ 489.57	Demolition
				<b>TOTAL</b>	<b>\$ 1,092.75</b>	



**Minutes**  
**City Council**  
**Monday, September 18, 2017**

CR555/2017 – Appendix B - Item No. 8.4

2016						
Roll Number	Property Address	Amount of Assessment	Tax Class	Number of days in 2016 Affected by Application	Tax Reduction	Reason for Application
020 390 00100	2396 Byng RD	\$ 2,500	CT-RT	366	\$ 71.60	Class Change
030 120 09700	400 Erie St E	\$ 5,000	CT	95	\$ 61.00	Demolition
030 480 00100	408-444 Hanna St E	\$ 103,000	CT	169	\$ 2,235.45	Demolition
040 050 00700	250 Dougall Ave	\$ 2,417,646	CT	366	\$ 34,090.73	Repairs / Renovations
040 110 07500	688 University Ave W	\$ 648,000	CT-E	334	\$ 27,794.75	Exempt
070 160 04800	2415 Division Rd	\$ 810,000	IT	54	\$ 3,898.51	Demolition
070 160 04800	2415 Division Rd	\$ 157,000	IU-CU	54	\$ 44.10	Class Change
070 305 02200	3820 North Service Rd E	\$ 31,000	CF	366	\$ 1,457.08	Demolition
070 830 00200	3033 Forest Glade Dr	\$ 167,475	CT	244	\$ 5,247.85	Fire Damage
070 830 00200	3033 Forest Glade Dr	\$ 142,665	ST	244	\$ 4,562.29	Fire Damage
				<b>TOTAL</b>	<b>\$ 79,463.36</b>	

2017						
Roll Number	Property Address	Amount of Assessment	Tax Class	Number of days in 2017 Affected by Application	Tax Reduction	Reason for Application
030 320 09200	0 Mercer St	\$ 34,500	CX-E	361	\$ 884.43	Exempt
030 320 09300	1123-1167 Mercer St	\$ 717,500	CT-E	361	\$ 33,649.91	Exempt
040 090 03400	579 Church St	\$ 1,068	CT	255	\$ 35.38	Demolition
040 090 03400	579 Church St	\$ 457	CT-CX	255	\$ 6.86	Class Change
				<b>TOTAL</b>	<b>\$ 34,576.58</b>	

CR555/2017 – Appendix C - Item No. 8.4

**APPENDIX  
 "C"**

**City of Windsor owned  
 Commercial / Industrial / Multi-Residential Property Classes**

2017						
Roll Number	Property Address	Amount of Assessment	Tax Class	Number of days in 2015 Affected by Application	Tax Reduction	Reason for Application
070 750 00900	3100 Meadowbrook Lane	\$ 402,000	MT-E	300	\$ 4,679.21	Vested
				<b>TOTAL</b>	<b>\$ 4,679.21</b>	

**Minutes  
City Council  
Monday, September 18, 2017**

**APPENDIX "D"**  
**Summary Tax Distribution**

**SUMMARY - DISTRIBUTION OF TAX  
CANCELLATION, REDUCTION OR REFUND**

**Minutes**  
**City Council**  
**Monday, September 18, 2017**

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CR560/2017 ETPS 527 - Appendix A – Item No. 8.9

The City of Windsor  
350 City Hall Square West  
Windsor, ON  
N9A 6S1

September 1<sup>st</sup> 2017

Green Municipal Fund Program  
Federation of Canadian Municipalities  
24 Clarence Street  
Ottawa ON  
K1N 5P3

**Re: Letter of Support for Sustainable Communities Awards Application: Community Energy Plan, City of Windsor.**

Dear Sir/Madam,

This letter is to confirm that we are aware that Karina Richters, Supervisor, Environmental Sustainability and Climate Change, City of Windsor, is applying for the Federation of Canadian Municipalities' Sustainable Communities Award for our Community Energy Plan. Of behalf of the City of Windsor, we endorse the application abovementioned and consider this initiative deserving of recognition.

Yours sincerely,

City of Windsor Mayor and Council