

AA/
Windsor, Ontario, May 28, 2012

A meeting of the **Executive Committee** is held this day commencing at 6:00 o'clock p.m. in the Council Chambers, 3rd floor, City Hall, there being present the following members:

Executive Committee Members Present:

Mayor Francis
Councillor Gignac
Councillor Halberstadt
Councillor Hatfield
Councillor Jones
Councillor Marra
Councillor Payne
Councillor Valentinis

Absent: Councillor Dilkens

Councillor Sleiman – attending the Canadian Urban Transit Association
(CUTA) Annual Conference

Committee of the Whole Members Present:

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

Absent: Councillor Dilkens

Councillor Sleiman – attending the Canadian Urban Transit Association
(CUTA) Annual Conference

1. **CALL TO ORDER**

Mayor Francis calls the meeting of the Executive Committee of Council to order at 6:00 o'clock p.m.

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

Pecuniary Interests for Executive Committee matters

None disclosed.

Pecuniary Interests for Committee of the Whole matters:

Councillor Marra discloses an interest and abstains from voting on Item #3 being the report of the Chief Building Official dated May 8, 2012 regarding "Former Grace Hospital Site, 339 Crawford Avenue, Request for Property Tax Extension Agreement", as a family member has interest in the subject property.

3. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS**Deferral requests for Committee of the Whole matters:****Item 2 - Windsor-Essex Parkway – City of Windsor Noise By-law 6716 Parkway Infrastructure Corporation Request for Blanket Exemption**

Moved by Councillor Gignac, seconded by Councillor Jones,
That the report of the City Engineer dated May 8, 2012 regarding "Windsor-Essex Parkway – City of Windsor Noise By-law 6716 Parkway Infrastructure Corporation Request for Blanket Exemption" **BE DEFERRED** until such time as a resolution is brought forward for Council's consideration on this matter.

Carried.

Report Number 15925 ST/8821 2

4. PRESENTATIONS AND DELEGATIONS**PRESENTATION****Gordon Orr, Chief Executive Officer and Lynnette Bain, Vice-President – Tourism Programs and Development for Tourism Windsor Essex Pelee Island (TWEPI)**

Gordon Orr, Chief Executive Officer and Lynnette Bain, Vice-President – Tourism Programs and Development for Tourism Windsor Essex Pelee Island (TWEPI), appear before the Executive Committee of Council to provide an overview of their 2012 Marketing Plan, including key initiatives executed to date and key initiatives going forward; general marketing initiatives for both on-line and print; product development clusters and marketing initiatives (outdoor experiences – birding/golf; wineries and agri-tourism; culture and heritage – War of 1812, Black History; meetings and conventions; sports tourism); as well as a preview of the new 2012/2013 Official Visitor Guide.

Moved by Councillor Jones, seconded by Councillor Hatfield,

That the presentation by Gordon Orr, Chief Executive Officer and Lynnette Bain, Vice-President – Tourism Programs and Development for Tourism Windsor Essex Pelee Island (TWEPI) regarding the "2012 Marketing Plan" **BE RECEIVED** for information.

Carried.

5. ADMINISTRATIVE ITEMS

- Item 1 2010 OMBI Performance Benchmarking Report
- Item 2 A By-law to authorize special charges being imposed on lots abutting on the local improvement work completed under By-law 31-2008 on Betts Avenue from Algonquin Street to Totten Street
- Item 3 Acting Assignment Policy – Non-Union Positions

Item 1 – 2010 OMBI Performance Benchmarking Report

Moved by Councillor Valentinis, seconded by Councillor Marra,

That the report of the City Treasurer dated April 12, 2012 entitled “2010 OMBI Performance Benchmarking Report” **BE RECEIVED** for information.

Carried.

Report Number 15803 GP/10264 1

Item 2 – A By-law to authorize special charges being imposed on lots abutting on the local improvement work completed under By-law 31-2008 on Betts Avenue from Algonquin Street to Totten Street

Moved by Councillor Hatfield, seconded by Councillor Valentinis,

That Council **ADOPT** By-law 91-2012 for the imposition of special charges on lots abutting on or immediately benefiting from the local improvement work completed under By-law 31-2008 on Betts Avenue from Algonquin Street to Totten Street in accordance with Section 30 of Ontario Regulation 586/06, made under Municipal Act 2001.

Carried.

Report Number 15934 SL2012 2

Item #3 – Acting Assignment Policy – Non-Union Positions

Moved by Councillor Hatfield, seconded by Councillor Marra,

THAT City Council **APPROVE** the Acting Assignment Policy - Non-Union Employees, as proposed in Appendix “A” (attached) and;

THAT City Council **REPEAL** all existing Council Reports and Resolutions and **DIRECT** the Chief Administrative Officer to **REPEAL** all existing policies, procedures and directives that speak to the process and administration of temporary assignments and acting pay for employees in non-union positions, including but not limited to Appendix B, namely the Acting Pay For Non-Union Employees Policy, dated February 2006; the directive dated September 20, 1993 and the Temporary Appointments to Management or Supervisory Positions dated September 1993; City of Windsor Acting Pay Policy (Management and Supervisory), dated May 6, 1994; and directive dated June 6, 1996 to all Department Heads regarding the Hunter Arbitration Award and;

THAT City Council **APPROVE** the effective date of the compensation portion of the Acting Assignment Policy, pertaining to job transfers of two employees who acted in long term assignments of over a year, retroactive to January 1, 2009 and **THAT** said funding, of approximately **\$61,000**, come from the Budget Stabilization Fund.

THAT City Council **DIRECT** administration to develop procedures which allow for the effective implementation of the Acting Assignment Policy - Non-Union Employees.
Carried.

Report Number 15816 ASL2012 3

6. **MOTION TO MOVE INTO COMMITTEE OF THE WHOLE**

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee.

- 1) business items listed on the Agenda (as amended)
 - 2) by-law given first and second readings (as presented)
- Carried.

DELEGATIONS

Item 3 - Former Grace Hospital Site, 339 Crawford Avenue, Request for Property Tax Extension Agreement

Tony Battaglia, Westpark Developments Inc.

Tony Battaglia, Westpark Developments Inc. appears before Council to provide comments with regards to the report of the Chief Building Official dated May 8, 2012 regarding "Former Grace Hospital Site, 339 Crawford Avenue, Request for Property Tax Extension Agreement", urging Council to reconsider the proposed recommendation to deny the request for an extension agreement, stating that it would be in everyone's interests to direct staff to attempt to negotiate an extension agreement that includes a work plan for the site and that such agreement be presented to Council within 30 days and that if a suitable agreement cannot be reached by then, the City would still have the option of proceeding with the tax sale and that in return, Westpark is prepared to begin all necessary work to board up the building and secure the fencing immediately.

Report Number 15947 SB2012 3

Mayor Francis leaves the meeting at 6:45 o'clock p.m., and Councillor Hatfield assumes the Chair.

Mayor Francis returns to the meeting at 6:49 o'clock p.m., and Councillor Hatfield returns to his seat at the Council table.

Moved by Councillor Valentinis, seconded by Councillor Jones,
CR118/2012 That City Council **RECEIVE** for information, the letter of April 30, 2012 from Westpark Developments Inc., and direct the City Solicitor to respond that the request for an extension agreement has been denied by Windsor City Council.

Carried.

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

Item 6 - Windsor's Fork and Cork, July 6-8, 2012, Riverfront Festival Plaza and Riverfront Civic Terrace

Ian France and Chris Mickle, representatives from Windsor's Fork and Cork

Ian France and Chris Mickle, representative from Windsor' Fork and Cork, appear before Council and are available for questions regarding the request to host Windsor's Fork and Cork, July 6 to 8, 2012 at the Riverfront Festival Plaza and Riverfront Civic Terrace.

Moved by Councillor Valentinis, seconded by Councillor Marra,
CR119/2012 That the request from Protenders Inc. to host Windsor's Fork and Cork July 6 – July 8, 2012, at Riverfront Festival Plaza and Riverfront Civic Terrace, **BE APPROVED**, and further, that Windsor's Fork and Cork **BE DESIGNATED** a Significant Municipal Event, for the purpose of applying for a Special Occasion Permit (SOP); and further, that the Site Plan **BE AMENDED** to ensure that the Riverfront walkway be maintained as open to the public.

Carried.

Report Number 15960 SR/11475 6

Item 1 - 2012 Final Tax Rates and Billing Cycles

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
CR120/2012 That the report of the City Treasurer dated May 24, 2012 entitled "2012 Final Tax Rates and Billing Cycles" **BE RECEIVED** for information.

Carried.

Report Number 15959 AF 2012 1

Item 4 – Targeted Initiative for Older Workers (TIOW)

Moved by Councillor Maghnieh, seconded by Councillor Jones,
CR117/2012 THAT the Community Development & Health Commissioner **BE AUTHORIZED** to sign Targeted Initiative for Older Workers (TIOW) Contracts and related documents with the Ministry of Training, Colleges and Universities (the "MTCU") up to October 31, 2014, such that it does not exceed a maximum of \$1,000,000 gross expenditures. For contracts in excess of \$1,000,000 gross expenditure, that in addition to the Community Development and Health Commissioner signature, the Chief Administrative Officer **BE REQUIRED** to sign as secondary authority. Authorization would be subject to approval as to technical content by the Executive Director of Employment and Social Services, as to legal content by the City Solicitor, and as to financial content by the Chief Financial Officer and City Treasurer or designate, and subject to there being no required net city contribution;

AND THAT the foregoing authorization **BE EXTENDED TO** any and other further **AMENDMENTS** to the Targeted Initiative for Older Workers (TIOW) Contracts and related documents for amounts under \$1,000,000 gross expenditure. For **AMENDMENTS** in excess of \$1,000,000 gross expenditure, that in addition to the Community Development and Health Commissioner signature, the Chief Administrative Officer **BE REQUIRED** to sign as secondary authority. Authorization would be subject to approval as to technical content by the Executive Director of Employment and Social Services, as to legal content by the City Solicitor, and as to

financial content by the Chief Financial Officer and City Treasurer or designate, and subject to there being no required net City contribution.

AND FURTHER THAT upon approval of the TIOW Business Plan by MTCU, the Executive Director of Employment & Social Services BE AUTHORIZED to hire six (6) permanent full-time positions under the staff establishment to deliver the Targeted Initiative for Older Workers (TIOW) program, inclusive of two (2) Job Developers, two (2) Employment Caseworkers, and two (2) Clerks. These positions will be 100% funded from the TIOW program.

Carried.

Report Number 15889 SS2012 4

Item 5 – Downtown Windsor Business Improvement Association (DWBIA) for the DWBIA Summer Block Series

Larry Horwitz, Chair, Downtown Windsor Business Improvement Association (DWBIA)

Larry Horwitz, Chair, Downtown Windsor Business Improvement Association (DWBIA), appears before Council to speak in support of the DWBIA Summer Block Series and the various temporary road closures required for this request and concludes by promising to work collaboratively with all stakeholders to provide visitors with unparalleled experiences that will transform downtown Windsor into the place to be this summer.

Mayor Francis leaves the meeting at 7:48 o'clock p.m. and Councillor Hatfield assumes the Chair.

Mayor Francis returns to the meeting at 7:50 o'clock p.m., and Councillor Hatfield returns to his seat at the Council table.

Moved by Councillor Valentinis, seconded by Councillor Jones, **CR121/2012** That the request from the Downtown Windsor Business Improvement Association (DWBIA) to close Ouellette Avenue between University Avenue and Park Street, July 20 – July 22, 2012 and July 27 – July 29, 2012; University Avenue West between Ouellette Avenue and Pelissier Street between University Avenue West and Chatham Street West on July 7 – July 9, 2012, August 17 – August 19, 2012; Chatham Street East between Ouellette Avenue and the Goyeau Street Parking Garage entrance June 22 – June 24, 2012 and July 13 – July 15, 2012; Chatham Street West between Ouellette Avenue and Ferry Street on June 29 – July 1, 2012 **BE APPROVED**; and further,

That the request to close Ouellette Avenue between University Avenue and Park Street from August 3 – August 5, 2012 **BE DEFERRED** to allow for Administration to meet with the organizers of the Emancipation Festival to address any concerns prior to Council's consideration of the matter.

Carried.

Report Number 15940 SAS2012 5

CONSIDERATION OF COMMITTEE REPORTS**Report No. 28 of the Public Safety Standing Committee (JEPP 2012-2013)**

Moved by Councillor Payne, seconded by Councillor Gignac,
CR122/2012 THAT the purchase of the Hazmat equipment at a total cost of \$30,240 (including HST) **BE APPROVED**. It will be funded as follows: \$16,632 from JEPP funding, \$13,608 from the Ontario Fire Service Grant Reserve Account 1768, which has a balance of \$138,877, as of March 31, 2012.

THAT the CAO and the Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology **BE AUTHORIZED** to sign the JEPP Application Funding Approval Form and the related Claim form, which agreement shall be satisfactory as to form to the City Solicitor and Corporate Leader Economic Development and Public Safety, and as to technical content to the Fire Chief; and further, that the record be updated to reflect that Councillor Jones was absent from the May 16, 2012 committee meeting as he was away on city business at the 2012 Town & Gown Association of Ontario Symposia in Kingston, Ontario.

Carried.

Report Number 15909 SWE/3069

8. BY-LAW

Moved by Councillor Payne, seconded by Councillor Valentinis,
That the following By-law No. 69-2012 be introduced and read a first and second time:

By-law 69-2012 "A By-law to confirm the proceedings of the Council of the Corporation of the City of Windsor at its meeting held on the twenty-eighth day of May, 2012"

Carried.

MOVE BACK INTO FORMAL SESSION

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
That Council do now rise and move into Committee of the Whole with the Mayor presiding for the purpose of dealing with:

- (a) hearing requests for deferrals or referrals of any items of business;
- (b) hearing presentations and delegations;
- (c) consideration of business items;
- (d) consideration of Committee reports;
- (e) consideration of by-law.

Carried.

9. THIRD AND FINAL READING OF THE BY-LAW

Moved by Councillor Hatfield, seconded by Councillor Jones,
That By-Law 69-2012, having been read a first and second time be now read a
third time and finally passed and that the Mayor and Acting Clerk **BE AUTHORIZED**
to sign and seal the same notwithstanding any contrary provision of the Council.
Carried.


10. ADJOURNMENT

Moved by Councillor Maghnieh, seconded by Councillor Marra,
That this meeting stand adjourned until the next regular meeting of Council or at
the call of the Mayor.
Carried.

Accordingly, the meeting is adjourned at 8:05 o'clock p.m.



CHAIRPERSON



CITY CLERK