

Regular

Council meets in formal session this day at 6:48 o'clock p.m., in the Council Chambers.

Members Present:

Councillor Brister
Councillor Dilkens
Councillor Gignac
Councillor Halberstadt
Councillor Hatfield
Councillor Jones
Councillor Marra
Councillor Postma
Councillor Valentinis (Acting Mayor)

Members Absent:

Mayor Francis
Councillor Lewenza

Call to Order

Following the playing of the Canadian National Anthem, Rabbi Jeffrey Ableser from Congregation Beth-El, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

Councillor Brister discloses an interest and abstains from voting on "Report No. 274 of the Windsor Heritage Committee" respecting John Campbell School, as a family member is employed with the involved contractor, PCR.

Councillor Hatfield discloses an interest and abstains from voting on "Report No. 274 of the Windsor Heritage Committee" respecting John Campbell School, as his spouse is an elected Trustee and Chair of the Greater Essex County District School Board.

Minutes

Moved by Councillor Jones, seconded by Councillor Halberstadt,
That the Minutes of the regular meeting of Council held February 1, 2010, **BE ADOPTED**
as presented.
Carried.

Notice of Proclamations

Congenital Heart Defects Awareness Week – February 8 – 14, 2010
Hats On For Healthcare Day – February 10, 2010

Committee of the Whole

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

- (a) communication items;
 - (b) consent agenda;
 - (c) hearing requests for deferrals or referrals of any items of business;
 - (d) hearing presentations and delegations;
 - (e) consideration of business items;
 - (f) consideration of Committee reports:
 - (i) **Report of Special In-Camera Meeting or other Committee as may be held prior to Council** (if scheduled); and
 - (ii) **Report No. 274 of the Windsor Heritage Committee** of its meeting held January 13, 2010; and
 - (iii) **Report No. 275 of the Windsor Heritage Committee** of its meeting held January 13, 2010; and
 - (iv) **Report No. 26 of the International Relations Committee** of its meeting held January 27, 2010;
 - (g) consideration of by-laws 22-2010, 23-2010 and 27-2010.
- Carried.

Communications

Moved by Councillor Hatfield, seconded by Councillor Brister,
M50-2010 That the following Communication Items 1, 3, 4, 6 to 10, 12 to 14, and 16 to 22 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication Nos. 5, 11 and 15, which are dealt with at the request for deferrals stage, and Communication No. 2 which is dealt with as follows:

Communication No. 2:

Moved by Councillor Hatfield, seconded by Councillor Jones,
M51-2010 That the correspondence from the Association of Municipalities of Ontario (AMO) dated February 2, 2010 entitled "Propelling Economic Prosperity – AMO Makes its 2010 Pre-Budget Submission" **BE RECEIVED**, and further, that Administration **BE DIRECTED** to forward a letter to the Minister of Finance asking for consideration regarding the upcoming HST, which will affect municipal facilities that currently charge user fees with GST charged on top of those fees, and suggest that HST should not be charged on top of the GST for these services, and that AMO **BE REQUESTED** to forward this request to all other municipalities for consideration, and that the local MPPs also **BE REQUESTED** to reconsider this item, to delete the HST charge on any service fees charged by a municipality at a municipally owned, not for profit municipal recreational centre.
Carried.

Item	From	Description
1	Ministry of Training, Colleges and Universities	Transformation of Employment Ontario (EO) and the Introduction of the New Employment Service Model Community Development & Health Commissioner Note & File SS2010

2	Association of Municipalities of Ontario (AMO)	<p>“Propelling Economic Prosperity” – AMO Makes Its Pre-Budget Submission</p> <p style="text-align: right;">Chief Administrative Officer Chief Financial Officer & City Treasurer Community Development & Health Commissioner City Engineer City Solicitor City Clerk Note & File MMA2010</p>
3	Association of Municipalities of Ontario (AMO)	<p>Association of Municipalities of Ontario, Regional Public Works Commissioners of Ontario and Municipal Waste Association Comments on EBR #010-8164</p> <p style="text-align: right;">City Engineer Manager of Environmental Services Note & File MMA2010</p>
4	Essex Region Conservation Authority	<p>Richard Wyma New ERCA GM</p> <p style="text-align: right;">Note & File GCE2010</p>
5	Chief of Staff, Office of the Mayor	<p>Odette Roundtable 2010 Conference – University of Windsor</p> <p style="text-align: right;">COUNCIL DIRECTION REQUESTED ACOC2010</p>
6	Supervisor of Development Application Teams	<p>Application of Entertaining Assets Inc. for Site Plan Approval to permit a 16 unit residential / commercial laundromat located at 747-757 Ouellette Ave.</p> <p style="text-align: right;">Note & File ZS/10575</p>
7	Manager of Development	<p>Application of Hebert Studio Limited for zoning amendment to permit commercial and residential on 1st floor, with residential above for lands located at 1284-1298 Ottawa St.</p> <p style="text-align: right;">Note & File ZB/10577</p>
8	Office of the Chief Administrative Officer	<p>Response to CQ59-2009</p> <p style="text-align: right;">Note & File EI/10515</p>
9	Chief Financial Officer & City Treasurer	<p>Termination of Downtown Video Surveillance Program</p> <p style="text-align: right;">Note & File MI/9050</p>
10	Chief Financial Officer & City Treasurer	<p>Tangible Capital Asset Project Update</p> <p style="text-align: right;">Note & File AF/9642</p>
11	City Clerk	<p>Response to CQ#37-2009</p> <p style="text-align: right;">Note & File AS2010</p>
12	City Engineer	<p>Recent ISF Tenders – Update</p> <p style="text-align: right;">Note & File SW2010</p>
13	City Solicitor	<p>Chemical, Biological, Radiological, Nuclear, and Explosives Research and Technology Initiative (CRTI) Project</p> <p style="text-align: right;">Note & File GPG/9573</p>

14	City Solicitor	Update on Bill 150 – The Green Energy and Green Economy Act, 2009 Note & File EI2010
15	City Solicitor	Response to CQ107-2009 – 3945 Matchette Rd. (CLERK’S NOTE: See Deferral Request) Note & File ZS/10093
16	Community Development & Health Commissioner	City of Windsor Lancaster Bomber FM 212 Progress Report #5 Note & File APR/1699
17	Windsor Bicycling Committee	Minutes of meeting held January 12, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
18	Small Business Advisory Panel	Minutes of meeting held January 20, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
19	Museum Advisory Committee	Minutes of meeting held January 20, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
20	Town and Gown Committee	Minutes of meeting held January 22, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
21	Diversity Committee	Minutes of meeting held January 14, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
22	International Relations Committee	Minutes of meeting held January 27, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010

Carried.

Consent Agenda

Moved by Councillor Dilkens, seconded by Councillor Gignac,

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

- Item 4 Application to close part of the north/south alley west of Malden Road, northerly from Marietta Avenue
- Item 5 Data Sharing Agreement with FindHelp Information Services
- Item 11 Building Condition Assessment – 350 City Hall Square West

Carried.

Deferrals and/or Referrals and Withdrawals**PAC 1 Official Plan Review Report #23 (Overview of the Land Needs Analysis Report) and Official Plan Review Report #24 (Overview of the Commercial Land Use Policy Report)**

-at the request of Administration, this matter is being deferred a minimum of 3 weeks, to allow for the consultant to be in attendance, and that once the consultant has been confirmed, that this matter be dealt with peremptory.

Dean Clevett, representing the Windsor-Essex Regional Chamber of Commerce

Dean Clevett, representing the Windsor-Essex Regional Chamber of Commerce, appears before Council to speak in support of the request of Administration to defer the Planning Advisory Committee Report respecting “Official Plan Review Report #23 (Overview of the Land Needs Analysis Report) and Official Plan Review Report #24 (Overview of the Commercial Land Use Policy Report)”, to allow for the Consultant to be in attendance, and concludes by asking that the Chamber of Commerce be notified when this matter is scheduled to reappear at Council.

Chris Edwards, Executive Director, Downtown Windsor Business Improvement Association

Chris Edwards, Executive Director, Downtown Windsor Business Improvement Association, appears before Council to speak in support of the request of Administration to defer the Planning Advisory Committee Report respecting “Official Plan Review Report #23 (Overview of the Land Needs Analysis Report) and Official Plan Review Report #24 (Overview of the Commercial Land Use Policy Report)”, to allow for the Consultant to be in attendance.

Item 7 Residential Rehabilitation Assistance Program (RRAP)

- at the request of Administration, this matter is being deferred to a future meeting of Council, to allow for additional information.

Communication No. 5

Moved by Councillor Marra, seconded by Councillor Jones,

M52-2010 That the correspondence (Communication No. 5 at the February 8, 2010 Council Meeting) from the University of Windsor dated January 28, 2010 respecting “Odette RoundTable 2010 Conference”

BE DEFERRED to the February 22, 2010 meeting of Council to allow for additional discussions with the University of Windsor regarding other options available for consideration.

Carried.

Communication No. 11

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,

M53-2010 That the report of the Executive Director of Human Resources dated January 7, 2010 entitled “Response to CQ37-/2009” (Communication No. 11 at the February 8, 2010 Council Meeting) respecting the number of grievances and arbitrations the City has been involved in, **BE DEFERRED** a minimum of 3 weeks to allow for Councillor Jones to discuss the matter further with Administration.

Carried.

Communication No. 15

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
M54-2010 That the report of the City Planner dated January 22, 2010 entitled “Response to CQ107-2009 3945 Matchette Rd.”, **BE DEFERRED** to the February 22, 2010 meeting of Council at the request of Deanne Lavery and Paulette Lafleur, to allow for the matter to be considered as a regular agenda item, and therefore allow for delegations on the matter.

Carried.

Presentations & Delegations:**PRESENTATIONS:****Stan Taylor, Director of Source Water Protection, and Charles McLean, Source Protection Committee Member – Essex Region Conservation Authority (ERCA)**

Stan Taylor, Director of Source Water Protection, and Charles McLean, Source Protection Committee Member – Essex Region Conservation Authority (ERCA), appear before Council to outline the water source protection and the threats to Windsor’s water intake, providing a definition of “Source Water Protection”, the multi-barrier approach, the role of the “Source Water Protection Committee”, Assessment Report Technical Studies 2009-2010, Summary of Vulnerability Scores for Essex Region IPZs, Potential Drinking Water Threats, and conclude by giving a brief overview of Source Water Protection Plan Policies.

Moved by Councillor Brister, seconded by Councillor Hatfield,
M58-2010 That the presentation by Stan Taylor, Director of Source Water Protection, and Charles McLean, Source Protection Committee Member – Essex Region Conservation Authority (ERCA) pertaining to water source protection and the threats to Windsor’s water intake, **BE RECEIVED FOR INFORMATION.**

Carried.

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

DELEGATIONS**Requested Waiver of Fees for Habitat for Humanity 2009 Build – 1598 Ford Boulevard****Laura Gould, Executive Director, Habitat for Humanity**

Laura Gould, Executive Director, Habitat for Humanity, appears before Council and is available for questions with regards to their request for the waiver of fees related to the 2009 build project at 1598 Ford Boulevard, and Administration’s recommendation to refer the request to the 2010 budget deliberations.

GH/6905 9

(For final disposition of this matter, see Clause **CR57/2010** in Schedule “A” attached hereto.)

Sidewalks on Florence Avenue between Riverside Drive East and Wyandotte Street East**Marlyce Swinnerton, Ward 5 resident**

Marlyce Swinnerton, Ward 5 resident, appears before Council to request that installation of sidewalks be approved on either or both sides of Florence Avenue, in lieu of future Official Plan upgrading road classification on Florence Avenue between Wyandotte Street East and Riverside Drive East from Local Road to Collector Road, stating that pedestrian safety is important and therefore sidewalks are needed for this particular area.

Noemi Friend, Ward 5 property owner

Noemi Friend, Ward 5 property owner, appears before Council to state that the majority of the residents on Florence are opposed to the installation of sidewalks on the west side of Florence Avenue between Wyandotte Street East and Riverside Drive East, but are agreeable to installation on the east side, as utility poles would have to be moved and would therefore cause an inconvenience to the residents, and that it would be a more expensive option.

Frank Sobkow, Ward 5 resident

Frank Sobkow, Ward 5 resident, appears before Council to state opposition to the installation of sidewalks on the west side of Florence Avenue between Wyandotte Street East and Riverside Drive East, but is agreeable to installation on the east side, as utility poles would have to be moved and would therefore cause an inconvenience to the residents by reducing the present driveway access, perhaps forcing residents to park on Florence Street, and concludes by providing possible options for Council's consideration that would not require installation of sidewalks, such as a road lane to allow for pedestrian traffic.

SW2010 3

(For final disposition of this matter, see Clause **CR50/2010** in Schedule "A" attached hereto.)

Erie Street BIA "LaBella Strada" Streetscape Proposal**Frank Fazio, Solicitor; Marshall Sfalcin; Rick Spencer (Consulting Engineer); and Jim Newman (Newman Consulting Group)**

Frank Fazio, Solicitor; Marshall Sfalcin; Rick Spencer (Consulting Engineer); and Jim Newman (Newman Consulting Group), appear before Council to provide an overview of the "Erie Street BIA's La Bella Strada Streetscape Proposal", providing examples of similar projects in other municipalities such as Halifax, concluding that implementation of this proposal would see an increase in pedestrian traffic for the affected area, thus benefiting the merchants, the municipality and its citizens.

Al Nelman, Ward 4 resident

Al Nelman, Ward 4 resident, appears before Council to speak in support of the "Erie Street BIA's La Bella Strada Streetscape Proposal", commending it as "thinking outside the box", and concludes by suggesting it would jump start the revitalization process that is greatly needed for that area.

Adriano Ciotoli, representing Windsor Eats

Adriano Ciotoli, representing Windsor Eats, appears before Council to speak in support of the “Erie Street BIA’s La Bella Strada Streetscape Proposal”, suggesting that it is a unique opportunity to bring focus back to that affected area of the City.

David Hanna, Ward 1 resident

David Hanna, Ward 1 resident, appears before Council to speak in support of the “Erie Street BIA’s La Bella Strada Streetscape Proposal”, expressing enthusiasm for this streetscaping initiative which incorporates trees into the vision, and suggests that a “public art” component be added to this project for added benefit.

MI/10278 8

(For final disposition of this matter, see Clause **CR56/2010** in Schedule “A” attached hereto.)

CQ11-2008 / CQ47-2009 – Wyandotte Truck Volumes

Councillor Valentinis as Acting Mayor assumes his seat at the Council table, and Councillor Dilkens assumes the Mayor’s chair at 8:44 o’clock p.m., to allow for Councillor Valentinis to participate in full discussion on Items 1 and 2.

Bridget Scheuerman, representing Wyandotte Town Centre BIA

Bridget Scheuerman, representing Wyandotte Town Centre BIA, appears before Council to request that a minimum six-month pilot project be implemented to remove truck traffic in its entirety on Wyandotte Street East between Devonshire to McDougall, citing safety concerns and ongoing damage to buildings in the area as a result of this traffic situation.

Paul Schaffner, Principal, F. W. Begley School

Paul Schaffner, Principal, F. W. Begley School, appears before Council to request that a minimum six-month pilot project be implemented to remove truck traffic in its entirety on Wyandotte Street East between Devonshire to McDougall, citing safety concerns as students of the school are required to cross Wyandotte Street to attend school.

Jake Rondot, President, Walkerville BIA

Jake Rondot, President, Walkerville BIA, appears before Council to request that a pilot project to ban trucks from Wyandotte Street, in preferably a full 24-hour period or at least overnight be implemented, citing ongoing noise problems caused by passing truck traffic (empty or full) in such a narrow street corridor.

Moved by Councillor Valentinis, seconded by Councillor Halberstadt,

That Administration BE DIRECTED to implement a 6-month pilot project to remove truck traffic in its entirety on Wyandotte Street East from Walker Road to Ouellette Avenue, from 11:00 o’clock p.m. to 7:00 o’clock a.m.

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

Aye votes: Councillors Valentinis, Halberstadt and Marra.

Nay votes: Councillors Brister, Gignac, Hatfield and Jones.

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

ST/9509 ST2010 1

(For final disposition of this matter, see Clause **CR48/2010** in Schedule “A” attached hereto.)

CQ95-2009 / CQ117-2009 / M424-2009 McDougall Truck Route

Darryl Hogan

Darryl Hogan, appears before Council to request that Council implement a ban on truck traffic in its entirety on McDougall Street between the hours of 8:00 o'clock p.m. to 8:00 o'clock a.m., citing ongoing noise stemming from empty truck handlers using McDougall from the depot on Provincial Road to the Detroit-Windsor Tunnel, and thus affecting residents along this route, many of which are seniors.

David Oksanen, Ward 3 resident

David Oksanen, Ward 3 resident, appears before Council to request that a ban on truck traffic in its entirety on McDougall Street be implemented, as he resides on McDougall and is constantly enduring noise from these trucks, especially when they drive over a pothole that is in front of his place of residence.

Moved by Councillor Halberstadt, seconded by Councillor Valentinis,

That Administration BE DIRECTED to implement a 6-month pilot project to remove truck traffic in its entirety on McDougall Street from Tecumseh Road to Wyandotte Street, from 11:00 o'clock p.m. to 7:00 o'clock a.m.

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

Aye votes: Councillors Halberstadt and Valentinis.

Nay votes: Councillors Hatfield, Gignac, Brister and Jones.

Councillors Marra and Postma were absent from the meeting when the vote was taken on this matter.

ST/9509 ST2010 2

(For final disposition of this matter, see Clause **CR49/2010** in Schedule “A” attached hereto.)

Councillor Valentinis assumes the Mayor's Chair at 9:42 o'clock p.m., and Councillor Dilkens returns to his seat at the Council table.

Granite Design Works, rezoning, 1255 Crawford, sale and display of natural stone slabs and architectural stone products**Peter Valente**

Peter Valente, appears before Council to speak in opposition to the rezoning request of Granite Design Works at 1255 Crawford to allow for the sale and display of natural stone and architectural stone products, stating that when he applied for permission to have an outdoor storage yard, he was denied and was forced to build an addition to his building in order to store his granite slabs inside, and that if Council were to approve this rezoning application, it would be unfair to him, and suggests that the Applicant should be subject to Site Plan Review as this is a dangerous situation.

Michael Matte, Applicant

Michael Matte, Applicant, appears before Council to request that Council approve his rezoning request for Granite Design Works at 1255 Crawford to allow for the sale and display of natural stone and architectural stone products, stating that he adheres to all of the regulations prescribed by the Ministry of Labour and carries liability insurance, and assures Council that he takes all the necessary safety precautions for his operation.

ZB/10474 PAC 2

(For final disposition of this matter, see Clause **CR61/2010** in Schedule "A" attached hereto.)

Windsor Heritage Committee Report No. 274**Rod Peturson, Consultant; and Warren Kennedy, Director, Greater Essex County District School Board**

Rod Peturson, Consultant; and Warren Kennedy, Director, Greater Essex County District School Board, appear before Council to request approval for grants from the Community Heritage Fund and the Built Heritage Fund for the rehabilitation of John Campbell School, at 1255 Tecumseh Road East, stating that this would be a unique collaborative approach that would benefit the students.

Pat Malicki, representing Architectural Conservancy of Ontario

Pat Malicki, representing Architectural Conservancy of Ontario, appears before Council to request approval for grants from the Community Heritage Fund and the Built Heritage Fund for the rehabilitation of John Campbell School, at 1255 Tecumseh Road East, stating that this would be a unique collaborative approach that would benefit the students, and concludes by suggesting that the community cannot afford to lose another heritage building and that approval of the recommendation would be an investment in the community.

Robin Easterbrook, representing Windsor Heritage Committee

Robin Easterbrook, representing Windsor Heritage Committee, appears before Council and is available for questions with regards to the recommendation of the Windsor Heritage Committee to approve grants from the Community Heritage Fund and the Built Heritage Fund for the rehabilitation of John Campbell School, at 1255 Tecumseh Road East.

Moved by Councillor Dilkens, seconded by Councillor Jones,
M59-2010 That in accordance with Section 3.5(b) of the Procedure By-law, the time of the meeting
BE EXTENDED beyond 11:00 o'clock p.m. to permit the continuation of the Agenda.
Carried unanimously.

Moved by Councillor Marra, seconded by Councillor Postma,
M60-2010 That **Report No. 274 of the Windsor Heritage Committee** of its meeting held January 13, 2010,
BE ADOPTED as presented.
Carried.
Councillors Brister and Hatfield disclose an interest and abstain from voting on this matter.

MB2010

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

Item 6 Attendance at Work Policy – CQ31-2008, Alternative Methods to Effectively Manage Absenteeism
Item 10 Lakeview Park Marina

Consideration of Committee Reports

Moved by Councillor Jones, seconded by Councillor Gignac,
M55-2010 That the **Report of the special In-camera** meeting held February 8, 2010, **BE ADOPTED**
as presented.
Carried.

ACO2010

Moved by Councillor Jones, seconded by Councillor Gignac,
M57-2010 That **Report No. 275 of the Windsor Heritage Committee** of its meeting held January 13, 2010,
BE ADOPTED as presented.
Carried.

MB2010

Moved by Councillor Jones, seconded by Councillor Gignac,
M56-2010 That **Report No. 26 of the International Relations Committee** of its meeting held January 27,
2010, **BE ADOPTED** as presented.
Carried.

MB2010

By-laws

Moved by Councillor Marra, seconded by Councillor Postma,
That the following By-laws No. 22-2010, 23-2010 and 27-2010 be introduced and read a first and
second time:

22-2010 “A BY-LAW TO RESCIND THE APPOINTMENT OF DIANE BERTOLIN, FORMERLY
KNOWN AS DIANE SIBLEY AS THE LICENCE COMMISSIONER, THE APPOINTMENT
OF MICHAEL DUBEN AS A LICENCE COMMISSIONER AND THE APPOINTMENT OF
TONY HOUAD AS AN ACTING LICENCE COMMISSIONER”

23-2010 “A BY-LAW TO RESCIND THE APPOINTMENT OF THE CHIEF ADMINISTRATIVE
OFFICER AS THE ACCOUNTABLE EXECUTIVE FOR WINDSOR AIRPORT”

27-2010 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE EIGHTH DAY OF FEBRUARY, 2010”

Carried.

Moved by Councillor Dilkens, seconded by Councillor Brister,
That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee:

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

Carried.

Notices of Motion

None presented.

Third Reading of By-laws

Moved by Councillor Dilkens, seconded by Councillor Gignac,
That the following By-laws No. 22-2010, 23, 2010 and 27-2010 having been read a first and second time be now read a third time and finally passed and that the Acting Mayor and Clerk **BE AUTHORIZED** to sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

Petitions

None presented.

Council Questions

Moved by Councillor Jones, seconded by Councillor Hatfield,
M61-2010 That the Council Questions arising from the previous meeting of Council and listed by the Clerk **BE NOW CONSIDERED** for purposes of discussion, and further, that the Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Questions consistent with Council’s instructions.

Carried.

Adjournment

Moved by Councillor Marra, seconded by Councillor Postma,
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 11:22 o'clock p.m.

ACTING MAYOR

CITY CLERK

THIS IS A DRAFT COPY

MANAGER OF COUNCIL/COMMITTEE SERVICES/DEPUTY CLERK

Hatfield
Gignac

CR48/2010

That the report by the Executive Director of Operations dated November 23, 2009 entitled “CQ11-2008/CQ47-2009 – Wyandotte Truck Volumes”, **BE RECEIVED FOR INFORMATION**.

Carried.

Councillors Halberstadt, Valentinis and Marra voting nay.

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

Report Number 14327 ST/9509 ST2010 1

Internal Distribution

Public Works [Steve Kapusta]
Executive Director of Operations
Council Secretariat
Chief of Police
City Engineer

Gignac
Hatfield

CR49/2010

That the report by the Executive Director of Operations dated January 18, 2010 entitled “CQ95-2009 / CQ117-2009 / M424-2009 McDougall Truck Route” **BE RECEIVED FOR INFORMATION**.

Carried.

Councillors Halberstadt and Valentinis voting nay.

Councillors Postma and Marra were absent from the meeting when the vote was taken on this matter.

Report Number 14491 ST/9509 ST2010 2

Internal Distribution

Public Works [Josette M. Eugeni]
Executive Director of Operations
City Engineer
Acting Manager of Transportation Planning
Council Secretariat

Gignac
Halberstadt

CR50/2010

That the installation of sidewalks on the west side of Florence Avenue **BE APPROVED** in lieu of future Official Plan upgrading road classification on Florence Avenue between Wyandotte Street East and Riverside Drive East from Local Road to Collector Road.

Carried.

Report Number 14479 SW2010 3

Internal Distribution

Public Works [Jane He]
Executive Director of Operations
City Engineer
City Planner

Dilkens
Gignac

CR51/2010

That part of the 4.26 metre (14 feet) wide north/south alley west of Malden Road, from Marietta Avenue northerly for a distance of 30.48 metres (100 feet), as shown on Drawing Number CC-1593, attached hereto as Appendix "A" and on the aerial photo attached hereto as Appendix "B" **BE ASSUMED** for subsequent closure and conveyance to Willard Hutcheson, 5458 Malden Road and further the City Solicitor **BE REQUESTED** to prepare the necessary by-law.

Carried.

Report Number **14481 SAA/10475 C4**

Appendices

Drawing Number CC-1593
Aerial Photo

Internal Distribution

Planning [Don Wilson]
Chief Building Official
Building - Sharon Amlin
Legal [Frank Scarfone; Shelby Askin Hager]-Prepare the Easement/Assuming/Closing By-law.

Dilkens
Gignac

CR52/2010

That part of the 4.26 metre (14 feet) wide north/south alley west of Malden Road, from Marietta Avenue northerly for a distance of 30.48 metres (100 feet), as shown on Drawing Number CC-1593, attached hereto as Appendix "A" and on the aerial photo attached hereto as Appendix "B" **BE CLOSED AND CONVEYED** to Willard Hutcheson, 5458 Malden Road, subject to the following:

- (a) No easements are required
- (b) the alley lands are to be conveyed at:
 - \$1.00
 - plus the cost of a 12R plan as invoiced to the City of Windsor by an Ontario Land Surveyor
 - plus the cost of deed preparationfor lands abutting properties zoned RD1.4 or GD1.4

and further, the City Planner/Executive Director, **BE AUTHORIZED** to publish the required legal notice, the City Engineer **BE REQUESTED** to supply the appropriate legal description, in accordance with Drawing No. CC-1593, attached hereto as Appendix "A", and the City Solicitor **BE REQUESTED** to prepare the By-law to close and further the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign all necessary documents

approved in form and content satisfactory to the City Solicitor, and the transaction **BE COMPLETED** electronically pursuant to By-law Number 366-2003.

Carried.

Report Number **14481 SAA/10475 C4**

Appendices

Drawing Number CC-1593

Aerial Photo

Internal Distribution

Planning [Don Wilson]

Chief Building Official

Building - Sharon Amlin - Prepare Ad

Building - Legal Documents Clerk - Laura MacDonald

City Planner

City Engineer

City Solicitor

Dilkens

Gignac

CR53/2010

That the Chief Administrative Officer **BE AUTHORIZED** to sign an agreement with FindHelp Information Services regarding the sharing of data as maintained in the 211 database, such agreement to be satisfactory as to technical content to the Manager of Customer Service, as to legal form to the City Solicitor and as to financial content to the Chief Financial Officer/City Treasurer.

Carried.

Report Number **14495 GM/9620 C5**

Internal Distribution

Council Services [Tom Malenfant]

City Clerk

Chief Financial Officer/City Treasurer

City Solicitor

Brister

Marra

CR54/2010

THAT Council **RECEIVE FOR INFORMATION** the report of the Executive Director of Human Resources, dated January 5, 2010, concerning the City's Attendance At Work Policy (the "Policy") in response to Council Question CQ31-2008, and in accordance with the Policy's requirement for it to be reviewed after two years; and further,

THAT Administration **REVAMP** the Attendance At Work Policy, taking into consideration, as much as possible the issues that have come to light following the implementation and application of the existing Policy, and **INCORPORATE**, as much as is practicable, the 'best practices' in the area of Absenteeism and Attendance Management; and further,

THAT Administration **REPORT** back to Council with the new version of the Policy.

Carried.

Report Number **14494 AS2010 6**

Internal Distribution

Human Resources [Bruno Ierullo]
Executive Director of Human Resources
City Clerk
Chief Financial Officer/City Treasurer
Council Secretariat

Marra
Jones

CR55/2010

That the report of the Chief Building Official dated January 22, 2010 entitled “Residential Rehabilitation Assistance Program (RRAP)” **BE DEFERRED** to the February 22, 2010 meeting of Council to allow for additional information from Administration.

Carried.

Report Number **14262 SB/10486 7**

Internal Distribution

Building [Lee Anne Doyle, Chief Building Official]
Community Development & Health Commissioner
Executive Director, Housing and Children's Services
City Solicitor

Halberstadt
Marra

CR56/2010

1. That the report of the City Planner dated November 16, 2009 entitled "Erie Street BIA 'La Bella Strada' Streetscape Proposal" **BE RECEIVED**.
2. That Council **CONFIRM** that the ‘La Bella Strada’ Streetscape proposal predates Council’s adoption of the City of Windsor **Business Improvement Area (BIA) New Capital Asset Funding Allocation Policy** and therefore, does not need to conform with the procedural guidelines outlined therein.
3. That the concept design illustrated in the RC Spencer Associates Inc. drawings contained in the July 14, 2009 “La Bella Strada 2010” submission and the revised cost estimate (January 12, 2010) **BE ACCEPTED** as the maximum scope of work pending administrative review and approval to be completed as municipal capital project described as “La Bella Strada Streetscape Phase I”.
4. That the consultation process identified in the Bicycle Use Master Plan for amending the Bicycle Use Master Plan **BE PURSUED** to confirm an alternative route to the Erie Street bike route.
5. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign an agreement with RC Spencer Associates Inc., to complete the detailed design and tender for the ‘La Bella Strada Streetscaping Project Phase I’ at a total cost not to exceed \$67,000 (including \$25,000 LEED consulting services) plus GST,

satisfactory in form to the City Solicitor, in technical content to the City Engineer, and in financial content to the City Treasurer.

6. That the fees for final design engineering services up to tender call of \$42,000 plus GST and \$25,000 plus GST for LEED consulting services **BE APPROVED** and charged to the 2009 Capital Budget Project PLN-001-09 for La Belle Strada and further that the tender results for “La Bella Strada Streetscape Phase I” **BE REPORTED** to City Council for final approval of the project funding.

Carried.

Councillor Gignac voting nay.

Report Number **14472 MI/10278 8**

Internal Distribution

Planning [Jim Yanchula]

City Planner

City Engineer

Manager of Corporate Projects

Chief Financial Officer/City Treasurer

City Solicitor

Coordinator, Bicycling Committee

Gignac

Dilkens

CR57/2010

That City Council **REFER** the request from Habitat for Humanity for the waiver of fees relating to the 2009 build project at 1598 Ford Boulevard, to the 2010 budget deliberations.

Carried.

Councillor Postma voting nay.

Report Number **14467 GH/6905 9**

Internal Distribution

Building [Lee Anne Doyle, Chief Building Official]

Chief Financial Officer/City Treasurer

Deputy Treasurer – Financial Planning – Tony Ardovini

City Solicitor

Marra

Dilkens

CR58/2010

That City Council **NOT ACCEPT** the Windsor Port Authority amended offer as enclosed in confidential Appendix A.; and

That City Council **CONTINUE** offering marina services; and

That Administration **ISSUE** a request for proposal in order to determine the best operating model for the facility.

Carried.

Report Number #: **14503 SR2010 10**

Internal Distribution

Finance [Margaret Karpenko]
Community Development & Health Commissioner
Executive Director of Recreation
Chief Financial Officer/City Treasurer
City Solicitor

Dilkens
Gignac

CR59/2010

1. That the Building Condition Assessment Report for 350 City Hall Square West conducted by IRC Building Sciences Group Inc. **BE RECEIVED** for information.
2. That Council **DIRECT** Administration to report back with a comprehensive report on space needs and options aimed at addressing those needs.

Carried.

Report Number **14114 APM/9120 C11**

Internal Distribution

Corporate Facility Planning [Sergio Grando]
Chief Financial Officer/City Treasurer

Brister
Dilkens

CR60/2010

That the report of the Planning Advisory Committee dated February 8, 2010, respecting the Official Plan Review Report #23 (Overview of the Land Needs Analysis Report) and Official Plan Review Report #24 (Overview of the Commercial Land Use Policy Report) **BE DEFERRED** a minimum of three weeks to allow for the Consultant to be in attendance, and that once the Consultant is confirmed, that this matter be dealt with peremptory.

Carried.

Report Number **14446 ZO/8949 PAC 1**

Internal Distribution

City Planner
Acting Manager of Development
Chief Building Official
City Engineer
City Solicitor
Zoning Clerk - Council Services
Licence Commissioner

Postma
Jones

CR61/2010

That an amendment to Zoning By-law 8600, requested by Granite Design Works Inc. **BE APPROVED** changing the zoning of Part of Lot 75, Concession 1, described as PIN 01199-0349 (LT), by adding a site specific provision to allow the sale and display of natural stone slabs and architectural stone products as an additional permitted use subject to the provision of a fence with a minimum height of 1.8 metres on the entire perimeter of the subject site.

Carried.

Report Number **14499 ZB/10474 PAC 2**

Internal Distribution

City Planner
Acting Manager of Development
Chief Building Official
City Engineer
City Solicitor
Zoning Clerk - Council Services
Licence Commissioner

ADOPTED by Council at its meeting held February 8, 2010 [M55-2010]
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA
February 8, 2010**

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

Members in Attendance:

- Mayor E. Francis
- Councillor D. Brister
- Councillor D. Dilkens
- Councillor C. Postma
- Councillor R. Jones
- Councillor A. Halberstadt
- Councillor F. Valentinis
- Councillor B. Marra
- Councillor P. Hatfield
- Councillor J. Gignac

Members Absent:

- Councillor K. Lewenza

Also in attendance:

- H. Reidel, Chief Administrative Officer
- M. Sonogo, City Engineer
- G. Wilkki, City Solicitor
- V. Critchley, City Clerk
- O. Colucci, Chief Financial Officer
- N. Coleman, Mayor’s Chief of Staff (Items 2, 3, 6 and 7)
- T. Knight, Executive Initiatives Coordinator (Items 1, 2 and 3)
- M. Munroe, Manager, Service Delivery Transformation Program (Items 1, 2 and 3)
- F. Nazzani, Manager Windsor Airport (Item 6)

Verbal Motion is presented by Councillor Postma, seconded by Councillor Brister, to move in Camera for discussion of the following item(s), deferring Item 5:

<u>o.</u>	<u>Subject</u>	n – Pursuant to Municipal Act, 2001, as amended
1.	al Matter – about an identifiable individual (s)/labour relations : Report enclosed under separate cover	239(2)(b)(d)

2.	al Matter – contract	239(2)(b)
	Matter – sale of land	239(2)(c)
	al matter – labour relations – contracting out	239(2)(d)
	al matter – about an identifiable individual – verbal update	239(2)(b)
	matter – contract/agreement – verbal update	239(2)(a)
	r Update – update on Legal matters	239(2)(a), (c), (e) and (f)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

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

Councillor Dilkens leaves the meeting at 4:05 p.m., and returns at 4:10 p.m.

T. Knight, M. Munro and N. Coleman leave the meeting at 4:26 p.m.

N.Coleman returns to the meeting at 5:00 p.m.

Discussion on the items of business (Item 7)

C. Postma leaves the meeting at 5:01 p.m., and returns at 5:09 p.m.

Discussion on the items of business (Item 6)

T. Knight and M. Munro enter the meeting at 5:25 p.m.

Discussion on the item of business (Item 1)

Verbal Motion is presented by Councillor Brister, seconded by Councillor Dilkens, to move back into public session.

Motion Carried.

Moved by Councillor Jones, seconded by Councillor Brister, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held February 8, 2010 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Chief Administrative Officer respecting a personal matter about an identifiable individual(s)/labour relations **BE APPROVED**, and that Administration **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

2. That the in-camera report from the Manager of Administration, City Solicitor, and Chief Financial Officer and City Treasurer respecting a personal matter - contract **BE RECEIVED** and that Administration **PROCEED** on the verbal direction of Council.

Councillor Dilkens is absent for the vote.

3. That the in-camera report from the Senior Property Agent, City Solicitor and City Planner respecting a property matter – sale of land **BE RECEIVED** and that Administration **PROCEED** on the verbal direction of Council.

Councillors Marra, Valentinis and Dilkens opposed.

4. That the in-camera report from the City Engineer, City Solicitor and Chief Financial Office and City Treasurer respecting labour relations – contracting out **BE RECEIVED** and that Administration **PROCEED** on the verbal direction of Council.

Councillor Jones opposed.

5. That the confidential verbal report respecting a personal matter about an identifiable individual **BE DEFERRED**.

6. That the confidential verbal report respecting a legal matter – contract/agreement **BE RECEIVED FOR INFORMATION**, and that the Mayor **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

Councillor Halberstadt opposed.

7. That the verbal update respecting the border issue **BE RECEIVED FOR INFORMATION** and that Administration **PROCEED** on the verbal direction of Council.

Motion Carried.

Moved by Councillor Jones, seconded by Councillor Brister, That the special meeting of council held February 8, 2010 BE ADJOURNED.

(Time: 6:33 p.m.)

Motion Carried.

ADOPTED by Council at its meeting held February 8, 2010 [M56-2010]

RB/

Windsor, Ontario, February 8, 2010

REPORT NO. 26
of the
INTERNATIONAL RELATIONS COMMITTEE
of its meeting held January 27, 2010

Present:

Councillor D. Dilkens, Chairperson
Councillor R. Jones
F. Simpson
J. Barycki
M. Lefebvre

Your Committee submits the following recommendations:

1. That the invitation to Mayor E. Francis for an Official Delegation to attend the 10th Anniversary of the Lublin – Windsor Twin City Partnership in Lublin, Poland from June 4th through 8th, 2010 **BE ACCEPTED** and further, that an Official Delegation **BE REPRESENTED** by the Mayor or his designate and three other appointed delegates.

2. That the International Relations Committee **RECEIVE** and **HOST** an Official Delegation from Changchun, China on March 30, 2010.

CHAIRPERSON

SECRETARY

ADOPTED by Council at its meeting held February 8, 2010 [M57-2010]
MLM/
Windsor, Ontario February 8, 2010

REPORT NO. 275
of the
Windsor Heritage Committee
at its meeting held
January 13, 2010
5:30 o'clock p.m.
Meeting Room 407, 400 City Hall Square East

Present: Robin Easterbrook, Acting Chair
Councillor Percy Hatfield
Tony Amato
Andrew Foot
Simon Chamely
Janis Marchand
Jeffrey Mellow
Noreen Slack

Your Committee submits the following recommendation:

(i) That the name of the Council-approved list of heritage properties, including Designated, Listed and Heritage Conservation District, **BE CHANGED** from “Windsor Heritage Properties Inventory (WHPI)” to “Windsor Municipal Heritage Register” in current documents, including the Official Plan.

(ii) That the following properties of cultural heritage value or interest be added to the Windsor Municipal Heritage Register:

- 525 Argyle Road– Hiram Walker Warehouse (now Brewery), circa 1930, Walkerville
- 503 Askin Avenue– Possibly Askin homestead, moved, circa 1850, Sandwich
- 180 Cabana Road West – Tudor Revival Show Home - 1928 – South Windsor
- 350 City Hall Square West – City Hall Building only – Architect Sheppard & Masson – 1957 – core
- 749 Felix Avenue – J. L. Forster Collegiate Institute/General Byng – Architect Andrew Johnston Riddell – 1922 – Sandwich
- 242 Lauzon Road – former Riverside Town Hall – 1921 – Riverside
- 3557 Melbourne Road – Marlborough School – cast details – Architect Nichols, Sheppard & Masson – 1929 – Sandwich
- 3222 Peter Street – House with coloured glass porch – circa 1900 – Sandwich
- 3381 Peter Street – Terrace, original balcony – circa 1918 – Sandwich
- 3385-91 Peter Street – Terrace, for Robinet Brick workers, circa 1918 – Sandwich
- 7880 Riverside Drive East – Abar’s/Roadhouse Tavern – 1890 – Riverside
- 74 Shepherd Street West – Ste. Claire Apartments / Italianate – circa 1926 – Core

- 375 Watkins Street – Homer Watkins House/Black History – 1917 – Sandwich
- 101 Wyandotte Street West – Moderne Commercial/Architect J. C. Pennington – 1940 – Core

and further, that the following properties BE REMOVED from the Windsor Municipal Heritage Register:

- 839 Assumption – circa 1906 – modified Victorian Vernacular House – Core
- 3442 Riverside Drive East – 1908 – modified John Stodgell House – Ford City
- Various Sites Sandwich Street – Sidewalk Slabs – Sandwich

ACTING CHAIR

COUNCIL COMMITTEE COORDINATOR

ADOPTED by Council at its meeting held February 8, 2010 [M60-2010]
DEFERRED by Council
to the February 8, 2010 meeting of Council [M43-2010]
MLM/
Windsor, Ontario February 8, 2010

REPORT NO. 274
of the
Windsor Heritage Committee
at its meeting held on January 13, 2010

Present: Robin Easterbrook, Chair
Andrew Foot, Vice-Chair
Tony Amato
Simon Chamely
Paul V. DeMarco
Janis Marchand
Jeffrey Mellow
Noreen Slack

Your Committee submits the following recommendation:

That the request by the Greater Essex County District School Board (GECDSB) for grants from the Community Heritage Fund and the Built Heritage Fund, for the rehabilitation of John Campbell School, at 1255 Tecumseh Road East, **BE APPROVED** as follows, with payment upon determination by the Chief Building Official that the work of specified items is completed, and subject to a Heritage Conservation Easement to be donated to the City:

Community Heritage Fund, \$350,000

- Lobby area: reinstate/refinish all woodwork, doors, marble, etc.
- Structural remediation: foundation repairs, window lintel repairs, repairs to concrete beams above windows
- Gymnasium: clean and reinstate stone elements, refinish stage
- Music room second floor: reinstate skylight, reinstate glass and wood frame ceiling to skylight, refinish all woodwork including floor
- Entrance to kindergarten: refinish all woodwork, repair and repoint brickwork on entrance

Built Heritage Fund, \$50,000

- First floor heritage classroom: refinish hardwood floor, plaster patching, refinish trim and millwork, rewire original fixtures, ceiling revisions to accommodate sprinkler system
- Patch and match terrazzo flooring in hallways and stairwells

**Report No. 274 of the
Windsor Heritage Committee**

February 8, 2010

Note: Councillor P. Hatfield disclosed a conflict of interest and abstained from voting.

Note: The report of the Heritage Planner regarding John Campbell School at 1255 Tecumseh Road East, dated January 6, 2010 is attached.

CHAIR

COUNCIL COMMITTEE COORDINATOR