

Regular

Council meets in formal session this day at 6:00 o'clock p.m., in the Council Chambers.

Members Present:

Mayor Francis
Councillor Brister
Councillor Dilkens
Councillor Gignac
Councillor Halberstadt
Councillor Hatfield
Councillor Jones
Councillor Lewenza
Councillor Marra
Councillor Postma
Councillor Valentinis

Members Absent:

None.

Call to Order

Following the playing of the Canadian National Anthem, Roshi Azani-Rostkowicz from Baha'i Community of Windsor, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

None Disclosed.

Minutes

Moved by Councillor Brister, seconded by Councillor Dilkens,
That the Minutes of the regular meeting of Council held June 28, 2010, **BE ADOPTED**
as presented.

Carried.

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

Notice of Proclamations

None presented.

Committee of the Whole

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) 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);
 - (ii) **Report No. 29 of the International Relations Committee** of its meeting held May 26, 2010; and
 - (iii) **Report No. 11 of the Service Delivery Review Steering Committee** of its meeting held April 13, 2010.
 - (g) consideration of by-laws 100-2010 and 112-2010 through 113-2010 (inclusive).
- Carried.
Councillor Postma was absent from the meeting when the vote was taken on this matter.

Communications

Moved by Councillor Hatfield, seconded by Councillor Jones,
M196-2010 That the following Communication Items 1 to 20 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted, and that Communication No. 21 be dealt with as follows:

Communication No.21:

Moved by Councillor Marra, seconded by Councillor Postma,
M197-2010 That the City Solicitor **BE AUTHORIZED** to consent to an adjournment of the OMB Hearing regarding the Olde Sandwich Towne Heritage Conservation District Appeals, upon such terms and conditions as he may consider advisable in the best interests of the City of Windsor.
Carried.

Item	From	Description
1	Ministry of Children and Youth Services	With Our Best Future in Mind: Implementing Early Learning in Ontario Community Development & Health Commissioner Note & File SSC/6751
2	Ministry of Transportation	Ontario Ministry of Transportation Lawn Mowing Practices 2010 City Engineer Note & File ST/8821
3	Ministry of the Environment	Certificate of Approval – Municipal and Private Sewage Works – Construct Storm Sewers on Raymond Avenue from Westminster Boulevard to Jefferson Boulevard City Engineer Executive Director of Operations Manager of Environmental Services Note & File SW2010
4	Ministry of Education	Full-Day Early Learning Kindergarten Program – Funding Information for Extended Day Fee Subsidies Community Development & Health Commissioner Note & File SSC/6751
5	Ministry of Community and Social Services	Corporation of the City of Windsor – Ontario Works Service Plan for 2010-11 Note & File SS2010

6	Association of Municipalities of Ontario (AMO)	Assessment Limits for Ontario: Could We Live with the Consequences? City Treasurer Note & File MMA2010
7	Association of Municipalities of Ontario (AMO)	Ontario Municipalities Concerned About Recent Federal Census Decision Note & File MMA2010
8	City of Regina	Invitation to the National Infrastructure Summit (NIS) City Engineer City Treasurer Note & File GP2010
9	Canadian Union of Postal Workers	The Canadian Postal Service Charter and the Future Note & File MC2010
10	Windsor Emancipation Celebration Corp.	Invitation to the 177 th Anniversary of the Emancipation Act of 1833 Gala COUNCIL DIRECTION REQUESTED APR2010
11	Children's Services System Manager	Early Learning Bulletin #6 Note & File SSC/6751
12	Manager of Development Applications	Application of Lighting Boutique Inc. / 538318 Ontario Ltd. for Site Plan Approval to permit a new lighting boutique and appliance shoppe located at 4072 Walker Rd. Note & File ZS/10727
13	Manager of Development Applications	Application of Raymond Pittao in Trust / 391568 Ontario Inc. for Site Plan Amendment to permit minor parking and lot access adjustments for lands located at 4096 Walker Rd. & the proposed 4702 Walker Rd. building Note & File ZS/10726
14	Deputy Treasurer – Financial Accounting	Windsor Canada Utilities – 1 st Quarter 2010 Financial Statements Note & File MU2010
15	City Solicitor	Canadian Transit Company v. The Corporation of the City of Windsor Note & File Z/8581
16	Chief Financial Officer & City Treasurer	Harry Turnbull, Executive Director, Information Technology Department, Wins Two Awards Note & File AS2010
17	City Engineer	City Centre Streetscape Phase 4 & 5 – Additional Parking Space on the West Side of Pelissier Note & File AFB/10444
18	Small Business Advisory Panel	Minutes of meeting held June 16, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010

19	International Relations Committee	Minutes of meeting held May 26, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
20	Seniors Advisory Committee	Minutes of meeting held June 24, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
21	Canadian Transit Company	OMB Case PL 090206 – Adjournment Request Council Direction Requested Z/8581

Carried.

Consent Agenda

Moved by Councillor Lewenza, seconded by Councillor Marra,
That the following Consent Agenda and the recommendations contained in the administrative reports **BE APPROVED** as amended:

- Item 2 Delegation of Authority and ISF Projects
- Item 4 Home Office Technical Configuration for City Council
- Item 6 Dedicated Gas Tax Funds for Public Transportation Program
- Item 8 Request for Amendment to Agreement – After-School Strategy – CONFIRM AND RATIFY
- Item 9 Request for Amendment to Agreement – ISF Contribution – CONFIRM AND RATIFY

Carried.

Deferrals and/or Referrals and Withdrawals

By-law 100-2010 – a by-law to close, stop up and convey the 3.65 metre (12 foot) wide northerly and southerly portions of Cleary Street, easterly from Glenwood Avenue, City of Windsor

Moved by Councillor Gignac, seconded by Councillor Marra,
M198-2010 That first, second and third reading of By-law 100-2010, being a by-law to close, stop up and convey the 3.65 metre (12 foot) wide northerly and southerly portions of Cleary Street, easterly from Glenwood Avenue, City of Windsor, **BE DEFERRED** to the August 9, 2010 meeting of City Council, to allow for further review by administration.

Carried.

Item 1 – Shared Service Review Project AND Report No. 11 of the Service Delivery Review Steering Committee at its meeting held April 13, 2010 – at the request of Councillor Lewenza, this matter is being deferred to a future meeting of Council, to allow for Council to be provided with the preliminary findings to date of the Water/Wastewater Study.

Item 5 - Agreements with the Province of Ontario re Additional Projects Resulting from Windsor-Essex Parkway Announcement – at the request of Mr. Ken Mailloux, Ward 1 resident, this matter is being deferred a minimum of 6 weeks, to allow opportunity for the affected residents to review the material.

Item 7 - Results of Waste and Recycling Tenders**Jim Wood, President, CUPE Local 82**

Jim Wood, President, CUPE Local 82, appears before Council to request that the report of administration respecting the results of the Waste and Recycling Tenders be deferred a minimum of 4 weeks, as his executive needs time to properly review the lengthy and complex report, and that they only received additional financial information a few days ago, and concludes by suggesting that an independent consultant be retained to do a peer review.

Paul Branton, Ward 1 resident

Paul Branton, Ward 1 resident, appears before Council to speak against the request for deferral of the report of administration respecting the results of the Waste and Recycling Tenders, as there has been ample opportunity to prepare for this issue, and it's long overdue in terms of finally debating it.

Ernie Lamont, Ward 4 resident

Ernie Lamont, Ward 4 resident, appears before Council to speak against the request for deferral of the report of administration respecting the results of the Waste and Recycling Tenders, as delays will not make any further difference and that it needs to be dealt with immediately.

Dave Gillard, Ward 1 Resident

Dave Gillard, Ward 1 resident, appears before Council to request that the report of administration respecting the results of the Waste and Recycling Tenders be deferred, as the issue is complex and requires adequate time to allow for review, discussion and debate, and concludes by questioning the wisdom of having this matter even considered on the eve of a municipal election.

R.J. Potomski, Resident

R.J. Potomski, resident, appears before Council to request that the report of administration respecting the results of the Waste and Recycling Tenders be deferred as he was not notified when the initial report was considered by City Council in November of 2009, and that time is needed to review the contents of the report.

Moved by Councillor Lewenza, seconded by Councillor Jones,

That the report of administration dated July 2, 2010 entitled "Results of Waste & Recycling Tenders" BE DEFERRED to a special meeting of City Council, at the Call of the Chair, preferably during the week of July 19, 2010.

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

At the request of Councillor Gignac, a recorded vote is taken:

Aye votes: Councillors Lewenza, Jones, Postma, Halberstadt and Hatfield.

Nay votes: Councillors Brister, Gignac, Marra, Valentinis, Dilkens and Mayor Francis.

Abstain: None.

Absent: None.

Presentations & Delegations:**PRESENTATIONS:****Recognition of Mr. Andrew Scott, citizen, on behalf of Governor General Michaele Jean**

Mayor Francis, on behalf of Governor General Michaele Jean, presents an award to Mr. Andrew Scott, citizen of the City of Windsor, for his heroic actions following an incident in LaSalle, Ontario in 2008.

DELEGATIONS**Windsor International Fringe and Buskers Festival, Request for Waiver of Fees****Mona el Baroudi, Artistic Director, Actors Theatre of Windsor**

Mona el Baroudi, Artistic Director, Actors Theatre of Windsor, appears before Council to provide a brief overview of the request from the Actors Theatre of Windsor to stage the 2010 Windsor International Fringe Festival taking place from July 16 to 25, 2010 and the 2010 Windsor International Buskers Festival taking place from July 16 to 25, 2010, and concludes by requesting a waiver of the fees for the rental of the Downtown Windsor Armouries, temporary road closure and noise by-law waiver.

SR2010 3

(For final disposition of this matter, see Clause **CR266/2010** in Schedule "A" attached hereto.)

Results of Waste and Recycling Tenders**Ernie Lamont, Ward 4 resident**

Ernie Lamont, Ward 4 resident, appears before Council to speak in opposition to the recommendation to accept the bid from Turtle Island Recycling Corp. for the provision of recycling collection services and for residential waste and yard waste collection services, as outsourcing will not save money in the long run.

R.J. Potomski, Resident

R.J. Potomski, resident, appears before Council to speak in opposition to the recommendation to accept the bid from Turtle Island Recycling Corp. for the provision of recycling collection services and for residential waste and yard waste collection services, as outsourcing will not save money in the long run, and it is important to look at both direct and indirect labour costs associated with this.

Dino Chiodo, President, Windsor & District Labour Council

Dino Chiodo, President, Windsor & District Labour Council, appears before Council to speak in opposition to the recommendation to accept the bid from Turtle Island Recycling Corp. for the provision of recycling collection services and for residential waste and yard waste collection services, as outsourcing will not save money in the long run, and that the current garbage collection system has been recognized as one of the best and most efficient in all of Canada, and that quality needs to be taken into consideration, and concludes by highlighting that the proponent has had fines for non-compliance issued to them in the past.

Ken Townsend, Canadian Social Forum Organizing Committee

Ken Townsend, Canadian Social Forum Organizing Committee, appears before Council to speak in opposition to the recommendation to accept the bid from Turtle Island Recycling Corp. for the provision of recycling collection services and for residential waste and yard waste collection services, as outsourcing will not save money in the long run, suggesting that private operators will simply under bid in order to get the contract, and then increase the costs once the city disposes of its equipment, administration and staff in this area, thus exposing the municipality to financial risk.

Robert Harper, Ward 2 resident

Robert Harper, Ward 2 resident, appears before Council to speak in support of the recommendation to accept the bid from Turtle Island Recycling Corp. for the provision of recycling collection services and for residential waste and yard waste collection services, suggesting that there is no public service that cannot be run more efficiently and effectively by the private sector.

David Hanna, Ward 1 resident

David Hanna, Ward 1 resident, appears before Council to speak in opposition to the recommendation to accept the bid from Turtle Island Recycling Corp. for the provision of recycling collection services and for residential waste and yard waste collection services, as outsourcing will not save money in the long run, and that other options such as “greening initiatives” should be explored in order to maximize efficiency and effectiveness.

Dave Gillard, Ward 1 resident

Dave Gillard, Ward 1 resident, appears before Council to speak in opposition to the recommendation to accept the bid from Turtle Island Recycling Corp. for the provision of recycling collection services and for residential waste and yard waste collection services, as outsourcing will not save money in the long run, and suggests that there are a lot of unanswered questions and other innovative options that have not yet been explored.

Paul Branton, Ward 1 resident

Paul Branton, Ward 1 resident, appears before Council to speak in support of the recommendation to accept the bid from Turtle Island Recycling Corp. for the provision of recycling collection services and for residential waste and yard waste collection services, as Council is obligated to act in the best overall interests of the community, especially during these economic challenges.

Bob Ryan, Ward 3 resident

Bob Ryan, Ward 3 resident, appears before Council to offer a personal perspective regarding the recommendation to accept the bid from Turtle Island Recycling Corp. for the provision of recycling collection services and for residential waste and yard waste collection services, suggesting that in his lifetime experiences, the public sector was too top heavy in management and costs were much higher than what could be offered by the private sector.

Marion Overholt, Ward 3 resident

Marion Overholt, Ward 3 resident, appears before Council to speak in opposition to the recommendation to accept the bid from Turtle Island Recycling Corp. for the provision of recycling collection services and for residential waste and yard waste collection services, as outsourcing will not save money in the long run, and states that this was not vetted against the city's community strategic plan which is reflective of the interests of the citizens of the city of Windsor.

Tom Lyons, CUPE Local 82

Tom Lyons, CUPE Local 82, appears before Council to speak in opposition to the recommendation to accept the bid from Turtle Island Recycling Corp. for the provision of recycling collection services and for residential waste and yard waste collection services, as outsourcing will not save money in the long run, and could result in exposure to financial risk for the corporation.

Mike Preston & Chad Gobel, CUPE Local 82

Mike Preston & Chad Gobel, CUPE Local 82, appear before Council to speak in opposition to the recommendation to accept the bid from Turtle Island Recycling Corp. for the provision of recycling collection services and for residential waste and yard waste collection services, as outsourcing will not save money in the long run, and conclude by suggesting that there are various discrepancies in the administrative report, with unnecessary costs built into some of the scenarios, along with some overinflated figures.

Corey Elliott, CUPE Local 82

Corey Elliott, CUPE Local 82, appears before Council to speak in opposition to the recommendation to accept the bid from Turtle Island Recycling Corp. for the provision of recycling collection services and for residential waste and yard waste collection services, as outsourcing will not save money in the long run, and concludes by suggesting that this whole issue is simply political.

Mayor Francis leaves the meeting at 8:05 o'clock p.m. and Councillor Halberstadt assumes the Chair.

Toby Sanger, Economist, CUPE National

Mayor Francis returns to the meeting at 8:12 o'clock p.m. and Councillor Halberstadt returns to his seat at the Council table.

Toby Sanger, Economist, CUPE National, appears before Council to speak in opposition to the recommendation to accept the bid from Turtle Island Recycling Corp. for the provision of recycling collection services and for residential waste and yard waste collection services, as outsourcing will not save money in the long run, and suggests that major efficiencies can be achieved without having to contract out, and that certain factors were not included in the report, such as a partial HST rebate being part of the equation, and concludes by suggesting that contracting out exposes the corporation to major financial risks.

Jim Wood, President, and JP Safalcin, CUPE Local 82

Jim Wood, President, and JP Safalcin, CUPE Local 82, appear before Council to speak in opposition to the recommendation to accept the bid from Turtle Island Recycling Corp. for the provision of recycling collection services and for residential waste and yard waste collection services, as outsourcing will not save money in the long run, suggesting it looks too good to be true, and that the report is based on too many assumptions, and that if contracting out is approved, costs will rise over time when renegotiations take place.

Louis Anagnostakos, CEO, Turtle Island Recycling

Louis Anagnostakos, CEO, Turtle Island Recycling, appears before Council to provide an overview of Turtle Island Recycling Corp., and is available for questions.

Moved by Councillor Brister, seconded by Councillor Gignac,
M199-2010 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.

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

Mayor Francis leaves the meeting at 10:48 o'clock p.m., and Councillor Halberstadt assumes the Chair.

Mayor Francis returns to the meeting at 10:55 o'clock p.m., and Councillor Halberstadt returns to his seat at the Council table.

Mayor Francis leaves the meeting at 11:33 o'clock p.m., and Councillor Halberstadt assumes the Chair.

Mayor Francis returns to the meeting at 11:40 o'clock p.m., and Councillor Halberstadt returns to his seat at the Council table.

Moved by Councillor Jones, seconded by Councillor Hatfield,
M200-2010 That the City Council meeting **RECESS** in accordance with Section 3.5(b) of the Procedure By-law, and further, that this meeting **RECONVENE** at 12:07 o'clock a.m. on Tuesday, July 13, 2010 to finalize unresolved matters from that meeting.

Carried.

Accordingly, Council recesses at 11:59 o'clock p.m., on July 12, 2010.

Council reconvenes at 12:07 o'clock a.m. on July 13, 2010.

Moved by Councillor Hatfield, seconded by Councillor Halberstadt,
That the recommendations contained in the report of administration dated July 2, 2010 entitled "Results of Waste & Recycling Tenders" BE APPROVED as amended, contracting out 100% of recycling program and 50% of waste collection, along with staffing alternative 2, service level option 6.

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

Aye votes: Councillors Hatfield, Halberstadt, Lewenza and Jones.

Nay votes: Councillors Valentinis, Gignac, Marra, Dilkens, Postma and Brister.

Moved by Councillor Gignac, seconded by Councillor Brister,
That the recommendations contained in the report of administration dated July 2, 2010 entitled
“Results of Waste & Recycling Tenders” BE APPROVED as amended, implementing staffing alternative 3,
service level option 8.

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

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

Aye votes: Councillors Gignac, Brister and Mayor Francis.

Nay votes: Councillors Lewenza, Postma, Halberstadt, Hatfield, Marra, Valentinis, Jones
and Dilkens.

EI/10515 7

(For final disposition of this matter, see Clause **CR270/2010** in Schedule “A” attached hereto.)

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

Nil.

Consideration of Committee Reports

M201/2010-Item #3 AMENDED BY CR294/2011 ADOPTED DECEMBER 5, 2011

Moved by Councillor Brister, seconded by Councillor Dilkens,

M201-2010 That the **Report of the special In-camera** meeting held July 12, 2010, **BE ADOPTED**
as presented.

Carried.

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

ACO2010

Moved by Councillor Brister, seconded by Councillor Dilkens,

M202-2010 That the **Report No. 29 of the International Relations Committee** of its meeting held
May 26, 2010 **BE ADOPTED** as presented.

Carried.

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

MB2010

Moved by Councillor Lewenza, seconded by Councillor Brister,

M203-2010 That the **Report No. 11 of the Service Delivery Review Steering Committee** of its meeting held
April 13, 2010, **BE DEFERRED** to allow for Council to be provided with the preliminary findings to date of the
Water/Wastewater Study.

Carried.

MB2010

By-laws

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
That the following By-laws No. 112-2010 through 113-2010 (inclusive),
be introduced and read a first and second time:

100-2010 “A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 3.65 METRE (12 FOOT) WIDE
NORTHERLY AND SOUTHERLY PORTIONS OF CLEARLY STREET, EASTERLY FROM
GLENWOOD AVENUE, CITY OF WINDSOR” – **See Deferral Stage.**

112-2010 “A BY-LAW TO AUTHORIZE THE ENTERING INTO OF A DEDICATED GAS TAX
FUNDS FOR PUBLIC TRANSPORTATION PROGRAM AGREEMENT BETWEEN THE
CORPORATION OF THE CITY OF WINDSOR AND HER MAJESTY THE QUEEN IN
RIGHT OF THE PROVINCE OF ONTARIO, REPRESENTED BY THE MINISTER OF
TRANSPORTATION FOR THE PROVINCE OF ONTARIO”

113-2010 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE
CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE
TWELFTH DAY OF JULY, 2010”

Carried

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

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

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

Carried.

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

Notices of Motion

Councillor Marra gives notice he intends to introduce a motion for consideration at the July 26,
2010 meeting of Council regarding a need for amendments to the Local Improvement Petition Policy and
Pedestrian Generator Policy, in order to ensure that sidewalks deemed necessary by the City Engineer be
constructed and the cost be fully subsidized by the Corporation’s share of the infrastructure project.

SL2010

Third Reading of By-laws

Moved by Councillor Lewenza, seconded by Councillor Marra,
That the following By-laws No. 112-2010 through 113-2010 (inclusive), having been read a first
and second time be now read a third time and finally passed and that the Mayor and Clerk **BE AUTHORIZED** to
sign and seal the same notwithstanding any contrary provision of the Council.

Carried.

Petitions

Moved by Councillor Postma, seconded by Councillor Valentinis,
M204-2010 That the petition presented by Councillor Gignac from residents of the 400 block of Watson Avenue in east Windsor (Riverside Area), requesting to have new sewers in the area, **BE RECEIVED** by the City Clerk and the City 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.

ACO/10546

Council Questions

Moved by Councillor Brister, seconded by Councillor Dilkens,
M205-2010 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.

ACQ2010

Adjournment

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
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 12:45 o'clock a.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Lewenza
Brister

CR264/2010

That the report of the Chief Administrative Officer dated April 21, 2010 entitled "Shared Service Review Project" **BE DEFERRED** to a future meeting of Council, to allow for Council to be provided with the preliminary findings to date of the Water/Wastewater Study.

Carried.

Report Number **14735 GP/9577 1**

Internal Distribution

Chief Administrative Office [Terri Knight Lepain]
Chief Administrative Officer
Executive Director of Human Resources
Service Delivery Transformation Program Manager
City Treasurer & Chief Financial Officer

Lewenza
Marra

CR265/2010

That the following condition included in Council Resolution CR856/2004:

d] The cumulative cost total of land acquisitions is not greater than the land acquisition budgeted cost total for the project.

BE SUSPENDED for Infrastructure Stimulus Funding projects and other expedited capital improvement projects as may be approved by the Chief Administrative Officer.

Carried.

Report Number **14795 AS/7748 C2**

Internal Distribution

Legal [Frank Scarfone; Mike Stamp]
City Solicitor
City Engineer

Brister
Postma

CR266/2010

That the request from the Actors Theatre of Windsor to stage the 2010 Windsor International Fringe Festival July 16-25, 2010 AND to stage the 2010 Windsor International Buskers Festival July 16-25, 2010 AND to temporarily close University Avenue East between Freedom Way and Ouellette Avenue July 16-25, 2010 **BE APPROVED**, subject to the standard Special Events Terms and Conditions previously approved by Council;

That the request from the Actors Theatre of Windsor to waive the fees for the rental of the Downtown Windsor Armouries, Temporary Road Closure and Noise By-law waiver, **BE DENIED**; and further,

That Administration **BE DIRECTED** to prepare a policy for Council's consideration regarding festivals and events in the city.

Carried.

Councillors Dilkens and Jones voting nay.

Report Number **14793 SR2010 3**

Internal Distribution

Recreation [Mike Taylor]

Executive Director of Recreation and Culture

Community Development & Health Commissioner

Executive Director of Operations and Deputy City Engineer

Chief Financial Officer/ City Treasurer

Lewenza

Marra

CR267/2010

That Council **APPROVE AS AMENDED** the proposed Information Technology configuration of the residences of City Councillors and the Mayor, to take effect at the start of the next term of City Council whereby each Councillor will have the option of maintaining a phone line for business purposes in their home or at City Hall.

Carried.

Report Number **14780 ACO2010 C4**

Internal Distribution

Information Technology [Matt Caplin]

Executive Director of Information Technology

City Clerk/License Commissioner

Chief Financial Officer/ City Treasurer

Brister

Dilkens

CR268/2010

That the report of the City Engineer dated June 30, 2010 entitled "Agreements with the Province of Ontario re Additional Projects Resulting from Windsor-Essex Parkway Announcement"

BE DEFERRED a minimum of 6 weeks, to allow the affected individuals to review the report.

Carried.

Report Number **14791 SW/7961 5**

Internal Distribution

Public Works [Mario Sonogo, City Engineer]

Chief Financial Officer/ City Treasurer

City Solicitor

Lewenza
Marra

CR269/2010

That the report on the Dedicated Gas Tax Funds for Public Transportation Program dated June 28, 2010 **BE RECEIVED FOR INFORMATION**, that the Mayor and the Chief Financial Officer and City Treasurer **BE AUTHORIZED** to sign the Letter of Agreement and any required ancillary documents, in form satisfactory to the City Solicitor, and in financial content to the Chief Financial Officer and City Treasurer, to allow The City of Windsor to receive the Gas Tax Funding, and that the accompanying By-law **BE CONSIDERED** for passage for this purpose.

Carried.

Report Number 14799 MT/10723 C6

Internal Distribution

Finance [Sue Grimmer]
General Manager, Transit Windsor
Director of Corporate Services, Transit Windsor
City Engineer
Chief Financial Officer/City Treasurer
City Solicitor

Brister
Gignac

CR270/2010

- I. THAT Council **ACCEPT** the bid from Turtle Island Recycling Corp. in the amount of \$1,125,600 (amount already includes a discount of \$74,400 based on a combined award) on tender 84-10 for the provision of recycling collection services in the City of Windsor to begin no later than January 1, 2011; and

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with Turtle Island Recycling Corp. for the provision of recycling collection services, which agreement shall be approved as to technical content by the City Engineer, financial content by the City Treasurer and Chief Financial Officer, and as to legal content by the City Solicitor; and

- II. THAT Council **ACCEPT** the bid from Turtle Island Recycling Corp. in the amount of \$54.02 per tonne less a \$3.44 per metric tonne discount for a total estimated contract cost of \$2,630,160 (based on estimated 52,000 tonnes) on tender 51-10 for the provision of residential waste and yard waste collection services for Service Level C (representing 100%) in the City of Windsor to begin no later than January 1, 2011; and

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with Turtle Island Recycling Corp. approved as to technical content by the City Engineer, financial content by the City Treasurer and Chief Financial Officer, and as to legal content by the City Solicitor; and

- III. THAT Council **AUTHORIZE** Administration to take all necessary steps required to implement the recommendations (based on assumptions contained in staffing alternative 2, service level option 8) subject to CUPE Local 82 agreeing (within forty-five days of Council's decision) to maintain all applicable existing Memoranda of Agreement and entering into any new Memoranda of Agreements that are necessary to facilitate implementation of the proposed plan, failing which THAT Administration be hereby **AUTHORIZED** to implement service level option 8, staffing alternative 6; and

- IV. THAT Council **APPROVE** the establishment of a Capital Project to track all one-time, transitional revenues and expenditures related to the contracting out of residential waste and yard waste collection services and recycling collection services; and
- V. THAT Administration be **AUTHORIZED** to dispose of the surplus fleet in accordance with the purchasing by-law and THAT the proceeds **BE TRANSFERRED** to the noted Capital Project to fund one-time, transitional costs related to contracting out; and
- VI. THAT Council **APPROVE** the transfer of the funds that have been accumulated in the Equipment Replacement Reserve Fund for future replacement of related fleet equipment; and
- VII. Given the significant assumptions, estimates, and variables contained within the business case analysis, THAT Council **APPROVE** a contingency within the new capital account in the amount of \$1,500,000 over the life of the contracts. Such contingency to be drawn upon based on a Delegation of Authority report approved by the Chief Administrative Officer; and
- VIII. That Administration **BE DIRECTED** to bring forward the necessary adjustments to the 2011 operating budget consistent with contracting out waste and yard waste collection services and recycling collection services; and

Carried.

At the request of the Mayor a recorded vote is taken.

RESULTS OF RECORDED VOTE:

In Favour	Councillors Brister, Gignac, Dilkens, Valentinis, Hatfield, Marra, Postma and Mayor Francis
Opposed	Councillors Halberstadt, Lewenza and Jones
Abstain	None
Absent	None

Report Number **14800 EI/10515** 7

Internal Distribution

- City Engineer
- Chief Administrative Officer
- Chief Financial Officer & City Treasurer
- Executive Director of Operations
- Manager of Purchasing & Risk Management
- City Solicitor

Lewenza
Marra

CR271/2010

That the results of the poll conducted by the Deputy City Clerk on July 2, 2010 approving the following **BE CONFIRMED AND RATIFIED:**

That the amendment to the agreement with the Province of Ontario – Ministry of Health Promotion for the funding of the After-School Strategy for programming at Windsor Water World, Adie Knox Herman Recreation Complex and College Avenue Community Centre **BE APPROVED**, and further, that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign the amended agreement, satisfactory in technical content to the Executive Director of Recreation and Culture, in financial content to the City Treasurer, and in form to the City Solicitor.

Carried.

Report Number **14803 SS/10725 C8**

Internal Distribution

Council Services [Steve Vlachodimos]
City Clerk
Executive Director of Recreation & Culture
Community Development & Health Commissioner

Lewenza
Marra

CR272/2010

That the results of the poll conducted by the Deputy City Clerk on July 8, 2010 approving the following
BE CONFIRMED AND RATIFIED:

That the Acting Chief Administrative Officer and Deputy City Clerk **BE AUTHORIZED** to sign the amended agreement presented by the Ministry of Agriculture, Food and Rural Affairs which contains revised terms and conditions by which the amount of advanced funding available for Fiscal Year 2010/11 under the ISF Contribution Agreement with Ontario will be increased from up to 25 to up to 30 percent of the eligible costs that are expected to be incurred in that period.

Carried.

Report Number **14805 AFB/10444 C9**

Internal Distribution

Council Services [Steve Vlachodimos]
City Clerk
Chief Financial Officer & City Treasurer

M201-2010-Item 3 AMENDED BY CR294/2011
 ADOPTED by Council at its meeting held December 5, 2011
 ADOPTED by Council at its meeting held July 12, 2010 [M201-2010]
 VC/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA July 12, 2010

Meeting called to order at: 3:06 p.m.

Members in Attendance:

Mayor E. Francis
 Councillor D. Brister
 Councillor D. Dilkens
 Councillor C. Postma (arrives at 3:21 p.m.)
 Councillor R. Jones
 Councillor A. Halberstadt
 Councillor F. Valentinis (arrives at 3:08 p.m.)
 Councillor K. Lewenza (arrives at 3:13 p.m.)
 Councillor B. Marra
 Councillor P. Hatfield
 Councillor J. Gignac

Also in attendance:

H. Reidel, Chief Administrative Officer
 R. Warsh, Community Development and Health Commissioner
 M. Sonego, City Engineer
 G. Wilkki, City Solicitor
 V. Critchley, City Clerk
 O. Colucci, Chief Financial Officer
 J. Lechicky, Manager of Employee Relations (Items 1 and 5)
 M. Stamp, Property Supervisor (Items 2, 3 and 4)
 V. Mihalo, Executive Director of Human Resources (Items 1 and 5)

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

<u>Item No.</u>	<u>Subject</u>	<u>Section – Pursuant to Municipal Act, 2001, as amended</u>
1.	Personal matter – contract negotiations	239(2)(d)
2.	Property matter – expropriation	239(2)(c)
3.	Property matter – acquisition of land	239(2)(c)

4.	Property matter – sale of property	239(2)(c)
P5.	Personal matter – about an identifiable individual(s) and labour relations – See Item 7 on regular agenda.	239(2)(b) and (d)
6.	Personal matter – about an identifiable individual(s) - verbal report	239(2)(b)

Motion Carried.

Declarations of Pecuniary Interest:

None disclosed.

Discussion on the items of business.

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

Motion Carried.

Moved by Councillor Marra, seconded by Councillor Valentinis, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held July 12, 2010 directly to Council for consideration at the next Regular Meeting.

1. That the in-camera report from the Manager of Employee Relations, Executive Director of Human Resources, Fire Chief, Deputy Fire Chief, City Clerk, City Solicitor and Chief Financial Officer and City Treasurer respecting contract negotiations **BE RECEIVED**, and that Administration **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

Councillors Lewenza and Jones voting nay.

2. That the recommendation contained in the in-camera report from the Property Coordinator, Property Supervisor, City Solicitor and City Engineer respecting a property matter - expropriation **BE APPROVED**.

3. That the recommendation contained in the in-camera report from the Property Coordinator, Property Supervisor, City Solicitor, City Engineer and Chief Financial Officer and City Treasurer respecting a property matter – acquisition of land **BE APPROVED**.

4. That the recommendation contained in the in-camera report from the Property Supervisor, City Solicitor, Executive Director of Housing and Children’s Services and Chief Financial Officer and City Treasurer respecting a property matter – sale of land **BE APPROVED**.

Councillors Lewenza, Valentinis and Dilkens voting nay.

5. That the recommendation contained in the in-camera report from the Executive Director of Human Resources, City Solicitor, Executive Director of Operations, Executive Initiatives Coordinator and Chief Financial Officer and City Treasurer respecting a personal matter about an identifiable individual(s) respecting Item 7 on the regular agenda **BE APPROVED**.

6. That the verbal report respecting a personal matter about an identifiable individual(s) **BE RECEIVED** and that Administration **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

Motion Carried.

**Moved by Councillor Jones, seconded by Councillor Dilkens,
That the special meeting of council held July 12, 2010 BE ADJOURNED.
(Time: 4:49 p.m.)**

Motion Carried.

ADOPTED by Council at its meeting held July 12, 2010 [M202-2010]
RB/
Windsor, Ontario, July 12, 2010

REPORT NO. 29
of the
INTERNATIONAL RELATIONS COMMITTEE
of its meeting held May 26, 2010

Present:

Councillor D. Dilkens, Chairperson
Councillor P. Hatfield
Councillor R. Jones
J. Barycki
L. Kolody
P. Persichilli
B. Roberts
F. Simpson

Your Committee submits the following recommendations:

1. That the following protocol relating to visiting delegations to the City of Windsor where a Canadian Entry VISA for delegate is required **BE APPROVED**:
 - That inbound delegation requests **BE APPROVED** by the International Relations Committee and City Council;
 - That an invitation letter **BE SENT** to the embassy of the visiting country where a Canadian VISA will be issued;
 - That administration **BE AUTHORIZED** to inform Citizenship & Immigration Canada upon cancellation of any inbound delegations requiring an entry VISA.

Carried.

CHAIRPERSON

SECRETARY

DEFERRED to allow for Council to be provided with the preliminary findings to date of the Water/Wastewater Study, adopted by Council at its meeting held July 12, 2010 [M203-2010]

DEFERRED
as adopted by Council at its meeting held June 7, 2010 [M170-2010]

JK/

Windsor, Ontario July 12, 2010

REPORT NO. 11
of the
Service Delivery Review Steering Committee
at its meeting held
April 13, 2010
1:30 o'clock p.m.
405-400 City Hall Square East

Present: Ron Jones
George Wilkki
Ronna Warsh
Valerie Critchley
Mario Sonego
Onorio Colucci
George Wilkki

Your Committee submits the following recommendation:

That the Shared Services Review Project charter, dated April 7, 2010 **BE APPROVED** as amended to reflect changes in the proposed language in the charter (removing the terms contracting, outsourcing, privatizing) and;

That a budget amount of \$326,700 to undertake the Shared Services Review project, provided from the SDR Showcase budget placeholder approved in the 2009 Capital Budget, **BE APPROVED** and;

That these recommendations be brought forward to City Council for final approval.

Carried. Opposed: Ron Jones

CHAIR

SDR PROGRAM ASSISTANT

Attachment: Pre Amended Shared Services Review Project Charter
Please refer to Item 1 – Shared Services Review Project from July 12, 2010 Council Agenda