

Regular

Council meets in formal session this day at 6:03 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, Reverend Greg Lutz from Peace Lutheran Church, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

Councillor Jones discloses an interest and abstains from voting on Item No. 3 being the report of the City Clerk dated October 29, 2010 entitled "Recount Request in Ward Two-2010 Municipal Election" as he is the elected official for the Office of Councillor in Ward 2.

Minutes

Moved by Councillor Brister, seconded by Councillor Dilkens,
That the Minutes of the regular meeting of Council held October 18, 2010, **BE ADOPTED**
as presented.
Carried.

Notice of Proclamations

Goodfellows Month – November 2010
International Festival of Authors Day – November 5, 2010

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);
 - (g) consideration of by-law 172-2010.
- Carried.

Communications

Moved by Councillor Hatfield, seconded by Councillor Lewenza,
M299–2010 That the following Communication Items 1 to 10 and 12 to 16 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication No. 11 which is dealt with as follows:

Communication No.11:

Moved by Councillor Halberstadt, seconded by Councillor Jones,
M300-2010 That the report of the Executive Director of Information Technology dated September 24, 2010 entitled “Web Site Transparency, Accessibility, Performance Report and Open Data” **BE DEFERRED** to the November 8, 2010 meeting of Council as a regular agenda item, to allow for delegations on the matter.
 Carried.

Item	From	Description
1	Ministry of Community Safety and Correctional Services	Making Homes for Vulnerable Ontarians Safer Diversity & Accessibility Officer WAAC Coordinator Community Development & Health Commissioner Fire Chief Note & File GP2010
2	Ministry of Municipal Affairs and Housing	Letter of Thanks Regarding Request for Declaration of the City of Windsor as a Disaster Area City Engineer Note & File GM2010
3	Ministry of Infrastructure	Letter of Thanks Regarding the Infrastructure Stimulus Fund City Engineer Note & File AFB/10064
4	Association of Municipalities of Ontario (AMO)	2009 Annual Expenditure Report (Part 1) – Federal Gas Tax Chief Financial Officer & City Treasurer Note & File GM/9037
5	Federation of Canadian Municipalities (FCM)	Call for Expressions of Interest – Municipal Partner for Municipal Capacity Building Projects Overseas Note & File GM2010
6	Office of the Auditor General of Ontario	Special Report on Consultant Use in Selected Health Organizations Community Development & Health Commissioner Chief Financial Officer & City Treasurer Note & File MH2010

7	Dave McGregor, Tourism Windsor Essex Pelee Island, Board of Director	Resignation from the Board of Directors Note & File MB2010
8	Ontario Arts Council	Nominations for the 2011 Premier's Awards for Excellence in the Arts Executive Director of Recreation & Culture Note & File GP2010
9	City Planner	Application of 1486178 Ontario Inc. for Site Plan Approval to permit the paving and curbing of two parking lots located at 3288 Sandwich St. Note & File ZS/10823
10	Secretary/Treasurer Committee of Adjustment	Consent Authority Agenda Record Hearing to be held on Wednesday, November 3, 2010, Council Chambers, 3rd Floor, Windsor City Hall, 350 City Hall Square West, Windsor Note & File ZC2010
11	Executive Director of Information Technology	Web Site Transparency, Accessibility, Performance Reporting and Open Data Note & File SI2010
12	Chief Financial Officer & City Treasurer	Site Plan Approval for a Proposed Medical / Business Centre at 3295-3335 Dougall Avenue Note & File ZS/10644
13	Chief Financial Officer & City Treasurer	2011 Proposed Budget Process & Timeline Note & File AFB/10824
14	Windsor-Essex County Environment Committee	Minutes of meeting held October 7, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
15	Windsor Citizens Crime Prevention Committee	Minutes of meeting held September 8, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010
16	Mayor's Youth Advisory Committee	Minutes of meeting held September 30, 2010 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2010

Carried.

Consent Agenda

Nil.

Deferrals and/or Referrals and Withdrawals

None requested.

Presentations & Delegations:**PRESENTATIONS:****Sparky the Fire Dog, Jeremy Soulliere, and Chad Turner ,Windsor Fire and Rescue Services Firefighters**

Sparky the Fire Dog along with Windsor Firefighters Jeremy Soulliere and Chad Turner, appear before Council to announce the kick-off to the 2010 Sparky's Toy Drive which begins in earnest on November 8, 2010 and conclude by providing a brief overview as to how contributions can be made to this initiative.

DELEGATIONS**Recount Request in Ward Two – 2010 Municipal Election****Raymond Roy and John Elliott request for a Ward 2 recount**

Raymond Roy and John Elliott, appear before Council requesting a Ward 2 recount, and are available for questions regarding the report of the City Clerk dated October 29, 2010 entitled "Recount Request in Ward Two- 2010 Municipal Election".

Jeff Gaudette, Ward 1 resident

Jeff Gaudette, Ward 1 resident, appears before Council to offer suggestions pertaining to the report of the City Clerk dated October 29, 2010 entitled "Recount Request in Ward Two- 2010 Municipal Election", requesting a recount or a complete revote for the Office of Councillor in Ward 2 be conducted, and provides insight on a voting situation which occurred at one of the municipal polling stations.

ACEE/9887 3

(For final disposition of this matter, see Clause **CR400/2010** in Schedule "A" attached hereto.)

Site Plan Approval for a proposed medical/business centre at 3295/3335 Dougall Avenue, Applicant: 1818742 Ontario Ltd.**Wilma Hannon, Ward 1 resident**

Wilma Hannon, Ward 1 resident, appears before Council to speak in support of the administrative recommendation for a site plan approval for a proposed medical /business centre at 3295-3335 Dougall Avenue, suggesting that Liberty Street be closed at Dougall Avenue prior to further development occurring, and suggests that the subject driveway be constructed wide enough to allow for both left and right hand turns.

ZS/10644 1

(For final disposition of this matter, see Clause **CR397/2010** in Schedule "A" attached hereto.)

M101-2010 Traffic Calming Policy Update**Stephanie Gill, Ward 1 resident**

Stephanie Gill, Ward 1 resident, appears before Council to request that in terms of the report of the City Engineer entitled “M101-2010 Traffic Calming Policy Update”, that approval be given to proceed with a public meeting on traffic calming alternatives in order to create a concept of design, and suggests that the neighbourhood streets are unsafe due to the lack of sidewalks and lighting.

Richard Hucal, Ward 1 resident

Richard Hucal, Ward 1 resident, appears before Council to request that in terms of the report of the City Engineer entitled “M101-2010 Traffic Calming Policy Update”, that approval be given to proceed with a public meeting on traffic calming alternatives in order to create a concept of design, and suggests that there have been traffic issues for the last decade in the Roseland/Bartlett area, with no resolution for the residents, and concludes by stating that the neighbourhood streets are unsafe due to the volume of traffic.

Mike Weldon, Ward 1 resident

Mike Weldon, Ward 1 resident, appears before Council to request that in terms of the report of the City Engineer entitled “M101-2010 Traffic Calming Policy Update”, that approval be given to proceed with a public meeting on traffic calming alternatives in order to create a concept of design, and suggests that there have been traffic issues for many years in the Roseland/Bartlett area, and that the volume of traffic continues to increase, and concludes by stating that the streets are unsafe due to the lack of sidewalks, bike lanes, and lighting.

Charlie Moscatello, Ward 1 resident

Charlie Moscatello Ward 1 resident, appears before Council to request that in terms of the report of the City Engineer entitled “M101-2010 Traffic Calming Policy Update”, that approval be given to proceed with public meeting on traffic calming alternatives in order to create a concept of design, suggesting that the volume of traffic is a safety concern for the neighbourhood children , and concludes by stating that a family friendly neighbourhood atmosphere should be the goal.

Rod Paulin, Ward 1 resident

Rod Paulin, Ward 1 resident, appears before Council to request that in terms of the report of the City Engineer entitled “M101-2010 Traffic Calming Policy Update”, that approval be given to proceed with a public meeting on traffic calming alternatives in order to create a concept of design, suggesting that the volume of traffic is a safety concern for the neighbourhood children, and concludes by stating that arterial roads if done properly will alleviate the traffic through the surrounding neighbourhoods.

ST2010 2

(For final disposition of this matter, see Clause **CR398/2010 and CR399/2010** in Schedule “A” attached hereto.)

Councillor Halberstadt's Notice of Motion**Cathy Moczko, Ward 3 resident and Darlene Hachey, Ward 1 resident**

Cathy Moczko, Ward 3 resident and Darlene Hachey, Ward 1 resident, appear before Council to ask for support for Ontario Bill 22 to amend the *Children's Reform Act*, providing an overview of the amendments and the benefits for grandparents.

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
M301-2010 That City Council **SUPPORT** Ontario Bill 22 to amend the *Children's Law Reform Act* to emphasize the importance of children's relationships with their parents and grandparents.

Carried.

SS2010

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

None.

Consideration of Committee Reports

None.

By-law

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
That the following By-law No. 172-2010 be introduced and read a first and second time:

172-2010 "A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE FIRST DAY OF NOVEMBER, 2010"

Carried.

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 presented)**
- 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.

Third Reading of By-law

Moved by Councillor Lewenza, seconded by Councillor Marra,
 That the following By-law No. 172-2010, 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

√√SV

Moved by Councillor Jones, seconded by Councillor Valentinis,
M302-2010 That the petition presented by Councillor Jones from residents of the Partington Avenue area requesting ~~√ that parking be permitted on both sides of Partington Avenue 12 months of the year from Tecumseh Road West to Grove Avenue~~ √ to **ALLOW** Parking on West side 12 months per year on Partington from Tecumseh Road West to Grove Avenue (note west side accessible parking will remain) √ **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the Executive Director of Operations 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,
M303-2010 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.

ACOQ2010

PROPOSED IN-CAMERA AGENDA FOR NOVEMBER 8, 2010

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
M304-2010 That the following proposed In Camera Agenda for November 8, 2010 **BE APPROVED**:

Item No.	Subject	Section – Pursuant to Municipal Act, 2001, as amended
1.	Property matter –acquisition of land – Walker/Wyandotte improvements	239(2)(c)
2.	Property matter – Amend M211-2010 – acquisition of easement	239(2)(c)
3.	Legal matter – settlement	239(2)(e)
4.	Property matter – exchange of property	239(2)(a)(c)

and further, that in accordance with By-law 46-2003, the Chief Administrative Officer, in consultation with the Mayor **BE AUTHORIZED** to add matters deemed to be of an urgent or time sensitive nature.
 Carried.

ACO2010

Adjournment

Moved by Councillor Hatfield, seconded by Councillor Jones,
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 7:25 o'clock p.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

SUPERVISOR OF COUNCIL SERVICES

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Halberstadt
Lewenza

CR397/2010

I That the Site Plan application by **1818742 ONTARIO LTD. (Stan Francic and Dr. Wissam Kaumoni)** for the construction of a two storey medical/business office **BE APPROVED** permitting development in accordance with **Map No. SPC-013/10; R-003/10-1A&1B** (Site Plan and Site Data); **Map No. SPC-013/10; R-003/10-2A** (Basement Plan showing the location of refuse area) and **Map No. SPC-013/10; R-003/10-3A & 3B** (Elevations);

II That the owner **ENTER INTO** a site plan control agreement with the Corporation, providing for the following at the expense of the owner:

- (a) Basic Provisions
- (b) General Provisions
- (c) Special Provisions

1. Bonding:

Landscaping	\$ 25,000.00
Curbing	\$ 6,500.00
Screening	\$ N.A.
<u>Lighting</u>	<u>\$ 11,000.00</u>
Total	\$ 42,500.00

- 2. **Amend G-3(4)** - In addition to the provisions of Section G-3(4) Landscaping, the owner agrees to provide soft landscaping along the municipal right of way along Dougall Avenue in a manner satisfactory to the Corporation’s Landscape Architect;
- 3. **Abandon Redundant Private Drain Connections** – The applicant agrees to cut and cap all redundant storm and sanitary connections resulting from the development to the satisfaction of the Corporation’s City Engineer;
- 4. **Refuse and Recycling facility**- That the owner agrees to maintain all refuse and recycling facilities inside the building, at all times;
- 5. **Municipal Address** - That prior to the issuance of a construction permit, the owner agrees to have the municipal address assigned by the Planning Department;
- 6. **Driveway Approach** – The applicant(s) shall construct driveway approaches in concrete as per City standard drawings AS-204 to the satisfaction of the City Engineer. The Owner further agrees to provide straight flare driveway approaches and to terminate the raised curbs at the property line to the satisfaction of the City Engineer. Raised curbs shall not extend into the driveway approaches, outside the subject property.

III That in accordance with By-law 11275, Administration **BE AUTHORIZED** to approve any minor modifications to the approved site plan and elevations;

IV That the owner agrees to have the lands consolidated by applying to Municipal Property Assessment Corporation (MPAC).

Carried.

Internal Distribution

Planning [Rinkey Singh; Sarah Martin]

City Planner

Chief Building Official

City Engineer

City Solicitor

Dilkens

Brister

CR398/2010

That the Report of the City Engineer dated October 20, 2010 entitled "M101-2010 Traffic Calming Policy Update" **BE RECEIVED** for information; and further,

That the City Engineer **BE DIRECTED** to implement Step 4 of the traffic calming requests and Phase 2 of the implementation of the traffic calming policy for Neal, Roseland, Kennedy and Bartlett by mid-January 17, 2011.

Carried.

Report Number **14958 ST2010 2**

Internal Distribution

Public Works [Josette M. Eugeni]

City Engineer

Senior Manager, Infrastructure & Transportation Planning/Deputy City Engineer

Dilkens

Brister

CR399/2010

That the City Engineer **BE DIRECTED** to implement Step 4 of the traffic calming requests and Phase 2 of the implementation of the traffic calming policy per the report of the City Engineer dated October 20, 2010 entitled "M101-2010 Traffic Calming Policy Update", for McKay, Dominion(from Richardie to Norfolk), Totten (Dominion to Northway), Shepherd/Hall (ETR tracks to Ottawa Street) and Conservation (South Service Road to Hatfield) by the end of the first quarter of 2011.

Carried.

Councillors Hatfield and Valentinisvoting nay.

Report Number **14958 ST2010 2**

Internal Distribution

Public Works [Josette M. Eugeni]

City Engineer

Senior Manager, Infrastructure & Transportation Planning/Deputy City Engineer

Dilkens
Valentinis

CR400/2010

That the City Clerk **BE DIRECTED** to conduct a recount of all votes cast for the Office of Councillor- Ward 2 for the October 25, 2010 Municipal Election as outlined in the report of the City Clerk dated October 29, 2010 entitled "Recount Request in Ward Two – 2010 Municipal Election".

Carried.

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

Report Number **14964 ACEE/9887 3**

Internal Distribution

Council Services [Chuck Scarpelli]

City Clerk

Deputy City Clerk and Manager of Council Services