

Regular

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

Members Present:

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

Members Absent:

None.

Call to Order

Following the playing of the Canadian National Anthem, Reverend Stan Fraser from St. John's Church, Sandwich, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

Councillor Hatfield discloses an interest and abstains from voting on Item No. 7, being the report of the City Solicitor dated February 28, 2011, entitled "Vacant Land Spring Garden Road – Surplus Greater Essex County District School Board Land", as his spouse is an elected trustee and Chair of the Greater Essex County District School Board.

Minutes

Moved by Councillor Dilkens, seconded by Councillor Gignac,
That the Minutes of the regular meeting of Council held March 28, 2011, **BE ADOPTED**
as presented.
Carried.

Notice of Proclamations

Canadian Oncology Nursing Day – April 5, 2011

Committee of the Whole

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
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. 53 of the Windsor-Essex County Environment Committee (WECEC)** of its meeting held February 3, 2011;
 - (iii) **Report No. 75 of the Board of Directors, Willistead Manor Inc.** of its meeting held March 3, 2011; and
 - (iv) **Report No. 76 of the Board of Directors, Willistead Manor Inc.** of its meeting held March 3, 2011.
 - (g) consideration of by-laws 71-2011 through 72-2011 (inclusive).
- Carried.

Communications

Moved by Councillor Jones, seconded by Councillor Maghnieh,
M85-2011 That the following Communication Items 1 to 11 inclusive, as set forth in the Council Agenda
BE REFERRED as noted:

Item	From	Description
1	Association of Municipalities of Ontario (AMO)	2011 Provincial Budget Preserves Upload Schedule. Chief Financial Officer & City Treasurer Community Development & Health Commissioner Note & File MMA2011
2	Association of Municipalities of Ontario (AMO)	Shifting the Foundations: Considerations for Moving Towards a New Housing System in Ontario. Executive Director of Housing & Children's Services Note & File MMA2011
3	Canada Post	2011 Canada Post Community Literacy Award Nominations. Note & File MC2011
4	Ontario Heritage Trust	Invitation for Council to participate in the 2011 volunteer Recognition Programs. City Planner Note & File MB2011
5	Earth Day Essex-Windsor	Registration package for Earth Day 2011. Executive Director of Parks & Facilities Note & File APR2011

6	<ul style="list-style-type: none"> • Municipality of Neebing • Town of Lincoln • Corporation of the Township of Fauquier–Strickland 	Correspondence (<i>previously distributed</i>) from various Municipalities supporting M311-2010 pertaining to the petitioning of the Provincial and Federal government to exempt electricity and heating from Harmonized Sales Tax (HST). Note & File ACO/11027
7	Secretary/Treasurer Committee of Adjustment	Consent Authority Agenda Record Hearing to be held on Wednesday, April 6, 2011, Council Chambers, 3rd Floor, Windsor City Hall, 350 City Hall Square West, Windsor. Note & File ZC2011
8	City Engineer	CQ 42-2007 – Residential Large Item Collection. Note & File EI2011
9	City Engineer	CQ 52-2010 – Garbage Collection Times – Downtown Core. Note & File SW2011
10	Chief Financial Officer & City Treasurer	Councillors and Appointees Statement of Remuneration and Reimbursed Expenses For 2010. Note & File ACO2010
11	Ministry of Transportation	Lauzon Parkway Improvements Class Environmental Assessment, Notice of Study Commencement City Engineer Note & File SW/11028

Carried.

Consent Agenda

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

- Item 1 National Junior Baseball Championship – August 18-22, 2011, Father Cullen Stadium and Bernie Souilliere Stadium – Mic Mac Park
- Item 2 Provincial Road/Cabana Road Intersection Improvements Drainage Study
- Item 3 City of Windsor Lancaster Bomber FM212 Progress Report
- Item 6 Vacant Land on Elm Avenue (southwest corner of Elm and College) to be offered for sale to the abutting owner
- Item 7 Vacant Land Spring Garden Road – Surplus Greater Essex County District School Board Land
- Item 8 Bridge Rehabilitation of Dominion at Grand Marais and Rankin at Grand Marais Structures – Tender 21-11
- Item 9 Authorization to Sign Rent Supplement Renewal Agreements
Carried.
Councillor Hatfield discloses an interest and abstains from voting on Item. No. 7

Deferrals and/or Referrals and Withdrawals

Windsor-Essex County Environment Committee Report No. 53

At the request Averil Parent, WECEC Coordinator; and by Administration, Committee Report No. 53 of the Windsor Essex County Environment Committee is being deferred to the April 18, 2011 meeting of Council to allow for consultation with the Emergency Coordinator for the County of Essex and the Fire Chief.

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
M86-2011 That **Report No. 53 of the Windsor-Essex County Environment Committee (WECEC)** of its meeting held February 3, 2011, **BE DEFERRED** to the April 18, 2011 meeting of Council to allow for consultation with the Emergency Coordinator for the County of Essex and the Fire Chief.

Carried.

MB2011

Item 4 Amendment to By-law 5309

At the request of Councillor Gignac this matter is being deferred to the April 18, 2011 meeting of Council to allow for consultation with the City Solicitor and affected property owner regarding the procedure to consolidate both properties at the same time.

ZB2011

(For final disposition of this matter, see Clause **CR115/2011** in Schedule "A" attached hereto.)

Item 5 Request to close part of Cameron Street and east/west alley, south of University Street West, easterly from Cameron Street

At the request of Councillor Jones this matter is being deferred to the April 18, 2011 meeting of Council to allow for further clarification pertaining to the matter agreed upon and the actual contents outlined in the administrative report.

SAA/10682

(For final disposition of this matter, see Clause **CR116/2011** in Schedule "A" attached hereto.)

Presentations & Delegations:

PRESENTATIONS:

Brian Fortune, President and Judy Lund, Executive Director of the Canadian Cancer Society, Local Windsor Chapter

Brian Fortune, President; and Judy Lund Executive Director, representing the Local Windsor Chapter of the Canadian Cancer Society, appear before council to provide an overview of the Canadian Cancer Society's Campaign for 2011, including a presentation of the new Daffodil pins to the Mayor and Council in support of the fight against Cancer, and conclude by requesting that the Daffodil pins are worn for the month of April in support of "Daffodil Month."

Moved by Councillor Hatfield, seconded by Councillor Marra,
M87-2011 That the presentation by Brian Fortune, President; and Judy Lund, Executive Director, representing the Local Windsor Chapter of the Canadian Cancer Society regarding "Daffodil Month" **BE RECEIVED FOR INFORMATION.**

Carried.

DELEGATIONS**PAC 1- D. Abou-Haidar, rezoning, 1329 Crawford, to permit the outdoor storage of ambulance vehicles****Ziad Haidar, representing Applicant**

Ziad Haidar, representing Applicant, appears before Council and is available for questions regarding the rezoning request for 1329 Crawford to permit the outdoor storage of ambulance vehicles.

ZB/10892 PAC 1

(For final disposition of this matter, see Clause **CR121/2011** in Schedule "A" attached hereto.)

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

None.

Consideration of Committee Reports

M88-2011 Moved by Councillor Dilkens, seconded by Councillor Gignac,
as presented. That the **Report of the special In-camera** meeting held April 4, 2011, **BE ADOPTED**
Carried.

ACO2011

M89-2011 Moved by Councillor Dilkens, seconded by Councillor Gignac,
March 3, 2011, **BE ADOPTED** as presented. That **Report No. 75 of the Board of Directors, Willistead Manor Inc.** of its meeting held
Carried.

MB2010

M90-2011 Moved by Councillor Dilkens, seconded by Councillor Gignac,
March 3, 2011, **BE ADOPTED** as presented. That **Report No. 76 of the Board of Directors, Willistead Manor Inc.** of its meeting held
Carried.

MB2010

By-laws

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
That the following By-laws No. 71-2011 through 72-2011 (inclusive), be introduced and read a first and second time:

71-2011 "A BY-LAW TO FURTHER AMEND ZONING BY-LAW NUMBER 8600."

72-2011 "A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE FOURTH DAY OF APRIL, 2011"

Carried.

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

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

Carried.

Notices of Motion

None presented.

Third Reading of By-laws

Moved by Councillor Marra, seconded by Councillor Payne,
That the following By-laws No. 71-2011 through 72-2011 (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

None presented.

Council Questions

Moved by Councillor Dilkens, seconded by Councillor Gignac,
M91-2011 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.

ACOQ2011

Adjournment

Moved by Councillor Halberstadt, seconded by Councillor Hatfield,
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 6:25 o'clock p.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

SUPERVISOR OF COUNCIL SERVICES

Marra
Payne

√√SV

CR112/2011

That the request from the Mic Mac Club of Windsor to waive the cost of field and lighting rentals for Father Cullen Stadium and Bernie Soulliere Stadium during the hosting of the 2011 National Junior Baseball Championship (NJBC), on August 18 to 22 **BE APPROVED**:

Fees for the use of Father Cullen Stadium are as follows:

\$63.00 per game (unlit) x 9 = \$567.00

\$97.50 per game (lit) x 3 = \$292.50.

Fees for the use of Bernie Soulliere Stadium are as follows:

\$48.25 per game (unlit) x 9 = \$434.25.

\$86.00 per game (lit) x 3 = \$258.00

Total fees (HST included) = \$1551.75.

√and further, that funds **BE RECOVERED** from the Budget Stabilization Review.√

Carried.

Report Number **15163 SR/11018 C1**

Marra
Payne

CR113/2011

That the additional upset limit funding in the amount of \$10,600.00, plus HST in accordance with the proposal from AECOM Consultants for the expanded scope of work associated with the Provincial/Division Corridor Study, dated November 18, 2010, **BE APPROVED**; and further, that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an amended agreement, satisfactory in form to the City Solicitor, in financial content to the Chief Financial Officer/City Treasurer, and in technical content to the City Engineer. The amount of the expanded scope of work is to be paid from Project #7086003 (Provincial/Division Corridor). The fee for these services to be in accordance with the most recent schedule of fees published by the Professional Engineers of Ontario.

Carried.

Report Number **15141 SW/10746 C2**

Marra
Payne

CR114/2011

That the report of the Community Development and Health Commissioner dated February 7, 2011 entitled "City of Windsor Lancaster Bomber FM 212 Progress Report" **BE RECEIVED**, and further that Administration **PROVIDE UPDATES** to Council during the first quarter on an annual basis.

Carried.

Report Number **15099 APR/1699 C3**

Halberstadt
Hatfield

CR115/2011

That the report of the City Solicitor dated February 23, 2011, entitled "Amendment to By-law 5309"

BE DEFERRED to the April 18, 2011 meeting of Council to allow for further consultation with the City Solicitor and the affected property owner, regarding the procedure to consolidate both properties at the same time.

Carried.

Report Number **15128 ZB2011 4**

Halberstadt
Hatfield

CR116/2011

That the report of the City Solicitor dated February 28, 2011, entitled "Request to close part of Cameron Street and east/west alley, south of University Street West, easterly from Cameron Street"

BE DEFERRED to the April 18, 2011 meeting of Council to allow for further clarification pertaining to the matter agreed upon and the actual contents in the administrative report.

Carried.

Report Number **15123 SAA/10682 5**

Marra
Payne

CR117/2011

- I. That the report prepared by the Property Coordinator and Property Supervisor dated March 8, 2011, with respect to notification of all real property to be sold **BE RECEIVED** for information.
- II. That the Property Coordinator and Property Supervisor **BE AUTHORIZED** to offer the City-owned vacant approximate 16' X 55' remnant parcel of land save and except for a 15' X 15' corner cut-off, legally described as Part of Lots 2 and 3, Registered Plan 918 (to be more particularly described on a reference plan of survey) to the abutting owner under the following terms and conditions:
 - Sale Price: \$1,000.00 plus HST if applicable;
 - An easement in favour of EnWin Utilities Ltd. shall be registered on title on an area identified as Part 1 on a draft plan of survey.
 - The owner agrees to remove the shed and fence that encroach onto the College Avenue and Elm Avenue rights-of-way within two months after the completion of the transaction.
 - The owner agrees to provide, register and pay for a reference plan of survey satisfactory to the City Solicitor.
 - Account credited: 160-6940-0229611
- III. That the Chief Administrative Officer and Clerk **BE AUTHORIZED** to sign any required written documents satisfactory in form and content to the City Solicitor and that the transaction **BE COMPLETED** electronically pursuant to By-Law 366-2003.

Carried.

Report Number **15144 APM/11020 C6**

Marra
Payne

CR118/2011

That Administration’s determination that there is no municipal use for the vacant 270’ X 147.95’ X 270’ X 148.19’ parcel of land located on the south side of Spring Garden Road, legally described as Part Block “K”, Registered Plan 998, Lots 49-57, Registered Plan 1020 and more particularly designated as Part 2, Plan 12R-6751 **BE CONFIRMED.**

Carried.

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

Report Number **15124 APM/11021 C7**

Marra
Payne

CR119/2011 AMENDED BY CR153/2011 ADOPTED MAY 3, 2011

CR119/2011

I. THAT the following low tender **BE ACCEPTED:**

Tenderer:	CARLINGTON CONSTRUCTION INC. 429 Dewitt Rd., Unit #3 Stoney Creek, Ontario, L8E 4C3
Work:	Rehabilitation of Dominion and Rankin over Grand Marais Drain Structures – Tender 21-11
Total Tendered Price:	\$805,518.50 (excluding HST)
Accounts Charged:	007-5310-1790-02942-7101004

AND THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract, satisfactory in form to the City Solicitor, technical content to the City Engineer, and financial content to the Chief Financial Officer and City Treasurer, with Carlington Construction Inc., for Tender No. 21-11.

II. THAT **APPROVAL BE GIVEN** to undertake an expenditure of \$805,518.50 for the bridge rehabilitation of Dominion and Rankin structures, to be funded from the approved 2010 Capital Budget for Bridge Rehabilitation (Project ID No. 7101004).

Carried.

Report Number **15136 SW/11022 C8**

Marra
Payne

CR120/2011

- a) THAT the report from the Executive Director of Housing and Children Services dated March 15, 2011, regarding the rent supplement agreements **BE ACCEPTED** and;
- b) THAT the Community Development and Health Commissioner **BE AUTHORIZED** to execute rent supplement agreements provided further that the funding for such agreements are approved in the City Budget and further that such agreements and documents are in a form and content satisfactory to the City Solicitor; satisfactory in financial content to the City Treasurer and satisfactory in technical content to the Executive Director of Housing and Children's Services.

Carried.

Report Number **15166 SS/4274 C9**

Halberstadt
Hatfield

CR121/2011

The Zoning By-law 8600 **BE AMENDED** for Part of Lot 74, Concession 1 (PIN 01199-0352; 1329 Crawford Avenue), situated on the west side of Crawford, north of Tecumseh Boulevard West, by adding a site specific provision to permit an outdoor storage yard for the storage of operable motor vehicles as an accessory use.

Carried.

Report Number **15130 ZB/10892 PAC 1**

DEFERRED to the April 18, 2011 meeting of Council to allow for consultation with the Emergency Coordinator for the County of Essex and the Fire Chief, as adopted by Council at its meeting held April 4, 2011 [M86-2011]

DEFERRED to the April 4, 2011 meeting of Council to allow for a meeting with interested stakeholders to coordinate their approach for a WECAER (Windsor Essex Community Awareness and Emergency Response) organization as ADOPTED by Council at its meeting held March 28, 2011 [M79-2011]
SV
February 28, 2011

REPORT NO. 53
of the
WINDSOR-ESSEX COUNTY ENVIRONMENT COMMITTEE (WECEC)
of its meeting held February 3, 2011
Conference Room, Windsor Airport

Present: Charlie Wright, Deputy Mayor Town of Leamington
Tamara Stomp, Deputy Mayor Town of Kingsville
Frank Butler
Matthew Child
Derek Coronado
Rick Coronado
Paul Henshaw
David Diemer
Phil Roberts
Dean Clevett

Your Committee submits the following recommendation:

Moved by D. Clevett, seconded by R. Coronado

That support **BE GIVEN** from City and County Councils to the Transportation Sub-Committee recommending the creation of Windsor Essex Community Awareness and Emergency Response (WE CAER) organization in conjunction with CRTI project.

NOTE: The Report of the Transportation Subcommittee Power Point presentation dated January 26, 2011 is **attached** as Appendix "D".

COMMITTEE COORDINATOR

CHAIRPERSON

ADOPTED by Council at its meeting held April 4, 2011 [M88-2011]
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA
April 4, 2011**

Meeting called to order at: 4:10 p.m.

Members in Attendance:

Mayor E. Francis
Councillor D. Dilkens
Councillor R. Jones
Councillor A.
Halberstadt
Councillor F. Valentinis
Councillor B. Marra
Councillor P. Hatfield
Councillor J. Gignac
Councillor A. Maghnieh
Councillor H. Payne
Councillor E. Sleiman

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
P. Brode, Senior Legal Counsel (Item 1)

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

<u>o.</u>	<u>Subject</u>	n – Pursuant to Municipal Act, 2001, as amended
1.	matter – litigation settlement	239(2)(e)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business. (Item 1)

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

Motion Carried.

Moved by Councillor Marra, seconded by Councillor Hatfield, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held April 4, 2011 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from Senior Legal Counsel, City Solicitor and Chief Financial Officer and City Treasurer respecting a legal matter – litigation settlement **BE APPROVED.**

Motion Carried.

Moved by Councillor Gignac, seconded by Councillor Sleiman, That the special meeting of council held April 4, 2011 BE ADJOURNED. (Time: 4:11 p.m.)

Motion Carried.

ADOPTED by Council at its meeting held April 4, 2011 [M89-2011]

AC

Windsor, Ontario April 4, 2011

REPORT NO. 75
Of the
BOARD OF DIRECTORS,
WILLISTEAD MANOR INC.
of its meeting held March 3, 2011

Present: S. Marshall, Chairperson
Councillor F. Valentinis
M.J. Dettinger
L. Brown
C. Gaudette
R. Gauthier
B. Clinansmith
W. McCall

Your Board submits the following recommendations:

I. That the following persons **BE RE-APPOINTED** officers of the Board of Directors of Willistead Manor Inc. for the term ending August 17, 2012:

Chairman	-	S. Marshall
Vice Chairman	-	L. Brown
Secretary	-	Art Jahns
Treasurer	-	
Past Chairman	-	J. Evans

II. That the following person **BE APPOINTED** Treasurer of the Board of Directors of Willistead Manor Inc. for the term ending August 17, 2012:

Treasurer	-	Robert Gauthier
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Chair

Executive Secretary

ADOPTED by Council at its meeting held April 4, 2011 [M90-2011]

AC

Windsor, Ontario April 4, 2011

REPORT NO. 76
Of the
BOARD OF DIRECTORS,
WILLISTEAD MANOR INC.
of its meeting held March 3, 2011

Present: S. Marshall, Chairperson
Councillor F. Valentinis
M.J. Dettinger
L. Brown
C. Gaudette
R. Gauthier
B. Clinansmith
W. McCall

Your Board submits the following recommendations:

I. That the resignation of Thea Tjepkema from the Board of Directors, Willistead Manor Inc. **BE ACCEPTED.**

II. That the following person **BE APPOINTED** to the Board of Directors, Willistead Manor Inc for the term ending August 17, 2012:
Douglas Sanborn

Chair

Executive Secretary