

Regular

Council meets in special session this day at 6:00 o'clock p.m. in Council Chambers to consider the **2011 Operating Budget**.

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 Mary Templer from University Community Church, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

Councillor Payne discloses an interest and abstains from voting on Report No. 298 of the Windsor Heritage Committee, respecting the proposed demolition of the Ernest Wilby House at 1567 Ouellette Avenue, due to his involvement in the BUHDAG application to quash certain By-laws related to the boarded up houses west of the Ambassador Bridge.

Councillor Payne discloses an interest and abstains from voting on any City budgetary issues, concerning any lawsuit in which he is involved against the City of Windsor or involving the City of Windsor and the Ambassador Bridge or its parent corporations.

Councillor Payne discloses an interest and abstains from voting on any budgetary issues concerning the pending appeals from the OMB concerning the Heritage District Designation and Community Improvement By-laws for Sandwich Towne.

Councillor Halberstadt discloses an interest and abstains from voting on any matters arising from discussions regarding the Windsor Spitfires, specifically Line Items 136 and 137 in the Operating Budget Summary, issues pertaining to the WFCU operating revenues, as his spouse is currently under a paid contract to deliver service to the Windsor Spitfire organization.

Councillor Jones discloses an interest and abstains from voting on budgetary issues pertaining to Handi-Transit, as the discussion and subsequent resolution involves Transit Windsor, which employs a family member.

Minutes

Moved by Councillor Payne, seconded by Councillor Sleiman,
M64-2011 That the Minutes of the regular meeting of Council held February 28, 2011, **BE ADOPTED AS AMENDED** to reflect the proper intent for both wording to CR83/2011 and CR85/2011, both attached as Appendix "A".

Carried.

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

Notice of Proclamations

Social Work Week – March 7-13, 2011

International Women's Day – March 8, 2011

World Plumbing Day – March 11, 2011

Committee of the Whole

Moved by Councillor Valentinis, seconded by Councillor Dilkens,
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. 298 of the Windsor Heritage Committee** of its meeting held January 12, 2011; and
 - (iii) **Report No. 52 of the Windsor-Essex County Environment Committee** of its meeting held February 3, 2011.
- (g) consideration of by-laws 43-2011 through 49-2011 (inclusive).

Carried.

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

Communications

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
M65-2011 That the following Communication Items 1, 3 to 15 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication No. 2 which is dealt with as follows:

Communication No. 2:

Moved by Councillor Marra, seconded by Councillor Jones,
M66-2011 That the Report of the Chief Building Official dated February 18, 2011 entitled "2011 Agency Grant Request – Community Crime Reduction Initiative (CCRI)" **BE REFERRED** to the Capital Budget deliberations, and **TO ALLOW** for delegations on this matter at that time.

Carried.

Item	From	Description
1	City Solicitor	CQ107-2010 Regarding Dirty Yard Enforcement – By-law 3-2006. <i>(previously distributed)</i> Note & File AFB/10824
2	City Solicitor	2011 Agency Grant Request – Community Crime Reduction Initiative (CCRI). <i>(previously distributed)</i> Note & File AFB/10824
3	Chief Financial Officer & City Treasurer	Windsor Public Library 2011 Budget Issue Related to Outstanding Debt. Note & File AFB/10824 ML2011
4	Ministry of Community and Social Services	Ontario Building Code Second Round Consultations. Chief Building Official Windsor Accessibility Advisory Committee Diversity & Accessibility Officer GP2011
5	Ministry of Community and Social Services	Revised Ontario Works Funding Approach effective April 1, 2011. Community Development & Health Commissioner Chief Financial Officer & City Treasurer Note & File GP2011
6	Ontario Human Rights Commission	Proposed Integrated Accessibility Regulation for public comment between February 1 and March 18, 2011. General Manager Transit Windsor Windsor Accessibility Advisory Committee Diversity & Accessibility Officer GF2011
7	HealthForceOntario Marketing and Recruitment Agency	Copy of November 2010 Connection newsletter. Community Development & Health Commissioner Note & File MH/2860
8	Windsor Utilities Commission (WUC)	Drinking Water Systems Regulation O.Reg. 170/03 Annual Report for Calendar Year 2010. City Engineer Note & File EI2011
9	Canadian Association for Suicide Prevention	Request to correspond with the Federal Minister of Health to ask that they move forward on a “National Suicide Prevention Strategy” and fund a National Suicide Prevention Coordinating body. COUNCIL DIRECTION REQUESTED Community Development & Health Commissioner MH/2011
10	Canada Post Corporation	Response from Canada Post <i>(previously distributed)</i> regarding CQ21-2011 “Asks if admin can please contact Canada Post regarding their decision not to deliver mail to the East side of the 3400-3500 block of Dominion because of the lack of sidewalks following a recent snowfall. What is Canada Post’s contingency plan so that residents can continue to collect their mail? Note & File ACOQ2011

11	Manager of Development Applications	Application of 2248090 Ontario Inc. for zoning amendment to permit the redevelopment of the property located at 250 Tecumseh Road East and include the subject property to form a commercial development for lands located at formerly 1643 McDougall Street. Note & File ZB/10938
12	Housing Advisory Committee	Minutes of meeting held January 20, 2011 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2011
13	Seniors Advisory Committee	Minutes of meeting held January 25, 2011 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2011
14	Windsor Bicycling Committee	Minutes of meeting held February 8, 2011 (<i>previously distributed</i> for members of Council only) (copy available upon request) Note & File MB2011
15	Ministry of Finance Office of Minister Dwight Duncan	Update regarding Provincial Support to the City of Windsor Note & File AFB/10824

Carried.

Consent Agenda

Moved by Councillor Hatfield, seconded by Councillor Jones,

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

Item 7 Additional Funding from Health Canada for the Heat Alert and Response System (HARS) Pilot Project

Carried.

Deferrals and/or Referrals and Withdrawals

Item 1 – CQ15-2011 – Sewer Surcharge Fixed vs. Variable

At the request of City Council, the report of the Chief Financial Officer and City Treasurer dated February 22, 2011 entitled “CQ15-2011-Sewer Surcharge Fixed vs. Variable” is being deferred to the next meeting of Council.

Presentations & Delegations:

Windsor Heritage Committee Report No. 298

Gerald Koski, Agent, representing owners of Ernest Wilby House

Gerald Koski, Agent, representing a numbered company that holds the mortgage for the property at 1567 Ouellette Avenue, appears before Council to request that Council reject the committee recommendations pertaining to the objection of the proposed demolition of the Ernest Wilby House, at 1567 Ouellette Avenue, suggesting that the building is full of mould, and concludes by stating that the home is not insured and if not completely demolished, the owner has no plans of restoring the building.

Robert Easterbrook, Chair, Windsor Heritage Committee

Robert Easterbrook, Chair, Windsor Heritage Committee, appears before Council and is available for questions regarding the proposed demolition of the Ernest Wilby House at 1567 Ouellette Avenue.

MB2011

(For final disposition of this matter, see **Report Section.**)

Request for Waiver of Building Permit Fees, Parkland Dedication Fees and Development Charges for Proposed Veterinary Clinic – Windsor-Essex Humane Society – 1375 Provincial Road**Melanie Coulter, representing Windsor-Essex Humane Society**

Melanie Coulter, representing Windsor-Essex Humane Society, appears before Council to request that Council reject the administrative recommendation to deny the waiver of fees for building permit, parkland dedication, and development charges, suggesting that a waiver of fees avoids a higher mortgage for their organization.

AFB/10824 SB2011 2

(For final disposition of this matter, see Clause **CR92/2011** in Schedule “A” attached hereto.)

2011 City of Windsor Recommended Operating Budget - PRESENTATION**Onorio Colucci, Chief Financial Officer and City Treasurer; and Tony Ardovini, Deputy Treasurer, Financial Planning**

Onorio Colucci, Chief Financial Officer and City Treasurer, and Tony Ardovini, Deputy Treasurer, Financial Planning, appear before Council to provide an overview of the process for the 2011 budget; 2011 Recommended Gross Budget by Major Expenditures; 2011 Recommended Gross Budget by Major Revenue; 2011 Municipal/Provincial Education Levy Split; Summary of Major Tax Levy Drivers; 2011 Recommended Net Municipal Tax Dollars; Property Tax Increase comparisons of other Municipalities; Lowest increase amongst peer municipalities in the last 6 years; Long Term Debt Summary.

Mayor Francis leaves the meeting at 6:32 o'clock p.m.

Mayor Francis returns to the meeting at 6:34 o'clock p.m.

2011 Sewer Surcharge Update**Ken Lewenza Jr., resident of Ward 5**

Ken Lewenza Jr., resident of Ward 5, appears before Council to speak in support of the administrative recommendation pertaining to the sewer surcharge rates remaining unchanged, and concludes by suggesting that temporary relief measures must be implemented for residents having issues with the sewer system, and also suggests that conservation initiatives be pursued.

AFB/10824 4

(For final disposition of this matter, see Clause **CR94/2011** in Schedule "A" attached hereto.)

2011 Recommended Operating Budget**Ilias Kiritsas, President, and Catharine Mastin, Director, Art Gallery of Windsor**

Ilias Kiritsas, President, and Catharine Mastin, Director, Art Gallery of Windsor, appear before Council and are available for questions regarding the Art Gallery funding for 2011.

Nancy Nosanchuk, President, Arts Council Windsor & Region

Nancy Nosanchuk, President, Arts Council Windsor & Region, appears before Council and is available for questions regarding the Arts Council Windsor & Region funding for 2011.

Les Chaif, resident of Ward 2 (re: Art Gallery)

Les Chaif, resident of Ward 2, appears before Council to express opposition to the request for funding by the Art Gallery of Windsor, stating that current economic challenges require fiscal fitness and the need to focus on essential services.

Al Nelman, resident of Ward 8 (re: Windsor Symphony)

Al Nelman, resident of Ward 8, appears before Council to express opposition to the request for funding by the Windsor Symphony, stating that the current economic challenges require fiscal fitness and the need to focus on essential services as a top priority.

Jan Radford, Windsor Classic Chorale

Jan Radford, Windsor Classic Chorale, appears before Council to request a grant in the amount of \$2,000.00, for her organization, as support for their ongoing initiatives, and concludes by providing a brief overview of their organization.

David Hanna, resident of Ward 1

David Hanna, resident of Ward 1, appears before Council to highlight the importance of Arts and Culture for the community, suggesting that not only social programs support quality of life but also recreational programs, cultural programs and the arts.

Mayor Francis leaves the meeting at 7:25 o'clock p.m. and Councillor Valentinis assumes the chair.

Mayor Francis returns to the meeting at 7:27 o'clock p.m. and Councillor Valentinis returns to his seat at the Council table.

Sarah Ilijanich, Artistic Director, Lakeshore Academy of Fine Arts

Sarah Ilijanich, Artistic Director, Lakeshore Academy of Fine Arts, appears before Council to request a waiver of the outstanding fees to the Capital Theatre in the amount of \$3000.00, providing an overview of the issues of concern to her surrounding the Capital Theatre, resulting in a decrease in ticket sales.

Mayor Francis leaves the meeting at 7:28 o'clock p.m. and Councillor Valentinis assumes the chair.

Mayor Francis returns to the meeting at 7:29 o'clock p.m. and Councillor Valentinis returns to his seat at the Council table.

Larry Duffield, Chairperson, Natalie Taylor and Bruce Draper, Seniors Advisory Committee Members

Larry Duffield, Chairperson, Natalie Taylor and Bruce Draper, Seniors Advisory Committee Members, appear before Council to request the establishment of a Senior Advocate Position, to assist seniors with their inquiries and concerns, as seniors represent the fastest growing portion of the population.

David Williamson, representing Faith in Action United Church

David Williamson, representing Faith in Action United Church, appears before Council encouraging Council to reduce poverty in the community, and concludes by stating that small tax increases are legitimate if it promotes quality of life for all citizens.

Cathy Shanahan and Donna Labonte, representing Pathway to Potential

Cathy Shanahan and Donna Labonte, representing Pathway to Potential, appear before Council to urge Council to make poverty a top concern by working together as a community to address the issues of poverty and food security.

Marion Overholt, Solicitor, Legal Assistance of Windsor

Marion Overholt, Solicitor, Legal Assistance of Windsor, appears before Council and provides an overview of services provided by the agency, stating that in the current challenging economic times, social assistance programs are important versus non-core budgetary items.

Richard Wyma, General Manager, Essex Region Conservation Authority

Richard Wyma, General Manager, Essex Region Conservation Authority, appears before Council to provide a brief overview of accomplishments from 2007-2011, stating that ERCA continues to assist administration with its ongoing Official Plan Amendments, and concludes by requesting that a levy increase be considered.

Robin Easterbrook, Chairperson, Windsor Heritage Committee

Robin Easterbrook, Chairperson, Windsor Heritage Committee, appears before Council to provide an overview of the role of the Windsor Heritage Committee as it relates to heritage preservation, and concludes by stating that the Windsor Heritage Committee concurs with the recommendation to maintain the 2010 funding levels, but also suggests that increased funding be allocated to the Community Heritage Fund, to allow for high profile restoration projects.

Lori Colenutt, General Manager, Handi-Transit and Ferruccio DeSacco, Accountant

Lori Colenutt, General Manager, Handi-Transit and Ferruccio DeSacco, Accountant, appear before Council to request an increase in funding of \$44,000.00 which will help to achieve a balanced budget and provide a brief overview as to how they arrived at their proposed budget request for 2011.

Moved by Councillor Marra, seconded by Councillor Hatfield,

B7-2011 That administrative representatives from Handi Transit and Transit Windsor **BE REQUESTED** to convene a meeting as soon as possible to discuss and develop a service delivery model and options for consideration such as an integrated or full service delivery model, and that the results of these discussions **BE FORWARDED** to Council for consideration within 6 months.

Carried.

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

Robert Rea, Chair, and Jason Iljanic, Vice Chair, Finance Taxation Committee, Windsor-Essex Regional Chamber of Commerce

Robert Rea, Chair, and Jason Iljanic, Vice Chair, Finance Taxation Committee, Windsor-Essex Regional Chamber of Commerce, appear before Council to state that the Chamber supports and applauds the City of Windsor for delivering a net zero tax levy increase while holding the level of services needed by businesses this year, but stress that the City has average or higher than average rates for many of the key business tax classes.

Donna Marentette, representing “Jobs” Working Group

Donna Marentette, representing “Jobs” Working Group, appears before Council and provides a brief overview of the agency’s accomplishments to date; and concludes by urging Council to continue to ensure that job training and job creation is their number one priority.

Mayor Francis leaves the meeting at 8:47 o’clock p.m. and Councillor Valentinis assumes the chair.

Mayor Francis returns to the meeting at 8:50 o’clock p.m. and Councillor Valentinis returns to his seat at the Council table.

Jeth Mill, Executive Director, Windsor Symphony

Jeff Mill, Executive Director, Windsor Symphony, appears before Council and is available for questions regarding Windsor Symphony funding for 2011.

Trent Merrit, Global Spectrum, General Manager of Events

Trent Merrit, Global Spectrum, General Manager of Events, appears before Council and is available for questions regarding the WFCU Centre and budgetary issues for 2011.

Item 87

Moved by Councillor Valentinis, seconded by Councillor Jones,
B2-2011 That the administrative accepted Issue #87 regarding Infrastructure and Transportation Department as referenced in the 2011 Operating Budget Summary of Issues relating to reduction of service, street lighting maintenance - \$31,000 **BE NOT APPROVED**.

Carried.

Councillors Gignac, Sleiman, Halberstadt, Maghnieh and Dilkens voting nay.

Item 79

Moved by Councillor Valentinis, seconded by Councillor Marra,
B3-2011 That the administrative accepted Issue #79 regarding Building Department as referenced in the 2011 Operating Budget Summary of Issues relating to reduction of service, “Discontinued enforcement of noise by-law by Compliance and Enforcement Staff” - \$1,800 **BE NOT APPROVED**.

Carried.

Councillor Gignac, Sleiman and Dilkens voting nay.

2011 Schedule of Fees

Moved by Councillor Halberstadt, seconded by Councillor Jones,
B4-2011 That the 2011 Schedule of Fees, detailed in the Appendix section of the 2011 City of Windsor Budget, **BE DEFERRED** to a future meeting of Council, and that additional information be provided to Council for clarification purposes, and that Administration **BE DIRECTED** to provide notice to the BIA’s on this proposed fee schedule.

Carried.

Enwin Dividend

Moved by Councillor Marra, seconded by Councillor Valentinis,
B5-2011 That the Enwin Dividend **BE RE-DIRECTED** to the Capital Budget for the purpose of roads and bridges, with an off setting reduction to the transfer from the Operating Budget to the Capital Budget.
Carried.
Councillor Halberstadt voting nay.

Motion to Extend Time of Meeting

Moved by Councillor Dilkens, seconded by Councillor Marra,
M67-2011 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.

Windsor Classic Chorale

Moved by Councillor Hatfield, seconded by Councillor Dilkens,
That funding in the amount of \$2,000 **BE GRANTED** to the Windsor Classic Chorale, and that this **BE FUNDED** from the vacant Cultural Coordinator position.
The motion is put and is lost.
Aye votes: Councillors Hatfield and Dilkens, and Maghnieh
Nay votes: Councillors Payne, Jones, Halberstadt, Gignac, Sleiman, Valentinis and Marra.

Essex Region Conservation Authority (ERCA)

Moved by Councillor Hatfield, seconded by Councillor Maghnieh
B6-2011 That the total increase in funding to the Essex Region Conservation Authority (ERCA) for 2011 **BE APPROVED** in the amount of \$50,000, and that ERCA leverage additional funding from other sources.
Carried.
Councillors Gignac, Sleiman and Valentinis voting nay.

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

Item 3 Removal of Illegal Mobile Signs

Item 5 Charging Related Entities for HR Services Provided by the City

Item 6 Response to Council Question CQ22-2011 – The addition of an Education/Outreach Coordinator for the New Ojibway Nature Centre City of Windsor 2011 Budget – 2011 Recommended Operating Budget and Supplementary Agency Information (Please see Clerk's Note in Schedule A)

2011 Recommended Operating Budget

Moved by Councillor Gignac, seconded by Councillor Jones,

B1-2011

- A. **THAT** the 2011 Net Operating Budget for the City of Windsor and related Boards in the amount of \$312,550,177 as recommended by Administration (subject to any further changes approved by Council) **AS AMENDED**.
- B. **THAT** the necessary by-laws **BE PRESENTED** for Council’s consideration in support of the adoption of the 2011 Operating Budget.
- C. **THAT** Council **APPROVE** the required transfers to and from the various funds in accordance with the 2011 Adopted Budget.
- D. **THAT** the updated Long Term Debt Forecast Schedule #6 of the report **BE RECEIVED** for information.
- E. **THAT** the CFO & City Treasurer **BE AUTHORIZED** to process the budget transfers during the fiscal year, which do not change the overall approved Net City Budget amount.

Carried.

At the request of Mayor Francis a recorded vote is taken:

RESULTS OF RECORDED VOTE:

In Favour	Councillors Dilkens, Gignac, Halberstadt, Hatfield, Jones, Maghnieh, Marra, Payne, Sleiman, Valentinis and Mayor Francis
Opposed	None
Abstain	None
Absent	None

Consideration of Committee Reports

Moved by Councillor Marra, seconded by Councillor Dilkens,

M68-2011 That Report No. 298 of the Windsor Heritage Committee of its meeting held January 12, 2011 respecting “Ernest Whitby House, 1567 Ouellette Avenue” **BE NOTED AND FILED**.

Carried.

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

Moved by Councillor Payne, seconded by Councillor Sleiman,

M69-2011 That **Report No. 52 of the Windsor-Essex County Environment Committee (WECEC)** of its meeting held February 3, 2011, **BE NOTED AND FILED**.

Carried.

By-laws

Moved by Councillor Valentinis, seconded by Councillor Dilken,

That the following By-laws No. 43-2011 through 49-2011 (inclusive) be introduced and read a first and second time:

- 43-2011 “A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS TECUMSEH ROAD EAST, IN THE CITY OF WINDSOR”
- 44-2011 “A BY-LAW TO ESTABLISH LANDS AS A PUBLIC HIGHWAY KNOWN AS WYANDOTTE STREET EAST AND PART OF THE LANE, IN THE CITY OF WINDSOR”
- 45-2011 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 9023 BEING A BY-LAW TO REGULATE VEHICULAR PARKING WITHIN THE LIMITS OF THE CITY OF WINDSOR ON MUNICIPAL STREETS, MUNICIPAL PARKING LOTS AND PRIVATE PROPERTIES”
- 46-2011 “A BY-LAW TO PERMIT LOWE’S COMPANIES CANADA, ULC, CARRYING ON BUSINESS AS LOWE’S HOME IMPROVEMENT WAREHOUSE TO REMAIN OPEN ON A HOLIDAY IN THE CITY OF WINDSOR”
- 47-2011 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 52-1999 BEING A BY-LAW TO APPOINT MUNICIPAL ENFORCEMENT OFFICERS FOR THE CORPORATION OF THE CITY OF WINDSOR”
- 48-2011 “A BY-LAW TO FURTHER AMEND BY-LAW 188-2000, BEING A BY-LAW TO APPOINT PROVINCIAL OFFENCES OFFICERS FOR THE CORPORATION OF THE CITY OF WINDSOR”
- 49-2011 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE SEVENTH DAY OF MARCH, 2011”

Carried.

Moved by Councillor Gignac, seconded by Councillor Halberstadt,

That the Committee of the Whole does now rise and report to Council respecting the business items considered by the Committee:

- 1) **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 amended)**
- 6) **By-laws given first and second readings (as presented)**

Carried.

Notices of Motion

M70-2011 Moved by Councillor Valentinis, seconded by Councillor Dilkens,
That the Planning Department **REPORT** back to Windsor City Council as to:

- The process to harmonize the two community improvement plans (City Centre West and Glengarry-Marentette) including expansion of the City Centre Planning District; and
- The creation of incentives geared to specific design guideline standards for the upgrade of both residential and commercial properties.

Carried.

Z/7290

Third Reading of By-laws

Moved by Councillor Hatfield, seconded by Councillor Jones,
That the following By-laws No. 43-2011 through 49-2011 (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

M71 -2011 Moved by Councillor Payne, seconded by Councillor Sleiman,
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 Valentinis, seconded by Councillor Dilkens,
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 11:15 o'clock p.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

SUPERVISOR OF COUNCIL SERVICES

Payne
Halberstadt

CR91/2011

That the report of the Chief Financial Officer and City Treasurer dated February 22, 2011 entitled "CQ15-2011 – Sewer Surcharge Fixed vs. Variable" **BE DEFERRED** to the March 28, 2011 meeting of Council.

Carried.

Report Number **15116 AFB/10824 AF2011 1**

Dilkens
Halberstadt

CR92/2011

That the request from The Windsor Essex County Humane Society at 1375 Provincial Road for the waiver of building permits fees in the amount of \$3,092.00, parkland dedication fees in the amount of \$347.00 and development charges of \$6,699.00 (total \$10,138.00) for the construction of a new 203 square meter veterinary clinic **BE APPROVED**; and

That the monies **BE PROVIDED** as a grant-in-lieu from the Budget Stabilization Reserve Fund.

Carried.

Report Number **15109 AFB/10824 SB2011 2**

Marra
Jones

CR93/2011

That City Council **APPROVE** the report by the Manager of Compliance and Enforcement dated February 18, 2011 regarding the removal of illegal mobile signs, and further, that one time funding from the Budget Stabilization Reserve Fund **BE CONSIDERED** to fund the estimated \$20,000.00 cost associated with the removal of these signs.

Carried.

Councillors Halberstadt and Payne voting nay.

Report Number :**15112 AFB/10824, ACLB/10910, ACL/10776 3**

Jones
Valentinis

CR94/2011

THAT the Sewer Surcharge Rates **REMAIN UNCHANGED** (Model 1), and that the updated 5-Year Sewer Surcharge Forecast (2011-2015) **BE RECEIVED** for information as presented in Appendix A of the report of the Chief Financial Officer and City Treasurer dated February 22, 2011.

Carried.

At the request of Mayor Francis a recorded vote is taken:

RESULTS OF RECORDED VOTE:

In Favour	Councillors Dilkens, Gignac, Halberstadt, Hatfield, Jones, Maghnieh, Marra, Payne, Sleiman, Valentinis and Mayor Francis
Opposed	None
Abstain	None
Absent	None

Report Number **15117 AFB/10824 4**

Appendices
Appendix A

Marra
Hatfield

CR95/2011

THAT the Operating Budget Committee **RECEIVE** the report from the City’s Human Resources (HR) Department, dated February 11, 2011 concerning the decision to charge Windsor Police Services and Windsor Public Library for the HR services provided by the City to these organizations; and

THAT the Operating Budget Committee **SUSPEND** the invoicing process related to HR services provided to the City’s related entities pending finalization of the shared services review, but that HR continue to keep track of the costs for these services provided to these entities; and further,

THAT the Operating Budget Committee **REMOVE** the revenue amount of \$63,400 in the HR budget for 2011 as it relates to the cost recovery for services rendered to the City’s related entities.

Carried.

Report Number **15090 AFB/10824 5**

CLERK’S NOTE:

The report of the Executive Director of Parks and Facilities dated March 4, 2011 entitled “Response to Council Question CQ22-2011 – The Addition of an Education/Outreach Coordinator for the New Ojibway Nature Centre” was not considered at the March 7, 2011 meeting of Council and will be rescheduled to a later date.

Report Number 15100 AFB/10824 AS2011 6

Internal Distribution

Executive Director of Parks & Facilities [Don Sadler]
City Engineer
Chief Financial Officer and City Treasurer

Hatfield
Jones

CR97/2011

- 1) That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an amendment to the memorandum of agreement (MOA) endorsed by City Council (CR63/2009) with Health Canada before March 10, 2011 satisfactory in form to the City Solicitor, in financial contact to the City Treasurer, and in technical content to the City Engineer, for an additional \$10,000 contribution from Health Canada for the City's pilot Heat Alert and Response System (HARS) project;
- 2) That the Stay Cool Windsor-Essex Heat Alert and Response Plan **BE RECEIVED** for information;
- 3) That, upon Council's approval of the recommendations in this report, the draft pilot Windsor-Essex Heat Alert and Response Plan **BE REQUESTED** as an item for the next City and County Joint Council Meeting of March 30, 2011.

Carried.

Report Number **15129 MH/11217 7**

**APPENDIX "A" to
Council Minutes dated March 7, 2011**

Jones
Gignac

CR83/2011 That the CAO and City Clerk **BE AUTHORIZED** to execute Municipal Capital Facility Agreements with tenants of the WFCU Centre where the Executive Director of Recreation and Culture and the CFO & City Treasurer has determined to be in the best interest of the municipality. Agreements are subject to review as to technical content by the Executive Director of Recreation and Culture, legal form by the City Solicitor and financial content by the CFO & City Treasurer; and further

That the leases at the WFCU Centre **BE RENEWED** for a five year period subject to the existing terms and conditions with the lease rates determined as follows:

Pro Shop and Auxiliary Concession – rental rates to be increased by an amount equivalent to the total property tax amount, inclusive of the education portion (Option 2 within the report), with annual increases determined by CPI rates;

Training Centre – a Joint Use Agreement **BE ENTERED** into with the City (Option 4 within the report), with annual rental rate increases determined by CPI rates.

The justification for the separate motion for the Training Centre is as follows:

- The training centre lease provides a sport and recreation service, as opposed to the Pro Shop and Auxiliary Concession which provides a retail operation;
- The value of the service that would be provided to the City through a joint use agreement would be equal to or greater than the value received through the additional rent in lieu of property taxes;
- Similar to services provided by the Recreation Department, the Training Centre has been affected by the economic challenges with the revenues derived from ice rental groups, and this arrangement is more likely to allow the sub-tenant to remain viable.

Carried.

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

APPENDIX "A" to
Council Minutes dated March 7, 2011

Halberstadt
Hatfield

CR85/2011

I. THAT the Windsor/Essex Area Intermunicipal Courts Service Agreement made the 20th day of November, 2000 between the Corporation together with the County of Essex, the Town of Amherstburg, the Town of Essex, the Town of Kingsville, the Town of Lakeshore, the Town of LaSalle, the Municipality of Leamington, the Township of Pelee, and the Town of Tecumseh, **BE RENEWED** for a further 5 years for the period January 1, 2012 through December 31, 2016 such agreement to be satisfactory in content to the Director of Provincial Offences and satisfactory in legal form to the City Solicitor and such agreement hereby **BEING AUTHORIZED** for execution under corporate seal by the Chief Administrative Office and the City Clerk AND THAT the Ministry of the Attorney General be advised that it has been locally agreed that the City of Windsor will continue in the role of Municipal Partner under the POA Transfer Agreement.

II. THAT the option to extend the lease agreement made between the City of Windsor and 837690 Ontario Limited and dated October 11, 2005, for the premises known municipally as Suite 300, Westcourt Place, 251 Goyeau Street for 17,039 sq. ft **BE EXERCISED** on the following terms:

- (a) The tenancy shall be extended for a further three (3) year period from January 1, 2012 to December 31, 2014 at the following base rental rates:

Year	\$/Sq.Ft.	Annualized(\$)
2012	16.00	272,624.00
2013	16.00	272,624.00
2014	16.00	272,624.00

with a further option to extend for an additional two years at the following base rental rates:

2015	16.50	281,143.50
2016	16.50	281,143.50

provided that all other terms and conditions remain the same and the 5-year renewal of the Windsor/Essex Area Inter-municipal Courts Service Agreement dated 20th day of November, 2000 has been finalized, AND THAT notification of such exercise of lease extension option **BE SUBMITTED** to the landlord accordingly.

III. THAT an agreement **BE ENTERED INTO** with NCO Financial Services, Inc. for the provision of collection agency services and associated credit bureau reporting respecting both Canadian and American defaulted POA fines upon substantially the same terms and conditions as contained in the previous agreement therewith dated January 30, 2006 including contingency fee commissions of 10% for commercial accounts and 17% for all other accounts regardless of residency, such agreement to have an on-going term but subject to no-fault termination by either party upon reasonable notice, with such agreement being satisfactory in content to the Director of Provincial Offences and satisfactory in legal form to the City Solicitor and same being hereby authorized for execution under corporate seal by the Chief Administrative Office and the City Clerk AND THAT suitably coordinated 30 days' notice of cancellation **BE PROVIDED** to J.J. Marshall & Associates, Inc. under the latter's agreement respecting American collection agency services dated July 23, 2002.

IV. THAT a bylaw **BE ENACTED** pursuant to Section 304 of the Municipal Act, 2001 whereunder the recovery as and for collection costs in the amount not exceeding 10% on commercial POA accounts and in the

amount not exceeding 17% on all other POA accounts referred to NCO Financial Services, Inc. be approved, AND THAT the requisite Bill be considered accordingly upon the entering into of a refreshed agreement with NCO Financial Services, Inc. for the provision of collection agency services respecting defaulted POA fines owing by persons resident whether in Canada or in the United States of America.

That the City Clerk **BE DIRECTED** to issue a letter to the Ministry of Transportation requesting a response on the suspension of drivers licenses if fines are outstanding.

Carried.

Report Number 15076 GP/10894 C12

NOTED AND FILED as adopted
by Council at its meeting held March 7, 2011 [M68-2011]
DEFERRED to the March 7, 2011 meeting of Council
to allow for opportunity for delegations
as adopted by Council at its meeting held February 28, 2011 [M61-2011]
SV
Windsor, Ontario February 28, 2011

REPORT NO. 298

of the

Windsor Heritage Committee

at its meeting held

January 12, 2011

5:30 o'clock p.m.

Meeting Room 406, 400 City Hall Square East

Present: **Robin Easterbrook, Chair**
 Councillor Percy Hatfield
 Councillor Fulvio Valentinis
 Noreen Slack
 Lynn Raeburn Baker
 Simon Chamely
 Dr. Paul DeMarco
 Gudrin Bildfell
 Jeffrey Mellow
 Janis Marchand

Your Committee submits the following recommendation:

Moved by P. Hatfield, seconded by P. DeMarco

That there is **OBJECTION** to the proposed demolition of the Ernest Wilby House, 1567 Ouellette Avenue (Plan 358 Block 10, Lot 27 & Lot 28), which is listed in the Windsor Municipal Heritage Register under provisions of Part IV of the Ontario Heritage Act; however, there is **NO OBJECTION** to demolition of some or all of the additions of the building west and south of the original footprint of the house; provided that the east, south, and north walls of the original house are retained, that stability of the remaining structure is assured during the partial demolition, and that the design of the areas to be exposed after demolition is satisfactory to the City Planner and the Chief Building Official; and provided that the property remains on the Windsor Municipal Heritage Register.

Voting nay S. Chamely, J. Marchand, J. Mellow, and L. Baker

Carried.

NOTE: The report of the Heritage Planner dated January 12, 2011 is **attached** as background information.

CHAIR

COMMITTEE COORDINATOR

NOTED AND FILED as adopted
by Council at its meeting held March 7, 2011 [M69-2011]
SV
March 7, 2011

REPORT NO. 52
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 F. Butler, seconded by R. Coronado

Whereas an adequate maintenance of fleets is required to avoid delays, deterioration of services and erode public use of transit;

Further, that a viable transit system will help expand ridership and lessen care dependency;

Further, a poorly maintained fleet produces heavier vehicle emissions;

And, underfunding is counterproductive to the goal of increase ridership;

That City Council **BE ENCOURAGED** to increase Transit Windsor budget to include the hiring of an additional mechanic, and that the budget **BE AMENDED** to reinstate the practice of purchasing six hybrid buses per year, and further that Transit Windsor **BE ADEQUATELY** funded and the budget **BE REVISED** to reflect that increase.

NOTE: The report of the Transportation Sub-Committee dated January 22, 2011 is attached as Appendix "C".

COMMITTEE COORDINATOR

CHAIRPERSON