

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 Jones
Councillor Maghnieh
Councillor Marra
Councillor Payne
Councillor Sleiman
Councillor Valentinis

Members Absent:

Councillor Hatfield

Call to Order

Councillor Marra, as Acting Mayor on behalf of Mayor Francis, calls the meeting to order at 6:00 o'clock p.m. Following the playing of the Canadian National Anthem, Reverend Ernie Harris from New Beginnings Christian Church, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

Councillor Dilkens discloses an interest and abstains from voting on Communication No. 18, being a communication from the McTague Law Firm regarding "refund of application and building permit fees for Hiatus House – rezoning and Official Plan amendment of 245 Louis Avenue, Windsor", as he is employed by that law firm.

ZB/11241

Minutes

Moved by Councillor Dilkens, seconded by Councillor Gignac,
That the Minutes of the of the special meeting of Council held December 1, 2011;
Minutes of the regular meeting of Council held December 5, 2011 and the Minutes of the Special
meeting of Council held December 15, 2011 **BE ADOPTED** as presented.

Carried.

Mayor Francis and Councillor Valentinis were absent from the meeting when the vote was taken on this matter.

Notice of Proclamations

National Alzheimer Awareness Month – January 2012

Committee of the Whole

Moved by Councillor Halberstadt, seconded by Councillor Jones,
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-laws 1-2012 through 9-2012 (inclusive).

Carried.

Mayor Francis and Councillor Valentinis were absent from the meeting when the vote was taken on this matter.

Communications

Mayor Francis arrives to the meeting at 6:10 o'clock p.m., and Councillor Marra returns to his seat at the Council table.

Moved by Councillor Maghnieh, seconded by Councillor Payne,
M1-2012 That the following Communication Items 1 to 11, and 15 to 34 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted; that the Minutes of the Transit Windsor Board of Directors and Windsor Chartabus Inc., meetings all held November 28, 2011 **BE ADOPTED**; and further, that Communication No. 12, 13 and 14 be dealt with as follows:

Communication No. 12:

Moved by Councillor Dilkens, seconded by Councillor Sleiman,
That the Council of the City of Windsor **APPROVE** the 2012 Essex-Windsor Solid Waste Authority budget and total municipal allocation of \$10,100,000.

The motion is put and is lost due to an equality of votes.

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

RESULTS OF RECORDED VOTE:

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

Moved by Councillor Gignac, seconded by Councillor Valentinis,
M2-2012 That the submission by the Essex-Windsor Solid Waste Authority dated December 14, 2011 regarding the “2012 Essex-Windsor Solid Waste Authority Budget” **BE REFERRED** to the 2012 budget deliberations.

Carried.

Councillors Sleiman, Halberstadt, Payne and Dilkens voting nay.

MB2012

Communication No. 13:

Moved by Councillor Gignac, seconded by Councillor Marra,
M3-2012 That the correspondence from the Windsor Police Services Board dated December 22, 2011 regarding the “Arbitrator’s Award re: Collective Bargaining” **BE RECEIVED** for information, and further, that the City Clerk **BE DIRECTED** to forward this to the Association of Municipalities of Ontario (AMO) with a request that AMO continue to monitor this situation and advocate on behalf of municipalities to make changes to these arbitrated settlements.

Carried.

SP2012

Communication No. 14:

Moved by Councillor Halberstadt, seconded by Councillor Marra,,
M4-2012 That the City of Windsor **CONTRIBUTE** \$2,079.00 to sponsor the Annual Willistead Reception, which will be held on Sunday, January 29, 2012.

Carried.

MB2012

Item	From	Description
1	Fisheries and Oceans Canada	Proposed listing of the Silver Lamprey as a species of special concern under the Federal <i>Species at Risk Act</i> . City Engineer Executive Director of Parks & Facilities Note & File GF2012
2	Ministry of Environment	Response to correspondence dated August 29, 2011 (<u>previously distributed</u>) regarding funding for the Clean Water Act. City Engineer City Planner Note & File EI/10108
3	Ministry of Natural Resources	Development of a Habitat Regulation for seven Species at Risk under <i>Ontario’s Endangered Species Act</i> . City Engineer Executive Director of Parks & Facilities Note & File SW/10655

4	Ontario Municipal Board (OMB)	Memorandum of Oral Decision delivered by J.P. Atcheson on November 23, 2011 and Order of the Board. City Planner City Solicitor Senior Secretary, Council Services Note & File ST2012
5	Ontario Municipal Board (OMB)	Status of Case Number PL070349 regarding Burger King Restaurants of Canada Inc. located at 73-75 University Avenue. City Solicitor City Engineer City Planner Chief Building Official Senior Secretary, Council Services Note & File ZB/9623
6	Association of Municipalities of Ontario (AMO)	Court Security and Prisoner Transportation Upload to Start in 2012. Acting Police Chief Chief Financial Officer & City Treasurer Note & File MMA2012
7	Association of Municipalities of Ontario (AMO)	Broader Public Sector Accessibility Planning Requirements. Diversity & Accessibility Officer Note & File GPL/10190
8	Association of Municipalities of Ontario (AMO)	Passage of Bill C-13 makes the federal Gas Tax Fund permanent. Chief Financial Officer & City Treasurer General Manager, Transit Windsor Note & File GM/9037
9	The Corporation of the Town of Tecumseh	Chief Tecumseh Commemorative Stamp. COUNCIL DIRECTION REQUESTED Executive Director of Recreation & Culture Manager of Cultural Affairs Note & File SR/11244
10	Town of Lakeshore	Notice of Public Meeting to be held Tuesday, January 10, 2012 regarding an Official Plan Amendment for the County Road 11 Special Planning Area and a new Comprehensive Zoning By-Law for the Town of Lakeshore. Note & File ACO2012
11	Corporation of the County of Essex	Essex County Council Resolution 285-11 regarding Essex-Windsor Solid Waste Authority Budget. Chief Financial Officer & City Treasurer Note & File GM2012

12	Essex-Windsor Solid Waste Authority (EWSWA)	2012 Essex-Windsor Solid Waste Authority Budget. Attachments are enclosed for Mayor and Council only. Chief Financial Officer & City Treasurer COUNCIL DIRECTION REQUESTED Note & File MB2012
13	Windsor Police Services Board	Arbitrator's Award re: Collective Bargaining. Note & File SP2012
14	Office of the Mayor	Sponsorship Request for Annual Willistead Reception. COUNCIL DIRECTION REQUESTED Chief Financial Officer & City Treasurer MB2012
15	Essex Region Conservation Authority (ERCA)	Essex Region Conservation Authority's (ERCA) 2012 Draft Budget. Chief Financial Officer & City Treasurer Note & File GCE2012
16	City of Windsor Windsor/Essex Provincial Offences Program	2010 Statement of Revenue and Expenditures of the City of Windsor <i>Provincial Offences Act</i> , Year ended December 31, 2010. Chief Financial Officer & City Treasurer Note & File GP/10894
17	Union Gas	Notice of application with the Ontario Energy Board for an order approving or fixing just and reasonable rates and other charges for the sale, distribution, transmission and storage of gas effective January 1, 2013. Note & File MU2012
18	McTague Law Firm LLP	Request to waive and refund of Application and Building Permit Fees for Hiatus House Rezoning and Official Plan Amendment of 245 Louise Avenue, Windsor. Chief Building Official City Planner Chief Financial Officer & City Treasurer COUNCIL DIRECTION REQUESTED Note & File ZB/11241
19	Sustainable Alternatives Consulting In.c	Request for a Review of Local Improvement Charges and Related Regulations and Legislation. City Engineer Chief Financial Officer & City Treasurer COUNCIL DIRECTION REQUESTED Note & File EI2012

20	Clean Across Canada	Request for the City of Windsor to be a part of a Canada-wide litter pick up project in 2013. Windsor-Essex County Environment Committee City Engineer COUNCIL DIRECTION REQUESTED Note & File EI2012
21	Canadian Science Writers' Association	Request to sponsor the 41 st Annual Conference that takes place June 2-5, 2012 in Windsor, Ontario at the University of Windsor. Chief Financial Officer & City Treasurer COUNCIL DIRECTION REQUESTED Note & File ME2012
22	Manager of Development Applications	The Zoning Amendment application submitted by 1037109 Ontario Ltd. (Days Inn) for 675 Goyeau Street has been deemed as complete on December 9, 2011. Note & File ZB/11240
23	Manager of Development Applications	The Zoning Amendment application submitted by Hiatus House for 245 Louis Avenue has been deemed as complete on December 7, 2011. Note & File ZB/11241
24	Manager of Development Applications	The Official Plan Amendment application submitted by Hiatus House for 245 Louis Avenue has been deemed as complete on December 7, 2011. Note & File ZB/11242
25	Go for Health Windsor-Essex	Lights Out Comprehensive Smoking Cessation Strategy Forum. Note & File MH2012
26	City Clerk	City of Windsor Employee Mentoring Program Update. Note & File AS/10269
27	City Engineer	Awards of Construction Excellence – City of Windsor. Note & File SW2012
28	City Engineer	CQ 12-2010 On-Street (No Bag) Leaf Collection. Note & File EI2012
29	City Engineer	Tender 68-11: Lloyd George Boulevard from Rose Street to Grand Boulevard and Clemenceau Boulevard from Grand Boulevard to Roosevelt Avenue – Sewer, Watermain, and Pavement Rehabilitation. Note & File SW/10534
30	City Treasurer	2012 Interim Property Tax Billing. Note & File AF2012

31	City Treasurer	Windsor Canada Utilities – 2 nd & 3 rd Quarter 2011 Financial Statements. Note & File MU2012
32	City Solicitor	Conveyance of an unclaimed portion of the north/south alley between Albert Road and Hickory Road. Note & File SAA2012
33	City Solicitor	Human Rights Tribunal of Ontario: decision on pre-employment tests Gary Tearne v City of Windsor. Note & File AL2011
34	Transit Windsor Board of Directors	Minutes of the Transit Windsor Board of Directors meeting held November 28, 2011 and the minutes of the Windsor Chartabus Inc. meeting held November 28, 2011 TO BE ADOPTED MB2011

Carried.

Councillor Dilkens discloses an interest and abstains from voting on Communication No. 18.

Consent Agenda

Moved by Councillor Payne, seconded by Councillor Sleiman,

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

- Item 1 Pedestrian Streetlights for the Sandwich Street BIA, Award of Tender 97-11 (Supply) and Award of Request for Quote (RFQ) RW-082611-01 (Installation)
- Item 2 artsVest 2012 Grant Application
- Item 3 Windsor Grove Cemetery – Proposed Mausoleum Addition – 1100 Division Road
- Item 4 Vacant Land on Kent Street – Available for Purchase
- Item 5 2012 Annual Temporary Borrowing
- Item 6 OMERS Letter of guarantee from the City of Windsor re: YQG Pension
- Item 7 2012 Agency Grant Payments

Carried.

Deferrals and/or Referrals and Withdrawals

None requested.

Presentations & Delegations:

PRESENTATIONS:

None presented.

DELEGATIONS

None presented.

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

None.

Consideration of Committee Reports

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
M7-2012 That the **Report of the special In-camera** meeting held January 9, 2012
BE ADOPTED as presented.
Carried.

ACO2012

By-laws

Moved by Councillor Jones, seconded by Councillor Maghnieh,
That the following By-laws No. 1-2012 through 9-2012 (inclusive), be introduced
and read a first and second time:

- 1-2012 "A BY-LAW TO APPROVE THE RECOVERY OF COLLECTION AGENCY COSTS FROM PERSONS WITH FINES IN DEFAULT"
- 2-2012 "A BY-LAW TO ADOPT AMENDMENT NO. 84 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR"
- 3-2012 "A BY-LAW TO ADOPT AMENDMENT NO. 81 TO THE OFFICIAL PLAN OF THE CITY OF WINDSOR"
- 4-2012 "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"
- 5-2012 "A BY-LAW TO RESCIND BY-LAW 217-2011 BEING 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"
- 6-2012 "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"

- 7-2012 “A BY-LAW TO ASSUME FOR PUBLIC USE AS A PUBLIC HIGHWAY THE APPROXIMATE 3.35 METRE (11 FEET) WIDE PORTION OF THE EAST SIDE OF CAMERON AVENUE COMMENCING 1.21 METRES (4 FEET) FROM THE EAST LIMIT OF THE EXISTING NORTH/SOUTH SIDEWALK ADJACENT TO 1279 UNIVERSITY AVENUE WEST TO THE WESTERLY PROPERTY LIMIT OF 1279 UNIVERSITY AVENUE WEST, SOUTHERLY FROM UNIVERSITY AVENUE WEST TO THE NORTH LIMIT OF THE EAST/WEST ALLEY, SAVE AND EXCEPT FOR A CORNER CUT-OFF TRIANGLE AT THE SOUTH EAST CORNER OF UNIVERSITY AVENUE WEST AND CAMERON AVENUE HAVING A 4.57 M (15 FOOT) FRONTAGE ON CAMERON AVENUE AND A 3.35 M (11 FOOT) FRONTAGE ON UNIVERSITY AVENUE WEST; AND THE 4.88 METRES (16 FEET) WIDE EAST/WEST ALLEY SOUTH OF UNIVERSITY AVENUE WEST, EASTERLY FROM CAMERON AVENUE, CITY OF WINDSOR”
- 8-2012 “A BY-LAW TO CLOSE, STOP UP AND CONVEY THE APPROXIMATE 3.35 METRE (11 FEET) WIDE PORTION OF THE EAST SIDE OF CAMERON AVENUE COMMENCING 1.21 METRES (4 FEET) FROM THE EAST LIMIT OF THE EXISTING NORTH/SOUTH SIDEWALK ADJACENT TO 1279 UNIVERSITY AVENUE WEST TO THE WESTERLY PROPERTY LIMIT OF 1279 UNIVERSITY AVENUE WEST, SOUTHERLY FROM UNIVERSITY AVENUE WEST TO THE NORTH LIMIT OF THE EAST/WEST ALLEY, SAVE AND EXCEPT FOR A CORNER CUT-OFF TRIANGLE AT THE SOUTH EAST CORNER OF UNIVERSITY AVENUE WEST AND CAMERON AVENUE HAVING A 4.57 M (15 FOOT) FRONTAGE ON CAMERON AVENUE AND A 3.35 M (11 FOOT) FRONTAGE ON UNIVERSITY AVENUE WEST; AND THE 4.88 METRES (16 FEET) WIDE EAST/WEST ALLEY SOUTH OF UNIVERSITY AVENUE WEST, EASTERLY FROM CAMERON AVENUE, CITY OF WINDSOR”
- 9-2012 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE NINTH DAY OF JANUARY, 2012”

Carried.

Moved by Councillor Marra, seconded by Councillor Payne,

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

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

Carried.

Notices of Motion

Moved by Councillor Marra, seconded by Councillor Maghnieh,
M5-2012 That Rule 13.9 of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of a motion for consideration without prior notice regarding the FCM Sustainable Communities Conference and Trade Show.

Carried.

Moved by Councillor Marra, seconded by Councillor Dilkens,
M6-2012 That City Council **SUPPORTS** Tourism Windsor Essex Pelee Island's (TWEPI) submission to the Federation of Canadian Municipalities (FCM) for the purpose of being considered as the host municipality, along with the County of Essex, for either a 2013 or 2014 FCM Sustainable Communities Conference and Trade Show; and

That a maximum upset limit amount of \$28,900 to be equally shared (\$14,450 each) with the County of Essex toward the hosting fee **BE APPROVED**.

Carried.

AT/9992

Moved by Councillor Sleiman, seconded by Councillor Marra,
M8-2012 That Rule 13.9 of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of a motion for consideration without prior notice regarding an alley closure application for 4447 Tecumseh Road East.

Carried.

Moved by Councillor Sleiman, seconded by Councillor Marra,
M9-2012 That Administration **BE DIRECTED** to prepare a report for the January 23, 2012 meeting of Council regarding an alley closure application of Mr. And Mrs. Don and Joyce Bell of 4447 Tecumseh Road East, which was initiated nearly 4 years ago.

Carried.

SAA2012

Moved by CouncillorValentinis, seconded by Councillor Maghnieh,
M10-2012 That Rule 13.9 of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of a motion for consideration without prior notice regarding parking tickets issued January 2, 2012.

Carried.

Moved by CouncillorValentinis, seconded by Councillor Maghnieh,
M11-2012 That the parking tickets issued Monday, January 2, 2012 **BE CANCELLED**.
Carried.

Councillors Gignac, Payne, Marra and Sleiman voting nay.

ST2012

Third Reading of By-laws

Moved by Councillor Sleiman, seconded by Councillor Valentinis,
That the following By-laws No. 1-2012 through 9-2012 (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 Halberstadt, seconded by Councillor Jones,
M12-2012 That the following Council Question by Councillor Payne **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a Written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ1-2012

Asks that the recruitment process of review referred to in the January 3rd Administration Report re the Human Rights Tribunal of Ontario decision on the Gary Tearne case be completed quickly in light of the possibility that other similar job applications will be made and further that the review address the following questions:

1. Will the Corporation utilize pre-employment tests in the future?
2. If so, what standard will be used in these tests?
3. What is the legal liability, if any, of the City if the testing continues in a particular case even if it is deemed not safe to do so?

AL2012

Carried.

Moved by Councillor Halberstadt, seconded by Councillor Jones,
M13-2012 That the following Council Question by Councillor Dilkens **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a Written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ2-2012

Asks that Enwin explain the fee structure and repeated rate increase request due to consumers high conservation of electricity.

MU2012

Carried.

Moved by Councillor Halberstadt, seconded by Councillor Jones,
M14-2012 That the following Council Question by Councillor Halberstadt
BE APPROVED, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of a Written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ3-2012

Asks for a list of now deficient roads in the City and provide an estimate of how many roads will be repaved or reconstructed in 2012 and 2013 based on the current 5-year capital budget plan.

Carried.

SW2012

Adjournment

Moved by Councillor Maghnieh, seconded by Councillor Marra,
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 6:52 o'clock p.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Payne
Sleiman

CR1/2012

I. That the following tender **BE ACCEPTED**:

TENDERER: The StressCrete Group
840 Walkers Line
Burlington, ON L7R 3X9

TENDER NO.: 97-11

TOTAL TENDER PRICE: \$320,457.00 (excluding HST)

ACCOUNT CHARGED 7044002

and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the tenderer, satisfactory in technical content to the City Engineer and City Planner, in financial content to the City Treasurer, and in form to the City Solicitor; and

II. That the following quotation **BE ACCEPTED**:

RFQ: Ron Field & Son Electrical Ltd.
90 Borrowman Drive
Chatham, ON N7M 5J5

RFQ NO.: RW-082611-01

TOTAL RFQ: \$28,950.00 (excluding HST)

ACCOUNT CHARGED 7044002

and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign a contract with the bidder, satisfactory in technical content to the City Engineer and City Planner, in financial content to the City Treasurer, and in form to the City Solicitor; and

III. That **APPROVAL BE GIVEN** to undertake a total expenditure of \$320,457.00 for supply of the Sandwich Town BIA Pedestrian Lamp Standard Tender 97-11 and \$28,950.00 for installation of the Sandwich Town BIA Pedestrian Lamp Standard RFQ RW-082611-01, to **BE FUNDED** from Project ID #7044002.

IV. That any surplus from Project ID #7044002 (Sandwich Towne BIA Lamp Standards) **BE USED** for other improvements to the Olde Sandwich Towne Streetscape.

Carried.

Report Number 15571 MI/11243 C1

Payne
Sleiman

CR2/2012

THAT the Executive Director of Recreation and Culture **BE AUTHORIZED** to submit an application to Business for the Arts for 2012 artsVest Application and further that the Community Development and Health Commissioner **BE AUTHORIZED** to sign the application and agreement and further, that the Mayor of the City of Windsor provide a letter of support for the application.

Carried.

Report Number **15646 SR2012 C2**

Payne
Sleiman

CR3/2012

I. That City Council **APPROVE** the proposal of Windsor Grove Cemetery to construct a (184 m²) mausoleum on the cemetery lands at 1100 Division Road, and that the City Clerk **BE AUTHORIZED** to send a copy of the decision together with the reasons for it to the Registrar and to the Applicant, and, further, to publish a notice of the decision in the Windsor Star; and

II. THAT for future applications, Council approval **BE OBTAINED** at the Site Plan Control approval stage or as part of the Site Plan Control process prior to the issuance of a building permit.

Carried.

Report Number **15640 ZS/11194 C3**

Payne
Sleiman

CR4/2012

That Administration's determination that there is no municipal use for the vacant parcel of land on the north side of Kent Street, legally described as Lots 150-152, Registered Plan 553 **BE CONFIRMED**.

Carried.

Report Number **15638 APM2012 C4**

Payne
Sleiman

CR5/2012

THAT City Council **AUTHORIZE** the temporary borrowing of money for current expenditures for the year 2012, if and when required, as provided for under the provisions of Section 407 of the *Municipal Act*;

THAT the City Solicitor **BE DIRECTED** to prepare the necessary by-law; and

THAT City Council **AUTHORIZE** the City Treasurer to borrow on a temporary basis, such sums, if any, as considered necessary to meet the current expenditures of the Corporation for the year until the taxes are collected and other revenues are received.

Carried.

Report Number **15657 AFB/11050 C5**

Payne
Sleiman

CR6/2012

THAT City Council **APPROVE** the issuance the a Letter of Guarantee which will support Your Quick Gateway (Windsor) Inc. ('YQG') employees to become active members in the OMERS pension plan and;

THAT City Council **AUTHORIZE** the CAO and the City Clerk to sign (APPENDIX 'A') the Letter of Guarantee from the City of Windsor to OMERS, which will allow Your Quick Gateway (Windsor) Inc. ('YQG') employees to become active members in the OMERS pension plan, satisfactory in content to the City Treasurer and in form to the City Solicitor and;

THAT City Council **AUTHORIZE** the CAO and the City Clerk to sign the annual updates to the Letter of Guarantee from the City of Windsor to OMERS and any other such documents as may be required from time to time, satisfactory in content to the City Treasurer and in form to the City Solicitor and;

That City Council **AUTHORIZE** administration to fund, on a non-interest loan basis to YQG, repayable over 5 years, any deficit as may be required to fully fund the windup costs associated with the YQG Standard Life pension plan.

Carried.

Report Number **15659 AS2012 C6**

Payne
Sleiman

CR7/2012

That Council **APPROVE** the funding of agencies in 2012 up to a maximum of 50% of the 2011 approved grant amounts as outlined in this report.

Carried.

Report Number **15677 AFB/11050 C7**

ADOPTED by Council at its meeting held January 9, 2012 [M7-2012]
VC/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA
January 9, 2012

Meeting called to order at: 3:00 p.m.

Members in Attendance:

Mayor E. Francis
Councillor D. Dilkens (arrives at 3:02 p.m.)
Councillor R. Jones
Councillor A. Halberstadt
Councillor F. Valentinis
Councillor B. Marra (arrives at 3:18 p.m.)
Councillor J. Gignac
Councillor A. Maghnieh
Councillor H. Payne
Councillor E. Sleiman

Members Absent:

Councillor P.
Hatfield

Also in attendance:

H. Reidel, Chief Administrative Officer
R. Warsh, Community Development and Health Commissioner and
Corporate Leader Social Development, Health, Recreation and Culture
M. Sonogo, City Engineer and Corporate Leader Environmental Protection and
Transportation
S. Askin-Hager, Acting City Solicitor and Corporate Leader Economic Development and
Public Safety
V. Critchley, City Clerk/Licence Commissioner and Corporate Leader Public
Engagement and Human Resources
O. Colucci, Chief Financial Officer/City Treasurer and Corporate Leader Finance
and Technology
M. Stamp, Property Supervisor (Items 2 and 4)
C. Glassford, Legal Counsel (Item 3)
J. Guthrie, Deputy Treasurer, Taxation and Financial Projects (Item 5)
N. Jammu-Taylor, Legal Counsel (Item 7)

**Verbal Motion is presented by Councillor Sleiman, seconded by
Councillor Jones,
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	Legal matter – litigation	239(2)(e)
2	Property matter – purchase of land	239(2)(c)
3	Property matter – sale of land	239(2)(a)(c)(f)
4	Property matter – sale of land – <u>DEFERRED ON DECEMBER 5, 2011</u>	239(2)(c)
5	Legal matter – settlement	239(2)(e)
6	Personal matter – about an identifiable individual – Human Rights matter	239(2)(b)(e)(f)
7	Personal matter – about an identifiable individual	239(2)(b)
8	Property matter – Economic Development opportunity - verbal report	239(2)(a)

Motion Carried.

Declarations of Pecuniary Interest:

Councillor Valentinis declares an interest and abstains from voting on Item 3, property matter – sale of land, as it involves his employer.

Councillor Dilkens declares an interest and abstains from voting on Item 7, personal matter – about an identifiable individual, as the matter is being dealt with by his employer.

Discussion on the items of business. (Items 1, 2, 4, 5, 6, 3, 7 and 8)

Verbal Motion is presented by Councillor Valentinis, seconded by Councillor Dilkens, that Rule 3.3 (c) of the *Procedure By-law, 98-2011*, BE WAIVED to add the following Agenda items:

9. Property matter – Economic Development opportunity, pursuant to Section 239(2)(a) of the *Municipal Act, 2001, as amended*.

Motion Carried.

**Verbal Motion is presented by Councillor Sleiman, seconded by Councillor Gignac, to move back into public session.
Motion Carried.**

Moved by Councillor Marra, seconded by Councillor Jones, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held January 9, 2012 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 Corporate Leader Economic Development and Public Safety and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a legal matter - litigation **BE APPROVED**.

2. That the recommendation contained in the in-camera report from the Property Coordinator, Property Supervisor, City Solicitor and Corporate Leader Economic Development and Public Safety, Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology and City Engineer and Corporate Leader Environmental Protection and Transportation respecting a property matter – purchase of land **BE APPROVED**.

3. That the recommendation contained in the in-camera report from Legal Counsel, Property Supervisor, City Solicitor and Corporate Leader Economic Development and Public Safety and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – sale of land **BE APPROVED**.

Councillor Halberstadt voting nay.

Councillor Valentinis declares an interest and abstains from voting.

4. That the in-camera report from the Property Supervisor, City Solicitor and Corporate Leader Economic Development and Public Safety, City Engineer and Corporate Leader Environmental Protection and Transportation and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – sale of land **BE DEFERRED**.

5. That the recommendation contained in the in-camera report from the Deputy Treasurer, Taxation and Financial Projects, Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology and City Solicitor and Corporate Leader Economic Development and Public Safety respecting a legal matter - settlement **BE APPROVED**.

6. That the recommendation contained in the in-camera report from the City Solicitor and Corporate Leader Economic Development and Public Safety, Community Development and Health Commissioner and Corporate Leader Social Development, Health, Recreation and Culture, City Clerk/Licence Commissioner and Corporate Leader Public Engagement and Human Services and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a personal matter – about an identifiable individual – Human Rights matter **BE APPROVED**.

7. That the recommendation contained in the in-camera report from the Executive Director of Human Resources, City Clerk/Licence Commissioner and Corporate Leader Public Engagement and Human Services, City Solicitor and Corporate Leader Economic Development and Public Safety, Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology and Chief Administrative Officer respecting a personal matter – about an identifiable individual **BE APPROVED**.

Councillor Dilkens declares an interest and abstains from voting.

8. That the confidential verbal report from Mayor Francis respecting a property matter – Economic Development opportunity **BE RECEIVED**, and further Administration **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

9. That the confidential verbal report from Mayor Francis respecting a property matter – Economic Development opportunity **BE RECEIVED**.

Motion Carried.

**Moved by Councillor Jones, seconded by Councillor Payne,
That the special meeting of council held January 9, 2012 BE ADJOURNED.
(Time: 5:25 p.m.)**

Motion Carried.