

**Regular**

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

**Members Present:**

Mayor Francis  
Councillor Halberstadt  
Councillor Jones  
Councillor Kusmierczyk  
Councillor Maghnieh  
Councillor Marra  
Councillor Payne  
Councillor Sleiman  
Councillor Valentinis

**Members Absent:**

Councillor Dilkens  
Councillor Gignac

**Call to Order**

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**

None disclosed.

**Minutes**

None presented.

**Notice of Proclamations**

Employee Mentoring Month – January 2014

**Administering Oath of Office**

The City Clerk administers the Oath of Office to Councillor-Elect Irek Kusmierczyk, Ward Seven. Upon completion of the oath, Councillor Kusmierczyk takes his seat at the Council table.

**Committee of the Whole**

Moved by Councillor Payne, seconded by Councillor Sleiman,  
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;**
    - (ii) **Report of Special In-Camera Meeting held December 10, 2013**
  - (g) consideration of by-laws 187-2013 through 197-2013 (inclusive).
- Carried.

### Communications

Moved by Councillor Valentinis, seconded by Councillor Payne,  
**M462–2013** That the following Communication 1 to 8, 10 to 27, and 29 to 30 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication No. 9, 28, 31 and 32, which are dealt with as follows:

#### Communication No. 9

Moved by Councillor Jones, seconded by Councillor Marra,  
**M463–2013** That the correspondence from the City of St. Catharines dated November 28, 2013 regarding “Compensation and Pensions for Veterans” **BE RECEIVED**, and further, that Council **ENDORSE** the position taken by the City of St. Catharines with respect to the veterans.  
Carried.

GF2013

#### Communication No. 28

Moved by Councillor Maghnieh, seconded by Councillor Marra,  
**M464–2013** That the minutes of the Rail Issues Committee held on December 3, 2013 **BE ADOPTED** as presented.  
Carried.

MB2013

#### Communication No. 31

Moved by Councillor Marra, seconded by Councillor Kusmierczyk,  
**M465–2013** That the report of the Executive Director of Human Resources dated December 12, 2013 regarding “Arbitration Award – Windsor Professional Fire Fighters Association (WPFPA) and the Corporation of the City of Windsor (Corporation) and Implementation Plan, **BE REMOVED** from Communications and **BE CONSIDERED** during regular business items stage of the meeting.  
Carried.

SF/11813

#### Communication No. 32

Moved by Councillor Valentinis, seconded by Councillor Marra,  
**M466–2013** That the report of the Executive Director of Recreation and Culture dated December 12, 2013 regarding “Update on Aquatic Activities” **BE RECEIVED** for information; and further, that Transit Windsor **PROVIDE** transportation for those children that use Waterworld, for the Waterpark soft opening, on a one time only basis.  
Carried.

SR/11803 SR/11026

Item	From	Description
1	Champion Products Corp.	Request to waive the security deposit for 1030 Walker Road, Windsor <b>City Planner</b> <b>COUNCIL DIRECTION REQUESTED</b>  <b>Z/8955</b>
2	Association of Municipalities of Ontario (AMO)	Bill 36, <i>the Local Food Act</i> , Passes Third Reading  <b>Note &amp; File</b> <b>MMA2013</b>
3	Association of Municipalities of Ontario (AMO)	2013 Fall Economic Statement Highlights  <b>Note &amp; File</b> <b>MMA2013</b>
4	Association of Municipalities of Ontario (AMO)	2014 OMPF Allocations Announced <b>Chief Financial Officer &amp; City Treasurer</b> <b>Note &amp; File</b> <b>MMA2013</b>
5	Association of Municipalities of Ontario (AMO)	New Child Care Legislation Introduced/Long Term Energy Plan Released  <b>Note &amp; File</b> <b>MMA2013</b>
6	Association of Municipalities of Ontario (AMO)	Creating Greener Choices and Less Garbage  <b>City Engineer</b> <b>Note &amp; File</b> <b>MMA2013</b>
7	Association of Municipalities of Ontario (AMO)	Economic Development Task Force November 2013  <b>Note &amp; File</b> <b>MMA2013</b>
8	Ministry of Citizenship and Immigration	2014 Volunteer Service Awards program  <b>Note &amp; File</b> <b>GP2013</b>
9	City of St. Catharines	Compensation and Pensions for Veterans  <b>Note &amp; File</b> <b>GF2013</b>
10	Pathway to Potential	Fall/Winter 2013 Newsletter  <b>Note &amp; File</b> <b>SS/10488</b>
11	Transport Canada	Harper government acts to increase transportation of dangerous goods information sharing between rail companies and municipalities  <b>City Engineer</b> <b>Note &amp; File</b> <b>MTR2013</b>

12	Town of Tecumseh	Notice of the Passing of a Zoning By-law Amendment by the Corporation of the Town of Tecumseh  <b>City Solicitor City Planner Note &amp; File GM2013</b>
13	Veterans Affairs Canada	Acknowledgement receipt of letter of correspondence by the City of Windsor brought forward to the Minister's attention re: Windsor Veterans Affairs Office  <b>Note &amp; File APR2013</b>
14	Union Gas	Union Gas filed an application with the Ontario Energy Board on October 22, 2013 seeking changes to Union's regulated gas distribution, transmission and storage services effective January 1, 2014  <b>Note &amp; File MU2013</b>
15	Ministry of Environment - Operations Division	Application for Approval of Waste Disposal Sites Waste Transfer Located on Windsor Port Authority Property Windsor City, County of Essex MOE Reference Number 7734-9CXQS4  <b>City Engineer City Planner City Solicitor Note &amp; File SW2013</b>
16	Ministry of Municipal Affairs and Housing	2013 Municipal Performance Measurement Program (MPMP)  <b>Note &amp; File GP/7583</b>
17	Ontario Municipal Board (OMB)	Zoning By-law 8600 of the City of Windsor to rezone lands respecting 2990 Curry Avenue from RD (Residential District) 1.4 Zone to CD (Commercial District) 1.1 Zone to permit a professional office for a medical practitioner within the existing residential building  <b>Chief Building Official City Solicitor City Planner Zoning Clerk Note &amp; File ZB/11399</b>
18	Manager of Urban Design	Application for Site Approval for – Architectura Inc. at 2500 Labelle Street  <b>Note &amp; File ZS/11804</b>

19	Manager of Urban Design	Application for Site Approval for – Architectura Inc. at 4000 Ducharme St. <b>Note &amp; File ZS/11805</b>
20	Manager of Urban Design	Application for Site Approval for – Winwest Enterprises Inc. at 11365 Tecumseh Road E <b>Note &amp; File ZS/11808</b>
21	Committee of Adjustment/Consent Authority Agenda Record	Committee of Adjustment/Consent Authority Agenda Record hearing for Wednesday, December 18, 2013 at Room 409, 4 <sup>th</sup> Floor, 400 City Hall Square East, Windsor, Ontario <b>Note &amp; File ZC2013</b>
22	Schulich School of Medicine & Dentistry (Western University)	Sponsorship to host the Canadian Federation of Medical Students (CFMS) Annual General Meeting (AGM) in September 2014 in Windsor, Ontario <b>COUNCIL DIRECTION REQUESTED Note &amp; File ME2013</b>
23	Association of Municipalities Ontario (AMO)	Ombudsman Annual Report on Closed Meetings <b>City Clerk Note &amp; File MMA2013</b>
24	Ministry of Citizenship and Immigration	Nominations for Ontario Medal for Young Volunteers <b>Note &amp; File GP2013</b>
25	City Engineer	Ward 8 – Cold Milling & Asphalt Paving – Tender No. 112-13 <b>Note &amp; File AFB/11544</b>
26	Manager of Urban Design	Application for Site Plan Approval submitted by Nicole Sekela – 3230-3232 Sandwich St. <b>Note &amp; File ZS/11811</b>
27	Executive Director of Information and Technology	Windsor to Host MISA Ontario 2017 <b>Note &amp; File SI2013</b>
28	Rail Issues Committee	Minutes of the Rail Issues Committee held on December 3, 2013 <b>Note &amp; File MB2013</b>
29	Chief Financial Officer	Council and Appointees Statement of Remuneration and Expenses for 2012 from Agencies, Boards, and Commissions <b>Note &amp; File ACO/7090</b>
30	Chief Financial Officer	Capital Project Variance Report as at September 30, 2013 <b>Note &amp; File AF2013</b>
31	City Clerk	Arbitration Award – Windsor Professional Fire Fighters Association (WPFFA) and The Corporation of the City of Windsor (Corporation) And Implementation Plan <b>Note &amp; File SF/11813</b>

32	Executive Director of Recreation and Culture	Update on Aquatic Activities	<b>Note &amp; File SR/11803 SR/11026</b>
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Carried.

**Consent Agenda**

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

- Item 1 Security System Improvements at the Art Gallery of Windsor, Tender No. 113-13
- Item 3 RFP 91-13 – Purchase of One (1) Packer Body with a Crane for Parks Operations
- Item 4 RFP 90-13 – Purchase of One (1) Sewer Cleaner/Vacuum Truck
- Item 7 Mobile Strategy Update
- Item 8 Chemical Requirements 2014 – LRWRP & LRPCP
- Item 9 Willistead Manor Catering Service Agreement
- Item 11 2014 International Children’s Games
- Item 12 Purchase of Holiday and Winter Classic Banners – CONFIRM AND RATIFY
- Item 13 Windsor Police Services Board Fees and Charges By-law
- Item 14 2014 Sewer Surcharge Rate Update

**Consent Committee Reports**

<i>Social Development, Health &amp; Culture Standing Committee</i>		
No.		Description
1	Report No. 192	Windsor Essex Ten Year Housing and Homelessness Plan
2	Report No. 194	Child Care Funding Formula and Funding Framework
3	Report No. 195	License to Operate and FLOW Membership Agreement with Wave Lock, LLC

<i>Planning and Economic Development Standing Committee</i>		
No.		Description
1	Report No. 184	Windsor Beauty & Esthetics Supply Inc., Amendment to Zoning By-law 8600, 6640 Tecumseh Road East, permit a retail store within the existing commercial building)

Carried.

**Deferrals and/or Referrals and Withdrawals**

None.

**Presentations & Delegations:**

**PRESENTATIONS:**

**Integrity Commissioner's 2012-2013 Annual Report****Bruce P. Elman, Integrity Commissioner**

Bruce P. Elman, Integrity Commissioner, appears before Council to present Mayor Francis and Members of Council with his Annual Report, 2012-2013, including a status update on the number of complaints received to-date, and concludes by advising that proposed changes to the Code of Conduct are forthcoming.

Moved by Councillor Marra, seconded by Councillor Valentinis,  
**M445-2013** That the presentation by Bruce P. Elman, Integrity Commissioner, regarding the Annual Report for 2012-2013 **BE RECEIVED** for information.  
Carried.

GM/10017

**Corporate Asset Management Plan****Melissa Osborne, Senior Manager of Asset Planning and Gareth Lifton, Global Leader for Asset Management, CH2MHill**

Melissa Osborne, Senior Manager of Asset Planning and Gareth Lifton, Global Leader for Asset Management, CH2MHill, appear before Council to provide an overview of the Corporate Asset Management Plan, including why there's a need for asset management, the Corporate AMP Framework, AMP Development, Canadian Infrastructure Report Card (2012), Comparisons with other municipalities, state of local infrastructure, level of service, financing strategies approved, and plan improvement and monitoring.

**Edy Haddad, resident of Ward 4**

Edy Haddad, resident of Ward 4, appears before Council to provide comment regarding the proposed corporate asset management plan, suggesting that there is a need for a "master plan" for Windsor and that senior levels of government need to assist.

GFG/9967 6

(For final disposition of this matter, see **Clause 251/2013** in Schedule "A" attached hereto.)

**DELEGATIONS****Report No. 185 of the Planning & Economic Development Standing Committee (1433389 Ontario Ltd., Rezoning, 866 & 870 Erie Street East, allow a Lodging House as additional permitted use on subject lands****Frank Fazio, Solicitor**

Frank Fazio, Solicitor, appears before Council and is available for questions regarding the rezoning request for 866 and 870 Erie Street East, to allow a Lodging House as additional permitted use on subject lands.

ZB/11761

(For final disposition of this matter, see **Clause M472-2013** in Schedule "A" attached hereto.)

**City of Windsor Continue to Serve as Community Entity for Federal Homelessness Program Funding****Edy Haddad, resident of Ward 4**

Edy Haddad, resident of Ward 4, appears before Council to provide comment regarding the Community Entity for Federal Homelessness Program Funding, suggesting that Council approve authorizing an agreement for this matter.

SS/4274 2

(For final disposition of this matter, see Clause 246/2013 in Schedule "A" attached hereto.)

**Accountability and Transparency Measures Update****Paul Synnott, resident of Ward 3**

Paul Synnott, resident of Ward 3, appears before Council to request that Council not approve the proposed recommendation to employ Local Authority Services Ltd as the Meetings Investigator, and that instead, Council should use the services of the Ombudsman, which would be at no cost to the city.

Mayor Francis leaves the meeting at 7:18 o'clock p.m., and Councillor Jones assumes the Chair.

Mayor Francis returns to the meeting at 7:20 o'clock p.m., and Councillor Jones returns to his seat at the Council table.

**Edy Haddad, resident of Ward 4**

Edy Haddad, resident of Ward 4, appears before Council to request that Council not approve the proposed recommendation to employ Local Authority Services Ltd as the Meetings Investigator, and that instead, Council should use the services of the Ombudsman, which would be at no cost to the city.

Moved by Councillor Jones, seconded by Councillor Sleiman,

That Bruce Elman BE APPOINTED as the Meetings Investigator for the City of Windsor pursuant to section 239(2) of *the Municipal Act, S.O. 2001, c.25*, as amended and that the Chief Administrative Officer and City Clerk BE AUTHORIZED to execute an agreement with Mr. Elman for these services for the period January 1, 2014-December 31, 2015, which agreement is satisfactory in technical content to the City Clerk, in legal form to the City Solicitor and in financial content to the CFO/City Treasurer.

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

Aye votes: Councillors Jones and Sleiman.

Nay votes: Councillor Halberstadt, Payne, Maghnieh, Kusmierczyk, Marra and Valentinis.

GM/10017 5

(For final disposition of this matter, see **Clause 250/2013** in Schedule "A" attached hereto.)



**Adoption of Open Board Meetings for the EnWin Group of Companies****Edy Haddad, resident of Ward 4**

Edy Haddad, resident of Ward 4, appears before Council to speak in support of the proposed adoption of Open Board Meetings for the EnWin Group of Companies, suggesting that this would restore confidence in the conduct of EnWin.

**Adiona Afoladi, resident**

Adiona Afoladi, resident, appears before Council to speak in support of the proposed adoption of Open Board Meetings for the EnWin Group of Companies.

**MU2013 10**

(For final disposition of this matter, see Clause 255/2013 in Schedule “A” attached hereto.)

**Communication No. 31 – Arbitration Award – Windsor Professional Fire Fighters Association (WPFFA) and The Corporation of the City of Windsor (Corporation) and Implementation Plan****Angelo Gertsakis, President, and Wayne Currie – Windsor Professional Firefighters Association**

Angelo Gertsakis, President, and Wayne Currie – Windsor Professional Firefighters Association, appear before Council to state that whereas they understand the economic and political climate of the community, they would like the opportunity to work with Council and develop a proposal in an enhanced manner that would be in the best interests of the residents that they serve, as the current plan that is being proposed, falls short on that and that would be risky and a step backwards.

**Pat Burke, resident**

Pat Burke, resident, appears before Council to provide comment and insights on the proposed changes to Fire and Rescue Services, suggesting that there should at minimum, be a comprehensive risk assessment and analysis before any approvals are made and implemented.

Mayor Francis leaves the meeting at 8:52 o'clock p.m., and Councillor Valentinis assumes the Chair.

Mayor Francis returns to the meeting at 8:57 o'clock p.m., and Councillor Valentinis returns to his seat at the Council table.

Moved by Councillor Valentinis, seconded by Councillor Payne,  
**M467-2013** That the report of the Executive Director of Human Resources dated December 12, 2013 regarding “Arbitration Award – Windsor Professional Fire Fighters Association (WPFFA) and The Corporation of the City of Windsor (Corporation) and Implementation Plan” **BE RECEIVED**, and that M460-2013 **BE ADOPTED AS AMENDED**.

Carried.

SF/11813

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

Nil.

**Consideration of Committee Reports**

**M461-2013** Moved by Councillor Payne, seconded by Councillor Sleiman,  
That the **Report of Special In-Camera Meeting held December 16, 2013, BE ADOPTED**  
as presented.

Carried.

ACO2013

***M460-2013 AS AMENDED BY M467-2013 ADOPTED BY COUNCIL December 16, 2013***  
***See also By-law 195-2013***

**M460-2013** Moved by Councillor Payne, seconded by Councillor Sleiman,  
That the **Report of Special In-Camera Meeting held December 10, 2013, BE ADOPTED**  
as amended.

Carried.

ACO2013

**By-laws**

Moved by Councillor Kusmierczyk, seconded by Councillor Valentinis,  
That the following By-laws No. 187-2013 through 197-2013 (inclusive), be introduced and read  
a first and second time:

187-2013 "A BY-LAW TO FURTHER AMEND BY-LAW 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", authorized by CAO2537, adopted December 2, 2013

188-2013 "A BY-LAW TO ASSUME FOR SUBSEQUENT CLOSURE TO BE CONSOLIDATED WITH LANDS OWNED BY THE CORPORATION OF THE CITY OF WINDSOR THE 4.26 METRE (14.0 FEET) WIDE EAST/WEST ALLEY BETWEEN EDWARD AVENUE AND ISABELLE PLACE, SOUTH OF EDGAR STREET, CITY OF WINDSOR" authorized by CR70-2012, adopted April 2, 2013

189-2013 "BY-LAW TO CLOSE, STOP UP AND RETAIN FOR LOT CONSOLIDATION PURPOSES THE 4.26 METRE (14.0 FEET) WIDE EAST/WEST ALLEY BETWEEN EDWARD AVENUE AND ISABELLE PLACE, SOUTH OF EDGAR STREET, CITY OF WINDSOR", authorized by CR248/2012 and CR71/2012, adopted November 5, 2012

190-2013 "A BY-LAW TO DESIGNATE THE LANDS AND PREMISES SITUATE WITHIN THE CITY OF WINDSOR, MUNICIPALLY KNOWN AS 703-717 OUELLETTE AVENUE (part of which was formerly known as 716 Pelissier Street) TO BE OF CULTURAL HERITAGE VALUE OR INTEREST UNDER THE PROVISIONS OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O.18, AS AMENDED", authorized by M371-2013, adopted October 7, 2013

191-2013 "A BY-LAW TO DESIGNATE THE LANDS AND PREMISES SITUATE WITHIN THE CITY OF WINDSOR, MUNICIPALITY KNOWN AS 185 OUELLETTE AVENUE TO BE OF CULTURAL HERITAGE VALUE OR INTEREST UNDER THE PROVISIONS OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O18, AS AMENDED", authorized by M372-2013, adopted October 7, 2013

- 192-2013 “A BY-LAW TO A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE “WINDSOR CORE AREA ZONING BY-LAW”, authorized by B/L337-2004, adopted October 12, 2004
- 193-2013 “A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 8600 CITED AS THE “WINDSOR CORE AREA ZONING BY-LAW”, authorized by CR666/2004 & B/L 291-2004, adopted July 12, 2004
- 194-2013 “A BY-LAW TO PROVIDE THAT PART-LOT CONTROL SHALL NOT APPLY TO CERTAIN LAND THAT IS WITHIN *REGISTERED PLAN 12M-533*, IN THE CITY OF WINDSOR”, authorized by BL139-2013, adopted, August 26, 2013
- 195-2013 “A BY-LAW TO APPOINT SHELBY ASKIN HAGER AS CITY SOLICITOR AND TO RESCIND THE APPOINTMENT OF GEORGE WILKKI AS CITY SOLICITOR”, authorized by M460-2013, adopted December 16, 2013
- 196-2013 “A BY-LAW TO AUTHORIZE THE ENTERING INTO OF AN AGREEMENT WITH THE WINDSOR-DETROIT TUNNEL CORPORATION FOR THE PROVISION OF A MUNICIPAL CAPITAL FACILITY AT THE WINDSOR/DETROIT TUNNEL PLAZA, 31 PLAZA STREET EAST, SAVE AND EXCEPT THE DUTY FREE STORE”, authorized by M440-2013, adopted November 18, 2013
- 197-2013 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 16TH DAY OF DECEMBER, 2013”

Carried.

Moved by Councillor Payne, 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 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**

Moved by Councillor Kusmierczyk, seconded by Councillor Marra,  
**M473-2013** That Rule 13.9 of the Procedure By-law 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 a speed cushion installed on Bellagio Drive north of Beverly Glen Street.

Carried.

Moved by Councillor Kusmierczyk, seconded by Councillor Payne,  
**M474-2013** **WHEREAS** City Council, at its meeting held September 23, 2013 adopted M360-2013  
as follows:

That the speed cushion installed on Bellagio Drive north of Beverly Glen Street  
October 2012 **BE REMOVED**.

Carried.

**AND WHEREAS** City Council at its meeting held September 23, 2013 further adopted M355-2013  
as follows:

That the speed cushion removed from Bellagio Drive **BE RELOCATED** and  
**INSTALLED** on Bartlet Drive; and further,

That **Report No. 152 of the Environment, Transportation & Public Safety  
Standing Committee** of its meeting held July 24, 2013 regarding “Bartlet Drive and  
Bellagio Drive Traffic Calming Pilot Projects – Follow-up”

**BE RECEIVED**, and that the report not proceed to the consultant;

Carried.

Councillors Halberstadt and Maghnieh voting nay.

Mayor Francis was absent from the meeting when the vote was taken on this  
matter.

**AND WHEREAS** new information has come to light indicating that there is support on Bellagio Drive and a  
willingness to have the speed cushion **RELOCATED** to the front of their homes on Bellagio Drive;

**NOW THEREFORE BE IT RESOLVED** that the speed cushion installed on Bellagio Drive north of Beverly  
Glenn Street in October of 2012 and earmarked for relocation to Bartlet Drive in accordance with M355-2013, **BE  
RELOCATED** to approximately 20m south of Beverly Glen St. subject to field confirmation by Public Works  
Operations; and further,

That the request for a speed cushion on Bartlet Drive **BE REFERRED** to Council for direction.

Carried.

ST2013

### **Third Reading of By-laws**

Moved by Councillor Jones, seconded by Councillor Maghnieh,

That the following By-laws No. 187-2013 through 197-2013 (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 Sleiman, seconded by Councillor Valentinis,  
**M475-2013** 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:

CQ38-2013

Asks for a report on the issue involving access to the Windsor Christian Fellowship building in Ward 9 from the proposed East-West arterial

ST2013 (

Carried.

**Adjournment**

Moved by Councillor Kusmierczyk, seconded by Councillor Sleiman,  
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 9:48 o'clock p.m.

**MAYOR**

**CITY CLERK**

**THIS IS A DRAFT COPY**

**DEPUTY CITY CLERK**

Halberstadt  
Jones

CR245/2013

That Council **APPROVE** the selection of Mid South Contractors as the successful Bidder to provide the improvements to the security systems at the Art Gallery of Windsor, 401 Riverside Dr. W. in the City of Windsor for a total tender price of \$363,608.00 plus HST to **BE CHARGED** to account 001-5410-1790-02942-7119006 and further that the CAO and City Clerk **BE AUTHORIZED** to sign an agreement satisfactory in form to the City Solicitor, in technical content to the Executive Director of Parks and Facility Operations, and in financial content to the City Treasurer.

Carried.

Report Number **16877 APM/10030 C1**

Jones  
Marra

CR246/2013

1. THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with Human Resources Skills Development Canada (HRSDC) which designates the City of Windsor as the Community Entity for the Homelessness Partnering Strategy for the period covering April 1, 2014 to March 31, 2019, satisfactory in form to the City Solicitor, in technical content to the Executive Director of Housing and Children's Services and financial content to the City Treasurer; and further
2. THAT as the Community Entity for the Homelessness Partnering Strategy (HPS), the Community Development & Health Commissioner **BE AUTHORIZED** to enter into agreements with community partners for projects related to addressing homelessness and funded with 100% Federal funding and requiring no City funding, satisfactory in form to the City Solicitor, in technical content to the Executive Director of Housing and Children's Services and financial content to the City Treasurer; and further
3. THAT the Community Development & Health Commissioner **BE AUTHORIZED** to sign, amend, or terminate agreements with Purchase of Service agencies on behalf of the City in accordance with the existing criteria and any changed criteria established by the HRSDC Agreement, satisfactory in form to the City Solicitor, in technical content to the Executive Director of Housing and Children's Services and financial content to the City Treasurer.

Carried.

Report Number **16891 SS/4274 2**

Halberstadt  
Jones

CR247/2013

THAT City Council **APPROVE** the purchase of one (1) packer body with a crane from Shu-Pak Equipment Inc. at a cost of \$208,230.00 plus taxes.

Carried.

Report Number **16864 AE2013 C3**

Halberstadt  
Jones

**CR248/2013 AMENDED BY CR34/2014 ADOPTED FEBRUARY 3, 2014**

CR248/2013

THAT City Council **APPROVE** the purchase of one (1) Sewer Cleaner/Vacuum Truck from Joe Johnson Equipment at a cost of \$368,141.00 plus taxes.

Carried.

Report Number **16863 AE2013 C4**

Marra  
Kusmierczyk

CR249/2013

THAT Council **DIRECT** that Bruce Elman **BE APPOINTED** as the Integrity Commissioner for the City of Windsor for a two year term commencing November 4, 2013, on the terms and conditions stated herein and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute a contract with Dr. Elman on the said terms and conditions, provided that such contract is approved as to form and technical content by the City Solicitor and as to financial content by the Chief Financial Officer & City Treasurer.

Carried.

Report Number **16896 GM/10017 5**

Valentinis  
Maghnieh

CR250/2013

THAT Local Authority Services Ltd. **BE APPOINTED** as the Meetings Investigator for the City of Windsor pursuant to section 239(2) of the *Municipal Act*, S.O. 2001, c.25, as amended and THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute an agreement with Local Authority Services Ltd. for the period January 1, 2014-December 31, 2018, which agreement is satisfactory in technical content to the City Clerk, in legal form to the City Solicitor and in financial content to the CFO/City Treasurer.

Carried.

Councillors Halberstadt, Marra and Kusmierczyk voting nay.

Report Number **16896 GM/10017 5**

Jones  
Marra

CR251/2013

**THAT** City Council **APPROVE** the Asset Management Plan (AMP) being brought forward by Administration in order to meet the requirements of the Municipal Infrastructure Investment Initiative (MIII); and further

That the Asset Management Plan **BE USED** as a guide in developing the City's long-term Capital Budget Plan to ensure sustainability of the City's various assets.

Carried.

Report Number **16889 GFG/9967 6**

Halberstadt  
Jones

CR252/2013

That the \$400,000 allocated in the 2013 Enhanced Capital Budget for Information Technology Initiatives **BE APPROVED** for the Infrastructure required to move the Mobile Technology initiatives forward; and

That the CAO and City Clerk **BE AUTHORIZED** to sign any agreements required to move this work forward subject to approval as to form by the City Solicitor, as to content by the Executive Director of IT and as to financial matters by the CFO and City Treasurer.

Carried.

Report Number **16886 GP/9577 C7**

Halberstadt  
Jones

CR253/2013

THAT, in accordance with the requirements of Purchasing By-Law 93-2012, the Purchasing Supervisor set up contract purchase orders for the supply of the following chemicals:

(1) CHEMICALS FOR PHOSPHORUS REMOVAL – LRWRP & LRPCP - APPENDIX "A"

That the tender, No. 123-13, dated November 19, 2013 of General Chemical Corporation, 90 East Halsey Road, Parsippany, NJ, USA, 07054 **BE ACCEPTED** to supply 6,000 tonnes (more or less) of aluminum sulphate at the tendered price of \$261.00(CDN)/tonne to the Lou Romano Water Reclamation Plant and to the Little River Pollution Control Plant as and when required, the estimated expenditure of \$1,566,000.00 (plus HST ) to **BE CHARGED** to Chart Field 001-2130-1790-02942-0174201 [LRWRP] and 001-2130-1790-02942-0174301 [LRPCP].

(2) ANIONIC POLYMER - LRWRP - APPENDIX "B"

That the tender, No. 124-13, dated November 19, 2013 of BASF Canada Inc., 100 Milverton Drive, 5<sup>th</sup> Floor, Mississauga, ON L5R 4H1 **BE ACCEPTED** to supply 19,000 kg. (more or less) of ZETAG-4125, at the tendered price of \$3.07 (CDN)/kg to the Lou Romano Water Reclamation Plant as and when required, the estimated expenditure of \$58,330.00 (plus HST ) to **BE CHARGED** to Chart Field 001-2140-1790-02942-0174201.

(3) CATIONIC POLYMER - LRWRP - APPENDIX "C"

That the tender, No. 125-13, dated November 19, 2013 of BASF Canada Inc., 100 Milverton Drive, 5<sup>th</sup> Floor, Mississauga, ON L5R 4H1 **BE ACCEPTED** to supply 45,000 kg. (more or less) of ZETAG-8140, at the tendered price of \$3.26 (CDN)/kg to the Lou Romano Water Reclamation Plant as and when required, the estimated expenditure of \$146,700.00 (plus HST ) to **BE CHARGED** to Chart Field 001-2135-1790-02942-0174201.

(4) PHOSPHORIC ACID - LRWRP - APPENDIX "D"

That the tender, No. 127-13, dated November 19, 2013 of Anchem, 120 Stronach Crescent, London, ON, N5V 3A1 **BE ACCEPTED** to supply 75,000 kg (more or less) of phosphoric acid at the tendered price of \$1.198(CDN)/kg to the Lou Romano Water Reclamation Plant as and when required, the estimated expenditure of \$89,850.00 (plus HST ) to **BE CHARGED** to Chart Field 001-2140-1790-02942-0174201.



(5) SLUDGE CONDITIONING - LRPCP - APPENDIX "G"

That the tender, No. 121-13, dated November 19, 2013 of BASF Canada Inc., 100 Milverton Drive, 5<sup>th</sup> Floor, Mississauga, ON L5R 4H1 **BE ACCEPTED** to supply 23,000 kg. (more or less) of ZETAG 8160 at the tendered price of of \$3.52 (CDN)/kg to the Little River Pollution Control Plant as and when required, the estimated expenditure of \$80,960.00 (plus HST ) **BE CHARGED** to Chart Field 001-2135-1790-02942-0174301.

(6) DISINFECTION – LRWRP & LRPCP - APPENDIX "E"

That the tender, No. 122-13, dated November 19, 2013 of Dutch Products Inc., 44 Clayson Road, Toronto, ON M9M 2G7, **BE ACCEPTED** to supply 75,000 litres (more or less) of sodium hypochlorite at the tendered price of \$0.176(CDN)/L to the Lou Romano Water Reclamation Plant and Little River Pollution Control Plant as and when required, the estimated expenditure of \$13,200.00 (plus HST ) **BE CHARGED** to Chart Field 001-2140-1790-02942-0174201 [LRWRP] and 001-2140-1790-02942-0174301 [LRPCP].

(7) POTASSIUM PERMANGANATE - APPENDIX "H"

That the tender, No. 120-13 dated November 19, 2013 of Cleartech Industries Inc., 7480 Bath Rd., Mississauga, ON L4T 1L2 **BE ACCEPTED** to supply 6,000 kg. (more or less) of potassium permanganate at the tendered price of \$4.05/kg to the Little River Pollution Control Plant as and when required, the estimated expenditure of \$24,300.00(plus HST ) **BE CHARGED** to Chart Field 001-2135-1790-02942-0174301.

(8) POLYALUMINIUM CHLORIDE – LRPCP – APPENDIX "I"

That the tender No. 119-13, dated November 19, 2013 of Kemira Water Solutions, 3405 Marie-Victorin Blvd, Varennes, Quebec, J3X 1T6, **BE ACCEPTED** to supply 80,000 litres (more or less) of polyaluminum chloride at the tendered price of \$0.40898/L to the Little River Pollution Control Plant as and when required, the estimated expenditure of \$32,718.40 (plus HST ) **BE CHARGED** to Chart Field 001-2140-1790-02942-0174301.

(9) DEFOAMER – LRWRP – APPENDIX "F"

That the tender No. 126-13dated November 19, 2013 of Silchem Inc., 200 Granton Drive, Richmond Hill, ON L4B 1H7 **BE ACCEPTED** to supply 125,000 kg. (more or less) of defoamer CAF 1914 at the tendered price of \$0.77/kg to the Lou Romano Water Reclamation Plant as and when required, the estimated expenditure of \$96,250.00 (plus HST ) **BE CHARGED** to Chart Field 001-2140-1790-02942-0174201.

Carried.

Report Number 16894 SW2013 C8

Appendices

Appendices A to F

Halberstadt  
Jones

CR254/2013

THAT City Council **APPROVE** Catering by Mimmo of Koolini's Inc. as the Catering Service provider at Willistead Manor, as per the terms included in their proposal in response to RFP-105-13, and the financial terms as disclosed herein; and further,

THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the catering agreement in form satisfactory to the City Solicitor, in financial content to the City Treasurer and in technical content to the Executive Director of Recreation and Culture for a term of three years with a three year renewal option.

Carried.

Report Number **16818 APM/6272 C9**

Marra  
Valentinis

CR255/2013

That City Council **APPROVE** that the EnWin Group of Companies become one of the first municipal electrical utilities in Ontario to adopt an open meeting structure; and

That City Council **ADOPT** the attached Shareholder Declaration on Open Meetings; and

That City Council **PROVIDE** indemnification to EnWin Directors, Officers, and Staff; and

That the EnWin Board of Directors **BE DIRECTED** to adopt the attached Meeting Rules and Procedure; and

That the attached report from Borden Ladner Gervais regarding "Open Board Meetings Requirement for the EnWin Group of Companies", dated December 5, 2013, **BE RECEIVED** for information.

Carried.

Report Number **16897 MU2013 10**

Appendices

Declaration

Meeting Rules and Procedures

Report

Halberstadt  
Jones

CR256/2013

That Council **APPROVE** the participation fee of Team Windsor, at the ICG Games to be held in 2014, at a total cost of 350 Euros (approximately \$511.00 CDN); and further that the cost of the participation fees **BE ABSORBED** through the Bid Account.

Carried.

Report Number 16898 APR/10694 **C11**

Halberstadt  
Jones

CR257/2013

THAT the results of the poll conducted by the Deputy City Clerk on December 5, 2013 approving the following recommendation **BE CONFIRMED and RATIFIED**:

THAT **APPROVAL BE GIVEN** for up to \$50,000.00 from the Bid Events account to purchase, supply and install the following banners as shown (see *attached*):

1. 250 Holiday Banners (total \$28,320.00)
2. 50 Winter Classic Banners (total \$6,431.00)
3. Plus cost of installation by City crews; and

THAT this **BE UNDERTAKEN** through sole source.

Carried.

Report Number **16901 APR2013 C12**

Appendices  
Banners

Halberstadt  
Jones

CR258/2013

That the Fees and Charges Amendment By-law 2013-01 passed by the Windsor Police Services Board at its meeting of December 9, 2013 **BE APPROVED**.

Carried.

Report Number **16821 SP2013 C13**

Halberstadt  
Jones

CR259/2013

- I. THAT Council **RESCIND** the sewer surcharge rates approved by resolution CR242/2013 on December 2, 2013 and;
- II. THAT the following revised rates (which are intended to avoid any increase in costs in 2014 for the average user) **BE APPROVED** effective January 1, 2014:
  - A. Fixed Charge- To be based the metre size as detailed in Appendix B (\$15.87 for most consumers having the standard metre size of 5/8")
  - B. Water Consumption Charge- To be based on a rate per cubic metre of water (\$2.35 per m3 of water for residential users and \$0.81 per m3 for commercial customers); and
- III. THAT in order to avoid charging a surcharge on the water that is estimated to not have been returned to the sewer system, water consumption for the purpose of calculating the sewer surcharge bills for the extended summer months (May through October) **BE BASED** on the lower of actual consumption or

winter usage (November through April) and that WUC  
**BE DIRECTED** to develop the appropriate billing methodology to achieve this goal.

- IV. THAT the updated 5-Year Sewer Surcharge Forecasts (2014-2018) **BE APPROVED IN PRINCIPLE** as presented in Appendix A of the report and;
- V. THAT Council **DIRECT** the City Solicitor to update the Sewer Surcharge Bylaw to reflect the new rates.
- VI. THAT the Chief Administrative Office and City Clerk **BE AUTHORIZED** to execute an agreement with ENWIN for the provision of administrative services related to the sewer surcharge, satisfactory in legal content to the City Solicitor and in technical & financial content to the City Treasurer.

Carried.

Report Number 16903 SW2013 C14

Internal Distribution

Finance [Tony Ardovini]  
Chief Financial Officer and City Treasurer  
City Solicitor

**STANDING COMMITTEE RESOLUTIONS**

Moved by Councillor Halberstadt, seconded by Councillor Jones,  
**M468-2013** That **Report No. 192 of the Social Development, Health & Culture Standing Committee** of its meeting held November 6, 2013 regarding “Windsor Essex Ten Year Housing and Homelessness Plan” **BE ADOPTED** as presented.

Carried.

Report Number 16797 SS2013

Moved by Councillor Halberstadt, seconded by Councillor Jones,  
**M469-2013** That **Report No. 194 of the Social Development, Health & Culture Standing Committee** of its meeting held November 6, 2013 regarding “Child Care Funding Formula and Funding Framework” **BE ADOPTED** as follows:

1. THAT Council **APPROVE** this report on the Child Care Funding Formula and Funding Framework; and further
2. THAT the City **ENTER INTO** an agreement with the Ministry of Education for the delivery of child care programs in accordance with the City’s legislated obligations under the *Day Nurseries Act*, R.S.O. 1990, c. D.2; and further
3. THAT the City Clerk and the Chief Administrative Officer **BE AUTHORIZED** to execute the MEDU Service Agreement on behalf of the City subject to **APPROVAL** as to technical content by the Community Development & Health Commissioner, as to legal form by the City Solicitor and as to financial content by the City Treasurer and Chief Financial Officer; and further
4. THAT the following schedules to the MEDU Service Agreement, namely, Service Description Schedules, Budget Schedules, Contractual Service Target Schedules, Reporting Schedules, and/or amendments **BE APPROVED** as to technical content by the Executive Director

of Housing Services & Children's Services, as to legal form by the City Solicitor and as to financial content by the City Treasurer and Chief Financial Officer; and further

5. THAT the City **ENTER INTO** Purchase of Service agreements with qualified agencies as determined by the Community Development & Health Commissioner; and further

6. THAT the Community Development & Health Commissioner **BE AUTHORIZED** to sign, amend, or terminate agreements with Purchase of Service agencies on behalf of the City in accordance with the criteria established by the MEDU Service Agreement and mitigation funding where the net city contribution does not exceed \$150,000 or \$1,000,000 gross. For Purchase of Service agreements that exceed a \$150,000 net city contribution or a \$1,000,000 gross contribution, that in addition to the Community Development & Health Commissioner that the Chief Administrative Officer be required to sign as a secondary authority; and further

7. THAT the Purchase of Service agreements **BE APPROVED** as to technical content by the Executive Director of Housing Services & Children's Services, as to legal form by the City Solicitor and as to financial content by the City Treasurer and Chief Financial Officer, or designate. As long as the agreements conform to the standard format reviewed and pre-approved by the City Solicitor, the City Solicitor is not required to approve each individual as to form; and further

8. THAT the Community Development & Health Commissioner/designate **HAS THE DISCRETION** to terminate any Purchase of Service agreement upon the grounds as set out in the agreement and without the need to obtain Council approval, except as provided herein.

Carried.

Report Number 16742 SSD2013

Moved by Councillor Halberstadt, seconded by Councillor Jones,  
**M470-2013** That **Report No. 195 of the Social Development, Health & Culture Standing Committee** of its meeting held November 6, 2013 regarding "License to Operate and FLOW Membership Agreement with Wave Lock, LLC" **BE ADOPTED** as presented.

Carried.

Report Number 16801 SR/11783

Moved by Councillor Halberstadt, seconded by Councillor Jones,  
**M471-2013** That **Report No. 184 of the Planning & Economic Development Standing Committee** of its meeting held November 12, 2013 regarding "Windsor Beauty & Esthetics Supply Inc., Amendment to Zoning By-law 8600, 6640 Tecumseh Road East, permit a retail store within the existing commercial building" **BE ADOPTED** as presented.

Carried.

Report Number 16781 ZB/11763

Moved by Councillor Marra, seconded by Councillor Halberstadt,  
**M472-2013** That **Report No. 185 of the Planning & Economic Development Standing Committee** of its meeting held November 12, 2013 regarding "1433389 Ontario Ltd., Rezoning, 866 & 870 Erie Street East, allow a Lodging House as additional permitted use on subject lands" **BE ADOPTED** as presented.

Carried.

Report Number 16780 ZB/11761

Adopted by Council at its meeting held December 16, 2013 [M468-2013]

RB

Windsor, Ontario, December 16, 2013

**REPORT NO. 192** of the  
**SOCIAL DEVELOPMENT,  
HEALTH & CULTURE STANDING COMMITTEE**  
of its meeting held November 6, 2013

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**Present:** Councillor Ed Sleiman, Chair  
Councillor Jo-Anne Gignac  
Councillor Alan Halberstadt  
Councillor Fulvio Valentinis

That the following recommendation of the Social Development, Health and Culture Standing Committee **BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Valentinis,

**THAT** this report from the Executive Director of Housing and Children's Services regarding the Ten Year Housing and Homelessness Plan for Windsor Essex under the Housing Services Act **BE ACCEPTED**; and further

**THAT** City Council **APPROVE IN PRINCIPLE** the Windsor Essex Housing and Homelessness Plan for submission to the Ministry of Municipal Affairs and Housing for comment and that Administration is required to seek City Council's approval prior to implementing a strategy from the 10 Year Housing and Homelessness Plan if the cost of such implementation has not been included in an approved City Budget in the respective Fiscal Year; and further

**THAT** the Executive Director of Housing and Children's Services **REPORT BACK** in 2014, to City Council on the comments made by the Ministry of Municipal Affairs and Housing on the Plan to receive final endorsement as per the requirement under the Housing Services Act.

Carried.

Livelihood 16797, SS2013

*Clerk's Note: The administrative report authored by the Executive Director of Housing and Children's Services dated October 4, 2013 entitled "Windsor Essex Ten Year Housing and Homelessness Plan" is attached as background information.*

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CHAIRPERSON

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COUNCIL SECRETARIAT

Adopted as per M469-2013 in the Council Minutes  
by Council at its meeting held December 16, 2013  
RB

Windsor, Ontario, December 16, 2013

**REPORT NO. 194** of the  
**SOCIAL DEVELOPMENT,  
HEALTH & CULTURE STANDING COMMITTEE**  
of its meeting held November 6, 2013

---

**Present:** Councillor Ed Sleiman, Chair  
Councillor Jo-Anne Gignac  
Councillor Alan Halberstadt  
Councillor Fulvio Valentinis

That the following recommendation of the Social Development, Health and Culture Standing Committee **BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Valentinis,

- 1 THAT Council **APPROVE** this report on the Child Care Funding Formula and Funding Framework; and further
- 2 THAT the City **ENTER INTO** an agreement with the Ministry of Education for the delivery of child care programs in accordance with the City's legislated obligations under the *Day Nurseries Act*, R.S.O. 1990, c. D.2; and further
- 3 THAT the City Clerk and the Chief Administrative Officer **BE AUTHORIZED** to execute the MEDU Service Agreement on behalf of the City subject to **APPROVAL** as to technical content by the Community Development & Health Commissioner, as to legal form by the City Solicitor and as to financial content by the City Treasurer and Chief Financial Officer; and further
- 4 THAT the following schedules to the MEDU Service Agreement, namely, Service Description Schedules, Budget Schedules, Contractual Service Target Schedules, Reporting Schedules, and/or amendments **BE APPROVED** as to technical content by the Executive Director of Housing Services & Children's Services, as to legal form by the City Solicitor and as to financial content by the City Treasurer and Chief Financial Officer; and further
- 5 THAT the City **ENTER INTO** Purchase of Service agreements with qualified agencies as determined by the Community Development & Health Commissioner; and further
- 6 THAT the Community Development & Health Commissioner **BE AUTHORIZED** to sign, amend, or terminate agreements with Purchase of Service agencies on behalf of the City in accordance with the criteria established by the MEDU Service Agreement and mitigation funding where the net city contribution does not exceed \$150,000 or \$1,000,000 gross. For Purchase of Service agreements that exceed a \$150,000 net city contribution or a \$1,000,000 gross contribution, that in addition to the Community Development & Health Commissioner that the Chief Administrative Officer be required to sign as a secondary authority; and further
- 7 THAT the Purchase of Service agreements **BE APPROVED** as to technical content by the Executive Director of Housing Services & Children's Services, as to legal form by the City Solicitor and as to financial content by the City Treasurer and Chief Financial Officer, or

designate. As long as the agreements conform to the standard format reviewed and pre-approved by the City Solicitor, the City Solicitor is not required to approve each individual as to form; and further

- 8 THAT the Community Development & Health Commissioner/designate **HAS THE DISCRETION** to terminate any Purchase of Service agreement upon the grounds as set out in the agreement and without the need to obtain Council approval, except as provided herein.

Carried.

Livelihood 16742, SSD2013

**Clerk's Note:** The administrative report authored by the Manager of Children's Services dated September 16, 2013 entitled "*Child Care Funding Formula and Funding Framework*" is attached as background information.

\_\_\_\_\_  
CHAIRPERSON

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COUNCIL SECRETARIAT



Adopted by Council at its meeting held December 16, 2013 [M470-2013]

RB

Windsor, Ontario, December 16, 2013

**REPORT NO. 195** of the  
**SOCIAL DEVELOPMENT,  
HEALTH & CULTURE STANDING COMMITTEE**  
of its meeting held November 6, 2013

---

**Present:**  
**Councillor Ed Sleiman, Chair**  
**Councillor Jo-Anne Gignac**  
**Councillor Alan Halberstadt**  
**Councillor Fulvio Valentinis**

That the following recommendation of the Social Development, Health and Culture Standing Committee **BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Valentinis,

THAT the report from the Recreation and Culture Department regarding the requirement for a License to operate and enter into a Flow Membership Agreement with Wave Loch, LLC **BE RECEIVED**; and further

THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the FlowRider® Sheet Wave Attraction Licence to Operate and FLOW Membership Agreement with Wave Loch, LLC satisfactory in technical content to the Executive Director of Recreation and Culture and in form to the City Solicitor.

Carried.

**Livelihood 16801, SR/11783**

***Clerk's Note:*** The administrative report authored by the Manager of Family Aquatic Complex and Aquatic Services dated October 7, 2013 entitled "*License to Operate and FLOW Membership Agreement with Wave Loch, LLC*" is attached as background information.

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CHAIRPERSON

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COUNCIL SECRETARIAT

Adopted by Council at its meeting held December 16, 2013 [M471-2013]

/AA

Windsor, Ontario December 16, 2013

**REPORT NO. 184** of the  
**PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE**  
of its meeting held November 12, 2013

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**Present:**

**Councillor Drew Dilkens**  
**Councillor Bill Marra (Chair)**  
**Councillor Hilary Payne**  
**Councillor Ed Sleiman**  
**Merrill Baker**  
**Barbara Bjarneson**  
**Cheryl Cross-Leal**

That the following recommendations of the Planning & Economic Development Standing Committee **BE APPROVED** as follows:

Moved by Councillor Dilkens, seconded by Merrill Baker

**THAT** an amendment to Zoning By-law 8600 changing the zoning of Part 2, Plan 12R-5439 (save and except for part 4, Plan 12R-22975), situated on the north side of Tecumseh Road East, west of Roseville Garden Drive, by adding a site-specific provision to allow a retail store as an additional permitted use **BE APPROVED**.

Carried.

**Livelihood #16781, ZB/11763**

*Clerk's Note:* The administrative report authored by the City Planner dated October 9, 2013 entitled "*Windsor Beauty & Esthetics Supply Inc., Amendment to Zoning By-law 8600, 6640 Tecumseh Road East, permit a retail store within the existing commercial building*" is **attached** as background information.

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**CHAIRPERSON**

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**DEPUTY CLERK**

Adopted by Council at its meeting held December 16, 2013 [M472-2013]

/AA

Windsor, Ontario December 16, 2013

**REPORT NO. 185** of the  
**PLANNING & ECONOMIC DEVELOPMENT STANDING COMMITTEE**  
of its meeting held November 12, 2013

---

**Present:**

**Councillor Drew Dilkens**  
**Councillor Bill Marra (Chair)**  
**Councillor Hilary Payne**  
**Councillor Ed Sleiman**  
**Merrill Baker**  
**Barbara Bjarneson**  
**Cheryl Cross-Leal**

That the following recommendations of the Planning & Economic Development Standing Committee **BE APPROVED** as follows:

Moved by Barbara Bjarneson, seconded by Cheryl Cross-Leal

1. **THAT** an amendment to the Zoning By-law 8600 **BE APPROVED** to change the zoning of the lands located on the north side of Erie Street East, between Parent and Elsmere Avenues, described as Lots 32 and 31 on Plan 360, and municipally known as 866 and 870 Erie Street East, by adding a site specific provision to allow a Lodging House as an additional permitted use, subject to the following additional regulations:

- i. No person shall be provided with lodging on any part of the ground floor level of the building used for a Lodging House;
- ii. Parking shall be provided at the rear and vehicular access shall be provided through the rear alley; and
- iii. The requirements of Sections 25(4)(d) and 25(6) shall not apply.

Carried.

Merrill Baker voting nay.

**Livelihood #16780, ZB/11761**

*Clerk's Note:* The administrative report authored by the City Planner dated October 8, 2013 entitled "1433389 Ontario Ltd., Rezoning, 866 & 870 Erie Street East, allow a Lodging House as additional permitted use on the subject lands" is **attached** as background information. Also **included** are four letters of support submitted by Frank Fazio, Solicitor on behalf of the Applicant.

\_\_\_\_\_  
**CHAIRPERSON**

\_\_\_\_\_  
**DEPUTY CLERK**

*M460-2013 AMENDED BY M467-2013 ADOPTED BY COUNCIL December 16, 2013  
SEE ALSO BY-LAW 195-2013*

Adopted by Council at its meeting held December 16, 2013 [M460-2013]  
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA  
December 10, 2013**

**Meeting called to order at: 10:37 a.m.**

**Members in Attendance:**

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

**Also in attendance:**

H. Reidel, Chief Administrative Officer  
M. Sonego, City Engineer and Corporate Leader Environmental Protection and  
Transportation  
G. Wilkki, 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  
B. Montone, Fire Chief (Item 1)  
S. Laforet and B. McLaughlin, Deputy Fire Chiefs (Item 1)  
J. Mancina, Deputy Treasurer, Financial Accounting (Item 1)  
V. Mihalo, Executive Director of Human Resources (Items 1 and 2)  
W. Willis, Legal Counsel (Items 1 and 3)

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

**3. Legal matter – contractual matter subject to solicitor-client privilege.**

**Motion Carried.**

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

<u>Item No.</u>	<u>Subject</u>	Section – Pursuant to Municipal Act, 2001, as amended
1.	Personal matter – labour arbitration matter	239(2)(d)
2.	Personal matter about an identifiable individual – appointment	239(2)(b)
3.	Legal Matter – contractual matter subject to solicitor-client privilege – ADDED	239(2)(e)

**Motion Carried.**

#### **Declarations of Pecuniary Interest:**

Councillor Dilkens declares an interest on Item 3 and portions of Item 1 that pertain to legal costs and abstains from voting as his law firm is Counsel of record on the matter.

#### **Discussion on the items of business. (Items 1, 2 and 3)**

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

**Motion Carried.**

**Moved by Councillor Marra, seconded by Councillor Valentinis, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held December 10, 2013 directly to Council for consideration at the next Regular Meeting.**

1. That the confidential report from Mayor Francis respecting a personal matter – labour arbitration **BE RECEIVED** and further that the Mayor **BE AUTHORIZED** to proceed on the verbal direction of Council.  
**Councillor Dilkens declares an interest on the portions pertaining to legal costs.**
2. That the recommendation contained in the in-camera report from the Chief Administrative Officer respecting a personal matter about an identifiable individual - appointment **BE APPROVED.**

3. That the verbal report of Mayor Francis respecting a legal matter – contractual matter subject to solicitor-client privilege **BE RECEIVED** and further Administration **BE AUTHORIZED** to proceed on the verbal direction of Council.

**Councillor Dilkens declares an interest and abstains from voting on this matter.**

**Motion Carried.**

**Moved by Councillor Dilkens, seconded by Councillor Jones,  
That the special meeting of council held December 10, 2013 BE ADJOURNED.  
(Time: 12:40 p.m.)**

**Motion Carried.**

Adopted by Council at its meeting held December 16, 2013 [M461-2013]  
VC/bm

**SPECIAL MEETING OF COUNCIL – IN CAMERA  
December 16, 2013**

**Meeting called to order at: 5:33 p.m.**

**Members in Attendance:**

Mayor E. Francis  
Councillor R. Jones  
Councillor A. Halberstadt (arrives at  
5:39 p.m.)  
Councillor F. Valentinis  
Councillor B. Marra  
Councillor A. Maghnieh  
Councillor H. Payne  
Councillor E. Sleiman  
Councillor I. Kusmierczyk

**Members Absent:**

Councillor D. Dilkens  
Councillor J. Gignac

**Also in attendance:**

H. Reidel, Chief Administrative Officer  
J. Payne, 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  
G. Wilkki, 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  
P. Brode, Senior Legal Counsel (Item 1)  
S. Askin-Hager, Deputy City Solicitor (Item 1)

**Verbal Motion is presented by Councillor Valentinis, 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/Property matter – expropriation settlement	239(2)(e)(f)

**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 Valentinis, to move back into public session.**

**Motion Carried.**

**Moved by Councillor Marra, seconded by Councillor Valentinis, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held December 16, 2013 directly to Council for consideration at the next Regular Meeting.**

1. That the recommendation contained in the in-camera report from the Senior Legal Counsel, City Solicitor and Corporate Leader Economic Development and Public Safety, Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a legal/property matter – expropriation settlement BE APPROVED.

**Motion Carried.**

**Moved by Councillor Jones, seconded by Councillor Sleiman, That the special meeting of council held December 16, 2013 BE ADJOURNED. (Time: 5:45 p.m.)**

**Motion Carried.**