

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

Following the playing of the Canadian National Anthem, Pastor Ernie Harris from New Beginnings Christian Church, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

None disclosed.

Minutes

Moved by Councillor Dilkens, seconded by Councillor Gignac,
That the Minutes of the regular meeting of Council held December 17, 2012 **BE ADOPTED**
as presented.
Carried.

Notice of Proclamations

National Alzheimer Awareness Month – January 2013
Employee Mentoring Week – January 14-18, 2013

Committee of the Whole

Moved by Councillor Halberstadt, seconded by Councillor Marra,
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); and
 - (g) consideration of by-laws 1-2013 through 5-2013 (inclusive).
- Carried.

Communications

Moved by Councillor Jones, seconded by Councillor Maghnieh,
M1-2013 That the following Communication Items 2 to 17 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication No. 1 which is to **BE REFERRED** to Administration to allow for a report to be prepared on the schedule for restoration work on Willistead Manor in 2013; and Communication No. 18 which is dealt with as follows:

Communication No. 18:

Moved by Councillor Valentinis, seconded by Councillor Jones,
M2-2013 That the correspondence dated January 6, 2013 from Danny Danelon regarding a request to continue operations of parking lot located at 268 Glengarry Avenue **BE REFERRED** to the February 4, 2013 meeting of Council to allow for Administration to prepare a report regarding the Applicant's request.
Carried.
Councillor Gignac voting nay.

Z/6274

Item	From	Description
1	Federal Economic Development Agency for Southern Ontario	Willistead Manor Complex Rehabilitation - Letter of Decline. Note & File MB/3549
2	Ministry of Citizenship and Immigration	Nominations for the Ontario Medal for Young Volunteers are being accepted by the Ontario Honours and Awards Secretariat. Note & File APR2013
3	Ministry of Municipal Affairs and Housing	Public Consultation on Building Code Accessibility Requirements. Chief Building Official Diversity & Accessibility Officer Co-ordinator - Windsor Accessibility Advisory Committee Note & File GP2013

4	Ministry of Community and Social Services	Enhancing Housing and Homelessness Supports. Executive Director of Housing & Children's Services Chief Financial Officer & City Treasurer Note & File GP2013
5	Federation of Canadian Municipalities (FCM)	Support FCM's Target 2014 Campaign Update. City Engineer Note & File MMF2013
6	Association of Municipalities of Ontario (AMO)	New AODA Accessibility Standards – Design of Public Spaces in the Built Environment. Chief Building Official Customer Service Coordinator Diversity & Accessibility Officer Co-ordinator -Windsor Accessibility Advisory Committee Note & File MMA2013
7	Association of Municipalities of Ontario (AMO)	Ontario's New Child Care Funding Framework and Funding Formula. Executive Director of Housing & Children's Services Chief Financial Officer & City Treasurer Note & File MMA2013
8	Association of Municipalities of Ontario (AMO)	Provincial Auditor's 2012 Report – Key Municipal Interest in OPP Recommendations. Chief Financial Officer & City Treasurer Police Chief Note & File MMA2013
9	Association of Municipalities of Ontario (AMO)	Ontario Distribution Sector Review Panel Releases Report. Windsor Utilities Commission Note & File MMA2013
10	Ontario Municipal Board	Decision/Order of the Board regarding the approval of road closings along King's Highway 3 and Huron Church Road that comprise the proposed Windsor-Essex Parkway. City Planner Chief Building Official City Solicitor Development Applications Clerk Note & File ST/8821
11	The Corporation of the Town of Tecumseh	Notice of the passing of a zoning by-law amendment by the Corporation of the Town of Tecumseh. City Planner City Solicitor Development Applications Clerk Note & File ZB2013
12	Essex Region Conservation Authority (ERCA)	Watershed Management Futures for Ontario, Conservation Ontario. City Engineer Note & File EI2013

13	Essex-Windsor Solid Waste Authority	Essex-Windsor Solid Waste Authority Closed Landfill #3 Environmental Compliance Approval #A011501 Conditions #34 and #35 No Fault Compensation and Technical Review Committee. City Engineer Senior Manager – Operations Note & File EI2013
14	Essex-Windsor Solid Waste Authority	Notice of No-Fault Compensation Fund Pertaining to Closed Landfill #3. City Engineer Senior Manager – Operations Note & File EI2013
15	WindsorEssex Economic Development Corporation	More Support for Municipal Infrastructure. City Engineer Chief Financial Officer & City Treasurer Note & File GP2013
16	Stantec Consulting Ltd.	Corporation of the Town of Lakeshore Class Environmental Assessment for Eastern Communities Sewage Works – Notice of Completion. City Engineer Note & File EI2013
17	City Treasurer	Issuance of 2013 Interim Property Tax Bills. Note & File AF2013
18	Danny Danelon	Request to continue operations of parking lot located at 268 Glengarry Avenue. COUNCIL DIRECTION REQUESTED Z/6274

Carried.

Consent Agenda

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

- Item 2 2013 Annual Temporary Borrowing
- Item 3 Municipal Infrastructure Investment Initiative
- Item 4 2013 Agency Grant Payments
- Item 5 Community Homelessness Prevention Initiative (CHPI)
- Item 6 Recommended Municipal Support for Ontario Power Authority FIT Applications

Carried.

Councillors Gignac and Dilkens voting nay on Item 4, specifically relating to the inclusion of the Community Crime Reduction Initiative (CCRI).

Moved by Councillor Payne, seconded by Councillor Gignac,
That Council **APPROVE** the funding of agencies in 2013 up to a maximum of 50% of the 2012 approved grant amounts as outlined in the report of the Chief Financial Officer dated December 11, 2012 entitled "2013 Agency Grant Payments", save and except the Windsor-Essex Development Corporation, which is to receive up to 25% of the previous year's grant as opposed to 50%, and that they be requested to provide a plan to Council within three months in order to determine if the remaining 25% should be granted.

The motion is put and is lost.

Aye votes: Councillors Payne and Gignac.

Nay votes: Councillors Sleiman, Halberstadt, Maghnieh, Marra, Valentinis, Jones and Dilkens.

Absent: Councillor Hatfield.

AFB/11544

(For final disposition of this matter see **CR4/2013** in Schedule "A" attached hereto.)

Consent Committee Reports

None presented.

Deferrals and/or Referrals and Withdrawals

None requested.

Presentations & Delegations:

DELEGATIONS

University of Windsor Contribution

Dr. Alan Wildeman, President; and Sandra Aversa, Vice President, Planning and Administration, University of Windsor

Dr. Alan Wildeman, President; and Sandra Aversa, Vice President, Planning and Administration, University of Windsor, appear before Council and are available for questions regarding the recommendation to enter into an agreement as part of the transfer for the Armouries, the former bus depot and the Chatham Street Parkette, or on its own, to govern the payment of up to \$10 million to the University of Windsor.

David Hanna, resident of Ward 1

David Hanna, resident of Ward 1, appears before Council to speak in support of the recommendation to allow an agreement with the University of Windsor, either as part of the transfer agreement (for the Armouries, the former bus depot and the Chatham Street Parkette) or on its own, to govern the payment of up to \$10 million to the University of Windsor, stating that this will help the downtown in a positive manner, and concludes by suggesting various alternatives that should be contemplated to take advantage of preserving the heritage of the subject properties.

APM/11261 1

(For final disposition of this matter, see Clause **CR1/2013** in Schedule "A" attached hereto.)

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

Nil.

Consideration of Committee Reports

M3-2013 Moved by Councillor Dilkens, seconded by Councillor Gignac,
as presented. That the **Report of the special In-camera** meeting held January 7, 2013, **BE ADOPTED**
Carried.

ACO2013

By-laws

Moved by Councillor Halberstadt, seconded by Councillor Marra,
That the following By-laws No. 1-2013 through 5-2013 (inclusive), be introduced and read a first
and second time:

- 1-2013 "A BY-LAW TO AUTHORIZE THE CORPORATION OF THE CITY OF WINDSOR TO ENTER INTO EXTENSION AGREEMENTS AND FOR THE CHIEF ADMINISTRATIVE OFFICER AND CLERK TO EXECUTE SUCH AGREEMENTS"
- 2-2013 "A BY-LAW TO ASSUME FOR PUBLIC USE AS A PUBLIC HIGHWAY THE 3.97 METRE (13 FEET) WIDE EAST/WEST ALLEY LOCATED NORTH OF HANNA STREET EAST, AND WESTERLY FROM MARENTETTE AVENUE, CITY OF WINDSOR"
- 3-2013 "A BY-LAW TO CLOSE, STOP UP AND CONVEY THE 3.97 METRE (13 FEET) WIDE EAST/WEST ALLEY LOCATED NORTH OF HANNA STREET EAST, AND WESTERLY FROM MARENTETTE AVENUE, CITY OF WINDSOR"
- 4-2013 "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"
- 5-2013 "A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE SEVENTH DAY OF JANUARY, 2013"

Carried.

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

- 1) **Communication Items (as 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

None presented.

Third Reading of By-laws

Moved by Councillor Marra, seconded by Councillor Payne,

That the following By-laws No. 1-2013 through 5-2013 (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

None registered.

Adjournment

Moved by Councillor Halberstadt, 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 7:00 o'clock p.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Dilkens
Valentinis

**CR1/2013 PARAGRAPHS 1 AND 2 BE RESCINDED AND REPLACED – SEE CR223/2013 ADOPTED
NOVEMBER 4, 2013**

CR1/2013

THAT the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign an agreement with the University of Windsor, either as part of the transfer agreement (for the Armouries, the former bus depot and the Chatham Street Parkette) or on its own, to govern the payment of up to \$10 million to the University of Windsor as previously approved by Council as part of the 2012 Capital Budget, on the following terms and conditions:

1. **Payments (by cheque):**
 - a. \$500,000 payable on the date of closing;
 - b. \$3.0 million on May 31, 2013;
 - c. \$3.0 million on September 30, 2013; and
 - d. \$3.5 million on January 31, 2014.

2. **Conditions of Payments:**
 - a. Each draw will be based on evidence of expenditures of at least the requested amount
 - b. Supporting confirmation through progress certificates and/or architect(s) approval demonstrating funds were used for the intended purpose.

3. **Audit:** The City retains the right to audit the expenditures incurred.

Carried.

Report Number **16282 APM/11261 1**

Marra
Payne

CR2/2013

THAT City Council **AUTHORIZE** the temporary borrowing of money for current expenditures for the year 2013, 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 16288 AFB/11544 C2

Marra
Payne

CR3/2013

That City Council **APPROVE** the submission of an Expression of Interest to the Ontario Ministry of Infrastructure as it relates to the Municipal Infrastructure Investment Initiative (MIII)

AND FURTHER that City Council **APPROVE** the E.C.Row Expressway (westbound) at the Conrail bridge project as the selected project to be submitted relative to the MIII funding; and

That City Council **AUTHORIZE** the Chief Administrative Officer and the City Clerk to sign the MIII Capital Program-Expression of Interest submission as confirmation that it is factually correct, subject to it being satisfactory in form to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer **AND FURTHER** that the City Council confirm the City's commitment to developing a Comprehensive Asset Management Plan by December 31, 2013 that includes all of the information and analysis described in the Province's **Building Together: Guide for Municipal Asset Management Plans**.

Carried.

Report Number **16289 GFG/9967 C3**

Marra
Payne

CR4/2013

THAT Council **APPROVE** the funding of agencies in 2013 up to a maximum of 50% of the 2012 approved grant amounts as outlined in the report of the Chief Financial Officer and City Treasurer dated December 11, 2012 entitled "2013 Agency Grant Payments"; and that the list of agencies to be funded this 50% also include the Children Safety Village Windsor Essex County pertaining to the Community Crime Reduction Initiative (CCRI).

Carried.

Councillors Gignac and Dilkens voting nay on the addition of the Community Crime Reduction Initiative (CCRI).

Report Number **16301 AFB/11544 C4**

Marra
Payne

CR5/2013

THAT the Community Development and Health Commissioner **BE AUTHORIZED** to **APPROVE** and **SUBMIT** an CHPI Investment Plan to the Ministry of Municipal Affairs and Housing for program Years 1 (2013/14) to Year 3 (2015/16) for Windsor Essex provided that any submission, amendment or reallocation does not exceed the City's budgeted contributions to the program; and

THAT the Executive Director of Housing and Children's Services **BE AUTHORIZED** to **APPROVE** amendments to the CHPI Investment Plan and submit the amended Plan to the Ministry of Municipal Affairs and Housing over the program duration provided that any submission, amendment or reallocation does not exceed the City's budgeted contributions to the program; and

THAT the Executive Director of Housing and Children's Services **BE AUTHORIZED**, throughout the duration of CHPI to **RE-ALLOCATE** funds in year between the four different program components and program recipients, agencies and organizations to maintain and ensure compliance with program rules and criteria and/or to enable full take-up of program funds and/or to address local community needs provided that any submission, amendment or reallocation does not exceed the City's budgeted contributions to the program; and

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 MMAH Agreement when guidelines become available, 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 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.

Carried.

Report Number **16300 GH/6905 C5**

Marra
Payne

CR6/2013

That the following list of FIT Project sites **BE SUPPORTED** by City Council for the Ontario Power Authority Application, and that this support **BE GRANTED** using the attached prescribed form, and that the City Clerk **BE AUTHORIZED** to sign prescribed form satisfactory in form and content to the City Planner.

<i>CONTACT NAME</i>	<i>APPLICANT NAME</i>	<i>PROJECT ADDRESS</i>
Natalie Tutunzis	SunEdison Canada Origination Health LP	4515 Rhodes Dr 4525 Rhodes Dr 9305 Twin Oaks Dr 7126 Tecumseh Rd East
Joseph Papic	Unconquered Sun Solar Technologies Inc.	3005 Temple Dr
Rob Del Papa	Unconquered Sun Solar Technologies Inc.	1800 North Service Rd 3945 Matchette Rd
Al Menzies	2046639 Ontario Inc. Valente Construction Limited Central Drug Mart Inc.	9420 Tecumseh Rd East 8100 Wyandotte St East 6475 Wyandotte St East
Scott O'Neil	St. Clair College of Applied Arts and Technology	2000 Talbot Rd West

Carried.

Report Number **16315 MU/8327 C6**

Adopted by Council at its meeting held on January 7, 2013 [M3-2013]
VC/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA
January 7, 2013

Meeting called to order at: 5:02 p.m.

Members in Attendance:

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

Members Absent:

Councillor B. Marra
Councillor P. Hatfield

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. Sonego, City Engineer and Corporate Leader Environmental Protection and
Transportation
S. Askin-Hager, Deputy City Solicitor
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 (arrives at 5:03 p.m.)
M. Nazarewich, Senior Legal Counsel (Items 1 and 2)
J. Lechicky, Manager Employee Relations (Item 2)
L. Lombardo, Administrator, Huron Lodge (Item 2)

**Verbal Motion is presented by Councillor Sleiman, seconded by Councillor
Gignac,
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)(f)
2.	Personal matter – labour relations - negotiations	239(2)(d)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

Discussion on the items of business. (Items 1 and 2)

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

Motion Carried.

**Moved by Councillor Valentinis, 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 7, 2013 directly to Council for consideration at the next Regular Meeting.**

1. That the confidential report from Senior Legal Counsel, City Solicitor and Corporate Leader Economic Development and Public Safety and City Engineer and Corporate Leader Environmental Protection and Transportation respecting a legal matter – litigation **BE RECEIVED FOR INFORMATION.**

2. That the confidential report from the Manager of Employee Relations, Executive Director Long Term Care and Administrator Huron Lodge, City Clerk/Licence Commissioner and Corporate Leader Public Engagement and Human Services, Community Development and Health Commissioner and Corporate Leader Social Development, Health, Recreation and Culture and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a personal matter – labour negotiations **BE RECEIVED** and that Administration **BE AUTHORIZED** to proceed in accordance with the verbal direction of Council.

Motion Carried.

**Moved by Councillor Halberstadt, seconded by Councillor Jones,
That the special meeting of council held January 7, 2013 BE ADJOURNED.
(Time: 5:29 p.m.)**

Motion Carried.