

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 Kusmierczyk
Councillor Maghnieh
Councillor Marra
Councillor Payne
Councillor Sleiman
Councillor Valentinis

Members Absent:

None.

Call to Order

Following the playing of the Canadian National Anthem, Pastor Luc Lebouef from Windsor Christian Fellowship, offers the Opening Prayer.

Disclosures of Pecuniary Interest and the General Nature Thereof

Councillor Kusmierczyk discloses an interest and abstains from voting on Communication No. 3, being correspondence from WEtech Alliance, as he is employed by that organization.

Minutes

Moved by Councillor Jones, seconded by Councillor Kusmierczyk,
That the Minutes of the regular meeting of Council held February 3, 2014, **BE ADOPTED**
as presented.
Carried.

Notice of Proclamations

None presented.

Committee of the Whole

Moved by Councillor Maghnieh, 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
 - (ii) **Report No. 340 of the Windsor Heritage Committee** of its meeting held January 29, 2014.
 - (g) consideration of by-laws 21-2014 through 26-2014 (inclusive).
- Carried.

Communications

Moved by Councillor Payne, seconded by Councillor Sleiman,
M89–2014 That the following Communication Items 1, 2, 4, 5, 7, 9, 10, 14, 16, 17 and 18 inclusive, as set forth in the Council Agenda **BE REFERRED** as noted except Communication No. 3, 6, 8, 11, 12, 13, 15, 19 and 20, which are dealt with as follows:

Communication Nos. 3, 6, 8, 12 and 13:

Moved by Councillor Payne, seconded by Councillor Gignac,
M90–2014 **WHEREAS** City Council, at its meeting held August 6, 2013 registered Council Question Number CQ27-2013 as follows:

“Asks Administration to draft a policy for Council consideration regarding funding requests from organizations beyond the waiving of fees”;

and

WHEREAS Administration is working on finalizing a report for Council’s consideration in response to Council Question Number CQ27-2013; and

WHEREAS there is no current policy on such funding requests; and

WHEREAS the following communication items were listed in the Communications package for the February 18, 2014 Council meeting:

- Communication No. 3 – Funding Request from WEtech Alliance dated January 22, 2014;
- Communication No. 6 – Sponsorship Request from Easter Seals Ontario dated February 3, 2014;
- Communication No. 8 – Sponsorship Request from AISEC dated February 7, 2014;
- Communication No. 12 – Request for Support from the Southwest Economic Alliance; and
- Communication No. 13 – Sponsorship Request from Rose City Gymnastics regarding the 2014 Ontario Gymnastics Championships, received February 10, 2014;

THEREFORE BE IT RESOLVED THAT these communication items, and any future requests that are received, **BE REFERRED** to Administration until such time as the report from Administration in response to Council Question Number CQ27-2013 is presented to Council for consideration, along with administrative comment on a go-forward basis on compliance with the proposed policy, and that the City Clerk **BE DIRECTED** to advise requestors accordingly.

Carried.

Councillor Valentinis was absent from the meeting when the vote was taken on this matter.
Councillor Kusmierczyk discloses an interest and abstains from voting on Communication No. 3.

Communication No. 19:

Moved by Councillor Jones, seconded by Councillor Marra,
M91–2014 That the correspondence from the Canadian Union of Postal Workers dated February 10, 2014 regarding their concerns with the proposed removal of door-to-door delivery and subsequent reliance on “community mailboxes” **BE RECEIVED**; and further,

That Council **CONVEY** its objection to the removal of door-to-door delivery, and that a letter **BE SENT** to the Federation of Canadian Municipalities (FCM) requesting that the Federal Government direct Canada Post to maintain the current system of residential door-to-door postal delivery in Canada.

Carried.

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

GF2014

Communication No. 20:

Moved by Councillor Jones, seconded by Councillor Halberstadt,
M92–2014 That the correspondence from the “Windsor Historical Society – Veterans Memories Project” for financial support dated February 12, 2014 regarding the monument honouring the 837 young men and women from Windsor-Essex County who perished during World War 1 (1914 to 1918) **BE REFERRED** to the Manager of Cultural Affairs for review and consideration.

Carried.

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

SR2014

Communication No. 11:

Moved by Councillor Halberstadt, seconded by Councillor Maghnieh,
M93–2014 That the notice from the Association of Municipalities of Ontario (AMO) dated February 7, 2014 regarding “Recent Developments in Joint and Several Liability – Municipal Action Needed” **BE RECEIVED** for information; and that a letter of support **BE SENT TO** Randy Pettapiece, MPP for Perth-Wellington, who introduced the subject private member’s bill calling on the government to implement comprehensive reform to joint and several liability by June 2014.

Carried.

MMA2014

Communication No. 15:

Moved by Councillor Gignac, seconded by Councillor Maghnieh,
M94–2014 That the advisory dated February 7, 2014 entitled “Transport Canada proposes new rail regulations to reduce accidents and save lives” **BE REFERRED** to the Rail Issues Committee for consideration, and further, that Administration **BE DIRECTED** to provide the relevant excerpts from the February Canada Gazette to the Committee members.

Carried.

MTR2014

| Item | From | Description |
|------|---|--|
| 1 | Environment and Land Tribunals Ontario - Ontario Municipal Board | Notice of Arbitration and Statement of Claim regarding claimants: property location: 560 Sandwich West City Solicitor City Planner Secretary - Committee of Adjustment Note & File ZC2014 |
| 2 | Environment and Land Tribunals Ontario - Ontario Municipal Board (OMB) | Zoning By-law Amendment - Application for an amendment to Zoning By-law – refused by the municipality Nelson Rocha - 254 Watson Ave, Windsor, Ontario (North Part lot 80, Part Lot 81, Plan 829, Part Lot 129) City Solicitor City Planner Note & File AB/11778 |
| 3 | WEtech Alliance | Home of the inaugural annual FIRST Robotics Competition (FRC) Windsor-Essex Great Lakes Regional held at the St. Denis Centre at the University of Windsor – April 3 rd -5 th - Request for Presentation Council Direction Requested APR2014 |
| 4 | Ministry of Consumer Services - Public Safety Branch - Policy and Consumer Protection Services Division | Proposals to Enhance Propane Safety and Minimize Burden on Business Note & File GP2014 |
| 5 | Federation of Canadian Municipalities (FCM) | Update on Canada Post plan to phase out home delivery Note & File MMF2014 |
| 6 | Windsor-Essex Easter Seals Telethon - Senior Development Officer | Sponsorship request for the 2014 Easter Seals Windsor-Essex Telethon set for April 13 th COUNCIL DIRECTION REQUESTED APR2014 |
| 7 | Town of Lasalle - Committee of Adjustment | Notice of Application for Consent on behalf of: 957478 Ontario Limited – Part Lot 48, Lots 49-74, Part of Block “B” and Part of Closed Alley on Plan 661 vacant land on Elsworth between Meloche and Michigan City Planner Note & File ZC2014 |
| 8 | AIESEC - Organizing Committee Vice President Business Development | AIESEC South ON 2014 – Youth Leadership Conference Request Council Direction Requested APR2014 |
| 9 | Minister of the Environment | Deep Geologic Repository for Low- and Intermediate – Level Radioactive Waste Project proposed by Ontario Power Generation City Engineer Note & File EI2014 |

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|----|--|--|---|
| 10 | Chief Financial Officer / City Treasurer | 2014 BIA Budget Review and Approval Process | Note & File MI2014 |
| 11 | Association of Municipalities of Ontario (AMO) | Recent Developments in Joint and Several Liability – Municipal Action Needed | City Solicitor Note & File MMA2014 |
| 12 | Southwest Economic Alliance (SWEA) | SWEA Intelligent Region Project: Benchmarking and Community Engagement Phase | Council Direction Requested GM2014 |
| 13 | Rose City Gymnastics | Greatness is a Journey – 2014 MAG, WAG and Acrobatics Ontario Provincial Championships Sponsorship Information Booklet | Council Direction Requested APR2014 |
| 14 | Dillon Consulting Limited and the City of Windsor | Notice of Public Information Centre Class Environmental Assessment - 6 th Concession Road/North Talbot Road | Note & File SW/11729 |
| 15 | Transport Canada | Transport Canada proposes new rail regulations to reduce accidents and save lives | City Engineer Note & File MTR2014 |
| 16 | Association of Municipalities Ontario (AMO) | Canada's Gas Tax Fund | City Engineer City Treasurer General Manager – Transit Windsor Note & File MMA2014 |
| 17 | Committee of Adjustment/Consent Authority Agenda Record | Committee of Adjustment/Consent Authority Agenda Record for Thursday, February 27, 2014, Council Chambers, 3 rd Floor, 350 City Hall Square West, Windsor Ontario | Note & File ZC2014 |

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|----|---|--|
| 18 | City Solicitor | Reporting Requirements – Part XIV (163) of the 93-2012 Purchasing Bylaw Note & File AB2014 |
| 19 | Canadian Union of Postal Workers (CUPW) | “Save Canada Post Committee” – Door-to-Door Postal Delivery in Canada Clerk’s Note: CUPW Windsor has been advised that delegations are not heard on communication matters Council Direction Requested GF2014 |
| 20 | Windsor Historical Society, Veterans Memories Project | Relocation of WWI monument. Council Direction Requested SR2014 |

Carried.

Councillor Kusmierczyk discloses an interest and abstains from voting on Communication No. 3.

Consent Agenda

Moved by Councillor Valentinis, seconded by Councillor Dilkens,

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

- Item 1 Windsor/Sarnia Border Advisory System Project, Deployment of ITS Infrastructure in the City of Windsor
- Item 2 Initiation of Construction of Curbs and Gutters and Boulevard Restoration on Turner Road from Seymour Boulevard to Lappan Avenue
- Item 3 Hon. Herb Gray Parkway – Drainage issues
- Item 4 Sterling Fuels, 3665 Russell Street, Application for Approval of Waste Disposal Site (transfer facility) MOE Reference Number 7734-9CXQS4
- Item 5 Solar Photovoltaic Roof Mounted Installation – Awarding of RFP111-13
- Item 6 Yearly Roadside Ditch Cutting Program
- Item 8 RFP Terms and Conditions for Outdoor Furnishings
- Item 9 Amendments to By-law 11275; Site Plan Approval Authority

Consent Committee Reports

| <i>Executive Committee</i> | | |
|----------------------------|----------------|--|
| No. | | Description |
| 1 | Report No. 158 | Status Report – Compliance with Applicable Laws and Regulations, 4 th Quarter 2013 |
| 2 | Report No. 159 | Delegation of Authority Semi-Annual Status Report for period July 1, 2013 through December 31, 2013 |
| 3 | Report No. 160 | CQ38-2013 – The proposed east/west arterial respect to the Windsor Christian Fellowship Access (part of the Lauzon Parkway Environmental Assessment) |
| 4 | Report No. 161 | Travel and Business Expense Policy Amendments |
| 5 | Report No. 162 | Ministry of Municipal Affairs and Housing 2012 Financial Indicator Review |

| | | |
|---|----------------|---|
| 6 | Report No. 163 | Summary of Hotline Issues Referred to Management by PwC |
| 7 | Report No. 164 | The minutes of the Transit Windsor and Windsor Chartabus Inc. Meetings held December 10, 2013 |

Carried.

Deferrals and/or Referrals and Withdrawals

None requested.

Presentations & Delegations:

DELEGATIONS

Construction of Fire Hall No. 2 and Fire Hall No. 5

Gerry Strong, resident of Ward 1

Gerry Strong, resident of Ward 1, appears before Council to provide comment regarding the report of the City Engineer pertaining to the construction of Fire Hall No. 2 and Fire Hall No. 5, stating that he is concerned about the closing of Fire Station #5 on Cabana, as the new location at Northwood Street and Daytona Avenue would be detrimental to residents of South Windsor as there would be possible delays in response times due to traffic, especially on Huron Church Road, and concludes by suggesting that public hearings be held on the matter.

SF/11843 7

(For final disposition of this matter, see Clause **CR42/2014** in Schedule "A" attached hereto.)

The Sandwich Improvement Area, Olde Sandwich Towne St. Patrick's Celebration, March 16 and 17, 2014, Temporary Road Closure of Sandwich Street between Detroit Street and Brock Street

David Grimaldi, Executive Director, Sandwich Improvement Area

David Grimaldi, Executive Director, Sandwich Improvement Area, appears before Council and is available for questions regarding the request from the Sandwich Improvement Area to temporarily close Sandwich Street between Detroit Street and Brock Street to host a St. Patrick's Celebration event from 8:00 o'clock a.m. March 16, 2014 to 1:00 o'clock a.m. March 18, 2014.

SR2014 10

(For final disposition of this matter, see Clause **CR45/2014** in Schedule "A" attached hereto.)

Charles Clark Square ice rink – Confirm & Ratify**David Hanna, resident of Ward 1**

David Hanna, resident of Ward 1 appears before Council to state support for the decision to dismantle and remove the synthetic ice squares from Charles Clark Square and to re-install real ice for the remainder of the 2013/2014 winter skating season and provides an overview of disadvantages to synthetic ice.

SR2014 11

(For final disposition of this matter, see Clause **CR46/2014** in Schedule “A” attached hereto.)

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

Nil.

Consideration of Committee Reports

Moved by Councillor Jones, seconded by Councillor Kusmierczyk,
M95-2014 That **Report No. 340 of the Windsor Heritage Committee** of its meeting held January 29, 2014
BE ADOPTED as presented.
Carried.

MB2014

By-laws

Moved by Councillor Maghnieh, seconded by Councillor Marra,
That the following By-laws No. 21-2014 through 26-2014 (inclusive), be introduced and read a first and second time:

- 21-2014 “A BY-LAW TO AMEND BY-LAW NUMBER 2068 BEING A BY-LAW TO EXEMPT FROM MUNICIPAL TAXATION OTHER THAN LOCAL IMPROVEMENT CHARGES CERTAIN LAND OF THE WINDSOR JEWISH COMMUNAL PROJECTS”, authorized by CR14/2014, approved January 6, 2014
- 22-2014 “A BY-LAW TO AMEND BY-LAW 8-2014 BEING A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 2-2006, A BY-LAW TO ESTABLISH AND MAINTAIN A SYSTEM FOR THE COLLECTION AND DISPOSAL OF WASTE IN THE CITY OF WINDSOR”, authorized by CR16/2014, approved January 20, 2014
- 23-2014 “A BY-LAW TO AMEND BY-LAW NUMBER 392-2002, BEING A BY-LAW TO ESTABLISH AND REQUIRE PAYMENT OF FEES AND CHARGES”, authorized by CR B39-2013, approved December 2, 2013
- 24-2014 “A BY-LAW TO PRESCRIBE A TARIFF OF FEES FOR THE PROCESSING OF PLANNING APPLICATIONS”, authorized by B39-2013, approved December 2, 2013
- 25-2014 “A BY-LAW TO EXEMPT THE ENGAGEMENT OF CERTAIN TRANSACTIONS FROM THE APPLICATION OF BYLAW 93-2012, BEING A BYLAW OF THE CITY OF WINDSOR GOVERNING PURCHASING POLICIES AND PROCEDURES”, authorized by M79-2014, approved February 3, 2014

26-2014 “A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 18TH DAY OF FEBRUARY, 2014”

Carried.

Moved by Councillor Payne, seconded by Councillor Sleiman,
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 Valentinis, seconded by Councillor Dilkens,
That the following By-laws No. 21-2014 through 26-2014 (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

Moved by Councillor Gignac, seconded by Councillor Halberstadt,
M96-2014 That the petition presented by Councillor Valentinis from the residents of Highland Avenue requesting the installation of 4-way stop signs at the intersection of Highland and Logan Avenues **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the City Engineer for the purpose of an examination of the requested works or undertakings; and further that a report **BE PROVIDED** consistent with the direction provided.

Carried.

Council Questions

Moved by Councillor Jones, seconded by Councillor Kusmierczyk,
M97-2014 That the following Council Question by Councillor Marra **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:

CQ5-2014

Asks that administration undertake a review of our municipal bylaws related to animal and pet welfare. I am requesting that administration provide recommendations for City Council to consider specifically as it relates to the protection of animals & pets from extreme weather conditions such as the recent below freezing weather our region has experienced this winter. I am requesting that a review of other municipal bylaws be considered for this report.

AB2014

Carried.

Moved by Councillor Jones, seconded by Councillor Kusmierczyk,
M98-2014 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 written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ6-2014

Asks for a report on the feasibility of adding dog tethering provisions to B/L 8156 re Keeping of Animals.

MHS/9496

Carried.

Moved by Councillor Jones, seconded by Councillor Kusmierczyk,
M99-2014 That the following Council Question by Councillor Gignac **BE APPROVED**, and that Administration **BE DIRECTED** to proceed with the necessary actions to respond to the Council Question in the form of written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ7-2014

Asks for Administration to bring forward options for Council that would allow the Municipality to deal with significant snow events in a safe, effective manner. This could include on street parking restrictions, city wide alternate side parking, snow emergency protocols that would apply for all winter months, appropriate notification strategies etc. or any other strategies they may think appropriate.

SW2014

Carried.

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 6:58 o'clock p.m.

MAYOR

CITY CLERK

THIS IS A DRAFT COPY

DEPUTY CITY CLERK/SENIOR MANAGER OF COUNCIL SERVICES

Valentinis
Dilkens

CR36/2014

- I- That Administration **BE AUTHORIZED** to undertake discussions of the Border Advisory System Project with the Ministry of Transportation as part of the LGWEM agreement.
- II- That Administration **BE REQUIRED** to issue all necessary permits to install the Border Advisory System on the Corporation of the City of Windsor Right of Way.
- III- That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to enter into an Operating Agreement with the Ministry of Transportation for the Border Advisory System.

Carried.

Report Number 16997 ST/11841 C1

Valentinis
Dilkens

CR37/2014

- I. That, in view of the City of Windsor's intention to initiate the construction of curbs and gutters on **Turner Road from Seymour Boulevard to Lappan Avenue as a Local Improvement Work**, as shown on **attached** Drawing C-3225, the **attached** report of the City Engineer to address the requirements of Section 6 of Ontario Regulation 586/06, **BE APPROVED** and the requirements regarding the notices to the public and owners of the lots liable to be specially charged with respect to the work, as required by Section 6 of Ontario Regulation 586/06, **BE UNDERTAKEN**, said notices to be in content as per the report of the City Engineer.
- II. That, assuming a sufficiently signed petition against the Turner Road curbs and gutters construction as a Local Improvement Work is **NOT** received, the City Engineer **BE AUTHORIZED** to proceed with the tendering and Award of Tender to the low bidder, subject to the tender meeting project specifications, the council approval of the requested 2014 budget, and being within the 2014 estimated budget and that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with the successful bidders, satisfactory in legal form to the City Solicitor; in financial content to the Chief Financial Officer and City Treasurer, and in technical content with the City Engineer, and further, that the result of this tender be subsequently reported to City Council for information purposes.

That in the event that no sufficiently signed petition **AGAINST** undertaking the work as a local improvement is received after the 30-day notice of the City's intention to pass a local improvement charges by-law, Council **ADOPT** a By-Law for the construction of curbs and gutters and boulevard restoration on Turner Road from Seymour Boulevard to Lappan Avenue as a local improvement in accordance with Section 5 of Ontario Regulation 586/06, made under Municipal Act 2001.

Carried.

Report Number 16962 SW/11842 C2

Appendices
Drawing C-3225
Engineer's Report

Valentinis
Dilkens

CR38/2014

That City Council **CANCEL THE APPOINTMENT** of Dillon Consulting Limited as the City's Engineer under Section 78 of the Ontario Municipal Drainage Act for drainage works on the Hon. Herb Gray Parkway project; and

That **APPROVAL BE GIVEN** to complete a third party review of the drainage works within the limit of the Hon. Herb Gray Parkway boundaries, at a total estimated cost of \$40,000 (plus HST) to be charged to account no. 007 5455 1790 02942 7086004.

That administration **BE AUTHORIZED** to start the process of abandoning the municipal drains within the limits of the Hon. Herb Gray Parkway in accordance to the Drainage Act.

Carried.

Report Number **16989 ST/8821 C3**

Valentinis
Dilkens

CR39/2014

That the City Engineer reply to the Ontario Ministry of the Environment (MOE) Notification of Application for Approval of a Waste Disposal Site (transfer facility) by Sterling Fuels, 3665 Russell St., received by City Council as Communication Item #15 at its December 16, 2013 meeting with the following comments by March 7, 2014:

1. The site identified in the MOE Notification of Application for Approval of a Waste Disposal Site (transfer facility) at 3665 Russell St. is not zoned for the intended use as indicated in the notification and that this address is not the location of their existing waste transfer/disposal site.
2. The Sterling Fuels sites located at 3550/3600 Russell St., the municipal addresses and actual location of the waste disposal/transfer site are appropriately zoned for the intended use as indicated in the notification.
3. The City of Windsor has no further concerns with the application provided that the correct address of the waste disposal site is referenced in the application and all MOE regulations and/or requirements for the storage and transfer of waste managed at 3550/3600 Russell St. are met and also any regulations and requirements pertaining to the waste management resulting from MOE mandated Source Water Protections Plans are adhered to.

Carried.

Report Number **16963 SW2014 C4**

Valentinis
Dilkens

CR40/2014

THAT consistent with the provisions contained within RFP #111-13 and in accordance with Purchasing By-Law 93-2012 (and **subject to receiving the appropriate engineering approval as to the load bearing capacity of the unreinforced western part of the roof**), the City Clerk and CAO

BE AUTHORIZED to execute an agreement with Kiwi Newton Construction – Division of Newton Group Ltd. to furnish the complete design, supply, installation and commissioning of a roof mounted photovoltaic (PV) system with an electrical generating capacity of 350 kW at the Windsor International Aquatic and Training Centre at a cost not to exceed \$1,124,289 (exclusive of HST), subject to approval in legal content to the City Solicitor, in financial content to the City Treasurer, and in technical content to the Manager of Energy Initiatives; **AND**

THAT Council **APPROVE** funding of \$1,124,289 (exclusive of HST) to be from the annual net revenues in the first 4.3 years (approximately) of the 20 year contract with the Ontario Power Authority;

OR ALTERNATIVELY, if the load bearing reports do not allow for the use of the unreinforced western portion of the roof,

THAT consistent with the provisions contained within RFP #111-13 and in accordance with Purchasing By-Law 93-2012, the City Clerk and CAO **BE AUTHORIZED** to execute an agreement with Kiwi Newton Construction – Division of Newton Group Ltd. to furnish the complete design, supply, installation and commissioning of a roof mounted photovoltaic (PV) system with an electrical generating capacity of 320 kW at the Windsor International Aquatic and Training Centre at a cost not to exceed \$984,479 (exclusive of HST), subject to approval in legal content to the City Solicitor, in financial content to the City Treasurer, and in technical content to the Manager of Energy Initiatives; **AND**

THAT Council **APPROVE** funding of \$984,479 (exclusive of HST) to be from the annual net revenues in the first 4.8 years (approximately) of the 20 year contract with the Ontario Power Authority;

AND FURTHER, that regardless of the system size eventually installed,

THAT Council **DIRECT** administration to report back annually as to the ongoing financial and operational progress of the PV system; **AND**

THAT Council **DIRECT** administration upon repayment in full of the project capital costs, inclusive of the costs already incurred to reinforce the roof, to credit (at the discretion of the City Treasurer relative to annual budget considerations) future annual revenues to the Corporate Energy Reserve Fund, over the remaining life of the installation; **AND**

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign as may be required agreements and contracts with the Provincial Government and its affiliated agencies as well as EnWin Utilities; such documents to be satisfactory in form to the City Solicitor, in technical content to the Manager of Energy Initiatives and in financial content to the City Treasurer.

Carried.

Report Number 16932 MU/8327 C5

Valentinis
Dilkens

CR41/2014

That the attached list of roadside ditches identified as Appendix A, **CONTINUE** to be cut yearly by the City of Windsor, subject to the following criteria:

- i) That ditches that are classified "A", "B", "C" and "D" by ERCA, not be cut until June 15th yearly per the ERCA recommendations respecting aquatic habitat.
- ii) Ditches will be removed from the list when they are either filled in, reduced in grades to be maintainable or being maintained by residents. Administration to report to Council recommending any ditches for removal from the list.

Carried.

Report Number 16990 SR/11259 C6

Appendices
List

Gignac
Jones

CR42/2014

- I. That \$9.0 million **BE CONFIRMED** as the overall budget for the design and construction of the two new fire halls (Fire Hall 2 and Fire Hall 5), funded from;
 - a) Previously approved \$5.0 million placeholder from within the Contingency allocation in the 2014 Enhanced Capital Budget Plan that was approved December 2, 2013 by City Council; and
 - b) The reallocation of 4.0 million of the previously approved \$12.0 million placeholder (B38/2013) set aside for the upfront capital cost of a possible tenant for a new City Hall project.
- II. That the City Engineer **BE AUTHORIZED** to issue two tenders for the new Fire Hall No. 2 and Fire Hall No. 5, satisfactory in legal form to the City Solicitor and in compliance with the Purchasing By-law.
- III. That in order to expedite the construction of the two new fire halls by December 31, 2014 which are the responsibility of the City Engineer and subject to "tender only" (not RFP), and for which the tender submissions fall within the approved capital budget, that the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an agreement with the successful bidders, satisfactory in legal form to the City Solicitor, in financial content to the Chief Financial Officer and City Treasurer, and in technical content with the City Engineer, and further, that the results of these tenders be subsequently reported to City Council for information purposes.
- IV. That the City Planner **BE DELEGATED THE AUTHORITY** to approve the Site Plan Control application.

Carried.

Report Number 17001 SF/11843 7

Valentinis
Dilkens

CR43/2014

- I. That Council **APPROVE** the general terms and conditions for the request for proposal for the supply and/or maintenance and associated advertizing, of the outdoor furniture on the public right of way as follows:

Length of Contract: 10 years plus the option to renew an additional 5 years

Specification for Furnishings with Installation Schedule:

| Type and Description | Minimum Units to be installed within 6 months | Minimum Units to be installed within 12 months | Estimated Existing Units (All locations are to be serviced within 2 years) |
|---|---|--|---|
| Bench (<i>accommodates 2-3 persons</i>) usually placed on high traffic areas with a concrete pad near a sidewalk | 290 | | 482 |
| Recycling/refuse bin | 60 | | 104 |
| Chairs – (<i>accommodates 1 person with supporting arms and back</i>) placed in lower travelled areas; can be placed on a concrete pad/sidewalk or in a boulevard | | 140 | 236 |

* From commencement of the contract

Commitment to the Community: A minimum of 5 % of advertising is to be dedicated to advertising for non-profit organization on street furnishing.

Standard of Style: A street furnishings and bus shelters are to meet the requirements as outlined in the City’s FADs (Accessibility Standards), some exceptions may apply. In addition, the material and design of all structures and pieces must meet the approval of the City Engineer, City Planner.

Standard of Care: All street furnishings shall be replaced, repaired, maintained in good repair and kept clean of free of refuse, debris and graffiti. There will be a requirement for a 72 hours response to address any furnishings that is deemed in poor condition.

Cost Evaluation: Based on a guaranteed lump sum amount plus an annual adjustment based on percentage of advertising revenues for the term of the contract.

- II. That Administration **BE AUTHORIZED** to prepare a request for proposals/request for tender (the “RFP/RFT”), for advertising opportunities in the public right-of-way through outdoor furnishings and bus shelters, subject to the requirements of all applicable Purchasing Bylaws and policies.

Carried.

Valentinis
Dilkens

CR44/2014

- I. That the City of Windsor By-law 11275 – Site Plan Approval Authority - **BE AMENDED** to change all references in the by-law from “City Planner, Manager of Development Application and Committee Team, or Site Plan Approval Officer” to “City Planner or designate”.
- II. That the City of Windsor By-law 11275 - **BE AMENDED** to add delegated authority for individual site plan approval on all lands when directed by a resolution of City Council.
- III. That the City Solicitor **BE DIRECTED** to prepare an amending By-law to By-law 11275 to incorporate these amendments.

Carried.

Report Number **16968 AB2014 C9**

Jones
Maghnieh

CR45/2014

THAT the request from The Sandwich Improvement Area to temporarily close Sandwich Street between Detroit Street and Brock Street to host a St. Patrick’s Celebration event from 8:00 a.m. March 16, 2014 to 1:00 a.m. March 18, 2014 **BE APPROVED**, subject to the terms and conditions of the Special Event Agreement which includes but is not limited to the condition that The Sandwich Improvement Area provide proof of liquor liability insurance in an amount as determined by the Corporation of the City of Windsor;
and further

THAT City Council **DESIGNATE** the event as a Significant Event, which is defined by the AGCO as “For Outdoor Public Events involving liquor sales licensees, to allow attendees to take a single serving of alcohol in and out of licensed establishments from the area under the Special Occasions Permit, the event must be designated by the municipality as a Significant Event under AGCO regulations” as per the requirement for beverage licensing permitting from the Alcohol and Gaming Commission of Ontario.

Carried.

Councillor Kusmierczyk voting nay.

Report Number **16992 SR2014 10**

Dilkens
Jones

CR46/2014

THAT the results of the poll conducted on February 12, 2014 approving the following recommendation **BE CONFIRMED** and **RATIFIED**:

THAT the synthetic ice squares **BE DISMANTLED AND REMOVED** from Charles Clark Square; and

THAT **APPROVAL BE GIVEN** for the initial cost of \$5,000.00 from the Capital Expenditures Reserve Fund to begin preparation and installation of real ice at Charles Clark Square for the remainder of the 2013/2014 winter skating season; and

THAT this undertaking **BEGIN IMMEDIATELY**.

Carried.

Report Number 17032 SR2014 11

STANDING COMMITTEE RESOLUTIONS

Moved by Councillor, seconded by Councillor,
M100-2014 That **Report No. 158 of the Executive Committee of Council** of its meeting held January 27, 2014, regarding “Status Report – Compliance with Applicable Laws and Regulations, 4th Quarter 2013” **BE ADOPTED** as presented.

Carried.

Report Number 16952 AF2014

Moved by Councillor, seconded by Councillor,
M101-2014 That **Report No. 159 of the Executive Committee of Council** of its meeting held January 27, 2014, regarding “Delegation of Authority Semi-Annual Status Report for period July 1, 2013 through December 31, 2013” **BE ADOPTED** as presented.

Carried.

Report Number 16956 AS/7748

Moved by Councillor, seconded by Councillor,
M102-2014 That **Report No. 160 of the Executive Committee of Council** of its meeting held January 27, 2014, regarding “CQ38-2013 – The proposed east/west arterial respect to the Windsor Christian Fellowship Access (part of the Lauzon Parkway Environmental Assessment)” **BE ADOPTED** as presented.

Carried.

Report Number 16937 ST2014

Moved by Councillor, seconded by Councillor,
M103-2014 That **Report No. 161 of the Executive Committee of Council** of its meeting held January 27, 2014, regarding “Travel and Business Expense Policy Amendments” **BE ADOPTED** as presented.

Carried.

Report Number 16954 AF2014

Appendices Policy

Moved by Councillor, seconded by Councillor,
M104-2014 That **Report No. 162 of the Executive Committee of Council** of its meeting held January 27, 2014, regarding “Ministry of Municipal Affairs and Housing 2012 Financial Indicator Review” **BE ADOPTED** as presented.

Carried.

Report Number 16955 GH2014

Moved by Councillor, seconded by Councillor,
M105-2014 That **Report No. 163 of the Executive Committee of Council** of its meeting held January 27, 2014, regarding “Summary of Hotline Issues Referred to Management by PwC” **BE ADOPTED** as presented.

Carried.

Report Number 16953 AF/11247

Moved by Councillor, seconded by Councillor,
M106-2014 That **Report No. 164 of the Executive Committee of Council** of its meeting held January 27, 2014, regarding “The minutes of the Transit Windsor and Windsor Chartabus Inc. meetings held December 10, 2013” **BE ADOPTED** as presented.

Carried.

MB2014

Adopted by Council at its meeting held February 18, 2014 [M100-2014]
/SV
Windsor, Ontario February 18, 2014

REPORT NO. 158 of the
EXECUTIVE COMMITTEE
of its meeting held January 27, 2014

Members Present:

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

The following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Marra,
THAT the administrative report authored by the Executive Initiatives Coordinator dated January 9, 2014 entitled “Status Report – Compliance with Applicable Laws and Regulations, 4th Quarter 2013” **BE RECEIVED FOR INFORMATION**.
Carried.

Livelinek #16952, AF2014

Clerk’s Note: The administrative report entitled “*Status Report – Compliance with Applicable Laws and Regulations, 4th Quarter 2013*” is **attached** as background information.

CHAIRPERSON

CITY CLERK

Adopted by Council at its meeting held February 18, 2014 [M101-2014]
/SV
Windsor, Ontario February 18, 2014

REPORT NO. 159 of the
EXECUTIVE COMMITTEE
of its meeting held January 27, 2014

Members Present:

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

The following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Sleiman, seconded by Councillor Valentinis,

THAT the Delegation of Authority Semi-Annual Report for the second half of 2013 (July 1, 2013 through December 31, 2013) **BE RECEIVED** for information; and

THAT an amendment of the Delegation of Authority By-law 208-2008 to add authority for the Chief Administrative Officer to waive the provisions of Schedule 3 of the Public Vehicle Licensing By-law 137-2007 for special events **BE APPROVED**.

Carried.

Livelihood #16956, AS/7748

Clerk's Note: The administrative report entitled "*Delegation of Authority Semi-Annual Status Report for period July 1, 2013 through December 31, 2013*" is **attached** as background information.

CHAIRPERSON

CITY CLERK

Adopted by Council at its meeting held February 18, 2014 [M102-2014]
/SV
Windsor, Ontario February 18, 2014

REPORT NO. 160 of the
EXECUTIVE COMMITTEE
of its meeting held January 27, 2014

Members Present:

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

The following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Marra, seconded by Councillor Sleiman,

THAT the administrative report authored by the Policy Analyst dated January 15, 2014 entitled “CQ38-2013 – The Proposed east/west arterial with respect to the Windsor Christian Fellowship Access (part of the Lauzon Parkway Environmental Assessment) **BE REFERRED** back to Administration to allow for further dialogue between Administration and the affected parties to find a solution; and further

THAT this matter **BE CONSIDERED** at the February 24, 2014 Executive Committee meeting.

Carried.

Livelihood #16937, ST2014

Clerk’s Note: The administrative report entitled “CQ38-2013 – The Proposed east/west arterial with respect to the Windsor Christian Fellowship Access (part of the Lauzon Parkway Environmental Assessment)” is attached as background information.

CHAIRPERSON

CITY CLERK

Adopted by Council at its meeting held February 18, 2014 [M103-2014]
/SV
Windsor, Ontario February 18, 2014

REPORT NO. 161 of the
EXECUTIVE COMMITTEE
of its meeting held January 27, 2014

Members Present:

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

The following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Sleiman, seconded by Councillor Valentinis,

THAT the Executive Standing Committee **APPROVE** amendments to the city's Travel and Business Expense Policy, attached to this report as Appendix A; and

THAT Administration **BE DIRECTED** to amend the related Travel and Business Expense Procedure and Travel and Business Forms as necessary, to facilitate compliance with the amended policy.

Carried.

Livelihood #16954, AF2014

Clerk's Note: The administrative report entitled "*Travel and Business Expense Policy Amendments*" is **attached** as background information.

CHAIRPERSON

CITY CLERK

Adopted by Council at its meeting held February 18, 2014 [M104-2014]
/SV
Windsor, Ontario February 18, 2014

REPORT NO. 162 of the
EXECUTIVE COMMITTEE
of its meeting held January 27, 2014

Members Present:

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

The following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Marra,
THAT the administrative report authored by the Manager of Financial Accounting dated January 6, 2014 entitled “Ministry of Municipal Affairs & Housing 2012 Financial Indicator Review” **BE RECEIVED FOR INFORMATION**.
Carried.

Livelihood #16955, GH2014

Clerk’s Note: The administrative report entitled “*Ministry of Municipal Affairs & Housing 2012 Financial Indicator Review*” is ***attached*** as background information.

CHAIRPERSON

CITY CLERK

Adopted by Council at its meeting held February 18, 2014 [M105-2014]
/SV
Windsor, Ontario February 18, 2014

REPORT NO. 163 of the
EXECUTIVE COMMITTEE
of its meeting held January 27, 2014

Members Present:

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

The following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Gignac, seconded by Councillor Marra,
THAT the administrative report authored by the Executive Initiatives Coordinator dated January 15, 2014 entitled “Summary of Hotline Issues Referred to Management by PwC” **BE RECEIVED FOR INFORMATION.**

Carried.

Liveline #16953, AF/11247

Clerk’s Note: The administrative report entitled “*Summary of Hotline Issues Referred to Management by PwC*” is **attached** as background information.

CHAIRPERSON

CITY CLERK

Adopted by Council at its meeting held February 18, 2014 [M106-2014]
/SV
Windsor, Ontario February 18, 2014

REPORT NO. 164 of the
EXECUTIVE COMMITTEE
of its meeting held January 27, 2014

Members Present:

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

The following recommendation of the Executive Committee **BE APPROVED** as follows:

Moved by Councillor Marra, seconded by Councillor Sleiman,
THAT the minutes of the Transit Windsor and Windsor Chartabus Inc. meetings held December 10, 2013 **BE ADOPTED** as presented.
Carried.

Clerk's Note: The minutes of the Transit Windsor and Windsor Chartabus Inc. meetings held December 10, 2013 are **attached** as background information.

CHAIRPERSON

CITY CLERK

Adopted by Council at its meeting held February 18, 2014 [M95-2014]

KK/

Windsor, Ontario February 18, 2014

REPORT NO. 340

of the

Windsor Heritage Committee

at its meeting held

January 29, 2014

5:30 o'clock p.m.

Meeting Room 407, 400 City Hall Square East

Members Present at the January 29, 2014 meeting:

Robin Easterbrook, Chair
Councillor Fulvio Valentinis
Lynn Baker
Simon Chamely
Andrew Foot

Your Committee submits the following recommendations:

Moved by Councillor Valentinis, seconded by L. Baker,
That the request to demolish the Colautti Brothers Marble and Tile Building, at 2490 McDougall Street,
listed on the Windsor Municipal Heritage Register **BE GRANTED**.
Carried.

NOTE: The report of the Heritage Planner dated January 20, 2014 entitled "Request for Demolition of Heritage-
Listed Property Colautti Brothers Marble and Tile Building, 2490 McDougall Street" – **attached**.

CHAIR

COMMITTEE COORDINATOR