

Monday, September 19, 2016
6:00 o'clock p.m.

Members Present:

Mayor

Mayor Dilkens

Councillors

Ward 10 - Councillor Borrelli
Ward 3 - Councillor Bortolin
Ward 2 - Councillor Elliott
Ward 1 - Councillor Francis
Ward 6 - Councillor Gignac
Ward 4 - Councillor Holt
Ward 7 - Councillor Kusmierczyk
Ward 9 - Councillor Payne
Ward 5 - Councillor Sleiman

Absent

Ward 8 - Councillor Marra

- 1. ORDER OF BUSINESS**
- 2. CALL TO ORDER - Playing of the National Anthem & Moment of Silent Reflection**

Following the playing of the Canadian National Anthem and a moment of silent reflection, the Mayor calls the meeting to order at 6:06 o'clock p.m.

- 3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None disclosed.

- 4. ADOPTION OF THE MINUTES**

4.1. Minutes of the September 6, 2016 City Council meeting

Moved by: Councillor Payne
Seconded by: Councillor Sleiman

That the Minutes of the regular meeting of Council held September 6, 2016
BE ADOPTED as presented.
Carried.

5. NOTICE OF PROCLAMATIONS

City of Windsor Employee Learn @ Work Week - September 19-23, 2016
Culture Days – September 30, October 1 and October 2, 2016
International Day of Older Persons - October 1, 2016
Taoist Tai Chi Week - October 3-7, 2016

Flag Raisings:

Francophone Flag Day – September 22, 2016
United Nations International Day of Older Persons – October 1, 2016

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Borrelli
Seconded by: Councillor Bortolin

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, referrals and/or withdrawals of any items of business;
 - (d) hearing presentations and delegations;
 - (e) consideration of business items;
 - (f) consideration of Committee reports:
 - (i) **Report of Special In-Camera Meeting or other Committee as may be held prior to Council** (if scheduled);
 - (g) consideration of by-laws 145-2016 through 148-2016 (inclusive).
- Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

7.1. Correspondence - September 19, 2016

Moved by: Councillor Elliott
 Seconded by: Councillor Francis

Decision Number: CR569/2016

That the following Communication Items 7.1.1 through 7.1.2, as set forth in the Council Agenda **BE REFERRED** as noted:

No.	Sender	Subject
7.1.1	Ontario Good Roads Association (OGRA)	OGRA Conference, February 26 – March 1, 2017, Fairmont Royal York Hotel City Engineer Executive Director, Operations Note & File GM2016
7.1.2	Secretary/Treasurer, Committee of Adjustment	Committee of Adjustment Agenda for meeting to be held Thursday, September 22, 2016 at 3:30 p.m. Note & File ZC2016

Carried.

ACO2016 7.1

7.2. Engineering Consultants Engaged via Roster - January 1 2016 to June 30 2016
City Wide

Moved by: Councillor Elliott
 Seconded by: Councillor Francis

Decision Number: CR570/2016

THAT the report of the Manager of Purchasing dated August 30, 2016 entitled “Engineering Consultants Engaged via Roster – January 1, 2016 to June 30, 2016” **BE RECEIVED** by Council for information in compliance with section 163 of Bylaw 93-2012 (the “Purchasing Bylaw”).

Carried.

Report Number: CM 47/2016
 Clerk’s File: AL2016 7.2

7.3. Response to CR3/2016 - increasing fines for repeat by-law offenders
City Wide

Moved by: Councillor Elliott
Seconded by: Councillor Francis

Decision Number: CR571/2016

THAT the report of Legal Counsel dated September 1, 2016 entitled "Response to CR3/2016 – Increasing fines for repeat by-law offenders" **BE RECEIVED** for information.

Carried.

Report Number: CM 48/2016
Clerk's File: AB2016 7.3

7.4. CQ38-2016 Response to the Request to Close Kathleen, Karen and Harcourt Three Streets

Moved by: Councillor Payne
Seconded by: Councillor Francis

Decision Number: CR572/2016

THAT the report of the City Engineer dated August 29, 2016 entitled "CQ38-2016 Response to the Request to Close Kathleen, Karen and Harcourt Three Streets" **BE DEFERRED** to the October 3, 2016 meeting of Council as a regular agenda item and to allow for delegations to be heard.

Carried.

Report Number: CM 24/2016
Clerk's File: ST2016 7.4

8. CONSENT AGENDA

8.1. RFP No. 135-16 Tree Trimming City Wide

Moved by: Councillor Gignac
Seconded by: Councillor Sleiman

Decision Number: CR573/2016

THAT Council **APPROVE** the procurement of tree trimming services for City owned trees and further;

THAT the Purchasing Manager **BE AUTHORIZED** to issue three (3) Contract Purchase Orders to the following three (3) companies:

1. Ontario Line Clearing
2. Forest Glade Tree Expert
3. Neuheimer Tree Care

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for the provision of each company to trim 500 City owned trees, 1,500 in total along the right of way throughout the City of Windsor to a total cumulative upset limit of \$263,300 (excluding HST), satisfactory in financial content to City Treasurer, and in technical content to the Executive Director of Parks:

TOTAL CUMULATIVE PRICE \$263,300

TOTAL CUMULATIVE PRICE INCLUDING NON-RECOVERABLE HST: \$267,934.08

Carried.

Report Number: C 170/2016

Clerk's File: SRT2016 8.1

8.2. R.F.P. #127-16 Purchase of One (1) Front End Loader Garbage Truck --City Wide

Moved by: Councillor Gignac

Seconded by: Councillor Sleiman

Decision Number: CR574/2016

THAT City Council **APPROVE** the purchase of one (1) front end loader garbage truck and that the Purchasing Manager **BE AUTHORIZED** to issue a purchase order to Joe Johnson Equipment in the amount of \$287,675.52 (excluding HST), satisfactory in financial content to the City Treasurer, and in technical content to the Executive Director of Operations.

Carried.

Report Number: C 161/2016

Clerk's File: S/12646 8.2

8.3. Relief from Property Taxation 2015 - Extreme Illness and/or Poverty

Moved by: Councillor Gignac

Seconded by: Councillor Sleiman

Decision Number: CR575/2016

THAT City Council **ACCEPT** Administration's recommendation with regards to approval of 13 applications for total tax relief of \$19,885.62 (inclusive of education portion); and

THAT City Council **SUPPORT** Administration's recommendation with regards to the denial of 23 applications for tax relief.

Carried.

Report Number: C 151/2016

Clerk's File: AF2016 8.3

8.4. Aquisition and Demolition of 1886 University

Moved by: Councillor Gignac
Seconded by: Councillor Sleiman

Decision Number: CR576/2016
As relates to the property located at 1886 University Ave. West, Roll Number
37 39 050 060 04200 0000:

THAT City Council **AUTHORIZE** the property **BE VESTED** in the name of the Municipality; and

THAT City Council **AUTHORIZE** the City Treasurer/designate to remove from the tax roll property taxes in the amount of \$372,840 (inclusive of education tax) plus any additional levies or penalties that may be added from the date of this report until the date of actual write-off; and

THAT City Council **DIRECT** the Senior Manager, Development Projects and Right of Way to undertake a Phase I & Phase II ESA with the costs charged to the Site Environmental Assessment/Corporate Demolition project (7081019) followed by a full demolition of the building and that the cost of the demolition estimated in the amount of \$60,000 be charged to the Capital Expenditure Reserve (160-5410-5010-02942-0131680); and

That the following land **BE DECLARED** surplus:

- Municipal address: 1886 University Avenue West situated on the north side of University Avenue West
- Legal Description: Part Lots 27 and 28, Registered Plan 370
- Lot size: approximate 58' X 76'
- Improvements: 2 storey commercial building; and

THAT the Manager of Real Estate Services **BE AUTHORIZED** to list the vacant parcel of land municipally known as 1886 University Avenue West for sale on MLS at a price commensurate with an independent appraisal upon completion of the demolition; and further,

THAT the proceeds from the sale of the land **BE DEPOSITED** to the Capital Expenditure Reserve (160-6940-5010-02942-0229611) to offset the cost of demolition.

Carried.

Report Number: C 157/2016
Clerk's File: AF2016 8.4

8.5. Applications for Tax Reductions under Sections 357/358 of the Ontario Municipal Act, 2001 - City Wide

Moved by: Councillor Gignac
Seconded by: Councillor Sleiman

Decision Number: CR577/2016

THAT City Council **ACCEPT** Administration's recommendations with regards to Applications for Tax Reduction, Cancellation and Refunds as noted in Appendices A through D; and,

THAT City Council **SUPPORT** Administration's recommendation for the denial of applications received in regards to 3374 Gundy Park Crescent, Roll Number 37 39 080 032 09900, for taxation years 2012, 2013 & 2014; and,

THAT the Chief Financial Officer/City Treasurer (or designate) **BE AUTHORIZED** to amend the City's Tax Master Collector's Roll for the years 2014 through 2016 in the amount of \$58,196.67 (including the education portion).

Carried.

Report Number: C 160/2016
Clerk's File: AF2016 8.5

8.6. Connecting Link Program - 2016

Moved by: Councillor Gignac
Seconded by: Councillor Sleiman

Decision Number: CR578/2016

THAT Council **APPROVE** the grant application submission to the Connecting Link program for Huron Church road as identified in Appendix A; and,

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** take any such action required to bring effect to the resolutions as noted above and sign any required documentation for the Connecting Links program, as it relates to this project, satisfactory in legal form to the City Solicitor, in technical content to the City Engineer and in financial content to City Treasurer.

Carried.

Report Number: C 162/2016
Clerk's File: SW/12414 8.6

8.7. Flu Vaccination Clinics 2016 Council Report

Moved by: Councillor Gignac
Seconded by: Councillor Sleiman

Decision Number: CR579/2016

THAT City Council **RECEIVE** for information the report from the Executive Director of Human Resources on Flu Vaccination Clinics to be made available for City Employees; and

THAT the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to execute contracts for the provision of Flu Vaccination Clinics, satisfactory in legal form to the City Solicitor, in technical content to the Executive Director of Human Resources, and in financial content to the Chief Financial Officer & City Treasurer, if applicable.

Carried.

Report Number: C 163/2016
Clerk's File: AS/12657 8.7

8.8. Minutes of the Essex County Solid Waste Authority - May 3, 2016

Moved by: Councillor Gignac
Seconded by: Councillor Sleiman

Decision Number: CR580/2016 ETPS 413

That the Minutes of the Essex County Solid Waste meeting held May 3, 2016

BE RECEIVED for information.

Carried.

Report Number: SCM 112/2016
Clerk's File: MB2016 8.8

8.9. Minutes of the Windsor Licensing Commission of its meeting held July 27, 2016

Moved by: Councillor Gignac
Seconded by: Councillor Sleiman

Decision Number: CR581/2016 ETPS 414

That the Minutes of the Windsor Licensing Commission of its meeting held July 27, 2016

BE RECEIVED for information.

Carried.

Report Number: SCM 122/2016
Clerk's File: MB2016 8.9

8.10. Alternate Payment Options for Parking - City Wide

Moved by: Councillor Gignac
Seconded by: Councillor Sleiman

Decision Number: CR582/2016 ETPS 416

THAT Administration **BE AUTHORIZED** to issue an RFP for pay-by-phone mobile payment system for parking at meters and lots; and

THAT Administration **BE DIRECTED** to prepare a report for Council containing the results of the RFP for pay-by-phone mobile system for parking at meters and in lots.
Carried.

Report Number: S 71/2016
Clerk's File: AB2016 8.10

8.12. Follow-up to Environment, Transportation and Public Safety Report No. 382 - Traffic Around Northwood Public School - Ward 10

Moved by: Councillor Gignac
Seconded by: Councillor Sleiman

Decision Number: CR583/2016 ETPS 418

That the report of the City Engineer dated July 6, 2016 entitled "Follow-up to Environment, Transportation and Public Safety Report No. 382 - Traffic Around Northwood Public School - Ward 10" **BE RECEIVED** for information.

Carried.

Report Number: S 106/2016
Clerk's File: ST2016 8.12

8.13. Transit Windsor Farebox Upgrade Project

Moved by: Councillor Gignac
Seconded by: Councillor Sleiman

Decision Number: CR584/2016

THAT the Environment, Transportation and Public Safety Standing Committee and the Transit Windsor Board of Directors **AUTHORIZE** the remaining funds in Capital Project 7045080 – TW Farebox Project in the amount of \$ 721,345 to fund the V36Farebox upgrade; and,

THAT the Environment, Transportation and Public Safety Standing Committee and the Transit Windsor Board of Directors **APPROVE** the use of \$100,000 from the Capital Project 7161042 – TW Fleet Structural Repairs to fund the remaining shortfall of the V36Farebox upgrade.

Carried.

Report Number: S 146/2016
Clerk's File: MT2016 8.13

11.4. Post Retirement Benefits Eligibility Clarification

Moved by: Councillor Gignac
Seconded by: Councillor Sleiman

Decision Number: CR585/2016

I. THAT this report outlining the eligibility for Post Retirement Benefits (PRB) for City of Windsor employees **BE RECEIVED** for information; and further

II. THAT administration **BE DIRECTED** to meet and discuss the Post Retirement Benefit Eligibility with each union's and association's executive member to obtain their written concurrence to the recommended changes; and

III. THAT, **subject to receipt of the written concurrence required by II, above**, the City Solicitor **UPDATE** bylaw 6342, 170-2009 and any other affected By Laws effecting changes that, on a go forward basis, would allow employees to retain their eligibility to receive PRB's and the Life Insurance Benefit even if they should choose to receive the Commuted Value of their OMERS unreduced pension a maximum of one (1) business day before their early retirement birthday, **provided that** on their early retirement birthday they would otherwise be eligible for an unreduced OMERS pension as defined by OMERS and as long as all other currently required eligibility criteria are met.

Carried.

Report Number: C 175/2016
Clerk's File: AS/9207 11.4

9. REQUEST FOR DEFERRALS, REFERRALS OR WITHDRAWALS

9.1. Proposed expropriation of lands for the Riverside Drive Vista Project from William Vander Linden Legal File EXP 8597

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CR586/2016

That the report of the City Solicitor dated July 26, 2016 entitled "Proposed expropriation of lands for the Riverside Drive Vista Project from William Vander Linden Legal File EXP 8597" **BE WITHDRAWN** as the parties were able to come to a suitable resolve to the situation and accordingly, the report and recommendation therein are redundant.

Carried.

Report Number: C 142/2016
Clerk's File: SW/8513 9.1

9.2. St. George's Church & Hall, 1949 Devonshire Court – Demolition of Property on Windsor Municipal Heritage Register WARD 4

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CR587/2016

THAT further to Council motion CR123/2016 on March 7, 2016, the request by the applicant to further **DEFER** to a regular Council Meeting in December 2016, Report No. 335 of the Planning, Heritage & Economic Development Standing Committee regarding St. George's Church & Hall, 1949 Devonshire Court – Demolition of Property on Municipal Heritage Register **BE GRANTED**, and that the 60 day statutory period required to issue a demolition permit **BE SUSPENDED** during the period of time that rezoning is under consideration, and the City is advised in writing by the Diocese, and has acknowledged such notice, as to ensure that a demolition permit is not eligible to be granted during the time the property is under consideration for rezoning, and that the Clerk and the owner may by mutual consent determine an earlier date for the Council consideration.

Carried.

Report Number: S 19/2015
Clerk's File: MBA2016 9.2

9.3. International Playing Card Co., 1123 Mercer Street - Request for Demolition of Heritage Register-Listed Property

Moved by: Councillor Gignac
Seconded by: Councillor Francis

Decision Number: CR588/2016

THAT further to Council motion CR439/2016 on July 4, 2016, that Report No. 387 of the Planning, Heritage and Economic Development Standing Committee of its meeting held June 13, 2016 regarding "International Playing Card Co., 1123 Mercer Street – Request for Demolition of Heritage Register-Listed Property" **BE DEFERRED** further as requested by Joe Montaleone, representing the property owner, to the first available meeting of Council in November 2016 or to an earlier date if mutually agreed upon, and that it **BE NOTED** that they waive the requirement for Council decision on heritage demolition within the current 60 day time period as provided by the *Ontario Heritage Act*, and that during this further extension of time, they will endeavour to work with the prospective buyer to perform due diligence and consider options for the property.

Carried.

Report Number: S 107/2016
Clerk's File: MBA2016 9.3

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11.3. **Tabling of Consultant Report - "Regulation of Transportation Network Companies Study" - City Wide**

Moved by: Councillor Gignac

Seconded by: Councillor Francis

Decision Number: CR592/2016

THAT the report of the City Clerk/Licence Commissioner dated September 14, 2016 entitled "Tabling of Consultant Report – "Regulation of Transportation Network Companies Study"

BE REFERRED to the Environment, Transportation & Public Safety Standing Committee meeting scheduled for September 21, 2016, as it was intended to go through the Standing Committee first.

Carried.

Report Number: S 170/2016

Clerk's File: ACL/12378 11.3

10. **PRESENTATIONS AND DELEGATIONS**

10.1. **Windsor Symphony Orchestra (WSO) presentation:**

Maestro Robert Franz, Windsor Symphony Orchestra (WSO), Music Director, Sheila Geddes, Vice Chair, Board of Directors and Sheila Wisdom, Executive Director, WSO

Maestro Robert Franz, Windsor Symphony Orchestra (WSO), Music Director, Sheila Geddes, Vice Chair, Board of Directors and Sheila Wisdom, Executive Director, WSO, appear before Council to provide a preview of the Opening Week (September 18-24, 2016) of the 69th Season of live performance of music by the Windsor Symphony Orchestra, and concludes by thanking the City of Windsor as the opening coincides with the re-opening of the Capitol Theatre with new seats and other improvements made possible by the City.

Moved by: Councillor Gignac

Seconded by: Councillor Francis

Decision Number: CR589/2016

THAT the presentation by Maestro Robert Franz, Windsor Symphony Orchestra (WSO), Music Director; Sheila Geddes, Vice Chair, Board of Directors and Sheila Wisdom, Executive Director, WSO, promoting the Opening Week (September 18-24, 2016) of the 69th Season of live performance of music by the Windsor Symphony Orchestra, **BE RECEIVED**.

Carried.

Clerk's File: APR2016

11.1. **Clothing Donation Bin By-law**

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Kevin Smith, CEO, Goodwill Industries (Essex Kent Lambton)

Kevin Smith, CEO, Goodwill Industries (Essex Kent Lambton), appears before Council to highlight the trend of businesses illegally placing donation bins on private property and extracting donated goods from communities negatively affecting the good that law-abiding, registered non-profit organizations such as Goodwill does and concludes by asking the City of Windsor to create a by-law limiting donation bin usage.

Rosanne Winger, General Manager, and Ib Fynbo, President, St. Vincent de Paul Windsor Essex

Rosanne Winger, General Manager, and Ib Fynbo, President, St. Vincent de Paul Windsor Essex, appear before Council to provide an overview of their organization and to stress that they have absorbed ever increasing cost penalties due to amount of dumping in the Windsor area, specifically dumping at their bins and locations, and that bin regulations are needed.

Moved by: Councillor Kusmierczyk

Seconded by: Councillor Holt

That Administration BE DIRECTED to work together with Goodwill Industries and St. Vincent de Paul to prepare a by-law to regulate donation bins in the City of Windsor based on the Ottawa model, which includes the following elements:

- a) No operator shall place a donation box on property without the written consent of the owner;
- b) Third-party liability insurance must be provided to property owners;
- c) Bin owners must place information on boxes, including name/address of owner, location of bin and contract information;
- d) The bin owner shall ensure that the donation box conforms with municipal by-laws;
- e) The bin owner shall ensure that the donation box is maintained, in accordance with municipal property standards.

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

At the request of Councillor Francis a **recorded vote** is taken:

RESULTS OF RECORDED VOTE:

In Favour	Councillors Holt and Kusmierczyk,
Opposed	Councillor Borrelli, Bortolin, Elliott; Francis, Gignac, Payne, Sleiman and Mayor Dilkens
Abstain	None
Absent	Councillor Marra

Moved by: Councillor Francis
Seconded by: Councillor Bortolin

Decision Number: CR590/2016
THAT the report of the Deputy City Solicitor dated June 16, 2016 regarding the Clothing Donation Bin By-law **BE RECEIVED** by Council for information.
Carried.

Report Number: CM 26/2016
Clerk's File: GM2016 11.1

11.2. CQ45/2015 - Feasibility of a Big Bin Project - City Wide

David Locke, representing Furniture Bank

David Locke, representing Furniture Bank, appears before Council to provide comment on the feasibility and benefits of a Big Bin Project, suggesting it would benefit the community.

Moved by: Councillor Kusmierczyk,
Seconded by: Councillor Bortolin

That Administration BE DIRECTED to work with the Furniture Bank, Habitat for Humanity, Goodwill Industries and St. Vincent de Paul Society to organize a Big Bin Pilot Project in 2017 to be held in the most suitable City location, and that the cost of the pilot program BE REFERRED to the 2017 Budget deliberations.

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

At the request of Councillor Francis a **recorded vote** is taken:

RESULTS OF RECORDED VOTE:

In Favour	Councillors Bortolin and Kusmierczyk
Opposed	Councillor Borrelli, Elliott; Francis, Gignac, Payne, Sleiman, Holt and Mayor Dilkens
Abstain	None
Absent	Councillor Marra

Moved by: Councillor Francis
Seconded by: Councillor Sleiman

Decision Number: CR591/2016 ETPS 363

That the report of the City Engineer dated January 25th, 2016 regarding the feasibility of a Big Bin Project **BE RECEIVED** for information.

Carried.

Report Number: S 27/2016
Clerk's File: SW2016 11.2

11. REGULAR BUSINESS ITEMS (Non-Consent Items)

11.5. Hiram Walker Commemorative Statue Project and Funding

Moved by: Councillor Holt
Seconded by: Councillor Sleiman

Decision Number: CR594/2016

THAT City Council **APPROVE** the allocation of \$400,000 for the design, creation, installation and unveiling of a commemorative statue to honour the life and work of Hiram Walker; and,

THAT City Council **APPROVE** that \$390,000 **BE FUNDED** from the 2014 Enhanced Capital Budget Contingency Placeholder for this project with the remaining \$10,000 to **BE FUNDED** from Councillor Holt's 2016 ward funds; and,

THAT City Council **APPROVE** the sole source retention of artist Mark Williams for the creation, fabrication and installation of a statue/sculpture depicting Hiram Walker and **DIRECT** administration to prepare an agreement to retain the services of Mr. Williams accordingly; and,

THAT the CAO and City Clerk **BE AUTHORIZED** to take any other steps as may be required to bring effect to these resolutions, satisfactory in form to the City Solicitor, in financial content to the City Treasurer, and in technical content to the City Engineer; and,

THAT the CAO and City Clerk **BE AUTHORIZED** to sign any required documentation as it relates to this project, satisfactory in legal form to the City Solicitor, in technical content to the City Engineer, and in financial content to the City Treasurer; and further,

THAT administration **REPORT BACK** on fundraising efforts towards this project within six months.
Carried.

At the request of Councillor Francis a **recorded vote** is taken:

RESULTS OF RECORDED VOTE:

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In Favour	Councillors Borrelli, Bortolin, Elliott; Francis, Gignac, Holt, Kusmierczyk, Payne, Sleiman and Mayor Dilkens
Opposed	None
Abstain	None
Absent	Councillor Marra

Report Number: C 176/2016
Clerk's File: ML2016 11.5

8.11 Banwell Road Corridor Improvements Class Environmental Assessment (EA) - Filing the Notice of Study Completion

Moved by: Councillor Kusmierczyk

Seconded by: Councillor Gignac

Decision Number: CR593/2016 ETPS 417

THAT the Report "Banwell Road Corridor Improvements Environmental Assessment (EA) - Filing the Notice of Study Completion" **BE RECEIVED** for information; and

THAT Administration **BE DIRECTED** to issue the Notice of Study Completion for the Banwell Road Corridor Improvements Environmental Assessment as per the Municipal Class Environmental Assessment Planning Process.

Carried.

At the request of Councillor Francis a **recorded vote** is taken:

RESULTS OF RECORDED VOTE:

In Favour	Councillors Borrelli, Bortolin, Elliott; Francis, Gignac, Kusmierczyk, Payne, Sleiman and Mayor Dilkens
Opposed	Councillor Holt
Abstain	None
Absent	Councillor Marra

Report Number: S 151/2016
Clerk's File: SW/9581 8.11

12. CONSIDERATION OF COMMITTEE REPORTS

Moved by: Councillor Sleiman
Seconded by: Councillor Borrelli

Decision Number: CR595/2016
THAT the **Report of the Special In-Camera** meeting held September 19, 2016 **BE ADOPTED** as presented.
Carried.

ACO2016

13. BY-LAWS (First and Second Reading)

Moved by: Councillor Bortolin
Seconded by: Councillor Elliott

That the following By-laws No. 145-2016 through 148-2016 (inclusive) be introduced and read a first and second time:

145-2016 A BY-LAW TO AMEND BY-LAW NUMBER 208-2008, BEING A BY-LAW TO DELEGATE TO ADMINISTRATION THE AUTHORITY TO PROCESS, MAKE DECISIONS ON, AND TO EXECUTE AGREEMENTS FOR CERTAIN MATTERS, authorized by CR526/2016, adopted August 22, 2016

146-2016 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, authorized by M41-2012 & By-law 47-2010, adopted January 23, 2012 & March 22, 2010 (respectively)

147-2016 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 CAO3666, approved September 7, 2016

148-2016 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE NINETEENTH DAY OF SEPTEMBER, 2016
Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Francis
Seconded by: Councillor Gignac

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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 (as amended)
Items Referred
- 4 Consideration of the Balance of Business Items (as amended)
- 5 Committee Reports (as presented)
- 6 By-laws given first and second readings (as presented).

Carried.

15. NOTICES OF MOTION

Moved by: Councillor Gignac

Seconded by: Councillor Borrelli

Decision Number: CR596/2016

THAT Rule 13.9 of the Procedure By-law regarding business not already before Council **BE WAIVED** to permit the introduction of a motion for consideration without prior notice regarding the purchase of the electrical switch gear for the WFCU Arena.

Carried.

Moved by: Councillor Gignac

Seconded by: Councillor Borelli

Decision Number: CR597/2016

THAT City Council **AUTHORIZE** administration to **PURCHASE** the electrical switch gear for the WFCU Arena that would allow for the connection of a back-up generator for an upset amount of \$150,000 plus HST to **BE CHARGED** ~~√to funds remaining in the 2012/2014 contingency capital budget.~~ ~~√~~ to the combined Heat and Power Project for the WFCU. ~~√~~

Carried.

SR/8880

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Holt

Seconded by: Councillor Kusmierczyk

That the following By-laws No. 145-2016 through 148-2016 (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.

17. PETITIONS

Moved by: Councillor Payne
Seconded by: Councillor Sleiman

Decision Number: CR598/2016

That the petition presented by Councillor Sleiman from residents on Bernard Road from Guy to Tecumseh stating that the road is in dire shape **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.

ACO/12103

18. QUESTION PERIOD

18.1.

Moved by: Councillor Borrelli
Seconded by: Councillor Bortolin

Decision Number: CR547/2016

Assigned to Senior Manager of Communications & Customer Service

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 a written report, consistent with Council's instructions, and in accordance with Section 17.1 of the Procedure By-law 98-2011:

CQ41-2016

Asks Administration to report on how or if we include the Capitol Theatre on our website as a link, with TWEPI as a link and in our Culture blasts highlighting all events that take place in the facility.
Carried.

Clerk's File: AT/9992

18.2.

Moved by: Councillor Borrelli
Seconded by: Councillor Bortolin

Decision Number: CR599/2016

Assigned to City Engineer

That the following Council Question by Councillor Elliott **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:

CQ42-2016

Asks if there are any plans to update the Tecumseh Road West railroad crossings with an underpass the same that is on Howard and Walker Roads. There are constant vehicular problems at this crossing.

Carried.

Clerk's File: MTR2016

18.3.

Moved by: Councillor Borrelli

Seconded by: Councillor Bortolin

Decision Number: CR600/2016

Assigned to City Engineer

That the following Council Question by Councillor Elliott **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:

CQ43-2016

Asks that with regards to lighting at Atkinson Park reported by Friends of the Court Marilyn Woodison, has it already been paid for, or are there any updates proposed to perhaps get more lighting in the Park.

Carried.

Clerk's File: SR2016

18.4.

Moved by: Councillor Borrelli

Seconded by: Councillor Bortolin

Decision Number: CR601/2016

Assigned to City Engineer

That the following Council Question by Councillor Elliott **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:

CQ44-2016

Asks that with regards to lighting at the riverfront walkway near Askin Street Boulevard, residents are reporting no lighting as a concern and can anything be done to perhaps get some lighting there.

Carried.

Clerk's File: SR2016

21. ADJOURNMENT

Moved by: Councillor Elliott
Seconded by: Councillor Francis

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 9:22 o'clock p.m.

Mayor

City Clerk

Adopted by Council at its meeting held September 19, 2016 (CR595/2016)

VC/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA
September 19, 2016

Meeting called to order at: 5:30 p.m.

Members in Attendance:

Mayor D. Dilkens
Councillor F. Francis
Councillor J. Elliott
Councillor C. Holt
Councillor R. Bortolin
Councillor J. Gignac
Councillor P. Borrelli
Councillor H. Payne
Councillor E. Sleiman
Councillor I. Kusmierczyk

Members Absent:

Councillor B. Marra

Also in attendance:

O. Colucci, Chief Administrative Officer
J. Payne, Community Development and Health Commissioner and
Corporate Leader Social Development, Health, Recreation and Culture
M. Winterton, City Engineer and Corporate Leader Environmental Protection and
Transportation
V. Critchley, City Clerk/Licence Commissioner and Corporate Leader
Engagement and Human Resources Public
J. Mancina, Chief Financial Officer/City Treasurer and Corporate Leader
Finance and Technology
S. Askin-Hager, City Solicitor and Corporate Leader Economic
Development and Public Safety
C. Brown, CEO for YQG and WDTC/Corporate Leader of Transportation
Services

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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 items:

4. Legal/Property Matter – Solicitor-client privilege;
5. Property/Legal Matter – Solicitor-client privilege (Questions on Item 8.4 on open agenda)

Motion Carried.

Verbal Motion is presented by Councillor Bortolin, seconded by Councillor Gignac, to move in Camera for discussion of the following item(s), adding Items 4 and 5:

<u>Item No.</u>	<u>Subject</u>	Section – Pursuant to Municipal Act, 2001, as amended
1.	Property matter – lease	2 3 9 (2) (c)
2.	Legal/Property matter – expropriation settlement	2 3 9 (2) (e) (c)
3.	Property matter – lease amendment	2 3 9 (2) (c)
4.	Legal/Property Matter – Solicitor-client privilege – verbal update - ADDED	2 3 9 (2) (e) (f) (c)
5	Property/Legal Matter – Solicitor-client privilege (Questions on Item 8.4 on open agenda) ADDED	2 3 9 (2) (f)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

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

Verbal Motion is presented by Councillor Kusmierczyk, seconded by Councillor Francis,
to move back into public session.

Motion Carried.

Moved by Councillor Sleiman, seconded by Councillor Elliott,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held September 19, 2016 directly to Council for consideration at the next Regular Meeting.

1. That the recommendation contained in the in-camera report from the Asset/Lease Administrator, Manager of Real Estate Services, Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology, Community Development and Health Commissioner and Corporate Leader Social Development, Health, Recreation and Culture and City Solicitor and Corporate Leader Economic Development and Public Safety respecting a property matter - lease **BE APPROVED.**

2. That the recommendation contained in the in-camera report from the Coordinator of Real Estate Services, Manager of Real Estate Services, City Engineer and Corporate Leader Environmental Protection and Transportation, City Solicitor and Corporate Leader Economic Development and Public Safety and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a legal/property matter – expropriation settlement **BE APPROVED.**

3. That the recommendation contained in the in-camera report from the City Engineer and Corporate Leader Environmental Protection and Transportation, City Solicitor and Corporate Leader Economic Development and Public Safety and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – lease amendment **BE APPROVED.**

4. That the confidential verbal report of the City Solicitor and Corporate Leader Economic Development and Public Safety regarding a legal/property matter – solicitor-client privilege **BE RECEIVED FOR INFORMATION.**

5. That the confidential verbal report of the Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology and Chief Administrative Officer respecting a property/legal matter – solicitor-client privilege (Questions on Item 8.4 on open agenda) **BE RECEIVED FOR INFORMATION.**

Motion Carried.

Moved by Councillor Borrelli, seconded by Councillor Payne,

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That the special meeting of council held September 19, 2016 BE ADJOURNED.

(Time: 5:59 p.m.)

Motion Carried.