

CITY OF WINDSOR MINUTES 05/21/2019

Special Meeting of Council Meeting

Date: Tuesday, May 21, 2019

Time: 2:00 o'clock p.m.

Members Present:

Mayor

Mayor Dilkens

Councillors

Ward 1 - Councillor Francis

Ward 2 - Councillor Costante

Ward 3 - Councillor Bortolin

Ward 5 - Councillor Sleiman

Ward 6 - Councillor Gignac

Ward 7 - Councillor Kusmierczyk

Ward 10 - Councillor Morrison

Members Absent

Ward 4 - Councillor Holt

Ward 8 - Councillor Kaschak

Ward 9 - Councillor McKenzie

1. ORDER OF BUSINESS

2. CALL TO ORDER

The Mayor calls the meeting to order at 2:23 o'clock p.m.

Minutes

Special Meeting of Council
Tuesday, May 21, 2019

Page 2 of 12

3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

6. COMMITTEE OF THE WHOLE

Moved by: Councillor Bortolin

Seconded by: Councillor Costante

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); and
- (g) consideration of by-law 68-2019.

Carried.

7. COMMUNICATIONS INFORMATION PACKAGE

None presented.

8. CONSENT AGENDA

None.

9. REQUESTS FOR DEFERRALS, REFERRALS OR WITHDRAWALS

None requested.

Minutes

Special Meeting of Council
Tuesday, May 21, 2019

Page 3 of 12

10. PRESENTATIONS AND DELEGATIONS

None presented.

11. REGULAR BUSINESS ITEMS

11.1. Connecting Links Program 2019-20 Grant Funding - Huron Church Road

Moved by: Councillor Sleiman
Seconded by: Councillor Francis

Decision Number: CR247/2019

That City Council **APPROVE** the submission of the Huron Church Reconstruction Project, Malden Road to Pool Ave to the Connecting Links Program 2019-20; and,

That City Council **SUPPORT** the following funding sources, pending approval of the Investing in Canada Infrastructure Program – Public Transit (ICIP) for the Cabana and Grand Marias projects, for the City's portion of the eligible and ineligible costs for the Connecting Links grant totalling \$2,816,058:

- \$2,560,814 in 2023 Pay-As-You-Go funding from Cabana Road Infrastructure Improvements Project (ECP-003-09)
- \$255,244 from the 2019 City Wide Road Reconstruction Program (OPS-001-07); and,

That should the ICIP grant be successful, that the identified funding sources be **APPROVED** and precommitted; and,

That City Council **SUPPORT** the following funding sources should the ICIP grant **not** be successful for the Cabana and Grand Marais projects in totality or in part, for the City's portion of the eligible and ineligible costs for the Connecting Links grant totalling \$2,816,058:

- \$1,000,000 in 2022 Pay-As-You-Go funding from Bridge Rehabilitation Program (OPS-003-07)
- \$1,816,058 in 2023 Pay-As-You-Go funding from Bridge Rehabilitation Program (OPS-003-07); and,

That should the ICIP grant not be successful, that the identified funding sources be **APPROVED AND PRECOMMITTED**; and,

Minutes

Special Meeting of Council

Tuesday, May 21, 2019

Page 4 of 12

That the Chief Administrative Officer **BE AUTHORIZED** to execute any agreements, declarations or approvals required to submit an application for this project; and,

That City Council **PRE-APPROVE** any procurements awards necessary that are related to the Connecting Links project, provided such procurements are within previously approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to City Treasurer, and in technical content to the to the appropriate CLT; and,

That in the event that written confirmation is received by the City indicating that funding has been approved under the Connecting Links Program 2019-20, Administration **BE AUTHORIZED** to make any expenditures that are related to the Connecting Links project, provided such expenditures are within previously-approved budget amounts and that they are required to be made prior to the formal public announcements or agreement execution, due to project timelines; and further,

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action required to effect the recommendation noted above and sign any required documentation for the Connecting Links Program 2019-20, satisfactory in legal form to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer; and,

That in the event written confirmation of the grant funding being awarded to the City is received City Council **APPROVES** the following recommendations:

- a. That The Chief Administrative Officer be authorized to **DELEGATE** signing of all claims and applicable schedules and other such documents required as part of the request for payment to the City Engineer or designate; and,
- b. That The Mayor, Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements or contracts with Ministry of Transportation for the Connecting Links grant satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in form to the City Solicitor; and,

That The Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to effect the recommendation noted above, subject to all specification being satisfactory in technical content to the City Engineer, in financial content to the City Treasurer.

Carried.

Report Number: C 81/2019
Clerk's File: SW/12414

Minutes

Special Meeting of Council
Tuesday, May 21, 2019

Page 5 of 12

11.2. Investing in Canada Infrastructure Program - Public Transit

Moved by: Councillor Gignac

Seconded by: Councillor Francis

Decision Number: CR248/2019

That City Council **APPROVE** the \$47,736,950 in projects recommended in this report for submission to Intake 1 for the Investing in Canada Infrastructure Program (ICIP) – Public Transit; and,

That City Council **RESCIND** the pre-committed funding approved April 1, 2019 via B59-2019 for City's funding required for ICIP Public Transit grant, from the Fleet Replacement project (TRN-001-07); and,

That City Council **SUPPORT** and identify as placeholders the City's total funding of \$22,918,553 for both matching and ineligible costs as identified in Table 1 of the Financial Matters section of this report; and,

That City Council **PRE-APPROVE** any procurement awards necessary that are related to the ICIP – Public Transit, provided such procurements are within previously approved budget amounts, pursuant to the Purchasing By-Law 93-2012 and amendments thereto; satisfactory in financial content to City Treasurer, and in technical content to the appropriate CLT; and,

That in the event that written confirmation is received by the City indicating that funding has been approved under the ICIP-Public Transit program, Administration **BE AUTHORIZED** to make any expenditures that are related to the ICIP-Public Transit projects, provided such expenditures are within previously-approved budget amounts and that they are required to be made prior to the formal public announcements or agreement execution, due to project timelines; and further,

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action required to effect the recommendation noted above and sign any required documentation for the ICIP-Public Transit, satisfactory in legal form to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer; and,

That in the event the City receives written confirmation of the Grant funding being awarded to the City, the Project's costs are within their respective budgets as outlined in the Financial Matters section herein, implementation of the Project does not result in a need for additional city funding not already approved by City Council and where the Grant provider confirms that expenditures as of that date are eligible, then City Council **APPROVES** the following recommendations:

- a) That the funding sources, including any pre-commitments, for the City's portion of the project as outlined in Table 1 of the Financial Matters section of this report **BE APPROVED**; and,

Minutes

Special Meeting of Council

Tuesday, May 21, 2019

Page 6 of 12

- b) That City Council **APPROVE** funding in the City-Wide Road Rehabilitation (OPS-001-07) in 2019 for \$159,715 in Federal Gas Tax be switched with 2019 Pay-as-you-go funding, for the same amount, in the Playground Replacement project (PFO-002-15); and,
- c) That City Council **APPROVE** surplus sewer surcharge funding in the amount of \$461,680, from the Moy -Riverside / Wyandotte project (7153004) be redirected to project ENG-005-17 for the Dougall – Ouellette to Eugenie part of the Central Box project; and,
- d) That Approval be granted to the Chief Administrative Officer to **DELEGATE** signing of all claims, applicable schedules and other such documents required as part of the request for payment to the City Engineer or designate, subject to financial content approval from the area's Financial Planning Administrator or their Manager; and,
- e) The Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign any agreements or contracts with successful vendors/proponent/bidder satisfactory in technical content to the City Engineer, in financial content to the City Treasurer, and in legal form to the City Solicitor; and,
- f) The Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders as may be required to affect the recommendation noted above, subject to all specification being satisfactory in technical content to the City Engineer and in financial content to the City Treasurer.

That should the City not be successful in any or all of the grant submissions, a communication report **BE PROVIDED** to inform City Council; and,

That Administration **BE DIRECTED** to complete a Community Improvement Plan (CIP) for the Wyandotte and University Avenue Corridors; and,

That administration **REPORT BACK** to Council with respect to same.
Carried.

Report Number: C 79/2019
Clerk's File: MT/13478

Minutes

Special Meeting of Council
Tuesday, May 21, 2019

Page 7 of 12

12. CONSIDERATION OF COMMITTEE REPORTS

12.1. Report of the Special In-Camera meeting or other Committee as may be held prior to Council

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

Decision Number: CR249/2019

That the report of the In Camera meeting held May 21, 2019 **BE ADOPTED** as presented.
Carried.

Clerk's File: ACO2019

13. BY-LAWS (First and Second Readings)

Moved by: Councillor Kusmierczyk
Seconded by: Councillor Francis

That the following By-law No. 68-2019 be introduced and read a first and second time:

68-2019 A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS SPECIAL MEETING HELD ON THE 21st DAY OF MAY, 2019

Carried.

14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Morrison
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 presented)
- 2) Consent Agenda (as presented)
- 3) Items Deferred
Items Referred
- 4) Consideration of the Balance of Business Items (as presented)
- 5) Committee Reports (as presented)
- 6) By-laws given first and second readings (as presented)

Carried.

Minutes

Special Meeting of Council
Tuesday, May 21, 2019

Page 8 of 12

16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

That the following By-law No. 68-2019, 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.

21. ADJOURNMENT

Moved by: Councillor Bortolin
Seconded by: Councillor Costante

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 2:38 o'clock p.m.

Mayor

City Clerk

Minutes
Special Meeting of Council
Tuesday, May 21, 2019

Page 9 of 12

Adopted by Council at its meeting held May 21, 2019 (CR249/2019)
VC/bm

SPECIAL MEETING OF COUNCIL – IN CAMERA
May 21, 2019

Meeting called to order at: 2:00 p.m.

Members in Attendance:

Mayor D. Dilkens
Councillor F. Francis
Councillor F. Costante
Councillor R. Bortolin
Councillor J. Gignac
Councillor J. Morrison
Councillor E. Sleiman
Councillor I. Kusmierczyk

Members Absent:

Councillor C. Holt
Councillor G. Kaschak
Councillor K. Mckenzie

Also in attendance:

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 Public Engagement
and Human Resources
J. Guthrie, Acting 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 WDTG/Corporate Leader of Transportation
Services
Chief S. Laforet and Deputy Chief J. Waffle (Item 1)
J. Meloche, Legal Counsel (Item 2)

Minutes

Special Meeting of Council

Tuesday, May 21, 2019

Page 10 of 12

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

3. Legal matter – negotiations – subject to solicitor-client privilege

Motion Carried.

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

<u>Item No.</u>	<u>Subject</u>	Section – Pursuant to Municipal Act, 2001, as amended
1.	Personal matter – labour relations/agreement	2 3 9 (2) (d) (h)
2.	Property matter – sale of land/agreement	2 3 9 (2) (c)
3.	Legal matter – negotiations – subject to solicitor-client privilege – question on Item 11.1 on open agenda for May 21, 2019 - added	2 3 9 (2) (f)

Motion Carried.

Declarations of Pecuniary Interest:

None declared.

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

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

Motion Carried.

Minutes

Special Meeting of Council

Tuesday, May 21, 2019

Page 11 of 12

**Moved by Councillor Sleiman, seconded by Councillor Francis,
THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held May 21, 2019 directly to Council for consideration at the next Regular Meeting.**

1. That the recommendation contained in the in-camera report from the Fire Chief, City Solicitor and Corporate Leader Economic Development and Public Safety and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a personal matter – labour relations/agreement **BE APPROVED.**

Councillors Gignac and Bortolin voting nay.

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

3. That the confidential verbal report from the City Solicitor answering a question on a matter related to Item 11.1 on the open agenda for May 21, 2019 and subject to solicitor-client privilege **BE RECEIVED.**

Motion Carried.

**Moved by Councillor Costante, seconded by Councillor Morrison,
That the special meeting of council held May 21, 2019 BE ADJOURNED.
(Time: 2:23 p.m.)**

Motion Carried.

Minutes
Special Meeting of Council
Tuesday, May 21, 2019

TABLE 1 – Intake 1 Project Submissions and Funding Sources

Transit Windsor	Total Eligible Project Cost	Total Ineligible Costs	Total Project Costs	Grant funding	Municipal funding	Funding Source
Customer Stop Amenities	\$2,500,000	\$0	\$2,500,000	\$1,833,250	\$666,750	TRN-001-07 precommitment of 2021 \$666,750
Fleet Purchases	\$13,960,899	\$206,691	\$14,167,590	\$10,237,527	\$3,930,063	TRN-001-07 precommitment of 2020 \$2,013,386 and 2021 \$1,916,677
TW Master Plan Implementation – Phase 1	\$3,819,884	\$56,553	\$3,876,437	\$2,801,121	\$1,075,316	TRN-001-07 precommitment of 2021 \$272,496 and 2022 \$802,820
Total Transit Windsor	\$20,280,783	\$263,244	\$20,544,027	\$14,871,898	\$5,672,129	
Active Transportation	Total Eligible Project Cost	Total Ineligible Costs	Total Project Costs	Grant funding	Municipal funding	Funding Source
Cabana - Phase 3 and 4	\$2,349,787	\$11,581,368	\$13,931,155	\$1,723,099	\$12,208,056	ECP-003-09 (funding already precommitted)
Dougall - Bikelanes / Sidewalks**	\$128,039	\$1,847,532	\$1,975,571	\$93,891	\$1,881,680	ENG-005-17 \$220,000 in 2019, \$500,000 in 2020 and \$700,000 in 2022, already precommitted. \$461,680 from Project ID 7153004 which has surplus Sewer Surcharge funding
City Wide Cycling	\$4,870,000	\$200,000	\$5,070,000	\$3,571,171	\$1,498,829	Project 7111031
Grand Marias Cycling	\$348,076		\$348,076	\$255,244	\$92,832	OPS-001-07
City Wide Sidewalks	\$5,643,121	\$0	\$5,643,121	\$4,138,101	\$1,505,020	OPS-001-07 - \$66,883 OPS-004-07 - \$1,438,137
Pedestrian Crossovers	\$225,000		\$225,000	\$164,993	\$60,008	OPS-001-19 \$60,008 in 2019
Total Active Transportation	\$13,564,024	\$13,628,900	\$27,192,923	\$9,946,498	\$17,246,425	
Total Project Submission	\$33,844,807	\$13,892,144	\$47,736,950	\$24,818,397	\$22,918,553	