



## CITY OF WINDSOR MINUTES 11/23/2020

### City Council Meeting

Date: Monday, November 23, 2020

Time: 10:00 o'clock a.m.

#### **Members Present:**

##### **Mayor**

Mayor Dilkens

##### **Councillors**

Ward 1 - Councillor Francis

Ward 2 - Councillor Costante

Ward 3 - Councillor Bortolin

Ward 4 - Councillor Holt

Ward 5 - Councillor Sleiman

Ward 6 - Councillor Gignac

Ward 7 - Councillor Gill

Ward 8 - Councillor Kaschak

Ward 9 - Councillor McKenzie

Ward 10 - Councillor Morrison

**Clerk's Note:** The Mayor and all members of Council participated via video conference (Zoom), in accordance with Procedure By-law 98-2011 as amended, which allows for electronic participation during a declared emergency.

# Minutes

## City Council

Monday, November 23, 2020

Page 2 of 27

### 1. ORDER OF BUSINESS

### 2. CALL TO ORDER

The Mayor calls the meeting to order at 10:16 o'clock a.m.

### 3. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None disclosed.

### 4. ADOPTION OF THE MINUTES

#### 4.1. Adoption of the Windsor City Council meeting minutes held November 9, 2020

Moved by: Councillor Costante

Seconded by: Councillor Francis

That the minutes of the meeting of Council held November 9, 2020 **BE ADOPTED** as presented.  
Carried.

Report Number: SCM 330/2020

### 5. NOTICE OF PROCLAMATIONS

#### Flag Raising Ceremony

"The Lebanese Centre of Bachir Gemayel – 77<sup>th</sup> Anniversary of the Independence of Lebanon" – November 22, 2020

### 6. COMMITTEE OF THE WHOLE

Moved by: Councillor Gignac

Seconded by: Councillor Holt

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;

# Minutes

## City Council

Monday, November 23, 2020

Page 3 of 27

- (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;
  - (g) Report of Special In-Camera Meeting or other Committee as may be held prior to Council (if scheduled); and
  - (h) consideration of by-law 153-2020 through 156-2020 (inclusive).
- Carried.

## 7. COMMUNICATIONS INFORMATION PACKAGE

### 7.1. Correspondence Monday, November 23, 2020

Moved by: Councillor Kaschak  
Seconded by: Councillor Gill

Decision Number: CR575/2020

That the following Communication Items 7.1.1 through 7.1.5 (inclusive), 7.1.9, and 7.1.10 as set forth in the Council Agenda **BE REFERRED** as noted, and that Items 7.1.8, 7.1.7, and 7.1.6 be dealt with as follows:

#### 7.1.8 Letter re: Your Quick Gateway (Windsor) Inc. Annual Meeting of Shareholder

Moved by: Councillor Gignac  
Seconded by: Councillor Francis

Decision Number: CR572/2020

That Windsor, the sole shareholder of YQG **APPROVE** the attached shareholder's resolutions in accordance with City of Windsor Council resolution M318-2013, authorizing the Chief Administrative Officer and City Clerk to execute said resolution on behalf of Windsor; and further,

That Windsor City Council **PETITION** the federal government to have Navigation Canada (NAV Canada) remove Windsor International Airport from a list of six airports currently being studied for possible removal of air traffic controllers, as this would detrimentally affect that airport, and further that the County of Essex and the local MP's and MPP's **BE REQUESTED** to support this motion.  
Carried.

Clerk's File: MTR/13993

# Minutes

## City Council

Monday, November 23, 2020

Page 4 of 27

### **7.1.7 Follow-up letter re: phishing scam investigation; implementation of measures to protect the organization; financial risks; high water levels; and appointment of Interim General Manager, Tim Byrne**

Moved by: Councillor Francis

Seconded by: Councillor Sleiman

Decision Number: CR573/2020

That the correspondence from the Chair of the Essex Region Conservation Authority (ERCA) dated November 6, 2020 regarding recent board decisions pertaining to the August 28, 2020 phishing scam **BE RECEIVED**; and further,

That administration **BE DIRECTED** to invite representatives from ERCA to appear before Council for a presentation and discussion on the matter.

Carried.

Clerk's File: EI2020 & GCE2020

### **7.1.6 Request that Council pass a resolution calling for the Province of Ontario to move toward phasing out gas-fired power plants**

Moved by: Councillor Holt

Seconded by: Councillor McKenzie

Decision Number: CR574/2020

WHEREAS: The Government of Ontario is planning to increase electricity generation and greenhouse gas pollution from Ontario's gas-fired power plants by more than 300% by 2025 and by more than 400% by 2040, reversing more than a third of the greenhouse gas pollution reductions achieved by phasing out our coal-fired power plants;

AND WHEREAS: Greenhouse gas pollution is causing temperatures in Canada to rise at more than double the rate of the rest of the world, causing impacts to the operations and citizens of the City of Windsor;

AND WHEREAS: The City of Windsor has declared a Climate Emergency and is taking measures to mitigate and adapt to the climate impacts caused by increasing greenhouse gas pollution;

AND WHEREAS: There are feasible, cost-effective alternatives to increasing gas-fired electricity generation without increasing greenhouse gas pollution at costs well below the current price for Ontario's nuclear energy (9.5 cents/kWh), including:

- energy efficiency investments;
- low-cost, distributed, renewable energy, providing employment in Ontario communities and restoring our leadership in this industry;

**Minutes  
City Council**

**Monday, November 23, 2020**

Page 5 of 27

- the purchase of low-cost power offered by the Province of Quebec from its existing hydroelectric generating stations; and
- using Quebec’s system of reservoirs like a giant battery to back-up made-in-Ontario renewable power, eliminating the need to use gas-fired power plants for this purpose;

THEREFORE BE IT RESOLVED that the City of Windsor **REQUESTS** the Government of Ontario to place an interim cap of 2.5 megatonnes per year on the greenhouse gas pollution from Ontario’s gas-fired power plants and develop and implement a plan to phase-out all gas-fired electricity generation by 2030 to help Ontario and the City of Windsor meet their climate targets.

AND BE IT FINALLY RESOLVED that this resolution **BE SENT** to the Premier of Ontario, the Minister of Energy, Northern Development and Mines, the Minister of the Environment, Conservation and Parks, all local MPPs and the Association of Municipalities of Ontario.  
Carried.

Clerk’s File: EI/10822

No.	Sender	Subject
7.1.1	Association of Municipalities of Ontario (AMO)	AMO Policy Update – \$1.75 Billion Announced for Broadband Across Canada  MMA2020 Note & File
7.1.2	Association of Municipalities of Ontario (AMO)	AMO Policy Update – COVID-19 Framework Updated  MMA2020 Note & File
7.1.3	Association of Municipalities of Ontario (AMO)	AMO Policy Update – COVID-19 Resiliency Infrastructure Stream Intake Open, Expanding Mental Health Services, and AODA Compliance Report Deadline Extended  Chief Financial Officer / City Treasurer Commissioner Development & Health City Solicitor Diversity / Accessibility Officer MMA2020 Note & File

# Minutes

## City Council

Monday, November 23, 2020

Page 6 of 27

No.	Sender	Subject
7.1.4	Association of Municipalities of Ontario (AMO)	AMO Policy Update – Bill 218 Passes, 2020 Auditor General's Report, and Clarification of Budget Property Tax Measures  City Solicitor City Clerk / Licence Commissioner Manager of Records and Elections / Freedom of Information Coordinator City Engineer Manager of Environmental Services Chief Financial Officer / City Treasurer MMA2020 Note & File
7.1.5	AMCTO	Advocacy Update – Bill 218 and Ontario Fall 2020 Budget  City Clerk / Licence Commissioner Manager of Records and Elections / Freedom of Information Coordinator Chief Financial Officer / City Treasurer MMA2020 Note & File
7.1.6	Ontario Clean Air Alliance	Request that Council pass a resolution (attached) calling for the Province of Ontario to move toward phasing out gas-fired power plants  City Engineer Manager of Environmental Services EI/10822 COUNCIL DIRECTION REQUESTED, otherwise Note & File
7.1.7	Essex Region Conservation Authority	Follow-up letter re: phishing scam investigation; implementation of measures to protect the organization; financial risks; high water levels; and appointment of Interim General Manager, Tim Byrne  City Engineer Manager of Environmental Services EI2020 & GCE2020 Note & File

# Minutes

## City Council

Monday, November 23, 2020

Page 7 of 27

No.	Sender	Subject
7.1.8	Your Quick Gateway (YQG)	Letter re: Your Quick Gateway (Windsor) Inc. Annual Meeting of Shareholder  Chief Financial Officer / City Treasurer GM2020 COUNCIL DIRECTION REQUIRED
7.1.9	Manager of Urban Design	Site Plan Approval, Windsor Family Credit Union Limited, 3057 Marentette Ave., Office space with canopy  ZS/13970 Note & File
7.1.10	City Planner / Executive Director	Application for Draft Plan of Subdivision/Condominium, McKenzie Lake Lawyers LLP, 1400 Ouellette Ave., Application to approve a Plan of Condominium for a 160 unit high rise residential and 2 commercial unit development consisting of multiple dwellings  ZP/13969 Note & File

Carried.

Report Number: CMC 19/2020

## 8. CONSENT AGENDA

### 8.1. Capitol Theatre Legacy Grant Application

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR576/2020

- I) That City Council **APPROVE** Administration to submit the application to the Legacy Fund – Building Communities Through Arts and Heritage Grant (the “Grant”) for the project identified in this report; and,
- II) That City Council **CONFIRM** their commitment to the Project submission in the amount of \$1,600,000 as outlined in the financial matters section of this report; and,
- III) That City Council **APPROVES** the acceptance of work or materials donated from reputable organizations in connection with the Project, subject to the City’s Donation Policy; and,

# Minutes

## City Council

Monday, November 23, 2020

Page 8 of 27

- IV) That the Chief Administrative Officer **BE AUTHORIZED** to execute any agreements, declarations or approvals required to submit the application to the Grant; and,
- V) That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action and sign any such documentation as may be required to effect the recommendations and funding for the Grant, subject to all documentation being satisfactory in legal form to the City Solicitor, in technical content to the Commissioner Parks, Recreation & Culture, and Facilities and in financial content to the City Treasurer; and,
- VI) That upon written confirmation that the City's grant application has been received City Council **APPROVES** the following recommendations:

That total City funding of \$1,600,000, to be funded as follows:

1. Capitol Theatre Capital Rehabilitation (ENG-010-16)
    - a. 2020 \$150,000 Service Sustainability funding
    - b. 2021 \$250,000 Service Sustainability funding **PRECOMMITTED** for immediate use
  2. Corporate Heating and Cooling Replacement / Repair Program (PFO-009-11)
    - a. 2022 \$1,200,000 Service Sustainability funding **PRECOMMITTED** for immediate use; and,
- VII) That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign agreements or contracts with successful vendors / proponent / bidders satisfactory in technical content for all projects to the Commissioner for Parks, Recreation & Culture, and Facilities, in financial content to the City Treasurer, and in legal form to the City Solicitor; and,
- VIII) That the Purchasing Manager **BE AUTHORIZED** to issue Purchase Orders / RFPs / RFTs / Contract Purchase Orders as may be required to effect all recommendations in this report, subject to all specification being satisfactory in technical content to the Commissioner for Parks, Recreation & Culture, and Facilities, in legal form to the City Solicitor and in financial content to the City Treasurer; and,
- IX) That in the event the City receives written confirmation of the Grant funding being awarded to the City, then City Council **APPROVES** the following recommendations:
- a) That the Chief Administrative Officer **BE AUTHORIZED** to delegate signing of claims and applicable schedules and other such documents required as part of the request for payment to the Corporate Leader for Parks, Recreation & Culture, and Facilities or designate, subject to financial content approval from the area's Finance Manager; and,
  - b) That surplus City funding, not exceeding the amount of the Grant funding, **BE REDIRECTED** to fund as many of the additional capital works items as possible, which are noted in the financial matters section and requested by the Windsor Symphony Orchestra for the Capitol Theatre; and,



# Minutes

## City Council

Monday, November 23, 2020

Page 9 of 27

c) That the Chief Administrative Officer and City Clerk **BE AUTHORIZED** to sign an amendment to the lease agreement between the City and the Windsor Symphony Orchestra for the Capitol Theatre for these additional capital works items, satisfactory in legal form to the City Solicitor, in technical content to the Corporate Leader for Parks, Recreation & Culture, and Facilities and in financial content to the City Treasurer.

Carried.

Report Number: C 224/2020  
Clerk's File: SR/13763

### 8.2. Healthy Workplace Awards 2020 - City Wide

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR577/2020

I) That the Report entitled Healthy Workplace Award 2020 **BE RECEIVED** for information.

II) That City Council **RECOGNIZE** the efforts put forward by the Employees of Corporation of the City of Windsor during the Covid Pandemic.

Carried.

Report Number: CM 28/2020  
Clerk's File: MH/13786

### 8.3. 2021 Schedule of Council and Standing Committee Meetings

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR578/2020

That the schedule of City Council and Standing Committee meetings for 2021 attached as Appendix A, along with the "Deadlines for Submission of Reports Scheduled for Consideration at City Council & Corporate Services Standing Committee Meetings" attached as Appendix B, and "Deadlines for Submission of Reports Scheduled for Consideration at Standing Committee Meetings" attached as Appendix C for January 1, 2021 to December 31, 2021 **BE APPROVED**; and further,

That administration **CONTINUE** to maintain flexibility in terms of meeting dates and start times due to the declared emergency as a result of the ongoing COVID-19 pandemic.

Carried.

Report Number: C 210/2020  
Clerk's File: ACO2020

# Minutes

## City Council

Monday, November 23, 2020

Page 10 of 27

### 8.5. A By-Law for the Repair and Improvements to the Cahill Drain - Ward 1

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR580/2020

That Council **GIVE 3<sup>rd</sup> READING** to Provisional By-law 130-2019 which adopted the Drainage Report for the Repair and Improvement to the Cahill Drain in accordance with Section 58 of the *Drainage Act*, and as amended by Council Resolution CR136/2020, by **PASSING** By-law 155-2020.

Carried.

Report Number: C 213/2020

Clerk's File: SW2020

### 8.6. Amendment to the Purchase Order PO5961 - Preventative Maintenance for Ruston Diesel Engines - City Wide

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR581/2020

That the following amendment to the existing City of Windsor Contract ID #5961 **BE ACCEPTED**:

<b>CONTRACTOR</b>	MAN Energy Solutions - Canada 710 Dorval Drive, Suite 600 Oakville, ON. L6K 3V7. P: +1 604 235 2261 F: +1 604 684 1132
<b>CONTRACT ID:</b>	5961
<b>REVISED TOTAL PRICE:</b>	\$121,178.88, excluding HST
<b>ACCOUNT CHARGED:</b>	<b>001-2980-5432-02942-0174124</b>

and,

That the Chief Administrative Officer and City Clerk **EXECUTE** an amendment to the existing City of Windsor Contract ID#5961 with MAN Energy Solutions Canada Ltd. satisfactory in form to the City Solicitor, in technical content to the City Engineer, and financial content to the Chief Financial Officer & City Treasurer; and,

That \$123,400 **BE TRANSFERRED** from Fund 208 – Pollution Control Reserve to Dept. ID 0174124 – Pump Station Operations to cover the amount of the contract.

Carried.

Report Number: C 214/2020

Clerk's File: SW/13967

# Minutes

## City Council

Monday, November 23, 2020

Page 11 of 27

### 8.7. Parking Bylaw 9023 – Recommended Amendments on Sandwich Street

Moved by: Councillor McKenzie  
Seconded by: Councillor Morrison

Decision Number: CR582/2020

That the Parking Bylaw 9023 **BE AMENDED** as listed and as attached in Appendix “A” at the time of the project; and,

That the City Solicitor **BE DIRECTED** to prepare the necessary documents to amend the bylaw.  
Carried.

Report Number: C 215/2020

Clerk’s File: ST2020

### 11.3. Declaration of the Property Municipally Known as 680 Goyeau Street Surplus and Authority to Offer for Sale - Ward 3

Moved by: Councillor McKenzie  
Seconded by: Councillor Morrison

Decision Number: CR586/2020

I. That the following City of Windsor (the “City”) property **BE DECLARED** surplus:

- Municipal address: **680 Goyeau Street** – situate on the northeast corner of the Tuscarora Street and Goyeau Street intersection
- Legal Description: Part Lots 127 and 130 on Registered Plan 1303 and more particularly designated as Part 1 on Reference Plan 12R-27678
- Lot size: 67.6 feet x 121 feet x 40.9 feet x 109.7 feet x 22.7 feet (20.6 m x 36.88m x 12.47m x 33.43m x 6.91m)
- Lot area: 7,590.7 sq ft (705.2 m<sup>2</sup>) (herein the “**Subject Parcel**”); and,

II. That the Manager of Real Estate Services **BE AUTHORIZED** to offer the property identified in Recommendation I for sale on the Multiple Listing Service (“**MLS**”) at a price to be determined by the Manager of Real Estate Services commensurate with an independent appraisal; and,

III. That the City Solicitor **BE DIRECTED** to prepare and register a by-law to dedicate Part 2 on Reference Plan 12R-27678 as part of Tuscarora Street.

Carried.

Report Number: C 216/2020

Clerk’s File: APM2020

# Minutes

## City Council

Monday, November 23, 2020

Page 12 of 27

### 11.4. Declaration of Improved Property Municipally Known as 1253-1257 Wyandotte Street East Surplus and Authority to Offer for Sale - Ward 4

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR587/2020

I. That the following City of Windsor (the “City”) improved property **BE DECLARED** surplus:

- Municipal address: **1253-1257 Wyandotte Street East** – improved property situate on the south side of Wyandotte Street East, west of Hall Avenue
- Legal Description: Lots 403 and 404, Registered Plan 579
- Approximate Lot size: 47 feet (14.3 m) x 118 feet (36 m)
- Approximate Lot area: 5,565 sq ft (517 m<sup>2</sup>)
- Improvements: Mixed Use Commercial Building (herein the “**Subject Property**”); and,

II. That the Manager of Real Estate Services **BE AUTHORIZED** to offer the improved property identified in Recommendation I for sale on the Multiple Listing Service (“**MLS**”) at a price to be determined by the Manager of Real Estate Services commensurate with an independent appraisal.

Carried.

Report Number: C 217/2020

Clerk’s File: APM2020

### 11.6. National Disaster Mitigation Program (NDMP) Intake 6 - West Windsor Flood Risk Assessment

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

Decision Number: CR571/2020

1. That City Council **APPROVE** the project identified in this report for submission to the National Disaster Mitigation Program (NDMP) Intake 6; and,
2. That the Chief Administrative Officer **BE AUTHORIZED** to execute any agreements, declarations or approvals required to submit an application to the NDMP program; and,
3. That the City’s portion of matching funding in the amount of \$200,000 **BE APPROVED** from currently allocated funding in the Sewer Master Plan Implementation project (#7199004); and,
4. That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to take any such action and sign any such documentation as may be required to effect the recommendations

# Minutes

## City Council

Monday, November 23, 2020

Page 13 of 27

and funding for NDMP as noted above, subject to all documentation being satisfactory in legal form to the City Solicitor, in technical content to the City Engineer and in financial content to the City Treasurer; and,

5. That in the event written confirmation is received by the City indicating that funding has been approved under the NDMP in respect of project submitted by the City,
  - a. Administration **BE AUTHORIZED** to make any expenditures/purchases that are related to those projects submitted to NDMP provided such expenditures/purchases are within previously-approved budget amounts; and,
  - b. The Chief Administrative Officer **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, subject to review by the Financial Manager for that area; and,
  - c. That Council **PRE-APPROVE** and **AWARD** any procurement(s) necessary that are related to the National Disaster Mitigation Program (NDMP) Intake 6, provided that the procurement(s) are within 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 City Engineer; and further,
  - d. 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 National Disaster Mitigation Program (NDMP) Intake 6, 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,
  - e. 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 228/2020  
Clerk's File: GFG/12912

## 9. REQUEST FOR DEFERRALS, REFERRALS AND/OR WITHDRAWALS

### 11.2. Corporate Security Plan and Risk Assessment-City Wide

Moved by: Councillor Gignac  
Seconded by: Councillor Francis

# Minutes

## City Council

Monday, November 23, 2020

Page 14 of 27

Decision Number: CR585/2020

That the report of the Senior Manager – Facilities dated November 6, 2020 entitled “Corporate Security Plan and Risk Assessment” **BE DEFERRED** to allow for additional information from administration.

Carried.

Report Number: C 220/2020

Clerk’s File: AS2020

## 10. PRESENTATIONS AND DELEGATIONS

### 10.1. SPARKY'S TOY DRIVE - Windsor Firefighter Sean Costello presenting

#### Sean Costello, Windsor Firefighter

Sean Costello, Windsor Firefighter, appears before Council to provide an update on Sparky’s Toy Drive in light of the ongoing covid-19 pandemic and directs all interested parties to their website at [www.sparkystoydrivewindsor.com](http://www.sparkystoydrivewindsor.com).

Moved by: Councillor Kaschak

Seconded by: Councillor Bortolin

Decision Number: CR583/2020

That the presentation by Sean Costello, Windsor Firefighter, providing an update on Sparky’s Toy Drive for 2020 **BE RECEIVED**.

Carried.

Clerk’s File: APR2020

### 8.4. Sewer and Coastal Flood Protection Master Plan Environmental Assessment - Filing the Notice of Study Completion - City-Wide

**Flavio Forest, Project Manager; Chris Patten, Project Engineer; and Laura Herlehy, Project Engineer – Dillon Consulting**

Flavio Forest, Project Manager; Chris Patten, Project Engineer; and Laura Herlehy, Project Engineer – Dillon Consulting, appear before Council and are available for questions regarding the notice of completion for the Sewer and Coastal Flood Protection Master Plan Environmental Assessment.

#### John Savage, Resident of Windsor

John Savage, resident of Windsor, appears before Council to provide comment regarding the notice of completion for the Sewer and Coastal Flood Protection Master Plan Environmental Assessment, stating that the flooding issue needs to be addressed, but objects to certain aspects

# Minutes

## City Council

Monday, November 23, 2020

Page 15 of 27

of the plan such as the proposed pumping station at St. Rose and Riverside Drive East, and suggests that it be deferred to review other possible options and to ensure proper environmental, noise and pollution studies are undertaken.

### Dr. Nizar Naji, Resident of Windsor

Dr. Nizar Naji, resident of Windsor, appears before Council to provide comment regarding the notice of completion for the Sewer and Coastal Flood Protection Master Plan Environmental Assessment, stating support for the plan, save and except the proposed pumping station at St. Rose and Riverside Drive East, suggesting that greenspace is a precious and valuable resource and that once this greenspace is built upon, it is gone and cannot be reclaimed.

### Charmaine Kunz, Resident of Windsor

Charmaine Kunz, resident of Windsor, appears before Council to provide comment regarding the notice of completion for the Sewer and Coastal Flood Protection Master Plan Environmental Assessment, stating support for the plan, save and except the proposed pumping station at St. Rose and Riverside Drive East, which should at minimum be deferred to allow for further review of other possible options.

Moved by: Councillor McKenzie

Seconded by: Councillor Gignac

Decision Number: CR579/2020

I. That the report Sewer and Coastal Flood Protection Master Plan Environmental Assessment – Filing the Notice of Study Completion **BE RECEIVED** for information; and,

II. That Administration **BE DIRECTED** to issue the Notice of Study Completion for the Sewer and Coastal Flood Protection Master Plan Environmental Assessment.

Carried.

Report Number: C 212/2020

Clerk's File: SW/12983

## 11.5. Response to CQ 25-2020 – August 28, 2020 Flood Event ----Ward 1 and 9

### Jayne Lauzon, Area Resident

Jayne Lauzon, area resident, appears before Council to provide comment regarding the administrative report in response to the August 28, 2020 flood event, from the perspective of being a resident in the Devonshire Heights area, stating that flooding and poor drainage have been a persistent issue there for a long time, and that when there are heavy rain days or days of steady rain, their pumps run non-stop and that some pumps don't shut off for lengths of time and concludes by asking that this area be flagged on the improvement plan.

# Minutes

## City Council

Monday, November 23, 2020

Page 16 of 27

Moved by: Councillor Francis

Seconded by: Councillor McKenzie

Decision Number: CR588/2020

That Council **ENDORSE** the establishment of a Mandatory Downspout Disconnection Zone for the area bounded by Norfolk St. to the North, Dougall Ave/Howard Avenue to the East and the Herb Grey Parkway to the West and South; and,

That a Mandatory Downspout Disconnection Pilot Project, the boundaries to be determined by the City Engineer, **BE UNDERTAKEN** within the Mandatory Downspout Disconnection Zone with an upset limit of \$250,000 funded by Project ID#7199004 – Sewer Master Plan Implementation Project; and,

That the results of the Mandatory Downspout Disconnection Pilot Project **BE COMMUNICATED** to Council once sufficient data is available; and,

That Administration **BE DIRECTED** to review the Sewer and Coastal Master Plan and undertake measures that can be completed in the short-term including adjusting the pumping station operational elevation in Lake Como, with an upset limit of \$35,000 funded by Project ID# 7102003 – Southwood Lakes Shore Restoration; and,

That the City Engineer **BE DIRECTED** to bring forward a dedicated inflow and infiltration funding program to address inflow and infiltration measures; and,

That Council **APPROVE** the ditch survey and inspection of private culverts on residential streets in Ward 9 impacted by the flooding of the August 28, 2020 storm event to an upset limit of \$100,000 funded by Project ID#7199004 – Sewer Master Plan Implementation; and further,

That administration **BE DIRECTED** to request copies of Herb Gray Parkway Maintenance records and schedules on a regular basis and that any concerns identified or conveyed **BE REPORTED** back to Council.

Carried.

Report Number: C 221/2020

Clerk's File: SW2020

### 11.1. Contracting Out Caretaking Services – Phase II- City Wide

#### Richard St. Denis, Resident of Ward 5

Richard St. Denis, resident of Ward 5, appears before Council to state opposition to the proposed contracting out of caretaking services phase II, as there has been enough contracting out of good paying jobs and concludes by suggesting that contracting out has negative spin-off effects and also negatively affects morale in the workplace.



# Minutes

## City Council

Monday, November 23, 2020

Page 17 of 27

### **Brian Hogan, President – Windsor & District Labour Council**

Brian Hogan, President – Windsor & District Labour Council, appears before Council to state opposition to the proposed contracting out of caretaking services Phase II, as this runs counter to Windsor's economic goals, and suggests that these specific positions have proven to be of vital importance in light of the covid-19 pandemic and suggests that there is a form of systemic prejudice in putting these particular positions up for contracting out.

### **Dave Petten, President – CUPE Local 543**

Dave Petten, President – CUPE Local 543, appears before Council to state opposition to the proposed contracting out of caretaking services Phase II, suggesting this would be a risk in terms of cutting corners and with the ongoing covid-19 pandemic, now is not the right time to be putting this forward and concludes by reinforcing the need to maintain high quality cleaning services for the corporation.

### **Greg Lemay, Resident of Ward 7**

Greg Lemay, resident of Ward 7, appears before Council to state opposition to the proposed contracting out of caretaking services Phase II, as this proposal sounds like long-term pain for short-term gain and suggests that the quality of work will suffer and jeopardizes the positive spin-off effects that benefit the community.

### **Natalie Popovic, President – Windsor District CUPE Council**

Natalie Popovic, President – Windsor District Labour Council, appears before Council to state opposition to the proposed contracting out of caretaking services Phase II, suggesting that Council keep these jobs in-house and thus stay local.

### **Tracey Cota, Caretaker – City of Windsor**

Tracey Cota, Caretaker – City of Windsor, appears before Council to state opposition to the proposed contracting out of caretaking services Phase II, and provides an overview of all the services that caretakers provide, which goes above and beyond what is expected.

### **Eli Houad, Caretaker – City of Windsor**

Eli Houad, Caretaker – City of Windsor, appears before Council to state opposition to the proposed contracting out of caretaking services Phase II, and provides an overview of all the services that caretakers provide, which go above and beyond what is normally expected, especially in light of the ongoing Covid-19 pandemic.

Moved by: Councillor McKenzie

Seconded by: Councillor Kaschak

# Minutes

## City Council

Monday, November 23, 2020

Page 18 of 27

That the report of the Senior Manager, Facilities dated November 6, 2020 entitled "Contracting Out Caretaking Services – Phase II" BE NOTED AND FILED.

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

At the request of Councillor McKenzie, a recorded vote is taken.

Aye votes: Councillors Costante, McKenzie, Holt, Kaschak and Bortolin.

Nay votes: Councillors Gignac, Morrison, Gill, Sleiman, Francis and Mayor Dilkens.

Abstain: None.

Absent: None.

Report Number: C 219/2020

Clerk's File: AS/12461

Moved by: Councillor Gignac

Seconded by: Councillor Francis

Decision Number: CR584/2020

That, in adherence with CR129/2016 regarding Contracting Out of Caretaking Services, this report from the Senior Manager of Facilities **BE RECEIVED**; and further,

That Council **AUTHORIZE** Administration to enter into an agreement with GDI Services (Canada) LP for Caretaking (Janitorial) Services in the amount of \$534,139.84 per year plus non-recoverable HST, for a term of three years, with two one-year renewals; and,

That the Chief Administrative Officer and the City Clerk **BE AUTHORIZED** to sign the agreement, satisfactory in form to the City Solicitor, in technical content to the Commissioner of Parks, Recreation, Culture & Corporate Facilities, and in financial content to the City Treasurer; and,

That Council **APPROVE** the elimination of seven (7) Regular Full Time Caretaker positions (Job Code 543085); and,

That Council **APPROVE** one-time transitional funding from the Budget Stabilization Reserve estimated at approximately \$141,700 (subject to the actual attrition rate) to maintain one (1) Regular Full Time Caretaker (Job Code 543085) over complement positions to facilitate the continued employment of the Regular Full Time employee affected by the elimination of positions at City Hall campus, by redeploying the employee to perform caretaking duties in other buildings within the Facilities Division portfolio.

Carried.

At the request of Councillor Gignac, a recorded vote is taken.

Aye votes: Councillors Gignac, Morrison, Gill, Sleiman, Francis and Mayor Dilkens.

Nay votes: Councillors Costante, McKenzie, Holt, Kaschak and Bortolin.

**Minutes**  
**City Council**  
**Monday, November 23, 2020**

Page 19 of 27

Abstain: None.  
Absent: None.

Report Number: C 219/2020  
Clerk's File: AS/12461

**11. REGULAR BUSINESS ITEMS (Non-Consent Items)**

None presented.

**12. CONSIDERATION OF COMMITTEE REPORTS**

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

Moved by: Councillor Costante  
Seconded by: Councillor Francis

Decision Number: CR589/2020

That the report of the In Camera meeting held November 23, 2020 **BE ADOPTED** as presented.  
Carried.

Clerk's File: ACO2020

**12.2. Report of the Striking Committee of its meeting held November 23, 2020**

Moved by: Councillor Costante  
Seconded by: Councillor Francis

Decision Number: CR590/2020

That the report of the Striking Committee of its meeting held November 23, 2020 **BE ADOPTED** as presented.  
Carried.

Clerk's File: ACO2020

**13. BY-LAWS (First and Second Reading)**

Moved by: Councillor Gignac  
Seconded by: Councillor Holt

√**CLERK'S CORRECTION\*\***

That the following By-laws No. ~~153-2019 through 156-2019~~ √153-2020 through 156-2020√  
(inclusive) be introduced and read a first and second time:

# Minutes

## City Council

Monday, November 23, 2020

Page 20 of 27

**153-2020** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 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 CAO 246/2020 approved November 12, 2020.

**154-2020** A BY-LAW TO FURTHER AMEND BY-LAW NUMBER 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 CAO 248/2020 approved November 12, 2020.

**155-2020** AMENDING BY-LAW 130-2019 BEING A PROVISIONAL BY-LAW TO PROVIDE FOR THE REPAIR AND IMPROVEMENT OF THE CAHILL DRAIN (See Item 8.5, Report C 213/2020, November 23, 2020).

**156-2020** A BY-LAW TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF WINDSOR AT ITS MEETING HELD ON THE 23RD DAY OF NOVEMBER, 2020.

Carried.

## 14. MOVE BACK INTO FORMAL SESSION

Moved by: Councillor Kaschak

Seconded by: Councillor Gill

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 (as amended)
- 5) Committee Reports (as presented)
- 6) By-laws given first and second readings (as presented)

Carried.

## 15. NOTICES OF MOTION

None presented.

# Minutes

## City Council

Monday, November 23, 2020

Page 21 of 27

### 16. THIRD AND FINAL READING OF THE BY-LAWS

Moved by: Councillor McKenzie

Seconded by: Councillor Morrison

That the By-law No. 130-2019 and By-laws No. 153 through 156-2020 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 Sleiman

Seconded by: Councillor Bortolin

Decision Number: CR591/2020

That the petition presented by Councillor Kaschak regarding a complaint about the growth of cannabis for personal and medical use **BE RECEIVED** by the Clerk and the Clerk **BE DIRECTED** to forward the petition to the City Solicitor for the purpose of an examination of the requested works or undertakings; and further,

That the following Council Question by Councillor Kaschak **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:

#### Assigned to the City Solicitor

Asks that Administration and Legal staff to prepare a report and enact a by-law in regards to odour nuisance. This specifically derives from a burgeoning community problem where substantial odours permeate through neighbourhoods when residents have been granted licenses from Health Canada to grow medical marijuana amounts along with personal amounts of marijuana. This now entitles up to 23 full size plants can be grown in yards that produce a pungent smell that affects many nearby residents quality of life. Working with the Federal Government who issue the licenses & potentially the provincial Ministry of the Environment will mean a cross jurisdiction by-law, but meaningful consultation with our counterparts as well in the County who have recently enacted or are working on similar by-laws to protect residents from odours of this kind will take place to ensure best practices.

Carried.

Clerk's File: ACO/13690

# Minutes

City Council

Monday, November 23, 2020

Page 22 of 27

## 18. QUESTION PERIOD

None registered.

## 21. ADJOURNMENT

Moved by: Councillor Gignac

Seconded by: Councillor Holt

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 2:58 o'clock p.m.

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Mayor

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City Clerk

# Minutes City Council

Monday, November 23, 2020

Page 23 of 27

Adopted by Council at its meeting held November 23, 2020 (CR589/2020)  
SV/bm

## SPECIAL MEETING OF COUNCIL – IN CAMERA November 23, 2020

**Members participating via electronic participation in accordance with Procedure By-law #98-2011 as amended, which allows for electronic participation during a declared emergency.**

**Meeting called to order at: 9:32 a.m.**

### **Members in Attendance:**

Mayor D. Dilkens  
Councillor F. Francis  
Councillor F. Costante  
Councillor C. Holt  
Councillor R. Bortolin  
Councillor G. Kaschak  
Councillor J. Gignac  
Councillor K. McKenzie  
Councillor J. Morrison  
Councillor E. Sleiman  
Councillor J. Gill

### **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  
S. Vlachodimos, Deputy City Clerk  
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  
J. Wilson, Commissioner, Parks, Recreation, Culture and Facilities  
A. Teliszewsky, Mayor's Chief of Staff  
T. Hunt, City Planner (Item 2)

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

# Minutes

City Council

Monday, November 23, 2020

Page 24 of 27

<u>Item No.</u>	<u>Subject</u>	<u>Section – Pursuant to Municipal Act, 2001, as amended</u>
1.	Property matter – lease	239(2)(c)
2.	Property matter – sale of land	239(2)(c)
3.	Property matter – sale of land	239(2)(c)
4.	Property matter – acquisition of land	239(2)(c)

**Motion Carried.**

## Declarations of Pecuniary Interest:

None disclosed

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

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

**Motion Carried.**

## **\*\*SEE NOTE BELOW**

Moved by Councillor Kaschak, seconded by Councillor Morrison, THAT the Clerk BE DIRECTED to transmit the recommendation(s) contained in the report(s) discussed at the In-Camera Council Meeting held November 23, 2020 directly to Council for consideration at the next Regular Meeting.

1. 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, Commissioner Parks, Recreation, Culture and Facilities and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – lease **BE APPROVED.**



# Minutes

## City Council

Monday, November 23, 2020

Page 25 of 27

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 Planner and Chief Financial Officer/City Treasurer and Corporate Leader Finance and Technology respecting a property matter – sale of land **BE APPROVED.**

3. That the recommendation contained in the in-camera report from the Acting Lease Administrator, Manager of Real Estate Services, 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 – sale of land **BE APPROVED.**

4. 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 **BE APPROVED.**

**Motion Carried.**

**Moved by Councillor Costante, seconded by Councillor McKenzie,  
That the special meeting of council held November 23, 2020 BE ADJOURNED.  
(Time: 10:05 a.m.)**

**Motion Carried.**

**\*\*CLERK'S NOTE: The transmittal motion and final votes were held in the open session of Council on November 23, 2020.**

# Minutes City Council

Monday, November 23, 2020

Page 26 of 27

Adopted by Council at its meeting held November 23, 2020 (CR590/2020)

SV/bm

Windsor, Ontario, November 23, 2020

## REPORT OF THE STRIKING COMMITTEE of its meeting held November 23, 2020

**Members participating via electronic participation in accordance with Procedure By-law #98-2011 as amended, which allows for electronic participation during a declared emergency.**

**PRESENT:** Mayor D. Dilkens  
Councillor F. Francis  
Councillor G. Kaschak  
Councillor K. McKenzie  
Councillor J. Morrison  
Councillor F. Costante  
Councillor R. Bortolin  
Councillor E. Sleiman  
Councillor J. Gignac  
Councillor Holt  
Councillor Gill

### **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  
S. Vlachodimos, Deputy Clerk  
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  
J. Wilson, Commissioner Parks, Recreation, Culture and Facilities  
A. Teliszewsky, Mayor's Chief of Staff

# Minutes

## City Council

Monday, November 23, 2020

Page 27 of 27

### Declarations of Pecuniary Interest:

None Declared.

Your Committee submits the following recommendation:

- 1) That the resignation of Councillor Gill on the Committee/Court of Revision **BE ACCEPTED** so that the requirements of both the *Drainage Act* and *Local Improvement Act* which stipulates that the membership shall consist of 3 or 5 members will be met.

MAYOR

CITY CLERK