



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Monday, April 22, 2013
7:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg

MINUTES

PRESENT

Mayor Wayne Hurst
Deputy Mayor Ron Sutherland
Councillor Carolyn Davies
Councillor Robert (Bob) Pillon
Councillor John Sutton
Councillor Diane Pouget
Councillor Bart DiPasquale

Kristina Pozar Di Paolo, Acting CAO
Brenda Percy, Manager of Council & Legislative
Services/Clerk

CALL TO ORDER

The Mayor called the meeting to order at 5:00pm.

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF
(In-Camera agenda items)

There were no disclosures of pecuniary interest noted.

SPECIAL IN-CAMERA MEETING

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

That Council move into an In-Camera Meeting of Council at 5:00pm., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – Facca Update – Section 239(2)(e)- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and Section 239(2)(f)- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT OF IN-CAMERA MEETING

RESUMPTION OF REGULAR COUNCIL MEETING - 7:00 P.M.

The Mayor called the meeting to order at 7:00pm.

PRAYER

Elder Darwin Wismer said prayer.

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF *(Public Council Meeting agenda items)*

Councillor DiPasquale declared a pecuniary interest regarding Delegation Item # 10.3 with regard to discussion pertaining to the Ribfest.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

That the minutes be adopted by Council and that those confidential minutes of the closed sessions of Council remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act:

1. **Regular Council Meeting Minutes - April 8, 2013**
2. **Special In-Camera Council Meeting Minutes - April 2, 2013**

The Mayor put the Motion.

Motion Carried

RECOGNITIONS

9.1 Gina Cervi - Retirement after 25 Years of Service

The Mayor congratulated Gina on her retirement and thanked her on behalf of Council and Administration for her years of service.

Councillor Sutton moved, Councillor Pillon seconded:

That the recognition be received.

The Mayor put the Motion.

Motion Carried

DELEGATIONS

10.1 Essex Region Conservation Authority's (ERCA) Annual Report 2012 - Richard Wyma, General Manager/Secretary-Treasurer, ERCA and Joe Bachetti, ERCA Chair

Richard Wyma, General Manager/Secretary-Treasurer, ERCA addressed Council regarding the Annual Report 2012 and spoke to the DVD that was shown to Council. Joe Bachetti, ERCA Chair was unable to attend.

Councillor Pouget requested that a handout regarding Big Creek – Feast to Famine be passed on to ERCA.

Councillor Pillon moved, Councillor Davies seconded:

That the delegation be received.

The Mayor put the Motion.

Motion Carried Unanimously

10.2 John McDonald - Amherstburg Historic Sites Association, 1812 Project

Valerie Buckie, Park House and John McDonald addressed Council regarding the 1812 Project. DVD's were given to Council regarding the recent visit with Sir Geoffrey Rowland, Bailiff of Guernsey to the Town of Amherstburg.

Councillor Sutton moved, Councillor Pillon seconded:

That the delegation be received.

The Mayor put the Motion.

Motion Carried Unanimously

10.3 **Carl Gibb - Beef in the Burg and Ribfest**

Councillor DiPasquale removed himself from discussion and voting on the matter.

Carl Gibb addressed Council regarding waiving fees for the park rental for the Beef in the Burg, Ribfest and Pumpkinville events.

Councillor Pouget moved, Councillor Davies seconded:

That the delegation be received;

And further that the fees be waived for use of the facilities for Beef in the Burg, Ribfest and Pumpkinville in Centennial Park and Toddy Jones Park.

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

11.1 **Branding - Dean Collver, Director, Recreation and Culture and Anne Rota, Manager, Tourism and Culture**

Dean Collver, Director, Recreation and Culture and Anne Rota, Manager, Tourism and Culture addressed Council regarding a PowerPoint presentation on Branding for the Town.

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

That the presentation be received.

The Mayor put the Motion.

Motion Carried

REPORTS - RECREATION/CULTURE/PARKS

No reports at this time.

REPORTS - POLICE

No reports at this time.

REPORTS - FIRE

No reports at this time.

REPORTS - INFORMATION TECHNOLOGY

No reports at this time.

REPORTS - DEVELOPMENT SERVICES

No reports at this time.

REPORTS - ENGINEERING AND INFRASTRUCTURE

17.1 2013 Roadside Weed Spraying Project Tender Results

Councillor Sutton moved, Councillor Pillon seconded:

That the report by Lou Zarlenga dated April 10, 2013 regarding the 2013 Roadside Weed Spraying Project Tender Results be received;

And further that Council award the contract to the lowest bidder, being DeAngelo Brothers Corporation for the 2013 Roadside Weed Spraying Project in the amount of \$11,813.54 (plus HST).

The Mayor put the Motion.

Motion Carried

17.2 Texas Road Reconstruction Program - 2013 and 2014 Construction - Proposed Road Cross Section

Lou Zarlenga, Director, Engineering and Infrastructure, and Dave Archer, P. Eng., R.C. Spencer and Associates explained the Texas Road Cross Section

Councillor Sutton enquired about timing after the Public meeting for any revisions to the proposal. Dave Archer confirmed that they anticipate revisions and they will be made as necessary.

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

That the report from Lou Zarlenga dated April 15, 2013 regarding the Texas Road Reconstruction Program - 2013 and 2014 Construction – Proposed Road Cross Section be received;

And further that Council concur with the proposed road cross section dated April 12, 2013 as prepared by the Town’s consulting engineers, being R.C. Spencer Associates.

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS - CAO's OFFICE

No reports at this time.

REPORTS - TREASURY

No reports at this time.

REPORTS - HUMAN RESOURCES

No reports at this time.

REPORTS - LEGISLATIVE SERVICES

21.1 Amherstburg Firefighters Annual Volleyball Tournament – June 8, 2013

Councillor Pillon moved, Councillor Pouget seconded:

That the report by Nicole Rubli, Licensing Officer dated April 17, 2013 regarding the Amherstburg Firefighters Volleyball Tournament be received;

That Council designate the Amherstburg Firefighters Annual Volleyball Tournament, (June 8, 2013) an event of municipal significance for the purpose of the Amherstburg Firefighters applying for a Special Occasion Permit to

provide the sale of liquor at the United Communities Credit Union Complex pending receipt of the required insurance certificate;

And further that the Clerk be directed to advise the AGCO that Council has designated the Amherstburg Firefighters Volleyball Tournament an event of municipal significance.

The Mayor put the Motion.

Motion Carried Unanimously

21.2 Corporate Policy – Signing of Agreements, Leases and Contracts

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That the report prepared by Brenda Percy dated April 12, 2013 regarding Corporate Policy – Signing of Agreements, Leases and Contracts be received;

And further that Corporate Policy – Signing of Agreements, Leases and Contracts be approved.

The Mayor put the Motion.

Motion Carried

21.3 Liquor Licence Application – Season’s Amherstburg, 681 Front Road South

Councillor Pouget moved, Councillor Davies seconded:

That the report by Nicole Rubli, Licensing Officer dated April 15, 2013 regarding Liquor Licence Application for Season’s Amherstburg, 681 Front Road South be received;

And further that the Clerk be authorized to advise the Alcohol and Gaming Commission of Ontario, Council’s support for the application.

The Mayor put the Motion.

Motion Carried Unanimously

21.4 Licence of Occupation Agreement

Councillor DiPasquale moved, Councillor Pouget seconded:

That Council receive the report by Paula Parker, Deputy Clerk dated April 8, 2013 regarding Licence of Occupation Agreement;

That Council approve the execution of the Licence of Occupation Agreement for an additional three (3) year period;

And further that By-law 2013-41 being a By-law to authorize the renewal of a Licence of Occupation Agreement between the Corporation of the Town of Amherstburg and Her Majesty the Queen be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same thereto.

The Mayor put the Motion.

Motion Carried Unanimously

CONSENT REPORTS

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

That the consent reports be received.

- a) Update: Essex County Ravens at the United Communities Complex (UCCUC)**
- b) Bollard & Fence status during Tall Ship Festival**
- c) 2013 Winter Control Cost Summary and 2012 Cost Comparison**
- d) Accounts paid for the period of March 28, 2013 to April 10, 2013**
- e) Amherstburg Water Treatment Plant - Submission of the 2012 OCWA Annual Summary Report**
- f) Proposed Roads to be completed under the 2013 Surface Treatment (Tar & Chip) Program**

The Mayor put the Motion.

Motion Carried Unanimously

Councillor Davies requested a cost comparison of Winter Control Cost's for 2011 as it relates to the 2012 season. Lou Zarlenga, Director, Engineering and Infrastructure, will bring back a report regarding same.

Councillor Davies enquired on quarterly reconciliations to confirm the Town is within budget. Val Sequeira, Director, Corporate Services confirmed that a report will be brought to the next Council meeting regarding same.

CONSENT CORRESPONDENCE

Councillor Sutton moved, Councillor Pouget seconded:

That the correspondence items a-h be received.

- a) **Amherstburg Fort Malden Horticultural Society Invitation**
- b) **Municipality of Trent Lakes - Municipal Cost for Appeals to the Ontario Municipal Board (OMB)**
- c) **Lincoln M. Alexander Award 2013**
- d) **United Way 2012 Campaign Thank you letter**
- e) **Franco-Ontarian Day, September 25, 2013**
- f) **City of Windsor Resolution - Citizenship and Immigration Canada**
- g) **Outstanding Ontario Physicians - Council Award**
- h) **Passion for Fashion**

- i) **Ontario Distribution Sector Review**

Councillor Sutton moved, Councillor Davies seconded

That we send a letter of support as per Essex Powers request.

Mayor stated that Essex Power is looking for approval from Council.

The Mayor put the Motion.

Motion Carried Unanimously

CONSENT OTHER MINUTES

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

That the following minutes be received:

- a) **Co-An Park Committee Minutes - November 26, 2012**

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

25.1 West Nile Virus Response – Larviciding

The Mayor stated that this will include a letter of support from the Mayor to the Windsor-Essex Health Unit.

Councillor Pouget moved, Councillor Davies seconded:

That the correspondence be received;

And further that Council support this Notice of Action by the municipalities for lands under their jurisdiction and support applications to the Ministry of Environment for the application of larvicide on private lands.

The Mayor put the Motion.

Motion Carried Unanimously

25.2 **Earth Week Climate Awareness Event with David Suzuki**

Councillor Pillon moved, Councillor DiPasquale seconded:

That the correspondence be received;

And further that Council approve the donation of \$1500.00 to the Earth Week Climate Awareness Event.

The Mayor put the Motion.

Motion Carried Unanimously

UNFINISHED BUSINESS

Unfinished Business items as of Monday, April 22, 2013

Councillor Pillon brought up a concern at the Thomas Road site. Lou Zarlenga, Director, Engineering and Infrastructure stated he report back on steps to alleviate risk issues on site.

NEW BUSINESS

Councillor Pouget moved, Councillor Davies seconded:

That Council request Administration to provide a full report regarding legislature to Protect our Protectors and if all of our volunteers, full time and retired firefighters have been informed of said law that is retroactive til 1960.

The Mayor put the Motion.

Motion Carried

REPORT FROM IN-CAMERA SESSION

Report from In Camera Meeting held Monday, April 22, 2013

**COUNCIL IN CAMERA SESSION – REPORTING OUT
April 22, 2013 MEETING**

Council met at 5:00 pm. on April 22, 2013 for a Special In-Camera meeting and discussed one (1) item being Facca Update, which was heard under Section 239(2)(e) and (f) of the Municipal Act. There is nothing further to report on this matter.

NOTICES OF MOTION

There were no Notices of Motion.

BY-LAWS

30.1 Confirmatory By-law

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That By-law 2013-42 being a By-law to confirm all resolutions of the Municipal Council Meetings held on April 22, 2013 be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same thereto.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

That Council rise and adjourn at 8:29 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – WAYNE HURST

CLERK – BRENDA M. PERCY