



**TOWN OF AMHERSTBURG
COUNCIL MEETING
DECEMBER 2, 2013
7:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg

A G E N D A

PRESENT

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

Mike Phipps, Chief Administrative Officer
Paula Parker, Deputy Clerk

CALL TO ORDER

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

PRAYER

Elder Darwin Wismer, Amherstburg Community Church of Christ said prayer.

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Councillor Pillon moved, Deputy Mayor Sutherland 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 - November 18, 2013

It was noted that the minutes of November 18, 2013 were amended in item 6.1, as per an email sent to Council earlier in the day, to include the Heritage Committees phase 2 in the original motion.

The Mayor put the Motion.

Motion Carried Unanimously

PRESENTATIONS

5.1 **Big Creek Watershed Update - Tim Byrne, Director, Watershed Management Services, Essex Region Conservation Authority (ERCA)**

The Director of Watershed Management Services, ERCA and the Manager of Planning and Development Services addressed Council regarding an update to the progress of the Big Creek Watershed Plan.

Councillor Davies moved, Councillor Pillon seconded:

It is recommended that:

- 1. The delegation be received.**

The Mayor put the Motion.

Motion Carried

Councillor Sutton moved, Councillor Pillon seconded:

That Notice of Motion item # 16.4 be brought forward.

The Mayor put the Motion.

Motion Carried

16.4 **Councillor Pouget - Robbie Taylor Pigeon Reconsideration**
(As introduced at the November 18, 2013 Regular Council meeting)

Councillor Pouget moved, Councillor Davies seconded:

That Council reconsider the previous motion of October 29, 2012 regarding Robbie Taylor and keeping of pigeons in a residential area.

The Mayor put the Motion.

	Yes/Concur	No/ Not Concur
Councillor Davies	X	
Councillor DiPasquale	X	
Councillor Pillon	X	
Councillor Pouget	X	
Deputy Mayor Sutherland	X	
Councillor Sutton	X	
Mayor Hurst		X

A 2/3 vote was achieved.

Motion Carried

There was discussion with regard to current zoning restrictions, site specific, changes and regulating pigeons if permitted to keep. Council directed administration to bring back a report and recommendation with regard to the legal requirements to be followed that would allow Robbie Taylor to keep his racing pigeons on his property.

REPORTS – POLICE SERVICES

No reports at this time.

REPORTS – COMMUNITY SERVICES

No reports at this time.

REPORTS – FINANCE
No reports at this time.

REPORTS – ENGINEERING AND PUBLIC WORKS
No reports at this time.

REPORTS – CORPORATE AND LEGAL SERVICES

10.1 **Easement for a trail- Kingsbridge Phase 6, Welsh and Brown Dunn Group (1078217 Ontario Limited)**

Council directed Administration to investigate report item 10.1 further and bring back a report to the next Council meeting regarding the details of the type of gas used in the gas lines.

10.2 **St. Joseph's Church Rectory Demolition**

Deputy Mayor Sutherland moved, Councillor Davies seconded:

It is recommended that:

1. **The report from the Chief Building Official dated November 27, 2013 regarding the St. Joseph's Church Rectory demolition be received, and;**
2. **Council refer the request for demolition to the Amherstburg Heritage Committee for advisement, as per Section 34(2) of the Ontario Heritage Act.**

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS - CAO's OFFICE

11.1 **Source Protection Municipal Implementation Fund**

Councillor DiPasquale moved, Deputy Mayor Sutherland seconded:

It is recommended that:

1. **The report from the Manager of Economic Development and Strategic Asset Management dated November 27, 2013 regarding the Source Protection Municipal Implementation Fund be received, and;**
2. **Council accept the Source Protection Municipal Implementation funding of \$69,803 available to the Town of Amherstburg;**
3. **By-law 2013-116 being a by-law to enter into a grant funding agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of the Environment for the Source Protection Municipal Implementation Fund be taken as having been read three (3) times and finally passed and the Mayor and Clerk be authorized to sign same.**

The Mayor put the Motion.

Motion Carried Unanimously

INFORMATION REPORTS

Councillor Sutton moved, Councillor Pillon seconded:

That the consent reports be received.

- a) **Crossing Guard Program**
- b) **Recreation Program – “Teen Beats Music Therapy” Pilot**
- c) **Accounts Paid for the Period of November 5, 2013 to November 18, 2013**

The Mayor put the Motion.

Motion Carried Unanimously

CONSENT OTHER MINUTES

Councillor Pillon moved, Councillor Davies seconded:

That the following minutes be received:

- a) **Recreation and Culture Advisory Committee Minutes - June 11, 2013**
- b) **Recreation and Culture Advisory Committee Minutes - July 9, 2013**
- c) **Recreation and Culture Advisory Committee Minutes - September 10, 2013**
- d) **Recreation and Culture Advisory Committee Minutes - October 8, 2013**
- e) **Heritage Committee Minutes - October 24, 2013**
- f) **Traffic Committee Minutes - September 4, 2013**

The Mayor put the Motion.

Motion Carried Unanimously

UNFINISHED BUSINESS

Unfinished Business items as of Monday, December 02, 2013

Councillor Pouget requested the Unfinished Business List be added back on to the agenda. The CAO stated that it would be re-added for the next Council meeting.

Councillor Pouget requested updates on Viewpoints, EIC, Sign By-law, Smoke By-law and Procedural By-law. The Director of Corporate and Legal Services reported that the committee has met but is not yet complete.

The CAO stated that the EIC and Smoke By-law reports will be on the next Council meeting agenda.

NEW BUSINESS

Councillor Pillon engaged Council regarding an article in the Saturday edition of the Windsor Star with respect to the divide on Council.

Councillor Pouget directed administration to provide Council with a full report at our next public Council meeting, why a letter was sent to an owner on Sandwich Street regarding the destruction of four trees on Town property, yet the terms and conditions of the Tree By-law 2005-19 were allegedly ignored, whereby this by-law clearly states, that the Public Works Manager or the By-law Enforcement Officer are to enforce said by-law and the penalty of this by-law is clearly defined that “every person who contravenes any provisions of this by-law is guilty of an offence and on conviction is liable to a fine and/or penalty as provided for in the Provincial Offences Act.”

NOTICES OF MOTION

- 16.1 **Councillor Pouget - Cease hiring, terminations, buyouts, employee status changes, or hiring consulting firms or outside law firms unless directed and approved by the elected members of the Amherstburg Town Council**
(As introduced at the November 18, 2013 Regular Council meeting)

Councillor Pouget moved, Councillor DiPasquale seconded:

Motion to direct administration to cease any further hirings or terminations of any employees and to cease in offering buyouts or changing the status of employees from part-time to full time and further to that stop the hiring of any consulting firms or outside law firms unless directed and approved by the elected members of the Amherstburg Town Council.

The Mayor put the Motion.

	Yes/Concur	No/ Not Concur
Councillor Davies		X
Councillor DiPasquale	X	
Councillor Pillon		X
Councillor Pouget	X	
Deputy Mayor Sutherland	X	
Councillor Sutton		X
Mayor Hurst		X

Motion Failed

- 16.2 **Councillor Davies - Compressed Air Energy**
(As introduced at the November 18, 2013 Regular Council meeting)

At the request of Councillor Davies, this Notice of Motion will be brought to the January 20, 2014 Council meeting.

- 16.3 **Councillor Davies - Light Rapid Transit**
(As introduced at the November 18, 2013 Regular Council meeting)

Councillor Davies moved, Councillor Pillon seconded:

That administration investigate the possibility of Light Rapid Transit for the town of Amherstburg in partnership with the County of Essex through the use of ETR rail lines for the purpose of commuters between Amherstburg and Windsor.

The Mayor put the Motion.

	Yes/Concur	No/ Not Concur
Councillor Davies	X	
Councillor DiPasquale		X
Councillor Pillon		X
Councillor Pouget		X
Deputy Mayor Sutherland		X
Councillor Sutton		X
Mayor Hurst		X

Motion Failed

- 16.4 **Councillor Pouget - Robbie Taylor Pigeon Reconsideration**
(As introduced at the November 18, 2013 Regular Council meeting)

As dealt with above.

Councillor DiPasquale introduced a Notice of Motion regarding Leading by Example. The item will be added to the next Council meeting agenda for discussion and voting.

Councillor Pouget introduced a Notice of Motion regarding Suspending Conference Remuneration for 2014. The item will be added to the next Council meeting agenda for discussion and voting.

Councillor Pouget introduced a Notice of Motion regarding Interception of Emails. The item will be added to the next Council meeting agenda for discussion and voting.

BY-LAWS

17.1 Execute Release Agreement - Ondejko (Housekeeping Matter)

Councillor Sutton moved, Councillor Pillon seconded:

That By-law 2013-115 being a by-law authorizing the execution of a Release Agreement between the Town of Amherstburg and Jamie Ondejko and Nancy Ondejko and to repeal By-law 2011-12 be taken as having been read three (3) times and finally passed and the Mayor and Clerk be authorized to sign same.

The Mayor put the Motion.

Motion Carried

17.2 Confirmatory By-law

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

That By-law 2013-117 being a by-law to confirm all resolutions of the Municipal Council Meetings held on December 2, 2013, be taken as having been read three (3) times and finally passed and the Mayor and Clerk be authorized to sign same.

The Mayor put the Motion.

Motion Carried Unanimously

ADJOURNMENT

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That Council rise and adjourn at 9:38 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – WAYNE HURST

DEPUTY CLERK – PAULA PARKER