



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Tuesday, February 18, 2014
7:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg

MINUTES

PRESENT

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

Mike Phipps, Chief Administrative Officer
Paula Parker, Deputy Clerk

CALL TO ORDER

The Mayor called the meeting to order at 5:30pm.

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

There were no disclosures of pecuniary interest noted.

SPECIAL IN-CAMERA MEETING

Councillor Davies moved, Deputy Mayor Sutherland seconded:

That Council move into an In-Camera Meeting of Council at 5:30pm., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – Boblo – Section 239(2)(f) – Advice that is subject to solicitor-client privilege, including communications necessary for that purpose

ITEM B – Entegrus – Section 239(2)(c) – A proposed or pending acquisition or disposition of land by 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 Unanimously

ADJOURNMENT OF IN-CAMERA MEETING

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

PRAYER

The Deputy Clerk said prayer.

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

There were no disclosures of pecuniary interest noted.

Councillor DiPasquale requested that Council waive rules of order to allow the Verdi Club to speak at this meeting.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Councillor Sutton 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. Special In-Camera Council Meeting Minutes - December 17, 2013**
- 2. Special In-Camera Council Meeting Minutes - January 20, 2014**
- 3. Regular Council Meeting Minutes - February 3, 2014**

The Mayor put the Motion.

Motion Carried

The Mayor requested Council's indulgence in bringing presentation item # 10.1 forward at this time, as representatives of Entegrus were present.

10.1 Jim Hogan, President and CEO, Entegrus

Deputy Mayor Sutherland moved, Councillor Pouget seconded:

That the presentation be received and that Council hold a public meeting as soon after the information from BDR is received at the April 7 meeting to get input from residents.

The Mayor put the Motion.

Motion Carried Unanimously

DELEGATIONS

9.1 Towns Financials

- Ed Posliff, Town Solicitor**
- Jill Stoyanovich**

Jill Stoyanovich was not able to attend this meeting.

The Town Solicitor provided his opinion regarding the motion previously brought forward for consideration to Council at the Feb 3, 2014 regular meeting. His speaking notes form part of these minutes.

Councillor Sutton moved, Councillor DiPasquale seconded:

That the delegation be received.

The Mayor put the Motion.

Motion Carried Unanimously

9.2 St. Joseph Rectory

- **Marc Pillon/Paul Hertel, Amherstburg Heritage Committee members**
- **Ron Burns, Building and Grounds Chairperson, St. Joseph Church**

Ron Burns was not able to attend, Erin King a representative of the Finance Committee and Tony Magri of St. Joseph Parish were present in his place.

Marc Pillon and Paul Hertel addressed Council regarding the notice to demolish for St. Joseph rectory. The Heritage Committee's recommendation was to deny the demolition request and amend By-law 2003-89 to include the rectory.

Erin King and tony Magri addressed Council regarding the reasoning behind the request to demolish the rectory.

Councillor Sutton moved, Councillor Pillon seconded:

That the delegations be received and the demolition request for St. Joseph rectory be approved.

The Mayor put the Motion.

Motion Failed

Councillor Davies moved, Councillor Pouget seconded:

That direction be given to administration under the act to for the amendment of the by-law.

The Mayor put the Motion.

Motion Carried

Councillor Davies moved, Deputy Mayor Sutherland seconded:

That the demolition permit be denied.

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

10.2 Jim Hogan, President and CEO, Entegrus

As dealt with above.

REPORTS – POLICE SERVICES

No reports at this time.

REPORTS – COMMUNITY SERVICES

12.1 Suspension of Sandwich Street Hanging Basket Program for 2014

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

That Council defer to budget deliberations.

The Mayor put the Motion.

Motion Failed

Councillor Pillon moved, Councillor Pouget seconded:

It is recommended that:

- 1. The report from the Director of Community Services dated February 9, 2014 regarding Suspension of Sandwich Street Hanging Basket Program for 2014 be received; and,**
- 2. Council direct administration to suspend the purchase of hanging baskets for deployment along Sandwich Street for the 2014 season only.**

The Mayor put the Motion.

Motion Carried

12.2 Community Services Department User Fees

Councillor Sutton moved, Councillor Davies seconded:

It is recommended that:

- 1. The report from the Manager of Business Development and Programs dated February 3, 2014 regarding Community Services Department User Fees be received, and;**
- 2. The fee updates and new fees associated with the indoor and outdoor recreation facilities as outlined in this report be included in the 2014 User Fee By-law.**

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS – FINANCE

No reports at this time.

REPORTS – ENGINEERING AND PUBLIC WORKS

14.1 Yard Waste Depot

Councillor Sutton moved, Councillor Davies seconded:

That Council refer to budget deliberations.

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS – CORPORATE AND LEGAL SERVICES

15.1 2014 Municipal Election - Voting and Ballot Counting Method

Councillor Pouget moved, Councillor Sutton seconded:

It is recommended that:

1. The report from the Director of Corporate and Legal Services dated February 6, 2014 regarding 2014 Municipal Election – Voting and Ballot Counting Method be received, and;
2. Option 1, 2 or 3 (choose one) be the preferred method of voting for the 2014 municipal election; and,

Option No. 1

The Clerk be authorized to prepare a by-law to approve use of traditional voting method and electronic tabulators as the voting method for the 2014 Municipal Election.

3. The Clerk be authorized to secure a vendor(s) for the method of voting determined by Council.

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS - CAO's OFFICE

16.1 Joint and Several Liability

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

It is recommended that:

1. The report from the Manager of Council Services and Risk Management/Deputy Clerk dated February 5, 2014 regarding Joint and Several Liability be received; and,
2. Council support the private member's resolution by Randy Pettapiece, MPP and forward correspondence to Taras Natyshak, MPP, Essex.

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Councillor Sutton moved, Councillor Pillon seconded:

That the information reports be received.

- a) Clearing of Vegetation under Hydro Power Lines**
- b) Building Department Report - Holling Consulting**
- c) Edgewater Lagoons Early Discharge - Ministry of Environment Order
(Report to follow)**
- d) BCF Funding Process for the Libro Credit Union Centre**
- e) Emergency Information Volunteer Group (EIVG)**
- f) Accounts Paid for the Period of January 21, 2014 to February 3, 2014**

The Mayor put the Motion.

Motion Carried Unanimously

CONSENT CORRESPONDENCE

Councillor Davies moved, Councillor Pillon seconded:

That the consent correspondence be received.

- a) Goodwill Industries - Clothing Donation Boxes**
- b) Linda Saxon - Accessibility questions**

The Mayor put the Motion.

Motion Carried Unanimously

CONSENT OTHER MINUTES

Councillor Pillon moved, Councillor Davies seconded:

That the following minutes be received:

- a) Amherstburg Heritage Committee Meeting Minutes - December 19, 2013**
- b) Recreation and Culture Advisory Committee Minutes - December 10, 2013**
- c) Amherstburg Parks Advisory Committee Minutes - November 5, 2013**

The Mayor put the Motion.

Motion Carried Unanimously

UNFINISHED BUSINESS

Unfinished Business items as of Tuesday, February 18, 2014

The Mayor read a letter to Council from the Ministry of Municipal Affairs and Housing (MMAH) regarding the requested audit of the Town financials.

Council directed administration to investigate the costing of the MMAH audit.

Councillor Pouget moved, Deputy Mayor Sutherland seconded:

That Council direct administration to provide all information regarding how many roads in Amherstburg require a second coat of asphalt;

That the administrative report include if developers have provided our municipality with the necessary performance/maintenance bonds or letter of credit and to report any developers that have not honoured their agreement, if any;

And further, administrations plans on how to recoup these costs provided to Council at our next Council meeting.

The Mayor put the Motion.

Motion Carried

NEW BUSINESS

Councillor Pouget moved, Councillor DiPasquale seconded:

That Council direct administration to provide Council with all documentation pertaining to another development agreement that was made at an in-camera meeting on December 15, 2008 including if that agreement had been reported out and voted on in public session, if an appropriate by-law had been passed and voted on in public session, if an appropriate by-law has been passed and if this was a legal, binding agreement.

The Mayor put the Motion.

Motion Failed

REPORT FROM IN-CAMERA SESSION

Report from In Camera Meeting held Tuesday, February 18, 2014

COUNCIL IN CAMERA SESSION – REPORTING OUT February 18, 2014 MEETING

Council met at 5:30 pm on February 18, 2014 for a Special In-Camera meeting and discussed two (2) items as provided for under Section 239 of the Municipal Act:

ITEM A – Boblo – heard under section 239(2)(f) of the Municipal Act. There is nothing further to report on this matter.

ITEM B – Entegrus – heard under section 239(2)(c) and (f) of the Municipal Act. This was dealt with in presentation item 10.1 of this agenda.

NOTICES OF MOTION

Councillor Davies introduced a Notice of Motion regarding Debentures for Amherstburg. This motion will be brought forward for consideration and voting at the March 3, 2014 regular meeting of Council.

BY-LAWS

24.1 Confirmatory By-law

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

That By-law 2014-12 being a by-law to confirm all resolutions of the Municipal Council Meetings held on February 18, 2014, be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same.

The Mayor put the Motion.

Motion Carried Unanimously

ADJOURNMENT

Deputy Mayor Sutherland moved, Councillor Davies seconded:

That Council rise and adjourn at 9:25 p.m.

The Mayor put the Motion.

Motion Carried Unanimously

MAYOR – WAYNE HURST

DEPUTY CLERK – PAULA PARKER