



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Monday, April 07, 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 6:00pm.

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

There were no disclosures of pecuniary interest noted.

SPECIAL IN-CAMERA MEETING

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

That Council move into an In-Camera Meeting of Council at 6:00pm., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – Evaluation of Essex Power Shares – 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.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

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:

Councillor Sutton moved, Councillor DiPasquale seconded:

1. Special Council Meeting Minutes - Drainage - March 24, 2014

The Mayor put the Motion.

Motion Carried

Councillor Pillon moved, Councillor DiPasquale seconded:

2. Regular Council Meeting Minutes - March 24, 2014

Councillor Davies raised a Point of Privilege regarding the information questioned on the 2013 Treasurer's Report submitted to Council at the March 24, 2014 Regular Council meeting. Councillor Davies requested an apology from Councillor Pouget for remarks made at that meeting regarding conference expenditures. Councillor Pouget stated that her remarks were based on information provided to Council in the original 2013 Treasurer's Report and would not provide an apology.

The Mayor put the Motion.

Motion Carried

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

3. Special In-Camera Council Meeting Minutes - March 24, 2014

The Mayor put the Motion.

Motion Carried Unanimously

PRESENTATIONS

9.1 BDR North America - John McNeil, President

John McNeil, President BDR provided a detailed overview of the valuation of Town of Amherstburg Essex Power shares.

Councillor Pouget inquired whether capital gains would be payable on the difference of the actual value of shares versus the offer from Entegrus. The Town Solicitor stated that the Town of Amherstburg is not a taxable entity.

Councillor Davies moved, Councillor Sutton seconded:

That the presentation be received.

The Mayor put the Motion.

Motion Carried

The CAO introduced Michelle Doupnik as the successful candidate for the position of Director of Finance. He provided an overview of her experience and welcomed her to the team.

REPORTS – POLICE SERVICES

No reports at this time.

REPORTS – COMMUNITY SERVICES

No reports at this time.

REPORTS – FINANCE

12.1 Tax Arrears Extension Agreement – Roll 3729 390 000 09101

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

It is recommended that:

- 1. The report from the Supervisor of Revenue dated March 25, 2014 regarding Tax Arrears Extension Agreement – Roll 3729 390 000 09101 be received; and,**
- 2. The Mayor and Clerk be authorized to enter into an extension agreement between the Town and the property owner, on behalf of the Town, with the terms outlined in the said agreement; and,**
- 3. By-law 2014-23, being a by-law to authorize the execution of a tax arrears extension agreement, be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign the same.**

The Mayor put the Motion.

Motion Carried

12.2 Loan G Borrowing By-law

Councillor Sutton moved, Councillor Pillon seconded:

It is recommended that:

- 1. The report from the Director of Finance dated March 27, 2014 regarding Loan G Borrowing By-law be received; and,**
- 2. By-law 2014-24, being a by-law to provide for borrowing to finance fiscal 2014 expenditures related to waste water capital assets, 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

REPORTS – ENGINEERING AND PUBLIC WORKS

13.1 Pump Station No. 2 Upgrades - Pre-selection of Basket Screens

Councillor DiPasquale moved, Councillor Davies seconded:

It is recommended that:

1. The report from the Manager of Engineering and Operations dated March 12, 2014 regarding Pump Station No. 2 Upgrades – Pre-Selection of Basket Screens – Tender Results be received; and,
2. Council award the contract for the pre-selection of the basket screens to the lowest bidder, being Huber Technology in the amount of \$144,708.93; and,
3. By-law 2013-113 being a by-law to enter into a contract with Huber Technology for the supply of the basket screens for Pump Station No. 2 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

13.2 Pump Station No. 2 Upgrades - Pre-selection of Raw Sewage Pumps

Councillor Pillon moved, Councillor Davies seconded:

It is recommended that:

1. The report from the Manager of Engineering and Operations dated March 12, 2014 regarding Pump Station No. 2 Upgrades – Pre-Selection of Raw Sewage Pumps – Tender Results be received; and,
2. Council award the contract for the pre-selection of the raw sewage pumps to the lowest bidder, being Weir Canada Inc. in the amount of \$117,811.17; and,
3. By-law 2013-112 being a by-law to enter into a contract with Weir Canada Inc. for the supply of the Raw Sewage Pumps for Pump Station No. 2 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

REPORTS – CORPORATE AND LEGAL SERVICES

14.1 Removal of Part Lot Control- Forhan Subdivision

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

It is recommended that:

1. The report from the Manager of Planning and Development Services dated March 20, 2014 regarding Removal of Part Lot Control- Forhan Subdivision be received; and,
2. Council approve the application for removal of Part Lot Control for Lots 4, 5, 7, 8, 11, 12, 17, Registered Plan 12M-198; and,
3. By-law 2014-21 being a by-law to remove certain lands from Part Lot Control (12M-198) 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

14.2 Removal of Part Lot Control- Riverfront Park Subdivision

Councillor DiPasquale moved, Councillor Pillon seconded:

It is recommended that:

- 1. The report from the Manager of Planning and Development Services dated March 19, 2014 regarding removal of Part Lot Control- Riverfront Park Subdivision be received; and,**
- 2. Council approve the request to extend the time frame specified in the by-law; and,**
- 3. Council approve the request to amend the land described in the by-law, and;**
- 4. By-law 2014-22 being a by-law to amend By-law 2012-37 to extend the expiration date and amend the land described for Part Lot Control exemption 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

14.3 Development Charges Five Year Review Project Commencement

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

It is recommended that:

- 1. The report from the Manager of Planning and Development Services dated March 27, 2014, regarding the Development Charges Five Year Review Project Commencement be received; and,**
- 2. Council authorize administration to commence the Request for Proposal process and consultant selection for the Development Charges Study; and,**
- 3. Administration provide further report to Council with updates, as appropriate, on progress.**

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS - CAO's OFFICE

No reports at this time.

INFORMATION REPORTS

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

That the information reports be received.

- a) Ontario Municipal Board (OMB) Decision (Case PL131207) West Side of Gold Coast Drive, Boblo- Severance File B/41-42/13**
- b) Update to the 2013 Treasurer's Report**
- c) Accounts Paid for the Period of March 11, 2014 to March 24, 2014**

The Mayor put the Motion.

Motion Carried Unanimously

CONSENT CORRESPONDENCE

Councillor Pouget moved, Councillor Davies seconded:

That the consent correspondence item a be received and Council concur with the request.

a) Cat Assistance Team - Recycle Request

The Mayor put the Motion.

Motion Carried Unanimously

Councillor Pillon moved, Councillor Sutton seconded:

That the consent correspondence item b be received and Council purchase a ¼ page add in the booklet.

b) Essex County Steam and Gas Engine Museum 30th Annual Show

The Mayor put the Motion.

Motion Carried Unanimously

Councillor Pouget moved, Councillor Davies seconded:

That the consent correspondence item c be received and administration send a letter of support.

c) Niagara Region Resolution - Hydro Rate Increases

The Mayor put the Motion.

Motion Carried Unanimously

Councillor DiPasquale moved, Councillor Davies seconded:

That the consent correspondence items d and e be received.

d) Notice of Intent to Demolish - 238 Dalhousie Street, Amherstburg

e) Pathway to Potential 5th Annual Report to the Community (For a copy of the P2P report please see the Deputy Clerk)

The Mayor put the Motion.

Motion Carried Unanimously

CORRESPONDENCE

18.1 June 2014 - Seniors' Month

Councillor Sutton moved, Councillor DiPasquale seconded:

It is recommended that:

- 1. The correspondence regarding Seniors' Month be received; and**
- 2. Council proclaim the month of June as Seniors' Month in the Town of Amherstburg; and**
- 3. Administration send a copy of the letter regarding grants to all the seniors clubs and Amherstburg Community Services.**

The Mayor put the Motion.

Motion Carried Unanimously

(The Mayor read the proclamation)

UNFINISHED BUSINESS

Unfinished Business items as of Monday, April 07, 2014

Councillor Pouget thanked the Deputy Fire Chief, Deputy Clerk and EA to the CAO for their coordination of training for the Emergency Information Volunteer Group.

NEW BUSINESS

Councillor DiPasquale moved, Councillor Pouget seconded:

That Council direct administration to invite the 3 local hockey teams that won the Ontario Championships to Council prior to a meeting for recognition of their achievement.

The Mayor put the Motion.

Motion Carried Unanimously

Councillor Pillon moved, Councillor Davies seconded:

That Council direct administration to invite Zarko Vucinic, owner of Duffy's to Council prior to a meeting to honour him with a plaque for his tenure as a business owner in the Town of Amherstburg.

The Mayor put the Motion.

Motion Carried Unanimously

REPORT FROM IN-CAMERA SESSION

Report from In Camera Meeting held Monday, April 07, 2014

COUNCIL IN CAMERA SESSION – REPORTING OUT April 7, 2014 MEETING

Council met at 6:00 pm on April 7, 2014 for a Special In-Camera meeting and discussed one (1) items as provided for under Section 239 of the Municipal Act:

ITEM A – Valuation of Essex Power Shares – heard under Section 239(2)(f) of the municipal act. There is nothing further to report on this matter.

NOTICES OF MOTION

22.1 Councillor Davies - Natural Snow Fence

(As introduced at the March 24, 2014 Council meeting)

Councillor Davies moved, Councillor Sutton seconded:

That the Public Works department in conjunction with Essex County administration investigate the value of a natural snow fence program to decrease the risk of vehicle accidents by reducing the amount of snow plowing expenditure, and blowing and drifting snow on roadways for less cost than wood slatted fences.

The Mayor put the Motion.

Motion Failed

22.2 **Councillor Sutton - Press Releases**
(As introduced at the March 24, 2014 Council meeting)

Councillor Sutton moved, Councillor Pillon seconded:

That outside of normal council reports, any further information regarding the Town of Amherstburg's finances be disseminated in the form of a press release issued by either the Mayor's or CAO's office and that such press releases be provided to Council at least 24 hours in advance of their release.

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 Carried

BY-LAWS

23.2 **Memorandum of Understanding - Her Majesty the Queen of Right (Ministry of Municipal Affairs and Housing)**
(Housekeeping by-law) - Item from the supplementary agenda

Councillor Pillon moved, Councillor Sutton seconded:

That By-law 2014-29 being a by-law to enter into a memorandum of understanding between Her Majesty the Queen in Right (the Ministry) and the Corporation of the Town of Amherstburg 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

23.1 **Confirmatory By-law**

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

That By-law 2014-25 being a by-law to confirm all resolutions of the Municipal Council Meetings held on April 7, 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

ADJOURNMENT

Councillor Sutton moved, Councillor Davies seconded:

That Council rise and adjourn at 8:48 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – WAYNE HURST

DEPUTY CLERK – PAULA PARKER