



**TOWN OF AMHERSTBURG  
COUNCIL MEETING  
Monday, May 05, 2014  
7:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg

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**MINUTES**

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**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 7:00pm.

**PRAYER**

The Deputy Clerk said prayer.

**DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

There were no disclosures of pecuniary interest noted.

**MINUTES OF PREVIOUS MEETING**

**Approval of Minutes**

Deputy Mayor Sutherland moved, Councillor Pillon 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 - April 22, 2014**
- 2. Regular Council Meeting Minutes - April 22, 2014**
- 3. Special Council Meeting Minutes - Planning - April 22, 2014**

The Mayor put the Motion.

**Motion Carried**

## PRESENTATIONS

### 5.1 Town Recognition of Amherstburg's OMHA and OHA Championship Hockey Teams

Mayor Hurst said a few words to commemorate the historic accomplishment of three teams playing under the Amherstburg Minor Hockey Association banner in the 2013/14 hockey season. These teams were the Novice Team ('05 birth year), the Bantam Major Team ('99 birth year) and, the Major Midget Team ('96/'97 birth year).

Councillor Sutton moved, Councillor Davies seconded:

**That the presentation be received.**

The Mayor put the Motion.

**Motion Carried**

## REPORTS – POLICE SERVICES

No reports at this time.

Deputy Mayor Sutherland moved, Councillor Pouget seconded:

**That Council waive rules of order and allow Graham Hobbs 5 minutes to address Council.**

The Mayor put the Motion.

**Motion Carried**

Graham Hobbs addressed Council regarding concerns with the sale of Essex Power shares.

Councillor Sutton moved, Councillor Davies seconded:

**That the delegation be received.**

The Mayor put the Motion.

**Motion Carried**

## REPORTS – COMMUNITY SERVICES

### 7.1 Visitor Information Center Proposal from Tourism Windsor Essex Pelee Island (TWEPI)

Gordon Orr and Lynnette Bain, TWEPI were present to answer questions of Council.

Councillor DiPasquale inquired whether Amherstburg students would be considered when hiring for the positions at the visitor center. Mr. Orr stated that all applications will be given fair consideration.

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

**It is recommended that:**

- 1. The report from the Manager of Tourism and Culture dated April 24, 2014, regarding the Amherstburg Visitor Information Center be received; and,**
- 2. Council approve the request to allow TWEPI to provide seasonal staffing for visitor information and directional services for the region, as a one year pilot project in 2014.**

The Mayor put the Motion.

**Motion Carried**

## 7.2 Memorandum of Understanding for Grass Cutting Operations Wyandotte Cemetery

Councillor Pouget moved, Councillor Davies seconded:

**It is recommended that:**

1. **The report from the Manager of Parks & Facilities dated April 7, 2014 regarding Memorandum of Understanding for Grass Cutting operations Wyandotte Cemetery be received; and,**
2. **Council authorize the Mayor and Clerk to execute the Memorandum of Understanding between the Town of Amherstburg and the Ministry of Aboriginal Affairs and Northern Development – Ontario Region (Ministry), for the continuation of grass cutting operations for the 2014 Season at Wyandotte Cemetery; and,**
3. **By-law 2014-37 being a by-law authorizing the execution of a Memorandum of Understanding between the Corporation of the Town of Amherstburg and the Aboriginal Affairs and Northern Development – Ontario Region regarding Maintenance of Wyandotte Cemetery be read three times and finally passed and the Mayor and Clerk be authorized to sign same.**

The Mayor put the Motion.

**Motion Carried Unanimously**

## 7.3 TV Ontario's "Giver" Program in Amherstburg

Deputy Mayor Sutherland moved, Councillor Davies seconded:

**It is recommended that:**

1. **The report from the Manager of Business Development and Programs dated April 23, 2014 regarding TV Ontario's "Giver" Program be received; and,**
2. **Council direct administration to work with the producers of the show to provide support through the contribution of Town-owned equipment as well as encourage staff to volunteer their time with the construction of the inclusive playground; and,**
3. **Council direct the Mayor and Clerk to sign the location agreement, once prepared, on behalf of the Town of Amherstburg in relation to this project and bring a by-law forward to a future meeting as a housekeeping matter.**

The Mayor put the Motion.

**Motion Carried**

## REPORTS – FINANCE

### 8.1 Charity and Heritage Tax Rebate Program Results

Councillor Pouget inquired whether Council should have seen where the charitable donation monies were distributed. The Supervisor of Revenue stated that the Municipal Act, section 361 mandates the requirements of eligible charities and as such did not include the information in the report.

Councillor Sutton spoke to the heritage rebates portion of the report and requested that the list of attributes that had been improved be listed in future reports.

Councillor Pillon moved, Councillor DiPasquale seconded:

**It is recommended that:**

1. The report from the Supervisor of Revenue dated April 16, 2014 regarding the Charity and Heritage Tax Rebate Program Results be received; and,
2. Council approve the rebates as presented; and,
3. By-law 2014-34, being a by-law to strike taxes from the tax roll, 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**

## **REPORTS – ENGINEERING AND PUBLIC WORKS**

### **9.1 2014 Participation in Essex Region Children’s Water Festival**

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

**It is recommended that:**

1. The report from the Director of Engineering and Public Works dated April 23, 2014 regarding sponsorship of the 2014 Essex Region Children’s Water Festival be received; and,
2. Council sponsor the 2014 Essex Region Children’s Water Festival as part of the 2014 Amherstburg Water Conservation Program in the amount of \$1,500.00.

The Mayor put the Motion.

**Motion Carried Unanimously**

## **REPORTS – CORPORATE AND LEGAL SERVICES**

### **10.1 Request for Relief from Parks By-law 2002-72**

Councillor Sutton moved, Councillor Davies seconded:

**It is recommended that:**

1. The report from the Executive Assistant to the CAO dated April 17, 2014 regarding Request for Relief from Parks By-law 2002-72 be received; and,
2. Council delegate its authority under By-law 2002-72 to the Public Events Committee to allow pony rides and petting zoo’s during events in Town owned parks excluding Kings Navy Yard Park.

The Mayor put the Motion.

**Motion Carried**

### **10.2 585 Sandwich Street South- Removal of Holding Zone and Request for Variance to Sign By-law**

Deputy Mayor Sutherland moved, Councillor DiPasquale seconded:

**It is recommended that:**

1. The report from the Manager of Planning and Development Services dated April 23, 2014 regarding 585 Sandwich Street South- Removal of Holding Zone and Request for Variance to Sign By-law be received; and,
2. Council approve the request for the removal of the Holding Zone for property municipally known as 585 Sandwich Street South; and,

3. **By-law 2014-33 being a by-law to amend Zoning By-law 1999-52, as amended be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same; and,**
4. **Council approve the requested variance to the sign by-law to allow a 9'5" ground sign at 585 Sandwich Street South.**

The Mayor put the Motion.

**Motion Carried Unanimously**

### 10.3 **Development Charges Five Year Review Project- RFP Results**

Councillor Sutton moved, Councillor Pillon seconded:

**It is recommended that:**

1. **The report from the Manager of Planning and Development Services dated April 24, 2014, regarding the Development Charges Five Year Review Project- RFP Results be received; and,**
2. **Council award the contract to Watson & Associates Economists Ltd. for the amount of \$29,700.00 plus HST.**

The Mayor put the Motion.

**Motion Carried Unanimously**

### **REPORTS - CAO's OFFICE**

No reports at this time.

### **INFORMATION REPORTS**

Councillor Pillon moved, Councillor Sutton seconded:

Councillor Pouget inquired regarding payables for McTague Law Firm. The CAO explained that the law firm was used for specialty services regarding the closing of the Dynament lease.

Councillor Davies inquired regarding payables for OCWA. The payable was explained in the report as "unexpected items", and Council wished to know if it was a budgeted expense. The Director of Engineering and Public Works explained that these expenses were after hours call-ins.

**That the information reports be received.**

- a) **Accounts Paid for the Period of April 8, 2014 to April 22, 2014**

The Mayor put the Motion.

**Motion Carried Unanimously**

### **CONSENT OTHER MINUTES**

Councillor DiPasquale moved, Deputy Mayor Sutherland seconded:

**That the following minutes be received:**

- a) **Amherstburg Police Services Board Minutes - March 18, 2014**
- b) **Committee of Adjustment Meeting Minutes- March 25, 2014**

The Mayor put the Motion.

**Motion Carried Unanimously**

## **CORRESPONDENCE**

### **14.1 Funeral Professionals Week**

Councillor Pillon moved, Councillor Davies seconded:

**It is recommended that:**

- 1. The correspondence be received; and,**
- 2. Council proclaim May 4 – 11, 2014, as Funeral Professionals Week in the Town of Amherstburg.**

The Mayor put the Motion.

**Motion Carried**

## **UNFINISHED BUSINESS**

Unfinished Business items as of Monday, May 05, 2014

Councillor DiPasquale sought an update on the Ministry audit. The CAO stated that he had a meeting Friday, May 2, 2014, with Tim Ryall. Mr. Ryall indicated that the tender closed Friday, May 2, 2014 and they anticipated selection of an auditor by the end of this week.

Councillor Pillon sought clarification on a recent River Town Times article regarding mandated equipment. Police Chief Berthiaume explained that there may have been some confusion around the digital fingerprinting equipment that is now required. This equipment is not provincially mandated, it is federally mandated, and fingerprints will not be accepted in any other format going forward.

## **NEW BUSINESS**

The Mayor read a statement from Amherstburg Land Holdings regarding the odour associated with pumping out bunker fuel from a large storage tank at the site.

## **NOTICES OF MOTION**

Deputy Mayor Sutherland introduced a Notice of Motion regarding a moratorium on all temporary and permanent off-site signage. This matter will be placed on the May 20, 2014 Regular Council Agenda for discussion and voting.

Councillor DiPasquale introduced a Notice of Motion regarding a media relation policy. This matter will be placed on the May 20, 2014 Regular Council Agenda for discussion and voting.

## **BY-LAWS**

### **18.1 Confirmatory By-law**

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

**That By-law 2014-36 being a by-law to confirm all resolutions of the Municipal Council Meetings held on April 9, 10, 15 and May 5, 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**

Councillor Pillon moved, Councillor Davies seconded:

**That Council rise and adjourn at 7:58 p.m.**

The Mayor put the Motion.

**Motion Carried**

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MAYOR – WAYNE HURST

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DEPUTY CLERK – PAULA PARKER