



**TOWN OF AMHERSTBURG
COUNCIL MEETING**

Monday, January 12, 2015

7:00 PM

Council Chambers, 271 Sandwich Street South, Amherstburg

MINUTES

PRESENT

Mayor Aldo DiCarlo
Deputy Mayor Bart DiPasquale
Councillor Joan Courtney
Councillor Rick Fryer
Councillor Jason Lavigne
Councillor Leo Meloche
Councillor Diane Pouget

Giovanni (John), Chief Administrative Officer
Paula Parker, Clerk

Mayor DiCarlo was not present at the start of the meeting and Deputy Mayor DiPasquale assumed the Chair.

CALL TO ORDER

The Deputy Mayor called the meeting to order at 7:05 p.m.

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

There were no disclosures of pecuniary interest noted.

SPECIAL IN-CAMERA MEETING

Councillor Fryer moved, Councillor Pouget seconded:

That Council move into an In-Camera Meeting of Council at 6:35 pm., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – Dynament Corporation Lease Agreement Update – Section 239(2)(a) – the security of the property of the municipality or local board.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT OF IN-CAMERA MEETING

RESUMPTION OF REGULAR COUNCIL MEETING – 7:05 P.M.

PRAYER

The Clerk said prayer.

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

There were no disclosures of pecuniary interested noted.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Councillor Courtney moved, Councillor Meloche 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 – November 17, 2014**
- 2. Special Council Meeting Planning Minutes - November 17, 2014**
- 3. Regular Council Meeting Minutes - November 17, 2014**
- 4. Special Council Meeting Minutes - December 9, 2014**
- 5. Special In-Camera Council Meeting Minutes – December 10, 2014**

6. **Special Council Meeting Minutes - December 10, 2014**
7. **Special In-Camera Council Meeting Minutes – December 15, 2014**
8. **Special Council Meeting Planning Minutes - December 15, 2014**
9. **Regular Council Meeting Minutes - December 15, 2014**
10. **Special Council Meeting Minutes - December 16, 2014**

All In-Camera minutes, items 1, 5, and 7 were removed from the motion to adopt. They will be addressed and adopted In-camera at the next scheduled In-camera meeting.

The Mayor put the Motion.

Motion Carried

DELEGATIONS

9.1 Sarah Van Grinsven - River Lights Winter Festival 2014

Sarah Van Grinsven introduced the other members of the River Lights Committee and then took Council through a power point presentation. Rennie Rota also gave further input regarding the River Lights Winter Festival 2014.

Mayor DiCarlo entered during the presentation and assumed the Chair at 7:23 pm.

Councillor Fryer moved, Councillor Pouget seconded:

That the delegation be received and that the River Lights Festival be referred to 2015 budget deliberations for consideration.

The Mayor put the Motion.

Motion Carried Unanimously

The Clerk asked for Council's consideration to bring items 14.2 and 14.1 forward to accommodate representatives in attendance.

Deputy Mayor DiPasquale moved, Councillor Pouget seconded:

That Council waive rules of order and report items 14.2 and 14.1 be brought forward at this time.

The Mayor put the Motion.

Motion Carried

14.2 Kingsbridge Subdivision Phase 5G - Proposed redline plan to draft plan approval

Councillor Fryer moved, Deputy Mayor DiPasquale seconded:

That:

- 1. The report from the Manager of Planning Services dated January 5, 2015, regarding Kingsbridge Subdivision Phase 5G- Proposed redline plan to draft plan approval BE RECEIVED;**
- 2. The minor change to the revised draft plan approval BE SUPPORTED; and,**
- 3. Administration NOTIFY the County of Essex of Council's support.**

The Mayor put the Motion.

Motion Carried

14.1 Expression of Interest to Purchase Town-owned 20'-0" Laneway West of 274-286 Dalhousie Street – Option One and Option Two

Discussion ensued with Council. Erica Kyrgsman, legal Council for the developer was present to answer questions.

Councillor Fryer moved, Councillor Meloche seconded:

Councillor Fryer moved the motion with the addition of item # 1.

That:

- 1. Council waive the rules of the Sale of Surplus Property Policy and declare Parts 2 and 3 of the 20'0" Laneway as surplus to the needs of the Town.**
- 2. The report from the Director of Economic and Community Development dated January 7, 2015, regarding the Expression of Interest to Purchase Town-owned Laneway West of 274-286 Dalhousie Street BE RECEIVED;**
- 3. The purchase offer by 274 Dalhousie Ltd. for the parcel of Town-owned land described as 20'-0" Laneway, Option Two BE ACCEPTED; and,**

4. **The Mayor and Clerk BE AUTHORIZED to complete the sale of Town-owned land known as 20'-0" Laneway West of 274-286 Dalhousie Street.**

The Mayor put the Motion.

	Yes/Concur	No/Not Concur
Councillor Courtney	X	
Mayor DiCarlo	X	
Deputy Mayor DiPasquale	X	
Councillor Fryer	X	
Councillor Lavigne	X	
Councillor Meloche	X	
Councillor Pouget		X

Motion Carried

REPORTS – POLICE SERVICES

No reports at this time.

REPORTS – CORPORATE AND COMMUNITY SERVICES

11.1 Naming Rights Agreement Amendment – Movati Athletic (formerly The Athletic Club)

Councillor Fryer moved, Councillor Lavigne seconded:

That:

- 1. The report from the Manager of Business Development and Programs dated December 17, 2014, regarding Naming Rights Agreement Amendment – Movati Athletic (formally The Athletic Club) BE RECEIVED;**

2. The addendum to the signed naming rights agreement, changing the name from The Athletic Club to Movati Athletic, BE APPROVED; and,
2. The Mayor and Clerk BE DIRECTED to sign the addendum on behalf of the Town of Amherstburg.

The Mayor put the Motion.

Motion Carried

REPORTS – FINANCIAL SERVICES

12.1 December 1- December 17, 2014 Accounts Payable

Council asked questions regarding Accounts Payable items.

Councillor Fryer requested that individual business cards be ordered for each Council member. The Clerk noted that each member of Council has \$1500.00 in discretionary funds for uses such as this.

Deputy Mayor DiPasquale moved, Councillor Courtney seconded:

That:

1. The report from the Director of Financial Services dated December 17, 2014 regarding December 1- December 17, 2014 Accounts Payable, BE RECEIVED; and,
2. Council AMEND its previous motion from December 15, 2014, to strike out the words “each month” and insert the word “biweekly.”

The Mayor put the Motion.

Motion Carried

12.2 Reserve Funds and Restricted Cash Update

Councillor Pouget moved, Councillor Lavigne seconded:

That:

1. The report from the Director of Financial Services dated December 17, 2015, regarding Reserve Funds and Restricted Cash Update BE RECEIVED.

The Mayor put the Motion.

Motion Carried

12.3 By-law 2015-01 – Temporary Borrowing

Councillor Pouget moved, Deputy Mayor DiPasquale seconded:

That:

- 1. The report from the Director of Financial Services dated January 5, 2015 regarding the By-law 2015-01 Temporary Borrowing BE RECEIVED; and,**
- 2. By-law 2015-01 being a by-law to provide for temporary borrowing until the taxes are collected and other revenues are received 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 – ENGINEERING AND PUBLIC WORKS

No reports at this time.

REPORTS – ECONOMIC AND COMMUNITY DEVELOPMENT

14.1 Expression of Interest to Purchase Town-owned 20'-0" Laneway West of 274-286 Dalhousie Street – Option One and Option Two
(as dealt with above)

14.2 Kingsbridge Subdivision Phase 5G - Proposed redline plan to draft plan approval
(as dealt with above)

REPORTS - CAO's OFFICE

15.1 Meeting Date Amendment for March 2015

Councillor Pouget moved, Deputy Mayor DiPasquale seconded:

That:

1. **The report from the Deputy Clerk dated January 5, 2015, regarding Meeting Date Amendment for March 2015 BE RECEIVED; and,**
2. **The proposed amendments of March 16th and March 30th, 2015 meeting dates to March 9th and March 23rd, 2015 BE APPROVED.**

The Mayor put the Motion.

Motion Carried

COMMUNICATION REPORTS

Councillor Meloche moved, Councillor Pouget seconded:

That the communication report be received.

a) Accessible 2014 Election

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Councillor Fryer moved, Councillor Pouget seconded:

That the consent correspondence be received.

a) Mandatory Fluoridation - Kimberly DeYong Letter

b) Greater Essex County District School Board Letter

The Mayor put the Motion.

Motion Carried

Councillor Fryer moved, Deputy Mayor DiPasquale seconded:

That Council waive the rules of order and allow a motion regarding the Greater Essex County School Board.

The Mayor put the Motion.

Motion Carried

Councillor Pouget moved, Councillor Lavigne seconded:

That Council direct Administration to correspond with the Greater Essex County School Board to inform them that Council wants to be an active participant regarding the high school accommodation review and that Council intends to provide information concerning anticipated growth and are adamantly opposed to a high school closure within the community.

The Mayor put the Motion.

Motion Carried Unanimously

CONSENT OTHER MINUTES

Councillor Meloche moved, Deputy Mayor DiPasquale seconded:

That the following minutes be received:

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

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

Councillor Pouget asked if a letter was sent to Victoria Street Manor as per a motion that was brought forth at the November 17th, 2014 Regular Council Meeting. The Chief Administrative Officer stated that he would investigate and report back to Council.

Councillor Pouget moved, Councillor Lavigne seconded:

That Administration be directed to supply Council with a detailed list including employees and their positions, of cell phone users by January 26, 2015.

The Mayor put the Motion.

Motion Carried

NEW BUSINESS

Councillor Fryer moved, Councillor Pouget seconded:

That Council direct Administration to bring a report for costing to the 2015 budget deliberations in regards to line painting adjustments on Sandwich Street.

The Mayor put the Motion.

Motion Carried

REPORT FROM IN-CAMERA SESSION

Report from In Camera Meeting held Monday July 14, 2014, Saturday January 10, 2015 and Monday January 12, 2015.

COUNCIL IN CAMERA SESSION – REPORTING OUT July 14, 2014 MEETING

Council met at 5:48 am on July 14, 2014 for a Special In-Camera meeting and discussed two (2) items as provided for under Section 239 of the Municipal Act:

ITEM A – Massen Litigation Update was heard under Section 239(2)(f) of the Act. As a result of this meeting Council authorized a settlement between both parties. The action was settled and an order dismissing the action against the Town was granted by Justice Thomas on August 7, 2014.

COUNCIL IN CAMERA SESSION – REPORTING OUT January 10, 2015 MEETING

Council met at 9:00 am on January 10, 2015 for a Special In-Camera meeting and discussed two (2) items as provided for under Section 239 of the Municipal Act:

ITEM A – 2 Personnel Matters heard under Section 239(2) (b) of the Act. There is nothing further to report at this time.

COUNCIL IN CAMERA SESSION – REPORTING OUT January 12, 2015 MEETING

Council met at 6:30 pm on January 12, 2015 for a Special In-Camera meeting and discussed one (1) item as provided for under Section 239 of the Municipal Act:

ITEM A – Dynament Corporation Lease Agreement Update heard under Section 239(2)(a) of the Act. There is nothing further to report at this time.

Councillor Fryer moved, Councillor Lavigne seconded:

That Council receive the In-Camera report out from the July 14, 2014, Saturday January 10, 2015 and Monday January 12, 2015 In-Camera meetings.

The Mayor put the Motion.

Motion Carried

NOTICES OF MOTION

Councillor Courtney introduced a Notice of Motion regarding an RFP for legal services. This motion will be before Council for consideration and voting at the January 26, 2015, Regular Council Meeting.

BY-LAWS

21.1 By-law 2014-70 - THIRD AND FINAL READING

Deputy Mayor DiPasquale moved, Councillor Pouget seconded:

By-law 2014-70 being a by-law to provide for the Repair and Improvement of the Hamel Drain based on the Drainage Report by Crozier Baird Engineers, be read a THIRD and FINAL time and the Mayor and Clerk be authorized to sign same a third and final time.

The Mayor put the Motion.

Motion Carried

21.2 By-law 2014-71 - THIRD AND FINAL READING

Councillor Meloche moved, Councillor Pouget seconded:

By-law 2014-71 being a by-law to provide for the New Maintenance Schedule for the Antaya Drain on the Drainage Report by N.J. Peralta Engineering Ltd., be read a THIRD and FINAL time and the Mayor and Clerk be authorized to sign same a third and final time.

The Mayor put the Motion.

Motion Carried

21.3 **Confirmatory By-law**

Councillor Fryer moved, Councillor Lavigne seconded:

That By-law 2015-02 being a by-law to confirm all resolutions of the Municipal Council Meeting held on January 12th, 2015 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

Councillor Fryer moved, Councillor Pouget seconded:

That Council waive the rules of order to allow the public to speak.

The Mayor put the Motion.

Motion Carried

A resident expressed concern over information not being displayed on overhead during the meeting.

ADJOURNMENT

Councillor Meloche moved, Councillor Lavigne seconded:


That Council rise and adjourn at 10:05 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER