



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Monday, February 23, 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

CALL TO ORDER

The Mayor called the meeting to order at 7:24 p.m.

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

There were no disclosures of pecuniary interest noted.

SPECIAL IN-CAMERA MEETING

Councillor Lavigne moved, Councillor Meloche seconded:

That Council move into an In-Camera Meeting of Council at 6:03 pm., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – Discussion of Committee Applications - Section 239 (2)(b) - Personal matters about an identifiable individual, including municipal of local board employees.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT OF IN-CAMERA MEETING

RESUMPTION OF REGULAR COUNCIL MEETING – 7:24 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 interest noted.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Councillor Meloche moved, Deputy Mayor DiPasquale 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 - February 9, 2015

2. **Special Council Meeting Minutes Planning - February 9, 2015**
3. **Regular Council Meeting Minutes - February 9, 2015**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

Noise Issue at Residential Property – Gene Zakal

Mr. Zakal addressed Council regarding the noise issue at his residential address. Garnett Wright also spoke to Council regarding Mr. Zakal's concerns.

Deputy Mayor DiPasquale moved, Councillor Pouget seconded:

That:

1. **The delegation BE RECEIVED; and,**
2. **Council direct Administration to get a cost estimate for a sound engineer for Mr. Zakal's noise and vibration concerns.**

The Mayor put the Motion.

Motion Carried

Nuisance Mosquito Program – Brenda Kokko

Ms. Kokko addressed Council regarding the Nuisance Mosquito Program Proposal Review and Recommendation.

Councillor Fryer moved, Councillor Pouget seconded:

That item # 12.6 be brought forward to accommodate the above delegate.

The Mayor put the Motion.

Motion Carried

12.6 Nuisance Mosquito Program Proposal Review and Recommendation

Councillor Fryer moved the motion with an amendment regarding the award of the tender.

Councillor Fryer moved, Councillor Lavigne seconded:

That:

- 1. The report from the Manager of Engineering and Operations dated February 5, 2015, regarding the Nuisance Mosquito Program Proposal Review and Recommendation BE RECEIVED; and,**
- 2. Council concur with the lowest tender being Pestalto Environmental Health Services to provide a biological control program for nuisance mosquitos in the "Fraserville" area in the amount of \$49,972.00.**

The Mayor put the Motion.

Motion Carried

REPORTS – POLICE SERVICES

9.1 Hiring 3 Town Crossing Guards

Councillor Fryer moved the motion with an amendment regarding the movement of the Crossing Guard budget to Clerk's department.

Deputy Mayor DiPasquale moved, Councillor Courtney seconded:

That:

- 1. The report from Constable Steve Owen, dated February 16, 2015, regarding the Hiring of 3 Town Crossing Guards BE RECEIVED; and,**
- 2. The hiring of 3 Crossing Guards BE APPROVED.**
- 3. Administration reallocate the Crossing Guards to the Clerk's Department Budget starting in 2015 and training will still be provided by the Amherstburg Police Services.**

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE AND COMMUNITY SERVICES

There were no reports at the time.

REPORTS – FINANCIAL SERVICES

11.1 February 2, 2015- February 16, 2015 Accounts Payable

Councillor Pouget moved, Councillor Meloche seconded:

That:

- 1. The report from the Director of Financial Services dated February 16, 2015, regarding February 2, 2015 - February 23, 2015 Accounts Payable, BE APPROVED; and,**
- 2. The Director of Financial Services BE AUTHORIZED to release funds for the approved payables.**

The Mayor put the Motion.

Motion Carried

11.2 Tangible Capital Assets Policy

Deputy Mayor DiPasquale moved, Councillor Pouget seconded:

That:

- 1. The report from the Director of Financial Services dated February 10, 2015, regarding Tangible Capital Assets Policy BE RECEIVED for information; and,**
- 2. The Town of Amherstburg Tangible Capital Assets Policy BE TABLED for Council's consideration at a future Special Policy Review Meeting of Council.**

The Mayor put the Motion.

Motion Carried

Councillor Pouget moved, Councillor Courtney seconded:

That Council meet on alternate Monday evenings to deal with the important policies that Administration deems necessary.

The Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

12.1 Final Acceptance on Infrastructure – Kingsbridge Phase 4A

Councillor Fryer moved, Councillor Pouget seconded:

That:

- 1. The report from the Manager of Engineering and Operations dated January 26, 2015 regarding the Final Acceptance on Infrastructure – Kingsbridge Phase 4A BE RECEIVED; and,**
- 2. Council CONCUR with the recommendation of R.C. Spencer, Consulting Engineer, and ACCEPT and ASSUME Kingsbridge Phase 4A.**

The Mayor put the Motion.

Motion Carried

Councillor Pouget moved, Councillor Fryer seconded:

That Council break for a 5 minutes recess.

The Mayor put the Motion.

Motion Carried

Councillor Fryer moved, Councillor Lavigne seconded:

That Council reconvene at 8:57pm.

The Mayor put the Motion.

Motion Carried

12.2 Final Acceptance on Infrastructure – Kingsbridge Phase 4B

Councillor Lavigne moved, Councillor Fryer seconded:

That:

- 1. The report from the Manager of Engineering and Operations dated January 26, 2015 regarding the Final Acceptance on Infrastructure – Kingsbridge Phase 4B BE RECEIVED; and,**

2. Council CONCUR with the recommendation of the R.C. Spencer, Consulting Engineer, and ACCEPT and ASSUME Kingsbridge Phase 4B.

The Mayor put the Motion.

Motion Carried

12.3 Final Acceptance on Infrastructure – Kingsbridge Phase 4C

Councillor Fryer moved, Councillor Meloche seconded:

That:

1. The report from the Manager of Engineering and Operations dated January 26, 2015 regarding the Final Acceptance on Infrastructure – Kingsbridge Phase 4C BE RECEIVED; and,
2. Council CONCUR with the recommendation of the R.C. Spencer, Consulting Engineer, and ACCEPT and ASSUME Kingsbridge Phase 4C.

The Mayor put the Motion.

Motion Carried

12.4 Final Acceptance on Infrastructure – Kingsbridge Phase 6A

Councillor Lavigne moved, Councillor Meloche seconded:

That:

1. The report from the Manager of Engineering and Operations dated January 26, 2015 regarding the Final Acceptance on Infrastructure – Kingsbridge Phase 6A BE RECEIVED; and,
2. Council CONCUR with the recommendation of the R.C. Spencer Consulting Engineer, and ACCEPT and ASSUME Kingsbridge Phase 6A.

The Mayor put the Motion.

Motion Carried

12.5 Final Acceptance on Infrastructure – Kingsbridge Phase 6B

Councillor Meloche moved, Councillor Lavigne seconded:

That:

1. **The report from the Manager of Engineering and Operations dated January 26, 2015 regarding the Final Acceptance on Infrastructure – Kingsbridge Phase 6B BE RECEIVED; and,**
2. **Council CONCUR with the recommendation of R.C. Spencer, Consulting Engineer and ACCEPT and ASSUME Kingsbridge Phase 6B.**

The Mayor put the Motion.

Motion Carried

12.6 Nuisance Mosquito Program Proposal Review and Recommendation (as dealt with above)

REPORTS – ECONOMIC AND COMMUNITY DEVELOPMENT

13.1 Dog Control Services – Request for Proposal Results

Councillor Fryer moved the motion with an amendment regarding the award of a 1 year term only.

Councillor Fryer moved, Councillor Pouget seconded:

That:

1. **The report from the Manager of Licensing and Enforcement dated February 6, 2015 regarding Dog Control Services – Request for Proposal Results BE RECEIVED;**
2. **Council AWARD the contract to 21st Century K9 Inc., to supply dog control services to the Town for a three-year term effective March 9, 2015 to March 8, 2018;**
3. **Council AUTHORIZE Administration to include the contract amount as follows:**
 - a. **Year 1: \$24,000 plus H.S.T.**

The Mayor put the Motion.

Motion Carried

13.2 Ontario Community Infrastructure Fund (OCIF) - Texas Road

This report will be brought to a future Council Meeting once more information is provided regarding the funding opportunity.

REPORTS - CAO's OFFICE

14.1 Committee Appointments – 2014 - 2018 Term

Councillor Fryer moved, Councillor Meloche seconded:

That:

- 1. The report from the Deputy Clerk dated February 17, 2015, regarding Committee Appointments – 2014 - 2018 Term BE RECEIVED;**
- 2. Marie Allen and Justine Silvaggio BE APPOINTED to the Accessibility Advisory Committee;**
- 3. Merv Richards BE APPOINTED to the Fence Viewers Committee;**
- 4. John MacDonald BE APPOINTED to the Co-An Park Committee;**
- 5. John Purdy, Todd Langlois, Robert Auger, and Terry Hall BE APPOINTED to the Audit and Finance Advisory Committee; and,**
- 6. Joe Varacalli, Marc Pillon, Robert Rozankovic, and John MacDonald BE APPOINTED to the Economic Development Advisory Committee.**

The Mayor put the Motion.

Motion Carried

14.2 2014-2018 Council Committee Appointments

Councillor Lavigne moved, Councillor Meloche seconded:

That:

1. **The report from the Municipal Clerk dated February 17, 2015, regarding 2014-2018 Council Committee Appointments BE RECEIVED;**
 2. **Deputy Mayor DiPasquale and Councillor Meloche BE APPOINTED to the Audit and Finance Advisory Committee;**
 3. **Deputy Mayor DiPasquale and Councillor Meloche BE APPOINTED to the Economic Development Advisory Committee;**
 4. **Councillor Pouget BE APPOINTED to the Communities in Bloom Committee; and,**
1. **The Terms of Reference for the Communities in Bloom Committee BE APPROVED as presented.**

The Mayor put the Motion.

Motion Carried

14.3 Former CAO Recourse - Unfinished Business Item: CAO #6

Councillor Meloche moved, Councillor Courtney seconded:

That:

1. **The report from the Chief Administrative Officer regarding UFB 6- CAO BE RECEIVED for information.**

The Mayor put the Motion.

Motion Carried

14.4 Council Compensation Review for the 2014-2018 Term of Office

Councillor Fryer moved, Councillor Lavigne seconded:

That the Council Compensation report be deferred until the author can be present at the March 9th, 2015 Regular Meeting of Council.

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

14.5 PARC Process - Offer of Services from Leardi Law Firm

Councillor Meloche moved, Councillor Lavigne seconded:

That:

- 1. The report from the Chief Administrative Officer dated February 18, 2015 BE RECEIVED for information and direction.**

The Mayor put the Motion.

Motion Carried

Councillor Fryer moved, Councillor Lavigne seconded:

That Council entertain the services of Leardi Law Firm and pre-commit the upset limit of \$12,000.00 to the 2015 Budget and waive the rules of the procurement policy for the unsolicited bid.

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

Councillor Fryer moved, Councillor Lavigne seconded:

That Council extend the meeting past 10:00pm until 10:30pm.

The Mayor put the Motion.

Motion Carried

14.6 **Boblo Developments Update**

Councillor Lavigne moved, Councillor Pouget seconded:

That the Boblo Developments Update be deferred to a Special in-Camera Council meeting on February 26, 2015.

The Mayor put the Motion.

Motion Carried

COMMUNICATION REPORTS

Councillor Pouget moved, Councillor Courtney seconded:

That the communication reports BE RECEIVED.

a) Annual MFIPPA Reporting

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Councillor Pouget moved, Councillor Lavigne seconded:

That the consent correspondence BE RECEIVED.

a) Resolution of Council - Township of Eanturel

b) Resolution of Council - Town of Tecumseh

The Mayor put the Motion.

Motion Carried

Councillor Pouget requested that Administration send correspondence in support of the Town of Tecumseh's resolution to keep the obstetrics services open at Leamington District Memorial Hospital.

CORRESPONDENCE

17.1 World Autism Awareness Day - April 2, 2015

Councillor Fryer moved, Councillor Pouget seconded:

That:

- 1. The correspondence regarding Autism Ontario's "Raise the Flag" campaign BE RECEIVED; and,**
- 2. Council PROCLAIM April 2, 2015 as World Autism Awareness Day in the Town of Amherstburg.**

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

18.1 Traffic Committee Minutes - October 22, 2014

Deputy Mayor DiPasquale moved, Councillor Fryer seconded:

That:

- 1. The Traffic Committee Minutes of October 22, 2014 BE RECEIVED;**
- 2. Council CONCUR with the recommendation that Crownridge Boulevard be signed alternate monthly parking from Fryer Street to Sandwich Street and that additional enforcement for speeding be performed;**
- 3. Council CONCUR with the recommendation that Briar Ridge be signed alternate monthly parking from Fryer Street to Crownridge Boulevard;**
- 4. Council CONCUR with the recommendation that No Parking Signs be erected on Beneteau Street from 591 to the east of driveway 627. And further that parking be permitted on the north side of Beneteau from 297 to 614; and,**

- 5. Council CONCUR with the recommendation that a Community Safety Zone sign be erected at Pat Thrasher Park and further that 50kmp signs be posted on Knobb Hill Drive.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Courtney requested an update regarding the Legal Services RFP. The Chief Administrative Officer stated that the RFP is currently being developed and will be brought to Council for review as requested.

NEW BUSINESS

1. Councillor Meloche provided an overview of the Federation of Canadian Municipalities, Sustainable Communities Conference that he and Councillor Lavigne attended on February 12-14, 2015.
2. Councillor Fryer stated that there are parking issues on Whelan Court where there are some people parking wherever and as a result, garbage collection and snow removal is not being done. He requested that the Traffic Committee and Amherstburg Police Service look into the parking issue.
3. Councillor Fryer moved, Councillor Pouget seconded:

That Administration cease any further outside training sessions, meetings, seminars or conventions, for our employees, including travel, hotel or food expenses, unless approved by Council.

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

4. Councillor Courtney moved, Councillor Pouget seconded:

That Council direct administration to provide Council with a detailed report of all employees and their qualifications pertaining to the restructuring performed by the former CAO Mike Phipps. This report must include all employees who were hired, promoted, changed working status positions and were elevated from part-time to full-time positions. This report must also include a copy of proof of all certificates and/or degrees/diplomas and experience, that are relevant to their positions. This report must be provided to Council within two weeks only if this information can be provided upon the advice of legal counsel.

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

The Mayor stated the day to day hiring of employees is under the direction of the Chief Administrative Officer as it was clarified by legal counsel at an In-Camera meeting. The Mayor cautioned Council that this request could likely put the Town at risk for potential legal action by those employees.

REPORT FROM IN-CAMERA SESSION

The In-Camera Report Out from February 23, 2015 will be brought to the next Regular Council meeting due to time restrictions.

NOTICES OF MOTION

There were no Notices of Motion.

BY-LAWS

23.1 Confirmatory By-law

Councillor Lavigne moved, Councillor Meloche seconded:

That By-law 2015-19 being a by-law to confirm all resolutions of the Municipal Council Meeting held on February 23rd, 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

ADJOURNMENT

Councillor Fryer moved, Councillor Courtney seconded:


That Council rise and adjourn at 10:38 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER