



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

Monday, May 25, 2015

6:00 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) Miceli, Chief Administrative Officer
Paula Parker, Clerk

CALL TO ORDER

The Mayor called the meeting to order at 6:05 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 Meloche moved, Councillor Lavigne seconded:

That Council move into an In-Camera Meeting of Council at 5:14 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – Update on Previous Personnel Matter - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees ; and, Section 239 (2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

ITEM B – Fire Negotiations Update - Section 239(2)(d) - Labour relations or employee negotiations.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT OF IN-CAMERA MEETING

RESUMPTION OF REGULAR COUNCIL MEETING

Councillor Fryer moved, Councillor Lavigne seconded:

To resume the Regular Council Meeting at 6:05 p.m.

The Mayor put the Motion.

Motion Carried

MOMENT OF SILENT REFLECTION

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

There were no disclosures of pecuniary interest noted.

Councillor Fryer moved, Councillor Lavigne seconded:

To bring agenda items # 23.1 and # 23.2 forward at this time.

The Mayor put the Motion.

Motion Carried

23.1 By-law 2015-62 - Official Plan Amendment No. 3- 274 Dalhousie Street

Councillor Fryer moved, Councillor Meloche seconded:

That By-law 2015-62 being a by-law for the Official Plan Amendment No. 3 - 274 Dalhousie Street 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

23.2 By-law 2015-63 - Zoning By-law Amendment- 274 Dalhousie Street

Councillor Lavigne moved, Councillor Meloche seconded:

That By-law 2015-63 being a Zoning By-law Amendment - 274 Dalhousie Street 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

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Councillor Fryer moved, Councillor Courtney 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 Meeting Minutes - April 20, 2015**
- 2. Special Council Meeting Planning Minutes - April 27, 2015**

3. **Special Council Meeting - April 27, 2015**
4. **Special Council Meeting Minutes - May 4, 2015**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

9.1 Sign By-law - David McCarty

The delegate withdrew his delegation.

9.2 Fusion Event – August 28-30, 2015 – Dave Cozens & Lou Roth

Councillor Fryer moved, Councillor Courtney seconded:

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

Councillor Lavigne moved, Councillor Fryer seconded:

That Council allow the gallery to speak with respect to the Fusion Event.

The Mayor put the Motion.

Motion Carried

The following were heard:

- Dorothy Kryworuchko – Pied-a-Terre
- David Languedoc – The Bistro
- Eddie Pare
- Shirley Wigle – Our Place Ladies Fashions
- Bonnie Deslippe – Gibson Gallery
- Larry Amlin
- Jennie Lajoie

The Mayor moved agenda item # 14.2 forward at this time.

14.2 Fusion Event – August 28-30, 2015

Councillor Fryer moved, Councillor Pouget seconded:

That:

- 1. The report from the Manager of Licensing and Enforcement and CAO dated May 7, 2015, regarding the Fusion Event – August 28-30, 2015 BE RECEIVED.**

The Mayor put the Motion.

Motion Carried

Councillor Meloche moved, Councillor Fryer seconded:

That Council recess for a break at 7:21 p.m.

The Mayor put the Motion.

Motion Carried

Councillor Fryer moved, Councillor Pouget seconded:

That Council reconvene at 7:37 p.m.

The Mayor put the Motion.

Motion Carried

Agenda items # 14.1 and 14.3 were brought forward at this time.

14.1 Annual Bob Meloche Kids Father's Day Fishing Derby – June 21st, 2015

Councillor Fryer moved, Deputy Mayor DiPasquale seconded:

That:

- 1. The report from the Manager of Licensing and Enforcement dated May 5, 2015, regarding the Annual Bob Meloche Kids Father's Day Fishing Derby – June 21st, 2015 BE RECEIVED;**

2. Council AUTHORIZE the Public Event known as the Annual Bob Meloche Kids Father's Day Fishing Derby to be held at Kings Navy Yard Park on June 21st, 2015, from 6am to 1pm; and,
3. Council GRANT an exemption to Section 4b of By-law 2004-89 to allow fishing outside of the designated fishing area in Kings Navy Yard Park on June 21st, 2015, from 6am to 1pm.

The Mayor put the Motion.

Motion Carried

Councillor Fryer requested that a report be brought to Council with respect to providing accessibility in the designated fishing area so that wheelchairs can attend the lower level.

14.3 Development Agreement for 365 Sandwich Street South

Councillor Fryer moved, Councillor Meloche seconded:

That:

1. The report from the Manager of Planning Services dated May 11, 2015, regarding a Development Agreement for 365 Sandwich Street South BE RECEIVED;
2. The Site Plan and Development Agreement for the redevelopment of the site to a commercial plaza BE APPROVED; and,
3. By-law 2015-60 being a by-law to authorize the signing of a Development Agreement 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 – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE AND COMMUNITY SERVICES

11.1 Proclaiming June as Recreation & Parks Month

Councillor Meloche moved, Councillor Pouget seconded:

That:

- 1. The report from the Manager of Business Development and Programs dated April 15, 2015, regarding Proclaiming June as Recreation & Parks Month BE RECEIVED; and,**
- 2. The Mayor and Members of Council PROCLAIM June as Recreation & Parks Month in Amherstburg.**

The Mayor put the Motion.

Motion Carried

REPORTS – FINANCIAL SERVICES

12.1 May 5, 2015- May 18, 2015 Accounts Payable

Councillor Pouget moved, Councillor Lavigne seconded:

That:

- 1. The report from the Director of Financial Services dated May 18, 2015, regarding May 5, 2015 - May 18, 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

Councillor Fryer requested that a detailed report be brought to Council with respect to CH2M Hill charging engineering fees that are appearing in different areas of the Accounts Payable report. He also requested a detailed report with respect to what company has what engineering project, how long they are on the project, and how much their fees are. The Director of Engineering and Public works stated she would bring both reports back to Council.

12.2 Financial Statements Update

Councillor Lavigne moved, Councillor Fryer seconded:

That:

- 1. The report from the Director of Financial Services dated May 15, 2015, regarding Financial Statements BE APPROVED;**
- 2. The Director of Financial Services BE AUTHORIZED to review the "Draft" Financial Statements with the Town of Amherstburg Audit and Finance Committee prior to presentation to Council on July 13, 2015;**
- 3. The Director of Financial Services BE AUTHORIZED to implement a new process for the Financial Statements to be presented to Council as follows:**
 - Obtain Draft Financial Statements from KPMG, (end of May) and review them with the Town of Amherstburg Audit and Finance Committee.**
 - The Committee work collaboratively with the Director of Financial Services to prepare a report to Council to review its finding of the Financial Statements and important factors to consider going forward into the future.**
 - On July 13th 2015 Council will receive 3 reports and a presentation as follows:**
 - A report from The Supervisor of Accounting detailing the year end close out transfers, as well as Financial Statements for Council approval.**
 - A report from the Town of Amherstburg Audit and Finance Committee.**
 - A report from the Director of Financial Services outlining future initiatives with regards to the Financial Statements and financial strategies for the Town of Amherstburg.**
 - A presentation of the Financial Statements by the external audit firm of KPMG LLP.**

The Mayor put the Motion.

Motion Carried

12.3 2014 Year End Capital Update

Councillor Pouget moved, Councillor Lavigne seconded:

That:

- 1. The report from the Director of Financial Services dated May 5, 2015, regarding 2014 Year End Capital Update BE RECEIVED; and,**
- 2. The Director of Financial Services BE AUTHORIZED to fund capital projects as identified in Table A - Municipal Projects and Table B - Water Projects.**

The Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

REPORTS – ECONOMIC AND COMMUNITY DEVELOPMENT

- 14.1 Annual Bob Meloche Kids Father's Day Fishing Derby – June 21st, 2015**
(As dealt with above)
- 14.2 Fusion Event – August 28-30, 2015**
(As dealt with above)
- 14.3 Development Agreement for 365 Sandwich Street South**
(As dealt with above)

REPORTS - CAO's OFFICE

- 15.1 Fighting Island Amateur Boxing Club – Renewal of Lease Agreement**

Councillor Fryer moved, Councillor Lavigne seconded:

That:

- 1. The report from the Deputy Clerk dated May 8, 2015, regarding Fighting Island Amateur Boxing Club – Renewal of Lease Agreement BE RECEIVED; and,**
- 2. Administration BE DIRECTED to issue Fighting Island Amateur Boxing Club the following Notice:**
 - a. WHEREAS the term of the Lease Agreement dated the 1st day of September 2008, between The Corporation of the Town of Amherstburg, (“Landlord”), and The Amherstburg Boxing Club, (“Tenants”), expired on the 31st day of August 2010, including all terms thereof in particular, section 1.04 Tenant’s Right of First Refusal, and the tenancy in respect the lands and premises known municipally as 300 Victoria Street South, Amherstburg, Ontario, (the “Property”), has continued on a month to month basis.**
 - b. WHEREAS in accordance with section 13.01 of the Lease Agreement, the Tenants are monthly tenants only subject in all respects to the provisions of the Lease Agreement, except for the following sections 1.02 (Term), section 1.03 (Option to Renew) and section 1.04 (Tenant’s Right of First Refusal).**
 - c. TAKE NOTICE that the Tenants continued occupancy of the Property shall be as monthly tenants with a monthly rental payment of \$372.48 by the Tenants to the Landlord, in addition to all other rents, charges and payments as required by the terms of the Lease Agreement. The said monthly rental payment shall be effective on the date for a period of one (1) year, and shall thereafter be determined by the Landlord.**

The Mayor put the Motion.

Motion Carried

COMMUNICATION REPORTS

Councillor Pouget moved, Councillor Meloche seconded:

That the communication reports BE RECEIVED:

- a) Sandwich Street Lane Alignment – Simcoe Intersection**
- b) TVO Kids “Giver” Playground Program – Amherstburg Episode**

c) 2015 First Quarter Financial Reports

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Councillor Meloche moved, Councillor Courtney seconded:

That the consent correspondence BE RECEIVED:

- a) **30th Annual Amherstburg Garden Tour Weekend - Amherstburg Fort Malden Horticultural Society**
- b) **Certificate of Environmental Accomplishment - Shred It**
- c) **Essex Region Children's Water Festival - Invitation**
- d) **Demonstrated Need for Aggregates - Municipality of Trent Lakes**
- e) **Public Accommodation Review Committee (PARC) in Essex-Windsor - County of Essex**
- f) **Winter Highway Maintenance In Ontario Report - Ministry of Transportation**
- g) **27th Annual Golf Tournament – Essex Region Conservation Foundation**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Councillor Lavigne moved, Deputy Mayor DiPasquale seconded:

That the following minutes BE RECEIVED:

- a) **Co-An Park Committee Meeting Minutes - March 11, 2015**
- b) **Co-An Park Committee Meeting Minutes - April 8, 2015**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

- 1) Councillor Courtney inquired with respect to the money received from planning applications dating back to the 1980's. The Director of Financial Services stated the funds were brought into income during budget as an accounting adjustment.
- 2) Deputy Mayor DiPasquale provided Council with an update on the County Wide Active Transportation System (CWATS).
- 3) Councillor Fyer inquired as to when the organizational restructuring was going to take place. The Chief Administrative Officer stated that he will be bringing it to Council at the first meeting in September.

NEW BUSINESS

There was no new business.

REPORT FROM IN-CAMERA SESSION

COUNCIL IN CAMERA SESSION – REPORTING OUT

May 25, 2015 MEETING

Council met at 4:30 pm on April 20, 2015 for a Special In-Camera meeting and discussed (1) item as provided for under Section 239 of the Municipal Act:

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

Council met at 1:00 pm on May 15, 2015 for a Special In-Camera meeting and discussed (1) item as provided for under Section 239 of the Municipal Act:

ITEM A – Fire Investigation Report heard under Section 239(2)(b) and (f) of the act. There is nothing further to report at this time.

Council met at 5:30 pm on May 19, 2015 for a Special In-Camera meeting and discussed (1) item as provided for under Section 239 of the Municipal Act:

ITEM A – Amherstburg Fire Department heard under section 239(2)(d) of the act. There is nothing further to report at this time.

Council met at 5:00 pm on May 25, 2015 for a Special In-Camera meeting and discussed (2) items as provided for under Section 239 of the Municipal Act:

ITEM A - Update on Previous Personnel Matter - Section 239(2)(b) and (f) of the act. There is nothing further to report at this time.

ITEM B - Contract Negotiations with the Amherstburg Professional Firefighters Association, Local 3803 heard under Section 239 (2)(d) of the act. There is nothing further to report at this time.

NOTICES OF MOTION

There were no Notices of Motion.

BY-LAWS

23.1 By-law 2015-62 - Official Plan Amendment No. 3- 274 Dalhousie Street
(As dealt with above)

23.2 By-law 2015-63 - Zoning By-law Amendment- 274 Dalhousie Street
(As dealt with above)

23.3 Confirmatory By-law 2015-65

Councillor Pouget moved, Councillor Fryer seconded:

That By-law 2015-65 being a by-law to confirm all resolutions of the Municipal Council Meeting held on May 15, 19 and 25, 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 Meloche moved, Deputy Mayor DiPasquale seconded:

That Council rise and adjourn at 8:49 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER