



**TOWN OF AMHERSTBURG  
COUNCIL MEETING**

**Wednesday, October 14, 2015**

**6:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg

**MINUTES**

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**PRESENT**

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

Giovanni (John) Miceli, Chief Administrative Officer  
Nicole Rubli, Deputy Clerk

**ABSENT WITH NOTICE** Councillor Joan Courtney

**CALL TO ORDER**

The Mayor called the meeting to order at 6:02 p.m.

**MOMENT OF SILENT REFLECTION**

**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 Fryer 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. Regular Council Meeting Minutes – September 28, 2015**
- 2. Special In-Camera Council Meeting Minutes – September 28, 2015**

The Mayor put the Motion.

**Motion Carried**

### **REPORTS – POLICE SERVICES**

There were no reports.

### **REPORTS – CORPORATE AND COMMUNITY SERVICES**

#### **6.1 Portable Wireless Internet for Council Laptops**

Councillor Meloche moved, Councillor Lavigne **seconded**:

**That:**

- 1. The report from the Manager of Information Technology dated October 1, 2015, regarding Portable Wireless Internet for Council Laptops BE RECEIVED; and,**
- 2. The Manager of Information Technology BE DIRECTED to include funding for Portable Wireless Internet for Council Laptops in the 2016 Operating budget for Council's consideration.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS – FINANCIAL SERVICES**

### **7.1 2015 Capital Budget to Actual Update**

Councillor Lavigne moved, Deputy Mayor DiPasquale seconded:

**That:**

- 1. The report from the Supervisor of Accounting dated September 25, 2015, regarding the 2015 Capital Budget to Actual Update, BE RECEIVED;**
- 2. The 2015 capital budget to actual update for the general, water and wastewater departments BE RECEIVED;**
- 3. The Director of Financial Services BE AUTHORIZED to fund the completed general work in progress projects amount of \$151,388 from the Tax Stabilization (non-cash) Reserve;**
- 4. The Director of Financial Services BE AUTHORIZED to fund the completed wastewater work in progress projects amount of \$137,089 from the Wastewater Surplus (non-cash) Reserve; and,**
- 5. The Director of Financial Services BE AUTHORIZED to fund the completed water work in progress projects amount of \$238,521 from the 2015 Water Operations (non-cash).**

The Mayor put the Motion.

**Motion Carried**

### **7.2 2016 Budget Direction**

Councillor Lavigne moved, Councillor Pouget seconded:

**That:**

- 1. The report from the Manager, Financial Services, dated August 21, 2015, regarding 2016 Budget Direction BE RECEIVED;**
- 2. The proposed timeline for adopting a 2016 budget be APPROVED; and,**
- 3. Council APPROVE administration drafting the 2016 budget to include a 2% increase to the general tax rate.**

The Mayor put the Motion.

**Motion Carried**

**7.3 September 23- October 5, 2015 Accounts Payable**

Councillor Lavigne moved, Councillor Meloche seconded:

**That:**

- 1. The report from the Director of Financial Services dated October 1, 2015, regarding September 23-October 5 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**

**REPORTS – ENGINEERING AND PUBLIC WORKS**

There were no reports.

**REPORTS – ECONOMIC AND COMMUNITY DEVELOPMENT**

**9.1 Environmental Bill of Rights Posting to review the roles of Conservation Authorities in the Province**

Councillor Fryer moved, Councillor Lavigne seconded:

**That:**

- 1. The report from the Manager of Planning Services dated September 25, 2015 regarding the Environmental Bill of Rights Posting to review the roles of Conservation Authorities in the Province BE RECEIVED;**
- 2. That the response to the Ministry of Natural Resources and Forestry's Discussion Paper as prepared by Conservation Ontario including participation by ERCA BE SUPPORTED; and,**

3. That administration BE AUTHORIZED to submit this report to the Ministry of Natural Resources and Forestry in response to the Environmental Bill of Rights posting and to the Essex Region Conservation Authority.

The Mayor put the Motion.

Motion Carried

## 9.2 Removal of Part Lot Control- Big Creek Subdivision Plan 12M-505

Councillor Lavigne moved, Councillor Fryer seconded:

That:

1. The report from the Manager of Planning Services dated October 9, 2015, regarding Removal of Part Lot Control- Big Creek Subdivision Plan 12M-505 BE RECEIVED;
2. The application for removal of Part Lot Control for Lots 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 28, 29, 30, 31, Plan 12M-505, Lot 18, Plan 12M-505, being Parts 1, 2, 3, 4 on Plan 12R-26300, Lot 19, Plan 12M-505, being Parts 1, 2, 3, 4 on Plan 12R-26299 BE APPROVED; and,
3. By-law 2015-118 being a by-law to remove certain lands from Part Lot Control (12M-505) 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 - CAO's OFFICE

### 10.1 Committee Vacancy – Amherstburg Accessibility Advisory Committee

Councillor Fryer moved, Councillor Meloche seconded:

That:

1. The report from the Deputy Clerk dated September 25, 2015, regarding Committee Vacancy – Amherstburg Accessibility Advisory Committee BE RECEIVED;
2. Administration BE DIRECTED to fill the member vacancy by placing an advertisement in the local newspaper and on the Town website; and,
3. The committee RECEIVE the applications and IDENTIFY suitable candidates for Council consideration and appointment.

The Mayor put the Motion.

**Motion Carried**

**10.2 Board Vacancy – ERCA Board Member**

Councillor Fryer moved, Councillor Meloche seconded:

**That:**

1. The report from the Municipal Clerk dated October 5, 2015, regarding Board Vacancy – ERCA Board Member BE RECEIVED; and,
2. Council APPOINT Ron Sutherland to fill the member vacancy on the ERCA Board.

The Mayor put the Motion.

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

**Motion Carried**

**10.3 Council Liaison Vacancy – Recreation and Culture Advisory Committee**

Councillor Lavigne moved, Councillor Meloche seconded:

**That:**

- 1. The report from the Municipal Clerk dated October 7, 2015, regarding Council Liaison Vacancy – Recreation and Culture Advisory Committee BE RECEIVED; and,**
- 2. Administration BE DIRECTED to advise the Recreation and Culture Advisory Committee that the 2014-2018 term will continue with 1 Council liaison.**

The Mayor put the Motion.

**Motion Carried**

**INFORMATION REPORTS**

Councillor Meloche moved, Councillor Lavigne seconded:

**That the information reports BE RECEIVED:**

- a) Health and Safety Update**
- b) Engineering Cost for the Collison Drain for Parks Access Bridge**

The Mayor put the Motion.

**Motion Carried**

**CONSENT CORRESPONDENCE**

Councillor Fryer moved, Councillor Pouget seconded:

**That the consent correspondence BE RECEIVED.**

- a) 2015 Annual Poppy Campaign - Royal Canadian Legion, Fort Malden Branch 157**
- b) Town of Essex Unwilling Host to Industrial Wind Turbines - Town of Lakeshore**

- c) **June Callwood Outstanding Achievement Award for Voluntarism in Ontario - Ministry of Citizenship, Immigration and International Trade**
- d) **2015 Certificate of Appreciation - The Royal Canadian Legion Ontario Command**
- e) **Thank you letter - Fort Malden Guild of Arts and Crafts/Gibson Gallery**

The Mayor put the Motion.

**Motion Carried**

Councillor Pouget moved, Councillor Fryer seconded:

**That Council DIRECT Administration to update the Ministry on the Town's position with respect to wind turbines and also get an update on the health study conducted by the Federal government.**

The Mayor put the Motion.

**Motion Carried**

#### **CONSENT OTHER MINUTES**

Councillor Fryer moved, Councillor Meloche seconded:

**That the following minutes BE RECEIVED:**

- a) **Amherstburg Accessibility Advisory Committee Meeting Minutes - June 25, 2015**

The Mayor put the Motion.

**Motion Carried**

#### **UNFINISHED BUSINESS**

There was no unfinished business.



## **NEW BUSINESS**

1. Councillor Meloche informed Council that he, and the Director of Engineering and Public Works, visited and inspected sidewalks, roads and pedestrian bridges and noted the poor conditions. He stated a report summary will be provided to Council on a future agenda.
2. Councillor Fryer requested that a report be brought to Council regarding the cost of sidewalks in McGregor or remediation work to sidewalks so that residents understand what the cost is going to be. The Chief Administrative Officer stated that he is bringing a budget line item in the 2016 Capital and Operating budget for Council's consideration. Councillor Fryer stated that he would still like a report to Council before that.
3. Councillor Fryer would like the County of Essex to send the Town a report as to why the portion of road on County Road 20 between St. Arnaud and Alma is showing signs of deterioration after only one year of it being replaced.

## **IN- CAMERA REPORT OUT**

### **COUNCIL IN CAMERA SESSION – REPORT OUT September 28, 2015 MEETING**

Council met at 8:05 pm on September 28, 2015 for a Special In-Camera meeting and discussed (2) items as provided for under Section 239 of the Municipal Act: it is important to note that the agenda for the September 28, 2015 meeting stated 4 items for discussion however only 2 were discussed.

**ITEM A - Volunteer Firefighters Association Proposal** heard under Section 239(2)(d) of the Act. There is nothing further to report on this matter.

**ITEM B - IBEW, Local 636, Contract Negotiations** heard under Section 239 (2)(d) of the Act. There is nothing further to report on this matter.

## **NOTICES OF MOTION**

### **Councillor Meloche – Municipal Library Heritage Plaque**

Councillor Meloche moved, Councillor Fryer seconded:

**That Council concur with the recommendations from the Heritage Committee to place a Heritage plaque on the Municipal Library, the cost of which is covered by the 2015 Heritage Committee budget.**

The Mayor put the Motion.

**Motion Carried**

## **BY-LAWS**

### **18.1 By-law 2015- 116 – Confirmatory By-law**

Councillor Pouget moved, Councillor Fryer seconded:

**That By-law 2015-116 being a by-law to confirm all resolutions of the Municipal Council Meetings held September 30<sup>th</sup>, October 5<sup>th</sup> and 14<sup>th</sup>, 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 recess for break at 6:55 p.m.**

The Mayor put the Motion.

**Motion Carried**

Councillor Pouget moved, Councillor Lavigne seconded:

**That Council reconvene at 7:12 p.m.**

The Mayor put the Motion.

**Motion Carried**

## **SPECIAL IN-CAMERA MEETING**

Councillor Lavigne moved, Deputy Mayor DiPasquale seconded:

**That Council move into an In-Camera Meeting of Council at 7:13 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:**

**ITEM A – Volunteer Firefighters Association Negotiations –**  
Section 239(2)(d) - Labour relations or employee negotiations.

**ITEM B – Municipal Restructuring Update –** Section 239(2)(a) - The security of the property of the municipality or local board; and, Section 239(2)(d) - Labour relations or employee negotiations.

**ITEM C – Legal Fee Reimbursement –** Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees.

**ITEM D – Electronic File Access Auditing –** 239(2)(a) - The security of the property of the municipality or local board.

The Mayor put the Motion.

**Motion Carried**

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

Councillor Fryer declared pecuniary interest with respect to Item C.

*Council moved into an In-Camera Meeting*

**ADJOURNMENT OF IN-CAMERA MEETING @ 9:12 p.m.**

**RESUMPTION OF REGULAR COUNCIL MEETING @ 9:16 p.m.**

Councillor Lavigne was not present for this portion of the Public session.

**COUNCIL IN CAMERA SESSION – REPORT OUT  
October 14, 2015 MEETING**

Council met at today at 7:13 p.m., for a Special In-Camera meeting and discussed (4) items as provided for under Section 239 of the Municipal Act:

**ITEM A – Volunteer Firefighters Association Negotiations** heard under Section 239(2)(d) of the Act. As a result of that discussion the following motion is before Council:

Councillor Fryer moved, Councillor Pouget seconded:

**That the proposed changes to the remuneration of the Amherstburg Volunteer Firefighters BE APPROVED.**

The Mayor put the Motion.

**Motion Carried**

**ITEM B – Municipal Restructuring Update** heard under Section 239(2)(b) and (d) of the Act. As a result of that discussion the following motions are before Council:

Councillor Pouget moved, Deputy Mayor DiPasquale seconded:

**That Council DIRECT the Chief Administrative Officer to advertise for the position of Director of Planning, Development and Legislative Services.**

The Mayor put the Motion.

**Motion Carried**

Councillor Pouget moved, Councillor Fryer seconded:

**That the recruitment of the position of Director of Parks, Recreation, Facilities and Cultural Services BE DEFERRED to the next Regular Council Meeting.**

The Mayor put the Motion.

**Motion Carried**

Councillor Fryer left Council Chambers for this portion of the In-Camera Report out.

**ITEM C – Legal Fee Reimbursement** heard under Section 239(2)(b) of the Act. As a result of that discussion the following motion is before Council:

Councillor Pouget moved, Councillor Meloche seconded:

**That the Legal Fee Reimbursement BE DEFERRED to the next In-Camera meeting.**

The Mayor put the Motion.

**Motion Carried**

**ITEM D - Electronic File Access Auditing** heard under Section 239(2)(a) of the Act. There is nothing further to report on this matter.

#### **ADJOURNMENT**

Councillor Meloche moved, Deputy Mayor DiPasquale seconded:

**That Council rise and adjourn at 9:25 p.m.**

The Mayor put the Motion.

**Motion Carried**

  
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MAYOR – ALDO DICARLO

  
\_\_\_\_\_  
DEPUTY CLERK – NICOLE RUBLI