



**TOWN OF AMHERSTBURG
COUNCIL MEETING**

Monday, October 26, 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
Tammy Fowkes, Deputy Clerk

CALL TO ORDER

The Mayor called the meeting to order at 6:03 p.m.

MOMENT OF SILENT REFLECTION

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

There were no disclosures of pecuniary interested noted.

The Mayor moved agenda item # 13(c) forward.

13. INFORMATION REPORTS

c) Community Request for Naming of Libro Center Access Driveway

Deputy Mayor DiPasquale moved, Councillor Pouget seconded:

That the report from the Chief Administrative Officer dated October 22, 2015, regarding Community Request for Naming of Libro Center Access Driveway BE RECEIVED and that Council APPROVE the naming of the main access of the driveway located easterly off of Meloche Road to the Libro Center, Bruno Casanova Way, in memory of Amherstburg's first arena and community services manager with the necessary signage being erected and further that a by-law be prepared and adopted confirmatory Council's actions.

The Mayor put the Motion.

Motion Carried

MINUTES OF PREVIOUS MEETING

Councillor Fryer moved, Councillor Pouget seconded:

Approval of Minutes

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 – October 5, 2015**
- 2. Special Council Meeting Minutes – October 5, 2015**

The Mayor put the Motion.

Motion Carried

The Mayor moved agenda item # 13(a) forward.

13. INFORMATION REPORTS

a) "Take Your Best Shot at Amherstburg" Photo Contest

Councillor Lavigne moved, Councillor Meloche seconded:

That the report BE RECEIVED.

The Mayor put the Motion.

Motion Carried

RECOGNITIONS

5.1 "Take Your Best Shot at Amherstburg" Photo Contest

1st Place - Elijah Dominas

2nd Place - Oliver Arcelao

3rd Place & Honourable Mention - Margaret Walschots

Honourable Mentions:

- Jackie Ure
- Barry and Maureen Renaud
- Maria Morrison
- Nick Seman

Councillor Meloche moved, Councillor Pouget seconded:

That the recognitions BE RECEIVED.

The Mayor put the Motion.

Motion Carried

DELEGATIONS

6.1 Tethering Limits – Melanie Coulter, Windsor/Essex Humane Society

Councillor Pouget moved, Councillor Fryer seconded:

That the delegation BE RECEIVED and that Council DIRECT Administration to pursue a by-law regarding tethering of dogs, in particular to review the Kingsville by-law.

The Mayor put the Motion.

Motion Carried

Councillor Fryer asked that dogs being transported in the back of pick-up trucks also be addressed.

REPORTS – POLICE SERVICES

No reports at this time.

REPORTS – CORPORATE AND COMMUNITY SERVICES

No reports at this time.

REPORTS – FINANCIAL SERVICES

9.1 October 6, 2015 – October 19, 2015, Accounts Payable

Councillor Lavigne moved, Councillor Meloche seconded:

That:

- 1. The report from the Director of Financial Services dated October 21, 2015, regarding October 6, 2015 - October 19, 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

10.1 Engineering Services for Inflow and Infiltration Study and Sanitary Sewer Model – RFP

Councillor Fryer moved, Councillor Pouget seconded:

That:

- 1. The report from the Manager of Engineering and Operations dated October 5, 2015, regarding the Engineering Services for Inflow and Infiltration Study and Sanitary Sewer Model – RFP BE RECEIVED;**
- 2. An agreement with Civica Infrastructure Inc. to complete the Engineering Services for Inflow and infiltration Study and Sanitary Sewer Model BE AUTHORIZED in the amount of \$307,736.10 (excluding H.S.T.);**
- 3. The Director of Financial Services BE DIRECTED to PRE-COMMIT \$13,152.25 in the 2016 Wastewater Capital budget; and,**
- 4. By-law 2015-115 being a by-law to enter into an agreement with Civica Infrastructure Inc. to provide engineering services for inflow and infiltration study and sanitary sewer model 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 – ECONOMIC AND COMMUNITY DEVELOPMENT

11.1 Development Agreement for 140 Simcoe Street, Lumed Management Inc.

Councillor Fryer amended the motion to include that signage be posted.

Councillor Lavigne moved, Councillor Fryer seconded:

That:

- 1. The report from the Manager of Planning Services dated October 8, 2015, regarding a Development Agreement for 140 Simcoe Street, Lumed Management Inc., BE RECEIVED;**

2. **The Site Plan and Development Agreement for 140 Simcoe Street BE APPROVED;**
3. **Signage BE POSTED, at the developer's expense, to prevent queuing on Sandwich Street; and,**
4. **By-law 2015-117 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

11.2 Sign Variance Request – Petras Family Dental-165 Sandwich St. S.

Councillor Courtney moved, Councillor Meloche seconded:

That:

1. **The report from the Manager of Licensing and Enforcement dated October 5, 2015, regarding Sign Variance Request – Petras Family Dental-165 Sandwich St. S. BE RECEIVED; and,**
2. **Council APPROVE the request for a variance from By-law 2006-26, Section 9.3(1) to allow for a ground sign that has a sign area of 54 square feet and is 11feet, 5 inches high.**

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

No reports at this time.

INFORMATION REPORTS

Councillor Meloche moved, Councillor Lavigne seconded:

That the information reports BE RECEIVED:

- a) "Take Your Best Shot at Amherstburg" Photo Contest (*as dealt with above*)
- b) August 2015 Reserve Funds and Restricted Cash Update
- c) Community Request for Naming of Libro Center Access Driveway (*as dealt with above*)

CONSENT CORRESPONDENCE

Councillor Lavigne moved, Councillor Meloche seconded:

That the consent correspondence BE RECEIVED.

- a) Congratulations Letter – WFCU Credit Union
- b) Community Mailboxes – Canada Post

The Mayor put the Motion.

Motion Carried

Councillor Fryer moved, Councillor Pouget seconded:

That Administration follow-up with the new government regarding their initiatives on community mailboxes and to also send a letter to the new government similar to the letter sent in the past to the County, AMO and all municipalities.

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Councillor Lavigne moved, Councillor Meloche seconded:

That the following minutes BE RECEIVED:

- a) Committee of Adjustment Meeting Minutes – July 28, 2015
- b) Committee of Adjustment Meeting Minutes – September 3, 2015
- c) Police Services Board Meeting Minutes – July 21, 2015
- d) Police Services Board Meeting Minutes – September 15, 2015
- e) Dangerous Dog Designation Appeal Hearing Minutes – September 30, 2015

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Fryer requested a status report regarding Texas Road, what stage the construction will be at once winter arrives, and what the contractor's plans are before the winter arrives. He also asked about the school operations during the winter months. The Manager of Engineering and Operations stated that the school bus company indicated that once Coco Paving ceased operations during the winter, the bus service will return to regular service down Texas Road and then in the spring, once construction begins, they will stop service once again. He also stated that he would follow-up with the bus company and Union Gas to find out if roads will be affected by gas lines that are scheduled to be put in.
2. Councillor Pouget asked when the policy for using emergency vehicles for personal use will be brought to Council. The Chief Administrative Officer stated that he will try to get the policy tabled at the next policy meeting.
3. Councillor Courtney asked when the report regarding monitoring Town vehicle mileage will be brought to Council. The Chief Administrative Officer stated that he is in the process completing that report.
4. Councillor Pouget asked when the report regarding the use of gas for Town vehicles will be brought to Council. The Chief Administrative Officer stated that it will be tied in with the vehicle mileage report.

NEW BUSINESS

1. Councillor Fryer asked if the crosswalk line-painting on Sandwich Street will be complete before winter. The Chief Administrative Officer stated that a report will be brought to Council with a cost to do additional line-painting or re-do line-painting at certain crosswalks.

BY-LAWS

18.1 By-law 2015-114 – Housekeeping Zoning By-law Amendment

Councillor Pouget moved, Councillor Meloche seconded:

That By-law 2015-114 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.

The Mayor put the Motion.

Motion Carried

18.2 By-law 2015-120 – Confirmatory By-law

Councillor Lavigne moved, Councillor Meloche seconded:

That By-law 2015-120 being a by-law to confirm all resolutions of the Municipal Council Meetings held October 19th and 26th, 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

SPECIAL IN-CAMERA MEETING

Councillor Lavigne moved, Councillor Meloche seconded:

That Council move into an In-Camera Meeting of Council at 7:30 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

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

The Mayor put the Motion.

Motion Carried

Councillor Pouget moved, Councillor Courtney seconded:

That Council recess for break at 7:31 p.m.

The Mayor put the Motion.

Motion Carried

Councillor Pouget moved, Deputy Mayor DiPasquale seconded:

That Council reconvene at 7:43 p.m.

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 B.

Council moved into an In-Camera Meeting.

ADJOURNMENT OF IN-CAMERA MEETING

Councillor Courtney moved, Deputy Mayor DiPasquale seconded:

That Council rise from In-Camera session at 9:12 p.m.

The Mayor put the Motion.

Motion Carried

RESUMPTION OF REGULAR COUNCIL MEETING

Councillor Lavigne moved, Councillor Meloche seconded:

That Council resume Public session at 9:12 p.m.

The Mayor put the Motion.

Motion Carried

COUNCIL IN CAMERA SESSION – REPORT OUT October 26, 2015 MEETING

Council met at today at 7:30 p.m. for a Special In-Camera meeting and discussed (2) items as provided for under Section 239 of the Municipal Act:

ITEM A – Municipal Restructuring Update heard under Section 239(2)(a) and (d) of the Act. As a result of that discussion the following motion is before Council:

Councillor Lavigne moved, Deputy Mayor DiPasquale seconded:

That the position of Director of Parks, Facilities, Recreation & Cultural Services BE DEFERRED to the next public meeting.

The Mayor put the Motion.

Motion Carried

ITEM B – Legal Fee Reimbursement heard under Section 239(2)(b) of the Act. There is nothing further to report on this matter.

ADJOURNMENT

Councillor Meloche moved, Councillor Pouget seconded:

That Council rise and adjourn at 9:14 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



DEPUTY CLERK – TAMMY FOWKES