



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Monday, January 11, 2016
6:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg

MINUTES

PRESENT

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

Giovanni (John) Miceli, Chief Administrative Officer
Paula Parker, Clerk
Tammy Fowkes, Deputy Clerk

ABSENT WITH NOTICE

Deputy Mayor Bart DiPasquale
Councillor Joan Courtney

CALL TO ORDER

The Mayor called the meeting to order at 6:06 p.m.

MOMENT OF SILENT REFLECTION

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

Councillor Fryer declared pecuniary interest with respect to item # 10.3 due to his daughter's involvement in the gymnastics program.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Councillor Lavigne 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 – December 7, 2015**
2. **Regular Council Meeting Minutes – December 14, 2015**
3. **Special In-Camera Council Meeting Minutes – December 14, 2015**
4. **Special In-Camera Council Meeting Minutes – December 21, 2015**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

5.1 Amended Dog By-law – Jon Parks

Councillor Pouget moved, Councillor Fryer seconded:

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

Linda Squire, resident, spoke with respect to Mr. Parks' delegation.

Councillor Fryer moved, Councillor Pouget seconded:

That Council direct Administration to bring back a report outlining Mr. Parks' questions and concerns and any additional liability associated with injury or damage to animals.

The Mayor put the Motion.

Motion Carried

The Mayor brought item # 10.2 forward.

5.2 Amherstburg's Gone Car Crazy Show - Eleanor Renaud and Debby Pajot

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

10.2 Amherstburg's Gone Car Crazy

Councillor Fryer moved the motion with an amendment to continue classifying the Amherstburg's Gone Car Crazy event as a Town event.

Councillor Fryer moved, Councillor Pouget seconded:

That:

- 1. The delegation and report from the Manager of Recreation Services dated December 14, 2015 regarding Amherstburg's Gone Car Crazy BE RECEIVED; and,**
- 2. That Council direct Administration to continue classifying the event as a Town event and to meet with the organizers to open the books to the Town and that any incidentals that were given previously to the event be included and further that Council allow the gallery to speak.**

The Mayor put the Motion.

Motion Carried

Jon Parks, resident, spoke with respect to Amherstburg's Gone Car Crazy.

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

7.1 December 18, 2015 – January 6, 2016, Accounts Payable

Councillor Fryer moved, Councillor Lavigne seconded:

That:

- 1. The report from the Director of Corporate Services/Treasurer dated January 5, 2016, regarding December 18, 2015 – January 6, 2016, Accounts Payable, BE APPROVED; and,**
- 2. The Director of Corporate Services/Treasurer BE AUTHORIZED to release funds for the approved payables.**

The Mayor put the Motion.

Motion Carried

7.2 2016 Water and Wastewater Budget

Councillor Lavigne moved, Councillor Meloche seconded:

That:

- 1. The report from the Manager, Financial Services and the Manager, Engineering and Operations dated November 30, 2015, BE RECEIVED;**
- 2. Council APPROVE the 2016 Water operating budget of \$4,531,500 in revenues and \$4,531,000 in expenses;**
- 3. Council APPROVE the 2016 Water capital budget of \$200,000;**
- 4. Council APPROVE the 2016 Wastewater operating budget of \$6,048,646 in revenues and \$6,048,646 in expenses;**
- 5. Council APPROVE the 2016 Wastewater capital budget of \$1,356,152.25; and,**

6. Council APPROVE maintaining the current water and wastewater rates for 2016 pursuant to the 2016 Water and Wastewater Rate Review completed by Administration.

The Mayor put the Motion.

Motion Carried

7.3 2016 Final Approved Budget

Councillor Lavigne moved, Councillor Meloche seconded:

That:

1. The report from the Manager, Financial Services, dated January 6, 2016, regarding 2016 Final Approved Budget BE RECEIVED;
2. A municipal tax increase of 2.30 % BE APPROVED;
3. The 2016 Town Gross Operating Budget of \$24,527,644 and a net tax levy of \$19,274,584 BE APPROVED (as can be seen in the appendices);
4. The 2016 Town Gross Capital Budget of \$2,644,168 (as can be seen in the appendices) to BE APPROVED and FUNDED from:
 - a. \$60,000 - 2016 Gas Tax
 - b. \$447,000 - Ontario Community Infrastructure Fund
 - c. \$1,200,000 - Tax Levy through Operations
 - d. \$149,630 - Police Operations
 - e. \$787,538 - IT Operations (\$122,000) and the Capital Replacement Reserve (\$665,538);
5. A pre-commitment of \$480,000 to the 2017 Town Capital Budget BE APPROVED for the removal of underground gas tanks to be funded from the 2017 Tax Levy through municipal operations;
6. The Director of Corporate Services/Treasurer BE AUTHORIZED to make the necessary transfers to fund capital projects as required from operations and reserves as per the 2016 Capital Budget;
7. The Director of Corporate Services/Treasurer BE AUTHORIZED to transfer the funds collected from the 2% Capital Replacement Levy to the Capital Replacement Reserve;

8. The Director of Corporate Services/Treasurer BE AUTHORIZED to transfer the funds collected from the 2% Capital Reserve Levy to the Capital Reserve; and,
9. The Director of Corporate Services/Treasurer BE AUTHORIZED to transfer \$469,946 from the 2016 Operating Budget to the Capital Replacement Reserve.

The Mayor put the Motion.

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

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

9.1 Site Plan Control and Development Agreement, 7525 Howard Avenue, Fox Glen Golf Course

Councillor Lavigne moved, Councillor Fryer seconded:

That:

1. The report from the Manager of Planning Services dated December 17, 2015, regarding Site Plan Control and Development Agreement for 7525 Howard Avenue, Fox Glen Golf Course BE RECEIVED;
2. The Site Plan and Development Agreement for 7525 Howard Avenue BE APPROVED; and,
3. By-law 2016-03 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 – PARKS, FACILITIES, RECREATION AND CULTURE

10.1 Canada 150 Fund

Councillor Fryer moved, Councillor Pouget seconded:

That:

- 1. The report from the Manager of Tourism and Culture dated December 7, 2015, regarding the Canada 150 Fund BE RECEIVED;**
- 2. An exemption to Section 2 of By-law 2004-89 to allow for a public function in Kings Navy Yard Park in September 2017 for Canada 150 activities BE GRANTED; and,**
- 3. An exemption to Section 3 of By-law 2004-89 to allow for commercial activity in Kings Navy Yard Park in September 2017 for Canada 150 activities BE GRANTED.**

The Mayor put the Motion.

Motion Carried

10.2 Amherstburg's Gone Car Crazy *(As dealt with above)*

10.3 Ontario Sports and Recreation Communities Fund

Councillor Fryer removed himself from discussion and voting due to his declared pecuniary interest with the Ontario Sports and Recreation Communities Fund.

Councillor Lavigne moved, Councillor Meloche seconded:

That:

- 1. The report from the Manager of Recreation Services dated December 14, 2015, regarding Ontario Sports and Recreation Communities Fund BE RECEIVED; and,**

2. **Administration BE DIRECTED to submit an application for funding to the Ministry of Tourism, Culture and Sport for a gymnastics program.**

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

There were no reports.

CONSENT CORRESPONDENCE

Councillor Lavigne moved, Councillor Meloche seconded:

That the consent correspondence BE RECEIVED.

- a) **Resolution for Basic Income Guarantee – City of Kingston**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Councillor Meloche moved, Councillor Fryer seconded:

That the following minutes BE RECEIVED:

- a) **Economic and Development Advisory Committee Meeting Minutes – July 9, 2015**
- b) **Economic and Development Advisory Committee Meeting Minutes – November 10, 2015**
- c) **Heritage Committee Meeting Minutes – October 22, 2015**
- d) **Police Services Board Meeting Minutes – November 17, 2015**

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

14.1 Traffic Committee Meeting Minutes – October 22, 2015

Councillor Lavigne moved, Councillor Meloche seconded:

That:

- 1. The Traffic Committee Meeting Minutes of October 22, 2015 BE RECEIVED;**
- 2. A request be made to the County of Essex to conduct a traffic speed study for the request to reduce speed to 50 km/hr from 70 km/hr on Front Road South in the connecting link between Lowes Side Road and Ducks on the Roof; and, further that an advertisement be placed in the River Town Times inviting comments in writing on the request for a reduction of speed on Front Road South that will be provided to the County;**
- 3. Resident and user parking BE ALLOWED to continue in the Parking Lot at the Old Arena at 209 Victoria Street as per the current Traffic By-law;**
- 4. A No Exit sign BE ERECTED at the entrance to Pine Ridge Avenue; and,**
- 5. The request for a Children Playing sign at the entrance to White Crescent BE DENIED.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Pouget requested an update with respect to the fence variance request on Venetian Drive. The Manager of Licensing and Enforcement advised Council that the applicant decided to revoke his request.
2. Councillor Pouget requested an update with respect to the Mayor's Breakfast meeting with the Economic and Development Advisory Committee. The Clerk advised Council that after discussion with the committee's staff liaison, it was determined that the items to be discussed in the meeting are not deemed as closed discussions and that the meeting will be open to the public.

NEW BUSINESS

1. Councillor Fryer moved, Councillor Lavigne seconded:

20160111-13 - That Council direct Administration to bring back a report regarding Smith Road and its condition and further investigate cost sharing with the Town of Essex.

The Mayor put the Motion.

Motion Carried

2. Councillor Meloche moved, Councillor Fryer seconded:

20160111-14 - That Council direct Administration to bring back a report on Bill 73 and how the changes will affect Administration.

The Mayor put the Motion.

Motion Carried

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

18.1 Zoning By-Law Amendment – Vacant Land on Venetian Drive

Councillor Lavigne moved, Councillor Fryer seconded:

That By-law 2016-02 being a by-law to amend Zoning By-law No. 1999-52, as amended, for vacant land on Venetian Drive 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 Confirmatory By-law

Councillor Fryer moved, Councillor Meloche seconded:

That By-law 2016-05 being a by-law to confirm all resolutions of the Municipal Council Meetings held December 21th, 2015, and January 4th and 11th, 2016, 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 Fryer seconded:

That Council move into an In-Camera Meeting of Council at 7:59 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – Verbal Update – IBEW Negotiations - Section 239(2)(d) – Labour relations or employee negotiations.

The Mayor put the Motion.

Motion Carried

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

There were no disclosures of pecuniary interest noted.

ADJOURNMENT OF IN-CAMERA MEETING @ 8:42 p.m.

RESUMPTION OF REGULAR COUNCIL MEETING

Councillor Fryer moved, Councillor Lavigne seconded:

That Council resume Regular session at 8:43 p.m.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Councillor Lavigne moved, Councillor Meloche seconded:

That Council rise and adjourn at 8:43 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER