



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Monday, February 22, 2016
6:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg

MINUTES

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
Paula Parker, Clerk
Tammy Fowkes, Deputy Clerk

ABSENT WITH NOTICE Councillor Joan Courtney

CALL TO ORDER

The Mayor called the meeting to order at 6:09 p.m.

MOMENT OF SILENT REFLECTION

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

Councillor Pouget declared pecuniary interest with respect to the Zoning By-law Amendment on the Vacant Land at E/S Sandwich Street South (item # 19.1) due to her brother submitting correspondence opposing the Zoning By-law Amendment.

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 – February 8, 2016
2. Special Council Meeting – Planning – February 8, 2016
3. Special In-Camera Council Meeting – February 8, 2016

The Mayor put the Motion.

Motion Carried

DELEGATIONS

5.1 Ground Billboards – David McLarty

Councillor Lavigne moved, Councillor Pouget seconded:

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

Councillor Fryer moved, Councillor Meloche seconded:

That Council direct Administration to bring a report on the feasibility of billboard signs to generate farmer revenue.

The Mayor put the Motion.

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

Motion Lost

The Mayor moved agenda item # 9.4 forward.

9.4 2016 Special Events Approval

Deputy Mayor DiPasquale moved, Councillor Meloche seconded:

That:

- 1. The report from the Public Events Committee (PEC) dated February 3, 2016, regarding 2016 Special Events Approval BE RECEIVED;**
- 2. That the events BE APPROVED as listed:**
 - **Amherstburg Historical Gatherings at Commissariat April 23,24, June18,19, July 29, Aug 1, Nov 18, 19, 2016**
 - **Ribs and Ragtime - Saturday, June 04, 2016**
 - **J. Wimpy Volleyball Tournament - June11/rain date June 12**
 - **Annual Garden Tour - June 17, 2016 & June 18, 2016**
 - **South Coast Adventure Race - Saturday, June 18, 2016**
 - **Canada Day Festival - Friday, July 01, 2016**
 - **Canada D'Eh 5K Run - Friday, July 01, 2016**
 - **Art by the River - August 27 & 28, 2016**
 - **Super Santa Run - Saturday, November 19, 2016**

3. That the following events **BE DEEMED** as a municipally significant event for the purpose of applying for a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario (AGCO):
 - J. Wimpy Volleyball Tournament - June 11, 2016/rain date June 12, 2016.
4. An exemption from table number 3-1-2 of Noise By-law 2001-43 with respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for live music **BE GRANTED** for the events listed:
 - Ribs and Ragtime - Saturday, June 04, 2016
5. The road closures **BE APPROVED** for the events listed; and,
 - Ribs and Ragtime - Saturday, June 04, 2016
 - Canada Day Festival - Friday, July 01, 2016
 - Canada D'Eh 5K Run - Friday, July 01, 2016 (*as amended*)
 - Super Santa Run - Saturday, November 19, 2016
6. The Organizers of the events as listed **BE DIRECTED** to meet the requirements identified by the Public Events Committee.

The Mayor put the Motion.

Motion Carried

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

7.1 Drainage and Local Area Improvements Debentures to Residents

Councillor Fryer moved, Councillor Meloche seconded:

That:

1. **The report from the Director of Corporate Services/Treasurer dated January 29, 2016, regarding Drainage and Local Area Improvements Debentures to Residents BE RECEIVED; and,**
2. **The Local Improvement and Drainage Financing Policy BE TABLED.**

The Mayor put the Motion.

Motion Carried

7.2 January 30, 2016 – February 16, 2016 Accounts Payable

Councillor Lavigne moved the motion with an amendment to approve the Accounts Payable with the exception of the confidential payments.

Councillor Lavigne moved, Councillor Pouget seconded:

That:

1. **The report from the Director of Corporate Services/Treasurer dated February 16, 2016, regarding January 30, 2016 - February 16, 2016, Accounts Payable, BE APPROVED with the exception of the confidential payments; and,**
2. **The Director of Corporate Services/Treasurer BE AUTHORIZED to release funds for the approved payables.**

The Mayor put the Motion.

Motion Carried

7.3 Ontario Community Infrastructure Fund (OCIF) – Meloche Road Reconstruction

Councillor Meloche moved, Councillor Lavigne seconded:

That:

1. **The report from the Director of Corporate Services/Treasurer dated February 9, 2016, regarding the Ontario Community Infrastructure Fund (OCIF) - Meloche Road Reconstruction BE RECEIVED;**

2. **The Town of Amherstburg enter into a Contribution Agreement with the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and the Mayor and Clerk BE AUTHORIZED to sign the agreement;**
3. **Administration BE DIRECTED to issue a Request for Proposal for Engineering Services for Meloche Road; and,**
4. **Administration BE DIRECTED to prepare a Tender document with road cross section, technical detail, project timeline and projected costs associated with the reconstruction of Meloche Road.**

The Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

9.1 Removal of Part Lot Control- Golfview Subdivision

Councillor Pouget moved the motion with an amendment that Administration send the approved requests to the County of Essex as a courtesy.

Councillor Pouget moved, Councillor Lavigne seconded:

That:

1. **The report from the Manager of Planning Services dated February 3, 2016, regarding the Removal of Part Lot Control- Golfview Subdivision BE RECEIVED;**
2. **The request to extend the time frame specified in the by-law BE APPROVED;**
3. **The request to amend the land described in the by-law BE APPROVED; and,**
4. **By-law 2016-16 being a by-law to amend By-laws 2012-36 and 2014-28 to extend the expiration date and amend the land described for Part Lot**

Control exemption be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same.

- 5. Administration BE DIRECTED to send the approved requests to the County of Essex as a courtesy.**

The Mayor put the Motion.

Motion Carried

9.2 Removal of Part Lot Control- Riverfront Park Subdivision

Councillor Pouget moved the motion with an amendment that Administration send the approved requests to the County of Essex as a courtesy.

Councillor Pouget moved, Councillor Fryer seconded:

That:

- 1. The report from the Manager of Planning Services dated February 2, 2016, regarding the Removal of Part Lot Control- Riverfront Park Subdivision BE RECEIVED;**
- 2. The request to extend the time frame specified in the by-law BE APPROVED;**
- 3. The request to amend the land described in the by-law BE APPROVED; and,**
- 4. By-law 2016-17 being a by-law to amend By-laws 2012-37 and 2014-22 to extend the expiration date and amend the land described for Part Lot Control exemption be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same.**
- 5. Administration BE DIRECTED to send the approved requests to the County of Essex as a courtesy.**

The Mayor put the Motion.

Motion Carried

9.3 Update on the Federal Study assessing Health impacts from Industrial Wind Turbines

Councillor Meloche moved, Councillor Fryer seconded:

That:

- 1. The report from the Manager of Planning Services dated January 26, 2016, regarding an Update on the Federal Study Assessing Health Impacts from Industrial Wind Turbines BE RECEIVED; and,**
- 2. Administration BE DIRECTED to continue monitoring the legislation regulating renewable energy undertakings.**

The Mayor put the Motion.

Motion Carried

9.4 2016 Special Events Approval
(As dealt with above)

9.5 Dog Control Officer Appointment By-law

Councillor Lavigne moved, Councillor Meloche seconded:

That:

- 1. The report from the Manager of Licensing and Enforcement dated February 16, 2016, regarding Dog Control Officer Appointment By-law BE RECEIVED; and,**
- 2. By-law 2016-20 being a by-law to Appoint a Dog Control Officer 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

There were no reports.

REPORTS - CAO's OFFICE

11.1 Ministry of Labour Orders Issued at the Libro Centre

Deputy Mayor DiPasquale moved, Councillor Meloche seconded:

That:

- 1. The report prepared by the Manager of Human Resources dated February 17, 2016, regarding Ministry of Labour of Orders issued at the Libro Centre BE RECEIVED;**
- 2. The hiring of a contract Health and Safety Officer BE APPROVED at a cost not to exceed \$49,000 and to BE FUNDED from the Tax Stabilization Reserve; and,**
- 3. Administration BE DIRECTED to resubmit the part-time Health & Safety Officer and business case for Council's consideration in the 2017 Operating Budget.**

The Mayor put the Motion.

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

Motion Carried

11.2 2016 Special Meeting Council Calendar

Deputy Mayor DiPasquale moved, Councillor Lavigne seconded:

That:

- 1. The report from the Deputy Clerk dated February 8, 2016, regarding the 2016 Special Meeting Council Calendar BE RECEIVED; and,**
- 2. The 2016 Special Meeting Council Calendar BE APPROVED, as presented.**

The Mayor put the Motion.

Motion Carried

11.3 Economic Development Advisory Committee (EDAC) – Chamber Nominee

Councillor Meloche moved, Councillor Lavigne seconded:

That:

1. **The report from the Municipal Clerk dated February 18, 2016, regarding Economic Development Advisory Committee - Chamber Nominee BE RECEIVED; and,**
2. **Chamber Nominee, Alan Halowski, BE APPOINTED as the Chamber representative on the Economic Development Advisory Committee for the remainder of the 2014-2018 term.**

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Councillor Lavigne moved, Councillor Meloche seconded:

That the information reports BE RECEIVED:

- a) **2015 Amherstburg Drinking Water System Annual Inspection**
- b) **Sandwich Street Resurfacing – Specification Information**
- c) **Smith Road Condition and Cost Sharing Update**
- d) **2015 Annual Audit Planning Report**

The Mayor put the Motion.

Motion Carried

Councillor Fryer requested that the Information Report and correspondence regarding Smith Road be sent to Essex County Council (item d).

CONSENT CORRESPONDENCE

Councillor Pouget moved, Councillor Fryer seconded:

That the consent correspondence BE RECEIVED:

- a) **Site 52 Ecosystem– Letter from Greg Nemeth**
- b) **2016 Pre-Budget Consultations – Tracey Ramsey, MP, NDP**
- c) **Ontario’s Consultation on Primary, Home, and Community Health Care – Township of Cavan Monaghan**
- d) **Request for Ontario to Cancel RFP for Added Wind Power Generation – Township of Wainfleet Council Resolution**
- e) **Ontario Municipal Board Jurisdiction – Town of Aurora Council Resolution**
- f) **Share the Power of a Wish Southwestern Ontario – Email from Stacey Biekx**
- g) **Thank you Letter – Richard Wyma, General Manager/Secretary-Treasurer, ERCA**

The Mayor put the Motion.

Motion Carried

Councillor Pouget moved, Councillor Fryer seconded:

That Council DIRECT Administration to send a letter in support of the Township of Wainfleet’s resolution regarding the Request for Ontario to Cancel RFP for Added Wind Power Generation and copy all other Ontario Municipalities.

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

14.1 World Autism Awareness Day - April 2, 2016

Councillor Fryer moved, Councillor Meloche seconded:

That:

1. The correspondence regarding Autism Ontario's "Raise the Flag" campaign BE RECEIVED; and,
2. Council PROCLAIM April 2, 2016, as World Autism Awareness Day in the Town of Amherstburg.

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Councillor Meloche moved, Deputy Mayor DiPasquale seconded:

That the following minutes BE RECEIVED:

- a) Co-An Park Committee Meeting Minutes – January 13, 2016
- b) Police Services Board Meeting Minutes – January 19, 2016

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Pouget asked for an update with respect to the IBEW Local 636 Collective Agreement.

The Chief Administrative Officer advised Council that a report has been drafted and the final language is currently being reviewed by the Union. Once the agreement is sent back, it will be brought to Council.

2. Councillor Meloche asked for an update with respect to the financial software system.

The Director of Corporate Services/Treasurer advised Council that he was undergoing a product review and will be bringing the results of that review in a report to Council in March.

3. Councillor Fryer moved, Councillor Meloche seconded:

That Council DIRECT Administration to bring back an updated cost for street lighting at Willow Beach along with the viability to provide lighting through solar or wind power means.

The Mayor put the Motion.

Motion Carried

4. Deputy Mayor DiPasquale stated that he has received complaints of the condition of the gravel on Knapps Island Road and Creek Road and he asked that the Manager of Engineering and Operations look at the condition of the gravel on both roads.

The Manager of Engineering and Operations advised Council that Creek Road is an asphalt road which does require gravel in some areas and Knapps Island Road is a gravel road. He stated that he, and The Manager of Public Works will look into the condition of both roads and determine when the gravel was laid down last and if additional gravel is required.

5. Councillor Pouget moved, Councillor Fryer seconded:

That Council direct Administration to prepare and present a by-law to designate, under the Ontario Heritage Act, the entire remaining public municipal lands of the King's Navy Yard Park, as described in a report of the Chief Administrative presented at a Regular Council meeting on September 14, 2015, and as recommended by the Heritage Committee on September 17, 2015, and acknowledged by Council on November 23, 2015; and further,

That the by-law include the following roll numbers:

- **372924 00000 8500**
- **372924 00000 8100**
- **379911 00000 1900**
- **372911 00000 1500**
- **372911 00000 1600**
- **372911 00000 1400**
- **372911 00000 1300**

The Mayor put the Motion.

Motion Carried

6. Councillor Pouget moved, Councillor Fryer seconded:

That Council DIRECT Administration to provide Council with the necessary changes required to ensure that the Town of Amherstburg is responsible to collect fees for the planting and maintenance of new trees on Town property for new development in the Town of Amherstburg.

The Mayor put the Motion.

Motion Carried

NEW BUSINESS

1. Councillor Pouget moved, Councillor Fryer seconded:

That Council direct Administration to provide a full report to Council on all necessary steps required to protect site 52, the ecosystem north of Alma Street, east of Thomas Road, south of the Greenway, and west of Fox Road as per the report provided by Amherstburg resident Greg Nemeth and the documentation pertaining to this site in the 2009 Big Creek Watershed Study.

The Mayor put the Motion.

Motion Carried

2. Councillor Meloche asked the Director of Corporate Services/Treasurer if he is looking at a single year budget or introducing a 5 year budget similar to what other municipalities are starting to do with their capital and operational budget.

The Director of Corporate Services/Treasurer advised Council that the capital budget is already a 10 year projection. He stated that a cash flow to long term strategic financial plan has been developed and given to the consultants who are working on the overall strategic plan as a basis for looking at operational development charge projections going forward and may be encompassed in the long term strategic plan of the municipality.

The Chief Administrative Officer also noted that the key is for the Town to approve a strategic plan that provides the Town with a vision and direction for the next 5 years. Once that is complete, an operation budget can be built to

coincide with the delivery of the services that are prioritized by the community in the in the community strategic plan.

3. Councillor Fryer moved, Councillor Pouget seconded:

That Administration BE DIRECTED to review the Zoning By-law as it addresses setbacks for boarding kennels and other matters as deemed necessary and bring a report back to Council.

The Mayor put the Motion.

Motion Carried

4. Councillor Pouget asked for an update with respect to the lack of taxi service that has recently occurred in the Town.

The Chief Administrative Officer advised Council that there were two interested parties seeking licenses currently. He stated that there are a number of requirements that need to be met and the Manager of Licensing and Enforcement is working with the applicants to fulfil those requirements.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

19.1 By-law 2016-18 – ZBA at E/S Sandwich Street South

Due to her declared pecuniary interest, Councillor Pouget removed herself from discussion and voting on By-law 2016-18.

Councillor Fryer moved, Councillor Lavigne seconded:

That By-law 2016-18 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

19.2 By-law 2016-24 - Confirmatory By-law

Councillor Meloche moved, Councillor Lavigne seconded:

That By-law 2016-24 being a by-law to confirm all resolutions of the Municipal Council Meetings held February 16th and February 22nd, 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 8:50 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – Unfair Labour Practice Proposed Resolution - 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 @ 9:21 p.m.

RESUMPTION OF REGULAR COUNCIL MEETING

Councillor Meloche moved, Councillor Lavigne seconded:

That Council RESUME Regular session at 9:22 p.m.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Councillor Lavigne moved, Deputy Mayor DiPasquale seconded:

That Council rise and adjourn at 9:22 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER