



**TOWN OF AMHERSTBURG  
COUNCIL MEETING**

**Monday, March 7, 2016**

**6:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg

**MINUTES**

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**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  
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 interest noted.

## **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 Council Meeting – February 16, 2016**
- 2. Special Council Meeting – Planning – February 22, 2016**
- 3. Regular Council Meeting – February 22, 2016**
- 4. Special In-Camera Council Meeting – February 22, 2016**

The Mayor put the Motion.

**Motion Carried**

### **REPORTS – POLICE SERVICES**

There were no reports.

### **REPORTS – CORPORATE SERVICES**

#### **6.1 February 17, 2016 – March 1, 2016, Accounts Payable**

Councillor Meloche moved, Councillor Lavigne seconded:

**That:**

- 1. The report from the Director of Corporate Services/Treasurer dated February 26, 2016, regarding February 17, 2016 - March 1, 2016 Accounts Payable, BE APPROVED;**
- 2. The Director of Corporate Services/Treasurer BE AUTHORIZED to release funds for the approved payables; and,**
- 3. The Director of Corporate Services/Treasurer BE AUTHORIZED to release funds for Legal Invoices contained in the private and confidential memo dated February 22, 2016.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS – ENGINEERING AND PUBLIC WORKS**

There were no reports.

## **REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES**

There were no reports.

## **REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE**

There were no reports.

## **REPORTS - CAO's OFFICE**

### **9.1 Lay Member Drainage Board - Appointees**

Councillor Fryer moved, Deputy Mayor DiPasquale seconded:

**That:**

- 1. The report from the Municipal Clerk dated February 29, 2016 regarding Lay Member Drainage Board – Appointees BE RECEIVED;**
- 2. Allan Major, Bob Bezaire, Gary Ayers, Bob Pillon and Ron Sutherland BE APPOINTED to the Amherstburg Drainage Board; and,**
- 3. By-law 2016-27 being a by-law to appoint members to the Amherstburg Drainage Board 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**

## **INFORMATION REPORTS**

Councillor Meloche moved, Councillor Courtney seconded:

**That the information reports BE RECEIVED:**

- a) 2015 Annual Treasurer's Report**
- b) Tax Sale Registration and Tax Sale**

**c) WECDSB Accommodation Review – St. Bernard/Stella Maris –  
CAO Presentation**

The Mayor put the Motion.

**Motion Carried**

**CONSENT CORRESPONDENCE**

Councillor Fryer moved, Councillor Lavigne seconded:

**That the consent correspondence BE RECEIVED:**

- a) **2016 Annual Show Book - Essex County Steam & Gas Engine Museum Inc.**
- b) **Appointment of Weed Inspectors – Ministry of Agriculture, Food and Rural Affairs**
- c) **2016 Senior of the Year Award – Minister Responsible for Seniors Affairs**
- d) **Resolution from the Town of Aurora regarding Ontario Municipal Board Jurisdiction – Township of Gillies**
- e) **Bill 36 Support – Township of Southgate**

The Mayor put the Motion.

**Motion Carried**

Councillor Meloche moved, Councillor Fryer seconded:

Councillor Meloche moved the following motion with respect to Consent Correspondence – item d.

**That Council DIRECT Administration to forward correspondence in support of the Town of Aurora’s resolution regarding Ontario Municipal Board Jurisdiction.**

The Mayor put the Motion.

**Motion Carried**

Councillor Fryer moved, Deputy Mayor DiPasquale seconded:

Councillor Fryer moved the following motion with respect to Consent Correspondence – item a.

**That Council DIRECT Administration to place a ¼ page advertisement in the 2016 Annual Show Book for the Essex County Steam & Gas Engine Museum Inc. (item a).**

The Mayor put the Motion.

**Motion Carried**

### **CONSENT OTHER MINUTES**

Councillor Lavigne moved, Councillor Pouget seconded:

**That the following minutes BE RECEIVED:**

- a) Economic Development Advisory Committee Meeting Minutes – February 2, 2016**

The Mayor put the Motion.

**Motion Carried**

### **UNFINISHED BUSINESS**

1. Councillor Fryer asked the Director of Engineering and Public Works when the costing for lighting at Willow Beach would be coming to Council.

The Director of Engineering and Public Works advised Council that she is awaiting quotes for solar and wind power lighting and is hoping she will have those numbers in a report by the next Council meeting.

2. Councillor Fryer stated that some residents are concerned that newly constructed areas of Texas Road appear to be a washboard effect in certain areas.

The Chief Administrative Officer advised Council that he and the Director of Engineering and Public Works will attend Texas Road to look into its condition and then schedule a meeting with the contractors and engineers. He further stated that he would advise Council of the outcome of the meeting.

Councillor Fryer asked that residents are given two weeks' notice with respect to the construction timelines and advise them of when the project will commence for the spring. He further suggested placing an advertisement in the River Town Times.

## **NEW BUSINESS**

1. Councillor Meloche moved, Deputy Mayor DiPasquale seconded:

**That Council DIRECT Administration to investigate the feasibility of recouping costs for firefighting services for structure fires in the Town of Amherstburg and report back to Council.**

The Mayor put the Motion.

**Motion Carried**

## **REPORT FROM IN-CAMERA SESSION**

### **February 22, 2016 Meeting**

Council met at 8:50 p.m. on February 22, 2016, for a Special In-Camera meeting and discussed (1) item as provided for under Section 239 of the Municipal Act:

**ITEM A – Unfair Labour Practice Proposed Resolution** heard under Section 239(2)(d) of the Act. There is nothing further to report on this matter.

### **February 29, 2016 Meeting**

Council met at 5:05 p.m. on February 29, 2016, for a Special In-Camera meeting and discussed (1) item as provided for under Section 239 of the Municipal Act:

**ITEM A – Legal Invoices** heard under Section 239(2)(f) of the Act. The legal invoices were before Council for approval in item # 6.1 in the Accounts Payable recommendations of tonight's agenda.

## **NOTICE OF MOTION**

There were no Notices of Motion.

## **BY-LAWS**

### **17.1 By-law 2016-28 - Confirmatory By-law**

Councillor Fryer moved, Councillor Lavigne seconded:

**That By-law 2016-28 being a by-law to confirm all resolutions of the Municipal Council Meetings held February 29<sup>th</sup> and March 7<sup>th</sup>, 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 Pouget seconded:

**That Council move into an In-Camera Meeting of Council at 6:39 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:**

**ITEM A – Sherway Contracting Litigation Update - Section 239(2)(f) – Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.**

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 @ 6:49 p.m.**

**RESUMPTION OF REGULAR COUNCIL MEETING**

Councillor Lavigne moved, Deputy Mayor DiPasquale seconded:

**That Council RESUME Regular session 6:52 p.m.**

The Mayor put the Motion.

**Motion Carried**

**REPORT FROM IN-CAMERA SESSION**

**March 7, 2016 Meeting**

Council met this evening for a Special In-Camera meeting at 6:39 p.m. and discussed (1) item as provided for under Section 239 of the Municipal Act:

**ITEM A – Sherway Contracting Litigation Update** heard under Section 239(f) of the Act. As a result of that discussion, the following motion is before Council:

Councillor Meloche moved, Councillor Fryer seconded:

**That:**

- 1. Administration BE AUTHORIZED to settle the matter with Sherway Contracting (Windsor) Limited whereby the claim will be dismissed on consent without costs; and,**
- 2. Upon dismissal of the matter, Sherway Contracting (Windsor) Limited BE ALLOWED to bid for future Town of Amherstburg works pursuant to the Town's Procurement Policy.**

The Mayor put the Motion.

**Motion Carried**



**ADJOURNMENT**

Deputy Mayor DiPasquale moved, Councillor Meloche seconded:

**That Council rise and adjourn at 6:53 p.m.**

The Mayor put the Motion.

**Motion Carried**

  
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MAYOR – ALDO DICARLO

  
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CLERK – PAULA PARKER