



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Monday, April 11, 2016
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
Paula Parker, Clerk

CALL TO ORDER

The Mayor called the meeting to order at 6:11 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 the adoption of the Special In-Camera Meeting Minutes for October 26, 2015.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Councillor Fryer removed himself from discussion and voting for the October 26, 2015, Special In-Camera Meeting Minutes.

Councillor Pouget 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 - October 26, 2015 (as amended)**

The Mayor put the Motion.

Motion Carried

Councillor Meloche moved, Councillor Pouget 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:

- 2. Regular Council Meeting Minutes – March 21, 2016**
- 3. Special Council Meeting Minutes – March 29, 2016**

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

- 5.1 Review of Amherstburg Fire Protection Services and Emergency Management – Nelly Green & Les Brinkworth, Office of the Fire Marshal and Emergency Management**

The Office of the Fire Marshal and Emergency Management provided Council with a review of Amherstburg Fire Protection Services and Emergency Management power point presentation and answered Council questions.

Councillor Meloche moved, Councillor Lavigne seconded:

That the presentation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

Councillor Pouget moved, Councillor Lavigne seconded:

That Council DIRECT Administration to provide Council with a full report regarding the Office of the Fire Marshal's 27 recommendations and included in the report, the action plan that will be taken to abide by these recommendations, the time frame to complete and be compliant with this report, and the anticipated cost to complete this project.

The Mayor put the Motion.

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

Motion Carried

Councillor Fryer moved, Councillor Meloche seconded:

That Council recess at 7:09 p.m.

The Mayor put the Motion.

Motion Carried

Councillor Pouget moved, Deputy Mayor DiPasquale seconded:

That Council resume at 7:23 p.m.

The Mayor put the Motion.

Motion Carried

DELEGATIONS

6.1 Waiving of Farmer's Market Vendor Fees – Steve Bouchard

Agenda item # 9.1 was moved forward.

Councillor Fryer moved the motion with an amendment to receive Mr. Bouchard's delegation and to waive the user fees for the Amherstburg Farmer's Market.

Councillor Fryer moved, Councillor Courtney seconded:

That:

- 1. The delegation BE RECEIVED;**
- 2. The report from the Manager of Tourism and Culture dated March 14, 2016, regarding the Amherstburg Farmers Market (AFM) request for reduction in user fee BE RECEIVED; and,**
- 3. A Facility User Fee of \$ 0.00 for the Amherstburg Farmers Market BE APPROVED.**

The Mayor put the Motion.

Motion Carried

6.2 Living History Weekend, April 23 & 24, 2016 – Jennie Lajoie

Councillor Lavigne moved, Councillor Fryer seconded:

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

8.1 March 15, 2016 – April 4, 2016 Accounts Payable

Councillor Lavigne moved, Councillor Meloche seconded:

That:

- 1. The report from the Director of Corporate Services/Treasurer dated March 29, 2016, regarding March 15 – April 4, 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

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

9.1 Amherstburg Farmer's Market Request for Reduction in User Fee (As dealt with above)

REPORTS – ENGINEERING AND PUBLIC WORKS

10.1 Decision of Drainage Tribunal for the Ouellette Drain East

Councillor Lavigne moved the motion with an amendment to ensure that the dollar amount in the by-law contributed by the Town reflects the dollar amount stated in the engineer's report.

Councillor Lavigne moved, Councillor Meloche seconded:

That:

- 1. The report from the Manager of Public Works dated March 17, 2016, regarding the Decision of Drainage Tribunal for the Ouellette Drain East BE RECEIVED;**

2. The revised engineer's report for the Improvements to the Ouellette Drain East prepared by Baird Engineering dated February 19, 2016, as per the decision of the Drainage Tribunal BE CONSIDERED;
3. The engineer's report for the Improvements to the Ouellette Drain East BE ADOPTED by giving third and final reading to By-law 2015-25 with amendments as discussed; and,
4. Baird Engineering BE DIRECTED to prepare tenders for the improvements to the Ouellette Drain East.

The Mayor put the Motion.

Motion Carried

REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

11.1 Sunday Market Wellness Stroll – New Proposed 2016 Event

Councillor Lavigne moved, Councillor Courtney seconded:

That:

1. The report from the Public Events Committee (PEC) dated March 24, 2016, regarding Sunday Market Wellness Stroll – New Proposed 2016 Event BE RECEIVED;
2. The Sunday Market Wellness Stroll to be held at Kings Navy Yard Park on June 26, July 31, August 21, and September 25, 2016 from 8am to 2pm BE APPROVED;
3. An exemption BE GRANTED to Section 2 of By-law 2004-89 to allow commercial sales in the Kings Navy Yard Park on June 26, July 31, August 21, and September 25, 2016 from 8am to 2pm;
4. The waiver of the special event park rental fee of \$224.78+HST for June 26, July 31, August 21, and September 25, 2016, as requested by the March 21 delegate, BE APPROVED contingent on the activities for both participants and vendors being offered by the Amherstburg Chamber of Commerce at no charge; and,
5. The Public Events Committee BE DIRECTED to confirm that the requirements identified by the Committee are met prior to the event.

The Mayor put the Motion.

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

Motion Carried

INFORMATION REPORTS

Councillor Meloche moved, Councillor Lavigne seconded:

That the information reports BE RECEIVED:

- a) **Renewal of Libro Centre Liquor License**
- b) **Town Hall meeting – New Windsor-Essex Hospitals System**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Councillor Fryer moved, Councillor Lavigne seconded:

That the consent correspondence BE RECEIVED:

- a) **Seniors' Month in Ontario – Minister Responsible for Seniors Affairs**
- b) **Amherstburg Food & Fellowship Mission – Thank you Letter**
- c) **2017 Council Awards – The College of Physicians and Surgeons of Ontario**
- d) **Lincoln M. Alexander Award – Ministry of Citizenship, Immigration and International Trade.**

CONSENT OTHER MINUTES

The Clerk read the following two motions brought forward by Accessibility Advisory Committee.

"That the committee nominate Angela Kelly to be the Amherstburg Accessibility Advisory Committee representative for the Second Annual Accessibility Awards Committee".

"That Administration look into the feasibility of an extended sidewalk or pedestrian crosswalk at Lowes Sideroad and Front Road South so that those with accessibility concerns can travel safely to the clinic and Season's Retirement Home on the South end of Town".

Councillor Fryer moved, Councillor Pouget seconded:

That the following minutes BE RECEIVED and the committee motions BE APPROVED:

- a) **Amherstburg Accessibility Advisory Committee Minutes – January 28, 2016**
- b) **Amherstburg Accessibility Advisory Committee Minutes – March 31, 2016**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

1. Councillor Pouget advised that in the past, Council received reports from the Chief Building Official, the Police Chief, and the Fire Chief which provided a breakdown of monthly activity within each department. Councillor Pouget requested those reports to be brought forward to Council again.

Councillor Lavigne, Chair, Police Services Board, advised Council that the River Town Times used to publish the monthly police occurrences on their own accord. He further stated that there has been discussion within the Police Services Board

with respect to publicizing the monthly occurrences again in the River Town Times.

Councillor Pouget moved, Councillor Fryer seconded:

That Administration BE DIRECTED to provide monthly activity reports within the Building department, Fire department, and Police Services.

The Mayor put the Motion.

Motion Carried

2. Councillor Meloche asked for an update with respect to the PARC presentation that was given to the Greater Essex County District School Board regarding the proposed elementary school closures.

The Chief Administrative Officer advised Council that the Board did not get back to him and further advised Council that the Board opted to close St. Bernard's Catholic Elementary School.

3. Councillor Meloche asked for an update with respect to the muskrat problem at the McGregor Lagoons.

The Chief Administrative Officer advised Council that the Ministry of Natural Resources approved the elimination of the muskrats which will prevent thousands of dollars in damages to the walls of the lagoons.

The Director of Engineering and Public works advised Council that there has always been a history of muskrat nuisance at the lagoons in which trappers were called in to trap and release. She further stated that trap and release wasn't always effective and was often expensive.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

18.1 By-law 2015-25 – THIRD AND FINAL READING

Councillor Lavigne moved, Councillor Meloche seconded:

That By-law 2015-25 being a by-law to provide for the repair and improvement of the Ouellette Drain East based on the drainage report by Crozier Baird Engineering, be taken as having been read and the Mayor and Clerk BE AUTHORIZED to sign same a third and final time.

The Mayor put the Motion.

Motion Carried

18.2 By-law 2016-34 - Confirmatory By-law

Councillor Meloche moved, Councillor Fryer seconded:

That By-law 2016-34 being a by-law to confirm all resolutions of the Municipal Council Meetings held March 29th and April 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 Meloche seconded:

That Council move into an In-Camera Meeting of Council at 8:27 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – Hobbs Litigation - Section 239(2)(e) – Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

ITEM B – Toppi Litigation Update – Section 239(2)(e) – Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, 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 @ 9:06 p.m.

RESUMPTION OF REGULAR COUNCIL MEETING

Councillor Lavigne moved, Councillor Pouget seconded:

That Council resume Regular session at 9:08 p.m.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Councillor Lavigne moved, Councillor Meloche seconded:

That Council rise and adjourn at 9:09 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER