



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Monday, May 9, 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

ABSENT WITH NOTICE Councillor Joan Courtney

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 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 Minutes – April 25, 2016**
- 2. Special In-Camera Council Meeting Minutes – April 25, 2016**

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

5.1 Donation to Amherstburg Food Bank by Town of Amherstburg & IBEW Local 636

Councillor Meloche moved, Councillor Lavigne seconded:

That the presentation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

5.2 2016/2017 Visitor Guide – Gordon Orr, CEO, Lynnette Bain, Vice President, Tourism Programs and Development, and Kris Racine, Director, Marketing and Special Events - Tourism Windsor Essex Pelee Island

Councillor Lavigne moved, Councillor Fryer seconded:

That the presentation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

DELEGATIONS

6.1 Pavilion Rental Fee Waiver at Toddy Jones Park – Dr. Allan Halowski, President, Horticultural Society

Councillor Pouget moved, Councillor Fryer seconded:

That the delegation BE RECEIVED and that Administration BE DIRECTED to waive the rental fee for the use of the pavillion at Toddy Jones Park for the Horticultural Society's use on June 17th and 18th, 2016, during their Garden Tour and further to REFUND their \$250 application fee.

The Mayor put the Motion.

Motion Carried

6.2 Questions regarding Ontario Fire Marshal's Report – Keith Lauzon and Dave Wharram

Deputy Mayor DiPasquale moved, Councillor Meloche seconded:

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

7.1 April 19, 2016 – May 2, 2016, Accounts Payable

Councillor Fryer moved, Councillor Meloche seconded:

That:

- 1. The report from the Director of Corporate Services/Treasurer dated April 25, 2016, regarding April 19, 2016 – May 2, 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 – ENGINEERING AND PUBLIC WORKS

Placement of Underground Infrastructure, Base Asphalt and Curbs on Maintenance - Golfview Phase 4C/4D

Councillor Fryer moved, Councillor Lavigne seconded:

That:

- 1. The report from the Manager of Engineering and Operations dated May 5, 2016 regarding the Placement of Underground Infrastructure, Base Asphalt and Curbs on Maintenance – Golfview Phase 4C/4D BE RECEIVED; and,**
- 2. Based on the recommendations of the consulting engineer, Amico Engineering Incorporated, the underground infrastructure, base asphalt and curbs BE PLACED on a 1 year maintenance period, commencing May 9, 2016.**

The Mayor put the Motion.

Motion Carried

REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

8.1 2016 Special Events Approval

Councillor Lavigne moved, Councillor Pouget seconded:

That:

- 1. The report from the Public Events Committee (PEC) dated April 28, 2016, regarding 2016 Special Events Approval BE RECEIVED;**
- 2. That the event BE APPROVED as listed:**
 - Annual Police Bike Rodeo – May 14, 2016; and,**

3. The Public Events Committee BE DIRECTED to confirm the requirements identified by the Committee are met prior to the event.

The Mayor put the Motion.

Motion Carried

Councillor Pouget moved, Councillor Lavigne seconded:

That Council WAIVE the Rules of Order to allow the gallery to speak with respect to the Proposed Housekeeping Zoning By-law Amendment - Boarding Kennels By-law 2016-33.

The Mayor put the Motion.

Motion Carried

The following were heard:

- Tom Diemer
- Ernie & Diane Bezaire

8.2 Proposed Housekeeping Zoning By-law Amendment - Boarding Kennels By-law 2016-33

Councillor Pouget moved, Councillor Meloche seconded:

That the Proposed Housekeeping Zoning By-law Amendment-Provisions Regarding Boarding Kennels By-law 2016-33 BE DEFERRED to the next Regular Council meeting.

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

9.1 Student Hiring Policy Amendment

Councillor Lavigne moved, Councillor Meloche seconded:

That:

1. **The report from the Manager of Human Resources dated May 2, 2016, regarding Student Hiring Policy Amendment BE RECEIVED; and,**
2. **The amendment to the Student Hiring Policy H02-00 outlining the wages for summer students BE APPROVED, as presented.**

The Mayor put the Motion.

Motion Carried

9.2 Council Question # - 20160307-101

Councillor Lavigne moved, Councillor Fryer seconded:

That The report from the Municipal Clerk dated March 11, 2016, regarding Council Question # - 20160307-101 BE RECEIVED for information.

The Mayor put the Motion.

Motion Carried

9.3 Audit and Finance Advisory Committee (AFAC) - Council Vacancy

Councillor Lavigne moved, Councillor Meloche seconded:

That:

1. **The report from the Municipal Clerk dated March 17, 2016, regarding Audit and Finance Advisory Committee - Council Vacancy BE RECEIVED; and,**
2. **Councillor Fryer BE APPOINTED as the second Council representative for the Audit and Finance Advisory Committee; OR,**

The Mayor put the Motion.

Motion Carried

9.4 Changes and Impact of Bill 8 – Accountability and Transparency Act (Amendments to MFIPPA and the Ombudsman Act)

Councillor Lavigne moved, Councillor Meloche seconded:

That:

- 1. That the report from the Municipal Clerk dated April 20, 2016 regarding Changes and Impact of Bill 8 – Accountability and Transparency Act (Amendments to MFIPPA and the Ombudsman Act) BE RECEIVED;**
- 2. By-law 2016-41 being a by-law to delegate authority to the Municipal Clerk to manage the day-to-day responsibilities of the Municipal Freedom of Information and Protection of Privacy Act be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same; and,**
- 3. By-law 2016-42 being a by-law to amend By-law 2014-91 being a by-law to govern the proceedings of Council, the conduct of its members and the calling of meetings 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

9.5 Recovery of Emergency Response Fees for Motor Vehicle Accidents

Councillor Lavigne moved, Councillor Meloche seconded:

That:

- 1. The report from the Municipal Clerk dated March 11, 2016, regarding Recovery of Emergency Response Fees for Motor Vehicle Accidents BE RECEIVED;**
- 2. The authority to pursue and settle for the indemnification of Emergency Response Services for Motor Vehicle Accident's BE DELEGATED to the Municipal Clerk;**
- 3. The Director of Corporate Services/Treasurer BE DIRECTED to transfer 50% of the recovered funds received to the Insurance Reserve and 50% to the Fire Reserve; and,**
- 4. By-law 2016-21, being a by-law to delegate authority to the Municipal Clerk to pursue and settle with Insurance Companies for the indemnification of emergency response fees for Fire Department**

Services be taken as having been read three (3) times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

9.6 Parks Canada Agreement – 2016 Canada Day

Councillor Meloche moved, Councillor Lavigne seconded:

That:

- 1. The report from the Municipal Clerk dated May 2, 2016 regarding the Parks Canada Agreement – 2016 Canada Day BE RECEIVED;**
- 2. The Mayor and Clerk BE AUTHORIZED to sign the Licence of Occupation Agreement for the 2016 Canada Day event; and,**
- 3. By-law 2016 – 43 being a by-law to enter into an agreement between Fort Malden National Historic Site and the Corporation of the Town of Amherstburg be read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same thereto.**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Councillor Lavigne moved, Councillor Fryer seconded:

That the consent correspondence BE RECEIVED:

- a) Request for an Extensive Review of the Green Energy Act – Township of Champlain**
- b) Resolution to Encourage the Ontario Energy Board to make Natural Gas Resources Available to all of Eastern Ontario - Township of South Stormont**
- c) Support for Provincial Legislation for Private Supportive Living Accommodations – City of Welland**
- d) Support for Bill 158, Saving the Girl Next Door Act, 2016 – Township of Southgate**

- e) **Request to Reconsider the Suspension of the Rural Economic Development Program – Municipality of South Dundas**
- f) **Request for the Provincial Government to Regulate the Community Vibrancy Fund – Township of South Frontenac**
- g) **Resolution to Widen Highway 3 to Improve Public Safety – Town of Essex**

The Mayor put the Motion.

Motion Carried

Councillor Pouget moved, Councillor Fryer seconded:

That Administration BE DIRECTED to send a letter to the Liberal government in support of the Town of Essex's resolution to the Ontario government to improve public safety by completing the Highway 3 widening project.

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Councillor Lavigne moved, Councillor Meloche seconded:

That the following minutes BE RECEIVED:

- a) **Heritage Committee Meeting Minutes – February 18, 2016**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Pouget expressed a number of concerns with respect to the telephone survey conducted by Forum Research for the strategic plan.

The Manager of Planning Services advised Council that she would follow up on the concerns brought forward and report back to Council.

NEW BUSINESS

1. Councillor Pouget moved, Councillor Lavigne seconded:

That Administration BE DIRECTED to report back to Council regarding the residence of Council appointees on Boards and Committees.

The Mayor put the Motion.

Motion Carried

2. Councillor Meloche provided Council with information he received from the Ontario Farm Land Trust Conference he attended on April 8, 2016.

3. Councillor Fryer stressed the importance and offered his support for the Annual Police Bike Rodeo.

Discussion ensued with respect to the intended use of "multi-use" sidewalks.

Councillor Pouget moved, Councillor Meloche seconded:

That Administration BE DIRECTED to bring back a report outlining the intended use of "multi-use" sidewalks and further to provide Council with clarification regarding bike regulations on sidewalks.

The Mayor put the Motion.

Motion Carried

NOTICE OF MOTION

Councillor Pouget provided Council with a short biography of Senator Eugene Whelan and the history of "A Walk That Changed the World" which is attached and forms part of these minutes.

Councillor Pouget moved, Councillor Fryer seconded:

That the Town fund and erect a plaque in the honour of the late Senator Eugene Whelan and his wife, Mrs. Elizabeth Whelan for their role in entertaining the former Soviet Ambassador Aleksander Yakovlev and Mikhail Gorbachev while visiting our historic Town, marking the location of the "Walk that Changed the World" for consideration and voting at the May 9th, 2016, Regular Council Meeting.

The Mayor put the Motion.

Motion Carried

BY-LAWS

15.1 By-law 2016-47 - Confirmatory By-law

Councillor Fryer moved, Councillor Lavigne seconded:

That By-law 2016-47 being a by-law to confirm all resolutions of the Municipal Council Meetings held May 9, 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 7:36 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – Volunteer Firefighters – Town Employees – 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 @ 7:44 p.m.

RESUMPTION OF REGULAR COUNCIL MEETING

Councillor Lavigne moved, Councillor Fryer seconded:

That Council RESUME Regular session at 7:46 p.m.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN-CAMERA SESSION

May 9, 2016 Meeting

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

ITEM A – Volunteer Firefighters – Town Employees – heard under Section 239(2)(d) of the Act. As a result of that discussion, the following motion is before Council:

Councillor Fryer moved, Councillor Pouget seconded:

That:

- 1. Town employees also working as volunteer firefighters for the Amherstburg Fire Department BE ALLOWED to attend fire calls during their normal hours of work without payment of the usual \$52.00 per call rate; and,**
- 2. The Mayor and Clerk BE AUTHORIZED to execute a Letter of Understanding between the Town of Amherstburg and IBEW Local 636 to allow Town employees, also working as volunteer firefighters, to attend fire calls during normal hours of work without pay from the Amherstburg Fire Department.**

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Councillor Lavigne moved, Councillor Meloche seconded:

That Council rise and adjourn at 7:47 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER

WALK THAT CHANGED THE WORLD

The Town of Amherstburg has always been very proud of perhaps one of our most famous and highly respected residents, the Honourable Eugene Whelan, fondly called the Senator. We are well aware of Senator Whelan's accomplishments from being born into a poor family in a log cabin in July, 1924, until his death at 88 years of age on February 19, 2013. Our residents followed Senator Whelan's endeavors, from his election to the local Separate School Board at the age of 21 and when he became Reeve for our amalgamated Anderdon Township and Warden of Essex County Council, before being elected to the Liberal Party as a Member of Parliament in 1962 to 1984. Senator Whelan was President of the World Food Council, Minister of Agriculture and was appointed to the Senate from 1996-1999. We are well aware of the numerous committees, and boards he was actively involved with and the awards the Senator received, are too numerous to mention.

The citizens of Amherstburg were especially fortunate to observe our very own resident's personal side. We observed his love for his wife, Elizabeth of more than fifty years, and their three daughters, Terry, Susan and Cathy. We watched him take his young family to church, restaurants, weddings, funerals and numerous functions and in later years, we noticed his affection to his son-in-laws and grandchildren. He was so proud of all of them and very happy, when his daughter, Susan followed in her father's footsteps to Ottawa as a Member of Parliament from 1993-2004. We were well aware of the overwhelming support and help their family provided to those in need, especially the immigrants who came to our community in desperate need of jobs, our farmers, his constituents and his involvement with the development of Kings Navy Yard Park and the K. Walter Ranta Marina. We loved to see our kind, gentle giant in his green Stetson gracing the streets and activities in our Town.

Yes, we the people of Amherstburg have recognized and appreciated most of the accomplishments of our favourite Senator. But, perhaps we have missed one of his most important roles in society. According to an article, that appeared in the Winsor Star several years ago, written by Dr. C. Lloyd Brown-John titled "Gorby and Gene", Dr. Brown-John points out the significance of the role of Senator and Mrs. Elizabeth Whelan, who befriended the Soviet leaders and hosted a dinner party at their home to introduce their guests, former Soviet Ambassador Aleksander Yakovlev and soon to become Soviet Premier, Mikhail Gorbachev to our local officials. It has been verified, that Senator Whelan arrived home more than two hours late for his own dinner party, because he had to remain for a vote in the House of Commons.

While waiting for their host to arrive, the two Soviet gentlemen asked their hostess, Mrs. Whelan, if there was some place they could talk privately. Mrs. Whelan directed them to her backyard. This is where the "Walk that Changed the World" took place. This significant historical event has been reported by Aleksander Yakovlev himself in a book about his life as an Ambassador. A book was also written by Christopher Shulgan titled "Walk that Changed the World" Our very own Mr. Paul Hertel, has also done extensive research regarding this incident.

It is alleged, that during this walk in the Whelan's backyard, Aleksander Yaklovlev convinced Mikhail Gorbachev the importance of "perestroika" which means restructuring and "glasnost" meaning openness or transparency. In 1990, Mikhail Gorbachev became President of the Soviet Union and his idea for restructuring and openness, that was planted in the Premier's mind at the Whelan's Amherstburg residence, resulted in massive change throughout the Soviet Union.