



**TOWN OF AMHERSTBURG
COUNCIL MEETING**

Tuesday, May 24, 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
Tammy Fowkes, Deputy Clerk

CALL TO ORDER

The Mayor called the meeting to order at 6:04 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

Resolution # 20160524-219

Councillor Meloche moved, Councillor Lavigne 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 – Planning – May 9, 2016**
2. **Regular Council Meeting – May 9, 2016**
3. **Special In-Camera Council Meeting – May 9, 2016**
4. **Special Council Meeting – May 16, 2016**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

5.1 Request to Waive Event Fees for Amherstburg Rotary Rib Fest – Carl Gibb

Lena Lazanja, Kathy Thomas, and Anne Marie Favot, Rotary Rib Fest event organizers, presented the request on behalf of Carl Gibb who was unable to attend the meeting.

Resolution # 20160524-220

Deputy Mayor DiPasquale moved, Councillor Meloche seconded:

That the delegation BE RECEIVED and Council WAIVE all associated event fees.

The Mayor put the Motion.

Motion Carried Unanimously

5.2 Belle Vue Property at 525 Dalhousie Street – Robert Honor, Belle Vue Cultural Foundation

Mr. Honor provided Council with a power point presentation regarding the history of Belle Vue.

The Mayor advised Council that in light of the presentation from Mr. Honor, it would be beneficial to move Item A of the scheduled In-Camera session to be heard at this time.

SPECIAL IN-CAMERA MEETING

Resolution # 20160524-221

Councillor Lavigne moved, Councillor Pouget seconded:

That Council move into an In-Camera Meeting of Council at 6:26 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – Potential Property Acquisition - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the municipality or local board.

The Mayor put the Motion.

Motion Carried

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

There were no disclosures of pecuniary interest noted.

ADJOURNMENT OF IN-CAMERA MEETING @ 7:29 p.m.

Deputy Mayor DiPasquale assumed Chair.

RESUMPTION OF REGULAR COUNCIL MEETING

Councillor Fryer moved, Councillor Pouget seconded:

That Council RESUME Regular session at 7:34 p.m.

The Deputy Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN-CAMERA SESSION

Council met today at 6:26 p.m. for a Special In-Camera meeting and discussed (1) item as provided for under Section 239 of the Municipal Act:

ITEM A – Potential Property Acquisition - heard under Section 239(2)(c) of the Act. As a result of that discussion, the following motion is before Council:

Resolution # 20160524-222

Mayor DiCarlo moved, Councillor Fryer seconded:

That the Chief Administrative Officer BE AUTHORIZED to negotiate the acquisition of property identified in the May 24, 2016 in-camera report for municipal purposes subject to Council approval upon completion of a business plan and negotiations.

The Deputy 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

The Mayor reassumed Chair.

Resolution # 20160524-223

Councillor Fryer moved, Councillor Pouget seconded:

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

5.3 Proposed Zoning By-law Amendment regarding Boarding Kennels By-law

- Americo Fernandes
- Ernest Bezaire
- Tom Diemer

Louis Jahn spoke on behalf of Mr. Bezaire and Mr. Diemer.

Mr. Fernandes spoke and presented Council with a video.

Resolution # 20160524-224

Deputy Mayor DiPasquale moved, Councillor Meloche seconded:

That the setbacks regulating boarding kennels BE DEFERRED pending further public consultation and that Mr. and Mrs. Fernandes apply for a Zoning By-law Amendment should they wish to proceed with a kennel 100 feet from the north property line and be brought back in 2 months.

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

Resolution # 20160524-225

Councillor Fryer moved, Deputy Mayor DiPasquale seconded:

That the delegations BE RECEIVED.

The Mayor put the Motion.

Motion Carried

Councillor Pouget moved, Councillor Fryer seconded:

That Council waive the Rules of Order to ALLOW June Boussey to speak.

The Mayor put the Motion.

Motion Carried

Resolution # 20160524-226

Councillor Meloche moved, Deputy Mayor DiPasquale seconded:

That the delegation BE RECEIVED and ALLOW Administration's investigation to continue.

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

6.1 May 3, 2016 – May 16, 2016, Accounts Payable

Resolution # 20160524-227

Councillor Lavigne moved, Councillor Fryer seconded:

That:

1. The report from the Director of Corporate Services/Treasurer dated May 9, 2016, regarding May 3, 2016 – May 16, 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

6.2 Borrowing By-laws

Resolution # 20160524-228

Councillor Meloche moved, Councillor Lavigne seconded:

That:

1. The report from the Director of Corporate Services/Treasurer dated May 10, 2016, regarding Borrowing By-Laws BE RECEIVED;
2. By-law 2016-52 being a by-law to approve the use of temporary financing to complete the first phase of the Edgewater Diversion Project be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign the same;
3. By-law 2016-53 being a by-law to approve the use of temporary financing to complete the Public Works Capital Projects be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign the same; and,
4. By-law 2016-54 being a by-law to approve an increase to the Drainage Line of Credit be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign the same.

The Mayor put the Motion.

Motion Carried

6.3 Health and Safety Concerns- Cash Handling

Resolution # 20160524-229

Councillor Fryer moved the motion with an amendment to bring the item back to the 2017 Budget deliberations.

Councillor Fryer moved, Councillor Pouget seconded:

That:

- 1. The report from the Director of Corporate Services/Treasurer dated May 4, 2016, regarding Health and Safety Concerns-Cash Handling BE RECEIVED and be brought back to the 2017 Budget deliberations.**

The Mayor put the Motion.

Motion Failed

Resolution # 20160524-230

Councillor Meloche moved, Councillor Lavigne seconded:

That:

- 1. The report from the Director of Corporate Services/Treasurer dated May 4, 2016, regarding Health and Safety Concerns-Cash Handling BE RECEIVED;**
- 2. The Director Corporate Services/Treasurer BE AUTHORIZED to enter into an agreement for a multiple storage safe and weekly pickup at an approximate annual cost of \$14,000.**

The Mayor put the Motion.

Motion Carried

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

7.1 Proclaiming June as Recreation & Parks Month

Resolution # 20160524-231

Councillor Lavigne moved, Councillor Meloche seconded:

That:

- 1. The report from the Manager of Recreation Services dated May 6, 2016, regarding Proclaiming June as Recreation & Parks Month BE RECEIVED; and,**
- 2. Council PROCLAIM June as Recreation & Parks Month in the Town of Amherstburg.**

The Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

9.1 Proposed Housekeeping Zoning By-law Amendment - Provisions Regarding Boarding Kennels By-law 2016-33 (As dealt with above)

9.2 Development Charges Deferral Policy Extension

Resolution # 20160524-232

Councillor Lavigne moved, Councillor Meloche seconded:

That:

- 1. The report from the Manager of Planning Services dated May 2, 2016, regarding the Development Charges Deferral Policy Extension BE RECEIVED; and,**

2. **Administration BE DIRECTED to extend the Development Charges Deferral Policy for a period of one year from May 12, 2016 to May 24, 2017.**

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

10.1 Memorandum of Understanding (MOU) - Grass Cutting Operations Wyandotte Cemetery

Resolution # 20160524-233

Councillor Fryer moved, Councillor Courtney seconded:

That:

1. **The report from the Municipal Clerk dated May 2, 2016, regarding Memorandum of Understanding - Grass Cutting Operations Wyandotte Cemetery BE RECEIVED; and,**
2. **By-law 2016-44 being a by-law authorizing the execution of a Memorandum of Understanding between the Corporation of the Town of Amherstburg and the Aboriginal Affairs and Northern Development – Ontario Region regarding maintenance of Wyandotte Cemetery be 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

Resolution # 20160524-234

Councillor Meloche moved, Councillor Lavigne seconded:

That the information reports BE RECEIVED:

- a) **Building Department - Monthly Update to Council**
- b) **Fire Services - Monthly Update to Council**
- c) **Police Services - Monthly Activity Report**
- d) **Response to Council Questions - Telephone Survey - Conducted for the Community Strategic Plan**
- e) **2015 Annual Report on Development Charge Reserve Funds**
- f) **2016 First Quarter Financial Reports**
- g) **Gordon House Report**
- h) **525 Dalhousie St (Belle Vue)**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20160524-235

Deputy Mayor DiPasquale moved, Councillor Meloche seconded:

That the consent correspondence BE RECEIVED:

- a) **Request to Increase Funding for Enhanced Lyme Disease Testing – Niagara Region**
- b) **Request to Regulate Gas Prices in Ontario – City of Timmins**
- c) **Cutbacks to Behavioral Therapy for Children Affected by Autism Spectrum Disorder – Town of Shelburne**
- d) **Strategic Energy Initiatives: Hydro One – Town of East Gwillimbury**
- e) **Request to Ban Door-to-Door Sales in the Home Services Sector – Township of Wellington North**

The Mayor put the Motion.

Motion Carried

Resolution # 20160524-236

Councillor Pouget moved, Councillor Fryer seconded:

That Council SUPPORT Niagara Region's resolution regarding their request for increased funding for enhanced Lyme disease testing.

The Mayor put the Motion.

Motion Carried

Resolution # 20160524-237

Councillor Fryer moved, Councillor Pouget seconded:

That Council SUPPORT the Town of Shelburne's resolution regarding cutbacks to behavioral therapy for children affected by Autism Spectrum Disorder.

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20160524-238

Councillor Pouget moved, Councillor Meloche seconded:

That the following minutes BE RECEIVED:

- a) **Audit & Finance Advisory Committee Meeting Minutes – May 7, 2015**
- b) **Audit & Finance Advisory Committee Meeting Minutes – June 4, 2015**
- c) **Audit & Finance Advisory Committee Meeting Minutes – June 10, 2015**
- d) **Audit & Finance Advisory Committee Meeting Minutes – July 6, 2015**
- e) **Audit & Finance Advisory Committee Meeting Minutes – Sept. 3, 2015**
- f) **Audit & Finance Advisory Committee Meeting Minutes – Oct. 7, 2015**
- g) **Audit & Finance Advisory Committee Meeting Minutes – Dec. 1, 2015**
- h) **Audit & Finance Advisory Committee Meeting Minutes – Dec. 10, 2015**
- i) **Audit & Finance Advisory Committee Meeting Minutes – Dec. 16, 2015**
- j) **Audit & Finance Advisory Committee Meeting Minutes – Dec. 21, 2015**
- k) **Economic Development Advisory Committee Meeting Minutes – March 1, 2016**
- l) **Economic Development Advisory Committee Meeting Minutes – April 5, 2016**
- m) **Drainage Board Meeting Minutes – March 23, 2016**
- n) **Drainage Board Meeting Minutes – May 10, 2016**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Pouget asked for an update with respect to tree planting fees.

The Chief Administrative Officer advised Council that he would be bringing a report with the draft Tree By-law to the next Council meeting. Councillor Pouget asked that the draft Tree By-law be brought to the next Parks Advisory Committee meeting for their review and input before it is brought to Council. The Chief Administrative Officer stated that he would coordinate that with the Parks Advisory Committee for their next meeting.

2. **Resolution # 20160524-239**

Councillor Pouget moved, Councillor Fryer seconded:

That Council SUPPORT Taras Natyshak's letter to the Minister of Transportation urging the Liberal government to complete the widening of Highway 3 to allow for a safer and more effective roadway.

The Mayor put the Motion.

Motion Carried

3. Councillor Fryer asked for an update with respect to re-painting the lines in the accessible parking spaces within the Town.

The Director of Engineering and Public Works advised Council that the existing spots could be re-painted immediately.

NEW BUSINESS

1. Councillor Pouget informed Council of a resident's concern regarding the lack of fishing areas within the Town. The resident stated that the area designated for fishing at the Kings Navy Yard Park is small and often crowded resulting in people fishing in areas not designated for fishing. Councillor Pouget asked if there were any options to alleviate the crowding.

The Manager of Licensing and Enforcement stated that Council could grant an exemption to the by-law to allow for a specific timeframe.

2. Councillor Meloche requested that Council receive updates regarding the major projects occurring within the Town.

The Chief Administrative Officer advised Council that he is presently in the process of hiring a Financial Planning Analyst which Council approved in the 2016 Operating Budget. He stated that one of the roles of this position is the analysis of capital works and providing Council with monthly project status updates and enhanced variance reporting.

3. Councillor Fryer provided Council with an update regarding construction on Texas Road.

Councillor Lavigne left at 9:36 p.m.

BY-LAWS

16.1 By-law 2016-38 – ZBA for 7920 Concession 7

Resolution # 20160524-240

Councillor Meloche moved, Deputy Mayor DiPasquale seconded:

That By-law 2016-38 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

16.2 By-law 2016-46 – ZBA for 3893 Concession 3 N

Resolution # 20160524-241

Councillor Fryer moved, Councillor Meloche seconded:

That By-law 2016-46 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

16.3 By-law 2016-49 – Tremblay Drain

Resolution # 20160524-242

Councillor Pouget moved, Councillor Meloche seconded:

That the Repair and Improvements of the Tremblay Drain based on the Drainage Report by Dillon Consulting Ltd. be PROVISIONALLY ADOPTED by giving a first and second reading to By-law 2016 - 49.

The Mayor put the Motion.

Motion Carried

16.4 By-law 2016-50 – DiCecco Drain No: 1 and Branch

Resolution # 20160524-243

Councillor Fryer moved, Councillor Meloche seconded:

That the Petition for Drainage Works of the DiCecco Drain No: 1 and Branch based on the Drainage Report by Dillon Consulting Ltd. be PROVISIONALLY ADOPTED by giving a first and second reading to By-law 2016 - 50.

The Mayor put the Motion.

Motion Carried

16.5 By-law 2016-51 – DiCecco Drain No: 2 & 3 and Branches

Resolution # 20160524-244

Councillor Courtney moved, Councillor Meloche seconded:

That the Petition for Drainage Works of the DiCecco Drain No: 2 & 3 and Branches based on the Drainage Report by Dillon Consulting Ltd. be PROVISIONALLY ADOPTED by giving a first and second reading to By-law 2016 - 51.

The Mayor put the Motion.

Motion Carried

16.6 **By-law 2016-58 - Confirmatory By-law**

Resolution # 20160524-245

Councillor Meloche moved, Deputy Mayor DiPasquale seconded:

That By-law 2016-58 being a by-law to confirm all resolutions of the Municipal Council Meetings held May 16th and 24th, 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

Resolution # 20160524-246

Councillor Fryer moved, Councillor Meloche seconded:

That Council move into an In-Camera Meeting of Council 9:38 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM B – Contract Negotiation - 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 item)

There were no disclosures of pecuniary interest noted.

ADJOURNMENT OF IN-CAMERA MEETING @ 9:56 p.m.

RESUMPTION OF REGULAR COUNCIL MEETING

Councillor Fryer moved, Councillor Meloche seconded:

That Council RESUME Regular session at 9:57 p.m.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Councillor Courtney moved, Councillor Fryer seconded:

That Council rise and adjourn at 9:57 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER