



**TOWN OF AMHERSTBURG
COUNCIL MEETING**

Monday, June 13, 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)

Item # 20.3 - Councillor Meloche declared pecuniary interest with respect to his brother, Ron Meloche, being appointed as the Assistant Deputy Fire Chief.

Item # B – Special In-Camera Meeting – Councillor Pouget declared pecuniary interest due to her residence being under 1000 feet from the property in question.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Resolution # 20160613-251

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 Minutes – Planning – May 24, 2016**
- 2. Regular Council Meeting Minutes – May 24, 2016**
- 3. Special In-Camera Meeting Minutes – May 24, 2016**

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

5.1 Progress Update – Rich Galloway, Representative of Amherstburg Land Holdings Ltd.

Rich Galloway provided Council with an Amherstburg Land Holdings progress update. Jeff Courier and Steve Zarlinski, Representatives from CH2M Hill also addressed Council.

Resolution # 20160613-252

Councillor Meloche moved, Councillor Lavigne seconded:

That the presentation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

Michelle Rose, Manager of Human Resources, introduced Adrien LeBlanc, Health and Safety Officer, and provided Council with a biography of his work experience.

REPORTS – COMMITTEE’S

6.1 Material Alterations to a Building Designated under Part IV of the Ontario Heritage Act: Christ Church, 317 Ramsay Street

Resolution # 20160613-253

Councillor Meloche moved, Councillor Lavigne seconded:

That:

- 1. The report from the Chief Building Official, on behalf of the Heritage Committee dated May 18th, 2016, regarding Material Alterations to a Building Designated under Part IV of the Ontario Heritage Act: Christ Church, 317 Ramsay BE RECEIVED; and,**
- 2. Christ Church located at 317 Ramsay Street BE PERMITTED to replace the wood shingle roof with a metal roof which will replicate the wood shingle roof.**

The Mayor put the Motion.

Motion Carried

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

8.1 National Garden Days Proclamation and Garden Tourism Presentation

Resolution # 20160613-254

Councillor Fryer moved, Councillor Meloche seconded:

That:

- 1. The report from the Manager of Tourism and Culture dated May 27, 2016, regarding National Garden Days for 2016 in The Town of Amherstburg and the accompanying presentation BE RECEIVED; and,**
- 2. Friday, June 17, 2016 & Saturday, June 18, 2016, BE PROCLAIMED as National Garden Days in the Town of Amherstburg.**

The Mayor put the Motion.

Motion Carried

Dr. Allan Halowski, President, Horticultural Society, provided additional comments with respect to the Garden Tour presentation.

Resolution # 20160613-255

Councillor Fryer moved, Councillor Lavigne seconded:

That the presentation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

8.2 Canada 150 Fund – Community Infrastructure Program

Resolution # 20160613-256

Councillor Lavigne moved, Councillor Pouget seconded:

That:

1. **The report from the Manager of Recreation Services regarding the Canada 150 Fund – Community Infrastructure Program dated June 3, 2016, BE RECEIVED.**

The Mayor put the Motion.

Motion Carried

Resolution # 20160613-257

Councillor Lavigne moved, Councillor Meloche seconded:

Administration BE DIRECTED to submit an application to the Canada 150 – Community Infrastructure Program to receive funding for Option #1.

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

REPORTS – CORPORATE SERVICES

9.1 May 17, 2016 – June 6, 2016 Accounts Payable

Resolution # 20160613-258

Councillor Fryer moved, Councillor Lavigne seconded:

That:

1. **The report from the Director of Corporate Services/Treasurer dated May 24, 2016, regarding May 17, 2016 – June 6, 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

9.2 Arrears Extension Agreement for Tax Roll No. 3729 070 000 14400

Resolution # 20160613-259

Councillor Lavigne moved, Councillor Courtney seconded:

That:

- 1. The report from the Supervisor of Revenue dated May 27, 2016, regarding Tax Arrears Extension Agreement for Roll# 3729 070 000 14400 BE RECEIVED;**
- 2. The Mayor and Clerk BE AUTHORIZED to enter into an extension agreement between the Town and the property owner, on behalf of the Town, with the terms outlined in the said agreement; and,**
- 3. By-law 2016-60 being a by-law to authorize the execution of a tax arrears extension agreement, 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

REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

There were no reports.

REPORTS - CAO's OFFICE

12.1 Amendment to Policies

Resolution # 20160613-260

Councillor Lavigne moved, Councillor Meloche seconded:

That:

- 1. The report from the Health and Safety Officer and Manager of Human Resources dated May 30, 2016 regarding Amendments to Policies BE RECEIVED; and,**
- 2. The following amended policies, BE ADOPTED as presented:**
 - **CAO-HR-POL04 Workplace Violence, Harassment and Discrimination Prevention Program, dated May 30, 2016**
 - **CAO-HR-POL07 Accessible Customer Service Standards, dated January 25, 2016**
 - **CAO-MG-POL07 Integrated Accessibility Standards Regulation, dated January 25, 2016**

The Mayor put the Motion.

Motion Carried

12.2 Toppi Litigation – Full and Final Release

Resolution# 20160613-261

Councillor Meloche moved, Deputy Mayor DiPasquale seconded:

That:

- 1. That the report from the Municipal Clerk dated June 7, 2016, regarding Toppi Litigation – Full and Final Release BE RECEIVED for information.**

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20160613-262

Councillor Fryer moved, Councillor Meloche seconded:

That the following information reports BE RECEIVED:

a) Police Services, Monthly Activity Report – April, 2016

- b) Update on Bill 73- Changes to the Planning Act and Development Charges Act**
- c) Impact of Bill 181 – Municipal Elections Modernization Act**
- d) Retirement Recognition- James Ouellette, Deputy Fire Chief**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20160613-263

Councillor Lavigne moved, Councillor Meloche seconded:

That the consent correspondence BE RECEIVED:

- a) Union Gas Panhandle Reinforcement Project – Letter of Support**
- b) Climate Change Action Plan – Municipality of Chatham-Kent**
- c) Scramble Golf Tournament – Amherstburg Food & Fellowship Mission**
- d) ROMA OGRA Conference – Township of South-West Oxford**

The Mayor put the Motion.

Motion Carried

Resolution # 20160613-264

Councillor Fryer moved, Deputy Mayor DiPasquale seconded:

Item a - That Administration BE DIRECTED to send a letter in support of the Union Gas Panhandle Reinforcement Project.

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20160613-265

Councillor Meloche moved, Councillor Courtney seconded:

That the following minutes BE RECEIVED:

- a) **Amherstburg Accessibility Advisory Committee Meeting Minutes – March 31, 2016**
- b) **Amherstburg Audit & Finance Advisory Committee Meeting Minutes – March 16, 2016**
- c) **Amherstburg Audit & Finance Advisory Committee Meeting Minutes – May 4, 2016**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Fryer advised Council that he is concerned for the health and safety of the residents who use the pedestrian pathway at the intersection of Texas Road and Knobb Hill.

Tim Berthiaume, Chief of Police, informed Council that once the Texas Road project is complete, he is planning on collecting data with respect to the use of the road.

2. Councillor Pouget asked if a date has been set for the Park Advisory Committee to review the proposed tree by-law.

The Chief Administrative Officer advised Council that the first draft has been reviewed with the Administrative team. He advised Council that the next Parks Advisory Committee meeting is not until September so he will be calling a special meeting before then.

NEW BUSINESS

1. Deputy Mayor DiPasquale advised Council that he received phone calls from the Rotary Club with respect to the By-law Enforcement department requesting that the Rib Fest signs placed around Town be removed. Deputy Mayor DiPasquale stated that the Rotary Club is looking for some relief to the timelines of the sign by-law.

The Chief Administrative Officer advised Council that Administration is charged with ensuring compliance with respect to Town by-laws and further that Council has the authority to provide temporary relief to by-laws on a case by case basis.

2. Resolution # 20160613-266

Councillor Fryer moved, Councillor Pouget seconded:

That Administration BE DIRECTED to ensure all event organizers understand their timelines for sign erection.

The Mayor put the Motion.

Motion Carried

3. Resolution # 20160613-267

Councillor Courtney moved, Councillor Pouget seconded:

That Administration BE DIRECTED to examine the sign by-law and ensure that erected signs are in compliance with the by-law.

The Mayor put the Motion.

Motion Carried

4. Councillor Fryer advised Council that ERCA will be starting the trail from McGregor to Amherstburg once the tender results are satisfied by the tender committee.

REPORT OUT FROM IN-CAMERA SESSION

May 24, 2016 Meeting

Council met on May 24, 2016, for a Special In-Camera meeting and discussed (2) items as provided for under Section 239 of the Municipal Act:

ITEM B – Contract Negotiation - heard under Section 239(2)(d) of the Act. There is nothing further to report on this matter.

The Clerk noted that Item A - Potential Property Acquisition - was already reported out immediately following the May 24th, 2016, In-Camera session.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

20.1 By-law 2016-57 – Appointment of Interim Fire Chief Al Reaume

Resolution # 20160613-268

Councillor Lavigne moved, Councillor Fryer seconded:

That By-law 2016-57 being a by-law to appoint an Interim Fire Chief for the Amherstburg Fire Department be taken as having been read three times and finally read and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

20.2 By-law 2016-56 – Appointment of Deputy Fire Chief Lee Tome

Resolution # 20160613-269

Councillor Fryer moved, Councillor Courtney seconded:

That By-law 2016-56 being a by-law to appoint a Deputy Fire Chief for the Amherstburg Fire Department be taken as having been read three times and finally read and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

20.3 By-law 2016-55 – Appointment of Assistant Deputy Fire Chief Ron Meloche

Councillor Meloche removed himself from discussion and voting on By-law 2016-55.

Resolution # 20160613-270

Councillor Lavigne moved, Deputy Mayor DiPasquale seconded:

That By-law 2016-55 being a by-law to appoint an Assistant Deputy Fire Chief for the Amherstburg Fire Department be taken as having been read three times and finally read and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

Councillor Meloche returned to his seat.

20.4 By-law 2016-61 – Repair & Improvement of the Shaw Drain North

Resolution # 20160613-271

Councillor Fryer moved, Councillor Lavigne seconded:

That the Repair and Improvements of the Shaw Drain North Drain based on the Drainage Report by N.J. Peralta Engineering Ltd. be PROVISIONALLY ADOPTED by giving a first and second reading to By-law 2016-61.

The Mayor put the Motion.

Motion Carried

20.5 By-law 2016-62 - Confirmatory By-law

Resolution # 20160613-272

Councillor Fryer moved, Councillor Meloche seconded:

That By-law 2016-62 being a by-law to confirm all resolutions of the Municipal Council Meetings held June 13, 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 # 20160613-273

Councillor Fryer moved, Councillor Lavigne seconded:

That Council move into an In-Camera Meeting of Council at 8:14 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – Banking Services - Section 239(2)(a) - The security of the property of the municipality or local board.

ITEM B – Update on 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 items)

Item B - Councillor Pouget declared pecuniary interest due to her residence being under 1000 feet from the property in question.

Item B – Councillor Lavigne declared pecuniary interest due to his parents living close to the property in question.

ADJOURNMENT OF IN-CAMERA MEETING @ 9:10 p.m.

RESUMPTION OF REGULAR COUNCIL MEETING

Councillor Meloche moved, Councillor Fryer seconded:

That Council RESUME Regular session at 9:12 p.m.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN-CAMERA SESSION

June 13, 2016 Meeting

Council met this evening for a Special In-Camera meeting and discussed (2) items as provided for under Section 239 of the Municipal Act:

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

Resolution # 20160613-274

Councillor Pouget moved, Councillor Fryer seconded:

That the Director of Corporate Services/Treasurer BE AUTHORIZED to issue a Request for Proposal for banking services.

The Mayor put the Motion.

Motion Carried

Due to their declared pecuniary interest, Councillors Lavigne and Pouget removed themselves from discussion and voting on Item B.

ITEM B – Update on 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 # 20160613-275

Councillor Meloche moved, Deputy Mayor DiPasquale seconded:

That:

- 1. The Chief Administrative Officer BE DIRECTED to continue with the development of the business plan for the subject property contained in the in-camera report; and,**
- 2. The Director, Corporate Services/Treasurer BE AUTHORIZED to release the required deposit as contained in the in-camera report.**

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Councillor Pouget moved, Councillor Meloche seconded:

That Council rise and adjourn at 9:14 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER