



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Monday, June 27, 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 6:06 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 # 20160627-276

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. Special Council Meeting Minutes – Planning – June 13, 2016**
- 2. Regular Council Meeting Minutes – June 13, 2016**
- 3. Special In-Camera Council Meeting Minutes – June 13, 2016**

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

5.1 2015 Consolidated Financial Statements – Cynthia Swift, KPMG

Ms. Swift provided Council with an overview of the 2015 Consolidated Financial Statements.

Resolution # 20160627-277

Councillor Courtney moved, Councillor Pouget seconded:

That the presentation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

Agenda items # 8.2 and # 8.3 were moved forward.

REPORTS – CORPORATE SERVICES

8.2 2015 Year End Budget to Actual Summaries and Transfers

Resolution # 20160627-278

Councillor Meloche moved, Councillor Fryer seconded:

That:

- 1. The report from the Supervisor of Accounting dated June 2, 2016 regarding the 2015 Year End Budget to Actual Summaries and Transfers BE RECEIVED;**
- 2. The 2015 year-end budget to actual summaries for the general, water and wastewater funds BE RECEIVED;**
- 3. The general fund surplus of \$577,881 as a result of municipal operations BE TRANSFERRED to the tax stabilization reserve;**
- 4. The water fund surplus of \$303,982 BE APPLIED to the water fund deficit in the Town's accumulated surplus; and,**
- 5. The wastewater fund surplus of \$141,964 BE APPLIED to the wastewater fund deficit in the Town's accumulated surplus.**

The Mayor put the Motion.

Motion Carried

8.3 2015 Consolidated Financial Statements

Resolution # 20160627-279

Deputy Mayor DiPasquale moved, Councillor Meloche seconded:

That:

- 1. The report from the Supervisor of Accounting dated June 1, 2016 regarding 2015 Consolidated Financial Statements BE RECEIVED;**

2. **The Audited Consolidated Financial Statements for the year ended December 31, 2015 BE APPROVED;**
3. **The Audit Findings Report of KPMG for the year ended December 31, 2015, BE ACCEPTED;**
4. **The 2015 Consolidated Financial Statements and 2015 Financial Information Return BE APPROVED and SUBMITTED to the Ministry of Municipal Affairs in accordance with section 294(1) of the Municipal Act; and,**
5. **The 2015 Consolidated Financial Statements and 2015 Financial Information Return BE POSTED on the Town's Website.**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

6.1 Fee Waiver for Music off the Porch Event, Park House Museum – John McDonald

Resolution # 20160627-280

Councillor Meloche moved the motion with an amendment to include report item # 11.3 and to waive all associated fees for the Music off the Porch Event.

Councillor Meloche moved, Councillor Lavigne seconded:

That:

1. **The delegation BE RECEIVED;**
2. **The report from the Public Events Committee (PEC) dated June 10, 2016, regarding 2016 Special Events Approval BE RECEIVED;**
3. **The events BE APPROVED as listed:**
 - **Music Off the Porch – July 8, 2016**
 - **RAMP- Age Skateboard Competition – July 9, 2016**
 - **Amherstburg Sharks Swim Meet – July 17, 2016;**

4. **The Public Events Committee BE DIRECTED to confirm the requirements identified by the Committee are met prior to the event; and,**
5. **The events fees for the Music off the Porch Event BE WAIVED.**

The Mayor put the Motion.

Motion Carried

6.2 **Exemption from Fireworks and Parks By-laws – Stephen Rock**

Resolution # 20160627-281

Councillor Fryer moved the motion with an amendment to grant exemptions to the Fireworks and Parks By-laws.

Councillor Fryer moved, Councillor Meloche seconded:

That:

1. **The delegation BE RECEIVED; and,**
2. **The Fireworks display being held at River Canard Park BE EXEMPT from Section 3 of the Fireworks By-law (2003-26) and Section 6(k) of the Parks By-law (2002-72).**

The Mayor put the Motion.

Motion Carried

6.3 **Big Creek Watershed – Greg Nemeth**

Resolution # 20160627-282

Councillor Fryer moved the motion with an amendment to direct Administration to work with ERCA and other appropriate Ministries for possibilities for the Big Creek Watershed.

Councillor Fryer moved, Councillor Pouget seconded:

That:

1. **The delegation BE RECEIVED; and,**

2. **Administration BE DIRECTED to work in conjunction with ERCA and other appropriate Ministries for possibilities for the Big Creek Watershed.**

The Mayor put the Motion.

Motion Carried

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

8.1 June 7, 2016 – June 21, 2016 Accounts Payable

Resolution # 20160627-283

Councillor Meloche moved, Deputy Mayor DiPasquale seconded:

That:

1. **The report from the Director of Corporate Services/Treasurer dated June 10, 2016, regarding June 7, 2016 – June 21, 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

8.2 2015 Year End Budget to Actual Summaries and Transfers (As dealt with above)

8.3 2015 Consolidated Financial Statements
(As dealt with above)

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There were no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

10.1 Canard Valley Estates Subdivision – Request to Change Sidewalk Requirements

Resolution # 20160627-284

Councillor Pouget moved, Councillor Courtney seconded:

That:

- 1. The report from the Manager of Engineering and Operations dated June 8, 2016 regarding the Canard Valley Estates Subdivision – Request to Change Sidewalk Requirements BE RECEIVED; and,**
- 2. The request from Canard Developments Inc. to revise the sidewalk requirements in the Canard Valley Estates subdivision to provide a sidewalk on Canard Boulevard only BE APPROVED.**

The Mayor put the Motion.

Motion Carried

REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

11.1 Dedication of land along a portion of Richmond Street and Sandwich Street South as a Public Highway

Resolution # 20160627-285

Councillor Pouget moved, Councillor Fryer seconded:

That:

- 1. The report from the Manager of Planning Services dated June 6, 2016, regarding the Dedication of land along a portion of Richmond Street and Sandwich Street South as a public highway BE RECEIVED;**
- 2. The dedication of Part 3, 12R-26602 as a public highway BE APPROVED; and,**
- 3. By-law 2016-63 being a by-law to dedicate Part 3, 12R-26602 as a public highway 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

11.2 Amending Development Agreement for 105 Richmond Street

Resolution # 20160627-286

Councillor Fryer moved, Councillor Meloche seconded:

That:

- 1. The report from the Manager of Planning Services regarding an Amending Development Agreement for 105 Richmond Street BE RECEIVED;**
- 2. The Mayor and Clerk BE AUTHORIZED to execute any and all required documents associated with the land exchange of Part 1 and Part 4, 12R-26602; and,**
- 3. By-law 2016-26 being a By-law to authorize the signing of an amending development agreement 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

11.3 2016 Special Event Approval *(As dealt with above)*

11.4 Temporary Extension of Liquor Sales Licenced Area for Mardi Gras and Super Sidewalk Sale July 22-23, 2016

Resolution # 20160627-287

Councillor Meloche moved, Councillor Lavigne seconded:

That:

- 1. The report from the Manager of Licensing and Enforcement dated June 10, 2016, regarding Temporary Extension of Liquor Sales Licenced Area for Mardi Gras and Super Sidewalk Sale July 22-23, 2016 BE RECEIVED; and,**
- 2. Administration BE AUTHORIZED to advise the Alcohol and Gaming Commission (AGCO) that Council has no objection to the proposed temporary extension of the licensed area for:**
 - **Beacon Ale House - 239 Dalhousie Street**
 - **Lord Amherst Public House & Wine Lounge - 273 Dalhousie Street**
 - **Artisan Grill – 269 Dalhousie Street**
 - **Dalhousie Bistro – 219 Dalhousie Street**
 - **Rosa’s – 61 Richmond Street**
 - **The Cellar – 237 Dalhousie Street Unit A&B**
 - **Barrel 67 – 67 Murray Street**

The Mayor put the Motion.

Motion Carried

11.5 Response to Council Direction – Downtown Parking

Resolution # 20160627-288

Councillor Fryer moved, Councillor Meloche seconded:

That:

- 1. The report from the Director of Planning, Development and Legislative Services dated May 25, 2016 regarding Response to Council Direction – Downtown Parking BE RECEIVED.**

The Mayor put the Motion.

Motion Carried

Resolution # 20160627-289

Deputy Mayor DiPasquale moved, Councillor Meloche seconded:

That Administration BE DIRECTED to bring any previous parking studies to Council for consideration.

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

12.1 Records Retention Storage

Resolution # 20160627-290

Councillor Pouget moved, Councillor Meloche seconded:

That:

- 1. The report from the Municipal Clerk dated May 25, 2016 regarding Records Retention Storage BE RECEIVED;**
- 2. Administration BE DIRECTED to proceed with Option 1; and,**
- 3. The costs associated with Option 1 BE FUNDED from the Capital Reserve Contribution as a result of Operational Savings gained through the 2016 Operating Budget Process.**

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20160627-291

Councillor Pouget moved, Councillor Lavigne seconded:

That the following information reports BE RECEIVED:

- a) 2015 Year-End Key Ratios and Indicators**
- b) Sport Tourism Opportunities**
- c) Monthly Update to Council – Fire Services**
- d) Confirmation of Committee Information**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20160627-292

Councillor Pouget moved, Deputy Mayor DiPasquale seconded:

That the consent correspondence BE RECEIVED:

- a) Application to Demolish Property listed on Heritage Registry**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20160627-293

Councillor Fryer moved, Councillor Meloche seconded:

That the following minutes BE RECEIVED:

- a) Committee of Adjustment Meeting Minutes – March 29, 2016**

- b) **Committee of Adjustment Meeting Minutes – April 26, 2016**
- c) **Recreation and Culture Advisory Committee Meeting Minutes – January 12, 2016**

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

16.1 Traffic Committee Meeting Minutes – March 30, 2016

Resolution # 20160627-294

Councillor Fryer moved, Councillor Meloche seconded:

That:

- 1. The Traffic Committee Meeting Minutes of March 30th, 2016, BE RECEIVED;**
- 2. The alternate parking be eliminated around the bulb located on the west side of Cherrylawn Crescent BE APPROVED, No Parking signs BE ERECTED on the east side of the bulb from the driveway of 235 Cherrylawn Crescent to across from the driveway of 230 Cherrylawn Crescent; and, parking be available at all times on the west side of the bulb, with signs erected to restrict parking to 15 minutes between the hours of 6am to 6pm Monday to Friday.**
- 3. The request for a speed reduction on Concession 6 North between North Townline and Middle Side Road from 80km/hr to 60km/hr BE DENIED.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Fryer asked when the 'No Parking' signs would be erected on Texas Road. He advised Council that cars are parking on the shoulders on both sides of the road where parking is not permitted.

The Director of Engineering and Public Works advised Council that the signs should be posted shortly but she will follow up and ensure they are posted immediately.

2. Councillor Pouget advised Council that the white line separating the road and the shoulder does not continue on Sandwich Street South past the Police Station and cars are passing on the right side making it unsafe for pedestrians on the shoulder.

The Director of Engineering and Public Works advised Council that that portion of the road is the responsibility of the County but she and The Director of Planning, Development and Legislative Services will go look at the area of concern.

NEW BUSINESS

1. Councillor Meloche advised Council that a bronze bust of Senator Eugene Whelan, approved by Council in 2007, was to be erected in the Kings Navy Yard Park. Councillor Meloche asked for an update with respect to the bust.

The Chief Administrative Officer advised Council that the Town has not received the bust and he when he does, he will ensure it is erected in the designated area.

2. Resolution # 20160627-295

Councillor Fryer moved, Councillor Pouget seconded:

That Administration BE DIRECTED to bring a report regarding internet speeds provided throughout the Town.

The Mayor put the Motion.

Motion Carried

3. Resolution # 20160627-296

Councillor Fryer moved, Councillor Pouget seconded:

That Administration BE DIRECTED to provide information on by-laws regarding dogs off leash.

The Mayor put the Motion.

Motion Carried

NOTICE OF MOTION

Councillor Meloche introduced a Notice of Motion regarding a request by St. Andrew's Church to perform roof repairs and storm window replacement to the Church BE RECEIVED, and further that the Heritage Committee APPROVE the request and forward the request to Council for consideration and voting at the July 11th, 2016, Regular Council Meeting.

BY-LAWS

20.1 By-law 2016-67 - Confirmatory By-law

Resolution # 20160627-297

Councillor Lavigne moved, Councillor Fryer seconded:

That By-law 2016-67 being a by-law to confirm all resolutions of the Municipal Council Meetings held June 27th, 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 # 20160627-298

Deputy Mayor DiPasquale moved, Councillor Fryer seconded:

That Council move into an In-Camera Meeting of Council at 7:49 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – 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)

There were no disclosures of pecuniary interest noted.

ADJOURNMENT OF IN-CAMERA MEETING @ 8:05 p.m.

RESUMPTION OF REGULAR COUNCIL MEETING

Councillor Pouget moved, Councillor Lavigne seconded:

That Council RESUME Regular session at 8:06 p.m.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Councillor Courtney moved, Deputy Mayor DiPasquale seconded:

That Council rise and adjourn at 8:06 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER