



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Monday, August 8, 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 6:16 p.m.

MOMENT OF SILENT REFLECTION

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF
(Regular Council Meeting Agenda Items)

There were no disclosures of pecuniary interest noted.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Resolution # 20160808-319

Councillor Fryer 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. Regular Council Meeting Minutes – July 11, 2016**
- 2. Special In-Camera Council Meeting Minutes – July 11, 2016**
- 3. Special Council Meeting Minutes – July 18, 2016**

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

5.1 Channel Amherstburg (Community Living) Cheque Presentation – IBEW Local 636 & the Town of Amherstburg

Michelle Rose, Manager of Human Resources, presented a cheque in the amount of \$405.00 as a joint donation between the Town and IBEW Local 636. Anne Garrod, Director of Community Living Support, accepted the donation on behalf of Channel Amherstburg, along with Gerald and Sue, Channel Amherstburg Representatives.

Resolution # 20160808-320

Councillor Meloche moved, Councillor Fryer seconded:

That the presentation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

DELEGATIONS

6.1 WE Harvest Fest Road Closure Request – Chris Gibb, Windsor/Essex Harvest Fest Committee

The Mayor declared conflict, as Chair of the WE Harvest Fest, and removed himself from discussion and voting on the matter. Deputy Mayor DiPasquale assumed Chair.

Chris Gibb, Windsor/Essex Harvest Fest Committee, addressed Council with respect to the road closure request for the event.

Agenda item # 12.1 was brought forward.

Resolution # 20160808-321

Councillor Fryer moved the motion with an amendment that insurance be provided to the Clerk, notice be provided to residents affected by the road closure, and road closures fees be waived.

Councillor Fryer moved, Councillor Lavigne seconded:

That:

1. **The delegation BE RECEIVED;**
2. **The report from the Manager of Licensing and Enforcement dated July 21, 2016, regarding WE Harvest Festival Delegation – Road Closure Request BE RECEIVED;**
3. **The road closure request from the organizers of the WE Harvest Festival on Laird Avenue from Elm to North Street, on Fort Malden Drive from Laird Avenue to Dalhousie Street and on Dalhousie from Fort Malden Drive to North Street from 9am on Friday September 9, 2016 to 8pm on Sunday September 11, 2016 BE APPROVED subject to an insurance certificate provided to the Town Clerk, notice delivered to all residents effected by the road closures, and all event fees waived for the road closures.**

The Mayor put the Motion.

Motion Carried

REPORTS – COMMITTEE'S

7.1 Audit and Finance Advisory Committee 2015 Achievements and 2016 Goals

Resolution # 20160808-322

Councillor Fryer moved, Councillor Pouget seconded:

That the report from the Audit and Finance Advisory Committee dated May 26, 2016, regarding Audit and Finance Advisory Committee 2015 Achievements and 2016 Goals BE RECEIVED for information.

The Mayor put the Motion.

Motion Carried

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

9.1 2017 Budget Direction

Resolution # 20160808-323

Councillor Meloche moved, Deputy Mayor DiPasquale seconded:

That:

- 1. The report from the Manager of Financial Services dated July 27, 2016, BE RECEIVED;**
- 2. The proposed timeline for adopting a 2017 Budget BE APPROVED; and,**
- 3. Administration BE DIRECTED to prepare a 2017 draft budget, to include up to a 2% increase to the general tax rate.**

The Mayor put the Motion.

Motion Carried

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

10.1 Ontario 150 Grant Application – Amherstburg 150 Amazing Race

Resolution # 20160808-324

Councillor Lavigne moved, Councillor Fryer seconded:

That:

- 1. The report from the Manager of Tourism and Culture dated July 18, 2016, regarding the Ontario 150 Grant Application BE RECEIVED; and,**
- 2. Should the grant application be approved, an additional amount \$18,750 BE PRE-COMMITTED to the 2017 events budget to meet the Ontario Trillium Foundation (OTF) requirements of project funding.**

The Mayor put the Motion.

Motion Carried

10.2 2017-2018 World Sledge Hockey Challenge Bid

Resolution # 20160808-325

Councillor Meloche moved, Councillor Lavigne seconded:

That:

- 1. The report from the Manager of Recreation Services dated July 22, 2016, regarding the 2017-2018 World Sledge Hockey Challenge Bid BE RECEIVED; and,**
- 2. Administration BE DIRECTED to submit an application to host either the 2017 or 2018 World Sledge Hockey Challenge.**

The Mayor put the Motion.

Motion Carried

Agenda item # 12.5 was brought forward.

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

12.5 Removal of Holding Zone for 7809 Howard Avenue

Resolution # 20160808-326

Councillor Fryer moved, Councillor Pouget seconded:

That the report from the Manager of Planning Services dated July 19, 2016, regarding the Removal of Holding Zone for 7809 Howard Avenue BE DEFERRED until residents are notified and the report be brought back to a Special Council Meeting on September 19th, 2016.

The Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

REPORTS– PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

12.1 WE Harvest Festival Delegation – Road Closure Request *(As dealt with above)*

12.2 2016 Special Event Approval

Resolution # 20160808-327

Councillor Fryer moved, Councillor Meloche seconded:

That:

- 1. The report from the Public Events Committee (PEC) dated July 20, 2016, regarding 2016 Special Events Approval BE RECEIVED;**
- 2. The events BE APPROVED as listed:**
 - Music Off the Back Porch - September 2, October 7, 2016 (Alternate rain days September 9, October 14, 2016)**
 - Legion Week Parade – September 17, 2016**

3. The following event BE EXEMPT and road closures BE PERMITTED to begin prior to 5pm for the event listed; and,

- Legion Week Parade – September 17, 2016

4. 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

12.3 Sign Encroachment Request – Duby’s Furniture 269 Ramsay Street

Resolution # 20160808-328

Councillor Lavigne moved, Councillor Meloche seconded:

That:

1. The report from the Manager of Licensing and Enforcement dated July 22, 2016, regarding Sign Encroachment Request – Duby’s Furniture 269 Ramsay Street BE RECEIVED; and,
2. Administration BE DIRECTED to enter into a Sign Encroachment Agreement with the Owner of Duby’s Furniture located at 269 Ramsay Street to allow for a projecting sign.

The Mayor put the Motion.

Motion Carried

12.4 Site Plan Control Agreement, Stella Maris School, 140 Girard Street

Resolution # 20160808-329

Councillor Lavigne moved, Councillor Pouget seconded:

That the Rules of Order BE WAIVED to allow Jerry and John Bortolotti, Sfera Architectural Associates, and Kathy Racine, Windsor Essex Catholic District School Board, to address Council with respect to the Site Plan.

The Mayor put the Motion.

Motion Carried

Resolution # 20160808-330

Councillor Pouget moved, Councillor Meloche seconded:

That:

- 1. The report from the Manager of Planning Services dated July 19, 2016, regarding the Site Plan Control Agreement for 140 Girard Street BE RECEIVED;**
- 2. The Site Plan Control Agreement for 140 Girard Street BE CONSIDERED;**
- 3. The Chief Administrative Officer and Director of Planning, Development and Legislative Services BE AUTHORIZED to approve the site plan control agreement at such a time when the traffic study has been updated to the satisfaction of the Town; and,**
- 4. The Mayor and Clerk BE AUTHORIZED TO EXECUTE the site plan control agreement upon final approval of the traffic study and site plan by the Chief Administrative Officer and Director of Planning, Development and Legislative Services.**

The Mayor put the Motion.

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

Motion Carried

12.5 Removal of Holding Zone for 7809 Howard Avenue
(As dealt with above)

REPORTS - CAO's OFFICE

13.1 99 Thomas Road – Part of Lot 1, Conc. 2, Part of Lots 12, 13, & 14

Resolution # 20160808-331

Deputy Mayor DiPasquale moved, Councillor Pouget seconded:

That:

1. **The report from the Municipal Clerk dated July 29, 2016 regarding 99 Thomas Road – Part of Lot 1, Conc. 2, Part of Lots 12, 13, & 14 BE RECEIVED; and,**
2. **Administration BE DIRECTED to take all necessary steps to ensure compliance with the Certificates of Property Use for 99 Thomas Road.**

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20160808-332

Councillor Meloche moved, Councillor Fryer seconded:

That the information reports BE RECEIVED:

- a) **Big Creek Wetland Signage**
- b) **July 6, 2016 – August 3, 2016 Accounts Payable**
- c) **APSB Monthly Activity Report – May 2016**

The Mayor put the Motion.

Motion Carried

Resolution # 20160808-333

Councillor Fryer moved, Councillor Pouget seconded:

That Council APPROVE the purchase of Big Creek Wetland signage and contact the County of Essex about erecting signs in the right of way.

The Mayor put the Motion.

Motion Carried

Councillor Fryer stated that the design of the signs should be brought back to Council for approval.

Resolution # 20160808-334

Councillor Fryer moved, Councillor Pouget seconded:

That the Rules of Order BE WAIVED to allow Greg Nemeth to address Council with respect to the Big Creek Wetland signage.

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20160808-335

Councillor Meloche moved, Councillor Lavigne seconded:

That the consent correspondence BE RECEIVED:

- a) **Shoreline Property Assistance Act Program – Town of Essex**
- b) **Excessive Idling of Vehicles – City of Windsor**
- c) **Ontario Autism Program – Municipality of Clarington**
- d) **Letter from Sylvia Jones, MPP Dufferin-Caledon**
- e) **Taxation Impact on Campgrounds – City of Quinte West**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20160808-336

Councillor Fryer moved, Councillor Meloche seconded:

That the following minutes BE RECEIVED:

- a) **Amherstburg Accessibility Advisory Committee Minutes – May 12, 2016**
- b) **Co-An Park Committee Minutes – June 2, 2016**
- c) **Drainage Board Minutes – June 7, 2016**
- d) **Drainage Board Minutes – July 5, 2016**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Pouget asked for an update with respect to the Sign By-law and when it can be expected to be before Council.

The Director of Planning, Development and Legislative Services advised Council that the sections pertaining to portable signs will be brought to the September 12th, 2016 meeting, while the sections that are more complex will continue to be reviewed.

2. Councillor Pouget asked for an update with respect to the 2016 Budget where Council passed a motion regarding a department reduction of \$100,000.

The Chief Administrative Officer advised Council that there will be two postings to address that issue. The Director of Planning, Development and Legislative Services further advised Council that the postings are currently being finalized.

NEW BUSINESS

1. Councillor Meloche asked if there was a system in place that deals with repeat offenders who disobey the Town's by-laws.

The Manager of Licensing and Enforcement advised Council that the Town's By-law Enforcement Policy states that enforcement is reactive. She stated that gaining compliance is the first step in the enforcement process and when it comes time to address repeat offenders, laying charges and fines are the options. She further stated the Municipal Act also gives the Town the authority to gain compliance by contracting out necessary work and recovering those costs through fees and administrative charges.

2. Deputy Mayor DiPasquale advised Council that the Ontario by Bike Cycling Tour that went through the Town was very successful and extended his appreciation to Anne Rota and Jen Ibrahim.

REPORT OUT FROM IN-CAMERA

July 11, 2016 Meeting

Council met on July 11th, 2016, for a Special In-Camera meeting and discussed (2) items as provided for under Section 239 of the Municipal Act:

ITEM A – Update on Current By-law Enforcement Matter heard under Section 239(2)(f) of the Act. There is nothing further to report on this matter.

ITEM B - Update on Current By-law Enforcement Matter heard under Section 239(2)(f) of the Act. There is nothing further to report on this matter.

NOTICE OF MOTION

Councillor Meloche introduced a Notice of Motion regarding the construction of a sidewalk/pathway that links the Canard Valley Subdivision, the Gardiner Subdivision, the ERCA Trail (currently in the planning stage) and the residential area of Middle Side Road to Walker Road and requested that it be considered in the 2017 Capital Budget for consideration and voting at the September 12th, 2016, Regular Council Meeting.

BY-LAWS

21.1 Third & Final Readings

Resolution # 20160808-337

Councillor Pouget moved, Councillor Meloche seconded:

That the following by-laws be taken as having been read a third and final time and the Mayor and Clerk BE AUTHORIZED to sign same:

- **By-law 2016-49 - Tremblay Drain**
- **By-law 2016-50 - DiCecco Drain No.1 and Branch No. 1**
- **By-law 2016-51 - DiCecco Drain No. 2&3 and Branches**
- **By-law 2016-61 - Shaw Drain North**

The Mayor put the Motion.

Motion Carried

21.2 By-law 2016-76 - Repair & Improvement of the 8th Concession Drain South

Resolution # 20160808-338

Councillor Fryer moved, Councillor Meloche seconded:

That the Repair and Improvements of the 8th Concession Drain South based on the Drainage Report by Rood Engineering Inc., BE PROVISIONALLY ADOPTED by giving a first and second reading to By-law 2016-76.

The Mayor put the Motion.

Motion Carried

21.3 By-law 2016-77 - Confirmatory By-law

Resolution # 20160808-339

Councillor Fryer moved, Councillor Lavigne seconded:

That By-law 2016-77 being a by-law to confirm all resolutions of the Municipal Council Meetings held July 18th and August 8th, 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 # 20160808-340

Councillor Fryer moved, Councillor Pouget seconded:

That Council move into an In-Camera Meeting of Council at 8:21 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reason:

ITEM A – Potential Property Disposition - 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 @ 8:38 p.m.

RESUMPTION OF REGULAR COUNCIL MEETING

Councillor Pouget moved, Councillor Fryer seconded:

The Council resume Regular session at 8:40 p.m.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Councillor Meloche moved, Councillor Fryer seconded:

That Council rise and adjourn at 8:40 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER