



TOWN OF AMHERSTBURG

COUNCIL MEETING

Monday, September 11, 2017

6:00 PM

MINUTES

Council Chambers, 271 Sandwich Street South, Amherstburg, ON

PRESENT

Mayor Aldo DiCarlo
Deputy Mayor DiPasquale
Councillor Jason Lavigne
Councillor Leo Meloche
Councillor Diane Pouget

Paula Parker, Municipal Clerk
Giovanni (John) Miceli, CAO

ABSENT

Councillor Joan Courtney
Councillor Rick Fryer

CALL TO ORDER

The Mayor called the meeting to order at 6:04 p.m.

NATIONAL ANTHEM

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

Councillor Meloche declared pecuniary interest with respect to item # 7.2 due to his brother holding a Fire Management position within the Town and qualifying for the OMERS Pension Plan amendment.

MINUTES OF PREVIOUS MEETING

Resolution # 20170911-859

Moved By Councillor Lavigne
Seconded By Councillor Pouget

That the minutes BE ADOPTED 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:

4.1 Regular Council Meeting Minutes - August 21, 2017

The Mayor put the Motion.

Motion Carried

DELEGATIONS

5.1 Residential Flooding and Power Outage Concerns - Tom Welsh

Resolution # 20170911-860

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

REPORTS – POLICE SERVICE

There were no reports.

REPORTS – CORPORATE SERVICES

7.1 Disability Waiting Period Self Insurance Policy

Resolution # 20170911-861

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That:

1. **The report from the Director of Corporate Services/Treasurer and the Manager of Human Resources dated August 24, 2017, regarding Disability Waiting Period Self Insurance Policy BE RECEIVED;**
2. **Option 3, contained within the report, to keep the EI Premium deduction and self-insure the 7 day waiting period BE APPROVED; and,**
3. **The Disability Waiting Period Self Insurance Policy BE APPROVED.**

The Mayor put the Motion.

Motion Carried

7.2 OMERS By-Law Amendment

Councillor Meloche removed himself from discussion and voting on the matter due to his declared pecuniary interest.

Resolution # 20170911-862

Moved By Councillor Lavigne
Seconded By Councillor Pouget

That:

1. **The report from the Director of Corporate Services/Treasurer dated August 10, 2017, regarding OMERS By-law Amendment BE RECEIVED; and;**
2. **By-law 2017-54, being a by-law to amend by-law 1998-71 to change the normal retirement age under the OMERS primary pension plan (“Primary Plan”), and the retirement compensation arrangement that provides benefits for members and former members of the Primary Plan (“RCA”), in respect of the employees identified herein 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

7.3 By-law 2017-82 Capital Work Borrowing

Resolution # 20170911-863

Moved By Councillor Pouget

Seconded By Deputy Mayor DiPasquale

That:

- 1. The report from the Director of Corporate Services/Treasurer dated August 25, 2017 regarding By-law 2017-82 Capital Work Borrowing BE RECEIVED; and,**
- 2. By-law 2017-82 being a by-law to authorize certain new capital works of the Town of Amherstburg; to authorize the submission of an Application to Ontario Infrastructure and Lands Corporation (OILC) for Financing Such Capital Works; and Authorize Long Term Borrowing for Such Works through the issuance of debenture to OILC 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

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There were no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

10.1 Removal of Part Lot Control, Big Creek Subdivision 12M-505

Resolution # 20170911-864

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That:

1. **The report from the Manager of Planning Services dated August 17, 2017 regarding the Removal of Part Lot Control, Big Creek Subdivision Plan 12M-505 BE RECEIVED;**
2. **By-law 2017-78 being a by-law to amend By-law 2015-118 to extend the expiration date and amend the land described for Part Lot Control exemption 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 2017-79 being a by-law to amend By-laws 2013-96 and 2015-112 to extend the expiration date and amend the land described for Part Lot Control exemption 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

10.2 Road Dedication of Reserve on Annie Avenue

Resolution # 20170911-865

Moved By Councillor Meloche
Seconded By Councillor Pouget

That:

1. **The report from the Manager of Planning Services dated August 16, 2017 regarding the Road Dedication of Reserve on Annie Avenue as a Public Highway BE RECEIVED;**
2. **The dedication of Block 83, 12M-527 as a Public Highway BE APPROVED; and,**

3. **By-law 2017-80 being a By-law to dedicate Block 83, 12M-527 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

10.3 Road Dedication of Reserves on Gibb Street

Resolution # 20170911-866

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That:

1. **The report from the Manager of Planning Services dated August 16, 2017 regarding the Road Dedication of Reserves on Gibb Street as a Public Highway BE RECEIVED;**
2. **The dedication of Block 49, 12M-245 and Block 20, M159 as a Public Highway BE APPROVED; and,**
3. **By-law 2017-77 being a By-law to dedicate Block 49, 12M-245 and Block 20, M159 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

10.4 Suitability for Development of Five Proposed Lots, County Road 20 – on Private Septic Systems

Resolution # 20170911-867

Moved By Councillor Meloche
Seconded By Councillor Pouget

That:

1. **The report from the Manager of Planning Services dated August 24, 2017 regarding Suitability for Development of Five Proposed Lots, County Road 20, on Private Septic Systems BE RECEIVED; and,**

2. **The development of the five lots on County Road 20 on private septic systems BE APPROVED.**

The Mayor put the Motion.

Motion Carried

10.5 Encroachment Agreement – 515 Lakeside Drive

Resolution # 20170911-868

Moved By Councillor Lavigne
Seconded By Councillor Pouget

That the report from the Manager of Licensing and Enforcement dated August 24, 2017, regarding Encroachment Agreement – 515 Lakeside Drive BE DEFERRED to the next In-Camera Council Meeting.

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

11.1 Committee Vacancy – Co-An Park Committee

Resolution # 20170911-869

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That:

1. **The report from the Municipal Clerk dated August 28, 2017 regarding Committee Vacancy – Co-An Park Committee BE RECEIVED;**
2. **Administration BE DIRECTED to place an advertisement in the local newspaper and on the Town website for the Co-An Park Committee vacancy; and,**
3. **As per the Boards and Committees Appointment Policy, Administration BE DIRECTED to follow the selection process and bring back considerations to Council for appointment.**

The Mayor put the Motion.

Motion Carried

11.2 Committee Terms of Reference - Amendments

Resolution # 20170911-870

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That:

- 1. The report from the Municipal Clerk dated August 28, 2017 regarding Local Boards/Committee Terms of Reference – Amendments BE RECEIVED;**
- 2. The Amended Local Boards/Committees Terms of Reference BE APPROVED as presented; and,**
- 3. By-law 2017-83 being by-law to appoint members to a Municipal Parks and Recreation Advisory Committee be taken as having been read 3 times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20170911-871

Moved By Councillor Meloche
Seconded By Deputy Mayor DiPasquale

That the following information reports BE RECEIVED:

- 12.1 Drone Racing at Libro Centre**
- 12.2 Railway Disclosure Requirements Protective Direction No. 32**
- 12.3 Medical Marihuana Growing Facilities - Municipal Planning Framework**
- 12.4 Proposed Legislation Bill C-45 Cannabis Act**
- 12.5 August 16, 2017 – September 6, 2017 Accounts Payable**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20170911-872

Moved By Councillor Lavigne

Seconded By Councillor Meloche

That the following consent correspondence BE RECEIVED:

- 13.1 Bill 94 - Proposed Amendments to the Highway Traffic Act and Pilot Project - Town of Tecumseh Resolution**
- 13.2 Airport Privatization - National Airlines Council of Canada (NACC)**
- 13.3 Advertising Opportunity on Magnetic Memo Board - Metro Grocery Store**
- 13.4 Donation to Annual Yearbook - The Fire Fighters Association of Ontario**
- 13.5 Rotary Humanitarian Mission to Ghana - Rotary Club of Essex, Ontario**
- 13.6 Ontario's Wildlife Damage Compensation Program - Township of Oro Medonte Resolution**
- 13.7 Library Grant Request – Response Letter from Brian Gregg, Chief Administrative Officer, County of Essex**

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

- 14.1 English as a Second Language Week - October 29 - November 3, 2017**

Resolution # 20170911-873

Moved By Councillor Meloche

Seconded By Councillor Lavigne

That:

- 1. The correspondence from the Teachers of English as a Second Language Association of Ontario regarding English as a Second Language Week BE RECEIVED; and,**
- 2. October 29, 2017 - November 3, 2017, BE PROCLAIMED as English as a Second Language Week in the Town of Amherstburg.**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20170911-874

Moved By Councillor Lavigne
Seconded By Councillor Pouget

That the following minutes BE RECEIVED:

15.1 Audit and Finance Advisory Committee Minutes - July 19, 2017

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Pouget asked for an update with respect to the Eugene Whelan plague.

The Chief Administrative Officer advised Council that he reached out to Susan Whelan and he is waiting for her to respond. He stated that he would follow up with her.

NEW BUSINESS

1. Resolution # 20170911-875

Moved By Councillor Pouget
Seconded By Deputy Mayor DiPasquale

That Administration BE DIRECTED to investigate the feasibility of a public transportation system that would benefit our residents, especially our seniors and our post-secondary students to travel to and from Windsor.

The Mayor put the Motion.

Motion Carried

2. In response to Mr. Welsh's delegation, the Chief Administrative Officer advised Council that information regarding Disaster Recovery Assistance will be mailed to all affected parties identified by the Ministry of Municipal Affairs and Housing map.

REPORT OUT FROM IN-CAMERA SESSION

There was nothing to report out.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

20.1 By-law 2017-88 - Confirmatory By-law

Resolution # 20170911-876

Moved By Councillor Meloche

Seconded By Councillor Lavigne

That By-law 2017-88 being a by-law to confirm all resolutions of the Municipal Council Meeting held September 11, 2017, 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 COUNCIL MEETING

Resolution # 20170911-877

Moved By Councillor Lavigne

Seconded By Councillor Meloche

That Council move into an In-Camera Meeting of Council at 7:14 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A - Update on Noise Assessment - 140 Simcoe St. - Section 239(2)(e) -Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, Section 239 (2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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

ITEM C - Absence of the Clerk - Medical Leave - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees.

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 COUNCIL MEETING @ 8:18 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That Council resume Regular session at 8: 21 p.m.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN-CAMERA SESSION

September 11th, 2017 Meeting

Council met on September 11th, 2017, for a Special In-Camera meeting at 7:14 p.m. and discussed (3) items as provided for under Section 239 of the Municipal Act:

ITEM A - Update on Noise Assessment - 140 Simcoe St. heard under Section 239(2)(e)&(f) of the Act. There is nothing further to report.

ITEM B - Possible Acquisition of Property heard under Section 239(2)(c) of the Act. There is nothing further to report.

ITEM C - Absence of the Clerk - Medical Leave heard under Section 239(2)(b) of the Act. As a result of that discussion, the following is before Council for consideration:

Resolution # 20170911-880

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That By-law 2017-86 being a by-law to appoint a part-time Deputy Clerk for the Town of Amherstburg be taken as having being read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Deputy Mayor DiPasquale
Seconded By Councillor Meloche

That Council rise and adjourn at 8:22 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



MUNICIPAL CLERK – PAULA PARKER
DEPUTY CLERK – TAMMY FOWKES