



**TOWN OF AMHERSTBURG  
REGULAR COUNCIL MEETING**

**Monday, January 22, 2018  
6:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg, ON, N9V 2A5

**MINUTES**

**PRESENT**

Mayor Aldo DiCarlo  
Councillor Joan Courtney  
Councillor Jason Lavigne  
Councillor Leo Meloche  
Councillor Diane Pouget  
Councillor Rick Fryer

Giovanni (John) Miceli, CAO  
Paula Parker, Municipal Clerk  
Tammy Fowkes, Deputy Clerk

**ABSENT**

Deputy Mayor Bart DiPasquale

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**CALL TO ORDER**

The Mayor called the meeting to order at 5:01 p.m.

## **SPECIAL IN-CAMERA COUNCIL MEETING**

Resolution # 20180122-12

**Moved By** Councillor Pouget

**Seconded By** Councillor Meloche

**That Council move into an In-Camera Meeting of Council at 5:01 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:**

**ITEM A - Greater Essex County District School Board (GECDSB) High School Location - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the municipality or local board.**

**ITEM B - 7860 County Road 20 - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the municipality or local board.**

**ITEM C - Hobbs Litigation Update - 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 D - Ontario Municipal Board (OMB) Update - Boblo Island - Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.**

**ITEM E - Joint Police Advisory Committee Composition (JPAC) - 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)*

**ADJOURNMENT OF IN-CAMERA COUNCIL MEETING @ 6:38 P.M.**

## RESUMPTION OF REGULAR COUNCIL MEETING

**Moved By** Councillor Fryer

**Seconded By** Councillor Lavigne

**That Council resume Regular session at 6:49 p.m.**

The Mayor put the Motion.

**Motion Carried**

## NATIONAL ANTHEM

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

There were no disclosures of pecuniary interest noted.

### REPORT OUT FROM IN-CAMERA SESSION – JANUARY 22, 2018

Council met on January 22, 2018, for a Special In-Camera meeting at 5:01p.m. and discussed (5) items as provided for under Section 239 of the Municipal Act:

**ITEM A - Greater Essex County District School Board (GECDSB) High School Location** heard under Section 239(2)(c). As a result of that discussion the following motion is before Council:

Resolution # 20180122-13

**Moved By** Councillor Fryer

**Seconded By** Councillor Pouget

**That:**

- 1. The property described as Part 1 & 2, Concession 1 (Appendix A- Centennial Park 15 Acres) in the Town of Amherstburg BE DECLARED SURPLUS;**
- 2. The CAO BE DIRECTED to finalize the agreement of purchase and sale with the Greater Essex County District School Board in the amount of \$2,457,000;**

3. **Net proceeds from the sale of the property BE DEPOSITED in the Parkland Reserve; and,**
4. **The Mayor and Clerk BE AUTHORIZED to sign all necessary documentation to complete the sale of the property.**

The Mayor put the Motion.

**Motion Carried**

**ITEM B - 7860 County Road 20** heard under Section 239(2)(c). As a result of that discussion the following motion is before Council:

Resolution # 20180122-14

**Moved By** Councillor Meloche  
**Seconded By** Councillor Fryer

**That:**

1. **7860 County Road 20 BE DECLARED SURPLUS as per the Disposition of Surplus Property Policy;**
2. **Administration BE DIRECTED sever the property at 7860 County Road 20 into the 2 parcels as indicated in confidential report # 20180122-B;**
3. **Administration BE DIRECTED to enter into negotiations with the Malden Fire Association for the sale or lease of the former Malden Fire Hall; and,**
4. **Administration BE DIRECTED to develop an RFP for the disposition of the remaining parcel of property.**

The Mayor put the Motion.

**Motion Carried**

**ITEM C - Hobbs Litigation Update** heard under Section 239(2)(e). There is nothing further to report on this matter.

**ITEM D - Ontario Municipal Board (OMB) Update - Boblo Island** heard under Section 239(2)(f). There is nothing further to report on this matter.

**ITEM E – Joint Police Advisory Committee Composition** heard under Section 239(2)(b). There is nothing further to report on this matter.

Ron LeClair, Kim McKinley, and Eric Kelly, GECD SB Representatives, were present and addressed Council with respect to the new location for Amherst and Western Secondary Schools.

## **MINUTES OF PREVIOUS MEETING**

Resolution # 20180122-15

**Moved By** Councillor Fryer

**Seconded By** Councillor Lavigne

**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:**

- 8.1 Special Council Meeting Minutes - Planning - December 11, 2017**
- 8.2 Regular Council Meeting Minutes - December 11, 2017**

The Mayor put the Motion.

**Motion Carried**

## **DELEGATIONS**

- 9.1 Proposed Renovation to Cenotaph and Creation of "Walk of Heros" - Laurie Cavanaugh, President, Lena Mangoff Lazanja, Secretary, RCL Branch 157, and Chris Gibb, Board Member, Marsh Collection**

Councillor Meloche moved the motion with the addition of items 2 & 3.

Resolution # 20180122-16

**Moved By** Councillor Meloche

**Seconded By** Councillor Fryer

**That:**

- 1. The delegation BE RECEIVED;**
- 2. The renovation to the Cenotaph and the creation of the "Walk of Heros" BE SUPPORTED; and,**

3. Administration BE DIRECTED to work with the group and collaborate with the Parks & Recreation Advisory Committee and the Heritage Committee on the initiatives.

The Mayor put the Motion.

Motion Carried

#### **REPORTS – POLICE SERVICES**

There were no reports.

#### **REPORTS – CORPORATE SERVICES**

##### **11.1 By-law 2018-08 Temporary Borrowing**

Resolution # 20180122-17

**Moved By** Councillor Meloche  
**Seconded By** Councillor Lavigne

**That:**

1. The report from the Director of Corporate Services/Treasurer dated January 11, 2018 regarding By-law 2018-08 Temporary Borrowing BE RECEIVED;
2. By-law 2018-08 being a by-law to provide for the temporary borrowing of an upset limit of seven million dollars in funds for the Town of Amherstburg BE APPROVED in accordance with Section 407 of the Municipal Act; and,
3. By-law 2018-08 being a by-law to provide for the temporary borrowing of an upset limit of seven million dollars in funds for the Town of Amherstburg 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

### 13.1 Engineering Services - Southeast Quadrant Servicing Class Environmental Assessment

Resolution # 20180122-18

**Moved By** Councillor Fryer

**Seconded By** Councillor Pouget

**That:**

1. The report from the Manager of Engineering dated December 20, 2017, regarding the Engineering Services - Southeast Quadrant Servicing Class Environmental Assessment BE RECEIVED;
2. An agreement with Stantec Consulting Ltd. to provide Engineering Services to complete the Southeast Quadrant Servicing Class Environmental Assessment BE AUTHORIZED in the amount of \$225,000 (excluding H.S.T.);
3. The Director of Corporate Services BE DIRECTED to PRE-COMMIT \$225,000 in the 2018 Wastewater budget; and,
4. By-law 2018-04 being a by-law to enter into an agreement with Stantec Consulting Ltd. to provide engineering services required to complete the Southeast Quadrant Servicing Class Environmental Assessment 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**

### 13.2 Multi-Use Tractor Unit - Tender Results

Resolution # 20180122-19

**Moved By** Councillor Meloche

**Seconded By** Councillor Lavigne

**That:**

1. The report from the Manager of Roads and Fleet dated January 9, 2018 regarding the Multi-Use Tractor Unit Tender Results BE RECEIVED;

2. **An agreement with Work Equipment Ltd. for the purchase of a Multi-Use Tractor Unit BE APPROVED in the amount of \$193,242.24.00 (including Non-Recoverable H.S.T.);**
3. **The Treasurer BE DIRECTED to internally finance the equipment purchase for a 5 year period in accordance with the calculation in Appendix A;**
4. **The Treasurer BE DIRECTED to charge \$3,357 to the Winter Control and the Parks Vehicle and Equipment Maintenance Operating Budget Accounts based on seasonal use of the equipment; and,**
5. **By-law 2018-07 being a by-law to enter into an agreement with Work Equipment Limited, Box 244, Courtland, Ontario, N0J 1E0 for the purchase of a Multi-Use Tractor Unit 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**

## **REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES**

There were no reports.

## **REPORTS - CAO's OFFICE**

### **15.1 Open Air Fires - Consultation Results and Final Report**

Resolution # 20180122-20

**Moved By** Councillor Fryer

**Seconded By** Councillor Meloche

**That:**

1. **The report from the Fire Chief dated December 8, 2017 regarding Open Air Fires - Consultation Results and Final Report BE RECEIVED;**
2. **The revised Open Air Fires By-law attached, (Appendix “3”) BE APPROVED, as presented;**

3. **By-law 2018-01 being a by-law to regulate the setting of open air fires, fire prevention, including the prevention of the spreading of fires; and, establishing the conditions associated with where open air fires may be set, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same; and,**
4. **The Town of Amherstburg User Fee by-law be amended to reflect the additional fees set out in By-law 2018-01.**

The Mayor put the Motion.

	<b>Yes/Concur</b>	<b>No/Not Concur</b>
Councillor Courtney	X	
Deputy Mayor DiPasquale	ABSENT	ABSENT
Councillor Fryer	X	
Councillor Lavigne	X	
Councillor Meloche	X	
Councillor Pouget		X
Mayor DiCarlo	X	

**Motion Carried**

## **15.2 Revisions to 2018 Calendar of Council Meetings**

Resolution # 20180122-21

**Moved By** Councillor Meloche

**Seconded By** Councillor Lavigne

**That:**

1. **The report from the Deputy Clerk dated January 8, 2018, regarding Revisions to the 2018 Calendar of Council Meetings BE RECEIVED; and,**
2. **The 2018 Calendar of Council Meetings BE AMENDED to observe Remembrance Day on Monday, November 12, 2018, and reflect that Town Hall will re-open on Wednesday, January 2, 2019, after the 2018 Christmas holiday break.**

The Mayor put the Motion.

**Motion Carried**

## **INFORMATION REPORTS**

Resolution # 20180122-22

**Moved By** Councillor Lavigne  
**Seconded By** Councillor Fryer

**That the following information reports BE RECEIVED:**

- 16.1 DWQMS – 2017 Status Update**
- 16.2 January 4, 2018 – January 16, 2018 Accounts Payable**
- 16.3 Monthly Activity Report – APSB Meeting of November 21, 2017**
- 16.4 Monthly Fire Department Activity Report - December 2017**

The Mayor put the Motion.

**Motion Carried**

## **CONSENT CORRESPONDENCE**

Resolution # 20180122-23

**Moved By** Councillor Fryer  
**Seconded By** Councillor Lavigne

**That the following consent correspondence BE RECEIVED:**

- 17.1 2018 NHL Alumni Benefit Tour - Scotiabank**
- 17.2 Agricultural Drainage Infrastructure Program - OMAFRA**
- 17.3 62nd Annual Training & Educational Symposium - OMFPOA Chapter 8**

The Mayor put the Motion.

**Motion Carried**

Resolution # 20180122-24

**Moved By** Councillor Meloche  
**Seconded By** Councillor Fryer

***Item # 17.3 - That a ¼ page advertisement in the OMFPOA Conference Book BE APPROVED in the amount of \$725.00 (excluding H.S.T.).***

The Mayor put the Motion.

**Motion Carried**

## **CONSENT OTHER MINUTES**

Resolution # 20180122-25

**Moved By** Councillor Meloche

**Seconded By** Councillor Courtney

**That the following minutes BE RECEIVED:**

### **18.1 Drainage Board Meeting Minutes - January 9, 2018**

The Mayor put the Motion.

**Motion Carried**

## **UNFINISHED BUSINESS**

1. Councillor Pouget asked when the report regarding rumble strips would be before Council.

The Director of Engineering and Public Works advised Council that they were confirming all the viable options and the report will be brought forward to Council for consideration at the next Regular Council Meeting.

2. Councillor Fryer advised Council that he has received complaints regarding gravel roads and pot holes and asked if there is a schedule to either add more gravel to the roads rather than grading and re-grading, or to tar and chip the gravel roads.

The Director of Engineering and Public Works advised Council that there is a schedule for gravel roads and when the winter weather clears up gravel will be added to the roads that require additional gravel. She advised that with respect to a tar and chip program, there are benefits but also costs associated with the maintenance of the program in the future.

3. Councillor Fryer asked when the report regarding the LED lighting program would be before Council.

The Director of Engineering and Public Works advised Council that there were a number of items to consider with this RPF and the report is scheduled to be before Council for consideration at the next Regular Council Meeting.

4. Councillor Pouget asked that the information regarding the removal of 20 trees on Crownridge Blvd. be sent to the Parks and Recreation Advisory Committee.

The Chief Administrative Officer advised Council that he has already asked the Director of Engineering and Public Works to provide the information to the Committee.

## **NEW BUSINESS**

1. Resolution # 20180122-26

**Moved By** Councillor Pouget  
**Seconded By** Councillor Lavigne

**That Administration BE DIRECTED to review the 4 questions discussed in-camera regarding the Boblo OMB Hearing and forward the appropriate answers to Council for release to interested constituents.**

The Mayor put the Motion.

**Motion Carried**

2. Resolution # 20180122-27

**Moved By** Councillor Fryer  
**Seconded By** Councillor Courtney

**That Administration BE DIRECTED to contact Aboriginal Affairs and Northern Development Ontario Region to discuss the beautification of Wyandotte Cemetery & Angstrom Park in collaboration with the Town.**

The Mayor put the Motion.

**Motion Carried**

## **NOTICE OF MOTION**

There were no Notices of Motion.

## **BY-LAWS**

### **23.1 By-law 2018-09 - Confirmatory By-law**

Resolution # 20180122-28

**Moved By** Councillor Fryer  
**Seconded By** Councillor Meloche

**That By-law 2018-09 being a by-law to confirm all resolutions of the Municipal Council Meeting held January 22, 2018, 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**

**ADJOURNMENT**

**Moved By** Councillor Meloche  
**Seconded By** Councillor Fryer

**That Council rise and adjourn at 8:24 p.m.**

The Mayor put the Motion.

**Motion Carried**

  
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MAYOR – ALDO DICARLO

  
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MUNICIPAL CLERK – PAULA PARKER