

**TOWN OF AMHERSTBURG
COUNCIL MEETING
Monday, January 9, 2012 @ 7:00 p.m.
Council Chambers, 271 Sandwich Street South Amherstburg**

MINUTES

PRESENT

Mayor Wayne Hurst
Deputy Mayor Ron Sutherland
Councillor Carolyn Davies
Councillor Robert (Bob) Pillon
Councillor John Sutton
Councillor Diane Pouget

ABSENT

Councillor Bart DiPasquale

CALL TO ORDER

The Mayor called the meeting to order at 5:30 p.m.

**DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE
THEREOF (*In-Camera agenda items*)**

There were no disclosures of pecuniary interest.

RESOLUTION TO MOVE TO IN-CAMERA MEETING

Councillor Pillon moved, Councillor Sutton seconded:

That Council moves into an In-Camera Meeting of Council at 5:30 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

- 1. Land Acquisition/Disposition matters [239 (2c)]**
- 2. Solicitor/Client Privilege [239 (2f)] (2 matters will be discussed)**

The Mayor put the Motion.

Motion Carried

Councillor Pouget and Deputy Mayor Sutherland left the In Camera meeting at 5:32 p.m. and did not return.

ADJOURNMENT OF IN-CAMERA MEETING

RESUMPTION OF REGULAR COUNCIL MEETING - 7:00 P.M.

Council reconvened at 7:00 p.m.

PRAYER

Brenda Percy, Clerk said prayer.

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE *(Public Council Meeting agenda items)*

There were no disclosures of pecuniary interest.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Deputy Mayor Sutherland moved, Councillor Sutton 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 Minutes - December 12, 2011 @ 7:00 pm**
2. **In-Camera Minutes - December 12, 2011 @ 5:00 pm**
3. **Budget Minutes - December 12, 2011 @ 12:30 pm**
4. **Special Council - Zoning - December 12, 2011 @ 6:00 pm**
5. **Special Council - Drainage - December 14, 2011 @ 5:00 pm**

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

From the Supplementary Agenda

8.2 Presentation by Richard Wyma, General Manager/Secretary-Treasurer, Essex Region Conservation Authority (ERCA) – Draft 2012 Budget Estimates

Richard Wyma, General Manager/Secretary-Treasurer, Essex Region Conservation Authority (ERCA) provided an overview of the 2012 draft budget and estimates.

Councillor Pillon moved, Councillor Sutton seconded:

That the presentation be received.

The Mayor put the Motion.

Motion Carried

8.1 Presentation by Dr. Allen Heimann, Medical Officer of Health, Windsor/Essex County Health Unit and Dr. Charles Frank, Essex County Dental Society regarding Fluoridation of the Water Supply

Dr. Allen Heimann, Medical Officer of Health, Windsor/Essex County Health Unit and Dr. Charles Frank, Essex County Dental Society provided an overview of Fluoridation of the Water Supply and recommended that the Town continue fluoridation of the water supply in Amherstburg.

Councillor Sutton moved, Councillor Pillon seconded:

That the presentation be received.

The Mayor put the Motion.

Motion Carried

REPORTS - RECREATION/CULTURE/PARKS

9.1 A report by Rick Daly regarding Bidding on Ontario Games

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

That the report from Rick Daly, Manager of Business Development and Programming, dated January 3, 2012 regarding the Town submitting a bid to host a set of Ontario Games be received;

And further that Council direct Administration to investigate the possibility of the Town hosting or co-hosting the 2014 Ontario 55+ Summer Games or 2014 Ontario ParaSport Games and submit a letter of intent to bid to Sport Alliance Ontario.

The Mayor put the Motion.

Motion Carried

9.2 A report by Rick Daly regarding United Communities Credit Union Complex – Five Year Lease Agreement for Fort Malden Golden Age Club

Councillor Sutton moved, Councillor Davies seconded:

That the report by Rick Daly, Manager of Business Development and Programming concerning the Five Year Lease Agreement with Fort Malden Golden Age Club for the United Communities Credit Union Complex property owned by the Town be received;

And further that By-law 2012-06 being a By-law to enter into agreement with Fort Malden Golden Age Club regarding the 5-year term use of the United Communities Credit Union Complex property owned by the Town, be taken as having been read three times, and finally passed and the Mayor and Clerk be authorized to sign same thereto.

The Mayor put the Motion.

Motion Carried

REPORTS - POLICE

No reports at this time.

REPORTS - FIRE

No reports at this time.

REPORTS - INFORMATION TECHNOLOGY

No reports at this time.

REPORTS - DEVELOPMENT SERVICES

No reports at this time.

REPORTS - ENGINEERING AND INFRASTRUCTURE

No reports at this time.

REPORTS - CAO's OFFICE

No reports at this time.

REPORTS - TREASURY

16.1 A report by Paul Beneteau regarding Interim Tax Levy By-law 2012

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

That Council receive the report prepared by Paul Beneteau dated December 1, 2011;

And further that By-law 2011-01, being a By law to provide for an interim tax rate to provide for the payment of taxes and to provide for penalty and interest of 1.25 percent per month on taxes in default, be read three times and finally passed and that the Mayor and Clerk be authorized to sign same thereto.

The Mayor put the Motion.

Motion Carried

16.2 A report by Paul Beneteau regarding Temporary Borrowing By-law 2012-02

Councillor Pilon moved, Councillor Pouget seconded:

That Council receive the report regarding Temporary Borrowing for the 2012 fiscal year, as submitted by Paul Beneteau, Treasurer;

And further that By-law 2012-02, being a bylaw to provide for temporary borrowing until taxes are collected and other revenues are received, be read three times and finally passed and that the Mayor and Clerk be authorized to sign same thereto.

The Mayor put the Motion.

Motion Carried

REPORTS - HUMAN RESOURCES

No reports at this time.

REPORTS - CLERK'S

No reports at this time.

CONSENT REPORTS

19.1 Consent Reports

Councillor Sutton moved, Councillor Pillon seconded:

That the following consent report be received:

- 1. Summary Report of Complex Program Evaluation dated January 4, 2012**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

20.1 Consent Correspondence

- 1. Knights of Columbus - Anniversary Booklet Advertising**
- 2. Municipality of Clarington - Resolution - Provincial Regulations regarding Commercial Fill Operations**
- 3. The Corporation of the Town of Tecumseh - Chief Tecumseh Commemorative Stamp**
- 4. Letter from Graeme Hutchinson regarding street lighting**
- 5. Veteran's Day Magazine - Town Letter Published**
- 6. Letter from Olga Semeniuk regarding Jeths Municipal Drain**
- 7. International Development Week Proclamation**
- 8. Letter from Tito DeLuca regarding Heritage Designation, 219 Dalhousie Street**

Councillor Pouget moved, Councillor Sutton seconded:

That correspondence Items 1, 2, 3, 5 and 7 be received:

The Mayor put the Motion.

Motion Carried

- 4. Letter from Graeme Hutchinson regarding street lighting**

Councillor Pouget sought an update from Lou Zarlenga on the matter.

Councillor Pouget moved, Councillor Sutton seconded:

That correspondence Item 4 be received:

The Mayor put the Motion.

Motion Carried

6. Letter from Olga Semeniuk regarding Jeths Municipal Drain

Councillor Pouget sought an update from Lou Zarlenga on the matter and asked that Lou Zarlenga advise the author of the letter that a report would be brought before Council in February.

Councillor Pouget moved, Councillor Sutton seconded:

That correspondence Item 6 be received:

The Mayor put the Motion.

Motion Carried

8. Letter from Tito DeLuca regarding Heritage Designation, 219 Dalhousie Street

Councillor Pouget moved, Councillor Davies seconded:

That the letter be sent to the Heritage Committee.

The Mayor put the Motion.

Motion Carried

7. International Development Week Proclamation

Councillor Davies moved, Deputy Mayor Sutherland seconded:

That Council proclaim the week of February 5th to 11, 2012 as International Development Week.

The Mayor put the Motion.

Motion Carried

The Mayor read the Proclamation.

1. Knights of Columbus - Anniversary Booklet Advertising

Councillor Pillon moved, Councillor Davies seconded:

That Council purchase ½ page and advertise War of 1812 events.

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

21.1 Consent Other Minutes

Councillor Pouget moved, Councillor Sutton seconded:

That the following minutes be received:

- 1. Committee of Adjustment Minutes - November 29, 2011**
- 2. Advisory Committee of Environment Minutes-September 29, 2011**
- 3. Property Standards Minutes - February 7, 2011**
- 4. Heritage Committee Minutes - November 23, 2011**
- 5. Police Services Board Minutes - December 20, 2011**
- 6. Parks Advisory Minutes - November 1, 2011**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

Unfinished Business items as of January 9, 2012

Councillor Pillon sought an update on the tendering of the North Side Road project.

NEW BUSINESS

There was no new business.

REPORT FROM IN-CAMERA SESSION

COUNCIL IN-CAMERA SESSION REPORT

During Closed Session of January 9, 2012, Council would report the following:

- 1) Council discussed:
 - a) A matter which was heard under Section 239 (2) (f) of the Municipal Act being advice that is subject to solicitor-client privilege relating to Heritage Designation and Heritage Rebate By-law. There is nothing further to report on this item.
 - b) A matter which was heard under Section 239 (2) (f) of the Municipal Act being advice that is subject to solicitor-client privilege relating to Ombudsman Report.

In Camera Meeting Discussed: January 9, 2011

Reporting Out Meeting: January 9, 2011

The Mayor further provided comment on the Ombudsman Report received. He noted that the Ombudsman report has been received in accordance with the Act and that the Town must make it public.

NOTICES OF MOTION

- 25.1 **Deputy Mayor Sutherland - Rescinding By-law 1485 being a By-law designating the Salmoni Building under Section IV of the Ontario Heritage Act. (As introduced at the December 12, 2011 Council Meeting)**

Deputy Mayor Sutherland noted that due to the complexity of the information received, he wished to defer the item to a future date.

Deputy Mayor Sutherland moved, Councillor Pouget seconded:

That the item be deferred to a future date.

The Mayor put the Motion.

Motion Carried

BY-LAWS

26.1 Malden Centre Drain

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

That By-law 2011-90 being a By-law to provide for the Repair and Improvement of the Malden Centre Drain based on the Drainage Report by N.J. Peralta Engineering Ltd. be read a third time and finally passed and that the Mayor and Clerk be authorized to sign same thereto.

The Mayor put the Motion.

Motion Carried

26.2 Confirmatory By-law

Councillor Sutton moved, Councillor Pillon seconded

That By-law 2012-04 being a By-law to confirm all resolutions of the Municipal Council Meeting held on December 14th, 2011 and January 9th, 2012 be taken as having been read three times, and finally passed and the Mayor and Clerk be authorized to sign same thereto.

The Mayor put the Motion.

Motion Carried

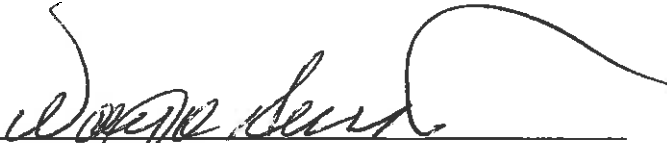
ADJOURNMENT

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

That Council rise and adjourn at 8:05 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR - WAYNE HURST



CLERK - BRENDA M. PERCY