



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Tuesday, November 13, 2012
7:00 PM**

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
Councillor Bart DiPasquale

Kristina Pozar Di Paolo, Acting CAO
Brenda Percy, Manager of Council & Legislative
Services/Clerk

CALL TO ORDER

The Mayor called the meeting to order at 7:00 pm.

The Clerk noted that due to time restraint, the In-Camera meeting would be held after the Regular Council Session.

PRAYER

Brenda Percy, Clerk said prayer.

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

There were no disclosures of pecuniary interest.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Councillor Pillon moved, Councillor Sutton seconded:

That the items 1 and 3 of 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 In-Camera Council Minutes - October 15, 2012**
2. **Special In-Camera Council Minutes - October 29, 2012**

The Mayor put the Motion.

Motion Carried Unanimously

3. Regular Council Minutes - October 29, 2012

Councillor Pouget moved, Councillor DiPasquale seconded:

That Item 3 being Regular Council Meeting Minutes, October 29, 2012 be held in abeyance until the Acting CAO can bring back information on requested addition to the minutes.

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

- 9.1 **Frank Jeney, Team Manager, Lancers Baseball, Dean Collver, Director, Recreation and Culture and Rick Daly, Manager, Development and Programs - 2013 Canadian Intercollegiate Baseball Association National Championships (Refer to Consent Report Item # 20(c))**

Councillor Pillon moved, Councillor Sutton seconded:

That Consent Report Item 20(c) - 2013 Canadian Intercollegiate Baseball Association National Championships be brought forward at this time.

The Mayor put the Motion.

Motion Carried

Councillor DiPasquale moved, Councillor Davies seconded:

That the presentation be received;

And further that Consent Report Item 20(c) be received.

The Mayor put the Motion.

Motion Carried

The Clerk asked that Council Consider Report Item 19.3 on Insurance as Dave Cowlin, H.L. Hamilton was present to respond to questions.

Councillor Sutton moved, Councillor Davies seconded:

That Report Item 19.3 be brought forward at this time.

The Mayor put the Motion.

Motion Carried

19.3 2012-2013 Insurance Renewal

Town Broker, Dave Cowlin, H.L. Hamilton Insurance Company was present.

Councillor Sutton moved, Councillor Davies seconded:

That the report by Brenda Percy dated November 2, 2012 regarding the 2012-2013 Insurance Renewal be received;

That the renewal of the insurance policy held with Frank Cowan Company for the term of November, 2012 to October 31, 2013, be held in abeyance until such time as Administration reviews all options available in relation to the Town's insurance coverage;

And further that Administration report back to Council at its meeting of December 10, 2012 with options for Council consideration.

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS - RECREATION/CULTURE/PARKS

No reports at this time.

REPORTS - POLICE

Supplementary Agenda Item

11.1 Community Policing Partnerships (CPP) Grant

Councillor DiPasquale moved, Deputy Mayor Sutherland seconded:

That the report from Chief Tim Berthiaume, dated November 13, 2012, regarding the Community Policing Partnerships (CPP) Grant be received;

And further that By-law 2012-106 being a By-law authorizing the execution of an Agreement between the Town of Amherstburg and the Amherstburg Police Services Board and Her Majesty the Queen in Right of Ontario as represented by the Minister of Community Safety and Correctional Services (the Ministry) 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 Unanimously

REPORTS - FIRE

No reports at this time.

REPORTS - INFORMATION TECHNOLOGY

No reports at this time.

REPORTS - DEVELOPMENT SERVICES

14.1 Development Charges Deferral - 86, 88, 90 & 92 Shaw Drive, Amherstburg

Councillor Pillon moved, Councillor Davies seconded:

That the report submitted by Stephen Brown, dated October 24, 2012 regarding an application for deferral of development charges as submitted by 1078262 Ontario Ltd. for property located at 86, 88, 90 & 92 Shaw Drive, be received;

And further that By-law 2012-101 being a By-law to authorize the signing of an agreement to defer development charges 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 Unanimously

REPORTS - ENGINEERING AND INFRASTRUCTURE

15.1 Yard Waste Collection Program Operations - Thomas Road Yard Waste Depot

Deputy Mayor Sutherland moved, Councillor Pouget seconded:

That the report by Lou Zarlenga dated November 1, 2012 regarding the Yard Waste Collection Program - Operations at the Thomas Road Yard Waste Depot be received;

And further that Council provide direction toward the operations of the Thomas Road Yard Waste Depot to:

- a) Maintain status quo and continue the yard waste depot operations for 2013**

The Mayor put the Motion.

Motion Carried Unanimously

15.2 2013 Garbage Collection Routes Proposed Route and Scheduling Changes

Councillor Sutton moved, Councillor Pillon seconded:

That the report by Lou Zarlenga dated November 1, 2012 regarding 2013 Garbage Collection Routes – Proposed Route and Scheduling Changes be received;

And further that Council approve the new proposed garbage collection routes as identified in the map attached to this report.

The Mayor put the Motion.

Motion Carried Unanimously

15.3 Mayville-Jubenville Municipal Drain - Request for New Access Culvert

Councillor DiPasquale moved, Councillor Pouget seconded:

That the report by Lou Zarlenga dated October 31, 2012 regarding the Mayville-Jubenville Municipal Drain - Request for New Access Culvert from Michal Pucousky be received;

That Council accept the request from Michal Pucousky for a new access culvert over the Mayville-Jubenville Municipal Drain as per section 78 of the Drainage Act;

That Council appoint a Drainage Engineer pursuant to the provisions of the Drainage Act for the repair and improvement of the Mayville-Jubenville Municipal Drain;

And further that the firm of Crozier Baird Engineers be appointed for the purpose of preparing an engineer's report including plans and profile for the Mayville-Jubenville Municipal Drain.

The Mayor put the Motion.

Motion Carried Unanimously

15.4 2nd Concession Road Drain South Maintenance Project Tender Results

Deputy Mayor Sutherland moved, Councillor Pouget seconded:

That the report by Lou Zarlenga dated October 16, 2012 regarding the 2nd Concession Road Drain South Maintenance Project Tender Results be received;

And further that Council accept Administration's recommendation to award the contract to the lowest bidder, being Bart Di Giovanni Construction Ltd., for the 2nd Concession Road Drain South Maintenance Project.

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS - CAO's OFFICE

No reports at this time.

REPORTS - TREASURY

No reports at this time.

REPORTS - HUMAN RESOURCES

No reports at this time.

REPORTS - LEGISLATIVE SERVICES

19.1 Banner Program & Policy

Councillor Pouget moved, Councillor DiPasquale seconded:

That the report prepared by Brenda M. Percy, Manager, Council & Legislative Services and Dean Collver, Director, Recreation & Culture dated October 23, 2012 regarding Banner Program & Policy be received;

That Council approve the Banner Policy, as presented and any preceding By-laws or policies are hereby repealed;

And further that the User Fee By-law be amended to include a Banner Application fee in the amount of \$100.00.

Council asked Administration to consider other locations for banner placement.

The Mayor put the Motion.

Motion Carried Unanimously

19.2 Electronic Voting - DOTS (Data On The Spot) Program

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That the report by Paula Parker, Deputy Clerk dated November 5, 2012 regarding Electronic Voting - DOTS Program be received;

And further that Council direct the cost of the program in the amount of \$1,829.56 to the 2013 Budget Deliberations.

The Mayor put the Motion.

Motion Carried Unanimously

19.3 2012-2013 Insurance Renewal

As dealt with above.

CONSENT REPORTS

Consent Reports

Councillor Sutton moved, Councillor Davies seconded:

That the consent reports a, b and d be received.

a) Accounts paid for the period of October 16, 2012 to October 31, 2012

b) Kingsbridge Park Commemorative Naming – Date of Ceremony

c) 2013 Canadian Intercollegiate Baseball Association National Championships (Refer to Presentation Item # 9.1 above)

As dealt with under Presentations

d) Jeths Drain – Conditional Review and Maintenance

The Mayor put the Motion.

Motion Carried Unanimously

CONSENT CORRESPONDENCE

Councillor Pouget moved, Councillor Pillon seconded:

That the correspondence items a and c be received.

- a) Resolution Letter - Corporation of the County of Essex**
- c) Canada Post Letter - Community Mailboxes**

The Mayor put the Motion.

Motion Carried Unanimously

b) Snow Removal Letter - F.M. (Fritz) Renaud

Councillor DiPasquale moved, Councillor Davies seconded:

That the two requests included in the letter be referred to Public Works;

And further that Public Works bring back a report regarding those two requests;

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Councillor Sutton moved, Councillor Pillon seconded:

That the following minutes be received:

- a) Co-An Park Minutes - July 11, 2012**
- b) Co-An Park Minutes - August 8, 2012**
- c) Co-An Park Minutes - September 12, 2012**
- d) Amherstburg Police Services Board Minutes - September 18, 2012**
- e) Traffic Committee Minutes - September 19, 2012**
- f) Committee of Adjustment Minutes - September 25, 2012**

The Mayor put the Motion.

Motion Carried Unanimously

CORRESPONDENCE

23.1 Request from Chris Gaunt regarding a sidewalk on Alma Street

Deputy Mayor Sutherland moved, Councillor Pouget seconded:

That the correspondence be received;

And further that Council refer the sidewalk request on Alma Street (south side between Fryer Street and Venetian Drive) to 2013 Budget Deliberations.

The Mayor put the Motion.

Motion Carried Unanimously

UNFINISHED BUSINESS

Unfinished Business items as of Tuesday, November 13, 2012

Councillor Pillon sought an update regarding \$3000.00 in the 2012 budget for lighting on Texas Rd.

Councillor Pouget sought an update on the All Inclusive Playground Agreement for the UCCUC. Acting CAO, Kristina DiPaolo noted that a report would be brought to Council on the matter.

Councillor Davies sought an update on Jessica's Circle at the UCCUC.

Councillor DiPasquale sought an update on a schedule for the 2013 Budget Deliberations.

Councillor Pouget commented on the EOC role and requested training.

Councillor Pouget moved, Councillor DiPasquale seconded:

That Council request Administration to direct the Fire Chief to train members of Council for the Emergency Operation Centre as soon as possible.

The Mayor put the Motion.

Motion Carried Unanimously

NEW BUSINESS

Councillor Davies commented on the need for attracting new accommodations to the Town. The Mayor stated that is an ongoing project.

Mayor Hurst reminded Council and Administration of an annual meeting for the Chamber of Commerce on November 20th, 2012. Cindy Prince and a member of the Ministry are guest speakers.

Councillor Pouget moved, Councillor Davies seconded:

That Council and Administration be permitted to attend the Annual Chamber of Commerce meeting on November 20, 2012 at a cost of \$15 per attendee.

The Mayor put the Motion.

Motion Carried

REPORT FROM IN-CAMERA SESSION

Report from In Camera Meeting held Monday, October 29, 2012

COUNCIL IN-CAMERA SESSION REPORT OCTOBER 29, 2012 MEETING

Council met for an In-Camera Meeting of Council at 6:15 p.m., on October 29, 2012 pursuant to Section 239 of the Municipal Act, 2001, as amended, and would report the following:

Council discussed a matter with regard to Non-Union SAP heard under Section 239 of (2)(d) of the Municipal Act – Labour relations or employee negotiations. There is nothing further to report on this matter.

Council discussed a matter with regard to Fire Protection Requirements heard under Section 239 (2)(f) of the Municipal Act– Advice that is subject to solicitor-client privilege, including communications necessary for that purpose. There is nothing further to report on this matter at this time.

In Camera Meeting Discussed: October 29, 2012

Reporting Out Meeting: November 13, 2012

Report from In Camera Meeting held Tuesday, November 13, 2012

The Clerk advised that the Special In-Camera Session for November 13, 2012 would be reported out at the next Regular Council Meeting.

NOTICES OF MOTION

There were no Notices of Motion.

BY-LAWS

28.1 Zoning By-law Amendment

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

That By-law 2012-96 being a By-law to amend Zoning By-law No. 1999-52, as amended 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

28.2 Confirmatory By-law

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That By-law 2012-103 being a By-law to confirm all resolutions of the Municipal Council Meetings held on November 13th, 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 moved, Councillor seconded:

That Council adjourn public session and move into In-Camera session at 8:05 p.m.

The Mayor put the Motion.

Motion Carried

SPECIAL IN-CAMERA MEETING

Councillor Davies moved, Councillor Pillon seconded:

That Council move into an In-Camera Meeting of Council at 6:45 pm., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – CAO Update – Section 239 (2) (b) – Personal matters about an identifiable individual, including municipal or local board employees.

The Mayor put the Motion.

Motion Carried

MAYOR – WAYNE HURST

CLERK – BRENDA M. PERCY