



**TOWN OF AMHERSTBURG  
COUNCIL MEETING  
Monday, January 21, 2013  
7:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg

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**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 3:15 p.m.

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

Councillor Pouget declared a conflict of interest with regard to Item E – Legal Reimbursement.

**SPECIAL IN-CAMERA MEETING**

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

**That Council move into an In-Camera Meeting of Council at 3:15 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:**

- ITEM A - Snow Control – Section 239(2)(d) - Labour Relations or employee negotiations**
- ITEM B - Crossing Guards – Section 239(2)(d) - Labour Relations or employee negotiations**
- ITEM C - Land Acquisition – Section 239(2)(c) – A proposed or pending acquisition or disposition of land by the municipality or local board**
- ITEM D - Acting CAO Contract – Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees; and Section 239(2)(f) - Advice that is subject to**

**solicitor-client privilege, including communications necessary for that purpose**

**ITEM E - Legal Reimbursement – Section 239(2)(b) -Personal matters about an identifiable individual, including municipal or local board employees; and Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose**

**ITEM F - Interview Committee Composition – Section 239(2)(f) - Advice that subject to solicitor-client privilege, including communications necessary for that purpose**

**ITEM G - CAO Update - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board; Section 239(2)(d) - Labour relations or employee negotiations; and Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose**

The Mayor put the Motion.

**Motion Carried**

## **ADJOURNMENT OF IN-CAMERA MEETING**

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

### **PRAYER**

Brenda Percy, Clerk said prayer.

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

Councillor Pouget declared a pecuniary interest pertaining to Item # 24 - Report from In-Camera Session – ITEM E - Legal Reimbursement.

### **PRESENTATIONS**

#### **8.1 Organizational Review – Quarterly Report (Oct to Dec 2012)** *(Please refer to Report # 17.1)*

The Clerk asked that Council refer to Report Item 17.1 below.

Carol Bendo, Human Resources Manager, presented Council with an overview of report item #17.1.

Councillor Pouget moved, Deputy Mayor Sutherland seconded:

**That the presentation be received;**

**That the report submitted by Carol Bendo dated January 10, 2013 regarding Organizational Review – Quarterly Report (Oct to Dec 2012) be received;**

**And further that Council direct Administration to continue with the implementation of the Organizational Review.**

The Mayor put the Motion.

**Motion Carried Unanimously**

## **REPORTS - RECREATION/CULTURE/PARKS**

### **9.1 Centennial Park Review**

Councillor Sutton moved, Councillor Pouget seconded:

**That the report by Dean Collver, Director of Recreation and Culture, dated January 10th, 2013 regarding the Centennial Park Review be received;**

**And further that Council refer the information enclosed within the Review to deliberations on the 2013 Town of Amherstburg Budget.**

The Mayor put the Motion.

**Motion Carried Unanimously**

## **REPORTS - POLICE**

### **10.1 Crossing Guard Policy**

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

**That the report by Tim Berthiaume, Police Chief dated January 2, 2013 regarding Crossing Guard Policy be received;**

**And further that the Crossing Guard Policy be adopted, as presented.**

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**

### **13.1 Proposed Interim Control Measures By-law within Heritage Study Area**

Councillor Sutton moved, Councillor Davies seconded:

**That the report by Steve Brown and Rebecca Belanger dated January 10, 2013 regarding the Proposed Interim By-law for the Heritage Conservation Area be received;**

**That Council direct Administration to bring back a report advising of the process, benefits and implications associated with Council proceeding with this matter.**

The Mayor put the Motion.

**Motion Carried Unanimously**

## **REPORTS - ENGINEERING AND INFRASTRUCTURE**

### **14.1 2013 Intersection Illumination Program - Progress Report**

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

**That the report by Lou Zarlenga dated January 10, 2013 regarding the 2013 Intersection Illumination Program – Progress Report be received;**

**And further that Council approve the rural intersection locations selected for the installation of a streetlight for the 2013 Intersection Illumination Program.**

The Mayor put the Motion.

**Motion Carried Unanimously**

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

### **15.1 Council Appointment to Interview Panel for Director Positions**

Councillor Sutton moved, Councillor Pouget seconded:

**That Council receive the report submitted by Kristina Pozar Di Paolo dated January 9, 2013 regarding Council Representatives on the Interview Panel for Director Positions;**

**That Council approve Wednesday, February 13, 2013 and Thursday, February 21, 2013 as the full day sessions to conduct the Director Position interviews;**

**And further that Council appoint Mayor Hurst, Deputy Mayor Sutherland and Tom Porter as the representative(s) along with Consultant Joe Levack and Acting CAO Kristina Pozar Di Paolo to the Interview Panel for the Director of Legislative Services and Director of Corporate Services positions.**

The Mayor put the Motion.

**Motion Carried Unanimously**

### **15.2 St. Jean de Baptiste Decommissioning Plan**

Councillor DiPasquale moved, Councillor Pouget seconded:

**That the report prepared by Tony DeThomasis dated January 9, 2013 regarding the St. Jean de Baptiste decommissioning plan be received;**

**That Council direct Administration to decommission mechanical and heating components at the former St. Jean de Baptiste School;**

**And further that Council direct Administration to order the disconnection of Gas Utilities to the building.**

The Mayor put the Motion.

**Motion Carried Unanimously**

## **REPORTS - TREASURY**

No reports at this time.

## **REPORTS - HUMAN RESOURCES**

### **17.1 Organizational Review – Quarterly Report (Oct to Dec 2012)**

As dealt with above.

## **REPORTS - LEGISLATIVE SERVICES**

### **18.1 Municipal Appointee - Essex Power Corporation Board of Directors**

Councillor Sutton moved, Councillor Pillon seconded:

**That the report prepared by Brenda Percy dated January 1, 2013 regarding Municipal Appointee – Essex Power Corporation Board of Directors be received;**

**And further that Dave Cozens be appointed to fill the vacancy of layperson on the Essex Power Corporation Board of Directors for a two year period, effective November 2012.**

The Mayor put the Motion.

**Motion Failed**

Councillor Davies moved, Councillor Pouget seconded:

**That Council reconsider all applicants with regard to Appointment to Essex Power.**

The Mayor put the Motion.

**Motion Carried**

Councillor Davies moved, Councillor Pouget seconded:

**That the report prepared by Brenda Percy dated January 1, 2013 regarding Municipal Appointee – Essex Power Corporation Board of Directors be received;**

**And further that Bill Wark be appointed to fill the vacancy of layperson on the Essex Power Corporation Board of Directors for a two year period, effective November 2012.**

The Mayor put the Motion.

**Motion Carried**

### **18.2 Integrated Accessibility Standards Regulation (IASR) Policy**

Councillor Pouget moved, Deputy Mayor Sutherland seconded:

**That the report by Paula Parker, Deputy Clerk dated January 10, 2013 regarding Integrated Accessibility Standards Regulation (IASR) Policy be received;**

**And further that Council approve the Integrated Accessibility Standards Regulation (IASR) Policy, as presented.**

The Mayor put the Motion.

**Motion Carried Unanimously**

### **18.3 Multi-year Amherstburg Accessibility Plan**

Councillor Sutton moved, Councillor seconded:

**That Item 18.3 be moved to the next Council meeting.**

The Mayor put the Motion.

**Motion Carried**

**18.4 Fighting Island Amateur Boxing Club – Renewal of Lease Agreement**

Councillor DiPasquale moved, Deputy Mayor Sutherland seconded:

**That Council receive the report prepared by Paula Parker dated January 7, 2013 regarding Fighting Island Boxing Club – Renewal of Lease Agreement;**

**That Council approve the execution of the Lease Agreement for an additional twelve (12) month period;**

**And further that By-law 2013-11 being a By-law to authorize the renewal of a Lease Agreement between the Corporation of the Town of Amherstburg and The Fighting Island Amateur Boxing Club 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**

**18.5 Appointments to Various Committees of Council**

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

**That all applicants be appointed to all the Committee's included in the report;**

**That the Terms of Reference be amended to include all applicants;**

**And further that the Parks Advisory Committee position be re advertised.**

The Mayor put the Motion.

**Motion Carried Unanimously**

**CONSENT REPORTS**

Councillor Sutton moved, Councillor Pouget seconded:

**That the consent reports be received.**

- a) Street Light Maintenance Program - Year-One Progress Update**
- b) Accounts paid for the period of December 22, 2012 to January 10, 2013**

The Mayor put the Motion.

**Motion Carried**

**CONSENT CORRESPONDENCE**

Councillor Pouget moved, Councillor Davies seconded:

**That the correspondence be received;**

**And further that item (b) be sent to 2013 budget.**

- b) Living with Hospice - Request for Sponsorship**

The Mayor put the Motion.

**Motion Carried Unanimously**

**a) Brandon Speller - Request for Sponsorship**

Deputy Mayor Sutherland moved, Councillor seconded:

**That Council approve the \$1500.00 sponsorship for item (a) for Brandon Speller – Request for Sponsorship.**

The Mayor put the Motion.

**Motion Failed**

Councillor DiPasquale moved, Councillor Pouget seconded:

**That item (a) be received.**

The Mayor put the Motion.

**Motion Carried**

**CONSENT OTHER MINUTES**

Councillor Sutton moved, Councillor Pillon seconded:

**That the following minutes be received:**

- a) Amherstburg Accessibility Advisory Committee Minutes - October 23, 2012**
- b) Amherstburg Police Services Board Minutes - December 18, 2012**

The Mayor put the Motion.

**Motion Carried**

**UNFINISHED BUSINESS**

Unfinished Business items as of Monday, January 21, 2013

No unfinished business items noted.

**NEW BUSINESS**

No new business noted.

**REPORT FROM IN-CAMERA SESSION**

Report from In Camera Meeting held Monday, January 21, 2013

**COUNCIL IN CAMERA SESSION – REPORTING OUT  
January 21, 2013 MEETING**

Council met at 3:15 pm. on January 21, 2013 for an in camera meeting and discussed seven (7) items as provided for under Section 239 of the Municipal Act.

**ITEM A –** Winter Control Staffing – Update heard under Sections 239(2)(d).  
*There is nothing further to report on this matter.*

**ITEM B –** Crossing Guard Services heard under Section 239(2)(d). As a result of the discussion, the following motion is before council.

Deputy Mayor Sutherland moved, Councillor Pouget seconded:

**That administration be directed to bring back a report on the three options presented in the confidential in camera report prepared by Tim Berthiaume for Council consideration.**

The Mayor put the Motion.

**Motion Carried**

**ITEM C -** Land Acquisition/Disposition heard under Sections 239(2)(c).  
As a result of that discussion, the following motion is before Council:  
*There is nothing further to report on this matter.*

**ITEM D -** Acting CAO Contract heard under Section 239(2)(b) and (f).  
As a result of that discussion, the following motion is before Council:  
*There is nothing further to report on this matter.*

**ITEM E -** Request for Legal Reimbursement heard under Section 239(2)(b) and (f).  
*As a result of that discussion, the following motion is before Council:*

Councillor Pouget withdrew from discussion and voting on the matter of legal reimbursement as per the pecuniary interest declared above.

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

***That the legal fees in the amount of \$5,104.00 be paid in accordance with Section 283 of the Municipal Act.***

The Mayor put the Motion.

**Motion Carried Unanimously**

**ITEM F -** Interview Panel Composition heard under Section 239(2)(f).  
*There is nothing further to report on this matter.*

**ITEM G -** CAO Update heard under Section 239(2)(b), (d) and (f).  
*There is nothing further to report on this matter.*

## **NOTICES OF MOTION**

No notices of motion noted.

## **BY-LAWS**

### **26.1 Amending By-law**

Councillor Sutton moved, Councillor DiPasquale seconded:

**That By-law 2013-10 being a By-law to amend Zoning By-law No. 1999-52 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**

### **26.2 Confirmatory By-law**

Councillor DiPasquale moved, Deputy Mayor Sutherland seconded:



**That By-law 2013-12 being a By-law to confirm all resolutions of the Municipal Council Meetings held on January 21, 2013 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 Sutton moved, Councillor seconded:

**That Council rise and adjourn at 7:58 p.m.**

The Mayor put the Motion.

**Motion Carried**

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MAYOR – WAYNE HURST

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CLERK – BRENDA M. PERCY