



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Tuesday, February 19, 2013
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) Pilon
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 6:15pm.

SPECIAL IN-CAMERA MEETING

Deputy Mayor Sutherland moved, Councillor DiPasquale seconded:

That Council move into an In-Camera Meeting of Council at 6:15p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

- ITEM A – Facilities and Property Staffing – Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees; and Section 239(2)(d) - Labour relations or employee negotiations**
- ITEM B – Tourism Staffing – Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees; and Section 239(2)(d) - Labour relations or employee negotiations**

The Mayor put the Motion.

Motion Carried

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

There were no disclosures of pecuniary interest noted.

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)*

There were no disclosures of pecuniary interest noted.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Councillor Sutton moved, Deputy Mayor Sutherland 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. Special Council Meeting Minutes - Budget - January 24, 2013**
- 2. Regular Council Meeting Minutes - February 4, 2013**
- 3. Special Council Meeting Minutes - Drainage - February 4, 2013**
- 4. Special In-Camera Meeting Minutes - February 4, 2013**
- 5. Special In-Camera Meeting Minutes - February 11, 2013**

The Mayor put the Motion.

Motion Carried Unanimously

RECOGNITIONS

9.1 Diamond Jubilee Medal Recipients

- Paul Hertel**
- Gord Freeman**
- Dr. John Spellman**
- William Gibb**
- David Scott**

William Gibb and David Scott were not present to receive their medals.

Gord Freeman, Paul Hertel and Dr. John Spellman received their awards and said a few words to address the public.

Deputy Mayor Sutherland moved, Councillor Davies seconded:

That the recognitions be received.

The Mayor put the Motion.

Motion Carried Unanimously

DELEGATIONS

10.1 **The Community Picture - Go For Health Windsor-Essex Committee Chair, Richard Philips, and past Chair, Gord Smith**

Councillor Sutton moved, Councillor Pillon seconded:

That the delegation be received.

The Mayor put the Motion.

Motion Carried Unanimously

The Clerk asked for Council's indulgence to bring forward report Item #12.1 as it related to the presentation.

Councillor Sutton moved, Councillor Davies seconded:

That report Item #12.1 be brought forward at this time.

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

11.1 **Public Events Committee - Rick Daly, Manager, Business Development & Programs, Anne Rota, Manager, Tourism & Culture, Nicole Rubli, Licensing Officer and Paula Parker, Deputy Clerk** *(Please refer to Report Item # 12.1)*

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

That the presentation be received.

The Mayor put the Motion.

Motion Carried Unanimously

12.1 **Public Events Committee (PEC) – Manual and Process**

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

That the report prepared by Rick Daly, dated February 8, 2013 regarding the Public Events Committee (PEC) - Process and Committee be received;

And further that Council direct Administration to continue with the process of developing a Public Event Policy and present to Council for consideration by end of 2013.

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS - RECREATION/CULTURE/PARKS

12.1 **Public Events Committee (PEC) – Manual and Process**

As dealt with above.

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

16.1 Heritage Registry Update for Buildings of Interest

Councillor Davies moved, Councillor Pouget seconded:

That Council receive the report by Stephen Brown, Chief Building Official, dated January 24, 2013 regarding Heritage Registry update for Buildings of Interest;

And further that Council approve the addition of the properties listed herein to the Heritage Registry under the properties of interest category.

The Mayor put the Motion.

Motion Carried

The Clerk asked for Council's indulgence to bring forward Report Items #21.2 and #21.3 at this time.

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That Council bring report items 21.2 and 21.3 forward at this time.

The Mayor put the Motion.

Motion Carried

21.2 Policy – Noise By-law Request for Exemption

The Clerk noted a slight change to the Policy under scope.

Councillor Sutton moved, Councillor DiPasquale seconded:

That the report by Brenda Percy dated February 5, 2013 regarding Policy - Noise By-law Request for Exemption be received;

That the Policy – Noise By-law Request for Exemption be approved as presented;

And further that the User Fee By-law be amended to include a Noise By-law Exemption Application fee in the amount of \$50.00.

The Mayor put the Motion.

Motion Carried Unanimously

21.3 Policy – By-law Enforcement

Councillor DiPasquale moved, Councillor Pouget seconded:

That the report by Brenda Percy dated February 5, 2013 regarding By-law Enforcement be received;

And further that the Policy– By-law Enforcement be approved, as presented.

The Mayor put the Motion.

Motion Carried

REPORTS - ENGINEERING AND INFRASTRUCTURE

17.1 Ontario Clean Water Agency Water and Wastewater Service Agreements

Deputy Mayor Sutherland moved, Councillor Pouget seconded:

That the report by Lou Zarlenga dated January 29, 2013 regarding the Ontario Clean Water Agency Water and Wastewater Service Agreements be received;

That Council authorize the execution of contracts between the Town and the Ontario Clean Water Agency (OCWA) within a specified time period pursuant to the two options as follows:

b) for the calendar years 2012 to end of year 2015.

And further that By-law 2013-18 being a By-law to authorize the signing of Service Agreements between the Town of Amherstburg and the Ontario Clean Water Agency (OCWA) for the provision of operating and maintaining the Amherstburg Water and Wastewater facilities be taken as having been read three times and finally passed and the Mayor and the Clerk be authorized to sign same thereto.

There was discussion with regard to the term of the agreement.

The Mayor put the Motion.

Motion Carried

17.2 Snow Plow Components – Dump Box, Power Reversible Plow & Slide-In Salter for New 2013 One-Ton Truck Cab and Chassis - Tender Results

Councillor Pouget moved, Councillor Sutton seconded:

That the report by Lou Zarlenga dated February 6, 2013 regarding the Snow Plow Components – Dump Box, Power Reversible Plow & Slide-In Salter for New 2013 One-Ton Truck Cab and Chassis Tender Results be received;

And further that Council award the contract for the Snow Plow Components – Dump Box, Power Reversible Plow & Slide-In Salter to the low tenderer, being Del Equipment Limited, for the price of \$38,431.300 plus HST.

The Mayor put the Motion.

Motion Carried Unanimously

17.3 Amherstburg Water Treatment Plant Process Waste

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

That the report by Lou Zarlenga dated January 21, 2013 regarding the Amherstburg Water Treatment Plant Process Waste be received;

And further that Council concur with Administrations recommendation to forward the report from CH2MHill to the Ministry of the Environment.

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

18.1 Strategic Asset Management Policy

Councillor DiPasquale moved, Councillor Pouget seconded:

That the report by Tony DeThomasis dated February 4, 2013 regarding the Strategic Asset Management Policy be received;

And further that Council approve the Strategic Asset Management Policy, as presented.

The Mayor put the Motion.

Motion Carried

REPORTS - TREASURY

No reports at this time.

REPORTS - HUMAN RESOURCES

No reports at this time.

REPORTS - LEGISLATIVE SERVICES

21.1 Liquor Licence Application – Golden Gate Chinese Restaurant, 473 Sandwich Street S. Unit 2

Deputy Mayor Sutherland moved, Councillor Davies seconded:

That the report by Nicole Rubli, Licensing Officer dated February 4, 2013 regarding Liquor Licence Application for the Golden Gate Restaurant, 473 Sandwich Street S., Unit 2 be received;

And further that the Clerk be authorized to advise the Alcohol and Gaming Commission of Ontario, Council's support for the application.

The Mayor put the Motion.

Motion Carried Unanimously

21.4 Policy – Noise By-law Request for Exemption

As dealt with above.

21.5 Policy – By-law Enforcement

As dealt with above.

CONSENT REPORTS

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That the consent reports be received.

- a) Accounts Paid for the period of January 23, 2013 to February 6, 2013**
- b) Tree Maintenance at KNYP**
- c) Junior A Team**

The Mayor put the Motion.

Motion Carried Unanimously

CONSENT CORRESPONDENCE

Councillor Pillon moved, Councillor Sutton seconded:

That the correspondence be received.

- a) Pitch-In Week - April 21-07, 2013
- b) Essex Region Children's Water Festival
- c) Essex County Federation Of Agriculture Banquet – Invitation

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Deputy Mayor Sutherland moved, Councillor Pouget seconded:

That the following minutes be received:

- a) Recreation and Culture Advisory Committee Minutes - December 12, 2012
- b) December 6, 2012 Traffic Committee Minutes
- c) Parks Advisory Committee Minutes - December 4, 2012

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

Unfinished Business items as of Tuesday, February 19, 2013

No unfinished business noted.

NEW BUSINESS

No new business noted.

REPORT FROM IN-CAMERA SESSION

Report from In Camera Meeting held Tuesday, February 19, 2013

COUNCIL IN CAMERA SESSION – REPORTING OUT

February 19, 2013 MEETING

Council met at 6:15 pm. on February 19, 2013 for a Special In Camera meeting and discussed two (2) item as provided for under Section 239 of the Municipal Act.

ITEM A - Facilities and Property Staffing heard under Section 239(2)(b) and (d).

As a result of that discussion, the following motion was put before Council:

Councillor Pillon moved, Councillor Sutton seconded:

That the Administrative Recommendation in the Confidential In-Camera Report (Confidential Report # 13-19-02-00) from Carol Bendo regarding Facilities and Property Staffing be APPROVED.

The Mayor put the Motion.

Motion Carried Unanimously

ITEM B - Tourism Staffing heard under Section 239(2)(b) and (d).

As a result of that discussion, the following motion was put before Council:

Councillor Davies moved, Deputy Mayor Sutherland seconded:

That the Administrative Recommendation in the Confidential In-Camera Report (Confidential Report # 13-19-02-01) from Carol Bendo regarding Tourism Staffing be APPROVED.

The Mayor put the Motion.

Motion Carried Unanimously

COUNCIL IN CAMERA SESSION – REPORTING OUT

February 11, 2013 MEETING

Council met at 4:30 pm. on February 11, 2013 for a Special In Camera meeting and discussed one (1) item being the CAO Update as heard under Section 239(2)(b), (d) and (f) of the Municipal Act.

There was nothing further to report on the matter.

NOTICES OF MOTION

There were no new Notices of Motion.

BY-LAWS

29.1 Confirmatory By-law

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That By-law 2013-19 being a By-law to confirm all resolutions of the Municipal Council Meetings held on January 24th, February 7th, 11th and 19th, 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

Deputy Mayor Sutherland moved, Councillor Davies seconded:

That Council rise and adjourn at 8:55 p.m.

The Mayor put the Motion.

Motion Carried Unanimously

MAYOR – WAYNE HURST

CLERK – BRENDA M. PERCY