



**TOWN OF AMHERSTBURG  
COUNCIL MEETING  
November 18, 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 Robert (Bob) Pillon  
Councillor Bart DiPasquale  
Councillor John Sutton  
Councillor Carolyn Davies  
Councillor Diane Pouget

Paula Parker, Deputy Clerk  
Mike Phipps, Chief Administrative Officer

**CALL TO ORDER**

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

**PRAYER**

The Deputy 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 Pillon 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. Regular Council Meeting Minutes - October 21, 2013**
- 2. Regular Council Meeting Minutes - November 4, 2013**
- 3. Special In-Camera Council Meeting Minutes - October 21, 2013**
- 4. Special In-Camera Council Meeting Minutes - November 4, 2013**

The Mayor put the Motion.

**Motion Carried Unanimously**

## **DELEGATIONS**

### **5.1 Tourism Windsor Essex Pelee Island (TWEPI) 2013 Year in Review - Gordon Orr, CEO**

Gordon Orr, CEO and Lynette Bain, Vice President of Tourism and Development presented Council with the TWEPI 2013 Year in Review.

Councillor Pillon moved, Councillor Pouget seconded:

**It is recommended that:**

- 1. The delegation be received.**

The Mayor put the Motion.

**Motion Carried Unanimously**

Councillor Sutton moved, Councillor Pillon seconded:

**That Information Report 13 –b be brought forward at this time.**

The Mayor put the Motion.

**Motion Carried Unanimously**

### **5.2 By-law 2013-75 Site Plan Control and Development Agreement, Pointe West Golf Club - Dan Richmond (Refer to Information Report # 13 - b)**

Dan Richmond address Council regarding his concern with By-law 2013-75 Site Plan Control and Development Agreement for Pointe West Golf Club.

The Manager of Planning and Development spoke to the concerns raised.

Councillor Sutton moved, Councillor Davies seconded:

**It is recommended that:**

- 1. The delegation be received, and;**
- 2. Information report # 13 - b be received.**

The Mayor put the Motion.

**Motion Carried Unanimously**

## **PRESENTATIONS**

### **6.1 Inventory of Properties of Interest - John McDonald, Heritage Committee Chair**

John McDonald, Chair of the Heritage Committee addressed Council regarding the outcome and future progression of the properties of interest.

The Manager of Information Technology confirmed that a meeting with the Committee was necessary to assess the needs of adding the properties of interest to the website. Once the meeting has taken place, he will report back on the findings.

Councillor DiPasquale moved, Councillor Davies seconded:

Councillor DiPasquale moved the recommendation without items 2 as originally put forward.

**It is recommended that:**

1. **The presentation be received;**
2. **The Heritage Committee meet with the IT Department to figure out the requirements of website and IT report back with its findings; and,**
3. **Council direct the committee to proceed with properties of interest phase 2.**

The Mayor put the Motion.

**Motion Carried Unanimously**

#### **REPORTS – POLICE SERVICES**

No reports at this time.

#### **REPORTS – COMMUNITY SERVICES**

No reports at this time.

#### **REPORTS – FINANCE**

No reports at this time.

#### **REPORTS – ENGINEERING AND PUBLIC WORKS**

No reports at this time.

#### **REPORTS – CORPORATE AND LEGAL SERVICES**

##### **11.1 Feed In Tariff (FIT) 3.0 Request for municipal support resolutions Roof top solar panel projects**

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

**It is recommended that:**

1. **The report from the Manager of Planning and Development Services dated November 2, 2013 regarding Feed In Tariff (FIT) 3.0 Request for municipal support resolutions roof top solar panel projects be received, and;**
2. **Council approve a site specific resolution for each rooftop solar power PV project location, as prescribed by the Ontario Power Authority (OPA) resolution template for:**
  - **111 St. Arnaud Street**
  - **7525 Howard Ave., Fox Glen Golf Course**
  - **689 Texas Rd., Verdi Club, and;**
3. **The resolutions sole purpose is to enable the applicant to receive priority points under the Ontario Power Authority's FIT Program, and may not be used for the purpose of any other form of municipal approval.**

The Mayor put the Motion.

**Motion Carried Unanimously**

##### **11.2 Request for Designation of Events as Municipally Significant**

Councillor Sutton moved, Councillor Pillon seconded:

**It is recommended that:**

1. **The report from the Licensing Officer dated November 5, 2013 regarding Request for Designation of Events as Municipally Significant be received;**
2. **The events listed in Appendix “A”, attached to this report be deemed as municipally significant events for the purpose of applying for a Special Occasion Permit.**

The Mayor put the Motion.

**Motion Carried Unanimously**

**11.3 General Insurance and Risk Management Services - Tender Results 2013 / 2014**

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

**It is recommended that:**

1. **The report from the Deputy Clerk/Risk Manager dated November 8, 2013 regarding General Insurance and Risk Management Services - Tender Results 2013 / 2014 be received, and;**
2. **Council award the tender to BFL Canada for 2013 / 2014, at a cost of \$430,656 for a twelve (12) month term and;**
3. **From the premium savings, \$125,000 be allocated to the 2014 Self-Insurance Reserve, and;**
4. **The balance of savings be allocated in the 2014 draft budget.**

The Mayor put the Motion.

**Motion Carried Unanimously**

**11.4 2014 Calendar of Council Meetings**

Council requested a hard copy of the calendar.

Councillor Pillon moved, Councillor Sutton seconded:

**It is recommended that:**

1. **The report from the Director of Corporate and Legal Services dated November 8, 2013 regarding 2014 Calendar of Council Meetings be received, and;**
2. **Council waive the rules in the Procedural By-law requiring that the meetings be held the second and fourth Monday of each month, and;**
3. **The 2014 Calendar of Council Meetings be approved as presented.**

The Mayor put the Motion.

**Motion Carried**

## REPORTS - CAO's OFFICE

### 12.1 Habitat Restoration Opportunity at the United Communities Credit Union Complex

Councillor Sutton moved, Councillor Davies seconded:

**It is recommended that:**

- 1. The report from the Manager of Economic Development and Strategic Asset Management dated October 30, 2013 regarding the Habitat Reforestation Opportunity at the United Communities Credit Union Complex be received, and;**
- 2. Council approve the coordination of the habitat reforestation opportunity at the United Communities Credit Union Complex site with the Essex Region Conservation Authority.**

The Mayor put the Motion.

**Motion Carried**

Councillor Pouget moved, Councillor Davies seconded:

**That administration be directed to send a letter of thank you to ERCA for their contribution to the Town of Amherstburg.**

The Mayor put the Motion.

**Motion Carried**

## INFORMATION REPORTS

Councillor Pillon moved, Councillor Sutton seconded:

**That the consent report items a, d and e be received.**

- a) Accounts Paid for the Period of October 24, 2013 to November 4, 2013**
- b) Dan Richmond Request for Delegation regarding Pointe West Golf Club (as dealt with above)**
- c) Letter from Robbie Taylor regarding the Keeping of Pigeons at 34 Illinois Street**
- d) Ontario Municipal Board (OMB) Decision (File PL130308), 510 Dalhousie Street- Severance File B/9/13**
- e) Ontario Municipal Board Appeal- W/S Gold Coast Drive, Boblo Island- Severance Files B/41-42/13**

The Mayor put the Motion.

**Motion Carried**

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

**That consent report item c be received.**

There was discussion regarding council procedure and as a result, the matter was put as a Notice of Motion.

The Mayor put the Motion.

**Motion Carried Unanimously**

## **CONSENT CORRESPONDENCE**

Councillor Pouget moved, Councillor Davies seconded:

Administration was directed to send a letter to the Town of Tecumseh and Southwestern Economic Alliance endorsing their initiative to create public support in regional passenger transportation by all levels of government for the communities of Southwestern Ontario.

**That the consent correspondence be received.**

### **a) Town of Tecumseh resolution - Regional Passenger Transportation Initiative**

The Mayor put the Motion.

**Motion Carried Unanimously**

## **CONSENT OTHER MINUTES**

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

**That the following minutes be received:**

- a) Co-An Park Committee Minutes - September 11, 2013**
- b) Committee of Adjustment Meeting Minutes - September 24, 2013.**

The Mayor put the Motion.

**Motion Carried**

## **UNFINISHED BUSINESS**

Unfinished Business items as of Monday, November 18, 2013

Councillor Pouget requested an update on the EIC report that will be coming to Council. The CAO advised that the report is forthcoming.

Councillor Pillon requested an update on the pedestrian light at the corner of Pickering and Sandwich. The Director of Engineering and Public Works advised that the light will be replaced shortly.

The CAO updated Council regarding information that was requested at the last regular meeting of November 4, 2013. He advised that the AP listing for Levack Management Consulting was regarding HR, labour relations issues, re-organization and SAP policy consultations. He also advised that the AP listing for McTague Law was regarding HR related matters and this law firm has been utilized by the Town since 2003 for such matters.

## **NEW BUSINESS**

Councillor Pouget moved, Councillor Davies seconded:

**That administration be directed to send a letter to the Town of Leamington relaying the Towns sympathies regarding the loss of their major industry;**

**And further that we support their endeavor to fill the void that the departure of Heinz will have on their community.**

The Mayor put the Motion.

**Motion Carried**

**NOTICES OF MOTION**

**18.1 Councillor DiPasquale - Audit of Financials**  
*(As introduced at the November 4, 2013 Council Meeting)*

Councillor DiPasquale moved, Councillor Pouget seconded:

**Whereas Part 6 of the Municipal Act establishes the practices and procedures for municipal organizations and administration.**

**And Whereas section 224 of the Municipal Act establishes and outlines the role of Council in the governance of municipal affairs conducted in in the municipality. In particular,**

**Sections D to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council,**

**Section D1 to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality, and**

**Section E to maintain the financial integrity of the municipality.**

**Now Therefore with the many personnel changes dealing with financial matters and policies within the municipality, during the term of this Council, I hereby make a Notice of Motion that Council direct administration to arrange for an audit of the Town of Amherstburg Finances and Financial Procedures and further that a request for proposals be prepared (RFP) for the completion of this service approved by council prior to advertising.**

The Mayor put the Motion.

|                         | <b>Yes/Concur</b> | <b>No/ Not Concur</b> |
|-------------------------|-------------------|-----------------------|
| Councillor Davies       |                   | X                     |
| Councillor DiPasquale   | X                 |                       |
| Councillor Pillon       |                   | X                     |
| Councillor Pouget       | X                 |                       |
| Deputy Mayor Sutherland | X                 |                       |
| Councillor Sutton       |                   | X                     |
| Mayor Hurst             |                   | X                     |

**Motion Failed**

**18.2 Councillor Pouget - 5% Reduction for 2013 Budget**  
*(As introduced at the November 4, 2013 Council Meeting)*

Councillor Pouget moved, Deputy Mayor Sutherland seconded:

**To direct all department heads to move toward a 5% reduction of their proposed 2014 operational budget expenses to be completed by January of 2014.**

The Mayor put the Motion.

|                       | <b>Yes/Concur</b> | <b>No/ Not Concur</b> |
|-----------------------|-------------------|-----------------------|
| Councillor Davies     |                   | X                     |
| Councillor DiPasquale | X                 |                       |
| Councillor Pillon     |                   | X                     |
| Councillor Pouget     | X                 |                       |

|                         |   |   |
|-------------------------|---|---|
| Deputy Mayor Sutherland | X |   |
| Councillor Sutton       |   | X |
| Mayor Hurst             |   | X |

**Motion Failed**

Councillor Pouget introduced a Notice of Motion with regard to directing administration to cease any further hiring, terminations, buyouts, employee status changes or hiring of consulting firms and outside law firms unless directed and approved to do so by Town Council. The item will be added to the next Council meeting agenda for discussion and voting.

Councillor Davies introduced a Notice of Motion with regard to Light Rapid Transit. The item will be added to the next Council meeting agenda for discussion and voting.

Councillor Davies introduced a Notice of Motion with regard to Compressed Air Energy. The item will be added to the next Council meeting agenda for discussion and voting.

Councillor Pouget introduced a Notice of Motion with regard to the reconsideration of the motion passed by Council on October 29, 2012 regarding Robbie Taylor's pigeon issue. The item will be added to the next Council meeting agenda for discussion and voting.

#### **BY-LAWS**

##### **19.1 Confirmatory By-law**

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

**That By-law 2013-110 being a by-law to confirm all resolutions of the Municipal Council Meetings held on November 18, 2013, be taken as having been read three (3) times and finally passed and the Mayor and Clerk be authorized to sign same.**

The Mayor put the Motion.

**Motion Carried**

#### **ADJOURNMENT**

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

**That Council rise and adjourn at 9:44 p.m.**

The Mayor put the Motion.

**Motion Carried**

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MAYOR – WAYNE HURST



