



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Tuesday, May 20, 2014
7:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg

MINUTES

PRESENT

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

Mike Phipps, Chief Administrative Officer
Paula Parker, Deputy Clerk

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

Councillor Sutton declared an indirect pecuniary interest with respect to Notice of Motion Item 19.2

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 Meeting Minutes – May 5, 2014

The Mayor put the Motion.

Motion Carried Unanimously

DELEGATIONS

5.1 **Steve Mitchel, Owner Operator and President EPIC, Sprucewood Shores Estate Winery & Tom O'Brien, Owner Operator, Coopers Hawk Estate Winery**

The Manager of Tourism and Culture introduced Owner Operators of local wineries in the Town of Amherstburg to members of Council. Mr. Mitchel, Sprucewood Shores and Mr. O'Brien, Coopers Hawk addressed Council regarding the new opportunity provided by the AGCO Pilot Project, selling wine at Farmers Markets.

Councillor Pillon moved, Councillor Sutton seconded:

It is recommended that:

1. The delegation be received.

The Mayor put the Motion.

Motion Carried

The Fire Chief was invited to report to Council on the recent use of the alert sirens in town. The Fire Chief stated that he had been fielding questions from the media and Council regarding the recent use of the sirens for last week's weather event. The fire staff have been tracking weather patterns to enhance awareness and to be able to provide the alert to residents when necessary. Council commended the Fire Chief on his initiative and agreed that it would increase resident awareness and preparedness.

Councillor Pillon moved, Councillor Davies seconded:

Motion to receive.

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS – POLICE SERVICES

6.1 **Community Policing Partnerships (CPP) & Safer Community 1000 Officers Grant Programs**

Councillor Sutton moved, Councillor Davies seconded:

It is recommended that:

- 1. The report from Chief Tim Berthiaume dated April 30, 2014, regarding the Community Policing Partnerships (CPP) & Safer Community 1000 Officers Grant Programs be received; and**
- 2. By-law 2014-41 being a by-law authorizing the execution of an Agreement between the Town of Amherstburg, 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 with respect to a grant for the Community Policing Partnerships (CPP) Program be taken as having been read three times, and finally passed and the Mayor and Clerk be authorized to sign same.**
- 3. By-law 2014-42 being a by-law authorizing the execution of an Agreement between the Town of Amherstburg, 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 with respect to a grant for the Safer Community – 1,000 Officers Partnership Program be taken as having been read three times, and finally passed and the Mayor and Clerk be authorized to sign same.**

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS – COMMUNITY SERVICES

7.1 Request to Waive 2014 Fees to Operate the Amherstburg Malden Centre Ball Diamond Concession

Councillor Pillon moved, Councillor Davies seconded:

It is recommended that:

- 1. The report from the Manager of Business Development and Programs dated May 5, 2014 regarding a request to waive 2014 fees to operate the Amherstburg Malden Centre Ball Diamond Concession be received; and,**
- 2. Council approve a reduction in user fees to \$50.00/month to operate the Malden Centre Ball Diamond Concession at Malden Centre Park for the 2014 Baseball season.**

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS – FINANCE

No reports at this time.

REPORTS – ENGINEERING AND PUBLIC WORKS

9.1 Roadside Ditch Maintenance Policy

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

It is recommended that:

- 1. The report from the Manager of Public Works dated April 15, 2014 regarding Roadside Ditch Maintenance Policy be received; and,**
- 2. Council adopt the policy entitled Roadside Ditch Maintenance Policy for roadside ditch maintenance throughout the Town of Amherstburg.**

The Mayor put the Motion.

Motion Carried Unanimously

9.2 Waldron Drain Improvements

Councillor Sutton moved, Councillor Pillon seconded:

It is recommended that:

- 1. The report from the Manager of Public Works dated April 28, 2014 regarding Waldron Drain Improvements be received; and,**
- 2. Council accept the request from Gerald and Rosemary Waldron for the replacement of the access culvert over the Waldron Municipal Drain as per section 78 of the Drainage Act; and,**
- 3. Council appoint the firm of N.J. Peralta Engineering Ltd. pursuant to the provisions of the Drainage Act for the repair and improvement of the Waldron Municipal Drain.**

The Mayor put the Motion.

Motion Carried Unanimously

9.3 Hamel Drain Improvements

Councillor DiPasquale moved, Councillor Pillon seconded:

It is recommended that:

- 1. The report from the Manager of Public Works dated April 17, 2014 regarding Hamel Drain Improvements be received; and,**
- 2. Council repeal the provisional By-law 2013-69, and;**
- 3. Council refer the engineer's report back to the Crozier Baird Engineers for reconsideration.**

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS – CORPORATE AND LEGAL SERVICES

10.1 Suitability for Development of Five Proposed Lots, Creek Road - on private septic systems

Councillor Sutton moved, Councillor Davies seconded:

It is recommended that:

- 1. The report from the Manager of Planning and Development Services dated May 7, 2014 regarding the Suitability for Development of Five Proposed Lots, Creek Road, on private septic systems be received; and,**
- 2. Council authorize the development of the five lots specifying that only tertiary systems as identified in Part 8 of the Ontario Building Code can be approved on these five lots and that this requirement be placed as a restriction on the deeds of each of the properties.**

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS - CAO's OFFICE

11.1 Real Estate Services for the Sale of Town-Owned Surplus Property - Request for Proposal Results

Deputy Mayor Sutherland moved, Councillor Davies seconded:

It is recommended that:

- 1. The report from the Corporate Strategies and Special Projects Coordinator dated May 5, 2014 regarding Real Estate Services for the Sale of Town-Owned Surplus Property – Request for Proposal Results and be received; and,**
- 2. Council award the contract to Remax Preferred Realty – Amherstburg to supply real estate services for the sale of Town-owned surplus property for a one-year term from June 2, 2014 to June 1, 2015; and,**
- 3. By-law 2014-38 being a by-law to enter into a contract with Remax Preferred Realty Ltd. Brokerage for real estate services for the sale of Town-owned surplus land be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same.**

The Mayor put the Motion.

Motion Carried Unanimously

INFORMATION REPORTS

Councillor Pillon moved, Councillor Sutton seconded:

That the information reports a,b,e and f be received.

- a) **Accounts Paid for the Period of April 23, 2014 to May 5, 2014**
- b) **Decommissioning of Electronic Kiosks and Installation of Static Message Centers**
- c) **Kingsbridge Inflow and Infiltration Initiative**
- d) **Alcohol and Gaming Commission of Ontario Pilot Project; Vintners' Quality Assurance Wine Sales at Farmers Markets**
- e) **Repositioning Planters from Sandwich Street to Richmond Street.**
- f) **2013-2014 Municipal Drainage Projects Activity Report**

The Mayor put the Motion.

Motion Carried Unanimously

Council had discussion regarding item c

Councillor Davies moved, Councillor Pillon seconded:

That item c be received.

The Mayor put the Motion.

Motion Carried Unanimously

Council had discussion regarding item d

Councillor Davies moved, Councillor Pillon seconded:

That item d be received.

The Mayor put the Motion.

Motion Carried Unanimously

CONSENT CORRESPONDENCE

Councillor Sutton moved, Councillor Pillon seconded:

That the consent correspondence be received.

- a) **2014 Senior Achievement Award Program**
- b) **Council Award of the College of Physicians and Surgeons of Ontario**
- c) **Ontario Medal for Good Citizenship**
- d) **Vintner's Quality Alliance - VQA**

The Mayor put the Motion.

Motion Carried Unanimously

CONSENT OTHER MINUTES

Deputy Mayor Sutherland moved, Councillor Davies seconded:

That the following minutes be received:

- a) **Recreation and Culture Advisory Committee Minutes – February 11, 2014**

The Mayor put the Motion.

Motion Carried Unanimously

OTHER MINUTES

15.1 Traffic Committee Minutes - December 12, 2013

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

It is recommended that:

- 1. The Traffic Committee Minutes of December 12, 2013 be received;**
- 2. Council concur that the Engineering and Public Works department use the Traffic Counter equipment to monitor speeds on Concession 3 North once the winter control season has ended and report back to the Traffic Committee and that correspondence be sent to the complainant outlining the actions that are proposed; and,**
- 3. Council concur that the Engineering and Public Works department remove all bags from the “No Parking” signs on the South side of William Street, that Police and By-law Enforcement continue with enforcement and that the Planning Department send correspondence to the school board to address and resolve the parking issue near and around Stella Maris School.**

The Mayor put the Motion.

Motion Carried

15.2 Traffic Committee Minutes - March 6, 2014

Councillor Pillon moved, Councillor Sutton seconded:

It is recommended that:

- 1. The Traffic Committee Minutes of March 6, 2014 be received;**
- 2. Council concur with the recommendation that the request for a No Parking sign on Brush Crescent be denied as the parking regulation is already regulated in Traffic By-law 2011-69;**
- 3. Council concur with the recommendation that a No Parking sign be erected on North Street just west of 192 Sandwich Street’s driveway; and,**
- 4. Council concur with the recommendation that the Crosswalk on Sandwich Street be removed from the Unfinished Business list and recognize that it has been referred to Council for consideration in the capital budget.**

The Mayor put the Motion.

Motion Carried Unanimously

UNFINISHED BUSINESS

Unfinished Business items as of Tuesday, May 20, 2014

Councillor Pillon moved, Councillor Sutton seconded:

That Council direct administration to review the drainage situation at 757 Front Rd N and report back to Council.

The Mayor put the Motion.

Motion Carried Unanimously

Councillor Pouget moved, Deputy Mayor Sutherland seconded:

That Council direct administration to review the information pertaining to the completed works at the cemetery at the St. Jean Baptist school and bring back a report to Council.

The Mayor put the Motion.

Motion Carried Unanimously

NEW BUSINESS

The CAO reported to Council that the Ministry of Municipal Affairs and Housing (MMAH) requested 4 bids and received 3 for the Town's Financial Management and Practices Review. The next step is to finalize the agreements and work plan with the successful bidder.

REPORT FROM IN-CAMERA SESSION

Report from In Camera Meeting held Wednesday, May 14, 2014

COUNCIL IN CAMERA SESSION – REPORTING OUT MAY 14, 2014 MEETING

Council met at 3:00pm am on May 14, 2014 for a Special In-Camera meeting and discussed two (2) items as provided for under Section 239 of the Municipal Act:

ITEM A– Sale of Surplus Land – heard under Section 239(2)(c) of the municipal act. There is nothing further to report on this matter.

ITEM B– Personnel Matters – heard under Section 239(2)(b) of the municipal act. There is nothing further to report on this matter.

COUNCIL IN CAMERA SESSION – REPORTING OUT MAY 20, 2014 MEETING

Council met at 4:00pm am on May 20, 2014 for a Special In-Camera meeting and discussed one (1) item as provided for under Section 239 of the Municipal Act:

ITEM A– Personnel Matter – heard under Section 239(2)(b) of the municipal act. There is nothing further to report on this matter.

NOTICES OF MOTION

19.1 Councillor DiPasquale - Media Relation Policy (As introduced at the May 5, 2014 meeting)

Councillor DiPasquale moved, Councillor Davies seconded:

In light of another recent controversial contact with the Windsor Star, along with a perception of noncooperative communications, and various other issues,

I hereby move that administration review, update, replace and/or change, any present media policies and on completion of same present to council. Further, a meeting with the Windsor Star management should be established, in effort to resolve any issues and a report back to council be filed.

Some Important Policy content for all Stakeholders

-Ensure all communications with the media is consistent, well informed, timely and appropriate.

- Clearly Indicate authorized spokes persons
- Maintain positive relations with media, with accurate, timely, information.
- Improve and maintain communication Internally and externally and enhance the Municipalities image.
- Establish protocols and consistent methods of managing communications to the media to ensure of its relevancy and approved comments.
- Limit possibility of miscommunication and to maximize effectiveness of staff by assuring the comments are made by authorized staff.
- Establish effective guidelines for effective communications and publicizing news about the Town of Amherstburg,
- The Municipality should recognize that the media is one of the most effective ways of publicizing issues, programs, and events to residents, disputes between the Municipality and media cannot be resolved, a part in/policy should deal with steps to follow in seeking adjudication of disputes through the Ontario Press Council.

The Mayor put the Motion.

Motion Carried Unanimously

19.2 Deputy Mayor Sutherland - Moratorium on all Temporary and Permanent Off-site Signage (As introduced at the May 5, 2014 meeting)

Councillor Sutton removed himself from discussion and voting on the matter.

Deputy Mayor Sutherland moved, Councillor DiPasquale seconded:

A moratorium on all temporary and permanent off-site signage. The only exception would be for Real Estate signs advertising a specific house for sale and open house.

The Mayor put the Motion.

Motion Failed

BY-LAWS

20.1 By-law to Appoint Bank Signing Authorities

Councillor Sutton moved, Councillor Pilon seconded:

That By-law 2014-40 being a by-law to Appoint Bank Signing Authorities be taken as having been read 3 times and finally passed and the Mayor and Clerk be authorized to sign the same thereto.

The Mayor put the Motion.

Motion Carried Unanimously

20.2 By-law to Appoint Deputy Clerk

Councillor moved, Councillor seconded:

That By-law 2014-44 being a by-law to Amend By-law 2011-98 to Appoint Deputy Clerks be taken as having been read 3 times and finally passed and the Mayor and Clerk be authorized to sign same.

The Mayor put the Motion.

Motion Carried Unanimously

20.3 **Confirmatory By-law**

Councillor moved, Councillor seconded:

That By-law 2014-45 being a by-law to confirm all resolutions of the Municipal Council Meetings held on May 9,14 and 20, 2014 be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Councillor moved, Councillor seconded:

That Council rise and adjourn at 8:20 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – WAYNE HURST

DEPUTY CLERK – PAULA PARKER