



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Monday, August 11, 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, Clerk

CALL TO ORDER

The Mayor called the meeting to order at 8:05 p.m.

PRAYER

The 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, 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 - July 14, 2014

The Mayor put the Motion.

Motion Carried Unanimously

Councillor Davies moved, Councillor Pillon seconded:

That the Final Report on the Financial Services Management Practices Review – Ministry of Municipal Affairs and Housing and Deloitte LLP item 6.2 be brought forward at this time.

The Mayor put the Motion.

Motion Carried

6.2 Final Report on the Financial Services Management Practices Review - Ministry of Municipal Affairs and Housing and Deloitte LLP

Councillor Sutton moved, Councillor Davies seconded:

That the presentation be received and that Council and Administration continue to work with the representatives from Deloitte LPP in implementing the 41 recommendations of the financial services review.

The Mayor put the Motion.

Motion Carried Unanimously

PRESENTATIONS

6.1 Run for Heroes Marathon Plaque Presentation - Chris Uszynski

Councillor Davies moved, Deputy Mayor Sutherland seconded:

That:

1. The presentation be received; and,
2. Administration continue to work with the organizers of the Run for Heroes Marathon by providing logistic support for the event as provided in previous years.

The Mayor put the Motion.

Motion Carried Unanimously

Mayor Hurst noted that Council should give consideration in placing a sign coming into the community stating that the Town of Amherstburg is the Southern-most community for marathoners to qualify for the Boston Marathon.

DELEGATIONS

5.1 Lane Alignment of Sandwich Street - Frank Fox

Councillor DiPasquale moved, Councillor Pouget seconded:

That the previous motion regarding Sandwich Street Realignment – New Lane Configuration be reconsidered.

The Mayor put the Motion.

Motion Carried

Councillor DiPasquale moved, Deputy Mayor Sutherland seconded:

That the previous decision be reviewed and accommodate parking issues of business owners.

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS – POLICE SERVICES

No reports at this time.

REPORTS – CORPORATE AND COMMUNITY SERVICES

No reports at this time.

REPORTS – FINANCIAL SERVICES

9.1 External Audit Services - Request for Proposal Results

Councillor DiPasquale moved, Councillor Davies seconded:

It is recommended that:

- 1. The report from the Supervisor of Accounting dated July 29, 2014 regarding External Audit Services – Request for Proposal Results be received; and,**
- 2. Council award the contract to KPMG LLP, to provide external audit services for the 2014 to 2016 fiscal years; and,**
- 3. By-law 2014-90 being a by-law to enter into a contract with KPMG LLP to provide external audit services 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 – ENGINEERING AND PUBLIC WORKS

10.1 Streetlight Maintenance -Tender Results

Councillor DiPasquale moved, Councillor Davies seconded:

It is recommended that:

- 1. The report from the Manager of Engineering and Operations dated July 26, 2014 regarding Streetlight Maintenance – Tender Results be received; and,**
- 2. Council award the contract to Langley Utilities Contracting for streetlight maintenance; and,**

3. **By-law 2014-83 being a by-law to enter into a contract with Langley Utilities Contracting for streetlight maintenance 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

10.2 Marsh Drive and Renaud Drive Surface Asphalt Placement - Tender Results

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

It is recommended that:

1. **The report from the Manager of Engineering and Operations dated July 18, 2014 regarding Marsh Drive and Renaud Drive Surface Asphalt Placement - Tender Results be received; and,**
2. **Council award the contract to Mill-Am Corporation to complete the surface asphalt placement on Marsh Drive and Renaud Drive; and,**
3. **By-law 2014-85 being a by-law to enter into a contract with Mill-Am Corporation to complete the surface asphalt placement on Marsh Drive and Renaud Drive 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

10.3 Surface Treatment Program -Tender Results

Councillor Sutton moved, Councillor Pillon seconded:

It is recommended that:

1. **The report from the Manager of Engineering and Operations dated July 26, 2014 regarding Surface Treatment Program – Tender Results be received; and,**
2. **Council award the contract to Shepley Road Maintenance for the Surface Treatment Program; and,**

3. **By-law 2014-84 being a by-law to enter into a contract with Shepley Road Maintenance for Surface Treatment 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

REPORTS – ECONOMIC AND COMMUNITY DEVELOPMENT

11.1 Development Agreement-Leo Racicot Motor Sales Limited, 462 Sandwich Street South

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

It is recommended that:

1. **The report from the Manager of Planning Services dated July 29, 2014 regarding a Development Agreement-Leo Racicot Motor Sales Limited, 462 Sandwich Street South, be received; and,**
2. **Council approve the Site Plan and Development Agreement for 462 Sandwich Street South; and,**
3. **By-laws 1867 and 2013-83 be repealed; and,**
4. **By-law 2014-80 being a by-law to authorize the signing of a Development Agreement 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

11.2 Agreement to Defer Development Charges - 70,72,74 and 76 Shaw Drive, Amherstburg

Councillor Pillon moved, Councillor Sutton seconded:

It is recommended that:

1. The report from the Chief Building Official dated July 29, 2014 regarding the Agreement to Defer Development Charges for 70, 72, 74 and 76 Shaw Drive, be received; and,
2. Council approve the application for deferral of development charges, as requested by G&G Contracting, (1078262 Ontario Ltd.) for property located at 70,72,74 and 76 Shaw Drive; and,
3. By-law 2014-87 being a By-law to authorize the signing of an agreement to defer development charges 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

11.3 Removal of Part Lot Control-Kingsbridge Subdivision

Councillor Sutton moved, Councillor Davies seconded:

It is recommended that:

1. The report from the Manager of Planning Services dated July 28, 2014 regarding Removal of Part Lot Control-Kingsbridge Subdivision be received; and,
2. Council approve the request to extend the time frame specified in the by-law and to amend the lands described in the by-law; and,
3. By-law 2014-86 being a by-law to amend By-law 2010-93 to extend the expiration date and amend the land described for Part Lot Control exemption 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

11.4 Temporary Relief of Kings Navy Yard Park By-Law 2004-89

Councillor Pilon moved, Councillor Davies seconded:

It is recommended that:

1. **The report from the Manager of Tourism and Culture dated July 30, 2014 regarding Temporary Relief of Kings Navy Yard Park By-Law 2004-89 be received; and,**
2. **Council approve that the Amherstburg Museums and Galleries Association use the park to hold its annual Murder Mystery presentation on Saturday, September 21, 2014 between the hours of 6:30 p.m. to 9:00 p.m.**

The Mayor put in Motion.

Motion Carried

REPORTS - CAO's OFFICE

12.1 Procedural By-law Amendment (By-law to follow)

Councillor Pouget moved, Deputy Mayor Sutherland seconded:

Request to Defer the Motion.

The Mayor put the Motion.

Motion Carried

12.2 Election Policy Amendment

Deputy Mayor Sutherland moved, Councillor Davies seconded:

It is recommended that:

1. **The report from the Manager of Municipal Governance dated July 29, 2014 regarding Election Policy Amendment be received; and,**
2. **Council approve the Election Policy, as presented.**

The Mayor put the Motion.

Motion Carried Unanimously

INFORMATION REPORTS

Councillor Pillon moved, Councillor Davies seconded:

That the information reports be received.

- a) Year to Date Financial Reports, as at June 30, 2014**
- b) 2014 Ontario 55+ Summer Games**
- c) New Housing Starts News Article**
- d) Dynamment Corporation Update**
- e) Amherstburg Land Holdings (ALH) Remediation Update**
- f) Accounts Paid for the Period of June 24, 2014 to July 17, 2014**

The Mayor put the Motion.

Motion Carried Unanimously

Councillor Davies commended that she was impressed with the Year to Date Financial Reports, as at June 30, 2014 but inquired as to why Economic Development was so far under budget. The Director of Economic and Community Development stated that there will soon be additional debits but they are still projected to be on budget.

Councillor Pouget asked if Dynamment Corporation is in compliance with its agreement to date. The Director of Economic and Community Development stated that the agreement is slightly below projection.

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

To extend the Council meeting to deal with business at hand.

The Mayor put the Motion.

Motion Carried

Councillor Pouget asked if the Amherstburg Land Holdings Remediation is on target to bring materials in. The Director of Economic and Community Development stated that everything is on target and Council will be advised as to when the start date will be.

CONSENT CORRESPONDENCE

Councillor Sutton moved, Councillor Davies seconded:

That the consent correspondence be received.

- a) **The College of Physicians and Surgeons of Ontario**
- b) **Taking Steps - Cancer Society**
- c) **Windsor Symphony Orchestra**
- d) **Pathway to Potential - Windsor-Essex Transportation Report (report available for review in Clerks Department).**

The Mayor put the Motion.

Motion Carried Unanimously

CONSENT OTHER MINUTES

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

That the following minutes be received:

- a) **Amherstburg Police Services Board Minutes - May 13, 2014**
- b) **Committee of Adjustment June 24, 2014 Meeting Minutes**

The Mayor put the Motion.

Motion Carried Unanimously

CORRESPONDENCE

16.1 Franco-Ontarian Flag Day

Councillor Pillon moved, Councillor Davies seconded:

It is recommended that:

- 1. The correspondence regarding Franco-Ontarian Flag Day be received; and,**
- 3. Council approve a flag-raising on Thursday, September 25, 2014 at 10:00am.**

The Mayor put the Motion.

UNFINISHED BUSINESS

Unfinished Business items as of Monday, August 11, 2014

1. Councillor Pouget asked if the Sign By-law was complete and also if someone could respond to Linda Saxon regarding accessibility when issuing business licenses. The Manager of Licensing and Enforcement stated that she is currently working on the Sign By-law and she will contact Ms. Saxon, see if there are any additional concerns, formulate a response and copy Council on that response.
2. Councillor Pouget asked about the surface asphalt review. The Manager of Engineering and Operations stated that he will be bringing Council the plan by the end of September.

NEW BUSINESS

1. Deputy Mayor Sutherland asked was there is a cost associated with the Building and Planning Department relocation. The Chief Administrative Office stated that the Building and Planning Department will be moving into existing retail space at the Libro Center and that there will be a cost to erect walls in that space. He stated that he will bring that cost to Council but it is intended to be covered in this year's budget.

NOTICES OF MOTION

There were no Notices of Motion.

BY-LAWS

20.1 By-law 2014-82- ZBA- 6395 Concession 6 S

Councillor DiPasquale moved, Deputy Mayor Sutherland seconded:

That By-Law 2014-82 being a by-law to amend Zoning By-Law No. 1999-52 for 6395 Concession 6 S., Amherstburg 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

20.2 By-law 2014-79- ZBA- 238 Dalhousie

Councillor DiPasquale moved, Deputy Mayor Sutherland seconded:

That By-Law 2014-79 being a by-law to amend Zoning By-Law No. 1999-52 for 238 Dalhousie, Amherstburg 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

20.3 Bank Signing Authority By-Law

Councillor DiPasquale moved, Deputy Mayor Sutherland seconded:

That By-Law 2014-90 being a by-law to appoint Bank signing authorities 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

20.4 7th Line Drain - Third and Final Reading

Councillor DiPasquale moved, Deputy Mayor Sutherland seconded:

That By-law 2014-18 being a by-law to provide for the Repair and Improvement of the 7th Line Drain based on the Drainage Report by N.J. Peralta Engineering Ltd. be read a third time and finally passed and the Mayor and Clerk be authorized to sign same.

The Mayor put the Motion.

Motion Carried

20.5 **6th Concession Road Drain - Third and Final Reading**

Councillor DiPasquale moved, Deputy Mayor Sutherland seconded:

That By-law 2014-36 being a by-law to provide for the New Maintenance Schedule for the 6th Concession Road Drain on the Drainage Report by N.J.Peralta Engineering Ltd. 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

20.6 **4th Concession Road Drain South - Third and Final Reading**

Councillor DiPasquale moved, Deputy Mayor Sutherland seconded:

That By-law 2014-71 being a by-law to provide for the Repair and Improvement of the 4th Concession Road Drain South based on the Drainage Report by Crozier Baird Engineers 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

20.7 **Confirmatory By-law**

Councillor Sutton moved, Councillor Pillon seconded:

That By-law 2014-89 being a by-law to confirm all resolutions of the Municipal Council Meetings held on July 31 and August 11, 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 Sutton moved, Councillor Pillon seconded:

That Council rise and adjourn at 10:51 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – WAYNE HURST

CLERK – PAULA PARKER