



**TOWN OF AMHERSTBURG
SPECIAL COUNCIL MEETING
Friday, October 03, 2014
9:00 AM**

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 9:05 a.m.

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

REPORTS

3.1 Request for Variance from By-law 2002-84 Lawful Fences

Deputy Mayor Sutherland moved, Councillor DiPasquale seconded:

That:

- 1. The report from the Manager of Licensing and Enforcement dated September 25, 2014 regarding a Request for Variance from By-law 2002-84 be received; and,**

2. **The request for a minor variance from By-law 2002-84 for a 4 foot (1.2192 meters) aluminum fence at 1654 Park Avenue be approved.**

The Mayor put the Motion.

Motion Carried Unanimously

Councillor Pouget asked what the purpose was for the fence to be 4 feet in height. The Manager of Licensing and Enforcement stated that the purpose was to contain his dogs.

Councillor Davies asked if the neighbours are okay with the request. The Manager of Licensing and Enforcement stated that there is no requirement set out by the Municipal Act to notify the neighbours.

3.2 **Sandwich Street Realignment – Lane Configuration and Requested Feedback**

Councillor Pillon moved, Councillor Davies seconded:

That:

1. **The report from the Manager of Engineering and Operations dated September 25, 2014 regarding Sandwich Street Realignment – Lane Configuration and Requested Feedback be received; and,**
2. **Based on the input from the County Engineer and the Town’s insurance provider, Council approve the originally proposed 3 lane configuration of Sandwich Street between Pickering Drive and St. Arnaud Street; and,**
3. **Council direct Administration to work with business owners to provide parking where possible.**

The Mayor put the Motion.

	Yes/Concur	No/Not Concur
Councillor Davies	x	
Councillor DiPasquale		x
Councillor Pillon	x	
Councillor Pouget		x
Deputy Mayor Sutherland		x
Councillor Sutton	x	
Mayor Hurst	x	

Motion Carried

3.3 Development Charges Study and By-law

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

That:

1. The report from the Manager of Planning Services dated September 22, 2014 regarding the Development Charges Study and By-law be received;
2. The Development Charge Background Study dated August 25, 2014, and related Addendum report dated September 18, 2014, constituting the Town of Amherstburg 2014 Development Charge Background Study for the purposes of Section 10 of the Development Charges Act, 1997, be approved;
3. With respect to the Addendum updating the content of the Development Charge Background Study and By-law considered at the public meeting held on September 8, 2014, Council determines that pursuant to Section 12(3) of the Development Charges Act, 1997, no further public meeting is necessary; and,
4. By-law 2014-101, being a By-law to establish Development Charges for residential and non-residential development 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

3.4 Total Debt by Loan Facility

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That:

1. The report from the Director of Financial Services dated September 22, 2014 regarding the Total Debt by Loan Facility be received for information and that this report be added to the Town website.

The Mayor put the Motion.

Motion Carried Unanimously

COUNCIL DISCUSSION

- Deloitte Request – The Chief Administrative Officer updated Council regarding their request to have Deloitte attend another public meeting to give the residents the platform to question the Deloitte report. He stated that Deloitte already attended a session on September 11th, 2014 to answer questions brought forth by Council. He further stated that the contract with Deloitte is now complete and any further work requested of Deloitte will be at the expense of the Town.

Discussion ensued with respect to the update from the CAO on the Deloitte Request.

The Town Solicitor requested that Council move in-camera under section 239(2)(f) of the Municipal Act.

Councillor Sutton moved, Councillor Pouget seconded:

That Council move into an In-Camera Meeting of Council at 10:28 a.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – Deloitte Request - 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

Council resumed public session at 10:48am.

Councillor Davies moved, Deputy Mayor Sutherland seconded:

That Council resume public session at 10:48am.

The Mayor put the Motion.

Motion Carried

Councillor Pouget moved, Deputy Mayor Sutherland seconded:

That administration correspond with the Ministry of Municipal Affairs and include a copy of our original motion initiating a meeting with Deloitte, our Finance department and our taxpayers, and request their assistance and advice to accomplish our intent, in particular if we can continue to communicate with Deloitte and take advantage of Mr. Lanoue's suggestion.

The Mayor put the Motion.

	Yes/Concur	No/Not Concur
Councillor Davies	x	
Councillor DiPasquale	x	
Councillor Pillon	x	
Councillor Pouget	x	
Deputy Mayor Sutherland	x	
Councillor Sutton		x
Mayor Hurst		x

Motion Carried

The CAO requested that this discussion be brought in-camera under Section 239(2)(e) of the Municipal Act, as it too relates to the next in-camera topic of discussion.

- Town of Essex – McGregor Sewage Lagoon Upgrades.

The Chief Administrative Officer requested that this discussion be brought In-Camera under 239(2)(

SPECIAL IN-CAMERA MEETING

Councillor Sutton moved, Councillor Pouget seconded:

That Council move into an In-Camera Meeting of Council at 11:15 a.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

- ITEM A – McGregor Lagoon - Section 239(2)(c) – A proposed or pending acquisition of disposition of land by the municipality or local board; and Section 239(2)(e) – litigation or potential litigation,**

including matters before administrative tribunals, affecting the municipality or local board

The Mayor put the Motion.

Motion Carried

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That Council resume public session at 11:53am.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN-CAMERA

COUNCIL IN CAMERA SESSION – REPORTING OUT October 3, 2014 MEETING

Council met at 11:15am on October 3, 2014 for a Special In-Camera meeting and discussed one item as provided for under Section 239 of the Municipal Act:

ITEM A - McGregor Lagoon heard under Section 239(2)(c) of the Act. As a result that discussion the following motion is before Council:

Councillor Pilon moved, Councillor Davies seconded:

That By-law 2014-104 being a by-law authorizing the execution of a Joint Use Agreement between the Corporation of the Town of Amherstburg and Heaton Sanitation 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

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

That Council rise and adjourn at 11:54 a.m.

The Mayor put the Motion.

Motion Carried

MAYOR – WAYNE HURST

CLERK – PAULA PARKER