



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Monday, February 09, 2015
7:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg

MINUTES

PRESENT

Mayor Aldo DiCarlo
Deputy Mayor Bart DiPasquale
Councillor Joan Courtney
Councillor Jason Lavigne
Councillor Leo Meloche
Councillor Diane Pouget

Giovanni (John), Chief Administrative Officer
Paula Parker, Clerk

ABSENT WITH NOTICE Councillor Rick Fryer

CALL TO ORDER

The Mayor called the meeting to order at 4:14 p.m.

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

There were no disclosures of pecuniary interest noted.

SPECIAL IN-CAMERA MEETING

Councillor Lavigne moved, Councillor Meloche seconded:

That Council move into an In-Camera Meeting of Council at 4:14 pm., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

- ITEM A – Comparison of Organizational Structures from Levack Management Consulting Inc. and Phipps Consulting - Section 239 (2)(b) - Personal matters about an identifiable individual, including municipal or local board employees**

- ITEM B – 3381 Meloche Road, Massen Property - Section 239 (2)(a) - The security of the property of the municipality or local board**

- ITEM C - Dynament Corporation Lease Agreement Update - Section 239 (2)(a) - The security of the property of the municipality or local board**

- ITEM D - Essex Power Corporation Update - Section 239 (2)(a) - The security of the property of the municipality or local board**

The Mayor put the Motion.

Motion Carried

ADJOURNMENT OF IN-CAMERA MEETING

RESUMPTION OF REGULAR COUNCIL MEETING - 7:38 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

Deputy Mayor DiPasquale moved, Councillor Pouget 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 In-Camera Council Meeting Minutes - January 21, 2015**
2. **Special Council Meeting Minutes - January 21, 2015**
3. **Special In-Camera Council Meeting Minutes - January 26, 2015**
4. **Regular Council Meeting Minutes - January 26, 2015**

The Mayor put the Motion.

Motion Carried Unanimously

DELEGATIONS

9.1 St. Peter's ACHS College School - Peter Thyrring, Headmaster

Peter Thyrring presented information to Council pertaining to St. Peter's ACHS College School. Terry Sawchuk, Student Parent, relayed the positive effects St. Peter's ACHS College School has had on his child.

Councillor Pouget moved, Councillor Courtney seconded:

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

9.2 Saving Monarch Butterflies - Wayne Turner

Wayne Turner presented information to Council pertaining to saving the Monarch butterflies.

Councillor Meloche moved, Councillor Lavigne seconded:

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

Councillor Pouget directed Administration to forward Mr. Turner's presentation to the Parks Advisory Committee.

PRESENTATIONS

10.1 Cost of Service/Rate Filing - Richard Dimmel, VP Regulatory Affairs and Joe Barile, General Manager, Essex Power Corporation

Joe Barile was unable to attend. Ray Tracey assisted with the presentation in his place.

Councillor Meloche moved, Councillor Lavigne seconded:

That the presentation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

REPORTS – POLICE SERVICES

No reports at this time.

REPORTS – CORPORATE AND COMMUNITY SERVICES

No reports at this time.

REPORTS – FINANCIAL SERVICES

13.1 January 19, 2015- February 2, 2015 Accounts Payable

Councillor Pouget moved, Councillor Lavigne seconded:

That:

- 1. The report from the Director of Financial Services dated February 2, 2015 regarding January 19, 2015 – February 2, 2015 Accounts Payable, BE APPROVED; and,**
- 2. The Director of Financial Services BE AUTHORIZED to release funds for the approved payables.**

The Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

No reports at this time.

REPORTS – ECONOMIC AND COMMUNITY DEVELOPMENT

15.1 Corporate Use of Social Media

Deputy Mayor DiPasquale moved, Councillor Pouget seconded:

That:

- 1. The report from the Manager of Special Projects regarding Corporate Use of Social Media BE RECEIVED;**
- 2. Council APPROVE the creation of social media sites for the purpose of communicating Town Hall news and events; and,**
- 3. Council AUTHORIZE the Chief Administrative Officer to review and approve additional social media sites as required to improve communications with the general public.**

The Mayor put the Motion.

Motion Carried

15.2 Amherstburg Firefighters Annual Volleyball Tournament – Request for Designation of Event as Municipally Significant

Councillor Pouget moved, Councillor Lavigne seconded:

That:

- 1. The report from the Manager of Licensing and Enforcement dated January 21, 2015 regarding the Amherstburg Firefighters Annual Volleyball Tournament - Request for Designation of Event as Municipally Significant BE RECEIVED; and,**
- 2. The Amherstburg Firefighters Annual Volleyball Tournament being held on June 13, 2015, BE DEEMED as a municipally significant event for the purpose of applying for a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario (AGCO).**

The Mayor put the Motion.

Motion Carried

15.3 Property Standards Committee

Councillor Meloche moved, Councillor Pouget seconded:

That:

- 1. The report from the Manager of Licensing and Enforcement dated January 23, 2015 regarding the Property Standards Committee BE RECEIVED;**
- 2. That all members of Council BE APPOINTED to the Property Standards Committee for the 2014-2018 term;**
- 3. That Mayor Aldo DiCarlo BE APPOINTED as Chair of the Property Standards Committee;**
- 4. That no monetary compensation BE PROVIDED to Council as members of the Property Standards Committee members;**
- 5. The Terms of Reference for the Property Standards Committee as amended BE APPROVED; and,**
- 6. By-law 2015-16 being a by-law to appoint members to the Property Standards Committee 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

Councillor Pouget moved, Councillor Lavigne seconded:

That Administration BE DIRECTED to advertise for new members for the Property Standards Committee.

The Mayor put the Motion.

Motion Carried

15.4 Dedication of 3 m strip along a portion of Fryer Street as a Public Highway

Councillor Pouget moved, Deputy Mayor DiPasquale seconded:

That:

- 1. The report from the Manager of Planning Services regarding the Dedication of 3m strip along a portion of Fryer Street as a public highway BE RECEIVED;**
- 2. Council APPROVE the dedication of Parts 3 and 4, 12R-23252 as a public highway; and,**
- 3. By-law 2015-08 being a By-law to dedicate Parts 3 and 4, 12R-23252 as a public highway 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

15.5 Discharge of Agreement- Town owned land adjacent to St. Jean Baptiste, Fryer Street

Councillor Courtney moved, Councillor Pouget seconded:

That:

1. **The report from the Manager of Planning Services regarding the Discharge of Agreement- Town owned land adjacent to St. Jean Baptiste, Fryer Street BE RECEIVED; and**
2. **Council APPROVE the discharge of the existing Agreement of May 30, 1988 from Part 2 on 12R-20905; and,**
3. **By-law 2015-09 being a by-law to authorize the Discharge of an 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

REPORTS - CAO's OFFICE

No reports at this time.

COMMUNICATION REPORTS

Councillor Lavigne moved, Councillor Meloche seconded:

That the communication reports BE RECEIVED.

- a) **2014 By-law Enforcement Activity**
- b) **Building Department Summary 2014**
- c) **Harbourview Condominium Request for Garbage Collection**
- d) **Comparison of Organizational Structures from Levack Management Consulting Inc. and Phipps Consulting (*deferred*)**
- e) **Update on Deloitte Report**

The Mayor put the Motion.

Motion Carried

Councillor Pouget requested to have item #17(a)(b) addressed at the next Special In-Camera Council Meeting because she has information that she will be providing regarding 2 identifiable individuals pertaining to these items.

CONSENT CORRESPONDENCE

Councillor Meloche moved, Councillor Courtney seconded:

That the consent correspondence BE RECEIVED.

- a) **Consultation on Ontario's Default Speed Limit - Letter from Ministry of Transportation**
- b) **Catz Meow Dance Education Center - Annual Gala Event**
- c) **10th Anniversary Business Excellence Awards - Amherstburg Chamber of Commerce**
- d) **Improving the Council Meeting Audience Experience - Letter from Mr. Graham Hobbs**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Councillor Meloche moved, Councillor Lavigne seconded:

That the following minutes BE RECEIVED.

- a) **Amherstburg Police Services Board Meeting Minutes - December 16, 2014**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Pouget requested an update regarding the RFP for legal services. The Chief Administrative Officer stated that Administration is in the process of gathering a number of RFP's from peer municipalities. Once an RFP is created for the Town, it will come back to Council for consideration.
2. Councillor Meloche requested an update regarding the turning lanes at the intersection of Sandwich and Simcoe Street. The Director of Engineering and Public Works stated that, as per Council direction, a cost proposal will be brought to budget deliberations.

3. Councillor Pouget requested an update regarding Mike Phipps, former CAO, and the neglect of his duties. The Chief Administration Officer stated that he will provide Council with the report at the February 23, 2015, Regular Council Meeting.
4. Councillor Pouget requested an update regarding correspondence to neighbouring municipalities requesting a formal costing of joint Police Services. The Chief Administrative Officer advised that there were recent discussions at the CAO meeting. Once additional information is gathered from the Amherstburg Police Chief, formal correspondence will be sent to neighbouring municipalities.

NEW BUSINESS

1. Councillor Meloche requested an update on snow removal during the recent snow storm. The Director of Engineering and Public Works stated that the last snow storm was a challenge due to the duration of the snowfall. The Director of Engineering and Public Works stated that the removal process fared well and the department received some positive comments and also some concerns that were addressed.
2. Councillor Meloche inquired as to when budget deliberation dates will be set. The Chief Administrative Officer advised that Administration plans to table the budget for the February 23, 2015, Regular Council Meeting. Once the budget is tabled, 3 public meetings will occur to include community input in relation to the budget. After public input is gathered, Administration will report back to Council with the public feedback.
3. Councillor Meloche inquired on Amherstburg's role in regards to reserving funds for the proposed new hospital. The Chief Administrative Officer advised that the budget for Council's consideration includes enhancement of reserves. He stated that building the reserves to be utilized for unforeseen expenses, such as the proposed hospital, formed a part of the 41 recommendations of the Deloitte Report. He also noted that the Province has not yet approved the hospital project.
4. Councillor Meloche inquired on the use of the Town parking lots. The Director of Economic and Community Development stated that he met with the Chamber of Commerce who echoed similar concerns. He stated that the Chamber of Commerce was provided a list of all Town lots and curbside parking for businesses and they are working together to educate business owners and their employees on where to park. He also stated that a report will be coming before Council with recommendations to rectify the parking concerns.

5. Councillor Courtney advised Administration of a complaint regarding the tobogganing hill at the Libro Credit Union Center. The Chief Administrative Officer responded that that hill has never been groomed as a tobogganing hill; the community uses it on their own accord which is a liability to the Town. Administration is in the process of installing signage stating that the Town prohibits the use of the hill for tobogganing. Councillor Courtney asked what the difference is between the tobogganing hill at Centennial Park as compared to the hill at the Libro Credit Union Complex. The Municipal Clerk stated that the hill at Centennial Park has been properly groomed for tobogganing and the hill at the Libro Credit Union Complex has not which makes it hazardous. The Clerk also advised Council that there have been at least 2 accidents resulting in broken bones at the Libro Center hill.
6. Councillor Pouget asked that the Mayor and Deputy Mayor provide Council with information regarding Toronto garbage when it is discussed at County Council. She stated that the information will be necessary so that Council can bring forward their input on the matter.
7. Councillor Lavigne moved, Councillor Pouget seconded:

That Administration provide a report regarding any documentation from the Special Events Committee including the minutes of their meetings pertaining to the Mardi Gras event sponsored by the Amherstburg Chamber of Commerce for 2015. The report should include any documents and approval from the Police and Fire Departments and the Traffic Committee. The report will provide Council with any anticipated costs to the tax payers for this event. The report should be provided at the next Council meeting or convenience.

The Mayor put the Motion.

Motion Carried

REPORT FROM IN-CAMERA SESSION

COUNCIL IN CAMERA SESSION – REPORTING OUT

February 9, 2015 MEETING

Council met at 4:14 pm on February 9, 2015 for a Special In-Camera meeting and discussed four (4) items as provided for under Section 239 of the Municipal Act:

ITEM A – Comparison of Organizational Structures from Levack Management Consulting Inc. and Phipps Consulting heard under Section 239 (2)(b) - This matter was deferred once again, therefore there is nothing further to report at this time.

ITEM B – 3381 Meloche Road, Massen Property heard under Section 239 (2)(b) of the Act. There is nothing further to report at this time.

ITEM C - Dynament Corporation Lease Agreement Update – heard under Section 239 (2)(a) of the Act. There is nothing further to report at this time.

ITEM D - Essex Power Corporation Update – heard under Section 239 (2)(a) of the Act. As a result of that discussion, the following motion is before Council.

Councillor Pouget moved, Councillor Meloche seconded:

We, the Council of the Town of Amherstburg, being a shareholder of ESSEX POWER CORPORATION (“EPC”), entitled to vote at the Special Meeting of the Shareholders of Essex Power Corporation hereby appoint Mayor DiCarlo as our duly authorized representative, and as our proxy to attend and vote on our behalf on the resolutions to be proposed at the Special Shareholder Meeting to be held during February 2015 at 200-2199 Blackacre Dr., Oldcastle ON, and at any adjournment thereof.

The Mayor put the Motion.

Motion Carried

BY-LAWS

23.1 By-law 2015-04 - Amend Zoning By-law No. 1999-52 Brown Crescent, Kingsbridge Subdivision

Councillor Meloche moved, Councillor Pouget seconded:

That By-law 2015-04 being a by-law to amend Zoning By-law No. 1999-52 Brown Crescent, Kingsbridge Subdivision, 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

23.2 By-law 2015-07 – Appoint Members to the Committee of Adjustment

Councillor Pouget moved, Councillor Meloche seconded:

That By-law 2015-07 being a by-law to Appoint Members to the Town of Amherstburg Committee of Adjustment 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

23.3 By-law 2015-12 - Appoint Members to a Municipal Heritage Committee

Councillor Meloche moved, Councillor Lavigne seconded:

That By-law 2015-12 being a by-law to Appoint Members to a Municipal Heritage Committee 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

23.4 By-law 2015-13 - Appoint Fence Viewers

Deputy Mayor DiPasquale moved, Councillor Lavigne seconded:

That By-law 2015-13 being a by-law to Appoint Fence Viewers for the Town of Amherstburg, pursuant to the provisions of the Line Fences Act, R.S.O., and to repeal By-law 2007-73 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

23.5 By-law 2015-14 - Appoint Livestock Valuers

Deputy Mayor DiPasquale moved, Councillor Pouget seconded:

That By-law 2015-14 being a by-law to Appoint Livestock Valuers for the Town of 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

23.6 Confirmatory By-law

Councillor Courtney moved, Councillor Lavigne seconded:

That By-law 2015-15 being a by-law to confirm all resolutions of the Municipal Council Meeting held on January 21st and February 9th, 2015 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 Meloche moved, Deputy Mayor DiPasquale seconded:

That Council rise and adjourn at 9:29 p.m.

The Mayor put the Motion.

Motion Carried


MAYOR – ALDO DICARLO


CLERK – PAULA PARKER