



**TOWN OF AMHERSTBURG  
COUNCIL MEETING  
Monday, April 13, 2015  
6:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg

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**MINUTES**

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**PRESENT**

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

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

**CALL TO ORDER**

The Mayor called the meeting to order at 6:01 p.m.

**PRAYER**

The Clerk said prayer.

**DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

Councillor Pouget declared pecuniary interest with respect to agenda item # 10.1 due to her active involvement with fundraising for St. Jean the Baptiste Church.

## **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 - March 23, 2015**
- 2. Regular Council Meeting Minutes - March 23, 2015**
- 3. Special In-Camera Council Meeting - March 30, 2015**
- 4. Special Council Meeting Minutes - March 30, 2015**
- 5. Special Council Meeting Minutes - March 31, 2015**
- 6. Special Council Meeting Minutes - April 7, 2015**

The Mayor put the Motion.

**Motion Carried**

## **DELEGATIONS**

### **5.1 Ontario Heritage Conference - Simon Chamely**

Mr. Chamely addressed Council as the Chair of the Heritage Committee. Mr. Chamely noted that the committee does not have a budget and requested that Council approve \$1145.00 to send one committee member to the Heritage Conference.

Councillor Meloche moved, Councillor Lavigne seconded:

**That:**

- 1. The delegation BE RECEIVED; and,**
- 2. Council APPROVE funding to send a Heritage Committee member to the Heritage Conference and provide that member with a per diem for food.**

The Mayor put the Motion.

**Motion Carried**

**5.2 Reschedule Budget Sessions – Brenda Kokko**

Councillor Fryer moved, Councillor Lavigne seconded:

**That the delegation BE RECEIVED.**

The Mayor put the Motion.

**Motion Carried**

Councillor Courtney moved, Councillor Pouget seconded:

**That the April 14 budget deliberation date remains as scheduled and that the April 15 budget deliberation date be rescheduled on April 18, 2015 and that the April 20, 2015 Special Council Meeting deal with the budget rather than policies.**

The Mayor put the Motion.

**Motion Failed**

Councillor Meloche moved, Deputy Mayor DiPasquale seconded:

**That Council give their availability to Administration so that one daytime, one evening and one weekend date can be scheduled for budget deliberations.**

The Mayor put the Motion.

**Motion Failed**

Councillor Pouget moved, Deputy Mayor DiPasquale seconded:

**That Council proceed with the April 14, 2015 budget deliberation date and that Council give their availability to the Clerk to reschedule the remaining two budget deliberation dates.**

The Mayor put the Motion.

	<b>Yes/Concur</b>	<b>No/Not Concur</b>
Councillor Courtney	X	
Mayor DiCarlo		X
Deputy Mayor DiPasquale	X	
Councillor Fryer	X	
Councillor Lavigne	X	
Councillor Meloche		X
Councillor Pouget	X	

**Motion Carried**

## **REPORTS – POLICE SERVICES**

No reports at this time.

## **REPORTS – CORPORATE AND COMMUNITY SERVICES**

### **7.1 False Fire Alarm By-law**

Councillor Pouget moved, Councillor Fryer seconded:

**That:**

- 1. The report from the Fire Chief of Amherstburg dated March 6, 2015, regarding the Fire False Alarm By-law BE RECEIVED; and,**
- 2. By-law 2015-26 being a by-law to authorize the imposing of fees for false fire alarms 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 – FINANCIAL SERVICES**

### **8.1 Tax Adjustments under the Municipal Act, 2001**

Councillor Meloche moved, Councillor Pouget seconded:

**That:**

- 1. The report from the Supervisor of Revenue dated April 7, 2015, regarding Tax Adjustments under the Municipal Act, 2001, BE RECEIVED;**
- 2. Council APPROVE the write-offs and assessment changes as presented; and,**
- 3. By-law 2015-39, being a by-law to strike taxes from the tax roll and to adjust assessment values on properties be taken as having been**

**read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign the same.**

The Mayor put the Motion.

**Motion Carried**

**8.2 April 1, 2015- April 7, 2015 Accounts Payable**

Councillor Meloche moved, Councillor Lavigne seconded:

**That:**

- 1. The report from the Director of Financial Services dated April 2, 2015 regarding April 1, 2015 – April 7, 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**

**9.1 Amherstburg Water Treatment Plant Clarifier Cover Engineering Recommendation**

Councillor Lavigne moved, Councillor Fryer seconded:

**That:**

- 1. The report from the Manager of Engineering and Operations dated March 19, 2015, regarding the Amherstburg Water Treatment Plant Clarifier Cover Engineering Recommendation BE RECEIVED;**
- 2. An agreement with CIMA Canada Inc. to provide the engineering services required to complete the Amherstburg Water Treatment Plant Clarifier Cover at a cost of \$68,166 (excluding H.S.T.). BE AUTHORIZED;**

3. **The Director of Financial Services BE DIRECTED to fund the engineering services of CIMA Canada Inc from a pre-commitment of \$18,166 in the 2015 Water budget in addition to the \$50,000 approved in the 2014 Water budget; and,**
4. **By-law 2015-33 being a by-law to enter into an agreement with CIMA Canada Inc. to provide engineering services required to complete the Amherstburg Water Treatment Plant Clarifier Cover 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**

## 9.2 **Bridge and Culvert Rehabilitation Engineering Services– Contract No.1**

Deputy Mayor DiPasquale moved, Councillor Lavigne seconded:

**That:**

1. **The report from the Manager of Engineering and Operations dated April 1, 2015, regarding the Bridge and Culvert Rehabilitation Engineering Services – Contract No.1 BE RECEIVED;**
2. **An agreement with Haddad Morgan & Associates Ltd. to provide engineering services to complete the Bridge and Culvert Rehabilitation – Contract No.1 BE AUTHORIZED in the amount of \$45,300 (excluding H.S.T.);**
3. **The Director of Financial Services BE DIRECTED to PRE-COMMIT \$45,300 in the 2015 Capital budget to BE FUNDED from the OCIF Grant and Gas Tax Grant in the amount of \$1,477,000; and,**
4. **By-law 2015-037 being a by-law to enter into an agreement with Haddad Morgan & Associates Ltd. to provide engineering services required to complete the Bridge and Culvert Rehabilitation – Contract No. 1 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**

### 9.3 Bridge and Culvert Rehabilitation Engineering Services– Contract No.2

Councillor Pouget moved, Councillor Meloche seconded:

**That:**

1. **The report from the Manager of Engineering and Operations dated April 1, 2015, regarding the Bridge and Culvert Rehabilitation Engineering Services – Contract No. 2 BE RECEIVED;**
2. **An agreement with Haddad Morgan & Associates Ltd. for engineering services to complete the Bridge and Culvert Rehabilitation – Contract # 2 BE AUTHORIZED in the amount of \$45,300 (excluding H.S.T.);**
3. **The Director of Financial Services BE DIRECTED to PRE-COMMIT \$45,300 in the 2015 Capital budget to BE FUNDED from the \$1,477,000 in OCIF Grant & Gas Tax Funding; and,**
4. **By-law 2015-038 being a by-law to enter into an Agreement with Haddad Morgan & Associates Ltd. to provide engineering services to complete the Bridge and Culvert Rehabilitation – Contract No. 2 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

#### 10.1 Proposed Addition to St. John the Baptist Church – 225 Brock Street

Councillor Pouget removed herself from discussion and voting on the matter.

Councillor Fryer moved, Councillor Lavigne seconded:

**That:**

1. **The report from the Chief Building Official dated March 30, 2015, regarding the Proposed Addition to St. John the Baptist Church – 225 Brock Street, BE RECEIVED; and,**

2. **Consent BE GRANTED to the applicant under the Authority of Section 33 of the Ontario Heritage Act.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS - CAO's OFFICE**

### **11.1 Ontario Municipal Administrators Association (OMAA) - Spring Workshop**

Councillor Fryer moved, Deputy Mayor seconded:

**That:**

1. **The Report from the Chief Administrative Officer dated April 2, 2015, regarding Ontario Municipal Administrators Association (OMAA) - Spring Workshop BE RECEIVED; and,**
2. **The Chief Administrative Officer BE AUTHORIZED to attend the OMAA Spring Workshop at an estimated cost of \$1,248.24 to BE FUNDED from the 2015 operating budget of the CAO Department.**

The Mayor put the Motion.

**Motion Carried**

## **COMMUNICATION REPORTS**

Councillor Lavigne moved, Councillor Fryer seconded:

**That the communication reports BE RECEIVED:**

- a) **Reconciliation of Wastewater Reserves and Operations Bank Account**
- b) **Noise Inspection Services**
- c) **Ombudsman Investigation - Closed meetings on December 10, 2014**

The Mayor put the Motion.

**Motion Carried**



Councillor Fryer moved, Deputy Mayor DiPasquale seconded:

**That Council pre-commit \$900.00+H.S.T. to the 2015 Budget for noise control and vibration testing.**

The Mayor put the Motion.

**Motion Carried**

## **CONSENT CORRESPONDENCE**

Councillor Lavigne moved, Councillor Pouget seconded:

**That the consent correspondence BE RECEIVED:**

- a) **Memorial Veterans Wall - Delegation at County Council from Essex Spitfire Committee**
- b) **Essex County Steam & Gas Engine Museum Inc. - 2015 Show Book**
- c) **2015 Lincoln M. Alexander Award**
- d) **Proposal from Mr. Zarko S. Vucinic**
- e) **Housing Services Corporation Accountability Act - Resolution from Ernie Hardeman, MPP Oxford**

The Mayor put the Motion.

**Motion Carried**

Councillor Fryer moved, Councillor Pouget seconded:

**That Council pre-commit \$1000.00 to the 2015 Budget to the Essex Spitfire Committee for the Memorial Veterans Wall.**

The Mayor put the Motion.

**Motion Carried**

Councillor Fryer moved, Councillor Meloche seconded:

**That Council pre-commit \$115.00 to the 2015 Budget for a ¼ page advertisement in the Essex County Steam & Gas Engine Museum Inc. – 2015 Show Book.**

The Mayor put the Motion.

**Motion Carried**

## **CONSENT OTHER MINUTES**

Councillor Fryer moved, Councillor Lavigne seconded:

**That the following minutes BE RECEIVED:**

- a) **December 16, 2014 Committee of Adjustment Meeting Minutes**
- b) **February 24, 2015 Committee of Adjustment Meeting Minutes**

The Mayor put the Motion.

**Motion Carried**

## **CORRESPONDENCE**

### **15.1 Senior's Month - June 1 -30, 2015**

Deputy Mayor DiPasquale moved, Councillor Meloche seconded:

**That:**

- 1. The correspondence regarding Senior's Month BE RECEIVED; and,**
- 2. Council PROCLAIM the month of June as Senior's Month in the Town of Amherstburg.**

The Mayor put the Motion.

**Motion Carried**

## **UNFINISHED BUSINESS**

1. Councillor Meloche asked if a water rate comparison between Windsor and Amherstburg has been completed. The Chief Administrative Office stated that there was no report as of yet and that the Engineering Department was looking into it.
2. Councillor Fryer asked if the dye testing was done at 1217 2<sup>nd</sup> Concession and if so, he asked that a report be brought to Council. The Director of Engineering and Public Works stated that she was working on it with the Chief Building Official and a report is forthcoming.

3. Deputy Mayor DiPasquale asked if a Naming Policy was going to come before Council. The Chief Administrative Officer stated that it would be coming to Council for review with the remainder of the policies.

### **NEW BUSINESS**

1. Councillor Meloche asked about content posted on the Town website with respect to a specific Planning matter. The Chief Administrative Officer stated that the general public is allowed to have an opinion and response to a Planning matter and it is up to the Committee of Adjustment to take into consideration that opinion when forming their recommendations.
2. Councillor Meloche presented information with respect to group telephone savings. The Chief Administrative Officer stated that he has already spoken with the IT Manager regarding telephone savings.

### **REPORT FROM IN-CAMERA SESSION**

## **COUNCIL IN CAMERA SESSION – REPORTING OUT**

### **March 23, 2015 MEETING**

Council met at 8:29 pm on March 23, 2015 for a Special In-Camera meeting and discussed one (1) item as provided for under Section 239 of the Municipal Act:

- ITEM A – Audit & Finance Advisory and Economic Development Advisory Committee Appointees heard under Section 239 (2)(b) of the Act.**  
There is nothing further to report at this time.

## **COUNCIL IN CAMERA SESSION – REPORTING OUT**

### **March 30, 2015 MEETING**

Council met at 5:03 pm on March 30, 2015 for a Special In-Camera meeting and discussed one (1) items as provided for under Section 239 of the Municipal Act:

**ITEM A** – Notice of Motion heard under Section 239(2)(f) of the Act. There is nothing further to report at this time.

An In-Camera meeting will be held directly following this public session and will be reported out at the next Regular Council Meeting.

#### **NOTICES OF MOTION**

There were no Notices of Motion.

#### **BY-LAWS**

##### **20.1 By-law 2015-31 - Amend Zoning By-law No. 1999-52**

Councillor Meloche moved, Councillor Courtney seconded:

**That:**

- 1. By-law 2015-31 being a by-law to amend Zoning By-law No. 1999-52, as amended, 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 Confirmatory By-law**

Councillor Courtney moved, Councillor Lavigne seconded:

**That By-law 2015-49 being a by-law to confirm all resolutions of the Municipal Council Meeting held on March 30 and 31, April 7 and 13, 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**

Councillor Fryer moved, Councillor Meloche seconded:

**That Council recess for a 5 minute break.**

The Mayor put the Motion.

**Motion Carried**

Councillor Meloche moved, Councillor Fryer seconded:

**That Council reconvene at 8:33 p.m.**

The Mayor put the Motion.

**Motion Carried**

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

Councillor Fryer declared pecuniary interest with respect to agenda item # 22 E. Further information regarding the disclosure is contained in the confidential In-Camera minutes.

**SPECIAL IN-CAMERA MEETING**

Councillor Meloche moved, Councillor Lavigne seconded:

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

**ITEM A – Fire Negotiations Update - Section 239 (2)(d) – Labour relations or employee relations.**

**ITEM B – Property Standards Committee Applications – Section 239 (2)(b) - Personal matters about an identifiable individual, including municipal or local board employees.**

**ITEM C – Employee Qualifications – Section 239 (2)(b) - Personal matters about an identifiable individual, including municipal or local board employees.**

**ITEM D – Management Pay Grid Analysis – Section 239 (2)(d) - Labour relations or employee relations.**

**ITEM E – Audit & Finance Advisory and Economic Development Advisory Committee Appointees - Section 239 (2)(b) - Personal matters about an identifiable individual, including municipal or local board employees.**

The Mayor put the Motion.

**Motion Carried**

**ADJOURNMENT OF IN-CAMERA MEETING**

**RESUMPTION OF REGULAR COUNCIL MEETING @ 10:13 p.m.**

**ADJOURNMENT**

Councillor Meloche moved, Deputy Mayor DiPasquale seconded:

**That Council rise and adjourn at 10:13 p.m.**

The Mayor put the Motion.

**Motion Carried**



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MAYOR – ALDO DICARLO



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CLERK – PAULA PARKER