



**TOWN OF AMHERSTBURG
COUNCIL MEETING**

Monday, September 28, 2015

6:00 PM

Council Chambers, 271 Sandwich Street South, Amherstburg

MINUTES

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
Tammy Fowkes, Deputy Clerk

CALL TO ORDER

The Mayor called the meeting to order at 6:05 p.m.

MOMENT OF SILENT REFLECTION

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 Fryer moved, Councillor Meloche 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 Council Meeting Minutes - Budget Sessions - April 14 – May 4, 2015**
- 2. Special Council Meeting Minutes - Drainage Education Session - September 10, 2015**
- 3. Special Council Meeting Minutes - September 10, 2015**
- 4. Special Council Meeting Minutes - Planning - September 14, 2015**
- 5. Regular Council Meeting Minutes - September 14, 2015**
- 6. Special In-Camera Meeting Minutes - September 14, 2015**
- 7. Special Council Meeting Minutes - Drainage - September 21, 2015**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

5.1 Billboard Installation - Gaye McGee & Chuck Bondy, Miracle League of Amherstburg

Councillor Fryer moved, Deputy Mayor DiPasquale seconded:

That the delegation BE RECEIVED and Administration BE DIRECTED to accept ownership of the billboard signs pending County of Essex and ERCA approval and bring a report to Council and further that the Town place the Miracle League crest on all Town welcome signs.

The Mayor put the Motion.

Motion Carried

5.2 Because I Can - Gaye McGee & Chuck Bondy, Miracle League of Amherstburg

This delegation was incorporated into Item # 5.1.

REPORT – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE AND COMMUNITY SERVICES

7.1 Review of Fire Protection Services by the OFMEM

Councillor Lavigne moved, Councillor Courtney seconded:

That:

- 1. The report from the Fire Chief of Amherstburg dated September 11, 2015, regarding a Review of Fire Protection Services by the OFMEM BE RECEIVED; and,**
- 2. The OFMEM Review of the Fire Protection Services for the Town of Amherstburg BE APPROVED.**

The Mayor put the Motion.

Motion Carried

REPORTS – FINANCIAL SERVICES

8.1 September 8- September 22, 2015 Accounts Payable

Councillor Fryer moved, Councillor Meloche seconded:

That:

- 1. The report from the Director of Financial Services dated September 22, 2015, regarding September 8 - September 22, 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

8.2 Small Communities Fund (SCF) Intake 2 - Expression Of Interest

Councillor Pouget moved, Councillor Lavigne seconded:

That:

1. **The report from the Director of Financial Services dated September 21, 2015, regarding Small Communities Fund (SCF) Intake 2 – Expression of Interest BE RECEIVED; and,**
2. **Administration BE AUTHORIZED to submit an application for SCF funding of The Amherstburg Water Treatment Plant Upgrade and Redundancy Protection Project.**

The Mayor put the Motion.

Motion Carried

8.3 Update on the Deloitte Report

Councillor Fryer moved, Deputy Mayor DiPasquale seconded:

That:

1. **The report from the Director of Financial Services dated September 17, 2015, regarding Update on the Deloitte Report BE RECEIVED; and,**
2. **The following Financial Policies BE TABLED for the consideration of Council:**
 1. **Accounts Receivable Billing Policy**
 2. **Accounts Receivable Collection Policy**
 3. **Petty Cash Policy**
 4. **Accounts Payable Policy**
 5. **Electronic Funds Transfer Policy**
 6. **Revenue Recognition Policy**
 7. **Bank Account Policy**
 8. **Investment Policy**
 9. **Loans and Borrowing Policy**

10. **Reserve and Restricted Funds Policy**
11. **Tax Stabilization Reserve Policy**
12. **Cash Receipts Control Policy**
13. **Corporate Cheque Acceptance Policy**
14. **Corporate Cheque Issuance Policy**

The Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

9.1 Acceptance of Base Asphalt and Curbs – Placement of Surface Asphalt on Maintenance - Kingsbridge Subdivision Phase 6D

Councillor Meloche moved, Councillor Pouget seconded:

That:

1. **The report from the Manager of Engineering and Operations dated September 15, 2015, regarding the Acceptance of Base Asphalt and Curbs - Placement of Surface Asphalt on Maintenance - Kingsbridge Subdivision Phase 6D BE RECEIVED;**
2. **The recommendations of the consulting engineer, Crozierbaird BE APPROVED;**
3. **The base asphalt and curbs BE ACCEPTED and ASSUMED; and,**
4. **The surface asphalt BE PLACED on a 1 year maintenance period, commencing August 30, 2015.**

The Mayor put the Motion.

Motion Carried

9.2 Acceptance of Underground infrastructure, Base Asphalt and Curbs – Placement of Surface Asphalt on Maintenance - Kingsbridge Subdivision Phase 6C, Stage 1

Councillor Pouget moved, Councillor Fryer seconded:

That:

1. **The report from the Manager of Engineering and Operations dated**

September 15, 2015, regarding the Acceptance of Underground Infrastructure, Base Asphalt and Curbs – Placement of Surface Asphalt on Maintenance - Kingsbridge Subdivision Phase 6C, Stage 1 BE RECEIVED;

- 2. The recommendations of the consulting engineer, Crozierbaird BE APPROVED;**
- 3. The underground infrastructure, base asphalt and curbs BE ACCEPTED and ASSUMED; and,**
- 4. The surface asphalt BE PLACED on a 1 year maintenance period, commencing August 30, 2015.**

The Mayor put the Motion.

Motion Carried

9.3 Placement of Underground Infrastructure, Base Asphalt and Curbs on Maintenance - Kingsbridge Subdivision Phase 6C Stage 2

Councillor Lavigne moved, Councillor Meloche seconded:

That:

- 1. The report from the Manager of Engineering and Operations dated September 15, 2015, regarding the Placement of Underground Infrastructure, Base Asphalt and Curbs on Maintenance – Kingsbridge Subdivision Phase 6C, Stage 2 BE RECEIVED;**
- 2. The recommendations of the consulting engineer, Crozierbaird BE APPROVED; and,**
- 3. The underground infrastructure, base asphalt and curbs BE PLACED on a 1 year maintenance period, commencing August 30, 2015.**

The Mayor put the Motion.

Motion Carried

9.4 Construction of Paved Shoulder along County Road 5 (AMH-13) as identified in the County Wide Active Trail System (CWATS).

Deputy Mayor DiPasquale moved, Councillor Lavigne seconded:

That:

- 1. The report from the Manager of Engineering and Operations dated September 21, 2015, regarding the Construction of Paved Shoulder along County Road 5 (AMH-13) as identified in the County Wide Active Trail System (CWATS) BE RECEIVED;**
- 2. Council PRE-COMMIT \$163,000.00 for County Road 5 (AMH-13) in the 2017 Capital Budget to fund the Town of Amherstburg 60% portion of the total estimated cost of the project; and,**
- 3. The County of Essex BE AUTHORIZED to proceed with the construction and implementation of AMH-13 SUBJECT TO the project cost not exceeding \$543,700.00 and FUNDED as follows:**

County of Essex	\$ 217,480.00
2016 Amherstburg CWATS Capital Budget Pre-Commitment	\$ 163,800.00
2017 Amherstburg CWATS Capital Budget Pre-Commitment	\$ 162,420.00
Total	\$ 543,700.00

- 4. Administration BE DIRECTED to notify the CWATS Committee of Council's direction with respect to AMH-13.**

The Mayor put the Motion.

Motion Carried

9.5 Amherstburg Water Treatment Plant Clarifier Cover – Tender Results

Councillor Lavigne moved, Councillor Fryer seconded:

That:

- 1. The report from the Manager of Engineering and Operations dated September 14, 2015, regarding the Amherstburg Water Treatment Plant Clarifier Cover – Tender Results BE RECEIVED;**
- 2. An agreement with Greatario Industrial Storage Systems to complete the Amherstburg Water Treatment Plant Clarifier Cover BE APPROVED in the amount of \$347,000 (excluding H.S.T.); and,**
- 3. By-law 2015-111 being a by-law to enter into an Agreement with Greatario Industrial Storage Systems 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

REPORTS – ECONOMIC AND COMMUNITY DEVELOPMENT

10.1 Issuance of Model Home Permit for a 4 Unit Townhome in Phase 4D of Golfview Park Estates

Councillor Fryer moved, Councillor Meloche seconded:

That:

- 1. The report from the Chief Building Official dated September 13, 2015, regarding Issuance of Model Home Permit for a 4 Unit Townhome in Phase 4D of Golfview Park Estates BE RECEIVED; and,**
- 2. The Chief Building Official BE AUTHORIZED to issue a model home permit in Phase 4D of the Golfview Park Estates SUBJECT TO the terms and conditions identified within the report.**

The Mayor put the Motion.

Motion Carried

10.2 Removal of Part Lot Control- Big Creek Subdivision

Councillor Meloche moved, Councillor Lavigne seconded:

That:

- 1. The report from the Manager of Planning Services dated September 14, 2015, regarding Removal of Part Lot Control- Big Creek Subdivision BE RECEIVED;**
- 2. The request to extend the time frame specified in By-law 2015-112 BE APPROVED;**
- 3. The request to amend the land described in By-law 2015-112 BE APPROVED; and,**

4. **By-law 2015-112 being a by-law to amend By-law 2013-96 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

10.3 **Development Agreement for Garage Units for Harbourview Condominium**

Councillor Courtney moved, Councillor Lavigne seconded:

That:

1. **The report from the Manager of Planning Services dated September 13, 2015 regarding a Development Agreement for Garage Units for Harbourview Condominium BE RECEIVED;**
2. **The site plan and development agreement for a twenty bay garage BE APPROVED; and,**
3. **By-law 2015-104 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

REPORTS – CAO’S OFFICE

There were no reports.

COMMUNICATION REPORTS

Councillor Pouget moved, Deputy Mayor DiPasquale seconded:

That the communication report BE RECEIVED:

- a) **Greater Essex County District School Board- Ministry of Education mandated new minimum annual exchange of capital plans between the school board and municipality.**

The Mayor put the Motion.

Motion Carried

Councillor Pouget moved, Councillor Fryer seconded:

That Council recess for break at 7:29 p.m

The Mayor put the Motion.

Motion Carried

Councillor Lavigne moved, Councillor Meloche seconded:

That Council reconvene at 7:42 p.m.

Motion Carried

Deputy Mayor DiPasquale moved, Councillor Meloche seconded:

That the communication report BE RECEIVED:

- b) **Council Approval for Training Expenditures.**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Councillor Lavigne moved, Councillor Pouget seconded:

That the consent correspondence BE RECEIVED:

- a) **Don Hearn Property at 310 Thomas Road - Letter from Greg Nemeth**
- b) **Amherstburg Police Service 2014 Annual Report**

The Mayor put the Motion.

Motion Carried

Councillor Pouget asked that Administration consider Item A during the OMB negotiations.

CORRESPONDENCE

14.1 Waste Reduction Week, October 19-25, 2015 - Recycling Council of Ontario

Councillor Meloche moved, Councillor Courtney seconded:

That the correspondence BE RECEIVED.

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

15.1 Traffic Committee Meeting Minutes - August 13, 2015

Councillor Fryer moved, Councillor Lavigne seconded:

That:

- 1. The Traffic Committee Meeting Minutes of August 13, 2015 BE RECEIVED;**
- 2. Council CONCUR that the parking restrictions be 9:00am to 6:00pm Monday to Saturday in the Kings Navy Yard Park to reflect the existing signage;**
- 3. Council CONCUR that 'No Heavy Vehicles' signage be placed on Balaclava, north of Alma Street and on Bertrand Avenue;**
- 4. Council CONCUR with an addition to the Heavy Vehicle Routes to include Park Street from Sandwich Street to the Boblo Island Ferry dock on Dalhousie Street; and,**
- 5. Council CONCUR that the speed limit be reduced to 60km/h on Creek Road.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Fryer asked if the request for paved shoulders on County Road 10 between Walker Road and Concession 8 with respect to the CWATS initiative was brought to Essex County Council and if there was an update. Deputy Mayor DiPasquale stated the Essex County Council is aware of the request and it will be addressed when a CWATS representative attends an Essex County Council meeting.
2. Councillor Fryer asked for sidewalks in McGregor to be considered in the 2016 Budget.

NEW BUSINESS

1. Councillor Fryer moved, Councillor Meloche seconded:

That the October 13, 2015 Regular Council Meeting be moved to October 14, 2015.

The Mayor put the Motion.

Motion Carried

2. Councillor Meloche introduced a motion without notice to the Clerk. The Clerk advised that as per Procedural By-law 2014-91, Council would need to waive the rules of order to proceed with a Notice of Motion at this time.

Councillor Meloche moved, Councillor Fryer seconded:

That Council waive the rules of order to allow the Notice of Motion from Councillor Meloche.

The Mayor put the Motion.

Motion Carried

NOTICES OF MOTION

19.1 Councillor Meloche – Municipal Library Heritage Plaque

That Council concur with the recommendations from the Heritage Committee to place a Heritage plaque on the Municipal Library, the cost of which is covered by the 2015 Heritage Committee budget.

REPORT FROM IN-CAMERA SESSION

COUNCIL IN CAMERA SESSION – REPORT OUT

September 14, 2015 MEETING

Council met at 10:11 pm on September 14, 2015 for a Special In-Camera meeting and discussed (1) item as provided for under Section 239 of the Municipal Act:

ITEM A – PARC Update. This item was heard in Public session.

ITEM B – Personnel Movement heard under Section 239(b) of the Act. There is nothing further to report at this time.

ITEM C - 2015 Update on MFIPPA. This item was deferred and will be heard directly following this Regular session.

BY-LAWS

20.1 By-law 2015-113 - Confirmatory By-law

Councillor Lavigne moved, Councillor Fryer seconded:

That By-law 2015-113 being a by-law to confirm all resolutions of the Municipal Council Meetings held September 21st and 28th, 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

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

There were no disclosures of pecuniary interest noted.

SPECIAL IN-CAMERA MEETING

Deputy Mayor DiPasquale moved, Councillor Meloche seconded:

That Council move into an In-Camera Meeting of Council at 8:05 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

- ITEM A - Volunteer Firefighters Association Proposal – Section 239(2)(d) - Labour relations or employee negotiations.**
- ITEM B - IBEW, Local 636, Contract Negotiations – Section 239 (2)(d) - Labour relations or employee negotiations.**
- ITEM C - MFIPPA Reporting Update – Section 239 (2)(b) - Personal matters about an identifiable individual, including municipal or local board employees.**
- ITEM D - Municipal Restructuring – Section 239 (2)(b) - Personal matters about an identifiable individual, including municipal or local board employees; and, Section 239 (2)(d) - Labour relations or employee negotiations.**

The Deputy Mayor asked if there were any concerns on the issues being heard in closed session. There were no concerns noted.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT OF IN-CAMERA MEETING

Councillor Fryer moved, Councillor Meloche seconded:

That Council rise and adjourn from In-Camera session at 9:39 p.m.

The Mayor put the Motion.

Motion Carried

RESUMPTION OF REGULAR COUNCIL MEETING @ 9:39 P.M.

ADJOURNMENT

Councillor Meloche moved, Councillor Lavigne seconded:

That Council rise and adjourn at 9:39 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER