



TOWN OF AMHERSTBURG

COUNCIL MEETING

Monday, April 24, 2017

6:00 PM

MINUTES

Council Chambers, 271 Sandwich Street South, Amherstburg, ON

PRESENT

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

Giovanni (John) Miceli, Chief Administrative Officer
Paula Parker, Municipal Clerk
Tammy Fowkes, Deputy Clerk

ABSENT

Councillor Diane Pouget

CALL TO ORDER

The Mayor called the meeting to order at 4:13 p.m.

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20170424-661

Moved By Deputy Mayor DiPasquale
Seconded By Councillor Fryer

That Council move into an In-Camera Meeting of Council at 4:13 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A - Education Session - Section 239(3.1) - For the purpose of the 'Education or Training' of Council where no member discusses or otherwise deals with any matter in a way that materially advances the business or decision making of Council.

The Mayor put the Motion.

Motion Carried

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF
(In-Camera Council Meeting Agenda Items)

There were no disclosures of pecuniary interest noted.

RECESS FROM SPECIAL IN-CAMERA COUNCIL MEETING @ 5:55 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Fryer
Seconded By Councillor Lavigne

That Council RESUME Regular session at 6:25 p.m.

The Mayor put the Motion.

Motion Carried

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

Resolution # 20170424-662

Moved By Councillor Fryer

Seconded By Councillor Courtney

That the minutes BE ADOPTED 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:

8.1 Special Council Meeting Minutes - Planning - February 27, 2017

8.2 Regular Council Meeting Minutes - February 27, 2017

The Mayor put the Motion.

Motion Carried

The Mayor moved Supplementary Agenda item # 9.5 forward.

DELEGATIONS

- 9.5 Donation to the Essex Region Conservation Foundation for the Cypher Systems Greenway – Susan Stockwell Andrews, President, Claire Wales, Vice-President, Sean Collier, Director, and Richard Wyma, Executive Director, Essex Region Conservation Foundation.**

Susan Stockwell Andrews and Richard Wyma provided Council with ERCF's strategic priorities with respect to connecting the region through trails.

Resolution # 20170424-663

Moved By Councillor Fryer

Seconded By Councillor Meloche

That the delegation BE RECEIVED and the Town of Amherstburg donate to the Essex Region Conservation Foundation for the Cypher Systems Greenway in the amount of \$100,000 to be taken from the 2016 operating surplus.

The Mayor put the Motion.

Motion Carried

9.1 Committee Recommendation regarding Sign By-law Exemption - Bob Rozankovic, Chair, Economic Development Advisory Committee

Based on information received in the earlier Council training session, the Mayor did not allow the delegation.

Moved By Councillor Meloche

Seconded By Deputy Mayor DiPasquale

That the Rules of Order BE WAIVED to allow Council discussion on the Sign By-law Exemption (agenda item # 9.1).

The Mayor put the Motion.

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

Motion Carried

Resolution # 20170424-664

Moved By Councillor Meloche

Seconded By Councillor Fryer

That Council allow the Rotary Club a 14-day exemption for the 10 signs identified in the locations indicated.

The Mayor put the Motion.

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

Motion Carried

The Mayor moved Supplementary Agenda items # 9.2, # 9.3, and # 9.4 forward.

9.2 Integrity Amherstburg Admirals Jr. C – Wes Ewer and Matt Fox

Wes Ewer addressed Council with respect to the Administrative report regarding the Libro Centre Financial Update. Mr. Ewer expressed his concerns with the programming plan to utilize the dry floor surface on both rinks in the months of June & July in addition to the proposed facility surcharge (*Supplementary Agenda item # 15.2*).

Resolution # 20170424-665

Moved By Councillor Fryer

Seconded By Councillor Meloche

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

9.3 Amherstburg Minor Hockey Association – Marc Renaud

Marc Renaud addressed Council with respect to the Administrative report regarding the Libro Centre Financial Update. Mr. Renaud expressed his concerns with the programming plan to utilize the dry floor surface on both rinks

in the months of June & July in addition to the proposed facility surcharge
(*Supplementary Agenda item # 15.2*).

Resolution # 20170424-666

Moved By Councillor Courtney

Seconded By Councillor Fryer

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

9.4 Skate Amherstburg – Lynn Fox, President

Lynn Fox addressed Council with respect to the Administrative report regarding the Libro Centre Financial Update. Mrs. Fox expressed her concerns with the programming plan to utilize the dry floor surface on both rinks in the months of June & July in addition to the proposed facility surcharge (*Supplementary Agenda item # 15.2*).

Resolution # 20170424-667

Moved By Councillor Meloche

Seconded By Councillor Fryer

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

Moved By Councillor Fryer

Seconded By Councillor Courtney

That the Rules of Order BE WAIVED to allow Rick Meloche, President, Men's Over 40 Hockey League, to address Council.

The Mayor put the Motion.

Motion Carried

Rick Meloche addressed Council with respect to the Administrative report regarding the Libro Centre Financial Update. Mr. Meloche expressed his concerns regarding the proposed facility surcharge (*Supplementary Agenda item # 15.2*).

Resolution # 20170424-668

Moved By Councillor Fryer
Seconded By Councillor Meloche

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

The Mayor moved Supplementary Agenda items # 15.2 and # 15.3 forward.

REPORTS – CAO's OFFICE

15.2 Libro Centre Financial Update

Resolution # 20170424-669

Moved By Councillor Lavigne
Seconded By Councillor Courtney

That:

- 1. The report from the CAO, Manager of Facilities and Manager of Recreation Services dated November 15, 2016, regarding Libro Centre Financial Update BE RECEIVED;**
- 2. The requested funding for the Libro Centre BE CONSIDERED during the 2017 Operating Budget Deliberations;**
- 3. Administration BE DIRECTED to develop a programming plan to utilize the dry floor surface in both rinks between the months of June and July;**
- 4. A facility surcharge BE APPROVED for the Libro Centre to fund the Libro Capital Reserve; and,**

5. Administration BE DIRECTED to consult with stakeholders and prepare a surcharge schedule for Council approval for all rentals at the Libro Centre.

The Mayor put the Motion.

Motion Carried

15.3 Libro Centre – Engineering Report

Resolution # 20170424-670

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That:

1. The report from the Chief Administrative Officer dated April 21, 2017 regarding Libro Centre-Engineering Report dated April 11, 2017 BE RECIEVED;
2. Administration BE DIRECTED to adopt the recommendations contained in the Fieldcraft Engineering Report; and,
3. The Chief Administrative Officer BE AUTHORIZED to move forward with Option B as identified in the report.

The Mayor put the Motion.

Motion Carried

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

11.1 2016 Year End Budget to Actual Summaries and Transfers

Councillor Fryer moved the motion with general fund surplus to be transferred in accordance with Option 1.

Resolution # 20170424-671

Moved By Councillor Fryer
Seconded By Councillor Meloche

That:

1. The report from the Supervisor of Accounting dated April 12, 2017 regarding the 2016 Year End Budget to Actual Summaries and Transfers, BE RECEIVED;
2. The 2016 year-end budget to actual summaries for the general, water and wastewater funds BE RECEIVED;
3. The Treasurer BE AUTHORIZED to establish an Economic Development Reserve Fund and Libro Centre Reserve Fund;
4. The general fund surplus of \$783,002 as a result of municipal operations BE TRANSFERRED in accordance with Option 1;
5. The water surplus of \$104,075 BE APPLIED as follows:
 - A transfer of \$28,150 TO FUND the water fund deficit in the Town's accumulated surplus;
 - A transfer of \$75,925 to the water surplus reserve; and,
6. The Treasurer BE AUTHORIZED to establish a Building Department Reserve Fund with the Building Department surplus of \$182,847 to BE APPLIED as follows:
 - A transfer of \$82,847 TO FUND the Building Department deficit in the Town's accumulated surplus;
 - A transfer of \$100,000 TO FUND the Building Department Reserve;
7. The wastewater fund surplus of \$251,531 BE APPLIED to the wastewater surplus reserve.

The Mayor put the Motion.

Motion Carried

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

12.1 Relief of Parks By-law for Woofa-Roo Pet Festival

Resolution # 20170424-672

**Moved By Councillor Fryer
Seconded By Councillor Lavigne**

That:

- 1. The report from the Manager of Recreation Services dated February 16, 2016 regarding Relief of Parks By-law for Woofa-Roo Pet Festival BE RECEIVED;**
- 2. Relief of Parks By-law 2002-72 to permit the use of Town Property for camping during the event for participants only BE GRANTED; and,**
- 3. The Mayor and Clerk BE AUTHORIZED to sign a lease agreement specific to the utilization of the Libro Centre as an accommodation site for campers between the dates of August 11 - 13, 2017.**

The Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

13.1 8th Concession Road Drain South – Tender Results

Resolution # 20170424-673

**Moved By Councillor Fryer
Seconded By Councillor Lavigne**

That:

- 1. The report from the Drainage Superintendent and Engineering Coordinator dated March 20, 2017, regarding the 8th Concession Road Drain South- Tender Results BE RECEIVED;**
- 2. An agreement with Nevan Construction Inc. to complete the 8th Concession Road Drain South BE AUTHORIZED in the amount of \$389,643.00 (excluding H.S.T.);**
- 3. The Project Cost for 8th Concession Road Drain South in the amount of \$491,279.91 BE FUNDED as follows:**
 - The 2017 Drainage Expense in Operational Budget in the amount of \$5,412.74;**
 - The 2017 Watermain Expense in the Water Operational Budget in the amount of \$15,821.19;**

- The assessment to the County of Essex in the amount of \$182,195.55;
 - The assessment to Town Residents in the amount of \$287,850.43; and,
4. By-law 2017-24 being a by-law to enter into an agreement with Nevan Construction Inc. to complete the 8th Concession Road Drain South 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

13.2 Waste Collection – Windsor Disposal Services Contract Renewal

Resolution # 20170424-674

Moved By Councillor Lavigne

Seconded By Councillor Meloche

That:

1. The report from the Manager of Roads and Fleet dated March 20, 2017 regarding the Waste Collection Contract BE RECEIVED;
2. The Waste Collection contract renewal for the period April 1, 2017 through March 31, 2027 in the amount of \$595,000 for year one to be funded annually, from the Public Works Operating Budget BE APPROVED with the price during the remaining years of the contract to be adjusted annually based on the change in total pickup points and the annual Consumer Price Index (CPI) as indicated in the renewal terms; and,
3. That the Mayor and Clerk BE AUTHORIZED to sign an agreement with the Windsor Disposal Services, satisfactory in form to the Town Solicitor, in financial content to the Town Treasurer, and in technical content to the Director of Engineering and Public Works.

The Mayor put the Motion.

Motion Carried

REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

14.1 Draft Plan of Subdivision - Kingsbridge Subdivision

Resolution # 20170424-675

Moved By Councillor Meloche
Seconded By Councillor Courtney

That:

1. **The report from the Manager of Planning Services dated March 31, 2017 regarding Draft Plan of Subdivision BE RECEIVED; and,**
2. **By-law 2017-01 being a by-law to authorize the signing of a subdivision agreement be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign the same, subject to the inclusion of the following provision:**
 - **The agreement covers Blocks 1 to 55 of the subdivision for single detached residential units and Block 56 for a 0.3 metre reserve, as shown on Draft Plan of Subdivision 37-T-17001, prepared and certified by Andrew Mantha, O.L.S., VHBSS Inc., dated July 8, 2016, as approved by the County of Essex, March 31, 2017.**

The Mayor put the Motion.

Motion Carried

14.2 2017 User Fee By-law

Resolution # 20170424-676

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That:

1. **The report from the Manager of Licensing and Enforcement dated April 7, 2017 regarding 2017 User Fee By-law BE RECEIVED; and,**
2. **By-law 2017-25 being a by-law to permit the Town of Amherstburg to impose fees or charges with respect to services or activities provided, related costs payable, and for the use of its property 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

15.1 2018 Municipal Election – Voting Method

Councillor Fryer moved the motion with an amendment to omit internet voting for advanced polls.

Resolution # 20170424-677

Moved By Councillor Fryer
Seconded By Councillor Lavigne

That:

1. The report from the Municipal Clerk/Returning Officer dated March 20, 2017 regarding 2018 Municipal Election – Voting Method BE RECEIVED;
2. The traditional voting method with the use of electronic tabulators BE APPROVED for advanced polls;
3. The traditional voting method with the use of electronic tabulators only BE APPROVED as the method of voting on Election Day;
4. By-law 2017-22 being a by-law to authorize the use of optical scanning vote tabulators in the 2018 Municipal Election be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same; and,
5. The Clerk BE AUTHORIZED to secure a vendor(s) for the 2018 Municipal Election.

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20170424-678

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That the following information reports BE RECEIVED:

16.1 Health and Safety First Quarter Update Report

16.2 April 5, 2017 – April 18, 2017 Accounts Payable

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20170424-679

Moved By Councillor Lavigne

Seconded By Councillor Meloche

That the following consent correspondence BE RECEIVED:

- 17.1 Earth Day Network's 2017 Global Day of Conversation - City of Windsor Resolution**
- 17.2 Letter to Minister of Public Safety and Emergency Preparedness - Gary McNamara, Mayor, Town of Tecumseh**
- 17.3 Ensuring Safe Water - Town of Essex Resolution**
- 17.4 50 Million Trees Program (50MTP) - Forests Ontario**
- 17.5 14th Annual WECDSB Day of Champions - St. Anne Catholic High School**
- 17.6 Support for Certified Crop Advisors - Kawartha Lakes Resolution**
- 17.7 Request to Revise Existing Legislation Regarding Incinerators - Municipality of Port Hope Resolution**
- 17.8 Champion of Diversity Award - Ministry of Citizenship and Immigration**

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

18.1 Community Living Month - Community Living Essex County

Resolution # 20170424-680

Moved By Councillor Meloche

Seconded By Deputy Mayor DiPasquale

That:

- 1. The correspondence from Community Living Essex County regarding Community Living Month BE RECEIVED;**

2. The month of May 2017 BE PROCLAIMED as Community Living Month in the Town of Amherstburg; and,
3. The Community Living Essex County flag BE RAISED at Town Hall the week of May 15-19, 2017.

The Mayor put the Motion.

Motion Carried

18.2 Seniors' Month - Minister of Senior Affairs

Resolution # 20170424-681

Moved By Councillor Courtney
Seconded By Councillor Meloche

That:

1. The correspondence from the Minister of Senior Affairs regarding Seniors' Month BE RECEIVED; and,
2. The month of June 2017 BE PROCLAIMED as Seniors' Month in the Town of Amherstburg.

The Mayor put the Motion.

Motion Carried

18.3 Falun Dafa Month - Falun Dafa Association Canada

Resolution # 20170424-682

Moved By Councillor Fryer
Seconded By Councillor Meloche

That:

1. The correspondence from Falun Dafa Association Canada regarding Falun Dafa Month BE RECEIVED; and,
2. The month of May 2017 BE PROCLAIMED as Falun Dafa Month in the Town of Amherstburg.

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20170424-683

Moved By Councillor Meloche

Seconded By Deputy Mayor DiPasquale

That the following minutes BE RECEIVED:

19.1 Parks Advisory Committee Meeting Minutes - November 15, 2016

19.2 Parks Advisory Committee Meeting Minutes - April 5, 2017

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Courtney asked for an update with respect to Windsor-Essex Catholic District School Board's plans for St. Bernards Catholic Elementary School.

The Chief Administrative Officer advised Council that correspondence was sent to the School Board and they acknowledged that they received it.

NEW BUSINESS

1. Resolution # 20170424-684

Moved By Councillor Fryer

Seconded By Councillor Lavigne

That Administration BE DIRECTED to bring a report regarding the feasibility of implementing bike lanes on Sandwich Street.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN CAMERA SESSION

March 20th, 2017 Meeting

Council met on March 20, 2017, for a Special In-Camera meeting at 8:55 pm and discussed (2) items as provided for under Section 239 of the Municipal Act:

ITEM A – Property Acquisition Update – heard under Section 239(2)(c) of the Act. There is nothing further to report on this matter.

ITEM B – Lease Agreement – heard under Section 239(2)(c) of the Act. There is nothing further to report on this matter.

March 27th, 2017 Meeting

Council met on March 27, 2017, for a Special In-Camera meeting at 6:04 pm and discussed (2) items as provided for under Section 239 of the Municipal Act:

ITEM A – Appeal to Ontario Municipal Board (OMB) heard under Section 239(2)(f) of the Act. There is nothing further to report on this matter.

ITEM B – Building and By-law Divisions Organizational Structure heard under Section 239(2)(d) of the Act. There is nothing further to report on this matter.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

24.1 2017-38 - Confirmatory By-law

Resolution # 20170424-685

Moved By Councillor Fryer

Seconded By Councillor Meloche

That By-law 2017-38 being a by-law to confirm all resolutions of the Municipal Council Meeting held April 24th, 2017, 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

RESUME SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20170424-686

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That Council resume the In-Camera Meeting of Council at 7:45 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM B - Amherstburg Fire Department Employment Extension - 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 Mayor put the Motion.

Motion Carried

ADJOURNMENT OF IN-CAMERA COUNCIL MEETING @ 8:00 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That Council resume Regular session at 8:03 p.m.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Meloche
Seconded By Councillor Fryer

That Council rise and adjourn at 8:04 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



MUNICIPAL CLERK – PAULA PARKER