



**TOWN OF AMHERSTBURG**

**COUNCIL MEETING**

**Monday, July 10, 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 Leo Meloche  
Councillor Diane Pouget  
Councillor Rick Fryer

Paula Parker, Municipal Clerk  
Giovanni (John) Miceli, CAO

**ABSENT**

Councillor Jason Lavigne

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**CALL TO ORDER**

The Mayor called the meeting to order at 6:03 pm.

## **NATIONAL ANTHEM**

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

There were no disclosures of pecuniary interest noted.

### **MINUTES OF PREVIOUS MEETING**

Resolution # 20170710-792

**Moved By** Councillor Meloche

**Seconded By** Councillor Pouget

**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:**

- 4.1 Special In-Camera Council Meeting Minutes - May 23, 2017**
- 4.2 Special Council Meeting Minutes - Planning - May 23, 2017**
- 4.3 Regular Council Meeting Minutes - May 23, 2017**

The Mayor put the Motion.

**Motion Carried**

### **DELEGATIONS**

- 5.1 Request to fish outside designated area in Kings Navy Yard Park - Melissa Cranston, Activity Director, Richmond Terrace**

Resolution # 20170710-793

**Moved By** Councillor Fryer

**Seconded By** Councillor Pouget

**That:**

- 1. The delegation BE RECEIVED and the request for exemption to By-law 2004-89 4(b) for accessible space outside the designated fishing area at King's Navy Yard Park BE APPROVED for August 22, 2017 with a rain date of August 23, 2017; and,**

2. That Administration BE DIRECTED to designate 3 accessible spaces for fishing within King's Navy Yard Park until other accessible fishing locations are offered by the Town.

The Mayor put the Motion.

Motion Carried

**5.2 Windsor Essex Compassion Care Community Initiatives & Community Launch - Liz Daniel, Community Engagement Coordinator**

Resolution # 20170710-794

**Moved By** Councillor Meloche  
**Seconded By** Councillor Pouget

**That the delegation BE RECEIVED.**

The Mayor put the Motion.

Motion Carried

**REPORTS – POLICE SERVICES**

**6.1 Transfer of Primary 911 call taking from OPP to Windsor Police Service**

Resolution # 20170710-795

**Moved By** Councillor Fryer  
**Seconded By** Councillor Meloche

**That:**

1. The report from Police Chief dated May 30, 2017, regarding the Transfer of Primary 911 call taking from the Ontario Provincial Police to the Windsor Police Service BE RECEIVED;
2. The transfer of primary 911 call taking from the Ontario Provincial Police to the Windsor Police Service BE APPROVED; and,
3. The Police Chief BE DIRECTED to take the requisite steps and/or enter into discussions with the County to terminate the current agreement for the Provision of 911 Central Emergency Reporting Bureau between the Ontario Provincial Police and the County of Essex.

The Mayor put the Motion.

**Motion Carried**

## **REPORTS – CORPORATE SERVICES**

### **7.1 Clean Water and Wastewater Fund (CWWF)**

Resolution # 20170710-796

**Moved By** Councillor Meloche

**Seconded By** Councillor Pouget

**That:**

- 1. The report from the Director of Corporate Services/Treasurer dated June 16, 2017, regarding Clean Water and Wastewater Fund (CWWF) BE RECEIVED;**
- 2. The Clean Water and Wastewater Fund (CWWF) contribution agreement between the Town of Amherstburg and the Government of Ontario Ministry of Infrastructure BE APPROVED; and,**
- 3. By-law 2017-64 being a by-law to enter into a Contribution Agreement with the Government of Ontario Ministry of Infrastructure 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 – PARKS, FACILITIES, RECREATION AND CULTURE**

There were no reports.

## **REPORTS – ENGINEERING AND PUBLIC WORKS**

### **9.1 Pickering Drive Phase 1 Watermain Replacement and Road Improvements - Tender Results**

Resolution # 20170710-797

**Moved By** Councillor Meloche

**Seconded By** Councillor Fryer

**That:**

1. The report from the Manager of Engineering dated July 4, 2017, regarding the Pickering Drive Phase 1 Watermain Replacement and Road Improvements - Tender Results BE RECEIVED;
2. The Pickering Drive Phase 1 Watermain Replacement and Road Improvements BE FUNDED as follows;

○ Operating Capital - Water	\$511,416.00
○ New Debt - Water	\$ 0.00
○ OCIF Formula Funding	\$200,000.00
○ 2017 Gas Tax	\$337,700.00
○ A pre-commitment to the Gas Tax Allocation as approved in the 2017 Capital Budget	<u>\$ 34,510.66</u>
<b>Total</b>	<b>\$1,102,698.84</b>
3. An agreement with SLR Contracting Group Inc. to complete the Pickering Drive Phase 1 Watermain Replacement and Road Improvements BE APPROVED in the amount of \$1,023,200.00 (excluding H.S.T.); and,
4. By-Law 2017-66 being a by-law to enter into an agreement with SLR Contracting Group Inc. to complete the Pickering Drive Phase 1 Watermain Replacement and Road Improvements be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put Motion.

**Motion Carried**

## REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

### 10.1 2017 Special Event Approval

Resolution # 20170710-798

**Moved By** Councillor Courtney

**Seconded By** Councillor Fryer

**That:**

1. **The report from the Public Events Committee (PEC) dated June 27, 2017, regarding 2017 Special Events Approval BE RECEIVED;**
2. **The event BE APPROVED as listed:**
  - **Amherstburg Sharks Swim Meet – August 12, 2017; and,**
3. **The Public Events Committee BE DIRECTED to confirm the requirements identified by the Committee are met prior to the event.**

The Mayor put the Motion.

**Motion Carried**

**10.2 Proposed Zoning By-law Amendment for vacant land south of 9834 Walker Road**

Resolution # 20170710-799

**Moved By** Councillor Meloche

**Seconded By** Councillor Pouget

**That:**

1. **The report from the Manager of Planning Services dated June 28, 2017, regarding the Proposed Zoning By-law Amendment for the vacant land south of 9834 Walker Road BE RECEIVED; and,**
2. **By-law 2017-52 being a by-law to amend Zoning By-law No. 1999-52, 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**

**11.1 Open Air Fires**

Councillor Fryer moved the motion with an amendment to add public consultations meetings with stakeholders.

Resolution # 20170710-800

**Moved By** Councillor Fryer  
**Seconded By** Councillor Meloche

**That:**

1. **The report from the Fire Chief dated June 29, 2017, regarding Open Air Fires BE RECEIVED; and,**
2. **Administration BE DIRECTED to move forward with an Open Air Fire By-law and permit process for Council's consideration at a later date; and,**
3. **Administration BE DIRECTED to have public consultation meetings with all stakeholders.**

The Mayor put the Motion.

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

**Motion Carried**

**11.2 Fire Department Establishing and Regulating By-law**

Resolution # 20170710-801

**Moved By** Councillor Fryer  
**Seconded By** Councillor Meloche

**That:**

1. **The report from the Fire Chief dated June 19, 2017 regarding Fire Department Establishing and Regulating By-law BE RECEIVED;**
2. **By-law 2017–67 being a by-law to amend the Establishing and Regulating By-law for Amherstburg Fire Department BE APPROVED including the following elements:**
  - **Formally establishes and continues the Amherstburg Fire Department**
  - **Sets the policy framework and reporting mechanisms for Amherstburg Fire Department**
  - **Authorizes the Fire Chief to take appropriate actions to protect and preserve life and property**
  - **Authorizes the Amherstburg Fire Department to leave limits of the municipality with respect to a fire or emergency under specific circumstances**
  - **Identifies the service levels & programs currently delivered by Amherstburg Fire Department**
3. **By-law 2017-67 being a by-law to amend the Establishing and Regulating By-law for the Amherstburg Fire Department 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**

### **11.3 Appointment of Proxyholder for Essex Power Shareholders' 2016 Annual Meeting**

Resolution # 20170710-802

**Moved By** Councillor Meloche

**Seconded By** Deputy Mayor DiPasquale

**That:**

1. **The report from the Deputy Clerk dated June 28, 2017, regarding Appointment of Proxyholder for Essex Power Shareholders' 2016 Annual Meeting BE RECEIVED;**



2. **Mayor Aldo DiCarlo BE APPOINTED proxyholder for the Town of Amherstburg for Essex Power Corporation's 2016 Shareholder Annual Meeting;**
3. **Bill Wark BE APPOINTED as the alternate proxyholder for the Town of Amherstburg for Essex Power Corporation's 2016 Shareholder Annual Meeting; and,**
4. **The Clerk BE AUTHORIZED to sign all necessary proxy forms to implement this resolution and forward them to Essex Power Corporation.**

The Mayor put the Motion.

**Motion Carried**

#### **11.4 Council Committee Structure Review**

Resolution # 20170710-803

**Moved By** Councillor Fryer

**Seconded By** Councillor Pouget

**That:**

1. **That the report from the Municipal Clerk dated May 9, 2017 regarding Council Committee Structure Review BE RECEIVED;**
2. **The Parks Advisory Committee and the Recreation and Culture Advisory Committee BE COMBINED to create a new Parks and Recreation Advisory Committee;**
3. **The Economic Development Advisory Committee BE DISSOLVED; and,**
4. **The Audit and Finance Advisory Committee BE DISSOLVED.**

The Mayor put the Motion.

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

**Motion Defeated**

### **11.5 Compensation Review Non-Union/Management Staff**

Resolution # 20170710-804

**Moved By** Councillor Meloche

**Seconded By** Deputy Mayor DiPasquale

**That:**

- 1. The report from the Chief Administrative Officer dated June 29, 2017 Compensation Review Non-Union/Management Staff BE RECEIVED;**
- 2. The Non-Union/Management Compensation Plan 65th percentile BE APPROVED for the compensation of the Non-Union/Management group effective June 1st, 2017 ;**
- 3. The Manager of Human Resources BE DIRECTED to post the Compensation Plan for Pay Equity Compliance; and,**
- 4. The Manger of Human Resources and Director of Corporate Services/ Treasurer BE DIRECTED to include provisions for inflationary adjustments in the Town's annual operating budget with an annual June 1<sup>st</sup> implementation date subject to Council approval.**

The Mayor put the Motion.

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

**Motion Carried**

### INFORMATION REPORTS

Resolution # 20170710-805

**Moved By** Councillor Fryer

**Seconded By** Councillor Meloche

**That the following information reports BE RECEIVED:**

- 12.1 **Monthly Activity Report – APSB Meeting of May 16, 2017**
- 12.2 **June 21, 2017 – July 5, 2017 Accounts Payable**

The Mayor put the Motion.

**Motion Carried**

### CORRESPONDENCE

- 13.1 **Essex County Time Capsule - Celebrating Canada 150/Essex County 225**

Resolution # 20170710-806

**Moved By** Councillor Meloche

**Seconded By** Deputy Mayor DiPasquale

**That:**

- 1. **The correspondence from the County of Essex regarding the Essex County Time Capsule - Celebrating Canada 150/Essex County 225, BE RECEIVED; and,**

2. **Administration BE DIRECTED to add Amherstburg memorabilia for inclusion in the time capsule.**

The Mayor put the Motion.

**Motion Carried**

## **CONSENT OTHER MINUTES**

Resolution # 20170710-807

**Moved By** Councillor Meloche  
**Seconded By** Councillor Fryer

**That the following minutes BE RECEIVED:**

- 14.1 Parks Advisory Committee Meeting Minutes - June 7, 2017**  
**14.2 Drainage Board Meeting Minutes - July 4, 2017**

The Mayor put the Motion.

**Motion Carried**

## **UNFINISHED BUSINESS**

There were no Unfinished Business items discussed at this meeting.

## **NEW BUSINESS**

Resolution # 20170710-808

**Moved By** Councillor Fryer  
**Seconded By** Councillor Pouget

**Administration BE DIRECTED to bring back a report on Council compensation with local comparators to be considered by the 2014-2018 term of Council for the 2018-2022 term of Council.**

The Mayor put the Motion.

**Motion Carried**

## **REPORT OUT FROM IN CAMERA SESSION**

There was no report out at this time.

## **NOTICE OF MOTION**

There were no Notices of Motion.

## **BY-LAWS**

### **19.1 By-law 2017-68 - Confirmatory By-law**

Resolution# 20170710-809

**Moved By** Councillor Meloche  
**Seconded By** Councillor Fryer

**That By-law 2017-68 being a by-law to confirm all resolutions of the Municipal Council Meeting held July 10, 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**

## **SPECIAL IN-CAMERA COUNCIL MEETING**

Resolution # 20170710-810

**Moved By** Councillor Meloche  
**Seconded By** Councillor Courtney

**That Council move into an In-Camera Meeting of Council at 7:35 pm pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:**

**ITEM A - Easement Agreement - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the municipality.**

**ITEM B – DRAFT Policing Request for Proposal – Section 239(2)(a) –  
The security of the property of the municipality or local board.**

The Mayor put the Motion.

**Motion Carried**

**DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**  
There were no disclosures of pecuniary interest noted.

**ADJOURNMENT OF IN-CAMERA COUNCIL MEETING @ 8:08 pm**

**RESUMPTION OF REGULAR COUNCIL MEETING**

**Moved By** Councillor Meloche  
**Seconded By** Councillor Fryer

**That Council resume Regular session at 8:10 p.m.**

The Mayor put the Motion.

**Motion Carried**

**REPORT OUT FROM IN CAMERA SESSION**

**July 10<sup>th</sup>, 2017 Meeting**

Council met on July 10<sup>th</sup>, 2017, for Special In-Camera meeting at 7:35 pm and discussed (2) items as provided for under Section 239 of the Municipal Act:

**ITEM A – Easement Agreement** – heard under Section 239(2)(c) of the Act. As a result of that discussion, the following is before Council for consideration:

Resolution # 20170710-811

**Moved By** Councillor Pouget

**Seconded By** Councillor Meloche

**That the Licence of Occupation agreement as identified in the confidential in-camera report dated July 4, 2017 and discussed in closed session on July 10, 2017 BE APPROVED and the Mayor and Clerk BE AUTHORIZED to execute the agreement.**

The Mayor put the Motion.

**Motion Carried**

**ITEM B – Draft Policing Request for Proposal** – heard under Section 239(2)(a) of the Act. As a result of that discussion, the following is before Council for consideration:

Resolution # 20170710-812

**Moved By** Councillor Meloche  
**Seconded By** Councillor Pouget

**Administration BE AUTHORIZED to proceed with the issuance of PP-PS-17-15 Request for Proposal Police Services inviting the Town of LaSalle, City of Windsor and the Ontario Provincial Police (OPP) to participate.**

The Mayor put the Motion.

**Motion Carried**

**ADJOURNMENT**

**Moved By** Deputy Mayor DiPasquale  
**Seconded By** Councillor Courtney

**That Council rise and adjourn at 8:12 p.m.**

The Mayor put the Motion.

**Motion Carried**



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MAYOR – ALDO DICARLO



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MUNICIPAL CLERK – PAULA PARKER