



TOWN OF AMHERSTBURG

COUNCIL MEETING

Tuesday, October 10, 2017

6:00 PM

MINUTES

Council Chambers, 271 Sandwich Street South, Amherstburg, ON

PRESENT

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

Tammy Fowkes, Deputy Clerk
Jerry Marion, Deputy Clerk
Giovanni (John) Miceli, CAO

CALL TO ORDER

The Mayor called the meeting to order at 6:04 p.m.

NATIONAL ANTHEM

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 # 20171010-908

Moved By Councillor Lavigne
Seconded By Councillor Fryer

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 Council Meeting Minutes - Planning - September 25, 2017**
- 4.2 **Regular Council Meeting Minutes - September 25, 2017**
- 4.3 **Special In-Camera Council Meeting Minutes - September 25, 2017**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

There were no delegations.

PRESENTATIONS

Kyle Edmonds, Dillon Consulting, presented the 2016 Road Needs Study and answered Council questions.

- 6.1 **2016 Road Needs Study - Kyle Edmonds, Dillon Consulting**

Resolution # 20171010-909

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That:

- 1. **The presentation BE RECEIVED;**

2. **The report from the Manager of Engineering dated September 20, 2017, regarding the 2016 Road Needs Study BE RECEIVED; and,**
3. **The 2016 Road Needs Study BE APPROVED.**

The Mayor put the Motion.

Motion Carried

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

There were no reports.

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There were no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

- 10.1 **2016 Road Needs Study**
(As dealt with above in item # 6.1)
- 10.2 **Acceptance of Surface Asphalt – Kingsbridge Subdivision Phase 6D**
Resolution # 20171010-910

Moved By Councillor Fryer
Seconded By Councillor Pouget

That:

4. **The report from the Manager of Engineering dated September 20, 2017, regarding Acceptance of Surface Asphalt – Kingsbridge Subdivision Phase 6D BE RECEIVED;**
5. **The recommendations of the consulting engineer, BairdAE BE APPROVED; and,**
6. **The surface asphalt BE ACCEPTED and ASSUMED.**

The Mayor put the Motion.

Motion Carried

REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

11.1 Zoning By-law Amendment for North-side of County Road 20

Resolution # 20171010-911

Moved By Deputy Mayor DiPasquale

Seconded By Councillor Courtney

That:

1. **The report from the Manager of Planning Services dated September 25, 2017, regarding the Zoning By-law Amendment for the N/S County Road 20, File #ZBA-13-17 BE RECEIVED; and,**
2. **By-law 2017-87 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

11.2 2017 Special Event Approval

Resolution # 20171010-912

Moved By Councillor Meloche

Seconded By Councillor Pouget

That:

1. **The report from the Public Events Committee (PEC) dated September 22, 2017, regarding 2017 Special Events Approval BE RECEIVED;**
2. **The event BE APPROVED as listed:**
 - **Super Santa Run – November 18, 2017**
3. **The following event BE EXEMPT and road closures BE PERMITTED to begin prior to 5:00 pm for the event listed:**
 - **Super Santa Run – November 18, 2017**

4. **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

REPORTS - CAO's OFFICE

12.1 Pre-Hospital Joint Operational Cyanide Antidote Agreement

Resolution # 20171010-913

Moved By Councillor Fryer
Seconded By Councillor Lavigne

That:

1. **The report from the Fire Chief dated September 25, 2017, regarding the Pre-Hospital Joint Operational Cyanide Antidote Agreement BE RECEIVED; and,**
2. **The Mayor and Clerk BE AUTHORIZED to sign the Pre-Hospital Joint Operational Cyanide Antidote Agreement.**

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20171010-914

Moved By Councillor Meloche
Seconded By Councillor Pouget

That the following information reports BE RECEIVED:

13.1 September 20, 2017 – October 3, 2017 Accounts Payable

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20171010-915

Moved By Councillor Fryer
Seconded By Councillor Meloche

That the following consent correspondence BE RECEIVED:

- 14.1 Amherstburg Accessibility Advisory Committee - Support Letter for Windsor-Essex Compassion Care Community**
- 14.2 Barriers on Highway 401 - Municipality of Chatham-Kent Resolution**
- 14.3 Assessment Act Amendments - City of Hamilton Resolution**
- 14.4 Ambulance Act and Fire Protection & Prevention Act - Municipality of Killarney Resolution**
- 14.5 Purposed Tax Rules - Municipality of East Ferris Resolution**

The Mayor put the Motion.

Motion Carried

Resolution # 20171010-916

Moved By Councillor Fryer
Seconded By Councillor Pouget

Item # 14.2 - That Administration BE DIRECTED to send a letter to all municipalities, local MP's and AMO, in support of concrete barriers on Highway 401.

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution# 20171010-917

Moved By Councillor Meloche
Seconded By Councillor Courtney

That the following minutes BE RECEIVED:

- 15.1 Amherstburg Accessibility Advisory Committee Minutes - September 20, 2017**
- 15.2 Drainage Board Meeting Minutes - October 3, 2017**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Courtney asked for an update with respect to the Verdi Club's request for space at the Libro Centre to hold their bocce ball league.

The Chief Administrative Officer advised Council that Administration is working on initiatives that the Verdi Club will be a part of and those initiatives will be brought back to a future Council meeting. The CAO also advised Council that the Verdi Club is currently renting space at the Amherstburg Community Services.

2. Councillor Fryer advised Council that the Accessibility Advisory Committee was approached by Mr. Wayne Mickle who requested that railings be installed in the stands in both rinks at the Libro Centre. Councillor Fryer asked for an update with respect to the feasibility and timeline for the installation so that Mr. Mickle and the committee are aware.

The Chief Administrative Officer advised Council that the previous Chief Building Official looked at that request and there is an accommodation issue that needs to be addressed. The CAO advised Council that he will look into the request further and report back to Council and the committee.

3. Councillor Pouget advised Administration that the unfinished business list remains confusing and was wondering if it could go back to the previous version.

The Mayor advised Council that the new agenda software generates the unfinished business list and Administration has been speaking with the software developer to go back to the old way or to find a resolve.

4. Councillor Fryer asked for an update with respect to the LED installation program.

The Director of Engineering and Public Works advised Council that the RFP is currently being finalized and should be out in October.

5. Councillor Pouget asked when the remainder of the Kings Navy Yard Park will be designated as recommended by the Heritage Committee.

The Director of Planning, Development & Legislative Services advised Council that the consultant is waiting on a few items in order to finalize the report and it should be before Council in November.

6. Councillor Pouget asked for an update with respect to the investigation of the old agreements between the Town and the owners of the General Chemical property.

The Chief Administrative Officer advised Council that nothing has changed with respect to the agreements. The CAO advised Council that both Administration and the Mayor have reached out to Honeywell regarding possible future investment at the Honeywell site. The CAO further advised Council that should the owner wish to sever the property, it would have to come before Council for approval.

7. Councillor Pouget asked for an update with respect to the resolution regarding the number of family physicians currently practicing in the Town.

The Chief Administrative Officer advised Council that he has met with the local physicians, the recruiter, and the Family Health Team and a report will be brought back to Council outlining where the Town is today and where the Town is heading in the future.

8. Councillor Pouget asked for an update with respect to the collection of the Town's portion of the Essex County Library strike funds.

The Chief Administrative Officer advised Council that Administration is currently assembling all the costs that have been incurred and is re-submitting those costs to the County as per the request of the County CAO. The CAO advised Council that once he hears back from the County CAO, a report will be brought back to Council.

NEW BUSINESS

1. Councillor Meloche advised Council that he is concerned with the number of accidents at the intersection of Howard Avenue and Alma Street and wanted to know if there is anything the County can do to improve the safety and mitigate the loss of life at that intersection.

The Mayor advised Council that he has already reached out to the Police Chief and requested traffic data. The Mayor also advised that initiatives such as rumble strips are being looked at and will be brought back in a report to Council.

2. Resolution # 20171010-918

Moved By Councillor Fryer

Seconded By Councillor Pouget

That Administration BE DIRECTED to bring back a report for Council to consider a policy change for the feline spay and neuter program to include clipping ears similar to what other municipalities have included in their program.

The Mayor put the Motion.

Motion Carried

3. Resolution # 20171010-919

Moved By Councillor Fryer

Seconded By Councillor Pouget

That Administration BE DIRECTED to bring a report back to Council with options to secure and preserve the Big Creek area north of Alma Street in collaboration with other willing agencies and boards. The Mayor put the Motion.

The Mayor put the Motion.

Motion Carried

4. Resolution # 20171010-920

Moved By Councillor Pouget

Seconded By Councillor Fryer

That Administration BE DIRECTED to bring back a report to Council to set forth requirements to charge any new homeowner or developer a fee for the Town to plant a tree of 3" in caliper in front of any new home on Town property that is not part of a subdivision agreement.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN CAMERA SESSION

There was nothing to report out.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

20.1 2017-91 - Confirmatory By-law

Resolution # 20171010-921

Moved By Councillor Fryer
Seconded By Councillor Lavigne

That By-law 2017-91 being a by-law to confirm all resolutions of the Municipal Council Meeting held October 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 MEETNG

Resolution # 20171010-922

Moved By Councillor Fryer
Seconded By Councillor Meloche

That Council move into an In-Camera Meeting of Council at 7:19 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A - Insurance Claim Update - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees; and, Section 239(2)(e) - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

ITEM B - Town Wide Fibre Solutions - Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

ITEM C - Disposition of Property - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the municipality or local board.

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.

ADJOURNMENT OF IN-CAMERA COUNCIL MEETING @ 7:58 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That Council resume Regular session at 8:01 p.m.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN-CAMERA SESSSION

October 10th, 2017 Meeting

Council met on October 10th, 2017, for a Special In-Camera meeting at 7:19 p.m. and discussed (3) items as provided for under Section 239 of the Municipal Act:

ITEM A – Insurance Claim Update heard under Section 239(2)(b)&(e) of the Act. There is nothing further to report on this matter.

ITEM B – Town Wide Fibre Solutions heard under Section 239(2)(f) of the Act. There is nothing further to report on this matter.

ITEM C – Disposition of Property heard under Section 239(2)(c) of the Act. As a result of that discussion, the following is before Council for consideration:

Resolution # 20171010-923

Moved By Councillor Fryer
Seconded By Councillor Meloche

That:

1. The following real property BE DECLARED SURPLUS to the needs of the municipality to enable it to be sold to the abutting property owner:
 - Real Property Description: Part of closed Perry Street, described legally as Part Lot 2 Concession 1, and more particularly as Part 2 Plan 12R-10826;

2. The sale of the following surplus property to the abutting improved property owner BE APPROVED under following terms and conditions:
 - Property to be Sold: An approximate 30 foot by 322 foot (9,153 sq. ft.) remnant parcel known as Part of closed Perry Street described legally as Part Lot 2, Concession 1, and more particularly as Part 2 Plan 12R-10826;
 - Purchaser: Suzanne & David Varney, 269 Kempt Street, Amherstburg, N9V 3V2
 - Sale Price: \$ 7,087.00 plus HST as applicable;
 - Additional Cost: In addition to a cost of \$807.95, being the proportionate share of survey costs the purchaser will also be responsible for its own legal fees and disbursements; and,

3. The Mayor and Clerk BE AUTHORIZED to sign any documents necessary to complete the land transfer and the transaction BE COMPLETED electronically using the Province's Teranet System.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Deputy Mayor DiPasquale

That Council rise and adjourn at 8:03 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



DEPUTY CLERK – TAMMY FOWKES