



TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
Monday, November 26, 2018
6:00 PM

Council Chambers, 271 Sandwich Street South, Amherstburg, ON, N9V 2A5

MINUTES

PRESENT

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

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

ABSENT

Mayor Aldo DiCarlo

CALL TO ORDER

The Mayor called the meeting to order at 4:43 p.m.

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20181126-369

Moved By Councillor Pouget
Seconded By Councillor Meloche

That Council move into an In-Camera Meeting of Council at 4:43 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

Item A - Integrity Complaint - Final Report - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees.

The Deputy 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 @ 5:12 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Fryer
Seconded By Councillor Lavigne

That Council resume Regular session at 6:00 p.m.

The Deputy Mayor put the Motion.

Motion Carried

NATIONAL ANTHEM

Councillor Fryer offered his congratulations and best wishes to 2018-2022 Term of Council.

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF
(Public Council Meeting Agenda Items)

Councillor Meloche declared a pecuniary interest with respect to discussions and resolutions regarding the 2018 Election Recount at the November 13, 2018 - Special Council Meeting.

Councillor Lavigne declared a conflict of pecuniary interest with respect to item # 10.1 - Final Report from Bruce Elman, Integrity Commissioner.

Councillor Pouget declared a conflict of pecuniary interest with respect to item # 10.2 - Final Report from Bruce Elman, Integrity Commissioner.

MINUTES OF PREVIOUS MEETING

Resolution # 20181126-372

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 - October 23, 2018**
- 8.2 **Regular Council Meeting Minutes - October 23, 2018**
- 8.3 **Special Council Meeting Minutes - November 13, 2018**

The Deputy Mayor put the Motion.

Motion Carried

RECOGNITIONS

- 9.1 **Domenic Silvaggio - Windsor Essex Sports Hall of Fame Inductee**

Resolution # 20181126-373

Moved By Councillor Fryer

Seconded By Councillor Meloche

The Clerk read a short biography with respect to Mr. Silvaggio's accomplishments.

The Deputy Mayor presented Mr. Silvaggio with a congratulatory certificate from the Town.

That the recognition BE RECEIVED.

The Deputy Mayor put the Motion.

Motion Carried

9.2 Long Service Award Recognition 2018
(This item was not heard)

9.3 Certificates of Appreciation – 2014-2018 Term of Council

On behalf of Mayor DiCarlo, the Clerk congratulated and thanked each of the outgoing Councillor Members from the 2014-2018 Term. Each outgoing member was presented with a Certification of Appreciation for their years of service.

Deputy Mayor DiPasquale, Councillor Courtney, Councillor Fryer, Councillor Lavigne, and Councillor Pouget thanked their fellow Council members, staff, family and friends, and their constituents for the support they received over their term(s) of office.

Resolution # 20181126-374

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That the recognitions BE RECEIVED.

The Deputy Mayor put the Motion.

Motion Carried

PRESENTATIONS

10.1 Bruce Elman, Integrity Commissioner - File 17-09-2018, Final Report

Councillor Lavigne vacated his seat during discussion.

Mr. Elman presented his report to Council and answered Council questions.

Resolution # 20181126-375

Moved By Councillor Meloche
Seconded By Councillor Fryer

That the presentation BE RECEIVED and one month's pay BE DEDUCTED from Councillor Lavigne's pay as recommended by the Integrity Commissioner.

The Deputy Mayor put the Motion.

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

Motion Lost

10.2 Bruce Elman, Integrity Commissioner - File 06-07-2018, Final Report

Councillor Pouget vacated her seat during discussion.

Mr. Elman presented his report to Council and answered Council questions.

Resolution # 20181126-376

Moved By Councillor Lavigne
Seconded By Councillor Courtney

That the presentation BE RECEIVED.

The Deputy 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	P.I.	P.I.
Mayor DiCarlo	ABSENT	ABSENT

Motion Carried

DELEGATIONS

There were no delegations.

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

13.1 Development Charges Deferral Agreements

(This item has been moved to the December 10, 2018, Regular Council Meeting)

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There were no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

15.1 Amendments to Tree By-law 2016-94

Resolution # 20181126-377

Moved By Councillor Meloche

Seconded By Councillor Fryer

That:

- 1. The report from the Manager of Roads and Fleet & Manager of Licensing and Enforcement dated November 7, 2018 regarding the Amendments to the Tree By-law 2016-94 BE RECEIVED; and,**
- 2. By-law 2018-106 being a By-law to amend By-law 2016-94 be taken as having been read 3 times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Deputy Mayor put the Motion.

Motion Carried

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

16.1 Defer Development Charges for Meadowview Estates Subdivision – 110, 112, 118, 120, 126, 128 Meadowview Ave. South

Resolution # 20181126-378

Moved By Councillor Pouget
Seconded By Councillor Courtney

That the report BE DEFERRED to the new Term of Council.

The Deputy 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	X	
Mayor DiCarlo	ABSENT	ABSENT

Motion Lost

Resolution # 20181126-379

Moved By Councillor Fryer
Seconded By Councillor Meloche

That:

1. **The report from the Chief Building Official dated November 13, 2018 regarding the Agreement to Defer Development Charges for Meadowview Estates Subdivision 110, 112, 118, 120, 126, 128 Meadowview Ave. South, Amherstburg BE RECEIVED; and**
2. **The application for deferral of Development Charges, as requested by Nor-Built Construction, BE APPROVED; and,**
3. **By-law 2018-105 being a By-law to authorize the signing of an agreement to defer Development Charges having been read three (3)**

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

The Deputy Mayor put the Motion.

Motion Carried

16.2 Road Dedication of Reserves in Kingsbridge Subdivision

Resolution # 20181126-380

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That:

1. The report from the Manager of Planning Services dated October 25, 2018 regarding the Road Dedication of Reserves in Kingsbridge Subdivision as Public Highways BE RECEIVED;
2. The dedication of Block 25, 12M-549 and Block 86, 12M-564 as a Public Highway BE APPROVED; and,
3. By-law 2018-104 being a by-law to dedicate Block 25, 12M-549 and Block 86, 12M-564 as a public highway be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Deputy Mayor put the Motion.

Motion Carried

16.3 Property Standards Committee – Appointment Extension

Resolution # 20181126-381

Moved By Councillor Fryer
Seconded By Councillor Meloche

That:

1. The report from the Manager of Licensing and Enforcement dated November 19, 2018, regarding Property Standards Committee-Appointment Extension BE RECEIVED; and,
2. By-law 2018-108 being a by-law to appoint Property Standard Committee, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Deputy Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

There were no reports.

INFORMATION REPORTS

Resolution # 20181126-382

Moved By Councillor Fryer

Seconded By Councillor Meloche

That the following information reports BE RECEIVED:

- 18.1 Building Activity Report for the Months of September & October 2018**
- 18.2 Monthly Activity Report – APSB Meeting of September 11, 2018**
- 18.3 Monthly Fire Department Activity Report – September 2018**
- 18.4 Purchase of Parts for Police Radio System**
- 18.5 2018 Third Quarter Operating Variance as at September 30, 2018**
- 18.6 Accounts Payable for the Month of October 2018**

The Deputy Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20181126-383

Moved By Councillor Fryer

Seconded By Councillor Pouget

That the following consent correspondence BE RECEIVED:

- 19.1 Annual Membership - Essex County Agricultural Hall of Fame**
- 19.2 Governance Models - Township of McKellar Resolution**

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20181126-384

Moved By Councillor Fryer
Seconded By Councillor Meloche

(Item # 19.1) – **That the Annual Membership for the Essex County Agricultural Hall of Fame BE RENEWED in the amount of \$25.00.**

The Deputy Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20181126-385

Moved By Councillor Meloche
Seconded By Councillor Fryer

That the following minutes BE RECEIVED:

- 20.1 Co-An Park Committee Meeting Minutes - October 16, 2018**
- 20.2 Committee of Adjustment Meeting Minutes - October 19, 2018**
- 20.3 Committee of Adjustment Meeting Minutes - September 25, 2018**
- 20.4 Drainage Board Meeting Minutes - November 6, 2018**
- 20.5 Heritage Committee Meeting Minutes - October 30, 2018**
- 20.6 Heritage Committe Meeting Minutes - November 8, 2018**

The Deputy Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Fryer asked for an update with respect to changing the traffic signals so that traffic going south on Sandwich Street is delayed in order to

allow more traffic to flow going north on Sandwich Street to prevent the congestion that is occurring all the way to Pickering Street.

The Director of Engineering and Public Works advised Council that calls have been made to the County; however, there is only one person who provides the service to all surrounding municipalities.

2. Councillor Pouget advised that she was concerned that resolution regarding the Amherstburg Community Foundation was not brought forward for consideration at this meeting.

The Clerk advised that the resolution from the October 23, 2018, Regular Council Meeting would have to be reconsidered first as per the Procedural By-law.

The Chief Administrative Officer advised Council that the request was made to the Amherstburg Community Foundation; however, the Foundation hasn't had a recent meeting in order for him to get the information being requested by Council.

3. Councillor Pouget advised that she was concerned that resolutions regarding the Dog Kennel By-law and the Fill By-law were not brought forward for consideration at this meeting.

The Manager of Licencing and Enforcement advised Council that she has been in contact with 15 different municipalities, spoken to acoustic engineers for noise assessments, and reviewed a euro study regarding noise assessments. She further advised that she is in the process of compiling the information for a report, as well as a draft by-law, to be tabled before Council along with public consultation.

NEW BUSINESS

1. Councillor Fryer expressed his concern with respect to the recent issue with the 911 system where alerts were sent out indicating a brief malfunction.

The Chief of Police advised Council the information he received was that the only the cellular data lines were affected and that it was a province-wide problem and he is unsure as to what caused it.

REPORT OUT FROM IN CAMERA SESSION

There was nothing to report out.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

(Item # 3.1 and # 3.2 were brought forward from the November 26, 2018, Special Council Meeting Agenda - Planning).

Resolution # 20181126-386

Moved By Councillor Fryer

Seconded By Councillor Meloche

That the following by-laws BE APPROVED:

(3.1) By-law 2018-108 – Zoning By-law Amendment at 7380 Collison Sideroad

That By-law 2018-108 being a by-law to Amend Zoning By-law 1999-52 be taken as having been read three times and finally passed and the Mayor and Clerks BE AUTHORIZED to sign same.

(3.2) By-law 2018-109 – Zoning By-law Amendment at 864 Alma Street

That By-law 2018-109 being a by-law to Amend Zoning By-law 1999-52 be taken as having been read three times and finally passed and the Mayor and Clerks BE AUTHORIZED to sign same.

25.1 By-law 2018-102 - To Provide for the Petition for Drainage Works of the Odette Drain

By-law 2018-102 being a by-law to Provide for the Petition for Drainage Works of the Odette Drain based on the Drainage Report by Rood Engineering Inc. BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same.

25.2 By-law 2018-110 - Confirmatory By-law

By-law 2018-110 being a by-law to confirm all resolutions of the Municipal Council Meeting held November 26, 2018, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Deputy Mayor put the Motion.

Motion Carried

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20181126-387

Moved By Councillor Meloche
Seconded By Councillor Fryer

That In-Camera Items B & C BE DEFERRED to the next Special In-Camera Council Meeting.

Item B - Land Lease, Vehicle Parking, Car Dealerships, Sandwich St. S - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the municipality or local board.

Item C - Storm Sewer Easement; 1632/1640 Park Avenue - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the municipality or local board.

The Deputy Mayor put the Motion.

Motion Carried

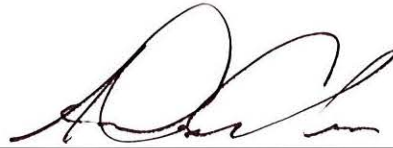
ADJOURNMENT

Moved By Councillor Fryer
Seconded By Councillor Pouget

That Council rise and adjourn at 8:30p.m.

The Deputy Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



MUNICIPAL CLERK – PAULA PARKER