



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, January 11, 2021
6:00 PM**

MINUTES

PRESENT

Mayor Aldo DiCarlo
Deputy Mayor Leo Meloche
Councillor Peter Courtney
Councillor Donald McArthur
Councillor Michael Prue
Councillor Marc Renaud
Councillor Patricia Simone

Giovanni (John) Miceli, CAO
Paula Parker, Clerk
Tammy Fowkes, Deputy Clerk

All members of Council participated in the meeting through video conferencing technology from remote locations. Public participation was conducted via livestream.

CALL TO ORDER

The Mayor called the meeting to order at 6:11 p.m.

ROLL CALL

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

Item # 11.1 - Councillor Prue advised that he may have a pecuniary interest with respect to the Town of Carleton Place's resolution regarding COVID-19 Childcare Funding. He advised that he will declare a pecuniary interest if Council opts to discuss the item when it is before them.

REPORT OUT FROM IN-CAMERA SESSION - December 18, 2020

Council met on December 18th, 2020, for a Special In-Camera Meeting at 2:13 p.m. and discussed the following item as provided for under Section 239 of the Municipal Act:

Item A was heard under Section 239(2)(b) of the Act. There is nothing further to report.

MINUTES OF PREVIOUS MEETING

Resolution # 20210111-002

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

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:

- 5.1 **Special Council Meeting Minutes - December 11, 2020**
- 5.2 **Special In-Camera Council Meeting Minutes - December 11, 2020**

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

There were no reports.

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There we no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

8.1 Kingsbridge Subdivision Phase 7A/9A - Acceptance and Assumption of Infrastructure

Resolution # 20210111-003

Moved By Councillor McArthur
Seconded By Councillor Renaud

That:

1. The recommendations in the letter regarding Kingsbridge Development Phase 7A/9A dated December 08, 2020 from the consulting engineer, Baird AE BE ACCEPTED; and,
2. The underground infrastructure for Kingsbridge Subdivision – Phase 7A/9A BE ACCEPTED and ASSUMED.

The Mayor put the Motion.

Motion Carried

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

9.1 Kingsbridge Subdivision Phase 10- Subdivision Agreement File No. 37-T-20003

Resolution # 2021011-004

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That:

1. The Corporation of the Town of Amherstburg ENTER INTO a Subdivision Agreement with 1027579 Ontario Limited and 1078217 Ontario Limited for Kingsbridge Subdivision Phase 10; and,

2. **By-law 2021-001 being a By-law to authorize the signing of a Subdivision Agreement for Kingsbridge Subdivision Phase 10 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.

CONSENT CORRESPONDENCE

Resolution # 20210111-005

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That the following consent correspondence BE RECEIVED:

- 11.1 **COVID-19 Childcare Funding - Town of Carleton Place**
- 11.2 **Requesting Longer Grant Application Timelines - Township of Matachewan**

The Mayor put the Motion.

Motion Carried

Councillor Prue declared a conflict of pecuniary interest with respect to Item # 11.1 and removed himself from discussion and voting. He advised that he is the Director of Ska'Na Family Services which would benefit from increased funding.

Resolution # 20210111-006

Moved By Councillor Simone
Seconded By Councillor Courtney

(Item # 11.1) - **That Administration BE DIRECTED to send a letter in support of the Town of Carleton Place's request to the Provincial Government regarding COVID-19 Childcare Funding.**

The Mayor put the Motion.

Motion Carried

Resolution # 20210111-007

Moved By Councillor Simone
Seconded By Councillor Courtney

(Item # 11.2) - **That Administration BE DIRECTED to send a letter in support of the Township of Matachewan's request that the application deadline on any further grants have a longer turn around time.**

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

12.1 Heritage Committee Minutes - November 12, 2020

Resolution # 20210111-008

Moved By Councillor Simone
Seconded By Councillor Prue

That Administration BE DIRECTED to engage the owners of 247 Brock Street in a discussion about designating the property.

The Mayor put the Motion.

Motion Carried

12.2 Drainage Board Meeting Minutes - January 5, 2021

Resolution # 20210111-009

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That:

- 1. The Drainage Board Meeting Minutes of January 5, 2021 BE RECEIVED;**
- 2. Bylaw 2021-002 being a by-law to provide for the Bridges Over the Cook Drain based on the Drainage Report by N.J. Peralta Engineering**

Ltd. BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same.;

- 3. The request from Matt and Shelley Kelly for improvements to the McBride Road Branch of the Willow Beach per Section 78 of the Drainage Act BE ACCEPTED; as recommended by the Drainage Board;**
- 4. The appointment of the firm of N.J. Peralta Engineering Ltd. to complete the necessary report for the repair and improvement to the McBride Road Branch of the Willow Beach BE APPROVED, as recommended by the Drainage Board;**
- 5. The report from the Drainage Superintendent and Engineering Coordinator dated December 10, 2020, regarding the Subsequent Disconnection – Ouellette Drain West (Section 65(4)) BE RECEIVED; as recommended by the Drainage Board;**
- 6. The engineer's report, prepared by RC Spencer Associates Inc. on December 1, 2020, for the Subsequent Disconnection – Ouellette Drain West (Section 65(4)) BE RECEIVED; as recommended by the Drainage Board;**
- 7. The assessment adjustments as listed in the engineering report prepared by RC Spencer Associates Inc. BE APPROVED, as recommended by the Drainage Board;**
- 8. The report from the Drainage Superintendent and Engineering Coordinator dated December 10, 2020, regarding Various Drainage Apportionments BE RECEIVED; as recommended by the Drainage Board; and,**
- 9. The drainage apportionments BE APPROVED as listed, as recommended by the Drainage Board:**
 - Consent B/34/19 - Drainage Apportionments for the Ong Drain & Sunset Beach Pumping Scheme – 5671 County Road 18.**
 - Consent B/4/20 – Drainage Apportionments for the Mickle Drain & Sunset Beach Pumping Scheme – 1514 Goodview Ave.**
 - Consent B/5-6-7/20 – Drainage Apportionments for the Ouellette Drain East and Long Marsh Drain – 754 Concession 2N**

- **Consent B/16/20 – Drainage Apportionments for the 8th Concession Drain South and Long Marsh Drain – 8471 Howard Ave.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Prue asked for an update with respect to the report regarding the development of the north end of Boblo Island (Resolution # 20191015-497).

The Manager of Planning Services advised that the background research has been completed and Administration is currently working with solicitors for final opinions and the report will be before Council shortly.

2. Councillor Prue asked for an update with respect to the report regarding the Agent of Change by-law (Resolution # 20200309-096).

The Manager of Planning Services advised that it will be before Council in the 1st quarter of 2021.

3. Councillor Prue asked for an update with respect to accessible on-demand taxi service in the Town (Resolution # 20200309-094).

The Clerk advised that Manager of Licensing and Enforcement and the Policy and Committee Coordinator are actively working on a report for Council and it is expected in the 2nd quarter.

4. Councillor Prue asked for an update with respect to the Ward vs. At-large system election (Resolution # 20200622-082).

The Clerk advised that it will be before Council within the next couple of meetings.

5. Councillor Prue asked for an update with respect to an idling by-law (Resolution # 20200914-293).

The Director of Engineering and Public works advised that she anticipates this item before Council in this quarter and she will confirm with the Manager of Licensing and Enforcement as to the status of that item.

6. Councillor Courtney asked for an update with respect to the former Honeywell site (Resolution # 20200224-078).

The Chief Administrative Officer advised that discussions are on-going and the Development Commission is looking to make a presentation to the Economic Development Advisory Committee once committee meetings start back up.

7. Councillor Courtney asked for an update with respect to the report regarding the regulation of Air B&B's.

The Chief Administrative Officer advised that the Manager of Licensing and Enforcement has been researching by-laws from other municipalities and is actively working on this item.

NEW BUSINESS

1. Deputy Mayor Meloche asked for an update with respect to the 2nd Concession North bridge.

The Manager of Engineering advised that he cannot provide a completion date as it is dependant on the outcome of testing that is currently being conducted. He advised the goal is to have the sheet piling removed by March 15th and if successful, the project will move along quickly from there. If not successful by March 15th, the project will have to be put on hold until July 15th due to the In Water works that ERCA is required to complete. He further advised that the bridge will be complete in 2021.

2. Councillor Courtney asked if Council can receive the job description for the approved in-house lawyer position and what type of law experience is the lawyer required to have.

The Chief Administrative Officer advised the in-house municipal lawyer will be required to provide legal advice and risk avoidance on municipal matters such as labour and employment law, real estate law, development law, and land use planning.

3. Councillor Courtney asked if there was going to be a greenhouse by-law coming forward for Council's consideration.

The Chief Administrative Officer advised that protective measures to avoid nuisance odour and/or light pollution are addressed in site plan control; and further, that a by-law is in the Manager of Licencing and Enforcement's work plan for 2021.

4. Councillor Prue thanked the staff at Richmond Terrace for maintaining and adhering to the strict measures set out by the Windsor-Essex County Health Unit to keep Amherstburg long term care residents safe.

NOTICE OF MOTION

15.1 Councillor Simone - Support of Bill S-216, an Act to enact the Modern Slavery Act and to amend the Customs Tariff

(As brought forward at the December 14, 2020, Regular Council Meeting)

Resolution # 20210111-010

Moved By Councillor Simone

Seconded By Councillor Prue

Whereas it is estimated that at least 40 million men, women and children around the world are victims of modern slavery, a term that is not explicitly defined by international law but encompasses a whole series of practices, including sex and other trafficking and forced marriage, in which a person is exploited or forced to work through violence, threats, coercion, abuse of power or fraud;

And Whereas, of these, 16 million human beings, both adults and children, are trafficked for forced labour in the private sector, according to International Labour Organization estimates;

And Whereas Bill S-216, an Act to enact the Modern Slavery Act and to amend the Customs Tariff, is a tool for transparency to fight against modern slavery and will help Canada to more strictly adhere to the letter of its international commitments;

And Whereas Town of Amherstburg Council understands the severity of modern slavery and wishes to assist in motivating businesses to eliminate the use of any form of child labour in their global supply chains, and

empower consumers and investors to engage meaningfully on this important issue;

Now therefore let it be resolved that Town of Amherstburg Council supports Bill S-216, an Act to enact the Modern Slavery Act and a letter indicating Council's support be sent to the Honourable Julie Miville-Dechene, local MP's and MPP's for their information, the Senate, the House of Commons, and all regional Town Councils.

The Mayor put the Motion.

Motion Carried

BY-LAWS

16.1 By-law 2021-005 - Confirmatory By-law

Resolution # 20210111-011

Moved By Councillor Renaud

Seconded By Deputy Mayor Meloche

That By-law 2021-005 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on January 11, 2021, 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 # 20210111-012

Moved By Deputy Mayor Meloche

Seconded By Councillor Renaud

That Council move into an In-Camera Meeting of Council at 7:07 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason:

Item A - 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 SPECIAL IN-CAMERA COUNCIL MEETING @ 7:12 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Simone
Seconded By Councillor Courtney

That Council RESUME Regular session at 7:15 p.m.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM SPECIAL IN-CAMERA SESSION – January 11, 2021

Council met on January 11th, 2021, for a Special In-Camera Meeting at 7:07 p.m. and discussed the following item as provided for under Section 239 of the Municipal Act:

Item A was heard under Section 239(2)(c) of the Act. As a result of that discussion, the following is before Council for consideration and voting:

Resolution # 20210111-013

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That:

1. The sale of the vacant lot on County Road 41 identified as an approximate 80 foot by 139 foot vacant lot located on the west side of County Road 41 described legally as Lots 13 & 14 Registered Plan 1292 Malden to Mr. Joshua Konopasky in the amount of \$85,000 (including costs) plus applicable taxes BE APPROVED; and,
2. The Mayor and Clerk BE AUTHORIZED to sign the required documents to complete the transaction prepared in form and content satisfactory to the Town's solicitor and financial content satisfactory the to the Director of Corporate Services.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Council rise and adjourn at 7:17 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO

CLERK – PAULA PARKER