



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, March 8, 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 6:14 p.m.

ROLL CALL

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

Item # 10.1 - COVID-19 Mass Vaccination Centre - Councillor McArthur advised that, while it is not considered a conflict of pecuniary interest, he works for the County of Essex and is responsible for communicating details of the mass vaccination centres to the public.

In-Camera Item B - Councillor Prue advised that he may have a potential conflict of pecuniary interest and will declare in the Special In-Camera Meeting, if necessary, once he receives additional information.

DELEGATIONS

There were no Delegations.

PRESENTATIONS

- 5.1 2021 Draft Budget & Recent Changes to the Conservation Authorities Act - Tania Jobin, Chair, Tim Byrne, CAO/Secretary/Treasurer, & Shelley McMullen, Interim CFO/Director of Finance and Corporate Services - Essex Region Conservation Authority (ERCA)**

Resolution # 20210308-062

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That the presentation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

6.1 Reconnect Festival Event Program 2020-21 Grant Transfer Payment Agreement

Resolution # 20210308-063

Moved By Councillor McArthur

Seconded By Deputy Mayor Meloche

That:

1. Authorization BE GIVEN to enter into a Transfer Payment Agreement with the Ministry of Heritage, Sport, Tourism and Culture for funding of up to \$43,800 toward River lights Re-imagined including net HST;
2. A capital expenditure not to exceed \$35,100 including net HST BE APPROVED for the purchase of light displays, to be funded from grants and a transfer of \$20,528 from the events reserve;
3. An operating expenditure not to exceed \$22,000 including net HST BE APPROVED for the purchase of augmented reality “Historic Mile” App, to be funded from \$9,540 grant funds, \$11,000 in additional sponsorship funds and \$1,460 dollars in operating funds from community events budget line; and,
4. By-law 2021-018 being a by-law to enter into an agreement with the Ministry of Heritage, Sport, Tourism and Culture for funding 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

7.1 Canadian Healthy Communities Initiative Fund – Grant Application

Resolution # 20210308-064

Moved By Councillor McArthur

Seconded By Councillor Prue

That:

- 1. Administration BE DIRECTED to apply for funding under the Canada Healthy Communities Initiative for funding of \$100,000 toward in the Safe Vibrant Public Spaces stream with a \$100,000 funding submission; and,**
- 2. Administration BE DIRECTED to develop a funding proposal to further support the Downtown business core with amenities to support the Open Air program.**
- 3. Administration BE DIRECTED to develop a funding proposal to further support the Downtown business core with amenities to support the Open Air program.**

The Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

8.1 Biennial Bridge and Culvert Inspection Report (BCIS)

Resolution #20210308-065

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That the 2020 OSIM Bridge Inspections and Needs Study by TSI Inc., comprising the Town of Amherstburg Biennial Bridge and Culvert Inspection Report, dated December 2020 BE APPROVED.

The Mayor put the Motion.

Motion Carried

REPORTS - PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

9.1 Extension of Part Lot Control Exemption for Part of Meadow View Estates Subdivision

Resolution # 20210308-066

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That By-law 2021-014 being a by-law to amend By-law 2018-20 to extend the expiration date and amend the land described for Part Lot Control exemption, related to Meadow View Estates subdivision, 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

10.1 Amendments to the Roadside Ditch Maintenance Policy

Resolution # 20210308-067

Moved By Councillor Prue
Seconded By Councillor Simone

That the Roadside Ditch Maintenance Policy BE AMENDED in accordance with the report dated February 19, 2021 entitled, Amendments to the Roadside Ditch Maintenance Policy.

The Mayor put the Motion.

Motion Carried

10.2 COVID 19 Mass Vaccination Centre

Resolution # 20210308-068

Moved By Councillor Prue
Seconded By Councillor Courtney

That:

1. Administration BE AUTHORIZED to enter into an agreement with the Windsor-Essex County Health Unit (WECHU) for use of the Amherstburg Libro Centre to administer COVID-19 vaccinations;
2. Administration BE DIRECTED prepare and operate the Libro Centre as a Mass Vaccination Site for residents of Windsor and Essex County; and,
3. Administration BE AUTHORIZED to incur an over-expenditure of funds for operation of the Mass Vaccination Site not included in the 2021 Budget and that those costs BE RECOVERED from the County of Essex, to the extent possible, through a reconciliation of costs with Essex County municipalities.

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20210308-069

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That the following information reports BE RECEIVED:

- 11.1 2020 Yearly Building Activity Report
- 11.2 Bi-Weekly Waste Collection Review
- 11.3 Cheque Listing for the Month of January 2021
- 11.4 Off-Road Vehicle Use on Amherstburg Roadways
- 11.5 Monthly Fire Department Activity Report – January 2021
- 11.6 Annual Committee Report 2020 - Audit and Finance Advisory Committee
- 11.7 Habitat Creation for Critically Endangered Snake Species

The Mayor put the Motion.

Motion Carried

Resolution # 20210308-070

Moved By Councillor McArthur
Seconded By Councillor Simone

Item # 11.4 - That Administration BE DIRECTED to consult with the applicants as to the feasibility and desire to allow off-road vehicles on Amherstburg roads knowing that they won't be able to access County roads.

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20210308-071

Moved By Councillor Simone
Seconded By Councillor Renaud

That the following consent correspondence BE RECEIVED:

- 12.1 Changes to the Health Protection and Promotion Act - Ministry of Agriculture, Food and Rural Affairs**
- 12.2 Insurance Premiums - Township of Georgian Bay Resolution**
- 12.3 Letter to Ontario Municipal Councils - AMCTO**
- 12.4 Request for Changes to the Municipal Act and Municipal Elections Act re Criminal Records - Township of Conmee Resolution**
- 12.5 Universal Paid Sick Days in Ontario - City of St. Catherines Resolution**
- 12.6 Working Group Composition Concerns, Conservation Authorities - Township of Perth South Resolution**

12.7 Capacity Limits for Restaurants in Stage 2 under the Reopening Ontario Act, 2020 - Lake of Bays Resolution

12.8 Urgent Need for Hospital Funding in Windsor-Essex - Gary McNamara, Warden, County of Essex

The Mayor put the Motion.

Motion Carried

Resolution # 20210308-072

Moved By Councillor Courtney
Seconded By Deputy Mayor Meloche

Item # 12.8 - That:

- 1. Administration BE DIRECTED to send a letter in support of Gary McNamara's, Warden, County of Essex, correspondence regarding urgent need for hospital funding in Windsor-Essex; and,**
- 2. Local and surrounding MP's and MPP's, including Chatham-Kent, BE COPIED on the Town of Amherstburg's support.**

The Mayor put the Motion.

Motion Carried

Resolution # 20210308-073

Moved By Councillor Prue
Seconded By Councillor McArthur

Item # 12.5 - That Administration BE DIRECTED to send a letter of support regarding the City of St. Catherine's request for permanent universal paid sick days for all workers in Ontario during the pandemic and beyond.

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20210308-074

Moved By Councillor Simone

Seconded By Councillor Renaud

That the following minutes BE RECEIVED:

13.1 Committee of Adjustment Meeting Minutes - January 26, 2021

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

14.1 Drainage Board Meeting Minutes - March 2, 2021

Resolution # 20210308-075

Moved By Councillor Prue

Seconded By Deputy Mayor Meloche

That:

- 1. The Drainage Board Meeting Minutes of March 2, 2021 BE RECEIVED;**
- 2. By-law 2021-016 being a by-law to provide for Improvements to the Charles Shepley Drain based on the Drainage Report by R. Dobbin Engineering Inc. BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same;**
- 3. The engineer's report, prepared by N.J. Peralta Engineering Ltd., dated January 19, 2021, for the Section 65 Adjustments to Parcels 360-01700 & 360-01800 for 1454410 Ontario Inc. (Cecelia Acres) Development BE RECEIVED, as recommended by the Drainage Board;**
- 4. The assessment adjustments as listed in the engineering report prepared by N.J. Peralta Engineering Ltd. BE APPROVED, as recommended by the Drainage Board;**

5. The request from Jon Parks for the installation of five (5) new access culverts over the Parks Drain per Section 78 of the Drainage Act BE ACCEPTED, as recommended by the Drainage Board;
6. The appointment of the firm of Dillon Consulting Ltd. to complete the necessary report for the repair and improvement to the Parks Drain BE APPROVED, as recommended by the Drainage Board;
7. The request from Norbert Bolger per Section 78 of the Drainage Act BE ACCEPTED, as recommended by the Drainage Board;
8. The appointment of the firm of M. Gerrits Consulting Inc. to complete the necessary report for the repair and improvement to the Jeths Drain BE APPROVED, as recommended by the Drainage Board; and,
9. The appointment of the firm of M. Gerrits Consulting Inc. to complete an engineering report for the Jeths Drain – New Maintenance Schedule of Assessment BE APPROVED, as recommended by the Drainage Board.

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Courtney advised that Resolution # 20201214-480 (regarding the 4 proposed locations for the skate park) is not complete, yet it is off the unfinished business list.

The Clerk advised that it was recently learned that when a task is marked as "in progress", the software automatically removes the task from the list. She further advised that a reminder will be sent out to Administration to keep the task listed as "incomplete" until it can be marked as "complete".

The Director of Parks, Facilities, Recreation and Culture confirmed that this task is actively being worked on.

2. Councillor Prue advised that Diane Pouget, previous term Councillor, asked him about directions to Administration from her term that appear to be off the unfinished business list. Councillor Prue asked if Administration could reach out to Ms. Pouget to determine which items she is referring to and if they should be placed back onto the unfinished business list.

The Clerk advised that Council went through the unfinished business list, line by line, at a previous meeting and determined which items were no longer necessary and proceeded to remove those items. She further advised that she will reach out to Ms. Pouget to provide a copy of the minutes where that occurred.

3. Councillor Prue asked for clarification regarding Resolution # 20201214-468 (to pursue opportunities to build a track on the school board's land including, but not limited to, securing corporate sponsorship and community fundraising).

The Clerk read the motion and advised that if Council is looking to change the motion it would require a reconsideration of the motion first.

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That Resolution # 20201214-468, a motion to direct Administration to pursue opportunities to build a track on the school board's land including, but not limited to, securing corporate sponsorship and community fundraising BE RECONSIDERED.

The Mayor put the Motion.

Motion Failed

NEW BUSINESS

1. Deputy Mayor Meloche advised of his concern over the recent vandalism that occurred on the Mayor's residential property.

Resolution # 20210308-076

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That Council abhors the actions taken against the Mayor and will do everything in their power to bring the individuals responsible to justice.

The Mayor put the Motion.

| | Yes/Concur | No/Not Concur |
|----------------------|-----------------------|----------------------|
| Councillor Courtney | X | |
| Councillor McArthur | X | |
| Deputy Mayor Meloche | X | |
| Councillor Prue | X | |
| Councillor Renaud | X | |
| Councillor Simone | X | |
| Mayor DiCarlo | Refrained from voting | |

Motion Carried

2. Resolution # 20210308-077

Moved By Councillor Prue

Seconded By Deputy Mayor Meloche

That Administration BE DIRECTED to look into the feasibility of a 3-way stop at Ramsay Street and Gore Street due to possible sight line concerns.

The Mayor put the Motion.

Motion Carried

3. The Chief Administrative Officer advised of Phil Roberts', Director of Parks, Facilities, Recreation and Culture's, retirement and thanked him for his expertise and service to the Town.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

Deputy Mayor Meloche moved Item # 18.1 and # 18.2 together.

18.1 By-law 2021-002 - Bridges Over the Cook Drain - Third & Final Reading

Resolution # 20210308-078

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That By-law 2021-002 being a by-law to provide for the Bridges Over the Cook Drain be taken as having been read a 3rd & FINAL time and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

18.2 By-law 2021-019 - Confirmatory By-law

Resolution # 20210308-079

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That By-law 2021-019 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on February 22 and March 8, 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 # 20210308-080

Moved By Councillor Simone
Seconded By Councillor Renaud

That Council move into an In-Camera Meeting of Council at 8:34 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons:

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

Item B - Section 239(2)(e) - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Item C - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees; Section 239(2)(e) - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The Mayor put the Motion.

Motion Carried

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

In-Camera Item B - Councillor Prue advised that he may have a potential conflict of pecuniary interest and will declare in the Special In-Camera Meeting, if necessary, once he receives additional information.

ADJOURNMENT FROM SPECIAL IN-CAMERA MEETING @ 10:26 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That Council resume Regular session at 10:30 p.m.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN-CAMERA SESSION - February 22 and March 8, 2021

Council met on February 22nd, 2021, for a Special In-Camera Meeting at 5:00 p.m. and discussed the following items as provided for under Section 239 of the Municipal Act:

~~Item A was heard under Section 239(3.1) of the Act. (moved into Public session)~~

Item B –was heard under Section 239(2)(f) of the Act. There is nothing further to report.

Council met on March 8th, 2021, for a Special In-Camera Meeting at 8:34 p.m. and discussed the following items 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 in public session:

Resolution # 20210308-083

Moved By Councillor Renaud
Seconded By Deputy Mayor Meloche

That:

- 1. The sale of the vacant lot on Dot Street in Edgewater Beach identified as an approximate 100 foot by 179 foot vacant lot located on the east side of Dot Street (roll 460-24000) described legally as Part Lot 22 Concession 1, Township of Anderdon, more particularly described as Parts 1 & 2 on 12-R 5818 to Mr. Justin Murer in the amount of \$176,101 (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

Item B – was heard under Sections 239(2)(e)&(f) of the Act. There is nothing further to report.

Item C – was heard under Sections 239(2)(b)&(f) of the Act. There is nothing further to report.

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Council rise and adjourn at 10:33 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER