



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, June 14, 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

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 6:10 p.m.

ROLL CALL

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

LAND ACKNOWLEDGEMENT

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

MINUTES OF PREVIOUS MEETING

Resolution # 20210614-186

Moved By Councillor McArthur
Seconded By Councillor Renaud

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 Regular Council Meeting Minutes - May 25, 2021

The Mayor put the Motion.

Motion Carried

Item # 7.1 was moved forward

PRESENTATIONS

- 7.1 **2021 Initiatives and 2021-2022 Official Visitor Guide - Gordon Orr, CEO, Lynnette Bain, Vice President, and Jason Toner, Director of Marketing and Communications, Tourism Windsor Essex Pelee Island (TWEPI)**

Resolution # 20210614-187

Moved By Councillor Courtney
Seconded By Councillor Simone

That the presentation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

DELEGATIONS

- 6.1 **Solar Power Grant Funding, Green Inclusive Community Building Program - Daren Crawford, Otter Energy**

Resolution # 20210614-188

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That:

1. **The delegation BE RECEIVED;**
2. **The presentation BE SENT to the Environmental Advisory Committee;**
3. **Administration BE DIRECTED to review the feasibility of rooftop solar, with cost savings, and a report be brought back to Council for consideration.**

The Mayor put the Motion.

Motion Carried

6.2 Rainbow Crosswalk Proposal - Linden Crain, Amherstburg Resident

Resolution # 20210614-189

Moved By Councillor Courtney
Seconded By Councillor Renaud

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

6.3 Indigenous Peoples Flag Proposal - Linden Crain, Amherstburg Resident

Resolution # 20210614-190

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That:

1. **The delegation BE RECEIVED; and,**
2. **Administration BE DIRECTED to convene a meeting with First Nations representatives, both on and off the Reserve, to seek input on flag to be raised in the Town of Amherstburg with the costs to BE INCLUDED in the 2022 Budget.**

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

7.1 2021 Initiatives and 2021-2022 Official Visitor Guide - Gordon Orr, CEO, Lynnette Bain, Vice President, and Jason Toner, Director of Marketing and Communications, Tourism Windsor Essex Pelee Island (TWEPI)

As dealt with above

REPORTS – CORPORATE SERVICES

There were no reports.

REPORTS – COMMUNITY & PROTECTIVE SERVICES

9.1 Paving for Fire Stations 2 and 3

Resolution # 20210614-191

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That:

1. **An over-expenditure not to exceed \$87,000 including net HST for an additional 2021 Capital Project in the Facilities budget centre to provide asphalt repaving at Fire Station 2, as shown in the attachment to the report from the Director, Community & Protective Services dated June 1, 2021, BE APPROVED and BE FUNDED by a transfer from Reserve Fund – General;**
2. **An over-expenditure in the Facilities budget centre Fire Station 3 BE APPROVED for either:**
 - ~~Option one: A 2021 Capital Project to replace asphalt and concrete pavement at a cost not to exceed \$123,000 including net HST, to be funded by a transfer from Reserve Fund – General; OR,~~
 - **Option two: Facility Maintenance expense for concrete and asphalt pavement repairs in selective areas at a cost not to exceed \$20,500 including net HST, to be funded from current taxation.**

The Mayor put the Motion.

Motion Carried

9.2 Amherstburg Destination River Cruises

Resolution # 20210614-192

Moved By Councillor Prue

Seconded By Deputy Mayor Meloche

That Administration BE AUTHORIZED to negotiate and execute an agreement for the 2021 season, between the Town of Amherstburg and Windsor Premier Cruises subject to programming review by the Manager of Tourism and Culture, technical review by the Director of Community and Protective Services and financial review by the Director of Corporate Services.

The Mayor put the Motion.

Motion Carried

9.3 Approval for Grant Funding, Applications and Donations for Community Gardens and Active Transportation Initiatives

Resolution # 20210614-193

Moved By Deputy Mayor Meloche

Seconded By Councillor Prue

That:

1. **The following capital projects, related over-expenditures and funding sources BE APPROVED OR AFFIRMED as outlined in the report from the Director of Community and Protective Services dated June 8, 2021:**
 - a. **Eighteen(18) Planter Boxes (10 GREEN CIRCLE Accessible boxes and 8 wooden boxes) for Community Gardens at 320 Richmond at a cost not to exceed \$22,000 including net HST, to be funded by a grant of \$12,000 from Amherstburg Community Foundation and a Federal Enabling Accessibility Fund - Youth Innovation Grant of up to \$10,000;**
 - b. **Bike Repair Stations (2) and Bike Racks with Concrete Pads (4) at a cost not to exceed \$33,000 including net HST, to be funded by grants from the County of Essex (CWATS Municipal Partnership Program) of up to \$16,500 and a Transfer from Reserve – New Capital of up to \$16,500; and,**
 - c. **Outdoor Furniture and Fixtures (3 picnic tables, 5 picnic tables with benches, 10 planter stands and 50 bollards) at a cost not**

to exceed \$20,000 including net HST, to be funded by a grant from the Southwest Ontario Tourism Corporation - Tourism Adaptation Fund of up to \$20,000.

The Mayor put the Motion.

Motion Carried

REPORTS – INFRASTRUCTURE SERVICES

10.1 Placement of Underground Infrastructure, Curbs and Base Asphalt on Maintenance – Kingsbridge Subdivision Phase 7C

Resolution # 20210614-194

Moved By Councillor Prue
Seconded By Councillor McArthur

That:

- 1. The recommendations of the consulting engineer, Baird AE regarding the Placement of Underground Infrastructure, Curbs and Base Asphalt on Maintenance – Kingsbridge Subdivision Phase 7C BE ACCEPTED; and,**
- 2. The underground infrastructure, base asphalt and curbs for Kingsbridge Subdivision Phase 7C BE PLACED on a 1-year maintenance period, commencing May 27, 2021.**

The Mayor put the Motion.

Motion Carried

10.2 Culvert Replacements Conc. 5 South over Albert McGee Drain (Culvert 8) and Conc. 3 North over Whelan Drain (Culvert 38) – Tender Results

Resolution # 20210614-195

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That:

- 1. An over-expenditure not to exceed \$26,600 for replacement of Culvert 8 at a total project cost not to exceed \$341,600 including net HST BE APPROVED and be funded by Ontario Community Infrastructure Fund -**

Formula Based funding as a transfer from Reserve Fund - Ontario Grants;

- 2. The Tender for 2021 Culvert Replacements at Conc. 5 South over Albert McGee Drain (Culvert 8) and Conc. 3 North over Whelan Drain (Culvert 38) BE AWARDED to South Shore Contracting of Essex County Inc. for an amount not to exceed \$634,260.00 plus HST; and,**
- 3. The Mayor and Clerk BE AUTHORIZED to execute an agreement with South Shore Contracting of Essex County Inc. for the 2021 Culvert Replacements Conc. 5 South over Albert McGee Drain & Conc. 3 North over Whelan Drain.**

The Mayor put the Motion.

Motion Carried

REPORTS - PLANNING & DEVELOPMENT SERVICES

11.1 Request for a Building Inspector/Plans Examiner Staff Position

Councillor Courtney amended the motion to approve \$30,000 for contracted services.

Resolution # 20210614-196

Moved By Councillor Courtney
Seconded By Councillor Prue

That \$30,000 for contracted services for an Inspector/Plans Examiner BE APPROVED.

The Mayor put the Motion.

Motion Failed

Resolution # 20210614-197

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That:

1. The addition of one regular full-time Building Inspector/Plans Examiner position BE APPROVED; and,
2. An over-expenditure not to exceed \$66,500 including net HST, including \$57,700 in operating costs and \$8,800 in capital costs, for the cost to employ a Full Time Building Inspector/Plans Examiner BE APPROVED in the Building budget center for 2021, to be funded by building services fees.

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

12.1 2021 Appointment of Proxy Holder for Essex Power Corporation's Annual Shareholder Meeting

Resolution # 20210614-198

Moved By Councillor Prue
Seconded By Councillor Courtney

That:

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

The Mayor put the Motion.

Motion Carried

12.2 Roadmap to Recovery – Next Steps

Resolution # 20210614-199

Moved By Councillor Prue
Seconded By Councillor Simone

That Administration BE DIRECTED to re-open municipal facilities in accordance with Step 3 of the Province of Ontario’s Roadmap to Recovery.

The Mayor put the Motion.

Motion Carried

12.3 Temporary Relocation of Amherstburg Skateboard Park

Resolution # 20210614-200

Moved By Councillor McArthur
Seconded By Councillor Simone

That the Procurement Policy BE WAIVED for the Skateboard Park project.

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	X	

Motion Carried

Moved By Councillor Courtney
Seconded By Councillor Renaud

That the meeting BE EXTENDED to 11:00 p.m.

The Mayor put the Motion.

Motion Carried

Resolution # 20210614-201

Moved By Councillor McArthur
Seconded By Councillor Simone

That:

1. **The Town's skateboard park be temporarily relocated to an interim location at 320 Richmond Street until a permanent location is approved; and,**
2. **A 2021 capital project and related over-expenditure for construction of an asphalt pad to temporarily house the skateboard park as an extension to the parking lot at the rear of the 320 Richmond facility, referred to as Option 2 in the report, BE APPROVED at a total cost not to exceed \$75,000 including net HST, to be funded by a transfer from Reserve – Capital New for capital costs and from current taxation for operating costs.**

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20210614-202

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That the following information reports BE RECEIVED:

- 13.1 **Agent of Change Policies**
- 13.2 **Monthly Fire Department Activity Report – May 2021**

The Mayor put the Motion.

Motion Carried

Resolution # 202106140-203

Moved By Councillor Prue
Seconded By Councillor Courtney

Item # 13.1 - That Administration BE DIRECTED to prepare a by-law regarding Agent of Change as soon as possible.

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20210614-204

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That the following consent correspondence BE RECEIVED:

- 14.1 Request for Discretionary Regional Reopening Strategy - County of Essex Resolution**
- 14.2 8th Annual Charity Golf Tournament Fundraiser - Windsor Downtown Lions Club**
- 14.3 Bill 228, Banning Unencapsulated Polystyrene Foam - Township of the Archipelago Resolution**
- 14.4 Bill 279, Environmental Protection Amendment Act - Township of the Archipelago Resolution**
- 14.5 Capital Gains Tax on Primary Residence - Town of Fort Erie Resolution**
- 14.6 Domestic COVID-19 Vaccine Production and Capacity - Perth County Resolution**
- 14.7 Request for Review of Cannabis Licensing and Enforcement - Township of West Licoln Resolution**
- 14.8 Request for the Elimination of LPAT - Town of Halton Hills Resolution**

The Mayor put the Motion.

Motion Carried

Resolution # 20210614-205

Moved By Councillor Prue
Seconded By Councillor Courtney

Item #14.8 - That Administration BE DIRECTED to send correspondence in support of the Town of Halton Hills resolution regarding their request for the elimination of LPAT.

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

15.1 Drainage Board Meeting Minutes - June 1, 2021

Resolution # 20210614-206

Moved By Councillor Renaud
Seconded By Deputy Mayor Meloche

That:

- 1. The Drainage Board Meeting Minutes of June 1, 2021, BE RECEIVED;**
- 2. The revised schedule of assessments as presented by R. Dobbin Engineering in the letter dated May 10, 2021 by Mike Gerrits, P.Eng for improvements for the Charles Shepley Drain BE APPROVED, as recommended by the Drainage Board;**
- 3. The request from Allan Blain for the installation of a new access culvert over the Faucher Drain 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. for the repair and improvement to the Faucher Drain BE APPROVED, as recommended by the Drainage Board;**
- 5. The request from Allan Blain to complete a report for the Subsequent Connection of a parcel into the Faucher Drain per Section 65 of the Drainage Act BE ACCEPTED, as recommended by the Drainage Board;**

6. **The appointment of the firm of N.J. Peralta Engineering Ltd. for the repair and improvement to the Faucher Drain (Lower Portion) BE APPROVED, as recommended by the Drainage Board;**
7. **The request from Mike McMahon (MGV Developments (McGregor) Inc.) per Section 78 of the Drainage Act BE ACCEPTED, as recommended by the Drainage Board;**
8. **The appointment of the firm of Dillon Consulting Ltd. to complete the necessary report for the repair and improvement to the Dufour Drain and Branches BE APPROVED, as recommended by the Drainage Board; and,**
9. **The appointment of the firm of Dillon Consulting Ltd. to complete a New Maintenance Schedule of Assessment for the Dufour Drain and Branches BE APPROVED, as recommended by the Drainage Board.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Courtney asked for an update with respect to the Greenhouse by-law.

The Director of Planning and Development Services advised that she was awaiting the outcome of a decision made by the Normal Farm Practices Board with respect to an application brought forward by a greenhouse operator; however, she will move forward with drafting the by-law in absence of the Board's decision.

2. Councillor Courtney asked for an update with respect to the Air B&B policy (Resolution # 20200914-292)

The Director of Planning and Development Services advised that the research has been completed and the next step is public consultation.

3. Councillor Prue asked for an update with respect to the Environmental Advisory Committee and it's Terms of Reference (Resolution # 20191028-507).

The Clerk advised that currently the Terms of Reference is all-encompassing for the Committees of Council and that individual Terms of Reference are being established for each Committee.

4. Councillor Prue asked if the Town has assumed the infrastructure on the North end of Boblo Island (Resolution # 20211015-497).

The Director of Infrastructure Services advised that it is her understanding that the Town has assumed the infrastructure and she is looking into whether the Town has received the final documentation.

5. Councillor Prue asked for an update with respect to the idling by-law on Boblo Island at the ferry dock (Resolution # 20200914-293).

The Director of Planning and Development Services advised that there are provisions in the Noise By-law that address idling; and further, that the Noise By-law can be relied upon in the interim. She further advised that a stand-alone Idling By-law will be coming forward for Council's consideration.

6. Councillor Simone asked for an update with respect to the study being conducted by the County of Essex regarding the possibility of a 4-way stop at the intersection of Texas Road and County Road 5 (Concession 2 N).

The Director of Infrastructure Services advised that the Town requested the County to take a look at that intersection; and further, she advised that correspondence was received today and subsequently shared with Council. The correspondence advised that there were no warrants with respect to placing a 4-way stop or traffic lights at that intersection; however, the County did provide recommendations such as increasing the size of the stops signs and paint on the roadway indication that there is a stop ahead. She further advised that County will be implementing those recommendations.

7. Councillor McArthur asked for an update with respect to the traffic calming by-law.

The Director of Planning and Development Services advised that a report is drafted and once some additional information is acquired, it will be before Council.

NEW BUSINESS

1. Councillor McArthur advised that efforts are underway for the June 27th Miracle and asked if there were any locations that the Town can offer to store donations.

The Chief Administrative Officer advised that he and the Mayor reached out to the Public School Board and it looks like Western Secondary School may be an option and he will advise once the location is confirmed.

2. Councillor Simone asked if there is a possibility of an indigenous education centre or museum in the Town and if this could be discussed while at the flag meeting with First Nations representatives.

The Chief Administrative Officer advised that he will bring the idea forward for discussion at the meeting.

3. Councillor McArthur asked for an update with respect to the ICIF grant funding applications for the Big Creek Trail at the Libro Centre and the Alma Street parkette.

The Director of Corporate Services advised the \$200,000 for the Alma Street parkette has been approved and the Big Creek Trail is still under review.

4. Councillor Renaud asked for an update with respect to the concepts for Jack Purdie Park and Centennial Park.

The Director of Community and Protective Services advised that the concepts are currently being finalized with the consultant and she is aiming to schedule public consultation in the last week of June.

5. Councillor Courtney asked about the status of the Mass Vaccination Centre (MVC) at the Libro Centre and when it will be re-opened for recreational programming.

The Chief Administrative Officer advised the goal is to have the ice surface operational by the 2nd week of September.

The Fire Chief advised that the latest update from the Windsor-Essex County Health Unit with respect to decommissioning the MVC at the Libro Centre is August 21, 2021.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

19.1 By-law 2021-040 - Confirmatory By-law

Resolution # 20210614-207

Moved By Deputy Mayor Meloche

Seconded By Councillor Renaud

That By-law 2021-040 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on June 14, 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 # 20210614-208

Moved By Councillor Renaud

Seconded By Councillor Courtney

That Council move into an In-Camera Meeting of Council at 10:49 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

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That the meeting BE EXTENDED to 11:30 p.m.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT OF SPECIAL IN-CAMERA COUNCIL MEETING @ 11:54 P.M

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Prue
Seconded By Councillor Renaud

That Council resume Regular session at 11:56 p.m.

The Mayor put the Motion.

Motion Carried

Moved By Councillor Prue
Seconded By Councillor McArthur

That the meeting BE EXTENDED to June 15, 2021 @ 12:00 a.m.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM SPECIAL IN-CAMERA SESSION - May 25 & June 14, 2021

Council met on May 25th, 2021, for a Special In-Camera Meeting at 4:40 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)(d)&(f) of the Act. There is nothing further to report on this matter at this time.

Council met on June 14th, 2021, for a Special In-Camera Meeting at 10:49 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). As a result of this discussion, the following motion is before Council for consideration:

Resolution # 20210614-209

Moved By Councillor Simone
Seconded By Councillor McArthur

That the CAO BE DIRECTED to issue an RFP for the Belle Vue property as presented in the In-Camera presentation.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Council adjourn Regular session at 11:57 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER