



**TOWN OF AMHERSTBURG  
REGULAR COUNCIL MEETING**

**Monday, May 25, 2021  
6:00 PM**

**MINUTES**

**PRESENT**

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

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

**ABSENT**

Councillor Peter Courtney

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 4:39 p.m.

## ROLL CALL

### SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20210525-165

**Moved By** Councillor Renaud

**Seconded By** Councillor Simone

**That Council move into an In-Camera Meeting of Council at 4:40 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason:**

**Item A - Section 239(2)(d) - Labour relations or employee negotiations; 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**

### ADJOURNMENT OF SPECIAL IN-CAMERA COUNCIL MEETING @ 6:11 P.M.

### RESUMPTION OF REGULAR COUNCIL MEETING

**Moved By** Councillor McArthur

**Seconded By** Councillor Simone

**That Council resume Regular session at 6:25 p.m.**

The Mayor put the Motion.

**Motion Carried**

### DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

Item # 15.3 - Zoning By-law Amendment for W/S Crystal Bay Drive

Councillor Prue advised that his residence is 450 meters from W/S Crystal Bay Drive. He advised that he consulted with the Integrity Commissioner who advised that the decision is ultimately up to the member; he advised that he did not have a pecuniary interest.

## **LAND ACKNOWLEDGMENT**

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.

## **REPORT OUT FROM IN-CAMERA SESSION - May 25, 2021**

There is nothing to report out at this time.

## **MINUTES OF PREVIOUS MEETING**

Resolution # 20210525-166

**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:**

- 9.1 Special Council Meeting Minutes - Planning - May 10, 2021**
- 9.2 Regular Council Meeting Minutes - May 10, 2021**
- 9.3 Special In-Camera Council Meeting Minutes - May 10, 2021**

The Mayor put the Motion.

**Motion Carried**

## **DELEGATIONS**

There were no delegations.

## **PRESENTATIONS**

- 11.1 Canard Estates Subdivision Phase 2 - Richard Spencer, President, RC Spencer Associates Inc., and Steven Valente, President, 1473511 Ontario Ltd.**

Resolution # 20210525-167

**Moved By** Deputy Mayor Meloche  
**Seconded By** Councillor Prue

**That the presentation BE RECEIVED with the understanding that a report will be before Council with recommendations for consideration.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS – CORPORATE SERVICES**

- 12.1 2020 Year End (Q4) Budget to Actual Summaries and Transfers**

Deputy Mayor Meloche amended the motion to reduce the Tax Stabilization Reserve by \$200,000 and apply the \$200,000 towards a pathway/sidewalk in McGregor.

**Moved By** Deputy Mayor Meloche  
**Seconded By** Councillor McArthur

**That:**

- 1. The Transfers to Reserves/Reserve Funds made by the Treasurer as outlined in Appendix A to the 2020 Year End (Q4) Budget to Actual Summaries and Transfers Report BE AFFIRMED;**

2. **2021 over-expenditures and reserve transfers BE APPROVED as follows:**
- **\$15,000 in Facilities budget centre for replacement of fence at the municipal office to be funded by a transfer from Reserve Fund General;**
  - **\$45,000 in Libro budget centre for premier baseball diamond improvements to be funded by a transfer from the Libro Reserve;**
  - **\$75,000 in Parks budget centre for baseball diamond fencing to be added at Malden Park to be funded by a transfer from the Parks Reserve; and,**
  - **\$34,653 in the IT budget centre for completion of the CityView Portal Software project to be funded by a transfer from the IT Reserve;**
3. **The Treasurer BE AUTHORIZED to transfer the taxation supported surplus of as follows:**
- **\$835,000 \$635,000 to Tax Stabilization Reserve;**
  - **\$500,000 to the Fleet Reserve;**
  - **\$427,654 to the Reserve Fund General; and,**
  - **\$200,000 to fund a pathway/sidewalk in McGregor**
4. **The Treasurer BE AUTHORIZED to transfer \$1,342,230 from the Wastewater Reserve to fund the unfinanced portion of the Edgewater Forcemain Phase 2.**

The Mayor put the Motion.

**Motion Failed**

Resolution # 20210525-168

Councillor Prue moved the motion as recommended.

**Moved By** Councillor Prue  
**Seconded By** Councillor Renaud

**That:**

- 1. The Transfers to Reserves/Reserve Funds made by the Treasurer as outlined in Appendix A to the 2020 Year End (Q4) Budget to Actual Summaries and Transfers Report BE AFFIRMED;**
- 2. 2021 over-expenditures and reserve transfers BE APPROVED as follows:**
  - **\$15,000 in Facilities budget centre for replacement of fence at the municipal office to be funded by a transfer from Reserve Fund General;**
  - **\$45,000 in Libro budget centre for premier baseball diamond improvements to be funded by a transfer from the Libro Reserve;**
  - **\$75,000 in Parks budget centre for baseball diamond fencing to be added at Malden Park to be funded by a transfer from the Parks Reserve; and,**
  - **\$34,653 in the IT budget centre for completion of the CityView Portal Software project to be funded by a transfer from the IT Reserve;**
- 3. The Treasurer BE AUTHORIZED to transfer the taxation supported surplus of as follows:**
  - **\$835,000 to Tax Stabilization Reserve;**
  - **\$500,000 to the Fleet Reserve;**
  - **\$427,654 to the Reserve Fund General; and,**
- 4. The Treasurer BE AUTHORIZED to transfer \$1,342,230 from the Wastewater Reserve to fund the unfinanced portion of the Edgewater Forcemain Phase 2.**

The Mayor put the Motion.

**Motion Carried**

## REPORTS – COMMUNITY & PROTECTIVE SERVICES

### ~~13.1 Canard Estates Subdivision Phase 2~~

### 13.2 Canadian Healthy Communities Initiative Fund Round 2 initiative

Resolution # 20210525-169

**Moved By** Councillor Prue

**Seconded By** Deputy Mayor Meloche

**That:**

1. Administration BE DIRECTED to apply for funding for ONE of the following projects under the Canada Healthy Communities Initiative Grant Round 2:
  - ~~Project 1: Pedestrian Crossover at Simcoe Street and Victoria; OR,~~
  - Project 2: Warren Mickle Park; OR,
  - ~~Project 3: Baseball Development at the Libro.~~

The Mayor put the Motion.

**Motion Carried**

### 13.3 Libro Centre Ice Facilities Advertising Agreements - COVID-19 Impacts and Fee Waiver

Resolution # 20210525-170

**Moved By** Deputy Mayor Meloche

**Seconded By** Councillor Prue

**That:**

1. Fees under Libro Centre ice facilities advertising agreements BE WAIVED for the period of January through August 2021 due to the impact of the COVID-19 pandemic emergency on Libro facility ice operations;
2. The Treasurer BE AUTHORIZED to issue refunds of advertising fees collected in relation to recommendation 1; and,

3. **The CAO BE AUTHORIZED to approve further waivers of fees and related refunds during the period of September through December 2021 if Libro Centre ice facility operations continue to be closed due to the impact of the COVID-19 pandemic emergency.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS – INFRASTRUCTURE SERVICES**

There were no reports.

## **REPORTS - PLANNING & DEVELOPMENT SERVICES**

### **15.1 Zoning By-law Amendment - 849 Front Rd South**

Resolution # 20210525-171

**Moved By** Councillor Prue

**Seconded By** Councillor Simone

**That By-law 2021-013 being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as 849 Front Road South, 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**

### **15.2 Development Agreement and Suitability of Development of Four Lots on Front Road South**

Resolution # 20210525-172

**Moved By** Councillor Renaud

**Seconded By** Deputy Mayor Meloche

**That:**



1. **The execution of a Development Agreement with Capo D'Aqua Corporation associated with Consent File numbers B/16-19/19 inclusive BE APPROVED;**
2. **By-law 2021-027 being a by-law to authorize the signing of a Development Agreement for the development of four residential building lots within Part of Lot 5 and 6, Concession 1 (Front Road South), Amherstburg be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same; and,**
3. **The development of four lots on Front Road South on private septic systems in accordance with the Development Agreement BE APPROVED.**

The Mayor put the Motion.

**Motion Carried**

**15.3 Zoning By-law Amendment for W/S of Crystal Bay Drive**

The Clerk read correspondence received for W/S Crystal Bay Drive and named the 75 Boblo Island residents who signed the correspondence.

Resolution # 20210525-173

**Moved By** Deputy Mayor Meloche  
**Seconded By** Councillor Renaud

**That By-law 2021-032 being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as W/S Crystal Bay Drive, 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.

	<b>Yes/Concur</b>	<b>No/Not Concur</b>
Councillor Courtney	Absent	Absent
Councillor McArthur	X	
Deputy Mayor Meloche	X	
Councillor Prue		X
Councillor Renaud	X	
Councillor Simone	X	
Mayor DiCarlo	X	

**Motion Carried**

## REPORTS - CAO's OFFICE

### 16.1 2022 Election – Ballot Question and 3 Ward Options

Resolution # 20210525-174

**Moved By** Deputy Mayor Meloche  
**Seconded By** Councillor Simone

**That:**

1. The ballot question for the 2022 Election, BE SUPPORTED as written, “Are you in favour of a Ward Election System?” as clear, concise, neutral and as may be answered with an affirmative or negative (with a Yes or No) as required by the Municipal Elections Act;
2. The Clerk BE DIRECTED to bring forward options for both a three (3) and five (5) ward election system, to at least one public consultation session as required by the Municipal Elections Act; and,
3. The Clerk BE DIRECTED to bring back a by-law to add “Are you in favour of a Ward Election System?” to the 2022 election ballot once all Act requirements are met.

The Mayor put the Motion.

**Motion Carried**

## INFORMATION REPORTS

Resolution # 20210525-175

**Moved By** Councillor Renaud  
**Seconded By** Councillor Simone

**That the following information reports BE RECEIVED:**

17.1 Cheque Listing for the Month of April 2021

17.2 Monthly Fire Department Activity Report – April 2021

The Mayor put the Motion.

**Motion Carried**

## **CONSENT CORRESPONDENCE**

Resolution # 20210525-176

**Moved By** Deputy Mayor Meloche  
**Seconded By** Councillor McArthur

**That the following consent correspondence BE RECEIVED:**

- 18.1 2nd Quarter Statistics - Windsor Police Service, Amherstburg Detachment**
- 18.2 Advocacy for Reform, MFIPPA - Municipality of Leamington Resolution**
- 18.3 Discover SW Ontario - Windsor Star, Special Edition**
- 18.4 2021 Vital Signs Sponsorship Package**
- 18.5 2021 Veterans Day Magazine**
- 18.6 Canadian History Ehx - Podcast Episode Sponsorship**
- 18.7 Provincial Hospital Funding of Major Capital Equipment - Town of Perth Resolution**
- 18.8 Request for Provincial Re-opening Strategy and Frontline Business Experience - Town of The Blue Mountains Resolution**
- 18.9 Request for Province to Withdraw its Prohibition on Outdoor Recreation Activities - City of Brantford Resolution**
- 18.10 Request for Federal Government to Provide Tax Relief on CERB Payments - Township of McKellar Resolution**
- 18.11 VON Week Celebration - May 23-29, 2021**

The Mayor put the Motion.

**Motion Carried**

Resolution # 20210525-177

**Moved By** Deputy Mayor Meloche  
**Seconded By** Councillor Simone

***Item # 18.11 - That the social media campaign for VON Week, May 23-29, 2021, BE SUPPORTED.***

The Mayor put the Motion.

**Motion Carried**

Resolution # 20210525-178

**Moved By** Councillor Simone

**Seconded By** Deputy Mayor Meloche

*Item # 18.2 - That Administration BE DIRECTED to send correspondence in support of the Municipality of Leamington's Advocacy for Reform, MFIPPA.*

The Mayor put the Motion.

**Motion Carried**

### **UNFINISHED BUSINESS**

There was no Unfinished Business brought forward.

### **NEW BUSINESS**

1. Councillor McArthur asked for an update with respect to the sale of the eastern portion of 320 Richmond Street (formally St. Bernard's school) and where the sale of the proceeds will be placed.

The Chief Administrative Officer advised that the proceeds of the sale, in the amount of \$900,000, will be placed back into the Parks Reserve. He further advised that the purchaser is awaiting government approval for the long term care facility proposed in that location.

2. Councillor McArthur asked when the splash pad is scheduled to be open.

The Director of Community and Protective Services advised that Administration is doing everything possible to open the splash pad early. She further advised that there is currently a staffing shortage and as soon as staff is in place, it will be open.

3. Councillor McArthur asked for an update with respect to the temporary skate park.

The Director of Community and Protective Services advised that the parking lot on the eastern portion of 320 Richmond Street is the designated location for the temporary skate park and she is aiming to have it open in the 3<sup>rd</sup> week of June.

4. Councillor Prue asked about the withdrawn application to designate the middle portion of the north end of Boblo Island as environmentally protected.

The Manager of Planning Services advised the application was not withdrawn but rather deferred at this time and he will follow up with the developer with respect to timelines for next steps.

5. Deputy Mayor Meloche advised of a resident complaint at the intersection of Simcoe Street and Meloche Road and asked if there has been increased traffic concerns at that intersection.

Sergeant Capel-Cure, Windsor Police Service, Amherstburg Detachment, advised that there has not been any concerns brought forward regarding that particular intersection and there has not been an increase in collisions.

6. Deputy Mayor Meloche advised of the crowds and safety concerns with those fishing in the Kings Navy Yard Park.

The Director of Planning and Development Services advised that the Town's (2) By-law Enforcement Officers have been regularly patrolling the area with the assistance of the Windsor Police Service. She advised that this concern is one that is brought forward every year around this time with the running of the bass. She further advised that people are asked to disperse but often times they return once enforcement has left the area.

7. Councillor McArthur asked if Angstrom Crescent is a candidate for repairs this season and further asked for information with respect to the Roads Needs Study.

The Director of Infrastructure Services advised that staff conducts monthly assessments to ensure that the required minimum maintenance standards are met for the Town's roads and the roads that are found to be in need of repair to maintain the standards become priority. She advised that an update is coming forward prior to the 2022 Budget with respect to the Roads Needs Study which will include the larger capital projects for consideration. She further advised that Angstrom Crescent had some repairs done in 2018 and the forthcoming Roads Needs Study will indicate where Angstrom Crescent falls on the latest study.

## NOTICE OF MOTION

There were no Notices of Motion.

## BY-LAWS

Deputy Mayor Meloche moved Item # 22.1 - # 22.4 together.

**Moved By** Deputy Mayor Meloche  
**Seconded By** Councillor Prue

### 22.1 By-law 2021-036 - Appoint Provincial Offences Officer

Resolution # 20210525-179

**That By-law 2020-036 being a by-law to Appoint Provincial Offences Officers in the Town of Amherstburg 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**

### 22.2 By-law 2021-037 - Appoint Property Standard Officers

Resolution # 20210525-180

**That By-law 2021-037 being a by-law to Appoint Property Standard Officers in the Town of Amherstburg 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**

### 22.3 By-law 2021-038 - Appoint Lottery Licensing Officers

Resolution # 20210525-181

**That By-law 2021-038 being a by-law to Appoint Lottery Licensing Officers in the Town of Amherstburg 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

**22.4 By-law 2021-039 - Confirmatory By-law**

Resolution # 20210525-182

**That By-law 2021-039 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on May 25, 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

**ADJOURNMENT**

**Moved By** Councillor McArthur  
**Seconded By** Councillor Renaud

**That Council adjourn from Regular session at 9:26 p.m.**

The Mayor put the Motion.

Motion Carried

  
\_\_\_\_\_  
MAYOR – ALDO DICARLO

  
\_\_\_\_\_  
CLERK – PAULA PARKER