



TOWN OF AMHERSTBURG

COUNCIL MEETING

Monday, May 8, 2017

6:00 PM

MINUTES

Council Chambers, 271 Sandwich Street South, Amherstburg, ON

PRESENT

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

Giovanni (John) Miceli, Chief Administrative Officer
Paula Parker, Municipal Clerk
Tammy Fowkes, Deputy Clerk

CALL TO ORDER

The Mayor called the meeting to order at 6:07 p.m.

MOMENT OF SILENT REFLECTION

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

There were no disclosures of pecuniary interest noted.

MINUTES OF PREVIOUS MEETING

Resolution # 20170508-691

Moved By Councillor Fryer
Seconded By Councillor Lavigne

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:

- 4.1 Special In-Camera Meeting Minutes - February 27, 2017 @ 7:33 p.m.
- 4.2 Special In-Camera Meeting Minutes - February 27, 2017 @ 9:11 p.m.
- 4.3 Regular Council Meeting Minutes - March 20, 2017
- 4.4 Special In-Camera Meeting Minutes - March 20, 2017
- 4.5 Special Council Meeting Minutes - March 27, 2017
- 4.6 Special In-Camera Meeting Minutes - March 27, 2017

The Mayor put the Motion.

Motion Carried

DELEGATIONS

- 5.1 **Request to Amend Zoning By-law to Allow Chickens in Residential Areas - William Brush**

Resolution # 20170508-692

Moved By Councillor Meloche
Seconded By Councillor Fryer

That the delegation BE RECEIVED and Administration BE DIRECTED to bring back a report on the feasibility of amendments to the Zoning By-law by the end of the summer.

The Mayor put the Motion.

Motion Carried

5.2 Request to Waive Fees for Farmers Market - Steeve Bouchard, Amherstburg Farmers Market

Resolution # 20170508-693

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That the delegation BE RECEIVED and that the 2017 Farmers Market fees BE WAIVED and include the fee waiver for consideration in the 2018 Budget.

The Mayor put the Motion.

Motion Carried

5.3 Request to Waive Fees for Garden Tour – Dr. Allan Halowski, President, Amherstburg Fort Malden Horticultural Society

Resolution # 20170508-694

Moved By Councillor Pouget
Seconded By Councillor Meloche

That the delegation BE RECEIVED and the fees BE WAIVED for the 2017 Garden Tour.

The Mayor put the Motion.

Motion Carried

5.4 Request to Extend Hours of Alcohol Service for Annual Ride for Dad Event - Lena Mangoff, Board Secretary, Royal Canadian Legion, Fort Malden Branch 157

Resolution # 20170508-695

Moved By Councillor Lavigne
Seconded By Councillor Pouget

That the delegation BE RECEIVED and a letter BE SENT in support of the extension of hours for alcohol service at the Royal Canadian Legion, Branch 157, for the 2017 Annual Ride for Dad Event.

The Mayor put the Motion.

Motion Carried

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

7.1 Final 2017 Tax Rating By-Law 2017-36

Resolution # 20170608-696

Moved By Councillor Lavigne

Seconded By Councillor Fryer

That:

1. **The report from the Supervisor of Revenue, dated April 19, 2017, regarding Final 2017 Tax Rating By-law 2017-36 BE RECEIVED; and,**
2. **By-law 2017-36 being a by-law to adopt the 2016 assessments be taken as having been read three times, and finally passed and the Mayor and Clerk BE AUTHORIZED to sign the same.**

The Mayor put the Motion.

Motion Carried

7.2 Demolition of Duffy's Tavern and Inn – Tender Results

Resolution # 20170508-697

Moved By Councillor Fryer

Seconded By Deputy Mayor DiPasquale

That:

1. **The report from the Financial Planning Administrator dated April 26, 2017, regarding the Demolition of Duffy's Tavern and Inn - Tender Results BE RECEIVED;**
2. **An agreement with Jones Group Ltd. to complete the Duffy's Tavern and Inn Demolition BE APPROVED in the amount of \$280,049.50 (excluding H.S.T.) to be funded from the General Reserve; and,**
3. **By-law 2017-41 being a by-law to enter into an agreement with Jones Group Ltd. to complete the Duffy's Tavern and Inn Demolition 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

7.3 Big Creek Wetland Signs

Resolution # 20170508-698

Moved By Councillor Fryer

Seconded By Councillor Pouget

That:

1. **The report from the Director of Corporate Services dated March 13, 2017, regarding the Big Creek Wetland Signs BE RECEIVED;**
2. **The design of the Big Creek Wetland Signs, as informative signs as presented in Appendix A BE APPROVED; and,**
3. **The signs BE ERECTED within the Cypher System Greenway along the Big Creek corridor between Thomas Road and the 3rd Concession North at the bollards and Fox Road east of Thomas Road.**

The Mayor put the Motion.

Motion Carried

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There were no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

9.1 2017 Road Repairs Program Tender Results

Resolution # 20170508-699

Moved By Councillor Lavigne

Seconded By Councillor Meloche

That:

1. **The report from the Manager of Roads and Fleet dated April 24, 2017 regarding the 2017 Road Repairs Tender Results BE RECEIVED;**
2. **An agreement with Naschi Construction Services Ltd, 5140 Dumouchelle, Windsor, Ontario, N9A 6J3 for the 2017 Road Repairs**

Tender BE APPROVED in the amount of \$101,475.00 excluding H.S.T.; and,

- 3. By-law 2017-39 being a by-law to enter into an agreement with Nasci Construction Services Ltd. for the 2017 Road Repairs project be taken as have been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

Motion Carried

9.2 2017 Tandem Truck and Winter Package Tender Results

Resolution # 20170508-700

Moved By Councillor Fryer

Seconded By Councillor Lavigne

That:

- 1. The report from the Manager of Roads and Fleet dated April 13, 2017 regarding the 2017 Tandem Truck and Winter Package Tender Results BE RECEIVED;**
- 2. An agreement with Team Truck Centres Ltd. for the purchase of a 2017 Tandem Truck and Winter Package BE APPROVED in the amount of \$276,409.62 (including Non-Recoverable H.S.T.);**
- 3. The budgetary surplus of \$43,590.38 as a result of the tender price and any funds associated with the sale of Unit 305 BE TRANSFERRED to the Fleet Reserve in accordance with the Article 27.4 of the Town's Procurement Policy; and,**
- 4. By-law 2017-35 being a by-law to enter into an agreement with TEAM Truck Centres Limited 745 Wilton Grove Road, London, ON N6N 1N7 for the purchase of a 2017 Tandem Truck and Winter Package 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

9.3 Sidewalk Replacement Program

Resolution # 20170508-701

Moved By Councillor Lavigne
Seconded By Councillor Pouget

That:

1. The report from the Manager of Roads and Fleet dated May 2, 2017 regarding the Sidewalk Replacement Program BE RECEIVED;
2. The Director of Corporate Services/Treasurer BE AUTHORIZED to:
 - PRE-COMMIT \$93,000 to the 2018 Capital Budget to expand the Sidewalk Replacement Program for 2017 as attached in Appendix "A"; and,
 - BE DIRECTED to issue a Purchase Order in accordance with the Town's procurement policy to expand the Sidewalk Replacement Program for 2017 as attached in Appendix "A".

The Mayor put the Motion.

Motion Carried

REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

10.1 2017 Special Events Approval

Resolution # 20170508-702

Moved By Councillor Fryer
Seconded By Councillor Pouget

That:

1. The report from the Public Events Committee (PEC) dated April 19, 2017, regarding 2017 Special Events Approval BE RECEIVED;
2. That the events BE APPROVED as listed:
 - Ride for Dad – May 28, 2017
 - Annual Garden Tour – June 16 & 17, 2017
 - Amherstburg Ice Cream Festival – July 1, 2017
3. The following event BE EXEMPT and PERMITTED for road closures to begin prior to 5pm:
 - Ride for Dad – May 28,2017; and,

4. **The Public Events Committee BE DIRECTED to confirm that the requirements identified by the Committee are met prior to the event.**

The Mayor put the Motion.

Motion Carried

10.2 Zoning By-law Amendment for 1435 Front Rd N

Resolution # 20170508-703

Moved By Councillor Fryer
Seconded By Councillor Lavigne

That:

1. **The report from the Manager of Planning Services dated April 25, 2017, regarding the Zoning By-law Amendment for 1435 Front Rd N, File # ZBA-3-17 BE RECEIVED; and,**
2. **Zoning By-law 2017-23 being a by-law to amend Zoning By-law No. 1999-52, 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

11.1 Council Committee Appointments – Parks Advisory Committee and Recreation and Culture Advisory Committee

Resolution # 20170508-704

Moved By Councillor Fryer
Seconded By Councillor Pouget

That the report from the Deputy Clerk dated March 6, 2017, regarding Council Committee Appointments – Parks Advisory Committee and Recreation and Culture Advisory Committee BE TABLED until the end of summer.

Motion Carried

INFORMATION REPORTS

Resolution # 20170508-705

Moved By Councillor Fryer

Seconded By Councillor Pouget

That the following information reports BE RECEIVED:

12.1 Electric Vehicle Charging Station

12.2 Former Boblo Dock Update

12.3 April 19, 2017 – May 2, 2017 Accounts Payable

12.4 Monthly Activity Report – APSB Meeting of March 21, 2017

The Mayor put the Motion.

Motion Carried

Resolution # 20170508-706

Moved By Councillor Fryer

Seconded By Councillor Pouget

(Item # 12.2) - **That the CAO BE DIRECTED to continue to explore opportunities to access the Boblo Dock and to bring the dock back to usable condition for the residents and to send the Boblo update report to the Parks Advisory Committee.**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20170508-707

Moved By Councillor Meloche

Seconded By Councillor Pouget

That the following consent correspondence BE RECEIVED:

13.1 Request for Amherstburg Town Council to Support Funding for Great Lakes - Town of LaSalle Resolution

13.2 Request for Amherstburg Town Council to Support the Initial Phase of the Basic Income Plan for Ontario - Tony DiBartolomeo

13.3 A Model Site Alteration By-law - Ontario Soil Regulation Task Force

13.4 Draft Action Plan for Lake Erie - Environment and Climate Change Canada

- 13.5 Hydro Charges for Seasonal Residents - Township of North Frontenac Resolution
- 13.6 Lincoln M. Alexander Award - Ministry of Citizenship and Immigration
- 13.7 Request for Provincial Support Regarding Opioid Strategy - Lanark County Resolution

The Mayor put the Motion.

Motion Carried

Resolution # 20170508-708

Moved By Councillor Fryer
Seconded By Deputy Mayor DiPasquale

(Item # 13.1) – That a letter BE SENT in support of Funding for Great Lakes.

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

- 14.1 Request to Light Up a Landmark for Brain Tumour Awareness Month - Lisa Porter, PhD, Associate Professor University of Windsor

Resolution # 20170508-709

Moved By Councillor Fryer
Seconded By Councillor Meloche

That:

1. The correspondence regarding the request to light up a landmark in the Town of Amherstburg BE RECEIVED; and,
2. The Town PARTAKE in lighting up a landmark during the month of May in celebration of The Brain Tumour Foundation of Canada's 35th Anniversary.

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20170508-710

Moved By Councillor Meloche

Seconded By Councillor Lavigne

That the following minutes BE RECEIVED:

15.1 Heritage Committee Meeting Minutes - February 9, 2017

15.2 Economic Development Advisory Committee Minutes - March 7, 2017

15.3 Committee of Adjustment Meeting Minutes - March 28, 2017

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

16.1 Traffic Committee Meeting Minutes - January 19, 2017

Resolution # 20170508-711

Moved By Councillor Meloche

Seconded By Councillor Pouget

That:

- 1. The Traffic Committee Meeting Minutes of January 19, 2017 BE RECEIVED;**
- 2. The request for a speed bump on Fryer Street north of Richmond Street BE DENIED;**
- 3. The 3 designated disabled parking spaces in front of Duffy's on Dalhousie Street BE REMOVED;**
- 4. The request for a 4-way stop at Alma Street and Victoria Street BE DENIED;**
- 5. The request to place a Crossing Guard at Victoria Street and Alma Street BE DENIED; and,**
- 6. The reconsideration for a speed reduction on McLellan Avenue BE DENIED.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Pouget asked for an update with respect to the Town's request to have its' shares returned as a result of Essex County Library strike.

The Deputy Mayor advised that he hasn't heard of any discussions as of yet.

The Mayor advised Council that the request was forwarded to Essex County Council and it was deferred to the 2017 County budget deliberations. He further advised that it was not addressed during the budget deliberations and he anticipates that the issue will be dealt with soon and if necessary, he or the Deputy Mayor will bring it forward once again.

NEW BUSINESS

1. Resolution # 20170508-712

Moved By Councillor Fryer

Seconded By Deputy Mayor DiPasquale

That the CAO BE DIRECTED to speak with Bob Morencie about Mr. Morencie's noise concerns coming from the car wash on the corner of Sandwich St and Simcoe and to bring a report back to update Council.

The Mayor put the Motion.

Motion Carried

2. Resolution # 20170508-713

Moved By Councillor Fryer

Seconded By Councillor Pouget

That Administration BE DIRECTED to bring a report to Council regarding the street sweeper schedule and the areas covered.

The Mayor put the Motion.

Motion Carried

3. Councillor Pouget advised Council that vehicle traffic is pulling into the bike lanes in front of the Police Station to go around cars that are waiting to turn into Tim Horton's and the Crown Ridge entrance. She further advised that

there is no indication as to what the paved shoulder lanes are used for as they are not stenciled.

The Director of Engineering and Public Works advised Council that the bike lane concern on both sides of that portion of road is being revisited.

The Chief of Police advised that it is an offence for drivers to drive outside their marked lanes which would be the case on that portion of the road.

4. Councillor Pouget advised that drivers are increasing their speed once they pass the Police Station and asked if the speed limit can be changed just after the Blue Haven or Seasons Retirement Home so that cars are not racing past the Front Road North and Lowes Side Road intersection.

Councillor Lavigne advised that that stretch of road is considered a County road and the concern should be dealt with administratively since the Traffic Committee has been dissolved.

The Chief of Police advised that an increase of speed enforcement can be done and the speed indicator sign can be placed in the vicinity.

5. Councillor Fryer advised that a construction paving vehicle has been parked in the "No Parking" shoulder on Texas Road with no safety pylons set up around it.

The Director of Planning, Development & Legislative Services advised that he would look into it.

REPORT OUT FROM IN CAMERA SESSION

April 24th, 2017 Meeting

Council met on April 24, 2017, for a Special In-Camera meeting at 4:13 pm and 7:45 pm and discussed (2) items as provided for under Section 239 of the Municipal Act:

ITEM A – Education Session– heard under Section 239(3.1) of the Act. There is nothing further to report on this matter.

ITEM B – Amherstburg Fire Department Employment Extension – heard under Sections 239(2)(b)&(d) of the Act. There is nothing further to report on this matter.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

21.1 By-law 2017-45 - Confirmatory By-law

Resolution # 20170508-714

Moved By Councillor Meloche
Seconded By Councillor Courtney

That By-law 2017-45 being a by-law to confirm all resolutions of the Municipal Council Meeting held May 8th, 2017, 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 # 20170508-715

Moved By Councillor Lavigne
Seconded By Councillor Fryer

That Council move into an In-Camera Meeting of Council at 7:44 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reason:

ITEM A - Proposed Property Acquisition & Disposition - Section 239 (2)(c) - A proposed or pending acquisition or disposition of land by the municipality or local board.

ITEM B – Performance Review – Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board

employees; and, Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

ITEM C – Investigation Results – Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees.

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 IN-CAMERA COUNCIL MEETING @ 9:15 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Lavigne
Seconded By Councillor Fryer

That Council resume Regular session at 9:17 p.m.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Meloche

That Council rise and adjourn at 9:17 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



MUNICIPAL CLERK – PAULA PARKER