



**TOWN OF AMHERSTBURG**

**COUNCIL MEETING**

**Tuesday, May 23, 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 Jason Lavigne  
Councillor Leo Meloche  
Councillor Diane Pouget

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

**ABSENT**

Councillor Rick Fryer

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**CALL TO ORDER**

The Mayor called the meeting to order at 6:11 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 # 20170523-718

**Moved By** Councillor Lavigne  
**Seconded By** Councillor Meloche

**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 Regular Council Meeting Minutes - April 10, 2017**
- 4.2 Special In-Camera Council Meeting Minutes - April 10, 2017**

The Mayor put the Motion.

**Motion Carried**

## **DELEGATIONS**

- 5.1 Request for Parkette in Dedication of The Honourable Eugene Whelan - Roxanne Ouellette**

Resolution # 20170523-719

**Moved By** Councillor Pouget  
**Seconded By** Councillor Lavigne

**That the delegation BE RECEIVED and Administration BE DIRECTED to bring back a report regarding the request from Roxanne Ouellette and further lobby the Federal Government to form a partnership to purchase the land with permission from the Whelan family.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS – POLICE SERVICES**

There were no reports.

Councillor Courtney arrived at 6:29 p.m.

## **REPORTS – CORPORATE SERVICES**

### **7.1 2017 Water and Wastewater Budget**

Resolution # 20170523-720

**Moved By** Councillor Pouget  
**Seconded By** Councillor Lavigne

**That:**

- 1. The report from the Director of Corporate Services/Treasurer dated May 8, 2017, regarding 2017 Water and Wastewater Budget BE RECEIVED; and,**
- 2. The 2017 Water and Waste Water Operating and Capital Budgets BE TABLED for final consideration at the June 26, 2017, Regular Council Meeting.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE**

### **8.1 Provincial Marine Memorial Brick Program**

Resolution # 20170523-721

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

**That:**

- 1. The report from the Manager of Parks and Naturalized Areas and Manager of Recreation Services dated April 26, 2017, regarding the Provincial Marine Brick Program BE RECEIVED;**

2. **Administration BE DIRECTED to utilize the remaining funds received from the Provincial Marine Brick Program to erect a story board system to memorialize the current brick recipients; and,**
3. **Administration BE DIRECTED to discontinue installation of any new bricks and to commence appropriate winter control and other park maintenance in the area utilized for the Brick Program.**

The Mayor put the Motion.

**Motion Carried**

## **8.2 June is Recreation and Parks Month**

Resolution # 20170523-722

**Moved By** Councillor Meloche  
**Seconded By** Councillor Courtney

**That:**

1. **The report from the Manager of Recreation Services dated April 27, 2017, regarding June is Recreation and Parks Month BE RECEIVED; and,**
2. **June BE PROCLAIMED as Recreation and Parks Month.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS – ENGINEERING AND PUBLIC WORKS**

### **9.1 3rd Concession Drain North – Drain Apportionment Agreements**

Resolution # 20170523-723

**Moved By** Councillor Meloche  
**Seconded By** Councillor Lavigne

**That:**

1. **The report from the Drainage Superintendent and Engineering Coordinator dated May 2, 2017, regarding the 3rd Concession Drain North - Drain Apportionment Agreements BE RECEIVED; and,**
2. **The agreements for the share of assessments for parcels 490-04100 and 490-04125 between landowners James & Sonja Gignac and**

**Michael & Julie Elliot BE APPROVED with no further instruction to be given to the engineer.**

The Mayor put the Motion.

**Motion Carried**

**9.2 Culvert #7 Replacement Over Albert McGee Drain – Tender Results**

Resolution # 20170523-724

**Moved By** Councillor Meloche

**Seconded By** Councillor Lavigne

**That:**

- 1. The report from the Financial Planning Administrator and the Manager of Engineering and Operations dated May 12, 2017, regarding the Culvert #7 Replacement Over Albert McGee Drain - Tender Results BE RECEIVED;**
- 2. An agreement with SLR Contracting Group Inc. to complete the Culvert #7 Replacement Over Albert McGee Drain BE APPROVED in the amount of \$190,370.00 (excluding H.S.T.) to be funded from the OCIF Formula Funds, as approved by the approved 2017 Capital Budget; and,**
- 3. By-law 2017-47 being a by-law to enter into an agreement with SLR Contracting Group Inc. to complete the Culvert #7 Replacement Over Albert McGee Drain 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 Meloche Road Reconstruction- Tender Results**

Resolution # 20170523-725

**Moved By** Councillor Lavigne

**Seconded By** Councillor Meloche

**That:**

- 1. The report from the Manager of Engineering dated May 18, 2017, regarding the Meloche Road Reconstruction - Tender Results BE RECEIVED;**

**2. The Meloche Road Reconstruction BE FUNDED as follows:**

<b>OCIF Funding</b>	<b>\$1,970,721.73</b>
<b>County of Essex 40% portion of the Pathway</b>	<b>\$201,960.00</b>
<b>2017 Gas Tax Allocation</b>	<b>\$500,000.00</b>
<b>Development Charge supported Debenture 20 years</b>	<b>\$1,300,000.00</b>
<b>Tax Rate Supported Debenture 20 Years</b>	<b><u>\$311,495.94</u></b>
<b>Total</b>	<b>\$4,284,177.67</b>

3. An agreement with J&J Lepera Infrastructures Inc. to complete the Meloche Road Reconstruction BE APPROVED in the amount of \$3,929,700 (excluding H.S.T.); and,
4. By-law 2017-48 being a by-law to enter into an agreement with J&J Lepera Infrastructures Inc. to complete the Meloche Road Reconstruction 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**

**REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES**

**10.1 Heritage Rebate Applications for the 2016 Calendar Year**

Resolution # 20170523-726

**Moved By** Councillor Meloche  
**Seconded By** Councillor Pouget

**That:**

1. The report from the CBCO dated April 24, 2017, regarding Heritage Rebate Applications for the 2016 Calendar Year BE RECEIVED; and,
2. The applications for Heritage Tax rebate for the properties listed below BE APPROVED for the 2016 tax year:

- 6790 County Road 50, Amherstburg, ON (Painting and replacement of sections of wood siding)
- 51 North Street, Amherstburg, ON (Painting of Heritage attributes)

The Mayor put the Motion.

Motion Carried

**10.2 Development Agreement for 6000 County Rd 20 – Ure’s Miniature Golf**

Resolution # 20170523-727

**Moved By** Councillor Lavigne  
**Seconded By** Deputy Mayor DiPasquale

**That:**

1. The report from the Manager of Planning Services dated March 2, 2017, regarding the Development Agreement for 6000 County Road 20 BE RECEIVED;
2. The site plan and development agreement for 6000 County Rd 20 BE APPROVED; and,
3. By-law 2017-12 being a by-law to authorize the signing of a development agreement 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

**10.3 Zoning By-law Amendment – Housekeeping By-law 2017-33**

Resolution # 20170523-728

**Moved By** Councillor Meloche  
**Seconded By** Councillor Lavigne

**That:**

1. The report from the Manager of Planning Services dated May 9, 2017, regarding the Zoning By-law Amendment – Housekeeping By-law 2017-33 BE RECEIVED; and,

2. **By-law 2017-33 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 Interim Municipal Nuclear Emergency Response Plan**

Resolution # 20170523-729

**Moved By** Councillor Lavigne  
**Seconded By** Councillor Meloche

**That:**

1. **The report from the Municipal Clerk and Deputy Fire Chief/Alternate CEMC dated October 3, 2016, regarding Interim Municipal Nuclear Emergency Response Plan BE RECEIVED;**
2. **The Interim Municipal Nuclear Emergency Response Plan BE APPROVED as presented;**
3. **By-law 2012-119 BE AMENDED to include only the Amherstburg Emergency Response Plan for non-nuclear emergencies; and,**
4. **By-law 2017-40 being a by-law to amend 2012-119 and to adopt an Interim Municipal Nuclear Emergency Response Plan for governing the provisions of necessary services during a nuclear emergency 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**

## **INFORMATION REPORTS**

Resolution # 20170523-730

**Moved By** Councillor Lavigne  
**Seconded By** Councillor Meloche



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

**12.1 May 3, 2017 – May 16, 2017 Accounts Payable**

The Mayor put the Motion.

**Motion Carried**

**CONSENT CORRESPONDENCE**

Resolution # 20170523-731

**Moved By** Councillor Courtney

**Seconded By** Councillor Pouget

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

- 13.1 Septic System Pump Out Requirement - Minister of Municipal Affairs**
- 13.2 Request to Province to Ease Restrictions of Surplus Dwelling Severances in Areas Zoned Agriculture - Town of Lakeshore Resolution**
- 13.3 Windsor Essex County Environment Committee Minutes - City of Windsor Resolution**
- 13.4 Strays on Streetcorners Fundraising Initiative - Windsor Essex County Humane Society**
- 13.5 Franco-Ontarian Day - September 25, 2017**
- 13.6 Battle of the Growers - United Way Windsor-Essex**
- 13.7 Donation to Biannual Publication - The Fire Fighters Association of Ontario**
- 13.8 2017 Return in Investment of BIA's Final Report - Ontario Business Improvement Area Association**

The Mayor put the Motion.

**Motion Carried**

**CORRESPONDENCE**

**14.1 Emancipation Day - August 1, 2017**

Resolution # 20170523-732

**Moved By** Councillor Meloche

**Seconded By** Deputy Mayor DiPasquale

**That:**

1. **The correspondence from the Amherstburg Freedom Museum regarding Emancipation Day BE RECEIVED; and,**
2. **August 1<sup>st</sup>, 2017, BE PROCLAIMED as Emancipation Day in the Town of Amherstburg.**

The Mayor put the Motion.

**Motion Carried**

### **CONSENT OTHER MINUTES**

Resolution # 20170523-733

**Moved By** Councillor Meloche

**Seconded By** Deputy Mayor DiPasquale

**That the following minutes BE RECEIVED:**

#### **15.1 Drainage Board Meeting Minutes - May 2, 2017**

The Mayor put the Motion.

**Motion Carried**

### **UNFINISHED BUSINESS**

There was no Unfinished Business.

### **NEW BUSINESS**

1. Councillor Meloche advised Council of a lecture he attended, out of a series of 7 lectures being offered at the University of Windsor, regarding sustainable communities.

### **REPORT OUT FROM IN CAMERA SESSION – MAY 8<sup>th</sup>, 2017**

Council met on May 8<sup>th</sup>, 2017, for a Special In-Camera meeting at 7:43 pm and discussed (3) items as provided for under Section 239 of the Municipal Act:

**ITEM A – Proposed Property Acquisition & Disposition** – heard under Section 239(2)(c) of the Act. There is nothing further to report on this matter.

**ITEM B – Performance Review** – heard under Sections 239(2)(b)&(f) of the Act. There is nothing further to report on this matter.

**ITEM C – Investigation Results** – heard under Section 239(2)(b) of the Act. There is nothing further to report on this matter.

### **NOTICE OF MOTION**

There were no Notices of Motion.

### **BY-LAWS**

**20.1 Bylaw 2017-26 - New Residential Access Culvert Over the Wilfred Bondy Drain - 3rd and Final Reading**

Resolution # 20170523-734

**Moved By** Councillor Courtney  
**Seconded By** Councillor Pouget

**That By-law 2017-26 being a by-law to provide for the New Residential Access Culvert over the Wilfred Bondy Drain be taken as having been read a third and final time and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

**Motion Carried**

**20.2 By-law 2017-49 - Confirmatory By-law**

Resolution # 20170523-734

**Moved By** Councillor Courtney  
**Seconded By** Councillor Pouget

**That By-law 2017-49 being a by-law to confirm all resolutions of the Municipal Council Meeting held May 23<sup>rd</sup>, 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 # 20170523-735

**Moved By** Councillor Pouget

**Seconded By** Councillor Lavigne

**That Council move into an In-Camera Meeting of Council at 6:53 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:**

**ITEM A - Building Department Recruitment Process - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees; and, Section 239(2)(d) - Labour relations or employee negotiations.**

**ITEM B - Lease Agreement - 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 IN-CAMERA MEETING @ 7:23 P.M.**

**RESUMPTION OF REGULAR COUNCIL MEETING**

**Moved By** Deputy Mayor DiPasquale

**Seconded By** Councillor Lavigne

**That Council resume Regular session at 7:25 p.m.**

The Mayor put the Motion.

**Motion Carried**

**REPORT OUT FROM IN-CAMERA SESSION – MAY 23<sup>rd</sup>, 2017**

Council met this evening for a Special In-Camera meeting 6:53 p.m. and discussed (2) items as provided for under Section 239 of the Municipal Act:

**ITEM A – Building Department Recruitment Process** – heard under Sections 239(2)(b)&(d) of the Act. There is nothing further to report on this matter.

**ITEM B – Lease Agreement** – heard under Section 239(2)(c) of the Act. As a result of this discussion, the following is before Council for consideration:

Resolution # 20170523-737

**Moved by** Councillor Pouget  
**Seconded by** Councillor Meloche

**That:**

1. **Installation by Cogeco Connexion Inc. (Cogeco) for underground high speed internet fibre cable along a route as shown on the Site Information Drawing to the Town's water tower to service Wave Direct Telecommunications under terms and conditions as outlined in the Commercial Building Access (Form 1) document BE APPROVED; and,**
2. **The Mayor and Clerk BE AUTHORIZED to sign the Commercial Building Access (Form 1) prepared in form and content satisfactory to the Director of Planning, Development and Legislative Services.**

The Mayor put the Motion.

**Motion Carried**

**ADJOURNMENT**

**Moved By** Councillor Courtney  
**Seconded By** Councillor Lavigne

**That Council rise and adjourn at 7:27 p.m.**

The Mayor put the Motion.

**Motion Carried**



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MAYOR – ALDO DICARLO



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DEPUTY CLERK – TAMMY FOWKES