



TOWN OF AMHERSTBURG

COUNCIL MEETING

Monday, September 25, 2017

6:00 PM

MINUTES

Council Chambers, 271 Sandwich Street South, Amherstburg, ON

PRESENT

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

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

CALL TO ORDER

The Mayor called the meeting to order at 6:00 p.m.

NATIONAL ANTHEM

The Mayor replaced the National Anthem with a Moment of Silence in honour of Dave Scott, Teacher/Coach, General Amherst High School.

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

Councillor Meloche declared pecuniary interest with respect to item # 12.1 and the waiving of fees for charges relating to open burns due to his brother holding a fire management position.

MINUTES OF PREVIOUS MEETING

Resolution # 20170925-882

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 Council Meeting Minutes - August 21, 2017**
- 4.2 **Special In-Camera Council Meeting Minutes - September 11, 2017**
- 4.3 **Regular Council Meeting Minutes - September 11, 2017**

The Mayor put the Motion.

Motion Carried

RECOGNITIONS

- 5.1 **Communities in Bloom Trophy and Plaque Presentation - Anne Rota, Manager of Tourism and Culture and Annette Zahaluk, Manager of Parks, Greenspaces and Naturalized Areas**

Anne Rota and Annette Zahaluk presented Council with an award and plaque in recognition of the Town's accomplishments at the Canada 150 Awards ceremony.

Resolution # 20170925-883

Moved By Councillor Meloche
Seconded By Deputy Mayor DiPasquale

That the recognition BE RECEIVED.

The Mayor put the Motion.

Motion Carried

Resolution # 20170925-884

Moved By Councillor Fryer
Seconded By Councillor Pouget

That the Rules of Order BE WAIVED to allow resident Tom Welsh to speak to the proposed Basement Flooding Protection Subsidy Program after item #6.3.

The Mayor put the Motion.

Motion Carried

DELEGATIONS

6.1 Canada Post Services - Diane Mitchell, Canadian Union of Postal Workers

Resolution # 20170925-885

Moved By Councillor Pouget
Seconded By Councillor Fryer

That:

- 1. The delegation BE RECEIVED; and,**
- 2. Administration BE DIRECTED to send a letter to Prime Minister Justin Trudeau and the Honorable Minister Judy Foote supporting the recommendations of the Standing Committee to retain, enhance, and expand these important services, including door to door delivery in our community.**

The Mayor put the Motion.

Motion Carried

6.2 Belle Vue Conservancy Fund Raising Update - Shirley-Curson Prue, President, Belle Vue Conservancy

Councillor Pouget declared pecuniary interest and removed herself from discussion and voting with respect to Belle Vue items due to her residence being in close proximity to the Belle Vue property.

Resolution # 20170925-886

Moved By Councillor Fryer
Seconded By Councillor Meloche

That:

1. **The delegation BE RECEIVED; and,**
2. **The request from the Belle Vue Conservancy to hang the Belle Vue painting in Council Chambers periodically for public viewing BE APPROVED.**

The Mayor put the Motion.

Motion Carried

6.3 Grant Request for the Canadian Historical Interactive Center "The Garrison" - Leah C. Prentice

Resolution # 20170925-887

Moved By Councillor Fryer
Seconded By Councillor Pouget

That:

1. **The delegation BE RECEIVED; and,**
2. **The grant requested by Leah C. Prentice for the Canadian Historical Interactive Center "The Garrison" BE REFERRED to the 2018 Budget for Council consideration.**

The Mayor put the Motion.

Motion Carried

Mr. Welsh addressed Council with respect to his concerns regarding the proposed Basement Flooding Protection Subsidy Program. The Director of Engineering and Public Works answered questions with respect to the program.

Resolution # 20170925-888

Moved By Councillor Pouget
Seconded By Councillor Lavigne

That Mr. Welsh's comments BE RECEIVED.

The Mayor put the Motion.

Motion Carried

Item # 10.1 was moved forward.

REPORTS – ENGINEERING AND PUBLIC WORKS

10.1 Basement Flooding Protection Subsidy Program

Resolution # 20170925-889

Moved By Councillor Pouget

Seconded By Councillor Fryer

That:

- 1. The report from the Director of Engineering and Public Works dated September 13, 2017 regarding Basement Flooding Protection Subsidy Program BE RECEIVED;**
- 2. A voluntary Basement Flooding Protection Subsidy Program for existing residential homes in the areas serviced by the Amherstburg Wastewater Treatment Facilities BE APPROVED, and that the Town subsidize the following items:**
 - Downspout Disconnection: provide a downspout disconnection service to residents on the Amherstburg wastewater collection system free of charge.**
 - Foundation Drain Disconnection: provide a financial subsidy to residents on the Amherstburg wastewater collection system to disconnect foundation drains from the sanitary sewer, up to 50% of cost, to a maximum of \$1000.**
 - Backwater Valve Installation: provide a financial subsidy to residents on the Amherstburg wastewater collection system to install backwater valve device on the internal sanitary plumbing system in existing homes, up to 100% of cost, to a maximum of \$1000.**
 - Sump Pump Overflow: provide a financial subsidy to residents on the Amherstburg wastewater collection system to install a sump pump overflow to discharge outside to the surface (applies to existing sump pumps only), up to 100% of cost, to a maximum of \$300.**

3. **The program outlined in Recommendation 2 shall be retroactive to August 28, 2017, provided that homeowners are able to present appropriate documentation verifying installation and have obtained a building permit as applicable;**
4. **Administration BE DIRECTED to develop a program for the mandatory disconnection of downspouts and improper cross connections and report back to Council. This program will include individual private property investigations of existing sewer connections; and,**
5. **Administration BE DIRECTED to investigate developing a Flood Protection Bylaw for new construction of residential properties which could include mandatory backflow prevention, sump pump overflow and sewage ejector pumps and report the findings and recommendations back to Council.**

The Mayor put the Motion.

Motion Carried

6.4 Sign Variance Request - Luigi DiPierdomenico, Lumed Management Inc.

Dr. DiPierdomenico withdrew his delegation at this time.

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

8.1 2018 Budget Direction

Resolution # 20170925-890

Moved By Councillor Lavigne

Seconded By Deputy Mayor DiPasquale

That:

1. **The report from the Director of Corporate Services/Treasurer dated, September 12, 2017, regarding 2018 Budget Direction BE RECEIVED; and,**

2. **Administration BE DIRECTED to prepare a 2018 draft budget, to include up to a 2% increase to the general tax rate.**

The Mayor put the Motion.

Motion Carried

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There were no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

- 10.1 **Basement Flooding Protection Subsidy Program**
(As dealt with above)

Councillor Fryer left at 7:21 p.m.

- 10.2 **Second Concession Bridge over Long Marsh Drain Replacement**

Resolution # 20170925-891

Moved By Councillor Lavigne

Seconded By Councillor Meloche

That:

1. **The report from the Manager of Engineering and Operations and the Chief Administrative Officer dated September 7, 2017, regarding the Second Concession Bridge over Long Marsh Drain Replacement BE RECEIVED;**
2. **The replacement of the Second Concession Bridge over Long Marsh Drain BE FUNDED as follows:**
 - **2017 Approved Capital Budget for Bridge Rehabilitation - \$364,000**
 - **2017 Capital Replacement Levy - \$200,000**
 - **Additional Gas Tax Funds (under budget projects from 2015 & 2016) - \$100,000**
 - **2018 Capital Budget Pre commitment - \$518,600**
 - **Total - \$1,182,600**

3. **An agreement with Front Construction Industries Inc. to complete the replacement of the Second Concession Bridge over the Long Marsh Drain BE AUTHORIZED in the amount of \$1,162,600.00 (excluding H.S.T.); and,**
4. **By-law 2017-46 being a by-law to enter into an agreement with Front Construction Industries Inc. to complete the replacement of the Second Concession Bridge over the Long Marsh 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

Item # 12.3 was moved forward to accommodate Queen Charlotte development representatives in the gallery.

REPORTS - CAO's OFFICE

12.3 Queen Charlotte Storm Sewer Easement

Resolution # 20170925-892

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That:

1. **The report from the Chief Administrative Officer dated September 18, 2017, regarding Queen Charlotte Storm Sewer Easement BE RECEIVED;**
2. **The installation of the storm sewer for the Queen Charlotte development located at 274 Dalhousie BE APPROVED with the use of open trench methodology satisfactory to the requirements of the Town; and,**
3. **Administration BE AUTHORIZED to finalize the location, terms and annual fee of the proposed easement for Council's approval.**

The Mayor put the Motion.

Motion Carried

REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

11.1 Civil Marriage Ceremonies

Resolution # 20170925-893

Moved By Councillor Lavigne
Seconded By Councillor Pouget

That:

1. **The report from the Manager of Licensing and Enforcement dated September 11, 2017 regarding Civil Marriage Ceremonies BE RECEIVED; and,**
2. **The Clerk or designate BE AUTHORIZED to offer Civil Marriage Ceremonies commencing January 1, 2018.**

The Mayor put the Motion.

Motion Carried

11.2 Amending Development Agreement for 140 Simcoe Street

Resolution # 20170925-894

Moved By Councillor Courtney
Seconded By Councillor Meloche

That:

1. **The report from the Manager of Planning Services dated September 7, 2017, regarding the Amending Development Agreement for 140 Simcoe Street, BE RECEIVED;**
2. **The amendments to the site plan for 140 Simcoe Street BE APPROVED;**
3. **By-law 2017-59 being a by-law to authorize the signing of an Amending Development Agreement be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same; and,**
4. **The variances granting relief from Sign By-law 2006-26 to permit the eight facia signs as indicated on Schedule B of By-law 2017-59 BE APPROVED.**

The Mayor put the Motion.

Motion Carried

11.3 Municipal Street Naming and Street Name Change Policies

Resolution # 20170925-895

Moved By Councillor Lavigne

Seconded By Councillor Meloche

That:

1. **The report from the Manager of Planning Services dated August 23, 2017 regarding the Municipal Street Naming and Renaming Policy BE RECEIVED;**
2. **The Municipal Street Naming Policy BE ADOPTED as presented; and,**
3. **The Street Name Change Policy BE ADOPTED as presented.**

The Mayor put the Motion.

Motion Carried

11.4 Development Agreement for 5 Renaud Street

Resolution # 20170925-896

Moved By Councillor Meloche

Seconded By Councillor Lavigne

That:

1. **The report from the Manager of Planning Services dated September 11, 2017, regarding the Development Agreement for 5 Renaud Street BE RECEIVED;**
2. **The site plan and development agreement for 5 Renaud Street BE APPROVED; and,**
3. **By-law 2017-89 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

REPORTS - CAO's OFFICE

12.1 Request to Waive User Fees

Councillor Meloche removed himself from discussion and voting due to his declared pecuniary interest.

Resolution # 20170925-897

Moved By Councillor Pouget
Seconded By Councillor Lavigne

That:

1. **The report from the Chief Administrative Officer dated August 29, 2017, regarding the Request to Waive User Fees BE RECEIVED; and,**
2. **The waiving the user fees as requested in P & C Memo BE DENIED.**

The Mayor put the Motion.

Motion Carried

12.2 Town of Amherstburg Emergency Response Plan

Resolution # 20170925-898

Moved By Councillor Meloche
Seconded By Councillor Pouget

That:

1. **The report from the Fire Chief dated September 8, 2017 regarding Town of Amherstburg Emergency Response Plan BE RECEIVED;**
2. **The revised Emergency Response Plan attached (Appendix "C") and listed Annexes BE APPROVED, as presented; and,**
3. **By-law 2017-62 being a by-law to adopt an Emergency Response Plan governing the provisions of necessary services during such emergencies 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

12.3 Queen Charlotte Storm Sewer Easement (As dealt with above)

INFORMATION REPORTS

Resolution # 20170925-899

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That the following information reports BE RECEIVED:

13.1 September 7, 2017 – September 19, 2017 Accounts Payable

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20170925-900

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That the following consent correspondence BE RECEIVED:

- 14.1 Resident Letter regarding Proposed Access Road - Carol Ouellette**
- 14.2 Resident Letter regarding Parking Lot Beside Police Station - Diane McLeod**
- 14.3 Windsor-Essex Compassion Care Community Event (WECCC) - Christie Nelson, Communications Consultant**
- 14.4 Economic Development Conference Exhibition & Sponsorship Package - Tourism and Economic Development Committee, Town of Kingsville**
- 14.5 Support for Zero Tolerance Against Racism - Town of Halton Hills Resolution**
- 14.6 Quarterly Update - Sylvia Jones, MPP, Dufferin-Caledon**

The Mayor put the Motion.

Motion Carried

Resolution # 20170925-901

Moved By Deputy Mayor DiPasquale
Seconded By Councillor Pouget

That Administration BE DIRECTED to send a letter in support of the Town of Halton Hills resolution regarding Zero Tolerance Against Racism.

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20170925-902

Moved By Councillor Meloche

Seconded By Councillor Lavigne

That the following minutes BE RECEIVED:

- 15.1 **Committee of Adjustment Meeting Minutes - April 19, 2017**
- 15.2 **Committee of Adjustment Meeting Minutes - May 30, 2017**
- 15.3 **Committee of Adjustment Meeting Minutes - June 27, 2017**
- 15.4 **Recreation and Culture Advisory Committee Last Meeting Minutes - June 14, 2017**
- 15.5 **Heritage Committee Meeting Minutes - June 29, 2017**
- 15.6 **Parks and Recreation Advisory Committee Minutes - August 9, 2017**

The Mayor put the Motion.

Motion Carried

Resolution # 20170925-903

Moved By Councillor Courtney

Seconded By Councillor Pouget

That Council CONCUR with the June 29, 2017, Heritage Committee recommendation to add the Boblo Island buildings to the Heritage Registry as Properties of Interest.

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

There was no Unfinished Business discussed.

NEW BUSINESS

1. Councillor Courtney advised Council that she attended the St. Jean the Baptiste School for the flag raising ceremony in recognition of Franco-Ontarian Day.

REPORT OUT FROM IN CAMERA SESSION

There was nothing to report out.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

20.1 By-law 2017-90 - Confirmatory By-law

Resolution # 20170925-904

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That By-law 2017-90 being a by-law to confirm all resolutions of the Municipal Council Meeting held September 25, 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 # 20170925-905

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That Council move into an In-Camera Meeting of Council at 8:04 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A - Encroachment Agreement - 515 Lakeside Dr. - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees.

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

ITEM C - Verbal Update on Council Resolution # 20170911-875 - Public Transportation Service - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by 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 Council Meeting Agenda items)

There were no disclosures of pecuniary interest noted.

ADJOURNMENT OF IN-CAMERA COUNCIL MEETING @ 8:35 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That Council resume Regular session at 8:37 p.m.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN CAMERA SESSION

September 25th, 2017 Meeting

Council met on September 25th, 2017, for a Special In-Camera meeting at 8:04 p.m. and discussed (3) items as provided for under Section 239 of the Municipal Act:

ITEM A – Encroachment Agreement – 515 Lakeside Dr. heard under Section 239(2)(b) of the Act. As a result of that discussion, the following is before Council for consideration:

Resolution # 20170925-906

Moved By Councillor Pouget

Seconded By Deputy Mayor DiPasquale

That Administration BE AUTHORIZED to enter into an Encroachment Agreement with the owners of 515 Lakeside Drive to allow for a temporary structure on Town property.

The Mayor put the Motion.

Motion Carried

ITEM B – Property Disposition/Acquisition Update heard under Section 239(2)(c) of the Act. There is nothing further to report.

ITEM C – Verbal Update on Council Resolution # 20170911-875 – Public Transportation Service heard under Sections 239(2)(c)&(f) of the Act. There is nothing further to report.

ADJOURNMENT

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That Council rise and adjourn at 8:39 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



DEPUTY CLERK – TAMMY FOWKES