



**TOWN OF AMHERSTBURG**  
**REGULAR COUNCIL MEETING**  
**Monday, February 12, 2018**  
**6:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg, ON, N9V 2A5

**MINUTES**

**PRESENT**

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

Giovanni (John) Miceli, CAO  
Paula Parker, Municipal Clerk

**ABSENT**

Deputy Mayor Bart DiPasquale

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**CALL TO ORDER**

The Mayor called the meeting to order at 6:01 p.m.

**NATIONAL ANTHEM**

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

Councillor Meloche declared a conflict of interest with respect to item # 10.1 due to his brother's management role within the Amherstburg Fire Department.

**MINUTES OF PREVIOUS MEETING**

Resolution # 20180212-30

**Moved By** Councillor Fryer  
**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 - January 8, 2018
- 4.2 Regular Council Meeting Minutes - January 22, 2018
- 4.3 Special In-Camera Council Meeting Minutes - January 22, 2018

The Mayor put the Motion.

**Motion Carried**

**REPORTS – POLICE SERVICES**

There were no reports.

**REPORTS – CORPORATE SERVICES**

**6.1 2018 Interim Tax Levy By-law**

Resolution # 20180212-31

**Moved By** Councillor Meloche  
**Seconded By** Councillor Fryer

**That:**

1. The report from the Supervisor of Revenue dated January 9, 2018 regarding 2018 Interim Tax Levy By-law BE RECEIVED; and,
2. By-law 2018-02, being a by-law to provide for an interim tax rate, the payment of taxes and, the application of a penalty and interest of 1.25 percent per month on taxes in default 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

## 6.2 Temporary Extension of the Exemption Regarding Non- Residential Development Charges

Resolution # 20180212-32

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

**That:**

1. The report from the Manager of Planning Services & Treasurer dated January 29, 2018 regarding the Temporary Extension of the Exemption regarding Non-residential Development Charges, BE RECEIVED; and,
2. Administration BE DIRECTED to prepare a Development Charges Background Study and amending By-law and that the study be posted for public comment as required by the regulations in the Development Charges Act.

The Mayor moved the Motion.

Motion Carried

## REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There were no reports.

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

### **8.1 Placement of the Southwest SWM Pond on Maintenance - Kingsbridge Subdivision**

Resolution # 20180212-33

**Moved By** Councillor Fryer  
**Seconded By** Councillor Lavigne

**That:**

- 1. The report from the Drainage Superintendent and Engineering Coordinator dated January 5, 2018, regarding the Placement of the Southwest SWM Pond on Maintenance - Kingsbridge Subdivision BE RECEIVED;**
- 2. The recommendations of the consulting engineer, Stantec Consulting Ltd. BE APPROVED;**
- 3. The earthworks, stormwater management pond, and all associated connecting pipework, BE PLACED on a 1 year maintenance period, commencing September 14, 2017; and,**
- 4. All landscaping BE PLACED on a 2 year maintenance period, commencing September 14, 2017, with a potential reduction to 1 year, pending approval of the condition of the landscaping by the Town in September 2018.**

The Mayor put the Motion.

**Motion Carried**

### **8.2 Roster for Engineering Services for Drainage Works (2018-2020)**

Resolution # 20180212-34

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

**That:**

- 1. The report from the Drainage Superintendent and Engineering Coordinator dated January 15, 2018, regarding the Roster for Engineering Services for Drainage Works (2018-2020) BE RECEIVED; and,**

2. Administration BE AUTHORIZED to develop a roster for Engineering Services for Drainage Works inclusive of:

- Rood Engineering Inc.
- N.J. Peralta Engineering Ltd.
- R. Dobbin Engineering Inc.
- Dillon Consulting Ltd.
- RC Spencer Associates Inc.

The Mayor put the Motion.

Motion Carried

### 8.3 LED Streetlight Conversion – RFP Results

Resolution # 20180212-35

**Moved By** Councillor Fryer  
**Seconded By** Councillor Pouget

**That:**

1. The report from the Manager of Engineering dated January 25, 2018, regarding the LED Streetlight Conversion – RFP Results BE RECEIVED;
2. An agreement with Anchor Hydro (1903292 Ontario Inc.) to complete the LED Streetlight Conversion BE AUTHORIZED in the amount of \$1,186,758.21 (excluding H.S.T.) and BE FUNDED as follows:
  - 2017 LED Replacement Program Cost: \$50,000.00
  - 2018 LED Replacement Program Cost: \$50,000.00
  - 2018 Forecasted Utilities Cost Avoidance: \$75,000.00
  - 2018 Forecasted Maintenance Cost Avoidance: \$22,500.00
  - 2019 Budget Allocation: \$200,000.00
  - 2020 Budget Allocation: \$200,000.00
  - 2021 Budget Allocation: \$200,000.00
  - 2022 Budget Allocation: \$200,000.00
  - 2023 Budget Allocation: \$200,000.00
  - 2024 Budget Allocation: \$10,145.18
3. By-law 2018-12 being a by-law to enter into an agreement with Anchor Hydro (1903292 Ontario Inc.) to complete the LED Streetlight Conversion be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same; and,

4. **Administration BE DIRECTED to issue an RFP to install street lighting on County Road 20 from Ranta Marina to County Road 3 (Malden Road).**

The Mayor put the Motion.

**Motion Carried**

#### **8.4 Snow Removal and Salting Agreement - Lake Erie Country Club**

Resolution # 20180212-36

**Moved By** Councillor Fryer

**Seconded By** Councillor Pouget

**That:**

1. **The report from the Director of Engineering and Public Works dated February 6, 2018, regarding a Snow Removal and Salting Agreement with Lake Erie Country Club BE RECEIVED; and,**
2. **Administration BE AUTHORIZED to enter into a service agreement with Lake Erie Country Club to allow for snow removal and salting of Lake Erie Country Club Drive.**

The Mayor put the Motion.

**Motion Carried**

#### **8.5 Ontario Municipal Commuter Cycling (OMCC) Program – Transfer Payment Agreement**

Resolution # 20180212-37

**Moved By** Councillor Fryer

**Seconded By** Councillor Pouget

**That:**

1. **The report from the Manager of Engineering dated February 12, 2018, regarding the Ontario Municipal Commuter Cycling (OMCC) Program – Transfer Payment Agreement BE RECEIVED;**
2. **The Director of Engineering and Public Works BE DIRECTED to include the following projects for Council consideration in the 2019 and 2020 Capital Budget:**

- a) The installation of paved shoulders on Alma Street from Fryer Street to Meloche Road
  - b) The installation of a bike lane along County Road 20 from Dalhousie Street to Front Road South
3. The Town of Amherstburg ENTER into a Transfer Payment Agreement with the Ministry of Transportation (MTO) (estimated \$97,259.51) and the Mayor and Clerk BE AUTHORIZED to sign the agreement; and,
  4. By-law 2018-19 being a by-law to enter into an agreement with the Ministry of Transportation for the Ontario Municipal Commuter Cycling funding 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 – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES**

**Moved By** Councillor Fryer  
**Seconded By** Councillor Pouget

**That the Rules of Order BE WAIVED to allow Stefano Storey to address Council.**

The Mayor put the Motion.

Motion Carried

#### **9.1 Request for Dedicated Parking Spaces - Stefano Storey and Chad Denomme, Storey and Denomme Family Dentistry**

Resolution # 20180212-38

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

**That:**

1. **The report from the Manager of Licensing and Enforcement dated January 25, 2018, regarding Request for Dedicated Parking Spaces - Stefano Storey and Chad Denomme, Storey and Denomme Family Dentistry BE RECEIVED;**

2. **The Town owned lot located at Ramsey and Richmond BE DESIGNATED as a 2 hour parking limit, Monday-Friday 8am-5pm; and,**
3. **A downtown core parking study, with funding to be allocated in a future year budget, after the completion of the development of the former Duffy lands BE SUPPORTED.**

The Mayor put the Motion.

**Motion Carried**

## **9.2 User Fee By-law Amendment**

Resolution # 20180212-39

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

**That:**

1. **The report from the Manager of Licensing and Enforcement dated January 29, 2018 regarding User Fee By-law Amendment BE RECEIVED; and,**
2. **By-law 2018-13 being a by-law to Amend User Fee By-law 2017-96 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 Traffic Policy**

Resolution # 20180212-40

**Moved By** Councillor Meloche  
**Seconded By** Councillor Fryer

**That:**

1. **The report from the Manager of Roads and Fleet and the Manager of Licensing and Enforcement dated January 23, 2018, regarding Traffic Policy BE RECEIVED; and,**
2. **The Traffic Policy BE ADOPTED, as presented.**



The Mayor put the Motion.

Motion Carried

**9.4 Queen Charlotte Storm Sewer Easement: King's Navy Yard Park**

Resolution # 20180212-41

**Moved By** Councillor Fryer  
**Seconded By** Councillor Meloche

**That:**

- 1. The report from the Director of Planning, Development and Legislative Services dated January 18, 2018, regarding Queen Charlotte Storm Sewer Easement BE RECEIVED; and,**
- 2. The Mayor and Town Clerk BE AUTHORIZED to execute a permanent easement document in favour of 274 Dalhousie Ltd. for the purposes of maintaining their underground storm sewer infrastructure in Navy Yard Park satisfactory in technical content to the Director of Public Works and in form and legal content to the Director of Planning, Development and Legislative Services.**

The Mayor put the Motion.

Motion Carried

**9.5 Removal of Part Lot Control- Golfview Subdivision**

Resolution # 20180212-42

**Moved By** Councillor Fryer  
**Seconded By** Councillor Lavigne

**That:**

- 1. The report from the Manager of Planning Services dated February 1, 2018 regarding the Removal of Part Lot Control- Golfview Subdivision, BE RECEIVED;**
- 2. The request to extend the time frame specified in the by-law BE APPROVED;**
- 3. The request to amend the land described in the by-law BE APPROVED; and,**

4. **By-law 2018-16 being a by-law to amend By-laws 2012-36, 2014-28 and 2016-16 to extend the expiration date and amend the land described for Part Lot Control exemption 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**

### **10.1 2018 02 12 – Request to Waive User Fees**

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

Resolution # 20180212-43

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

**That:**

1. **The report from the Chief Administrative Officer dated January 22, 2018, regarding the Request to Waive User Fees BE RECEIVED; and,**
2. **The waiving the user fees as requested in the P&C Memo BE DENIED.**

The Mayor put the Motion.

**Motion Carried**

### **10.2 2018 Tanker/Pumper & Rescue/Pumper Tender Results**

Resolution # 20180212-44

**Moved By** Councillor Fryer  
**Seconded By** Councillor Meloche

**That:**

1. **The report from the Fire Chief dated January 26, 2018 regarding the 2018 Tanker/Pumper & Rescue/Pumper Tender Results BE RECEIVED;**

2. **The purchase of 1 Tanker/Pumper & 1 Rescue/Pumper firefighting apparatus from Fort Garry Fire Trucks Ltd., at a total maximum cost of \$817,016.00 CAD plus HST, to be funded from 2018 Capital Budget and the prior year contributions to the Working Capital Reserve for Fire Major Equipment BE APPROVED, and that the Treasurer BE AUTHORIZED to Execute the purchase;**
3. **The Treasurer BE AUTHORIZED to proceed with the Sale of Tanker 2 and use the proceeds to fund the deficit of \$24,395.47 and place the remaining proceeds into the Working Capital Reserve for Fire Major Equipment; and,**
4. **By-law 2018-15 being a by-law to enter into an agreement with Fort Garry Fire trucks Ltd. 53 Bergen Cutoff Road, Winnipeg, Manitoba R3C 2E6 for the purchase of a 1Tanker/Pumper & 1 Rescue/Pumper Fire Apparatus 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**

### **10.3 Licence of Occupation Agreement – Parks Canada Property at Kings Navy Yard Park**

Resolution # 20180212-45

**Moved By Councillor Meloche**

**Seconded By Councillor Courtney**

**That:**

1. **That the report from the Municipal Clerk dated January 19, 2018 regarding Licence of Occupation Agreement – Parks Canada Property at Kings Navy Yard Park BE RECEIVED;**
2. **The execution of the Licence of Occupation Agreement BE APPROVED for an additional one year period; and,**
3. **By-law 2018-10 being a By-law to authorize the renewal of a Licence of Occupation Agreement between the Corporation of the Town of Amherstburg and Her Majesty the Queen 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 # 20180212-46

**Moved By** Councillor Lavigne

**Seconded By** Councillor Meloche

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

- 11.1 Annual Committee Report – 2017 Amherstburg Drainage Board
- 11.2 Amherstburg Accessibility Advisory Committee – 2017 Accomplishments
- 11.3 Building Department Activity – January to December 2017
- 11.4 2017 Annual Report on Development Charge Reserve Funds
- 11.5 Monthly Activity Report – APSB Meeting of December 12, 2017
- 11.6 Eligibility for Tax Sale Registration Effective January 1, 2018
- 11.7 January 16, 2018 – February 6, 2018 Accounts Payable

The Mayor put the Motion.

**Motion Carried**

### **CONSENT CORRESPONDENCE**

Resolution # 20180212-47

**Moved By** Councillor Fryer

**Seconded By** Councillor Lavigne

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

- 12.1 2018 Explore the Shore - Request for Funding
- 12.2 Fundraising Dinner for Ronald McDonald House Windsor - Belle River Knights of Columbus
- 12.3 Population Growth Projections - Town of Lakeshore Resolution
- 12.4 Storm Water Management and Drainage Improvements - Town of Lakeshore Resolution
- 12.5 Reforms to the Municipal Class Environmental Assessment Process - Ontario Good Roads Association

- 12.6 Display Screens and Hand-Held Devices - West Nipissing Resolution
- 12.7 Call to Action - Fire Medic Protection Needed for Municipal Governments
- 12.8 13th Annual STEAK in the SNOW Auction - Windsor Downtown Lions Club

The Mayor put the Motion.

**Motion Carried**

Resolution # 20180212-48

**Moved By** Councillor Courtney  
**Seconded By** Councillor Fryer

*(Item # 12.2)* – That 3 tickets **BE PURCHASED** for the fundraising dinner for the Windsor Ronald McDonald House for whoever would like to attend or just request the tickets and send the proceeds as a donation.

The Mayor put the Motion.

**Motion Carried**

## **CORRESPONDENCE**

### **13.1 Miracle Field Signage - Rotary Club of Amherstburg Request**

Additional information regarding this request has surfaced and Administration will bring a report to Council for consideration at a later date.

## **CONSENT OTHER MINUTES**

Resolution # 20180212-49

**Moved By** Councillor Fryer  
**Seconded By** Councillor Meloche

That the following minutes **BE RECEIVED**:

### **14.1 Amherstburg Accessibility Advisory Committee Meeting Minutes - January 17, 2018**

The Mayor put the Motion.

**Motion Carried**

**UNFINISHED BUSINESS**

1. Councillor Pouget asked for an update with respect to the rumble strips report.

The Director of Engineering and Public Works advised Council that the report had already been written but further clarification with respect to liability for the Town was required and an opinion from a Traffic Engineer is currently being sought.

2. Resolution # 20180212-50

**Moved By** Councillor Pouget  
**Seconded By** Councillor Fryer

**That Administration BE DIRECTED to revert back to reporting Unfinished Business as was done in 2016, addressing the names of the mover and seconder, the date of the motion, the entire content of the motion and an approximate date for the completion of the motion.**

The Mayor put the Motion.

**Motion Carried**

**NEW BUSINESS**

1. Resolution # 20180212-51

**Moved By** Councillor Fryer  
**Seconded By** Councillor Pouget

**That Administration BE DIRECTED to invite the consortium to present to Council on school bus transportation during inclement weather conditions.**

The Mayor put the Motion.

**Motion Failed**

## **REPORT OUT FROM IN CAMERA SESSION**

There was nothing to report out.

## **NOTICE OF MOTION**

There were no Notices of Motion.

## **BY-LAWS**

### **19.1 By-law 2018-11 - To Amend Zoning By-law for 3794 Concession 3 N**

Resolution # 20180212-52

**Moved By** Councillor Meloche

**Seconded By** Councillor Pouget

**That By-law 2018-11 being a by-law to amend Zoning By-law 1999-52 for 3794 Concession 3 N 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**

### **19.2 By-law 2018-17 - Confirmatory By-law**

Resolution # 20180212-53

**Moved By** Councillor Lavigne

**Seconded By** Councillor Meloche

**That By-law 2018-17 being a by-law to confirm all resolutions of the Municipal Council Meeting held February 12, 2018, 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 # 20180212-54

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

**That Council move into an In-Camera Meeting of Council at 7:29 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reason:**

**ITEM A - Closure of Portion of Sherbrook St., West Side of George St. - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the municipality.**

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 @ 7:45 P.M.**

**RESUMPTION OF REGULAR COUNCIL MEETING**

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

**That Council resume Regular session at 7:48 p.m.**

The Mayor put the Motion.

**Motion Carried**



## **REPORT OUT FROM IN-CAMERA SESSION – FEBRUARY 12, 2018**

Council met on February 12<sup>th</sup>, 2018, for a Special In-Camera meeting at 7:29 p.m. and discussed (1) item as provided for under Section 239 of the Municipal Act:

**ITEM A – Closure of Portion of Sherbrook St., West side of George St. heard under Section 239(2)(c). As a result of that discussion the following motion is before Council:**

Resolution # 20180212-55

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

**That:**

- 1. A portion of Sherbrooke Street located on the west side of George Street described legally as Part of Sherbrooke Street, Registered Plan 1, Town of Amherstburg, and more particularly as Parts 1-4 inclusive Plan 12R-27273 BE STOPPED UP AND CLOSED;**
- 2. Part of Sherbrooke Street, Registered Plan 1, Town of Amherstburg, and more particularly as Parts 1-4 inclusive, Plan 12R-27273 BE DECLARED SURPLUS;**
- 3. Parts 1 & 2 Plan 12R-27273; being a 3799 square foot parcel of to be closed Sherbrooke Street BE CONVEYED to Judith Louise Carter and Anne Margaret Purtell, the owners of 274 George Street which abuts the north limit of Sherbrooke Street for the sum of \$21,050.00 plus HST if applicable;**
- 4. Administration BE AUTHORIZED to enter into an encroachment agreement with Wayne and Susan Bergeron, owners of 284 George Street which abuts the south limit of Sherbrooke Street for Parts 3 & 4 Plan 12R-27273 being a 3799 square foot parcel of to be closed Sherbrooke Street for the sum of \$610.00 per year plus HST if applicable;**
- 5. The Town CLOSE OFF the entrance in the existing board fence to the parking lot of the Black Heritage Museum which lies to the west of the properties at 274 and 284 George Street and bear the cost of such;  
and,**

6. The Mayor and Clerk BE AUTHORIZED to sign all necessary documents for both the sale and encroachment agreement; 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 Meloche  
Seconded By Councillor Lavigne

That Council rise and adjourn at 7:51 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



MUNICIPAL CLERK – PAULA PARKER