



**TOWN OF AMHERSTBURG  
REGULAR COUNCIL MEETING**

**Monday, April 9, 2018  
6:00 PM**

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

**MINUTES**

**PRESENT**

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

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

**ABSENT**

Mayor Aldo DiCarlo

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**CALL TO ORDER**

The Deputy Mayor called the meeting to order at 6:04 p.m.

**NATIONAL ANTHEM**

## **MOMENT OF SILENCE**

Humboldt Broncos - Junior Ice Hockey League, Saskatchewan

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

There were no disclosures of pecuniary interest noted.

Item # 20.1 was moved forward.

## **BY-LAWS**

### **20.1 By-law 2018-30 - To Appoint Deputy Fire Chief**

Resolution # 20180409-96

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

**That By-law 2018-30 being a by-law to appoint a Deputy Fire Chief for the Amherstburg Fire Department be taken as having been read three times and finally read and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Deputy Mayor put the Motion.

**Motion Carried**

The Chief Administrative Officer introduced Paul Acton, Deputy Fire Chief, and provided Council with a brief overview of Mr. Acton's employment experience in Fire Services.

## **MINUTES OF PREVIOUS MEETING**

Resolution # 20180409-97

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

**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 - March 19, 2018**
- 4.2 Special Council Meeting Minutes - Planning - March 19, 2018**
- 4.3 Regular Council Meeting Minutes - March 19, 2018**

The Deputy Mayor put the Motion.

**Motion Carried**

**DELEGATIONS**

- 5.1 Request for Relief from Business Licensing By-law pertaining to Refreshment Vehicles - Bill Deslippe, Smashed Apple Catering Inc.**

Resolution # 20180409-98

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

**That:**

- 1. The delegation BE RECEIVED;**
- 2. Administration BE DIRECTED to review the Business By-law and its setbacks for refreshment vehicles expeditiously; and,**
- 3. Relief of the Business By-Law of 25 meters BE GRANTED to Smashed Apple Catering Inc.**

The Deputy Mayor put the Motion.

|                         | <b>Yes/Concur</b> | <b>No/Not Concur</b> |
|-------------------------|-------------------|----------------------|
| Councillor Courtney     | X                 |                      |
| Deputy Mayor DiPasquale | X                 |                      |
| Councillor Fryer        | X                 |                      |
| Councillor Lavigne      | X                 |                      |
| Councillor Meloche      | X                 |                      |
| Councillor Pouget       |                   | X                    |
| Mayor DiCarlo           | Absent            | Absent               |

**Motion Carried**

## **PRESENTATIONS**

### **6.1 Essex Powerlines Corporation Update & Youth in Community Fund Cheque Presentation - Joe Barile, General Manager, Essex Powerlines Corporation**

The \$10,000 Youth and Community Fund cheque was presented by Joe Barile, General Manager, Essex Powerlines Corporation, and was accepted by Deputy Mayor DiPasquale on behalf of the Town.

Resolution # 20180409-99

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

**That the presentation BE RECEIVED.**

The Deputy Mayor put the Motion.

**Motion Carried**

## **REPORTS – POLICE SERVICES**

There were no reports.

## **REPORTS – CORPORATE SERVICES**

There were no reports.

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

There were no reports.

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

### **10.1 2018 Essex Region Children’s Water Festival Sponsorship**

Resolution # 20180409-100

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

**That:**

1. **The report from the Manager of Environmental Services dated March 21, 2018, regarding the participation in the 2018 Essex Region Children’s Water Festival BE RECEIVED; and,**
2. **The 2018 Essex Region Children’s Water Festival BE SPONSORED as part of the 2018 Amherstburg Water Conservation Program in the amount of \$1,500.**

The Deputy Mayor put the Motion.

**Motion Carried**

## **10.2 Rural Rumble Strips**

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

**That the Rules of Order BE WAIVED to allow Jim Poberezny to address Council with respect to the Rural Rumble Strips report.**

The Deputy Mayor put the Motion.

**Motion Carried**

Resolution # 20180409-101

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

**That:**

1. **The report from the Manager of Roads and Fleet dated April 5, 2018 regarding Rural Rumble Strips BE RECEIVED; and,**
2. **Administration BE DIRECTED to proceed with Option 3, contained in the report, as recommended by the consulting engineer.**

The Deputy Mayor put the Motion.

**Motion Carried**

## **REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES**

### **11.1 Deferred Development Charges for Meadowview Estate Subdivision**

Resolution # 20180409-102

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

**That:**

1. **The report from the Chief Building Official dated March 22, 2018 regarding Deferred Development Charges for Meadowview Estate Subdivision BE RECEIVED;**
2. **The application for deferral of development charges, as requested by 1352120 Ontario Ltd. BE APPROVED; and,**
3. **By-law 2018-29 being a by-law to authorize the signing of an agreement to defer development charges be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Deputy Mayor put the Motion.

**Motion Carried**

#### **11.2 Request for Removal of Part Lot Control- Meadow View Subdivision**

Resolution # 20180409-103

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

**That:**

1. **The report from the Manager of Planning Services dated March 8, 2018 regarding the Request for Removal of Part Lot Control- Meadow View Subdivision BE RECEIVED;**
2. **The application for removal of Part Lot Control for Lots 1-23, Registered Plan 12M-638 BE APPROVED; and,**
3. **By-law 2018-20 being a by-law to remove certain lands from Part Lot Control (12M-638) be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same.**

The Deputy Mayor put the Motion.

**Motion Carried**

## REPORTS - CAO's OFFICE

### 12.1 Election Policies

Resolution # 20180409-104

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

**That:**

1. **The report from the Municipal Clerk dated March 22, 2018 regarding Election Policies BE RECEIVED;**
2. **Pursuant to Section 88.18 of the *Municipal Elections Act, 1996*, as amended, the Use of Corporate Resources for Election Purposes Policy BE ADOPTED as presented; and,**
3. **The Election Accountability Policy BE ADOPTED as presented.**

The Deputy Mayor put the Motion.

**Motion Carried**

## INFORMATION REPORTS

Resolution # 20180409-105

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

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

- 13.1 **Amherstburg Water Treatment Plant Submission of the 2017 Annual Summary Report**
- 13.2 **Monthly Activity Report – APSB Meeting of February 20, 2018**
- 13.3 **Accounts Payable for the Month of March 2018**

The Deputy Mayor put the Motion.

**Motion Carried**

## CONSENT CORRESPONDENCE

Resolution # 20180409-106

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

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

- 14.1 **Request for Donation for Student Exchange Trip - Saint-Jean-Baptiste, Amherstburg**
- 14.2 **Letter of Appreciation Regarding Winter Sidewalk Control - Amherstburg Accessibility Advisory Committee**
- 14.3 **Letter of Appreciation - Jehovah's Witnesses**
- 14.4 **Cannabis - Production Facilities for Medical Purposes and Legalization - Greater Essex County District School Board**
- 14.5 **Arts Excellence Awards - Arts, Culture and Tourism Committee, Town of Essex**
- 14.6 **Offering School Property to Municipalities - Town of Essex Resolution**
- 14.7 **Point in Time (PiT) Count 2018 & The 20K Homes Campaign – City of Windsor in Conjunction with the Canadian Alliance to End Homelessness**

The Deputy Mayor put the Motion.

**Motion Carried**

Resolution # 20180409-107

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

*Item # 14.6 - That a letter BE SENT in support of the Town of Essex's resolution regarding offering closed school properties to municipalities for one dollar.*

The Deputy Mayor put the Motion.

**Motion Carried**

Resolution # 20180409-108

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

*Item # 14.1 - That \$100.00 and Town of Amherstburg pins BE DONATED to Saint-Jean Baptiste Elementary School for their student exchange trip.*

The Deputy Mayor put the Motion.

**Motion Carried**



## **CONSENT OTHER MINUTES**

Resolution 20180409-109

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

**That the following minutes BE RECEIVED:**

- 15.1 Committee of Adjustment Meeting Minutes- November 28, 2017**
- 15.2 Committee of Adjustment Meeting Minutes- December 12, 2017**
- 15.3 Co-An Park Committee Meeting Minutes - January 16, 2018**
- 15.4 Amherstburg Accessibility Advisory Committee Minutes - March 21, 2018**

The Deputy Mayor put the Motion.

**Motion Carried**

## **UNFINISHED BUSINESS**

1. Councillor Pouget asked for an update with respect to the Boblo Dock. She advised Council that due to the recent wind storms, sheets of metal from the dock roof have come loose and debris has been found in the water and washed up on resident's property.

The Chief Administrative Officer advised Council that the Department of Fisheries and Oceans was supposed to get back to the Town regarding their analysis of all properties. The CAO advised that he will follow up and provide Council with an update once the information is received.

2. Councillor Fryer asked when pothole patching will start around Town.

The Director of Engineering and Public Works advised Council that the patchwork has started in certain areas of the Town. She further advised that Public Works staff are completing on-going inspections and tending to the areas as soon as possible.

3. Councillor Fryer asked that the gravel road on Fryer Street South be given attention and that it be remembered when patchwork is being completed throughout the Town.
4. Councillor Pouget asked for an update with respect to the stop lights at Sandwich Street South and Pickering Drive.

The Director of Engineering and Public Works advised Council that the project was postponed due to the winter weather and currently the reinstallation of the

looping is being worked on in order to address timing concerns. She further stated that the entire intersection will be repaved shortly once the asphalt plants are opened.

5. Councillor Pouget asked for an update with respect to the Amherstburg Land Holdings property.

The Chief Administrative Officer advised Council that he will provide Council with a report to advise them of the status of the property.

## **NEW BUSINESS**

1. Councillor Meloche advised that he attended the gymnastics competition at the Libro Centre and relayed to Council that the event was very well attended.
2. Councillor Meloche advised that the stop signs at the intersection of Meloche Road and Simcoe Street appear to be small and less noticeable in that particular intersection and he is concerned that with the increase of traffic to the Libro Centre this may become an issue.

The Director of Engineering Public Works advised Council that there are oversized stops signs in some rural locations; however, the stop signs at Meloche Road and Simcoe Street are the standard signs for that intersection.

3. Councillor Meloche advised that the shoulder of the road on Alma Street just east of the 9<sup>th</sup> Concession is starting to deteriorate and he asked if there is a warranty on newly paved roads and further if that warrant covers the shoulder.

The Director of Engineering and Public Works advised Council that there is a one year maintenance period for all work performed by that contractor. She further advised that she will look into the area of concern.

4. Councillor Pouget asked if the Town is prepared for the large crowds anticipated for the Garden Tour in June.

The Chief Administrative Officer advised Council that the Special Events Committee will ensure that everything is coordinated in advance of the Garden Tour event.

## REPORT OUT FROM IN CAMERA SESSION

There was nothing to report out.

## NOTICE OF MOTION

Councillor Pouget introduced the following Notice of Motion for consideration and voting at the April 23, 2018, Regular Council Meeting:

*That Administration **BE DIRECTED** to prepare a full report regarding all infrastructure improvements, programs and initiatives that have been completed to date to greatly improve the sanitary and storm sewers in Amherstburg to alleviate flooding and/or sewage backup;*

*That Administration **BE DIRECTED** to make this report to residents to inform them that they may be able to use this as a tool with their insurance companies; and,*

*That Administration **BE DIRECTED** to request the support of the MPP and surrounding municipalities and send a letter to the Insurance Bureau of Canada to ask for reduced homeowners premiums and deductibles for the Essex County area based on improvements that are being made in the prevention of flood and sewer back up losses.*

## BY-LAWS

### 20.1 By-law 2018-30 - To Appoint Deputy Fire Chief (As dealt with above)

### 20.2 By-law 2018-36 - Confirmatory By-law

Resolution # 20180409-110

**Moved By** Councillor Fryer

**Seconded By** Councillor Pouget

**That By-law 2018-36 being a by-law to confirm all resolutions of the Municipal Council Meeting held April 9, 2018, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Deputy Mayor put the Motion.

**Motion Carried**

**SPECIAL IN-CAMERA COUNCIL MEETING**

Resolution # 20180409-111

**Moved By** Councillor Fryer

**Seconded By** Councillor Lavigne

**That Council move into an In-Camera Meeting of Council at 8:12 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:**

**ITEM A - Update on Building Services Staffing - 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.**

The Deputy 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 @ 8:26 P.M.**

**RESUMPTION OF REGULAR COUNCIL MEETING**

**Moved By** Councillor Meloche

**Seconded By** Councillor Lavigne

**That Council resume Regular session at 8:29 p.m.**

The Deputy Mayor put the Motion.

**Motion Carried**

**ADJOURNMENT**

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

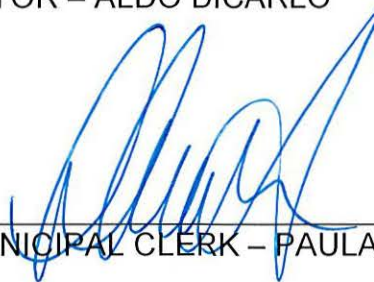
**That Council rise and adjourn at 8:29 p.m.**

The Deputy Mayor put the Motion.

**Motion Carried**



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MAYOR – ALDO DICARLO



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MUNICIPAL CLERK – PAULA PARKER