



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, April 23, 2018
6:00 PM**

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

MINUTES

PRESENT

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

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

ABSENT

Councillor Rick Fryer

CALL TO ORDER

The Mayor called the meeting to order at 6:16 p.m.

MOMENT OF SILENCE

To acknowledge the victims in the Toronto attack on the morning of April 23, 2018, the Mayor replaced the National Anthem with a Moment of Silence.

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

Councillor Lavigne declared a conflict of interest with respect to item #11.1 due to his parent's residence being in close proximity to the Belle Vue property.

Councillor Pouget declared a conflict of interest with respect to item #11.1 due to her residence being in close proximity to the Belle Vue property.

MINUTES OF PREVIOUS MEETING

Resolution # 20180423-113

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 **Special In-Camera Council Meeting Minutes - April 9, 2018**
- 4.2 **Regular Council Meeting Minutes - April 9, 2018**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

- 5.1 **Request to Advertise Event on Existing Signage - Lorene Clayton, Woofa-Roo Pet Fest**

Resolution # 20180423-114

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That:

- 1. The delegation BE RECEIVED; and,**
- 2. That Administration BE DIRECTED to provide a report to Council on the feasibility of electronic signage at the north and south entrances to the Town.**

The Mayor put the Motion.

Motion Carried

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

7.1 Final 2018 Tax Levy By-Law 2018-34

Resolution # 20180423-115

Moved By Councillor Lavigne

Seconded By Councillor Meloche

That:

- 1. The report from the Supervisor of Revenue, dated April 9, 2018 regarding Final 2018 Tax Levy By-law 2018-34 BE RECEIVED; and,**
- 2. By-law 2018-34 being a by-law to levy and collect taxes for the year 2018 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 Disability Waiting Period Self Insurance Policy Amendment

Resolution # 20180423-116

Moved By Councillor Meloche

Seconded By Councillor Courtney

That:

- 1. The report from the Manager, Human Resources dated March 15, 2018, regarding amendments to the Disability Waiting Period Self Insurance Policy; BE RECEIVED; and,**
- 2. The addition of criteria within the Disability Waiting Period Self Insurance Policy to cause an employee to be ineligible for payment by the Town during the wait period for disability benefits to commence BE APPROVED.**

The Mayor put the Motion.

Motion Carried

7.3 Staff Accommodation Review - Municipal Office

Resolution # 20180423-117

Moved By Councillor Meloche
Seconded By Councillor Pouget

That:

- 1. The report from the Treasurer dated April 11, 2018, regarding Staff Accommodation Review – Municipal Office BE RECEIVED; and,**
- 2. A transfer from the Working Capital Reserve account not to exceed \$50,000 BE APPROVED to fund implementation of the Staff Accommodation Review – Municipal Office Plan.**

The Mayor put the Motion.

Motion Carried

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

8.1 River Lights Winter Festival – Future Operation by and Asset Transfer to the Town of Amherstburg

Resolution # 20180423-118

Moved By Councillor Meloche
Seconded By Councillor Pouget

That:

1. The report from the Manager of Tourism and Culture dated April 4, 2018, regarding that the River Lights Winter Festival – Future Operation by and Asset Transfer to the Town of Amherstburg BE RECEIVED;
2. The future operation of the River Lights Winter Festival by the Town of Amherstburg and transfer of River Lights assets from the Chamber BE APPROVED, subject to execution of the Asset Transfer Agreement;
3. The Mayor and Clerk BE AUTHORIZED to execute an Asset Transfer Agreement between the Amherstburg Chamber of Commerce (Chamber) and the Town satisfactory in technical content to the Manager of Tourism and Culture, financial content to the Director of Corporate Services and legal content to the Director of Planning, Development and Legislative Services;
4. The Mayor and Clerk BE AUTHORIZED and to assume and/or execute, new Sponsorship Agreements for display maintenance;
5. A Festivals Reserve account BE ESTABLISHED for the purpose of holding festival event surpluses and or funding festival event deficits; and,
6. The cash based assets transferred from the Chamber related to the River Lights Winter Festival BE TRANSFERRED to the Festivals Reserve.

The Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

10.1 Notice of Intent to Demolish – 305 Dalhousie Street

Resolution # 20180423-119

Moved By Councillor Courtney
Seconded By Councillor Pouget

That:

- 1. The report from the Chief Building Official/Heritage Committee Liaison and Director of Planning, Development and Legislative Services dated April 6, 2018 regarding Notice of Intent to Demolish – 305 Dalhousie Street BE RECEIVED; and,**
- 2. The application for demolition of 305 Dalhousie Street BE SUPPORTED.**

The Mayor put the Motion.

Motion Carried

10.2 Amherstburg Farmer's Market - User Fees

Resolution # 20180423-120

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That:

- 1. The report from the Manager of Licensing and Enforcement dated April 7, 2018 regarding the Amherstburg Farmer's Market-User Fees BE RECEIVED; and,**
- 2. User Fees totalling \$3,775.12 for the Amherstburg Farmer's Market 2018 operating year BE WAIVED.**

The Mayor put the Motion.

Motion Carried

10.3 Election Sign By-law and User Fee By-law Amendment

Resolution # 20180423-121

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That:

- 1. The report from the Manager of Licensing and Enforcement dated April 6, 2018 regarding Election Sign By-law and User Fee By-law Amendment BE RECEIVED;**

2. **By-law 2018-37** being a by-law to Regulate Election Signs be taken as having been read 3 times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same; and,
3. **By-law 2018-41** being a by-law to Amend User Fee By-law 2017-96 be taken as having been read 3 times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

10.4 Road Closure- Dunn Street, Kingsbridge Subdivision Phase 8B-1

Resolution # 20180423-122

Moved By Councillor Meloche
Seconded By Deputy Mayor DiPasquale

That:

1. **The report from the Manager of Planning Services dated April 6, 2018, regarding a Road Closure - Dunn Street, Kingsbridge Subdivision Phase 8B-1 BE RECEIVED;**
2. **The request from 1078217 Ontario Limited for the road closure of Dunn Street on 12M-632 BE APPROVED; and,**
3. **By-law 2018-38** being a by-law to close Dunn Street and convey these lands to the Developer 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

10.5 Road Closure - Niklaus Court, Golfview Subdivision

Resolution # 20180423-123

Moved By Councillor Courtney
Seconded By Deputy Mayor DiPasquale

That:

1. **The report from the Manager of Planning Services dated April 6, 2018, regarding a Road Closure - Niklaus Court, Golfview Subdivision BE RECEIVED;**
2. **The request from Golfview Park Estates Inc. for the road closure of Niklaus Court on 12M-517 BE APPROVED; and,**
3. **By-law 2018-39 being a by-law to close Niklaus Court 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

11.1 Belle Vue Restoration Project - Roof Stabilization Tender Results

Councillors Lavigne and Pouget vacated their seats during discussion due to their declared conflict of pecuniary interest.

Councillor Meloche moved the motion with an amendment to allow Michael Prue, Treasurer, Belle Vue Conservancy to speak to the report.

Resolution # 20180423-124

Moved By Councillor Meloche

Seconded By Deputy Mayor DiPasquale

That:

1. **The report from the Chief Administrative Officer dated April 11, 2018, regarding the Belle Vue Restoration Project - Roof Stabilization Tender Results BE RECEIVED;**
2. **The tender from 818185 Ontario Inc. – o/a Robertson Restoration to complete the Belle Vue Roof Stabilization BE ACCEPTED in the amount of \$258,400 plus HST and that the Mayor and Clerk BE AUTHORIZED to execute any related agreements for completion of the works; and,**
3. **Michael Prue, Treasurer, Belle View Conservancy, BE ALLOWED to speak to the report.**

Mr.Prue addressed Council with respect to the report.

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20180423-125

Moved By Councillor Meloche

Seconded By Councillor Lavigne

That the following information reports BE RECEIVED:

- 12.1 Building Department Activity Report - February and March 2018**
- 12.2 Overview of Changes to the Land Use Planning and Appeal System**
- 12.3 Fire Department Monthly Activity Report – March 2018**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20180423-126

Moved By Councillor Meloche

Seconded By Councillor Pouget

That the following consent correspondence BE RECEIVED:

- 13.1 2018 Annual Show Book - Essex County Steam and Gas Engine Museum Inc.**
- 13.2 Request for Municipalities to have the Right to Approve Landfill Developments - Ernie Hardeman, MPP, Oxford**
- 13.3 Proposed Inclusionary Zoning Regulations - Planning and Growth Management Committee, City of Toronto**
- 13.4 CN Truck-Rail Development - Halton Region Resolution**
- 13.5 Request for Cancellation of Bill C-71, Amend Certain Acts & Regulations in Relation to Firearms - Township of Baldwin Resolution**

The Mayor put the Motion.

Motion Carried

Resolution # 20180423-127

Moved By Councillor Meloche
Seconded By Councillor Pouget

Item # 13.1 - That a 1/4 page, black and white advertisement in the amount of \$115.00 BE PLACED in the 2018 Annual Show Book for the Essex County Steam & Gas Engine Museum Inc.

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

14.1 Falun Dafa Month - May 2018

Resolution # 20180423-128

Moved By Councillor Pouget
Seconded By Deputy Mayor DiPasquale

That:

- 1. The correspondence dated April 7, 2018 regarding Falun Dafa Month - May 2018 BE RECEIVED; and,**
- 2. The month of May 2018 BE PROCLAIMED as Falun Dafa Month in the Town of Amherstburg.**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20180423-129

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That the following minutes BE RECEIVED:

- 15.1 Co-An Park Committee Meeting Minutes - March 14, 2018**
- 15.2 Co-An Park Committee Meeting Minutes - April 2, 2018**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. In light of the correspondence received earlier from the Miracle League, the Clerk asked for Council's indulgence to address the outstanding Rotary Sign request.

Resolution # 20180423-130

Moved By Councillor Lavigne
Seconded By Councillor Pouget

That the outstanding request from the Rotary Club to advertise on existing signage maintained by the Miracle League BE DENIED.

The Mayor put the Motion.

Motion Carried

NEW BUSINESS

1. Resolution # 20180423-131

Moved By Councillor Pouget
Seconded By Deputy Mayor DiPasquale

That Administration BE DIRECTED to look into the amendments in Section 6.1.2 of the Use of Corporate Resources for Elections Purposes policy.

The Mayor put the Motion.

	Yes/Concur	No/Not Concur
Councillor Courtney		X
Deputy Mayor DiPasquale	X	
Councillor Fryer	ABSENT	ABSENT
Councillor Lavigne		X
Councillor Meloche		X
Councillor Pouget	X	
Mayor DiCarlo		X

Motion Lost

REPORT OUT FROM IN CAMERA SESSION – April 9th, 2018 Meeting

Council met on April 9th, 2018, for a Special In-Camera Meeting at 8:12 p.m. and discussed (1) item as provided for under Section 239 of the Municipal Act:

ITEM A - Update on Building Services Staffing heard under sections 239(2)(b)&(d) of the Act. There is nothing further to report on this matter.

NOTICE OF MOTION

19.1 Request for report to Council regarding all infrastructure improvements, programs and initiatives completed to date to improve the sanitary and storm sewers - Councillor Pouget

Resolution # 20180423-132

Moved By Councillor Pouget
Seconded By Councillor Courtney

That:

- 1. 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;**
- 2. Administration BE DIRECTED to make this report available to residents to inform them that they may be able to use this as a tool with their insurance companies; and,**
- 3. 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.**

The Mayor put the Motion.

Motion Carried

Moved By Councillor Courtney
Seconded By Councillor Meloche

That the Rules of Order BE WAIVED to allow Jennie Lajoie to address Council with respect to flooding.

The Mayor put the Motion.

Motion Carried

BY-LAWS

20.1 By-law 2018-33 - To Appoint Deputy Chief Building Official

Resolution # 20180423-133

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That By-law 2018-33 being a by-law to Appoint a Deputy Chief Building Official for the Town of Amherstburg 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

20.2 By-law 2018-49 - Confirmatory By-law

Resolution # 20180423-134

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That By-law 2018-49 being a by-law to confirm all resolutions of the Municipal Council Meeting held April 23, 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 # 20180423-135

Moved By Councillor Lavigne

Seconded By Councillor Meloche

That Council move into an In-Camera Meeting of Council at 7:57 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A - Fort Street & Sandwich Street Development - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the municipality or local board.

ITEM B - Co-An Park Agreement - Section 239(2)(k) - A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by the behalf of the municipality or local board.

ITEM C - Potential Property Acquisition and Disposition Review - Community Benefit - 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 COUNCIL MEETING @ 9:09 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Meloche

Seconded By Deputy Mayor DiPasquale

That Council resume Regular session at 9:11 p.m.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN-CAMERA SESSION – April 23rd, 2018

Council met on April 23rd, 2018, for a Special In-Camera Meeting at 7:57 p.m. and discussed (3) items as provided for under Section 239 of the Municipal Act:

ITEM A – Fort Street & Sandwich Street Development heard under Section 239(2)(c) of the Act. There is nothing further to report on this matter.

ITEM B - Co-An Park Agreement heard under Section 239(2)(k) of the Act. There is nothing further to report on this matter.

ITEM C - Potential Property Acquisition and Disposition Review - Community Benefit heard under Section 239(2)(c) of the Act. As a result of that discussion, the following is before Council for consideration:

Resolution # 20180423-137

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That:

- 1. Administration BE AUTHORIZED to remove conditions for the acquisition of St. Bernard Catholic Elementary School at 320 Richmond, Amherstburg;**
- 2. The Mayor and Clerk BE AUTHORIZED to execute all documents in relation to the acquisition of St. Bernard Catholic Elementary School – 320 Richmond at a cost of \$550,000 subject to adjustments;**
- 3. The subject acquisition BE FUNDED from the Parkland Reserve; and,**
- 4. Administration BE AUTHORIZED to move forward with the proposed plans as identified in confidential report number 20180423-C.**

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That Council rise and adjourn at 9:13 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



MUNICIPAL CLERK – PAULA PARKER