



**TOWN OF AMHERSTBURG  
COUNCIL MEETING  
MINUTES**

**Monday, May 14, 2018  
6:00 P.M.**

**Council Chambers**

**271 Sandwich Street South, Amherstburg, ON, N9V 2A5**

**PRESENT**

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

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

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**CALL TO ORDER**

The Mayor called the meeting to order at 4:36 pm.

**SPECIAL IN-CAMERA COUNCIL MEETING**

Resolution # 20180514-139

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

**That Council move into an In-Camera Meeting of Council at 4:30 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:**

**ITEM A - Question Regarding the Law of Defamation - Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.**

**ITEM B - Bill 148 Implications - Section 239(3.1) - Educational Session.**

**ITEM C - Recreational Facility Opportunities - 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 THEROF**  
*(In-Camera Council Meeting Agenda Items)*

There were no disclosures of pecuniary interest noted.

**NATIONAL ANTHEM**

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

Councillor Pouget declared a pecuniary interest with respect to item # 12.3, Development Agreement for 110 St. Arnaud Street. She indicated that her husband collects a pension from the business at this address.

**MINUTES OF PREVIOUS MEETING**

Resolution # 20180514-140

**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:**

- 6.1 **Special In-Camera Council Meeting Minutes - April 23, 2018**
- 6.2 **Special Council Meeting Minutes - Planning - April 23, 2018**
- 6.3 **Regular Council Meeting Minutes - April 23, 2018**

The Mayor put the Motion.

**Motion Carried**

#### **DELEGATIONS**

- 7.1 **Request to Waive Rental Fees for the Annual Bob Meloche Kid's Fishing Derby - Luc Tremblay and Brian Beattie, AMA Sportsmen Association**

Resolution # 20180514 -141

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

**That the delegation BE RECEIVED.**

The Mayor put the Motion.

**Motion Carried**

- 7.2 **Portable Signage Request - Luigi DiPierdomenico and Ryan Culver, Lime Telenet**

Resolution # 20180514-142

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

**1. That the delegation BE RECEIVED; and,**

**2. The sign request as presented by Lime Telenet BE APPROVED.**

The Mayor put the Motion.

**Motion Carried**

**REPORTS – POLICE SERVICES**

There are no reports.

**REPORTS – CORPORATE SERVICES**

**9.1 By-law 2018-52 to Amend Final 2018 Tax Levy By-law 2018-34**

Resolution # 20180514-143

**Moved By** Councillor Meloche

**Seconded By** Councillor Fryer

**That:**

- 1. The report from the Supervisor of Revenue, dated April 26, 2018, BE RECEIVED; and,**
- 2. By-law 2018-52 a by-law to amend 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 that the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

**Motion Carried**

**9.2 2017 Year End Budget to Actual Summaries and Transfers**

Resolution # 20180514-144

**Moved By** Councillor Fryer

**Seconded By** Councillor Meloche

**That:**

- 1. The report from the Treasurer and Financial Planning Administrator dated April 23, 2018 regarding the 2017 Year End Budget to Actual**

**Summaries and Transfers for taxation, water and wastewater rate funded budget centres BE RECEIVED;**

- 2. The Treasurer BE AUTHORIZED to transfer \$59,796.90 to the Working Capital Reserve for consulting fees in the CAO budget centre;**
- 3. The Treasurer BE AUTHORIZED to transfer \$112,015 to the General Reserve Fund for the proceeds of sale of the building lots at the old water tower site per Policy ECDEV-RP-POL01 Disposition of Surplus Town Property;**
- 4. The Treasurer BE AUTHORIZED to transfer \$21,871 to the Working Capital Reserve from the Essex County Library Surplus received in 2017 and not spent under the Non-Departmental Budget Centre;**
- 5. The Treasurer BE AUTHORIZED to transfer \$30,833 from the Police Reserve to offset the cost of the Joint Police Advisory Committee (JPAC);**
- 6. The Treasurer BE AUTHORIZED to transfer \$100,000 from the Libro Centre Reserve to offset additional unexpected expenditures in refrigeration and mechanical expenses in the Libro Budget Centre;**
- 7. The Treasurer BE AUTHORIZED to transfer from \$59,434 from the Tax Stabilization Reserve to fund the 2017 taxation funded deficit;**
- 8. The water deficit of \$17,368 BE APPLIED as a transfer of \$17,368 from the water surplus reserve; and,**
- 9. The wastewater fund surplus of \$201,210 BE APPLIED to the wastewater surplus reserve.**

The Mayor put the Motion.

**Motion Carried**

### **9.3 2018 Water and Wastewater Operating and Capital Budgets**

Resolution # 20180514-145

**Moved By** Councillor Fryer

**Seconded By** Deputy Mayor DiPasquale

**That:**

1. **The report from the Treasurer dated April 25, 2018, regarding 2018 Water and Wastewater Operating and Capital Budgets BE RECEIVED; and,**
2. **The 2018 Water and Wastewater Operating and Capital Budgets BE TABLED for final consideration at the May 28, 2018, Regular Council Meeting.**

The Mayor put the Motion.

**Motion Carried**

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

### **10.1 Grass Cutting Operations - Wyandotte Cemetery Memorandum of Understanding (MOU)**

Resolution # 20180514-146

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

**That:**

1. **The report from the Manager of Parks & Naturalized Areas dated April 3, 2018, regarding Memorandum of Understanding – Grass Cutting Operations Wyandotte Cemetery BE RECEIVED; and,**
2. **By-law 2018-40 being a by-law authorizing the execution of a Memorandum of Understanding between the Corporation of the Town of Amherstburg and the Indigenous and Northern Affairs Canada – Ontario Region regarding maintenance of Wyandotte Cemetery be read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

**Motion Carried**

### **10.2 Amherstburg Branding Strategy – RFP Results**

Resolution # 20180514-147

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

**That:**

- 1. The report from the Manager of Tourism and Culture dated May 3, 2018, regarding the Amherstburg Branding Strategy – RFP Results BE RECEIVED; and,**
- 2. An agreement with Cinnamon Toast New Media Inc. to complete the Amherstburg Branding Strategy BE AUTHORIZED at a cost not to exceed \$75,000.00 plus H.S.T. and the Mayor and Clerk BE AUTHORIZED to execute all documentation in relation to Cinnamon Toast New Media Inc. Agreement.**

The Mayor put the Motion.

**Motion Carried**

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

### **11.1 Sandwich Street Bike Lane Review**

Resolution # 20180514-148

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

**That:**

- 1. The report from the Manager of Engineering dated April 12, 2018, regarding the Sandwich Street Bike Lane Review BE RECEIVED;**
- 2. Administration BE DIRECTED to proceed with the request to re-designate Sandwich Street between Lowes Sideroad and Pickering Drive from signed route to bike lane in the County Wide Active Transportation System; and,**
- 3. Administration BE DIRECTED to include \$16,000 (60%) in the 2019 Capital budget and request the remaining (\$14,000) 40% from the County of Essex through the CWATS program.**

The Mayor put the Motion.

**Motion Carried**

## 11.2 South Riverview Road Crossing Culvert Failure

Resolution # 20180514-149

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

**That:**

1. **The report from the Drainage Superintendent and Engineering Coordinator dated April 12, 2018, regarding the South Riverview Road Crossing Culvert Failure BE RECEIVED;**
2. **The unbudgeted replacement of the South Riverview Road Crossing of \$113,578.00 BE APPROVED; and,**
3. **The Treasurer BE AUTHORIZED to transfer \$113,578.00 from the Capital Replacement Reserve to fund the South Riverview Road Crossing.**

The Mayor put the Motion.

**Motion Carried**

## REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

### 12.1 Road Dedication of Block 48, 12M-345

Resolution # 20180514-150

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

**That:**

1. **The report from the Manager of Planning Services regarding the Road Dedication of Block 48, 12M-345 as a Public Highway BE RECEIVED;**
2. **The dedication of Block 48, 12M-345 as a Public Highway BE APPROVED; and,**
3. **By-law 2018-47 being a by-law to dedicate Block 48, 12M-345 as a public highway 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**

**12.2 Request for Removal of Part Lot Control- Kingsbridge Subdivision Phase 8B-1**

Resolution # 20180514-151

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

**That:**

- 1. The report from the Manager of Planning Services dated April 19, 2018 regarding the Request for Removal of Part Lot Control- Kingsbridge Subdivision Phase 8B-1, BE RECEIVED;**
- 2. The application for removal of Part Lot Control for Lots 29, 30, 31 and 32, Block 56 and Dunn Street, Registered Plan 12M-632 BE APPROVED; and,**
- 3. By-law 2018-50 being a by-law to remove certain lands from Part Lot Control (12M-632) 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 Development Agreement for 110 St. Arnaud Street**

Councillor Pouget removed herself from discussion and voting on the matter due to her declared pecuniary interest.

Resolution # 20180514-152

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

**That:**

- 1. The report from the Manager of Planning Services dated April 27, 2018, regarding the Development Agreement for 110 St. Arnaud Street BE RECEIVED;**

2. **The site plan and development agreement for 110 St. Arnaud Street BE APPROVED; and,**
3. **By-law 2018-53 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**

#### **12.4 2018 Special Events Approval**

Resolution # 20180514-153

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

**That Council WAIVE rules of order and allow Carl Gibb to address Council regarding the Rotary Ribfest.**

The Mayor put the Motion.

**Motion Carried**

Resolution # 20180514-154

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

**That:**

1. **The report from the Public Events Committee (PEC) dated April 26, 2018, regarding 2018 Special Events Approval BE RECEIVED;**
2. **That the events BE APPROVED as listed:**
  - **Music Off the Back Porch – (*Date change only*) from 2<sup>nd</sup> Friday of every month from May 11, 2018 through to October 12, 2018 change to 1<sup>st</sup> Friday of every month from June 1, 2018 through to October 5, 2018**
  - **Ride for Dad – May 27, 2018**
  - **33<sup>rd</sup> Annual Garden Tour – June 9 & 10, 2018**
  - **2018 Seniors Expo – June 11 & 12, 2018**

- South Coast Adventure Race – June 16, 2018
  - Annual Bob Meloche Kids Father’s Day Fishing Derby – June 17, 2018
  - Canada D’Eh Run – July 1, 2018
  - Canada Day Treat ‘N’ Eats (Formerly Amherstburg Ice Cream Festival) – July 1, 2018
  - Amherstburg Rotary Ribfest –July 6, 7 & 8, 2018
  - Church Service & Picnic – August 19, 2018
  - Super Santa Run – November 17 ,2018
  - The Amherstburg Santa Claus Parade – November 24, 2018
3. An exemption from table number 3-1-2 of Noise By-law 2001-43 with respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loud speakers to allow for live music **BE GRANTED** for the events listed:
- Amherstburg Rotary Ribfest –July 6, 7 & 8, 2018
4. The following events **BE EXEMPT** and **PERMITTED** for road closure to begin prior to 5pm;
- Ride for Dad – May 27, 2018
  - Canada D’Eh Run – July 1, 2018
  - Super Santa Run – November 17 ,2018
  - The Amherstburg Santa Claus Parade – November 24, 2018
5. An exemption **BE GRANTED** to Section 3 and 4b of the Kings Navy Yard Park By-law #2004-89 to allow for a public function and fishing outside of the designated fishing area for the event listed:
- Annual Bob Meloche Kids Father’s Day Fishing Derby – June 17, 2018
6. An exemption **BE GRANTED** to Section 5 of the Parks By-law 2002-72 to allow for a religious ceremony and picnic for the event listed at Toddy Jones Park, and,
- Church Service and Picnic – August 19, 2018
7. The Public Events Committee **BE DIRECTED** to confirm the requirements identified by the Committee are met prior to the event.

The Mayor put the Motion.

**Motion Carried**

Resolution # 20180514-155

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

**That Council WAIVE fees for the Rotary Ribfest and APPROVE the request for 28 days for 10 signs in the same locations identified in 2017.**

The Mayor put the Motion.

**Motion Carried**

**12.5 Sign Variance Request – Brad Bondy, Re/Max Preferred Realty Ltd.**

Resolution # 20180514-156

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

**That the report BE DEFERRED until further clarification from Mr. Bondy can be arranged on the location and/or reduction of size.**

The Mayor put the Motion.

**Motion Carried**

**12.6 County File 37-T-18001, 1078217 Ontario Limited Kingsbridge Subdivision, Part of Lots 13 and 14, Concession 1 (Anderdon)**

Resolution # 20180514-157

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

**That:**

- 1. The report from the Manager of Planning Services dated April 18, 2018 regarding Draft Plan of Subdivision BE RECEIVED; and,**
- 2. By-law 2018-31 being a by-law to authorize the signing of a subdivision 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**

**12.7 Official Plan Amendment No. 8 and Zoning By-law Amendment for 83 Sandwich Street South**

Resolution # 20180514-158

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

**That Council WAIVE rules of order and allow Rennie Rota an opportunity to address Council regarding item 12.7.**

The Mayor put the Motion.

**Motion Carried**

Resolution # 20180514-159

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

**That Mr. Rota's delegation BE RECEIVED.**

The Mayor put the Motion.

**Motion Carried**

Resolution # 20180514-160

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

**That:**

- 1. The report from the Manager of Planning Services dated May 11, 2018, regarding Official Plan Amendment No. 8 and Zoning By-law Amendment for 83 Sandwich Street South BE RECEIVED;**
- 2. By-law 2018-43 being a by-law to adopt amendment No. 8 to the Official Plan 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; and,**

3. **By-law 2018-44 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**

There were no reports.

#### **INFORMATION REPORTS**

Resolution # 20180514-161

**Moved By** Councillor Fryer

**Seconded By** Councillor Pouget

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

- 14.1 **Monthly Activity Report – APSB Meeting of March 20, 2018**
- 14.2 **Committee Resignation – Accessibility Advisory Committee**
- 14.3 **Accounts Payable for the Month of April 2018**
- 14.4 **Information Update – Former General Chemical Property**

The Mayor put the Motion.

**Motion Carried**

#### **CONSENT CORRESPONDENCE**

Resolution # 20180514-162

**Moved By** Councillor Meloche

**Seconded By** Councillor Fryer

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

- 15.1 Ministry Approval of Interprofessional Primary Care Teams in the Town of Amherstburg - Letter from Essex County Nurse Practitioner-Led Clinic
- 15.2 Request for Cancellation or Bill C-71, Amend Certain Acts and Regulations in Relation to Firearms - Township of Baldwin
- 15.3 Larviciding - Notice of Action Letter to Municipalities Under Ontario Regulation 199/03 - Windsor-Essex County Health Unit
- 15.4 62nd Annual Training & Education Symposium - OMFPOA, Chapter 8 Windsor, Essex County, Chatham-Kent Region Fire Prevention Division
- 15.5 Graduation from AMCTO's Executive Diploma in Municipal Management, Paula Parker - Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO)
- 15.6 Renovation and/or Demolition of All Buildings Containing Hazardous Materials - Town of Lakeshore Resolution
- 15.7 Integrated Bilateral Agreement (IBA) for Provincial Funding for Infrastructure Projects - Ministry of Infrastructure
- 15.8 2018-2020 Call for Nominations - AMO Board of Directors
- 15.9 Wildlife Trapping - Municipality of East Ferris Resolution
- 15.10 Champion of Diversity Award - Ministry of Citizenship and Immigration
- 15.11 2018 Premier's Award for the Agri-Food Innovation Excellence - Ministry of Agriculture, Food and Rural Affairs
- 15.12 Fire Safety Technical Table established in January 2017 - Ministry of Community Safety and Correctional Services

The Mayor put the Motion.

**Motion Carried**

Resolution # 20180514-163

**Moved By** Councillor Meloche

**Seconded By** Councillor Lavigne

*(Item 15.4)* - That Council **APPROVE** an advertisement for the OMFPOA for 2018.

The Mayor put the Motion.

**Motion Carried**

## **CORRESPONDENCE**

### **16.1 Seniors' Month - June 2018**

Resolution # 20180514-164

**Moved By** Councillor Fryer

**Seconded By** Deputy Mayor DiPasquale

**That:**

- 1. The correspondence dated May 4, 2018 from the Minister of Seniors Affairs BE RECEIVED; and,**
- 2. June 2018 BE PROCLAIMED as Seniors Month in the Town of Amherstburg.**

The Mayor put the Motion.

**Motion Carried**

## **CONSENT OTHER MINUTES**

Resolution # 20180514-165

**Moved By** Councillor Meloche

**Seconded By** Councillor Lavigne

**That the following minutes BE RECEIVED:**

### **17.1 Committee of Adjustment Meeting Minutes - February 27, 2018**

The Mayor put the Motion.

**Motion Carried**

## **OTHER MINUTES**

### **18.1 Drainage Board Meeting Minutes - May 1, 2018**



Resolution # 20180514-166

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

**That:**

1. **The Drainage Board Meeting Minutes of May 1, 2018, BE RECEIVED;**
2. **The appointment of the firm R. Dobbin Engineering Inc. for the repair and improvement to the Renaud Drain, as recommended by the Drainage Board, BE APPROVED;**
3. **The appointment of the firm R. Dobbin Engineering Inc. for the repair and improvement to the John Parks Drain No. 1, as recommended by the Drainage Board, BE APPROVED; and,**
4. **The appointment of the firm Dillon Consulting Ltd. for the repair and improvement of the Lemay-Cookson Drain, as recommended by the Drainage Board, BE APPROVED.**

The Mayor put the Motion.

**Motion Carried**

#### **UNFINISHED BUSINESS**

There were no Unfinished Business Items discussed at this meeting.

#### **NEW BUSINESS**

1. Councillor Fryer moved the following motion:

Resolution # 20180514-167

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

**That Administration BE DIRECTED to review funding possibilities for South Riverview Road.**

The Mayor put the Motion.

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

**Motion Carried**

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

There was nothing to report out at this time.

### **NOTICE OF MOTION**

There were no Notices of Motion.

### **BY-LAWS**

#### **23.1 By-law 2018-60 - Confirmatory By-law**

Resolution # 20180514-168

**Moved By** Councillor Fryer

**Seconded By** Councillor Meloche

**That By-law 2018-60 being a by-law to confirm all resolutions of the Municipal Council Meetings held May 10th and 14th, 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 # 20180514-169

**Moved By** Councillor Fryer

**Seconded By** Deputy Mayor DiPasquale

**That Council move into an In-Camera Meeting of Council at 8:31 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:**

**ITEM C - Recreational Facility Opportunities - 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**

## **ADJOURNMENT OF IN-CAMERA COUNCIL MEETING @ 9:24 p.m.**

## **RESUMPTION OF REGULAR COUNCIL MEETING**

**Moved By** Deputy Mayor DiPasquale

**Seconded By** Councillor Meloche

**That Council resume Regular session at 9:26 pm.**

The Mayor put the Motion.

**Motion Carried**

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

Council met on May 14, 2018 at 4:30 p.m. and 8:31 p.m. and discussed (3) items as provided for under section 239 of the Municipal Act:

**ITEM A - Question Regarding the Law of Defamation** heard under Section 239(2)(f) of the Act. There is nothing further to report on this matter.

**ITEM B - Bill 148 Implications** heard under Section 239(3.1) of the Act. There is nothing further to report in this matter.

**ITEM C - Recreational Facility Opportunities** heard under Section 239(2)(c) of the Act. There is nothing further to report on this matter.

**ADJOURNMENT**

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

**That Council rise and adjourn at 9:28 p.m.**

The Mayor put the Motion.

**Motion Carried**



MAYOR – ALDO DICARLO



MUNICIPAL CLERK – PAULA PARKER