



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, June 25, 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 Rick Fryer
Councillor Jason Lavigne
Councillor Leo Meloche
Councillor Diane Pouget

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

CALL TO ORDER

The Mayor called the meeting to order at 3:39 p.m.

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20180625-215

Moved By Councillor Lavigne
Seconded By Councillor Fryer

That Council move into an In-Camera Meeting of Council at 3:40 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

Item A - Update on Ontario Municipal Board Hearing - Boblo Developments - Section 239(2)(e) - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Item B - Confidentiality - Section 239(3.1) - Education or Training Session.

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 for items A & B on the Special In-Camera Council Meeting agenda.

RISE OF IN-CAMERA COUNCIL MEETING @ 5:38 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Meloche
Seconded By Councillor Fryer

That Council resume Regular session at 6:44 p.m.

The Mayor put the Motion.

Motion Carried

NATIONAL ANTHEM

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

Councillor Pouget declared a conflict of pecuniary interest with respect to the following items on the Special In-Camera Council Meeting agenda:

- Item C – Belle Vue Fundraising - Residence is in close proximity to Belle Vue. After consideration of the Belle Vue Fundraising In-Camera report, Councillor Pouget withdrew her conflict (declaration) on item C.
- Item D – Police Contract Negotiations - Son-in-law is employed with the Windsor Police Service

Deputy Mayor DiPasquale declared a conflict of pecuniary interest with respect to item D – Police Contract Negotiations - several members of his family being employed with the Windsor Police Service including his daughter.

Councillor Meloche thanked everyone for their kindness and support during the recent loss of his wife.

MINUTES OF PREVIOUS MEETING

Resolution # 20180625-220

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:

- 8.1 **Special Council Meeting Minutes - Planning - June 11, 2018**
- 8.2 **Regular Council Meeting Minutes - June 11, 2018**
- 8.3 **Special Council Meeting Minutes - June 14, 2018**

The Mayor put the Motion.

Motion Carried

Item # 14.1 was moved forward to accommodate representatives in the gallery.

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

14.1 Encroachment Request – 238 Dalhousie Street

Resolution # 20180625-221

Moved By Councillor Lavigne

Seconded By Councillor Meloche

That:

- 1. The report from the Manager of Licensing and Enforcement dated June 7, 2018 regarding Encroachment Request - 238 Dalhousie Street BE RECEIVED; and,**
- 2. Administration BE DIRECTED to enter into an Encroachment Agreement with the Owner of 238 Dalhousie Street to allow for a patio extension.**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

There were no Delegations.

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

11.1 2018 Water and Wastewater Budget Approval

Resolution # 20180625-222

Moved By Councillor Meloche

Seconded By Councillor Courtney

That:

1. **The report from the Treasurer dated June 11, 2018, regarding 2018 Water and Wastewater Budget Approval BE RECEIVED;**
2. **The 2018 Water Budget (operating and capital) BE ADOPTED;**
3. **The 2018 Wastewater Budget (operating and capital) BE ADOPTED;**
4. **A Water user rate increase of 5% BE IMPLEMENTED effective August 1, 2018;**
5. **A Wastewater user rate increase of 1.3% BE IMPLEMENTED effective August 1, 2018; and,**
6. **By-law 2018-72 being a By-law for Fixing Rates for the Supply of Water and for Fixing Rates for the Collection and Treatment of Wastewater 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 – PARKS, FACILITIES, RECREATION AND CULTURE

12.1 Parks Canada 2018 Agreement – Canada Day

Resolution # 20180625-223

Moved By Councillor Lavigne

Seconded By Councillor Meloche

That:

1. **The report from the Manager of Tourism and Culture dated June 11, 2018, regarding the Parks Canada 2018 Agreement – Canada Day BE RECEIVED;**
2. **The Mayor and Clerk BE AUTHORIZED to sign the License of Occupation Agreement for the 2018 Canada Day event; and,**
3. **By-law 2018 – 71 being a by-law to enter into an agreement between Fort Malden National Historic Site and the Corporation of the Town of Amherstburg be read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

REPORTS – ENGINEERING AND PUBLIC WORKS

13.1 Pickering Drive Phase 2 Watermain Replacement and Road Improvements (King St. to Fryer St.) - Tender Results

Resolution # 20180625-224

Moved By Councillor Fryer

Seconded By Deputy Mayor DiPasquale

That:

- 1. The report from the Manager of Engineering dated June 4, 2018, regarding the Pickering Drive Phase 2 Watermain Replacement and Road Improvements (King St. to Fryer St.) - Tender Results BE RECEIVED;**
- 2. The tender BE AWARDED to SLR Contracting Group Inc. to complete the Pickering Drive Phase 2 Watermain Replacement and Road Improvements (King St. to Fryer St.) in an amount not to exceed \$893,218.00 plus H.S.T. and the Mayor and Clerk BE AUTHORIZED to execute an agreement for that purpose; and,**
- 3. An over-expenditure not to exceed \$9,500 BE APPROVED for the Pickering Drive Phase 2 Road Improvements (King St. to Fryer St.) to be funded from taxation.**

The Mayor put the Motion.

Motion Carried

13.2 2018 Road Repairs Program Tender Results

Resolution # 20180625-225

Moved By Councillor Fryer

Seconded By Councillor Meloche

That:

- 1. The report from the Manager of Roads and Fleet dated June 12, 2018, regarding the 2018 Road Repairs Program Tender Results BE RECEIVED;**

2. **The 2018 Road Repairs Program Tender BE AWARDED to Nasci Construction Services Limited in the amount of \$140,270.00 plus H.S.T.; and,**
3. **The Mayor and Clerk BE AUTHORIZED to execute an agreement with Nasci Construction Services Limited for completion of the 2018 Road Repairs Program.**

The Mayor put the Motion.

Motion Carried

13.3 LED Streetlight Conversion Additional Fixtures

Resolution # 20180625-226

Moved By Councillor Meloche

Seconded By Councillor Fryer

That:

1. **The report from the Manager of Engineering dated June 8, 2018, regarding the LED Streetlight Conversion – Additional Fixtures BE RECEIVED;**
2. **Administration BE AUTHORIZED to extend the contract with Anchor Hydro (1903292 Ontario Inc.) in an amount not to exceed \$145,800 plus HST for supply and installation of 210 additional fixtures required to complete the LED Streetlight Conversion project, for a total contract value not to exceed \$1,332,556 plus HST;**
3. **A transfer of \$50,000 from the Working Capital reserve BE APPROVED toward funding the LED Streetlight Conversion project;**
4. **A transfer not to exceed \$1,256,009 from the Development Charge Reserve Fund BE APPROVED as a loan to internally finance the project; and,**
5. **The loan from the Development Charges Reserve Fund BE REPAYED through future budget transfers.**

The Mayor put the Motion.

Motion Carried

- 13.4 Edgewater Sewage Diversion – PS-22 Upgrades and Forcemain - Tender Results**
(Removed from the agenda)

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

- 14.1 Encroachment Request – 238 Dalhousie Street**
(As dealt with above)

- 14.2 Temporary Extension for Liquor Sales for the ‘Amherstburg Uncommon’ Event**

Resolution # 20180625-227

Moved By Councillor Fryer
Seconded By Councillor Meloche

That:

1. The report from the Manager of Licensing and Enforcement dated June 7, 2018, regarding a Temporary Extension Application for Liquor Sales for the ‘Amherstburg Uncommon’ Event BE RECEIVED; and,
2. That Administration BE DIRECTED to advise the Alcohol and Gaming Commission of Ontario (AGCO) that Council has no objection to the proposed temporary extension of the licensed area for the following businesses;
 - a. The Beacon Alehouse, 239 Dalhousie St, Amherstburg
 - b. Artisan Grill, 269 Dalhousie St, Amherstburg

The Mayor put the Motion.

Motion Carried

- 14.3 Zoning By-law Amendment for 433 Sandwich St S**

Resolution # 20180625-228

Moved By Councillor Meloche
Seconded By Councillor Fryer

That:

1. The report from the Manager of Planning Services dated June 12, 2018, regarding the proposed Zoning By-law Amendment for 433 Sandwich St S, BE RECEIVED; and,
2. By-law 2018-62 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

14.4 Amending Subdivision Agreement for Meadow View Estates

Resolution # 20180625-229

Moved By Councillor Meloche
Seconded By Councillor Courtney

That:

1. The report from the Manager of Planning Services dated June 11, 2018 regarding Amending Subdivision Agreement for Meadow View Estates BE RECEIVED;
2. The amending Subdivision Agreement between the Town and 1352120 Ontario Limited (Developer) for Meadow View Estates addressing model home permits, oversizing repayment and cash in lieu of parkland dedication BE APPROVED; and,
3. By-law 2018-35 being a by-law to Authorize the Signing of an Amending 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

14.5 Sign Variance Request – Brad Bondy-103 Sandwich Street

Resolution # 20180625-230

Moved By Councillor Fryer
Seconded By Councillor Meloche

That:

1. **The report from the Manager of Licensing and Enforcement dated June 21, 2018 regarding Sign Variance Request - Brad Bondy - 103 Sandwich Street BE RECEIVED; and,**
2. **Exemptions to sections 4.1(b) and 9.5(4) of Sign By-law 2006-26 BE APPROVED to allow for a pylon sign at 103 Sandwich Street South.**

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

15.1 Appointment of Proxy Holder for Essex Power Corporation's Annual Shareholder's Meeting

Resolution # 20180625-231

Moved By Councillor Fryer

Seconded By Councillor Meloche

That:

1. **The report from the Deputy Clerk dated June 15, 2018, regarding Appointment of Proxy Holder for Essex Power Corporation's Annual Shareholder's Meeting BE RECEIVED;**
2. **Mayor Aldo DiCarlo BE APPOINTED proxy holder for the Town of Amherstburg for Essex Power Corporation's Annual Shareholder's Meeting;**
3. **Bill Wark BE APPOINTED as the alternate proxy holder for the Town of Amherstburg for Essex Power Corporation's Annual Shareholder's Meeting; and,**
4. **The Clerk BE AUTHORIZED to sign all necessary proxy forms to implement this resolution and forward them to Essex Power Corporation as required.**

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20180625-232

Moved By Councillor Fryer
Seconded By Councillor Meloche

That the following information reports BE RECEIVED:

16.1 Monthly Fire Department Activity Report – May 2018

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20180625-233

Moved By Councillor Lavigne
Seconded By Councillor Fryer

That the following consent correspondence BE RECEIVED:

17.1 Cross-Country Consultations on Air Passenger Rights and the Aviation Ecosystem - National Airlines Council of Canada

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20180625-234

Moved By Councillor Courtney
Seconded By Councillor Lavigne

That the following minutes BE RECEIVED:

18.1 Co-An Park Meeting Minutes - May 10, 2018

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Pouget asked when a report would be before Council regarding the 3" calibre trees.

The Director of Planning & Legislative Services advised Council that there are complicated factors to consider and that he is currently working on the appropriate contract language.

NEW BUSINESS

1. Councillor Fryer advised Council that residents would like to fish along the entire Kings Navy Yard Park shore during specific times of the year.
2. Councillor Fryer advised Council that residents are thanking the Town for the removing the interlocking brick sidewalks and replacing them with concrete.

REPORT OUT FROM IN CAMERA SESSION

There was nothing to report out.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

23.1 By-law 2018-73 - Confirmatory By-law

Resolution # 20180625-235

Moved By Councillor Fryer

Seconded By Councillor Lavigne

That By-law 2018-73 being a by-law to confirm all resolutions of the Municipal Council Meetings held June 14th and 25th, 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.

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20180625-236

Moved By Councillor Meloche

Seconded By Councillor Lavigne

That Council move into an In-Camera Meeting of Council at 7:11 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

Item C - Belle Vue Fundraising - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees; and, Section 239(2)(j) - A trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value.

Item D - Police Contract Negotiations - 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 or on behalf of the municipality or local board.

Item E - Update - Council Report 20180423-C - 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

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That Council rise and adjourn at 9:05 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



MUNICIPAL CLERK – PAULA PARKER