



TOWN OF AMHERSTBURG

COUNCIL MEETING

Monday, August 13, 2018

6:00 P.M.

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

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

CALL TO ORDER

The Mayor called the meeting to order at 6:05 pm.

NATIONAL ANTHEM

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

There were no disclosures of pecuniary interest noted.

MINUTES OF PREVIOUS MEETING

Resolution # 20180813-263

Moved By Councillor Fryer
Seconded By Councillor Lavigne

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 Council Meeting Minutes - Planning - July 23, 2018**
- 4.2 **Regular Council Meeting Minutes - July 23, 2018**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

- 5.1 **Print-to-Braille Accessibility for Municipalities - Emmanuel and Rebecca Blaevoet, Tactile Vision Graphics**

Resolution # 20180813-264

Moved By Councillor Fryer
Seconded By Councillor Meloche

That:

1. **The delegation BE RECEIVED; and,**
2. **Administration BE DIRECTED to bring back recommendations to include braille in next or future agendas.**

The Mayor put the Motion.

Motion Carried

5.2 Tom and Suzana Siimes - Concerns with the proposed Zoning By-law Amendment for 6136 Concession 6 N, Part of Lot 2, Concession 5

Resolution # 20180813-265

Moved By Councillor Fryer
Seconded By Councillor Pouget

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

5.3 Vanessa and Eric Jaber - Request to perform a blessing at Kings Navy Yard Park

Resolution # 20180813-266

Moved By Councillor Fryer
Seconded By Councillor Pouget

That:

- 1. The delegation BE RECEIVED; and,**
- 2. The exemption to By-law 2002-72, Section 5 BE APPROVED.**

The Mayor put the Motion.

Motion Carried

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

7.1 Development Charges Deferral Agreements

Moved By Councillor Fryer
Seconded By Councillor Lavigne

That the rules of order BE WAIVED to allow Norbert Bolger, Norbert Construction, to address Council regarding item # 7.1.

The Mayor put the Motion.

Motion Carried

Resolution # 20180813-267

Moved By Councillor Fryer
Seconded By Councillor Pouget

That:

- 1. The report from the Director of Corporate Services and the Director of Planning, Development and Legislative Services dated July 25, 2018 regarding Development Charges Deferral Agreements BE RECEIVED;**
- 2. DIRECTION BE PROVIDED as follows:**

Option B: The practice of offering Development Charges Deferral Agreements BE CONTINUED until December 31, 2018; and,

- 3. Administration BE DIRECTED to report back after the Election.**

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

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There were no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

REPORTS– PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

10.1 Encroachment Request – 1644 Park Avenue

Resolution # 20180813-268

Moved By Councillor Lavigne

Seconded By Councillor Meloche

That:

- 1. The report from the Manager of Licensing and Enforcement dated July 18, 2018 regarding Encroachment Request - 1644 Park Avenue BE RECEIVED; and,**
- 2. Administration BE DIRECTED to enter into an Encroachment Agreement with the Owner of 1644 Park Avenue to allow for a shed encroachment.**

The Mayor put the Motion.

Motion Carried

10.2 Amending Development Agreement for 83 Sandwich Street South

Resolution # 20180813-269

Moved By Councillor Lavigne

Seconded By Councillor Pouget

That:

- 1. The report from the Manager of Planning Services regarding the Amending Development Agreement for 83 Sandwich Street South, BE DEFERRED until the appeal of the official plan designation of the ZBA has been heard and decided by LPAT on August 16, 2018.**

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

10.3 Clarification on Statutory Public Meeting for a Zoning By-Law Amendment at 6136 Concession 6 N, Part of Lot 2, Concession 5

Resolution # 20180813-270

Moved By Councillor Pouget
Seconded By Councillor Lavigne

That:

1. **The report from the Director of Planning, Development and Legislative Services dated July 30, 2018, BE RECEIVED; and,**
2. **Council DOES NOT SUPPORT the Zoning By-Law Amendment to By-law 1999-52 pertaining to the property.**

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

10.4 Parks Master Plan Draft for Approval

Resolution # 20180813-271

Moved By Councillor Courtney
Seconded By Councillor Lavigne

That:

1. **The report from the Manager of Planning Services dated July 24, 2018 regarding Parks Master Plan Draft for Approval BE RECEIVED; and,**
2. **The Parks Master Plan, as appended to that report, BE ADOPTED.**

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

There were no reports.

INFORMATION REPORTS

Resolution # 20180813-272

Moved By Councillor Fryer

Seconded By Councillor Lavigne

That the following information reports BE RECEIVED:

- 12.1 Monthly Activity Report – APSB Meeting of May 17, 2018**
- 12.2 Monthly Activity Report – APSB Meeting of June 14, 2018**
- 12.3 Transportation Feasibility Study and Grant Denial**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20180813-273

Moved By Councillor Courtney

Seconded By Deputy Mayor DiPasquale

That the following consent correspondence BE RECEIVED:

- 13.1 Ontario's Green Energy Act - Township of North Stormont Resolution**
- 13.2 Flags of Remembrance 2018 Sponsorship Form - Veterans Voices of Canada**
- 13.3 Children & Animals in Hot Vehicles - Town of Lakeshore Resolution**

The Mayor put the Motion.

Motion Carried

Resolution # 20180813-274

Moved By Deputy Mayor DiPasquale
Seconded By Councillor Fryer

Item # 13.2 - That a donation of \$1000 to the Flags of Remembrance 2018 - Veterans Voices of Canada BE APPROVED.

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

There was no correspondence for this meeting.

CONSENT OTHER MINUTES

Resolution # 20180813-275

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That the following minutes BE RECEIVED:

15.1 Heritage Committee Meeting Minutes - April 5, 2018

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

16.1 Drainage Board Meeting Minutes - August 7, 2018

Resolution # 20180813-276

Moved By Councillor Fryer
Seconded By Councillor Meloche

That:

- 1. The Drainage Board Minutes of August 7, 2018, BE RECEIVED; and,**

2. **By-law 2018-84 being a By-law to provide for culvert replacement on the Renaud Drain based on the Drainage Report by R. Dobbins Engineering Inc. BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Courtney inquired about an Unfinished Business item regarding an accessible fishing pier. The Manager of Licensing and Enforcement indicated that the item was deferred into the Parks Master Plan.
2. Councillor Fryer inquired about the progress of the policing contract. The CAO indicated that administration has been working diligently on the contract and it is approximately 90% complete. He also advised that he expected it to be complete for Council's information in early September.

NEW BUSINESS

There was no New Business.

REPORT OUT FROM IN CAMERA SESSION - June 25th, 2018 Meeting

Council met on June 25th, 2018, for a Special In-Camera Meeting at 3:40 pm and 7:11pm and discussed (5) items as provided for under Section 239 of the Municipal Act:

Item A - Update on Ontario Municipal Board Hearing - Boblo Developments heard under Sections 239(2)(e)&(f) of the Act. There is nothing further to report at this time.

Item B - Confidentiality heard under Section 239(3.1) of the Act. There is nothing further to report at this time.

Item C - Belle Vue Fundraising heard under Sections 239(2)(b)&(j) of the Act. There is nothing further to report at this time.

Item D - Police Contract Negotiations heard under Section 239(2)(k) of the Act. There is nothing further to report at this time.

Item E - Update - Council Report 20180423-C heard under Section 239(2)(c) of the Act. There is nothing further to report at this time.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

21.1 By-law 2018-85 - Confirmatory By-law

Resolution # 20180813-277

Moved By Councillor Meloche

Seconded By Councillor Fryer

That By-law 2018-85 being a by-law to confirm all resolutions of the Municipal Council Meeting held August 13, 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 # 20180813-278

Moved By Councillor Lavigne

Seconded By Councillor Meloche

That Council move into an In-Camera Meeting of Council at 7:51pm pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reason:

Item A - Portion of 7860 County Road 20, s/t Malden Firefighter's Association - 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 Item)

There were no disclosures of pecuniary interest noted.

ADJOURNMENT OF IN-CAMERA COUNCIL MEETING @ 8:01pm.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved by Councillor Lavigne

Seconded by Deputy Mayor DiPasquale

That Council resume Regular session at 8:04 p.m.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN-CAMERA SESSION – August 13th, 2018 Meeting

Council met on August 13th, 2018, for a Special In-Camera Meeting at 7:51 pm and discussed (1) item as provided for under Section 239 of the Municipal Act:

Item A - Portion of 7860 County Road 20, s/t Malden Firefighter's Association heard under Sections 239(2)(c) of the Act. As a result of that discussion the following motion is before Council for consideration:

Resolution # 20180813-279

Moved by Councillor Meloche

Seconded by Councillor Lavigne

That:

1. The sale of a portion of the property at 7860 County Road 20 to the Malden Firefighter's Association BE APPROVED under the following terms and conditions:
2. An approximate 3097 square metre (.76 acre) parcel located on the south side of County Road 20 and the west side of the improved property known Municipally as 7860 County Road 20, with a frontage of 30.65 m, a depth of 101 m and described legally as Part of Lot 66, Concession 7 and more particularly as Part 1 on draft 12-R Plan C-4492 BE SOLD to the Malden Firefighters Association for the sale price of \$1.00 subject to the terms and conditions set out in the confidential report;
3. Exemptions to Articles 6.5, 6.10 and 6.13 of the Town's Disposition of Surplus Property Policy BE APPROVED;
4. The direction per Council Resolution # 20180122-14 to undertake a Request For Proposal process BE RESCINDED for the disposition of Part 2 on draft 12-R Plan C-4492;
5. The remaining 1.025 hectare parcel, Part 2 on draft 12-R Plan C-4492 (attached), upon which the former "little white church" is located BE LISTED FOR SALE on an 'as is' basis on the Multiple Listing System (MLS) subject to receipt of an AACI independent property appraisal and subject to terms and conditions in the MLS listing indicating the future use of the site will be considered in making the final decision on the successful Purchaser;
6. The Mayor and Clerk BE AUTHORIZED to sign all documents necessary to complete the transaction prepared in form and content satisfactory to the Director of Planning, Development and Legislative Services and in financial content to the Director of Corporate Services or designate, and the transaction BE COMPLETED electronically; and,
7. Administration BE DIRECTED to advertise Part 2 for 1 week in the River Town Times.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Lavigne


That Council rise and adjourn at 8:09 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



MUNICIPAL CLERK – PAULA PARKER