



**TOWN OF AMHERSTBURG  
REGULAR COUNCIL MEETING**

**Monday, May 27, 2019  
6:00 PM**

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

**MINUTES**

**PRESENT**

Deputy Mayor Leo Meloche  
Councillor Peter Courtney  
Councillor Donald McArthur  
Councillor Michael Prue  
Councillor Marc Renaud  
Councillor Patricia Simone

Giovanni (John) Miceli, CAO  
Paula Parker, 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 6:10 p.m.

**NATIONAL ANTHEM**

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

Councillor Prue noted that he is a member of the Royal Canadian Legion, Branch 157, but has no conflict pecuniary in nature with respect to the discussions regarding the noise levels at the Legion because he is not an executive member.

**MINUTES OF PREVIOUS MEETING**

Resolution # 20190527-289

**Moved By** Councillor Simone  
**Seconded By** Councillor Renaud

**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 - April 2, 2019**
- 4.2 **Special In-Camera Meeting Minutes - April 2, 2019**
- 4.3 **Special Council Meeting Minutes - Planning - April 8, 2019**
- 4.4 **Regular Council Meeting Minutes - April 8, 2019**

The Deputy Mayor put the Motion.

**Motion Carried**

**PRESENTATIONS**

**Great Lakes Water Levels - Current Conditions and Outlook - Tim Byrne and James Bryant, Essex Region Conservation Authority (ERCA)**

Resolution # 20190527-290

**Moved By** Councillor McArthur  
**Seconded By** Councillor Renaud

**That the presentation BE RECEIVED.**

The Deputy Mayor put the Motion.

**Motion Carried**

## **DELEGATIONS**

### **5.1 Request for Sign By-law Exemption for Ribfest - Steve Butcher, Rotary Ribfest**

Resolution # 20190527-291

**Moved By** Councillor McArthur  
**Seconded By** Councillor Prue

**That:**

- 1. The delegation BE RECEIVED; and,**
- 2. An exemption BE GRANTED to Section 4.2.3 of the Sign By-law to allow the Rotary to advertise their event 28 days prior to the 2019 Ribfest Event.**

The Deputy Mayor put the Motion.

**Motion Carried**

**Moved By** Councillor Prue  
**Seconded By** Councillor McArthur

**That agenda item # 5.3 BE BROUGHT forward.**

The Deputy Mayor put the Motion.

**Motion Carried**

### **5.3 Request for Noise By-law Exemption on Outdoor Patio - Laurie Fryer Cavanaugh, Branch President, Royal Canadian Legion Fort Malden Branch 157**

**5.2 Request for Deferral of Noise By-law Exemption - Gary Wellman**

**Moved By Councillor Prue  
Seconded By Councillor McArthur**

**That the rules of order BE WAIVED to allow the delegate an additional 5 minutes to address Council.**

The Deputy Mayor put the Motion.

**Motion Carried**

**5.4 Comments on Noise By-law Exemption - Dave Beneteau**

**Moved By Councillor Simone  
Seconded By Councillor Renaud**

**That the rules of order BE WAIVED to allow Mr. Airriess to address Council with respect to the Noise By-law.**

The Deputy Mayor put the Motion.

**Motion Carried**

Resolution # 20190527-292

**Moved By Councillor Prue  
Seconded By Councillor McArthur**

**That:**

- 1. 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 loudspeakers to allow for music BE GRANTED to the Royal Canadian Legion located at 281 Dalhousie for 6 months from May to October, (weather dependent), with regular dates & times as follows: Fridays & Saturdays no later than 11:00pm and Sundays until 8:00pm;**
- 2. The Town FACILITATE meetings between the Legion, the affected residents, and the Town;**

3. The noise level **BE MONITORED** throughout the 6 months with a sound engineer to determine noise level; and,
4. A report **BE BROUGHT** back to Council on the successes and failures.

The Deputy Mayor put the Motion.

**Motion Carried**

Resolution # 20195027-293

**Moved By** Councillor Renaud  
**Seconded By** Councillor Simone

**That the delegations for items 5.2, 5.3, and 5.4 BE RECEIVED.**

The Deputy Mayor put the Motion.

**Motion Carried**

**5.5 Farm Tax Ratio - Jon Parks**

This delegation was not heard.

**Moved By** Councillor Prue  
**Seconded By** Councillor Renaud

**That Council recess for a break at 7:54 p.m.**

The Deputy Mayor put the Motion.

**Motion Carried**

**Moved By** Councillor Courtney  
**Seconded By** Councillor Prue

**That Council resume Regular session at 8:03 p.m.**

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**

**8.1 Amherstburg Branding Strategy Tagline**

Resolution # 20190527-294

**Moved By** Councillor Prue

**Seconded By** Councillor Courtney

**That the report from the Manager of Tourism and Culture dated May 3, 2019 regarding the Amherstburg Branding Strategy Tagline BE RECEIVED.**

The Deputy Mayor put the Motion.

**Motion Carried**

Resolution # 20190527-295

**Moved By** Councillor McArthur

**Seconded By** Councillor Simone

**The original motion of February 25, 2019 being “The logo tagline BE CHANGED to Every Day History” BE WITHDRAWN.**

The Deputy Mayor put the Motion.

**Motion Carried**

Resolution # 20190527-296

**Moved By** Councillor Prue  
**Seconded By** Councillor Simone

**That there be no tagline at this time, no further money be spent on a tagline or costs paid to Cinnamon Toast Media for a tagline, and no further action be taken at this time.**

The Deputy Mayor put the Motion.

**Motion Carried**

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

There were no reports.

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

##### **10.1 Zoning By-law Amendment for 209 Sandwich Street N**

Resolution # 20190527-297

**Moved By** Councillor Renaud  
**Seconded By** Councillor Simone

**That:**

- 1. The report from the Manager of Planning Services dated May 14, 2019, regarding the proposed Zoning By-law Amendment for 209 Sandwich Street N BE RECEIVED; and,**
- 2. By-law 2019-046 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 Deputy Mayor put the Motion.

**Motion Carried**

**10.2 Zoning By-law and Official Plan Amendment for 305, 319 and 327 Dalhousie Street**

*Divided motion*

Resolution # 20190527-298

**Moved By** Councillor Simone  
**Seconded By** Councillor Renaud

1. **That the report from the Manager of Planning Services dated May 14, 2019 regarding Official Plan Amendment No. 9 and Zoning By-law Amendment for 305, 319 and 327 Dalhousie Street BE RECEIVED.**

The Deputy Mayor put the Motion.

**Motion Carried**

2. **That By-law 2019-048 being a by-law to adopt amendment No. 9 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.**

The Deputy Mayor put the Motion.

**Motion Carried**

Councillor Prue asked for a friendly amendment to 3<sup>rd</sup> recommendation to include additional parking in the vacant lot on Ramsay Street if needed.

3. **That By-law 2019-044 being a by-law to amend Zoning By-law No. 1999-52, BE AMENDED to include additional parking in the vacant lot on Ramsey Street if needed and 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**



### 10.3 2019 Special Events Approval – Part III

Resolution # 20190527-299

**Moved By** Councillor Simone

**Seconded By** Councillor McArthur

**That:**

1. The report from the Manager of Licensing and Enforcement dated May 15, 2019, as recommended by the Public Events Committee (PEC), regarding 2019 Special Events Approval – Part III BE RECEIVED;
2. The following events BE APPROVED:
  - Senior's Expo – June 7-8, 2019
  - South Coast Adventure Race (S.C.A.R.) – June 15, 2019
  - Canada D'Eh Run – July 1, 2019
  - Amherstburg Uncommon – September 27- 29, 2019
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 loudspeakers to allow for music BE GRANTED for the following events:
  - Amherstburg Uncommon – September 27- 29, 2019
4. The following events BE EXEMPT and PERMITTED for road closures to begin prior to 5pm:
  - Canada D'Eh Run – July 1, 2019
5. An exemption BE GRANTED to Section 3 of the Kings Navy Yard Park By-law #2004-89 to allow for the following public events in the Kings Navy Yard Park:
  - Amherstburg Uncommon – September 27-29, 2019
6. An exemption BE GRANTED to Section 6(f) of the Parks By-law 2002-72 to allow for the playing of any musical instrument or direct the playing of any musical instrument for the events listed; and,
  - Amherstburg Uncommon – September 27- 29, 2019

7. **The Public Events Committee BE DIRECTED to confirm that the requirements identified by the Committee are met prior to the event.**

The Deputy Mayor put the Motion.

**Motion Carried**

#### **10.4 Full Time By-law Enforcement Officer**

Resolution # 20190527-300

**Moved By** Councillor Renaud  
**Seconded By** Councillor Prue

**That:**

1. **The report from the CAO dated May 17, 2019 regarding the conversion of a Part-Time By-law Enforcement Officer to a Full-Time By-law Enforcement Officer Position BE RECEIVED;**
2. **Administration BE AUTHORIZED to convert the approved Part-time By-law Officer to a Full time By-law Enforcement Officer in accordance with recommendations of the report; and,**
3. **An over-expenditure not to exceed \$3,000 BE APPROVED in the Licencing and Enforcement budget center for 2019 for the cost to employ a Full Time By-law Enforcement Officer.**

The Deputy Mayor put the Motion.

**Motion Carried**

#### **REPORTS - CAO's OFFICE**

There were no reports.

#### **INFORMATION REPORTS**

Resolution # 20190527-301

**Moved By** Councillor Courtney  
**Seconded By** Councillor Simone

That the following information reports BE RECEIVED:

**12.1 Building Activity Report for March and April 2019**

The Deputy Mayor put the Motion.

**Motion Carried**

**CONSENT CORRESPONDENCE**

Resolution # 20190527-302

**Moved By** Councillor Renaud

**Seconded By** Councillor Prue

That the following consent correspondence BE RECEIVED:

**13.1 Point Pelee National Park Management Planning**

**13.2 Town of Aurora Response to Bill 108, the More Homes, More Choice Act**

**13.3 Letter of Thanks - Dr. Shawn J. Harrington, Clinical Psychologist**

The Deputy Mayor put the Motion.

**Motion Carried**

Resolution # 20190527-303

**Moved By** Councillor Courtney

**Seconded By** Councillor Simone

*(Item # 13.2)* - That correspondence BE SENT in support of the Town of Aurora's opposition to Bill 108, the More Homes, More Choice Act.

The Deputy Mayor put the Motion.

**Motion Carried**

**CONSENT OTHER MINUTES**

Resolution # 20190527-304

**Moved By** Councillor Renaud  
**Seconded By** Councillor Simone

**That the following minutes BE RECEIVED:**

**15.1 Heritage Committee Meeting Minutes - March 20, 2019**

**15.2 Co-An Park Committee Meeting Minutes - May 8, 2019**

The Deputy Mayor put the Motion.

**Motion Carried**

### **UNFINISHED BUSINESS**

1. Deputy Mayor Meloche provided an update from County Council regarding libraries, EMS, and health care teams.

### **NEW BUSINESS**

1. Resolution # 20190527-305

**Moved By** Councillor Simone  
**Seconded By** Councillor Renaud

**That Administration BE DIRECTED to bring back a report on the cost to live stream Council meetings.**

The Deputy Mayor put the Motion.

**Motion Carried**

2. Resolution # 20190527-306

**Moved By** Councillor Courtney  
**Seconded By** Councillor Simone

**That Administration BE DIRECTED to place an advertisement in the River Town Times providing residents with information regarding rising lake levels and the resources and contact numbers that are available to them.**

The Deputy Mayor put the Motion.

## **Motion Carried**

3. Councillor Courtney asked if temporary speed bumps can be placed in areas where there are speed complaints.

The Director of Planning, Development, and Legislative Services advised Council that traffic calming measures such as speed bumps have been shown the drivers tend to increase their speed between speed bumps and stop signs. He also advised that there will be multiple costs associated to the various layers of the process such as gathering statistics, assessment of locations for placement, as well as erecting signage to advise drivers that speed bumps have been placed ahead.

4. Councillor Prue referred to the Municipal Work magazine regarding defunct churches in Canada, more specifically historical churches in downtown cores. The article states that within 20 years, over half of the churches will be gone and, how through proper planning, there is value by putting in a new facility in an existing church when it becomes available.
5. Councillor Prue advised Council of a noise complaint regarding a hot tub on Willow Beach. Councillor Prue asked that the complaint be forwarded to the engineer who is assessing the noise for the live bands at the Legion.
6. Councillor McArthur asked if a rollerskating program is feasible during the non-ice time at the Libro Centre.

The Chief Administrative Officer advised that the Director of Parks, Facilities, Recreation, and Culture can look into the possibility of a rollerskating program.

### **REPORT OUT FROM IN CAMERA SESSION - May 23, 2019**

Council met on May 23<sup>rd</sup>, 2019, for a Special In-Camera Meeting at 5:00 pm and discussed (1) item as provided for under Section 239 of the Municipal Act:

**Item A** – heard under Section 239(2)(f). There is nothing further to report on this matter.

## NOTICE OF MOTION

There were no Notices of Motion.

## BY-LAWS

### 20.1 By-law 2019-057 - Confirmatory By-law

Resolution # 20190527-307

**Moved By** Councillor Prue  
**Seconded By** Councillor Simone

**That By-law 2019-057 being a by-law to confirm all resolutions of the Municipal Council Meetings held on May 23 and 27, 2019, 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 # 20190527-308

**Moved By** Councillor Prue  
**Seconded By** Councillor Renaud

**That Council move into an In-Camera Meeting of Council at 9:38 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:**

**Item A - Section 239(2)(f) – Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.**

**Item B - Section 239(2)(b) - Personal matter about an identifiable individual, including municipal or local board employees.**

**Item C - 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 SPECIAL IN-CAMERA MEETING @ 10:56 P.M.**

**RESUMPTION OF REGULAR COUNCIL MEETING**

**Moved By** Councillor Renaud  
**Seconded By** Councillor Courtney

**That Council resume Regular session at 11:00 p.m.**

The Deputy Mayor put the Motion.

**Motion Carried**

**REPORT OUT FROM IN CAMERA SESSION - May 27, 2019**

Council met on May 27<sup>th</sup>, 2019, for a Special In-Camera Meeting at 9:38 pm and discussed (2) items as provided for under Section 239 of the Municipal Act:

**Item B** – heard under Section 239(2)(b). As a result of that discussion, the following is before Council for consideration:

Resolution #20190527-310

**Moved By** Councillor Courtney  
**Seconded By** Councillor Simone

**That Administration BE DIRECTED to pay \$31,852.80 in severance and \$7,013.98 in salary top up to the individuals discussed in In-Camera session.**

The Deputy Mayor put the Motion.

	<b>Yes/Concur</b>	<b>No/Not Concur</b>
Councillor Courtney	X	
Councillor McArthur		X
Deputy Mayor Meloche		X
Councillor Prue		X
Councillor Renaud		X
Councillor Simone	X	
Mayor DiCarlo	ABSENT	ABSENT

**Motion Failed**

**Item C** – was not heard at this time.



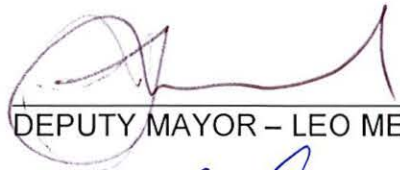
**ADJOURNMENT**

**Moved By** Councillor Courtney  
**Seconded By** Councillor Renaud

**That Council rise and adjourn at 11:03 p.m.**

The Deputy Mayor put the Motion.

**Motion Carried**



DEPUTY MAYOR – LEO MELÓCHE



CLERK – PAULA PARKER