



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, June 10, 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

CALL TO ORDER

The Deputy Mayor called the meeting to order at 5:03 p.m.

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20190610-311

Moved By Councillor Renaud

Seconded By Councillor Courtney

That Council move into an In-Camera Meeting of Council at 5:03 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

Item A - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees; and, Section 239(f) – Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Item B - 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.

RECESS SPECIAL IN-CAMERA COUNCIL MEETING @ 5:56 P.M

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Simone
Seconded By Councillor Prue

That Council resume Regular session at 6:13 p.m.

The Deputy Mayor put the Motion.

Motion Carried

NATIONAL ANTHEM

MAYOR'S OFFICE - WELCOME & ADDRESS

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

There were no disclosures of pecuniary interest noted.

REPORT OUT FROM IN-CAMERA MEETING - May 27th, 2019

Council met on May 27th, 2019, for a Special In-Camera Meeting at 9:38 pm and discussed an 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.

MINUTES OF PREVIOUS MEETING

Resolution # 20190610-313

Moved By Councillor Prue

Seconded By Councillor Simone

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:

- 10.1 Special In-Camera Council Meeting Minutes - April 23, 2019 - *as amended***
- 10.2 Regular Council Meeting Minutes - April 23, 2019**
- 10.3 Special Council Meeting Minutes - May 6, 2019**

The Deputy Mayor put the Motion.

Motion Carried

DELEGATIONS

- 11.1 Request for Kids Ride Pulled By Golf Cart in Toddy Jones Park - Debby Pajot, St. John the Baptist Church**

Resolution # 20190610-314

Moved By Councillor Renaud
Seconded By Councillor Prue

That:

1. The delegation **BE RECEIVED**; and,
2. An exemption **BE GRANTED** to Section 4 (a) of Parks By-law 2002-72 to allow for golf cart rides in a delineated area in Toddy Jones Parks for a private event on July 16th, 2019.

The Deputy Mayor put the Motion

Motion Carried

11.2 Street Name Change Marsh Drive to Landor Drive - Mary and David Vandermuren

Resolution # 20190610-315

Moved By Councillor Prue
Seconded By Councillor McArthur

That the delegation BE RECEIVED.

The Deputy Mayor put the Motion.

Motion Carried

11.3 Street Name Change Marsh Drive to Landor Drive - Michael Stacyszyn

Resolution # 20190610-316

Moved By Councillor Simone
Seconded By Councillor Renaud

That the delegation BE RECEIVED.

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20190610-317

Moved By Councillor Prue
Seconded By Councillor Renaud

That the Rules of Order BE WAIVED to allow Richard Harvey to address Council regarding the street name change.

The Deputy Mayor put the Motion.

Motion Carried

Agenda item # 25.3 was moved forward.

25.3 By-law 2019-060 - Street Name Change - Marsh Drive to Landor Drive

Resolution # 20190610-318

Moved By Councillor Prue

Seconded By Councillor McArthur

That By-law 2019-060 being a by-law to provide for a Street Name Change from Marsh Drive to Landor Drive in the Town of Amherstburg be taken as having been read three times and the Mayor and Clerk BE AUTHORIZED to sign same.

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

14.1 Parks Canada 2019 Agreement – Canada Day

Resolution # 20190610-319

Moved By Councillor Prue

Seconded By Councillor Renaud

That:

- 1. The report from the Manager of Tourism and Culture dated May 23, 2019, regarding the Parks Canada 2019 Agreement – Canada Day BE RECEIVED; and,**
- 2. The Mayor and Clerk BE AUTHORIZED to sign the License of Occupation Agreement for the 2019 Canada Day event.**

The Deputy Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

15.1 5th Concession North Reconstruction (Alma St. to Cty Rd 10) - Tender Results

Resolution # 20190610-320

Moved By Councillor Simone

Seconded By Councillor Courtney

That:

- 1. The report from the Manager of Engineering dated May 27, 2019, regarding the 5th Concession North Reconstruction (Alma St. to Cty Rd 10) - Tender Results BE RECEIVED;**
- 2. An over-expenditure not to exceed \$412,467 for the 5th Concession North Reconstruction (Alma to Cty Rd 10) project, for a total project cost not to exceed \$2,412,467, BE APPROVED;**
- 3. Adjustments to capital funding allocations approved in the 2019 Budget BE APPROVED as outlined in the report;**
- 4. The 5th Concession North Reconstruction (Alma St. to Cty Rd 10) Tender BE AWARDED to Coco Paving Inc. in the amount of \$2,293,647.40 plus H.S.T.; and,**
- 5. The Mayor and Clerk BE AUTHORIZED to execute an agreement with Coco Paving Inc. for completion of the 5th Construction North Reconstruction.**

The Deputy Mayor put the Motion.

Motion Carried

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

16.1 Zoning By-Law Amendment for 554 McLeod Ave.

Jackie Lassaline, Lassaline Planning Consultants, addressed Council with respect to the Zoning By-law Amendment for 554 McLeod Ave.

Resolution # 20190610-321

Moved By Councillor Renaud
Seconded By Councillor Prue

That Rules of Order BE WAIVED to allow the public to address Council regarding the Zoning By-law Amendment for 554 McLeod Ave.

The Deputy Mayor called the Motion.

Motion Carried

The following were heard:

- Kristi Wright-Farmer – 104 Lakewood Dr.
- Rick Cassella – 3937 Concession 3 North
- Michelle Bridges – 561 McLeod Ave.
- Larry Burgess – 369 Lakewood Dr.
- Nancy and Todd Triolet – 3939 Concession 3 North
- Larry Amlin

Split motion

Resolution # 20190610-322

Moved By Councillor Renaud
Seconded By Councillor McArthur

That:

1. **The report from the Manager of Planning Services dated May 16, 2019 regarding a Zoning By-law Amendment for 554 McLeod Ave. BE RECEIVED.**

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20190610-323

Moved By Councillor Prue
Seconded By Councillor Courtney

That the Zoning By-law Amendment BE DEFFERED for one month to allow for the developer to meet with the area residents.

The Deputy Mayor put the Motion.

	Yes/Concur	No/Not Concur
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

Resolution # 20190610-324

Moved By Councillor Renaud
Seconded By Councillor McArthur

- 2. That By-law 2019-027 being a By-law to amend Zoning By-law No. 1999-52, to zone an 8 acre parcel as holding Residential Type 1A (h-R1A) Zone to permit a low density residential development, 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

16.2 Condominium Conversion Agreements for 421 Dalhousie Street and 130 Pickering Drive

Moved By Councillor McArthur
Seconded By Councillor Courtney

That the Rules of Order BE WAIVED to allow Diane Pouget to address Council regarding the Condominium Conversion Agreements for 421 Dalhousie Street and 130 Pickering Drive.

The Deputy Mayor put the Motion.

Motion Carried

Resolution #20190610-325

Moved By Councillor Renaud
Seconded By Councillor McArthur

That:

- 1. The report from the Manager of Planning Services dated May 9, 2019, regarding the Condominium Conversion Agreements for 421 Dalhousie Street and 130 Pickering Drive BE RECEIVED;**
- 2. The Condominium Conversion Agreements for 421 Dalhousie Street and 130 Pickering Drive BE APPROVED;**
- 3. By-law 2019-054 being a by-law to Authorize the Signing of a Condominium Conversion Agreement for 421 Dalhousie Street be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign the same; and,**
- 4. By-law 2019-053 being a by-law to Authorize the Signing of a Condominium Agreement for 130 Pickering Drive be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign the same.**

The Deputy Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

17.1 2018-2022 Mayor's Youth Advisory Committee Appointments

Resolution # 20190610-326

Moved By Councillor Prue
Seconded By Councillor Renaud

That:

1. **The report from the Municipal Clerk dated May 13, 2019 regarding 2018-2022 Mayor's Youth Advisory Committee Appointments BE RECEIVED;**
2. **The following thirteen (13) lay members BE APPOINTED:**
 - **Adam Tronchin**
 - **Bo O'Rourke-Caton**
 - **Alex Glendenning**
 - **Thomas Catherwood**
 - **Alessia Favrin**
 - **Hannah Rusenstrom**
 - **Jacqueline Pento**
 - **Tayten Goddard**
 - **Audrey Erickson**
 - **Katie McEvoy**
 - **Kyra Glendenning**
 - **Phoebe Trealout**
 - **Linden Crain; and,**
3. **The Mayor (or designate) BE DESIGNATED as the Council representative.**

The Deputy Mayor put the Motion.

Motion Carried

17.2 2019 Appointment of Proxy Holder for Essex Power Corporation's Annual Shareholders' Meeting

Resolution # 20190610-327

Moved By Councillor Simone

Seconded By Councillor Renaud

That:

1. **The report from the Deputy Clerk dated May 27, 2019, regarding 2019 Appointment of Proxy Holder for Essex Power Corporation's Annual Shareholders' 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 Deputy Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20190610-328

Moved By Councillor Simone
Seconded By Councillor McArthur

That the following information reports BE RECEIVED:

18.1 Monthly Fire Department Activity Report - April 2019

The Deputy Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20190610-329

Moved By Councillor Prue
Seconded By Councillor Courtney

That the following consent correspondence BE RECEIVED:

19.1 Support of a New Regional Hospital for Windsor-Essex County - Town of Lakeshore Resolution

19.2 Seniors' Month - June 2019

19.3 Bill C-68, To Amend the Fisheries Act - Township of Bonnechere Resolution

19.4 Government of Ontario E-Learning - Township of McNab/Braeside Resolution

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20190610-330

Moved By Councillor Courtney
Seconded By Councillor McArthur

(Item # 19.1) – **That Administration BE DIRECTED to send correspondence in support of the Town of Lakeshore's resolution regarding support of a new regional hospital for Windsor-Essex County.**

The Deputy Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20190610-331

Moved By Councillor Renaud
Seconded By Councillor Simone

That the following minutes BE RECEIVED:

20.1 Committee of Adjustment Meeting Minutes - March 26, 2019

The Deputy Mayor put the Motion.

Motion Carried

OTHER MINUTES

21.1 Drainage Board Meeting Minutes - June 4, 2019

Resolution # 20190610-332

Moved By Councillor Simone
Seconded By Councillor McArthur

That:

1. The Drainage Board Meeting Minutes of June 4, 2019 BE RECEIVED;

2. **By-law 2019-058 being a by-law to provide for the Parks Drain based on the Drainage Report by Dillon Consulting Ltd. BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same;**
3. **By-law 2019-059 being a by-law to provide for the New Access Culvert on the Hamel Drain for Bastien based on the Drainage Report by R. Dobbin Engineering Inc. BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same;**
4. **The appointment of the firm of R. Dobbin Engineering Inc. to complete a Preliminary report pursuant to Section 10(1) of the Drainage Act for the Rebidoux Drain BE APPROVED, as recommended by the Drainage Board; and,**
5. **The drainage apportionment for land parcel severances Consent B/24/18 BE APPROVED, as recommended by the Drainage Board.**

The Deputy Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

There was no Unfinished Business heard.

NEW BUSINESS

1. Councillor McArthur advised that Concession 5 North is in very bad shape from Middle Side Road to County Road 8 and this section is further down the list on the Roads Needs Study. He asked if there are any upcoming short-term improvements to that portion of the road in the interim.

The Director of Engineering and Public Works advised that there has been cold patch work done in the more severe areas on Concession 5 North towards County Road 8. She further advised that this portion is on the asphalt repair list for this year.

Moved By Councillor McArthur

Seconded By Councillor Simone

That the Rules of Order BE WAIVED to allow Nancy Atkinson, resident of Concession 5 North, to address Council regarding the road condition on Concession 5 North.

The Deputy Mayor put the Motion.

Motion Carried

2. Councillor Simone asked what the cost is associated with opening up the public yard waste depot to allow for residents to drop off their yard waste as a result of extra waste due to the rainy season.

The Director of Public Works advised that there is no yard waste depot in Town as it was eliminated in the 2014 budget, and at that time, the depot was costing the Town approximately \$130,000 per year to operate. She further advised that there is the regularly scheduled curb side pickup in addition to two (2) waste depots in the County and one (1) in Windsor that are available to residents.

Moved By Councillor McArthur
Seconded By Councillor Courtney

That the Rules of Order BE WAIVED to allow Larry Amlin to address Council regarding a yard waste depot.

The Deputy Mayor put the Motion.

Motion Carried

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

Resolution # 0190610-333

Moved By Councillor Renaud
Seconded By Councillor Simone

- 25.1 **By-law 2019-034 - New Bridge for Sarah Van Raay over the Langlois Drain - Third & Final Reading**

That By-law 2019-034 being a by-law to provide for the New Bridge for Sarah Van Raay over the Langlois Drain be taken as having been read a

Third & Final time and the Mayor and Clerk BE AUTHORIZED to sign same.

25.2 By-law 2019-035 - Bridges For Bergeron and an Updated Maintenance Schedule for the Sam Paquette Drain - Third and Final Reading

That By-law 2019-035 being a by-law to provide for Bridges for Bergeron and an Updated Maintenance Schedule for the Sam Paquette Drain be taken as having been read a Third & Final time and the Mayor and Clerk BE AUTHORIZED to sign same.

25.3 By-law 2019-060 - Street Name Change - Marsh Drive to Landor Drive

As dealt with after agenda item #11.3

25.4 By-law 2019-061 - Confirmatory By-law

That By-law 2019-061 being a by-law to Confirm all Resolutions of the Municipal Council Meeting held on June 10, 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

RESUMPTION OF SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20190610-334

Moved By Councillor Prue
Seconded By Councillor McArthur

That Council move back into an In-Camera Meeting of Council at 8:29 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reason:

Item B - Section 239(2)(d) - Labour relations or employee negotiations.

The Deputy Mayor put the Motion.

Motion Carried

ADJOURNMENT OF SPECIAL IN-CAMERA COUNCIL MEETING @ 8:59 P.M

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Simone
Seconded By Councillor Renaud

That Council resume Regular session at 9:01 p.m.

The Deputy Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN-CAMERA MEETING – June 10th, 2019

Council met on June 10th, 2019, for a Special In-Camera Meeting at 5:03 pm and 8:29 pm and discussed (2) items as provided for under Section 239 of the Municipal Act:

Item A – heard under Sections 239(2)(b)&(f). There is nothing further to report.

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

Resolution # 20190610-335

Moved By Councillor Simone
Seconded By Councillor McArthur

That the Volunteer Firefighters remuneration and working conditions for the period of June 1, 2019 through May 31, 2022 BE APPROVED as recommended.

The Deputy Mayor put the Motion.

Motion Carried

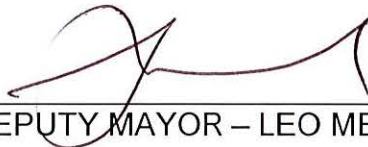
ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Council rise and adjourn at 9:02 p.m.

The Deputy Mayor put the Motion.

Motion Carried



DEPUTY MAYOR – LEO MELOCHE



CLERK – PAULA PARKER