



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, August 12, 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

ABSENT

Mayor Aldo DiCarlo

CALL TO ORDER

The Deputy Mayor called the meeting to order at 6:00 p.m.

NATIONAL ANTHEM

MOMENT OF SILENCE

The Deputy Mayor asked for a Moment of Silence for Ralph Mayville, First Special Service Force Veteran, who passed away on August 9, 2019.

MAYOR'S OFFICE - WELCOME & ADDRESS

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

Councillor Prue declared a pecuniary interest with respect to the Parks and Recreation Advisory Committee Appointment (item # 21.1) due to his wife being considered for appointment to the committee.

REPORT OUT FROM IN-CAMERA SESSIONS - July 15 & July 25, 2019

Council met on July 15th, 2019, for a Special In-Camera Meeting at 4:00 p.m. and discussed (4) items as provided for under Section 239 of the Municipal Act:

Item A – heard under Sections 239(2)(b)(d)&(f) of the Act. There is nothing further to report. Items B, C, & D were previously reported out.

Council met on July 25th, 2019, for a Special In-Camera Meeting at 5:30 p.m. and discussed (1) item as provided for under Section 239 of the Municipal Act:

Item A – heard under Sections 239(2)(b)&(f) of the Act. As a result of that discussion, the following is before Council for consideration:

Resolution # 20190812-400

Moved By Councillor Simone

Seconded By Councillor Courtney

That the Clerk BE DIRECTED to organize and publicize open house Town Hall meetings, once every other month one (1) hour prior to Regular Council Meetings, for residents to ask Council questions regarding Town business; and, to organize and publicize alternating quarterly open house meetings for Council in McGregor, Malden, Anderdon, and River Canard with a review in one year.

The Deputy Mayor put the Motion.

Motion Carried

MINUTES OF PREVIOUS MEETING

Resolution # 20190812-401

Moved By Councillor Renaud
Seconded By Councillor McArthur

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:

- 7.1 Special In-Camera Council Meeting Minutes - June 10, 2019**
- 7.2 Regular Council Meeting Minutes - June 10, 2019**

The Deputy Mayor put the Motion.

Motion Carried

DELEGATIONS

- 8.1 Perch Pit Refreshment Vehicle - Bill Deslippe**

Resolution # 20190812-402

Moved By Councillor McArthur
Seconded By Councillor Courtney

That:

- 1. The delegation BE RECEIVED;**
- 2. That the request for a by-law exemption from By-law 2009-44 for the 200 metre set-back from licensed restaurants BE APPROVED; and,**
- 3. The Perch Pit BE CLASSIFIED as a refreshment vehicle under the by-law.**

The Deputy Mayor put the Motion.

Motion Carried

PRESENTATIONS

Moved By Councillor Simone

Seconded By Councillor Courtney

That the rules of order BE WAIVED to allow Lori Cavanaugh, President, RCL Branch 157, to address Council regarding item # 8.1 – Legion Noise Study Preliminary Findings.

The Deputy Mayor put the Motion.

Motion Carried

The following were also heard:

- Brenda Laur – Executive Officer, RCL Branch 157
- Nancy Atkinson
- Carmelina Wellman
- Kurt Reffle

9.1 Legion Noise Study Preliminary Findings - Colin Novak, Akoustik Engineering Ltd.

Resolution # 20190812-403

Moved By Councillor Renaud

Seconded By Councillor Simone

That the presentation BE RECEIVED.

The Deputy Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

There were no reports.

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

11.1 Road Closures/Business Temporary Encroachments - Amherstburg Uncommon Festival

Resolution # 201901812-404

Moved By Councillor Simone
Seconded By Councillor McArthur

That:

1. **The report from the Manager of Tourism and Culture and the Manager of Licensing and Enforcement dated July 23, 2019 regarding Road Closures/Business Temporary Encroachments-Amherstburg Uncommon Festival BE RECEIVED;**
2. **The Amherstburg Uncommon Festival BE EXEMPT and PERMITTED for road closures during the following dates and times: Friday, September 27, 2019 from 2:00 p.m. until Sunday, September 29, 2019 at 11:00 p.m.; and,**
3. **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**
 - c. **Lot 10 Brewing Company, 263 Dalhousie St, Amherstburg**

The Deputy Mayor put the Motion.

Motion Carried

11.2 Beaudoin Park Improvements Request for Proposals (RFP) Results

Resolution # 20190812-405

Moved By Councillor McArthur
Seconded By Councillor Renaud

That:

1. **The report from the Manager of Parks and Natural Areas, dated August 7, 2019 regarding the Request for Proposal Results - Beaudoin Park Improvements BE RECEIVED;**
2. **The Proposal for Beaudoin Park Improvements from New World Park Solutions Inc. BE ACCEPTED for an amount not to exceed \$149,440.42 plus H.S.T.; and,**
3. **The Mayor and Clerk BE AUTHORIZED to execute an agreement with New World Park Solutions Inc. for completion of the installation of new**

playground equipment and infrastructure as shown in Appendix A to the report.

The Deputy Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

12.1 Culvert No. 3 - Collison Drain and Culvert No. 59 – Hamel Bezaire Drain - Engineering Services Request for Proposals (RFP) Results

Resolution # 20190812-406

Moved By Councillor McArthur
Seconded By Councillor Simone

That:

- 1. The report from the Manager of Engineering dated July 22, 2019, regarding the Culvert No. 3 – Collison Drain and Culvert No. 59 – Hamel Bezaire Drain - Engineering Services Request for Proposals (RFP) Results BE RECEIVED;**
- 2. The proposals from Hrycay Engineering for engineering services to complete final design BE ACCEPTED as follows:**
 - a) Culvert No 3 – Collison Drain in an amount not to exceed \$40,951 plus HST**
 - b) Culvert No. 59 – Hamel Bezaire Drain in an amount not to exceed \$45,327 plus HST;**
- 3. An over-expenditure not to exceed \$11,672 including net HST for the Culvert No. 3 Collison Drain Engineering BE APPROVED, for a total cost not to exceed \$41,672 including net HST;**
- 4. An over-expenditure not to exceed \$1,125 including net HST for the Culvert No. 59 Hamel Bezaire Drain Engineering BE APPROVED, for a total cost not to exceed \$46,125 including net HST;**
- 5. The \$12,797 in over-expenditures BE FUNDED from taxation, with any surplus/deficit resulting from taxation funded operations be addressed through recommendations in the year end (Q4) variance report; and,**
- 6. The Mayor and Clerk BE AUTHORIZED to execute an agreement with Hrycay Consulting Engineers Inc. for Culvert No. 3 – Collison Drain Engineering; and,**

7. **The Mayor and Clerk BE AUTHORIZED to execute an agreement with Hrycay Consulting Engineers Inc. for Culvert No. 59 – Hamel Bezaire Drain Engineering.**

The Deputy Mayor put the Motion.

Motion Carried

12.2 Financial Plan for the Town of Amherstburg's Municipal Drinking Water System

Resolution # 20190812-407

Moved By Councillor Renaud

Seconded By Councillor McArthur

That:

1. **The report from the Manager of Environmental Services dated July 10, 2019, regarding the Financial Plan for the Town of Amherstburg's Municipal Drinking Water System BE RECEIVED;**
2. **The six-year Financial Plan (2020 to 2025) for the Town of Amherstburg Municipal Drinking Water System BE APPROVED; and,**
3. **Administration BE AUTHORIZED to submit to the Ontario Ministry of Municipal Affairs and Housing in accordance with Ontario Regulation 453/07 in order to meet the requirements of the Municipal Drinking Water License renewal.**

The Deputy Mayor put the Motion.

Motion Carried

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

13.1 Zoning By-law Amendment for 6746 Concession 6 South

Resolution # 20190812-408

Moved By Councillor McArthur

Seconded By Councillor Simone

That:

1. **The report from the Manager of Planning Services dated July 17, 2019, regarding a Zoning By-law Amendment for 6746 County Road 20 BE RECEIVED; and,**
2. **By-law 2019-066 being a by-law to amend Zoning By-law No. 1999-52, to add an additional permitted use to the Special Provision Commercial Neighbourhood (CN-10) Zone, 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

REPORTS - CAO's OFFICE

14.1 Pregnancy and Parental Leave for Members of Council

Resolution # 20190812-409

Moved By Councillor McArthur
Seconded By Councillor Renaud

That:

1. **The report from the Policy and Committee Coordinator dated August 12, 2019 regarding the Pregnancy and Parental Leave for Members of Council BE RECEIVED; and,**
2. **The Pregnancy and Parental Leave for Members of Council Policy BE APPROVED as presented.**

The Deputy Mayor put the Motion.

Motion Carried

14.2 Drainage Board Appointment

Resolution # 20190812-410

Moved By Councillor Courtney
Seconded By Councillor Prue

That:

1. **The report from the Policy and Committee Coordinator dated July 29, 2019 regarding Drainage Board Appointment BE RECEIVED; and,**

2. **Anthony Campigotto BE APPOINTED to the Drainage Board for the balance of the current term of Council ending 2022.**

The Deputy Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20190812-411

Moved By Councillor Prue

Seconded By Councillor McArthur

That the following information reports BE RECEIVED:

- 15.1 **Building Activity Report for the Month of May and June 2019**

- 15.2 **2019 Rotary Rib Fest Relocation**

- 15.3 **Monthly Fire Department Activity Report June and July 2019**

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20190812-412

Moved By Councillor Renaud

Seconded By Councillor Prue

That the following information report BE RECEIVED:

- 15.4 **Secondary Dwelling Units Information Report**

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20190812-413

Moved By Councillor Renaud

Seconded By Councillor McArthur

That the following information report BE RECEIVED:

- 15.5 **Unfinished Business Item – June 24, 2019**

The Deputy Mayor put the Motion.

Motion Carried

Moved By Councillor Prue
Seconded By Councillor Renaud

That the rules of order BE WAIVED to allow Gillian Heisz, Audit Advisory Committee Chair, and Gordon Moore, Audit Advisory Committee Vice Chair, to address Council regarding Item # 14.5 – Unfinished Business Item – June 24, 2019.

The Deputy Mayor put the Motion.

Motion Carried

Moved By Councillor Prue
Seconded By Councillor Simone

That Council recess for a break at 9:27 p.m.

The Deputy Mayor put the Motion.

Motion Carried

Moved By Councillor Simone
Seconded By Councillor Renaud

That Council resume Regular session at 9:34 p.m.

The Deputy Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20190812-414

Moved By Councillor Simone
Seconded By Councillor McArthur

That the following consent correspondence BE RECEIVED:

16.1 Enforcement for Safety of Family Farms - Town of Tecumseh Resolution

- 16.2 2020 Council Award Nomination for Outstanding Physician - College of Physicians and Surgeons of Ontario
 - 16.3 Intake for Eligible Applicants for the Rural Economic Development (RED) Program - Ministry of Agriculture, Food and Rural Affairs
 - 16.4 Provincial Policy Statement Review - Ministry of Municipal Affairs and Housing
 - 16.5 2019 Policing Activities - Windsor Police Service Amherstburg Detachment
- The Deputy Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20190812-415

Moved By Councillor Renaud

Seconded By Councillor Simone

That the following minutes **BE RECEIVED**:

- 17.1 Parks and Recreation Advisory Committee Minutes - May 8, 2019
- 17.2 Co-An Park Committee Minutes - June 12, 2019
- 17.3 Audit Advisory Committee Minutes - June 17, 2019
- 17.4 Economic Development Advisory Committee Minutes - June 25, 2019
- 17.5 Audit Advisory Committee Minutes - July 8, 2019
- 17.6 Parks and Recreation Advisory Committee Minutes - July 10, 2019
- 17.7 Drainage Board Meeting Minutes - July 31, 2019
- 17.8 Committee of Adjustment Meeting Minutes - May 28, 2019

The Deputy Mayor put the Motion.

Motion Carried

OTHER MINUTES

18.1 Amherstburg Accessibility Advisory Committee Minutes - June 18, 2019

The Clerk advised Council that the request for \$12,000 for accessible features at Beaudoin Park were now included in the RFP and no longer necessary.

Resolution # 20190812-416

Moved By Councillor Renaud
Seconded By Councillor Prue

That the Amherstburg Accessibility Advisory Committee Meeting Minutes of June 18, 2019 BE RECEIVED.

The Deputy Mayor put the Motion.

Motion Carried

18.2 Heritage Committee Minutes - June 27, 2019

Resolution # 20190812-417

Moved By Councillor Simone
Seconded By Councillor McArthur

That:

1. **The Heritage Committee Meeting Minutes of June 27, 2019 BE RECEIVED;**
2. **The reports from Meg Reiner, as attached, BE RECEIVED;**
3. **The recommendations of Meg Reiner's reports BE BROUGHT to a Special Council Meeting for consideration; and,**
4. **A report on the Heritage Tax Rebate Program BE BROUGHT to the Heritage Committee with recommendations on changes.**

The Deputy Mayor put the Motion.

Motion Carried

18.3 Seniors Advisory Committee Minutes - July 17, 2019

Resolution # 20190812-418

Moved By Councillor Renaud
Seconded By Councillor Simone

That:

1. **The Seniors Advisory Committee Meeting Minutes of July 17, 2019 BE RECEIVED; and,**
2. **Ways to support the Senior's Expo BE EXPLORED, as recommended by the Seniors Advisory Committee.**

The Deputy Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Prue asked for an update with respect to the placement of the fire truck on Boblo Island.

The Fire Chief advised Council that those plans have not yet been finalized and he just received quotes to be reviewed from a variety of companies with respect to sheltering the fire truck. He further advised that there is on-going discussion regarding suitable locations in which to shelter the fire truck that meets the Fire Department's needs from an emergency response stand point and to align with the budget.

2. Councillor Prue asked for an update with respect to By-law 2006-25 – Boblo Agreement, and when the residents will see enforcement of the by-law regarding completion of roads and installation of curbs, sidewalks, and street lighting.

The Manager of Planning Services advised Council that he will take a look at the details of the agreement.

3. Councillor Prue asked for an update with respect to the approved By-law Enforcement Officer position and if this Officer would be scheduled outside day time business hours to respond to residents.

The Chief Administrative Officer advised that it was included in the negotiations for this position that shifts would be staggered. He further advised that resumes are being reviewed and interviews will be underway shortly.

NEW BUSINESS

1. Councillor Prue asked if the Boblo Island Sailor's Monument can be painted.

The Chief Administrative Officer advised Council that he would confirm ownership of the monument and whether it has heritage designation.

2. Councillor Courtney asked if the fire rescue boat was at Fire Station # 2 and no longer at the Coast Guard base.

The Fire Chief advised that the rescue boat was removed from the Coast Guard base due to some damage sustained to it as a result of the high waters. He advised that it is currently being serviced and anticipated to be back at the Coast Guard base this week. He further advised that there is no service disruption as a result of the boat temporarily being out of the water.

3. Resolution # 20190812-419

Moved By Councillor Courtney
Seconded By Councillor Prue

That Administration BE DIRECTED to place a temporary rubber speed bump at the stop sign leaving Pointe West golf course onto Turner Crescent on a trial basis for 3 months.

The Deputy Mayor put the Motion.

Motion Carried

4. Resolution # 20190812-420

Moved By Councillor Courtney
Seconded By Councillor Prue

That Administration BE DIRECTED to re-evaluate the Town's election system and a report be brought back with options including at-large, ward or a hybrid approach to the 2022 Election for Council's consideration.

The Deputy Mayor put the Motion.

Motion Carried

5. Councillor Simone asked if a response could be given to Wayne Wilson who wrote a 'Letter to the Editor' in the River Town Times regarding taxes.

The Chief Administrative Officer advised that there is no Administrative protocol to respond to the many articles placed in the River Town Times. He further advised that the budget document is available on-line and can be requested anytime.

6. Councillor Simone advised that she has been receiving complaints about speeding on the 3rd Concession & Richmond Street near the Meadowview subdivision.

The Windsor Police, Amherstburg Detachment Staff Sergeant advised that there are traffic matters everywhere and it is best to encourage residents to use the Road Watch Program.

7. Councillor McArthur mentioned an email received from a resident on the 6th Concession regarding a dog that got out of the K9 Elite Kennel. He asked if there are sanctions for these types of businesses who are negligent.

The Director of Planning, Development, and Legislative Services advised that he would have to look into if there is any recourse that would apply. The Chief Administrative Officer advised that ultimately it is the pet owner's responsibility to have their dog licenced through the Town and the Humane Society is on contract to assist with loose dogs that are reported to us.

NOTICE OF MOTION

There were no Notices of Motion.

Moved By Councillor Simone
Seconded By Councillor Renaud

That the meeting be extended until 11:00 p.m.

The Deputy Mayor put the Motion.

Motion Carried

BY-LAWS

22.1 2019-071 - Parks and Recreation Advisory Committee Appointment

Councillor Prue removed himself from discussion and voting due to his declared pecuniary interest.

Resolution # 20190812-421

Moved By Councillor Simone

Seconded By Councillor Renaud

That By-law 2019-071 being a by-law to Appoint Members to a Parks and Recreation Advisory Committee be taken as having been read three times and finally passed and the Mayor and Clerks BE AUTHORIZED to sign same.

The Deputy Mayor put the Motion.

Motion Carried

22.2 By-law 2019-073 - Confirmatory By-law

Resolution # 20190812-422

Moved By Councillor Simone

Seconded By Councillor Prue

That By-law 2019-073 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on July 25th and 29th, and August 12th, 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 # 20190812-423

Moved By Councillor Courtney

Seconded By Councillor Simone

That Council move into an In-Camera Meeting of Council at 10:15 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason:

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

The Deputy Mayor put the Motion.

Motion Carried

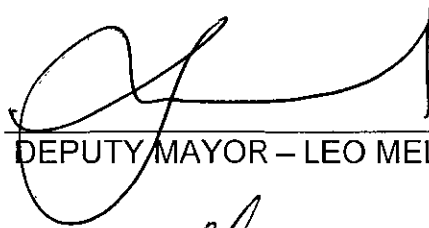
DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

(In-Camera Council Meeting Agenda Item)

ADJOURNMENT OF SPECIAL IN-CAMERA COUNCIL MEETING @ 10:28 P.M.

ADJOURNMENT

Council rose and adjourned in Special In-Camera Session.



DEPUTY MAYOR – LEO MELOCHE



CLERK – PAULA PARKER