



TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
Monday, September 9, 2019
6:00 PM

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

MINUTES

PRESENT

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

Giovanni (John) Miceli, CAO
Tammy Fowkes, Deputy Clerk

CALL TO ORDER

The Mayor called the meeting to order at 4:34 p.m.

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20190909-428

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That Council move into an In-Camera Meeting of Council at 4:35 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reason:

Item A - 3381 Meloche Road - Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

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.

ADJOURNMENT FROM SPECIAL IN-CAMERA MEETING @ 4:50 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That Council resume Regular session at 6:00 p.m.

The 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 SESSIONS

Council met on July 15th, 2019, for a Special In-Camera Meeting at 8:04 pm and discussed (1) item as provided for under Section 239 of the Municipal Act:

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

Council met on August 12th, 2019, for a Special In-Camera Meeting at 10:15 pm and discussed (1) item as provided for under Section 239 of the Municipal Act:

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

Council met on September 9th, 2019, for a Special In-Camera Meeting at 4:35 pm and discussed (1) item as provided for under Section 239 of the Municipal Act:

Item A – Property Update – 3381 Meloche Road heard under Section 239(2)(f). As a result of that discussion, the following is before Council for consideration and voting:

Resolution # 20190909-430

Moved By Councillor Simone
Seconded By Councillor Prue

That Administration BE DIRECTED to extend the terms noted in the confidential in-camera report to vacate the buildings on the Meloche Road property for a period not to exceed 1 year from August 19, 2019.

The Mayor put the Motion.

Motion Carried

MINUTES OF PREVIOUS MEETING

Resolution # 20190909-431

Moved By Councillor Renaud
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 - June 24, 2019

10.2 Regular Council Meeting Minutes - June 24, 2019

The Mayor put the Motion.

Motion Carried

DELEGATIONS

There were no Delegations.

Moved By Councillor Courtney
Seconded By Councillor McArthur

That the rules of order BE WAIVED to allow Nancy Atkinson to address Council regarding the Amherstburg Taxpayers Association and report item # 16.1 - Establishing a Lobbyist Registry and Appointing a Lobbyist Registrar.

The Mayor put the Motion.

Motion Carried

Item # 16.1 was moved forward.

REPORTS - CAO's OFFICE

16.1 Establishing a Lobbyist Registry and Appointing a Lobbyist Registrar

Resolution # 20190909-432

Moved By Councillor Prue
Seconded By Councillor Courtney

That By-law 2019-074 being a by-law to establish and maintain a Lobbyist Registry; and, the direction to Administration to engage the Town of Amherstburg's appointed Integrity Commissioner as the Lobbyist Registrar BE DEFERRED and brought back to a meeting in October.

The Mayor put the Motion.

Motion Carried

Moved By Councillor Prue
Seconded By Councillor McArthur

That the rules of order BE WAIVED to allow the public to address Council with respect to the proposed Lobbyist Registry and by-law.

The Mayor put the Motion.

Motion Carried

The following were heard:

- Justin Brodie
- Nancy Triolet
- Ken Thrasher
- Diane Pouget
- Nancy Atkinson
- Jan Ouellette
- Laurie Kavanaugh
- Denise Bondy
- Ron Renaud
- Jeff Hebert

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That Council recess for a break at 6:53 p.m.

The Mayor put the Motion.

Motion Carried

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That Council resume Regular session at 7:05 p.m.

The Mayor put the Motion.

Motion Carried

Resolution # 20190909-433

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That the report from the Chief Administrative Officer dated August 22, 2019 regarding Establishing a Lobbyist Registry and Appointing a Lobbyist Registrar BE RECEIVED.

The Mayor put the Motion.

Motion Carried

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That Council recess for a break at 8:45 p.m.

The Mayor put the Motion.

Motion Carried

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That Council resume Regular session at 9:04 p.m.

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

12.1 External Audit Services 2019-2023 – RFP Results

Councillor Simone amended the motion by eliminating the 4th recommendation to engage KPMG, LLP to provide a review, for an additional cost, of the 2019 year end Q4 cash financial results.

Resolution # 20190909-434

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That:

1. The report from the Director of Corporate Services dated August 23, 2019 regarding External Audit Services 2019-2023 – Request for Proposal (RFP) Results BE RECEIVED;
2. The proposal from KPMG, LLP to provide external audit services for the fiscal years ending 2019 through 2023 at a total cost of \$135,000 plus HST BE ACCEPTED and KPMG, LLP BE APPOINTED as external auditors for the Town of Amherstburg for the fiscal years ending 2019 through 2023; and,
3. By-law 2019-078 being a by-law to enter into a contract with KPMG, LLP to provide external audit services 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

13.1 Canadian Experiences Fund Grant - River Lights Winter Festival

Resolution # 20190909-435

Moved By Deputy Mayor Meloche

Seconded By Councillor McArthur

That:

1. The report from the Manager of Tourism and Culture dated August 23, 2019 regarding the Canadian Experiences Fund Grant – River Lights Winter Festival BE RECEIVED;
2. The River Lights Winter Festival be run from November 16, 2019 to February 15, 2020 and that total project over-expenditures not to exceed \$250,000 BE AUTHORIZED for operating and capital expenditures required to deliver the enhanced River Lights Winter Festival program as outlined in the report, to be fully funded by the Canadian Experiences Fund (CEF) grant of up to \$250,000;
3. Administration BE AUTHORIZED to hire two temporary staff to support delivery of the project under the CEF Contribution Agreement for the River Lights Festival;

4. **By-law 2019-081 being a by-law to enter into a Contribution Agreement with the Federal Economic Development Agency for Southern Ontario for grant funding under the Canadian Experiences Fund be taken as having been read three times and finally adopted and the Mayor and Clerk BE AUTHORIZED to sign same; and,**
5. **A pre-commitment in the 2020 Budget not to exceed \$31,250 BE APPROVED under the Tourism & Culture budget centre for Community Events expense to deliver the balance of the program as outlined in this report, to be fully funded by the CEF grant.**

The Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

14.1 CWATS Segment AMH-06 – Alma Street Paved Shoulders (Fryer Street to Meloche Road)

Resolution # 20190909-436

Moved By Councillor McArthur

Seconded By Councillor Simone

That:

1. **The report from the Manager of Engineering dated August 19, 2019 regarding the CWATS Segment AMH-06 – Alma Street Paved Shoulders (Fryer Street to Meloche Road) BE RECEIVED;**
2. **Project AMH-06 - Alma Street Paved Shoulders (Fryer Street to Meloche Road) BE SUBMITTED to the County Wide Active Transportation Committee for CWATS funding consideration, based on cost sharing of 40% County and 60% Town, in principle subject to approval of the required funding in the Town's 2020 Budget; and,**
3. **The resolution of Council BE PROVIDED to the CWATS Committee, as part of the Town's application, no later than September 16, 2019.**

The Mayor put the Motion.

Motion Carried

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

15.1 Special Events Approval – Part IV

Councillor Simone moved the motion with an amendment to note the changed end date for the River Lights event.

Resolution # 20190909-437

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

That:

1. **The report from the Manager of Licensing and Enforcement dated August 19, 2019, as recommended by the Public Events Committee (PEC), regarding 2019 Special Events Approval – Part IV BE RECEIVED;**
2. **The following events BE APPROVED:**
 - Legion Week Parade – September 14, 2019
 - Remembrance Day Parade – November 11, 2019
 - Super Santa Run – November 16, 2019
 - Opening Ceremonies and Tree Lighting – November 16, 2019
 - River Lights – November 16, 2019 – February 15, 2020, as *amended*
 - Holiday House Tour – November 23-24, 2019
 - Santa Claus Parade – November 23, 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:**
 - Opening Ceremonies and Tree Lighting – November 16, 2019
4. **The following events BE EXEMPT and PERMITTED for road closures to begin prior to 5pm:**
 - Legion Week Parade – September 14, 2019 (Rolling Road Closure)
 - Remembrance Day Parade – November 11, 2019 (Rolling Road Closure)
 - Super Santa Run – November 16, 2019
 - Opening Ceremonies and Tree Lighting – November 16, 2019
 - Santa Claus Parade – November 23, 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:**
 - **Opening Ceremonies and Tree Lighting – November 16, 2019**
 - **River Lights – November 16, 2019 – January 6, 2020**
6. **The Public Events Committee BE DIRECTED to confirm that the requirements identified by the Committee are met prior to the event.**

The Mayor put the Motion.

Motion Carried

15.2 Housekeeping Zoning By-Law Amendment-Shipping Containers

Resolution # 20190909-438

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That:

1. **The report from the Manager of Planning Services dated July 30, 2019, regarding the Housekeeping Zoning By-law Amendment for Shipping Containers BE RECEIVED; and,**
2. **By-law 2019-072 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

REPORTS - CAO's OFFICE

16.1 **Establishing a Lobbyist Registry and Appointing a Lobbyist Registrar** *(As dealt with above)*

INFORMATION REPORTS

Resolution # 20190909-439

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That the following information reports BE RECEIVED:

17.1 Pleasure Crafts and Enforcing a Speed Limit Along the Detroit River, Amherstburg Shoreline

17.2 Cheque Listing for the Months of July and August 2019

The Mayor put the Motion.

Motion Carried

Resolution # 20190909-440

Moved By Councillor Courtney
Seconded By Councillor McArthur

(Item # 17.1) – That:

- 1. Administration BE DIRECTED to send correspondence to the Minister of Transportation, RT. Hon. Marc Garneau, to request an Order-in-Council (a directive of Cabinet) to impose an urgent vessel restriction along all shorelines within the jurisdiction of the Town of Amherstburg; and,**
- 2. The Mayor CONSIDER a call to the Minister and make a personal appeal as well.**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20190909-441

Moved By Councillor Renaud
Seconded By Deputy Mayor Meloche

That the following consent correspondence BE RECEIVED:

- 18.1 Falun Gong Story - The Falun Dafa Information Centre
- 18.2 Biannual Publication - The Fire Fighters Association of Ontario
- 18.3 Municipal Amalgamation - Hastings Highlands Resolution
- 18.4 Leaking Gas Wells - Norfolk County Resolution
- 18.5 Ontario Cannabis Legalization Implementation Fund (OCLIF) - Ministry of Finance
- 18.6 Never Forgotten National Memorial - Bradford West Gwillimbury Resolution
- 18.7 Flags of Remembrance - Veterans Voices of Canada
- 18.8 10th Annual Gala, Silent Auction Donation - Windsor Life Centre
- 18.9 Conservation Authorities Act - Ministry of Environment, Conservation and Parks
- 18.10 Update - Bill 108 - More Homes, More Choice Act, 2019 - Ministry of Municipal Affairs and Housing

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

- 19.1 2019 Legion Week - September 14-22, 2019

Resolution # 20190909-442

Moved By Councillor Prue

Seconded By Councillor Renaud

That:

1. The correspondence from the Royal Canadian Legion, Branch 157, dated August 8, 2019 regarding 2019 Legion Week Proclamation BE RECEIVED; and,
2. September 14-22, 2019 BE PROCLAIMED as Legion Week in the Town of Amherstburg.

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

The Deputy Clerk advised that the Economic Development Advisory Committee Meeting Minutes (item # 20.3) were amended to note that Mr. Jack Edwards would investigate a site visit to the former Allied Chemical Site.

Resolution # 20190909-443

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That the following minutes BE RECEIVED:

- 20.1 Heritage Committee Meeting Minutes - August 13, 2019**
- 20.2 Amherstburg Accessibility Advisory Committee Meeting Minutes - August 15, 2019**
- 20.3 Economic Development Advisory Committee Meeting Minutes - August 19, 2019, as amended**

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

- 21.1 Drainage Board Meeting Minutes - August 19, 2019**

Resolution # 20190909-444

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That:

- 1. The Drainage Board Meeting Minutes of August 19, 2019 BE RECEIVED;**
- 2. The petition from the Director of Engineering and Public Works for new drainage works for the Lakewood Drive Drainage Scheme per Section 4(1)(c) of the Drainage Act BE ACCEPTED, as recommended by the Drainage Board;**

3. **The appointment of the firm of Dillon Consulting Ltd. to make an examination of the area requiring drainage as described in the petition by the Road Authority – Lakewood Drive Drainage Scheme and prepare a report as prescribed in the Drainage Act BE APPROVED, as recommended by the Drainage Board; and,**
4. **The drainage apportionment for land parcel severance Consent B/9-13/19 BE APPROVED, as recommended by the Drainage Board.**

The Mayor put the Motion.

Motion Carried

21.2 Drainage Board Meeting Minutes - September 3, 2019

Resolution # 20190909-445

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That:

1. **The Drainage Board Meeting Minutes of September 3, 2019 BE RECEIVED;**
2. **The drainage apportionment for land parcel severance Consent B/1/19 BE APPROVED, as recommended by the Drainage Board.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Deputy Mayor Meloche asked for an update with respect to the shirts ordered for Council.

The Deputy Clerk advised that she is awaiting a response from Nantais Athletic and will follow up once again.

2. Councillor Renaud asked for an update with respect to the sound study at the Legion.

The Manager of Licensing and Enforcement advised that she will follow up with the engineer and then advise Council at the next Regular meeting when the study will be before them.

NEW BUSINESS

1. Councillor Courtney asked if the electronic gateway sign being erected on the south end of Town was budgeted for and if it was necessary to cut the tree down that was in that location.

The Chief Administrative Officer advised that both the north and south end gateway signs were budgeted for by the previous Council. The CAO also advised that it was more cost effective to cut the tree down in order to erect the electronic sign; and further, that a tree and additional landscaping will be added in its place.

2. Resolution # 20190909-446

Moved By Councillor McArthur

Seconded By Deputy Mayor Meloche

That:

1. **Administration BE DIRECTED to reach out to the Miracle League to advise them of the charitable number that is available to them; and,**
2. **A policy BE DEVELOPED outlining the use of charitable numbers for other organizations.**

The Mayor put the Motion.

Motion Carried

3. Resolution # 20190909-447

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

That:

1. **Administration BE DIRECTED to prepare a report exploring the economics, rationale and feasibility of introducing other festivals and events within the Town of Amherstburg for Council consideration in the 2020 Operating Budget; and,**
2. **Administration BE DIRECTED to look at all possible venues within the Town of Amherstburg to hold events/festivals.**

The Mayor put the Motion.

Motion Carried

4. Deputy Mayor Meloche asked about the lighting being out on the baseball field at the Libro Centre during night games.

The Director of Parks, Facilities, Recreation and Culture advised that at the beginning of the year all lights were replaced for the upcoming season and it happened to be a weak breaker or switch that was being tripped causing all lights on the one bar to shut off.

5. Councillor McArthur asked if the hill at the Libro Centre was being naturalized due to the long grass on both sides of the pathway or if it was being looked at for resident use for activities such as tobogganing.

The Director of Parks, Facilities, Recreation and Culture advised that there is a maintained pathway on the hill and the idea is to extend that pathway around the complex and back up to the Big Creek area. He also advised that he would bring the idea of additional uses to the Parks and Recreation Advisory Committee and report back to Council.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

Resolution # 20190909-448

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

25.1 By-law 2019-058 - Parks Drain - 3rd & Final Reading

That By-law 2019-058 being a by-law to Provide for the Parks Drain be taken as having been read a 3rd & Final time and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

25.2 By-law 2019-059 - New Access Culvert on the Hamel Drain for Bastien - 3rd & Final Reading

That By-law 2019-059 being a by-law to Provide for the New Access Culvert on the Hamel Drain for Bastien be taken as having been read a 3rd & Final time and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

25.3 By-law 2019-074 - Drainage Board Appointment

That By-law 2019-074 being a by-law to Appoint a Member to the Drainage Board be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

25.4 By-law 2019-079 - Closure and Sale - Portion of the Unimproved Road Allowance between Concessions 1 &2

That By-law 2019-079 being a by-law to Stop Up, Close and Sell Part, Retain Part of a Portion of the Unimproved Road Allowance between Concessions 1 &2 located on the south side of Malden Road be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

25.5 By-law 2019-080 - Confirmatory By-law

That By-law 2019-080 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on August 26th, and September 9th, 2019, 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

ADJOURNMENT

Moved By Councillor Renaud
Seconded By Councillor Courtney

That Council rise and adjourn at 10:14 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO

DEPUTY CLERK – TAMMY FOWKES