



TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
Monday, September 23, 2019
6:00 PM

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

MINUTES

PRESENT

Deputy Mayor Leo Meloche
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
Councillor Peter Courtney

CALL TO ORDER

The Deputy Mayor called the meeting to order at 6:08 p.m.

NATIONAL ANTHEM

MAYOR'S OFFICE - WELCOME & ADDRESS

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

Councillor Prue declared pecuniary interest with respect to Item # 7.2 due to the delegate being his wife.

Councillor Renaud declared pecuniary interest with respect to Item # 8.2 because he is the President of the Amherstburg Minor Hockey Association (AMHA) which pays User Fees to the Libro Centre.

REPORT OUT FROM IN-CAMERA SESSION - September 18, 2019

Council met on September 18, 2019, for a Special In-Camera Meeting at 12:09 pm and discussed (1) item as provided for under Section 239 of the Municipal Act:

Item A - heard under Section 239(2)(b)(d)&(e) of the Act. There is nothing further to report.

MINUTES OF PREVIOUS MEETING

Resolution # 20190923-452

Moved By Councillor Simone

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:

- 6.1 Special In-Camera Council Meeting Minutes - July 15, 2019**
- 6.2 Special Council Meeting Minutes - Planning - July 15, 2019**

6.3 Regular Council Meeting Minutes - July 15, 2019

The Deputy Mayor put the Motion.

Motion Carried

DELEGATIONS

7.1 Breast Cancer Awareness Month, October Initiatives - Alison Baldwin, Gisele Seguin & Cristina Naccarato, Windsor Regional Hospital Foundation

Resolution # 20190923-453

Moved By Councillor Renaud
Seconded By Councillor Simone

That:

- 1. The delegation BE RECEIVED; and,**
- 2. The month of October BE PROCLAIMED as Breast Cancer Awareness Month in the Town of Amherstburg.**

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20190923-454

Moved By Councillor Prue
Seconded By Councillor McArthur

That:

- 1. A table BE AUTHORIZED at the Libro Centre on the third weekend of October to allow for the Windsor Regional Foundation to collect donations during Breast Cancer Awareness Month; and,**
- 2. All associated fees for the table set up BE WAIVED.**

The Deputy Mayor put the Motion.

Motion Carried

7.2 Belle Vue Conservancy Status Report - Shirley Curson-Prue, President, Belle Vue Conservancy

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

Resolution # 20190923-455

Moved By Councillor Simone
Seconded By Councillor McArthur

That:

1. **The delegation BE RECEIVED; and,**
2. **The Town FACILITATE donations and issue receipts for the Belle Vue property until such time as Belle Vue Conservancy received charitable status.**

The Deputy Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

8.1 Development Charges Background Study and By-law 2019-083

Ron DeJonge, Everjonge Homes, addressed Council with respect to the Development Charges Background Study and By-law.

Moved By Councillor Simone
Seconded By Councillor McArthur

That the delegation BE RECEIVED.

The Deputy Mayor put the Motion.

Motion Carried

Nancy Neale, Watson and Associates, addressed Council with respect to the Development Charges Study and By-law.

Moved By Councillor Prue
Seconded By Councillor Renaud

That the motion for Item # 8.1 BE LAID ON THE TABLE to allow time for Ms. Neale to provide an amended by-law schedule.

The Deputy Mayor put the Motion.

Motion Carried

Council moved to Item # 8.2

8.2 2020 User Fees By-law

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

Councillor Simone moved the motion with an amendment to remove Basement Finished - After New Construction, from Schedule B - Building Services - Part 2.

Resolution # 20190923-456

Moved By Councillor Simone
Seconded By Councillor Renaud

That:

- 1. The changes in fees and charges for the 2020 User Fees By-law BE APPROVED as outlined in the report; and,**
- 2. By-law 2019-082 being a by-law to Establish User Fees or Charges for Services, Activities or the Use of Property be taken as having been read 3 times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same, as amended.**

The Deputy Mayor put the Motion.

Motion Carried

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There were no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

10.1 Placement of Underground Infrastructure, Curbs and Base Asphalt on Maintenance – Kingsbridge Subdivision Phase 7A/9A

Resolution # 20190923-457

Moved By Councillor Simone

Seconded By Councillor Renaud

That:

1. **The recommendations of the consulting engineer, BairdAE regarding the Placement of Underground Infrastructure, Curbs and Base Asphalt on Maintenance – Kingsbridge Subdivision Phase 7A/9A BE ACCEPTED; and,**
2. **The underground infrastructure, base asphalt and curbs for Kingsbridge Subdivision Phase 7A/9A BE PLACED on a 1-year maintenance period, commencing August 29, 2019.**

The Deputy Mayor put the Motion.

Motion Carried

10.2 Kingsbridge Subdivision Phase 8B-1 - Acceptance of Infrastructure and Placement of Infrastructure on Maintenance

Resolution # 20190923-458

Moved By Councillor Prue

Seconded By Councillor McArthur

That:

1. **The recommendations of the consulting engineer, Baird AE for Kingsbridge Subdivision Phase 8B-1 for the Acceptance of Infrastructure and Placement of Infrastructure on Maintenance BE ACCEPTED;**

2. **The curbs and base asphalt along Welsh Avenue from Lavers Crescent to Knobb Hill Drive for Kingsbridge Subdivision Phase 8B-1 BE ACCEPTED and ASSUMED as outlined in the report; and,**
3. **The sidewalk and surface asphalt along Welsh Avenue from Lavers Crescent to Knobb Hill for Kingsbridge Subdivision Phase 8B-1 BE PLACED on a 1-year maintenance period, commencing August 29, 2019.**

The Deputy Mayor put the Motion.

Motion Carried

10.3 Placement of Underground Infrastructure, Pathway, Curbs and Base Asphalt on Maintenance – Kingsbridge Subdivision - Knobb Hill Drive Phase 2 (Whelan Avenue to Welsh Avenue)

Resolution # 20190923-459

Moved By Councillor Prue
Seconded By Councillor McArthur

That:

1. **The recommendations of the consulting engineer, BairdAE for Placement of Underground Infrastructure, Pathway, Curbs and Base Asphalt on Maintenance – Kingsbridge Subdivision - Knobb Hill Drive Phase 2 (Whelan Avenue to Welsh Avenue) BE ACCEPTED; and,**
2. **The underground infrastructure, pathway, base asphalt and curbs for Kingsbridge Subdivision - Knobb Hill Drive Phase 2 (Whelan Avenue to Welsh Avenue) BE PLACED on a 1-year maintenance period, commencing August 29, 2019.**

The Deputy Mayor put the Motion.

Motion Carried

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

11.1 Zoning By-law Amendment - 514, 528 and Vacant Land (V/L) Simcoe Street

Resolution # 20190923-460

Moved By Councillor Renaud
Seconded By Councillor Simone

That:

1. The report from the Manager of Planning Services dated September 9, 2019 regarding a Zoning By-law Amendment at 514, 528 and Vacant Land (V/L) Simcoe Street, Part of Lot 62, Concession 7 BE RECEIVED; and,
2. By-law 2019-047 being a by-law to amend Zoning By-law No. 1999-52, for Special Provision Residential Second Density (R2-6) 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

There were no reports.

INFORMATION REPORTS

Resolution #20190923-461

Moved By Councillor Renaud
Seconded By Councillor Simone

That the following information reports BE RECEIVED:

- 13.1 Monthly Fire Department Activity Report – August 2019
- 13.2 2019 Second Quarter Operating Variance as at June 30, 2019
- 13.3 2019 KNYP Fishing Extension

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20190923-462

Moved By Councillor McArthur

Seconded By Councillor Prue

That:

1. **Administration BE DIRECTED to explore expanded fishing opportunities within the Town and bring back a report by March 2020; and,**
2. **All public fishing areas within the Town BE ADVERTISED.**

The Deputy Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20190923-463

Moved By Councillor Simone

Seconded By Councillor Renaud

That the following consent correspondence BE RECEIVED:

- 14.1 **2019 Policing Activity Report**
- 14.2 **Provincial Funding Cuts to Legal Aid Ontario - Chatham-Kent Resolution**
- 14.3 **International Day of the Girl - October 11, 2019**
- 14.4 **Single-Use Disposable Wipes - City of Kitchener Resolution**
- 14.5 **Lobby Provincial Ministers for Electronic Delegations - Township of Larder Lake**
- 14.6 **Mandatory Septic System Reports - Hastings Highlands Resolution**
- 14.7 **Upper Thames River Conservation Authority Programs - Township of Zorra Resolution**

The Deputy Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20190923-464

Moved By Councillor Prue
Seconded By Councillor Simone

- 15.1 That the Audit Advisory Committee Meeting Minutes of September 10, 2019 BE RECEIVED, the Terms of Reference BE APPROVED; and, the name change to Audit and Finance Advisory Committee BE APPROVED.**

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20190923-465

Moved By Councillor Prue
Seconded By Councillor Renaud

That the motion from Item # 8.1 BE TAKEN from the table.

The Deputy Mayor put the Motion.

Motion Carried

Council moved back to Item # 8.1

Nancy Neale provided Council with an amended schedule for By-law 2019-083.

Resolution # 20190923-466

Moved By Councillor Prue
Seconded By Councillor Simone

That the existing rate BE EXTENDED from October 4, 2019 to December 31, 2019 with the new rate effective January 1, 2020.

The Deputy Mayor put the Motion.

	Yes/Concur	No/Not Concur
Councillor Courtney	Absent	Absent
Councillor McArthur		X
Deputy Mayor Meloche	X	
Councillor Prue		X
Councillor Renaud	X	
Councillor Simone	X	
Mayor DiCarlo	Absent	Absent

Motion Carried

8.1 Resolution # 20190923-467

Councillor Renaud moved the motion with an amendment to the imposition of Development Charges, to be effective October 4, 2019, as amended, for the five (5) year period ending October 4, 2024 and that the Development Charges By-law 2014-101 be repealed on October 4, 2019.

Moved By Councillor Renaud
Seconded By Councillor McArthur

That:

1. **The report from the Director of Corporate Services dated August 27, 2019 regarding Development Charges Background Study and By-law - 2019 BE RECEIVED;**
2. **Wherever appropriate, grants, subsidies and other contributions be clearly designated by the donor as being to the benefit of existing development or new development, as applicable;**
3. **The assumptions contained in the 2019 Development Charges Background Study, dated July 24, 2019 BE ADOPTED as an anticipation with respect to capital grants, subsidies and other contributions;**
4. **The Development Charges approach to calculating wastewater charges on the wastewater serviced area and on a uniform Municipal-wide basis for all services BE CONTINUED;**

5. The capital projects set out in Chapter 5 of the 2019 Development Charges Background Study dated July 24, 2019 BE APPROVED, subject to annual review during the capital budget process;
6. The 2019 Development Charges Background Study, dated July 24, 2019 as prepared by Watson & Associates Economists Ltd. BE APPROVED AND ADOPTED;
7. No further public meeting be required with respect to the 2019 Development Charges Background Study and By-law;
8. By-law 2019-083 being a by-law for the imposition of Development Charges, to be effective October 4, 2019, as amended, for the five (5) year period ending October 4, 2024, be taken as having been read three times and finally adopted and the Mayor and Clerk BE AUTHORIZED to sign same; and,
9. Development Charges By-law 2014-101 BE REPEALED on October 4, 2019.

The Deputy Mayor put the Motion.

Motion Carried

OTHER MINUTES

16.1 Parks and Recreation Advisory Committee Minutes - September 9, 2019

Resolution # 20190923-468

Moved By Councillor Simone

Seconded By Councillor McArthur

That the following recommendations from the September 11, 2019, Parks and Recreation Advisory Committee Meeting BE APPROVED:

- That Council direct Administration to INVESTIGATE the feasibility of placing two or three baseball diamonds at Purdie Park for the 2020 season.
- That Council direct Administration to BRING BACK a draft definition of Urban Amherstburg including an appendix that identifies the boundaries of the primary and secondary settlement areas.

- That Council direct Administration to INVESTIGATE the feasibility, possible locations, possible community partners and best practices involved in the creation of a dog park.
- That Council direct Administration to INVESTIGATE the feasibility of restoring the two (2) out-of-repair tennis courts at Malden Centre Park for Pickleball use.
- That the Parks and Recreation Advisory Committee recognizes the importance of the Skate Park to the Town of Amherstburg and that Council direct Administration to INVESTIGATE a short list of locations and costs associated therein for relocating the Skate Park.
- That Council direct Administration to CONSIDER options for naturalizing parks to reduce the upkeep and beautify the park in conjunction with the 50 Million Tree Program.
- That Council direct Administration to REPORT BACK on how the above motions are referenced in the Parks Master Plan.

The Deputy Mayor put Motion.

Motion Carried

16.2 Audit Advisory Committee Minutes - August 29, 2019

Resolution # 20190923-469

Moved By Councillor Simone

Seconded By Councillor Prue

That the recommendation from the August 29, 2019, Audit Advisory Committee Meeting BE APPROVED:

- That the Audit Advisory Committee budget for training match other Committees at \$1,500.

The Deputy Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Renaud asked for an update with respect to an additional entry and exit into the Kingsbridge Subdivision.

The Director of Planning, Development, and Legislative Services advised Council that he would contact the developer to see what stage the development is at.

NEW BUSINESS

Resolution # 20190923-470

Moved By Councillor McArthur
Seconded By Councillor Simone

That Administration BE DIRECTED to revisit the \$25 fire permit fee and bring back a report outlining the statistics of the fire permit system over the past 2 years.

The Deputy Mayor put the Motion.

Motion Carried

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

Resolution # 20190923-471

Moved By Councillor Simone
Seconded By Councillor Prue

- 20.1 **By-law 2019-067 - New Bridge on the Collison Drain for Laramie Farms - 3rd & Final Reading**

That By-law 2019-067 being a by-law to Provide for the New Bridge on the Collison Drain for Laramie Farms be taken as having been read a 3rd & Final time and the Mayor and Clerk BE AUTHORIZED to sign same.

20.2 By-law 2019-087 - Confirmatory By-law

That By-law 2019-087 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on September 18th & 23rd, 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 # 20190923-472

Moved By Councillor Simone
Seconded By Councillor Prue

The Clerk advised Council that Item B was no longer required to be discussed.

That Council move into an In-Camera Meeting of Council at 8:21 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reason:

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

The Deputy Mayor put the Motion.

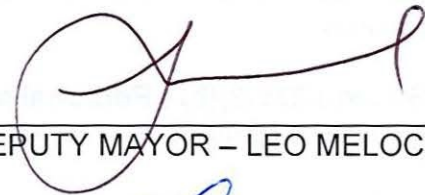
Motion Carried

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF
(In-Camera Agenda Meeting Items)

Councillor McArthur declared pecuniary interest on the In-Camera Item in the Special In-Camera Meeting.

ADJOURNMENT

Council rose & adjourned in Special In-Camera session at 8:50 p.m.

A handwritten signature in black ink, appearing to be 'Leo Meloche', written over a horizontal line.

DEPUTY MAYOR – LEO MELOCHE

A handwritten signature in blue ink, appearing to be 'Paula Parker', written over a horizontal line.

CLERK – PAULA PARKER