



**TOWN OF AMHERSTBURG**  
**REGULAR COUNCIL MEETING**  
**Tuesday, November 12, 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  
Paula Parker, Clerk  
Tammy Fowkes, Deputy Clerk

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**CALL TO ORDER**

The Mayor called the meeting to order at 3:04 p.m.

**SPECIAL IN-CAMERA COUNCIL MEETING**

Resolution # 20191209-518

**Moved By** Deputy Mayor Meloche  
**Seconded By** Councillor Simone

**That Council move into an In-Camera Meeting of Council at 3:05 pm pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:**

**Item A - Section 239(2)(i) - A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position, or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and, Section 239(2)(k) - A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.**

**Item B - Section 239(3.1) - Education or Training Session.**

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

The Mayor put the Motion.

**Motion Carried**

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

There were no disclosures of pecuniary interest noted.

**ADJOURNMENT OF SPECIAL IN-CAMERA COUNCIL MEETING @ 4:45 P.M.**

**RESUMPTION OF REGULAR COUNCIL MEETING**

**Moved By** Councillor Simone  
**Seconded By** Councillor McArthur

**That Council resume Regular session at 6:06 p.m.**

The Mayor put the Motion.

**Motion Carried**

## **NATIONAL ANTHEM**

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

There were no disclosures of pecuniary interest noted.

Councillor Prue provided a statement general in nature. He advised that he has received advice with respect to potential pecuniary interest regarding the Boblo Island Development Agreement discussions (item # 10.1 and item # 4.3). Councillor Prue confirmed that he does not have any pecuniary interest with respect to the noted discussions.

### **REPORT OUT FROM IN-CAMERA MEETING - Oct. 28 & Nov.12, 2019**

Council met on October 28<sup>th</sup>, 2019, for a Special In-Camera Meeting at 3:05 pm and discussed (1) item as provided for under Section 239 of the Municipal Act:

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

Council met on November 12<sup>th</sup>, 2019, for a Special In-Camera Meeting at 3:05 pm and discussed (3) items as provided for under Section 239 of the Municipal Act:

**Item A** – heard under Sections 239(2)(i)&(k) of the Act. There is nothing further to report.

**Item B** – heard under Section 239(3.1) of the Act. There is nothing further to report.

**Item C** – heard under Section 239(2)(d) of the Act. There is nothing further to report.

### **MINUTES OF PREVIOUS MEETING**

Resolution # 20191209-522

**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:**

**9.1 Special Council Meeting Minutes - August 26, 2019**

**9.2 Special Council Meeting Minutes - Planning - September 9, 2019**

The Mayor put the Motion.

**Motion Carried**

### **DELEGATIONS**

**10.1 Boblo Island Development Agreement - Cindy Prince, Vice President, AMICO Infrastructure Inc., Eric Farron, Home Owners Association Representative, and Kate Lyons, AMICO Legal Counsel**

Resolution # 20191209-523

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

**That:**

- 1. The delegation BE RECEIVED; and,**
- 2. By-law 2019-091 BE CONSIDERED up to and including Schedule D.**

The Mayor put the Motion.

**Motion Carried**

*Agenda item # 14.3 was moved forward*

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

**14.3 Subdivision Agreement for Boblo Developments (South-end) - County of Essex File No. 37-T-14004**

Resolution # 20191209-524

**Moved By** Councillor Simone  
**Seconded By** Deputy Mayor Meloche

**That By-law 2019-091 being a by-law to authorize the signing of a Subdivision Agreement for Boblo Developments (South-end)-County of Essex File No. 37-T-14004, satisfactory in form to the Director of Planning, Development and Legislative Services, in financial content to the Director of Corporate Services, and in technical content to the Manager of Planning Services, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign the same.**

The Mayor put the Motion.

**Motion Carried**

**Moved By** Deputy Mayor Meloche  
**Seconded By** Councillor Prue

**That Council recess for a break at 7:49 p.m.**

The Mayor put the Motion.

**Motion Carried**

**Moved By** Deputy Mayor Meloche  
**Seconded By** Councillor McArthur

**That Council resume Regular session at 8:02 p.m.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS – CORPORATE SERVICES**

### **11.1 2019 Tax Write-Offs and Rebates**

Resolution # 20191209-525

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

**That the property tax adjustments outlined in the report from the Supervisor of Revenue dated October 18, 2019 regarding 2019 Tax Write-offs and Rebates BE AFFIRMED.**

The Mayor put the Motion.

**Motion Carried**

## 11.2 Asset Management Policy

Resolution # 20191209-526

**Moved By** Councillor Simone

**Seconded By** Deputy Mayor Meloche

**That the Asset Management Policy BE ADOPTED as presented.**

The Mayor put the Motion.

**Motion Carried**

## REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There were no reports.

## REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

## REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

### 14.1 Transfer of Municipal Lands-Road Allowance at 26 Whelan Drive; Block 52, Plan 12M373 - in front of 26 Whelan Drive (Lot 37 on Plan 12M373)

Resolution # 20191209-527

**Moved By** Deputy Mayor Meloche

**Seconded By** Councillor Simone

**That:**

1. **By-law 2019-79 being a by-law to Stop Up, Close and Sell a Portion of the Unimproved Road Allowance described as Block 52 on Plan 12M373 located on the North side of Whelan Avenue be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign the same; and,**
2. **The Mayor and Clerk BE AUTHORIZED to sign all necessary documents for the transfer prepared in form and content satisfactory to the Director of Planning, Development and Legislative Services.**

The Mayor put the Motion.

**Motion Carried**

**14.2 Zoning By-Law Amendment - WS Concession 4 South**

Resolution # 20191209-528

**Moved By** Councillor Simone

**Seconded By** Deputy Mayor Meloche

**That By-law 2019-077, being a by-law to amend Zoning By-law No. 1999-52 for WS Concession 4 South, 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**

**14.3 Subdivision Agreement for Boblo Developments (South-end) - County of Essex File No. 37-T-14004**

*Dealt with above*

**REPORTS - CAO's OFFICE**

**15.1 2020 Calendar of Council Meetings**

Resolution # 20191209-529

**Moved By** Deputy Mayor Meloche

**Seconded By** Councillor Renaud

**That:**

- 1. The rules in the Procedural By-law requiring that regular meetings be held the second and fourth Monday of each month BE WAIVED for the months of July, August, and December; and,**
- 2. The 2020 Calendar of Council Meetings BE APPROVED, as presented.**

The Mayor put the Motion.

**Motion Carried**

## **INFORMATION REPORTS**

Resolution # 20191209-530

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

**That the following information reports BE RECEIVED:**

- 16.1 Cheque Listing for the Month of October 2019**
- 16.2 Kingsbridge Subdivision – Options for Additional Entrance**
- 16.3 Monthly Fire Department Report - September 2019**

The Mayor put the Motion.

**Motion Carried**

## **CONSENT CORRESPONDENCE**

Resolution # 20191209-531

**Moved By** Deputy Mayor Meloche  
**Seconded By** Councillor Renaud

**That the following consent correspondence BE RECEIVED:**

- 17.1 Accounts Paid - January 1, 2019 - May 31, 2019**
- 17.2 Local Health Care Services - Town of Kingsville Resolution**
- 17.3 Transformation of Building Services in Ontario - Municipality of Prescott Resolution**
- 17.4 Conservation Authority Board of Directors - Grey Sauble Conservation Authority Resolution**
- 17.5 Advertising Rates - 2020 Veterans Day Magazine**

The Mayor put the Motion.

**Motion Carried**



**CONSENT OTHER MINUTES**

Resolution # 20191209-532

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

**That the following minutes BE RECEIVED:**

**18.1 Mayor's Youth Advisory Committee Minutes - October 21, 2019**

The Mayor put the Motion.

**Motion Carried**

**OTHER MINUTES**

**19.1 Accessibility Advisory Committee Minutes - October 22, 2019**

Resolution # 20191209-533

**Moved By** Councillor McArthur  
**Seconded By** Councillor Simone

**That:**

1. **The Town of Amherstburg MATCH the Accessibility Committee of the Town of Essex in providing an equal portion of \$5,445.47 for the purchase of 5 accessible picnic tables; and,**
2. **The Person First Language (PFL) BE ADOPTED as a pilot project at the Accessibility Committee level with further consideration of use in the organization at a later date.**

The Mayor put the Motion.

**Motion Carried**

**19.2 Drainage Board Meeting Minutes - November 5, 2019**

Resolution # 20191209-534

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

**That:**

1. **The Drainage Board Meeting Minutes of November 5, 2019 BE RECEIVED;**
2. **By-law 2019-093 being a by-law to provide for the New Access Culvert on the Dupuis Drain for Bastien based on the Drainage Report by R. Dobbin Engineering BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same;**
3. **By-law 2019-095 being a by-law to provide for the John Parks Drain No. 1 Improvements 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 request from Peter Crump for the repair and improvement of the John Parks Drain No. 2 per Section 78 of the Drainage Act BE ACCEPTED, as recommended by the Drainage Board;**
5. **The appointment of the firm of R. Dobbin Engineering Inc. to complete a report for the repair and improvement of the John Parks Drain No. 2 BE APPROVED, as recommended by the Drainage Board, and,**
6. **The assessment adjustments as listed in the engineering report prepared by Rood Engineering Inc. for the Subsequent Connection – Tremblay Drain (Lepera Section 65) BE APPROVED, as recommended by the Drainage Board.**

The Mayor put the Motion.

**Motion Carried**

## **UNFINISHED BUSINESS**

There was no Unfinished Business brought forward.

## **NEW BUSINESS**

1. Councillor Courtney advised of a Secret Santa Dinner charity event being hosted by the Mickle family, owners of Mealtime Express, on November 17, 2019, with proceeds going to families in need.

## NOTICE OF MOTION

*As introduced at the October 28, 2019, Regular Council Meeting*

### 22.1 Climate Change Emergency Declaration - Councillor McArthur

Resolution # 20191209-535

**Moved By** Councillor McArthur

**Seconded By** Councillor Prue

**That Amherstburg Council join the more than 400 other Canadian municipalities who have declared a Climate Emergency and work to reduce emissions as recommended by the Windsor-Essex County Environment Committee.**

***“WHEREAS the Windsor-Essex County Environment Committee is sounding the alarm and urging the City of Windsor and the County of Essex to declare Climate Emergencies and work together to reduce emissions; and***

***WHEREAS more than 444 Canadian municipalities (including Chatham-Kent, London, Sarnia, Hamilton, St. Catharines, Guelph, Kingston, Kitchener and the Waterloo Region) have declared Climate Emergencies, some of which are also implementing strategic plans in order to help reduce global carbon emissions and mitigate the impacts of climate change; and***

***WHEREAS Amherstburg distributed sandbags to residents this summer in the face of historic water levels and has 43.7 km of shoreline along the Detroit River and Lake Erie, along with 12.4 km of shoreline on inland waterways, and is thus greatly affected by water levels in the Great Lakes basin; and***

***WHEREAS the most recent report by the UN Intergovernmental Panel on Climate Change (IPCC) has indicated that within 12 years, in order to keep the global average temperature increase to 1.5 degree C and maintain a climate compatible with human civilization, there must be a reduction in carbon emissions of about 45% from 2010 levels, reaching net zero carbon emissions by 2050; and***

***WHEREAS based on current projections of the future impacts of human-caused climate change, climate change will adversely the local economy, local infrastructure and property, put a strain on municipal budgets and result in significant economic and health burdens for local residents, particularly our vulnerable populations; and***

***WHEREAS climate change will jeopardize the health and survival of many local plant and animal species as well as their natural environments and ecosystems; and***

***WHEREAS Amherstburg and the surrounding region is already experiencing climate change impacts including, but not limited to, overland flooding, heavy rain event flooding, emergence of invasive species, an increased number of high heat days, the rise of vector borne diseases, the re-emergence of blue-green algae and harmful algal blooms in our lakes and rivers; and***

***WHEREAS municipalities are understood to produce and/or have regulatory jurisdiction over approximately 50% of carbon emissions in Canada; and***

***WHEREAS Amherstburg is embarking on a review of the Town's Official Plan; and***

***WHEREAS implementing climate action and making a transition to a low-carbon economy also represents a significant opportunity to stimulate economic growth, increase job opportunities and develop new technologies;***

***THEREFORE BE IT RESOLVED that Amherstburg declare a Climate Emergency and direct administration to prepare a report containing recommendations for priority actions items, implementation measures and cost requirements to accelerate and urgently work towards the reduction of emissions and preparing for our climate future.”***

The Mayor put the Motion.

**Motion Carried**

## **BY-LAWS**

### **23.1 By-law 2019-103 - Confirmatory By-law**

Resolution # 20191209-536

**Moved By** Deputy Mayor Meloche

**Seconded By** Councillor Simone

**That By-law 2019-103 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held November 4th and 11th, 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 Courtney

**Seconded By** Councillor McArthur

**That Council rise and adjourn at 8:43 p.m.**

The Mayor put the Motion.

Motion Carried



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MAYOR – ALDO DICARLO



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~~CLERK – PAULA PARKER~~  
DEPUTY CLERK – TAMMY FOWKES