



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, February 10, 2020
6:00 PM**

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

MINUTES

PRESENT

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

Giovanni (John) Miceli, CAO
Paula Parker, Clerk
Nicole Rubli, Deputy Clerk

ABSENT

Councillor Peter Courtney

CALL TO ORDER

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

NATIONAL ANTHEM

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

There were no disclosures of pecuniary interest noted.

MINUTES OF PREVIOUS MEETING

Deputy Mayor Meloche moved the minutes with an amendment to item # 4.4. The November 12, 2019 minutes, New Business item # 1 was amended to note that the Secret Santa charity event was hosted by the Mickle Family, owners of Mealtime Express, with the proceeds going to families in need.

Resolution # 20200210-051

Moved By Deputy Mayor Meloche
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:

- 4.1 **Special In-Camera Council Meeting Minutes - October 28, 2019**
- 4.2 **Special In-Camera Council Meeting Minutes - November 12, 2019**
- 4.3 **Special Council Meeting Minutes - Planning - November 12, 2019**
- 4.4 **Regular Council Meeting Minutes - November 12, 2019, *as amended***
- 4.5 **Special In-Camera Council Meeting Minutes - November 25, 2019**
- 4.6 **Regular Council Meeting Minutes - November 25, 2019**
- 4.7 **Special Council Meeting Minutes - Planning - December 9, 2019**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

There were no delegations.

REPORTS – CORPORATE SERVICES

6.1 Development Charges Act Changes Effective January 1, 2020 – Instalments, Rate Freezing and Interest Charges

Resolution # 20200210-052

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

Deputy Mayor Meloche moved the motion with additional direction to Administration send correspondence to the Regional Housing Corporation and to apply the higher rate prescribed the province or the rates included in the report.

That:

1. **For any development charges which become payable on or after January 1, 2020, and are payable in instalments in accordance with s. 26.1 of the Development Charges Act, 1997 (as amended), an annual interest rate equal to the greater of;**
 - i. **the second quarter Non-Residential Construction Index plus 0.5%;**
2. **For any development charges which, pursuant to s. 26.2 of the Development Charges Act, 1997 (as amended) (the Act), are calculated as of the date on which either a site plan approval application is deemed complete or a Zoning By-law Amendment application in respect of the development is deemed complete, an annual interest rate equal to the greater of;**
 - i. **the second quarter Non-Residential Construction Index plus 0.5%;**
3. **The annual interest rates as set out in 1 and 2 BE EFFECTIVE as interim rates until such time as the Town's Development Charges By-law is next reviewed and updated or amended, including establishment of interest rates under said By-law;**
4. **Administration BE DIRECTED to send correspondence to the Regional Housing Corporation Manager to express concern over the shortage of affordable housing in the Town of Amherstburg; and,**
5. **Administration BE DIRECTED to apply the higher of the rates prescribed by the province or the rates included in the report.**

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

There were no reports.

REPORTS - CAO's OFFICE

There were no reports.

INFORMATION REPORTS

Resolution # 20200210-053

Moved By Councillor Simone

Seconded By Councillor McArthur

That the following information reports BE RECEIVED:

- 11.1 2019 Yearly Building Activity**
- 11.2 Annual Committee Report 2019 - Audit and Finance Advisory Committee**
- 11.3 Windsor Essex County Economic Development Corporation (WEEDC) Job Site Challenge Submission**

Resolution # 20200210-054

Moved By Councillor Prue

Seconded By Councillor Simone

That: *(Item # 11.3)*

1. Administration **BE DIRECTED** to include the parcel of land to the east of Thomas Road and the parcel of land at the Bru Mon property;
2. Administration **BE DIRECTED** to author a report regarding the highest and best use of lands 1 & 2;
3. The CAO meet with Honeywell and the owners of the Bru Mon property;
4. The CAO **BE DIRECTED** to include the outcome of the meeting in the report and to report back to Council before the March 31, 2020 deadline; and,
5. Participation in pre-consultations **BE APPROVED** as allowed by the Province.

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20200210-055

Moved By Councillor McArthur

Seconded By Councillor Simone

That the following consent correspondence BE RECEIVED:

12.1 Deep Geologic Repository Project - City of Sarnia Resolution

The Mayor put the Motion.

Motion Carried

The Chief Administrative Officer advised Council that the entire recommendation including both (i) & (ii) were to be considered in item # 6.1 rather than (i) **OR** (ii).

Resolution # 20200210-056

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That item # 6.1 BE RECONSIDERED.

The Mayor put the Motion.

Motion Carried

Resolution # 20200210-057

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That:

1. For any development charges which become payable on or after January 1, 2020, and are payable in instalments in accordance with s. 26.1 of the Development Charges Act, 1997 (as amended), an annual interest rate equal to the greater of;

- i. the second quarter Non-Residential Construction Index plus 0.5%; OR,**
- ii) the average annual rate at which the Town would issue debentures to fund development charge projects plus 0.5%;**

SHALL APPLY to the principal amount of the deferred payment;

2. For any development charges which, pursuant to s. 26.2 of the Development Charges Act, 1997 (as amended) (the Act), are calculated as of the date on which either a site plan approval application is deemed complete or a Zoning By-law Amendment application in respect of the development is deemed complete, an annual interest rate equal to the greater of;

- i. the second quarter Non-Residential Construction Index plus 0.5%; OR,**
- ii) the average annual rate at which the Town would issue debentures to fund development charge projects plus 0.5%;**

SHALL APPLY to the amount of the development charge from the date of the complete application to the date the development charge is payable, as permitted by subsection 26.2(3) of the Act; and,

3. The annual interest rates as set out in 1 and 2 BE EFFECTIVE as interim rates until such time as the Town's Development Charges By-law is next reviewed and updated or amended, including establishment of interest rates under said By-law;
4. Administration BE DIRECTED to send correspondence to the Regional Housing Corporation Manager to express concern over the shortage of affordable housing in the Town of Amherstburg; and,
5. Administration BE DIRECTED to apply the higher of the rates prescribed by the province or the rates included in the report.

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

13.1 March 2020 - Easter Seals Month - Easter Seals Ontario (Windsor-Essex)

Resolution # 20200210-058

Moved By Councillor McArthur
Seconded By Councillor Renaud

That:

1. The correspondence dated January 31, 2020, from Easter Seals Ontario (Windsor-Essex) regarding March is Easter Seals Month BE RECEIVED; and,
2. March BE PROCLAIMED as Easter Seals Month in the Town of Amherstburg.

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20200210-059

Moved By Councillor Renaud
Seconded By Councillor Simone

That the following minutes BE RECEIVED:

14.1 Committee of Adjustment Meeting Minutes - October 29, 2019

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

15.1 Amherstburg Accessibility Advisory Committee Meeting Minutes - January 23, 2020

Resolution # 20200210-060

Moved By Councillor Renaud

Seconded By Deputy Mayor Meloche

That:

- 1. The Amherstburg Accessibility Advisory Committee Meeting Minutes of January 23, 2020 BE RECEIVED; and,**
- 2. A representative from the Essex County District School Board BE INVITED to attend a meeting to discuss accessibility features planned for the new General Amherst High School.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Simone asked for Council discussion with respect to items on and to be added to the Unfinished Business List.

The Clerk advised that Administration reviewed the list and if there was any items that Council feels should be added or omitted to let her know.

Councillor Prue provided a list of items, in the form of resolution numbers, that may have been removed from the Unfinished Business List and that he would like looked into.

2. Deputy Mayor Meloche asked for an update with respect to the Bell Fibre installation.

The Mayor advised that the installation timelines are on track and Bell has not asked for any extensions to the contract at this point.

3. Councillor Prue asked for an update with respect to light pollution on Boblo Island where street lighting is shining into some condominiums. He advised that the cap that was placed on the lights to filter light down has not worked for those affected.

The Manager of Roads and Fleet advised that this concern is still being assessed and will ensure that an update will be brought back to Council.

4. Deputy Mayor Meloche asked for an update with respect to the erection of the wildlife awareness signage.

The Manager of Roads and Fleets advised that a sign permit was submitted to the County and the Town is waiting for the permit to be finalized. He further advised that the Town has the materials and that the County has agreed to install the signs.

NEW BUSINESS

1. Councillor Prue advised that he attended the Boblo Island Homeowners meeting where many residents were asking the developer to stop their trucks from idling while on the ferry and while waiting for the ferry. He advised that the developer stated he can't do anything about that since the Town does not have an idling by-law but would apply.

The Manager of Licencing and Enforcement advised that the Noise By-law has an idling provision in it which indicates that idling is prohibited after 5 minutes unless there is extreme cold weather or if there is a manufacturers requirement for it to idle longer.

Councillor Prue asked for a report to be brought back to Council as to whether the Noise By-law can be enforced with respect to idling.

2. Resolution # 20200210-061

Moved By Councillor Simone
Seconded By Councillor McArthur

That Administration BE DIRECTED to look into prohibiting on-street parking during heavy snowfalls to assist snowploughs when clearing snow.

The Mayor put the Motion.

Motion Carried

3. Deputy Mayor Meloche advised that Co-An Park was vandalized last week

4. Resolution # 20200210-062

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That Administration BE DIRECTED to send correspondence to the Ministry of Municipal Affairs and Housing asking for an update with respect to the Town's grant submission in the Municipal Modernization Program.

The Mayor put the Motion.

Motion Carried

5. Resolution # 20200210-063

Moved By Councillor McArthur

Seconded By Deputy Mayor Meloche

That Administration BE DIRECTED to contact the Association of Municipalities Ontario (AMO) to seek their position on cannabis consumption venues and that a report BE BROUGHT by the March 9, 2020, Regular Council Meeting so that the Town can take an official position on cannabis consumption venues within the Town of Amherstburg.

The Mayor put the Motion.

Motion Carried

6. Resolution # 20200210-064

Moved By Councillor McArthur

Seconded By Councillor Prue

That an exemption BE GRANTED to Section 12.1 of the Town's Sign By-law to allow for an off-site portable sign and that relief from the moratorium BE GRANTED on portable signs to Amherstburg Public School to allow them to advertise their kindergarten registration on a portable sign at 300 Victoria Street South until February 28, 2020.

The Mayor put the Motion.

Motion Carried

7. Councillor McArthur advised that Viking Cruises is setting up in Windsor and inquired as to docking capabilities in Amherstburg.

The Chief Administrative Officer advised that there are currently no appropriate docking capabilities for Viking Cruise Lines in Town but the concept at the Duffy's site has made that provision.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

Resolution # 20200210-065

Moved By Deputy Mayor Meloche

Seconded By Councillor Prue

19.1 By-law 2019-092 - Road Allowance Transfer for 26 Whelan Drive

That By-law 2019-092 being a by-law to stop up, close and sell a portion of the unimproved road allowance in front of 26 Whelan Drive be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

19.2 By-law 2020-013 - Appointment of Building Officials and Inspectors

Resolution # 20200210-066

That By-law 2020-013 being a by-law to appoint Building Officials and Inspectors, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

19.3 By-law 2020-016 - Confirmatory By-law

Resolution # 20200210-067

That By-law 2020-016 being a by-law to Confirm all Resolutions of the Municipal Council Meeting held February 10th, 2020, 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

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20200210-068

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That Council move into an In-Camera meeting of Council at 6:57 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 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 OF IN-CAMERA COUNCIL MEETING @ 7:35 P.M.

Council adjourned in Special In-Camera session.



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER