



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
Monday, October 26, 2020
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
Nicole Rubli, Deputy Clerk

ABSENT

Mayor Aldo DiCarlo

Members of Council were in attendance in Council Chambers. Public participation was conducted via Livestream.

CALL TO ORDER

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

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

Item # 8.2 - Councillor Courtney declared a conflict of pecuniary interest with respect to the Site Plan and Development Agreement - 330 Simcoe Street, General Amherst High School. Councillor Courtney advised that he owns a rental property abutting the new high school site and that the property value could potentially be affected by the site plan and amenities of the new high school.

New Business Item # 3 - Councillor Renaud declared a conflict of pecuniary interest with respect to Councillor Courtney's motion in the event there may be additional costs associated with opening up additional spectator seating at the Libro. Councillor Renaud advised that he is the President of the Amherstburg Minor Hockey Association (AMHA).

MINUTES OF PREVIOUS MEETING

Resolution # 20201026-328

Moved By Councillor McArthur
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:

3.1 Regular Council Meeting Minutes - October 13, 2020

The Deputy Mayor put the Motion.

Motion Carried

DELEGATIONS

4.1 CIBC Run for the Cure - Drive In Movie Fundraising Event - Jennifer Stokes

4.2 Royal Canadian Legion Branch 157 - Remembrance Day Parade, Laurie Cavanaugh

Agenda item # 8.3 was moved forward.

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

8.3 2020 Special Events Approval – Part II

Councillor Prue requested a friendly amendment to waive the fees for both the CIBC Run for a Cure event and the Remembrance Day ceremony.

Resolution # 20201026-329

Moved By Councillor Renaud

Seconded By Councillor Simone

That:

- 1. The delegates in items # 4.1 and # 4.2 BE RECEIVED;**
- 2. The following events BE APPROVED:**
 - i. Royal Canadian Legion Br. 157, Remembrance Day Ceremony– November 11, 2020; and,**
 - ii. CIBC Run for a Cure, Drive in Movie Night Fundraiser– November 7, 2020;**
- 3. The rolling road closure on Dalhousie Street for the Remembrance Day Ceremony BE DENIED;**
- 4. The Public Events Committee BE DIRECTED to confirm that the requirements identified by the Committee are met prior to the event;**
- 5. The fees BE WAIVED to a maximum of \$1000 for the CIBC Run for a Cure event; and,**
- 6. The fees BE WAIVED for the Royal Canadian Legion Branch 157, Remembrance Day Ceremony.**

The Deputy Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

5.1 2020 Second Quarter Variance as at June 30, 2020

Resolution # 20201026-330

Moved By Councillor Simone

Seconded By Councillor McArthur

That:

1. **A transfer from the Fire Reserve not to exceed \$50,000 BE APPROVED to fund unbudgeted personal protective equipment (PPE) expense under the Fire budget centre;**
2. **A transfer to the Reserve Fund General of surplus Ontario Aggregate Fees revenue not to exceed \$195,000 BE APPROVED for funding of asset management lifecycle spending in a future budget; and,**
3. **Administration BE DIRECTED to apply for Safe Restart Agreement Municipal Operating Funding - Phase 2 to assist in funding operating costs for COVID-19 response in 2020.**

The Deputy Mayor put the Motion.

Motion Carried

5.2 Alternate Employee Recognition for 2020

Resolution # 20201026-331

Moved By Councillor McArthur

Seconded By Councillor Simone

That Administration BE DIRECTED to recognize staff members as recommended in the report from the Manager of Human Resources regarding Alternate Employee Recognition for 2020 dated October 13, 2020.

The Deputy 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

8.1 Removal of Holding Zone for Kingsbridge Subdivision Phase 7

Resolution # 20201026-332

Moved By Councillor Simone
Seconded By Councillor Renaud

That By-law 2020-056 being a by-law to Amend Zoning By-law 1999-52 to Remove a Holding Zone for Kingsbridge Subdivision Phase 7 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

8.2 Site Plan and Development Agreement – 330 Simcoe Street, General Amherst High School

Councillor Courtney removed himself from discussion and voting due to his declared conflict of pecuniary interest.

Resolution # 20201026-333

Moved By Councillor Simone
Seconded By Councillor Renaud

That:

- 1. The Site Plan and Development Agreement with Greater Essex County District School Board for 330 Simcoe Street BE APPROVED subject to being satisfactory in technical content to the Director of Engineering and Public Works, financial content to the Director of Corporate Services and in form and legal content to the Town’s legal counsel; and,**
- 2. By-law 2020-055 being a by-law to Authorize the Signing of the Development Agreement be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign the same.**

The Deputy Mayor put the Motion.

Motion Carried

8.3 2020 Special Events Approval – Part II

As dealt with above.

REPORTS - CAO's OFFICE

9.1 Declaration of Surplus Properties for Disposition

Councillor Simone amended the motion to remove parts c, d, and e.

Resolution # 20201026-334

Moved By Councillor Simone

Seconded By Councillor Renaud

That:

1. **In keeping with the Disposal of Surplus Real Property Policy, Section 6.15 the following properties BE DECLARED SURPLUS to the needs of the Town:**
 - a. **Vacant 100' by 175' viable residential building lot, located on the east side of Dot Street, described legally as Part of Lot 12, Concession 1, and more particularly as Parts 1 & 2 on Plan 12-R 5818, Part of PIN 01546-0460; and,**
 - b. **Vacant 80' by 139' viable residential building lot, located on the west side of Townline Road (Essex Road 41), described legally Lots 13 & 14, registered Plan 1292, Amherstburg, PIN 75191-0080 & 75191-0081;**
 - c. ~~Vacant 20' by 186' non-viable remnant parcel located at the rear of the improved properties known as 123-133 Girard Street, described legally as Part of Block A, Registered Plan 960 and more particularly as Parts 1-3 on Plan 12-R 17362, PIN 01544-1261;~~
 - d. ~~Vacant approximate 26' by 877' non-viable remnant parcel located at the rear of the improved properties known as 106-156 McDonald Avenue, described legally as Part of Lot 18, Concession 1, (aka Reserve Registered Plan 1156), PIN 70571-0350;~~

~~e. Vacant irregular shaped .21 acre non-viable remnant landlocked parcel located behind and landlocked by 1007 Front Road North, described legally as Part Lot 20, Registered Plan 1455, Anderton, PIN 01546-0338; and,~~

2. The properties listed above **BE DISPOSED OF** in keeping with Sections 6.4.1, 6.5, 6.6, 6.7, 6.8.1, 6.8.2, 6.12 and 6.14 of the Disposal of Real Property Policy; and,
3. The Chief Administrative Officer **BE AUTHORIZED** to sign the required **MLS listing agreement** for properties 1 & 2 shown above.

The Deputy Mayor put the Motion.

Motion Carried

Moved By Councillor Simone
Seconded By Councillor Prue

That Council recess for a break at 7:23 p.m.

The Deputy Mayor put the Motion.

Motion Carried

Moved By Councillor Simone
Seconded By Councillor Renaud

That Council resume Regular session at 7:32 p.m.

The Deputy Mayor put the Motion.

Motion Carried

9.2 Amendment to the Code of Conduct – Council, Committees and Local Boards

Amendments were requested to the policy and referred to the Clerk to bring for consideration at the next Regular Council Meeting.

Resolution # 20201026-335

Moved By Councillor Prue
Seconded By Councillor Renaud

That the amendments to the Code of Conduct - Council, Committees and Local Boards Policy, BE REFERRED to the Clerk to complete for the next Regular Council Meeting.

The Deputy Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20201026-336

Moved By Councillor Prue
Seconded By Councillor Simone

That the following information reports BE RECEIVED:

- 10.1 Amherstburg Environmental Advisory Committee – Member Resignation**
- 10.2 Review of Pedestrian Crossing Concerns for Signalized Intersections**
- 10.3 Student Transportation Services – Community Impacts 2020**
- 10.4 Considerations for Budget and Financial Report Disclosures**

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20201026-337

Moved By Councillor Prue
Seconded By Councillor Simone

(Item # 10.1) - That Hartt Goldman BE APPOINTED to the Amherstburg Environmental Advisory Committee.

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20201026-338

Moved By Councillor Prue
Seconded By Councillor Simone

(Item # 10.3) - That Administration **BE DIRECTED** to send the information report regarding Student Transportation Services – Community Impacts 2020, to all school boards and to the individuals who have delegated with respect to the Crossing Guard Program.

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20201026-339

Moved By Councillor McArthur
Seconded By Councillor Prue

That a Crossing Guard **BE ADDED** to the corner of Simcoe Street and Fryer Street and to the corner of Simcoe Street and Victoria Street South.

The Deputy Mayor put the Motion.

Motion Failed

Resolution # 20201026-340

Moved By Councillor Prue
Seconded By Councillor Simone

(Item # 10.4) – That recommendations as set out in the information report regarding Considerations for Budget and Financial Report Disclosures **BE ADOPTED**.

The Deputy Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20201026-341

Moved By Councillor Simone
Seconded By Councillor McArthur

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

11.1 3rd Quarter Statistics - Windsor Police Service, Amherstburg Detachment

11.2 Development Approval Requirements for Landfills, Bill 197 - City of St. Catherines Resolution

11.3 Request to Review the Municipal Elections Act - Township of Wollaston Resolution

The Deputy Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20201026-342

Moved By Councillor Simone
Seconded By Councillor McArthur

That the following minutes BE RECEIVED:

12.1 Economic Development Advisory Committee Minutes - September 3, 2020

12.2 Economic Development Advisory Committee Minutes - October 1, 2020

The Deputy Mayor put the Motion.

Motion Carried

OTHER MINUTES

13.1 Drainage Board Meeting Minutes - October 14, 2020

Resolution # 20201026-343

Moved By Councillor Renaud
Seconded By Councillor Courtney

That:

- 1. The Drainage Board Meeting Minutes of October 14, 2020 BE RECEIVED;**
- 2. The request from 1454410 Ontario Inc. (Cecelia Acres c/o Charles Stockwell) for the installation of new access culverts over the Owen Bondy Drain per Section 78 of the Drainage Act BE ACCEPTED, as recommended by the Drainage Board;**

3. **The request from 1454410 Ontario Inc. (Cecelia Acres c/o Charles Stockwell) for the Subsequent Connections of 265 and 349 Concession Road 3 North into the Owen Bondy Drain and the Whalen Drain per Section 65(3) of the Drainage Act BE ACCEPTED, as recommended by the Drainage Board; and,**
4. **The appointment of the firm of N.J. Peralta Engineering Ltd. to complete the necessary reports for the repair and improvement to the Owen Bondy Drain and the Subsequent Connections into the Owen Bondy Drain and Whalen Drain BE APPROVED, as recommended by the Drainage Board.**

The Deputy Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

There was no Unfinished Business brought forward.

NEW BUSINESS

1. Councillor Prue requested that an information report regarding recent changes to the Municipal Elections Act be provided at the next Regular Council Meeting.

2. Resolution # 20201026-344

Moved By Councillor McArthur
Seconded By Councillor Simone

That the Rules of Order BE WAIVED to allow consideration of action, without notice to public, regarding opening spectator seating at the Libro Centre and also to work with Essex Power.

The Deputy Mayor put the Motion.

Motion Carried

3. Resolution # 20201026-345

Moved By Councillor Courtney
Seconded By Councillor McArthur

That Administration BE DIRECTED to bring a report back to the next

Regular Council Meeting outlining all associated costs with respect to opening a portion of the seating area on Rink A at the Libro Centre for spectator viewing.

Councillor Renaud declared a conflict of pecuniary interest with respect to Councillor Courtney's motion in the event there may be additional costs associated with opening up additional spectator seating at the Libro. Councillor Renaud advised that he is the President of the Amherstburg Minor Hockey Association (AMHA) and he removed himself from discussion and voting on the matter.

The Deputy Mayor put the Motion.

Motion Carried

4. Resolution # 20201026-346

Moved By Councillor Courtney
Seconded By Councillor Simone

That Administration BE DIRECTED to work with Essex Power to provide information to property owners regarding options for payments on account by other parties, such as tenants.

The Deputy Mayor put the Motion.

Motion Carried

5. Councillor Courtney advised of the annual Secret Santa Dinner charity event being hosted by the Mickle family, owners of Mealtime Express, on November 15, 2020, with proceeds going to families in need.

6. Councillor Simone asked for an update with respect to a by-law coming forward for consideration regarding electronic signs.

The Chief Administrative Officer advised that he is anticipating the media policy to be brought to the November 23, 2020, Regular Council Meeting.

7. Councillor Simone inquired about ear tipping and the Spay and Neuter Voucher Program and also the Animal Control By-law.

Resolution # 20201026-347

Moved By Councillor McArthur
Seconded By Councillor Simone

That Administration BE DIRECTED to bring an information report back regarding ear tipping and the Spay and Neuter Voucher Program for feral cats.

The Deputy Mayor put the Motion.

Motion Carried

The Manager of Licensing and Enforcement confirmed that the Animal Control By-law is still forthcoming.

8. Councillor Simone asked if it was possible that Council meet with representatives of the Greater Essex County District School Board so that questions that the residents may have regarding the new General Amherst High School can be addressed.

The Chief Administrative Officer advised that the Board is made up elected official and residents have the opportunity to connect with their Trustee to ask questions and address concerns. He advised that he will facilitate a meeting if that is Council's direction.

9. **Moved By** Councillor Simone
Seconded By Councillor McArthur

That the meeting BE EXTENDED to 10:30 p.m.

The Deputy Mayor put the Motion.

Motion Carried

10. Councillor McArthur asked for an update with respect to the third gymnasium, the two PASS Classrooms, and the auto shop, and the track at the new high school.

The Chief Administrative Officer advised that there will be a third gymnasium and the auto shop class and that the tendering of the two additional PASS Classrooms was not successful. He advised that the track on the property will not exist as it currently is and it will be demolished.

11. Deputy Mayor Meloche advised that the Town's resolution regarding the request for an extension on AODA Compliance was brought forward at the County Council Meeting. The Clerk advised that the Essex County Accessibility Advisory Committee did not support the resolution but there has been support from 13 other municipalities thus far.

12. Councillor Renaud asked when the speed reduction will be in place on Simcoe Street.

The Director of Engineering and Public Works advised that the department is waiting on additional signs and it should be in place in the next week or two.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

17.1 By-law 2020-063 - Confirmatory By-law

Resolution # 20201026-348

Moved By Councillor Simone
Seconded By Councillor Prue

That By-law 2020-063 being a by-law to Confirm all Resolutions of the Municipal Council Meeting held on October 26th, 2020, 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 # 20201026-349

Moved By Councillor Simone
Seconded By Councillor Prue

That Council move into an In-Camera Meeting of Council at 10:13 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason:

Item A - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the municipality or local board.

The Deputy 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

Council adjourned in Special In-Camera Session.



~~DEPUTY MAYOR – LEO MELOCHE~~
Aldo DiCarlo



CLERK – PAULA PARKER