



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, July 12, 2021
6:00 PM**

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

All members of Council participated in the meeting through video conferencing technology from remote locations. Public participation was conducted via livestream.

CALL TO ORDER

The Mayor called the meeting to order at 6:15 p.m.

ROLL CALL

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

LAND ACKNOWLEDGEMENT

We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island.

MINUTES OF PREVIOUS MEETING

Resolution # 20210712-229

Moved By Deputy Mayor Meloche
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:

- 4.1 Special In-Camera Council Meeting Minutes - June 28, 2021**
- 4.2 Regular Council Meeting Minutes - June 28, 2021**

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN-CAMERA SESSION - June 8, 2021

Council met on June 28, 2021, for a Special In-Camera Meeting at 3:34 p.m. and discussed 4 items as provided for under Section 239 of the Municipal Act:

Items A, B, & C were reported out on June 28, 2021.

Item D was heard under section 239(2)(c). There is nothing further to report at this time.

DELEGATIONS

6.1 Better Laws for Paws - Mackenzie Porter and Sarah Aubin

Resolution # 20210712-230

Moved By Councillor Prue

Seconded By Councillor Simone

That:

- 1. The delegation BE RECEIVED; and,**
- 2. Administration BE DIRECTED to bring back a report outlining any areas in which the Town's by-law can be improved based on the information brought forward by the delegates.**

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

There were no reports.

REPORTS – COMMUNITY & PROTECTIVE SERVICES

There were no reports.

REPORTS – INFRASTRUCTURE SERVICES

9.1 Fryer Street Reconstruction Phase 1 – Richmond Street to Alma Street - Tender Results

Resolution # 20210712-231

Moved By Councillor Courtney
Seconded By Councillor Renaud

That:

1. A 2021 over-expenditure not to exceed \$472,450 for the Fryer Street Reconstruction Phase 1 (Richmond to Alma) project for a total cost not to exceed \$2,672,450 including net HST BE APPROVED to be funded as outlined in the report from the Manager of Engineering dated June 28, 2021;
2. The Tender for Fryer Street Reconstruction Phase 1– Richmond Street to Alma Street BE AWARDED to Sherway Contracting (Windsor) Limited. for an amount not to exceed \$2,383,010 plus HST and the Mayor and Clerk BE AUTHORIZED to execute an agreement with Sherway Contracting (Windsor) Limited for the Fryer Street Reconstruction Phase 1– Richmond Street to Alma Street; and,
3. The proposal from Dillon Consulting Limited for Fryer Street Reconstruction Phase 1 – Contract Administration and On-Site Services BE ACCEPTED and the Mayor and Clerk BE AUTHORIZED to execute an agreement with Dillon Consulting Limited for Fryer Street Reconstruction Phase 1 – Contract Administration and On-Site Services for a total amount not to exceed \$187,050 plus HST.

The Mayor put the Motion.

Motion Carried

REPORTS - PLANNING & DEVELOPMENT SERVICES

10.1 Heritage Tax Rebate Applications for the 2018, 2019 and 2020 Taxation Years

Resolution # 20210712-232

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That:

1. **The applications for the Heritage Tax Rebate for the properties listed below BE APPROVED for the 2018 tax year:**
 - **273 Ramsay St.**
 - **443 Dalhousie St.**
2. **The applications for the Heritage Tax Rebate for the properties listed below BE APPROVED for the 2019 tax year:**
 - **7143 County Rd. 50**
 - **252 Dalhousie St.**
 - **51 North St.**
3. **The applications for the Heritage Tax Rebate for the properties listed below BE APPROVED for the 2020 tax year:**
 - **459 Dalhousie St.**

The Mayor put the Motion.

Motion Carried

Resolution # 20210712-233

Moved By Councillor McArthur
Seconded By Councillor Simone

That Administration BE DIRECTED to dedicate a line item for heritage rebates in future budgets starting in the 2022 Budget.

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

11.1 Provision of Dispatch Services Agreement - City of Windsor

Resolution # 20210712-234

Moved By Councillor Prue
Seconded By Councillor Renaud

That:

1. **Administration BE AUTHORIZED to procure fire dispatch services through sole source purchasing per section 24.3.2 of the Town's Procurement Policy;**
2. **The amended Fire Dispatch Services Agreement with the City of Windsor BE APPROVED, as presented; and,**
3. **By-law 2021-045 being a By-law to execute an agreement between the Corporation of the Town of Amherstburg and the Corporation of the City of Windsor for Fire Dispatch 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

INFORMATION REPORTS

Resolution # 20210712-235

Moved By Councillor Courtney

Seconded By Councillor Prue

That the following information reports BE RECEIVED:

12.1 Provincial Job Site Challenge Update

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20210712-236

Moved By Councillor McArthur

Seconded By Councillor Courtney

That the following consent correspondence BE RECEIVED:

13.1 2021 Induction of the Coloured All-Stars into the Canadian Baseball Hall of Fame - Chatham-Kent Resolution

14.2 Inclusion of the PSA Test in the National Health Care System at No Charge - Town of Cochrane Resolution

14.3 Municipal Land Transfer Tax - Municipality of St. Charles Resolution

14.4 Request to Advertise - Veterans Day Magazine

The Mayor put the Motion.

Motion Carried

Resolution # 20210712-237

Moved By Councillor Renaud

Seconded By Councillor McArthur

(Item # 12.3) - **That Administration BE DIRECTED to send correspondence in support of the Town of Cochrane's resolution regarding Inclusion of the PSA Test in the National Health Care System at No Charge.**

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

14.1 Bullying Elimination Week - September 20-26, 2021

Resolution # 20210712-238

Moved By Councillor McArthur

Seconded By Councillor Prue

That:

- 1. The Proclamation received by Ryan Doyle, Author of Tears of Loneliness: The Angel Within regarding Bullying Elimination Week - September 20-26, 2021 BE RECEIVED; and,**
- 2. September 20-26, 2021 BE PROCLAIMED as Bullying Elimination Week in the Town of Amherstburg.**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20210712-239

Moved By Councillor Courtney
Seconded By Councillor Simone

That the following minutes BE RECEIVED:

- 15.1 Inclusive Community Program Advisory Steering Committee Minutes - June 23, 2021**
- 15.2 Seniors Advisory Committee Minutes - May 11, 2021**
- 15.3 Parks and Recreation Advisory Committee Minutes - May 12, 2021**
- 15.4 Economic Development Advisory Committee Minutes - June 3, 2020**

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

16.1 Drainage Board Meeting Minutes - July 6, 2021

Resolution # 20210712-240

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That:

- 1. The Drainage Board Meeting Minutes of July 6, 2021 BE RECEIVED;**
- 2. By-law 2021-046 being a By-law to provide for the Parks Drain Access Bridges and Drain Maintenance Schedules based on the Drainage Report by Dillon Consulting Ltd. BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same;**
- 3. The request from Rose Girard and Janet Moore for the maintenance of an existing access culvert over the Tremblay Drain per Section 74 of the Drainage Act BE ACCEPTED, as recommended by the Drainage Board;**

4. **The appointment of the firm of Rood Engineering Inc. to complete a report per Section 78 of the Drainage Act for the repair and improvement to the Tremblay Drain BE APPROVED, as recommended by the Drainage Board;**
5. **The request from Robert Blais for the installation of a new access culvert over the 3rd Concession Drain North per Section 78 of the Drainage Act BE ACCEPTED, as recommended by the Drainage Board;**
6. **The appointment of the firm of Rood Engineering Inc. for the repair and improvement to the 3rd Concession Drain North BE APPROVED, as recommended by the Drainage Board; and**
7. **The drainage apportionments BE APPROVED as listed, as recommended by the Drainage Board,**
 - **Consent B/35/20 - Drainage Apportionments for the Whelan Drain – 4401 Concession Road 4S**
 - **Consent B/02/21 – Drainage Apportionments for the Shaw Drain North – 5775 Concession Road 5N**
 - **Consent B/12/21 – Drainage Apportionments for the Warren Drain and Long Marsh Drain – 3441 Concession Road 3N**

The Mayor put the Motion.

Motion Carried

16.2 Amherstburg Environmental Advisory Committee Minutes - June 9, 2021

Councillor Prue amended the motion to direct Administration to bring back a report on how the Town can best utilize the trees received by ERCA, outline the costs associated, and outline where the trees can be planted in the Town's parklands.

Resolution # 20210712-241

Moved By Councillor Prue

Seconded By Councillor Courtney

That:

- ~~1. The Amherstburg Environmental Advisory Committee Minutes of June 9, 2021 BE RECEIVED; and,~~

- ~~2. Administration **BE DIRECTED** to **REPORT** on the potential tree planting locations in the Town of Amherstburg, not limited to but including, municipal right-of-ways, parkland, outstanding development requests and other municipally owned property.~~
3. Administration **BE DIRECTED** to bring back a report on how the Town can best utilize the trees received by ERCA, outline the costs associated, and outline where the trees can be planted in the Town's parklands.

The Mayor put the Motion.

Motion Carried

Resolution # 20210712-242

Moved By Councillor Prue
Seconded By Councillor Renaud

That the Amherstburg Environmental Advisory Committee Minutes of June 9, 2021 BE RECEIVED.

The Mayor put the Motion.

Motion Carried

16.3 Audit and Finance Advisory Committee Minutes - May 26, 2021

Councillor Prue moved the motion to include recommendation #'s 1, 3, & 4.

Resolution # 20210712-243

Moved By Councillor Prue
Seconded By Councillor Simone

That:

- 1. The Audit and Finance Advisory Committee Minutes of May 26, 2021 BE RECEIVED;**
- ~~2. Administration **BE DIRECTED** to **PRESENT** the Q4 year end budget to actual summaries and transfers inclusive of a schedule of reserves;~~
- 3. Administration **BE DIRECTED** to **BRING TARGETS** with the revised **Reserve Policy** for the medium and long term plan of Town Reserves; and,**

4. Administration BE DIRECTED to INDICATE which of the Audit and Finance Advisory Committee recommendations provided in the review of the last year’s budget were approved.

The Mayor put the Motion.

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

Motion Failed

Resolution # 20210712-244

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That the Audit and Finance Advisory Committee Minutes of May 26, 2021 BE RECEIVED.

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

There was no Unfinished Business brought forward.

NEW BUSINESS

1. The Chief Administrative Officer introduced Susan Hirota, Town Solicitor, to Council.
2. Discussion ensued with respect to the Jack Purdie Park and Centennial Park proposals and concepts presented to the public on July 7th.

The Chief Administrative Officer and the Director of Community and Protective Services answered Council questions.

Councillor Simone asked if an updated slide can be provided in which General Amherst High School is not included as a part of the percentage of greenspace.

The Director of Community and Protective Services advised that she can update the slide as requested.

3. Councillor Courtney asked for an update with respect to the re-opening of Town Hall to the public.

The Chief Administrative Officer advised that Town Hall will be re-opened to the public on Monday, July 26, 2021.

4. Deputy Mayor Meloche asked if any money was spent recently on upgrades to the former Amherstburg Community Services (ACS) building on Victoria Street.

The Chief Administrative Officer confirmed that no money was spent on the former ACS building.

5. Councillor Prue asked when Council and Committee meetings will resume in person at Town Hall.

The Chief Administrative Officer advised that the intent is to resume with Council, Administration, and delegates appearing in person, similar to when the pandemic first started; and further, he is targeting the July 26th meeting to begin in person once again.

6. Councillor Prue advised that a resident called regarding a hole covered up by plywood at the end of Alma Street need the water and asked when it will be repaired.

The Chief Administrative Officer advised that a grant was received to remediate that issue.

The Manager of Engineering advised that he will follow up with the Manager of Roads and Fleet and provide Council with a timeline for repairs to the area.

7. Resolution # 20210712-245

Moved By Councillor Courtney
Seconded By Councillor Prue

That Administration BE DIRECTED to prepare another concept of all of H. Murray Smith Park inclusive of greenspace in place of the former ACS building.

The Mayor put the Motion.

Motion Carried

8. Councillor Courtney asked if there was any destruction of property at the Community Hub at 320 Richmond after kids were found to have climbed onto the building's roof. He also asked if cameras or other mitigating measures are being considered to prevent access to the roof.

The Director of Community and Protective Services advised that maintenance crews inspect the skate park every morning. She advised that there is a fence around a gas metre which can be used as an access point to the roof and the kids who accessed the roof did cause some damage to the building's HVAC units. She further advised that repairs will be completed to the HVAC units and measures will be taken to prevent access to the roof.

9. Councillor Courtney asked if it was possible to approach both school boards to discuss the possibility of a joint use track or to change the property lines to be able to include a track on Town property at Centennial Park.

The Chief Administrative Officer advised that he had already spoke with the Greater Essex County District School Board who advised that they did not have the funds for a track on their property. The CAO further advised that with respect to changing property lines, the Town would need to buy land back from the school board and he would need direction from Council regarding the size of the track.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

20.1 By-law 2021-048 - Confirmatory By-law

Resolution # 20210712-246

Moved By Councillor Renaud
Seconded By Deputy Mayor Meloche

That By-law 2021-048 being a by-law to Confirm all the Resolutions of the Municipal Council Meetings held on July 12, 2021 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 Simone

That Council adjourn at 9:41 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

DEPUTY CLERK – TAMMY FOWKES