



**TOWN OF AMHERSTBURG  
REGULAR COUNCIL MEETING**

**Monday, April 11, 2022  
6:00 PM**

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

**MINUTES**

**PRESENT**

Deputy Mayor Leo Meloche  
Councillor Peter Courtney – *participated electronically*  
Councillor Donald McArthur  
Councillor Michael Prue – *participated electronically*  
Councillor Marc Renaud  
Councillor Patricia Simone

Peter Simmons, CAO  
Valerie Critchley, Director, Legislative Services/Clerk  
Kevin Fox, Deputy Clerk

**ABSENT**

Mayor Aldo DiCarlo

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**CALL TO ORDER**

The Mayor called the meeting to order at 6:03 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.

The Deputy Mayor removed Agenda Items # 9.5 and # 11.1

## **MINUTES OF PREVIOUS MEETING**

Resolution # 20220411-01

**Moved By** Councillor Renaud

**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:**

- 5.1 Special Council Meeting Minutes of March 28, 2022**
- 5.2 Regular Council Meeting Minutes of March 28, 2022, *as amended***

The Deputy Mayor put the Motion.

**Motion Carried**

## DELEGATIONS

### 6.1 **AMA Sportsman Bob Meloche Kids Fishing Derby - Rod Ferris and Chris Drew of AMA Sportsman Association**

Resolution # 20220411-02

**Moved By** Councillor McArthur  
**Seconded By** Councillor Renaud

**That:**

1. **The delegation BE RECEIVED;**
2. **The request to waive fees for the use of the Kings Navy Yard Park BE APPROVED; and,**
3. **Fees for the use of the Kings Navy Yard Park BE WAIVED in subsequent years for the Kids Fishing Derby.**

The Deputy Mayor put the Motion.

**Motion Carried**

## REPORTS – CORPORATE SERVICES

### 7.1 **Final Tax Rate By-Law 2022-044**

Resolution # 20220411-03

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

**That By-law 2022-044 being a by-law to set and levy the rates of taxation for the year 2022, 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 - COMMUNITY AND PROTECTIVE SERVICES

### 8.1 2022 Special Events Approval - Part II

Resolution # 20220411-04

**Moved By** Councillor Simone

**Seconded By** Councillor Courtney

**That:**

**1. The following events BE APPROVED:**

- **Park House Museum-Music off the Back Porch: May 20, 2022-September 30, 2022 (1 Friday per month)**
- **Amherstburg Freedom Museum-Ribs & Ragtime: June 11, 2022**
- **Woofa-Roo Pet Fest: June 25-26, 2022**

**2. An exemption from table number 3-1(2) of Noise By-law #2001-43 with respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for music BE GRANTED for the following events:**

- **Park House Museum-Music off the Back Porch**
- **Amherstburg Freedom Museum-Ribs & Ragtime**
- **Woofa-Roo Pet Fest**

**3. An exemption BE GRANTED to Section 3 of the Kings Navy Yard Park By-law #2004-89 to allow for the following public event in the Kings Navy Yard Park:**

- **Park House Museum-Music off the Back Porch**

**4. The following events BE EXEMPT and PERMITTED for road closures to begin prior to 5pm:**

- **Amherstburg Freedom Museum-Ribs & Ragtime**

5. **The Public Events Committee BE DIRECTED to confirm that the requirements identified by the Committee are met prior to issuing an event permit.**

The Deputy Mayor put the Motion.

**Motion Carried**

## **REPORTS - INFRASTRUCTURE SERVICES**

### **9.1 Fryer Street Reconstruction Phase 2 – Richmond Street to Simcoe Street - Tender Results**

Resolution # 20220411-05

**Moved By** Councillor Courtney

**Seconded By** Councillor Renaud

**That:**

1. **A 2022 over-expenditure not to exceed \$139,515 for the Fryer Street Reconstruction Phase 2 (Richmond to Simcoe) project for a total cost not to exceed \$1,989,515 including net HST BE APPROVED to be funded as outlined in the report from the Manager of Engineering dated March 31, 2022;**
2. **The Tender for Fryer Street Reconstruction Phase 2– Richmond Street to Simcoe Street BE AWARDED to Sherway Contracting (Windsor) Limited. for an amount not to exceed \$1,865,514.50 plus HST and the Mayor and Clerk BE AUTHORIZED to execute an agreement with Sherway Contracting (Windsor) Limited for the Fryer Street Reconstruction Phase 2– Richmond Street to Simcoe Street; and,**
3. **The proposal from Dillon Consulting Limited for Fryer Street Reconstruction Phase 2 – 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 2 – Contract Administration and On-Site Services for a total amount not to exceed \$124,000.00 plus HST.**

The Deputy Mayor put the Motion.

**Motion Carried**

**9.2 2022 Amherstburg Inflow and Infiltration Program**

Resolution # 20220411-06

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

**That Council ENDORSE the 2022 Amherstburg Inflow and Infiltration Program to systematically reduce the treatment of storm water at the Town's sewage treatment facilities.**

The Deputy Mayor put the Motion.

**Motion Carried**

**9.3 2022 Road Repairs Program – Award of Tender**

Resolution # 20220411-07

**Moved By** Councillor Prue  
**Seconded By** Councillor Courtney

**That:**

- 1. The 2022 Road Repairs Program Tender BE AWARDED to Nasci Construction Services Ltd. in an amount of \$149,400 plus applicable taxes; and,**
- 2. The Mayor and Clerk BE AUTHORIZED to execute an agreement with Nasci Construction Services Ltd. for the completion of the 2022 Road Repairs Program.**

The Deputy Mayor put the Motion.

**Motion Carried**

**9.4 2022 Tar and Chip Program – Tender Award**

Resolution # 22020411-08

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

**That:**

1. **An over-expenditure not to exceed \$7,000 for the 2022 Road Maintenance (Tar and Chip) Program capital project, to be funded from current taxation, BE APPROVED;**
2. **The 2022 Road Maintenance (Tar and Chip) Program Tender BE AWARDED to Shepley Road Maintenance Limited in an amount of \$252,550 plus applicable taxes;**
3. **The Mayor and Clerk BE AUTHORIZED to execute an agreement with Shepley Road Maintenance Limited for completion of the 2022 Tar and Chip Program; and,**
4. **The Mayor and Clerk BE AUTHORIZED to execute an agreement with Shepley Road Maintenance Limited for completion of the 2022 Tar and Chip Program.**

The Deputy Mayor put the Motion.

**Motion Carried**

#### **9.5 2021 Building Division Fleet Vehicle Purchase**

*Removed – to be brought back at a later date.*

### **REPORTS - PLANNING AND DEVELOPMENT SERVICES**

#### **10.1 Additions to the Heritage Register**

The Deputy Clerk read correspondence received by Sami Salem and Touria Sadouk, Owners of 349 Dalhousie Street, with respect to their opposition to list their property as a property of interest on the Town's Heritage Register.

Resolution # 20220411-09

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

**That:**

1. **The following properties BE LISTED on The Town of Amherstburg's Heritage Register, as a non-designated property of cultural heritage value or interest in accordance with section 27(3) of the Heritage Act**
  - a. **159 Gore Street;**

- b. 274 Seymour Street;
- c. 349 Dalhousie Street; and,
- d. 359 Dalhousie Street.

The Deputy 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	Absent	Absent

**Motion Carried**

## 10.2 Zoning By-law Amendment for 111 St. Arnaud

Resolution # 20220411-10

**Moved By** Councillor Courtney  
**Seconded By** Councillor Prue

**That:**

1. The application for a site-specific rezoning **BE APPROVED** in principle and the final passing of the zoning by-law be subject to:
  - i. The completion of a noise study by the applicant by a qualified acoustical engineer, demonstrating that appropriate sound levels are maintained both inside and outside this facility – to meet all applicable health, safety and firearm regulations, and to maintain outdoor sound levels that do not exceed levels that currently exist at this location, and
  - ii. Execution of a Site Plan Agreement to the satisfaction of the Town.



2. **Following the completion of the above conditions, a by-law to rezone the lands and a by-law to authorize the execution of the Site Plan Agreement BE PRESENTED at a future Council meeting.**

The Deputy Mayor put the Motion.

**Motion Carried**

## **REPORTS - CAO's OFFICE**

- 11.1 **Proposed regulatory changes to the Fire Protection and Prevention Act. R.S.O. – Firefighter Certification**

*Removed – as dealt with at the March 28, 2022, Regular Meeting of Council*

## **INFORMATION REPORTS**

Resolution # 20220411-11

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

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

- 12.1 **Amherstburg Detachment of the Windsor Police Service Quarter 1 Policing Activities Report**

The Deputy Mayor put the Motion.

**Motion Carried**

## **CONSENT CORRESPONDENCE**

Resolution # 20220411-12

**Moved By** Councillor Renaud  
**Seconded By** Councillor McArthur

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

- 13.1 **AMO Policy Update - Ontario and Canada Sign Agreement for Early Years Child Care**

- 13.2 **AMO Policy Update - More Homes for Everyone Plan, Non-Resident Speculation Tax, Fee Elimination for Volunteer Police Background Checks**
- 13.3 **City of Waterloo Resolution re. Changes to the Ontario Building Code**
- 13.4 **Halton Hills Resolution re. New Gravel Extraction**
- 13.5 **Fort Erie Resolution re. Climate Change Action Plan**
- 13.6 **Municipality of Shuniah Resolution re. Support for Chapple Township NOMA Resolution**

The Deputy Mayor put the Motion.

**Motion Carried**

Resolution # 20220411-13

**Moved By** Councillor Prue  
**Seconded By** Councillor Courtney

*Item # 13.5 - That Administration BE DIRECTED to review Fort Erie’s resolution and determine whether the Town’s Climate Action Plan could be strengthened by adding Fort Erie’s recommendations.*

The Deputy Mayor put the Motion.

**Motion Carried**

## **CORRESPONDENCE**

- 14.1 **Falun Dafa Association Proclamation and Flag Raising Request**

Resolution # 20220411-14

**Moved By** Councillor Renaud  
**Seconded By** Councillor Prue

**That:**

1. **The Town of Amherstburg PROCLAIM that the month of May to be observed as “Falun Dafa Month” in the Town of Amherstburg.**

2. **May 13, 2022 BE RECOGNIZED as 'Falun Dafa Day' in the Town of Amherstburg; and,**
3. **The Falun Dafa flag BE RAISED in accordance with the request of the Falun Dafa Association.**

The Deputy Mayor put the Motion.

**Motion Carried**

#### **14.2 Brain Tumour Awareness Month Proclamation Request**

Resolution # 20220411-15

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

**That the Town of Amherstburg PROCLAIM the Month of May to be Brain Tumour Awareness month.**

The Deputy Mayor put the Motion.

**Motion Carried**

#### **CONSENT OTHER MINUTES**

Resolution # 20220411-16

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

**That the following Minutes BE RECEIVED:**

#### **15.1 Co-An Park Committee Meeting Minutes of February 9, 2022**

The Deputy Mayor put the Motion.

**Motion Carried**

## **OTHER MINUTES**

### **16.1 Seniors Advisory Committee Meeting Minutes of February 7, 2022**

Resolution # 20220411-17

**Moved By** Councillor McArthur  
**Seconded By** Councillor Renaud

**That:**

- 1. The Seniors Advisory Committee Meeting Minutes of February 7, 2022 BE RECEIVED;**
- 2. An information center space BE LOCATED at the front of 320 Richmond Community Hub for sharing public information on events, festivals, activities and programming; and,**
- 3. A costing report BE PREPARED for Council so that funding can be secured.**

The Deputy Mayor put the Motion.

**Motion Carried**

### **16.2 Drainage Board Meeting Minutes of April 5, 2022**

Councillor Prue requested that the monetary values be added to recommendation # 3.

Resolution # 20220411-18

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

**That:**

- 1. The Drainage Board Meeting Minutes of April 5, 2022, BE RECEIVED;**
- 2. The preliminary engineer's report, prepared by R. Dobbin Engineering Inc. on March 10, 2022 for the Rebidoux Drain BE RECEIVED;**
- 3. Council DIRECT the Engineer to proceed with the preparation of a final engineering report in accordance with Section 78 of the Drainage Act according to Option 4 – Improvement Between Station 0+000 and Station 1+055 (Open Channel c/w Lawn Enclosures) as described in the**

preliminary engineer's report dated March 10, 2022, for the estimated cost of \$370,310.00 but to proceed with Option 3 – Improvement Between Station 0+000 and Station 1+055 (2 Stage Design), for the estimated cost of \$512,538.00, if Option 4 is found to be unfeasible, as recommended by the Drainage Board;

4. An over-expenditure not to exceed \$94,925 for the Charles Shepley Main Drain Improvements project, for a total cost not to exceed \$162,257 including net HST BE APPROVED and BE FUNDED by recoveries from benefitting property owners; as recommended by the Drainage Board;
5. An over-expenditure not to exceed \$3,459 for the Charles Shepley Main Drain Improvements project including net HST BE APPROVED and BE FUNDED from current taxation, with any surplus/deficit resulting from taxation funded operations to be addressed through recommendations in the year end (Q4) variance report; as recommended by the Drainage Board;
6. The tender for the Charles Shepley Drain Improvements BE AWARDED to Reg Clark Trucking Ltd. for an amount not to exceed \$122,387.42 plus H.S.T., as recommended by the Drainage Board;
7. The Mayor and Clerk BE AUTHORIZED to execute an agreement with Reg Clark Trucking Ltd. for completion of the Charles Shepley Drain Improvements, as recommended by the Drainage Board;
8. The request from W. Kip Stratichuk per 78 of the Drainage Act BE ACCEPTED, as recommended by the Drainage Board, and;
9. The firm N.J. Peralta Engineering Ltd. complete the necessary report for the repair and improvement to the Darrah Drain BE APPROVED, as recommended by the Drainage Board.

The Deputy Mayor put the Motion.

**Motion Carried**

### **16.3 Drainage Board Meeting Minutes of March 22, 2022**

Resolution # 20220411-19

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

**That:**

- 1. The Drainage Board Meeting Minutes of March 22, 2022 BE RECEIVED;**
- 2. By-law 2022-031 being a by-law to provide for the Pike Road Drain Improvements and Auxiliary Drain Outlet based on the Drainage Report by Rood Engineering Inc. BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same; and,**
- 3. By-law 2022-30 being a by-law to provide for the 2<sup>nd</sup> Concession Road Drain South (Open Portion North of Lowes Sideroad) Repair and Improvement based on the Drainage Report by Rood Engineering Inc. BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Deputy Mayor put the Motion.

**Motion Carried**

#### **UNFINISHED BUSINESS**

1. Deputy Mayor Meloche asked for an update with respect to the 2nd Concession Bridge.

The Director of Infrastructure Services advised that they are awaiting the asphalt plants to be open and the estimated timeline for completion of the bridge is May 2022.

#### **NEW BUSINESS**

1. Councillor Prue advised that he received an email from Mr. Amlin with respect to vines growing on the side of the Gordon House and possibly causing damage to the siding.

The Chief Administrative Officer advised that he will have it looked at.

2. Resolution # 20220411-20

**Moved By** Councillor McArthur

**Seconded By** Councillor Prue

**That the correspondence forwarded to the Federal Government in November 2021 with respect to weather alerts be forwarded to the County of Essex.**

The Deputy Mayor put the Motion.

**Motion Carried**

#### **NOTICE OF MOTION**

There were no Notices of Motion.

#### **BY-LAWS**

##### **20.1 Confirmatory By-law 2022-046**

Resolution # 20220411-21

**Moved By** Councillor McArthur

**Seconded By** Councillor Prue

**That By-law 2022-046 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on April 6 and 11, 2022, 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**

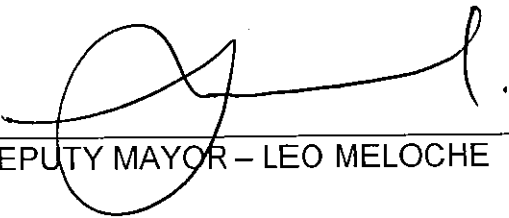
**ADJOURNMENT**

**Moved By** Councillor Courtney  
**Seconded By** Councillor Renaud

**That Council rise and adjourn at 7:36 p.m.**

The Deputy Mayor put the Motion.

**Motion Carried**



DEPUTY MAYOR – LEO MELOCHE



CLERK – VALERIE CRITCHLEY