



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, August 8, 2022
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

Valerie Critchley, Chief Administrative Officer/Clerk
Tammy Fowkes, Deputy Clerk

CALL TO ORDER

The Mayor called the meeting to order at 6:01 p.m.

NATIONAL ANTHEM

ROLL CALL

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

Item # 11.1 and # 11.2 - Councillor McArthur noted that his former spouse and daughter live in close proximity to 51-57 Sandwich Street South and 131-135 Sandwich Street South. Councillor McArthur further advised that he has confirmed that he has no conflict of pecuniary interest with respect to the proposed Official Plan Amendments in those locations.

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 # 20220808-01

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

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:

- 6.1 **Special Council Meeting Minutes - Planning - July 11, 2022**
- 6.2 **Regular Council Meeting Minutes - July 11, 2022**
- 6.3 **Special Council Meeting Minutes with Special In-Camera Council Meeting Minutes (Public) - July 25, 2022**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

7.1 **Inquiries into the Town of Amherstburg's Finances - Nancy Atkinson, Amherstburg Taxpayers Association**

Resolution # 20220808-02

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

Moved By Councillor McArthur

Seconded By Councillor Courtney

That the Rules of Order BE WAIVED to allow the Frank Di Pasquale to address Council.

The Mayor put the Motion.

Motion Carried

Mr. Di Pasquale addressed Council regarding the ballerina painting in Council Chambers; and further, explained its significance.

REPORTS – CORPORATE SERVICES

8.1 **2021 Year End Reporting: Audited Consolidated Financial Statements, Building Services Annual Statement, Development Charge Reserve Funds Statement, and 2021 Parkland Dedication Reserve Statement**

Cynthia Swift, KPMG, introduced and provided a brief overview of the 2021 Year End Statements.

Resolution # 20220808-03

Moved By Councillor Prue

Seconded By Deputy Mayor Meloche

That:

1. **The report from the Treasurer and the Director of Corporate Services dated July 29, 2022 regarding 2021 Year End Reporting: Audited Consolidated Financial Statements, Building Services Annual Statement and Amended Development Charge Reserve Funds Statement BE RECEIVED;**
2. **The Audited Consolidated Financial Statements for the year ended December 31, 2021 BE APPROVED;**
3. **The Audit Findings Report of KPMG for the year ended December 31, 2021 BE RECEIVED;**
4. **Administration BE AUTHORIZED to post the 2021 Consolidated Financial Statements on the Town of Amherstburg website;**
5. **The Statement of Revenue and Expenses and Accumulated Net Expense for Building Services for the year ended December 31, 2021 BE RECEIVED;**
6. **The Development Charges Reserve Funds Statement, for the year ended December 31, 2021 BE RECEIVED; and**
7. **The Parkland Dedication Reserve Statement, for the year ended December 31, 2021 BE RECEIVED.**

The Mayor put the Motion.

Motion Carried

8.2 2022 Projected Reserve Balance Update

Resolution # 20220808-04

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

That:

1. **The report for the 2022 Projected Reserve Balances BE RECEIVED; and,**
2. **Council APPROVE the 2021 list of outstanding capital projects funded from the reserve as presented.**

The Mayor put the Motion.

Motion Carried

8.3 2021 Year End (Q4) Budget to Actual Summaries and Transfers

Resolution # 20220808-05

Moved By Councillor Simone

Seconded By Councillor Renaud

That:

- 1. The Transfers to Reserves/Reserve Funds made by the Treasurer as outlined in Appendix A to the 2021 Year End (Q4) Budget to Actual Summaries and Transfers Report BE AFFIRMED;**
- 2. The 2022 over-expenditures and reserve transfers BE APPROVED as follows:**
 - a. \$120,000 to the EV project (May 9, 2022)**
 - b. \$300,000 to the Municipal share of Pike Road Drainage project (July 11, 2022) with the remainder of \$205,345 to be included in the 2023 Budget**
 - c. \$164,300 Fire Station Design (July 2022)**
 - d. \$97,000 Gym Design (July 2022)**
 - e. \$200,000 to Employee Related Reserve to be utilized for Implementation of Compensation Review (Aug 8 2022)**
 - f. \$15,000 for the commitment of the 2022 Park House Grant**
- 3. The Treasurer BE AUTHORIZED to transfer the taxation-supported surplus as follows:**
 - a. \$395,705 to Building Reserves;**
 - b. \$500,000 to the Fleet Reserve; and**
 - c. \$150,000 to Tax Stabilization Reserve Fund: and**
 - d. \$147,964 (remaining) to the Reserve Fund General; and,**
- 4. The Treasurer BE AUTHORIZED to transfer:**
 - a. \$1,237,142 to Water Reserves**
 - b. \$499,631 to Wastewater Reserves**

The Mayor put the Motion.

Motion Carried

REPORTS - PARKS, FACILITIES, RECREATION & CULTURE

There were no reports.

REPORTS - ENGINEERING & INFRASTRUCTURE SERVICES

10.1 2021 Road Needs Study

Resolution #20220808-06

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That the 2021 Road Needs Study BE APPROVED.

The Mayor put the Motion.

Motion Carried

10.2 Transportation & Active Transportation Masterplan – RFP Results

Resolution # 20220808-07

Moved By Councillor Prue
Seconded By Councillor McArthur

That:

- 1. The Transportation & Active Transportation Masterplan BE AWARDED to T.Y. Lin International Canada Inc. for an amount not to exceed \$145,785 plus H.S.T based on the proposal submitted June 14, 2022;**
- 2. A pre-commitment to the 2023 operational budget – professional fees of \$23,350 BE APPROVED; and,**
- 3. The Mayor and Clerk BE AUTHORIZED to execute an agreement with T.Y. Lin International Canada Inc. to complete the Transportation & Active Transportation Masterplan.**

The Mayor put the Motion.

Motion Carried

REPORTS - DEVELOPMENT SERVICES

11.1 Official Plan Amendment No. 17: 51-57 Sandwich Street South

Resolution # 20220808-08

Moved By Councillor Renaud

Seconded By Deputy Mayor Meloche

That Official Plan Amendment No. 17, attached to this report as Appendix "A", BE ADOPTED by Council and forwarded to the County of Essex.

The Mayor put the Motion.

Motion Carried

11.2 Official Plan Amendment No. 16: 131-135 Sandwich Street South

Resolution #20220808-09

Moved By Deputy Mayor Meloche

Seconded By Councillor McArthur

That Official Plan Amendment No. 16, attached to this report as Appendix "A", BE ADOPTED by Council and forwarded to the County of Essex.

The Mayor put the Motion.

Motion Carried

11.3 Consider the Need for a Secondary Plan – Howard Industrial Park District

Resolution #20220808-10

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

That:

- 1. A Secondary Plan BE PREPARED for the area bounded by County Road 9, North Side Road, 8th Concession Road and County Road 8 (Townline Road) also known as the Howard Industrial Park District;**
- 2. Council APPROVE a transfer of \$50,000 from Plans and Studies Reserve account; and,**
- 3. All property and business owners within a 1 km radius of the proposed area BE NOTIFIED when the Secondary Plan is before Council for consideration.**

The Mayor put the Motion.

Motion Carried

11.4 Riverview Subdivision- Subdivision Agreement File No. 37-T-22003

Resolution # 20220808-11

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That:

1. **The Corporation of the Town of Amherstburg ENTER INTO a Subdivision Agreement with 1583954 Ontario Limited and 2865522 Ontario Limited for Riverview Subdivision; and,**
2. **By-law 2022-082 being a By-law to authorize the signing of a Subdivision Agreement for Riverview Subdivision 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

REPORTS - CAO's OFFICE

12.1 2022 Special Events Approval - Part V

Resolution # 20220808-12

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That:

1. **The following events BE APPROVED:**
 - **Amherstburg Uncommon: September 16, 17 & 18, 2022**
 - **River Lights Opening Night– November 19, 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:**
 - **Amherstburg Uncommon**
 - **River Lights Opening Night**

3. The following events BE EXEMPT and PERMITTED for road closures to begin prior to 5pm:
 - River Lights Opening Night
4. The Public Events Committee BE DIRECTED to confirm that the requirements identified by the Committee are met prior to issuing an event permit.

The Mayor put the Motion.

Motion Carried

12.2 Delegated Authority During Lame Duck Period

Resolution # 20220808-13

Moved By Councillor Prue
Seconded By Councillor Simone

That:

1. Authority BE DELEGATED to the Chief Administrative Officer or delegate for the 2022 period during which a “lame duck” Council is in effect, pursuant to section 275 of the Municipal Act, 2001, S.O. 2001, c.25, to address matters as follows:
 - a. The disposition of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal; and,
 - b. Making any unbudgeted expenditures or incurring any other liability which exceeds \$50,000.
2. The Chief Administrative Officer or delegate CONSULT with legal counsel and the Treasurer, where appropriate, prior to exercising that delegated authority;
3. The Chief Administrative Officer or delegate BE DIRECTED TO ADVISE Council in writing prior to exercising the delegated authority; and,
4. By-law 2022-081 being a by-law to authorize the delegated authority for restricted acts during the “lame duck” period be taken as having been read three time and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20220808-14

Moved By Deputy Mayor Meloche
Seconded By Councillor Courtney

That the following information reports BE RECEIVED:

- 13.1 Deloitte Report Update**
- 13.2 Building Activity Report for April to June 2022**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20220808-15

Moved By Deputy Mayor Meloche
Seconded By Councillor Courtney

That the following consent correspondence BE RECEIVED:

- 14.1 Ontario Ombudsman Report, July 2022 - Investigation into Amherstburg Closed Meetings - Ombudsman of Ontario**
- 14.2 Climate Emergency Declaration - Township of Mulmur Resolution**
- 14.3 Removal of Municipal Councillors Under Prescribed Circumstances - City of Owen Sound Resolution**
- 14.4 Seeking Prosperity and Partnership with Indigenous Nations - City of Brantford Resolution**

The Mayor put the Motion.

Motion Carried

Resolution # 20220808-16

Moved By Councillor Prue
Seconded By Councillor Simone

That correspondence BE SENT in support of the Land Transfer Tax portion of the City of Brantford's resolution regarding Seeking Prosperity and Partnership with Indigenous Nations.

The Mayor put the Motion.

Motion Carried

Resolution # 20220808-17

Moved By Councillor McArthur
Seconded By Councillor Courtney

That Administration BE DIRECTED to implement the recommendations of the Ombudsman, where appropriate, and that recorded votes BE TAKEN in open session on items discussed in closed session.

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

15.1 Fight Like Mason Childhood Cancer Awareness Month - September 2022

Resolution # 20220808-18

Moved By Councillor Simone
Seconded By Councillor Prue

That:

- 1. The Proclamation request from the Fight Like Mason Foundation regarding Childhood Cancer Awareness Month BE RECEIVED;**
- 2. September 2022 BE PROCLAIMED as Childhood Cancer Awareness Month in the Town of Amherstburg; and,**
- 3. The Fight Like Mason flag BE RAISED in September, date to be determined.**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20220808-19

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That the following minutes BE RECEIVED:

- 16.1 Parks and Recreation Advisory Committee Meeting Minutes of May 11, 2022**
- 16.2 Co-An Park Committee Meeting Minutes of June 8, 2022**
- 16.3 Economic Development Advisory Committee Meeting Minutes of June 9, 2022**
- 16.4 Heritage Committee Meeting Minutes of June 16, 2022**
- 16.5 Amherstburg Accessibility Advisory Committee Meeting Minutes of June 23, 2022**
- 16.6 Amherstburg Accessibility Advisory Committee Meeting Minutes of July 28, 2022**

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

- 17.1 Amherstburg Environmental Advisory Committee Meeting Minutes of June 15, 2022**

Resolution #20220808-20

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That:

- 1. The Amherstburg Environmental Advisory Committee Meeting Minutes of June 15, 2022 BE RECEIVED;**
- 2. Consideration of a budget request to plant 100 trees on or about Earth Day, in partnership with ERCA, as well as funds necessary for an Earth Day Tree Planting Event BE REFERRED to 2023 budget deliberations; and,**

3. **Administrative assistance in the organization of the Earth Day Tree Planting Event as a Town event BE CONTINGENT on the event's 2023 budget allocation.**

The Mayor put the Motion.

Motion Carried

17.2 Heritage Committee Meeting Minutes of July 14, 2022

Resolution # 20220808-21

Moved By Deputy Mayor Meloche

Seconded By Councillor Renaud

That:

1. **The Heritage Committee Meeting Minutes of July 14, 2022 BE RECEIVED;**
2. **Administration BE DIRECTED to bring a report back to the Heritage Committee on consideration of addition of the Boblo Blockhouse to the Town's Heritage Register.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Prue asked if the outstanding Unfinished Business List (UFB) can be sent to the new term of Council.

The Chief Administrative Officer advised that Council can direct that the UFB list be forwarded to the new term of Council for consideration of any outstanding items.

2. Councillor Courtney asked for an update with respect to the report for Air B&B's.

The Chief Administrative Officer advised that the report is drafted and will be before Council for consideration at a Regular Council Meeting in September.

NEW BUSINESS

1. Councillor Renaud asked for an update with respect to the current road repairs on McLeod Street and also the tie-ins for possible future development near McLeod Street.

The Director of Engineering and Infrastructure Services advised that the project is going very well and the paving will be completed very soon. With respect to the tie-ins, the Director advised that there were concerns with the tie-ins, more specifically, concerns with a vacant lot in the area. She further advised that Administration opted to place the infrastructure in the right-of-way in the event there is future development in the area and that infrastructure is not connected to the Town's services at this time.

Councillor Prue asked if there was any snake fencing placed in the area for the project.

The Director of Engineering and Infrastructure Service advised that the Town is currently working within the right-of-way only and, as a result, the Town is not required to place snake fencing until services are being provided on the property.

Councillor Courtney asked if the ditches in the area have been clear for proper drainage.

The Director of Engineering and Infrastructure Services advised that she would have to check if that work has been completed yet and if it hasn't, it will be completed.

2.. Resolution # 20220808-22

Moved By Councillor Prue
Seconded By Councillor Simone

That:

1. **The overgrown brush at the Visitor's Centre BE REMOVED; and,**
2. **Administration provide Council with information regarding the cost of buying equipment to complete the work rather than contract the work out.**

The Mayor put the Motion.

Motion Carried

5. Deputy Mayor Meloche inquired about the maintenance program for the bridges and the overgrown tree branches on the ERCA trail.

Councillor Courtney advised that he will bring up the inquiry at the next ERCA Board meeting.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

21.1 By-law 2022-083 - Confirmatory By-law

Resolution # 20220808-23

Moved By Councillor Simone

Seconded By Councillor Renaud

That By-law 2022-083 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on July 25th and August 8th, 2022 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 Renaud

That Council rise and adjourn at 8:05 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – VALERIE CRITCHLEY