



## TOWN OF AMHERSTBURG

### COUNCIL MEETING

Monday, April 10, 2017

6:00 PM

## MINUTES

Council Chambers, 271 Sandwich Street South, Amherstburg, ON

### PRESENT

Mayor Aldo DiCarlo  
Deputy Mayor Bart DiPasquale  
Councillor Joan Courtney  
Councillor Jason Lavigne  
Councillor Leo Meloche  
Councillor Diane Pouget  
Councillor Rick Fryer

Giovanni (John) Miceli, Chief Administrative Officer  
Tammy Fowkes, Deputy Clerk

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### CALL TO ORDER

The Mayor called the meeting to order at 6:04 p.m.

### MOMENT OF SILENT REFLECTION

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

There were no disclosures of pecuniary interest noted.

The Mayor reminded Council and the public of discussion timelines as it pertains to delegations and presentations.

The Mayor moved the Recognition and Fire Chief Appointment in the Supplementary Agenda forward at this time.

**RECOGNITION**

**Al Reaume – Interim Fire Chief, Amherstburg Fire Department**

The Chief Administrative Officer recognized Al Reaume, Interim Fire Chief, for the work he accomplished during his career and in his role with the Amherstburg Fire Department.

The Mayor presented Al Reaume with a plaque recognizing his service as the Interim Chief.

Resolution # 20170410-632

**Moved By** Councillor Fryer  
**Seconded By** Councillor Lavigne

**That the recognition BE RECEIVED.**

The Mayor put the Motion.

**Motion Carried**

**BY-LAWS**

**21.3 By-law 2017-32 – Appoint a Fire Chief for the Amherstburg Fire Department**

The Chief Administrative Officer introduced Bruce Montone and provided Council with a biography.

Resolution # 20170410-633

**Moved By** Councillor Fryer  
**Seconded By** Deputy Mayor DiPasquale

**That By-law 2017-32 being a by-law to appoint a Fire Chief for the Amherstburg Fire Department be taken as having been read three times and finally read and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

**Motion Carried**

## **MINUTES OF PREVIOUS MEETING**

Resolution # 20170410-634

**Moved By** Councillor Fryer  
**Seconded By** Councillor Lavigne

**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 Regular Council Meeting Minutes - February 13, 2017**
- 4.2 Special In-Camera Council Meeting Minutes - February 13, 2017**

The Mayor put the Motion.

**Motion Carried**

## **DELEGATIONS**

### **5.1 Donation to the Town of Amherstburg - Dorothy Thrasher and Theresa Bellefleur, Fort Malden Golden Age Centre**

Dorothy Thrasher, Fort Malden Golden Age Centre, presented the Mayor with a \$2000 donation to the Town of Amherstburg.

Resolution # 20170410-635

**Moved By** Councillor Meloche  
**Seconded By** Councillor Courtney

**That the delegation BE RECEIVED.**

The Mayor put the Motion.

**Motion Carried**

**5.2 Request for Use of Space at the Libro Centre - Tino Riccio and Joseph Capaldi, The Verdi Club**

Resolution # 20170410-636

**Moved By** Councillor Courtney

**Seconded By** Councillor Fryer

**That the delegation BE RECEIVED and Administration BE DIRECTED to prepare a report on the feasibility of the Verdi Club's request to use space at the Libro Centre.**

The Mayor put the Motion.

**Motion Carried**

**PRESENTATIONS**

**6.1 Essex Windsor EMS Presentation to Council - Bruce Krauter, Chief, Essex Windsor EMS**

Bruce Krauter, Chief, Essex Windsor EMS, provided Council with an overview of EMS operations in Windsor-Essex County and answered Council questions.

Resolution # 20170410-637

**Moved By** Councillor Courtney

**Seconded By** Councillor Fryer

**That Administration BE DIRECTED to send a letter to Essex County Council to review the current EMS services and provide the funding necessary to improve the areas that are in need and that the letter be sent to all municipalities and local members of Parliament.**

The Mayor put the Motion.

**Motion Carried**

Resolution # 20170410-638

**Moved By** Councillor Pouget  
**Seconded By** Councillor Fryer

**That Administration BE DIRECTED to request a report from Essex County to see if there is a way to alleviate the differences municipalities pay for EMS services.**

The Mayor put the Motion.

**Motion Carried**

Resolution # 20170410-639

**Moved By** Councillor Fryer  
**Seconded By** Councillor Pouget

**That the EMS presentation BE RECEIVED.**

The Mayor put the Motion.

**Motion Carried**

#### **REPORTS – POLICE SERVICES**

There were no reports.

#### **REPORTS – CORPORATE SERVICES**

There were no reports.

#### **REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE**

##### **9.1 Memorandum of Understanding (MOU) - Grass Cutting Operations Wyandotte Cemetery**

Resolution # 20170410-640

**Moved By** Councillor Fryer  
**Seconded By** Deputy Mayor DiPasquale

**That:**

- 1. The report from the Manager of Parks & Naturalized Areas dated March 22, 2017, regarding Memorandum of Understanding – Grass Cutting Operations Wyandotte Cemetery BE RECEIVED; and,**
- 2. By-law 2016-30 being a by-law authorizing the execution of a Memorandum of Understanding between the Corporation of the Town of Amherstburg and the Aboriginal Affairs and Northern Development – Ontario Region regarding maintenance of Wyandotte Cemetery be read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

**Motion Carried**

## **9.2 Festival Canadiana 150; Canuck it Up!**

Resolution # 20170410-641

**Moved By** Councillor Meloche  
**Seconded By** Councillor Lavigne

The Manager of Tourism and Culture and the Tourism Coordinator provided Council with an overview of the activities planned for Canada 150.

**That:**

- 1. The report from the Manager of Tourism and Culture dated, March 16, 2017, regarding the Festival Canadiana 150; Canuck it Up! event in Amherstburg BE RECEIVED;**
- 2. An exemption BE GRANTED to Section 3 of By-law 2004-89 to allow for a public function in Kings Navy Yard Park on August 5 & 6, 2017 for Canada 150 activities;**
- 3. An exemption BE GRANTED to Section 2 of By-law 2004-89 to allow for commercial activity in Kings Navy Yard Park on August 5 & 6, 2017 for Canada 150 activities;**
- 4. An exemption BE GRANTED 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 live music for the event; and,**

5. The Canada 150 activities BE EXEMPT and PERMITTED for road closures to begin prior to 5:00 pm on August 5 & 6, 2017.

The Mayor put the Motion.

Motion Carried

## REPORTS – ENGINEERING AND PUBLIC WORKS

### 10.1 2017 Essex Region Children’s Water Festival Sponsorship

Resolution # 20170410-642

**Moved By** Councillor Courtney

**Seconded By** Councillor Meloche

**That:**

1. The report from the Manager of Environmental Services dated March 10, 2017, regarding the participation in the Essex Region Children’s Water Festival BE RECEIVED; and,
2. The 2017 Essex Region Children’s Water Festival BE SPONSORED as part of the 2017 Amherstburg Water Conservation Program in the amount of \$1,500.

The Mayor put the Motion.

Motion Carried

## REPORT – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

### 11.1 2017 Special Events Approval

Resolution # 20170410-643

**Moved By** Councillor Fryer

**Seconded By** Councillor Meloche

**That:**

1. The report from the Public Events Committee (PEC) dated March 22, 2017, regarding 2017 Special Events Approval BE RECEIVED;
2. That the events BE APPROVED as listed:

- Music off the Back Porch – April 21, 2017
  - Amherstburg Rotary Ribfest – July 7, 8 and 9, 2017
  - RAMP-Age Skateboard Competition – July 29, 2017
  - Amherstburg’s Gone Car Crazy – July 30, 2017;
3. 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 live music BE GRANTED for the events listed:
- Music off the Back Porch – April 21, 2017
  - Amherstburg Rotary Ribfest – July 7,8 and 9, 2017
  - RAMP-Age Skateboard Competition – July 29, 2017
  - Amherstburg’s Gone Car Crazy – July 30, 2017;
4. The following events BE EXEMPT and PERMITTED for road closures to begin prior to 5pm:
- Amherstburg’s Gone Car Crazy – July 30, 2017;
5. Permission BE GRANTED as per Section 6 (f) and (i) of the Park’s By-law to allow for the playing of any musical instrument and live music for the events listed; and,
6. The Public Events Committee BE DIRECTED to confirm that the requirements identified by the Committee are met prior to the event.

The Mayor put the Motion.

Motion Carried

**11.2 Zoning By-law Amendment for 6000 County Rd 20, Ure’s Country Kitchen and Variety – ZBA/2/17**

Resolution # 20170410-644

**Moved By** Councillor Fryer  
**Seconded By** Councillor Lavigne

**That:**

1. The report from the Manager of Planning Services dated March 22, 2017, regarding the Zoning By-law Amendment for 6000 County Rd 20, Ure’s Country Kitchen and Variety BE RECEIVED; and,



2. **Zoning By-law 2017-11 being a by-law to amend Zoning By-law No. 1999-52, 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**

**11.3 Amending Development Agreement for 689 Texas Road, The Fort, File # SPC-5-17**

Resolution # 20170410-645

**Moved By** Councillor Meloche  
**Seconded By** Councillor Fryer

**That:**

1. **The report from the Manager of Planning Services dated March 23, 2017, regarding the Amending Development Agreement – 689 Texas Road, The Fort BE RECEIVED;**
2. **The amendments to the site plan for 689 Texas Road BE APPROVED; and,**
3. **By-law 2017-19 being a by-law to authorize the signing of an amending development agreement 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**

**11.4 Official Plan Amendment No.4 for Breweries in Agricultural Areas**

Resolution # 20170410-646

**Moved By** Councillor Meloche  
**Seconded By** Councillor Lavigne

**That:**

1. **The report from the Manager of Planning Services dated March 28 2017, regarding the Official Plan Amendment No. 4 for the Addition of Breweries in Agricultural Areas BE RECEIVED; and,**

2. **By-law 2017-08 being a by-law to amend the Official Plan, 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**

There were no reports.

#### **INFORMATION REPORTS**

Resolution # 20170410-647

**Moved By** Councillor Fryer

**Seconded By** Councillor Lavigne

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

- 13.1 **Amherstburg Water Treatment Plant Submission of the 2016 Annual Summary Report**
- 13.2 **Texas Road Reconstruction – Project Completion Report**
- 13.3 **Monthly Activity Report – APSB Meeting of February 21, 2017**
- 13.4 **March 15, 2017 – April 4, 2017 Accounts Payable**

The Mayor put the Motion.

**Motion Carried**

#### **CONSENT CORRESPONDENCE**

Resolution # 20170410-648

**Moved By** Councillor Lavigne

**Seconded By** Councillor Meloche

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

- 14.1 **Amherstburg Accessibility Advisory Committee Letter of Support to Council**

- 14.2 2017 Annual Show Book - Essex County Steam & Gas Engine Museum Inc.
- 14.3 Windsor Police Service 150th Anniversary - Series of Events & Sponsorship Opportunities
- 14.4 Thank you Letter - Amherstburg Food & Fellowship Mission
- 14.5 Canada-US Trade and the Future of NAFTA - Tracey Ramsey, MP, Essex
- 14.6 Donation & Sponsorship - Hope of St. Joseph Shelter Inc., Tumaini ni Uzima
- 14.7 Request for the Province to Waive Hydro One Delivery Fees - Northeastern Manitoulin & the Islands Resolution
- 14.8 2018 Council Award - The College of Physicians and Surgeons of Ontario
- 14.9 Conference Book Advertisement & Sponsorship - OMFPOA Chapter 8 Essex County Chatham-Kent Region, Fire Prevention Divisions
- 14.10 Proposed Building Code Changes for Septic Systems - Municipality of East Ferris Resolution
- 14.11 Ontario's Child & Youth Advocacy Centres - Thank you Letter, Attorney General and Minister of Children & Youth Services

The Mayor put the Motion.

**Motion Carried**

Resolution # 20170410-649

**Moved By** Councillor Meloche  
**Seconded By** Councillor Fryer

*(Item # 14.2)* - That a 1/4 page, black & white advertisement in the amount of \$115.00 BE PLACED in the 2017 Annual Show Book for the Essex County Steam & Gas Engine Museum Inc.

The Mayor put the Motion.

**Motion Carried**

Resolution # 20170410-650

**Moved By** Councillor Fryer  
**Seconded By** Councillor Lavigne

*(Item # 14.3)* - That a business card advertisement in the amount of \$200.00 BE PLACED in the Commemorative Magazine for the 150<sup>th</sup> Anniversary of the Windsor Police Service.

The Mayor put the Motion.

**Motion Carried**

Resolution # 20170410-651

**Moved By** Deputy Mayor DiPasquale  
**Seconded By** Councillor Fryer

*(Item # 14.9)* - **That a business card advertisement in the amount of \$325.00 BE PLACED in the Conference Book for the OMFPOA Chapter 8 Essex County Chatham-Kent Region, Fire Departments, Fire Prevention Divisions.**

The Mayor put the Motion.

**Motion Carried**

## **CORRESPONDENCE**

### **15.1 Request for Feedback - The Child & Youth Advocacy Centres of Ontario Network**

Resolution # 20170410-652

**Moved By** Councillor Lavigne  
**Seconded By** Councillor Meloche

**That:**

- 1. The correspondence from the Kristen French Child Advocacy Centre Niagara BE RECEIVED.**

The Mayor put the Motion.

**Motion Carried**

## **CONSENT OTHER MINUTES**

Resolution# 20170410-653

**Moved By** Councillor Fryer  
**Seconded By** Councillor Lavigne

**That the following minutes BE RECEIVED:**

- 16.1 Amherstburg Accessibility Advisory Committee Meeting Minutes - January 18, 2017
- 16.2 Amherstburg Accessibility Advisory Committee Meeting Minutes - March 22, 2017
- 16.3 Co-An Park Committee Meeting Minutes - March 9, 2017
- 16.4 Committee of Adjustment Meeting Minutes - February 28, 2017
- 16.5 Drainage Board Meeting Minutes - March 7, 2017

The Mayor put the Motion.

**Motion Carried**

### **OTHER MINUTES**

#### **17.1 Drainage Board Meeting Minutes - April 4, 2017**

Resolution # 20170410-654

**Moved By** Councillor Meloche  
**Seconded By** Councillor Fryer

**That:**

1. **The Drainage Board Meeting Minutes of April 4, 2017, BE RECEIVED;**
2. **By-law 2017-26 being a by-law to provide for the New Residential Access Culvert over the Wilfred Bondy Drain for David Thomas Mailloux based on the Drainage Report provided by RC Spencer Associates Inc. be provisionally adopted by giving first and second reading and the Mayor and Clerks BE AUTHORIZED to sign same; and,**
3. **By-law 2017-27 being a by-law to provide for the Repair and Improvement to the Leo Beaudoin Drain based on the Drainage Report by Baird AE be provisionally adopted by giving a first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

**Motion Carried**

### **UNFINISHED BUSINESS**

1. Councillor Pouget asked for an update with respect to the Boblo Dock.

The Chief Administrative Officer advised Council that he just received information this afternoon and will update Council via a report.

### **NEW BUSINESS**

There was no New Business.

### **NOTICE OF MOTION**

There were no Notices of Motion.

### **BY-LAWS**

#### **21.1 By-law 2017-13 - New Residential Access Culvert Over the South 7th Concession Drain - Third and Final Reading**

Resolution # 20170410-655

**Moved By** Councillor Meloche  
**Seconded By** Councillor Lavigne

**That By-law 2017-13 being a by-law to provide for the New Residential Access Culvert over the South 7th Concession Drain for Jon Marwood Parks be taken as having been read a third and final time and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

**Motion Carried**

#### **21.2 By-law 2017-31 - Confirmatory By-law**

Resolution # 20170410-656

**Moved By** Councillor Fryer  
**Seconded By** Councillor Meloche

**That By-law 2017-31 being a by-law to confirm all resolutions of the Municipal Council Meetings held March 27th and April 10th, 2017, 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**

The Deputy Clerk advised Council that Section 239(2)(f) of the Municipal Act, 2001, as amended, was being added an exemption for Item A.

Resolution # 20170410-657

**Moved By** Councillor Meloche  
**Seconded By** Councillor Fryer

**That Council move into an In-Camera Meeting of Council at 7:54 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:**

**ITEM A - Payment Certificate - Section 239(2)(e) - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.**

**ITEM B - Proposed Property Disposition - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the municipality or local board.**

The Mayor put the Motion.

**Motion Carried**

### **DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF** *(In-Camera Council Meeting Agenda items)*

Disclosures were confirmed In-Camera after consideration of the Items to be discussed was given.

### **ADJOURNMENT OF IN-CAMERA MEETING @ 8:18 P.M.**

## RESUMPTION OF REGULAR COUNCIL MEETING

**Moved By** Councillor Lavigne  
**Seconded By** Councillor Meloche

**That Council RESUME Regular session at 8:20 p.m.**

The Mayor put the Motion.

**Motion Carried**

## REPORT OUT FROM IN-CAMERA SESSION

### April 10<sup>th</sup>, 2017 In-Camera Meeting

Council met on April 10<sup>th</sup>, 2017, for a Special In-Camera meeting at 7:54 pm and discussed (2) items as provided for under Section 239 of the Municipal Act:

**ITEM A – Payment Certificate** heard under Section 239(2)(e)&(f) of the Act. As a result of this discussion, the following motion is before Council for consideration:

Resolution # 20170410-658

**Moved By** Councillor Meloche  
**Seconded By** Councillor Lavigne

**That:**

- 1. The report from the Director of Engineering and Public Works and Director of Planning, Development and Legislative Services dated March 27, 2017, regarding the Water Tower Construction – Payment Certificate No. 16, BE RECEIVED; and,**
- 2. Council AUTHORIZE the payment of the amount owing for Payment Certificate No. 16 is \$86,831.10 plus the non-refundable HST for a total of \$88,359.33 to Landmark Structures Inc. to be FUNDED by the 2016 Water Operating Surplus.**

The Mayor put the Motion.

**Motion Carried**



**ITEM B – Proposed Property Disposition** heard under Section 239(2)(c) of the Act. As a result of this discussion, the following motion is before Council for consideration:

Resolution # 20170410-659

**Moved By** Councillor Meloche  
**Seconded By** Councillor Lavigne

**That the Licence of Occupation Agreement as identified in the confidential in-camera report dated March 29, 2017 and discussed in closed session on April 10, 2017 BE APPROVED and the Mayor and Clerk BE AUTHORIZED to execute the agreement.**

The Mayor put the Motion.

**Motion Carried**

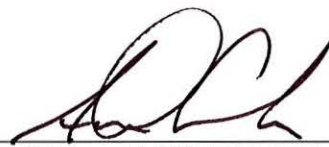
#### **ADJOURNMENT**

**Moved By** Councillor Lavigne  
**Seconded By** Councillor Meloche

**That Council rise and adjourn at 8:21 p.m.**

The Mayor put the Motion.

**Motion Carried**



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MAYOR – ALDO DICARLO



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DEPUTY CLERK – TAMMY FOWKES