



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, May 28, 2018
6:00 PM**

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

MINUTES

PRESENT

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

Giovanni (John) Miceli, CAO
Paula Parker, Municipal Clerk
Tammy Fowkes, Deputy Clerk

CALL TO ORDER

The Mayor called the meeting to order at 6:07 p.m.

NATIONAL ANTHEM

Moved By Councillor Fryer
Seconded By Deputy Mayor DiPasquale

That the Rules of Order BE WAIVED to allow Angstrom Crescent residents in attendance to address Council after item # 5.2 regarding the condition of their road.

The Mayor put the Motion.

Motion Carried

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

There were no disclosures of pecuniary interest noted.

MINUTES OF PREVIOUS MEETING

Resolution # 20180528-173

Moved By Councillor Fryer
Seconded By Councillor Pouget

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 Council Meeting Minutes - Planning - May 10, 2018

The Mayor put the Motion.

Motion Carried

Item # 10.2 was moved forward.

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

10.2 Signage Requests in the Context of Urban Design Guidelines

Resolution # 20180528-174

Moved By Councillor Fryer
Seconded By Councillor Meloche

That item # 10.2 BE DEFFERED until after the delegations are heard.

The Mayor put the Motion.

Motion Carried

DELEGATIONS

5.1 Clarification Regarding Signage Variance Request - Brad Bondy & Amy Bailey, Remax Preferred Realty

Resolution # 20180528-175

Moved By Councillor Fryer

Seconded By Councillor Meloche

That:

- 1. The delegation BE RECEIVED;**
- 2. Exemptions to Sections 4.1(b), 9.3(1) and 9.3(2) of Sign By-law 2006-26 BE APPROVED to allow for a ground sign at 103 Sandwich Street South; and,**
- 3. The proposed sign BE SENT to the Heritage Committee for review and to work on Urban Design Guidelines.**

The Mayor put the Motion.

Motion Carried

5.2 Request for Relief from Sign By-law 2006-26 - Mark Pittao, Owner, Pittao's AutoCare Inc.

Resolution # 20180528-176

Moved By Councillor Fryer

Seconded By Councillor Meloche

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

5.3 Request for Angstrom Crescent Road Replacement – Zayne Handysides, Angstrom Crescent Resident

Resolution # 20180528-177

Moved By Councillor Fryer
Seconded By Councillor Lavigne

That:

- 1. The delegation BE RECEIVED; and,**
- 2. Administration BE DIRECTED to investigate the matter on Angstrom Crescent with respect to the road condition and the Roads Needs Study and prepare a report to be brought back to Council.**

The Mayor put the Motion.

Motion Carried

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

7.1 2018 Water and Wastewater Operating and Capital Budgets

Councillor Meloche moved the motion with the Clerk's addition of recommendation #'s 3 & 4.

Resolution # 20180528-178

Moved By Councillor Meloche
Seconded By Councillor Fryer

That:

- 1. The report from the Treasurer dated April 25, 2018, regarding 2018 Water and Wastewater Operating and Capital Budgets BE RECEIVED;**
- 2. The 2018 Water and Wastewater Operating and Capital Budgets BE APPROVED IN PRINCIPLE;**
- 3. The March 1, 2018 request to Infrastructure Ontario to amend the CWWF Grant Agreement (amh-Tn 37025-AMH-001) to replace the**

Amherstburg Water Treatment Plant Reservoir Upgrade and Redundancy Project with the Edgewater Sewage Diversion Project – Forcemain Construction and Pump Station Upgrades BE AFFIRMED; and,

- 4. The Edgewater Sewage Diversion Project – Forcemain Construction and Pump Station Upgrades Project BE CONSIDERED for approval in the 2018 Wastewater Budget.**

The Mayor put the Motion.

Motion Carried

7.2 Ontario Main Street Revitalization Initiative

Resolution # 20180528-179

Moved By Councillor Fryer
Seconded By Councillor Meloche

That:

- 1. The report from the Treasurer dated May 17, 2017, regarding Ontario Main Street Revitalization Initiative BE RECEIVED;**
- 2. The Municipal Funding Agreement for Ontario Main Street Revitalization Initiative between the Town of Amherstburg and the Association of Municipalities of Ontario for a funding allocation of \$57,051 BE APPROVED and the Mayor and Clerk BE AUTHORIZED to execute the Agreement; and,**
- 3. Administration BE DIRECTED to apply the funding toward eligible costs for strategic municipal physical infrastructure, Signage - wayfinding/directional and or gateway, as outlined in the report from the Chief Administrative Officer dated May 22, 2018, titled Gateway Signage.**

The Mayor put the Motion.

Motion Carried

Item # 11.1 was moved forward.

REPORTS - CAO's OFFICE

11.1 Gateway Signage

Resolution # 20180528-180

Moved By Councillor Meloche

Seconded By Councillor Fryer

That:

1. **The report from the CAO dated May 22, 2018, regarding Gateway Signage BE RECEIVED;**
2. **Administration BE AUTHORIZED to construct programmable Gateway Signage at the north and south gateways to the Town of Amherstburg;**
3. **Administration BE DIRECTED to report back with a schedule of fees for Council approval for advertisement on the Gateway Signage; and,**
4. **A transfer from the Capital Reserve account BE APPROVED not to exceed \$128,200 to fund the Gateway Signage.**

The Mayor put the Motion.

Motion Carried

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

8.1 Proclaiming June as Recreation and Parks Month

Resolution# 20180528-181

Moved By Councillor Meloche

Seconded By Deputy Mayor DiPasquale

That:

1. **The report from the Manager of Recreation Services dated May 14, 2018 regarding Proclaiming June as Recreation & Parks Month BE RECEIVED; and,**
2. **June BE PROCLAIMED as Recreation & Parks Month in the Town of Amherstburg.**

The Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

9.1 Amendments to Right of Way Permit By-law 2017-81

Resolution # 20180528-182

Moved By Councillor Meloche
Seconded By Councillor Fryer

That:

1. **The report from the Manager of Engineering & Manager of Licensing and Enforcement dated May 11, 2018 regarding Amendments to Right of Way Permit By-law 2017-81 BE RECEIVED; and,**
2. **By-law 2018-61 being a By-law to Amend By-law 2017-81 be taken as having been read 3 times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

Motion Carried

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

10.1 Road Dedication of Parts 2, 6 and 7, 12R27349

Resolution # 20180528-183

Moved By Councillor Fryer
Seconded By Councillor Lavigne

That:

1. **The report from the Manager of Planning Services regarding the Road Dedication of Parts 2, 6 and 7, 12R27349 as a Public Highway BE RECEIVED;**
2. **The dedication of Parts 2, 6 and 7, 12R27349 as a Public Highway BE APPROVED; and,**
3. **By-law 2018-57 being a by-law to dedicate Parts 2, 6 and 7, 12R27349 as a public highway 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

10.2 Signage Requests in the Context of Urban Design Guidelines

Resolution # 20180528-184

Moved By Councillor Pouget

Seconded By Deputy Mayor DiPasquale

That:

1. **The report from the Manager of Planning Services and the Chief Administrative Officer dated May 15, 2018 regarding Signage Requests in the Context of Urban Design Guidelines BE RECEIVED; and,**
2. **A MORATORIUM BE PLACED on all signage requests (including portable signs) for the areas bound by Texas Road to Lowes Side Road and from Meloche Road to the Water's Edge until the Urban Design Guidelines for Signage has been approved.**

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

11.1 Gateway Signage

As dealt with above.

INFORMATION REPORTS

Resolution # 20180528-185

Moved By Councillor Fryer

Seconded By Councillor Pouget

That the following information reports BE RECEIVED:

- 12.1 **Update - Regulatory Changes to the Fire Protection and Prevention Act, 1997, S.O. 1997, c.4**

12.2 Monthly Fire Department Activity Report – April 2018

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20180528-186

Moved By Councillor Lavigne
Seconded By Councillor Meloche

That the following consent correspondence BE RECEIVED:

- 13.1 2018 Fire Safety Award to Rotary Club Amherstburg - Fire Marshal's Public Fire Safety Council**
- 13.2 McGregor News Public Heritage Event - Essex Municipal Heritage Committee in Collaboration with the Marsh Collection Society**
- 13.3 Franco-Ontarian Flag Day - September 25, 2018**
- 13.4 Preferred Autonomous Vehicles Test Corridor - Ontario Good Roads Association (OGRA)**

The Mayor put the Motion.

Motion Carried

Resolution # 20180528-187

Moved By Councillor Pouget
Seconded By Councillor Fryer

Item # 13.1 - That Administration BE DIRECTED to send a letter to the Rotary Club Amherstburg congratulating them on being the recipient of the 2018 Fire Safety Award from the Fire Marshal's Public Fire Safety Council.

The Mayor put the Motion.

Motion Carried

Resolution # 20180528-188

Moved By Councillor Fryer
Seconded By Councillor Pouget

Item # 13.4 - That the Town of Amherstburg participate in OGRA's Autonomous Vehicle Initiative and that this matter BE REFERRED to staff to develop a list of preferred routes with the municipality.

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

14.1 National Health & Fitness Day - June 2, 2018

Resolution # 20180528-189

Moved By Councillor Fryer

Seconded By Deputy Mayor DiPasquale

That:

- 1. The correspondence from the Office of Senator Nancy Greene Raine regarding National Health & Fitness Day BE RECEIVED; and,**
- 2. June 2, 2018 BE PROCLAIMED as National Health & Fitness Day in the Town of Amherstburg.**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20180528-190

Moved By Councillor Meloche

Seconded By Councillor Courtney

That the following minutes BE RECEIVED:

- 15.1 Parks and Recreation Advisory Committee Meeting Minutes - January 10, 2018**
- 15.2 Committee of Adjustment Meeting Minutes - March 20, 2018**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

- 1. Councillor Fryer asked about a striper/liner for the fields at the Libro Centre.**

The Chief Administrative Officer advised Council that they are hoping to schedule an equipment demonstration in June.

2. Councillor Pouget asked for an update with respect to unfinished business item # 20171010-920 (*That Administration BE DIRECTED to bring back a report to Council to set forth requirements to charge any new homeowner or developer a fee for the Town to plant a tree of 3" in caliper in front of any new home on Town property that is not part of a subdivision agreement*).

The Director of Planning and Legislative Services advised Council that he would check into the status of the unfinished business item and provide Council with an update.

3. Councillor Fryer asked for an update with respect to the LED Program.

The Manager of Engineering and Operations advised Council that Administration is currently in consultation with the engineer to ensure appropriate lighting levels and he is anticipating that the tender will be advertised within the next 6-8 weeks.

NEW BUSINESS

1. Councillor Fryer sought clarification on new home construction, regarding splash to ground or water runoff tied into the storm sewer.

The Director of Engineering and Public Works advised Council that the new home connections are a discussion between Public Works and the Building Department. She advised that a report will be coming to Council regarding the I&I Program and the initiatives that Public Works is hoping to bring forward as a result of the Basement Flooding Subsidy Program and the mandatory down spout disconnections.

REPORT OUT FROM IN CAMERA SESSION

There was nothing to report out.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

20.1 By-law 2018-63 - Confirmatory By-law

Resolution #20180528-191

Moved By Councillor Meloche
Seconded By Councillor Fryer

That By-law 2018-63 being a by-law to confirm all resolutions of the Municipal Council Meeting held May 28th, 2018, 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

Resolution # 20180528-192

Moved By Councillor Meloche
Seconded By Councillor Fryer

That Council move into an In-Camera Meeting of Council at 7:38 p.m. Regular session pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reason:

ITEM A - Ombudsman Preliminary Report - Section 239(3)(b) - An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1).

The 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

Moved By Councillor Meloche
Seconded By Councillor Fryer

That Council rise and adjourn at 8:12 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



MUNICIPAL CLERK – PAULA PARKER