



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, July 23, 2018
6:00 PM**

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

MINUTES

PRESENT

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

Mark Galvin, Acting CAO
Paula Parker, Municipal Clerk
Tammy Fowkes, Deputy Clerk

ABSENT

Councillor Joan Courtney

CALL TO ORDER

The Mayor called the meeting to order at 7:48 p.m.

NATIONAL ANTHEM

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

MINUTES OF PREVIOUS MEETING

Resolution # 20180723-241

Moved By Councillor Lavigne

Seconded By Councillor 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:

- 4.1 Special In-Camera Meeting Minutes - June 25, 2018**
- 4.2 Special Council Meeting Minutes - Planning - June 25, 2018**
- 4.3 Regular Council Meeting Minutes - June 25, 2018**
- 4.4 Special Council Meeting Minutes - July 11, 2018**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

There were no Delegations.

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

7.1 Workplace Wellness Program Policy

Resolution # 20180723-242

Moved By Councillor Fryer
Seconded By Councillor Meloche

That:

- 1. The report from the Manager of Human Resources dated July 9, 2018 regarding Workplace Wellness Program Policy BE RECEIVED; and,**
- 2. The Workplace Wellness Program Policy BE APPROVED.**

The Mayor put the Motion.

Motion Carried

7.2 Purchase of iCity Payroll Time Entry and Human Resources Software Modules from Apteon Software

Resolution # 20180723-243

Moved By Councillor Meloche
Seconded By Councillor Pouget

That:

- 1. The report from the Treasurer dated July 5, 2018, regarding Purchase of iCity Payroll Time Entry and Human Resources Software Modules from Apteon Software BE RECEIVED;**
- 2. Purchase of iCity Payroll Time Entry and Human Resources Software Modules from Apteon Software BE APPROVED for an amount not to exceed \$18,500 plus applicable taxes and execution of any related agreements BE AUTHORIZED; and,**
- 3. Over-expenditure not to exceed \$20,000 BE APPROVED in the Information Technology budget centre – computer maintenance expense account for the purchase of this software and a Transfer from Reserve – Working Capital BE APPROVED to fully fund the over-expenditure.**

The Mayor put the Motion.

Motion Carried

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

8.1 Libro Centre Pro Shop – New Tenant

Resolution # 20180723-244

Moved By Councillor Fryer

Seconded By Councillor Meloche

That:

1. **The report from the Manager of Recreation Services dated July 4, 2018, regarding Libro Centre Pro Shop – New Tenant BE RECEIVED;**
2. **The Expression of Interest from Nantais Athletic Inc, for rental of the Libro Centre Pro Shop BE ACCEPTED;**
3. **Administration BE DIRECTED to prepare a lease agreement between Nantais Athletic Inc. and the Town of Amherstburg for rental of the Libro Centre Pro Shop; and,**
4. **The Mayor and Clerk BE AUTHORIZED to execute the lease agreement satisfactory in technical content to the Manager of Recreation Services, financial content to the Director of Corporate Services and in legal content to the Director of Planning, Development and Legislative Services for the Pro Shop space at the Libro Centre.**

The Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

9.1 Placement of Underground Infrastructure, Curbs and Base Asphalt on Maintenance – Kingsbridge Subdivision Phase 8A

Resolution # 20180723-245

Moved By Councillor Meloche

Seconded By Councillor Pouget

That:

1. **The report from the Manager of Engineering dated July 5, 2018, regarding the Placement of Underground Infrastructure, Curbs and Base Asphalt on Maintenance – Kingsbridge Subdivision Phase 8A BE RECEIVED;**

2. **The recommendations of the consulting engineer, BairdAE, BE ACCEPTED; and,**
3. **The underground infrastructure, base asphalt and curbs BE PLACED on a 1 year maintenance period, commencing July 2, 2018.**

The Mayor put the Motion.

Motion Carried

9.2 Creek Road Reconstruction (Meloche Road to County Road 20) - Tender Results

Resolution # 20180723-246

Moved By Councillor Fryer
Seconded By Councillor Pouget

That:

1. **The report from the Manager of Engineering dated July 19, 2018, regarding the Creek Road Reconstruction (Meloche Road to County Road 20) - Tender Results BE RECEIVED;**
2. **The Creek Road Reconstruction (Meloche Road to County Road 20) Tender BE AWARDED to Jeff Shepley Excavating Ltd. in the amount of \$1,512,223.50 plus H.S.T.;**
3. **Project expenditures not to exceed \$1,642,400 and a transfer from the Capital Reserve account not to exceed \$242,400 to fully fund the project BE APPROVED; and,**
4. **The Mayor and Clerk BE AUTHORIZED to execute an agreement with Jeff Shepley Excavating Ltd. for completion of the Creek Road Reconstruction.**

The Mayor put the Motion.

Motion Carried

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

10.1 Condominium Conversion for 130 Pickering Drive

Resolution # 20180723-247

Moved By Councillor Meloche

Seconded By Deputy Mayor DiPasquale

Andrea Sinclair, Applicant's Planner, MHBC Planning, addressed Council regarding the proposed condominium conversion for both 130 Pickering Drive and 421 Dalhousie Street and answered Council questions.

That:

1. **The report from the Manager of Planning Services dated July 9, 2018, regarding the Proposed Draft Plan of Condominium (conversion) for 130 Pickering Drive File No. 37-CD-18002 BE RECEIVED;**
2. **The Draft Plan of Condominium, File No. 37-CD-18002, from Pickering Tower Apartments Limited, as shown on the attached Schedule A BE CONSIDERED; and,**
3. **Administration BE DIRECTED to advise the approval authority (County of Essex) that Council SUPPORTS the Draft Plan of Condominium (conversion) for 130 Pickering Drive.**

The Mayor put the Motion.

Motion Carried

10.2 Condominium Conversion for 421 Dalhousie Street

Resolution # 20180723-248

Moved By Councillor Fryer

Seconded By Councillor Meloche

That:

1. **The report from the Manager of Planning Services dated July 9, 2018, regarding the Proposed Draft Plan of Condominium (conversion) for 421 Dalhousie Street File No. 37-CD-18003 BE RECEIVED;**
2. **The Draft Plan of Condominium, File No. 37-CD-18003, from 421 Dalhousie Apartments Limited, as shown on the attached Schedule A BE CONSIDERED; and,**

3. Administration BE DIRECTED to advise the approval authority (County of Essex) that Council SUPPORTS the Draft Plan of Condominium (conversion) for 421 Dalhousie Street.

The Mayor put the Motion.

Motion Carried

10.3 Zoning By-law Amendment for 8035 Gardiner Crescent

Resolution 20170723-249

Moved By Councillor Fryer
Seconded By Councillor Meloche

That:

1. The report from the Manager of Planning Services dated July 3, 2018, regarding the proposed Zoning By-law Amendment for 8035 Gardiner Crescent, BE RECEIVED; and,
2. By-law 2018-65 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

10.4 Amending Development Agreement for 140 Simcoe Street

Resolution # 20180723-250

Moved By Councillor Meloche
Seconded By Councillor Pouget

That:

1. The report from the Manager of Planning Services dated July 5, 2018, regarding the Amending Development Agreement for 140 Simcoe Street - By-law 2018-21, BE RECEIVED;
2. The amendments to the site plan for 140 Simcoe Street BE APPROVED; and,
3. By-law 2018-21 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

10.5 Road Dedication of Block 12, 12M183, Reserve on Amlin Street

Resolution # 20180723-251

Moved By Councillor Fryer

Seconded By Councillor Meloche

That:

- 1. The report from the Manager of Planning Services dated July 4, 2018 regarding the Road Dedication of Block 12, 12M183, Reserve on Amlin Street as a Public Highway BE RECEIVED;**
- 2. The dedication of Block 12, 12M183 as a Public Highway BE APPROVED; and,**
- 3. By-law 2018-78 being a by-law to Dedicate Block 12, 12M183 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

10.6 Extension of Legal Services Retainer Agreements

Resolution #20180723-252

Moved By Councillor Meloche

Seconded By Councillor Fryer

That:

- 1. The report from the Director of Planning, Development and Legislative Services dated July 11, 2018, regarding the Extension of Legal Services Retainer Agreements BE RECEIVED; and,**
- 2. The Mayor and Clerk BE AUTHORIZED to execute extension of Legal Services Retainer Agreements between the Town and McTague Law Firm LLP, Mousseau Deluca McPherson Prince LLP, and Shibley Righton LLP for a period of eight (8) months ending March 21, 2019,**

satisfactory in technical and legal content to the Director of Planning, Development and Legislative Services.

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

11.1 Committee Member Appointment – Committee of Adjustment

Resolution # 20180723-253

Moved By Councillor Meloche
Seconded By Councillor Fryer

That:

1. The report from the Deputy Clerk dated June 22, 2018, regarding Committee Member Appointment – Committee of Adjustment BE RECEIVED; and,
2. Josh Mailloux BE APPOINTED as the new member on the Committee of Adjustment for the remainder of the 2014-2018 Term of Committees ending on November 30, 2018.

The Mayor put the Motion.

Motion Carried

11.2 Ombudsman Investigations – Closed Council and JPAC Meetings in 2017 and 2018

Resolution # 20180723-254

Moved By Councillor Fryer
Seconded By Councillor Meloche

That:

1. The report from the Municipal Clerk dated July 3, 2018 regarding Ombudsman Investigations – Closed Council and JPAC Meetings in 2017 and 2018 BE RECEIVED; and,
2. Procedural By-law 2014-91 BE AMENDED AT A FUTURE DATE to include the recent amendments to the Municipal Act and to reflect the

open meeting requirements adopted by Council in the more recent Local Boards/Committee-Terms of Reference.

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

The Clerk advised Council of a correspondence received by Nor-Built Construction at 6:54 p.m. regarding item # 12.4 - Development Charges Deferral Agreements and advised that it has been sent to Council via email for their consideration.

Resolution # 20180723-255

Moved By Councillor Lavigne

Seconded By Councillor Meloche

That the following information reports BE RECEIVED:

- 12.1 Annual Committee Report – 2017 Parks & Recreation Committee**
- 12.2 Building Department Activity Report - April, May and June 2018**
- 12.3 Monthly Fire Department Activity Report - June 2018**
- 12.4 Development Charges Deferral Agreements**
- 12.5 2018 First Quarter Operating Variance as at March 31, 2018**
- 12.6 Accounts Payable for the Month of June 2018**

The Mayor put the Motion.

Motion Carried

Resolution # 20180723-256

Moved By Councillor Lavigne

Seconded By Councillor Fryer

That Administration BE DIRECTED to bring back a report to the August 13, 2018 Council meeting with options regarding development charges and invite the developers to attend.

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20180723-257

Moved By Councillor Meloche

Seconded By Councillor Fryer

That the following consent correspondence BE RECEIVED:

- 13.1 2018 No Hot Pets Campaign - Ontario SPCA**
- 13.2 2019 Council Award - The College of Physicians and Surgeons of Ontario**
- 13.3 Policy Update - AMO Stands with Canada and Ontario on NAFTA**
- 13.4 2019 Training and Education Symposium - Ontario Municipal Fire Prevention Officers Association (OMFPOA)**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20180723-258

Moved By Councillor Lavigne

Seconded By Councillor Fryer

That the following minutes BE RECEIVED:

- 14.1 Committee of Adjustment Meeting Minutes - April 24, 2018**
- 14.2 Committee of Adjustment Meeting Minutes - May 8, 2018**
- 14.3 Committee of Adjustment Meeting Minutes - May 29, 2018**
- 14.4 Co-An Park Committee Meeting Minutes - June 13, 2018**

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

15.1 Drainage Board Meeting Minutes - July 9, 2018

Resolution # 20180723-259

Moved By Councillor Meloche
Seconded By Councillor Lavigne

That:

1. **The Drainage Board Meeting Minutes of July 9, 2018, BE RECEIVED; and,**
2. **By-law 2018-79 being a by-law to provide for the New Maintenance Schedule for the Shuell Creek Drain based on the Drainage Report by Baird AE BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

There was no Unfinished Business brought forward.

NEW BUSINESS

There was no New Business brought forward.

NOTICE OF MOTION

There were no Notices of Motion.

Resolution # 20180723-260

Moved By Councillor Fryer
Seconded By Councillor Meloche

That By-law 2018-75 – Zoning By-law Amendment for 465 Texas Road from the July 23, 2018, Special Council Meeting – Planning, BE BROUGHT FORWARD for consideration at this time.

The Mayor put the Motion.

Motion Carried

BY-LAWS

20.1 By-law 2018-80 - Confirmatory By-law

Resolution # 20180723-261

Moved By Councillor Meloche
Seconded By Councillor Fryer

That By-law 2018-80 being a by-law to confirm all resolutions of the Municipal Council Meetings held July 11 and 23, 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

ADJOURNMENT

Moved By Councillor Lavigne
Seconded By Councillor Fryer

That Council rise and adjourn at 8:50 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



MUNICIPAL CLERK – PAULA PARKER