



**TOWN OF AMHERSTBURG  
REGULAR COUNCIL MEETING  
Monday, September 24, 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 Leo Meloche  
Councillor Diane Pouget

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

**ABSENT**

Councillor Joan Courtney  
Councillor Jason Lavigne

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**CALL TO ORDER**

The Mayor called the meeting to order at 6:17 p.m.

**NATIONAL ANTHEM**

## **DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

Deputy Mayor DiPasquale declared a conflict of interest with respect to the September 10, 2018, Special In-Camera Council Meeting, Item B – Police Services Contract - due to his daughter being employed with the Windsor Police Service.

Councillor Pouget declared a conflict of interest with respect to Item # 5.5 – Special In-Camera Council Meeting Minutes of September 10, 2018 – due to a family member being employed with the Windsor Police Service.

## **PRESENTATION OF FIRE APPARATUS - Bruce Montone, Fire Chief**

Bruce Montone, Fire Chief, revealed the new fire apparatus to Council, the public, and the media.

## **MINUTES OF PREVIOUS MEETING**

Resolution # 20180924-311

**Moved By** Councillor Fryer

**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:**

- 5.1 Special In-Camera Council Meeting Minutes - August 13, 2018**
- 5.2 Special Council Meeting Minutes - August 30, 2018**
- 5.3 Special Council Meeting Minutes - Planning - September 10, 2018**
- 5.4 Regular Council Meeting Minutes - September 10, 2018**

The Mayor put the Motion.

**Motion Carried**

Councillor Pouget removed herself from voting and discussion due to her declared conflict of interest.

**Moved By** Councillor Fryer

**Seconded By** Councillor Meloche

**5.5 Special In-Camera Council Meeting Minutes - September 10, 2018**

The Mayor put the Motion.

**Motion Carried**

**DELEGATIONS**

**6.1 Surcharge for Use of Room at the Libro Centre - Dorothy Thrasher and Fern Elliott, Fort Malden Golden Age Centre**

Resolution # 20180924-312

**Moved By** Councillor Pouget  
**Seconded By** Councillor Meloche

**That:**

- 1. The delegation BE RECEIVED; and,**
- 2. Administration BE DIRECTED to look into grants for seniors, waive the fees for the remainder of 2018, and consider \$3136.50 for 2019 as a community grant application.**

The Mayor put the Motion.

**Motion Carried**

**6.2 Request for By-law to Allow ATV's to Ride on Designated Roads - Kevin Schmidt and Shawn Ellenberger, Essex County ATV Club**

Resolution # 20180924-313

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

**That:**

- 1. The delegation BE RECEIVED; and,**
- 2. Administration BE DIRECTED to hold a public meeting to consider ATV use on Town right-of-ways and bring back a report with recommendations.**

The Mayor put the Motion.

**Motion Carried**

**PRESENTATIONS**

**7.1 Bell Canada Fibre to the Home Update - Darin Meek and Bhreagh MacMullin, Bell Canada**

Resolution # 20180924-314

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

**That the 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**

There were no reports.

**REPORTS – ENGINEERING AND PUBLIC WORKS**

There are no reports.

## REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

### 12.1 Amended Draft Plan of Subdivision and Zoning By-law Amendment for Kingsbridge Subdivision File No. 37-T-18003

Resolution # 20180924-315

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

**That Administration BE DIRECTED to proceed to initiate alternate parking on Whelan Avenue and Hilton Court, the sidewalks according to the Parks Sidewalks Master Plan and monitor calming traffic measures.**

Jeffrey Baker, Developer's Solicitor, addressed Council regarding Councillor Pouget's motion.

The Mayor put the Motion.

**Motion Failed**

Resolution # 20180924-316

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

**That:**

- 1. The report from the Manager of Planning Services dated September 10, 2018, regarding the Amended Draft Plan of Subdivision and Zoning By-law Amendment for Kingsbridge Subdivision File No. 37-T-18003 BE RECEIVED;**
- 2. Administration BE DIRECTED to advise the approval authority (County of Essex) that Council supports Draft Plan Approval for this phase of Kingsbridge Subdivision; and,**
- 3. By-law 2018-76 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**

## 12.2 Development Agreement for 1500 Alma Street

Resolution # 20180924-317

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

**That:**

1. **The report from the Manager of Planning Services dated September 10, 2018, regarding the Development Agreement for 1500 Alma Street BE RECEIVED;**
2. **The Site Plan and Development Agreement for 1500 Alma Street BE APPROVED; and,**
3. **By-law 2018-82 being a by-law to authorize the signing of a Development Agreement be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign the same.**

The Mayor put the Motion.

**Motion Lost**

## 12.3 Housekeeping Zoning By-law Amendment 2018-88

Resolution # 20180924-318

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

**That:**

1. **The report from the Manager of Planning Services dated September 11, 2018, regarding the proposed Housekeeping Zoning By-law Amendment, BE RECEIVED; and,**
2. **By-law 2018-88 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**

**12.4 Housekeeping Zoning By-law Amendment for the Prohibition of Private Wells**

Resolution # 20180924-319

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

**That:**

1. **The report from the Manager of Planning Services dated September 10, 2018, regarding the Housekeeping Zoning By-law Amendment for the Prohibition of Private Wells BE RECEIVED; and,**
2. **By-law 2018-86 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**

**REPORTS - CAO's OFFICE**

**13.1 2018 Election Compliance Audit Committee**

Resolution # 20180924-320

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

**That:**

1. **That the report from the Clerk dated September 13, 2018 regarding the establishment of a 2018 Election Compliance Audit Committee BE RECEIVED;**
2. **A three-member Election Compliance Audit Committee BE ESTABLISHED consisting of:**
  - Robert Auger
  - Robin Hall
  - Joe Gorski
3. **By-law 2018-96 being a By-law to establish an Election Compliance Audit Committee for the Town of Amherstburg for the 2018-2022 term**

**of Council be read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

**Motion Carried**

### **INFORMATION REPORTS**

Resolution # 20180924-321

**Moved By** Councillor Meloche  
**Seconded By** Councillor Pouget

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

- 14.1 Building Activity Report - July and August, 2018**
- 14.2 Monthly Fire Department Activity Report - July and August 2018**

The Mayor put the Motion.

**Motion Carried**

### **CONSENT CORRESPONDENCE**

Resolution # 20180924-322

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

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

- 15.1 Western Lake Erie National Marine Conservation Area Proposal - Tamara Stomp**
- 15.2 NAFTA - Dairy Supply Management Program - Township of Amaranth Resolution**
- 15.3 Request for Province to List Paramedic Services as an Essential Service - Township of Glengarry**

The Mayor put the Motion.

**Motion Carried**



Resolution # 20180924-323

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

**Item # 15.1 - That Council support the Western Lake Erie National Marine Conservation Area Proposal and direct Administration to send a letter of support for the undertaking of a feasibility Study by Parks Canada.**

The Mayor put the Motion.

**Motion Carried**

### **CONSENT OTHER MINUTES**

Resolution # 20180924-324

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

**That the following minutes BE RECEIVED:**

- 16.1 Heritage Committee Meeting Minutes - April 5, 2018**
- 16.2 Heritage Committee Meeting Minutes - June 7, 2018**
- 16.3 Accessibility Advisory Committee Meeting Minutes - July 18, 2018**
- 16.4 Co-An Park Committee Meeting Minutes - August 8, 2018**

The Mayor put the Motion.

**Motion Carried**

### **OTHER MINUTES**

- 17.1 Drainage Board Meeting Minutes - September 5, 2018**

Resolution # 20180924-325

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

**That:**

- 1. The Drainage Board Meeting Minutes of September 5, 2018 BE RECEIVED;**

2. **The appointment of the firm Dillon Consulting Ltd. for the repair and improvement to the Whelan Drain as recommended by the Drainage Board BE APPROVED; and,**
3. **The appointment of the firm Dillon Consulting Ltd. for the repair and improvement to the 5th Concession Drain South as recommended by the Drainage Board BE APPROVED.**

The Mayor put the Motion.

**Motion Carried**

### **UNFINISHED BUSINESS**

1. Councillor Fryer asked if the repairs to the 2<sup>nd</sup> Concession Road Bridge and South Riverview Road would be completed this year.

The Director of Engineering and Public Works advised Council that she will follow up with the contractor who was having issues obtaining permits from the Ministry for the bridge repair. She further advised that if the repairs get delayed into next year, she will have the engineer assess the bridge once again before the winter.

2. Councillor Pouget asked for an update with respect to the Council direction regarding 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 a part of a subdivision agreement.

The Director of Planning, Development and Legislative Services advised Council that there are challenges when placing trees amongst a significant amount of infrastructure. He advised that trees have been removed due to sidewalk damage and alternatives are being sought to avoid potential future sidewalk and sewer problems as the trees mature.

3. Councillor Meloche asked if the schedule to clear weeds is in effect particularly on Annie Street.

The Director of Engineering and Public Works advised that restoration and grass planting can now be completed due to the cooler weather and she will take another look at Annie Street to see what can be done.

## **NEW BUSINESS**

There was no New Business brought forward.

## **REPORT OUT FROM IN CAMERA SESSION - SEPTEMBER 10, 2018**

Council met on Sept. 10<sup>th</sup>, 2018, for a Special In-Camera Meeting at 7:39 pm and discussed (1) item as provided for under Section 239 of the Municipal Act:

**Item B – Police Services Contract** heard under Section 239(2)(f) and (k) of the Act. There is nothing further to report at this time.

## **NOTICE OF MOTION**

There were no Notices of Motion.

## **BY-LAWS**

### **22.1 By-law 2018-97 - Confirmatory By-law**

Resolution # 20180924-326

**Moved By** Councillor Fryer

**Seconded By** Councillor Meloche

**That By-law 2018-97 being a by-law to confirm all resolutions of the Municipal Council Meetings held September 17th and 24th, 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 Meloche  
**Seconded By** Councillor Fryer

**That Council rise and adjourn at 8:11 p.m.**

The Mayor put the Motion.

**Motion Carried**



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MAYOR – ALDO DICARLO



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MUNICIPAL CLERK – PAULA PARKER