



TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
Monday, December 10, 2018
6:00 PM

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

MINUTES

PRESENT

Deputy Mayor Leo Meloche
Councillor Peter Courtney
Councillor Donald McArthur
Councillor Michael Prue
Councillor Marc Renaud
Councillor Patricia Simone

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

ABSENT

Mayor Aldo DiCarlo

CALL TO ORDER

The Deputy Mayor called the meeting to order at 6:15 p.m.

NATIONAL ANTHEM

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 # 20181210-388

Moved By Councillor Simone
Seconded By Councillor Renaud

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 - November 26, 2018

4.2 Regular Council Meeting Minutes - November 26, 2018

The Deputy Mayor put the Motion.

Motion Carried

DELEGATIONS

There were no delegations.

PRESENTATIONS

6.1 The Co-production of Public Trust in Amherstburg - Suzanne McMurphy, Ph.D., MSS, MLSP, University of Windsor

Ms. McMurphy provided Council with her presentation regarding the Co-production of Public Trust in Amherstburg.

Resolution # 20181210-389

Moved By Councillor Simone
Seconded By Councillor McArthur

That the presentation BE RECEIVED.

The Deputy Mayor put the Motion.

Motion Carried

REPORTS – POLICE SERVICES

There were no reports.

REPORTS – CORPORATE SERVICES

8.1 2018 Tax Write Offs and Rebates

Resolution # 20181210-390

Moved By Councillor Renaud
Seconded By Councillor Courtney

That:

- 1. The report from the Supervisor of Revenue dated November 21, 2018 regarding 2018 Write-offs and Rebates BE RECEIVED; and**
- 2. The property tax adjustments outlined in this report BE AFFIRMED.**

The Deputy Mayor put the Motion.

Motion Carried

8.2 2018 Tax Collector Roll Adjustment under Section 354 of the Municipal Act, 2001

Resolution # 20181210-391

Moved By Councillor Prue
Seconded By Councillor Renaud

That:

- 1. The report from the Treasurer dated November 26, regarding 2018 Tax Collector Roll Adjustment made under Section 354 of the Municipal Act, 2001 - Roll # 3729 610 000 03900 BE RECEIVED;**
- 2. The Treasurer BE AUTHORIZED to remove unpaid balances that have been deemed to be uncollectible, as outlined in the Appendix A, from**

the property tax roll in accordance with Section 354 of the Municipal Act, 2001;

3. The Treasurer BE AUTHORIZED to write off property taxes for tax roll 3729 610 000 03900 under Municipal Act, 2001 (Section 354(4)) on a go-forward basis until such time as the Treasurer deems that the property taxes are collectible; and,
4. By-law 2018-112 being a By-law to strike taxes from the tax roll 3729 610 000 03900 under Municipal Act, 2001 (Section 354(4)) be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20181210-392

Moved By Councillor Courtney
Seconded By Councillor Simone

That the Rules of Order BE WAIVED to allow the developers to speak to item # 8.3.

The Deputy Mayor put the Motion.

Motion Carried

The following were heard:

- Norman Bolger, Nor-Built Construction

8.3 Development Charges Deferral Agreements

Resolution # 20181210-393

Moved By Councillor Renaud
Seconded By Councillor Simone

Cheryl Horrobin, Director of Corporate Services, advised Council that the Development Charges Deferral Agreements pertain to residential development.

Councillor Prue requested a friendly amendment to implement an Administrative Fee of \$275 per unit and for each of the additional 4 months for the Deferral of Development Charges Collections.

The Mover and Seconder agreed to the friendly amendment.

That:

- 1. The report from the Director of Corporate Services and the Director of Planning, Development and Legislative Services and the CAO dated October 22, 2018 regarding Development Charges Deferral Agreements BE RECEIVED;**
- 2. The practice of offering Development Charges Deferral Agreements BE CONTINUED;**
- 3. Administration BE AUTHORIZED to proceed with the use of Letters of Direction for the Deferral of Development Charges Collection satisfactory in form and content to the Director of Planning, Development and Legislative Services;**
- 4. Administration BE AUTHORIZED to implement an Administrative Fee of \$275 per unit and for each additional 4 months for the Deferral of Development Charges Collections effective January 1, 2019 and subject to change in accordance with the changes made to the User Fee By-law annually; and,**
- 5. Council DELEGATE the authority to Administration to enter into Development Charge Deferred Collection Agreements effective January 1, 2019.**

The Deputy Mayor put the Motion.

Motion Carried

8.4 Continuing Operations Prior to 2019 Budget Approval

Resolution # 20181210-394

Moved By Councillor Renaud
Seconded By Councillor McArthur

That:

- 1. The report from the Director of Corporate Services dated October 30, 2018 regarding Continuing Operations Prior to 2019 Budget Approval BE RECEIVED;**

2. **The Chief Administrative Officer BE AUTHORIZED to continue the current level of service for operations, including extending the engagements of contract staff for the following positions:**
 - **Assistant Planner - \$14,000**
 - **HR Coordinator - \$16,000**
 - **Policy Coordinator - \$6,000**
 - **Tourism Coordinator - \$24,000; and,**
3. **The extended contract positions BE IDENTIFIED as a pre-commitment in the 2019 Budget, until 2019 Budget deliberations are completed.**

The Deputy Mayor put the Motion.

Motion Carried

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

9.1 Roof Repair- Replacement at Town Hall, 271 Sandwich St. S.

Resolution # 20181210-395

Moved By Councillor Prue

Seconded By Councillor Courtney

That:

1. **The report from the CAO dated December 5, 2018 regarding Roof Repair - Replacement at Town Hall, 271 Sandwich Street S. BE RECEIVED; and,**
2. **Administration BE AUTHORIZED to proceed with the Roof Replacement of Area A at Town Hall at an upset limit of \$72,744 as a capital over-expenditure to BE FUNDED from current taxation.**

The Deputy Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

11.1 Dog Control Officer and Pound Services

Resolution # 20181210-396

Moved By Councillor Simone
Seconded By Councillor Renaud

That:

1. **The report from the Manager of Licensing and Enforcement dated November 26, 2018, regarding Dog Control Officer and Pound Services BE RECEIVED;**
2. **Administration BE AUTHORIZED to enter into a one (1) year agreement, for the term of January 1, 2019 through December 31, 2019, with the Windsor Essex County Humane Society to provide dog control officer services and pound facility for the Town of Amherstburg at a cost of \$30,000 (HST exempt) and the Mayor and Clerk BE AUTHORIZED to sign same; and,**
3. **By-law 2018-111 being a by-law to Appoint Dog Control Officer and Pound Facility be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Deputy Mayor put the Motion.

Motion Carried

11.2 Suitability for Development of Three Proposed Lots, W/S Concession 2 North – on Private Septic Systems

Resolution # 20181012-397

Moved By Councillor Simone
Seconded By Councillor Courtney

That:

1. **The report from the Manager of Planning Services dated November 21, 2018 regarding Suitability for Development of Three Proposed Lots, W/S Concession 2 North, on Private Septic Systems BE RECEIVED; and,**
2. **The development of the three lots on W/S Concession 2 North on private septic systems BE APPROVED.**

The Deputy Mayor put the Motion.

Motion Carried

11.3 Urban Design Guidelines (UDG) – Draft Presented for Council and Public Review

Resolution # 20181210-398

Moved By Councillor Courtney
Seconded By Councillor McArthur

Councillor Prue requested a friendly amendment to the motion to direct Administration to include a cost item to develop a Heritage Conservation District (HCD) in the 2019 Budget for Council's consideration.

The Mover and Seconder agreed to the friendly amendment.

That:

- 1. The report from the Manager of Planning Services dated November 21, 2018 regarding the Urban Design Guidelines - Draft Presented for Council and Public Review BE RECEIVED; and,**
- 2. A further Public Consultation Session BE SCHEDULED to obtain the public's comments on the draft guidelines.**
- 3. Administration BE DIRECTED to include a cost item to develop a Heritage Conservation District (HCD) in the 2019 Budget.**

The Deputy Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

12.1 2019 Calendar of Council Meetings

Resolution # 20181210-399

Moved By Councillor Renaud
Seconded By Councillor Simone

That:

- 1. The report from the Deputy Clerk dated November 26, 2018, regarding the 2019 Calendar of Council Meetings BE RECEIVED;**

2. **The rules in the Procedural By-law requiring that regular meetings be held the second and fourth Monday of each month BE WAIVED for the months of July, August, and December; and,**
3. **The 2019 Calendar of Council Meetings BE APPROVED, as presented.**

The Deputy Mayor put the Motion.

Motion Carried

12.2 Seniors Advisory Committee and Mayor's Youth Advisory Committee

Resolution # 20181210-400

Moved By Councillor McArthur

Seconded By Councillor Renaud

That:

1. **The report from the Town Clerk and Manager of Recreation Services dated November 13, 2018 regarding the creation of a Seniors Advisory Committee and Mayor's Youth Advisory Committee BE RECEIVED; and,**
2. **The Terms of Reference for both committees BE APPROVED as presented and Local Boards/Committees Terms of Reference BE AMENDED to include them.**

The Deputy Mayor put the Motion.

Motion Carried

12.3 Local Board and Committee Appointments – 2018-2022 Term

Resolution # 20181210-401

Moved By Councillor Simone

Seconded By Councillor Courtney

Councillor Simone amended the motion to include advertising for an Audit and Finance Advisory Committee and an Economic Development Advisory Committee.

That:

1. The report from the Deputy Clerk dated November 26, 2018, regarding Local Board and Committee Appointments – 2018-2022 Term BE RECEIVED; and,
2. Administration BE AUTHORIZED to recruit members for the following Local Boards and Committees in accordance with the Town's Boards and Committees Appointment Policy:
 - Accessibility Advisory Committee
 - Audit and Finance Advisory Committee
 - Committee of Adjustment
 - Co-An Park Committee
 - Drainage Board
 - Economic Development Advisory Committee
 - Fence Viewers
 - Heritage Committee
 - Livestock Evaluator
 - Parks and Recreation Advisory Committee
 - Property Standards
 - Seniors Advisory Committee
 - Mayor's Youth Advisory Committee

The Deputy Mayor put the Motion.

Motion Carried

12.4 Council and Lay Member Board Appointments - 2018-2022 Term

Resolution # 20181210-402

Moved By Councillor Simone

Seconded By Councillor Prue

That:

1. The report from the Deputy Clerk dated November 26, 2018, regarding Council and Lay Member Board Appointments – 2018-2022 Term BE RECEIVED;
2. Deputy Mayor Leo Meloche and Ron Sutherland (lay member) BE FORWARDED to the Essex County Striking Committee as the Town's representatives on the Essex County Library Board;
3. Mayor Aldo DiCarlo BE APPOINTED to the Essex Power Board of Directors; and,

4. **Councillor Courtney BE APPOINTED to the Essex Region Conservation Authority Board and Administration BE DIRECTED to advertise for one (1) lay member position in the local newspaper and on the Town's website in accordance with the Town's Boards and Committees Appointment Policy.**

The Deputy Mayor put the Motion.

Motion Carried

12.5 Amherstburg Police Services Board Appointments and Abolition

Resolution # 20181210-403

Moved By Councillor Renaud
Seconded By Councillor Prue

Councillor Renaud moved the amendment to keep Bob Rozankovic as the Amherstburg Police Services Board lay member until the Board is abolished.

That:

1. **The report from the Municipal Clerk dated December 5th, 2018 regarding Amherstburg Police Services Board Appointments and Abolition BE RECEIVED;**
2. **Mayor Aldo DiCarlo and Deputy Mayor Meloche BE APPOINTED to the Amherstburg Police Services Board until December 31, 2018;**
3. **Bob Rozankovic REMAIN as the lay member on the Amherstburg Police Services Board until the Board is abolished on December 31, 2018.**
4. **The Amherstburg Police Service Board BE ABOLISHED effective December 31, 2018 at 11:59pm.**

The Deputy Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20181210-404

Moved By Councillor Renaud
Seconded By Councillor Simone

That the following information reports BE RECEIVED:

- 13.1 Fire Department Monthly Activity Report –October 2018**
- 13.2 Monthly Activity Report – APSB Meeting of October 16, 2018**
- 13.3 Monthly Activity Report – APSB Meeting of November 3, 2018**

The Deputy Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20181210-405

Moved By Councillor Courtney
Seconded By Councillor McArthur

That the following consent correspondence BE RECEIVED:

- 14.1 Cannabis Retail Model - Board of Health Resolution, Windsor-Essex County Health Unit**
- 14.2 Ontario Good Roads Association (OGRA) Board of Directors - Call for Nominations**
- 14.3 Rural Ontario Municipal Association (ROMA) Board of Directors - Call for Nominations**
- 14.4 The Creation, Maintenance and General Quality of the Municipal Voters' List - Town of Kearney Resolution**

The Deputy Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20181210-406

Moved By Councillor Prue
Seconded By Councillor McArthur

That the following minutes BE RECEIVED:

- 15.1 Committee of Adjustment Meeting Minutes - October 29, 2018**

The Deputy Mayor put the Motion.

Motion Carried

NEW BUSINESS

1. Resolution # 20181210-407

Moved By Councillor Prue
Seconded By Councillor Courtney

That Administration BE DIRECTED to advertise for an Economic Development Advisory Committee and bring back a report to Council with a Terms of Reference and mandate for the Committee.

The Deputy Mayor put the Motion.

Motion Carried

2. Resolution # 20181210-408

Moved By Councillor Courtney
Seconded By Councillor Simone

That Administration BE DIRECTED to advertise for an Audit and Finance Advisory Committee and bring back a report to Council with a Terms of Reference and mandate for the Committee.

The Deputy Mayor put the Motion.

Motion Carried

3. Resolution # 20181210-409

Moved By Councillor Courtney
Seconded By Councillor Prue

That Administration BE DIRECTED to bring back a report regarding the St. Bernard's property and Centennial Park property.

The Deputy Mayor put the Motion.

Motion Carried

4. Resolution # 20181210-410

Moved By Councillor Courtney
Seconded By Councillor Prue

That Administration BE DIRECTED to bring back a report regarding outstanding receivables for the Amherstburg Festival Corporation.

The Deputy Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN CAMERA SESSION – November 26th, 2018

Council met on November 26th, 2018, for a Special In-Camera Meeting at 4:43pm and discussed (1) item as provided for under Section 239 of the Municipal Act:

Item A – Integrity Complaint – Final Report heard under Section 239 2(b) of the Act. There is nothing further to report on this matter.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

19.1 By-law 2018-113 - Zoning By-law Amendment at 7380 Collison Sideroad

Resolution # 20181210-411

Moved By Councillor Simone

Seconded By Councillor McArthur

That By-law 2018-113 being a by-law to Amend Zoning By-law 1999-52 be taken as having been read three times and finally passed and the Mayor and Clerks BE AUTHORIZED to sign same.

The Deputy Mayor put the Motion.

Motion Carried

19.2 By-law 2018-114 - Confirmatory By-law

Resolution # 20181210-412

Moved By Councillor Prue
Seconded By Councillor Courtney

That By-law 2018-114 being a by-law to confirm all resolutions of the Municipal Council Meetings held December 3 and 10, 2018, be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Deputy Mayor put the Motion.

Motion Carried

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20181210-413

Moved By Councillor Renaud
Seconded By Councillor Simone

That Council move into an In-Camera Meeting of Council at 7:42 pm pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

Item A - Land Lease, Vehicle Parking, Car Dealerships, Sandwich St. S - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the municipality or local board.

Item B - Storm Sewer Easement; 1632/1640 Park Avenue - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the municipality or local board.

The Deputy 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 OF IN-CAMERA COUNCIL MEETING @ 8:04 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Prue
Seconded By Councillor Simone

That Council resume Regular session at 8:06 p.m.

The Deputy Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN CAMERA SESSION – December 10th, 2018

Council met on December 10th, 2018, for a Special In-Camera Meeting at 7:42 pm and discussed (2) items as provided for under Section 239 of the Municipal Act:

Item A - Land Lease, Vehicle Parking, Car Dealerships, Sandwich St. S heard under Section 239(2)(c) of the Act. As a result of that discussion, the following is before Council for consideration:

Resolution # 20181210-414

Moved By Councillor Renaud
Seconded By Councillor Prue

That:

- 1. The report from the Director of Planning, Development and Legislative Services dated November 16, 2018, regarding the lease of Town owned rear lands to the two car dealers at 432 and 462 Sandwich Street South for the purpose of vehicle parking BE RECEIVED, and;**
- 2. The Mayor and Clerk BE AUTHORIZED to sign lease agreements prepared in form and content satisfactory in technical content to the Director of Public Works, financial content to the Director of Corporate Services and in form and legal content to the Director of Planning, Development and Legislative Services.**

The Deputy Mayor put the Motion.

Motion Carried

Item B - Storm Sewer Easement; 1632/1640 Park Avenue heard under Section 239(2)(c) of the Act. As a result of that discussion, the following is before Council for consideration:

Resolution # 20181210-415

Moved By Councillor Simone

Seconded By Councillor McArthur

That:

1. **The report from the Director of Planning, Development and Legislative Services and Manager of Planning Services dated November 14, 2018, regarding the obtaining of storm sewer easement rights in favour of The Corporation of the Town of Amherstburg BE RECEIVED; and;**
2. **The Mayor and Town Clerk BE AUTHORIZED to execute a permanent easement document in favour of The Corporation of the Town of Amherstburg for the purposes of maintaining its existing underground storm sewer infrastructure and pumping station along the north limit of 1632 Park Avenue, Amherstburg satisfactory in technical content to the Director of Public Works, financial content to the Director of Corporate Services and in form and legal content to the Director of Planning, Development and Legislative Services.**

The Deputy Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Council rise and adjourn at 8:09 p.m.

The Deputy Mayor put the Motion.

Motion Carried



DEPUTY MAYOR – LEO MELOCHE



MUNICIPAL CLERK – PAULA PARKER