



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, January 27, 2020
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, Clerk
Tammy Fowkes, Deputy Clerk

ABSENT

Mayor Aldo DiCarlo

CALL TO ORDER

The Deputy Mayor called the meeting to order at 6:01 p.m.

NATIONAL ANTHEM

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

There were no disclosures of pecuniary interest noted.

REPORT OUT FROM IN-CAMERA SESSION - January 13, 2020

Council met on January 6th, 2020, for a Special In-Camera Meeting at 9:11 pm and discussed the following (1) item as provided for under Section 239 of the Municipal Act:

Item A heard under Section 239(2)(d). There is nothing further to report.

MINUTES OF PREVIOUS MEETING

Resolution # 20200127-023

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:

- 5.1 **Special In-Camera Council Meeting Minutes - October 15, 2019**
- 5.2 **Regular Council Meeting Minutes - October 15, 2019**
- 5.3 **Special Council Meeting Minutes - Planning - October 28, 2019**
- 5.4 **Regular Council Meeting Minutes - October 28, 2019**
- 5.5 **Special Council Meeting Minutes - November 4, 2019**

The Deputy Mayor put the Motion.

Motion Carried

RECOGNITIONS

6.1 Long Service Award Recognition

The Manager of Human Resources presented a Long Service Award to Ross Sinasac.

Resolution # 20200127-024

Moved By Councillor McArthur

Seconded By Councillor Prue

That the recognition BE RECEIVED.

The Deputy Mayor put the Motion.

Motion Carried

DELEGATIONS

7.1 Active Transportation within the Town of Amherstburg - The Cozmic Queenz

Resolution # 20200127-025

Moved By Councillor Prue

Seconded By Councillor McArthur

That:

1. The delegation BE RECEIVED;
2. The presentation by the Cozmic Queenz regarding Active Transportation in the Town of Amherstburg BE SENT to the County of Essex and all Ontario municipalities; and,
3. Administration BE DIRECTED to bring back a report regarding the availability of bike racks within the Town and the feasibility of motorized scooters for public use.

The Deputy Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

There were no reports.

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There are no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

11.1 Refreshment Vehicle By-law Amendments and Operation on Town-owned Parkland

Resolution # 20200127-026

Moved By Councillor McArthur

Seconded By Councillor Prue

That the motion BE LAID on the table.

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20200127-027

Moved By Councillor Courtney

Seconded By Councillor Simone

That the Rules of Order BE WAIVED to allow Mr. Deslippe to address Council.

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20200127-028

Moved By Councillor Simone
Seconded By Councillor Courtney

That the Rules of Order BE WAIVED to allow Jen Deluca to address Council.

The Deputy Mayor put the Motion.

Motion Carried

Resolution # 20200127-029

Moved By Councillor McArthur
Seconded By Councillor Prue

That the motion for Item # 11.1 BE TAKEN from the table.

The Deputy Mayor put the Motion.

Motion Carried

The Clerk advised that the annual business licence fee for Refreshment Vehicles is \$204 rather than \$200.

Councillor Simone moved the motion as amended with the fee change.

Resolution # 20200127-030

Moved By Councillor Simone
Seconded By Councillor Renaud

That:

- 1. The annual business licence fee for Refreshment Vehicles (All Classes) BE APPROVED at \$204 plus applicable taxes effective January 28, 2020 and that an amendment to By-law 2019-082 for 2020 User Fees and Charges be brought to a future Council meeting to reflect this change;**
- 2. Refreshment Vehicles BE PERMITTED to operate on Town-owned land in accordance with the Park Permit regulations and that Administration BE AUTHORIZED to implement process to allow for refreshment vehicles on Town-owned property. as described in the**

report from the Manager of Licencing and Enforcement dated January 10, 2020;

3. **An annual Park Permit fee for Refreshment Vehicles (All Classes) on Town-owned lands BE APPROVED at \$200 plus applicable taxes effective January 28, 2020 and an amendment to By-law 2019-082 for 2020 User Fees and Charges be brought to a future Council meeting to reflect this change; and,**
4. **By-law 2020-006 being a by-law to amend Business Licence By-law 2009-44 be taken as having been read 3 times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Deputy Mayor put the Motion.

Motion Failed

Councillor Prue moved the motion with an amendment to remove the 100 metre set back and that all concerns be reviewed before years end.

Resolution # 20200127-031

Moved By Councillor Prue
Seconded By Councillor McArthur

That:

1. **The annual business licence fee for Refreshment Vehicles (All Classes) BE APPROVED at \$204 plus applicable taxes effective January 28, 2020 and that an amendment to By-law 2019-082 for 2020 User Fees and Charges be brought to a future Council meeting to reflect this change;**
2. **Refreshment Vehicles BE PERMITTED to operate on Town-owned land in accordance with the Park Permit regulations and that Administration BE AUTHORIZED to implement process to allow for refreshment vehicles on Town-owned property. as described in the report from the Manager of Licencing and Enforcement dated January 10, 2020;**
3. **An annual Park Permit fee for Refreshment Vehicles (All Classes) on Town-owned lands BE APPROVED at \$200 plus applicable taxes effective January 28, 2020 and an amendment to By-law 2019-082 for 2020 User Fees and Charges be brought to a future Council meeting to reflect this change;**

4. **By-law 2020-006 being a by-law to amend Business Licence By-law 2009-44 be taken as having been read 3 times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same;**
5. **The proposed by-law amendment regarding a required 100 metre set back from a Public Event BE REMOVED from amending By-law 2020-006; and,**
6. **All concerns relating to Refreshment Vehicles BE REVIEWED before years end.**

The Deputy Mayor put the Motion.

Motion Carried

11.2 Zoning By-Law Amendment- ES Creek Road (Conc 3 Pt Lot 32)

Resolution # 20200127-032

Moved By Councillor Courtney
Seconded By Councillor Simone

That By-law 2020-009 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 Deputy Mayor put the Motion.

Motion Carried

11.3 Kingsbridge Subdivision Phase 5G - Subdivision Agreement File No. 37-T-13003

Resolution # 20200127-033

Moved By Councillor Simone
Seconded By Councillor Renaud

That:

1. **The Corporation of the Town of Amherstburg ENTER INTO a Subdivision Agreement with 1027579 Ontario Limited for Kingsbridge Subdivision Phase 5G;**
2. **By-law 2020-010 being a by-law to authorize the signing of a Subdivision Agreement for Kingsbridge Subdivision Phase 5G be**

taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same; and,

3. By-law 2020-011 being a by-law to authorize the execution of a Drainage Agreement with 1078217 Ontario Ltd. and 1027579 Ontario Ltd. 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

11.4 Road Dedication of Reserves for lots on Plan 12M-534 (easterly extension of Whelan Avenue, Hilton Court, and Lambert Street) as Public Highway

Resolution # 20200127-034

Moved By Councillor Simone

Seconded By Councillor Renaud

That:

1. The dedication of Blocks 85, 86, 87, and 88 on Plan 12M-534 (easterly extension of Whelan Avenue, Hilton Court and Lambert Court) as a Public Highway BE APPROVED; and,
2. By-law 2020-012 being a by-law to dedicate Block 85, 86, 87, and 88 on Plan 12M-534 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 Deputy Mayor put the Motion.

Motion Carried

11.5 Kingsbridge Subdivision Parkland Conveyance

Councillor McArthur moved the motion with an amendment to dedicate donated funds to Pat Thrasher Park.

Resolution # 20200127-035

Moved By Councillor McArthur

Seconded By Councillor Simone

That:

1. The amended method of meeting parkland dedication requirements for the full Kingsbridge Subdivision development as outlined in the report from the Manager of Planning dated January 22, 2020 BE APPROVED;
2. The conveyance of Parts 5 and 12 on the draft 12R plan (2.67 hectares) to 1078217 Ontario Limited in exchange for cash in lieu of parkland in the amount of \$66,170 BE APPROVED and the funds be deposited into the Parkland Dedication Reserve Fund;
3. Part 6 on the draft 12R Plan (2.02 hectares) BE DESIGNATED as conservation lands and Administration BE DIRECTED to bring related amendment to the Zoning By-law (1999-52 as amended); and,
4. Administration BE DIRECTED to explore opportunities for future development and upgrades to Pat Thrasher Park in consultation with the Parks and Recreation Advisory Committee and via community engagement.

The Deputy Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

There were no reports.

INFORMATION REPORTS

Resolution # 20200127-036

Moved By Councillor Renaud

Seconded By Councillor Simone

That the following information reports BE RECEIVED:

- 13.1 Building Activity Report for the Months of October, November and December 2019
- 13.2 MMAH Financial Indicator Review (based on 2018 Financial Information Return)
- 13.3 Monthly Fire Department Activity Report – November & December 2019
- 13.4 Street Sweeper Operations

The Deputy Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20200127-037

Moved By Councillor McArthur

Seconded By Councillor Prue

That the following consent correspondence BE RECEIVED:

- 14.1 911 Misdials - Town of Tecumseh Resolution
- 14.2 Steak in the Snow/Auction BBQ Fundraiser - Windsor Downtown Lions Club
- 14.3 Request to Activate the Disaster Recovery Assistance for Ontarians Program (DRAO) - Township of Wainfleet Resolution
- 14.4 Request to Develop Nuclear Reactor Technology - Town of Deep River Resolution

The Deputy Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20200127-038

Moved By Councillor McArthur

Seconded By Councillor Simone

That the following minutes BE RECEIVED:

- 15.1 Mayor's Youth Advisory Committee Meeting Minutes - November 28, 2019

The Deputy Mayor put the Motion.

Motion Carried

OTHER MINUTES

16.1 Economic Development Advisory Committee Meeting Minutes - December 5, 2019

Resolution # 20200127-039

Moved By Councillor McArthur
Seconded By Councillor Renaud

That:

1. The Economic Development Advisory Committee Meeting Minutes of December 5, 2019 BE RECEIVED; and,
2. The 2020 work plan of the Economic Development Advisory Committee BE RECEIVED.

The Deputy Mayor put the Motion.

Motion Carried

16.2 Amherstburg Accessibility Advisory Committee Minutes - December 10, 2019

Resolution # 20200127-040

Moved By Councillor Renaud
Seconded By Councillor McArthur

That:

1. The Amherstburg Accessibility Advisory Committee Meeting Minutes of December 10, 2019 BE RECEIVED; and,
2. The statement on page 15 of the 2017 Revised Amherstburg Accessibility Plan which reads, "The Town of Amherstburg will put procedures in place to prevent severe disruptions to the accessible parts of our public spaces," BE AMENDED to read, "The Town of Amherstburg provides preventative maintenance of accessible elements through routine maintenance and inspections. Emergency maintenance is provided, as needed, to address significant disruptions to accessible services. The Town notifies members of the public of temporary disruptions through the use of signage, the Town website, social media and/or the local newspaper."

The Deputy Mayor put the Motion.

Motion Carried

16.3 Heritage Committee Meeting Minutes - December 12, 2019

Resolution # 20200127-041

Moved By Councillor Prue
Seconded By Councillor Simone

That:

1. **The Heritage Committee Meeting Minutes of December 12, 2019 BE RECEIVED;**
2. **The following properties BE REMOVED from the Heritage Registry as Properties of Interest in accordance with the report, Town of Amherstburg Heritage Registry Assessment Update, from Meg Reiner, Heritage Preservation Services, dated December 12, 2019:• 73 Rankin Avenue• 217 Ramsay Street• 298 Ramsay Street• 316 Ramsay Street• 262 George Street• 82 Gore Street• 108 Gore Street• 91 Seymour Street• 63 Richmond Street**
3. **6790 Essex County Road 50, 7143 Essex County Road 50 and 51 North Street BE PRESENTED with a heritage plaque by Council denoting the subject properties as designated heritage properties in the Town of Amherstburg; and,**
4. **The 2018 Heritage Tax Rebates for 443 Dalhousie Street and 273 Ramsay Street as endorsed by the Heritage Committee and outlined in the report from the Chief Building Official entitled, Heritage Rebate Applications for the 2018 Calendar Year BE APPROVED.**

The Deputy Mayor put the Motion.

Motion Carried

16.4 Parks and Recreation Advisory Committee Meeting Minutes - December 4, 2019

Resolution # 20200127-042

Moved By Councillor McArthur
Seconded By Councillor Renaud

That:

1. **The Park and Recreation Advisory Committee Meeting Minutes of December 4, 2019 BE RECEIVED; and,**
2. **Schedule A2 of the County Official Plan BE INCORPORATED into the Parks Master Plan to distinguish the urban areas of the Town of Amherstburg in place of the map on page 8.**

The Deputy Mayor put the Motion.

Motion Carried

16.5 Parks and Recreation Advisory Committee Meeting Minutes - January 8, 2020

Resolution # 20200127-043

Moved By Councillor Simone
Seconded By Councillor Courtney

That:

1. **The Parks and Recreation Advisory Committee Meeting Minutes of January 8, 2020 BE RECEIVED; and,**
2. **Administration BE DIRECTED to provide a short list of potential projects to utilize the \$75,000 placed in the 2020 Budget for the Parks Reserve.**

The Deputy Mayor put the Motion.

Motion Carried

16.6 Drainage Board Meeting Minutes - January 16, 2020

Resolution # 20200127-044

Moved By Councillor Renaud
Seconded By Councillor Prue

That:

1. **The Drainage Board Meeting Minutes of January 16, 2020 BE RECEIVED;**
2. **The request from Doug Beaudoin for the replacement of the access culvert over the 6th Concession Drain per Section 78 of the**

Drainage Act BE ACCEPTED; as recommended by the Drainage Board;

- 3. The appointment of the firm of N.J. Peralta Engineering Ltd. for the repair and improvement to the 6th Concession Drain BE APPROVED, as recommended by the Drainage Board;**
- 4. The drainage apportionment for land parcel severance Consent B/14/19 BE APPROVED, as recommended by the Drainage Board;**
- 5. The drainage apportionment for land parcel severance Consent B/21/19 BE APPROVED, as recommended by the Drainage Board; and,**
- 6. The drainage apportionment for land parcel severance and land merger and Consent B/23/19 BE APPROVED, as recommended by the Drainage Board.**

The Deputy Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

There was no Unfinished Business brought forward.

NEW BUSINESS

1. Resolution # 20200127-045

Moved By Councillor McArthur
Seconded By Councillor Renaud

That Administration BE DIRECTED to send correspondence to the Premier, the Minister of Education, the local trustees for the Greater Windsor Essex County District School Board, and the local MPP regarding cuts to funding and programs for the new high school.

The Deputy Mayor put the Motion.

Motion Carried

2. Councillor Simone asked for an update with respect the transportation study.

The Chief Administrative Officer advised that the report is currently being drafted and the report should be before Council in April or May.

3. Councillor Prue asked if it's possible that the speed limit be changed to 40km on Brock Street and in the downtown core.

The Director of Engineering and Public Works advised that she will include that discussion when the downtown core review is underway.

4. Councillor Simone asked about the status of the properties listed on the Libro Master Plan.

The Chief Administrative Officer advised that the properties will remain listed on the Libro Master Plan until August and after which they will be demolished.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

Resolution # 20200127-046

Moved By Councillor Prue

Seconded By Councillor Simone

20.1 By-law 2019-093 - New Access Culvert on the Dupuis Drain for Bastien - 3rd & Final Reading

That By-law 2019-093 being a by-law to provide for the New Access Culvert on the Dupuis Drain for Bastien, be taken as having been read a 3rd & Final time and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

20.2 By-law 2020-014 - Confirmatory By-law

Resolution # 20200127-047

That By-law 2020-014 being a by-law to Confirm all Resolutions of the Municipal Council Meeting held January 27th, 2020, 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 # 20200127-048

Moved By Councillor Prue
Seconded By Councillor Simone

That Council move into an In-Camera Meeting of Council at 8:26 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reason:

Item A - Acquisition and Disposition of Property - Section 239(2)(c) - A proposed or pending acquisition or disposition of land by the municipality or local board; and, Section 239(2)(i) - A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position, or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

The Deputy Mayor put the Motion.

Motion Carried

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

(In-Camera Meeting Agenda Items)

There were no disclosures of pecuniary interest noted.

ADJOURNMENT OF SPECIAL IN-CAMERA COUNCIL MEETING @ 8:43 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Resolution # 20200127-049

Moved By Councillor Prue
Seconded By Councillor Renaud

That Council resume Regular session at 8:45 p.m.

The Deputy Mayor put the Motion.

REPORT OUT FROM IN-CAMERA SESSION - January 27, 2020

Resolution # 20200127-050

Moved By Councillor Courtney

Seconded By Councillor Simone

That:

- 1. The CAO BE AUTHORIZED to include an additional 695 sq. ft. space, as illustrated in Appendix A to the confidential report from the CAO dated January 13, 2020, in the scope of negotiations for a 5-year lease with E. Waters Physiotherapy Professional Corporation;**
- 2. The CAO BE AUTHORIZED to negotiate a lease rate for the full 2747 sq. ft. to be leased to E. Waters Physiotherapy Professional Corporation of \$12.50 per sq.ft. plus applicable taxes for year one of the five-year agreement, to be indexed annually thereafter, and that the remainder of the lease be in accordance with the terms and conditions approved by Council on July 15, 2019; and,**
- 3. The CAO BE AUTHORIZED to negotiate and finalize a one-year lease agreement with Mark Leblanc for 100 sq.ft. within the Libro Centre, as illustrated in Appendix B to the confidential report at a rate of \$2,421.00 per annum plus applicable taxes for the purpose of skate sharpening operations, and that the lease agreement be to the satisfaction of the Town Solicitor, Clerk and Director of Corporate Services.**

The Deputy Mayor put the Motion.

Motion Carried


ADJOURNMENT

Moved By Councillor Courtney
Seconded By Councillor Renaud

That Council rise and adjourn at 8:48 p.m.

The Deputy Mayor put the Motion.

Motion Carried



DEPUTY MAYOR – LEO MELOCHE



CLERK – PAULA PARKER