



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, July 13, 2020
6:00 PM**

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

MINUTES

PRESENT

Mayor Aldo DiCarlo
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

Mayor DiCarlo was in attendance in Council Chambers. All other members of Council participated in the meeting through video conferencing technology from remote locations.

CALL TO ORDER

The Mayor called the meeting to order at 4:26 p.m.

ROLL CALL

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20200713-190

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That Council move into an In-Camera Meeting of Council at 4:27 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason:

Item A – Meloche Road - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees; and, Section 239(2)(k) - A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

The Mayor put the Motion.

Motion Carried

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF
(In-Camera Council Meeting Agenda Item)

There were no disclosures of pecuniary interest noted.

ADJOURNMENT OF SPECIAL IN-CAMERA COUNCIL MEETING @ 4:53 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Simone
Seconded By Councillor McArthur

That Council resume Regular session at 6:21 p.m.

The Mayor put the Motion.

Motion Carried

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

Councillor Prue noted that there is reference to the Belle Vue Conservancy in Item # 11.1, and while he does not have a pecuniary interest in this item, he stated that his wife is the President of the Belle Vue Conservancy.

REPORT OUT FROM SPECIAL IN-CAMERA SESSION - July 13, 2020

Council met for an In-Camera meeting on July 13th, 2020 at 4:27 pm as provided for under section 239 of the Municipal Act:

Item A was heard under sections 239(2)(b)&(k). There is nothing further to report.

MINUTES OF PREVIOUS MEETING

Resolution # 20200713-192

Moved By Deputy Mayor Meloche
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:

- 9.1 **Special In-Camera Council Meeting Minutes - March 9, 2020**
- 9.2 **Special Council Meeting Minutes - March 16, 2020**
- 9.3 **Regular Council Meeting Minutes - March 23, 2020**
- 9.4 **Special Council Meeting Minutes - April 6, 2020**
- 9.5 **Regular Council Meeting Minutes - April 14, 2020**
- 9.6 **Regular Council Meeting Minutes - April 27, 2020**
- 9.7 **Special Council Meeting Minutes - May 11, 2020**
- 9.8 **Special In-Camera Council Meeting Minutes - May 11, 2020**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

10.1 Water Bill Fee - Dennis Richardson

Resolution # 20200713-193

Moved By Councillor McArthur
Seconded By Deputy Mayor Meloche

That:

- 1. The delegation BE RECEIVED; and,**
- 2. The administrative fee in the amount of \$102 BE WAIVED.**

The Mayor put the Motion.

Motion Lost

Resolution # 20200713-194

Moved By Councillor Prue
Seconded By Councillor Renaud

That Administration BE DIRECTED to bring back a report with respect to the feasibility of the following:

- Employee discretion when adding the administrative fee to past due water bills; and,**
- consideration of a 14 day grace period**

The Mayor put the Motion.

Motion Carried

10.2 Open Air Weekend Road Closures - Bill Deslippe, Owner, The Perch Pit

The delegate withdrew his delegation.

REPORTS – CORPORATE SERVICES

11.1 2019 Year End (Q4) Budget to Actual Summaries and Transfers

Cynthia Swift, KPMG, spoke to Items #11.1, #11.2, and #16.2.

Resolution # 20200713-195

Moved By Councillor Prue

Seconded By Deputy Mayor Meloche

That:

1. The Transfers to Reserves/Reserve Funds made by the Treasurer as outlined in Schedule A to the 2019 Year End (Q4) Budget to Actual Summaries and Transfers Report BE AFFIRMED;
2. The Treasurer BE AUTHORIZED to transfer the taxation supported surplus of \$824,638 as follows:
 - a. \$100,000 to Tax Stabilization Reserve;
 - b. \$100,000 to Employee Related Reserve to establish the reserve to provide funding for future payment of accrued and future foreseen and unforeseen employee related expenses;
 - c. \$80,000 to Winter Control Reserve to establish the reserve to provide funding for excess winter control costs incurred in heavy ice and snowfall seasons; and,
 - d. \$544,638 to the Reserve Fund – General; and,
3. The Treasurer BE AUTHORIZED to transfer a total of \$14,278 from the Reserve Fund General to fund 2019 unfinanced capital costs related to the purchase of fencing, final costs for Sandwich and Pickering Reconstruction and Culvert 59 not approved in the 2019 Budget.

The Mayor put the Motion.

Motion Carried

11.2 2019 Year End Reporting: Audited Consolidated Financial Statements, Building Services Annual Statement, Development Charge Reserve Funds Statement, and 2019 Parkland Dedication Reserve Statement

Resolution # 20200713-196

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That:

1. **The report from the Treasurer and the Director of Corporate Services dated June 18, 2020 regarding 2019 Year End Reporting: Audited Consolidated Financial Statements, Building Services Annual Statement and Amended Development Charge Reserve Funds Statement BE RECEIVED;**
2. **The Audited Consolidated Financial Statements for the year ended December 31, 2019 BE APPROVED;**
3. **The Audit Findings Report of KPMG for the year ended December 31, 2019 BE RECEIVED;**
4. **Administration BE AUTHORIZED to post the 2019 Consolidated Financial Statements on the Town of Amherstburg website;**
5. **The Statement of Revenue and Expenses and Accumulated Net Expense for Building Services for the year ended December 31, 2019 BE RECEIVED;**
6. **The Development Charges Reserve Funds Statement, for the year ended December 31, 2019 BE RECEIVED; and,**
7. **The Parkland Dedication Reserve Statement, for the year ended December 31, 2019 BE RECEIVED.**

The Mayor put the Motion.

Motion Carried

Agenda item # 16.2 was moved forward.

INFORMATION REPORTS

Resolution # 20200713-197

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That the following information report BE RECEIVED:

16.2 2019 Year- End Financial Ratios and Indicators

The Mayor put the Motion.

Motion Carried

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There were no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

13.1 Golfview Subdivision Phases 4B, 4C & 4D - Acceptance of Infrastructure and Placement of Surface Asphalt on Maintenance

Resolution # 20200713-198

Moved By Councillor Courtney
Seconded By Councillor Simone

That:

- 1. The underground infrastructure, curbs, base asphalt and streetlights in Golfview Subdivision – Phases 4B, 4C and 4D BE ACCEPTED and ASSUMED as recommended by Amico Engineering Inc.; and,**
- 2. The surface asphalt for Golfview Subdivision – Phases 4B, 4C & 4D BE PLACED on a 1 year maintenance period commencing June 22, 2020.**

The Mayor put the Motion.

Motion Carried

13.2 4th Concession North Reconstruction (Alma St. to Cty Rd 10) - Tender Results

Resolution # 20200713-199

Moved By Councillor McArthur
Seconded By Deputy Mayor Meloche

That:

- 1. The 4th Concession North Reconstruction (Alma St. to Cty Rd 10) Tender BE AWARDED to Pierascenzi Construction Limited for an amount not to exceed \$2,274,247.02 plus H.S.T.; and,**

2. **The Mayor and Clerk BE AUTHORIZED to execute an agreement with Pierascenzi Construction Limited for completion of the 4th Construction North Reconstruction.**

The Mayor put the Motion.

Motion Carried

13.3 Alma Street Paved Shoulders (Fryer Street to Meloche Road) – CWATS Program – Tender Results

Resolution # 20200713-200

Moved By Councillor McArthur
Seconded By Councillor Simone

That:

1. **An over-expenditure not to exceed \$87,211 for the Alma Street Paved Shoulders (Fryer Street to Meloche Road) project, for a total project cost not to exceed \$797,211, BE APPROVED;**
2. **The Treasurer BE AUTHORIZED to transfer up to \$52,066 from the Federal Gas Tax Reserve Fund toward funding the project over-expenditure;**
3. **The Alma Street Paved Shoulders (Fryer Street to Meloche Road) Tender BE AWARDED to Pierascenzi Construction Limited. for an amount not to exceed \$748,045 plus H.S.T.; and,**
4. **The Mayor and Clerk BE AUTHORIZED to execute an agreement with Pierascenzi Construction Limited for the Alma Street Paved Shoulders (Fryer Street to Meloche Road) project.**

The Mayor put the Motion.

Motion Carried

13.4 Pacific Avenue Watermain and Road Replacement (Richmond St. to Simcoe St.) - Tender Results

Resolution # 20200713-201

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That:

1. An over-expenditure not to exceed \$28,844 BE APPROVED for the Pacific Avenue Watermain Replacement (Richmond St. to Simcoe St.) project, for a total cost not to exceed \$478,844;
2. An over-expenditure not to exceed \$256,775 BE APPROVED for the Pacific Avenue Road Rehabilitation (Richmond St. to Simcoe St.) project, for a total cost not to exceed \$606,775;
3. The Treasurer BE AUTHORIZED to transfer up to \$28,844 from the Water Capital Reserve and up to \$256,775 from the Federal Gas Tax Reserve Fund to fund the over-expenditures;
4. The Pacific Avenue Watermain and Road Replacement (Richmond St. to Simcoe St.) Tender BE AWARDED to D'Amore Construction (2000) Ltd. for an amount not to exceed \$1,019,009.00 plus H.S.T.; and,
5. The Mayor and Clerk BE AUTHORIZED to execute an agreement with D'Amore Construction (2000) Ltd. for completion of the Pacific Avenue Watermain and Road Replacement (Richmond St. to Simcoe St.).

The Mayor put the Motion.

Motion Carried

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

14.1 Zoning By-law Amendment for N/S County Road 20

Resolution # 20200713-202

Moved By Councillor Renaud

Seconded By Councillor Courtney

That By-law 2020-018 being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for 4.1 acres of the subject lands located at N/S County Road 20, 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

Resolution # 20200713-203

Moved By Councillor Prue

Seconded By Councillor Courtney

That Council SUPPORTS the Chief Administrative Officer's intent to secure the lands behind N/S County Road 20 as agricultural in the Official Plan.

The Mayor put the Motion.

Motion Carried

14.2 Site Plan and Development Agreement – 265 and 349 Concession 3 North

Councillor Prue moved the motion with an amendment to read the by-law a first and second time with additional comments from the Minister of Health, the Minister of Labour, the Chief Building Official, and the Fire Chief summarized in a report to be brought back to Council prior to considering third and final reading of the by-law.

Resolution # 20200713-204

Moved By Councillor Prue
Seconded By Councillor Courtney

That:

- 1. The Site Plan and Development Agreement with 1560803 Ontario Inc. & 1710690 Ontario Inc. for 265 and 349 Concession 3 North (Fox Run St) BE APPROVED subject to being satisfactory in technical content to the Director of Engineering and Public Works, financial content to the Director of Corporate Services and in form and legal content to the Town's legal counsel; and,**
- 2. By-law 2020-030 being a by-law to authorize the signing of the Development Agreement be taken as having been read a FIRST & SECOND time with additional comments from the Minister of Health, the Minister of Labour, the Chief Building Official, and the Fire Chief summarized in a report to be brought back to Council prior to considering third and final reading of the by-law.**

The Mayor put the Motion.

Motion Carried

Resolution # 20200713-205

Moved By Councillor Simone
Seconded By Councillor Renaud

That the meeting end time BE EXTENDED to 10:30 p.m.

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

15.1 Crossing Guard Program – Study Results

Councillor Prue amended the motion to add Victoria Street and Hamilton Drive as a third crossing based on a 35 pedestrian warrant.

Resolution # 20200713-206

Moved By Councillor Prue
Seconded By Councillor Simone

That:

- 1. Based on the results of Crossing Guard Feasibility Study conducted by Hrycay Consulting Engineers Inc. the Town's Crossing Guard Program BE REDUCED to 3 crossing locations based on a 35 pedestrian warrant, identified as:**
 - a. Richmond Path (at, or near 252 Richmond Street);**
 - b. Richmond Street and Fryer Street; and,**
 - c. Victoria Street and Hamilton Drive**
- 2. Administration BE DIRECTED to investigate alternative solutions, where necessary, and propose options in future budgets for locations where crossing guard services will no longer be provided.**

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20200713-207

Moved By Councillor Simone
Seconded By Councillor Renaud

That the following information report BE RECEIVED:

16.1 Monthly Fire Department Activity Report – June 2020

The Mayor put the Motion.

Motion Carried

16.2 2019 Year- End Financial Ratios and Indicators – as dealt with above

CONSENT CORRESPONDENCE

Resolution # 20200713-208

Moved By Councillor Simone

Seconded By Councillor Prue

That the following consent correspondence BE RECEIVED:

17.1 2020 Amherstburg Detachment Policing Activities -2nd Quarter

17.2 Financial Relief for Non-Profit, Community Services Clubs, and Organizations - Town of Essex Resolution

17.3 Financial Relief for Municipalities - Town of Essex Resolution

17.4 Proposed Location for Pollinator Habitat - Town of Kingsville Resolution

17.5 Request for Province to Expand the Rent Assistance Program - Town of Kingsville Resolution

17.6 MPAC Assessment for Aggregate Resource Properties - Township of Puslinch Resolution

17.7 Request to Fast Track Investing in Canada Infrastructure Program (ICIP) Grant Applications - Town of Renfrew Resolution

17.8 Long Term Care Home Improvements - City of Sarnia Resolution

17.9 COVID-19 Economic Recovery Act - Ministry of Municipal Affairs and Housing

The Mayor put the Motion.

Motion Carried

Resolution # 20200713-209

Moved By Councillor Prue
Seconded By Councillor Simone

(Item # 17.3) - That Administration BE DIRECTED to send correspondence in support of the Town of Essex's resolution regarding their request to the Ontario Government to provide immediate relief/and or financial support in order to assist Municipalities as a result of the COVID-19 pandemic.

The Mayor put the Motion.

Motion Carried

Resolution # 20200713-210

Moved By Councillor Prue
Seconded By Councillor Simone

(Item # 17.7) - That Administration BE DIRECTED to send correspondence in support of the Town of Renfrew's resolution regarding their request to fast track investing in Canada Infrastructure Program (ICIP) Grant Applications.

The Mayor put the Motion.

Motion Carried

Resolution # 20200713-211

Moved By Councillor Prue
Seconded By Councillor Simone

(Item # 17.8) - That Administration BE DIRECTED to send correspondence in support of the City of Sarnia's resolution regarding their request for long term care home improvements.

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

18.1 Emancipation Day - August 1, 2020

Resolution # 20200713-212

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That:

1. **The proclamation request from the Amherstburg Freedom Museum BE RECEIVED; and,**
2. **August 1, 2020, BE PROCLAIMED as Emancipation Day in the Town of Amherstburg as a demonstration of respect for human liberty and freedom and in recognition of the richness of the culture and history brought to Ontario by African Canadians.**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20200713-213

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That the following minutes BE RECEIVED:

19.1 Committee of Adjustment Meeting Minutes - June 16, 2020

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

There were no Unfinished Business items brought forward.

NEW BUSINESS

1. Resolution # 20200713-214

Moved By Councillor Simone
Seconded By Deputy Mayor Meloche

That Administration BE DIRECTED to send correspondence to the upper levels of government and the local MP & MPP regarding Ontario Building

Code amendments to further protect migrant workers in bunk houses in the agricultural farm industry.

The Mayor put the Motion.

Motion Carried

2. Resolution # 20200713-215

Moved By Councillor McArthur
Seconded By Councillor Renaud

That Council SUPPORT the safe operation of a 1 shift operation of the splash pad, 7 days a week.

The Mayor put the Motion.

Motion Carried

3. **Moved By** Councillor McArthur
Seconded By Councillor Simone

That the meeting end time BE EXTENDED to 11:15 p.m.

The Mayor put the Motion.

Motion Carried

4. Resolution # 20200713-216

Moved By Councillor McArthur
Seconded By Councillor Renaud

That:

- 1. Administration BE DIRECTED to send correspondence to the S. Ralph McCurdy family advising them that the Town has sold the land on which the track named after their father sits and ensuring them that, once the land has been decommissioned, the Town will honour their fathers legacy by re-erecting his sign in a suitable location in the future; and,**
- 2. Administration, in collaboration with the Heritage Committee, BE DIRECTED to look into reviewing all naming rights signage that may be affected by decommissioned lands.**

The Mayor put the Motion.

Motion Carried

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

23.1 Confirmatory By-law - 2020-042

Resolution # 20200713-217

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That By-law 2020-042 being a by-law to Confirm all Resolutions of the Municipal Council Meeting held on July 13th, 2020, 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 Courtney
Seconded By Councillor Renaud

That Council rise and adjourn at 11:01 p.m.

The Mayor put the Motion.

Motion Carried



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER