



TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
Monday, November 9, 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

Members of Council were in attendance in Council Chambers. Public participation was conducted via Livestream.

CALL TO ORDER

The Mayor called the meeting to order at 6:43 p.m.

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

Item # 7.1 - Councillor Renaud declared a conflict of pecuniary interest with respect to the report regarding Safe Opening of Spectator Seating at the Libro Centre. Councillor Renaud advised that he is the Amherstburg Minor Hockey Association (AMHA) President.

Item # 7.1 - Councillor McArthur advised that his daughter is in the Skate Amherstburg Program at the Libro Centre but he does not believe he has a conflict of pecuniary interest.

MINUTES OF PREVIOUS MEETING

Resolution #20201109-356

Moved By Councillor Prue
Seconded By Councillor Simone

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 Regular Council Meeting Minutes - October 26, 2020

The Mayor put the Motion.

Motion Carried

DELEGATIONS

5.1 Request to Relieve Tax Interest & Penalties Charged During Dispute with MPAC - Dennis & Kimberly Horn

Resolution # 20201109-357

Moved By Councillor Renaud
Seconded By Deputy Mayor Meloche

That the delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

5.2 Easement Documentation and By-law 2020-059 - Nicole Keogh and Mary Caton, Amherst Point Association

REPORT OUT FROM IN-CAMERA SESSION - October 26, 2020

Council met on October 26th, 2020, for a Special In-Camera Meeting at 10:13 p.m. and discussed the following item as provided for under Section 239 of the Municipal Act:

Item A was heard under Section 239(2)(c) of the Act. As a result of that discussion, Administration was directed to provide notice in the paper with respect to By-law 2020-059.

Resolution # 20201109-358

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That Administration BE DIRECTED to prepare a report to determine costs and impacts for all Town encroachments and that the report be brought back to Council for consideration.

The Mayor out the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

6.1 2020 Third Quarter Variance as at September 30, 2020

Resolution # 20201109-359

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That:

1. That a transfer from the Streetlights Reserve not to exceed \$3,031 BE APPROVED to fund the unbudgeted purchase of a new streetlight under the Public Works budget centre, capital expense;
2. That a transfer from the Fleet and Equipment Reserve not to exceed \$131,143 BE APPROVED to fund the unbudgeted purchase of a Tandem Truck Chassis (Unit 206) with snow plow, under the Public Works budget centre, capital expense;
3. That an unbudgeted expenditure in relation to updating the Town's Water Master Plan, estimated at \$40,000 BE AFFIRMED to be funded by water user rates under the Water budget centre, professional fees expense;
4. That the unbudgeted purchase of a replacement Generator for the Wastewater Plant in the amount of \$81,450 BE AFFIRMED to be funded by wastewater user rates under the Wastewater budget centre, capital expense;
5. That an over-expenditure of \$9,588 for the purchase of Auto Extrication Equipment BE AFFIRMED to be funded from current taxation under the Fire budget centre, capital expense;
6. That a Reserve Fund – Ranta Memorial Park BE ESTABLISHED for the purpose of funding improvements to Ranta Memorial Park and that the funds bequeathed to the Town for that purpose BE TRANSFERRED to that Reserve Fund; and,
7. That a Reserve – Co-An Park Capital BE ESTABLISHED for the purpose of funding Town contributions to Co-An Park capital improvements and that current funds not to exceed \$4,946 BE TRANSFERRED to that Reserve.

The Mayor put the Motion.

Motion Carried

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

7.1 Safe Re-Opening of Spectator Seating at the Libro Centre

Councillor Renaud removed himself from discussion and voting due to his declared pecuniary interest.

Resolution # 20201109-360

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

That the Safe Re-opening of Spectator Seating at Libro Centre report from the Director of Parks, Facilities, Recreation and Culture dated November 3, 2020 BE RECEIVED for information.

The Mayor put the Motion.

Motion Carried

Moved By Councillor McArthur
Seconded By Councillor Courtney

That Administration BE DIRECTED to open the spectator seating at the Libro Centre with an upset limit of \$17,000 as referenced in the report, with the hope that Administration can find efficiencies using existing staff and in consultation with other municipalities who are opening their spectator seating.

The Mayor put the Motion.

Motion Failed

7.2 Parks Mowers Purchased

Resolution # 20201109-361

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That:

- 1. The purchase of One (1) Demo Toro Model 31699 Groundsmaster 5910 16' Mower and One (1) New Toro Model 30695 Groundsmaster 7210 100" Mower from Turf Care in the amount of \$172,935 including net HST BE AFFIRMED;**
- 2. The over-expenditure of \$1,935 for the purchase of the two mowers BE APPROVED and funded from taxation; and,**

3. **Disclosures of non-compliance with the Procurement Policy in the report on Parks Mowers Purchased dated October 30, 2020 BE RECEIVED.**

The Mayor put the Motion.

Motion Carried

REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

9.1 Road Dedication of Reserves in Kingsbridge Subdivision as Public Highway

Resolution # 20201109-362

Moved By Deputy Mayor Meloche
Seconded By Councillor Courtney

That:

1. **The dedication of Parts 1 and 3 on 12R-28318 and Part 1 on 12R-28183 (westerly extension of Lundy Street, easterly extension of McLellan Avenue and widening of McLellan Avenue) as a Public Highway BE APPROVED; and,**
2. **By-law 2020-057 being a by-law to dedicate Parts 1 and 3 on 12R-28318 and Part 1 on 12R-28183 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

9.2 Suitability for Development on Private Septic System on two Severed Lots on Front Rd N

Resolution # 20201109-363

Moved By Councillor Prue
Seconded By Councillor McArthur

That the development of the two lots on Front Road North (severed off 2125 Front Road North and 2268 Front Road North) on private septic systems, as outlined in the October 23, 2020 report from the Manager of Planning Services, BE APPROVED.

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

10.1 2021 Calendar of Council Meetings

The Clerk advised of an amendment to the January 3, 2022, date to indicate that Town Hall is closed to recognize January 1, 2022, observed on a Saturday.

Resolution # 20201109-364

Moved By Councillor Renaud
Seconded By Councillor McArthur

That:

- 1. 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,**
- 2. The 2021 Calendar of Council Meetings BE APPROVED, as amended.**

The Mayor put the Motion.

Motion Carried

10.2 Adoption of the Mandatory Face Covering During a Pandemic Policy

Resolution # 20201109-365

Moved By Councillor Prue
Seconded By Councillor Simone

That the Mandatory Face Covering During a Pandemic Policy BE ADOPTED as a policy in accordance with the report dated October 28, 2020, Adoption of the Mandatory Face Covering During a Pandemic Policy.

The Mayor put the Motion.

Motion Carried

10.3 Adoption of the Municipal Digital Signage Policy

Resolution # 20201109-366

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That the Municipal Digital Signage Policy BE ADOPTED in accordance with the report entitled Adoption of the Municipal Digital Signage Policy dated October 28, 2020.

The Mayor put the Motion.

Motion Carried

10.4 Council Revisions to the Code of Conduct – Council, Committees and Local Boards

Resolution # 20201109-367

Moved By Councillor Prue
Seconded By Councillor Renaud

That the Code of Conduct – Council, Committees and Local Boards BE ADOPTED in accordance with the report dated October 29, 2020, Council Revisions to the Code of Conduct – Council, Committees and Local Boards.

The Mayor put the Motion.

Motion Carried

10.5 Municipal Succession Planning

Resolution # 20201109-368

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That the Succession Planning and Professional Development Policy BE ADOPTED in accordance with the report dated October 28, 2020, Adoption of Succession Planning and Professional Development Policy.

The Mayor put the Motion.

Motion Carried

10.6 Dedication of Fort Malden Drive

Resolution # 20201109-369

Moved By Councillor Simone

Seconded By Councillor McArthur

That:

1. The dedication of Parts 1-3, 12-R 28381 (Fort Malden Drive) as a Public Highway BE APPROVED; and,
2. By-law 2020-060 being a by-law to dedicate Parts 1-3, 12-R 28381 (Fort Malden Drive) 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

INFORMATION REPORTS

Resolution # 20201109-370

Moved By Councillor Simone

Seconded By Councillor Renaud

That the following information reports BE RECEIVED:

- 11.1 2020 Long Service Award Recognition
- 11.2 Building Activity Report for Months of July, August & September 2020
- 11.3 Cheque listing for the month of October 2020
- 11.4 Playground Equipment Removal
- 11.5 Municipal Staffing Update – Service Delivery Review – Outstanding Council Questions

11.6 Government Meeting and Event Space

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20201109-371

Moved By Councillor Prue

Seconded By Councillor McArthur

That the following consent correspondence BE RECEIVED:

12.1 Request to Declare Snowsports, Skiing and Snowboarding Essential in Stage 2 - Township or Oro-Medonte Resolution

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20201109-372

Moved By Councillor McArthur

Seconded By Deputy Mayor Meloche

That the following minutes BE RECEIVED:

13.1 Committee of Adjustment Meeting Minutes - September 29, 2020

13.2 Committee of Adjustment Meeting Minutes - October 27, 2020

13.3 Economic Development Advisory Committee Meeting Minutes - October 29, 2020

13.4 Seniors Advisory Committee Minutes - September 8, 2020

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

14.1 Heritage Committee Meeting Minutes - September 16, 2020

Resolution # 20201109-373

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That:

- 1. The Heritage Committee Minutes of September 16, 2020 BE RECEIVED;**
- 2. That 220 Richmond Street BE REMOVED from the Properties of Cultural Heritage Value or Interest on the Heritage Register; and,**
- 3. Council PRESENT Heritage Designation plaques to the following twelve (12) Heritage Designated Properties:**
 - 449 Dalhousie Street - The Murray Smith Residence**
 - 459 Dalhousie Street - The Garnet Fox Residence**
 - 109 Gore Street - The Lloyd Brown Residence**
 - 193 Gore Street - The Gibb House**
 - 217 Gore Street - The Ralph Jimmerfield Residence**
 - 246 King Street - The Church of God in Christ**
 - 266 King Street - The Lighthouse Chapel**
 - 273 King Street - The Nazrey A.M.E. Church**
 - 277 King Street - The Amherstburg Freedom Museum**
 - 281 King Street - The Melvin Simpson Residence**
 - 296 Ramsay Street - The Chittenden House**
 - 298 Ramsay Street - The John Askin Residence**

The Mayor put the Motion.

Motion Carried

14.2 Drainage Board Meeting Minutes - November 3, 2020

Resolution # 20201109-374

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

That:

1. **The Drainage Board Meeting Minutes of November 3, 2020, BE RECEIVED; and,**
2. **By-law 2020-062 being a by-law to Provide for the John Parks Drain No.2 Improvements based on the Drainage Report by R. Dobbin Engineering Inc. 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

1. Resolution # 20201109-375

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That Administration BE DIRECTED to look into changing the garbage pick up frequency from weekly to every 2 weeks.

The Mayor put the Motion.

Motion Carried

2. Councillor McArthur asked for an update with respect to the use of the walking track when the turf is being rented out to groups.

The Director of Parks, Facilities, Recreation and Culture advised that there is a staff member dedicated to the walking track and he is looking into having that staff member escort walkers from the walking track, when the turf is being rented, over to the dry rink when that area is not in use. He added that these escorting measures are necessary to keep users separated into “cohorts” between each room.

3. Councillor Courtney provided his thoughts on the 2021 Budget process.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

18.1 Bylaw 2020-015 - New Maintenance Schedule for the Cornwall Drain - 3rd & Final Reading

Resolution # 20201109-376

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That By-law 2020-015 being a by-law to Provide for the New Maintenance Schedule for the Cornwall Drain based on the Drainage Report by N.J. Peralta Engineering Ltd. be read a 3rd & Final time and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

18.2 By-law 2020-065 - Confirmatory By-law

Resolution # 20201109-377

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That By-law 2020-065 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on November 2nd and 9th, 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

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20201109-378

Moved By Councillor Simone

Seconded By Councillor Renaud

That Council move into an In-Camera Meeting of Council at 9:45 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason:

Item A - Section 239(2)(e) - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

The Mayor put the Motion.

Motion Carried

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

(In-Camera Council Meeting Agenda Items)

Item A - Councillor Prue declared a conflict of pecuniary interest on the In-Camera item.

ADJOURNMENT @ 10:53 P.M.



MAYOR – ALDO DICARLO



CLERK – PAULA PARKER