



**TOWN OF AMHERSTBURG  
COUNCIL MEETING  
MINUTES**

**Monday, December 13, 2021**

**6:00 P.M.**

**Council Chambers, Town Hall**

Present	Mayor Aldo DiCarlo Deputy Mayor Leo Meloche Councillor Peter Courtney ( <i>attended electronically</i> ) Councillor Donald McArthur Councillor Michael Prue Councillor Marc Renaud Councillor Patricia Simone
Staff Present	Tony Haddad, (Interim) Chief Administrative Officer Valerie Critchley, (Interim) Director of Legislative Services and Clerk Kevin Fox (Acting) Deputy Clerk

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**1. CALL TO ORDER**

The Mayor called the meeting to order at 6:08 p.m.

**2. ROLL CALL**

**3. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

*(Public Council Meeting Agenda Items)*

1. Mayor DiCarlo declared a conflict of interest on item 9.2.
2. Councillor Courtney declared a conflict of interest on item 12.1.

**4. LAND ACKNOWLEDGEMENT**

The following land acknowledgement was read, "We will begin by acknowledging that the land on which we gather is the traditional territory of the Three Fires Confederacy of First Nations (comprising the Ojibway, the Odawa, and the Potawatomie Peoples), and of the Huron-Wendat and Wyandot Peoples. We recognize the land as an expression of gratitude to those whose traditional territory we reside on, and a way of honouring the Indigenous people who have been living and thriving on the land since time immemorial. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island."

**5. MINUTES OF PREVIOUS MEETING**

Resolution #20211213-376

**Moved By** Councillor Simone

**Seconded By** Councillor McArthur

**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 Regular Council Meeting Minutes of October 25, 2021**

The Mayor put the motion.

**Motion Carried**

**6. DELEGATIONS**

Resolution #20211213-377

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

**That item 10.1 BE DEFERRED.**

The Mayor put the motion.

**Motion Carried**

**6.1 Italian Heritage Monument Fundraising Committee - Remo DiPaolo and Domenic Cristofaro**

Resolution #20211213-378

**Moved By** Councillor Prue  
**Seconded By** Councillor McArthur

**That:**

1. Council **APPROVE IN PRINCIPLE** the proposed Italian Heritage Monument Project on behalf of the Italian Heritage Monument Fundraising Committee provided the committee raise the funding for the project in its entirety as noted in the report of November 25, 2021;
2. Council **APPROVE IN PRINCIPLE** the proposed location of the monument in Kings Navy Yard Park as per Appendix A;
3. Council **APPROVE** that Administration work with the Italian Heritage Monument Fundraising Committee on the following initiatives:
  - a. Develop an agreement between the Town of Amherstburg and the Italian Heritage Fundraising Committee for scope of work, creation of the sculpture, the roles and responsibilities of the committee and the Town including the ultimate transference of ownership of the sculpture and other rights to the Town of Amherstburg.
  - b. Develop a maintenance Trust Fund to be utilized for future maintenance and repairs.
  - c. The Financial Services Division set up an account for the Italian Heritage Monument to accept all fundraising and donations on behalf of the Italian Heritage Committee and issue tax receipts for donor contributions.
  - d. Ensure the monument meets or exceeds current construction and material standards to the satisfaction of the Director of Parks, Recreation, Facilities and

Culture and that the project meet all obligations covered under the Town's Memorial Policy (currently under review).

- e. That the Heritage Committee be consulted on the location of the monument in the King's Navy Yard Park in accordance with the Ontario Heritage Act; and,
4. Council DIRECT Administration to bring back a detailed report that outlines the full scope of the project, including all costs associated with the project and any long term financial commitments of the Town prior to commencement of work on site.

The Mayor put the motion.

**Motion Carried**

**6.2 Health and Safety Concerns at 320 Richmond Community Hub - Robert Moroz**

Resolution #20211213-379

**Moved By** Councillor McArthur

**Seconded By** Councillor Simone

**That:**

1. The delegation **BE RECEIVED**; and,
2. Council **APPROVE** a one-time emergency expenditure in the amount of \$36,000 to cover the cost of cameras, automatic door swipe card access, improved lighting and a customer service representative for a 2 month period in order to improve safety and security at 320 Richmond in accordance with the report dated November 25, 2021.

The Mayor put the motion.

**Motion Carried**

**6.3 247 Brock Street, St. Anthony's School, Heritage Designation and Proposed Alterations - Rosati Group**

Resolution #20211213-380

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

**That:**

1. The delegation **BE RECEIVED**; and,
2. Council **DESIGNATE** the “St. Anthony School” at 247 Brock Street by municipal by-law under Part IV of the Ontario Heritage Act;
3. Council **APPROVE** the proposed alterations to the Heritage Attributes of the St. Anthony School as recommended in Attachment 4

The Mayor put the motion.

**Motion Carried**

## **7. PRESENTATIONS**

### **7.1 CWATS Overview Presentation - Diana Radulescu, Jerry Behl and Todd Hewitt**

Resolution #20211213-381

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

**That the CWATS Overview Presentation BE RECEIVED.**

The Mayor put the motion.

**Motion Carried**

### **7.2 Adoption of the 2021 Multi-Year Accessibility Plan - Amherstburg Accessibility Advisory Committee Chair Shirley Curson-Prue**

Resolution #20211213-382

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

**That:**

1. The delegation **BE RECEIVED**; and,

2. **The Town of Amherstburg ADOPT the 2021 Multi-Year Accessibility Plan in accordance with Ontario Regulation 191/11 section 4(1), as supported by the Amherstburg Accessibility Advisory Committee.**

The Mayor put the motion.

**Motion Carried**

**Moved By** Councillor Prue  
**Seconded By** Councillor Renaud

**That Council RECESS.**

The Mayor put the motion.

**Motion Carried**

**Moved By** Councillor McArthur  
**Seconded By** Councillor Simone

**That Council RESUME.**

The Mayor put the motion.

**Motion Carried**

## 8. **REPORTS – CORPORATE SERVICES**

### 8.1 **2022 Interim Tax Levy By-law 2021-076**

Resolution #20211213-383

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

**That By-law 2021-076, being a By-law to provide for an interim tax levy in default BE TAKEN as having been read three times and finally passed and the Mayor and Clerk be authorized to sign the same thereto.**

The Mayor put the motion.

**Motion Carried**

**9. REPORTS - COMMUNITY AND PROTECTIVE SERVICES**

**9.1 320 Richmond St. (HUB) - Health and Safety Issues**

*Dealt with above by item 6.2.*

**9.2 Skate Park Update**

*As the Mayor has a declared conflict, the Deputy Mayor assumed the Chair.*

Resolution #20211213-384

**Moved By** Councillor McArthur

**Seconded By** Councillor Simone

**That:**

- 1. Council APPROVE the Skate Park be moved permanently to the Libro Complex in the northwest corner of the property located at 3295 Meloche Road.**
- 2. Council DIRECT Administration to proceed with issuing an RFP to retain a specialized consulting design firm to prepare design drawings for a multi versatile Skate Park facility at the Libro Complex based on the most recent survey that closed December 6, 2021.**
- 3. Council APPROVE funding from the Parks Capital Reserve Fund in the amount of \$75,000 for retaining a specialized Skate Park design consultant to prepare design and construction drawings suitable for tender for the new multi versatile Skate Park.**
- 4. Funding for the construction of the Skate Park be DEFFERED to the 2022 capital budget deliberations.**

The Deputy Mayor put the motion.

**Motion Carried**

*The Mayor assumed the Chair.*

**9.3 The Italian Heritage Monument Project**

*Dealt with above by item 6.1.*

**10. REPORTS - INFRASTRUCTURE SERVICES**

**10.1 Alma Street Watermain Improvement Detailed Design and Tendering Services – Memorandum of Understanding for Funding and Engineering Agreement**

*This has been deferred as noted above in item 6.0.*

**10.2 Drinking Water Source Protection Risk Management Services**

Resolution #20211213-385

**Moved By** Deputy Mayor Meloche

**Seconded By** Councillor Prue

**That:**

- 1. The Town of Amherstburg ENTER INTO an agreement with the Essex Region Conservation Authority for Drinking Water Source Protection Risk Management Services and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the motion.

**Motion Carried**

**10.3 Boblo Island Wastewater Pumping Station and Forcemain – Design and Construction Agreement**

Resolution #20211213-386

**Moved By** Deputy Mayor Meloche

**Seconded By** Councillor Simone

**That:**

- 1. The Agreement to Design and Construct the Boblo Island Wastewater Pumping Station and Forcemain with Amico Infrastructures Inc. for an amount not to exceed \$3,052,800 including net HST BE ACCEPTED and the Mayor and Clerk BE AUTHORIZED to execute the agreement.**

The Mayor put the motion.

**Motion Carried**



**11. REPORTS - PLANNING AND DEVELOPMENT SERVICES**

**11.1 Heritage Designation of 247 Brock Street and Proposed Alterations to the Heritage Attributes**

*Dealt with above by item 6.3.*

**12. REPORTS - CAO's OFFICE**

**12.1 Declaration of Surplus Properties for Disposition**

Resolution #20211213-387

**Moved By** Councillor Renaud

**Seconded By** Councillor Simone

1. In keeping with the Disposal of Surplus Real Property Policy, Section 6.15 the following property BE DECLARED SURPLUS to the needs of the Town; Property known municipally as 300 Victoria Street, Amherstburg, ON, and described legally as Part of Lot 2, Concession 1, and more particularly as Part 2 on Plan 12R 18093, Part of PIN 70557-0111, (the "Subject Property");
2. That the property listed above BE DISPOSED OF in keeping with Sections 6.4.1, 6.5, 6.6, 6.7, 6.8.1, 6.8.2, 6.12 and 6.14 of the Disposal of Real Property Policy; and,
3. That the Interim Chief Administrative Officer BE AUTHORIZED to sign the required MLS listing agreement for the property listed above.

The Mayor put the motion.

**Motion Carried**

**12.2 2022 Municipal Election – Voting Method**

Resolution #20211213-388

**Moved By** Deputy Mayor Meloche

**Seconded By** Councillor Simone

**That:**

1. The traditional voting method with the use of electronic tabulators only **BE APPROVED** for advanced polls;
2. The traditional voting method with the use of electronic tabulators only **BE APPROVED** as the method of voting on Election Day;
3. By-law 2021-078 being a by-law to authorize the use of optical scanning vote tabulators in the 2022 Municipal Election be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same; and,
4. The Clerk **BE AUTHORIZED** to secure a vendor(s) for the 2022 Municipal Election.

The Mayor put the motion.

**Motion Carried**

### **12.3 2021 Multi-Year Accessibility Plan and Strategy**

*Dealt with above by item 7.2.*

## **13. INFORMATION REPORTS**

### **13.1 Re-Opening Recreation Programming – Survey Results**

Resolution #20211213-389

**Moved By** Councillor Simone

**Seconded By** Councillor McArthur

**That:**

1. The report from the Manager of Recreation Services dated December 2, 2021, regarding the recreational needs assessment survey results **BE RECEIVED** for information.

The Mayor put the motion.

**Motion Carried**

## **14. CONSENT CORRESPONDENCE**

Resolution #20211213-390

**Moved By** Councillor McArthur

**Seconded By** Deputy Mayor Meloche

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

- 14.1 **Bridge and Culvert Replacements - Township of Adelaide Metcalfe**
- 14.2 **Windsor Essex Regional Community Safety and Well-Being Plan, 2022-2026 - County of Essex**
- 14.3 **Support for THRIVE Heritage White Paper - Amherstburg Freedom Museum**
- 14.4 **Pilot Program FoodCycler - Food Cycle Science Corporation**
- 14.5 **Canadian Agricultural Partnership (CAP) Targeted Cost-Share Initiative Aimed at Increasing Deadstock Management Capacity - Honourable Lisa Thompson, Minister of Agriculture, Food and Rural Affairs**
- 14.6 **Municipal Energy Symposium - Association of Municipalities of Ontario (AMO)**
- 14.7 **Navigating Conflict Relationships as an Elected Official - Association of Municipalities of Ontario (AMO)**
- 14.8 **Ontario Broadband Strategy, Excess Soil Regulations (Webinar), Planning Act Delegations - Association of Municipalities of Ontario (AMO) Policy Update**
- 14.9 **Opposition to WECHU Letter of Instruction - Town of Essex**
- 14.10 **MADD Request for Advertising Endorsement - Mothers Against Drunk Driving (MADD)**

The Mayor put the motion.

**Motion Carried**

**15. CONSENT OTHER MINUTES**

Resolution #20211213-391

**Moved By** Councillor Renaud

**Seconded By** Deputy Mayor Meloche

**That the following minutes BE RECEIVED:**

**15.1 Amherstburg Accessibility Advisory Committee Meeting Minutes of November 25, 2021**

The Mayor put the motion.

**Motion Carried**

**16. OTHER MINUTES**

**16.1 Amherstburg Accessibility Advisory Committee Meeting Minutes of October 21, 2021**

Resolution #20211213-392

**Moved By** Councillor Renaud

**Seconded By** Councillor McArthur

**That:**

- 1. The Accessibility Advisory Committee Meeting Minutes of October 21, 2021 BE RECEIVED;**
- 2. An accessible picnic table BE PURCHASED for use at Ranta Memorial Park inclusive of a cement pad and access route to the pad at grade; and,**
- 3. An accessible picnic table BE PURCHASED for use at Pat Thrasher Park inclusive of a cement pad and access route at grade.**

The Mayor put the motion.

**Motion Carried**

**16.2 Drainage Board Meeting Minutes of December 7, 2021**

Resolution #20211213-393

**Moved By** Deputy Mayor Meloche

**Seconded By** Councillor Renaud

**That:**

1. The Drainage Board Meeting Minutes of December 7, 2021 BE RECEIVED;
2. By-law 2021-074 being a By-law to provide for the 3<sup>rd</sup> Concession Drain North - Bridge for Blais based on the Drainage Report by Rood Engineering Inc. BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same; and
3. By-law 2021-073 being a By-law to provide for the Tremblay Drain – Replacement Bridge for MN 7823 based on the Drainage Report by Rood 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**

**17. UNFINISHED BUSINESS**

**18. NEW BUSINESS**

1. Deputy Mayor Meloche thanked Mr. Dunn and all event organizers for another successful Turkey Giveaway.
2. Councillor Simone noted that some residents had indicated that there were emails which appeared to be blocked from being delivered to the Town servers and asked Administration to review the issue. It was noted that Administration was aware of the issue and working to resolve it.
3. Councillor Simone noted that the Province of Ontario was the only Province not to adopt a \$10 a day childcare agreement.

Resolution #20211213-394

**Moved By** Councillor Simone

**Seconded By** Councillor McArthur

**In recognition that the Province of Ontario is the last Province in Canada to adopt a plan to deliver \$10 a day childcare services, that a letter BE SENT to the Honourable Doug Ford, Premier of Ontario, in support of adopting a \$10 a day childcare plan.**

The Mayor put the motion.

**Motion Carried**

4. Councillor Prue requested that staff report on the designated environmentally protected area of the Northeastern portion of Boblo Island. The Manager of Planning Services indicated that information on that area would be provided.
5. Councillor Prue requested information on the washroom closures in Toddy Jones Park. The Director of Parks, Facilities, Recreation and Culture informed Council that it is an ongoing issue and although washrooms can be reopened again, the issue is likely to persist. Administration continues to work with the Greater Essex County District School Board and Windsor Police Services to address the issue.
6. Councillor Prue indicated that inquiries had been received about what work staff were performing on Wolf Island. The Director of Infrastructure Services indicated that staff were present to gather information for a future feasibility study and that no current work was planned in the area.

**Moved By** Councillor McArthur

**Seconded By** Deputy Mayor Meloche

**That the meeting be extended to 12:00 p.m.**

The Mayor put the motion.

**Motion Carried**

7. Councillor Courtney raised a concern regarding being recognized during meetings while participating remotely. The Mayor identified that Administration would continue to work on ways of improving the electronic meeting format.

**19. NOTICE OF MOTION**

**19.1 Notice of Motion by Councillor Courtney**

Resolution #20211213-395

**Moved By** Councillor Courtney

**Seconded By** Councillor Prue

**WHEREAS section 224 of the Municipal Act clearly defines the role of Council and includes the following:**

**It is the role of council,**

- (a) To represent the public and to consider the well-being and interests of the municipality;**
- (d) To ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of Council;**
- (d.1) To ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality; and,**
- (e) To maintain the financial integrity of the municipality;**

**AND WHEREAS it is a best practice to periodically review the internal controls, budgetary variances and management of capital projects in order to ensure Council is carrying out its role pursuant to section 224 of the Municipal Act;**

**NOW THEREFORE BE IT RESOLVED:**

**1. That Council AUTHORIZE the Town's audit services provider, KPMG, to UNDERTAKE an audit review with an upset limit of \$125,000 for the following items:**

- a) Internal Controls in place at the Town;**
- b) Operating Budget Variances that have occurred for the fiscal years 2018-2021; and,**
- c) Capital Projects completed and/or underway for fiscal years 2018-2021 with a project value greater than \$300,000, including the development of the 320 Richmond Street Hub Project;**

**2. That Council AUTHORIZE the CAO to sign all the necessary documents required to undertake the noted work;**

**3. That KPMG's findings resulting from this engagement BE REPORTED to Council in accordance with the *Municipal Act*;**

**4. That, should the work done by KPMG as authorized by this resolution result in the need for further investigation, that KPMG report on the same to Council for its consideration; and,**

**5. That the cost of this engagement be charged to CAO's Office – Professional Services.**

The Mayor put the motion.

**Motion Carried**

**20. BY-LAWS**

**20.1 By-law 2021-077 - Confirmatory By-law**

Resolution #20211213-396

**Moved By** Councillor Simone

**Seconded By** Councillor Renaud

- 1. By-law 2021-077 being a by-law to Confirm all Resolutions of the Municipal Council Meeting held on December 13, 2021, 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 #20211213-397

**Moved By** Councillor Prue

**Seconded By** Deputy Mayor Meloche

**That Council RESUME the recessed in-camera session of Council.**

The Mayor put the motion.

**Motion Carried**

*Meeting adjourned in-camera at 12:36 p.m.*

  
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MAYOR – ALDO DICARLO

  
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CLERK – VALERIE CRITCHLEY