



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
MINUTES**

Monday, September 11, 2023

6:00 P.M.

Council Chambers

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

PRESENT	Mayor Michael Prue
	Deputy Mayor Chris Gibb
	Councillor Peter Courtney (Electronic Participation)
	Councillor Donald McArthur
	Councillor Diane Pouget
	Councillor Linden Crain
	Councillor Molly Allaire
STAFF PRESENT	Valerie Critchley, CAO
	Kevin Fox, Clerk
	Sarah Sabihuddin, Deputy Clerk

1. CALL TO ORDER

The Mayor called the meeting to order at 6:00 p.m.

2. NATIONAL ANTHEM

3. ROLL CALL

4. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

(Public Council Meeting Agenda Items)

Councillor Crain declared a conflict of interest on item 19.3.2 – 19.3.3 and 19.2.2 as his employer is affected by the drainage works.

5. LAND ACKNOWLEDGEMENT

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.

6. REPORT OUT FROM IN-CAMERA SESSION

6.1 Special In-Camera Council Meeting of August 14th, 2023

6.2 Special In-Camera Council Meeting of August 28, 2023

Council met in closed session on August 14th and August 28th in accordance with section 239 of the Municipal Act in relation to:

August 14th:

Item A – Infrastructure and Investment Related to Economic Development Matter

This was heard under section 239(2)(i) and 239(2)(j) and Administration was directed to proceed on the verbal direction of Council.

Item B – Legal Advice Regarding Enforcement Activities

This was heard under section 239(2)(f) and Administration was directed to proceed on the verbal direction of Council.

August 28th:

Item A – Litigation Involving Identifiable Individual

This was heard under section 239(2)(b) and 239(2)(f) and Administration was directed to proceed on the verbal direction of Council.

7. MINUTES OF PREVIOUS MEETING

Moved By Councillor Allaire

Seconded By Councillor Pouget

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:

- 7.1 Regular Council Meeting Minutes - April 24, 2023**
- 7.2 Special Council Meeting - Planning Minutes - August 14th**
- 7.3 Regular Council Meeting Minutes - August 14th**
- 7.4 Special In-Camera Council Meeting Minutes - August 14th (Confidential)**
- 7.5 Special Council Meeting Minutes - August 15, 2023**
- 7.6 Special In-Camera Council Meeting - August 28th (Confidential)**
- 7.7 Special In-Camera Council Meeting - August 28, 2023 (PUBLIC)**

The Mayor put the Motion.

Motion Carried.

8. DELEGATIONS

There were no delegations.

9. PRESENTATIONS

9.1 Enbridge Gas - Boblo Island CE Project

Presenters:

*Liane Seguin
Spencer Pray
Lindsay Shoppoff
Andrew Smith
Lauren Dugall*

Resolution # 20230911-001

Moved By Deputy Mayor Gibb
Seconded By Councillor Crain

That:

1. The presentation **BE RECEIVED** for the Enbridge Gas - Boblo Island CE Project;
2. A letter of support **BE SENT** as requested for the Enbridge Gas - Boblo Island CE Project.

The Mayor put the Motion.

Motion Carried.

10. REPORTS – CORPORATE SERVICES

There are no reports.

11. REPORTS - PARKS, RECREATION, FACILITIES AND CULTURE

11.1 2023 Ice Surfacing Equipment. – Award of Tender

Resolution # 20230911-002

Moved By Councillor Allaire
Seconded By Councillor Pouget

That:

1. An expenditure for the purchase of a 2024 Zamboni 650 Electric **BE APPROVED** with a total cost not to exceed \$198,131.97 plus HST;
2. The purchase of the 2024 Zamboni 650 Electric **BE AWARDED** to Zamboni Company Ltd.; and,

3. Net proceeds from the sale of the current Zamboni **BE DIRECTED** to the Libro Ice and Arena Infrastructure project (#723004), along with any surplus funding after the purchase of the Electric Zamboni, estimated at \$58,381, to be use towards the purchase of additional ice maintenance equipment required for the Libro Centre rinks.

The Mayor put the Motion.

Motion Carried.

12. REPORTS - INFRASTRUCTURE SERVICES

There are no reports.

13. REPORTS - PLANNING AND DEVELOPMENT SERVICES

13.1 Temporary Zoning By-law Amendment – East Side of County Road 20 North of River Canard (ZBA-14-23)

Resolution # 20230911-003

Moved By Councillor Allaire

Seconded By Councillor Pouget

That **By-law 2023-090** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the lands legally described as Part Lots 34 and 35 on Concession 1; Part 1 on 12R-22921 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.

13.2 Official Plan Amendment No. 23 and Zoning By-law Amendment for 9538 Walker Road

Resolution # 20230911-004

Moved By Councillor Pouget

Seconded By Councillor McArthur

That:

1. Official Plan Amendment No. 23, attached to this report as Appendix “J”, **BE ADOPTED** by Council and forwarded to the County of Essex; and,
2. By-law 2023-087 being a by-law to amend Zoning By-law 1999-52, to amend the zoning for the subject lands known as 9538 Walker Road, as the corresponding implementing Zoning By-law Amendment, 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.

13.3 Suitability for Development on a Private Septic System on Front Rd N

Resolution # 20230911-005

Moved By Councillor Allaire

Seconded By Deputy Mayor

That the development of one lot on Front Road North (severed from 2005 Front Rd N), on a private septic system, **BE APPROVED**.

The Mayor put the Motion.

Motion Carried.

14. REPORTS - CAO's OFFICE

14.1 Amendment to the Video Surveillance Policy

Resolution # 20230911-006

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

That the Video Surveillance Policy **BE AMENDED** in accordance with the report dated September 11, 2023 entitled Amendments to the Video Surveillance Policy.

The Mayor put the Motion.

Motion Carried.

15. INFORMATION REPORTS

15.1 Update on the Status of Kings Navy Yard Park Extension Lands August 2023

Moved By Councillor Pouget

Seconded By Councillor Allaire

That Council **WAIVE** the Procedural By-Law to give permission for Mr. Amlin to speak from the audience.

The Mayor put the Motion.

Motion Failed.

Resolution # 20230911-007

Moved By Deputy Mayor Gibb

Seconded By Councillor Allaire

That the report entitled Update on the Status of Kings Navy Yard Park Extension Lands August 2023 **BE RECEIVED** for information.

The Mayor put the Motion.

Motion Carried.

15.2 Council Request Re: Item 16.2 from the August 14, 2023 Council – Agenda – City of Toronto Response to the Proposed Provincial Planning Statement

Resolution # 20230911-008

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

That the report of September 11th regarding the Council request arising from the City of Toronto Response to the Proposed Provincial Planning Statement **BE RECEIVED** for information.

The Mayor put the Motion.

Motion Carried.

16. CONSENT CORRESPONDENCE

Moved By Councillor Allaire

Seconded By Councillor Crain

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

16.1 Correspondence: Minister Steve Clark - Building Faster Fund

The Mayor put the Motion.

Motion Carried.

17. CORRESPONDENCE

17.1 Shine the Light on Woman Abuse /Wrapped in Courage Campaigns 2023

Resolution # 20230911-009

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

That:

1. In recognition of the Shine the Light on Woman Abuse Campaign, the Town of Amherstburg **ENCOURAGE** attendance at the Tree Lighting Ceremony on November 2nd in Charles Clark Square at 6:00 pm;
2. Administration **BE DIRECTED** to light up Town Hall purple in the month of November in recognition of the Shine the Light Campaign on Woman Abuse; and,
3. Administration **BE DIRECTED** to promote the activities of the Shine the Light on Woman Abuse Campaign.

The Mayor put the Motion.

Motion Carried.

18. CONSENT OTHER MINUTES

Moved By Councillor Allaire
Seconded By Deputy Mayor Gibb

That the following minutes **BE RECEIVED**:

**18.1 Minutes - Economic Development Advisory Committee Meeting
Minutes (Public)**

The Mayor put the Motion.

Motion Carried.

19. OTHER MINUTES

19.1 Minutes- Co-An Park Advisory Committee Meeting - August 9, 2023

Resolution # 20230911-010

Moved By Councillor Allaire
Seconded By Councillor McArthur

That:

1. Council **RECEIVE** the Co-An Park Advisory Committee Meeting Minutes of August 16,2023.
2. The 2024 Co-An Park Budget **BE REFERRED** to the Council budget deliberations.

The Mayor put the Motion.

Motion Carried.

**19.2 Minutes - Accessibility Advisory Committee Meeting - August 24,
2023**

Resolution # 20230911-011

Moved By Councillor McArthur
Seconded By Councillor Pouget

That:

1. Administration **TO APPROACH** the developer to find a creative solution to address this issue and provide access for all residents, if unsuccessful then,

2. Administration **TO DEVELOP** a report for Council consideration with options for a sidewalk for budget 2024.

The Mayor put the Motion.

Motion Carried.

Moved By Councillor McArthur

Seconded By Councillor Pouget

Resolution # 20230911-012

That:

1. Council **RECEIVE** the Amherstburg Accessibility Advisory Committee Minutes of August 24, 2023.
2. Council **CONSIDER** the recommendation to implement a maintenance schedule to paint tactile surfaces that have rusted through a future administrative report.

The Mayor put the Motion.

Motion Carried.

19.3 Minutes - Drainage Board Meeting - August 9, 2023

Resolution # 20230911-013

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

That:

1. The Drainage Board Meeting Minutes of August 9, 2023 **BE RECEIVED**;
2. The engineer's report, prepared by Rood Engineering Inc., dated May 30, 2023 for the Bondy-Bastien Drain **BE RECONSIDERED**;
3. Rood Engineering Inc. **BE DIRECTED** to modify the engineer's report dated May 30, 2023 for the Bondy-Bastien Drain, and include the changes to culverts that has been brought forward by landowners subsequent to the consideration meeting;
4. The report from the Drainage Superintendent and Engineering Coordinator dated May 18, 2023 to amend By-law 2020-062 under Section 62(1) **BE RECEIVED**;

5. **By-law 2023-097**, being a By-law to amend By-law 2020-062 to provide for the levying of costs for the improvement works to the John Parks Drain No. 2 be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same; and,
6. The following drainage apportionments **BE APPROVED**, as recommended by the Drainage Board:
 1. Consent B/36/20 - Drainage Apportionments for the Waldron Drain, 7th Concession Drain South and the Beaudoin Drain South – 8270 South Townline Road.
 2. Consent B/21/22 – Jeths Drain – 21 Marsh.
 3. Section 65(1) report by Tim Oliver, dated May 30, 2023 – Assessment Reapportionment for the Tremblay Drain – 7751 Howard Ave.

The Mayor put the Motion.

Motion Carried.

19.4 Minutes - Drainage Board Meeting - September 5, 2023

Resolution # 20230911-014

Moved By Councillor Crain

Seconded By Councillor Allaire

That:

1. The Drainage Board Meeting Minutes of September 5, 2023 **BE RECEIVED**;
2. **By-law 2023-096** being a by-law which appends the engineer's report for the Ouellette Drain West – Relocation and Enclosure **BE PROVISIONALLY ADOPTED** by giving first and second reading and the Mayor and Clerk **BE AUTHORIZED** to sign same; and,
3. Council **APPROVE** the assessment adjustments as listed in the S. 65 engineers' report for the Ouellette Drain West and Cornwall Drain respectively, as recommended by the Drainage Board.

The Mayor put the Motion.

Motion Carried.

20. UNFINISHED BUSINESS

20.1 Unfinished Business List (UFB) - August

21. NEW BUSINESS

Resolution # 20230911-015

Moved By Councillor Allaire

Seconded By Councillor Pouget

That Administration **BE DIRECTED** to bring back a report on the crossing guard study to Council as soon as possible.

The Mayor put the Motion.

Motion Carried.

Resolution # 20230911-016

Moved By Councillor Pouget

Seconded By Councillor Allaire

That a letter to Chris Lewis, MP **BE SENT** to request that a question is asked in the House of Commons to the Minister of Fisheries, Oceans in regards to the Bob-Lo Dock.

The Mayor put the Motion.

Motion Carried.

Resolution # 20230911-017

Moved By Councillor Pouget

Seconded By Councillor Allaire

Council direct Administration **TO PROVIDE** a report regarding the recent flooding event of August 23rd and 24th with recommendations related to flooding control, including any upgrades to municipal drain pumping stations affected by the recent flooding event. This report is to be brought to Council prior to the 2024 budget deliberations.

The Mayor put the Motion.

Motion Carried.

Resolution # 20230911-018

Moved By Councillor Allaire

Seconded By Councillor Pouget

That:

1. Administration **BE DIRECTED** to send a letter of support to ensure appropriate infrastructure is in place at the traffic intersection to install lights at Howard & Middle Side Road;
2. The Mayor/Deputy Mayor **TO PROVIDE** Notice of Motion to County Council to seek a traffic study on the need for a traffic light.

The Mayor put the Motion.

Motion Carried.

Resolution # 20230911-019

Moved By Councillor Pouget

Seconded By Councillor Allaire

That Administration **BE DIRECTED** to bring back a report on the fieldhouse.

The Mayor put the Motion.

Motion Carried.

22. NOTICE OF MOTION

Councillor Pouget provided the following notice of motion:

To direct administration to negotiate with North Star High School and the Greater Essex County District School Board to use the portion of Centennial Park, the Libro Centre and the Bill Wigle Park, if required for football and other athletic uses, as per their previous historical agreements and further to that, allow for immediate use of the Field House in Centennial Park to store the North Star Football Team's equipment and to allow practice to take place in said park, until this agreement can be reached.

22.1 Notice of Motion - Amherstburg Siren Alerting System - Councillor Pouget

Moved By Councillor Pouget

Seconded By Councillor Allaire

That Council **RECONSIDER** Council Resolution 20230711-016, namely that, Administration **BE DIRECTED** to proceed with Option # 1, decommissioning of the ATI – Siren System, as noted in the report entitled Public Alerting Considerations and Direction dated May 29, 2023; and, Equipment and poles **BE REMOVED** from all current Siren Sites, recycling materials.

The Mayor put the Motion.

Motion Failed.

23. BY-LAWS

23.1 By-law 2023-094- Declaration of Surplus Lands on Victoria St S

Resolution # 20230911-020

Moved By Councillor Crain

Seconded By Councillor Allaire

That **By-law 2023-094** being a by-law to declare surplus property for lands legally described as Part of Block A, Registered Plan 1066, Part 1 and Part 2, Reference Plan 12R-29344 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.

23.2 By-law 2023-095 - Confirmatory By-law

Moved By Councillor Crain

Seconded By Councillor Allaire

That **By-law 2023-095** being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on September 11, 2023 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.

24. ADJOURNMENT

Moved By Councillor Courtney

Seconded By Councillor Allaire

That Council rise and adjourn at 8:17 p.m.

The Mayor put the Motion.

Motion Carried.

MAYOR – MICHAEL PRUE

CLERK – KEVIN FOX