



**TOWN OF AMHERSTBURG  
COUNCIL MEETING  
MINUTES**

**Tuesday, April 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  
Councillor Donald McArthur  
Councillor Diane Pouget  
Councillor Linden Crain  
Councillor Molly Allaire

**Staff Present** Valerie Critchley, CAO  
Kevin Fox, Clerk

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**1. CALL TO ORDER**

The Mayor called the meeting to order at 7:40 p.m.

**2. NATIONAL ANTHEM**

**3. ROLL CALL**

#### **4. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

*(Public Council Meeting Agenda Items)*

Councillor McArthur declared a conflict on item 9.1 as his daughter is involved in Skate Amherstburg.

#### **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. MINUTES OF PREVIOUS MEETING**

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Courtney

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:

##### **6.1 Regular Council Meeting Minutes of December 5, 2022**

The Mayor put the Motion.

**Motion Carried.**

#### **7. PRESENTATIONS**

##### **7.1 Essex Power Corporation Presentation - Joe Barile, Vice President of Regulatory and Corporate Affairs, Essex Power Corporation**

**Moved By** Councillor Courtney  
**Seconded By** Councillor Allaire

That the presentation **BE RECEIVED**.

The Mayor put the Motion.

**Motion Carried.**

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

### **8.1 Final Tax Rating By-Law 2023-040**

Resolution # 20230111-04

**Moved By** Councillor Crain  
**Seconded By** Deputy Mayor Gibb

That By-law 2023-040 being a by-law to set and levy the rates of taxation for the year 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.**

## **9. REPORTS - PARKS, RECREATION, FACILITIES AND CULTURE**

### **9.1 Revision to Recreation Rental Rates for Minor Sports Organizations**

Resolution # 20230111-05

**Moved By** Councillor Courtney  
**Seconded By** Councillor Pouget

That:

1. Hourly rate surcharges and fees **BE SET** to what it was in 2022, and that the \$5.60/sq. ft in office space rate **BE WAIVED** for this year with further consultation required;
2. Council **DIRECT** Administration to amend User Fee By-Law to reflect these changes.

*Councillor Allaire asked for a motion to divide.*

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Resolution # 20230111-06

**Moved By** Councillor Courtney

**Seconded By** Councillor Pouget

That

1. The hourly rate surcharges and fees **BE SET** to what it was in 2022;
2. Council **DIRECT** Administration to amend User Fee By-Law to reflect these changes.

The Mayor put the Motion.

**Motion Carried.**

Resolution # 20230111-07

**Moved By** Councillor Courtney

**Seconded By** Councillor Pouget

That the Amherstburg Minor Hockey Association pay \$2.60 sq./ ft for office space.

The Mayor put the Motion.

**Motion Carried.**

## 10. REPORTS - INFRASTRUCTURE SERVICES

*There are no reports.*

## 11. REPORTS - PLANNING AND DEVELOPMENT SERVICES

Resolution # 20230111-08

**Moved By** Councillor Courtney

**Seconded By** Councillor Allaire

### 11.1 Mulberry Court Subdivision Street Name Request

That the proposed street name Mulberry Court for Street A of the Mulberry Court Subdivision **BE APPROVED.**

The Mayor put the Motion.

**Motion Carried.**

**11.2 Suitability for Development on a Private Septic System on Front Rd N, County Road 20 and Concession 2 N**

Resolution # 20230111-09

**Moved By** Councillor Pouget

**Seconded By** Councillor Allaire

That the development of one lot on Front Road North (severed from 2113 Front Rd N), one lot on County Road 20 (severed off a farm parcel on the west side of Concession 6 S) and one lot on Concession 2 N (severed from 580 Middle Sideroad) on a private septic system, **BE APPROVED**.

The Mayor put the Motion.

**Motion Carried.**

**11.3 Zoning By-law Amendment for Part of 551 McLeod Ave**

Resolution # 20230111-010

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor McArthur

That **By-law 2023-037** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands which are part of 551 McLeod Avenue, 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.**

**11.4 Zoning By-law Amendment for Lands on the West Side of Crystal Bay Drive**

Resolution # 20230111-012

**Moved By** Councillor Pouget

**Seconded By** Councillor Courtney

That:

1. **By-law 2023-036** being a by-law to amend Zoning By-law No. 1999-52, to amend the zoning for the subject lands known as the west side of Crystal Bay Drive be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same;
2. The execution of a Consent Agreement with Terry Ernie Hermiston and Michelle Margaret Rennie and Boblo Developments Inc. associated with Zoning By-law Amendment File No. ZBA/04/23 inclusive **BE APPROVED**; and,
3. **By-law 2023-052** being a By-law to authorize the signing of a Consent Agreement 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.**

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

*There are no reports.*

## **13. INFORMATION REPORTS**

Resolution # 20230111-013

**Moved By** Councillor McArthur

**Seconded By** Councillor Pouget

That the following information reports **BE RECEIVED**:

### **13.1 Quarterly Fire Department Activity Report – 1st Quarter 2023**

The Mayor put the Motion.

**Motion Carried.**

## **14. CONSENT CORRESPONDENCE**

**Moved By** Councillor McArthur

**Seconded By** Councillor Crain

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

**14.1 2023 Business Excellence Awards Sponsorship - Amherstburg Chamber of Commerce**

**14.2 Canadian History EHX Sponsorship Request**

**14.3 Letter re. Enbridge Motion - Association of Ontario Road Supervisors (AORS)**

The Mayor put the Motion.

**Motion Carried.**

Resolution # 20230111-014

**Moved By** Councillor Crain

**Seconded By** Deputy Mayor Gibb

That Council **SUPPORT** the Amherstburg Chamber of Commerce 2023 Business Excellence Awards in the amount of \$500 with HST to go towards the Employer of the Year Award.

The Mayor put the Motion.

**Motion Carried.**

## **15. CORRESPONDENCE**

### **15.1 Falun Dafa Day Request**

Resolution # 20230111-015

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor McArthur

That:

1. May 13, 2023 **BE PROCLAIMED** as Falun Dafa Day; and,
2. The Falun Dafa Flag **BE RAISED** on May 13, 2023, in accordance with the Flag Protocol for the Town of Amherstburg.

The Mayor put the Motion.

**16. OTHER MINUTES**

**16.1 Drainage Board Meeting Minutes - April 4, 2023**

Resolution # 20230111-016

**Moved By** Councillor Allaire

**Seconded By** Councillor Pouget

That:

1. The Drainage Board Meeting Minutes of April 4, 2023, **BE RECEIVED**;
2. The engineer's report, prepared by Dillon Consulting Ltd., dated March 21, 2023 for the Parks Drain (Bridge Relocation – Evans Culvert) **BE RECEIVED**;
3. **By-law 2023-053** being a by-law to provide for the Parks Drain (Bridge Relocation – Evans Culvert) based on the Drainage Report by Dillon Consulting Ltd. **BE PROVISIONALLY ADOPTED** by giving first and second reading and the Mayor and Clerk **BE AUTHORIZED** to sign same;
4. The Petition from 1603844 Ontario Inc., 16003941 Ontario Inc., and 1000063228 Ontario Inc., for a New Municipal Drain in order to establish the legal right of drainage for the lands under development in accordance with Section 4 of the Act; **BE ACCEPTED**,
5. The firm of R. Dobbin Engineering Inc. **BE APPOINTED** to complete the necessary examination of the petition and the area requiring drainage as described in the petition and to prepare a report as described in the Act, as recommended by the Drainage Board.
6. The report from the Drainage Superintendent and Engineering Coordinator dated March 9, 2023, regarding the Subsequent Disconnection and appointment of an engineer to vary the assessments to a drainage works – Cornwall Drain (S.65(4) and S.76(1)) **BE RECEIVED**;
7. The firm of N.J. Peralta Inc. **BE APPOINTED** to prepare a report to vary the assessment schedule as required under Section 76(1) as a result of a subsequent disconnection from a drainage works, as recommended by the Drainage Board,

8. The report from the Drainage Superintendent and Engineering Coordinator dated March 24, 2023, regarding the Subsequent Connection and report of an engineer for the Ouellette Drain West (ODW) **BE RECEIVED**; and that,
9. Rood Engineering Inc., **BE INSTRUCTED** to complete an examination and report to allow the subsequent connection to the ODW under Section 65(3), as recommended by the Drainage Board.

The Mayor put the Motion.

**Motion Carried.**

## **17. UNFINISHED BUSINESS**

## **18. NEW BUSINESS**

Resolution # 20230111-017

**Moved By** Councillor Crain

**Seconded By** Councillor Pouget

That the Street Names Policy **BE AMENDED** to forward all requests to Heritage Committee and forward recommendation to Council.

The Mayor put the Motion.

**Motion Carried.**

Resolution # 20230111-018

**Moved By** Councillor Pouget

**Seconded By** Councillor Allaire

That Hydro One **BE INVITED** to address Council.

The Mayor put the Motion.

**Motion Carried.**

## **19. NOTICE OF MOTION**

## 20. SPECIAL IN-CAMERA MEETING

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Crain

**That Council move into an In-Camera Meeting of Council pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons:**

### **Item A - Negotiation of Service Agreement**

**Section 239(2)(b)** - Personal matters about an identifiable individual, including municipal or local board employees;

**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.**

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Courtney

That the Regular Council Meeting **BE RESUMED.**

The Mayor put the Motion.

**Motion Carried.**

## 21. REPORT OUT FROM IN-CAMERA SESSION

Council met in closed session on April 11<sup>th</sup> in accordance with section 239 of the Municipal Act in relation to:

### **Item A – Negotiation of Service Agreement**

This was heard under section 239(2)(b) and 239(2)(k) and:

Resolution # 20230111-019

**Moved By** Deputy Mayor Gibb  
**Seconded By** Councillor Crain

That:

1. Administration **BE AUTHORIZED** to finalize the terms and conditions and enter into an agreement with the Township of Pelee (“Pelee”) for Drainage Services subject to the Agreement being satisfactory as to technical content to the Director of Engineering & Infrastructure Services, as to legal form and content to the Chief Administrative Officer and as to financial content to the Director of Corporate Services/Chief Financial Officer;
2. The Mayor and Clerk **BE AUTHORIZED** to execute both Agreements with a rate of \$120.00/hr to a maximum of 350 hours for both positions.

	YES/CONCUR	NO/NOT CONCUR
Councillor Allaire	X	
Councillor Courtney	X	
Councillor Crain	X	
Deputy Mayor Gibb	X	
Councillor McArthur	X	
Councillor Pouget		X
Mayor Prue	X	

The Mayor put the Motion.

**Motion Carried.**

Resolution # 20230111-020

**Moved By** Councillor Crain  
**Seconded By** Deputy Mayor Gibb

That:

1. Administration **BE AUTHORIZED** to finalize the terms and conditions and enter into an agreement with Pelee for By-law Enforcement Services subject to the Agreement being satisfactory as to technical and legal form and content to the Chief Administrative Officer and financial content to the Director of Corporate Services/Chief Financial Officer.
2. The Mayor and Clerk **BE AUTHORIZED** to execute both Agreements with a rate of \$120.00/hr to a maximum of 350 hours for both positions.

	YES/CONCUR	NO/NOT CONCUR
Councillor Allaire	X	
Councillor Courtney		X
Councillor Crain	X	
Deputy Mayor Gibb	X	
Councillor McArthur	X	
Councillor Pouget		X
Mayor Prue	X	

The Mayor put the Motion.

**Motion Carried.**

**22. BY-LAWS**

**22.1 By-law 2023-056 - Confirmatory By-law**

**Moved By** Councillor Crain  
**Seconded By** Deputy Mayor Gibb

That **By-law 2023-056** being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on April 11th, 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.**

**23. ADJOURNMENT**

**Moved By** Councillor Courtnet  
**Seconded By** Councillor Allaire

That Council **RISE AND ADJOURN** at 9:42 p.m.