



TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
Tuesday, October 15, 2019
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

CALL TO ORDER

The Mayor called the meeting to order at 3:34 p.m.

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20191015-476

Moved By Deputy Mayor Meloche

Seconded By Councillor Prue

That Council move into an In-Camera Meeting of Council at 3:35 pm pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

Item A - Section 239(2)(d) - Labour relations or employee negotiations.

Item B - Section 239(2)(e) - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Item C - Section 239(2)(e) - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and, Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Item D - Section 239(2)(i) - A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position, or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; 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.

Item E - Section 239(2)(f) - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The Mayor put the Motion.

Motion Carried

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF
(In-Camera Meeting Agenda Items A-F)

There were no disclosures of pecuniary interest noted.

ADJOURNMENT OF SPECIAL IN-CAMERA COUNCIL MEETING @ 5:40 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Deputy Mayor Meloche

Seconded By Councillor Renaud

That Council resume Regular session at 6:04 p.m.

The Mayor put the Motion.

Motion Carried

NATIONAL ANTHEM

MAYOR'S OFFICE - WELCOME & ADDRESS

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

(Public Council Meeting Agenda Items)

There were no disclosures of pecuniary interest noted.

REPORT OUT FROM IN-CAMERA SESSIONS - September 23 & October 15, 2019

Council met on September 23rd, 2019, for a Special In-Camera Meeting at 8:21 pm and discussed (1) item as provided for under Section 239 of the Municipal Act:

Item A - heard under Section 239(2)(b) of the Act. There is nothing further to report.

Council met on October 15th, 2019, for a Special In-Camera Meeting at 3:35 pm and discussed (5) items as provided for under Section 239 of the Municipal Act:

Item A – heard under Section 239(2)(d) of the Act. There is nothing further to report.

Item B – heard under Sections 239(2)(e)&(f) of the Act. There is nothing further to report.

Item C – heard under Sections 239(2)(e)&(f) of the Act. There is nothing further to report.

Item D – heard under Sections 239(2)(i)&(k) of the Act. There is nothing further to report.

Item E – heard under Section 239(2)(f) of the Act. There is nothing further to report.

MINUTES OF PREVIOUS MEETING

Resolution # 20191015-481

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

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:

10.1 Special In-Camera Meeting Minutes - July 25, 2019

10.2 Special In-Camera Meeting Minutes - July 29, 2019

10.3 Special Council Meeting Minutes - July 29, 2019

The Mayor put the Motion.

Motion Carried

DELEGATIONS

11.1 Request for Exemption to Open Air Fire By-law - Peter Thyrring, Headmaster, St. Peter's ACHS College School

Resolution # 20191015-482

Moved By Councillor Prue

Seconded By Councillor Renaud

That Administration BE DIRECTED to bring back a report outlining the impact to all types of sensitive receptors listed within the Open Air Fire By-law if exemptions were to be granted.

The Mayor put the Motion.

Motion Carried

Moved By Councillor Simone

Seconded By Councillor McArthur

That the Rules of Order BE WAIVED to allow Bob Rozankovic to address Council regarding H. Murray Park.

The Mayor put the Motion.

Motion Carried

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That Mr. Rozankovic's delegation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

There were no reports.

REPORTS – PARKS, FACILITIES, RECREATION AND CULTURE

There were no reports.

REPORTS – ENGINEERING AND PUBLIC WORKS

There were no reports.

REPORTS – PLANNING, DEVELOPMENT AND LEGISLATIVE SERVICES

15.1 Zoning By-Amendment - ES Howard Ave

Resolution # 20191015-483

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That By-law 2019-076 being a by-law to amend Zoning By-law No. 1999-52 ES Howard Ave (Anderdon Con 7 Pt Lot 14 12R27356 Parts 2 to 4) (470-02400), 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

15.2 Housekeeping Zoning By-Law Amendment - Cannabis Production Facilities and Cultivation

Resolution # 20191015-484

Moved By Councillor Prue

Seconded By Councillor McArthur

That By-law 2019-075 being a by-law to amend Zoning By-law No. 1999-52, as amended for Cannabis Cultivation and Production Facilities within the Town of Amherstburg, 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

REPORTS - CAO's OFFICE

16.1 Committee Vacancies

Resolution # 20191015-485

Moved By Councillor Renaud

Seconded By Deputy Mayor Meloche

That:

1. The vacant position on the Co-An Park Committee BE ADVERTISED;

2. **The Accessibility Advisory Committee composition BE REDUCED to seven (7) lay members; and,**
3. **The Seniors Advisory Committee composition BE REDUCED to six (6) lay members and one (1) stakeholder member.**

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

Resolution # 20191015-486

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

That the following information reports BE RECEIVED:

- 17.1 **Accounts Receivable – Amherstburg Festival Corporation**
- 17.2 **Cheque Listing for the Month of September 2019**
- 17.3 **Manhole Covers**

The Mayor put the Motion.

Motion Carried

Moved By Councillor Prue

Seconded By Councillor Simone

That the Rules of Order BE WAIVED to allow the gallery to address Council regarding Item # 17.1 – Accounts Receivable – Amherstburg Festival Corporation.

The Mayor put the Motion.

Motion Carried

The following were heard:

- Bob Rozankovic
- Diane Pouget

CONSENT CORRESPONDENCE

Resolution # 20191015-487

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

That the following consent correspondence BE RECEIVED:

- 18.1 Royal Canadian Legion 2019 Annual Poppy Campaign**
- 18.2 Guide to a Better Life - Frontline Publications Canada Ltd.**
- 18.3 Integrity Commissioner Matters - Town of The Blue Mountains Resolution**
- 18.4 Future of Animal Welfare - Ontario SPCA and Humane Society**
- 18.5 Pupil Accommodation Review Guidelines (PARG) - Township of North Glengarry Resolution**
- 18.6 Bill 108 Proposed Regulations, More Homes, More Choice Act, 2019 - Town of Newmarket Resolution**
- 18.7 Joint and Several Liability Consultation - Township of Springwater Resolution**
- 18.8 Request for Child Care Program During Conferences - Municipality of East Ferris Resolution**

The Mayor put the Motion.

Motion Carried

Resolution # 20191015-488

Moved By Councillor Prue

Seconded By Councillor McArthur

(Item # 18.7) – **That the correspondence from the Township of Springwater regarding Joint and Several Liability Consultation BE SUPPORTED with the exception of Section 2(e) - Law Society of Ontario Charges.**

The Mayor put the Motion.

Motion Carried

Resolution # 20191015-489

Moved By Councillor McArthur

Seconded By Deputy Mayor Meloche

(Item # 18.1) – **That a wreath BE PURCHASED in the amount of \$75.00 to be placed at the Cenotaph for the Remembrance Day parade.**

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

19.1 2019 Remembrance Day

Resolution # 20191015-490

Moved By Councillor Prue

Seconded By Councillor Simone

That:

- 1. The correspondence from the Royal Canadian Legion, Fort Malden Branch 157, regarding 2019 Remembrance Day Proclamation BE RECEIVED;**
- 2. November 1 - 11, 2019 BE PROCLAIMED as Veteran's Week in the Town of Amherstburg;**
- 3. The distribution of Poppies throughout the Town BE GRANTED commencing October 25, 2019, through to and including November 11, 2019; and,**
- 4. Permission BE GRANTED to the firing party to fire muskets (blank ammunition) during the ceremony at the Cenotaph in the King's Navy Yard Park on November 11, 2019.**

The Mayor put the Motion.

Motion Carried

19.2 Source Water Protection Committee - Municipal Representation

Resolution # 20191015-491

Moved By Deputy Mayor Meloche

Seconded By Councillor McArthur

That:

- 1. The correspondence from the Essex Region Conservation Authority (ERCA) dated September 18, 2019, regarding Source Protection Committee - Municipal Representation BE RECEIVED; and,**
- 2. Antonietta Giofu, Director of Engineering and Public Works, BE RE-APPOINTED as the Town's Source Water Committee Representative for a 5 year term set to expire on December 12, 2024.**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20191015-492

Moved By Councillor Simone

Seconded By Councillor McArthur

That the following minutes BE RECEIVED:

20.1 Economic Development Advisory Committee Minutes - September 5, 2019

20.2 Co-An Park Committee Minutes - September 11, 2019

20.3 Mayor's Youth Advisory Committee Minutes - September 17, 2019

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

21.1 Amherstburg Accessibility Advisory Committee Minutes - September 19, 2019

Councillor Renaud moved Item # 21.1 and # 21.2 together.

Resolution # 20190115-493

Moved By Councillor Renaud

Seconded By Deputy Mayor Meloche

That the following recommendation from the September 19, 2019, Amherstburg Accessibility Advisory Committee Meeting BE APPROVED:

- **Accessibility improvements to the trail network in the amount of \$40,000 at Beaudoin Park BE FUNDED from the AODA Compliance Fund.**

21.2 Heritage Committee Minutes - September 12, 2019

Resolution # 20190115-494

That the following recommendation from the September 12, 2019, Heritage Committee Meeting BE APPROVED:

- **Corrections to the Heritage Registry BE ADOPTED as noted in the Committee report dated September 12, 2019, by the Chief Building Official, regarding Corrections to the Heritage Registry Properties of Interest List.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Courtney asked for an update with respect to the Libro Master Plan.

The Chief Administrative Officer advised that the report is currently being drafted with the goal to have it first before the Parks and Recreation Advisory Committee and stakeholders, and then to Council in the first quarter of 2020. The CAO further advised that he is also working on another report regarding grant funding opportunities which will address current parks requests and that report will come before the Libro Master Plan report.

2. Councillor Prue as for an update with respect to granny flats.

The Manager of Planning Services advised that a notice has been placed in the River Town Times regarding the upcoming meeting for the proposed amendment to the Official Plan with respect to Secondary Dwelling Units.

NEW BUSINESS

1. Resolution # 20191015-495

Moved By Councillor Courtney

Seconded By Councillor Prue

That Administration BE DIRECTED to amend the Accounts Receivable Collections Policy by removing # 6.7.4.1 (a) & (b) and revising (c) to read any write offs that proceed past the collection fees BE PRESENTED to Council on how to proceed and that the amended policy be brought back to Council for consideration.

The Mayor put the Motion.

Motion Carried

2. Councillor McArthur asked why the public restrooms haven't been open in Toddy Jones. The Director of Parks, Facilities, and Recreation & Culture advised Council that the washrooms have been closed due to vandalism that has been significant enough to incur costs.

Resolution # 20191015-496

Moved By Councillor McArthur

Seconded By Councillor Meloche

That a porta-potty BE PLACED at Toddy Jones Park for the remainder of the season; and further, that Administration BE DIRECTED to seek long term solutions to deter vandalism in Town park washrooms.

The Mayor put the Motion.

Motion Carried

3. Councillor Prue asked about the current job postings in the River Town Times.

The Chief Administrative Officer advised that there are 2 current job postings; one posting is to fill an approved position in which an employee has vacated and the other is a posting to a fill maternity leave.

4. Resolution # 20191015-497

Moved By Councillor Prue
Seconded By Councillor Simone

That Administration BE DIRECTED to bring back a report regarding the finalization of the development of the north end of Boblo Island with the intent to enforce the by-law and development agreement relating to roads, sidewalks, curbs, and lighting, and to outline all municipal costs, if any.

The Mayor put the Motion.

Motion Carried

5. Councillor Prue asked if the Town is receiving its portion of revenue from ticket being issued by the Police.

The Treasurer confirmed that revenue from tickets written under the Provincial Offences Act is being received by the Town.

6. Deputy Mayor Meloche advised that the shoulders on Concession 5 North are eroding and caving in some areas.

The Director of Engineering and Public Works advised that the Town's Engineer, the consultant, and the contractor visit the project area and mark any deficiencies that are required to be repaired by the contractor prior to accepting the project. The Director further stated that she will follow up with this project.

NOTICE OF MOTION

There are no Notices of Motion.

BY-LAWS

25.1 By-law 2019-089 - Appoint Provincial Offences Officers

Councillor Renaud moved Item # 25.1 and # 25.2 together.

Resolution # 20190115-498

Moved By Councillor Renaud

Seconded By Deputy Mayor Meloche

That By-law 2019-089 being a by-law to Appoint Provincial Offences Officers in the Town of Amherstburg be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

25.2 By-law 2019-090 - Confirmatory By-law

Resolution # 20190115-499

That By-law 2019-090 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on September 30th & October 15th, 2019, 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

Moved By Councillor McArthur

Seconded By Councillor Simone

That the Rules of Order BE WAIVED to allow Frank DiPasquale to address Council regarding Councillor Prue's comments with respect to the Boblo Development motion and pecuniary interest.

The Mayor put the Motion.

Motion Carried

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution # 20191015-500

Moved By Councillor Prue

Seconded By Deputy Mayor Meloche

That Council move back into an In-Camera Meeting of Council at 7:50 p.m. pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reason:

Item F - Section 239(2)(b) - Personal matters about an identifiable individual, including municipal or local board employees; and, Section 239(2)(d) - Labour relations or employee negotiations.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT OF SPECIAL IN-CAMERA MEETING @ 8:20 P.M.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

That Council resume Regular session at 8:21 p.m.

The Mayor put the Motion.

Motion Carried

REPORT OUT FROM IN-CAMERA SESSION - October 15, 2019

Council met on October 15th, 2019, for a Special In-Camera Meeting at 8:21 pm and discussed (1) item as provided for under Section 239 of the Municipal Act:

Item F – heard under Sections 239(2)(b)&(d). As a result of that discussion, the following is before Council for consideration:

Resolution # 20191015-501

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

That Kercz International Ltd. BE ENGAGED for a CAO Performance Appraisal at a cost of \$9,375.00 plus HST to be funded from the CAO budget centre professional fees expense account.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT

Moved By Councillor Courtney

Seconded By Deputy Mayor Meloche

That Council rise and adjourn at 8:22 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

CLERK – PAULA PARKER