



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
MINUTES**

Monday, May 27, 2024

6:00 P.M.

Council Chambers

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

PRESENT

Mayor Michael Prue
Deputy Mayor Chris Gibb
Councillor Molly Allaire
Councillor Linden Crain
Councillor Donald McArthur
Councillor Diane Pouget
Councillor Peter Courtney

STAFF PRESENT

Valerie Critchley - CAO
Sarah Sabihuddin - Deputy Clerk
Bill Tetler – Manager Licensing & Enforcement

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)

There were no disclosures of pecuniary interest noted.

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

Council moved into a closed session meeting of Council on May 27, 2024 pursuant to Section 239 of the Municipal Act for the following reasons:

Item A – Proposal by Essex Power Corporation requiring Shareholder Review & Approval and was heard under Section 239(2)(i) & Section 239(2)(k) and Council directed administration to proceed on the verbal direction of Council.

Item B – Legal Advice regarding Development Agreements and Contractual Obligations was heard under Section 239(2)(c) & Section 239(2)(f) and Council directed Legal Counsel to proceed on the verbal direction of Council.

7. MINUTES OF PREVIOUS MEETING

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

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 - May 13, 2024
- 7.2 Special Council Meeting Minutes - Planning - May 13, 2024
- 7.3 Special In-Camera Council Meeting Minutes - May 13, 2024 (Public)
- 7.4 Special In-Camera Council Meeting Minutes - May 13, 2024 (Confidential)

The Mayor put the Motion.

Motion Carried.

8. DELEGATIONS

8.1 Delegation- Item 12.1 - Transportation Master Plan - Michael Weber

8.2 Delegation - Item 12.1 - Transportation Master Plan - David Cozens

Moved By Councillor McArthur

Seconded By Councillor Pouget

That the delegation of David Cozens **BE EXTENDED** by 5 minutes.

The Mayor put the Motion.

Motion Carried.

8.3 Delegation - Item 12.1 - Transportation Master Plan - Paul Hooper

8.4 Delegation - Item 12.1 - Transportation Master Plan - Linda Saxon

8.5 Delegation - Item 14.2 Temporary Patio Extension - Linda Saxon

Moved By Councillor Allaire

Seconded By Councillor Crain

That all delegations **BE RECEIVED**.

The Mayor put the Motion.

Motion Carried.

9.1 2024 Transportation Masterplan - Presenters from TYLin - Adam Bell & John Grieve

Moved By Councillor Allaire
Seconded By Councillor McArthur

That the presentation **BE RECEIVED**.

The Mayor put the Motion.

Motion Carried.

The Mayor Brought Forward Item #12.1

12.1 Transportation Masterplan

Moved By Councillor Allaire
Seconded By Councillor Pouget

That the motion for Item 12.1 Transportation Masterplan **BE DIVIDED**.

The Mayor put the Motion.

Motion Carried.

Resolution: 20240527-003

Moved By Councillor Courtney
Seconded By Councillor Allaire

That: The Transportation Masterplan **BE APPROVED** in principle.

	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.

Moved By Deputy Mayor Gibb
Seconded By Councillor Crain

That: Administration **BE DIRECTED** to look at traffic measures in the downtown core.
The Mayor put the Motion.

Motion Failed.

Resolution: 20240527-004

Moved By Councillor Courtney
Seconded By Councillor McArthur

That Administration **BE DIRECTED** to complete the short-term intersection improvements at Simcoe Street / Meloche Road intersection as outlined in the Transportation Masterplan.
The Mayor put the Motion.

Motion Carried.

Resolution: 20240527-005

Moved By Councillor McArthur
Seconded By Councillor Crain

That Administration **BE DIRECTED** to consult with all businesses on Murray Street and come back with the results.

	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.

Moved By Councillor Crain
Seconded By Councillor Pouget

That Council **BE RECESSED** for 5 minutes at 8:55 p.m.

The Mayor put the Motion.

Motion Carried.

Resolution: 20240527-006

Moved By Deputy Mayor Gibb
Seconded By Councillor McArthur

That Administration **BE DIRECTED** to incorporate components from the Transportation Masterplan into future capital budgets.

The Mayor put the Motion.

Motion Carried.

10. REPORTS – CORPORATE SERVICES

There are no reports.

11. REPORTS - PARKS, RECREATION, FACILITIES AND CULTURE

There are no reports.

12. REPORTS - INFRASTRUCTURE SERVICES

12.1 Transportation Masterplan

As discussed above.

13. REPORTS - PLANNING AND DEVELOPMENT SERVICES

There are no reports.

14. REPORTS - CAO's OFFICE

14.1 2024 Special Events Approval – Part 4

Resolution: 20240527-007

Moved By Councillor Courtney

Seconded By Councillor Crain

That:

1. The following events **BE APPROVED**:
 - a. Rocks and Road Race Series – Mini Fondo – August 11th, 2024
 - b. 2024 Garden Tour – Amherstburg Fort Malden Horticultural Society – June 8th & June 9th 2024
2. An exemption from table number 3-1(2) of Noise By-law #2001-43 with respect to the operation of any electronic device or group of connected electronic devices incorporating one or more loudspeakers to allow for music **BE GRANTED** for the following events:
 - a. Rocks and Road Race Series – Mini Fondo – August 11th, 2024
3. The following events **BE EXEMPT and PERMITTED** for road closures to begin prior to 5pm:
 - a. Rocks and Road Race Series – Mini Fondo – August 11th, 2024
4. The Public Events Committee **BE DIRECTED** to confirm that the requirements identified by the Committee are met prior to the event.

The Mayor put the Motion.

Motion Carried.

14.2 Temporary Patio Extension

Resolution: 20240527-008

Moved By Councillor McArthur

Seconded By Deputy Mayor Gibb

That:

1. The report from the Manager of Licensing and Enforcement dated April 28th, 2024 regarding a new Temporary Patio Extension **BE RECEIVED**; and

2. **By-law 2024-026** being a By-law to Temporary Patio Extensions on public lands be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same; and,
3. The CAO and Clerk **BE AUTHORIZED** to enter into agreements for temporary patio extensions, should all the criteria be met.

The Mayor put the Motion.

Motion Carried.

15. INFORMATION REPORTS

There are no reports.

16. CONSENT CORRESPONDENCE

Moved By Deputy Mayor Gibb

Seconded By Councillor Crain

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

16.1 2023 Annual Progress Reports on the Implementation of the Essex Region Source Protection Plan

The Mayor put the Motion.

Motion Carried.

17. CORRESPONDENCE

17.1 Proclamation: Emancipation Day - August 1, 2024

Resolution: 20240527-009

Moved By Councillor Crain

Seconded By Councillor McArthur

That August 1, 2024, **BE PROCLAIMED** Emancipation Day in the Town of Amherstburg.

The Mayor put the Motion.

Motion Carried.

18. CONSENT OTHER MINUTES

There are no minutes.

19. OTHER MINUTES

19.1 Amherstburg Environmental Advisory Committee Meeting Minutes May 2, 2024

Resolution: 20240527-010

Moved By Councillor Allaire
Seconded By Councillor Pouget

That:

1. The Amherstburg Environmental Advisory Committee Meeting Minutes of May 2, 2024 **BE RECEIVED**;
2. Administration **BE DIRECTED** to implement public education initiatives on sanitary sewer system precautions, including promoting the use signage and waste receptacle in local businesses; and,
3. Administration **BE DIRECTED** to recommend public education messaging for the 2025 Town of Amherstburg Collection Calendar.

The Mayor put the Motion.

Motion Carried.

20. UNFINISHED BUSINESS

20.1 Unfinished Business List - May 2024

21. NEW BUSINESS

Resolution: 20240527-011

Moved By Councillor Pouget
Seconded By Councillor Allaire

That Administration **BE DIRECTED** to provide the public with an update regarding the Water Distribution System Test that ran from May 13th and thru to May 17th.

The Mayor put the Motion.

Motion Carried.

Resolution: 20240527-012

Moved By Deputy Mayor Gibb

Seconded By Councillor Crain

That the motion from April 22, 2024 (Resolution #20240422-015) which stated “*That our Mayor and Deputy Mayor TO ASK County Council to include the Town of Amherstburg, when they initiate the Town of Lasalle’s Traffic Study of County Road 20, in particular, the stretch of highway between County road 10 intersection heading north to the River Canard Yacht Club.*” **BE RECONSIDERED.**

The Mayor put the Motion.

Motion Carried.

Moved By Councillor Crain

Seconded By Deputy Mayor Gibb

That the Economic Development Committee review the proposal before proceeding with bringing this to County Council.

The Mayor put the Motion.

Motion Failed.

Moved By Deputy Mayor Gibb

Seconded By Councillor Crain

That Administration **BE DIRECTED** to develop a report before proceeding with bringing this to County Council.

The Mayor put the Motion.

Motion Failed.

22. NOTICE OF MOTION

Notice of Motion of May 27, 2024 – Cost of the Regional Organics Waste Collection and Processing Program -Councillor Allaire - *To be deliberated June 10, 2024*

WHEREAS; on March 16, 2022, Essex County Council determined that all lower-tier municipalities shall participate in the regional organic waste collection and processing program;

AND WHEREAS Essex Windsor Solid Waste Authority is proposing the level of service be applied to urban and rural areas;

AND WHEREAS the Town of Amherstburg is required to commence an organics program commencing in 2027;

AND WHEREAS the Town of Amherstburg supported the regionalization of organics pickup as per resolution #20211122-362.

AND WHEREAS a phased in commencement of organics programs will have an impact on taxation at the municipal level.

NOW THEREFORE, BE IT RESOLVED THAT Amherstburg Council directs Mayor Prue or Deputy Mayor Gibb to make a motion of County Council asking that the County Council agree to fund the cost of the regional organics waste collection and processing program through the County of Essex property tax levy.

Notice of Motion of May 27, 2024 - Business Encroachment Fees Proposal - Councillor Courtney - *To be deliberated June 10, 2024*

That: Any commercial business seeking temporary patio extension onto a public right of way shall pay the same encroachment fees as a permanent encroachment or applicable to the payment fees as laid out in our fee bylaw.

23. BY-LAWS

23.1 2024-042 - Confirmatory By-Law - May 27, 2024

Moved By Deputy Mayor Gibb

Seconded By Councillor Crain

That:

By-law 2024-042 being a By-law to Confirm all Resolutions of the Municipal Council Meeting held on May 27, 2024, 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 Crain

That Council rise and adjourn at 9:53 p.m.

The Mayor put the Motion.

Motion Carried.

MAYOR - MICHAEL PRUE

KEVIN FOX - CLERK