



**TOWN OF AMHERSTBURG  
REGULAR COUNCIL MEETING  
PUBLIC MINUTES**

**Monday, September 23, 2024**

**6:00 P.M.**

**Council Chambers**

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

|               |   |
|---------------|---|
| PRESENT       | Mayor Michael Prue<br>Deputy Mayor Gibb<br>Councillor Molly Allaire<br>Councillor Linden Crain<br>Councillor Donald McArthur<br>Councillor Diane Pouget |
| REGRETS       | Councillor Peter Courtney   |
| STAFF PRESENT | Kevin Fox - Clerk<br>Valerie Critchley - CAO<br>Sarah Sabihuddin - Deputy Clerk   |

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**1. CALL TO ORDER**

The Mayor called the meeting to order at 6:00pm

**2. NATIONAL ANTHEM**

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### **3. ROLL CALL**

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

*(Public Council Meeting Agenda Items)*

Councillor Pouget declared a conflict of interest on Items 13.1, 8.2, 8.3, & 8.4

### **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**

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 - Belle Vue Development Proposal**

Section 239(2)(c) - proposed or pending acquisition or disposition of land by the municipality or local board; and,

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.

And Council received the matter for information.

### **Item B - Heritage Town Hall Proposal**

Section 239(2)(c) - proposed or pending acquisition or disposition of land by the municipality or local board; 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.

And Council received the matter for information.

### **Item C - Update on Ontario Land Tribunal Settlements**

Section 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

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

And Council directed that Administration proceed on their verbal direction.

### **Item D – Collective Bargaining Update – Amherstburg Professional Fire Fighters Association**

Section 239(2)(d) labour relations or employee negotiations;

And Council directed that Administration proceed on their verbal direction.

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

**Moved By** Councillor Allaire

**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:

### **7.1 Special Council Meeting Minutes - Planning - September 9, 2024**

The Mayor put the Motion.

**Motion Carried.**

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

That the presentations listed under Section 9 **BE HEARD** prior to the delegations.

The Mayor put the Motion.

**Motion Carried.**

### **9.1 Opportunity for Heritage Town Hall Development**

*Item 13.2 was brought forward.*

Resolution: 20240923-001

**Moved By** Councillor Crain  
**Seconded By** Councillor McArthur

That:

1. The Presentation by Valente Development Corporations' **BE RECEIVED.**
2. The Valente Development Corporations' proposal to embed a new Town Hall into the property previously known as General Amherst High School **BE APPROVED IN PRINCIPLE;** and,
3. Administration **BE DIRECTED** to seek public input on the embedded Town Hall proposal by:
  - a. Holding an Open House on Saturday October 5<sup>th</sup>, 2024 from 10 a.m. to 12 p.m. at the Libro Centre with Valente Development Corporation; and,
  - b. Issuing a survey for Amherstburg residents about the project;
4. Administration **BE DIRECTED** to include the embedded Town Hall proposal as part of the October agenda for Heritage Committee to provide their comments; and,
5. Administration **BE DIRECTED** to bring a report back to Council on the results of the survey, open house and Heritage Committee, with administrative recommendations regarding the proposal for Council's consideration and direction.

The Mayor put the Motion.

**Motion Carried.**

## **9.2 Space Needs Study - Spatial Needs Assessment Project (SNAP)**

*Item 11.1 was brought forward.*

Resolution: 20240923-002

**Moved By** Councillor Crain

**Seconded By** Councillor McArthur

That:

1. The presentation **BE RECEIVED**; and
2. The Space Needs Study **BE APPROVED IN PRINCIPLE** with further reports to come back to Council on each element with a full implementation and funding strategy for each

The Mayor put the Motion.

**Motion Carried.**

## **8. DELEGATIONS**

### **8.1 Delegation - Item 11.3 320 Richmond Street Partial Demolition - John Menna**

**Moved By** Councillor Allaire

**Seconded By** Deputy Mayor Gibb

That the delegation **BE RECEIVED**.

The Mayor put the Motion.

**Motion Carried.**

**8.2 Delegation - Item #13.1 - Report Back on the Evaluation of the Belle Vue Expression of Interest Proposal - Mary Anne Adam & Robert Honor**

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

That the delegation **BE EXTENDED** by 5 minutes.

The Mayor put the Motion.

**Motion Carried.**

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

That the delegation **BE RECEIVED**.

The Mayor put the Motion.

**Motion Carried.**

**8.3 Delegation - Item #13.1 - Report Back on the Evaluation of the Belle Vue Expression of Interest Proposal - Marc Pillon**

**Moved By** Councillor McArthur  
**Seconded By** Councillor Allaire

That the delegation **BE RECEIVED**.

The Mayor put the Motion.

**Motion Carried.**

**Moved By** Councillor McArthur  
**Seconded By** Councillor Allaire

That item 13.1 **BE BROUGHT** forward.

The Mayor put the Motion.

**Motion Carried.**

**8.4 Delegation - Item # 13.1 - Report Back on the Evaluation of the Belle Vue Expression of Interest Proposal - Mike Lavigne**

**13.1 Report Back on the Evaluation of the Belle Vue Expression of Interest Proposal**

**Moved By** Councillor Crain

**Seconded By** Deputy Mayor Gibb

That:

1. Administration **BE DIRECTED** to prepare a by law to deem the entirety of the Belle Vue property, (the “Subject Lands”) as surplus; and,
2. Administration **BE DIRECTED** to proceed with negotiations with Amico/Loop regarding their Expression of Interest for Belle Vue and bring a report back to Council on the matter; and,
3. Use of the balance of funding in the Belle Vue Expression of Interest Project (Project #721002) **BE APPROVED** for use on the next steps in negotiations; and,
4. Administration **BE DIRECTED** that should negotiations on the Amico/Loop proposal fail, a report back on options regarding the procedure for the disposition of the Subject Lands be provided to Council; and,
5. Administration **BE DIRECTED** to provide a formal statement to the Belle Vue Conservancy (BVC) advising that Council has elected to divest itself of the Subject Lands and as such Council cannot support the further collection of donations of any kind for the restoration / maintenance of the Belle Vue Manor and grounds; and,
6. Administration **BE DIRECTED** to enter into discussions with the BVC regarding donor recognitions it has guaranteed as well as how the remaining donations, both cash and assets, should be addressed and report back to Council on those discussion for further direction.

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

That the main motion **BE AMENDED** to include that the report back to Council on the matter be on or before March 31, 2025.

The Mayor put the Motion.

**Motion Carried.**

Resolution: 20240923-003

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

That:

1. Administration **BE DIRECTED** to prepare a by law to deem the entirety of the Belle Vue property, (the “Subject Lands”) as surplus; and,
2. Administration **BE DIRECTED** to proceed with negotiations with Amico/Loop regarding their Expression of Interest for Belle Vue and bring a report back to Council on the matter by March 31, 2025; and,
3. Use of the balance of funding in the Belle Vue Expression of Interest Project (Project #721002) **BE APPROVED** for use on the next steps in negotiations; and,
4. Administration **BE DIRECTED** that should negotiations on the Amico/Loop proposal fail, a report back on options regarding the procedure for the disposition of the Subject Lands be provided to Council; and,
5. Administration **BE DIRECTED** to provide a formal statement to the Belle Vue Conservancy (BVC) advising that Council has elected to divest itself of the Subject Lands and as such Council cannot support the further collection of donations of any kind for the restoration / maintenance of the Belle Vue Manor and grounds; and,
6. Administration **BE DIRECTED** to enter into discussions with the BVC regarding donor recognitions it has guaranteed as well as how the remaining donations, both cash and assets, should be addressed and report back to Council on those discussion for further direction.



|                     | YES/CONCUR | NO/ NOT CONCUR    |
|---------------------|------------|-------------------|
| Councillor Allaire  | x          |                   |
| Councillor Courtney |            | N/A               |
| Councillor Crain    | x          |                   |
| Deputy Mayor Gibb   | x          |                   |
| Councillor McArthur | x          |                   |
| Councillor Pouget   |            | DECLARED CONFLICT |
| Mayor Prue          |            | x                 |

The Mayor put the Motion.

**Motion Carried.**

**Moved By** Councillor McArthur  
**Seconded By** Councillor Allaire

That a 5-minute recess **BE GRANTED.**

The Mayor put the Motion.

**Motion Carried.**

**9. PRESENTATIONS**

**9.1 Opportunity for Heritage Town Hall Development**

*Discussed above.*

**9.2 Space Needs Study - Spatial Needs Assessment Project (SNAP)**

*Discussed above.*

**10. REPORTS – CORPORATE SERVICES**

**10.1 2023 Year End (Q4) Budget to Actual Summaries and Transfers**

Resolution: 20240923-004

**Moved By** Councillor Allaire

**Seconded By** Deputy Mayor Gibb

1. It is recommended that: The Transfers to Reserves/Reserve Funds made by the Treasurer as outlined in Appendix A, B, and C to the 2023 Year End (Q4) Budget to Actual Summaries and Transfers Report **BE AFFIRMED**;
2. That 2023 over-expenditures and reserve transfers **BE APPROVED** as follows (Appendix B):
  - a. \$7,298.81 from Fleet Reserve 0065, and
  - b. \$1,426.01 from Park Reserve 1010, and
  - c. \$173,453.12 from Capital Water Reserve 0200.
3. That the Treasurer **BE AUTHORIZED** to transfer the taxation-supported surplus \$672,172.15 as follows (Appendix A):
  - a. \$450,000.00 to General Reserve Fund 0400, and
  - b. \$30,719.84 to Drainage Reserve Fund 2002, and
  - c. \$25,000.00 Employee related WSIB for fire 1009, and
  - d. \$166,452.31 (remaining) to Tax Stabilization 0100.
4. That the Treasurer **BE AUTHORIZED** to transfer (Appendix C):
  - a. \$62,313.76 from Building Reserve 0085, and
  - b. \$1,516,931.45 to Water Reserves 0200, and
  - c. \$1,303,014.00 to Wastewater Reserves 0210, and
  - d. \$230,094.01 for various Grant and Operating Reserve Transfers.

The Mayor put the Motion.

**Motion Carried.**

## 11. REPORTS - PARKS, RECREATION, FACILITIES AND CULTURE

### 11.1 Space Needs Study 2024

*Discussed above.*

### 11.2 Gordon House Information Report

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Crain

That Council **RECEIVE** this report for information.

The Mayor put the Motion.

**Motion Carried.**

### 11.3 320 Richmond Street Partial Demolition and New Parking Lot RFP #2024-026 Results

Resolution: 20240923-005

**Moved By** Councillor Allaire

**Seconded By** Deputy Mayor Gibb

1. The 320 Richmond Street Partial Demolition and New Parking Lot RFP #2024-026, project **BE AWARDED** to Bear Construction & Engineering Inc. in the amount of \$650,600.00+ HST, excluding contingency;
2. The Mayor and Clerk **BE AUTHORIZED** to execute an agreement with Bear Construction & Engineering Inc. for the 320 Richmond Street Partial Demolition and New Parking Project (#723044), subject in technical content to the Director of Parks, Facilities and Recreation, in financial content to the Director of Corporate Services/ Chief Financial Officer, and in legal content to the Chief Administrative Officer.
3. The project budget for 320 Richmond Street Partial Demolition and New Parking Project (#723044) **BE APPROVED** as \$700,000 and
4. Funding of \$700,000 for the 320 Richmond Street Partial Demolition and New Parking Project (#723044) be as follows:
5. \$518,773.86 **BE CONFIRMED** as the net proceeds from the sale of lands at 320 Richmond; and

Funding **BE REDUCED** from the following projects and **BE REDIRECTED** to the 320 Richmond Street Partial Demolition and New Parking Project (#723044):

6. \$20,000 (General Reserve 0400) from the Removal of Communication Tower project (#721019)
7. \$20,000 (New Capital Reserve 0401) from the Belle Vue Security project (723007)
8. \$121,226.14 (CCBF Reserve 0410) from the Parking Lot Maintenance project (724030) and
9. \$20,000 (New Capital Reserve 0401) from the Emergency Service Back Up Generator project (723014); and
10. The CAO **BE AUTHORIZED** to sign and/or approve any changes necessary to expand or modify the scope of work, provided additional services remain within the total project funding of \$700,000 inclusive of contingency plus HST.

The Mayor put the Motion.

**Motion Carried.**

## **12. REPORTS - INFRASTRUCTURE SERVICES**

*There are no reports.*

## **13. REPORTS - PLANNING AND DEVELOPMENT SERVICES**

### **13.1 Report Back on the Evaluation of the Belle Vue Expression of Interest Proposal**

*Discussed Above.*

### **13.2 Opportunity for Heritage Town Hall Development**

*Discussed Above.*

### **13.3 Summary of Site Plan Applications Since June 09, 2024**

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Allaire

That the report dated September 10, 2024, entitled Summary of Site Plan Control Applications **BE RECEIVED** for information.

The Mayor put the Motion.

**Motion Carried.**

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

*There are no reports.*

**15. INFORMATION REPORTS**

*There are no reports.*

**16. CONSENT CORRESPONDENCE**

*There is no consent correspondence.*

**17. CORRESPONDENCE**

**17.1 Royal Canadian Legion Ontario Command - 12th Annual Military Service Recognition Book - Request**

Resolution: 20240923-006

**Moved By** Councillor McArthur

**Seconded By** Deputy Mayor Gibb

1. A full colour quarter page advertisement **BE PURCHASED** in the amount of \$650.00 inclusive of HST;
2. This advertisement be charged to the Council Donations Account (10-5-100-1010-0348) for the Military Service Recognition Book of the Royal Canadian Legion Ontario Command.

The Mayor put the Motion.

**Motion Carried.**

**18. CONSENT OTHER MINUTES**

**18.1 Economic Development Advisory Committee Meeting Minutes -  
September 19, 2024**

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

That the Economic Development Advisory Committee Meeting Minutes from September 19, 2024 **BE RECEIVED**.

The Mayor put the Motion.

**Motion Carried.**

**19. OTHER MINUTES**

**20. UNFINISHED BUSINESS**

**20.1 Unfinished Business List (UFB) - September 2024**

**21. NEW BUSINESS**

Resolution: 20240923-007

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

That a letter of support from council **BE PROVIDED** to Bryerswood Youth Camp Optimist Club to support their application for the Federal Green and Inclusive Community Buildings Program which is being offered by Housing, Infrastructure and Communities Canada.

The Mayor put the Motion.

**Motion Carried.**

Resolution: 20240923-008

**Moved By** Councillor Pouget  
**Seconded By** Councillor Allaire

That Administration **BE DIRECTED** to provide Council and the Audit and Finance Committee with the following schedules to be included in the proposed 2024 budget document as recommended by a concerned citizen and a highly respected member of the Audit and Finance Committee. This report would indicate the 2023 budget amounts. These schedules would include:

1. Summary revenues & expenses of actuals – variance in 2023 budget
2. Summary of expenses 2023 – budget actuals variance
3. Consolidated schedule of reserve and reserve funds

This report would make it easier and more efficient for Council and our ratepayers to understand.

|                     | YES/CONCUR | NO/ NOT CONCUR |
|---------------------|------------|----------------|
| Councillor Allaire  | x          |                |
| Councillor Courtney | N/A        |                |
| 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 Pouget  
**Seconded By** Councillor Allaire

That Council **TO WAIVE** the rules of procedure in order for an individual to speak from the audience.

The Mayor put the Motion.

**Motion Failed.**

**22. NOTICE OF MOTION**

**22.1 Notice of Motion of September 9 –Reconsideration of Council Resolution 20240625-019 -Deputy Mayor Gibb**

Resolution: 20240923-009

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Crain

That:

Council Resolution 20240625-019, namely,

“That any recommendations of Council with regards to new fees **BE BROUGHT** forward to the Economic Development Advisory Committee and the Audit and Finance Advisory Committee before coming back to Council,”

**BE RECONSIDERED** so that the motion can be restated to focus exclusively on new fees affecting commercial and industrial businesses related to Business Licensing or Encroachments for the 2022-2026 term of Council.

The Mayor put the Motion.

**Motion Carried.**

Resolution: 20240923-010

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor Crain

That recommendations regarding new fees that apply to commercial and industrial businesses related to businesses licences or encroachments **BE REFERRED** to the Economic Development Advisory Committee and the Audit and Finance Committee before coming to Council during the reminder of the 2022-2026 term of Council.

The Mayor put the Motion.

**Motion Carried.**



**22.2 Notice of Motion of September 23, 2024 - Reconsideration of Council Resolution 20240527-008 - Councillor Allaire**

To be deliberated October 15, 2024

That Council Resolution 20240527-008, namely,

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.

**BE RECONSIDERED** so that a motion can be made to remove the authority to enter into temporary patio agreements on municipal property.

**23. BY-LAWS**

**23.1 By-law 2024-020 – Replacement of Access Culverts over the Deslippe Drain- Third and Final Reading**

Resolution: 20240923-011

**Moved By** Deputy Mayor Gibb

**Seconded By** Councillor McArthur

**By-law 2024-020** being a by-law to provide for the Replacement of Access Culverts over the Deslippe Drain 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 2024-069 - Confirmatory By-law**

Resolution: 20240923-012

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

By-law 2024-069 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on September 23, 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 Allaire  
**Seconded By** Deputy Mayor Gibb

That Council **RISE AND ADJOURN** at 8:56 p.m.

The Mayor put the motion.

**Motion Carried.**

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MAYOR - MICHAEL PRUE

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KEVIN FOX - CLERK