



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
MINUTES**

Tuesday, October 15, 2024

6:00 P.M.

Council Chambers

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

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

STAFF PRESENT Kevin Fox - Clerk
Valerie Critchley - CAO
Sarah Sabihuddin - Deputy Clerk

1. CALL TO ORDER

The Mayor called the meeting to order at 6:02pm

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

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 – Update on Ontario Land Tribunal Matters

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.

7. MINUTES OF PREVIOUS MEETING

Moved By Deputy Mayor Gibb

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 - September 9, 2024

7.2 Regular Council Meeting Minutes - September 23, 2024

The Mayor put the Motion.

Motion Carried.

8. DELEGATIONS

8.1 Delegation: Item 15.1 - Bryerswood Youth Camp Optimist Club

Moved By Councillor McArthur

Seconded By Councillor Crain

That:

1. The delegation **BE RECEIVED**, and;
2. Item 15.1 **BE BROUGHT** forward.

The Mayor put the Motion.

Motion Carried.

15.1 Gravel Road Conversion Request

Resolution: 20241015-001

Moved By Councillor McArthur

Seconded By Councillor Pouget

That Administration **TO BRING** forward to the 2025 budget the costs of tar & chip of Texas Road from Howard Avenue to the 6th Concession North.

The Mayor put the Motion.

Motion Carried.

8.2 Delegation: Item 11.1 - Community Sport and Recreation Infrastructure Fund - Bill Petruniak

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

That the delegation **BE RECEIVED.**

The Mayor put the Motion.

Motion Carried.

9. PRESENTATIONS

10. REPORTS – CORPORATE SERVICES

There are no reports.

11. REPORTS - PARKS, RECREATION, FACILITIES AND CULTURE

11.1 Community Sport and Recreation Infrastructure Fund

Resolution: 20241015-002

Moved By Councillor Courtney

Seconded By Councillor Allaire

That:

1. The Chief Administrative Officer and Director of Parks, Facilities and Recreation **BE AUTHORIZED** to apply to the Community Sport and Recreation Infrastructure Fund, for H. Murray Smith Centennial Park Tennis and Multi-Use Courts, subject to the documents being satisfactory in legal form to the Chief Administrative Officer, in technical content to the Director of Parks, Facilities and Recreation, and in financial content to the Chief Financial Officer; and,
2. The following funding identified in 2025 **BE DESIGNATED** to address the \$530,000 in funding required by the Town for all matching and ineligible project costs:
 - a. New Capital Reserve (0400): \$254,400
 - b. DC Parks (0124): \$275,600
3. The following recommendations **BE APPROVED** upon written confirmation of the Town being awarded the grant funding:
 - a. The Chief Administrative Officer and Clerk **BE AUTHORIZED** to sign and execute any agreements, declarations or approvals required resulting from receiving funding under the Community Sport and Recreation Infrastructure Fund grant, satisfactory in financial content to the Chief Financial Officer, and in technical content to the Director of Parks, Facilities and Recreation; and,
 - b. Authority **BE DELEGATED** to the Chief Administrative Officer to approve the final project scope and deliverables to maximize use of the grant and the Town's \$530,000 in funding; and,
 - c. The Chief Administrative Officer and Clerk **BE AUTHORIZED** to take any such action required to affect the recommendations noted above and sign any required documentation/agreement(s) for the implementation of the H. Murray Smith Centennial Park Tennis and Multi-Use Courts project, satisfactory in legal form to the Clerk, in technical content to the Director of

Parks, Facilities and Recreation and in financial content to the Chief Financial Officer; and,

- d. The funding sources as noted above **BE APPROVED** for immediate use; and,
 - e. Authority **BE DELEGATED** to the Chief Administrative Officer to award and issue purchase orders and or sign and execute any agreements as may be required for the necessary services to execute the scope of work for the H. Murray Smith Centennial Park Tennis and Multi-Use Courts; and,
4. Should the Town be unsuccessful with the Community Sport and Recreation Infrastructure Fund grant application, Council **APPROVE** the \$530,000 in funding to be used for the H. Murray Smith Centennial Park Tennis project with final determination of what is built to be decided by Council, and funded from the following 2025 funding sources:
- a. New Capital Reserve (0400): \$254,400
 - b. DC Parks (0124): \$275,600; and,
 - c. Authority **BE DELEGATED** to the Chief Administrative Officer to approve the final project scope and deliverables to maximize use of the Town's \$530,000 in funding; and,
 - d. Authority **BE DELEGATED** to the Chief Administrative Officer to award and issue purchase orders and or sign and execute any agreements as may be required for the necessary services to execute the scope of work for the H. Murray Smith Centennial Park Tennis and Multi-Use Courts.
5. Administration **BE DIRECTED** to add the assets created by the H. Murray Smith Centennial Park Tennis and Multi-Use Courts project to the 2025 Asset Management Plan for lifecycle rehabilitation and replacement.

The Mayor put the Motion.

Motion Carried.

12. REPORTS - INFRASTRUCTURE SERVICES

There are no reports.

13. REPORTS - PLANNING AND DEVELOPMENT SERVICES

13.1 Road Dedication of Reserve on Lavers Crescent, Blk 94, 12M-441

Resolution: 20241015-003

Moved By Councillor Courtney

Seconded By Councillor Pouget

That:

1. The dedication of Block 94 on 12M-441 (Reserve on Lavers Crescent) as a Public Highway **BE APPROVED**; and,
2. **By-law 2024-071** being a by-law to dedicate Block 94 on 12M-441 as a Public Highway 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.

14. REPORTS - CAO's OFFICE

14.1 Adoption of the 2025 Calendar of Council Meetings

Resolution: 20241015-004

Moved By Deputy Mayor Gibb

Seconded By Councillor Pouget

1. The 2025 Calendar of Council Meetings **BE APPROVED**, as presented; and,
2. Section 3.8 of the Procedural By-law requiring that Regular Council Meetings be held the 2nd and 4th Monday of each month **BE WAIVED** for the months of June, November and December.

The Mayor put the Motion.

Motion Carried.

14.2 Special Events Approval Part 7

Resolution: 20241015-005

Moved By Councillor McArthur
Seconded By Deputy Mayor Gibb

That:

1. The following events **BE APPROVED**:
 - a. Town of Amherstburg – Holiday Market
 - b. Amherstburg Santa Claus Parade
 - c. River Lights Winter Festival
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. Amherstburg Santa Claus Parade
3. The Special Events Resource Team **BE DIRECTED** to confirm that the requirements identified by the Team are met prior to the event.

The Mayor put the Motion.

Motion Carried.

14.3 Amherstburg Emergency Management Program and Response Plans – 2024 Update

Resolution: 20241015-006

Moved By Councillor Courtney
Seconded By Councillor Crain

That:

1. The updated Emergency Management Program and Response Plan **BE APPROVED**; and,
2. **By-law 2024-072** being a by-law to adopt an Emergency Management Program governing the provisions of necessary services during such emergencies 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. INFORMATION REPORTS

15.1 Gravel Road Conversion Request

Previously Discussed.

16. CONSENT CORRESPONDENCE

16.1 AMO Report - Canada Community-Building Fund (CCBF)

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

That the AMO Report - Canada Community-Building Fund **BE RECEIVED.**

The Mayor put the Motion.

Motion Carried.

17. CORRESPONDENCE

17.1 National Disability Employment Month (NDEAM)

Resolution: 20241015-007

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

That:

1. The Town of Amherstburg **TO PROCLAIM** October National Disability Employment Awareness Month (NDEAM); and,
2. The Town of Amherstburg **LIGHT UP** Town Hall in purple and/or blue on Thursday, October 17th. in recognition of Light It Up! For NDEAM.

The Mayor put the Motion.

Motion Carried.

17.2 Amherstburg Firefighters Association - Cornhole Tournament Sponsorship

Resolution: 20241015-008

Moved By Councillor Courtney

Seconded By Councillor Allaire

That a \$500 donation **BE MADE** to the Amherstburg Firefighters Association for the Cornhole Tournament Sponsorship.

The Mayor put the Motion.

Motion Carried.

17.3 Kings Coronation Medals - Nomination

Resolution: 20241015-009

Moved By Councillor Crain

Seconded By Councillor Pouget

That:

1. The Kings Coronation Medals correspondence **BE RECEIVED**, and;
2. This **BE BROUGHT** back to Council In-Camera to be discussed.

The Mayor put the Motion.

Motion Carried.

18. CONSENT OTHER MINUTES

Moved By Deputy Mayor Gibb

Seconded By Councillor Crain

That the following minutes **BE RECEIVED**:

18.1 August 8, 2024 Heritage Committee Meeting Minutes

18.2 August 21, 2024 Parks and Recreation Meeting Minutes

18.3 August 22, 2024 Amherstburg Accessibility Advisory Committee Meeting Minutes

18.4 September 4, 2024 Committee of Adjustment Meeting Minutes

The Mayor put the Motion.

Motion Carried.

19. OTHER MINUTES

19.1 Drainage Board Meeting Minutes – September 10, 2024

Moved By Councillor Allaire

Seconded By Councillor Crain

1. The Drainage Board Meeting Minutes of September 10, 2024 **BE RECEIVED**;
2. The engineer's preliminary report, prepared by R. Dobbin Engineering Inc. dated July 17, 2024 for the improvements to the Shipman Drain (2024) **BE RECEIVED** by Council; as recommended by the Drainage Board;
3. The reconsidered engineer's report for the construction of the General Drain (2024) **BE RECEIVED**; and Council **PROVISIONALLY ADOPT By-law 2024-047** which appends the reconsidered engineer's report for the construction of the General Drain (2024) by giving first and second reading and the Mayor and Clerk **BE AUTHORIZED** to sign same; as recommended by the Drainage Board;
4. Council **ACCEPT** the request from the landowner(s) for improvements to the Albert McGee Upper Drain drainage system as per Section 78 of the Drainage

Act; and Council **APPOINT** Oliver Moir, P.Eng., of Dillon Consulting Limited to examine and report on the repair and improvement to the Albert McGee Drain (Upper) drainage system, as recommended by the Drainage Board;

5. Council **ACCEPT** the request from the landowner(s) for a Petition Drain under Section 4 of the Drainage Act; and Council **APPOINT** Josh Warner, P.Eng., of R. Dobbin Engineering Inc. under Section 4 of the Drainage Act for the validation, examination and report on the petition for a new Municipal Drain, as recommended by the Drainage Board; and
6. The report from the Drainage Superintendent and Engineering Coordinator dated August 26, 2024 regarding Drainage Apportionment(s) **BE RECEIVED**; and the drainage apportionments **BE APPROVED** as listed in the Drainage Board Minutes, as recommended by the Drainage Board.

The Mayor put the Motion.

Motion Carried.

20. UNFINISHED BUSINESS

20.1 Unfinished Business List – October

21. NEW BUSINESS

22. NOTICE OF MOTION

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

To be deliberated October 15, 2024

Moved By _____

Seconded By _____

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.

The Mayor put the Motion.

Motion Carried.

23. BY-LAWS

23.1 By-law 2024-078 - By-law to Amend By-law 2022-054

Moved By _____

Seconded By _____

That By-law 2024-078, being a By-law to Amend By-law 2022-054, 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 2024-056 - By-law to Amend User Fee By-law 2023-012

Moved By _____

Seconded By _____

That By-law 2024-056 being a By-law to Amend By-law 2023-112, 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.

23.3 By-law 2024-077 - Confirmatory By-law

Moved By _____

Seconded By _____

That By-law 2024-077 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on October 15, 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 _____

Seconded By _____

That Council rise and adjourn at _____ p.m.

The Mayor put the Motion.

Motion Carried.

MAYOR - MICHAEL PRUE

KEVIN FOX - CLERK