



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
MINUTES**

Monday, November 25, 2024

6:00 P.M.

Council Chambers

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

PRESENT Mayor Michael Prue (*Electronic Participation*)
 Deputy Mayor Gibb
 Councillor Molly Allaire
 Councillor Linden Crain
 Councillor Donald McArthur
 Councillor Diane Pouget
 Councillor Peter Courtney (*Electronic Participation*)

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

1. CALL TO ORDER

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

2. NATIONAL ANTHEM

3. ROLL CALL

4. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

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

Report Out from In-Camera Session – November 12, 2024

It was moved that Council enter into an In-Camera Meeting of Council pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reasons:

Item A – Collective Bargaining Update

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

And Council directed that Administration proceed on their verbal direction.

Item B – Project Negotiation Update

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

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 directed that Administration proceed on their verbal direction.

Report Out from In-Camera Session – November 25, 2024

Item A – Update on Ontario Land Tribunal Matters

Item Deferred.

Item B – Update on Employee Negotiations

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 this matter for informational purposes.

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 In-Camera Council Meeting Minutes - September 23, 2024 (Confidential)**
- 7.2 Special In-Camera Council Meeting - September 27, 2024 (Confidential)**
- 7.3 Special In-Camera Council Meeting - September 27, 2024 (Public)**
- 7.4 Special In-Camera Council Meeting Minutes - October 15, 2024 (Confidential)**
- 7.5 Regular Council Meeting Minutes - October 15, 2024**
- 7.6 Regular Council Meeting Minutes - October 28, 2024**
- 7.7 Special Council Meeting Minutes - November 1, 2024**

The Deputy Mayor put the Motion.

Motion Carried.

8. RECOGNITIONS

None.

9. DELEGATIONS

9.1 Delegation: Item 14.1 - Report Back on Open Air and Business Survey - Carolyn Davies

Moved By Councillor Allaire

Seconded By Councillor Crain

That the delegation **BE RECEIVED**.

The Deputy Mayor put the Motion.

Motion Carried.

Moved By Councillor Pouget

Seconded By Councillor Allaire

That the rules of order **BE WAIVED** to allow member of the audience to speak.

The Deputy Mayor put the Motion.

Motion Failed.

10. PRESENTATIONS

10.1 2024 Development Charges Background Study Presentation – Daryl Abbs, Watson and Associates Economists Ltd

Moved By Councillor Allaire

Seconded By Councillor Pouget

That:

1. The delegation **BE RECEIVED** and;
2. Item 14.3 **BE BROUGHT FORWARD**.

The Deputy Mayor put the Motion.

Motion Carried.

14.3 Development Charges Background Study and By-law 2024-085

Resolution: 20241125-001

Moved By Councillor Pouget

Seconded By Councillor Crain

That:

1. The assumptions contained in the 2024 Development Charges Background Study, dated September 16, 2024 **BE ADOPTED** as an anticipation with respect to capital grants, subsidies and other contributions;
2. The Development Charges approach to calculating wastewater charges on the wastewater serviced area and on a uniform Municipal-wide basis for all services **BE CONTINUED**;
3. The capital projects set out in Chapter 5 of the 2024 Development Charges Background Study dated September 16, 2024 **BE APPROVED**, subject to annual review during the capital budget process;
4. The 2024 Development Charges Background Study, dated September 16, 2024 as prepared by Watson & Associates Economists Ltd. **BE APPROVED AND ADOPTED** and no further public meeting be required with respect to the 2024 Development Charges Background Study and By-law; and,
5. Administration **ENSURE** wherever appropriate, grants, subsidies and other contributions be clearly designated by the donor as being to the benefit of existing development or new development, as applicable;
6. **By-law 2024-085** being a By-law for the imposition of Development Charges, to be effective January 1, 2025 for the ten (10) year period ending December 31, 2034, be taken as having been read three times and finally adopted and the Mayor and Clerk **BE AUTHORIZED** to sign same.

The Deputy Mayor put the Motion.

Motion Carried.

11. REPORTS – CORPORATE SERVICES

11.1 2023 Year End Reporting: Audited Consolidated Financial Statements, Financial Indicators, Building Services Annual Statement, Development Charge Reserve Funds Statement, and 2023 Parkland Dedication Reserve Statement

Resolution: 20241125-002

Moved By Councillor Crain

Seconded By Councillor McArthur

1. The report from the Treasurer dated October 18, 2024 regarding 2023 Year End Reporting: Audited Consolidated Financial Statements, Building Services Annual Statement and Amended Development Charge Reserve Funds Statement **BE RECEIVED**;
2. The Audited Consolidated Financial Statements for the year ended December 31, 2023 **BE APPROVED**;
3. The Audit Findings Report of KPMG for the year ended December 31, 2023 **BE RECEIVED**;
4. Administration **BE AUTHORIZED** to post the 2023 Consolidated Financial Statements on the Town of Amherstburg website;
5. The Financial Indicators for the year ending December 31, 2023 **BE RECEIVED**;
6. The Statement of Revenue and Expenses and Accumulated Net Expense for Building Services for the year ended December 31, 2023 **BE RECEIVED**;
7. The Development Charges Reserve Funds Statement, for the year ended December 31, 2023 **BE RECEIVED**; and,
8. The Parkland Dedication Reserve Statement, for the year ended December 31, 2023 **BE RECEIVED**.

The Deputy Mayor put the Motion.

Motion Carried.

12. REPORTS - PARKS, RECREATION, FACILITIES AND CULTURE

No Reports.

13. REPORTS - INFRASTRUCTURE SERVICES

No Reports.

14. REPORTS - PLANNING AND DEVELOPMENT SERVICES

14.1 Report Back on Open Air and Business Survey

Moved By Councillor Allaire

Seconded By Councillor Crain

That Item 20.2 **BE BROUGHT** forward.

The Deputy Mayor put the Motion.

Motion Carried.

20.2 Economic Development Advisory Committee Meeting Minutes -

November 21, 2024

Moved By Councillor Crain

Seconded By Councillor McArthur

That:

1. The report on the Open Air including the Business Survey and Open House **BE RECEIVED** for information; and
2. Council **SUPPORT** the continuation of Open Air, in the same format, same times, and same duration, for the remainder of the current term of Council.

Moved By Councillor Crain

Seconded By Councillor McArthur

That the debate **BE CLOSED**.

The Deputy Mayor put the Motion.

Motion Failed.

Resolution: 20241125-003

Moved By Councillor Crain

Seconded By Councillor McArthur

That:

1. The report on the Open Air including the Business Survey and Open House **BE RECEIVED** for information; and
2. Council **SUPPORT** the continuation of Open Air, in the same format, same times, and same duration, for the remainder of the current term of Council.

	Yes/Concur	No/Not Concur
Councillor Allaire		X
Councillor Courtney		
Councillor Crain	X	
Deputy Mayor Gibb	X	
Councillor McArthur	X	
Councillor Pouget		X
Mayor Prue	X	

The Deputy Mayor put the Motion.

Motion Carried.

14.2 Repeal and Replace 2016-93, a By-law to Dedicate a Reserve on Annie Avenue, Part 3, 12R-26778, as a Public Highway

Resolution: 20241125-004

Moved By Councillor McArthur

Seconded By Councillor Allaire

That:

1. The dedication of Part 3 on 12R-26778 (reserve on Annie Avenue) as a Public Highway **BE APPROVED**; and,
2. **By-law 2024-087** being a by-law repeal and replace 2016-93 to dedicate Part 3 on 12R-26778 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 Deputy Mayor put the Motion.

Motion Carried.

14.3 Development Charges Background Study and By-law 2024-085

As Discussed Above.

15. REPORTS - CAO's OFFICE

15.1 Agent of Change/Vacant Building Registry

Moved By Councillor Crain

Seconded By Councillor McArthur

That:

1. The report dated October 3, 2024 regarding the Use of Agent of Change/Vacant Building Registry **BE RECEIVED and FILED** for information.

The Deputy Mayor put the Motion.

Motion Carried.

16. INFORMATION REPORTS

16.1 2024 Long Service Award Recognition

16.2 2024 Retirement Recognition

Moved By Councillor Allaire

Seconded By Councillor Crain

That:

1. The report prepared by the Human Resources/Health and Safety Business Partner dated October 16, 2024 regarding Long Service Award Recognition **BE RECEIVED** for information.
2. The report prepared by the Human Resources/Health and Safety Business Partner dated October 16, 2024 regarding Retirement Recognition **BE RECEIVED** for information.

The Deputy Mayor put the Motion.

Motion Carried.

17. CONSENT CORRESPONDENCE

There is no consent correspondence.

18. CORRESPONDENCE

18.1 Letter re: Travel Health Grant - Kait Lowe

Resolution: 20241125-005

Moved By Councillor Crain

Seconded By Councillor Allaire

That a letter **BE SENT** to MPP Leardi and the Minister of Health advocating for a Travel Health Grant for Southwestern Ontario, specifically Windsor-Essex County.

The Deputy Mayor put the Motion.

Motion Carried.

19. CONSENT OTHER MINUTES

Moved By Councillor Crain

Seconded By Councillor McArthur

That the following minutes **BE RECEIVED**:

19.1 Heritage Committee Meeting Minutes - October 10, 2024

19.2 Audit and Finance Advisory Committee Meeting Minutes - October 22, 2024

The Deputy Mayor put the Motion.

Motion Carried.

20. OTHER MINUTES

20.1 Drainage Board Meeting Minutes – November 5, 2024

Resolution: 20241125-006

Moved By Councillor Allaire

Seconded By Councillor Pouget

That:

1. The Drainage Board Meeting Minutes of November 5, 2024 **BE RECEIVED**; and
2. The request from the County of Essex Road Authority for a Petition for Drainage under Section 4 of the Drainage Act **BE ACCEPTED**; and,

3. Gerard Rood, P.Eng., of Rood Engineering Inc. **BE APPOINTED** under Section 4 of the Drainage Act for the examination and report on a Municipal Drainage System, as recommended by the Drainage Board.

The Deputy Mayor put the Motion.

Motion Carried.

20.2 Economic Development Advisory Committee Meeting Minutes - November 21, 2024

Discussed Above.

21. UNFINISHED BUSINESS

21.1 Unfinished Business List – November

22. NEW BUSINESS

Resolution: 20241125-007

Moved By Councillor Crain

Seconded By Councillor McArthur

That Administration **BE DIRECTED** to provide comments to the Ministry of Energy and Electrification on proposed legislative amendments to energy planning, regulatory changes and the development of a provincial energy plan and delegate to the Minister at ROMA in 2025

The Deputy Mayor put the Motion.

Motion Carried.

Resolution: 20241125-008

Moved By Councillor Pouget

Seconded By Councillor Allaire

That Administration **BE DIRECTED** to provide Council with a report on December 16, 2024 regarding a request from the homeowners at 490 Dalhousie Street to extend the width of their driveway at said address.

The Deputy Mayor put the Motion.

Motion Carried.

23. NOTICE OF MOTION

Notice of Motion of November 25, 2024 - Community Safety Zone Boundaries –
Councillor McArthur.

To be Deliberated December 16, 2024.

Whereas the County of Essex has established a Community Safety Zone on County Road 8 from County Road 3 to 200 metres east of Concession Road 3, encompassing the frontage of St. Joseph Catholic Elementary School;

Whereas the Council of the Town of Amherstburg has directed staff, by Resolution 20240812-029, to report back on the feasibility of creating a Community Safety Zone spanning the built-up residential area of Concession Road 3 North leading to St. Joseph Catholic Elementary School;

Whereas the intersection of County Road 8 and South Riverview Drive is of a unique design and comprised of a local road and a County road connecting to an historic bridge connecting two County roads and two municipalities;

Whereas the County of Essex intends to install plaques on either side of the landmark bridge celebrating its heritage value that will attract additional tourist traffic, including drivers unfamiliar with the unique design of this intersection and its traffic patterns;

Whereas the intersection is a crucial link on the active transportation networks of the Town of Amherstburg and the County of Essex linking to the Town of LaSalle;
and

Whereas the Building and Grounds Committee at St. Joseph Parish in River Canard has asked in its newsletter for parishioners to file online traffic complaints with Windsor Police Services – Amherstburg Detachment because “traffic in and around St. Joseph Church has changed dramatically” and made it “dangerous” for parishioners to access parking lots for mass and other Church activities;

Be it Resolved that the Town of Amherstburg work with the County of Essex **TO EXTEND** the Community Safety Zone boundaries to include all of the church property, especially the parking lots, and examine the intersection and corridor for safety improvements, including a potential speed limit reduction.

24. BY-LAWS

24.1 By-Law 2024-082 - Confirmatory By-law

Moved By Councillor Allaire

Seconded By Councillor Crain

That By-law 2024-082 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on the November 1, 12 & 25, 2024 be taken as having been read three times and finally passed and the Mayor and Clerk **BE AUTHORIZED** to sign same.

The Deputy Mayor put the Motion.

Motion Carried.

25. ADJOURNMENT

Moved By Councillor Courtney

Seconded By Councillor Allaire

That Council **RISE AND ADJOURN** at 8:24 p.m.

The Mayor put the Motion.

Motion Carried.

DEPUTY MAYOR – CHRIS GIBB

KEVIN FOX - CLERK