



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING
MINUTES**

Monday, January 27, 2025

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 6:22pm

2. NATIONAL ANTHEM

3. ROLL CALL

4. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

(Public Council Meeting Agenda Items)

Councillor Allaire declared a conflict on item 20.1 in regards to the Shipman Drain due to the proximity of the drain to her parents' home.

Councillor Pouget declared a conflict on Bellevue due to the proximity of her home.

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

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 – 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 the matter was received for informational purposes.

Item B – Legal Advice and Information Regarding a Contract for Operational Services Provided to the Town of Amherstburg

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

And Administration was directed to proceed on the verbal direction of Council.

Item C – Update Regarding Potential Advertising Contracted Services

- 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 the matter was received for informational purposes.

Item D – Legal Advice and Recommendations Regarding Municipal Agreements for Emergency Service Provision

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

And Administration was directed to proceed on the verbal direction of Council.

Resolution: 20250127-001

Moved By Councillor Pouget

Seconded By Councillor Crain

That:

1. Administration **BE DIRECTED** to call a meeting with a solicitor and Council as quickly as possible to determine if there were any violations between the agreements between the developer of Bob-Lo Island and the municipality of the Town of Amherstburg during the recent 4 day shutdown.
2. The Solicitor **SHOULD ADVISE** Council what actions are necessary to protect our Bob-Lo Island residents and the possible liability for our Town, if no action is taken.

The Mayor put the Motion.

Motion Carried.

7. MINUTES OF PREVIOUS MEETING

Moved By Deputy Mayor Gibb

Seconded By Councillor Allaire

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 **October 28, 2024 - Special In-Camera Council Meeting (PUBLIC)**
- 7.2 **October 28, 2024 - Special In-Camera Council Meeting (CONFIDENTIAL)**
- 7.3 **November 12, 2024 - Special In-Camera Council Meeting (PUBLIC)**
- 7.4 **November 12, 2024 - Special In-Camera Council Meeting (CONFIDENTIAL)**
- 7.5 **November 18, 2024 - Special In -Camera Council Meeting (PUBLIC)**
- 7.6 **November 18, 2024 - Special In-Camera Council Meeting (CONFIDENTIAL)**
- 7.7 **November 25, 2024 - Regular Council Meeting Minutes**
- 7.8 **November 25, 2024 - Special In-Camera Council Meeting Minutes (PUBLIC)**
- 7.9 **November 25, 2024 - Special In-Camera Council Meeting Minutes (CONFIDENTIAL)**
- 7.10 **December 3, 2024 - Special In-Camera Council Meeting (PUBLIC)**
- 7.11 **December 3, 2024 - Special In-Camera Council Meeting Minutes (CONFIDENTIAL)**
- 7.12 **Special Council Meeting Minutes - Budget - December 9th, 2024**
- 7.13 **December 16, 2024 - Special In-Camera Council Meeting Minutes (PUBLIC)**
- 7.14 **December 16, 2024 - Special In-Camera Council Meeting (CONFIDENTIAL)**
- 7.15 **December 16, 2024 - Special Council Meeting Minutes – Planning**

The Mayor put the Motion.

Motion Carried.

8. RECOGNITIONS

9. DELEGATIONS

9.1 Delegation- Item 12.1 Angstrom Park Commemorative Bench - Jennifer and John Faber

Moved By Councillor Allaire
Seconded By Deputy Mayor Gibb

That the delegation **BE RECEIVED**.

The Mayor put the Motion.

Motion Carried.

Moved By Councillor Allaire
Seconded By Councillor Courtney

That Item 12.1 **BE BROUGHT** forward.

The Mayor put the Motion.

Motion Carried.

Moved By Councillor Allaire
Seconded By Deputy Mayor Gibb

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

The Mayor put the Motion.

Motion Carried.

Resolution: 20250127-002

Moved By Councillor McArthur
Seconded By Councillor Allaire

That:

1. The Angstrom Park Commemorative Bench report dated January 27, 2025 **BE RECEIVED** for information.
2. Council **TO PROCEED** with a modified Option A with an AODA accessible memorial bench in Golfview Park until such a time as consultations are complete and the bench can be moved to Angstrom park and in the meantime a plaque be placed on the existing bench in Angstrom Park.

The Mayor put the Motion.

Motion Carried.

9.2 Delegation- Item 13.3 Amherstburg Water Treatment Plant Reservoir Upgrade and Redundancy Protection Project – Tender Results Bill Petruniak

Moved By Councillor Allaire
Seconded By Councillor Pouget

That the delegation **BE RECEIVED**.

The Mayor put the Motion.

Motion Carried.

Moved By Councillor Pouget
Seconded By Councillor Crain

That Item 13.3 **BE BROUGHT** forward.

The Mayor put the Motion.

Motion Carried.

13.3 Amherstburg Water Treatment Plant Reservoir Upgrade and Redundancy Protection Project – Tender Results

Resolution: 20250127-003

Moved By Councillor Crain
Seconded By Deputy Mayor Gibb

That:

1. A total project budget of \$16,405,964, inclusive of non-recoverable HST, **BE APPROVED** for the Amherstburg Water Treatment Plant Reservoir Upgrade and Redundancy Protection Project (AWTP) (#722007) and;
2. Funding of \$2,242,700 in the Urban Road Rehabilitation Program (RDS-002-23), approved in principle for 2026, **BE RESCINDED** and the \$942,700 in General Reserve (0400) funding for this project to being reallocated as follows;
 1. ENV-003-23 in 2026 for \$500,000 and
 2. RDS-004-23 in 2026 for \$400,000 and
 3. Remaining \$42,700 remain in the General Reserve (0400)

3. The funding shortfall for the AWTP project (#722007) of \$5,773,464 **BE APPROVED** as follows:
 1. 2025 Development Charge Water Reserve (0126) in the amount of \$1,900,000;
 2. 2026 Development Charge Highway Reserve (0123) in the amount of \$1,630,764;
 3. 2026 OCIF (0625) funding previously identified for the Urban Road Rehabilitation (RDS-002-23) in the amount of \$1,300,000;
 4. 2026 OCIF (0625) funding previously identified for Mill and Pave Program (RDS-004-23) in the amount of \$400,000;
 5. 2026 OCIF (0625) funding previously identified for the Sanitary Sewer Upgrades and Replacements (ENV-003-23) project in the amount of \$500,000 and
 6. 2025 OCIF (0625) funding current in the reserve in the amount of \$42,700
4. Administration **BE DIRECTED** to set up a repayment schedule for the use of \$1,630,764 from the DC Highway (0123) reserve for the ATWP project with said repayment to be in accordance with the Development Charges Act, and the funding source for the repayment to be from Water DC's collected in future years, ensuring such repayment does not adversely impact planned capital projects and;
5. Council **AUTHORIZE** the Chief Administrative Officer and Clerk to execute an agreement with Amico Design Build Inc., to complete the Amherstburg Water Treatment Plant Reservoir Upgrade and Redundancy Protection Project (#722007) as outlined in the tender documents in the amount of \$15,181,875.00 plus HST, subject to approval of content by the Director of Infrastructure Services and to financial content by the Director of Corporate Services/Chief Financial Officer.

The Mayor put the Motion.

Motion Carried.

9.3 Delegation- Item 13.5 - Request to Name Section of King Street as Mac Simpson Way - Cari - Lynn Ristic & Mary- Katherine Whelan

Resolution: 20250127-004

Moved By Councillor Crain
Seconded By Councillor Pouget

That the delegation **BE RECEIVED**.

The Mayor put the Motion.

Motion Carried.

Moved By Councillor Pouget
Seconded By Councillor Crain

That Item 13.5 **BE BROUGHT** forward.

The Mayor put the Motion.

Motion Carried.

13.5 Request to Name Section of King Street as Mac Simpson Way

Resolution: 20250127-005

Moved By Councillor Crain
Seconded By Deputy Mayor Gibb

That the request from Amherstburg Freedom Museum for the honorary naming of King Street from Simcoe Street to Gore Street as Mac Simpson Way **BE APPROVED**.

The Mayor put the Motion.

Motion Carried.

9.4 Delegation-Item 13.4 - Request to Name Section of Dalhousie Street as Veterans Way Shawn Wilkie

Moved By Councillor Allaire
Seconded By Councillor Crain

That the delegation **BE RECEIVED**.

The Mayor put the Motion.

Motion Carried.

13.4 Request to Name Section of Dalhousie Street as Veterans Way

Resolution: 20250127-006

Moved By Councillor Allaire

Seconded By Councillor Courtney

That the request from Royal Canadian Legion Fort Malden Branch 157 for the honorary naming of Dalhousie Street from Gore Street to Fort Malden as Veterans Way **BE APPROVED**.

The Mayor put the Motion.

Motion Carried.

10. PRESENTATIONS

10.1 Essex Region Conservation Authority (ERCA) - 2025 Draft Budget - Tim Byrne

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

That the presentation **BE RECEIVED** and the 2025 Draft Budget proposal **BE SUPPORTED**.

The Mayor put the Motion.

Motion Carried.

11. REPORTS – CORPORATE SERVICES

11.1 2025 Interim Tax Levy Bylaw 2025-007

Resolution: 20250127-007

Moved By Councillor Courtney

Seconded By Councillor Allaire

That By-law 2025-007, being a By-law to provide for an interim tax levy in default **BE TAKEN** as having been read three times and passed and the Mayor and Clerk be authorized to sign the same thereto.

The Mayor put the Motion.

Motion Carried.

Resolution: 20250127-008

Moved By Councillor Allaire

Seconded By Councillor Pouget

That only the final tax rate **BE PROVIDED** in the tax insert.

The Mayor put the Motion.

Motion Carried.

11.2 2025 Final Approved Operating & Capital Budgets

Resolution: 20250127-009

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

That:

1. The 2025 Operating Budget **BE ADOPTED** and the 2025 total own purposes tax levy of \$33,746,556 including \$32,281,600 general levy and \$1,464,956 special capital levy, **BE APPROVED**; and,
2. The 2025 5-year Capital Budget **BE ADOPTED**, with \$13,555,200 in capital projects for 2025 **BE APPROVED**, with expenditures in years 2026 to 2029 approved in principal; and
3. Administration **REPORT BACK** with a Final Levy By-law for adoption of the 2025 tax rates, based on the approved 2025 own purposes tax levy and tax policy updates approved by County Council.

	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.

11.3 Update to Tangible Capital Asset Policy

Resolution: 20250127-010

Moved By Deputy Mayor Gibb

Seconded By Councillor Crain

That the amendments to the TCA Policy **BE ADOPTED** and are effective for fiscal year 2024.

The Mayor put the Motion.

Motion Carried.

11.4 Investment Policy Update

Resolution: 20250127-011

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

That the amendment to the Investment Policy **BE ADOPTED** in accordance with the report of January 13, 2025.

The Mayor put the Motion.

Motion Carried.

12. REPORTS - PARKS, RECREATION AND FACILITIES

12.1 Angstrom Park Commemorative Bench

Discussed Above.

13. REPORTS - INFRASTRUCTURE SERVICES

13.1 Tender Award for Single Axle Dump Truck with Plow and Salter

Resolution: 20250127-012

Moved By Councillor Allaire

Seconded By Councillor McArthur

That:

1. The purchase of a Single Axle Dump Truck with Plow and Salter **BE AWARDED** to Viking Cives Ltd. in an amount not to exceed \$372,192.29 inclusive of HST;
2. The over-expenditure of \$52,192.29 **BE FUNDED** from the 0065 - Fleet Reserve;
3. The Mayor and Clerk **BE AUTHORIZED** to execute an agreement with Viking Cives Ltd. for the purchase of a Single Axle Dump Truck with Plow and Salter.

The Mayor put the Motion.

Motion Carried.

13.2 George St and Seymour St Sanitary Sewer Replacement - Tender Results

Resolution: 20250127-013

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

That the Chief Administrative Officer and Clerk, or their designates, **BE AUTHORIZED** to execute an agreement with D`Amore Construction (2000) Ltd in the amount of \$3,647,824 (excluding HST), to complete the George Street and Seymour Street Sanitary Sewer Replacement, subject to approval of technical content by the Director of Infrastructure Services and to financial content by the Director of Corporate Services/Chief Financial Officer, or designates.

The Mayor put the Motion.

Motion Carried.

13.3 Amherstburg Water Treatment Plant Reservoir Upgrade and Redundancy Protection Project – Tender Results

Discussed Above.

13.4 Request to Name Section of Dalhousie Street as Veterans Way

Discussed Above.

13.5 Request to Name Section of King Street as Mac Simpson Way

Discussed Above.

14. REPORTS - PLANNING AND DEVELOPMENT SERVICES

14.1 Summary of Site Plan Control Applications Since September 23, 2024

Resolution: 20250127-014

Moved By Councillor Courtney

Seconded By Deputy Mayor Gibb

That the report of January 27, 2025, titled Summary of Site Plan Control Applications Since September 23, 2024 **BE RECEIVED for information.**

The Mayor put the Motion.

Motion Carried.

14.2 Belle Vue Update

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

That the report **BE RECEIVED** for information.

The Mayor put the Motion.

Motion Carried.

15. REPORTS - CAO's OFFICE

15.1 User Fees for Temporary Patio Extensions on Municipal Property

Moved By Councillor Courtney

Seconded By Councillor Allaire

That this item **BE DEFERRED.**

The Mayor put the Motion.

Motion Carried.

Resolution: 20250127-015

Moved By Councillor Courtney

Seconded By Councillor Allaire

That the requirement for consultation on fees affecting businesses to be referred to the AFAC and EDAC Committees in the matter of User Fees for Temporary Patio Extensions on municipal property **BE WAIVED.**

The Mayor put the Motion.

Motion Carried.

15.2 County of Essex Accessibility Fest-for-

All Resolution: 20250127-016

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

That:

1. The Libro Credit Union Centre location **BE NOMINATED** for consideration by the County of Essex for hosting the 2025 County of Essex Accessibility Fest-for-All; and,
2. Administration **BE DIRECTED** to assist the County of Essex with required elements of planning and hosting the 2025 County of Essex Accessibility Fest-for-All.

The Mayor put the Motion.

Motion Carried.

15.3 Sign By-law

Resolution: 20250127-017

Moved By Councillor Allaire

Seconded By Councillor Courtney

That:

1. The report from the Manager of Licensing and Enforcement dated December 16th, 2024 regarding **BE RECEIVED**;
2. That Section 5.2 **BE REMOVED**;
3. By-law 2025-001 being a By-law to regulate signs and other advertising devices 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; and,
4. By-law 2006-26 **BE REPEALED**.

The Mayor put the Motion.

Motion Carried.

16. INFORMATION REPORTS

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

That the following information reports **BE RECEIVED:**

16.1 2024 Amherstburg Policing Statistics

The Mayor put the Motion.

Motion Carried.

17. CONSENT CORRESPONDENCE

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

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

17.1 Honorary Street Renaming in Celebration of the Amherstburg Freedom Museum

17.2 Request for Section of Dalhousie Street to Receive Honorary Name of Veterans Way

17.3 Letter from Minister Paul Calandra (234-2024-5838)

17.4 South Huron Resolution - Heritage Preservation

17.5 Town of Cobalt - Call to Resume MPAC Assessment Cycle

17.6 Town of Aurora Resolution - Supporting Sustainable Funding for Our Communities

17.7 Amherstburg Food & Fellowship Mission - Thank you

The Mayor put the Motion.

Motion Carried.

18. CORRESPONDENCE

19. CONSENT OTHER MINUTES

20. OTHER MINUTES

20.1 Drainage Board Meeting Minutes - January 7, 2025

Resolution: 20250127-018

Moved By Councillor Crain

Seconded By Councillor Pouget

1. The Drainage Board Meeting Minutes of January 7, 2025 **BE RECEIVED**;
2. The engineer's report, prepared by R. Dobbin Engineering Inc. dated November 13, 2024 for the improvements to the 4th Concession Road Drain **BE RECEIVED**; and Council **PROVISIONALLY ADOPT By-law 2025-003** which appends the engineer's report for the improvements to the 4th Concession Road Drain by giving first and second reading and the Mayor and Clerk **BE AUTHORIZED** to sign same; as recommended by the Drainage Board;
3. The engineer's report, prepared by R. Dobbin Engineering Inc. dated November 21, 2024 for the improvements to the Pike Road Drain East **BE RECEIVED**; and Council **PROVISIONALLY ADOPT By-law 2025-004** which appends the engineer's report for the improvements to the Pike Road Drain East by giving first and second reading and the Mayor and Clerk **BE AUTHORIZED** to sign same; as recommended by the Drainage Board;
4. The engineer's report, prepared by R. Dobbin Engineering Inc. dated December 4, 2024 for the improvements to the Rebidoux Drain **BE RECEIVED**; and Council **PROVISIONALLY ADOPT By-law 2025-005** which appends the engineer's report for the improvements to the Rebidoux Drain by giving first and second reading and the Mayor and Clerk **BE AUTHORIZED** to sign same; as recommended by the Drainage Board; and
5. The engineer's letter of opinion, prepared by R. Dobbin Engineering Inc. dated November 20, 2024 for the improvements to the Shipman Drain (2024) **BE RECEIVED** by Council; as recommended by the Drainage Board.

The Mayor put the Motion.

Motion Carried.

**20.2 Economic Development Advisory Committee Meeting Minutes -
January 16, 2025**

Resolution: 20250127-019

Moved By Councillor Crain

Seconded By Deputy Mayor Gibb

That the Economic Development Advisory Committee **RECOMMEND** that Council request that County Council pause or reverse their decision to cut the budget to Invest Windsor Essex and the Town of Amherstburg and a letter be sent to this effect.

The Mayor put the Motion.

Motion Carried.

21. UNFINISHED BUSINESS

21.1 Unfinished Business List - January

22. NEW BUSINESS

23. NOTICE OF MOTION

24. BY-LAWS

24.1 By-Law 2025-006 - Confirmatory By-law

Resolution: 20250127-020

Moved By Councillor Allaire

Seconded By Deputy Mayor Gibb

By-law 2025-006 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on the January 27, 2025 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.

25. ADJOURNMENT

Moved By Councillor Courtney

Seconded By Councillor Allaire

That Council rise and adjourn at 9:05 p.m.

The Mayor put the Motion.

Motion Carried.

MAYOR - MICHAEL PRUE

KEVIN FOX - CLERK