



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, May 9, 2022
6:00 PM**

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

MINUTES

PRESENT

Mayor Aldo DiCarlo
Deputy Mayor Leo Meloche
Councillor Donald McArthur
Councillor Michael Prue
Councillor Marc Renaud
Councillor Patricia Simone

Peter Simmons, CAO
Valerie Critchley, Director, Legislative Services/Clerk
Kevin Fox, Acting Deputy Clerk

ABSENT

Councillor Peter Courtney

CALL TO ORDER

The Mayor called the meeting to order at 6:01 p.m.

ROLL CALL

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

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.

MINUTES OF PREVIOUS MEETING

Resolution # 20220509-01

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

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:

- 5.1 Special In-Camera Meeting Minutes - April 6, 2022**
- 5.2 Special Council Meeting Minutes - Planning - April 25, 2022**
- 5.3 Regular Council Meeting Minutes - April 25, 2022**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

6.1 Request for Approval of Public Art in Downtown Amherstburg - Richard Peddie and Jennifer Matotek

Resolution # 20220509-02

Moved By Councillor Prue

Seconded By Councillor McArthur

That:

- 1. The delegation BE RECEIVED; and,**
- 2. Administration BE DIRECTED to work with AWE in order to finalize the locations for the art installations and to have the project installed as soon as possible.**

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

7.1 2022-2023 Official Visitors Guide - Gordon Orr, CEO, Lynnette Bain, Vice President of Destination Development, and Jason Toner, Director of Marketing and Communications, TWEPI

Resolution # 20220509-03

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That the presentation BE RECEIVED.

The Mayor put the Motion.

Motion Carried

REPORTS - PARKS, FACILITIES, RECREATION & CULTURE

8.1 Windsor River Cruises 2022 Agreement

Resolution # 20220509-04

Moved By Councillor Prue

Seconded By Councillor Renaud

That the CAO BE AUTHORIZED to negotiate and execute an agreement for the 2022 season, and for future cruise operating seasons, between the Town of Amherstburg and Windsor Premier Cruises and/or other cruise operators docking at Kings Navy Yard Park south location provided that the agreements are satisfactory in technical content and form to the Directors of Parks Facilities, Recreation and Culture, Corporate Services, and Legislative Services/Town Clerk.

The Mayor put the Motion.

Motion Carried

8.2 LeBlanc Pro Shop Lease Extension

Resolution # 20220509-05

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That the CAO BE AUTHORIZED to finalize a two-year extension of the current lease agreement between Marc LeBlanc Owner and Operator of The Skate Shop and the Town for the use of space at the Libro Recreation Centre for the purpose of skate sharpening operations; and that the lease agreement be to the satisfaction of the Town Solicitor, Clerk and Director of Parks Facilities, Recreation and Culture.

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

There were no reports.

REPORTS - ENGINEERING & INFRASTRUCTURE SERVICES

10.1 McLeod Avenue Reconstruction – 3rd Concession South to Lakewood Drive - Tender Results

Resolution # 20220509-06

Moved By Councillor Prue

Seconded By Councillor Simone

That:

- 1. The tender for the McLeod Avenue Reconstruction BE AWARDED to J&J Lepera Infrastructures for an amount not to exceed \$1,175,000.00 plus HST; and,**
- 2. The Mayor and Clerk BE AUTHORIZED to execute an agreement with J&J Lepera Infrastructures for the McLeod Avenue Reconstruction.**

The Mayor put the Motion.

Motion Carried

10.2 South Riverview Drive Reconstruction – Beneteau Drive to 2nd Concession North - Tender Results

Resolution # 20220509-07

Moved By Councillor Simone

Seconded By Councillor McArthur

That:

- 1. The tender for the South Riverview Drive Reconstruction BE AWARDED to Rudak Excavating Inc. for an amount not to exceed \$773,600.00 plus HST; and,**
- 2. The Mayor and Clerk BE AUTHORIZED to execute an agreement with Rudak Excavating Inc. for the South Riverview Drive Reconstruction.**

The Mayor put the Motion.

Motion Carried

REPORTS - DEVELOPMENT SERVICES

11.1 106 Gore Street – Demolition Request and Removal from Heritage Register

Resolution # 20220509-08

Moved By Councillor Prue

Seconded By Deputy Mayor Meloche

That Council APPROVE the demolition request, and removal from the Heritage Register of 106 Gore Street.

The Mayor put the Motion.

Motion Carried

11.2 Electric Vehicle Charging Station – Charge UP Windsor Essex Grant

Resolution # 20220509-09

Moved By Councillor Prue

Seconded By Councillor Simone

That:

1. The Chief Administrative Officer and Director of Development Services **BE AUTHORIZED** to apply to the *Charge UP Windsor-Essex County grant*, for the installation of up to four Level 2 dual port Electric Vehicle Charging stations (EV), subject to the documents being satisfactory in legal form to the Clerk, in technical content to the Director of Infrastructure Services and in financial content to the Chief Financial Officer;
2. Council **DIRECT** Administration to seek opportunities for in-kind and or sponsorship opportunities for the project;
 - i. Council **DIRECT** Administration to ensure the Town's total cost for capital and 1 year of operational costs does not exceed \$120,000, plus any sponsorship funding;
 - ii. Council **APPROVE** the an amendment, noted in italics, to Resolution 20220425-07
 - a. That \$120,000 **BE DEDICATED** and **BE FUNDED** from either reserves or as a pre-commitment to the 2023 Capital Budget, whichever is deemed best by Administration after performing its due diligence following the delivery of the 2021 year-end

audit, to allow the Town to apply for the available Federal grant which will offset the cost of the charging stations

iii. Council APPROVE the following recommendations upon written confirmation of the Town being awarded the grant funding:

- a. That the Chief Administrative Officer and Clerk BE AUTHORIZED to sign and execute any agreements, declarations or approvals required resulting from receiving funding under the Charging UP Windsor-Essex County grant, satisfactory in financial content to the Chief Financial Officer, and in technical content to the Director of Infrastructure Services and;**
- b. That Council DELEGATE authority to the Chief Administrative Officer to approve the final EV project scope and deliverables to maximize use of the grant and the Town's \$120,000, plus any sponsorship funding and;**
- c. That the Chief Administrative Officer and the Clerk BE AUTHORIZED to take any such action required to effect the recommendations noted above and sign any required documentation/agreement(s) for the implementation of the EV Charging Stations, satisfactory in legal form to the Clerk, in technical content to Director of Infrastructure Services and in financial content to the Chief Financial Officer; and further**
- d. That Council DELEGATE authority to the Chief Administrative Officer and Clerk to negotiate, sign and execute any agreements, declarations or approvals required resulting from receiving any in-kind and/or sponsorship funding for the implementation and or operational costs for the EV charging stations, satisfactory in financial content to the Chief Financial Officer, and in technical content to the Director of Development Services and;**
- e. That Council DELEGATE authority 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 EV project and;**
- f. That Council APPROVE a charging cost of \$2.00/hour for Level 2 and \$.50/minute for Level 3 charging stations, to be revisited**

after the first 12 months of activation, and that those funds be directed to an EV reserve fund.

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

12.1 2022 Tanker Firefighting Apparatus Tender Results

Resolution # 20220509-10

Moved By Councillor Renaud

Seconded By Deputy Mayor Meloche

That:

- 1. The report from the Fire Chief dated April 29, 2022 regarding the 2022 Tanker Firefighting Apparatus Tender Results BE RECEIVED;**
- 2. The purchase of 1 Tanker/Pumper firefighting apparatus BE AWARDED to Fort Garry Fire Trucks Ltd., BE at a total maximum cost of \$570,651.00 CAD plus HST, to be funded from 2022 Capital Budget and the prior year contributions to the Working Capital Reserve for Fire Major Equipment, and the Treasurer BE AUTHORIZED to execute the purchase;**
- 3. The Treasurer BE AUTHORIZED to proceed with the Sale of Engine 1B (1995 Spartan) and use the proceeds to fund the deficit of \$10,651.00 and place the remaining proceeds into the Working Capital Reserve for Fire Major Equipment; and,**
- 4. The Mayor and Clerk BE AUTHORIZED to enter into an agreement with Fort Garry Fire trucks Ltd. 53 Bergen Cutoff Road, Winnipeg, Manitoba R3C 2E6 and execute all necessary documents for the purchase of 1 Tanker Firefighting Apparatus.**

The Mayor put the Motion.

Motion Carried

INFORMATION REPORTS

There were no reports.

CONSENT CORRESPONDENCE

Resolution # 20220509-11

Moved By Councillor Prue

Seconded By Councillor McArthur

That the following consent correspondence BE RECEIVED:

14.1 Bill 109 - More Homes Act for Everyone - Township of Cramahe Resolution

14.2 Build it Right the First Time - Town of Halton Hills Resolution

The Mayor put the Motion.

Motion Carried

Resolution # 20220509-12

Moved By Councillor Prue

Seconded By Councillor McArthur

That the Town of Amherstburg SUPPORT Item # 4.2.

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

15.1 International Day Against Homophobia and Transphobia - May 17, 2022

Resolution # 20220509-13

Moved By Councillor McArthur

Seconded By Councillor Simone

That:

1. The correspondence regarding International Day Against Homophobia and Transphobia BE RECEIVED;

2. **May 17, 2022 BE PROCLAIMED as International Day Against Homophobia and Transphobia and,**
3. **The pride flag BE PURCHASED, in the amount of \$15.00, to be raised on May 17, 2022.**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Resolution # 20220509-14

Moved By Deputy Mayor Meloche
Seconded By Councillor McArthur

That the following minutes BE RECEIVED:

- 16.1 **Amherstburg Environmental Advisory Committee Meeting Minutes - April 13, 2022**
- 16.2 **Co-An Park Committee Meeting Minutes - April 13, 2022**
- 16.3 **Heritage Committee Meeting Minutes - April 14, 2022**

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

- 17.1 **Drainage Board Meeting Minutes - May 3, 2022**

Resolution # 20220509-15

Moved By Councillor Renaud
Seconded By Deputy Mayor Meloche

That:

1. **The Drainage Board Meeting Minutes of May 3, 2022, BE RECEIVED;**
2. **The engineer's report for the Bridges Over the 7th Concession Drain North BE CONSIDERED;**

3. **By-law 2022-052 being a by-law to provide for the Bridges Over the 7th Concession Drain North based on the Drainage Report by RC Spencer Associates Inc. BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same;**
4. **The request from Brad and Lindy Paquette for the replacement of an existing access bridge over the Ong Drain per 78 of the Drainage Act BE ACCEPTED, as recommended by the Drainage Board, and;**
5. **The firm of Rood Engineering Inc. BE APPOINTED to complete the necessary report for the repair and improvement to the Ong Drain, as recommended by the Drainage Board.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

There was no discussion.

NEW BUSINESS

1. Councillor Prue raised the issue of citizens having interest in having a public boat ramp somewhere in the Town of Amherstburg and Administration advised this concept was being researched.
2. Councillor Prue raised an issue with respect to falling walnuts on Cherrylawn Boulevard and the Director of Engineering & Infrastructure Services advised that she would reach out to the citizen involved.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

21.1 By-law 2022-022 - To Amend Zoning By-law 1999-52 for 225 & 255 Sandwich Street North

Resolution # 20220509-16

Moved By Deputy Mayor Meloche

Seconded By Councillor McArthur

That By-law 2022-022 being a by-law to Amend Zoning By-law 1999-52 for 225 & 255 Sandwich Street North 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

21.2 By-law 2022-053 - Confirmatory By-law

Resolution # 20220509-17

Moved By Deputy Mayor Meloche

Seconded By Councillor McArthur

That By-law 2022-053 being a by-law to Confirm all Resolutions of the Municipal Council Meeting held on May 9, 2022 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

SPECIAL IN-CAMERA COUNCIL MEETING

Resolution #20220509-18

Moved By Deputy Mayor Meloche

Seconded By Councillor Renaud

That Council move into an In-Camera Meeting of Council at 5:30 p.m. pursuant to Section 239 of the *Municipal Act*, 2001, as amended, for the following reason:

Item A – Section 239(2)(h) – Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory, or a Crown Agency of any of them.

The Mayor put the Motion.

Motion Carried

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

(Special In-Camera Council Meeting Agenda)

There were no disclosures of pecuniary interest noted.

ADJOURNMENT FROM SPECIAL IN-CAMERA MEETING at 7:10 p.m.

RESUMPTION OF REGULAR COUNCIL MEETING

Moved By Councillor Simone

Seconded By Councillor Renaud

That Council resume Regular Session at 7:11pm.

The Mayor put the Motion.

Motion Carried.

REPORT OUT FROM IN-CAMERA SESSION

Council met on May 9, 2022 for a Special In-Camera Meeting at 5:30 p.m. and discussed the following items as provided for under Section 239 of the *Municipal Act*, 2001, as amended:

Item A – was heard under Section 239(2)(h) of the Act. There is nothing further to report.

ADJOURNMENT

Moved By Councillor McArthur

Seconded By Councillor Renaud

That Council rise and adjourn at 7:12 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

CLERK – VALERIE CRITCHLEY