



**TOWN OF AMHERSTBURG
REGULAR COUNCIL MEETING**

**Monday, June 27, 2022
6:00 PM**

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

MINUTES

PRESENT

Mayor Aldo DiCarlo
Deputy Mayor Leo Meloche
Councillor Peter Courtney – *Virtual participation*
Councillor Donald McArthur
Councillor Michael Prue
Councillor Marc Renaud
Councillor Patricia Simone

Valerie Critchley, CAO & Director, Legislative Services/Clerk
Tammy Fowkes, Acting Clerk

CALL TO ORDER

The Mayor called the meeting to order at 6:00 p.m.

NATIONAL ANTHEM

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 # 20220627-03

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

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 Council Meeting Minutes (Public) - June 8, 2022**
- 5.2 Special In-Camera Council Meeting Minutes (Public) - June 13, 2022**
- 5.3 Special Council Meeting Minutes - Planning - June 13, 2022**
- 5.4 Regular Council Meeting Minutes - June 13, 2022**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

- 6.1 Request to Place a Memorial Stone near the Town Clock - Joan Donaldson, Rotary Club of Amherstburg**

Delegation withdrawn by delegate

PRESENTATIONS

7.1 Report to Amherstburg Town Council - January 2020 - December 2021 - Bruce Elman, Amherstburg Integrity Commissioner

Agenda item # 12.2 was moved forward.

Resolution # 20220627-04

Moved By Councillor McArthur
Seconded By Councillor Simone

That:

- 1. The presentation BE RECEIVED; and,**
- 2. The Code of Conduct - Council, Committees and Local Boards BE AMENDED in accordance with the Administrative report of June 15, 2022.**

The Mayor put the Motion.

Motion Carried

Agenda item # 14.2 was moved forward

CONSENT CORRESPONDENCE

14.2 2021 Annual Report - Windsor Police Service

Resolution # 20220627-05

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That the 2021 Annual Report - Windsor Police Service, BE RECEIVED.

The Mayor put the Motion.

Motion Carried

REPORTS – CORPORATE SERVICES

8.1 Investing in Canada Infrastructure Program (ICIP) Green Stream - Transfer Payment Agreement

Resolution # 22020627-06

Moved By Councillor Simone

Seconded By Deputy Mayor Meloche

That:

- 1. Administration BE AUTHORIZED to enter into a Transfer Payment Agreement with the Ministry of Infrastructure– Green Stream (ICIP) for total funding of up to \$3,662,833.50 toward replacement of the Reservoir at Amherstburg Water Treatment Plant;**
- 2. A capital expenditure not to exceed \$9,600,000 including net HST BE APPROVED as a first charge to the 2022 Water Budget estimated \$1,032,500 for engineering, and the remaining from 2023-2026 capital budget for construction of the replacement of the Reservoir based on the 2022 Capital Budget estimations. To be funded from the ICIP grant and long-term debenture as required; and,**
- 3. Administration BE AUTHORIZED to sign long-term (up to 30yr) debenture not to exceed \$5,937,166 to fund the construction and replacement of the Reservoir at Amherstburg Water Treatment Plant.**

The Mayor put the Motion.

Motion Carried

8.2 Municipal Modernization Grant Intake III

Resolution # 20220627-07

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That:

- 1. Administration BE AUTHORIZED to enter into a Transfer Payment Agreement with the Ministry of Municipal Affairs & Housing for total funding of up to \$127,200 toward Town of Amherstburg Staff Utilization and Organizational Review;**
- 2. Administration BE AUTHORIZED to incur additional professional fees to maximize the additional grant dollars; and,**

3. **Administration BE AUTHORIZED to enter into contracts based on appropriate signing authority as per purchasing policy to maximize grant dollars within the Municipal Modernization Grant guidelines.**

The Mayor put the Motion.

Motion Carried

REPORTS - PARKS, FACILITIES, RECREATION & CULTURE

9.1 Amherstburg's Gone Car Crazy Show

Resolution # 20220627-08

Moved By Councillor Prue

Seconded By Councillor Renaud

That:

1. **The report from the Director of Parks Facilities, Recreation and Culture and the Manager of Tourism and Culture dated June 14, 2022 regarding Amherstburg's Gone Car Crazy Show (AGCC) BE RECEIVED;**
2. **Council APPROVE closing the Open Air program and footprint for one day only Sunday, July 24, 2022 from 6:00 a.m. to 10:00 p.m. in order to accommodate the AGCC's show, proposed footprint and car placement on the streets of downtown Amherstburg; and,**
3. **Council APPROVE closing the Open Air program and footprint for one day only Sunday, July 24, 2022 from 6:00 a.m. to 10:00 p.m. in order to accommodate the AGCC's show, proposed footprint and car placement on the streets of downtown Amherstburg.**

The Mayor put the Motion.

Motion Carried

REPORTS - ENGINEERING & INFRASTRUCTURE SERVICES

10.1 3rd Concession North Watermain – Funding Model and Agreement

Resolution # 20220627-09

Moved By Councillor Renaud

Seconded By Deputy Mayor Meloche

That:

1. The CAO BE AUTHORIZED to sign the reimbursement agreement with 1473490 Ontario Limited for associated costs related to the upgrade of the watermain on the 3rd Concession North; and,
2. The Treasurer BE DIRECTED to fund \$40,000, being the Town's portion of the upgrade, from the water reserve.

The Mayor put the Motion.

Motion Carried

REPORTS - DEVELOPMENT SERVICES

11.1 Heritage Designation of 24 Sandwich Street South

Moved By Councillor Simone

Seconded By Councillor Prue

That the Rules of Order BE WAIVED to allow Lynn Fox, owner of 24 Sandwich Street South, to address Council regarding the proposed Heritage Designation.

The Mayor put the Motion.

Motion Carried

Lynn Fox advised that the by-law was too restrictive with respect to the windows and flooring and requested that the Heritage Designation either be deferred or the requirement regarding the windows and flooring be removed from the by-law.

Councillor Prue moved the motion with an amendment to strike the windows and flooring from the by-law.

Resolution # 20220627-10

Moved By Councillor Prue

Seconded By Councillor Simone

That:

1. Council DESIGNATE the "Dr. Manning Residence" at 24 Sandwich Street South by municipal by-law under Part IV the *Ontario Heritage Act*; and,
2. At the request of the owner, the requirement outlined in the by-law regarding the windows and flooring BE STRICKEN from the by-law.

The Mayor put the Motion.

Motion Carried

11.2 Provincial Legislative Changes Impacting Planning and Building

Resolution # 20220627-11

Moved By Councillor Renaud

Seconded By Deputy Mayor Meloche

That:

1. **By-law 2022- 073 being a by-law to Designate a Site Plan Control Area for 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;**
2. **The Town's practice of offering 18-month non-interest-bearing Development Charges Deferral Agreements under Section 27 of the Act BE RESCINDED;**
3. **The Town's prescribed maximum interest rate BE DEFINED as prime plus 3% and included in the User Fee and Charges By-law 2022-001; and,**
4. **The Town's prescribed maximum interest rate BE DEFINED as prime plus 3% and included in the User Fee and Charges By-law 2022-001.**The

The Mayor put the Motion.

Motion Carried

11.3 Repeal and Replace Zoning By-law Amendment – 247 Brock Street

Resolution # 20220627-12

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That:

1. **By-law 2022-057 being a by-law to Amend Zoning By-law No. 1999-52, BE REPEALED;**
2. **By-law 2022-074 being a by-law to Amend the Zoning for the Lands shown as "Lot A" on Appendix "A" be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same; and,**

3. **By-law 2022-075 being a by-law to Amend the Zoning for the Lands shown as “Lot B” on Appendix “A” 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

11.4 Site Plan and Development Agreement for 106 Gore Street

Moved By Councillor Simone

Seconded By Councillor McArthur

That the Rules of Order BE WAIVED to allow Nicole Laforge-Rogers and Dave Rogers of Bathurst Street, to address Council regarding the proposed Site Plan and Development Agreement for 106 Gore Street.

The Mayor put the Motion.

Motion Carried

Dave Rogers addressed Council with respect to privacy and proximity concerns at their residence as a result of the proposed new development and requested further setbacks from their property.

Resolution # 20220627-13

Moved By Councillor Courtney

Seconded By Councillor Simone

That:

1. **The site plan and development agreement for 106 Gore Street BE APPROVED; and,**
2. **By-law 2022-048 being a by-law to authorize the signing of a Development Agreement for the development of a semi-detached dwelling within Part of Lot 24, Plan 1, municipally known as 106 Gore Street, Amherstburg 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

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That Council recess for a break at 7:29 p.m.

The Mayor put the Motion.

Motion Carried

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That Council resume Regular session at 7:33 p.m.

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

12.1 2022 Appointment of Proxy Holder for Essex Power Corporation's Annual Shareholder's Meeting

Resolution # 20220627-14

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That:

- 1. Mayor Aldo DiCarlo BE APPOINTED proxy holder for the Town of Amherstburg for Essex Power Corporation's Annual Shareholder's Meeting;**
- 2. Bill Wark BE APPOINTED as the alternate proxy holder for the Town of Amherstburg for Essex Power Corporation's Annual Shareholder's Meeting; and,**
- 3. The Clerk BE AUTHORIZED to sign all necessary proxy forms to implement this resolution and forward them to Essex Power Corporation as required.**

The Mayor put the Motion.

Motion Carried

12.2 Amendments to the Code of Conduct of Council, Committees and Local Boards

As dealt with above in item # 7.1

INFORMATION REPORTS

Resolution # 20220627-15

Moved By Deputy Mayor Meloche

Seconded By Councillor McArthur

That the following information report BE RECEIVED:

13.1 Resignation from the Mayor's Youth Advisory Committee

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Resolution # 20220627-16

Moved By Councillor Renaud

Seconded By Deputy Mayor Meloche

That the following consent correspondence items # 14.1, # 14.3, and # 14.4 BE RECEIVED:

14.1 Value Influence Peers Program (VIP) - Town of Essex Resolution

14.2 2021 Annual Report - Windsor Police Service – *as dealt with above after item # 7.1*

14.3 The Retention of Professional Engineers at Ontario Municipalities

14.4 Request for Ontario Government to Repeal Bill 124 - Ontario Nurses' Association

The Mayor put the Motion.

Motion Carried

Resolution # 20220627-17

Moved By Councillor Prue
Seconded By Deputy Mayor Meloche

Item # 14.4 – That the correspondence regarding the Request for Ontario Government to Repeal Bill 124 - Ontario Nurses' Association BE SUPPORTED.

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

15.1 Heritage Committee Meeting Minutes - June 16, 2022

Resolution # 20220627-18

Moved By Deputy Mayor Meloche
Seconded By Councillor Simone

That:

- 1. The Heritage Committee Meeting Minutes of June 16, 2022 BE RECEIVED;**
- 2. The application for demolition of 295 George Street BE APPROVED; and,**
- 3. 295 George Street BE REMOVED from the Heritage Register as a listed property of cultural heritage value or interest.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Renaud asked for an update regarding the pipe replacement project at the Libro Centre.

The Director of Parks, Facilities, Tourism and Culture advised that the project is on target for completion for the mid to end of August.

NEW BUSINESS

There was no New Business brought forward.

NOTICE OF MOTION

There were no Notices of Motion.

BY-LAWS

Agenda item # 19.1 and # 19.2 were moved together.

Moved By Councillor Renaud

Seconded By Councillor Simone

19.1 By-law 2022-066 - Zoning By-law Amendment for E-S Concession 7

Resolution # 20220627-19

That By-law 2022-066 being a by-law to Amend Zoning By-law 1999-52 for E-S Concession 7 be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

19.2 By-law 2022-078 - Confirmatory By-law

Resolution # 22020627-20

That By-law 2022-078 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on June 8th and 27th, 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

ADJOURNMENT

Moved By Councillor Courtney

Seconded By Councillor Renaud

That Council rise and adjourn at 7:43 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

ACTING CLERK – TAMMY FOWKES