



TOWN OF AMHERSTBURG REGULAR COUNCIL MEETING

**Monday, July 11, 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
Councillor Donald McArthur
Councillor Michael Prue
Councillor Marc Renaud
Councillor Patricia Simone

Melissa Osborne, Acting Chief Administrative Officer
Tammy Fowkes, Acting Clerk
Kevin Fox, Acting Deputy 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 # 20220711-02

Moved By Councillor Simone

Seconded By Councillor Prue

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:

- 6.1 Special Council Meeting Minutes - Planning - June 27, 2022**
- 6.2 Special In-Camera Council Meeting Minutes (Public) - June 27, 2022**
- 6.3 Regular Council Meeting Minutes - June 27, 2022**

The Mayor put the Motion.

Motion Carried

DELEGATIONS

7.1 Delegation re. Proposed Fire Hall and Gymnasium - Joe Thachen-Cary, Amherstburg Indoor Sports Association (AISA)

Agenda Item # 12.1 was moved forward.

Resolution # 20220711-03

Moved By Councillor McArthur
Seconded By Councillor Simone

That:

1. The delegation BE RECEIVED;
2. The project proceed utilizing a Design-Bid-Build project delivery model with the following recommendations:
 - The Mayor and Chief Administrative Officer or designates, BE AUTHORIZED to execute an agreement with the sole bidder Masri O Architects in the amount of \$511,300 plus HST including all labour and materials to produce a full set of Design Construction Documents inclusive of project tendering for a new Fire Station at the Libro centre inclusive of \$97,000 to include plans for a gymnasium and further;
 - Council APPROVE an expenditure in the amount of \$261,300, plus non-refundable HST, which is required for the overage on the Fire Station costs in the amount of \$164,300 and to allow for the inclusion of gymnasium design in the amount of \$97,000, and DIRECT the Chief Financial Officer to report back to Council on the recommended funding source and further;
 - The Chief Administrative Officer, BE AUTHORIZED to sign or take any such actions required to execute the preparation of Design Construction Documents suitable for tender for the implementation of the new Fire Station and Gymnasium, satisfactory in legal form to the Clerk, in technical content to the Fire Chief and the Director of Parks Facilities, Recreation and Culture and in financial content to the Director of Corporate Services and further;
 - The final Design/Tender documents BE BROUGHT BACK to Council for approval to then select a general contractor for the construction of the new facility through a comprehensive tendering process.

The Mayor put the Motion.

	Yes/Concur	No/Not Concur
Councillor Courtney		X
Councillor McArthur	X	
Deputy Mayor Meloche	X	
Councillor Prue	X	
Councillor Renaud	X	
Councillor Simone	X	
Mayor DiCarlo	X	

Motion Carried

REPORTS – CORPORATE SERVICES

8.1 IT Data Centre – Award of Tender

Resolution # 20220711-04

Moved By Councillor Simone

Seconded By Councillor Courtney

That:

- 1. The IT Data Centre Tender BE AWARDED to Attache Group Inc. in an amount of \$149,205 plus HST;**
- 2. The Treasurer BE AUTHORIZED to execute a Purchase Order to Attache Group Inc. for \$149,205 plus HST; and,**
- 3. Council APPROVE the over-expenditure amount of \$1,831 to be funded from the IT Reserve.**

The Mayor put the Motion.

Motion Carried

REPORTS - PARKS, FACILITIES, RECREATION & CULTURE

There were no reports.

REPORTS - ENGINEERING & INFRASTRUCTURE SERVICES

10.1 Amherstburg Water Treatment Plant (AWTP) – Electrical Upgrades and Supervisory Control and Data Acquisition (SCADA) Installation - Tender Results

Resolution # 20220711-05

Moved By Deputy Mayor Meloche
Seconded By Councillor Renaud

That:

- 1. The Tender for Amherstburg Water Treatment Plant – Electrical Upgrades and SCADA Installation BE AWARDED to Selectra Inc. for an amount not to exceed \$1,785,090.75 plus HST and the Mayor and Clerk BE AUTHORIZED to execute an agreement with Selectra Inc. for the Amherstburg Water Treatment Plant – Electrical Upgrades and SCADA Installation; and,**
- 2. That a \$178,500 contingency allowance BE APPROVED for inclusion in the contract with Selectra Inc.**

The Mayor put the Motion.

Motion Carried

10.2 Pike Road Drain Improvements and Auxiliary Outlet

Resolution # 20220711-06

Moved By Councillor Simone
Seconded By Councillor Renaud

That:

- 1. The Drainage Board Meeting Minutes of May 17, 2022, BE RECEIVED;**
- 2. By-law 2022-031 being a by-law to Provide for the Pike Road Drain Improvements and Auxiliary Outlet be taken as having been read a 3rd and Final time and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same;**
- 3. The Director of Corporate Services/Chief Financial Officer BE DIRECTED to increase the Drainage Line of Credit from \$2,000,000 to \$4,000,000 to finance the Pike Road Drain Improvements and Auxiliary Outlet project, with costs to be recovered according to the assessment schedule provided under the engineering report in late 2023 following project completion;**

4. **An operating expenditure not to exceed \$505,345 including net HST BE APPROVED, to be funded by a combination of an allocation from the 2021 surplus and a commitment for the balance from the 2023 Budget; and,**
5. **An operating expenditure not to exceed \$505,345 including net HST BE APPROVED, to be funded by a combination of an allocation from the 2021 surplus and a commitment for the balance from the 2023 Budget.**

The Mayor put the Motion.

Motion Carried

REPORTS - DEVELOPMENT SERVICES

There were no reports.

REPORTS - CAO's OFFICE

12.1 South Fire Station – Award of Request for Proposal – Design, Construction documents and Tender Phase

As dealt with above in Agenda Item # 7.1

CONSENT CORRESPONDENCE

Resolution # 20220711-07

Moved By Deputy Mayor Meloche
Seconded By Councillor Prue

That the following consent correspondence BE RECEIVED:

- 13.1 **Policing Activities Report - Windsor Police Service, Amherstburg Detachment**
- 13.2 **Waterpipe Smoking By-law - West Lincoln Resolution**

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

14.1 Drainage Board Minutes - July 5, 2022

Resolution # 20220711-08

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

That:

- 1. The Drainage Board Meeting Minutes of July 5, 2022 BE RECEIVED;**
- 2. The engineer's report, prepared by M. Gerrits Consulting Inc., dated May 23, 2022 for the Jeths Drain Improvements BE RECONSIDERED, as recommended by the Drainage Board;**
- 3. Council DIRECT Gerrits Consulting Inc. to modify the engineer's report dated May 23, 2022 for the Jeths Drain Improvements, and reduce the scope of the work in order to provide the developer with a new outlet and to include the necessary provisions for future maintenance on the drain, as recommended by the Drainage Board; and,**
- 4. By-law 2022-076 being a by-law to Provide for the New Access Bridge over the Dufour Drain for MGV Development (McGregor) Inc. & New Maintenance Schedule of Assessment (Dufour Drain and Branch A) based on the Drainage Report by Dillon Consulting Ltd. BE PROVISIONALLY ADOPTED by giving first and second reading and the Mayor and Clerk BE AUTHORIZED to sign same.**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

1. Councillor Courtney advised that Resolution # 20210712-245 can be stricken from the Unfinished Business List.
2. Councillor Prue asked for an update with respect to an Indigenous flag to be raised in the Town (Resolution # 20210614-190).

The Director of Parks, Facilities, Recreation and Culture advised that Administration is in discussions with the First Nations group and a flag may not be what the group wants. The Director further advised that Administration is waiting for First Nations to come forward and have more dialogue with respect to what they are looking for.

3. Councillor Prue asked for an update with respect to the Kingsbridge Subdivision parkland conveyance (Resolution # 20200127-033).

The Acting Deputy Clerk advised that the second part of the resolution regarding opportunities for future development and upgrades to Pat Thrasher Park is currently being addressed by Administration and that item will remain on the Unfinished Business List until fully completed.

4. Councillor Prue asked when the year end audit report, as well as Councillor Courtney's Deloitte audit report request, will be before Council.

The Acting CAO advised that the year end audit report will be before Council for consideration at the August 8th, 2022, Regular Council Meeting, and Councillor Courtney's request will be before Council for consideration at the July 25, 2022, Special Council Meeting.

NEW BUSINESS

1. Councillor Courtney asked for an update with respect to auction items at the Amherstburg Community Services (ACS) building.

The Director of Park, Facilities, Recreation and Culture advised that an auction is being conducted for miscellaneous items that the Town has had and no longer has use for and the public is welcome to attend to make bids. The Director further advised that the auction could not be held at the Libro Centre because of limited space due to functions and sporting events and, as a result, the auction is being hosted by ACS due to space availability and ample parking.

2. Resolution # 20220711-09

Moved By Councillor Courtney

Seconded By Councillor Prue

That Administration BE DIRECTED to bring back a report regarding the results of the public survey and recommendations on Jack Purdie Park and Centennial Park, to the August 8, 2022, Regular Council Meeting.

The Mayor declared a conflict of pecuniary interest with respect to discussions surrounding ongoing parks issues as his residence is 60 metres from Jack Purdie Park.

The Mayor vacated Chair prior to voting and the Deputy Mayor assumed Chair at 7:30 p.m.

The Deputy Mayor put the Motion.

Motion Carried

The Mayor re-assumed Chair at 7:34 p.m.

3. Deputy Mayor Meloche advised that he received concerns regarding the recent events for the Essex County Steam and Gas Engine Museum Inc. and police assistance was required for the parade and may need to be provided for the upcoming parade in August.

The Mayor advised that the previous concerns have been addressed and he has spoken to Windsor Police Service for the upcoming parade in August.

4. Resolution # 20220711-10

Moved By Deputy Mayor Meloche

Seconded By Councillor Courtney

That the Mayor send correspondence to Chris Lewis, MP, and Anthony Leardi, MPP, regarding the Duffy's site to ensure that the project remains at the forefront for potential funding opportunities from both the Federal and Provincial governments and to ensure that the project is getting the attention it deserves.

The Mayor put the Motion.

Motion Carried

NOTICE OF MOTION

There are no Notices of Motion.

BY-LAWS

Moved By Deputy Mayor Meloche

Seconded By Councillor Simone

- 18.1 **By-law 2022-030 - 2nd Concession Road Drain South (Open Portion North of Lowes Sideroad) Repair and Improvement - 3rd & Final Reading**

Resolution # 20220711-11

That By-law 2022-030 being a by-law to Provide for the 2nd Concession Road Drain South (Open Portion North of Lowes Sideroad) Repair and Improvement be taken as having been read a third and final time and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

18.2 By-law 2022-052 - Bridges Over the 7th Concession Drain North - 3rd & Final Reading

Resolution # 20220711-12

That By-law 2022-052 being a by-law to Provide for the Bridges Over the 7th Concession Drain North be taken as having been read a third and final time and the Mayor and Clerk BE AUTHORIZED to sign same.

The Mayor put the Motion.

Motion Carried

18.3 By-law 2022-077 - A By-law to Amend By-law 2016-07, Sanitary Sewer By-law

Resolution # 20220711-13

That By-law 2022-077 being a by-law to Amend By-law 2016-07, Sanitary Sewers By-law, 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

18.4 By-law 2022-079 - Confirmatory By-law

Resolution # 20220711-14

That By-law 2022-079 being a by-law to Confirm all Resolutions of the Municipal Council Meetings held on July 11th, 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 7:38 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – ALDO DICARLO

ACTING CLERK – TAMMY FOWKES