

Minutes of a special meeting of the Amherstburg Municipal Council held Monday, April 29, 2002 at 7:00 p.m. in the Council Chambers.

PRESENT:

Mayor Tony DiBartolomeo
Deputy Mayor Robert Pillon
Councillor Mickey Bezaire
Councillor Lynne Fox
Councillor Frank Gorham
Councillor Anthony Leardi
Councillor Rosa White

ALSO PRESENT:

David Mailloux, Clerk
Paul Beneteau, Treasurer
Steve Brown, Chief Building Official
Lory Bratt, Planning Coordinator
Ralph Barnwell, Recreation Facilities Supervisor
Monica Finn, Ranta Marina Manager

PRAYER

DECLARATION OF PECUNIARY INTEREST

There were no declarations of pecuniary interest.

Moved by F. Gorham, seconded by M. Bezaire that we waive rules of order to hear the delegation.

Motion Carried

PETITIONS & DEPUTATIONS

Ronald Sutherland, representing the Boaters Association, addressed Council on various questions that were the result of an April 23rd Boaters meeting.

1. Requested permission for any boaters that decided to leave Marina due to lack of a decision on dredging to get their well back next season provided they leave their \$100.00 deposit.
2. Boaters allowed to defer payment deadline to end of May.
3. At the April 23rd meeting the 28 Boaters present preferred spring dredging - with the request to stop working from Friday noon to and including Sunday.
4. Requesting a list of all boaters who have deposited \$100.00.
5. Requested that quiet time be at 11:00 p.m. rather than 10:00 p.m.

Dan Krutsch of BTS Consulting spoke on the proposed dredging project. He cited some benefits of doing the dredging in the fall. Generally the more conditions and restraints that are placed on the contract - the higher the price although he could not predict what the contractors may actually bid on spring dredging versus fall dredging. There could be restricted access to the River Canard channel because of dredging machinery and floating pipes. Five contractors have pre-qualified for the work and approval would likely be available to dredge after June 20.

A lengthy discussion took place on the pros and cons of spring versus fall dredging.

Moved by M. Bezaire, seconded by A. Leardi that Council resume.

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Moved by M. Bezaire, seconded by A. Leardi that we concur with the boaters request that if they leave the Marina and keep a \$100.00 deposit that they receive their well back the following season.

Motion Lost

Moved by R. Pillon, seconded by A. Leardi that for the 2002-2003 season we authorize administration to carry out the policy of supplying a well to returning boaters who have left the marina but have kept the \$100.00 deposit with the Town.

Motion Carried

Moved by A. Leardi, seconded by R. White that in the event the number of returning boaters who left their \$100.00 deposit exceeds the number of available wells, residents of the Town of Amherstburg be given preference to non-residents and that the method of choice be by seniority and not by lottery.

Motion Carried

Moved by M. Bezaire, seconded by A. Leardi that for the year 2002 the payment of the yearly Marina fee be extended to May 30, 2002.

Motion Carried

Moved by M. Bezaire, seconded by R. Pillon that the dredging begin as soon as possible in June, 2002 rather than a September 2002 start.

Motion Carried

Moved by A. Leardi, seconded by M. Bezaire that we not supply a list of boaters to Mr. Sutherland of the Boater Group due to the Privacy issue.

Motion Carried

Moved by A. Leardi, seconded by L. Fox that management be instructed to create in consultation with the boaters a list of rules to be included as part of the contract.

Motion Lost

Moved by T. DiBartolomeo, seconded by M. Bezaire that quiet time not begin until 11:00 p.m. and after that time the noise by-law be enforced.

Motion Carried.

Item #1

Report from Hilary Payne, CAO regarding Ranta Marina.

Moved by M. Bezaire, seconded by R. Pillon that the report from Hilary Payne, CAO, dated April 24, 2002 regarding Ranta Marina be received.

Motion Carried

Moved by A. Leardi, seconded by R. White that we adjourn for five minutes.

Motion Carried

Item #2

Report from Hilary Payne, CAO regarding location of Tourist Information Booth.

Moved by M. Bezaire, seconded by A. Leardi that we concur with the report of the CAO dated April 25, 2002 and that we ratify the following resolution made at an in-camera meeting held April 22, 2002.

AMoved by A. Leardi, seconded by L. Fox that the CAO be directed to prepare a lease between the Town and the Gibson Gallery for the use of a portion of the Gallery as a Tourist Centre for a five month period at a cost of approximately \$5,000.00.@

A recorded vote was requested.	AYE	NAY
Councillor Bezaire	X	
Councillor Fox	X	
Councillor Gorham		X
Councillor Leardi	X	
Deputy Mayor Pillon	X	
Councillor White		X
Mayor DiBartolomeo	X	

Motion Carried

Item #3

Moved by M. Bezaire, seconded by R. Pillon that we receive the report from the Treasurer dated April 23, 2002 regarding a memo from Raymond Tracy President of Essex Power Corporation and that we concur with the recommendation to request that the note be paid to the Town.

Motion Carried

Moved by M. Bezaire, seconded by R. Pillon that we move to Item #5.

Motion Carried

Item #5

Report from Lory Bratt, Planning Coordinator, regarding site plan application for a swimming pool on Bob-lo Island.

Moved by M. Bezaire, seconded by R. Pillon that we receive the report dated April 26, 2002 from Lory Bratt regarding the Proposed Site Plan Agreement for 1078385 Ontario Limited and that we concur with the recommendation to approve the site plan and to consider By-law 2002-20 to permit the proposed development of a public pool on Bois Blanc Island in accordance with Ontario Building Code requirements and applicable laws.

Moved by A. Leardi, seconded by F. Gorham that:-

By-law 2002-20; being a by-law to authorize the signing of a development agreement with 1078385 Ontario Limited for property on Bois Blanc Island for a swimming pool,

be taken as having been read a first, second and third time be finally passed and the Mayor and Clerk be authorize to sign same and affix the corporate seal thereto.

Motion Carried

CQ Councillor Leardi requested a copy of the Building Code Act regarding Building Permit

Insurance.

Item #4

Report from Steve Brown regarding the tenders for the Library and Gordon House.

A letter regarding the tenders for Restoration/Repairs of the Carnegie Library and Gordon House from N.K. Becker dated April 29, 2002 was reviewed by Council.

Dr. Becker and CBO Steve Brown were present.

Moved by R. Pillon, seconded by M. Bezaire that we receive the report from Dr. Becker dated April 29, 2002 regarding Restoration/Repairs to the Library and we concur with the recommendation to award the contract to F. Volpatti Construction Inc. in the amount fo \$150,980 which included provisional contingencies of \$7,084.00 plus G.S.T. plus the following additional items.

#2 Replace upper 16 inches of reinforced concrete on inside of foundation walls with block masonry \$1,700.00 plus G.S.T.

Motion Carried

Moved by T. DiBartolomeo, seconded by R. White that the above motion be amended to include additional item #4 - reconstruction of existing retaining walls along front sidewalk at a cost of \$5,200.00 plus G.S.T.

A recorded vote was requested on the main motion and the amendment.

<u>VOTE ON AMENDMENT</u>	<u>AYE</u>	<u>NAY</u>
Councillor Bezaire		X
Councillor Fox	X	
Councillor Gorham	X	
Councillor Leardi		X
Deputy Mayor Pillon		X
Councillor White	X	
Mayor DiBartolomeo	X	

Motion Carried

<u>VOTE OF MAIN MOTION</u>	<u>AYE</u>	<u>NAY</u>
Councillor Bezaire	X	
Councillor Fox	X	
Councillor Gorham	X	
Councillor Leardi	X	
Deputy Mayor Pillon	X	
Councillor White	X	
Mayor DiBartolomeo	X	

Motion Carried

Gordon House

Dr. Becker reviewed his report on the Gordon House Tenders dated April 29, 2002.

Moved by A. Leardi, seconded by M. Bezaire that the entire matter of Gordon House restoration/repairs be referred to the occupants of the Gordon House.

Motion Lost

Moved by F. Gorham, seconded by R. White that we receive the report from Dr. Becker dated April 29, 2002 regarding the Restoration/Repairs to the Gordon House and that we concur with the recommendation to award a contract to Interthon Construction Ltd. in the amount of \$136,780 which includes provisional contingencies of \$3640.00 (for miscellaneous interior repairs) plus G.S.T. which is arrived at as follows.

S	original tender
	154,385 plus G.S.T.
Plus extra cost for smooth cedar siding	8,495 plus G.S.T.
Minus savings for shutter change	2,500 plus G.S.T.
Minus deletion of Front Portico and supply of shutters	23,600 plus G.S.T.
Net	136,780 plus G.S.T.

A recorded vote was requested.

	<u>AYE</u>	<u>NAY</u>
Councillor Bezaire		X
Councillor Fox	X	
Councillor Gorham	X	
Councillor Leardi		X
Deputy Mayor Pillon		X
Councillor White	X	
Mayor DiBartolomeo	X	

Motion Carried

CQ Councillor Leardi requested that a copy of the operating agreement for the Gordon House be provided to Council.

Item #6

Items from Councillor Leardi:

Moved by A. Leardi, seconded by M. Bezaire that the Windsor Star news article dated April 15, 2002 regarding rising water levels in the Great Lakes be received.

Motion Carried

Moved by A. Leardi, seconded by R. Pillon that the article "Make Magic Happen in Your Community" from the April 2002 issue of the Municipal World Magazine be received.

Motion Lost

Moved by F. Gorham, seconded by R. Pillon that the following items be received.

- Item B - Make Magic Happen in Your Community
- Item C - Amalgamated Amherstburg Population Statistics
- Item D - Canadian Social Trends - Children=s participation in Sports
- Item E - Population Statistics for Essex County Towns
- Item F - General Power to make Grants - Section 113 Municipal Act
- Item G - Assistance to manufacturing business, industrial, commercial enterprises
Municipal Act Section 111

Motion Carried

Letter from Mr. Albert Renaud regarding School property being used for Soccer games and practices.

Moved by M. Bezaire, seconded by R. White that the letters (one dated April 7/02, second undated) be received and that we send Mr. Renaud a letter indicating that the Town is attempting to relocate the soccer pitches to another area.

Motion Carried

NEW BUSINESS

Moved by M. Bezaire, seconded by L. Fox that we approve the request dated April 24, 2002 from Trudy Dempsey, Diane Bertram and Christine Lau to temporarily close Cambridge Court on Sunday, May 19, 2002 for a Family Fun Day and Barbeque.

Motion Carried

CQ Request for a report from Chief Murray on the oil spill cleanup - chain of events and notification.
Councillor Fox reported that the Coast Guard is preparing a report on the spill.

Moved by R. White, seconded by M. Bezaire that we contact Rene Kielbasa regarding safety concerns relating to portable soccer nets.

Motion Carried

Moved by L. Fox, seconded by R. Pillon that we receive the letter from 202 Fort Malden R.C. (Army) C.C. dated April 17, 2002 and that we support their parade and Final Inspection on Sunday, June 2, 2002.

Motion Carried

Councillor Leardi referred to a newspaper article stating that HMS Detroit construction will proceed at the King=s Navy Yard Park. HMS Detroit representatives will look into the matter and reprot back.

CQ Councillor Leardi asked that Administration review files to determine if any correspondence addresses the use of the King=s Navy Yard Park for the mooring of the HMS Detroit.

Moved by M. Bezaire, seconded by R. Pillon that there being no further business that the meeting adjourn.

Motion Carried

MAYOR

CLERK

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