

Minutes of a regular meeting of the Amherstburg Municipal Council held Monday, May 3, 2004 at 7:00 p.m.

PRESENT:

Mayor Wayne Hurst
Deputy Mayor Anthony Leardi
Councillor Robert Bailey
Councillor Gord Freeman
Councillor Carl Gibb
Councillor Paul Renaud
Councillor Rosa White

ALSO PRESENT:

Hilary Payne, CAO
David Mailloux, Clerk
Paul Beneteau, Treasurer
Steve Brown, Chief Building Official
Lory Bratt, Planning Coordinator
Lou Zarlenga, Public Works Manager
Kristy Deluca, Tourism/Ec. Dev. Coordinator

PRAYER

Reverend Bill Strang said prayer.

Mayor Hurst referred to the April 26, 2004 Council meeting where Christa MacLellan made a request for support for her exchange visits to Mali and Quebec under the Canada World Youth Program. Mayor Hurst apologized for having failed to congratulate Christa on her participation in this program. She is an Ambassador for Amherstburg in her travels. He wished her success in her venture.

Councillor White also apologized for not having offered congratulations at the meeting but wished her well in her exchange visits.

DECLARATIONS OF PECUNIARY INTEREST

There were no declarations of pecuniary interest.

MINUTES

Moved by P. Renaud, seconded by C. Gibb that the minutes of a regular meeting of the Amherstburg Municipal Council held Monday, April 26, 2004, be adopted subject to the following amendments:

- 1) Page 2 change "waive the fee to St. Andrews Church" to waive the fee to churches"; and
- 2) Page 5 "Development Charges Public Meeting" be changed to "Development Charges Information meeting"

Motion Carried

Moved by R. White, seconded by R. Bailey that we waive rules of order to hear the delegations.

Motion Carried

PETITIONS & DEPUTATIONS

Mr. Hazen Price and Mr. Victor Lavergne of the Amherstburg Historic Sites were present to request that the Town approve the grant for the Park House Museum. The group owns and runs the museum that has a collection of Amherstburg area artifacts. A Large expense is the heating and cooling, as the temperature and humidity must be maintained to government standards. The house itself is over 200years old. Approximately 5 to 6 thousand children visit the Park House each year.

Any cut to the Annual grant from the Town would really affect the operation of the Museum.

Council thanked Mr. Price and Mr. Lavergne for attending.

Bruno Ferland of 554 Second Concession asked why his neighbour was not connected to the Sanitary sewer. He has been attempting to obtain an answer from staff with no success.

Peter DiPasquale a resident and home builder addressed Council with regard to his dissatisfaction with the Building Department.

Priscilla Bouvier was unable to attend due to illness.

Moved by R. White, seconded by G. Freeman that Council resume.

Motion Carried

BUSINESS ARISING FROM PETITIONS & DEPUTATIONS

Moved by R. White, seconded by P. Renaud that we receive the written and verbal presentation from Mr. Price and Mr. Lavergne and that we pay the grant to the Amherstburg Historic Sites Committee in the amount of \$5,500.00 as approved in the 2004 budget.

Motion Carried

Moved by R. White, seconded by A. Leardi that we receive the written and verbal presentation from Mr. Ferland and that we follow the advice of the Town Solicitor.

Motion Carried

Moved by P. Renaud, seconded by A. Leardi that we receive the verbal presentation from Mr. Peter DiPasquale.

Motion Carried

CORRESPONDENCE

Item #1 to 7

Moved by C. Gibb, seconded by R. White that the following correspondence be received.

1. Letter from Ministry of the Environment, dated Apr. 21, 2004 regarding Imperial Oil Spill; and
2. letter from Township of North Kawartha, dated Apr. 22, 2004 regarding Safe Drinking Water Act; and
3. Letter from Ministry of Finance, dated Apr. 26, 2004 regarding 2004 education property tax rate regulations; and
4. Letter from Ministry of Municipal Affairs & Housing, dated Apr. 21, 2004 regarding municipal costs incurred in response to the power outage of Aug. 14, 2003.
5. Information from the Federation of Canadian Municipalities regarding “New Deal” on rights-of-way.
6. Letter from Ministry of Consumer and Business Services, regarding licensing of electrical contractors, master electricians and the compulsory electrical trades; and
7. Letter from Ontario Honours and Awards Secretariat regarding nominations for the Order of Ontario awards.

Motion Carried

CORRESPONDENCE CONT'D.

Item #8

Moved by R. White, seconded by R. Bailey that the letter from Skills Link “Growth Through Participation”, dated Apr. 28, 2004 inviting all members of Council to participate in their Parade, be received and that Council members be encouraged to attend if able.

Motion Carried

Item #9

Moved by R. Bailey, seconded by R. White that the letter from Skills Link “Growth Through Participation” dated Apr. 27, 2004 regarding upcoming projects be received and forwarded to Public Works.

Motion Carried

Item #10

Moved by G. Freeman, seconded by R. Bailey that the resolution from the City of Welland regarding CAW Local 523 resolution with respect to requesting the Provincial Government to immediately strengthen the Ontario Pension and Benefit Guarantee Fund, be received.

Motion Carried

Moved by C. Gibb, seconded by P. Renaud that the resolution from the City of Welland regarding CAW Local 523 resolution with respect to requesting the Provincial Government to immediately strengthen the Ontario Pension and Benefit Guarantee Fund be supported.

Motion Carried

Item #11 & 12

Moved by P. Renaud, seconded by R. Bailey that the resolution from the Township of the North Shore, in support of Town Youth Participation Strategy and letter from Town Youth Participation Strategies, be received and that Council support the resolution.

Motion Carried

Item #13

Moved by G. Freeman, seconded by R. White that the resolution from the Town of North Perth requesting the Ministry of Environment to exempt small non-residential facilities which supply washroom facilities only from all portions of O.Reg. 170/03, be received and that Council support the resolution.

Motion Carried

Item #14

Moved by A. Leardi, seconded by P. Renaud that the request from Sun Parlour Shrine Club to advertise in their Ceremonial Parade Program, be received.

Motion Carried

Item #15

Moved by C. Gibb, seconded by A. Leardi that the Council Questions for 2004 be received.

Motion Carried

BUSINESS LICENCES

Moved by A. Leardi, seconded by R. White that the Business Licence application from Julie Beausoleil to operate a gifts and crafts store at 264 Dalhousie Street, be received and approved subject to compliance with all agencies and by-laws.

Motion Carried

REPORTS OF SPECIAL COMMITTEES

Moved by P. Renaud, seconded by R. Bailey that the minutes of the Economic Development Committee held April 19, 2004, be received.

Motion Carried

Moved by C. Gibb, seconded by R. White that we engage Stantec to complete a water and sewage feasibility study for the Smith Industrial Park area at a cost of \$10,500 to be charged to the Water Reserve.

Motion Carried

REPORTS OF COMMITTEES

Moved by R. Bailey, seconded by R. White that the minutes of a Special meeting of the Amherstburg Municipal Council held April 13, 2004 at 8:00 p.m. be adopted as amended by changing “6 months” to “6 weeks” on page 2.

Motion Carried

Moved by R. White, seconded by R. Bailey that the minutes of a Special meeting of the Amherstburg Municipal Council held April 13, 2004, at 7:00 p.m. be adopted subject to Councillor Anthony Leardi being changed to read Deputy Mayor Leardi.

Motion Carried

Moved by A. Leardi, seconded by R. White that the minutes of a Special meeting of the Amherstburg Municipal Council held Monday, April 26, 2004, be adopted.

Motion Carried

REPORTS OF MUNICIPAL OFFICERS

Report #1

Moved by P. Renaud, seconded by R. Bailey that the report from Ralph Barnwell, dated Apr. 19, 2004 regarding CQ 50-04 Amherstburg Heritage Homecoming, be received.

Motion Carried

Report #2

Moved by R. White, seconded by R. Bailey that the report from Lory Bratt, dated April 28, 2004, regarding Traffic Concern – 80 Sandwich St. – Sobeys’ Entrance, be received and that we concur with the recommendations.

Motion Carried

Notification of neighbours is very important prior to implementing recommended changes.

Deputy Mayor Leardi requested that the Planning Coordinator flag possible financial contributions from Developers in future Development Agreements.

Report #3

Moved by C. Gibb, seconded by P. Renaud that the report from Stephen Brown, dated Apr. 27, 2004, regarding Building Department Complaint – Peter DiPasquale, be received.

Motion Carried

Report #4

Moved by A. Leardi, seconded by R. White that the report from Lou Zarlenga, dated Apr. 28, 2004 regarding Monthly Reports from OCWA, be received.

Motion Carried

Report #5

Moved by A. Leardi, seconded by R. White that the report from Lou Zarlenga, dated Apr. 28, 2004 regarding request for New Agricultural Access Bridge over the Albert McGee Municipal Drain, Owners Alan & Pauline Waters be received and that we concur with the recommendation that the request be accepted and that Bruce D. Crozier Engineering Inc. be authorized to prepare a drainage report pursuant to Section 78 of the Drainage Act providing for the requested new bridge.

Motion Carried

Report #6

Moved by P. Renaud, seconded by A. Leardi that the report from Paul Beneteau, dated Apr. 27, 2004 regarding Status Report – Malden Sewer Surcharge on Water Bill – CQ – 2004-40, be received and we contact Essex Power for water account history.

Motion Carried

Treasurer to give Councillor Bailey dates that information was requested.

Report #7

Moved by G. Freeman, seconded by R. White that the report from Hilary Payne, dated Apr. 27, 2004 regarding Rest Homes – CQ 51-04, be received and that we concur to contact the County to have them follow up on the availability of Federal-Provincial funding for Rest Homes.

Motion Carried

Report #8

Moved by R. Bailey, seconded by C. Gibb that the report from Stephen Brown, dated Apr. 29, 2004 regarding Sewer Connection 566 Concession 2 North, be received.

Motion Carried

UNFINISHED BUSINESS

- lack of Street Name signage at intersection of Middle Side Road and Walker Road.
- Potential for Public Transportation to and from Windsor – in progress.
- CQ- provide Council with costs associated with the Arena for the last 5 years – May 10th meeting.
- Signage to be checked on Boundary Line of former Malden & Essex in progress.
- From April 1st Council Meeting – requested a copy of the regulation regarding electronic recording of calls and the cost of 1 GPS Unit.

Moved by R. White, seconded by A. Leardi that administration be directed to report back regarding amendment of Clause 12.3 (regarding portable signs) of By-law 2003-32 which states as follows:”

12.3 TERMINATION RESTRICTION

- (1) Not more than one permit for a portable sign may be issued in any calendar year for each property, unless more than one portable sign is permitted on a property in accordance with another section of this By-law.
- (2) No portable sign shall be erected or displayed for more than 90 days continuously from the date of issuance of the permit, and the permit shall clearly state the last date by which the sign must be removed.

Motion Carried

NEW BUSINESS

Moved by A. Leardi, seconded by G. Freeman that we receive the report from Kristy Deluca, dated April 29, 2004 requesting appointment to the Parks Committee and that we appoint Kristy Deluca to the Committee.

Motion Carried

It was agreed that meetings to be held on May 26, 2004 would be changed to June 3, 2004.

Councillor Freeman questioned why a plan of Shoppers Drug Mart that he obtained in January was not the same as what is being built. Steve Brown explained that elevations are not covered in Site Plan agreement.

Moved by P. Renaud, seconded by A. Leardi that we send a letter to the owners of Richmond Terrace asking if they would consider reviving their expansion plans.

Motion Carried

Mayor Hurst spoke on it being time to put a facelift on our community. If everyone were to spruce up their property the whole town would benefit. “Big things happen when we do little things right”. We all should be proud of our community and be prepared to keep our properties neat and clean. He suggested that a letter be sent to all businesses, merchants, schools, etc.

Moved by P. Renaud, seconded by R. White that we send a letter to all businesses, schools, merchants to request that they join in a campaign to give a facelift to our community.

Motion Carried

BY-LAWS

Moved by C. Gibb, seconded by P. Renaud that **By-law No. 2004-35**; being a by-law to authorize the execution of an Agreement be taken as having been read a first, second and third time, be finally passed and the Mayor and the Clerk be authorized to sign same and affix the Corporate Seal thereto.

Motion Carried

Moved by P. Renaud, seconded by R. White that **By-law No. 2004-36**; being a by-law to confirm all resolutions of the Municipal Council; be taken as having been read a first, second and third time, be finally passed and the Mayor and the Clerk be authorized to sign same and affix the Corporate Seal thereto.

Motion Carried

Moved by G. Freeman, seconded by R. White that:

By-law No. 2004-37; being a by-law to authorize speed limit on certain Highways in the Corporation of the Town of Amherstburg be deferred until people in the area have been notified.

Motion Carried

Moved by A. Leardi, seconded by R. White that:

By-law No. 2004-38; being a by-law to provide for the construction of a New Farm Access Culvert over the Shaw Drain be taken as having been read a first and second time and be provisionally adopted.

Motion Carried

Moved by R. White, seconded by A. Leardi that we recess and move In-Camera.

Motion Carried

Moved by C. Gibb, seconded by P. Renaud that we rise into open session.

Motion Carried

Moved by R. Bailey, seconded by G. Freeman that the report from Lou Zarlenga, dated April 28, 2004 regarding the Malden Area Sewage Project – Status Report be received and that we concur with the recommendation to send a second warning letter to be sent notifying them that the original deadline was August 31, 2003 and that deadline has been extended to July 31, 2004 and if the connection is not installed by that time the Town will proceed to lay charges.

Motion Carried

ADJOURNMENT

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

Motion Carried

MAYOR

CLERK