

Minutes of a Special meeting of the Amherstburg Municipal Council held Monday, July 5, 2004 at 6:00 p.m.

PRESENT; Mayor Wayne Hurst
Deputy Mayor Anthony Leardi (at 6:30 p.m.)
Councillor Robert Bailey (at 6:30 p.m.)
Councillor Gord Freeman
Councillor Carl Gibb
Councillor Paul Renaud
Councillor Rosa White

ALSO PRESENT; Hilary Payne, CAO
Steve Brown, CBO (for 6:00 p.m. meeting only)
Lou Zarlenga, Public Works (for 6:30 meeting only)
Rick Murray, Fire Chief (for 8:00 p.m. meeting only)

DECLARATIONS OF PECUNIARY INTEREST

There were no declarations of pecuniary interest.

Segment A – 6:00 p.m.

Messrs. Isam Yaldo, Mike Angileri and Peter Oliveto appeared as a delegation regarding the Salmoni Building proposed redevelopment.

Mr. Yaldo asked that the demolition approval be expedited and that an early construction start was essential to avoid difficulties with winter conditions.

The CBO presented a report from July 5th, attached, setting out the relevant time frames. He noted that 90 days was the maximum time allotted for Council to make a decision (which is non appeal able).

Councillor Freeman noted that the LACAC Chair would attend the July 12th Council meeting to provide an update but LACAC would need until July 13th to review the ACO Engineer's report and then subsequently report to Council on July 26th (or earlier if Council so desired).

The Mayor urged that this entire matter be expedited.

Segment B – 6:30 p.m.

Mr. Ed Dries, P. Eng. of Todgham and Case Consultants in Chatham appeared as delegation to present his Drainage Report on the Faucher Drain (Alma at Fox). The meeting was also attended by 11 property owners as per the attached listing.

Mr. Dries described the process and noted that a major part of the work was the replacement of seventeen structures (culverts). Lou Zarlenga confirmed complete agreement with the report and confirmed that all property owners had been notified.

Mr. Dinardo spoke to a letter of objection (copy attached) which he had submitted and Mr. Dries responded. He also noted that all cost objections would be dealt with by the Court of Revision and not Town Council.

Discussion also took place regarding the saving of trees and the 50/50 split between upstream and downstream property owners for structure replacement.

The Mayor noted that Council had three options to consider i.e. approve, not approve or approve with conditions.

Moved by C. Gibb, seconded by G. Freeman that the Consultants report on the Faucher Drain be adopted.

Motion Carried

SEGMENT C – 8:00 P.M.

The Mayor noted that the meeting had been scheduled to receive input on the residents on the Middle Side Road in former Malden on the proposed renaming of the street to avoid 911 communication confusion with the Middle Side Road in former Anderdon. The meeting was attended by eight residents as per the attached listing. Discussion followed during which residents suggested various alternative names for both Middle Side Roads. The Fire Chief noted that the primary issue was safety to the public which was being compromised by the 911 confusion and emphasized that one or the other of the Middle Side Roads would have to have a name change.

The following motions were presented:

Moved by P. Renaud, seconded by R. White that Middle Side Road in Anderdon be renamed Middle Side Road North and Middle Side Road in Malden be renamed Middle Side Road South.

Motion Lost

Moved by G. Freeman, seconded by R. Bailey that Middle Side Road in Malden be renamed Middle Side Road south.

Motion Lost

Moved by P. Renaud, seconded by C. Gibb that the Middle Side Road in Anderdon be renamed Middle Side Road North and Middle Side Road in Malden be named Middle Side Road South.

Motion Lost

Moved by R. White, seconded by C. Gibb that Middle Side Road in Anderdon be renamed County Road 10.

Motion Lost

Moved by A. Leardi, seconded by R. White that Middle Side Road in Malden be named by the next available name on the approved list of names for new streets.

Motion Carried

(Note as per the attached list the next name would be Welsh Road)

The Mayor emphasized the proper signage must be provided for the name change.

The following two supplementary items were also approved.

Moved by C. Gibb, seconded by A. Leardi that the report dated July 5, 2004 from the Clerk for hiring a HRDC Summer Student – Jessica Catton be approved.

Motion Carried

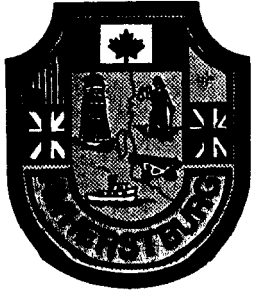
Moved by P. Renaud, seconded by R. White that the request of A La Mode Ladies Fashions and Accessories of 52 Richmond Street to use the parking space in the front of their store on July 8, 9 and 10th for a sidewalk sale be approved.

Motion Carried

There being no further business, the meeting adjourned.

MAYOR

CHIEF ADMINISTRATIVE OFFICER



The Corporation of The
Town of Amherstburg

P.O. BOX 159
271 SANDWICH ST., SOUTH
AMHERSTBURG, ONTARIO
N9V 2Z3

BUILDING DEPARTMENT

Bus. (519) 736-5408
Fax (519) 736-9859

STEPHEN W. BROWN, CBCO
Chief Building Official

MEMO TO: HILARY PAYNE, CHIEF ADMINISTRATIVE OFFICER

FROM: STEPHEN W. BROWN, CHIEF BUILDING OFFICIAL

DATE: JULY 5, 2004.

SUBJECT: SALMONI BUILDING

The following is the status of the Salmoni Building current to the above date:

- Demolition Permit Application was received at the Building Department on May 13, 2004.
- Council under the requirements of the Heritage Act has 90 days with which to consult with its LACAC regarding the demolition of the building. The 90 day period will expire *August 10, 2004* at midnight.

The heritage Act reads as follows:

(2) Within 90 days after receipt of an application under subsection (1) or within such longer period as is agreed upon by the owner and the council, the council, after consultation with its municipal heritage committee, if one is established,

(a) may,

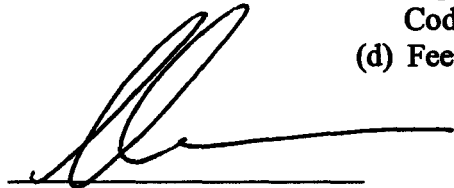
(i) consent to the application, or

(ii) refuse the application;

(b) shall give notice of its decision to the owner and to the Foundation; and

(c) shall publish its decision in a newspaper having general circulation in the municipality. 2002, c. 18, Sched. F, s. 2 (18).

- The Amherstburg LACAC has made application to the Architectural Conservancy to have the building surveyed by a restoration Architect prior to advising Council. The restoration Architect has undertaken the survey and will be submitting his report Monday July 12, 2004.
- A meeting of the Amherstburg LACAC has been scheduled for July 13, 2004. The committee will then be in a position to offer its recommendation to Council.
- The Chairperson of the Committee Mr. John MacDonald has asked to address Council on July 12, 2004 to update Council on the Committee's progress with respect to this matter.
- The Chief Building Official will be in the position to issue a Demolition Permit under Section 8 of the Ontario Building Code Act when:
 - (a) A letter has been received from the Municipal Clerk's Office that states that the requirements under the Heritage Act have been fulfilled with respect to demolition and,
 - (b) A letter has been received from the Municipal Clerk's Office that states the requirements for demolition under the Heritage Easement Agreement have been fulfilled and,
 - (c) The owner has provided the required documentation as required under Section 2.3.2.3. of The Ontario Building Code and,
 - (d) Fees are paid.



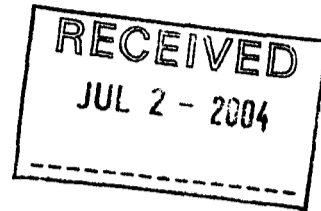
Stephen W. Brown, CBCO
Chief Building Official

/SWB

RECEIVED
JUN 28 2004

Copy ED. DRIES
Lou ZARLINGA
ROBCRAWFORD

Mrs. Maria DiNardo
78 States Ave.
Amherstburg, Ont.
N9V 3M3



June 23, 2004

Town of Amherstburg
P.O. Box 159
271 Sandwich St. S.
Amherstburg, Ont
N9V 2Z3

Mayor and Members of Council;

Re: Faucher Drain

I am writing to express my concerns regarding the need for and the cost of the proposed work to be done on the Faucher Drain.

My sister and I and our spouses own property at roll numbers 630-06150 and 630-06200. My parents have lived at this location for many years and can attest to the fact that the drain has worked properly for the last 25 years. There have never been any flood problems and the drainage has been very good, even during the last few months of heavy rains.

The drainage report indicates that structure # 13, which services our property as well as property belonging to Mr. Jenner and Mrs. Renaud, should be replaced. Since there has been no drainage problem, we feel that this would be a waste of money. When my father built the other bridges located on our properties, he was told by the township to build the bridges the way the township wanted and the township would own the bridges and take care of them. If this is the case and if the town insists on proceeding with the proposed work, then we feel that the town should bear the cost of replacing the structures.

There is a drain that comes from across the road and empties into the Faucher drain. Are the owners of the property located on the north side of Alma Street sharing in the cost of the drain improvements? We also have concerns about the cost of the proposed project. If the work proceeds, we want assurance from the town that they will seek out the best price and award the contract to the lowest bidder. My father has many years experience has a builder and feels that the proposed price of \$88,700.00 is too high.

We have no objection to the drain being cleaned and the cost shared amongst all the property owners. Cleaning the drain would be an acceptable maintenance project. Because the drain is functioning and there have been no problems with the flow of water, we do object to the excessive cost of the project and we encourage the Town of Amherstburg to not proceed with the total project as proposed.

Yours truly,

x 

Maria DiNardo

Faucher Grain
July 5/04

Name

Address

RENARD	4601 AND/MAUD TUNN.
G. WISMER	5610 County Rd B Amherstburg
Marion Dufour	319 Hawthorn Amherstburg (co-owner of part of Lot #25)
Sherry & Michael Mallory	5511 Alma
E. Jenner	5011 Alma
Penny Di Sabo	4390 ALMA
Biase Di Pasquale	4481 Alma Street, Amherstburg
Maria L. DiNardo	" " "
Graziella Di Pasquale	" " "
MARIO Di Nardo	4481 ALMA St. Amherstburg

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Middle Side Road Naming

Name Address

Orlando Segatto	6111	Middleside Rd	County Rd 10
BRUCE GARDIN	9681	MIDDLESIDE RD.	A'BURG
GLADYS GARDIN.	9361	MIDDLESIDE RD	A'BURG.
George Cipka	4661	Middle Side Rd	Malden
Dorinda Lowe	4850	Middleside Rd	(Malden)
RICK LOWE	4850	MIDDLE SIDE ROAD	MALDEN
Richard MARTIN	4471	MIDDLE SIDE ROAD	MALDEN
Suz Franch			
<i>[Signature]</i>			