

Minutes of a regular meeting of the Amherstburg Municipal Council held Monday, May 14, 2007 at 7:00 p.m.

**PRESENT**

Mayor Wayne Hurst  
Deputy Mayor Robert Bailey  
Councillor Rick Fryer  
Councillor Robert Pillon  
Councillor Paul Renaud  
Councillor John Sutton  
Councillor Rosa White

**ALSO PRESENT**

Frank Pizzuto, Chief Administrative Officer  
David Mailloux, Clerk  
Pam Malott, Dep. Treasurer/Tax Collector  
Carol Bendo, H.R. Specialist/Dep. Clerk  
Lou Zarlenga, Public Works Manager  
George Balango, Manager of Development Services  
Lory Bratt, Planning Coordinator  
Rick Murray, Fire Chief  
Randy Sinasac, Deputy Fire Chief  
Ron Dzombak, Manager of Recreational Services  
Dave Carpenter, IT

**PRAYER**

The Clerk said prayer.

**DISCLOSURE OF PECUNIARY INTERESTS**

None

**MINUTES OF PREVIOUS MEETING**

Moved by R. Pillon, seconded by J. Sutton that the minutes of a regular meeting of the Amherstburg Municipal Council held Monday, April 23rd, 2007, be adopted as amended.

Report # 11 page 5 should read August 17<sup>th</sup>, 2006

Motion Carried

**PRESENTATIONS**

1. Bill Wark of the Amherstburg Accessibility Committee presented an updated AAC Plan.

Moved by R. Pillon, seconded by J. Sutton that the report from Bill Wark on the Amherstburg Accessibility Committee be received.

Motion Carried

Council applauded the efforts and persistence of the AAC and the work they have accomplished.

2. Peter Rindlisbacher of the Provincial Marine addressed Council to make a brief announcement and to request a secure removable gate on Navy Yard Seawall Fence.

3. Consultants from T L Powell & Associates Ltd and Cyril Hare & Associates Inc. presented the Town of Amherstburg Master Fire Plan with the assistance of Fire Chief Murray and Deputy Fire Chief Sinasac.

## **REPORTS OF MUNICIPAL OFFICERS**

### **Report #1**

The Amherstburg Provincial Marine Re-enactment Group has requested Council's consideration to provide a removable fence panel on the existing steel rail fence at the Kings Navy Yard Park. This would assist the group for various re-enactment activities.

Moved by P. Renaud, seconded by R. White that the report from Lou Zarlenga, dated May 10th, 2007, regarding Kings Navy Yard Park request from Provincial Marine Re-enactment Unit Provision of Removable Fence Panel, be received and that Council concur with the request and proceed to install a removable gate and ladder.

Motion Carried

### **Report #2**

The Master Fire Plan included a complete review of the fire department operations to set key objectives to develop and evolve in a growing municipality, to determine what is required to allow the department to provide a full range of service at a desired level while recognizing realities and fiscal restraint. The nature of the geographic area and the anticipated growth rates were considered, together with the fire protection and fire prevention needs of the area.

Moved by R. White, seconded by J. Sutton that the report from Richard Murray, dated May 1st, 2007 regarding the Master Fire Plan be received and that Council receive the Master Fire Plan and form a working group consisting of the Mayor, CAO, Fire Chief, Deputy Fire Chief and one member of each Fire Fighters Association to develop a work plan for the implementation of the recommendations in the Master Fire Plan and that the working group report to Council in August of 2007 with its recommendations.

Motion Carried

### **Report #3**

The IBEW 636 collective agreement for Town employees expired on December 31st, 2006 and remained in force until a new contract was negotiated.

Moved by J. Sutton, seconded by R. Fryer that the report from Carol Bendo, dated May 8th, 2007 regarding Collective Agreement Renewal with IBEW 636 be received and that the Town of Amherstburg approve the collective agreement with IBEW 636 for the period January 1st, 2007 to December 31st, 2010 as per the attached Memorandum of Settlement and that **By-law 2007-42** being a by-law to authorize the execution of an agreement with IBEW Local 636 representing the inside and outside employees of the said Town of Amherstburg be given 3 readings and that the Mayor and Clerk be authorized to sign same and affix the Corporate seal thereto.

Motion Carried

Comments were made by Council thanking all those involved in the process for the work towards resolution.

**Report #4**

Council is being requested to consider a proposed by-law to change the zoning of Lots 16 to 29 inclusive and Lots 86 to 93 inclusive – Kingsbridge Subdivision to remove the (H) Holding Symbol.

Moved by P. Renaud, seconded by J. Sutton that the report from Lory Bratt, dated May 7th, 2007 regarding Kingsbridge Subdivision (Phase 6A) Removal of Holding (H) Zone be received and that Council approve the application from 1078217 Ontario Limited for removal of the Holding Zone for Lots 16 to 29 inclusive and Lots 86 to 93 inclusive (Phase 6A) Kingsbridge Subdivision and further that **By-law 2007-38** being a by-law to amend Zoning By-law No. 1999-52, as amended (Phase 6A Kingsbridge Subd.), 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

**Report #5**

The applicant is proposing the redevelopment of the Canadian Tire Gas Bar at property municipally known as 421 Sandwich Street South.

Moved by R. Bailey, seconded by R. Fryer that the report from Lory Bratt, dated May 3rd, 2007 regarding 421 Sandwich Street South – Application for Site Plan Approval – Redevelopment of Canadian Tire Gas Bar, be received and that Council approve the site plan for redevelopment of the Canadian Tire Gas Bar at 421 Sandwich Street and further that **By-law 2007-41**; being a by-law authorizing the signing of a Development Agreement (Canadian Tire Gas Bar property), 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

**Report #6**

This report summarizes the status of an application for an amendment to the Zoning By-law to permit a high speed internet tower.

Moved by R. Fryer, seconded by J. Sutton that the report from George Balango, dated May 8th, 2007 regarding High Speed Internet Access be received.

Motion Carried

**Report #7**

The Town of Amherstburg is accepting proposals to prepare Urban Design Guidelines and a concurrent Heritage Study.

Moved by R. Bailey, seconded by P. Renaud that the report from George Balango, dated May 3rd, 2007 regarding Request for Urban Guidelines and Heritage Study Proposals be received.

Motion Carried

**Report #8**

On April 20th, 2007, Council appointed seven ACE Committee members. Nine members may be appointed to this committee. Mr. McDonald has applied for a committee appointment.

Moved by R. Pillon, seconded by R. Fryer that the report from George Balango, dated May 3rd, 2007 regarding Amherstburg Advisory Committee on Environment be received

and that the Town of Amherstburg appoint John F. McDonald to the Amherstburg Advisory Committee on Environment. (ACE).  
Motion Carried

**Report #9**

To update Council on the status of the redevelopment of the White Woods Mall site.

Moved by R. White, seconded by R. Fryer that the report from George Balango, dated May 4th, 2007 regarding Status Report – White Woods Mall Development, be received.

Motion Carried

**Report #10**

The Town of Amherstburg will host a Municipal Day on Saturday, August 18th, 2007 at the Amherstburg Arena. The Municipal Day is intended to provide residents an overview of the services and important work that town staff do on a day to day basis. It will also be a fun and educational day. Municipal Day will be held in conjunction with a family oriented event at Centennial Park hosted by the Amherstburg Lion's Club.

Moved by R. Fryer, seconded by J. Sutton that the report from Ron Dzombak dated May 5th, 2007 regarding Municipal Day 2007 be received.

Motion Carried

**Report #11**

On April 10th, 2007 Council approved the Splash Pad project for Toddy Jones Park. Along with that approval Council requested that staff work on maximizing the Splash Pad and spending less on the building upgrade.

Moved by J. Sutton, seconded by R. White that the report from Ron Dzombak, dated May 5th, 2007 regarding Toddy Jones Splash Pad Update, be received.

	<u>AYE</u>	<u>NAY</u>
Councillor Fryer requested a recorded vote.		
Deputy Mayor Bailey	X	
Councillor Fryer		X
Councillor Pillon		X
Councillor Renaud	X	
Councillor Sutton	X	
Councillor White	X	
Mayor Hurst	X	

Motion Carried

**Report #12**

The Fort Malden Horticultural Society is planning its annual event. The funds that are raised will go towards their part in "educating our fellow citizens in the beautification of their properties and well as other Society projects that play a part in the Town of Amherstburg's efforts to keep us the #1 Bloomin' Town in Ontario."

Moved by J. Sutton, seconded by P. Renaud that the report from Carol Bendo, dated April 30th, 2007 regarding Fort Malden Horticultural Society, Amherstburg Garden Tour Weekend, be received and that Council approve the request for the FMHS to use the usual, annual site in the Kings Navy Yard Park near the rhododendron and azaleas beds for the sale of the Amherstburg Garden Tour tickets on the weekend of May 25th-27th, 2007.

Motion Carried

**Report #13**

The Christ Church Sunday School is holding their annual post-Pentecost picnic on Sunday, June 3rd, 2007. They have requested that the fees for Toddy Jones Park be waived for this event.

Moved by R. Pillon, seconded by J. Sutton that the report from Carol Bendo, dated May 7th, 2007 regarding Christ Church Sunday School – Waiver of Fees for Toddy Jones Park - Sunday, June 3rd, 2007, be received.

Motion Carried

**Report #14**

This report addresses the issuance of municipal hunting licences by the Town of Amherstburg.

Moved by R. White, seconded by R. Fryer that the report from Paul Beneteau, dated April 11th, 2007 regarding Issuance of Municipal Hunting Licences be received and that **By-law 2007-36**; being a by-law to request the Minister of Natural Resources to repeal Township of Anderdon By-law 2596 and Township of Malden By-law 97-22 which authorizes the issuance of licences to hunt ringed-necked pheasants, cottontails, varying hares and European hares, 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

**Report #15**

Council has approved the implementation of a Kiosk at Town Hall to provide centralized reception and improved ratepayer service. To enable Administration to provide Council with 'measurable results of this initiative, it is necessary for the Town to establish a Customer Service Strategy where the customer is more the central focus of everything we do.

Moved by R. Fryer, seconded by R. White that the report from Pamela Malott, dated May 7th, 2007 regarding Customer Service Strategy and Standards be received.

Motion Carried

**Report #16**

The Municipal Act allows for 1/3<sup>rd</sup> of remuneration paid to elected members of Council, be deemed as expenses, provided that Council review the matter at a public meeting once in Council's term. Staff has prepared By-law 2007-40 which authorizes the continuance of the 1/3<sup>rd</sup> tax allowance.

Moved by R. Pillon, seconded by P. Renaud that the report from David Mailloux, dated May 1st, 2007 regarding Council remuneration be received and that **By-law 2007-40** being a by-law to deem one third of the remuneration paid to elected members of Council as expenses incidental to the discharge of their duties, 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

**Report #17**

Moved by R. Bailey, seconded by R. Fryer that the report from Frank Pizzuto, dated May 4th, 2007 regarding Source Water Protection Committee – Municipal Participation be received and that the Town of Amherstburg receive the Source Water Protection

information from the Essex Region Conservation Authority and that Council consider the Town's potential involvement in the Source Protection Committee.

Motion Carried

**Report #18**

A new phone system has been installed at town hall and public works facilities.

Moved by J. Sutton, seconded by R. White that the report from Dave Carpenter, dated May 14th, 2007 regarding New Phone System, be received.

Motion Carried

**Report #19**

Minutes of a Traffic Committee Meeting held April 25th, 2007.

Moved by P. Renaud, seconded by J. Sutton that the report submitted by Tony Marra regarding the Traffic Committee Meeting Minutes of April 25th, 2007, be received and that Admin forward a copy to PW and same to Police requesting comments.

Motion Carried

**Report #20**

The Public Works Department is providing a quarterly update as to the monthly utilization of the budgeted 2007 Overtime Allotment which includes overtime for Public Works, Water and Sewers.

Moved by J. Sutton, seconded by R. Fryer that the report from Lou Zarlenga, dated May 8th, 2007 regarding January to March – Public Works Overtime, be received.

Motion Carried

**Report #21**

The Public Works Department is providing Council with the 1<sup>st</sup> Quarter of 2007 Monthly OCWA Up date Reports for the various environmental facilities operated by OCWA.

Moved by P. Renaud, seconded by R. Bailey that the report from Lou Zarlenga, dated May 8th, 2007 regarding Monthly Reports from OCWA – January, February and March 2007, be received.

Motion Carried

**Report #22**

Report from David Mailloux regarding Summer Schedule for Council Meetings being set at July 23<sup>rd</sup> and August 27<sup>th</sup>.

Moved by J. Sutton, seconded by R. Fryer that the report from David Mailloux regarding Summer Schedule for Council be received and approved and that the same be communicated to the Public.

Motion Carried

**Report #23**

Report from Carol Bendo- Ontario Wineries Manufacturers Limited Liquor Sales.

Moved by R. White, seconded by R. Fryer that the Town of Amherstburg approve the sale and serving of beer and wine to patrons by Manufacturer's at their manufacturing

site within the Town of Amherstburg as set out in the Manufacturer's Limited Liquor Sales License under the Liquor License Act of Ontario.

Motion Carried

### **CORRESPONDENCE**

#### **Item #1**

Moved by R. Fryer, seconded by J. Sutton that the letter from Amherstburg Volunteer Firefighters, dated April 24th, 2007 requesting a cash advance of \$4,000 to assist with the Firefighters Volleyball Tournament, be received and approved.

Motion Carried

#### **Item #2**

Moved by R. Pillon, seconded by R. White that the letter from Ontario Federation of Anglers and Hunters, dated April 27th, 2007 requesting Council proclaim the weekend of July 6th, 7th & 8th, 2007 as Ontario Family Fishing Weekend, be received and that the Mayor proclaim July 6, 7 & 8, 2007 as Ontario Family Fishing Weekend.

Motion Carried

MAYOR HURST PROCLAIMED THE WEEKEND OF JULY 6, 7 & 8, 2007 AS ONTARIO FAMILY FISHING WEEKEND AND CALLED UPON ALL LOYAL CITIZENS TO SO OBSERVE.

#### **Item #3**

Moved by R. Bailey, seconded by J. Sutton that the letter from Essex Power, dated May 4th, 2007 regarding 'Essex Power Corporation Annual Meeting, be received and that all council members be encouraged to attend.

Motion Carried

#### **Item #4**

Moved by R. White, seconded by J. Sutton that the letter from Inky Mark, M.P. Marquette, Manitoba, dated April 3rd, 2007 regarding *Bill C-417, the Canadian Soldier's and Peacekeepers' Memorial Wall Act*, be received and that Council support this initiative.

Motion Carried

#### **Item #5**

Moved by R. Bailey, seconded by R. Fryer that the letter from Ministry of Citizenship and Immigration, dated April 2007 regarding *Lincoln M. Alexander Award 2007*, be received and that Council participate in this program.

Motion Carried

Councillor Sutton asked that administration forward this information to local schools and encourage their nominations.

**Item #6**

Moved by R. White, seconded by J. Sutton that the letter from the Minister Responsible for Seniors, dated April 2006, regarding Senior Achievement Awards, be received.

Motion Carried

**Item #7**

Moved by R. Fryer, seconded by P. Renaud that the letter from Town of Lakeshore, dated April 24th, 2007 regarding the Dog Pound Committee Appointment, be received.

Motion Carried

**BUSINESS LICENCES**

Moved by R. Pillon, seconded by R. White

That the Business Licence Application from Alex & Paulette Neill to operate a Bed & Breakfast at 21 Willow Beach; and

That the Business Licence Application from Terry Castanier to operate the business "Big Dogs Kabobs" at 75 Richmond Street; and

The Hawker Peddler Licence from Amherstburg Lion's Club to operate a Carnival at Centennial Park on May 10th – 13th;

Be received and approved subject to compliance with all agencies and regulations.

Motion Carried

**OTHER MINUTES**

Moved by R. Bailey, seconded by P. Renaud that the minutes of an Amherstburg Municipal Council Working Session held Tuesday, April 10th, 2007 be adopted.

Motion Carried

Moved by R. Fryer, seconded by S. Sutton, that the minutes of an Amherstburg Municipal Council Working Session held Monday, April 23rd, 2007, be adopted.

Motion Carried

**MINUTES OF COMMITTEES**

Moved by J. Sutton, seconded by R. Pillon, that the minutes of the Amherstburg Heritage Committee held February 15th, 2007 be received.

Motion Carried

Moved by R. Fryer, seconded by P. Renaud that the minutes of the Amherstburg Heritage Committee held March 22nd, 2007, be received.

Motion Carried

Moved by R. Bailey, seconded by R. White that the minutes of the Amherstburg Committee of Adjustment held Tuesday, March 27th, 2007 be received.

Motion Carried



Moved by R. White, seconded by J. Sutton that the minutes of the Amherstburg Parks Committee held April 5th, 2007, be received and that the minutes of the Amherstburg Parks Committee held May 3rd, 2007, be received.

Motion Carried

### **UNFINISHED BUSINESS**

Robert Pillon - requested CAO give a verbal update of transit system. CAO proceeded to give a verbal update of progress.

Reminder from Clerk that June 15<sup>th</sup> is Chamber of Commerce Economic Summit Meeting

### **NEW BUSINESS**

R. Pillon requested information on the progress of clean-up at Scodeller Park. Lou Zarlenga gave a verbal update.

P. Renaud raised issue that he received calls again concerning street lights out at Golfview subdivision.

### **BY-LAWS**

**By-law 2007-36** being a by-law to request the Minister of Natural Resources to repeal Township of Anderdon By-law 2596 and Township of Malden By-law 97-22 which authorizes the issuance of licences to hunt ringed-necked pheasants, cottontails, varying hares and European hares. (See Report #14).

**By-law 2007-38** being a by-law to amend Zoning By-law No. 1999-52, as amended (See Report # 4).

Moved by J. Sutton, seconded by P. Renaud that:

**By-law 2007-39** 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

**By-law 2007-40** being a by-law to deem one-third of the remuneration paid to elected members of Council as expenses incidental to the discharge of their duties. (See Report #16).

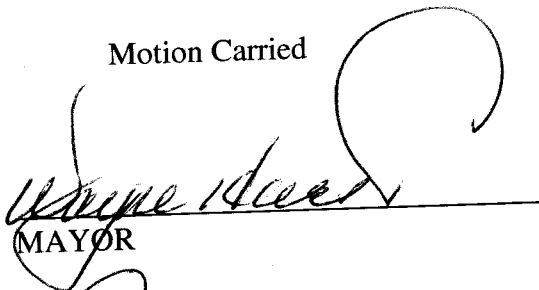
**By-law 2007-41;** being a by-law authorizing the signing of a Development Agreement (Canadian Tire Gas Bar property) (See Report # 5).

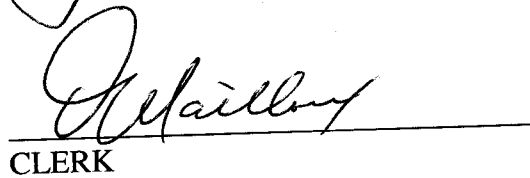
**By-law 2007-42;** being a by-law to authorize the execution of an agreement with IBEW Local 636 representing the inside and outside employees of the said Town of Amherstburg. (See report #3)

**ADJOURNMENT**

Moved by P. Renaud, seconded by J. Sutton that the meeting be adjourned.

Motion Carried

  
MAYOR

  
CLERK