

AMHERSTBURG MUNICIPAL COUNCIL MEETING

**MONDAY, OCTOBER 22, 2007
At 7:00pm in the Council Chambers**

Please Note: All Public Meetings of Council are recorded by an electronic recording device.

AGENDA

PRESENT:

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

ALSO PRESENT:

Frank Pizzuto, Chief Administrative Officer
George Balango, Manager of Development Services
Carol Bendo, Human Resources Specialist/Deputy Clerk
Stephen Brown, CBO
Lory Bratt, Planning Coordinator
David Carpenter, IT Manager
Ron Dzombak, Manager of Recreational Services
Ivan Fregonese, Supervisor Budget Services
Pam Malott, Mgr. of Corporate & Leg. Services/Clerk
Randy Sinasac, Deputy Fire Chief
Lou Zarlenga, Public Works Manager

PRAYER:

Reverend B Kirby will say prayer.

DISCLOSURE OF PECUNIARY INTEREST

MINUTES OF PREVIOUS MEETING

Moved by

Moved by
Seconded by

That the minutes of the Amherstburg Municipal Council Special Council Meeting with Hydro One held on Tuesday, October 9, 2007 be adopted as circulated.

Moved by
Seconded by

That the minutes of the Amherstburg Municipal Council In-Camera meeting held on Tuesday, October 9, 2007 be adopted as circulated.

Moved by
Seconded by

That the minutes of the Amherstburg Municipal Council Public Meeting regarding Proposed Draft Plan of Subdivision under Section 51(20) of the Planning Act, Hunt Club Creek Inc., held on Monday, October 1, 2007 at 7:30 p.m. be adopted as circulated.

Moved by
Seconded by

That the minutes of the Town of Amherstburg Public Meeting with the Arborist and Parks Committee held on Monday, October 2nd, 2007 at 3:30 p.m. be adopted as circulated.

DELEGATIONS

- 1) Linda Saxon will address Council regarding Barriers for Persons with Disabilities.
(Report #7 to be brought forward)
- 2) Jefferson Wiggins will address Council regarding Signs on the Highway.
- 3) Diane Golden-Lessor will address Council regarding Portable Signs.
- 4) Alison Bladwin will address Council regarding Portable Signs and Usage.
- 5) Wayne Goodchild will address Council regarding Sing By-Law.

PRESENTATIONS

The Town of Amherstburg, the Municipal Events Committee and Windsor Parade Corporation will make a joint presentation with regard to 2007 Christmas Programming

REPORTS OF MUNICIPAL OFFICERS

Report #1 (To be brought forward after the Presentation)

Report from Carol Bendo regarding the 2007 Christmas Program. The planning for Christmas programming is well underway. The Town, Municipal Events Committee, Windsor Parade Corporation, the Chamber of Commerce and a variety of community organizations have partnered to deliver an eventful holiday program that runs between November 24th, 2007 and January 2nd, 2008.

Moved by
Seconded by

That the report from Carol Bendo, dated October 10, 2007 regarding the 2007 Christmas Program be received.

Report #2 (To be brought forward after the Presentation)

Report from Carol Bendo regarding "River Lights....An Olde Towne Holiday".

The River Lights Program is in the final stages of planning for the upcoming holiday season. This report details the organization, logistics, funding and marketing initiatives with regard to the program.

Moved by
Seconded by

That the report from Carol Bendo, dated October 15, 2007 regarding "River Lights....An Olde Towne Holiday" be received.

Report #3 (To be brought forward after the Presentation)

Report from Carol Bendo regarding the 2007 Santa Claus Parade. This report is an update on the insurance requirements for the 2007 Santa Claus Parade.

Moved by
Seconded by

That the report from Carol Bendo, dated October 15, 2007 regarding the 2007 Santa Claus Parade be received.

Report #4 (See Also Correspondence #1)

Report from Carol Bendo regarding Royal Canadian Legion – Remembrance Day Parade. This report deals with the approval of the parade route.

The Annual Remembrance Day Parade has been a long standing tradition for the Royal Canadian Legion in Amherstburg. The parade coincides with the war veterans' recognition and other national activities which includes the Poppy Campaign, wreaths and Poppy Flags at the Town Hall.

Moved by

Report #5

Report from Carol Bendo regarding the Appointment of a Community Standards Officer.

Moved by
Seconded by

That the report from Carol Bendo, dated October 15, 2007 regarding the Appointment of a Community Standards Officer be received;

That Council approve the appointment of Ben Wilder as the Community Standards Officer for the Town of Amherstburg;

And further that

By-Law 2007-76 being a By-Law to Appoint a Community Standards Officer

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.

Report #6

Report from Carol Bendo regarding the Collective Agreement Renewal with the Amherstburg Professional Firefighters Association (APFA).

The Amherstburg Professional Firefighters collective agreement for Town employees expired on December 31, 2006 and remained in force until a new contract is negotiated. The Negotiation team for the Town and the Association held a bargaining session on September 26, 2007 and have reached a tentative agreement that was ratified by the membership on October 2, 2007. Administration is now seeking approval by Town Council. The contract is for a 4 year period from January 1, 2007 to December 31, 2010.

Moved by
Seconded by

That the report from Carol Bendo, dated October 15, 2007 regarding the Collective Agreement Renewal with the Amherstburg Professional Firefighters Association be received;

That the Town of Amherstburg approve the collective agreement with the Amherstburg Professional Firefighters Association for the period January 1, 2007 to December 31, 2010 as per the attached Comprehensive Offer to Settle;

And further that

By-Law 2007-75 being a By-Law to authorize the execution of an agreement with Amherstburg Professional Firefighters Association

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.

Moved by
Seconded by

That the report from Frank Pizzuto, dated October 17, 2007 regarding the Administration Update on the 2007 Accessibility Work Plan be received.

Report #8

Report from Frank Pizzuto regarding the Essex County Library – Facility Planning Study.

Moved by
Seconded by

That the report from Frank Pizzuto, dated October 15, 2007 regarding the Essex County Library – Facility Planning Study be received.

Report #9

Report from Lou Zarlenga regarding the tender results for Kings Navy Yard Park. The tendering process for Kings Navy Yard Parkette Restoration has been completed with the resulting low tender being received from Fullerton Construction.

Moved by
Seconded by

That the report from Lou Zarlenga, dated October 17, 2007 regarding tender results for Kings Navy Yard Park be received;

That Council accept the low bid from Fullerton Construction;

And Further That a contract be awarded for the Kings Navy Yard Parkette Restoration and Enhancement.

Report #10

Report from Lou Zarlenga regarding Kings Navy Yard Park- Action Plan Pursuant to Arborist Report.

This report deals with the proposed action plan at the Kings Navy Yard Park relating to immediate and future maintenance of the arboreal infrastructure situated at the Kings Navy Yard Park.

Moved by
Seconded by

That the report from Lou Zarlenga, dated October 16, 2007 regarding Kings Navy Yard Park- Action Plan Pursuant to Arborist Report be received;

And Further That Council approve the undertaking of the Action Plan at the Kings Navy Yard Park pursuant to the recommendations contained in the July 9, 2007 Arborist Report and minutes of a meeting held on October 2, 2007 with the Amherstburg Parks

Report #11

Report from Lou Zarlenga regarding Lifesaver Floatation Device at Kings Navy Yard Park. This report addresses a question under New Business raised at the September 24, 2007 Council Meeting regarding lifesaver floatation devices.

Moved by
Seconded by

That the report from Lou Zarlenga, dated October 16, 2007 regarding Lifesaver Floatation Device at Kings Navy Yard Park be received.

Report #12

Report from Lou Zarlenga regarding McGregor Lagoon Cell Desludging Tender Results. The tendering process for the McGregor Lagoon Cell Desludging Program has been completed with the resulting low tender being received from Salcin Haulage Inc.

Moved by
Seconded by

That the report from Lou Zarlenga, dated October 16, 2007 regarding McGregor Lagoon Cell Desludging Tender Results be received;

That Council accept the low bid from Salcin Haulage Inc.;

And further that a contract be awarded for the McGregor Lagoon Cell Desludging Program.

Report #13

Report from Lou Zarlenga regarding 2007 Rankin Sidewalk – Repair and Replacement.

Moved by
Seconded by

That the report from Lou Zarlenga, dated October 16, 2007 regarding 2007 Rankin Sidewalk – Repair and Replacement be received and that Council award the contract for the 2007 Rankin Sidewalk Construction Program to the low tenderer being Ingratta Cement and Drainage Contractors Inc.

Report #14

Report from Lou Zarlenga regarding Initial Acceptance of Road Works.
In June 2007 the Town received a letter from HGS Limited Consulting Engineers recommending the initial acceptance of the South Riverview Paving and Road Works.

Moved by
Seconded by

That the report from Lou Zarlenga, dated October 12, 2007 regarding Initial Acceptance of Road Works be received;

Report #15

Report from Lou Zarlenga regarding 2007 Tree Planting at Golfview Park – Public Works and ERCA Initiative.

Over the past several years the Essex Region Conservation Authority has sponsored tree planting activities at various sites in the Town including Golfview Park and has provided trees at no charge. The Public Works Department has facilitated the tree planting activities by preparing the sites, determining the type and location of trees, providing assistance and supervision at the site and providing protective mulch to the planted trees.

Moved by
Seconded by

That the report from Lou Zarlenga, dated October 17, 2007 regarding 2007 Tree Planting at Golfview Park – Public Works and ERCA Initiative be received;

And further that Council approve the Amherstburg Public Works Department and the Essex Region Conservation Authority to proceed to plant approximately 75 trees at the western end of Golfview Park adjacent to the storm water management area.

Report #16

Report from George Balango regarding the 2007 OPPI Conference, Healthy Lifestyles. The Ontario Professional Planners Institute Annual Conference was held at the Blue Mountain (Collingwood) October 3-5, 2007. Dominant themes included healthy lifestyles, sustainable development and pedestrian friendly neighbourhoods. Throughout Ontario, Municipalities have or are in the process of preparing design guidelines to implement healthy lifestyles, sustainable development and pedestrian friendly neighbourhoods. The report is an overview of why this is occurring, what the objectives of the guidelines are, common design guideline elements and benefits to the Town.

Moved by
Seconded by

That the report from George Balango, dated October 16, 2007 regarding the 2007 OPPI Conference be received.

Report #17

Report from Stephen Brown regarding On Site Part 8 Septic Systems Inspection.

Moved by
Seconded by

That the report from Stephen Brown, dated October 18, 2007, regarding On Site Part 8 Septic Systems Inspection be received;

And Further That Council approve that the authority having jurisdiction for the enforcement of On Site Sewage (Septic) Systems as prescribed in Division B, Part 8 of the Ontario Building Code within the Town of Amherstburg be assigned to the Development Services Department, Building Division under the jurisdiction of the Chief Building Official.

Report #18

Report from Lory Bratt regarding 7085 Smith Industrial Drive Application for Site Plan Approval Expansion to Facility.

The applicant is proposing a 10,000 sq. ft. addition to an existing manufacturing facility for a total building area of 29,750 sq. ft. at property municipally known as 7085 Smith Industrial Drive.

Moved by
Seconded by

That the report from Lory Bratt, dated October 16, 2007, regarding 7085 Smith Industrial Drive Application for Site Plan Approval Expansion to Facility be received;

That Council approve the Site Plan for the proposed expansion at 7085 Smith Industrial Drive;

And Further

By-Law 2007-74 being a By-Law to authorize the signing of a development 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.

Report #19

Report from Stephen Brown regarding the current Pool Enclosure By-Law 2005-21. The current Pool Enclosure By-Law does not specifically define the portable and inflatable pools which have been in the market place for several years. An amendment to the by-law will be required to add the definition to clarify the regulation.

Moved by
Seconded by

That the report from Stephen Brown, dated October 15, 2007, regarding current Pool Enclosure By-Law 2005-21 be received;

That Council approve an amended to the Pool Enclosure By-Law to include the definition of Portable and Inflatable Pools requiring regulation under the by-law which requires a fenced enclosure complying with the by-law;

And Further That Council approve that due to the portable nature of such installations a permit not be required for the installation of inflatable and portable pools.

Report #20

Report from Lory Bratt regarding a Proposed Amendment to Site Plan for the Salmoni Development. The applicant is proposing to incorporate a parking space and landscaped planting strip in the southwest area shown as landscaped area on Schedules "B" and "E" of the Development Agreement dated February 27, 2006.

That Council approve the amendment to Schedules "B" and "E" of the Site Plan Agreement for the Salmoni Development dated February 27, 2006 insofar as it relates to the southwest area shown as landscaped area, to permit a designated parking space for service vehicles only and a landscaped planting strip;

And Further Administration be directed to append the revised drawings to the Agreement.

Report #21

Report from Frank Pizzuto, Paul Beneteau and Ivan Fregonese regarding a Proposed Fiscal Cycle. The fiscal cycle is a guideline for all users of the Town's financial information to understand the financial reporting goals. The fiscal cycle includes three key areas: The Budget Process, Quarterly Reporting and Year End Financial Statements.

Moved by
Seconded by

That the report from Frank Pizzuto, Paul Beneteau and Ivan Fregonese, dated October 15, 2007 regarding a Proposed Fiscal Cycle be received and further that Council approved the proposed fiscal reporting cycle as presented.

Report #22

A report from Frank Pizzuto in response to a delegation on October 9th by Anthony Leardi regarding Eligible Costs from COMRIF for the Amherstburg Pollution Control Plant Upgrade.

Moved by
Seconded by

That the report from Frank Pizzuto, dated October 18, 2007 regarding Confirmation of Eligible Costs from COMRIF for the Amherstburg Pollution Control Plant Upgrade be received.

CORRESPONDENCE

Item # 1 (Bring Forward During Report #4)

Moved by
Seconded by

That the correspondence from The Royal Canadian Legion dated October 2nd, 2007 be received;

That the Mayor Proclaim November 5th through November 11th as Veterans Week;

That Council approve the Poppy Campaign in Amherstburg to run November 1st, 2nd and 3rd (Boxes being available in stores until after November 11th and wreaths available until November 5th);

Item #2

Moved by
Seconded by

That the correspondence from The Royal Canadian Legion dated October 9th, 2007 be received and all Council, Administration and Residents be encouraged to attend the November 11th Remembrance Day Ceremonies.

Item # 3

Moved by
Seconded by

That the email from the Township of Wellington Council dated October 3, 2007 be received;

And further that Council support/not support the Township of Wellington Resolution.

Item #4

Moved by
Seconded by

That the correspondence from the Essex County Agricultural Hall of Fame dated October 3, 2007 be received;

And further that Council approve/not approve the renewal of membership dues to the Essex County Agricultural Hall of Fame.

Items #5 - 10

Moved by
Seconded by

That the following correspondence be received:

- 5) Notice of Donation from Honeywell to the Amherstburg Fire Department in the amount of \$2,000 dated October 5, 2007.
- 6) Received in the Town of Amherstburg Website General Inquiry Email on October 9, 2007 notice of the Region of Peel – Energy Matters Summit to be held April 1-2, 2008.
- 7) Received via email notice of the Proceedings of the London Seminar through CanWEA Municipal Issues on Wind Energy held June 19-20, 2007 in London Ontario.
- 8) A letter of resignation from the Parks Committee by Casey Overgaauw dated October 9, 2007.
- 9) A letter of resignation from the Parks Committee by Bill Wark dated October 4, 2007 and received October 10, 2007.
- 10) A letter of thanks on the Referendum Education Program from John Hollins, Chief Electoral Officer, dated October 16, 2007.

BUSINESS LICENCES

There have been no business licence applications received by the Clerk's department for Council's review at this time.

OTHER MINUTES

Moved by
 Seconded by

That the minutes of the Amherstburg Accessibility Advisory Committee meeting held on Thursday, September 13th, 2007 at 6 p.m. be received.

Moved by
 Seconded by

That the minutes of the Amherstburg Accessibility Advisory Committee meeting with the Public held on Thursday, September 13th, 2007 at 7 p.m. be received.

UNFINISHED BUSINESS

Responsibility	Brought up by:	Item Description	Due Date	Type of Reply
Traffic Committee	J. Sutton	Update of Speed Reduction on McCurdy Drive	November 2007	Council Report
Traffic Committee	R. Fryer	Parking signs at the Frank Long Complex	November 2007	Council Report
Administration	R. Fryer/R. White	Excess Funds from Illumination Project be used for Continuation of Illumination on County Road 20 Northerly	November 2007	Council Report
Administration	R. Fryer	County Rd. 20 Dead Trees along the Hwy posing Safety Issues	November 2007	Council Report
Administration	R. Fryer	Information Regarding Sidewalks South of Texas Road - November Council Meeting	November 2007	Council Report
Administration	R. Pilon	Numerous complaints concerning flat tires due to ongoing construction work - Lou sent letter to Main Contractor	October 22, 2007	Verbal Update
Administration	R. Pilon	Autism Signs - have been ordered	October 22, 2007	Verbal Update
Administration	Correspondence	CDL Recyclers Request to Loop 8th Concession Watermain	January 2008	Council Report
Administration	Correspondence	School Crossing Signs	October 22, 2007	Verbal Update
Administration	R. White / J. Sutton	Parks Committee Vacancies - report with respect to options	January 2008	Council Report

NEW BUSINESS

BY-LAWS

By-Law 2007-76 being a By-Law to Appoint a Community Standards Officer
 (See Report #5)

Moved by
Seconded by

By-Law 2007-72 being a By-Law to amend By-Law 2005-89 governing the proceedings of Council, the conduct of its members and the calling of meetings;

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.

Moved by
Seconded by

By-Law 2007-77 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.

NOTICE OF MOTIONS

A notice of motion was made by R. White at the October 9th Council meeting to amend the sign by-law to prohibit any signage on the West Side of Highway 20.

ADJOURNMENT

Moved by
Seconded by

That we rise and adjourn at PM.