

Minutes of an Amherstburg Municipal Council Meeting held on Monday, October 27, 2008 at 7:00pm in the Council Chambers

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:

Pamela Malott, Chief Administrative Officer
Carol Bendo, Manager of Human Resources
Paul Beneteau, Treasurer
Stephen Brown, Chief Building Official
David Carpenter, Manager of Information Technology
Ron Dzombak, Manager of Recreational Services
Ivano Fregonese, Supervisor of Budget Services
Cindy Hazael-Gietz, Deputy-Clerk
Dwayne Grondin, Public Works Inspector/Coordinator of Development Services
Randy Sinasac, Deputy-Fire Chief

ABSENT WITH NOTICE:

Richard Murray, Fire Chief
Lou Zarlenga, Manager of Public Services
Lory Bratt, Planning Coordinator

CALL TO ORDER

The meeting was called to order at 7:00 pm

PRAYER

Deputy-Clerk, Cindy Hazael-Gietz, said prayer.

DISCLOSURE OF PECUNIARY INTEREST

None

MINUTES OF PREVIOUS MEETING

Moved by Councillor Renaud
Seconded by Councillor Pillon

That the minutes of the following Amherstburg Municipal Council meetings be adopted as circulated:

1. Special Public meeting regarding Power Outages held at 6:00 pm on Thursday, October 2, 2008;
2. Special Public meeting regarding the Budget held at 2:00 pm on Monday, October 6, 2008;
3. In-Camera meeting held at 3:20 pm on Monday, October 6, 2008 and
4. Public meeting held at 7:00 pm on Monday, October 6, 2008.

Motion Carried

DELEGATIONS

Delegation # 1

Mr. Anthony Leardi, on behalf of the Ranta Marina Boaters' Association, deferred his delegation to address Council regarding the Ranta Marina.

PRESENTATIONS

Presentation # 1

The Parks Committee made a presentation to Council regarding a proposed Kayak Launch and a proposed Walking and Biking trail.

Mr. Dante Pagliaroli, Chairman of the Parks Advisory Committee addressed Council regarding potential development of a Kayak Launch and Walking and Biking Trail. Mr. Pagliaroli stated the mandate of the Parks Committee is to look at inexpensive ways to make our community attractive. Mr. Pagliaroli proposed a biking and walking trail to begin at Larry Bauer Park shown on the attached map. Mr. Pagliaroli stated that this route was selected primarily due to the availability of parking and the future availability of washroom facility at Larry Bauer Park.

Mr. Pagliaroli discussed a Kayak Launch at the foot of Texas Road. Mr. Pagliaroli indicated that there are approximately 250 kayakers who are members of various clubs in Essex County and because of our location; Amherstburg is a much desired destination. Mr. Pagliaroli indicated that the access point shown on mapping is Duffy's tavern which

is no longer an active launch site. The proposed paddlers launch can be accommodated at the foot of Texas Road on Town owned property with parking being permitted by the adjacent land owner. Mr. Pagliaroli stated that once the kayakers finish paddling, it is likely they will frequent Town restaurants and businesses. Mr. Pagliaroli indicated the fact that there is some urgency to the request as the mapping for "Your Guide to Essex County" will be going to print early in the New Year. This publication is published on a 10 year cycle and the Parks Committee wished to take full advantage of this opportunity. The financial impact of this project is estimated at \$4,500.00 and Mr. Pagliaroli requested a decision prior to January 2009.

Discussion:

Councillor Pillon expressed concerns with respect to the grade of the site. The delegation indicated that the site would be graded. Tony DeThomasis, Supervisor of Parks and Roads indicated that the adjacent land owner is willing to sign an agreement to use his property for parking vehicles, unload and reload kayaks and the owner indicated his willingness to donate stone for this purpose.

Councillor Fryer asked what type of road would be required to access the launch. The delegation responded that the Kayakers are asking for a gravel surface and the estimate of \$4500 inclusive of stone and grading would be sufficient.

Deputy Mayor Bailey suggested that consideration be given to River Canard Park as a possible launch site as this site would provide parking.

Moved by Councillor Sutton
Seconded by Councillor Renaud

That the presentation by the Parks Committee be received and deferred to 2009 budget deliberations.

Motion Carried

REPORTS OF MUNICIPAL OFFICERS

Report #1

A report by Ron Dzombak and Pamela Malott regarding the Agreement with the Greater Essex County District School Board with respect to Wigle Field.

Moved by Councillor White
Seconded by Councillor Sutton

That the report by Ron Dzombak and Pamela Malott, dated October , 2008 regarding the Agreement with the Greater Essex County District School Board with respect to Wigle Field be received;

The Council approve the outline and timeline for remediation of Wigle Park per the site plan provided and the commencement of construction of the Premier Ball Field in Larry Bauer Park;

That Council authorize the necessary Agreement with Greater Essex County District School Board (GECDSB) for execution to allow advance payment of \$ 165,000 towards the remediation of Wigle Park;

And further that the scope of work is done in concert with the GECDSB and the Larry Bauer Baseball Field Development (LBBFD) group including Amherstburg Rotary, The Ontario Trillium Foundation and Amherstburg Minor and Senior Baseball and within the Town's procurement policy.

Discussion:

Councillor Sutton indicated that this is a worthwhile project which would take care of a long standing issue with land lock.

Councillor Fryer asked at what rate the School Board would pay fees when they resume in 13 years. CAO Pamela Malott indicated that the fees would be renegotiated at that time to reflect the actual costs.

Motion Carried

Report #2

A report by Dave Carpenter and Dwayne Grondin regarding the installation of the Cogeco Point of Presence (POP) station.

Moved by Councillor Sutton
Seconded by Councillor Pillon

That the report by Dave Carpenter and Dwayne Grondin, dated October 10, 2008 regarding the installation of the Cogeco Point of Presence (POP) station be received;

And further that Council approve the installation of the Cogeco Point of Presence (POP) station located behind the Crownridge Sanitary Pump Station as per the provided site plan with the addition of a treed screening to the Public Works approval.

Motion Carried

Report #3

A report by Dwayne Grondin regarding the Tender Results for Maintenance on the Leo Beaudoin Municipal Drain.

Moved by Councillor Pillon
Seconded by Deputy Mayor Bailey

That the report by Dwayne Grondin dated October 14, 2008 regarding the Tender Results for Maintenance on the Leo Beaudoin Municipal Drain be received;

And further that Council accept the low tender submitted by Rivard Excavating for the maintenance of the Leo Beaudoin Municipal Drain.

Motion Carried

Report #4

A report by Dwayne Grondin regarding the Tender Results for Maintenance on the Cornwall Municipal Drain.

Moved by Councillor Renaud
Seconded by Councillor Fryer

That the report by Dwayne Grondin dated October 14, 2008 regarding the Tender Results for Maintenance on the Cornwall Municipal Drain be received;

And further that Council accept the low tender submitted by Rivard Excavating for the maintenance of the Cornwall Municipal Drain.

Discussion:

Councillor Sutton asked if the Town has dealt with Rivard Excavating before and weather or not there is concern with the submission being substantially lower than the other bids. Dwayne Grondin, Public Works Inspector/Coordinator of Development Services indicated that the Town has used Rivard in the past and we have had no issues with the quality of their work.

Councillor Pillon requested that any additional costs on the project be reported to Council.

Motion Carried

Report #5

A report by Dwayne Grondin regarding the Tender Results for Maintenance on the Renaud Municipal Drain.

Moved by Councillor White
Seconded by Councillor Pillon

That the report by Dwayne Grondin dated October 14, 2008 regarding the Tender Results for Maintenance on the Renaud Municipal Drain be received;

And further that Council accept the low tender submitted by Rivard Excavating for the maintenance of the Renaud Municipal Drain.

Motion Carried

Report #6

A report by Carol Bendo regarding the 2009 Community Grant Submissions.

Moved by Councillor Fryer
Seconded by Councillor Sutton

That the report by Carol Bendo dated October 17, 2008 regarding the 2009 Community Grant Submissions be received;

And further that Council defer the 2009 Community Grant Submissions to budget deliberations.

Motion Carried

Report #7

A report by Cindy Hazael-Gietz regarding Committees of Council.

Moved by Deputy Mayor Bailey
Seconded by Councillor Fryer

That the report by Cindy Hazael-Gietz dated October 14, 2008 regarding Committees of Council be received;

That Council adopt the Terms of Reference for the following Committees: Heritage Committee, Community Spirit Committee, Tourism & Special Events Committee, Accessibility Advisory Committee, Traffic Committee, and Property Standards Committee;

That Council direct Administration to advertise in the Local Papers beginning October, 2008 the upcoming expiration of current positions on Committees of Council effective December 31, 2008;

And further that Council direct Administration to schedule an Orientation and Educational Session for new incumbents to Committees of Council in January 2009.

Motion Carried

Report #8

A report by Cindy Hazael-Gietz regarding Business Licensing.

Moved by Councillor White
Seconded by Councillor Sutton

That the report by Cindy Hazael-Gietz, dated October 17, 2008 regarding Business Licensing be received;

That Council receive the Draft Business License By-Law;

That Council direct Administration to present the Business Report and Draft Business License By-Law at two Public Meetings to be held in December 2008 and January 2009 for the purpose of gaining public input into the business license process;

And further that Council direct administration to pursue the addition of BizPal as a supplement to our web page and an aid to the business community in Amherstburg.

Motion Carried

CONSENT AGENDA

Consent Correspondence

Moved by Councillor Renaud
Seconded by Councillor Sutton

That the following correspondence be received:

1. Request for donation dated October 1, 2008 from Canada Post Foundation for Mental Health;
2. Fairness in Ontario dated September 30, 2008 from the Town of Tecumseh;
3. Fairness for Ontario and Investment in Communities dated September 29, 2008 from the Town of Hanover;
4. Support for Resolution on Province of Ontario reviewing MPAC operations dated October 1, 2008 from the Township of Greater Madawaska;
5. Introduction of New Program dated September 21, 2008 from Ensemble;
6. National Do Not Call List dated October 1, 2008 from AMO Alert No. 08/044;
7. Proposed Amendments to Facilitate Brownfield Redevelopment dated October 15, 2008 from AMO Alert No. 08/045;
8. Blue Box Program and Waste Diversion Act dated October 17, 2008 from AMO Alert No. 08/045;
9. Proposed pet and Kennel Regulations dated September 24, 2008 from the Windsor/Essex County Humane Society;
10. Ban on Disposal of Electronic Waste dated October 16, 2008 from EWSWA;
11. Energy Management Benchmarking Project dated October 16, 2008 from LAS;
12. Energy Management Tool Brochure dated October 4, 2008 from LAS;
13. October 19-25 is Waste Reduction Week in Canada dated October 17, 2008 from MOE;
14. Agricultural Drainage Infrastructure Program (ADIP) dated October 9, 2008 from the Ministry of Agriculture, Food and Rural Affairs;
15. Smart Meter Technology dated October 8, 2008 from Hydro One and
16. The 2008 Semi-Annual Performance Report dated October 1, 2008 from Ontario Power Generation.

Motion Carried

Council Pillon asked administration what the remedy will be to the decision of EWSWA to no longer provide road side collection of televisions effective April 1, 2009. The Deputy Clerk responded that Public Works is working with EWSWA to implement a drop off depot at the Public Works Site to receive electronics, batteries etc. on site beginning April 1, 2009. The Deputy Clerk indicated that the drop off depot would operate similar to the current yard waste depot.

Council directed administration to send correspondence to Ontario Power Generation advising them our current Clerk's name.

Consent Business Licences

Moved by Councillor Renaud
Seconded by Councillor White

That the taxi vehicle licence applications from the following individuals (new drivers) be received and approved subject to compliance with all agencies and regulations:

1. Terry Besley and
2. Bernard Bateman.

And further that the Kennel licence application from Margaret Manson to operate a kennel under the name of Braeriach Kennels be received and approved subject to compliance with all agencies and regulations.

Motion Carried

Consent Other Minutes

Moved by Councillor Fryer
Seconded by Councillor Sutton

That Items 1, 3, 4 & 5 be received

1. Meeting held on September 9, 2008 by the Amherstburg Parks Committee;
2. Meeting held on September 10, 2008 by the Amherstburg Committee on the Environment;
3. Meeting held on September 10, 2008 by the Traffic Committee;
4. Meeting held on September 10, 2008 by the Community Spirit Committee and
5. Meeting held on September 18, 2008 by the Amherstburg Accessibility Advisory Committee.

Motion Carried

Moved by Deputy Mayor Bailey
Seconded by Councillor White

That Item number 2, a meeting held on September 10, 2008 by the Amherstburg Committee on the Environment be received;

That Administration be directed to report back to Council regarding Item # 4 of Minutes, specifically Solar Energy Systems Proposal, in order to better understand how the Wetland Boundary was arrived at for Site B.

Motion Carried

CORRESPONDENCE

Item #1- Request to place 48' Trailer at Larry Bauer Park and Removal of Old Storage Bin – Amherstburg Minor Soccer Association

Moved by Councillor Fryer
Seconded by Councillor Sutton

That the correspondence from the Amherstburg Minor Soccer Association dated October 2, 2008 be received;

And that Council concur with the request and direct Administration to take the necessary steps.

Motion Carried

Item #2- Drainage and Lighting Issues – Greg Fox Property

Moved by Councillor Sutton
Seconded by Councillor White

That the correspondence from the Greg Fox dated September 30, 2008 regarding Drainage and Lighting Issues be received;

And that Council direct Administration to investigate and report back to Council at the November 10th meeting.

Motion Carried

UNFINISHED BUSINESS

Listed below are the unfinished business items as of October 27, 2008:

| Responsibility | Brought Up By: | Item Description: | Due Date |
|-----------------------|----------------------------|--|-----------------|
| Administration | R. White /R. Fryer | Seniors' Survey Results (Clerk's) | Spring 2009 |
| Traffic Committee | New Business Item 20081006 | Traffic Committee Items: Four ways Stops at Gore/Brock; Parking Spot abutting Parking Lot at Post Office; Traffic Congestion at New Location of St. John the Baptiste School (Traffic Committee) | TBD |
| Administration | J. Sutton / R. White | Resident request for Emission of Smoke By-Law (Dev Sev) (Need to wait for litigation to be resolved) | TBD |

Moved by Councillor Renaud
Moved by Councillor Sutton

That the items be received.

Councillor Fryer directed administration to add North St. south side pavement to the list of unfinished business items and requested an update from Tony DeThomasis, Roads and Parks Superintendent. Mr. DeThomasis advised that pre-engineering work is being completed on the gravel adequacy and once that work is complete, the project will move forward before the end of this year.

Councillor Renaud indicated that all of the items regarding the Traffic Committee have been completed and this will be reflected in the Traffic Committee Minutes.

Motion Carried

NEW BUSINESS

Councillor Fryer directed administration to report back to Council with respect to the following items:

- Final Coating of Asphalt on Marsh Court, White Crescent & Pettypiece
- Status of road between Kingsbridge North and South - Class B Road?
- Kingsbridge Park drainage and seeding
- Illumination of County Rd 20 from Middle Side Road to Malden

Moved by Councillor Sutton
Seconded by Councillor White

That administration be directed to send correspondence to Ken Schmidt regarding the article pertaining to ERCA and town resident Mr. Goodchild indicating that Council will have no comment until this legal matter is settled.

Motion Carried

Councillor White directed the Traffic Committee to bring back a report regarding parking on Gore Street adjacent to Town Hall.

Councillor Pillon directed administration to follow up with the progress of the Traffic Study.

BY-LAWS

Moved by Councillor White
Seconded by Councillor Sutton

By-Law 2008-70 being a By-Law authorizing the execution of an Agreement for Development Management Services between the Corporation of the Town of Amherstburg and Nustadia Recreation Inc. be taken as having been read three times and finally passed and the Mayor and the Clerk be authorized to sign same and affix the Corporate Seal thereto.

Motion Carried

Moved by Councillor Renaud
Seconded by Councillor Fryer

By-Law 2008-71 being a By-Law to confirm all resolutions of the Municipal Council be taken as having been read three times and finally passed and the Mayor and the Clerk be authorized to sign same and affix the Corporate Seal thereto.

Motion Carried

NOTICE OF MOTION


None

ADJOURNMENT


Moved by Councillor Sutton
Seconded by Councillor Pillon

That we rise and adjourn at 7:48 P.M.

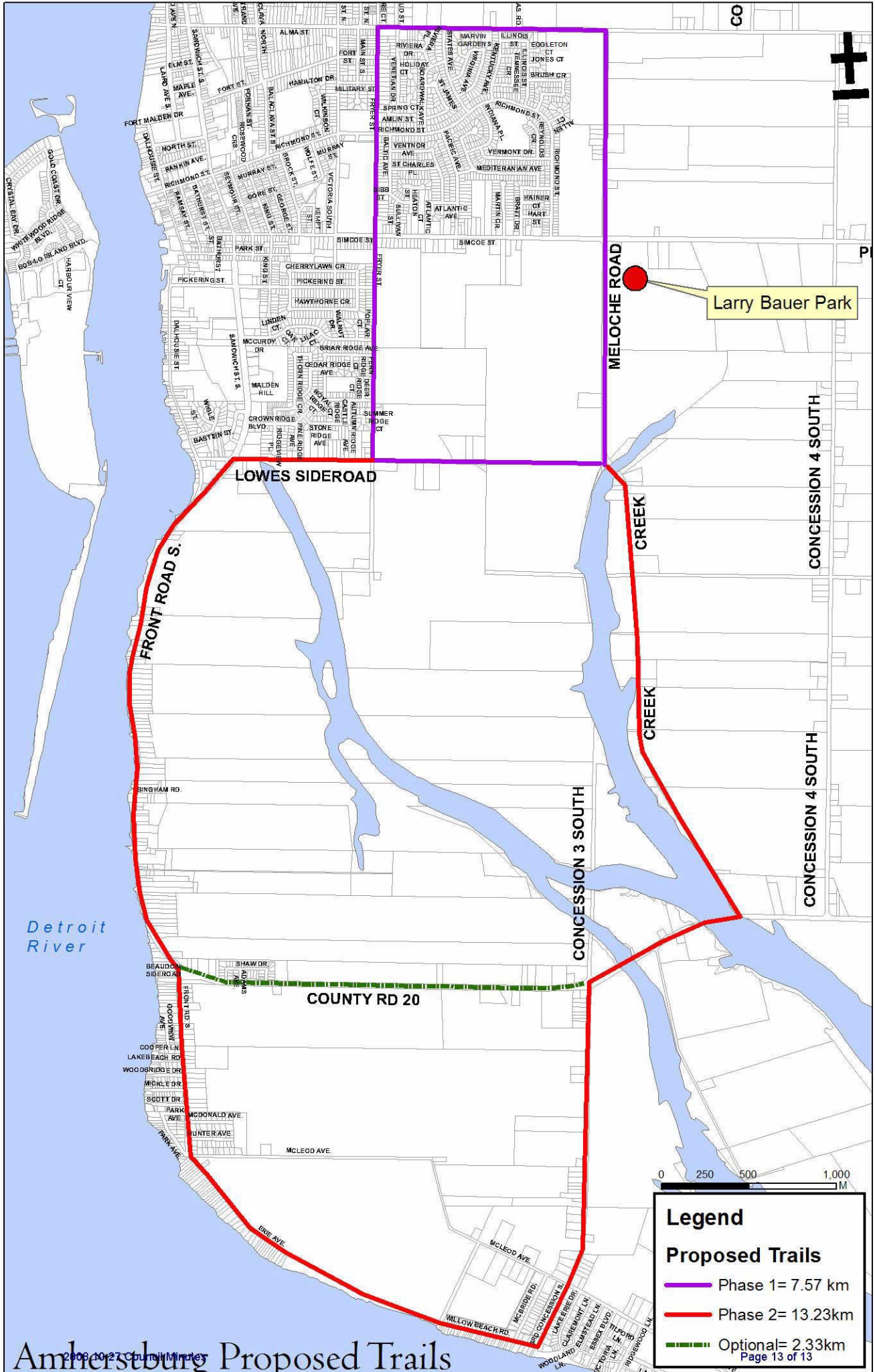
Motion Carried



Wayne Hurst, Mayor



Pamela Malott, Clerk



Larry Bauer Park



Legend

Proposed Trails

- Phase 1= 7.57 km
- Phase 2= 13.23km
- - - Optional= 2.33km

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