

AMHERSTBURG MUNICIPAL COUNCIL MEETING

MONDAY, JANUARY 26, 2009
At 7:00pm in the Council Chambers

MINUTES

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
Paul Beneteau, Treasurer
Carol Bendo, Manager of Human Resources
Tim Berthiaume, Staff Sergeant
Lory Bratt, Planning Coordinator
Stephen Brown, Chief Building Official
Ron Dzombak, Manager of Recreational Services
Ivano Fregonese, Supervisor of Budget Services
Cindy Hazael-Gietz, Deputy-Clerk
Jackie Hubbs, Manager of Development Services
Richard Murray, Fire Chief
Nick Renaud, IT/Desktop Support Specialist
Lou Zarlenga, Manager of Public Services

ABSENT WITH NOTICE: Dave Carpenter, Manager of Information Technology

CALL TO ORDER

Mayor Hurst called the meeting to order at 7:00 pm

PRAYER

Rev. Christine Downey from St. Alban's Anglican Church said prayer

DISCLOSURE OF PECUNIARY INTEREST

None declared

MINUTES OF PREVIOUS MEETING

Moved by Councillor Renaud
Seconded by Councillor Fryer

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

1. In-Camera meeting held at 5:45 pm on Monday, January 12, 2009 and
2. Council Meeting held at 7:00 pm on Monday, January 12, 2009.

Motion Carried

DELEGATIONS

Delegation # 1

Mr. Chris Uszynski addressed Council regarding the ERCA Super Santa 5K Run. A flyer regarding the event is attached to and forms a part of these minutes. Mr. Uszynski thanked Council for the opportunity to address them with regard to the Super Santa 5K Run and provided a brief history of the success of this event in other communities. Mr. Uszynski indicated that the event would bring local, regional and national exposure to the Town of Amherstburg. Mr. Uszynski stated that the date has been strategically selected to coincide with the Santa Clause Parade in order to take advantage of the road closures that are already happening that day as well as to bring additional tourist traffic to the area on Parade Day. Mr. Uszynski indicated that there are several committed volunteers as well as sponsors already committed to the project.

Moved by Councillor Pillon
Seconded by Councillor Fryer

That the delegation by Mr. Chris Uszynski be received;

And further that Administration further review the proposal and bring back a report to Council at the Feb 9th Meeting.

Motion Carried

Report # 1 brought forward after Delegation # 1

A report by Carol Bendo regarding the ERCA Super Santa Run was deferred.

Delegation # 2

Mr. Tom Kelly addressed Council regarding a request to establish the Old Timers Hockey Tournament (to be held March 12 – 15, 2009) as a Community Event. Mr. Kelly indicated that the community event status would reduce the liquor license expenses incurred by the Old Timers Hockey Association. Mr. Kelly indicated that the organization would continue to pay for ice time as in previous years. Mr. Kelly indicated that the Old Timers Hockey Association does have insurance in place to cover the event.

Moved by Councillor Renaud
Seconded by Councillor Pillon

That the delegation by Mr. Tom Kelly be received.

And further that the Old Timers Hockey Tournament (to be held March 12 – 15, 2009) be declared a community event from this year forward.

Discussion:

Councillor White confirmed with Mr. Kelly that the Old Timers Hockey Association will continue to pay for ice time.

Motion Carried

REPORTS OF MUNICIPAL OFFICERS

Moved by Councillor Fryer
Seconded by Councillor Sutton

That Council waive the rules of order and bring forward Report # 16

Motion Carried

Report #16

Lory Bratt presented a report regarding a Site Plan Agreement for 7826 Howard Avenue (Robert Brant and Amanda Ellis). Ms. Bratt indicated that the proponents as well as the neighbors, Mr. & Mrs. Lucier had participated in the OMB hearing and further that this by-law is compliant with the Memorandum of Settlement resulting from that hearing

Moved by Councillor Pillon
Seconded by Councillor Sutton

That Council waive the rules of order and allow Mrs. Lucier to address Council regarding the report.

Motion Carried

Mrs. Lucier stated that she was in possession of a copy of the report and had concerns with Items 6, 11, 13, 20, 22 and 24. Ms. Bratt spoke to each item and addressed Mrs. Lucier's concerns with respect to landscaping, noise, dust control, water run off, future development and financial security. Mrs. Lucier stated further that the neighbors had been pumping water over the burm for a 3 day period. Ms. Bratt indicated that the proponent's agent, Cindy Prince, had been contacted regarding this issue and the Town was notified that pumping of water will not occur in the future. Ms. Bratt further stated that there is a deadline of April 30, 2009 in place for the requirements of the site plan to be met to allow for winter weather delays.

Moved by Deputy Mayor Bailey
Seconded by Councillor White

That the report by Lory Bratt dated January 19, 2009 regarding a Site Plan Agreement for 7826 Howard Avenue be received;

That Council approve the Site Plan for 7826 Howard Avenue;

And further that By-law **2009-09** being a by-law to authorize the signing of a development agreement 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

Report # 2

A report by Carol Bendo regarding Annual Special Events Requirements.

Moved by Councillor Renaud
Seconded by Deputy Mayor Bailey

That the report by Carol Bendo dated January 13, 2009 regarding Annual Special Events Requirements be received;

That Mayor and Council approve the exemption of park user fees to non profit organizations based in the Town of Amherstburg for those events that focus on education, culture and religion;

That Council authorize Administration to grant permission for non-profit organizations to host simple parades that have historically come before Council for approval only after careful consultation and necessary forms have been submitted and considered by Administration;

And further that the 2009 road banner event schedule be approved.

Discussion:

Council discussed the lack of press coverage that may result to the organizations in promoting their events if the events were not brought to public meetings for approval.

Motion Lost.

Moved by Councillor Sutton
Seconded by Councillor Fryer

That the report by Carol Bendo dated January 13, 2009 regarding Annual Special Events Requirements be received;

That Council not authorize Administration to grant permission for non-profit organizations to host simple parades that have historically come before Council for approval but that non-profit organizations approval remain the responsibility of Council;

And further that the 2009 road banner event schedule be approved.

Motion Carried

Report # 3

A report by Carol Bendo regarding the Tourism Oriented Directional Signage (TODS) Program.

Moved by Councillor Pillon
Seconded by Councillor Sutton

That the report by Carol Bendo dated January 26, 2009 regarding the Tourism Oriented Directional Signage (TODS) Program be received.

Councillor White directed administration to retain this item in unfinished business until the signage has been installed and further that administration be directed to communicate with Bruce Crozier to expedite this process.

Motion Carried

Report # 4

A report by Lou Zarlenga and Jackie Hubbs regarding the Amherstburg Sandwich Street Corridor Traffic Impact Study.

Moved by Councillor Sutton
Seconded by Councillor Fryer

That the report by Lou Zarlenga and Jackie Hubbs regarding the Town of Amherstburg Sandwich Street Corridor Traffic Impact Study dated January 19, 2009 be received;

And further that Council direct staff to proceed with McCormick Rankin Corporation (MRC) recommendations through a two phased approach:

Phase I to address the three intersection issues outlined with the recommendations proposed by McCormick Rankin Corporation (MRC) in accordance with each of the three issues.

Phase II work program to address General Amherstburg High School issue with an expanded approach to address the pedestrian crossing. The expanded approach will include collaboration and consultation between staff, school representatives, and businesses in the vicinity of the location and further that a public meeting be held at the Phase II stage. Recommendations will be forthcoming to Council after these initiatives have been completed. Public meeting will be held in phase 2 along with notification to businesses in the vicinity of the location.

Discussion:

Council amended the motion to include a public meeting at the Phase II stage and notification of businesses in the vicinity of the location.

Motion Carried

Report #5

A report by Ron Dzombak regarding Recreation Facility User Fees.

Moved by Council Fryer
Seconded by Councillor Pillon

That the report by Ron Dzombak dated January 19, 2009 regarding Recreation Facility User Fees be deferred until such time as Administration meets with the user groups to determine the economic impact on their organizations.

Discussions:

Councillor Sutton suggested that we deal with the inclement weather and sports field closure policy.

Motion Carried

Report #6

A report by Pamela Malott regarding the Use of the Former Sainte Jean de Baptiste School Site.

Moved by Councillor White
Seconded by Councillor Renaud

That the report by Pamela Malott dated January 19, 2009 regarding the Use of the Former Sainte Jean de Baptiste School Site be received;

That Council direct Administration to continue to pursue information concerning the restrictions to renovations or demolition due to the Cemetery located at the Sainte Jean de Baptiste School Site and report back to Council concerning same;

That Council direct Administration to pursue options for short term use of the facility;

That Council direct Administration to utilize the facility for Municipal Archival Storage due to space limitations and cost considerations at the current facility;

That Council direct Administration to advertise for ‘Expressions of Interest’ from interested Community Groups for use of the facility;

And further to the ‘Draft Estimated Financial Analysis’ submitted with this report; that Council be provided with a ‘Final Financial Business Case’ document which details estimated revenues and expenses for the facility based on Expressions of Interest received prior to any scheduling taking place.

Discussion:

Council discussed the process for expressions of interest and the restrictions associated with the site regarding the cemetery location.

Recorded Vote

Councillor	Yea	Ney
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 #7

A report by Lou Zarlenga regarding County Road 20 – Street Illumination Program Update & Phase 3 Estimated Costs.

Moved by Councillor White
Seconded by Councillor Renaud

That the report by Lou Zarlenga dated January 9, 2009 regarding County Road 20 – Street Illumination Program Update & Phase 3 Estimated Costs be received.

Discussion:

Councillor Fryer requested an addition to the motion to include the potential gas tax rebate or upcoming infrastructure grants to implement this program in the 2009 year. The mover and seconder were not in agreement with this addition.

Motion Carried

Report #8

A report by Lou Zarlenga regarding Accreditation Options for the Drinking Water Quality Management Operational Plans.

Moved by Councillor Sutton
Seconded by Councillor Pillon

That the report by Lou Zarlenga dated January 15, 2009 regarding Accreditation Options for the Drinking Water Quality Management Operational Plans be received;

And further that Council accept the recommendation from Administration that the Town of Amherstburg submit their Operational Plans to The Canadian General Standards Board (CGSB) and choose the Limited Scope – Entire DWQMS as the accreditation option.

Motion Carried

Report #9

A report by Lou Zarlenga regarding the 2008 Winter Control Costs Summary.

Moved by Councillor Pillon
Seconded by Councillor Fryer

That the report by Lou Zarlenga dated January 21, 2009 regarding the 2008 Winter Control Costs Summary be received.

Motion Carried

Report #10

A report by Lou Zarlenga regarding the Amherstburg Wastewater Plant Upgrade & Expansion Preliminary Design – Status of Report Revisions.

Moved by Deputy Mayor Bailey
Seconded by Councillor White

That the report by Lou Zarlenga dated January 21, 2009 regarding the Amherstburg Wastewater Plant Upgrade and Expansion Preliminary Design be received and further that Council receive the correspondence dated January 21, 2009 from the Town’s Engineering Consultant CH2M Hill.

Discussion:

Council discussed the time lines and the budget of the project.

Motion Carried

Report #11

A report by Lou Zarlenga regarding Contract Options for Street Light Maintenance.

Moved by Councillor Renaud
Seconded by Councillor White

That the report by Lou Zarlenga dated January 22, 2009 regarding Contract Options for Street Light Maintenance be received;

And further that Council authorize the Amherstburg Public Works Department to prepare tenders for basic street light maintenance.

Recorded Vote

Councillor	Yea	Nea
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

A report by Paul Beneteau regarding 2007 Financial Statement Adoption.

Moved by Councillor Sutton
Seconded by Councillor White

That the report by Paul Beneteau dated January 12, 2009 regarding the adoption of 2007 Financial statements be received;

And further that the financial statements, as prepared by Graham, Settrington, MacIntosh, Driedger and Hicks, for the 2007 fiscal period be received and adopted as presented.

Discussion:

Councillor Sutton commended the Treasury Dept. on the presentation of the 2007 financial statements.

Paul Beneteau indicated that Schedule 12 will be revised to reflect the changes as per our auditor's presentation to Council earlier today.

Motion Carried

Report #13

A report by Ivano Fregonese regarding accounts payable.

Moved by Deputy Mayor Bailey
Seconded by Councillor Sutton

That the report by Ivano Fregonese dated January 8, 2009 regarding accounts payable be received.

Discussion:

Deputy Mayor Bailey indicated that the report was very well done and is responsive to the community need for a timely process for payments and further stated he was pleased to see batches processed four times per month.

Motion Carried

Report # 14

A report by Paul Beneteau regarding an update to the review of water and sanitary sewer billing/collecting and meter reading.

Moved by Councillor Fryer
Seconded by Councillor Pillon

That the report by Paul Beneteau dated January 12, 2009 regarding an update to the review of water and sanitary sewer billing/collecting and meter reading be received;

And further, that Council direct Administration to continue the existing relationship with Essex Power to perform the water and sanitary sewer billing and collecting at a current cost of \$178,498.56.

Motion Carried

Report # 15

A report by Dave Carpenter and Carol Bendo regarding the Website Business Directory.

Moved by Councillor Fryer
Seconded by Councillor Sutton

That the report by Dave Carpenter and Carol Bendo dated November 3, 2009 regarding Website Business Directory be deferred until such time that the Manager of Information Technology can be present.

Motion Carried

Report #17

A report by Lory Bratt and Lou Zarlenga regarding Kingsbridge Subdivision – Parkland Development and Knobb Hill Drive. Lou Zarlenga indicated that tender for drainage works is ready subject to council approval. Lory Bratt indicated that the pathway within the park will be comprised of gravel.

Moved by Councillor Fryer
Seconded by Councillor White

That as per report of Lou Zarlenga and Lory Bratt dated January 14, 2009 Council concur with the development of Kingsbridge Parkland in four phases with Phase 1 being completed in 2009;

And further that the Developer will complete the rural cross section of Knobb Hill Drive concurrently with Phase 1 together with the bike path and sidewalk all as shown on engineering drawing prepared by Stantec Consulting Ltd. Dated January 15, 2009.

Motion Carried

Report # 18

A report by Cindy Hazael-Gietz regarding the execution of the lease agreement with the Boxing Club.

Moved by Councillor White
Seconded by Councillor Pillon

That Council receive the Report from Cindy Hazael-Gietz dated January 14, 2009 concerning the leasing of the space known as 300 Victoria Street South be received ;

That Council approve the execution of the Lease Agreement for a one year period;

And further that By-law 2009-07, being a by-law authorizing a Lease Agreement between the Corporation of the Town of Amherstburg and The Fighting Island Amateur Boxing Club for the use of premises know as 300 Victoria Street South, Amherstburg Ontario described as Con 1 Pt Lot 2; RP 12R18093, Part 2, 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

Report # 19

A report by Pamela Malott regarding Identification Badges for Town of Amherstburg Employees.

Moved by Councillor Pillon
Seconded by Councillor White

That the report by Pamela Malott, dated January 16, 2009 regarding Identification Badges for Town of Amherstburg Employees be received;

And further that Council concur with Policy H15-Identification Badges for Employees.

Motion Carried

CONSENT AGENDA

Consent Reports

Moved by Deputy Mayor Bailey
Seconded by Councillor White

That the report by Lory Bratt dated January 20, 2009 regarding 151 Gore Street Zoning Information be received.

Motion Carried

Consent Correspondence

Moved by Councillor Sutton
Seconded by Deputy Mayor Bailey

That the following correspondence be received:

1. Investment Opportunity Highlight - One Funds from LAS and MFOA/CHUMS dated January 2009;
2. Moving Forward Phase of the Official Plan 5 year review from the City of Windsor dated January 12, 2009;
3. Receipt of Amherstburg's December 15, 2008 motion regarding infrastructure dated January 7, 2009 from the Department of Finance Canada and
4. An Invitation to the Grand Opening of the Meals on Wheels Program dated January 15, 2009 from ACS.

Motion Carried

Consent Other Minutes

Moved by Deputy Mayor Bailey
Seconded by Councillor Fryer

That the following minutes be received:

1. Meeting held on October 7, 2008 by the Community Spirit Committee;
2. Meeting held on November 5, 2008 the Community Spirit Committee and
3. Meeting held on December 3, 2008 by the Community Spirit Committee.

Motion Carried

CORRESPONDENCE

Item #1- Proclaim March Kidney Health Month – Kidney Foundation

Moved by Councillor Sutton
Seconded by Deputy Mayor Bailey

That the correspondence from the Kidney Foundation of Canada dated January 15, 2009 be received;

That Council grants permission to the foundation to conduct a door-to-door canvass in the Community of Amherstburg during the month of March 2009;

And further that the Mayor proclaim March 2009 “Kidney Health Month” in the Municipality of Amherstburg.

Motion Carried

OTHER MINUTES

Moved by Councillor Fryer
Seconded by Councillor Renaud

That the following minutes be received:

1. Meeting held on October 30, 2008 by the Amherstburg Co-An Park and
2. Meeting held on January 15, 2009 by the Amherstburg Co-An Park.

Councillor Pillon directed Administration to confirm with the Town of Essex regarding the insurance being provided for the Liquor License Permit. Councillor Pillon indicated that this permit is for the exclusive use of Co-An Park not for rental events through private individuals or organizations.

Motion Carried

UNFINISHED BUSINESS

Listed below are the unfinished business items as of January 26, 2009:

Item #	Brought up By:	Due Date:	Item Description:	Type of Reply
20081027C	R. Fryer	January 2009	Final Coating of Asphalt on Marsh Court, White Crescent & Pettypiece (PWD)	Council Email
20081006A	R. White /R. Fryer	Spring 2009	Seniors' Survey Results (Clerk's)	Council Report
20080623E	J. Sutton / R. White	TBD	Resident request for Emission of Smoke By-Law (Dev Sev) (Need to wait for litigation to be resolved)	Council Report

Council directed administration to include the following in the unfinished business items until such time as the work has been completed:

1. TODS Signage
2. Alma Street drainage Issue – Fox/Pritchard
3. Kingsbridge Subdivision Park Land
4. Illumination of County Rd 20

NEW BUSINESS

Moved by Councillor Sutton
Seconded by Councillor White

That Council direct the Mayor to sign the letter of thanks to our MPP Bruce Crozier for his support of heritage properties as represented in his calendar.

Motion Carried

Councillor Fryer directed Administration to refer the parking situation on Murray Street between Wolfe and Victoria to the Traffic Committee. Councillor Fryer indicated that parking on both sides of the street prohibits traffic flow.

Councillor Fryer directed Administration to report back regarding snow removal contractors and specifically the licensing and signage of these vehicles.

Councillor Fryer requested that County Rd 20 illumination phase 3 be left on the unfinished business listing.

Councillor Pillon requested an update regarding public transportation. Mayor Hurst indicated that he will raise the issue again at the next meeting of County Council.

BY-LAWS

Bylaw 2009-07, being a By-law authorizing a Lease Agreement between the Corporation of the Town of Amherstburg and The Fighting Island Amateur Boxing Club for the use of premises know as 300 Victoria Street South, Amherstburg Ontario described as Con 1 Pt Lot 2; RP 12R18093, Part 2. (See Report #18)

By-Law 2009-09 being a by-law to authorize the signing of a development agreement. (See Report #16)

Moved by Councillor Pillon
Seconded by Councillor Sutton

By-Law 2009-08 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

Councillor Fryer introduced the following notice of motion:

Whereas the Town of Amherstburg currently has an expense of \$30,000.00 for cell phone and blackberry usage;

Be it moved that Council direct Administration to limit usage of cell phone and blackberry to the Mayor and CAO of the Town of Amherstburg.

ADJOURNMENT

Moved by Councillor Sutton
Seconded by Councillor Fryer

That we rise and adjourn at 8:47 P.M.

Starting Block
on Pickering
near Sandwich.

*Register early
and get a
free Santa Suit!*

ERCF Super Santa 5K Run

November 28th, 2009
5:30 pm start

*Run early and stay for the
Amherstburg Santa Clause Parade.*

*All proceeds to benefit the
Essex Region Conservation Foundation &
the Amherstburg River Lights Festival.*



*Join in the
Jolly Fun!*

