

**MINUTES OF AN AMHERSTBURG MUNICIPAL
COUNCIL MEETING HELD IN COUNCIL CHAMBERS
BEGINNING AT 7:00 P.M. ON MONDAY, MARCH 23, 2009**

PRESENT:

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

ALSO PRESENT:

Carol Bendo, Manager of Human Resources
Paul Beneteau, Treasurer
Lory Bratt, Planning Coordinator
Dave Carpenter, Manager of Information Technology
Tony DeThomasis, Roads & Parks Superintendent
Kristina Pozar Di Paolo, Acting Deputy-Clerk
Ron Dzombak, Manager of Recreational Services
Jackie Hubbs, Manager of Development Services
Richard Murray, Fire Chief
Anne Rota, Tourism and Special Events Coordinator
Lou Zarlenga, Manager of Public Services

Dante Pagliaroli, Chair – Parks Committee

ABSENT WITH NOTICE:

Councillor Robert (Bob) Pillon (Vacation)
Pam Malott, Chief Administrative Officer (Vacation)
Ivano Fregonese, Supervisor of Budget Services (Vacation)

CALL TO ORDER

Mayor Wayne Hurst called the meeting to order at 7:00 P.M.

PRAYER

Pastor Val Salvati said prayer.

DISCLOSURE OF PECUNIARY INTEREST

No disclosures of pecuniary interest were needed to be made.

MINUTES OF PREVIOUS MEETING

Moved by Councillor P. Renaud
Seconded by Councillor R. Fryer

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

1. In-Camera Meeting held at 8:30 am on Friday, March 6, 2009;
2. In-Camera Meeting held at 4:00 pm on Monday, March 9, 2009;
3. Council Meeting held at 7:00 pm on Monday, Monday, March 9, 2009;
4. In-Camera Meeting held at 8:30 am on Thursday, March 12, 2009.

Motion Carried

PRESENTATIONS:

Presentation # 1

Anne Rota, Tourism and Special Events Coordinator, made a presentation to Council regarding the 2010 Olympic Torch Relay. A video on the Torch Relay Run was viewed. Anne Rota informed Council that two stops will be made in Amherstburg; one at the Municipal Office and the other at Fort Malden by the torch bearer.

Report # 1 was brought forward after Presentation # 1

A report by Carol Bendo regarding the 2010 Olympic Torch Relay. The Olympic Torch Relay is designed to connect and share the Olympic Flame with as many Canadians in as many communities as possible. Amherstburg will have the honor and opportunity to be one of those special communities in which the Olympic Torch will pass through our Town by a designated Torchbearer. In preparation for this unique and historic moment, this report will outline some background and preliminary plans to celebrate that day – Wednesday, December 23, 2009.

Moved by Councillor J. Sutton
Seconded by Councillor R. White

That the presentation by Anne Rota be received;

That the report by Carol Bendo dated March 17, 2009 be received;

That the Mayor and Council receive the information as presented;

That Council approve \$1000 for celebration and signage expenses as the announcement came after budget deliberations.

Motion Carried

REPORTS OF MUNICIPAL OFFICERS

Report #1 was brought forward after Presentation #1

Report #2

A report by Anne Rota regarding the Pitch-In Week-Earth Day. Earth Day is the largest environmental event in the world. First launched in the U.S. in 1970, Earth Day (April 22) is celebrated in more than 100 countries as the birth of the environmental movement. Pitch-In Week is supported by many local governments, the media and a number of local community and voluntary organizations, including Scouts Canada, The Girl Guides of Canada, Women's Institutes and many others.

Moved by Councillor P. Renaud
Seconded by Councillor R. White

That the report by Anne Rota, dated March 17, 2009 be received;

That Mayor and Council adopt the PITCH IN WEEK and EARTH DAY (April 22) activities for Town of Amherstburg employees;

That Wayne Hurst, Mayor of Amherstburg proclaim the week of April 20 - 26, 2009 as "PITCH-IN CANADA Week" in Amherstburg and invite all citizens in our community to actively participate in PITCH-IN CANADA'S Operation;

And further that Administration be directed to place the Pitch-In Canada Proclamation on the website.

Motion Carried

Report #3

A report by Ivano Fregonese regarding Infrastructure Ontario Application for General Tax Capital Projects.

Moved by Councillor R. White
Seconded by Councillor J. Sutton

That the report by Ivano Fregonese, dated March 10, 2009 regarding Infrastructure Ontario Application for General Tax Capital Projects be received;

And further that **By-Law 2009-24** be a by-law to authorize certain capital works of the Corporation of Town of Amherstburg (the “municipality”); to authorize the submission of an application to the Ontario Infrastructure Projects Corporation (“OIPC”) for financing such capital works; to authorize temporary borrowing from OIPC to meet expenditures in connection with such works; and to authorize long term borrowing from OIPC for such works through the issue of debentures, be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same and affix the Corporate Seal thereto.

Motion Carried

Report # 4

A report by Ivano Fregonese regarding the Infrastructure Ontario Application for Wastewater Capital Projects.

Moved by Councillor J. Sutton
Seconded by Councillor R. Fryer

That the report from Ivano Fregonese dated March 10, 2009 regarding the Infrastructure Ontario Application for Waste Water Capital Projects be received;

And further that **By-law 2009-25**, being a by-law authorizing certain capital works of the Corporation of Town of Amherstburg (the “municipality”); to authorize the submission of an application to the Ontario Infrastructure Projects Corporation (“OIPC”) for financing such capital works; to authorize temporary borrowing from OIPC to meet expenditures in connection with such works; and to authorize long term borrowing from OIPC for such works through the issue of debentures, be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same and affix the Corporate Seal thereto.

Motion Carried

Report # 5

A report by Ivano Fregonese regarding the Infrastructure Ontario Application for Water Capital Projects.

Moved by Councillor R. Fryer
Seconded by Councillor P. Renaud

That the report by Ivano Fregonese dated March 10, 2009 regarding the Infrastructure Ontario Application for Water Capital Projects be received;

And further that **By-law 2009-26**, being a by-law authorizing certain capital works of the Corporation of Town of Amherstburg (the “municipality”); to authorize the submission of an application to the Ontario Infrastructure Projects Corporation (“OIPC”) for financing such capital works; to authorize temporary borrowing from OIPC to meet expenditures in connection with such works; and to authorize long term borrowing from OIPC for such works through the issue of debentures, be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same and affix the Corporate Seal thereto.

Motion Carried

Report #6

A report by Paul Beneteau regarding Revenue Received from Essex Power.

Moved by Deputy Mayor Bailey
Seconded by Councillor J. Sutton

That the report by Paul Beneteau dated March 2, 2009 regarding Revenue Received from Essex Power be received.

Motion Carried

Report #7

A report by Jackie Hubbs regarding Trails and Tracks through Town. The Town of Amherstburg Parks Committee, with staff direction, has prepared a trail system linking parks and areas of interest within the Town.

Dante Pagliaroli, Chair of the Amherstburg Parks Committee and Tony DeThomasis, Roads & Parks Superintendent made a presentation to Council regarding the proposed ‘Trails and Tracks through Town’ trail system and phases for implementation. The presentation is attached to and forms a part of the minutes.

Moved by Councillor J. Sutton
Seconded by Councillor P. Renaud

That the report by Jackie Hubbs dated March 13, 2009 regarding Trails and Tracks through Town be received;

That Council support the ‘Trails and Tracks through Town’ initiative;

And further that Council direct Administration to develop a work program to be brought back to Council.

Motion Carried

Discussion:

Councillor R. White asked the Committee and Administration to consider raising funds through the Naming of Trails in the Name of Donors/In Memory of /Commemorating a Special Occasions in order to be able to proceed faster with the implementation of the 'Trails and Tracks through Town' initiative.

Report #8

A report by Ron Dzombak regarding the 2009 Full Size Crew Cab Truck (Recreation Services) Tender Results. A demonstrated need for sports field, parks maintenance and facility snow removal through the recreation services department has been initiated for 2009 and this vehicle has been approved in the capital budget.

Moved by Councillor R. White
Seconded by Deputy Mayor Bailey

That the report by Ron Dzombak dated March 13 , 2009 regarding the 2009 Full Size Crew Cab Truck (Recreation Services) Tender Results be received;

And further that Council authorizes the purchase of the Full Size 2500 HD Crew Cab Truck for Recreation Services from Thrasher Sales and Leasing.

Motion Carried

Report #9

A report by Ron Dzombak regarding the Update on Phased-in Implementation of Park, Sport Field & Facility User Fees. To sustain and build on the quality of our park and recreation facilities, it is essential to begin to fund the necessary maintenance and potential upgrades for the future through recreation user fees.

Moved by Councillor R. Fryer
Seconded by Councillor J. Sutton

That the report by Ron Dzombak dated March 17, 2009 be received.

Motion Carried

Report #10

A report by Lou Zarlenga regarding the Amherstburg Wastewater Plant Upgrade & Expansion Tender Results for the Pre-selection of the Dewatering Centrifuges. Tenders were invited from 3 Equipment Suppliers for the supply, delivery, programming, supervision of installation and commissioning of the Dewatering Centrifuges to be used in the Upgrade and Expansion of the Amherstburg Wastewater Plant.

Moved by Councillor J. Sutton
Seconded by Deputy Mayor Bailey

That the report by Lou Zarlenga, dated March 23 , 2009 regarding the Amherstburg Wastewater Plant Upgrade & Expansion Tender Results for the Pre-selection of the Dewatering Centrifuges be received;

And further that Council accept the consulting Engineer's recommendation to award a contract to the low tender being Alfa Laval for the Dewatering Centrifuges to be used in the Upgrade & Expansion of the Amherstburg Wastewater Plant Project.

Motion Carried

Report #11

A report by Lou Zarlenga regarding Lake Erie Country Club. Heavy rains in the past several weeks have caused property damage to residential and agricultural lands and the municipal Lakeside Drive situated upstream of the private road providing access to the Lake Erie Country Club area.

Moved by Councillor R. Fryer
Seconded by Councillor P. Renaud

That the report by Lou Zarlenga, dated March 23, 2009 regarding the Lake Erie Country Club be received;

That Council concur with the recommendation from the Manager of Public Services to provide drainage to Lakeside Drive;

That immediate improvements be made to the existing 900 mm culvert crossing the private access road;

And further that said repairs be formalized through a drainage report undertaken by Ed Dries of Dillon Consulting as agreed to by Lake Erie Country Club executive, Town of Amherstburg and Essex Region Conservation Authority.

Motion Carried

Report #12

A report by Lou Zarlenga regarding Drainage Improvement, Leo Beaudoin Municipal Drain and 3rd Concession Road Reconstruction was presented to Council at the meeting. It is attached to and forms a part of the minutes. This report deals with the upgrading of the Leo Beaudoin pump and holding pond and also the proposed reconstruction of the 3rd Concession Road South and the ongoing complaints towards the performance of the existing Leo Beaudoin Drain and pumping system.

Moved by Deputy Mayor Bailey
Seconded by Councillor R. White

That the report by Lou Zarlenga, dated March 23, 2009 regarding Drainage Improvement, Leo Beaudoin Municipal Drain and 3rd Concession Road Reconstruction be received;

That Council appoint Ed Dries of Pillon Consulting to provide for upgrading of the existing Leo Beaudoin Municipal Drainage Pump and holding pond as part of the proposed 2009 reconstruction of the 3rd Concession Road South;

And that the Town pay for such required pump upgrades with existing funds allocated to the 3rd Concession Road South reconstruction or from possible infrastructure incentive grants.

And that yearly maintenance costs be paid for by affected upstream landowners pursuant to the Drainage Act.

Motion Carried

CONSENT AGENDA

Consent Reports

Moved by Councillor J. Sutton
Seconded by Deputy Mayor Bailey

That the following reports be received;

- 1) A report by Paul Beneteau dated March 4, 2009 regarding the Treasurer's Report and
- 2) A report by Carol Bendo dated March 10, 2009 regarding Disability Costs.

Motion Carried

Consent Correspondence

Moved by Deputy Mayor Bailey
Seconded by Councillor P. Renaud

That the Congratulatory letter regarding the Amherstburg Sports Complex dated March 2, 2009 from Essex Power Corporation be received;

And further that this correspondence be referred to the Inclusive Sports Complex Steering Committee.

Motion Carried

Moved by Deputy Mayor Bailey
Seconded by Councillor P. Renaud

That the following correspondence be received:

1. Letter of Thanks dated March 11, 2009 from the Amherstburg Historic Sites Association;
2. Policy regarding Stray Cats dated March 6, 2009 from the Windsor/Essex County Humane Society;
3. Smoke-Free Ontario Act from Ontario Ministry of Health Promotion;
4. August 9th Tractor Parade from the Essex County Steam & Gas Engine Museum Inc.;
5. Municipal Action on Bottled Water dated February 3, 2009 from AMO;
6. Pesticides Ban Alert dated March 9, 2009 from AMO;
7. Municipal Energy Bench Marking Project information letter from Local Authority Services;
8. Pedestrian Focused Communities Events for Municipalities, dated March 5, 2009 from AMO;
9. Bottled Water News Release from FCM;
10. Building Communities Resolution dated March 9, 2009 from the County of Essex;
11. Temporary Use By-Law dated March 11, 2009 from the Town of Tecumseh;
12. Amherstburg Photo Contest dated March 14, 2009 from Doors Open Amherstburg;
13. Municipal Action on Bottled Water – FYI dated February 3, 2009 from AMO;
14. New Website for United Way dated March 17, 2009;
15. Request for support from Parkinson Society Southwestern Ontario dated March 18, 2009;
16. Letter of Thanks dated March 16, 2009 from the Royal Canadian Legion and
17. 2009 Senior of the Year Awards from the Ministry Responsible for Seniors.

Motion Carried

Consent Business Licences

Moved by Councillor J. Sutton
Seconded by Councillor R. Fryer

That the following business licence applications be received and approved subject to compliance with **By-Law 2009-23**, all agencies and regulations;

- a) From Z&R Hotdogs, a Class 3 Refreshment Vehicle, operating at Canadian Tire parking lot;
- b) Fred's Farm Fresh Fruits and Vegetables, a fruit and vegetables cart, at 17 Sandwich St. N.;
- c) From Anderdon Creek Inn, a Bed and Breakfast accommodation, operating out of 3811 Middleside Road;
- d) From Essex Classic Cabs, a limousine transportation service, operating out of 3811 Middleside Road and
- e) From Essex Classic Cabs, a Limousine Driver, operating out of 3811 Middleside Road.

Motion Carried

Consent Other Minutes

Moved by Councillor R. White
Seconded by Councillor R. Fryer

That the following minutes be received:

1. Meeting held on January 29, 2009 by the Amherstburg Accessibility Advisory Committee;
2. Meeting held on February 10, 2009 by the Amherstburg Environment Committee;
3. Meeting held on March 10, 2009 by the Parks Committee and
4. Meeting held on March 11, 2009 by the Traffic Committee.

Motion Carried

CORRESPONDENCE

Item #1- Bottled Water Motion – Polaris Institute

Moved by Councillor R. White
Seconded by Councillor P. Renaud

That the correspondence from the Polaris Institute regarding limited use of bottled water be received.

Motion Carried

Item #2- Windsor/Essex County Senior Games Council

Moved by Deputy Mayor Bailey
 Seconded by Councillor R. White

That the correspondence from the Windsor/Essex County Senior Games Council regarding an application for a Blanket Lottery License be received;

And further that Council approve the application for a Blanket Lottery License.

Motion Carried

UNFINISHED BUSINESS

Listed below are the unfinished business items as of March 23, 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
20090126F	R. Fryer	March 2009	Parking issue on Murray Street between Wolfe and Victoria (Traffic Committee)	Council Report
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
20090126A	20090126 Council Meeting	TBD	TODS Signage Completion (Eco Dev)	Council Report
20090126B	20090126 Council Meeting	TBD	Alma Street drainage Issue – Fox/Pritchard to be resolved (Dev Sev)	Council Report
20090126C	20090126 Council Meeting	TBD	Kingsbridge Subdivision Park Land - park to be completed as per approved phases (Dev Sev)	Council Report
20090126D	Councillor Fryer	TBD	Illumination of County Road 20 - Phase 3 (PWD)	Council Report
20090126H	R. Pillon	TBD	Public Transportation in Amherstburg (Mayor to address at County Council)	Verbal update at Council
20090309A	R. Fryer	TBD	Alternative Energy Bill 150 – The Ontario Green Energy and Green Economy Act, 2009. (Dev Serv)	Council Report
20090309B	R. White	TBD	During reconstruction of Murray Street all Parking Limit signs should be uniform and state 2 hour time limits (PWD)	Council Email

Councillor P. Renaud requested that item # 20090126F be removed from the list as it has been dealt with.

Councillor R. White requested that replacement of signage in areas where construction was completed be added to our unfinished business list.

Councillor R. White requested an email from PWD regarding information on the timing of the removal of the lighting poles.

Councillor R. White requested that our PWD department remove a sign on the corner of Dalhousie and Gore that is dated 1996.

Councillor R. Fryer requested an update on the removal of logs from Texas Road and 3rd Concession. Lou Zarlenga informed Council that the felled trees do not pose a drainage issue and have been moved from the drain to a higher elevation. They are currently on privately owned land and the owner does not require their removal. The PWD Drainage Superintendent attended the site after the heavy rainfall on March 11, 2009 and found that there is no drainage issue with the current placement of the logs.

NEW BUSINESS

Moved by Councillor R. White
Seconded by Councillor R. Fryer

That Administration direct our Property Standards By-Law Enforcement Officer to undertake a two-week campaign to approach derelict home owners and business owners within the commercial core area to deal with property clean up.

Motion Lost

Council directed Administration to add an educational campaign on our Echo page and Website regarding enforcement of the property standards by-law.

BY-LAWS

By-Law 2009-24 being a By-Law to authorize certain capital works of the Corporation of Town of Amherstburg (the “municipality”); to authorize the submission of an application to the Ontario Infrastructure Projects Corporation (“OIPC”) for financing such capital works; to authorize temporary borrowing from OIPC to meet expenditures in connection with such works; and to authorize long term borrowing from OIPC for such works through the issue of debentures.

(See Report #3)

By-Law 2009-25 being a By- Law authorizing certain capital works of the Corporation of Town of Amherstburg (the “municipality”); to authorize the submission of an application to the Ontario Infrastructure Projects Corporation (“OIPC”) for financing such capital works; to authorize temporary borrowing from OIPC to meet expenditures in connection with such works; and to authorize long term borrowing from OIPC for such works through the issue of debentures.
(See Report #4)

By-Law 2009-26 being a By-Law authorizing certain capital works of the Corporation of Town of Amherstburg (the “municipality”); to authorize the submission of an application to the Ontario Infrastructure Projects Corporation (“OIPC”) for financing such capital works; to authorize temporary borrowing from OIPC to meet expenditures in connection with such works; and to authorize long term borrowing from OIPC for such works through the issue of debentures.
(See Report #5)

Moved by Deputy Mayor Bailey
Seconded by Councillor J. Sutton

That **By-Law 2009-27** 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

No notices of motion were made.

ADJOURNMENT

Moved by Councillor P. Renaud
Seconded by Councillor R. Fryer

That we rise and adjourn at 8:07 P.M.

Motion Carried



WAYNE HURST, MAYOR



PAMELA MALOTT, CAO/CLERK