

# **Minutes of an Amherstburg Municipal Council Meeting Held At 7:00 pm in Council Chambers on Monday, May 25, 2009**

## **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, CAO/Clerk  
Carol Bendo, Human Resources Manager  
Paul Beneteau, Treasurer  
Lory Bratt, Planning Coordinator  
David Carpenter, IT Manager  
Tony DeThomasis, Parks and Roads Superintendent  
Kristina Pozar Di Paolo, Acting Deputy Clerk  
Ron Dzombak, Manager of Recreational Services  
Ivano Fregonese, Supervisor Budget Services  
Dwayne Grondin, Water and Wastewater Superintendent  
Jackie Hubbs, Manager of Development Services  
Richard Murray, Fire Chief  
Lou Zarlenga, Public Works Manager  
  
Jim Breschuk, Dillon Consulting

## **1 CALL TO ORDER**

Mayor Hurst called the meeting to order at 7:00 PM.

## **2 PRAYER**

Deputy-Clerk, Kristina Pozar Di Paolo, said prayer.

Mayor Hurst thanked the Horticultural Society for all of their efforts this past weekend in order to make the Garden Tour a signature event in our Community.

Mayor Hurst congratulated the Mayor of Windsor, Eddie Francis, and the Spitfires for an outstanding job in winning the Memorial Cup and on behalf of Amherstburg we salute them. This is wonderful news for the City of Windsor and our region as well.

**3 DISCLOSURE OF PECUNIARY INTEREST**

No disclosures of pecuniary interest were made.

**4 MINUTES OF PREVIOUS MEETING**

Adoption of Minutes

Moved by Councillor R. Pillon

Seconded by Councillor J. Sutton

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

1. In-Camera meeting held on May 11, 2009 at 4:00 pm and
2. Council meeting held on May 11, 2009 at 7:00 pm.

**Motion Carried**

**5 DELEGATIONS**

Delegation #1

Miss Alyssa Dowhan, Miss Teen Amherstburg, addressed Council regarding the Teddy Bears of Hope Campaign. Miss Dowhan has been selected as a delegate for the Miss Teen Competition and has been assigned the task of collecting 2000 teddy bears and 2000 toonies. Miss Dowhan was nominated for the City of Windsor but chose to be named after her own community, Amherstburg, and is proud to represent the Town of Amherstburg.

Moved by Councillor J. Sutton

Seconded by Councillor P. Renaud

That the delegation by Miss Alyssa Dowhan be received;

And further that Administration be directed to place a donation bin for toonies and teddy bears at Town Hall.

Discussion:

Councillor J. Sutton asked how much the teddy bears cost. Miss Dowhan stated that the teddy bears themselves are being collected so the cost varies depending on where the individual purchases it.

Miss Dowhan informed Council that she will be at NoFrills tomorrow accepting donations for the toonies. She has not decided on a safe location to post a donation bin as of yet.

Councillor R. Pillon asked that Administration place a donation box out at the kiosk in Town Hall for toonie donations and a Councillor R. Fryer asked that a bin for teddy bears be placed there as well.

Councillor R. Pillon asked if Alyssa is only collecting new teddy bears and if she is also collecting other stuffed animals. Miss Dowhan stated that used teddy bears are fine as well and any stuffed animal will be appreciated.

Councillor R. White thanked Alyssa for this endeavour.

**Motion Carried**

Delegation #2

Mayor Hurst stated that Council will hear from the public regarding Business Licence By-Law 2009-44 and asked anyone that wishes to make a comment to step forward. Mr. Ray Bezaire stated that the Chamber is very pleased with the report provided to Council regarding the amendments that area made in the by-law and that the Chamber approves of the by-law.

**Report #1 was brought forward after Delegation # 2**

A report by Kristina Pozar Di Paolo regarding amendments to the Business Licence By-Law and By-Law 2009-44.

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

That the report by Kristina Pozar Di Paolo dated May 20, 2009 regarding an amended Business License By-Law be received;

That **By-Law 2009-44** being a by-law for licensing, regulating and governing businesses in the Town of Amherstburg be taken as having been read a first time;

That Council direct Administration to complete a separate Kennel License By-Law for Council consideration at a future meeting and charge a fee of \$50 on an interim basis;

That Council approve the reduction of business licence fees by \$54.84 by suspending Administrative Fees until further notice;

And further that By-Law 2009-23 be repealed upon the third reading and passing of By-Law 2009-44.

Discussion:

Councillor R. Pillon asked if the wineries are able to set up tents. Jackie Hubbs will investigate and respond to Council via email.

**Motion Carried**

**6 PRESENTATIONS**

Lou Zarlenga, Manager of Public Services, Jim Breschuk of Dillon Consulting and Lory Bratt, Planning Coordinator made a presentation to Council regarding the Development Manual. Mr. Zarlenga thanked Jim Breschuk for his assistance with this manual and stated that this manual is unique for the Town of Amherstburg. A copy of the presentation is found in the Council Agenda dated 2009 05 25.

**Report # 2 was brought forward after Presentation #1**

This report dealt with the preparation of the Development Manual providing Administration, Council, Developers and the Public with a comprehensive document which sets out the Town's development standards and policies.



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

That the presentation by Lou Zarlenga, Jim Breschuk and Lory Bratt regarding the Development Manual be received;

That the report by Lou Zarlenga and Lory Bratt dated May 15, 2009 regarding the Development Manual be received;

That Council adopt the Development Manual dated May 25, 2009;

That the Development Manual should be formally reviewed on an annual basis to determine if any changes or enhancements are required;

That the Development Manual should be available in hard copy at no charge to the public as well as being available on the Town's web site;

And further that the Official Plan be added to the Appendix of the Development Manual.

Discussion:

Councillor R. Fryer asked that if we want to promote bike lanes in the community then they should be added to the drawings. Mr. Zarlenga stated that the bike lanes and trails are referenced in the Official Plan. Councillor Fryer asked how we could ensure that the official plan is also provided to the developers along with the development manual to ensure this information is relayed to them. Ms. Bratt stated that the Official Plan can be added as an appendix to this development manual.

Councillor R. White asked if there is something in the development agreement that requires the developer to provide to Council a conceptual drawing. Mr. Breschuk replied that one of the features of the document is that there is a pre-consultation to be completed and there is a requirement for submission of drawings at an early stage.

Councillor R. White asked how many developers were consulted to provide their input. Mr. Breschuk stated that all of the local developers that were known to the group were asked to comment along with their lawyers. He also reiterated that this is a living document and that developers can come before Council to request a review of the manual.

Deputy Mayor Bailey thanked everyone for the overwhelming work that was provided to complete this document that will serve our community very well.

Councillor P. Renaud thanked everyone for the work on the manual that was 5 years in the making and stated that with this document individuals will not be able to state that they were not aware of the requirements.

Councillor R. White asked that pictures be added to the Manual.

**Motion Carried**

**7 REPORTS OF MUNICIPAL OFFICERS**

Report #3

A report by Pamela Malott regarding the Execution of Lease Agreement - Steven Patrick.

Moved by Councillor R. Fryer



Seconded by Councillor J. Sutton

That the report by Pamela Malott dated May 14, 2009 regarding the Execution of Lease Agreement with Steven Patrick be received;

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

And further that **Bylaw 2009-42**, being a By-law authorizing a Lease Agreement between the Corporation of the Town of Amherstburg and Steven Patrick for farming of lands known as 3381 Meloche Road described as part of Concession 3, Part Lot 28, in the Town of Amherstburg, County of Essex, Roll number 37-29-640-00800, be given three readings and be finally passed.

**Motion Carried**

Report #4

A report by Paul Beneteau regarding the Heritage Rebate Program for the 2008 Taxation Year.

Moved by Deputy Mayor Bailey

Seconded by Councillor R. Pillon

That the report by Paul Beneteau, Treasurer, dated May 7, 2009 regarding the Heritage Property Tax Rebates processed in 2009 for the 2008 tax year be received;

And further that Council approve the Heritage Rebates as outlined on Schedule A of the report.

Discussion:

Councillor R. Fryer stated that in the past a listing was provided naming the property and the reasoning provided as to meeting the heritage rebate and asked if the Salmoni building qualifies for the heritage rebate. Councillor J. Sutton stated that the properties listed tonight are in full compliance under the guidelines.

Councillor R. Fryer requested clarification how a new structure could be deemed "heritage". CAO Pamela Malott stated that the Heritage Tax rebate program does not strictly apply to the facade of the building and may not even be a building on the land that qualifies as there may have been a significant event that took place there.

**Motion Carried**

Report #5

A report by Paul Beneteau regarding the final tax levy bylaw for 2009 and bylaw 2009-38, being a bylaw to levy taxes for 2009.

Moved by Councillor J. Sutton

Seconded by Councillor R. White

That the report by Paul Beneteau, Treasurer, dated May 5, 2009 regarding the final tax rate by-law for 2009 be received;

And further that **By-law 2009-38**, being a by-law to adopt the 2008 assessments on which taxes will be levied for the year 2009, to levy taxes for the year 2009, and to provide for the collection thereof, be read a first, second and third time, and that the

Mayor and the Clerk be authorized to sign the same and affix the corporate seal thereto.

**Motion Carried**

Report #6

A report by Paul Beneteau and Ivano Fregonese regarding 2008 Transfers to and from Reserves.

Moved by Councillor P. Renaud

Seconded by Councillor J. Sutton

That the report by Paul Beneteau and Ivano Fregonese dated May 13, 2009 regarding "2008 Transfers to and From Reserves" be received;

And further that the amounts, as identified in the accompanying schedules are transferred to or from reserves for the expenses described in this report, and that the items be included in the budget in the year that the expenses will be incurred, with the associated reserve amounts being included in revenue in the same respective year.

**Motion Carried**

Report #7

A report by Ron Dzombak regarding User Fees and Exemptions

Moved by Deputy Mayor Bailey

Seconded by Councillor R. Pillon

That the report by Ron Dzombak, dated May 19, 2009 regarding User Fees and Exemptions be received;

And further that Council approve the phased-in park, sport field and facility user fees to assist in supporting and building on the quality of our Park and Recreational Facilities.

Discussion:

Councillor R. Fryer stated that he does not feel that additional costs should be added to sports groups themselves considering the current downturn in the economy and does not believe that different rates should be applied to senior and minor hockey groups as fees should be the same for all users. Manager of Recreation Services R. Dzombak stated that the step fees that favour minor sports are trends found in Recreation. He also stated that the fees are simply for the current single pad arena. CAO Pamela Malott stated that user fees are never welcome, that feedback has been solicited from user groups and that these fees would not start until the 2010 year. CAO Pamela Malott advised that other municipalities that were polled stated that user fees are needed to subsidize the costs of operating.

Councillor J. Sutton stated that it is best to wait for the new arena to start with the user fees.

Councillor R. Fryer stated that there is only one group that is favourable to proposed changes and that is baseball.

Councillor R. White asked if it is worth charging the \$75 fee for the meeting room and consider not charging for the use of our facilities in order to promote the groups coming to Amherstburg.

Councillor P. Renaud stated that the Larry Bauer Park paid by the taxpayers is being used

by the soccer teams and user fees should be implemented to have all users pay their fair share.

Mayor Hurst stated that Council is asking why Administration is requesting a user fee at this point in time instead of waiting for the new facility.

A recorded vote was requested:

	YEA	NAY
Deputy Mayor Bailey	Yea	
Councillor R. Fryer		Nay
Councillor R. Pillon		Nay
Councillor P. Renaud	Yea	
Councillor J. Sutton		Nay
Councillor R. White		Nay
Mayor Wayne Hurst		Nay

**Motion Lost**

Moved by Councillor J. Sutton

Seconded by Councillor R. Fryer

That the report by Ron Dzombak, dated May 19, 2009 regarding User Fees and Exemptions be received.

**Motion Carried**

Report #8

A report by Ron Dzombak regarding the Amherstburg Arena Roof Structural Integrity Assessment results.

Moved by Councillor J. Sutton

Seconded by Councillor R. White

That the report by Ron Dzombak dated May 19, 2009 regarding the Amherstburg Arena Roof Structural Integrity Assessment results be received.

**Motion Carried**

Report #9

A report by Lou Zarlenga regarding a request for Appointment of a Drainage Engineer for repair and improvement of the Malden Centre Municipal Drain

Moved by Deputy Mayor Bailey

Seconded by Councillor R. Pillon

That the report by Lou Zarlenga, dated May 15, 2009 requesting improvements on the Malden Centre Municipal Drain from Ron Pillon be received;

And further that Council appoint a Drainage Engineer pursuant to the provisions of the Drainage Act for the repair and improvement of the Malden Centre Drain; and that Mr. Gerard Rood, P. Eng. from the firm of N.J. Peralta Engineering be appointed for this purpose.

**Motion Carried**



**Report #10**

A report by Lou Zarlenga regarding 2009 Surplus Equipment Auction - Results of Sale  
Certain Items of equipment were determined by the Public Works Department to be surplus and approved by Council to be sold at auction. This report dealt with the auction results.

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

That the report by Lou Zarlenga dated May 15, 2009 with results of surplus items sent to auction by the Public Works Department be received.

**Motion Carried**

**Report #11**

A report by Lou Zarlenga regarding the Thomas Road Re-Opening Engineering Status Update

Status update on progress of the proposed re-opening of Thomas Road.

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

That the report by Lou Zarlenga, dated May 19, 2009 regarding Thomas Road Re-Opening Engineering Status Update, be received.

**Discussion:**

Councillor R. Fryer asked the Public Services Manager to provide a timeline for the re-opening of Thomas Road. Mr. Zarlenga replied that it is dependent upon the acquisition of the property.

Councillor R. White asked that the engineering report be supplied with information that trails and bike/walk pathways be considered. Mr. Zarlenga stated this is on the horizon.

**Motion Carried**

**Report #12**

A report by Lou Zarlenga regarding the Beautification of Sandwich Street between Park Street and Lowes Side Road

Moved by Councillor R. Fryer  
Seconded by Councillor R. Pillon

That the report by Lou Zarlenga, dated May 14, 2009 regarding Beautification of Sandwich Street between Park Street and Lowes Side Road be received;

And further that Council approve the implementation of Phase 1 and Phase 2 of the Beautification of Sandwich Street.

**Motion Carried**

**Report #13**

A report by Lou Zarlenga regarding the 2009 Intersection Illumination Program Progress Report

In 2004 Council commenced a program to provide illumination at major street intersections within the rural areas of Amherstburg. This report provided an update on the 2009 proposed works.

Moved by Deputy Mayor Bailey  
Seconded by Councillor J. Sutton

That the report from Lou Zarlenga, dated May 20, 2009 regarding 2009 Intersection Illumination Program Progress be received.

Discussion:

Councillor R. Pillon asked when the contractors will be starting on this project. Manager of Public Services, Lou Zarlenga, replied that the contractors are currently finalizing preliminary requirements with Hydro One and will start once this is completed. Mayor Hurst asked that this be done as expeditiously as possible.

**Motion Carried**

Report #14

A report by Lou Zarlenga regarding the 2009 West Nile Virus Control Program Status Report on Program Implementation

This report dealt with the 2009 West Nile Virus Control Program operated by the Windsor Essex County Health Unit as well as the Mosquito Nuisance Control Program operated by the Town of Amherstburg.

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

That the report by Lou Zarlenga, dated May 19, 2009 regarding the 2009 West Nile Virus Control Program Status Report on Program Implementation be received.

Discussion:

Angela Robinet of GDG was in attendance and advised Council that she conducted a nuisance test today to determine the level of mosquitoes in the area. Ms. Robinet asked Council to encourage residents to contact GDG regarding issues of standing water. Mayor Hurst agreed that the suggestion to make resident back yards be mosquito unfriendly is a good idea.

Mayor Hurst asked if the General Chemical property had been tested yet and Ms. Robinet replied that it indeed had been.

Councillor R. Fryer asked about a new species that he noticed the other day that looks like a zebra mosquito. Ms. Robinet advised that the striped Mosquito is not new but is very aggressive, is a daytime eater but it does not carry the West Nile Virus.

**Motion Carried**

Report #15

A report by Jackie Hubbs regarding the Heritage District Study – status report

The boundaries of the Heritage District were discussed at an Open House on Wednesday May 13, 2009. The concept of a Heritage District was received positively by the majority of attendees with the direction to proceed to the next stage of discussion. The second Open House has been designed to discuss the components of the Heritage District Guidelines and implications of the heritage designation. At the second Open House an updated Urban Design Guideline will be presented and made available for discussion. The Urban Design Guideline will be utilized by the heritage Committee and Council to guide development within the Heritage District.

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

That the report by Jackie Hubbs regarding the Heritage District Study be received.

**Motion Carried**

Report #16

A report by Lory Bratt regarding the Interim Control Planning Study for the General Chemical lands

A neighbourhood workshop was held on April 29, 2009 to discuss the Interim Control Planning Study for the former General Chemical lands. This report summarized the workshop and requests a Council workshop for further discussion and direction in the preparation of planning policies.

Moved by Councillor R. Fryer  
Seconded by Deputy Mayor Bailey

That the report by Lory Bratt dated May 8, 2009 regarding the Interim Control Planning Study for the General Chemical lands be received;

And further that Council direct Administration to schedule a Council workshop with the Consultant, Development Services staff and Ministry of the Environment representatives to discuss the options that evolved from the public workshop and to provide direction to the consultant in the preparation of planning policies.

**Motion Carried**

Report #17

A report by Jackie Hubbs regarding Bill 150 (Green Energy and Green Economy Act) status report

On Monday, February 23, 2009, the Province of Ontario legislature tabled Bill 150, the Green Energy and Green Economy Act, 2009 (GEGEA). The bill has received 'Royal Assent' on Thursday, May 14, 2009 after being read a third time. This report is intended to brief Council on the main issues associated with Bill 150 GEGEA. Further, this report will provide to Council comments received by other municipalities and agencies regarding this new Act. The Advisory Committee on the Environment (ACE) for the Town of Amherstburg will review and evaluate the information available on Bill 150 GEGEA and provide further comments to Council for consideration.

Moved by Councillor R. White  
Seconded by Deputy Mayor Bailey

That the report by Jackie Hubbs dated May 18, 2009 regarding Bill 150 (Green Energy and Green Economy Act) status report for information purposes be received;

And further that Council direct administration to obtain further comments from the ACE Committee in conjunction with the Manager of Development Services regarding Bill 150 Green Energy and Green Economy Act.

**Motion Carried**

Report #18



A report by Carol Bendo regarding the Town Advertising Page.

The Town advertising page contract is up for renewal. This report details specifications of the tender.

Moved by Councillor P. Renaud

Seconded by Councillor R. Fryer

That the report by Carol Bendo dated May 15, 2009 be received;

And further that the Mayor and Council choose to tender the Town advertising page for a one year period.

**Motion Carried**

## **8 CONSENT REPORTS**

Moved by Deputy Mayor Bailey

Seconded by Councillor J. Sutton

That the following reports be received:

1. A report by Richard Murray, Fire Chief, dated May 12, 2009 regarding the O.A.F.C. Annual Meeting and Educational Seminars and
2. A report by Paul Beneteau regarding the Municipal Financial Reporting Seminar.

**Motion Carried**

## **9 CONSENT CORRESPONDENCE**

Moved by Councillor J. Sutton

Seconded by Deputy Mayor Bailey

That the following correspondence be received:

1. Notice of Parade from the Royal Canadian Legion dated May 8, 2009.
3. Bill 221, Workplace Safety and Insurance Amendment Act from the Town of Ingersoll dated April 29, 2009.
4. Message from Canada Mortgage and Housing Corporation received May 8th, 2009.
5. Rediscover your Bike Campaign from the Windsor Essex County Health Unit received May 12, 2009.
6. Request for nominations for the Ontario Medal for Good Citizenship from the Ministry of Citizenship and Immigration received May 25, 2009.
7. Notice of Labour Mobility Changes from the AMO dated May 11, 2009.
8. Notice of the Recreational Infrastructure Canada Program from the Minister of Industry dated May 11, 2009.
9. Letter from the Government of Canada & Ontario regarding the Infrastructure Stimulus Fund dated May 11, 2009
10. Request for participation for the Senior Achievement Awards from the Minister Responsible for Seniors dated May 11, 2009.

11. Request for participation for the Truck Driver Safety Course from the Essex County Municipal Supervisors Association dated May 5, 2009.
12. Notice of Resolution regarding Bill 221, Workplace Safety and Insurance Amendment Act 2007 from the Township of Centre Wellington dated May 5, 2009.
13. Notice of Resolution requesting support of an Extension to the Workplace Safety and Insurance Amendment Act, by all Municipalities in Ontario from the Township of Woolwich dated May 6, 2009.
14. Bridge Funding announcement for 2010-2011 from AMO dated May 12, 2009.
15. Green Energy Act Regulation Posted on EBR for Comment from AMO dated May 13, 2009.
16. Notice of the Union of Municipalities of Quebec Agreement from AMO dated May 13, 2009.
17. Specified change proposals to OMERS Plans from the Municipal Employer Pension Centre of Ontario dated May 14, 2009.
18. Participate in the Count Me In! Community Challenge Launch from AMO dated May 19, 2009.
19. CINOT Program from W-E County Health Unit dated May 20th.
20. Bill 150, Green Energy and Green Economy Act, 2009 dated May 20, 2009.

**Motion Carried**

Moved by Councillor R. Pillon  
Seconded by Councillor R. Fryer

That the correspondence titled Support Ontario, Buy Local from the Homegrown Ontario Steering Committee, dated May 5, 2009 be received;

And whereas the Town of Amherstburg supports practices that contribute to the creation of a sustainable environment;

And whereas Homegrown Ontario is a brand that allows Ontario consumers to support Ontario farmers by purchasing Ontario produced meat and poultry;

And whereas Ontario farmers adhere to the highest quality standards set forth by the Canadian provincial and federal government regulatory boards;

Therefore be it resolved that the procurement practice of purchasing meat and poultry products produced by Ontario farmers be identified as the preferred local sustainable procurement practice;

And be it further resolved that the purchase of all Ontario produced meat and poultry sourced locally requires the burning of less fossil fuel than food trucked or even flown from hundreds, or even thousands of miles away.

**Motion Carried**

**10**    **CONSENT OTHER MINUTES**

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

That the following minutes be received:

1. Meeting held by the Traffic Committee on March 11, 2009 at 1 pm;
2. Meeting held by the Parks Committee on April 14, 2009 at 1 pm;
3. Meeting held by the Amherstburg Accessibility Advisory Committee on March 26, 2009 at 6:30pm;
4. Meeting held by the Amherstburg Accessibility Advisory Committee on April 23, 2009 at 6:30pm;
5. Meeting held by the Amherstburg Heritage Committee on April 16, 2009 at 5:30 pm and
6. Meeting held by the Amherstburg Inclusive Multi-Use Recreation Steering Committee on April 7, 2009 at 9 am.

**Discussion:**

Councillor P. Renaud, on behalf of the traffic Committee, advised Council that all of the posts for the signs are up however since the signs are made by the City of Windsor they will not be completed until the strike is over.

**Motion Carried**

**11**    **CORRESPONDENCE**

**Item #1 - Request for waiver of fees - Good Sheperd Lutheran Church**

Moved by Councillor R. Pillon  
Seconded by Councillor R. Fryer

That the correspondence from Pastor Matthias R. L. Krey of Good Sheperd Lutheran Church be received;

And further that Council waive the park fees for the use of Toddy Jones Park on July 12th, 2009.

**Motion Carried**

**Item #2 - Resolution from Cornwall, Ontario regarding Provincial Harmonized Sales Tax**

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

That the correspondence from the City of Cornwall be received;

And that Council agreesupport the resolution made by the City of Cornwall;

And further that a copy of this motion be provided to the City of Cornwall.

**Motion Carried**

**Item # 3 - Request for waiver of fee - St. Andrew's Presbyterian Church**



Moved by Deputy Mayor Bailey  
Seconded by Councillor R. Pillon

That the correspondence from Victoria Ridsdale, Picnic Coordinator, from St. Andrew's Church, be received;

And further that Council waive the fee for the use of the rental of the pavilion on June 7, 2009.

**Motion Carried**

Item # 4 - Request for repairs to sidewalks - Amherstburg Accessibility Advisory Committee

Moved by Deputy Mayor Bailey  
Seconded by Councillor R. Pillon

That the correspondence from Kathy Hay, Chairperson of the AAAC, be received;

And further that Council direct the Public Works Department to respond to the request.

**Motion Carried**

**12 UNFINISHED BUSINESS**

Unfinished Business Items as of May 25, 2009.

The following discussion took place regarding the current items on the Unfinished Business Item list:

Councillor R. Pillon requested that Item # 10 from the Ongoing Projects list be removed and thanked ERCA and PWD for completing the culvert.

Councillor R. Fryer requested an update regarding Kingsbridge parkland and the roadway between the two areas. Manager of Public Services, Lou Zarlenga, replied that a meeting with Stantec will take place next week and then we will complete the tendering. The road is needed to be built so that Public Works can have access to the area and pressure will need to be placed on developer to accomplish this. Councillor R. Fryer stated that he brought up the road because the site plan agreement states that this was suppose to be a Class B road. Planning Coordinator, Lory Bratt, advised Council that that section of Knobb Hill drive is not part of any subdivision agreement at this time and the planning department has been working with the developer to get the rural cross section completed. Councillor R. Fryer asked what the difference between a class B and Rural Cross Section is. Mr. Zarlenga replied that a cross section has open ditches instead of curb/gutter/sewers.

Councillor R. Pillon stated his concern about water ponding in the Northwest corner and requested an update. Mr. Zarlenga replied that a meeting occurred with M.R. Dunn and all of their staff and that our staff inspected site. The inspection discovered that poor grading practices were used and the contractor is repairing those areas now. Mr. Zarlenga advised that a number of clean out pipes were damaged by snow mobiles during the winter months and have now been repaired. This has also been addressed with the contractor

and developer. Our CBO also reviewed the situation in order to eliminate ponding water and is currently evaluating grading practices so that contractors do not strip entire lots and create low spots.

Councillor R. Fryer requested an update regarding Simcoe St. construction and an explanation of why many front yards are sinking and new sidewalks being removed now. Mr. Zarlenga replied that the contractor is restoring deficiencies at the contractor's own expense since we have settlements and sidewalks poured with improper grade, finish or size. The contractor will also be restoring lawn deficiency and residents are encouraged to call the Public Works Department to be placed on the deficiency list.

Councillor R. Pillon requested a roadside spraying update. Mr. Zarlenga stated that the contractor had completed calibration today but could not complete spraying due to the strong wind and will hopefully spray tomorrow.

The following discussion took place regarding adding new items to the unfinished business list:

20090525A Councillor R. Pillon asked Mr. Zarlenga if he viewed the property regarding tile that was not severed during construction. Mr. Zarlenga replied that a stub of concrete was found in the sewer and that he requested the developer to place a catch water basin; if this is not completed by the developer Public Works will place one and charge it back to the developer.

**Motion Carried**

**13 NEW BUSINESS**

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

That Council direct Administration to report on the financial implication to the Town to waive fees for Toddy Jones Park and the Pavillion.

**Motion Lost**

**14 BY-LAWS**

Confirmatory By-Law 2009-43  
Moved by Councillor P. Renaud  
Seconded by Councillor R. Fryer

That **By-Law 2009- 43** 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**

**15 NOTICE OF MOTION**

**16 ADJOURNMENT**

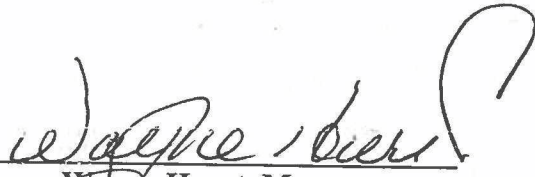
Adjournment

Moved by Councillor J. Sutton

Seconded by Councillor R. Fryer

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

**Motion Carried**



Wayne Hurst, Mayor



Pam Malott, CAO