

## **Minutes of An Amherstburg Municipal Council Meeting Held On Monday, June 14, 2010 At 7:00 p.m. In Council Chambers**

### **PRESENT:**

Mayor Wayne Hurst  
Deputy Mayor Robert Bailey  
Councillor Rick Fryer  
Councillor Robert (Bob) Pillon  
Councillor John Sutton  
Councillor William (Bill) Wark  
Councillor Rosa White

### **ALSO PRESENT:**

Pamela Malott, Chief Administrative Officer  
Brenda Percy, Manager of Council & Leg. Services/Clerk  
Carol Bendo, Human Resources Manager  
Paul Beneteau, Treasurer  
David Carpenter, IT Manager  
Ivano Fregonese, Supervisor of Budget Services  
Jackie Hubbs, Manager of Development Services  
Richard Murray, Fire Chief  
Randy Sinasac, Deputy Fire Chief  
Anne Rota, Manager of Tourism and Culture  
Lou Zarlenga, Director of Engineering and Infrastructure  
Tony DeThomasis, Manager, Parks & Facilities Operations

### **CALL TO ORDER**

The Mayor called the meeting to order at 7:00 p.m.

### **PRAYER**

The Clerk, Brenda Percy, said prayer.

### **DISCLOSURE OF PECUNIARY INTEREST**

There were no disclosures of pecuniary interest.

### **MINUTES OF PREVIOUS MEETING**

Councillor Sutton moved, Councillor Fryer seconded:

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

1. **Special In-Camera Meeting held on May 19, 2010 at 11:30 AM;**
2. **Special In-Camera Meeting held on May 25, 2010 at 1:00 PM;**
3. **Regular In-Camera Meeting held on May 25, 2010 at 4:00 PM;**
4. **Special Public Meeting regarding the Dufour Municipal Drain held on May 25, 2010 at 5:00 PM;**
5. **Special Public Meeting regarding Alternative Energy and Impact of Bill 150 held on May 25, 2010 6:00 PM and**
6. **Regular Public Meeting held on May 25, 2010 at 7:00 PM.**

The Clerk advised that the minutes of the Regular Public Meeting held on May 25, 2010 were amended to reflect the proper mover and seconder of the motion with regard to the Chip Wagon operating in Larry Bauer Park.

The Mayor put the Motion.

**Motion Carried**

#### **CHANGE TO PROCEDURAL BY-LAW**

Councillor Fryer moved, Councillor Wark seconded:

**That Council agree to hear presentations ahead of delegations.**

The Mayor put the Motion.

**Motion Carried**

#### **PRESENTATIONS**

The Clerk advised that the following matter has been added to the agenda.

Fire Chief, Richard Murray and Deputy Fire Chief, Randy Sinasac addressed Council and reviewed the recent area storms. There was discussion with regard to the emergency sirens, notification of emergencies, reverse 911 system, emergency management committees, emergency management exercises, Town's emergency management plan and activation of the plan.

Councillor Pillon moved, Councillor Sutton seconded:

**That the presentation be received.**

The Mayor put the Motion.

**Motion Carried**

Presentation # 1 (as numbered on the agenda)

Mr. Andrew Paterson, Canada Post Communications Manager and Mr. Ian MacNeil, Canada Post Delivery Planning Officer made a presentation to Council regarding the Rural Mail Safety Review.

Councillor Wark moved, Councillor Pillon seconded:

**That the presentation by Messrs. Paterson and MacNeil be received.**

The Mayor put the Motion.

**Motion Carried**

**DELEGATIONS**

***Delegation # 1***

Mr. Mick MacCorquodale addressed Council regarding Wind Turbines. A copy of Mr. MacCorquodale's speaking notes is attached to and forms an addendum to the minutes.

There was discussion with regard to the notice of the application for a building permit and Council's authority to deny the permit.

Councillor Sutton moved, Deputy Mayor Bailey seconded:

**That the delegation by Mr. MacCorquodale be received.**

The Mayor put the Motion.

**Motion Carried**

***Delegation # 2***

Mr. Tony DiBartolomeo addressed Council regarding the First Solar Development Canada Proposed Solar Farm.

There was discussion with regard to concerns expressed with regard to use of prime agricultural land, applicable legislation and established process, comments forwarded by Council and ACE Committee, Council's authority and the desire for a decommissioning fund.

Councillor White moved, Deputy Mayor Bailey seconded:

**That the delegation by Mr. DiBartolomeo be received.**

The Mayor put the Motion.

**Motion Carried**

***Delegation # 3***

Mr. Kirk DeLuca regarding a request to increase Taxi Fares in the Town of Amherstburg.

The Clerk advised that Mr. DeLuca has withdrawn his request to appear as a delegation. The administrative report is before Council for consideration.

Councillor Fryer moved, Councillor White seconded:

**That the report by Brenda Percy dated June 1, 2010 regarding a Request for Increase for Taxicab Meters be received;**

**That the taxicab meter throw rate for licensed taxicabs in Amherstburg be set at \$3.20;**

**That the taxicab rate for each additional one tenth of a mile or fraction thereof for licensed taxicabs in Amherstburg be set at \$0.17;**

**That the increase to rates be effective July 1st to reflect the newly Harmonized Sales Tax (H.S.T).**

**And further that Schedules A - 55 & A - 56 of By-law 2009-44 be amended to reflect the new rates, as approved by Council.**

The Mayor put the Motion.

**Motion Carried**

**REPORTS OF MUNICIPAL OFFICERS**

**Report #2**

A report by Pamela Malott and Nustadia Recreation Inc. regarding the April Monthly Summary report for the ARC Project.

Councillor Sutton moved, Councillor Wark seconded:

**That the report by Pamela Malott and Nustadia Recreation Inc. dated May 20, 2010 regarding the Amherstburg Recreation Complex Monthly Project Summary Report be received.**

Councillor Fryer asked that Amherstburg Minor Hockey Association be advised of the relocation of the storage area.

The Mayor put the Motion.

**Motion Carried**

**Report # 3**

A report by Pamela Malott and Nustadia Recreation Inc. regarding the FF& E Procurement.

Councillor White moved, Councillor Pillon seconded:

**That the report by Pamela Malott and Nustadia Recreation Inc. dated June 7, 2010 regarding the FF& E Procurement be received;**

**And further that Council approve the FF&E expenditure with Unique Communications Inc. for supply and installation of a Security CCTV System for the Amherstburg Recreation Complex in the amount of \$36,075.71 plus taxes.**

The Mayor put the Motion.

**Motion Carried**

**Report # 4**

A report by Pamela Malott and Nustadia Recreation Inc. regarding Natural Gas Servicing for the ARC Site.

Deputy Mayor Bailey moved, Councillor Sutton seconded:

**That the report by Pamela Malott and Nustadia Recreation Inc. dated June 10, 2010 regarding Natural Gas Line Servicing for the ARC Site be received;**

**And further that Council approve the expenditure of \$36,896 plus taxes with the Union Gas Company for the site servicing of a natural gas pipeline for the Amherstburg Recreation Complex as per attached price quote.**

The Mayor put the Motion.

**Motion Carried**

**Report # 5**

A report by Tony DeThomasis dated April 16, 2010 regarding the Beautification Efforts in McGregor.

Councillor Sutton moved, Councillor White seconded:

**That the report by Tony DeThomasis dated April 26, 2010 regarding the Beautification Efforts in McGregor be received;**

**That Council approve the installation of ten additional Hanging Baskets and installation of ten surplus Decorative Planters along the West side of Walker Road from County Rd. 10 to Wellington Ave.;**

**And further that Council approve Town of Essex staff to perform watering operations at no cost in a collaborative effort to Beautify and enhance McGregor.**

The Mayor put the Motion.

**Motion Carried**

**Report #6**

A report by Carol Bendo and Anne Rota regarding the Request For Proposal (RFP) results for the Cultural Mapping Project.

Councillor Pillon moved, Councillor White seconded:

**That the report submitted by Carol Bendo and Anne Rota dated June 3, 2010, regarding the Request For Proposal (RFP) results for the Cultural Mapping Project for the Town of Amherstburg be received;**

**And further that Council approve Planscape as the Consulting firm to be hired for the project.**

The Mayor put the Motion.

**Motion Carried**

**Report # 7**

A report by Carol Bendo regarding the Canada Day Celebration and Ice Cream Festival.

Councillor White moved, Councillor Wark seconded:

**That the report submitted by Carol Bendo dated June 3, 2010 regarding the Canada Day Celebration and Ice Cream Festival be received;**

**That Council receive and approve the July 1, 2010 program for the Canada Day celebration at Fort Malden N.H.S.C. which includes the collaboration of the Amherstburg Ice Cream Festival at Toddy Jones Park;**

**That Council approve the road closure at Laird and Fort Malden Drive, north of the park up to North Street to allow for high pedestrian use between the two sites as shown on the attached map;**

**And further that Council waive the fee of \$150 to the organizer of the Amherstburg Ice Cream Festival.**

The Mayor put the Motion.

**Motion Carried**

**Report # 8**

A report by Tony DeThomasis regarding Two-way radios for the Parks and Facilities Department.

There was discussion with regard to the necessity of the radios and the item being an unbudgeted expense.

Councillor Fryer asked that Administration report back on the total amount of non-budgeted expenses approved by Council this year.

Councillor White moved, Deputy Mayor Bailey seconded:

**That the report by Tony DeThomasis dated June 10, 2010 regarding Two-way radios for the Parks and Facilities Department be received;**

**That Council approve the purchase of 2-way radios from Kelcom for the newly created Parks and Facilities Department;**

**And further that the cost be found within the existing departmental budget.**

The Mayor put the Motion.

**Motion Carried**

**Report # 9**

A report by Dave Carpenter regarding the Rural Connections Broadband Program.

Deputy Mayor Bailey moved, Councillor Wark seconded:

**That the report by Dave Carpenter, dated June 9, 2010 regarding the Rural Connections Broadband Program be received;**

**AND WHEREAS significant gaps in broadband access have been identified for rural areas, as designated within the guidelines of the Rural Connections Broadband Program of OMAFRA, across The Town of Amherstburg;**

**AND WHEREAS strategic investments in broadband infrastructure will assist rural communities to promote economic development and improve access to government programs and services;**

**AND WHEREAS strategic investments in broadband infrastructure will support businesses and citizens to effectively utilize broadband for economic and social development;**

**AND WHEREAS the Government of Ontario has announced a \$4 million-dollar initiative designed to reduce broadband infrastructure gaps in under-serviced areas of Ontario;**

**THEREFORE BE IT RESOLVED that the Town of Amherstburg confirms that the Broadband Rural Town of Amherstburg Infrastructure project is a broadband priority, building on the investments made into the regional Wide Area Network;**

**AND FURTHER THAT, should this proposal be successful, the Town of Amherstburg commits to funding the Applicant's Contribution and to facilitating the funding and other contributions by all other identified parties.**

The Mayor put the Motion.

**Motion Carried**

**Report # 10**

A report by Dave Carpenter regarding the Panasonic Toughbook Laptops for Police Vehicles RFQ Results.

Councillor Sutton moved, Councillor Pillon seconded:

**That the report by Dave Carpenter dated June 14, 2010 regarding the Panasonic Toughbook Laptops for Police Vehicles RFQ Results be received;**



**And further that Council approve the purchase of 8 Panasonic Toughbook laptops from Protek as approved in the 2010 budget.**

The Mayor put the Motion.

**Motion Carried**

**Report # 11**

A report by Dave Carpenter regarding the Police Services Server and Network Related Hardware RFQ Results.

Councillor Fryer moved, Councillor Wark seconded:

**That the report by Dave Carpenter dated June 14, 2010 regarding the Police Services Server and Network Related Hardware RFQ Results be received;**

**And further that Council approve the purchase of network equipment and servers from Insight Canada as approved in the 2010 budget.**

The Mayor put the Motion.

**Motion Carried**

**Report # 12**

A report by Jackie Hubbs regarding the creation of a Heritage District.

Councillor Sutton moved, Councillor Pillon seconded:

**That Council endorse the process for the creation of a Heritage District with the boundaries as defined within the Urban Design and Heritage Guidelines ( the 'Study') prepared by Zelinka Priamo;**

**And further that Council endorse the attached Properties of Interest Inventory (listing) of properties in order to have a formal listing of properties of interest, in addition to those properties currently designated under bylaw within the Town of Amherstburg;**

**And further that administration be directed to make the necessary corrections and finalize all amendments to the 'Study', the few Heritage Designation By-laws and Heritage Properties of Interest Inventory (listing) of properties requiring correction prior to the District document proceeding to the Statutory Public Meeting;**

**And further that administration prepare and finalize a by-law for the designation of the Heritage District and present this bylaw to the Heritage Committee for recommendation to Council with the intent of completing all the required steps to allow Council to consider formal approval of a Heritage District at the August Council meeting.**

The Mayor put the Motion.

**Motion Carried**

**Report # 13**

A report by Lory Bratt regarding the Solar Energy System additional project design details.

Mr. Scott Davidson was present and explained the application process he had followed.

Councillor Pillon moved, Councillor Fryer seconded:

**That Administration be directed to send correspondence to the affected ratepayers to advise of the minor design changes.**

The Mayor put the Motion.

**Motion Carried**

Councillor Sutton moved, Councillor Fryer seconded:

**That the report by Lory Bratt dated June 8, 2010 regarding the Solar Energy System additional project design details for Sites A and B be received.**

The Mayor put the Motion.

**Motion Carried**

**Report # 14**

A report by Jackie Hubbs regarding a request for approval of a Right-of-Way Use Protocol.

Deputy Mayor Bailey moved, Councillor Pillon seconded:

**That the report by Jackie Hubbs, Manager of Development Services dated June 9, 2010 regarding a request for approval of a Right-of-Way Use Protocol be received;**

**That Council approve the Right-of-Way Use Protocol between the Town of Amherstburg and Gengrowth for the use of municipal roads respecting a five turbine wind development project to be located off the South Side Road, Town of Amherstburg;**

**That Council direct staff to confirm execution of Right-of-Way Use Protocol once our Solicitor has given final approval for same;**

**And further that By-law 2010-59 being a by-law to authorize the signing of an a Right-of-Way Use Protocol 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.**

There was discussion with regard to the amount of securities required to be paid, recovering of monies and damage to roads.

The Mayor put the Motion.

**Motion Carried**

**Report # 15**

A report by Brenda Percy regarding an Amendment to Terms of Reference – Traffic Committee.

Councillor Wark moved, Councillor Pillon seconded:

**That the report by Brenda Percy, Manager, Council & Legislative Services dated June 2, 2010 regarding an Amendment to Terms of Reference – Traffic Committee be received;**

**That Council approve the amendment to the Terms of Reference to increase the number of staff committee members to six (6);**

**And further that Council appoint Todd Hewitt as a member of the Amherstburg Traffic Committee, effective June 14, 2010**

The Mayor put the Motion.

**Motion Carried**

**Report # 16**

A report by Paul Beneteau and Ivano Fregonese regarding Capital Financing for the Wastewater Treatment Plant.

Councillor Sutton moved, Councillor White seconded:

**That the report by Paul Beneteau and Ivano Fregonese dated May 31, 2010 regarding Capital Financing for the Wastewater Treatment Plant be received;**

**And further that By-law 2010-63, being a bylaw to provide for permanent capital financing for the Wastewater Treatment Plant: be read a first, second, and third time, and finally passed, and that the Mayor and Clerk be authorized to sign the same and affix the corporate seal thereto.**

The Mayor put the Motion.

**Motion Carried**

**Report # 17**

A report by Paul Beneteau regarding the Shoreline Assistance Program property owned by Cheong and Kitty Yun at 812 Front Road North.

Deputy Mayor Bailey moved, Councillor Pillon seconded:

**That Council receive the report submitted by the Treasurer with regard to an application for a loan under the Shoreline Property Assistance Act;**

**And further, that by-law 2010-62, being a by-law to impose special annual rates upon land in respect of which money is borrowed under the Shoreline Property Assistance Act, 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.**

The Mayor put the Motion.

**Motion Carried**

**Report # 18**

A report by Lou Zarlenga dated June 9, 2010 regarding the tender results for the Mans Marsh Outlet Municipal Drain.

Councillor White moved, Councillor Fryer seconded:

**That Council receive the report from Lou Zarlenga regarding the tender results for the Mans Marsh Outlet Drain;**

**And further that Council award the contract for the Mans Marsh Outlet Municipal Drain to the low tenderer, being Rivard Excavating Ltd.**

The Mayor put the Motion.

**Motion Carried**

**Report # 19**

A report by Lou Zarlenga dated June 9, 2010 regarding the tender results for the 2010 Water Meter Replacement Program.

Councillor Pillon moved, Councillor White seconded:

**That Council receive the report from Lou Zarlenga regarding the tender results for the 2010 Water meter Replacement Program;**

**And further that Council award the contract for the 2010 Water Meter Replacement Program to the low tenderer, being Corix Water Products.**

The Mayor put the Motion.

**Motion Carried**

**Report # 20**

A report by Lou Zarlenga dated June 9, 2010 regarding the tender results for the 2010 Automatic Radio Meter Reading Program.

Councillor Sutton moved, Councillor Wark seconded:

**That Council receive the report from Lou Zarlenga regarding the tender results for the 2010 Automatic Radio Meter Reading Program;**

**And further that Council award the contract for the 2010 Water Meter Automatic Radio Reading Program to the low tenderer, being Corix Water Products.**

The Mayor put the Motion.

**Motion Carried**

**CONSENT CORRESPONDENCE**

Deputy Mayor Bailey moved, Councillor Pillon seconded:

**That the correspondence Items 1 -2, 4 – 7 and 9 to 18 be received:**

1. 2009 Annual Report - Amherstburg Police Service - May 21,2010;
2. Gosfield and Comber Wind Energy Projects - Newsletter - Brookfield - May 2010;
3. ACS Annual General Meeting - June 22, 2010 - Amherstburg Community Services - May 29, 2010;
4. Thank you - Richard Wyma, ERCA General Manager - May 26, 2010;

5. Time of Use Electricity Prices - Hydro One - May 21, 2010;
6. Rural Connections Broadband Program (Rural Connections) - Ministry of Agriculture, Food and Rural Affairs - May 20, 2010;
7. Strategic Framework to End Violence Against Aboriginal Women - Ministry of Aboriginal Affairs - May 19, 2010;
8. Pasta Dinner June 27, 2010 - Fighting Island Boxing Club - June 2, 2010;
9. Community Adjustment Fund - Intake II Letter of Rejection - June 1, 2010;
10. Annual Meeting - June 23, 2010 - Essex Power Corporation - May 28, 2010;
11. Delegation Request Form July 21, 2010 Submission Deadline - AMO 2010 Conference - MMAH - June 7, 2010;
12. Five Year Review of the Provincial Policy Statement, 2005 - MMAH - June 4, 2010;
13. Presentation of Certificates of Canadian Citizenship - July 1, 2010 - Citizenship and Immigration Canada - June 1, 2010;
14. Notice of Public Meeting - June 28, 2010 - Comprehensive Zoning By-Law - Town of Essex - June 3, 2010;
15. Upcoming Events for the ARC Fundraising Campaign;
16. Environmental Legislation - John Willms - May 19, 2010;
17. Ontario Medal for Good Citizenship - Ministry of Citizenship and Immigration - May 26, 2010; and
18. Closing of Windsor Public Health Laboratory - Ministry of Long Health and Long-Term Care - May 26, 2010.

The Mayor put the Motion.

**Motion Carried**

Councillor White moved, Councillor Sutton seconded:

**That Council be encouraged to attend the ACS Annual General Meeting being held June 22, 2010.**

The Mayor put the Motion.

**Motion Carried**

Councillor Fryer moved, Councillor White seconded:

**That Council be permitted to attend the Pasta Dinner to be held on June 27, 2010 – Fighting Island Boxing Club.**

The Mayor put the Motion.

**Motion Carried**

**CONSENT BUSINESS LICENSES**

Councillor Sutton moved, Councillor Wark seconded:

**That the following business license applications be received and approved subject to compliance with By-Law 2009-44, all agencies and regulations;**

- 1. Produce Vendor License - George's Produce**
- 2. Retail Store License - Downtown Games and More Store**
- 3. Retail Store/Arcade License - Teen's Tropical Treats**

**And further that the license be issued by our licensing officer once the applicant has met all of the special conditions as listed in By-Law 2009-44.**

The Mayor put the Motion.

**Motion Carried**

**CONSENT OTHER MINUTES**

Councillor Wark moved, Deputy Mayor Bailey seconded:

**That the following minutes be received:**

- 1. Meeting held by the Parks Committee on April 13, 2010 at 3:30 PM;**
- 2. Meeting held by the Amherstburg Accessibility Advisory Committee on April 22, 2010 at 4:30 PM;**
- 3. Meeting held by the Amherstburg Police Services Board on April 27, 2010 at 4:30 PM;**
- 4. Meeting held by Con-An Park on April 14, 2010 at 6:30 PM; and**
- 5. Meeting held by the Heritage Committee on April 8, 2010 at 5:30 PM.**

The Mayor put the Motion.

**Motion Carried**

**CORRESPONDENCE**

**Correspondence # 1 - West Nile Virus Response - Larviciding**

Councillor Fryer moved, Councillor Sutton seconded:

**That the correspondence from the Windsor Essex County Health Unit regarding West Nile Virus Response - Larviciding be received;**

**And further that Council authorize Administration to concur with the provisions of the contract between the Windsor-Essex County Health Unit and GDG Corporation and pay the Town of Amherstburg's portion as outlined in the payment schedule mutually agreed upon with the Health Unit.**

The Mayor put the Motion.

**Motion Carried**

**Correspondence # 2 - 10% - 2010 Contraband Objective**

Councillor Sutton moved, Councillor White seconded:

**That the correspondence from the Canadian Convenience Stores Association regarding the 10% - 2010 Contraband Objective be received;**

**And further that Council resolve to support the "10% -2010 Objective" Campaign, Launched this year by the Canadian Convenience Stores Association (CCSA) to encourage members of the Federal and Provincial Parliaments to formally lend their support to reduce contraband tobacco to 10% in their ridings as an initial step towards the complete eradication of illegal tobacco sales.**

The Mayor put the Motion.

**Motion Carried**

**Correspondence # 3 - By-Law No.14-10 -To Amend the Municipal Code (Health Provisions Respecting Locating and Erecting Wind Generation Facilities)**

Deputy Mayor Bailey moved, Councillor Fryer seconded:

**That the correspondence from the Municipality of Arran-Elderslie regarding support for By-Law No.14-10 be received;**



**And further that Council support the Municipality of Arran-Elderslie's By-Law No.14-10.**

Councillor Wark asked for a recorded vote.

The Mayor put the Motion.

	<b>Support/Concur</b>	<b>Not Support/Not Concur</b>
Deputy Mayor Bailey	x	
Councillor Fryer	x	
Councillor Pillon	x	
Councillor Sutton	x	
Councillor White	x	
Councillor Wark	x	
Mayor Hurst	x	

**Motion Carried**

**Correspondence # 4 - Town of New Tecumseth HST Resolution**

Councillor Fryer moved, Councillor Sutton seconded:

**That the correspondence from the Town of New Tecumseth regarding a resolution on Harmonized Goods and Services Tax be received;**

**And further that Council support the Town of New Tecumseth's resolution dated May 10, 2010 regarding the Harmonized Goods and Services Tax.**

The Mayor put the Motion.

**Motion Carried**

**UNFINISHED BUSINESS**

Council reviewed the Unfinished Business Items List as of June 14, 2010.

- a) Deputy Mayor Bailey asked that the motion approved on April 12, 2010 regarding availability of childcare centres in Town of Amherstburg be added to the Unfinished Business Items List. The motion was that correspondence be sent to the City of Windsor requesting information regarding the relocation of the Ontario Early Years Centre in Amherstburg.

Deputy Mayor Bailey moved, Councillor Wark seconded:

**That further to the motion made at the April 12, 2010 Council meeting, that Administration be directed to send follow up correspondence to the City of Windsor requesting a response to the request for information on the relocation of the Ontario Early Years Centre in Amherstburg.**

The Mayor put the Motion.

**Motion Carried**

b) Councillor Wark sought an update on the opening of Thomas Road.

Councillor Wark moved, Councillor Sutton seconded:

**That Administration be directed to open Thomas Road as soon as possible.**

Councillor Fryer asked that design brought back to Council include lanes or pathways on both sides of the road for walkers and cyclists.

Councillor White suggested that the cost to include the pathways on both sides of the road be brought back to Council.

The Mayor put the Motion.

**Motion Carried**

c) The Mayor asked for an update on Dalhousie Street between Pickering and Lowe Side Road.

d) Councillor Pillon asked that Item #6 regarding Seventh Concession Drain Outlet be removed from the Unfinished Business as the County has provided a response on the matter.

e) Councillor Wark sought an update on the street light deficiencies as listed on the Unfinished Item list. Lou Zarlenga, Director, Engineering and Infrastructure advised that he would report back at the next meeting of Council.

f) Councillor Fryer asked that the matter of the outstanding balance on the Mayor's fountain be added to the Unfinished Business List.

**NEW BUSINESS**

- a) Report from Council In Camera meeting held on May 25, 2010

Deputy Mayor Bailey moved, Councillor White seconded:

**Whereas Council has discussed In-Camera the implications of Provincial Bill 16 and the suggestion that Municipalities implement similar salary freezes;**

**Whereas Council has determined the freezing of salaries a prudent and necessary measure;**

**Therefore be it resolved that for the calendar years 2011 and 2012 that the salary freezing provisions as outlined in Provincial Bill 16 be implemented and that non-union staff receive no economic wage increases in the 2011 and 2012 years;**

**And further that Town Union Contracts which are due for renewal be negotiated with an effort to obtain no economic wage increases for the same or similar two year period.**

There was discussion with regard to step progression, union and non union, and Council compensation process.

The Mayor put the Motion.

	<b>Support/Concur</b>	<b>Not Support/Not Concur</b>
Deputy Mayor Bailey	x	
Councillor Fryer		x
Councillor Pillon	x	
Councillor Sutton	x	
Councillor White	x	
Councillor Wark		x
Mayor Hurst	x	

**Motion Carried**

- b) Councillor White asked that Administration prepare marketing material/flyer on the trail system in Amherstburg and that the information be made available to the public.

c) Councillor Pillon asked that Administration bring back a report at the next meeting of Council with appropriate wording to include in correspondence to the Province with regard to establishing decommissioning funds for renewable energy projects. He noted that he would like the correspondence copied to all Essex County municipalities, County Council and local M.P.

Councillor White felt that the Province should be responsible for the decommissioning money by holding back payment to those companies.

d) Councillor Fryer noted that residents on Welsh Avenue, Kingsbridge South Subdivision have an open drain running behind their homes. There is concern of standing water. Residents have expressed concern with receiving differing information from Administration. Councillor Fryer asked that Administration determine who is responsible and report back to Council.

e) The Mayor announced that the purchaser of the Ranta Marina property have now removed all conditions. Council will consult with Town solicitor as it relates to the signing of the easement agreement. Once this is done, a special meeting of Council may be required between now and the finalization of the sale.

Councillor Pillon asked that Administration consult with the Town solicitor for an opinion on whether Council may refuse to sell at this point.

### **NOTICES OF MOTION**

The following Notices of Motion were introduced:

- i. Councillor Sutton – Expansion of Canada’s Public Pension System
- ii. Councillor Fryer – Moratorium on Land Purchases /Sale

The Notices of Motion will be added to the June 28, 2010 Council agenda for discussion and voting.

### **BY-LAWS**

#### **Confirmatory By-Law**

Councillor Sutton moved, Councillor White seconded:

**That By-Law 2010-65 being a By-Law to confirm all resolutions of the Municipal Council Meeting held on June 14, 2010 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.**

The Mayor put the Motion.

**Motion Carried**

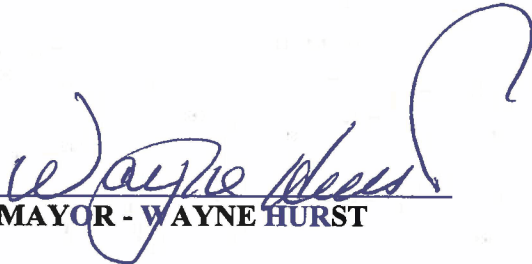
**ADJOURNMENT**

Deputy Mayor Bailey moved, Councillor Pillon seconded:

**That Council adjourn at 9:50 p.m.**

The Mayor put the Motion.

**Motion Carried**

  
MAYOR - WAYNE HURST

  
CLERK - BRENDA M. PERCY

Mayor . Councillors , Ladies & Gentlemen.

As you are aware this council in the recent past decided by vote to put certain issues surrounding wind turbines in abeyance, or on hold as you described it to me.

After the recent renewable energy meeting, that was attended by MoE people, a couple of issues came to light as we were discussing the points of the meeting.

The first appalling thing was the admission that there is no method for the MoE to measure the noise , except for sending 2 people out to listen, in daytime. How stupid are these people, where is the protection for the homeowner?

However more importantly it was the sense that even though this council had decided to put the issue on hold, the administration marched forward without regard for council's vote. At least that's the way it appeared at first glance.

That's why I decided to come here to-night, I am not here to point fingers or make accusations, I am here to ask council, the people who are supposed to represent us, if your decisions and votes are not followed by administration then who truly speaks for us.

Over the course of the last 3 years I have had the opportunity to speak to several of the members of our administrative staff and basically they are very nice people, so this issue confused me even more. Why when council has taken a vote and an issue is decided does administration go about doing the opposite .

Not only doing the opposite of councils' wishes but actually aiding the company that does not even contribute to our community. If you believe Mr Merkur from GenGrowth this is not the first time that administration appears to be making unofficial agreements without councils' knowledge. His company as you know came up against a restrictive by-law that clearly did not allow the project his company wanted to develop. However if we are to believe Mr Merkur, this did not stop some of our people in administration from encouraging Mr Merkur to move forward, and I ask now based on what ? At the very least the actions of administration in this process have not been proper.

I have to say some of you people really convinced me that you were surprised about the building permit. If the Mayor had not asked the question , then Ms Hubbs would not have answered it for us. Would there have been any disclosure ?

Now this may be business as usual in Amherstburg town hall, but it should be clear by now that the taxpayers who appear before this council do not expect every member to agree with every issue, however I think that they not only expect but demand , honesty and openness. If a member of this council is supporting a issue publicly then it should not be a stretch to think they would support it in private also. Otherwise we end up with a very troubling credibility issue.

This council knew before the energy meeting that the building permits were being processed and said nothing. At the very least it should have been announced at the beginning of the meeting. When would council have released the news after it was too late to appeal, just what is going on here.

Am I correct in thinking that everyone on council voted to find out about the health issues surrounding turbines or not. So this puzzles me, first we are waiting for more information about the health issues and then we are issuing building permits, while the matter is still in abeyance.

We now have a situation very similar to the one in Windsor regarding their noise by-laws, you have members of the community doing a job that should have been carried out by administration and council. Why are we appealing an administration decision that this council supposedly did not agree with ? Who is in charge here ?

You can not sit here and tell me, that if turbines were going to be erected beside your properties, that you would not have found a way to stop them.  
Now, I realize that come fall there will be some new faces sitting on council for various issues that have come up over your term, but, you voted to hold things up until you heard from the different provincial ministries involved, they pretty much ignored this council and you do nothing about it, you let it move forward.  
With no protection for the homeowners at all.

There will be other issues , we the public are only allowed to voice our concerns through these delegations , and surprisingly we expect our council to be open and honest. We came here asking for your help, followed your rules, and silly me, I though you gave it, only to find out, that this council really does not have the authority, it is administration that carries the power. We deserve more then what you have demonstrated by your actions, or inactions.  
I ask anybody on council, just what is going on in this room ? And it is not a rhetorical question ?



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MEMORANDUM TO: Mayor Wayne Hurst and Members of Council

FROM: Jackie Hubbs, Manager of Development Services

DATE: June 14, 2010

SUBJECT: SunPower Amherstburg Solar Farms – Sites A and B  
Addendum memo to Council Report # 13

In November of 2009, a building permit was issued for Site A and B for SunPower Energy Systems of Amherstburg. Based on the applicable building components of the application, namely the foundations of the arrays, the \$500,000 construction fees for calculation of the permit fees resulted in a permit fee of \$5,000. The construction value of the entire project, including panels, arrays, etc. is noted as approximately \$120,000,000.00 for the sites.

Please refer to attached location maps for the SunPower Amherstburg Solar Farms, Site A and Site B. Site C is proposed for future development by Helios Solar Farms, a separate and distinct company from SunPower Amherstburg Solar Farms.

Site A is located at the southeast junction of Concession 2 N and North Sideroad on the south side of North Sideroad. Site B is located on the northwest junction of Concession 2 N and North Sideroad on the north side of North Sideroad.

Development of Site A and B by SunPower is scheduled, as noted in Report #13 by Lory Bratt, to begin construction of the site on July 1, 2010.

Both Site A and Site B are the same size as in the original proposal and are to be developed with minor modifications to the site details (new invertors location, adjustment of access road location, and the adjustment of switching station locations) as outlined in Report # 13 by Lory Bratt. These modifications are minor and do not require a formal amendment to the existing development agreement.

The revised site plan will not result in the need for re-calculation of building permit fees, therefore the Building Permit will be re-issued with a revised date and title information only.

The applicant has done an exemplary job with the landscaping and minimizing both sound and visual impact on the surrounding land use. The landscaping and design components of the work, staff are confident, will result in a positive and worthwhile project initiative for the Town of Amherstburg.