

**Minutes of An Amherstburg Municipal Council Meeting Held
On Monday, September 13, 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

ALSO PRESENT:

Paul Beneteau, Acting CAO/Treasurer
Brenda Percy, Council & Leg. Services/Clerk
Carol Bendo, Human Resources Manager
Lory Bratt, Planning Coordinator
Nick Renaud, Network Analyst
Ivano Fregonese, Supervisor, Budget Services
Dennis Laporte, Director, Recreation & Culture
Lou Zarlenga, Director, Engineering and Infrastructure

ABSENT WITH NOTICE:

Councillor Rosa White
Pamela Malott, Chief Administrative Officer (Vacation)

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 Pillon moved, Councillor Fryer seconded:

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

- 1. Regular In-Camera held on August 23, 2010 at 5:30 PM and**
- 2. Regular Public held on August 23, 2010 at 7:00 PM.**

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

Councillor Sutton moved, Councillor Wark seconded:

That Council agree to hear presentations ahead of delegations.

The Mayor put the Motion.

Motion Carried

5.1 Presentation # 1

Mr. Dave Archer, Senior Engineer of RC Spencer & Associates and Ms. Debi Croucher, INDABA Marketing made a presentation to Council regarding a donation to the Amherstburg Recreation Complex from RC Spencer & Associates.

Deputy Mayor Bailey moved, Councillor Pillon seconded:

That the presentation by Mr. Spencer and Ms. Croucher be received;

And further that By-Law 2010 - 90 being a by-law to authorize the execution of a Donation Agreement between RC Spencer & Associates and the Corporation of the Town of Amherstburg be taken as having been read a first, second and third time, be finally passed and the Mayor and Clerk be authorized to sign same and affix the Corporate Seal thereto.

The Mayor put the Motion.

Motion Carried

Brought Forward Report # 13.1 - Pasta Fundraiser

A report by Paul Beneteau and Debi Croucher regarding the Pasta Fundraiser.

Deputy Mayor Bailey moved, Councillor Sutton seconded:

That the report prepared by Debi Croucher, Indaba Marketing Inc. dated September 9, 2010 regarding the Pasta Dinner Fundraiser, to be organized by the Amherstburg Recreation Complex (ARC) Fundraising Campaign, to be held on Thursday October 14, be received.

The Mayor put the Motion.

Motion Carried

5.2 Presentation # 2

The Clerk's Department made a presentation to Council regarding the 2010 Municipal Election to be held on October 25, 2010.

Brenda Percy, Kristina Pozar Di Paolo, Nicole Rubli and Shelley Matlock provided a presentation regarding the 2010 Municipal Election and Vote-By-Mail process.

Councillor Fryer asked that staff contact the Verdi Club to offer any assistance to those electors who do not speak English.

Councillor Pillon moved, Councillor Fryer seconded:

That the presentation by the Clerk's Department be received.

The Mayor put the Motion.

Motion Carried

DELEGATIONS

6.1 Delegation # 1

Rob Delicata, Rick Adam and Peter Valente addressed Council regarding the Ranta Marina Property and to clarify the purpose of the transfer of the property.

There was discussion with regard to the plans for the property, existing debt incurred on the property and geo technical studies.

Councillor Sutton moved, Deputy Mayor Bailey seconded:

That the delegation by Mr. Delicata be received.

The Mayor put the Motion.

Motion Carried

6.2 Delegation #2

Ms. Sharon Potter-Young addressed Council regarding a request for a sidewalk on Brush Crescent. Ms. Potter-Young expressed her concern of children's safety and requested a sidewalk be installed on Brush Crescent. She noted that the children are expected to walk as the school bus no longer picks up in that area.

In response to Councillor Pillon, Ms. Potter-Young confirmed she had contacted the school boards and they have advised there was nothing that could be done and that she should contact the Town for resolution.

Councillor Sutton reported that earlier in the year, Council had directed Administration to contact the School Board regarding decisions being made that affect the Town without engaging the Town for input. He asked that another letter be sent.

Councillor Sutton moved, Councillor Fryer seconded:

That the delegation by Ms. Potter-Young be received;

That Administration contact the School Board requesting that the Municipality be engaged for discussion when decisions are being made that will affect the Town so that the Town can be proactive and not reactive;

That Administration bring back a report on cost, timing and feasibility of putting in sidewalks on Brush Crescent;

That the Administrative report include consultation with the School Board on how many streets in Amherstburg, the decision has affected.

Councillor Pillon asked that the entire matter be reviewed.

Councillor Fryer asked that the information be sent out to all school boards and that Administration question the schools, what age group of kids must take a bus and what age must walk. This is another issue to be addressed.

The Mayor put the Motion.

Motion Carried

REPORTS - RECREATION/CULTURE/PARKS

No reports at this time.

REPORTS - POLICE

No reports at this time.

REPORTS - FIRE

No reports at this time.

REPORTS - INFORMATION TECHNOLOGY

No reports at this time.

REPORTS - DEVELOPMENT SERVICES

11.1 A report by Lory Bratt regarding a Development Agreement for 31 Sandwich Street North.

Councillor Wark moved, Councillor Sutton seconded:

That the report by Lory Bratt, Planning Coordinator dated August 27, 2010 regarding a Development Agreement be received;

That Council approve the Agreement and Site Plan for 31 Sandwich Street North.

And further that Bylaw 2010-87 being a bylaw to authorize the signing of a Development Agreement 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.

The Mayor put the Motion.

Motion Carried

(From Supplementary Agenda)

11.2 A report by Lory Bratt regarding removal of Part Lot Control.

Deputy Mayor Bailey moved, Councillor Fryer seconded:

That the report from Lory Bratt, Planning Coordinator dated September 13, 2010 regarding removal of Part Lot Control be received;

That Council approve the application for removal of Part Lot Control for Parts of Lots 37, 38 and 48, Plan 12M-534 designated as Parts 1, 2 and 3, Plan 12R-23190; and Lots 39 through 46 inclusive, and part of Wilson Court, Plan 12M-534 designated as Parts 13 through 26, inclusive, Plan 12R-23190:

And further that By-Law 2010-93 being a By-law to remove certain lands from Part Lot Control (12M-534) 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.

Councillor Pillon noted that there have been concerns regarding weeds and garbage in this area. Lory Bratt noted that those concerns would be addressed through the Property Standards By-law. It cannot be included in the previously approved Development Agreement.

The Mayor noted that in vacant lots in subdivisions there are sometimes problems with weeds and garbage. At some point, something will need to be done to address these issues.

The Mayor put the Motion.

Motion Carried

REPORTS - ENGINEERING AND INFRASTRUCTURE

12.1 A report by Lou Zarlenga dated September 7, 2010 regarding the Amherstburg Water Treatment Plant Reservoir Emergency Inspection, Testing and Repair tender results.

Councillor Sutton moved, Councillor Pillon seconded:

That Council receives the report from Lou Zarlenga regarding the tender results for the 2010 Amherstburg Water Plant Reservoir Emergency Inspection, Testing and Repair;

And further that Council accept the recommendation of Administration to concur with the Town's Consulting Engineer and award a contract to the low tenderer, being Weathertech Restoration Services Inc., for the Reservoir Emergency Inspection, Testing and Repair.

The Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

Report 13.1 was brought forward after Presentation # 1.

REPORTS - TREASURY

14.1 A report by Paul Beneteau regarding Development Charges Deferral Policy Extension.

Councillor Fryer moved, Councillor Wark seconded:

That the report by Paul Beneteau regarding an extension to the Development Charges Deferral Policy dated September 1, 2010 be received;

And further that Council direct Administration to extend the Development Charge Deferral Policy for a period of 1 year from August 1, 2010 to August 1, 2011

The Mayor put the Motion.

Motion Carried

14.2 A report by Paul Beneteau regarding Essex Energy Corporation and Utilismart shares.

Deputy Mayor Bailey moved, Councillor Pillon seconded:

That the report submitted by Paul Beneteau, Treasurer, regarding a proposal from the Essex Energy Corporation to purchase the remaining shares of Utilismart be received;

And further that Council support the proposal by Essex Power Corporation and Essex Energy Corporation to purchase said shares in Utilismart.

The Mayor put the Motion.

Motion Carried

14.3 A report by Pam Malott, Paul Beneteau and Ivano Fregonese regarding 10 Major Infrastructure projects.

Ivano Fregonese provided a presentation detailing the 10 major infrastructure projects.

In response to a question from Councillor Fryer, Ivano Fregonese advised that the costs reflected in the urban renewal project are estimated costs. The final costs are being tabulated and a final report to the grant provider is due September 30th. Final costs will be brought back to Council.

In response to a question from Councillor Fryer, Ivano Fregonese reviewed the Thomas Road project, associated costs and funding sources. This project was approved in phases with different debt allocations. Councillor Fryer asked that information be brought back to Council identifying the financing sources during the previous budgets.

Councillor Pillon commented on the current projects and the current debt load.

Councillor Sutton moved, Councillor Wark seconded:

That the report by Pam Malott, Paul Beneteau and Ivano Fregonese dated September 8, 2010 regarding 10 Major Infrastructure projects be received.

The Mayor put the Motion.

Motion Carried

REPORTS - HUMAN RESOURCES

No reports at this time.

REPORTS - CLERK'S

No reports at this time.

CONSENT CORRESPONDENCE

Deputy Mayor Bailey moved, Councillor Fryer seconded:

That the following correspondence Items 1 through 12 be received:

1. United Way Community Kick-Off - September 17, 2010 - United Way - September 8, 2010;
2. World Alzheimer Day Run/Walk - September 18, 2010 - Windsor Alzheimer Association - August 26, 2010;
3. LIUNA Local 625 Community Development Fund - County of Essex - August 27, 2010;
4. Supporting Town of Amherstburg's Resolution on Canada's Public Pension System - Town Of Essex - August 18, 2010;
5. IKON customers now Ricoh Canada customers - Ricoh Canada Inc. - August 1, 2010;
6. Gosfield and Comber Wind Energy Projects - July 2010 Newsletter;
7. Windsor Essex Small Business Centre Brochures - Windsor Essex Economic Development Corporation - August 10, 2010;
8. Pumpkinville - Rotary Club of Amherstburg - September 1, 2010;
9. Relocation of the Windsor Huron Ontario Travel Information Centre - Minister of Tourism and Culture - August 30, 2010;
10. 2nd Jessica Ondejko Memorial Golf Tournament - September 18, 2010;
11. Ruthven Apple Festival - September 25 and 26, 2010 - Community Living Essex County - August 12, 2010 and
12. The Mason's Haunted House of Shalom - October 22, 23, 24, 28, 29 and 30, 2010 - The House of Shalom - September 7, 2010.

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. Pet Groomer Licences by Beth Ann Wiese for Purrfectclips Pet Grooming

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 Fryer moved, Councillor Sutton seconded:

That the following minutes be received:

- 1. Meeting held by the Amherstburg Heritage Committee on May 27, 2010 at 5:30 PM;**
- 2. Meeting held by the Amherstburg Heritage Committee on June 17, 2010 at 5:30 PM and**
- 3. Meeting held by the Amherstburg Police Services Board on June 22, 2010 at 4:30 PM.**

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

Correspondence # 1 - Transit Study - County of Essex

Deputy Mayor Bailey moved, Councillor Sutton seconded:

That the correspondence from the County of Essex regarding the Transit Assessment Reports be received;

And further that Council and Administration be directed to provide their comments on the County of Essex Transit Assessment Reports no later than October 1, 2010.

The Mayor put the Motion.

Motion Carried

Correspondence # 2 – 2010 Windsor Essex Care for Kids Gala - Bank of Montreal

Councillor Sutton moved, Deputy Mayor Bailey seconded:

That the correspondence from the Bank of Montreal regarding the 2010 WE Care for Kids Gala be received.

The Mayor put the Motion.

Motion Carried

Correspondence # 3 - Walk a Mile In Her Shoes Event - Sexual Assault Crisis Centre

Councillor Fryer moved, Councillor Pillon seconded:

That the correspondence from the Sexual Assault Crisis Centre regarding the "Walk a Mile in her Shoes" event be received;

And further that the Mayor, Deputy Mayor, Council, Police Department and all Town of Amherstburg Department Heads be encouraged to attend the event.

The Mayor put the Motion.

Motion Carried

Correspondence # 4 - Legion Week Parade - Royal Canadian Legion Br. 157

Councillor Sutton moved, Councillor Pillon seconded:

That the correspondence from the Royal Canadian Legion Br. 157 regarding the 2010 Legion Parade be received;

That Council approve the parade route;

And further that this information be relayed to our Fire and Police departments.

The Mayor put the Motion.

Motion Carried

Correspondence # 5 - Preventing Cancer Through Healthy Public Policy - Canadian Cancer Society

Deputy Mayor Bailey moved, Councillor Pillon seconded:

That the correspondence from the Canadian Cancer Society be received;

And further that Council direct Administration to report back regarding the current Smoke Free By-Law and the feasibility of implementing Outdoor Smoke-Free Places, Community Right to Know and Indoor Tanning By-Laws.

The Mayor put the Motion.

Motion Carried

Correspondence # 6 - Town Library Washroom - Rita Dougall

Councillor Sutton moved the motion with an additional recommendation.

Councillor Sutton moved, Councillor Fryer seconded:

That the correspondence by Rita Dougall regarding the Town Library washroom and old trees at the new Recreation Complex be received;

That the correspondence regarding the old trees at the new Recreation Complex be forwarded to the Recreation Department for consideration;

And further that the correspondence regarding the Town Library washroom be forwarded to the Library board for consideration;

And further that Administration send correspondence back to Rita Dougall advising her of Council action.

The Mayor put the Motion.

Motion Carried

Correspondence # 7 - 10th Annual Viva Verdi Dinner Concert

Deputy Mayor Bailey moved, Councillor Wark seconded:

That the correspondence from the Verdi Club regarding the 10th Annual Viva Verdi Concert be received.

The Mayor put the Motion.

Motion Carried

Correspondence # 8 - Proposed Accessibility Standards Released for Comment - AMCTO

Councillor Sutton moved, Councillor Wark seconded:

That the correspondence from AMCTO regarding the Proposed Accessibility Standards being available for comment be received;

That Council and Administration be encouraged to provide comments no later than October 16, 2010;

And further that this information be made available on the Town's website and that the information also be forwarded to the Amherstburg Accessibility Committee.

The Mayor put the Motion.

Motion Carried

(From Supplementary Agenda)

Correspondence # 9 - Support a request to Level 3 NICU at Windsor Regional Hospital – Paul and Linda Couvillon

Councillor Wark moved, Councillor Fryer seconded:

That the correspondence from Paul and Linda Couvillon regarding their request to support a Level 3 NICU at Windsor Regional Hospital be received;

That Council support the Level 3 designation for the Windsor Regional Hospital Neonatal Intensive Care Unit;

And further that correspondence be forwarded to our local MP, MPP, the Ministry of Health and the Erie St. Clair Local Hospital Integration Network advising same.

The Mayor put the Motion.

Motion Carried

OTHER MINUTES

21.1 Traffic Committee - June 23, 2010 @ 2PM

Councillor Pillon moved, Councillor Sutton seconded:

That the minutes of the June 23, 2010 Traffic Committee meeting be received;

That Council concur with the Traffic Committee's recommendation to erect an Autistic Person Area sign in front of 323 Simcoe Street as requested by the Essex Community Living Group Home.

Councillor Pillon noted that there has been a request for a speed limit sign at Golfview. The Traffic Committee does not support the installation of a stop sign but instead supports extending the 60km speed limit east of Golfview on County Road 10.

The Mayor put the Motion.

Motion Carried

Councillor Pillon moved, Deputy Mayor Bailey seconded:

That Administration direct the motion to the County of Essex for consideration and response.

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

Council reviewed the Unfinished Business Items List as of September 13, 2010.

20100913A Councillor Fryer sought an update on the truck traffic on Pickering St. and if signage would be placed in that area. Lou Zarlenga advised that the company has been asked to redirect its trucks. If this continues to be a problem, Council may wish to direct the matter to the Traffic Committee for further consideration.

20100913B Councillor Wark sought an update on the street light deficiencies on Cherrylawn (at corner of Pickering). There is a problem at 326 Cherrylawn with a street light illuminating the house. Lou Zarlenga advised that it would be addressed.

2010913C Councillor Pillon sought an update on the water quality concerns on Lakewood Beach as discussed at the August 23rd meeting. He noted that he would like to see all three parties work together and find the root of the problem. Councillor Pillon also asked that the matter be added to the Unfinished Business list so that it could be monitored next year at this time.

20100913D Councillor Pillon sought an update on Michael Kosyk's drainage concerns.

20100913E Councillor Fryer asked if lighting would be placed at Pickering and Sandwich. Lou Zarlenga advised that he would follow up.

20100913F Councillor Fryer asked that a report be brought back on the issue regarding the Kingsbridge playground equipment. Ivano Fregonese confirmed that there have been discussions this week with the Parks Manager regarding the park. Information would return to Council.

20100913G Councillor Fryer noted that there is a property on northwest corner of County Rd 10 and 3rd Concession. The property owner's driveway is located west of the intersection but the speed limit changes at the 3rd Concession. He is asking Council to request through the County that the 60 km speed limit be extended beyond his driveway. The owner is having difficulty accessing his driveway safely.

Councillor Fryer moved, Councillor Sutton seconded:

That Administration be directed to send correspondence to the County Engineer requesting the change and that a response be provided to Town Council.

The Mayor put the Motion.

Motion Carried

NEW BUSINESS

There were no new business items.

NOTICES OF MOTION

There were no Notices of Motion.

BY-LAWS

Confirmatory By-Law

Councillor Pillon moved, Councillor Wark seconded:

That By-Law 2010-91 being a By-Law to confirm all resolutions of the Municipal Council Meeting held on September 13, 2010 at 7:00 PM 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

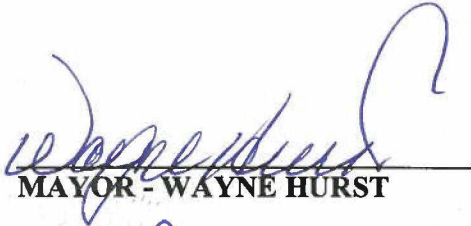
ADJOURNMENT

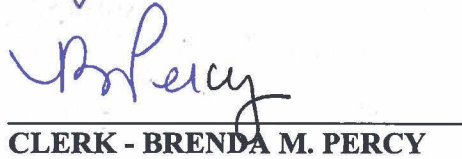
Councillor Sutton moved, Councillor Wark seconded:

That Council adjourn at 8:39 p.m.

The Mayor put the Motion.

Motion Carried


MAYOR - WAYNE HURST


CLERK - BRENDA M. PERCY