

**TOWN OF AMHERSTBURG  
COUNCIL MEETING  
Monday, March 19, 2012  
7:00 p.m.**

Council Chambers, 271 Sandwich Street South Amherstburg

**MINUTES**

---

**PRESENT**

Mayor Wayne Hurst  
Deputy Mayor Ron Sutherland  
Councillor Carolyn Davies  
Councillor Robert (Bob) Pilon  
Councillor John Sutton  
Councillor Diane Pouget  
Councillor Bart DiPasquale

**CALL TO ORDER**

The Mayor called the meeting to order at 8:40 a.m.

**DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**  
*(In-Camera agenda items)*

There were no disclosures of pecuniary interest.

**IN-CAMERA MEETING**

Councillor Davies moved, Councillor DiPasquale seconded:

**That Council move into an In-Camera Meeting of Council at 8:30 a.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:**

**ITEM A - Temporary Acting CAO Interviews (8.5 hours)**  
***Personal matters about an identifiable individual, including municipal or local board employees [ 239 (2b) ]***

The Mayor put the Motion.

**Motion Carried**

**ADJOURNMENT OF IN-CAMERA MEETING**

## RESUMPTION OF REGULAR COUNCIL MEETING - 7:00 P.M.

### PRAYER

Brenda Percy, Clerk said prayer.

### DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF (Public Council Meeting agenda items)

Councillor Sutton declared a pecuniary interest in Item 23.2 – Letter of Support, House of Shalom, Youth Centres Canada as he is the Executive Director at House of Shalom.

### MINUTES OF PREVIOUS MEETING

#### Approval of Minutes

Deputy Mayor Sutherland moved, Councillor Pouget seconded:

**That the minutes be adopted by Council and that those confidential minutes of the closed sessions of Council remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act:**

1. Regular Council Meeting Minutes – March 5, 2012
2. In-Camera Meeting Minutes – March 5, 2012

The Mayor put the Motion.

**Motion Carried**

### PRESENTATIONS

#### 9.1 Anne Rota, Manager of Tourism and Culture - Diamond Jubilee

Councillor Pillon moved, Councillor Davies seconded:

**That the presentation be received.**

The Mayor put the Motion.

**Motion Carried**

**9.2 Anne Rota, Manager of Tourism and Culture - War of 1812 Bi-centennial Legacy Project**

Councillor Pillon moved, Councillor Pouget seconded:

**That the presentation be received.**

The Mayor put the Motion.

**Motion Carried**

The Mayor noted that the Thrasher family is present and asked that Council consider a motion to bring forward Item #23.3 on the agenda to be dealt with.

Councillor Sutton moved, Councillor Davies seconded:

**That the item be brought forward on the agenda.**

The Mayor put the Motion.

**Motion Carried**

**NOTICE OF MOTION**

**Councillor Sutton – Kingsbridge Park named as Pat Thrasher Park  
(As introduced at the March 5, 2012 Meeting)**

Councillor Sutton moved, Councillor Pillon seconded:

**Whereas the Town of Amherstburg from time to time deems it appropriate to name municipal parks after individuals who have demonstrated an extraordinary level of community service;**

**And Whereas Pat Thrasher impacted the lives of countless youth through his dedication as a minor league sports coach and mentor, continued that devotion to youth recreation opportunities in his role as a municipal councillor and was a key leader in the local Multiple Sclerosis Society;**

**Therefore be it resolved that Kingsbridge Park be named Pat Thrasher Park and that the appropriate signage dedicating the park in his name be erected and a ribbon cutting ceremony be held once the park is operational**

The Mayor put the Motion.

**Motion Carried Unanimously**

**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**

**14.1 Hunt Club Creek Subdivision – Extension of Draft Plan Approval**

Deputy Mayor Sutherland moved, Councillor Pouget seconded:

**That the report by Lory Bratt, Planning Coordinator, dated February 24, 2012 regarding a request for an extension of draft plan approval for Hunt Club Creek Subdivision be received;**

**That Council support the request from Karl D. Tanner, Dillon Consulting, on behalf of Hunt Club Creek Inc., for a three year extension of the draft plan approval for Hunt Club Creek Subdivision (File #37T-02006);**

**And further that Administration be directed to so notify William King, Manager of Planning Services, County of Essex.**

Lory Bratt noted that she would include reason for extension in the letter to William King.

The Mayor put the Motion.

**Motion Carried**

**14.2 Removal of Part Lot Control - Riverfront Park Subdivision**

Councillor Sutton moved, Councillor Pillon seconded: -

**That the report from Lory Bratt dated March 9, 2012 regarding removal of Part Lot Control- Riverfront Park Subdivision be received;**

**That Council approve the request to extend the time frame specified in the By-law;**

**That Council approve the request to amend the land described in the By-law;**

**And further that By-law 2012-21 being a by-law to amend By-law 2010-35 to extend the expiration date and amend the land described for Part Lot Control exemption be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same thereto.**

The Mayor put the Motion.

**Motion Carried Unanimously**

**14.3 Removal of Part Lot Control - Forhan Subdivision**

Councillor DiPasquale moved, Deputy Mayor Sutherland seconded:

**That the report from Lory Bratt dated March 9, 2012 regarding removal of Part Lot Control – Forhan Subdivision be received;**

**That Council approve the application for removal of Part Lot Control for Lots 4, 5, 7, 8, 11, 12, 16, 17, Registered Plan 12M-198;**

**And further that By-law 2012-22 being a by-law to remove certain lands from Part Lot Control (12M-198) be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same thereto.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS - ENGINEERING AND INFRASTRUCTURE**

### **15.1 Leo Beaudoin Drain – Request for Replacement of an Existing Culvert from Peter and Marguerite Dunn**

Councillor Pouget moved, Councillor Davies seconded:

**That Council receive the report from Lou Zarlenga dated March 6, 2012 regarding a request for replacement of existing culvert over the Leo Beaudoin Municipal Drain;**

**And that Council accept the request from Peter and Marguerite Dunn for the replacement of an existing culvert over the Leo Beaudoin Municipal Drain as per section 78 of the Drainage Act;**

**And further that Crozier Baird Engineers be appointed for the purpose of preparing an engineer's report including plans and profile for the Leo Beaudoin Municipal Drain.**

The Mayor put the Motion.

**Motion Carried Unanimously**

### **15.2 2012 Surplus Equipment to Auction – Designation of Surplus Equipment**

Councillor Pillon moved, Councillor DiPasquale seconded:

**That Council receive the report from Lou Zarlenga dated March 8, 2012 regarding Surplus Equipment in the Public Works Department;**

**And further that Council approve the disposal of designated surplus equipment by way of public auction.**

The Mayor put the Motion.

**Motion Carried Unanimously**

## **REPORTS - CAO's OFFICE**

No reports at this time.

## REPORTS - TREASURY

### 17.1 Pending Assessment Appeals General Chemical

Deputy Mayor Sutherland moved the administrative recommendations contained in the report with addition.

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

**That the report by Paul Beneteau, Treasurer dated March 12, 2012 regarding General Chemical Assessment Appeals be received;**

**That Council concur with the recommendation to accept the proposal as submitted by Schultze, Douglas LLP, and further recommended by Municipal Tax Equity, respecting the same;**

**That the balance of \$111,655 be transferred from the tax stabilization fund to cover the balance be of the proposed write off;**

**And further that the tax stabilization fund be replenished within next 2 years.**

The Mayor put the Motion.

**Motion Carried Unanimously**

### 17.2 Amendment to Tax Arrears Extension Agreement for 117 Fort Street - 3729-230-000-03800-0000

Councillor Pouget moved, Councillor Sutton seconded:

**That the report by Paul Beneteau, Treasurer, dated March 6, 2012 regarding an amendment to the extension agreement between the Town of Amherstburg and the owner of 117 Fort Street be received;**

**That the Mayor and Clerk be authorized to enter into the extension agreement between the Town and the property owner, on behalf of the Town, with the terms outlined in the said agreement;**

**And further that By-law 2012-19 being a By-law to authorize the execution of an amendment to a tax arrears extension agreement, pursuant to Section 378 of the Municipal Act, 2001, be taken as having been read 3 times and finally passed and the Mayor and Clerk be authorized to sign the same thereto.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS - HUMAN RESOURCES**

No reports at this time.

## **REPORTS - CLERK'S**

### **19.1 Fighting Island Amateur Boxing Club – Renewal of Lease Agreement**

Councillor DiPasquale moved, Deputy Mayor Sutherland seconded:

**That the report prepared by Paula Parker, Deputy Clerk dated February 24, 2012 regarding Fighting Island Boxing Club – Renewal of Lease Agreement be received;**

**That Council approve the execution of the Lease Agreement for an additional twelve (12) month period;**

**And further that Bylaw 2012-20 being a By-law to authorize the renewal of a Lease Agreement between the Corporation of the Town of Amherstburg and The Fighting Island Amateur Boxing Club be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same thereto.**

The Mayor put the Motion.

**Motion Carried**

### **19.2 Committee Vacancy - Amherstburg Accessibility Advisory Committee**

Councillor Pouget moved, Councillor Sutton seconded:

**That the report by Paula Parker, Deputy Clerk dated March 8, 2012 regarding Committee Vacancy be received;**

**That Administration proceed to fill the member vacancy by advertising for applications in the local media and on the Town website;**

**And further that the Committee identify suitable candidates from the applications for Council consideration and appointment.**

The Mayor put the Motion.

**Motion Carried**



### 19.3 Administrative Report – Ombudsman Investigation

Councillor Sutton moved, Councillor Pillon seconded:

**That the report prepared by Brenda Percy, Clerk dated March 9, 2012 regarding Administrative Report – Ombudsman Investigation be received;**

**That the letter thanking Andre Marin, Ombudsman for the report and advising that the Town intends to implement the recommendations be sent;**

**And further that Administration be directed to prepare a Policy on Closed Meeting Procedures for Council consideration.**

Council asked that the Policy be brought back to the April 23<sup>rd</sup> meeting when the Clerk is in attendance.

The Mayor put the Motion.

**Motion Carried**

### CONSENT REPORTS

Councillor Pillon moved, Councillor Sutton seconded:

**That the consent reports be received.**

- 1. MFIPPA (Municipal Freedom of Information and Protection of Privacy Act)**
- 2. Accounts Paid for the Period February 11, 2012 to February 25, 2012**
- 3. Accounts paid for period of February 26, 2012 to March 9, 2012**

There was discussion with regard to Report 1. Council asked that Administration record and track the time spent on MFIPPA files and associated costs such as legal costs.

The Mayor put the Motion.

**Motion Carried**

## **CONSENT CORRESPONDENCE**

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

**That the correspondence be received.**

- 1. Minister Responsible for Seniors - Senior Achievement Award Program**
- 2. AIDS Committee of Windsor**
- 3. OSUM Conference and Trade Show**
- 4. Open House - Council on Aging Windsor- Essex County**
- 5. Minister Responsible for Seniors - Invitation to the 2012 Senior of the Year**

The Mayor put the Motion.

**Motion Carried**

## **CONSENT OTHER MINUTES**

Councillor Sutton moved, Councillor Pillon seconded:

**That the following minutes be received:**

- 1. Heritage Committee Minutes – January 19, 2012**
- 2. Court of Revision Minutes – March 5, 2012**

The Mayor put the Motion.

**Motion Carried**

## **CORRESPONDENCE**

### **23.1 St. John the Baptist Church – Good Friday Walk**

Councillor Sutton moved, Councillor Pouget seconded:

**That the correspondence from St. John the Baptist Church regarding Good Friday Walk be received;**

**And further that Council support the request for police escort on April 6, 2012 at 10:30 am for the Good Friday Walk.**

The Mayor put the Motion.

**Motion Carried**

### **23.2 House of Shalom, Youth Centres Canada – Letter of Support**

Councillor Sutton declared a pecuniary interest and withdrew from discussion and voting on the matter.

Councillor Pouget moved, Councillor Davies seconded:

**That the correspondence from House of Shalom, Youth Centres Canada be received;**

**And further that Administration prepare a letter of support for sustainable funding for all youth centres throughout the province and that the letter be sent to Eric Hopkins, Minister of Children and Youth Services and also the opposition parties.**

The Mayor put the Motion.

**Motion Carried**

### **23.3 The Ontario Horse Racing Industry**

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

**That the correspondence from The Ontario Horse Racing Industry be received;**

**That Council support the resolution by the Town of Fort Erie regarding petitioning the Province of Ontario to maintain its support and commitment to the horse racing industry in Ontario;**

**That Council demand that the Province of Ontario undertake an operational review of its offices and ministries with the potential of relocating them to more affordable communities across the Province of Ontario, and reverse their decision to divert funding away from the Ontario's Horse Racing industry at the expense of communities such as Windsor/Essex as well as plans to construct a Toronto casino at the expense specifically of Windsor and Niagara Falls;**

**And further that this resolution be sent to the attention of the Premier and Leaders of the opposition as well as AMO and all other municipalities in Essex County for their support of this resolution.**

The Mayor put the Motion.

**Motion Carried**

## **UNFINISHED BUSINESS**

Unfinished Business items as of March 19, 2012

Councillor Pillon asked that numbering be added to the agenda on each page.

Councillor Pouget asked that the report back on truck routes and the Town's Traffic By-law be added to the list of unfinished business items.

There was discussion with regard to the yard waste depot, level of service, change to hours and process. Council asked that Lou Zarlenga report back on the matter.

Councillor Davies asked about the property around the solar area on North Side Road and asked when landscaping would begin. She asked that it begin soon with the seasonable weather.

## **NEW BUSINESS**

Councillor Pillon asked that Administration look into the street lights on Balaclava and George Street area.

## **REPORT FROM IN-CAMERA SESSION**

Report from In Camera Meeting held March 19, 2012

The Clerk reported that Council met in closed session on March 19, 2012, under exemption 239(2)(b) of the Municipal Act to conduct interviews for the Acting CAO position. Council directed Administration to negotiate an employment contract with the preferred candidates.

## **NOTICES OF MOTION**

- 27.1 Councillor Sutton – Kingsbridge Park named as Pat Thrasher Park**  
*(As introduced at the March 5, 2012 Meeting)*

*As dealt with above.*

Councillor DiPasquale put forth a Notice of Motion with regard to directing Administration to investigate the forming of a ward system for the Town. The matter will be added to the April 10, 2012 Council agenda for discussion and voting.

**BY-LAWS**

**28.1 Confirmatory By-law**

Councillor Sutton moved, Councillor Pouget seconded:

**That By-law 2012- 23 being a By-law to confirm all resolutions of the Municipal Council Meeting held on March 19<sup>th</sup>, 2012 be taken as having been read three times, and finally passed and the Mayor and Clerk be authorized to sign same thereto.**

The Mayor put the Motion.

**Motion Carried**

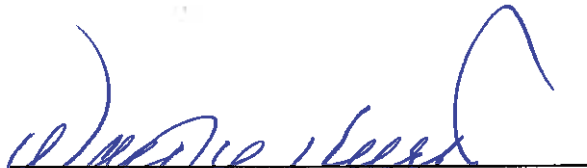
**ADJOURNMENT**

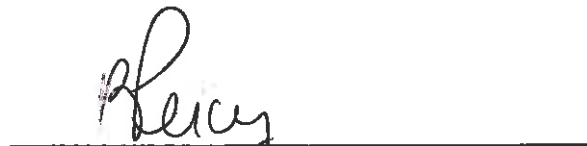
Deputy Mayor Sutherland moved, Councillor DiPasquale seconded:

**That Council rise and adjourn at 8:30 p.m.**

The Mayor put the Motion.

**Motion Carried**

  
MAYOR – WAYNE HURST

  
CLERK – BRENDA M. PERCY