



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Monday, October 29, 2012
7:00 PM**

Council Chambers, 271 Sandwich Street South Amherstburg

MINUTES

PRESENT

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

Brenda Percy, Manager of Council & Legislative
Services/Clerk

ABSENT WITH NOTICE Kristina Pozar Dipaolo, Acting CAO

CALL TO ORDER

The Mayor called the meeting to order at 6:15pm.

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

There were no disclosures of pecuniary interest.

SPECIAL IN-CAMERA MEETING

Councillor Pillon moved, Councillor DiPasquale seconded:

That Council move into an In-Camera Meeting of Council at 6:15 p.m., pursuant to Section 239 of the Municipal Act, 2001, as amended, for the following reasons:

ITEM A – Non-Union SAP – Section 239 (2)(d) – Labour relations or employee negotiations.

ITEM B – Fire Protection Requirements – Section 239 (2)(f) – Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The Mayor put the Motion.

Motion Carried

ADJOURNMENT OF IN-CAMERA MEETING

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

PRAYER

Father Bill Strang, Christ Church said prayer.

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

There were no disclosures of pecuniary interest.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Deputy Mayor Sutherland moved, Councillor Sutton 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 Minutes - Oct 15, 2012**
- 2. Special Council Meeting Minutes - ZBA - Oct 15, 2012**

The Mayor put the Motion.

Motion Carried Unanimously

DELEGATIONS

9.1 **Robbie Taylor - Racing Pigeons** (Refer to Report Item # 15.1)

Robbie Taylor addressed Council and explained his interest in pigeon racing and keeping of pigeons and that he is currently in contravention of the Zoning By-law. He asked that he be permitted to keep his pigeons.

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

That report Item #15.1 be brought forward for consideration.

The Mayor put the Motion.

Motion Carried

B.J. Wilder, Enforcement Officer addressed Council and provided an overview of the matter and steps taken to date.

Councillor Sutton moved, Councillor Pouget seconded:

That the delegation be received;

That the report by Stephen Brown, dated October 22, 2012 regarding a Zoning By-law violation at an Illinois Street property and the associated enforcement actions be received;

And further that the property owner be advised that any changes to the Zoning Bylaw is considered in accordance with the provisions of Section 34 of the Planning Act upon receipt of a complete application.

The Mayor put the Motion.

Motion Carried Unanimously

9.2 **Carlo Bertolissio, President, Windsor Invitational Racing Pigeon Club**

Carlo Bertolissio, President, Windsor Invitational Racing Pigeon Club addressed Council about the sport of racing pigeons. He noted that many municipalities such as City of Windsor permit the keeping of pigeons through regulatory by-laws. Mr. Bertolissio asked that Robbie be permitted to keep his pigeons.

Councillor Pilon moved, Councillor Davies seconded:

That the delegation be received.

The Mayor put the Motion.

Motion Carried

9.3 **Gary Bauer - Town of Amherstburg Noise By-law**
(Refer to Report Item # 15.2)

Gary Bauer addressed Council with regard to concerns with the Town's Noise By-law with regard to dog barking and the noise emitted by hot tubs. He asked that the By-laws be amended to address his concerns.

B.J. Wilder, Enforcement Officer addressed Council and provided an overview of the matter explaining what constitutes an offence under the Town's By-law with regard to hot tubs and barking dogs.

Councillor Sutton moved, Councillor Davies seconded:

That report Item #15.2 be brought forward for consideration.

The Mayor put the Motion.

Motion Carried Unanimously

Councillor Sutton moved, Councillor DiPasquale seconded:

That the delegation be received;

And further that the report by Stephen Brown, dated October 19, 2012 regarding amending By-law 2001-43 with respect to regulating Hot Tub sounds and amending the definition pertaining to Barking Dog Noise be received.

The Mayor put the Motion.

Motion Carried Unanimously

9.4 **Valerie Buckie, Curator, Park House Museum - The Future of the Park House Museum**

Valerie Buckie, Curator, Park House Museum addressed Council with regard to the future of the Park House Museum. She noted concerns with regard to the care and collection of the building and asked Council pay the curator's salary.

Councillor Sutton moved, Councillor Davies seconded:

That the delegation be received;

And further that the request for funding of the curator salary for the Park House Museum be forwarded to the 2013 budget for deliberation.

The Mayor put the Motion.

Motion Carried Unanimously

PRESENTATIONS

10.1 Tim Beaulieu, Co-Chair, 2014 Senior 55+ Ontario Games

Rick Daly, Manager, Business Development and Programs, and Co-Chairs, Tim Beaulieu and Calvin Little addressed Council with regard to the 2014 Senior 55+ Ontario Games. A PowerPoint presentation was provided with regard to the Games Organizing Committee work including mandate, objectives, goals,

Councillor Davies moved, Councillor Pillon seconded:

That the presentation be received.

The Mayor put the Motion.

Motion Carried

The Mayor asked that Council consider bringing forward Emergency Information report for discussion.

Councillor Sutton moved, Councillor Pouget seconded:

That consent report Item #21(d) be brought forward for consideration.

The Mayor put the Motion.

Motion Carried

Item 21(d) – EIC (Emergency Information Centre)

Randy Sinasac, Fire Chief addressed Council to respond to questions arising from the report. There was discussion with regard to the role of the emergency information centre, volunteer group, training and conflicts.

Councillor Pillon moved, Councillor Sutton seconded:

That consent item 21(d) be received.

The Mayor put the Motion.

Motion Carried

10.2 **Anne Rota, Manager of Tourism and Culture - Roots to Boots Post Status Report - War of 1812 Bicentennial**

Anne Rota, Manager of Tourism and Culture, Karen Gyorgy and Robert Honor provided a PowerPoint presentation with regard to a post status report on Roots to Boots.

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

That the presentation be received.

The Mayor put the Motion.

Motion Carried

10.3 **Dean Collver, Director, Recreation and Culture, Amherstburg Farmers Market – 2012 Report**
(Refer to Report Item # 11.1)

Councillor Sutton moved, Councillor Davies seconded:

That consent report Item #11.1 be brought forward for consideration.

The Mayor put the Motion.

Motion Carried

Dean Collver, Director, Recreation and Culture addressed Council and provided a PowerPoint presentation with regard to the Amherstburg Farmers Market – 2012 Report.

Councillor Sutton moved, Councillor Davies seconded:

That the presentation be received.

That the report by Dean Collver, Director of Recreation and Culture, dated October 17, 2012, regarding Amherstburg Farmers Market – 2012 Report be received;

And further that Council direct Administration to conduct a needs assessment of the Amherstburg Farmers Market program and return recommendations for continued enhancements for consideration during 2013 Budget deliberations.

The Mayor put the Motion.

Motion Carried

REPORTS - RECREATION/CULTURE/PARKS

11.1 **Amherstburg Farmers Market – 2012 Report** (Refer to Presentation Item # 10.3)

As dealt with above.

11.2 **Municipal Tree Lighting & River Lights Opening Ceremonies Road Closure**

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That the report by Dean Collver, Director of Recreation and Culture , dated October 18, 2012, regarding Municipal Tree Lighting & River Lights Opening ceremonies road closure be received;

And further that Council approve the road closure as identified on the attached map for the two events taking place simultaneously on Friday, November 16, 2012 at the Town Square between the hours of 5:00 pm to approximately 7:30 pm.

The Mayor put the Motion.

Motion Carried

11.3 **Super Santa ERCF Run and Santa Claus Parade Road Closure**

Councillor Pillon moved, Councillor DiPasquale seconded:

That the report submitted by Dean Collver, Director of Recreation and Culture regarding Super Santa ERCF Run and Santa Claus Parade road closure be received;

And further that Council approve the proposed road closure as identified on the attached map for Saturday, November 24, 2012 between the hours of 3:30 pm to approximately 7:30 pm.

The Mayor put the Motion.

Motion Carried

11.4 **Beverage Agreement – PepsiCo Beverages Canada**

Councillor DiPasquale moved, Deputy Mayor Sutherland seconded:

That the report by Dean Collver dated October 18, 2012 regarding the Beverage Agreement – PepsiCo Beverages Canada be received;

And further that By-law 2012-97 being a By-law to enter into an agreement between PepsiCo Beverages Canada and the Corporation of the Town of Amherstburg be 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 - POLICE

No reports at this time.

REPORTS - FIRE

No reports at this time.

REPORTS - INFORMATION TECHNOLOGY

No reports at this time.

REPORTS - DEVELOPMENT SERVICES

15.1 Zoning By-law Violation – Keeping/Raising of Pigeons
(Refer to Delegation Item #'s 9.1 & 9.2)

As dealt with above.

15.2 Noise By-law Complaints: Hot Tub sounds and Barking Dog sounds – Willow Beach Incidents
(Refer to Delegation Item # 9.3)

As dealt with above.

15.3 Amending Development Agreement- 515 Dalhousie Street Ukrainian Senior Citizens Home

Councillor Sutton moved, Councillor Davies seconded:

That the report by Lory Bratt dated October 22, 2012 regarding an Amending Development Agreement for 515 Dalhousie Street be received;

That Council approve the Site Plan and Amending Development Agreement for a parking lot expansion and revisions;

And further that By-law 2012-99 being a By-law to authorize the Signing of an Amending Development Agreement with Ukrainian Senior Citizens Home of

Taras H. Shevchenko (Windsor) Inc. be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same.

The Mayor put the Motion.

Motion Carried

REPORTS - ENGINEERING AND INFRASTRUCTURE

16.1 Rural Municipal Drains and Urban Storm Drainage Request to Reclassify Lakewood Beach Drain No. 2 From Municipal Drain to Storm Sewer Status

Mr. Kidd asked to be heard as a delegation on the matter.

Councillor Davies moved, Deputy Mayor Sutherland seconded:

That the Rules of Order be waived and allow Mr. Kidd to be heard.

The Mayor put the Motion.

Motion Carried

Mr. Kidd addressed Council with regard to the report before Council. He asked that Council vote to abandon Lakewood Drain #2.

There was discussion with regard to the options before Council.

Councillor Sutton moved, Councillor Pillon seconded:

That the report by Lou Zarlenga dated October 4, 2012 regarding Rural Municipal Drains and Urban Storm Drainage - Request to Reclassify Lakewood Beach Drain No. 2 From Municipal Drain to Storm Sewer Status be received;

And further that Council concurs with the recommendation of Administration to maintain the status quo in regards to status of the Lakewood Beach Drain No.2 as a Municipal Drain.

The Mayor put the Motion.

	Yes/Concur	No/Not Concur
Councillor Davies	x	
Councillor DiPasquale		x
Councillor Pillon	x	
Councillor Pouget		x
Deputy Mayor Sutherland		x
Councillor Sutton	x	
Mayor Hurst	x	

Motion Carried

REPORTS - CAO's OFFICE

No reports at this time.

REPORTS - TREASURY

No reports at this time.

REPORTS - HUMAN RESOURCES

No reports at this time.

REPORTS - LEGISLATIVE SERVICES

20.1 2013 Calendar of Council Meetings

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

That the report prepared by Brenda Percy, dated November 1, 2012 regarding the 2013 Calendar of Council Meetings be received;

And further that the attached Schedule of Council Meetings for the year 2013 be approved.

The Mayor put the Motion.

Motion Carried

CONSENT REPORTS

- a) Solar Panel Installations**
- b) Yard Waste Collection Program Council Update for September 2012**
- c) Accounts Paid for the Period of October 1, 2012 To October 15, 2012**
- d) EIC (Emergency Information Centre) *(as dealt with above)*.**

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That the consent reports a, b and c be received.

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Councillor Davies moved, Councillor Sutton seconded:

That the correspondence be received.

- a) **June Callwood Outstanding Achievement Award for Voluntarism in Ontario**
- b) **Thank you letter - Shores of Erie International Wine Festival**
- c) **Thank you letter - United Way Windsor-Essex County**

The Mayor put the Motion.

Motion Carried

CONSENT OTHER MINUTES

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

That the following minutes be received:

- a) **Amherstburg Accessibility Advisory Committee Minutes - Sept 27, 2012**

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

Unfinished Business as of October 29, 2012

Councillor DiPasquale sought information on dates for the 2013 budget deliberations. Treasurer, Paul Beneteau noted that a report would be forth coming with an update.

NEW BUSINESS

Councillor Davies wished to recognize the important work that the Amherstburg Fort Malden Horticultural Society has done in the Town.

Councillor Davies noted that Ron Giofu, Amherstburg Echo reporter would be sorely missed now that the Echo has closed. She wished him the best of luck.

Deputy Mayor Sutherland referred to the previous meeting of Council and the motion with regard to the Amherstburg Chamber of Commerce – Citizen of the Year Award Sponsor. Council had passed a motion that the request by the Chamber be referred to the 2013 budget deliberations.

Deputy Mayor Sutherland moved, Councillor Davies seconded:

That the motion passed at the October 15, 2012 meeting of Council with the request by the Chamber of Commerce –Citizen of the Year Award Sponsor that was referred to 2013 budget deliberations be rescinded.

The Mayor put the Motion to Rescind.

Motion Failed

REPORT FROM IN-CAMERA SESSION

Report from In Camera Meeting held Monday, October 29, 2012

The Clerk advised that she would report at the next meeting due to time constraints.

NOTICES OF MOTION

There were none.

BY-LAWS

28.1 Confirmatory By-law

Councillor Sutton moved, Councillor Pillon seconded:

That By-law 2012-100 being a By-law to confirm all resolutions of the Municipal Council Meetings held on October 29th, 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

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That Council rise and adjourn at 10:10 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – WAYNE HURST

CLERK – BRENDA M. PERCY