

Minutes of a regular meeting of the Amherstburg Municipal Council held Monday, March 15, 2004 at 7:00 p.m.

PRESENT:

Mayor Wayne Hurst
Deputy Mayor Anthony Leardi
Councillor Robert Bailey
Councillor Gord Freeman
Councillor Carl Gibb
Councillor Paul Renaud
Councillor Rosa White

ALSO PRESENT:

Hilary Payne, CAO
David Mailloux, Clerk
Paul Beneteau, Treasurer
Lou Zarlenga, Public Services Manager

PRAYER

Rev. Bill Strang said prayer.

DECLARATIONS OF PECUNIARY INTEREST

Councillor Renaud declared a conflict of interest with Business Licence application from Scott Renaud and Michelle McEvoy to operate a car detailing business.

MINUTES

Moved by R. Bailey, seconded by G. Freeman that the minutes of a regular meeting of the Amherstburg Municipal Council held Monday, March 8, 2004, be adopted subject to the words "in this particular matter" being added to the resolution on Report #7 on page 4.

Motion Carried

Moved by R. White, seconded by P. Renaud that we waive rules of order to hear the delegations.

Motion Carried

PETITIONS & DEPUTATIONS

Domenic Amicone was not able to attend to address Council concerning Anthony Leardi's Notice of Motion.

Moved by A. Leardi, seconded by R. White that Council resume.

Motion Carried

CORRESPONDENCE

Item #1

Moved by R. White, seconded by C. Gibb that the notice dated March 4, 2004 regarding Physician Recruiter Named, be received.

Motion Carried

Item #2

Moved by R. Bailey, seconded by R. White that the letter from Co-An Park, dated March 10, 2004, regarding ball diamonds and soccer fields, be received.

Motion Carried

Item #3

Moved by P. Renaud, seconded by R. White that the memo from Deputy Mayor Leardi, dated March 8, 2004 regarding the Detroit River Canadian Clean-up Initiative, be received and that Council concur with the recommendation to appoint Lou Zarlenga as staff representative to the Implementation Committee.

Motion Carried

Moved by G. Freeman, seconded by R. Bailey that we recommend a member of the general public to the Detroit River Canadian Clean Up Initiative Implementation Committee and that we advertise for interested parties.

Motion Carried

Item #4

Moved by R. White, seconded by R. Bailey that the letter from Co-An Park, dated March 10, 2004, requesting a grant of \$10,000 be received and that we concur with the request.

Motion Carried

Item #5

Moved by A. Leardi, seconded by P. Renaud that the letter from Orval McGuire of the Essex Steam & Gas Engine Show, dated March 7, 2004 requesting Council's support by purchasing an ad in this year's program book, be received.

Motion Carried

BUSINESS LICENCES

Moved by A. Leardi, seconded by Paul Renaud that the Cab Driver application from Richard Beaudoin to drive taxi for South Shore Shuttle be received and approved subject to compliance with all agencies and by-laws.

Motion Carried

Moved by P. Renaud, seconded by R. Bailey that the Business License Application from Rita Kavanaugh to operate a retail store at 38 Victoria Street be received and approved subject to compliance with all agencies and by-laws.

Motion Carried

Councillor Renaud left the room due to a Conflict of Interest with the next item.

Moved by R. Bailey, seconded by C. Gibb The Business License Application from Scott Renaud and Michelle McEvoy to operating a car detailing business at 64 Murray Street be received and approved subject to compliance with all agencies and by-laws.

Motion Carried

Councillor Renaud returned to his chair.

REPORTS OF SPECIAL COMMITTEES

Moved by C. Gibb, seconded by R. White that the minutes of the Economic Development Committee meeting held February 26, 2004, be received.

Motion Carried

REPORTS OF MUNICIPAL OFFICERS

Deputy Mayor Leardi declared a Conflict of Interest with the next item and left the Chambers.

Report #1

Moved by G. Freeman, seconded by P. Renaud that the report from Hilary Payne, dated March 8, 2004, regarding Border Transportation Partnership Bi National Study, be received.

Motion Carried

Deputy Mayor Leardi returned to his seat.

Report #2

Moved by P. Renaud, seconded by R. White that the report from Rick Murray, dated March 9, 2004 advising Council of a Retirement & Awards Banquet, be received and those Councillors who can attend be authorized to do so and that Administration be notified.

Motion Carried

Report #3

Moved by A. Leardi, seconded by R. White that the report from Lou Zarlenga, dated March 11, 2004 regarding 52 Fort Malden Drive, David Pettypiece – Parking Issue, be received.

Motion Carried

Moved by C. Gibb, seconded by R. White that we issue two parking permits per home on Fort Malden Drive.

Moved by A. Leardi, seconded by G. Freeman that we defer above resolution pending a response from Administration.

Motion Carried

Report #4

Moved by G. Freeman, seconded by R. White that the report from Ralph Barnwell, dated March 10, 2004 regarding Marina Rates 2004- review of increase in fees be received, and that the rates be reduced to 2003 levels.

Motion Carried

Report #5

Moved by R. Bailey, seconded by R. White that the report from Hilary Payne, dated March 11, 2004 regarding Official Plan and Zoning By-law Update, be received and that we concur with the recommendation that advance budget approval be given to proceed with the update at an estimated cost of \$44,752.50.

Motion Carried

Deputy Mayor Leardi stressed the importance of advertising the fact that the Official Plan is being updated this year. Councillor Bailey suggested a timeline be included in the ad.

UNFINISHED BUSINESS

Report on Diagio – in progress

Ad in media for an Environmental Advisory Committee

Snow Removal By-law – report April 19, 2004

February 23 – Front Road Signage Report – March 22, 2004.

Agendas to be ready for pickup on Thursday at 4:00 p.m. and on Website Friday a.m.

NEW BUSINESS

Mayor Hurst requested that staff list all studies that are going on and the cost of same.

Moved by A. Leardi, seconded by G. Freeman that the bill for the Bob-lo Waterline be sent to the developer and the developer will have 45 days to pay failing which the entire amount owing shall be immediately levied as unpaid taxes at the standard rate (i.e. 15% per year).

<u>A Recorded Vote Was Requested</u>	<u>AYE</u>	<u>NAY</u>
Councillor Bailey	X	
Councillor Freeman	X	
Councillor Gibb		X
Deputy Mayor Leardi	X	
Councillor Renaud		X
Councillor White		X
Mayor Hurst	X	

Motion Carried

Moved by A. Leardi, seconded by R. White that the two canons and two benches previously in the King's Navy Yard Park across from the Waterfront Ice Cream be returned to their former location.

Motion Carried

BY-LAWS

Moved by A. Leardi, seconded by R. White that:-

By-law No. 2004-20; being a by-law to confirm all resolutions of the Municipal Council; be taken as having been read a first, second and third time, be finally passed and the Mayor and the Clerk be authorized to sign same and affix the Corporate Seal thereto.

Motion Carried

Moved by A. Leardi, seconded by G. Freeman that **By-law No. 2004-21** be deleted from the agenda.

Motion Carried

NOTICE OF MOTION

Moved by R. White, seconded by P. Renaud that:

Whereas the County of Essex passed By-laws prohibiting Smoking in the Workplace and in Public Places in all Municipalities within the County of Essex; and

Whereas the City of Windsor had decided to not pass Smoking By-laws consistent with the County of Essex Smoking By-laws and,

Whereas certain segments of the hospitality industry in the County are suffering severe economic losses due to the inequality of Smoking By-laws between the City of Windsor and the County of Essex and,

Whereas the Province of Ontario has set a date of 2006 to deal with the Smoking issue on a Provincial Wide Basis

Therefore, be it resolved that the Council of the Town of Amherstburg petitions the Council of the Corporation of the County of Essex to revisit the Smoking By-laws to allow the Hospitality Industry to offer smoking and non-smoking sections in their establishments.

ADJOURNMENT

Moved by A. Leardi, seconded by R. White that the meeting adjourn.

Motion Carried

MAYOR

CLERK