

Minutes of a regular meeting of the Amherstburg Municipal Council held Tuesday, April 10, 2007 at 7:00 p.m.

PRESENT

Mayor Wayne Hurst
Deputy Mayor Robert Bailey
Councillor Rick Fryer
Councillor Robert Pillon
Councillor Paul Renaud
Councillor John Sutton- absent with notice
Councillor Rosa White

ALSO PRESENT

Frank Pizzuto, CAO
David Mailloux, Clerk
Paul Beneteau, Treasurer
Carol Bendo, HR Specialist/Deputy Clerk
Lou Zarlenga, Public Works Manager
George Balango, Manager of Development Services
Ron Dzombak, Manager of Recreation Services
Dave Carpenter, Manager of IT
Pamela Malott, Tax Collector/Deputy-Treasurer

PRAYER

The Clerk said prayer.

DECLARATIONS OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest.

MINUTES OF PREVIOUS MEETING

Moved by P Renaud, seconded by R White that the minutes of a regular meeting of the Amherstburg Municipal Council held Monday, March 26, 2007 be adopted as amended by changing Municipal Officers Report #13 to read 'deferred until tender process complete'.

Motion Carried

DELEGATIONS

Tom Kelly representing Amherstburg Fire Fighters Volleyball Tournament made a request that the Annual Volleyball Tournament be considered a Community Event noting that the money raised flows back into the Community.

Moved by R Pillon, seconded by Rick Fryer that the AFFVT be considered a Community Event.

Motion Carried

Moved by R. Pillon, seconded by R. Fryer that Council receive the report from Carol Bendo dated April 4, 2007 to designate the AFFVT as a Community Event.

Motion Carried

Joe Brosseau of 8520 Middle Side Road questioned the consumption on his water bill.

Moved by Bob Bailey, seconded by R. White that the report from Lou Zarlenga, dated April 10, 2007 regarding Mr. Brosseau High Water/Wastewater Billing, be received and that Public Works monitor the consumption on the meter at 8520 Middle Side Road with the cooperation of Mr. Brosseau and report back to Council on the findings to determine if the meter is defective in any way.

Motion Carried

PRESENTATIONS

Presentation of Certificates for Heritage Designation to:

1. Peter & Ellen Rindlisbacher – 6790 County Road 50
2. John & Elizabeth McDonald – 563 Dalhousie Street
3. Ralph & Ruth Ann Dominguez – 61 Rankin Avenue

REPORTS OF MUNICIPAL OFFICERS

Report # 1

The two subject bylaws will designate the following properties under the Ontario Heritage Act:

- Thomas Ouellette Carriage House – 669 Front Rd. N.
- Thomas Ouellette House – 671 Front Rd. N.

Moved by R. White, seconded by R. Fryer the report from George Balango, dated March 29, 2007 regarding Heritage Designation By-laws be received and that **By-law 2007-30**; being a bylaw to designate the property at 669 Front Road North and known as Thomas Ouellette Carriage House as being of architectural and cultural heritage value or interest and, 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. And further that **By-law 2007-31**; being a bylaw to designate the property at 671 Front Road North and known as Thomas Ouellette Manor as being of architectural and cultural heritage value or interest 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

Report # 2

Pursuant to Section 22 of Ontario Regulation 170/03 of the Safe Drinking Water Act an Annual Summary Report for large and small municipal water systems is required.

Moved by R. Bailey, seconded by P. Renaud that the report from Lou Zarlenga, dated March 21, 2007 regarding Submission of 2006 Summary Report for Amherstburg Water System be received.

Motion Carried

Report # 3

The 2006 Annual Inspection for the Amherstburg Water Treatment Plant and Amherstburg Water Distribution System has been completed by the Ministry of Environment and the report is attached for Council's Information.

Moved by P. Renaud, seconded by R. Fryer that the report from Lou Zarlenga, dated April 3, 2007 regarding the 2006 Annual Inspection Report for the Amherstburg Water Treatment Plant and the Amherstburg Water Distribution System for the inspection dated December 13, 2006 be received.

Motion Carried

Report # 4

This report provides a description of work that the Public Works Department has scheduled to perform at the Kings Navy Yard Park pursuant to recommended Phase 1 work of the Brown & Storey Master Plan.

Moved by P. Renuad, seconded by R. Pillon that the report from Lou Zarlenga, dated April 3, 2007 regarding Kings Navy Yard Park Master Plan – Phase 1 implementation, be received.

Motion Carried

Report # 5

The last group of Write-Offs and Changes in Assessment were presented for Council approval on December 18, 2006. The assessment changes contained in this report have been received after the last Council approval in December and are for the 2005 and 2006 tax years. Any assessment changes received for the 2007 year cannot be processed until after the final taxes have been calculated for the 2007 year.

Moved by R. Bailey, seconded by R. White that the report from Pamela Malott, dated March 29, 2007 regarding Tax Write-Offs and Assessment Changes be received and that Council approve the Write-Offs and Changes in Assessment and that **By-law 2007-32**; being a bylaw to strike taxes from the tax roll and to adjust assessment values on properties attached to this report be taken as having been read a first, second and third time, be finally passed and that the Mayor & Clerk be authorized to sign same and apply the Corporate Seal thereto.

Motion Carried

Report # 6

Council received a report and adopted a Final Levy Bylaw in February 2007. The week of March 22, 2007 the County was advised that all County Municipalities needed to recalculate the Optional Business Classes Education Rates although the overall rates for Education had not changed. We found it prudent to repeal the original bylaw and adopt a new bylaw as the document is often requested by outside agencies and it is important it be available in one document.

Moved by R. Fryer, seconded by R. Pillon that the report from Pamela Malott, dated April 2, 2007 regarding Final Tax Levy By-law 2007-33 be received and that **By-law 2007-33**; being a by-law to adopt the 2006 assessments on which taxes will be levied for the year; to levy taxes for the year 2007, to provide for the collection thereof; and to repeal By-law 2007-18 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

Report # 7

Municipal Tax Equity has acted as consultants for the Town of Amherstburg since 1999 and also act as consultants to the County of Essex as a whole to protect the assessment base. On an annual basis MTE provides a Summary Report to the Town of their findings. Attached to this report is the Summary Report for the 2006/2007 Assessment Review dated January 2007.

Moved by R. White, seconded by P. Renaud that the report from Pamela Malott dated April 3, 2007 regarding Municipal Tax Equity 2006/2007 Assessment Review be received and that Council approve and ratify the filing of complaints to the Assessment Review Board in respect of the assessment of all persons and that Council approve the use of Municipal Tax Equity Consultants Inc. as the agent on record for the Town of Amherstburg and properties described in Schedule A of Bylaw 2007-34 and that **By-law 2007-34**; being a bylaw to amend Bylaw 2006-32 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 apply the Corporate Seal thereto.

Motion Carried

Report # 8

The Township of Lanark Highlands is requesting support for a resolution asking the Province to review with Municipalities and their associations the use of ATV's on Public Highways.

Moved by P. Renuad, seconded by R. Pillon that the report from David Mailloux, dated April 3, 2007 regarding ATV's be received and that Council support the resolution from the Township of Lanark Highlands requesting the Province of Ontario to review with Municipalities and their Associations the issue of ATV use on Public Highway with a view to ensuring consistency and sound decision making throughout all areas of the province.

Motion Carried

Report # 9

This report provides the results of the RFP sent out for advertising in the local media, and a recommendation for the award of the contract.

Moved by R. White, seconded by P. Renaud that the report from Paul Beneteau, dated April 3, 2007 regarding Advertising RFP Results be received and that the Town of Amherstburg award the advertising contract for a 52 week (1 year) period to the Amherstburg Echo, and further that the Town re-tender the contract one month prior to the expiration of the 1 year period.

Motion Carried

Report # 10

The Town of Amherstburg hires summer students to fill seasonal positions and to assist with vacation schedules. The program provides valuable work experience to students and assists them in funding their education.

Moved by R. Fryer, seconded by R. White that the report from Carol Bendo, dated April 2, 2007 regarding 2007 Summer Students be received and that Council receive the information contained within the report and that they approve the revised student hiring policy.

Motion Carried

Report # 11

Moved by P. Renaud, seconded by R. Fryer that the report from Frank Pizzuto regarding the Operation of the Ranta Marina be received and further that Council agree to the Ranta Marina Boater's Association operating the marina for the period April 15th, 2007 to November 15th, 2007 while the Town pursues disposal options.

Motion Carried

CORRESPONDENCE

Items 1 thru 6

Moved by R. Bailey, seconded by Rosa White that the following items of correspondence be received.

1. Letter from Jim Bradley, Minister Responsible for Seniors dated March 2007 requesting that June be officially proclaimed as Seniors' Month.
2. Letter from Jim Bradley, Minister Responsible for Seniors dated March 2007 inviting the Mayor & Council to participate in the 2007 Senior of the Year Awards.
3. Copy of letter from the Town of Lakeshore to the Honourable John Gerretsen, Minister of Municipal Affairs & Housing dated March 15, 2007 expressing concern with Ontario's Greenbelt Plan.
4. Copy of letter dated March 30, 2007 from Essex County Library Board to the Town of Essex notifying the Town that the Library Board has deferred the request

for more hours at the McGregor Library pending the outcome of the Facility Planning Study currently being done by dmA Planning & Management Services.

5. Letter dated March 28, 2007 from the Amherstburg Kinsmen Club notifying the Town of the Annual Toll Booth for Cystic Fibrosis to be held at the intersection of Richmond and Sandwich Streets on Saturday, May 5, 2007.
6. Correspondence dated March 2007 from Mike Colle, Minister of Citizenship & Immigration regarding a "Call for Nominations" for the Newcomer Champion Awards which is an award that recognizes outstanding individuals who contribute to the understanding and sharing of Ontario's cultural diversity and provide welcoming communities for the benefit of newcomers.

Motion Carried

Mayor Hurst proclaimed June as Seniors Month.

Item #7 (supplementary item)

Moved by P. Renaud, seconded by R. Pillon that the letter from the Town of Essex, dated April 3, 2007 regarding McGregor Library, be received.

Motion Carried

BUSINESS LICENCES

Moved by P. Renaud, seconded by R. Bailey

That the Business Licence Application from Richard Payne to become a Cab Driver with South Shore Taxi; and

The Business Licence Application from Marjorie Sleigh to renew her Cab Driver licence with South Shore Taxi

Be received and approved subject to compliance with all agencies and regulations.

Motion Carried

MINUTES OF SPECIAL COUNCIL MEETINGS

Moved by R. Bailey, seconded by R. Fryer that the minutes of a meeting of the Amherstburg Municipal Council Working Session held on March 26, 2007 be adopted.

Motion Carried

OTHER MINUTES

Moved by R. Fryer, seconded by R. Pillon that the minutes of the Amherstburg Accessibility Advisory Committee held on February 19, 2007 be received.

Motion Carried

Moved by R. Bailey, seconded by R. White that the minutes of a meeting of the Amherstburg Committee of Adjustment held Tuesday, February 27, 2007 be received.

Motion Carried

UNFINISHED BUSINESS

None

NEW BUSINESS

Moved by P. Renaud, seconded by R. Fryer that Members of Council who can attend the 4th Degree Knights event on April 28th be encouraged to do so.

Motion Carried

Moved by R. Bailey, seconded by P. Renaud that the Council receive the e-mail from The Greater Windsor Home Builders' Association concerning the event to be held May 2nd, 2007 and that members of Council who can attend be encouraged to do so.

Motion Carried

BY-LAWS

By-Law No. 2007-30; being a bylaw to designate the property at 669 Front Road North and know as Thomas Ouellette Carriage House as being of architectural and cultural heritage value or interest (see Report #1)

By-Law No. 2007-31; being a bylaw to designate the property at 671 Front Road North and known as Thomas Ouellette Manor as being of architectural and cultural heritage value or interest (see Report #1)

By-Law No. 2007-32; being a bylaw to strike taxes from the tax roll and to adjust assessment values on properties (see report #5)

By-Law No. 2007-33; being a bylaw to adopt the 2006 assessments on which taxes shall be levied for the year 2007; to levy taxes for the year 2007; and to provide for the collection thereof; and a bylaw to repeal Bylaw No. 2007-18 (see Report #6)

By-Law No. 2007-34; being a bylaw to amend Bylaw 2006-32; being a bylaw to authorize specific complaints to the Assessment Review Board (see Report # 7)

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

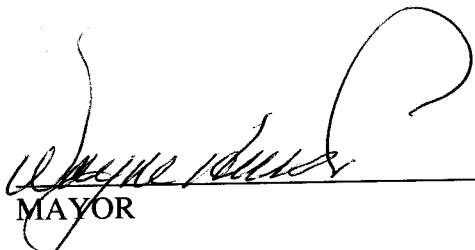
By-law 2007-35; being a bylaw to confirm all resolutions of the Municipal Council be taken as having been read a first, second and third time, be finally passed and the Mayor and Clerk be authorized to sign same and affix the Corporate Seal thereto.

Motion Carried

ADJOURNMENT

Moved by P. Renaud, seconded by Rosa White that there being no further business, the meeting adjourn.

Motion Carried



MAYOR



CLERK