

Minutes of a regular meeting of the Amherstburg Municipal Council held Monday, April 23, 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
Councillor Rosa White

ALSO PRESENT

Frank Pizzuto, Chief Administrative Officer
David Mailloux, Clerk
Pam Malott, Dep. Treasurer/Tax Collector
Carol Bendo, H.R. Specialist/Dep. Clerk
Lou Zarlenga, Public Works Manager
George Balango, Manager of Development Services
Anna Graham, Deputy-Chief Building Official
Lory Bratt, Planning Coordinator
Ron Dzombak, Manager of Recreational Services
Dave Carpenter, IT Manager

PRAYER

Reverend Strang said prayer.

DISCLOSURE OF PECUNIARY INTEREST

Councillor Fryer disclosed a conflict of interest with Municipal Officers Report # 4, and Delegation # 5.

MINUTES OF PREVIOUS MEETING

Moved by R. White, seconded by R. Pillon that the Minutes of the regular meeting of the Amherstburg Municipal Council held Tuesday April 10th, 2007 at 7:00 p.m. be adopted.

Motion Carried

DELEGATIONS

1. Rennie Rota of the Chamber of Commerce addressed Council regarding the Economic Development/Tourism Summit to be held on June 15th requesting use of the Navy Yard Park for the event. Council commented on the Provincial and Federal Ministers attending being beneficial for the Town. Council supported the Chamber for being pro-active. Opinion was expressed that Navy Yard Park should remain a passive Park. Report #1 was brought forward.

Moved by R. White, seconded by P. Renaud that the verbal report of Rennie Rota be received; and that the report from Carol Bendo, dated April 9, 2007 regarding Economic Development and Tourism Summit – June 15, 2007 be received and that the Town of Amherstburg grant a permit for the use of the Gordon House grounds concurrent with by-law 2004-89 for an Economic Development and Tourism Summit hosted by the Amherstburg Chamber of Commerce on Friday, June 15, 2007.

Motion Carried

2. Kelly O'Rourke and Anne Rota of the Shores of Erie International Wine Festival addressed Council regarding a Garden Party on June 16th at the Gordon House. Report # 2 was brought forward.

Moved by P. Renaud, seconded by J. Sutton that the verbal report of Kelly O'Rourke and Anne Rota be received; and that the report from Carol Bendo, dated April 9, 2007 regarding Shores of Erie International Wine festival Sponsor Reception – 'Garden Party' – June 16, 2007, be received; and that the Town of Amherstburg grant a permit for the use of the Gordon House grounds concurrent with by-law 2004-89 for the purpose of a sponsor reception hosted by the Shores of Erie International Wine Festival on Saturday, June 16, 2007 from 5:00 p.m. to 10:00 p.m.

Motion Carried

3. Scott Renaud addressed Council regarding the 2007 Gone Car Crazy Event on August 5th, 2007 in the downtown streets and the Toddy Jones Park and Navy Yard Park. Council thanked Mr. Renaud for his efforts in organizing this successful event now in its third year. Report # 3 was brought forward.

Moved by R. Fryer, seconded by P. Renaud that the verbal report of Scott Renaud be received; and that the report from Carol Bendo, dated April 9, 2007 regarding Approval of Amherstburg's Gone Car Crazy Event to be held on Sunday August 5th, 2007 be received, and that the Town of Amherstburg waive the user fee for Toddy Jones Park for the event; and that the Town approve street closures as identified in the report; save and except Rankin Avenue; and that the Town approve affiliation insurance for the AGCC event.

Motion Carried

4. Robert Whitehead of 1532 Front Rd. S. addressed Council regarding the speeding of cars on Front Road South. Staff Sergeant Tim Berthiume was present to answer Council questions. Sergeant Berthiume advised he personally spoke with Mr. Whitehead regarding his concerns and that efforts are being made to step up the patrol and enforcement in the area. Sergeant Bethiume advised that the area is not a commuter route and is used primarily for local traffic. Sergeant Berthiume expressed the importance of APS working with the Community to resolve the concerns.

Moved by R. Pillon, seconded by R. Bailey that Council receive the information from Mr. Whitehead.

Motion Carried

Councillor Fryer vacated his chair.

5. Richard McGrath addressed Council on behalf of his client regarding property on Part Lot 9, Concession designated as Part 1, 12R-21260, Texas Road with the assistance of digital photos. Report # 4 was brought forward.

Moved by R. Bailey, seconded by P. Renaud that the report of Richard McGrath on behalf of his client be received; and that the report from George Balango, dated April 17, 2007 be received and that Council authorize staff to conduct a public meeting.

A Recorded Vote Was Requested

	<u>AYE</u>	<u>NAY</u>
Deputy-Mayor Bailey	X	
Councillor Pillon		X
Councillor Renaud	X	
Councillor Sutton	X	
Councillor White	X	
Mayor Hurst	X	

Motion Carried

Councillor Fryer returned to his chair

PRESENTATIONS

Ron Dzombak, Manager of Recreational Services and Rick Spencer of HGS Consulting presented information concerning a proposed Splash Pad in Toddy Jones Park.. Report # 5 was brought forward.

Moved by R. Fryer, seconded by R. Pillon that Council approve the construction of the Splash Pad with minimal upgrades to the building and that Council approve going forward with the tender process.

<u>A Recorded Vote was requested</u>	<u>AYE</u>	<u>NAY</u>
Deputy-Mayor Robert Bailey		X
Councillor Fryer	X	
Councillor Pillon	X	
Councillor Renaud		X
Councillor Sutton		X
Councillor White		X
Mayor Hurst		X

Motion Lost

Moved by R. Bailey, seconded P. Renaud that the report from Frank Pizzuto, dated April 17, 2007 regarding Splash Pad/Building Upgrade – Toddy Jones Park be received and that the Town of Amherstburg approve the construction of a splash pad, a building upgrade reduced in scope from the original report, and a pathway upgrade at Toddy Jones Park at a maximum cost of \$249,000; and

That the project be awarded to Waterplay Manufacturing Ltd., DeAngelis Construction & HGS Consulting without a full tender process.

<u>A Recorded Vote was requested</u>	<u>AYE</u>	<u>NAY</u>
Deputy-Mayor Robert Bailey	X	
Councillor Fryer		X
Councillor Pillon		X
Councillor Renaud	X	
Councillor Sutton	X	
Councillor White	X	
Mayor Hurst		X

Motion Carried

REPORTS OF MUNICIPAL OFFICERS

Report #1- Moved to Delegations

The Chamber of Commerce is hosting an Economic Development and Tourism Summit on Friday, June 15, 2007. This report requests a permit for the use of Navy Yard Park under by-law 2004-89.

Report #2- Moved to Delegations

The Shores of Erie International Wine Festival is hosting a “Garden Party” reception for their sponsors on Saturday, June 16, 2007. This report requests a permit for the use of Navy Yard Park under by-law 2004-89.

Report #3- Moved to Delegations

The Amherstburg Entertainment Committee is requesting the approval of the 2007 Gone Car Crazy Event on Sunday, August 5, 2007.

Report #4- Moved to Delegations

The owner of lands predominantly designated Light Industrial in the adopted Official Plan requests reconsideration of the designation to permit residential development comprised of single family freehold townhouses and a substantial buffer. The agent for the applicant wishes to appear before Council to present a plan prepared to address public concerns raised during the Official Plan Review.

Report #5- Moved to Presentations

On February 12, 2007 Council approved a splash pad at Toddy Jones Park in principle. This report provides details on the proposed splash pad to replace the wading pool, a building upgrade and a pathway upgrade for the park.

Report #6

To update Council on the status of a number of commercial, industrial, residential and institutional developments that have been approved by Council in 2006/07.

Moved by R. Fryer, seconded by J. Sutton that the report from Lory Bratt, dated April 16, 2007 regarding Planning Projects – Status Report be received.

Motion Carried

Report #7

Moved by P. Renaud, seconded by R. White that the report from Lory Bratt and Frank Pizzuto, dated April 17, 2007 regarding Sewage Allocation – Kingsbridge Subdivision be received and that the Kingsbridge Subdivision be granted sewage allocation for Lots 16 to 29 inclusive and 86 to 93 inclusive (Phase 6A) and further Administration be directed regarding Removal of the (H) Holding Zone of the subject lands.

Motion Carried

Report #8

The adopted Official Plan is under review by the County. The County Manager of Planning Services is awaiting comments from the Ministry of Municipal Affairs and Housing.

Moved by J. Sutton, seconded by R. Fryer that the report form George Balango, dated April 17, 2007 regarding Status of the Adopted Official Plan be received.

Motion Carried

Report #9

The Town has appointed advisory and other committees, but delayed the appointment of the ACE. This report outlines the qualifications of the individuals to serve on the committee.

Moved by R. White, seconded by R. Pillon that the report from George Balango, dated April 18, 2007 regarding Amherstburg Advisory Committee on the Environment be received and that the Town of Amherstburg appoint the following individuals to the Amherstburg Advisory Committee on the Environment (ACE)

- Gerry Waldron
- Dennis Armstrong
- Dave McGregor
- Dr. Spellman
- Kevin Sprague
- Allan Parks
- Terris R. Buchanan

Motion Carried

Report #10

The 2007 West Nile Virus Control Program operated by the Windsor Essex County Health Unit with the participation of the various municipalities within the County of Essex has commenced with the announcement and selection of a contractor to provide for surveillance and treatment operations.

Moved by J. Sutton, seconded by R. Bailey that the report from Lou Zarlenga, dated April 17, 2007 regarding 2007 West Nile Virus Control Program – Status Report be received along with the 2007 Amherstburg Mosquito Nuisance Program.

Motion Carried

Report #11

The Arena Task Force was mandated by Council to review arena operations and programming with a focus on having the arena operate on a cost neutral basis. The Arena Task Force, in a motion passed on August 17th, 2006, recommended that the Manager of Recreation Services review multiple recommendations.

Moved by R. White, seconded by R. Fryer that the report from Ron Dzombak, dated April 11, 2007 regarding the Arena Task Force Interim Report be received.

Motion Carried

Report #12

Recreation Services has sought and received community support for new activity and sport programs for 2007 to provide new options around sports in Centennial Park and in the Arena between May and August 2007.

Moved by P. Renaud, seconded by J. Sutton that the report from Frank Pizzuto and Ron Dzombak, dated April 11, 2007 regarding Spring and Summer Activities for 2007 be received.

Motion Carried

Report #13

Moved by R. Pillon, seconded by J. Sutton that the report from Pamela Malott, dated April 17, 2007 regarding Tax Rebates on Eligible Heritage Properties for the 2006 tax year, be received.

Motion Carried

Report #14

Moved by R. Fryer, seconded by R. White that the report from Frank Pizzuto, dated April 14, 2007 regarding Enhanced Municipal Participation in the Detroit River Canadian Cleanup be received and that Council appoint the Chief Administrative Officer to the Detroit River Canadian Cleanup's Steering Committee to ensure coordination of the Town's priorities with those of the other Cleanup partners.

Motion Carried

CORRESPONDENCE

Item #1

Moved by R. Fryer, seconded by J. Sutton that the letter from the Essex Region Conservation Foundation, dated Feb. 27, 2007 regarding the Essex Region Conservation Foundation 21st Annual Golf Tournament, be received and that members of Council who can attend be encouraged to do so.

Motion Carried

Item #2

Moved by R. Pillon, seconded by R. White that the letter from Amherstburg Minor Baseball Inc. dated April 7, 2007 regarding their annual parade to be held Saturday, May 5, 2007 be received and further that Amherstburg Minor Baseball be advised thru Anne Rota, Facilitator, Tourism and Special Events that Council has approved the request.

Motion Carried

Item #3

Moved by R. Bailey, seconded by R. Pillon that the letter from Windsor & District Labour Council, dated April 13, 2007 requesting Council advertise in their 13th Annual Labour Review, be received.

Motion Carried

Item #4

Moved by J. Sutton, seconded by R. Fryer that the letter received on April 11th, 2007 from Roger Hollingworth, Amherstburg Chief of Police, expressing opinion on Bill 11 “Operation of Off -Road Vehicles on Highways” be received.

Motion Carried

BUSINESS LICENCES

Moved by P. Renaud, seconded by J. Sutton that the Business Licence Application from Martin Farms to operate a Produce Market at 324 Sandwich St. S.; and

That the Cab Drivers Renewal Licence application from Ronald Cloutier to drive Taxi for South Shore Taxi;

Be approved subject to compliance with all regulations and by-laws.

Motion Carried

OTHER MINUTES

Moved by R. Bailey, seconded by R. Fryer that the minutes of the Amherstburg Emergency Preparedness Committee held Tuesday, February 20, 2007 be received.

Motion Carried

NEW BUSINESS

None

UNFINISHED BUSINESS

None

BY-LAWS

Moved by J. Sutton, seconded by R. Fryer that
By-law 2007-37; 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.

NOTICE OF MOTION

None

MAYOR HURST CALLED A FIVE MINUTE RECESS.

Moved by J. Sutton, seconded By R. Fryer that the Council move in camera

Motion Carried

**FOLLOWING AN IN-CAMERA SESSION COUNCIL RESUMED IN OPEN
SESSION**

Supplementary Agenda Item – Report #15

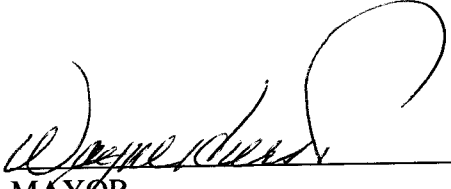
Moved by P. Renaud, seconded by R. Pillon that the report from Lou Zarlenga, Manager
of Public Services be received and that Council approve the use of various funds from the
approved 2007 Public Works Operating and Capital Budgets for the purpose of
purchasing a surplus truck from the County of Essex.

Motion Carried

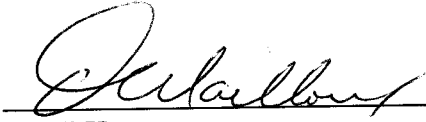
ADJOURNMENT

Moved by J. Sutton, seconded by R. Fryer that the meeting adjourn.

Motion Carried



MAYOR



CLERK