

Minutes of the Amherstburg Municipal Council Meeting held Monday August 27th at 7:00 p.m. in Council Chambers

Please Note: All Public Meetings of Council are recorded by an electronic recording device.

PRESENT:

Mayor Wayne Hurst
Deputy Mayor Robert Bailey
Councillor Rick Fryer
Councillor Robert (Bob) Pillon
Councillor John Sutton

ABSENT WITH NOTICE:

Councillor Rosa White
Councillor Paul Renaud

ALSO PRESENT:

Frank Pizzuto, Chief Administrative Officer
Pam Malott, Mgr. of Corporate & Leg. Services/Clerk
Carol Bendo, Human Resources Specialist/Deputy Clerk
Lou Zarlenga, Public Works Manager
George Balango, Manager of Development Services
Lory Bratt, Planning Coordinator
Rick Murray, Fire Chief
David Carpenter, IT Manager
Ron Dzombak, Manager of Recreational Services
Ivan Fregonese, Supervisor Budget Services

PRAYER:

The clerk said prayer.

DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest

MINUTES OF PREVIOUS MEETING

Moved by Deputy Mayor Bailey
Seconded by Councillor R. Fryer

That the minutes of a regular meeting of the Amherstburg Municipal Council held Monday, July 23, 2007, be adopted as circulated.

Motion Carried

Moved by Councillor R. Fryer
Seconded by Councillor R. Pillon

That the minutes of the Amherstburg Municipal Council In-Camera meeting held on Monday, July 23, 2007 be adopted as circulated.

Motion Carried

Moved by Councillor J. Sutton
Seconded by Councillor R. Pillon

That the minutes of the Amherstburg Municipal Council Working Session meeting held on Monday, July 23, 2007 be adopted as circulated.

Motion Carried

Moved by Deputy Mayor Bailey
Seconded by Councillor R. Pillon

That the minutes of the Amherstburg Municipal Council In-Camera meeting held on Monday, August 7, 2007 be adopted as circulated.

Motion Carried

Moved by Councillor R. Fryer
Seconded by Councillor J. Sutton

That the minutes of the Amherstburg Municipal Council In-Camera meeting held on Monday, August 15, 2007 be adopted as circulated.

Motion Carried

Moved by Deputy Mayor Bailey
Seconded by Councillor R. Fryer

That Council move to change the procedural order of the agenda to allow Presentations to take place prior to delegations.

Motion Carried

PRESENTATIONS

- 1) Ron Dzombak presented individuals with appreciation and thanks regarding the newly installed Splash Pad. (See also Municipal Officer Report # 1)
- 2) Next Ideas was not present at this time and made their presentation after all other delegations. (See also Municipal Officer Report # 2)

DELEGATIONS

- 1) Karen Lukic, Chair of Windsor-Essex County Active Living Coalition, addressed Council regarding Active Transportation and Municipal Policy.

Karen Lukic made a power point presentation to Council. This presentation is attached to and forms part of these minutes.

Council commented on encouraging Developers to develop bike trails and walking trails.

Moved by Deputy Mayor Bailey
Seconded by Councillor R. Fryer

That Council receive the report and presentation by the Windsor Essex County Active Living Coalition; that Council work with Windsor Essex County Active Living Coalition and our County Partners to produce more active living transportation options; and further that the Recreation Committee be provided with this information.

Motion Carried

- 2) Douglas Graham addressed Council regarding his opinion that a vicious dog is being kept in his neighbourhood and Dog and Animal Control By-Laws. Mr. Graham made comments concerning the lack of a vicious dog bylaw in the Town of Amherstburg. Mr. Graham made comments that in his opinion dogs have more rights than citizens of Amherstburg.

Report # 3 from Stephen Brown, CBO was brought forward. This report pertains to a delegation request from Mr. Doug Graham concerning the keeping of a vicious dog in his neighbourhood.

Moved by Deputy Mayor Bailey
Seconded by Councillor R. Pillon

That the report from Stephen Brown, dated August 15th, 2007 be received; that Council direct administration to do further research and investigate the by-laws of other Municipalities as well as Provincial Legislation; and further that Administration bring a report back to Council concerning options for vicious dog enforcement.

Motion Carried

- 3) Steeve Bouchard addressed Council regarding a New/Upgraded Baseball Diamond for the Town of Amherstburg.

Mr. Bouchard commented on the scheduling difficulties and poor field conditions with the present baseball diamonds that are maintained by the Town. Mr. Bouchard commented that the Minor Baseball Group is trying to get Trillium Funding to secure additional field area.

Continue on to delegation #4 for further information.

Moved by Deputy Mayor Bailey
Seconded by Councillor R. Pillon

That Council waive the rules of order to allow Pat Catton to speak as a delegation

Motion Carried

- 4) Pat Catton, Principal of General Amherst Secondary School addressed Council concerning Ball Field Development and use of Wigle and Toddy Jones Parks.

Comments were supplied in writing from Mr. Catton. These comments are attached to and form part of these minutes.

Council commented that the use of the parks by the High School is of importance to Council and GECDSB should have been involved in discussions concerning same. Council commented the report brought forward tonight was for discussion purposes.

Report # 27 from Ron Dzombak was brought forward. This is a report regarding Baseball Projections and Ball Field Development. Wigle Park has long been in a conflictive use situation between AMBA and GAHS football in their use of the outfield grass area. Maintenance questions arise annually as to the specific requirements concerning the upkeep of the clay diamond to facilitate competitive Ontario Baseball Association (OBA) Play.

Moved by Deputy Mayor Bailey
Seconded By Councillor John Sutton

That the comments by the delegation of Pat Catton be received;

That report # 27 from Ron Dzombak, dated August 22, 2007 regarding Baseball Projections and Ball Field Development be received;

Further that council approve the partial deferral about outfield repair costs to Wigle Park until the 2008 budget for work performed in the fall of 2007 to benefit of the Amherstburg Minor Baseball Association, Minor and Senior Ball, for the 2008 season;

That further discussion be held around the placement and construction of a new premier baseball diamond and be deferred to the 2008 budget considerations and that continuing consultations occur between the Baseball Association and Town of Amherstburg on that;

Further that Administration come back to Council with a report as to how much work can be done by our own staff on the baseball diamonds;

That Administration come back to Council with a report clearly outlining the rehabilitation costs and future use of Wigle Park fields before final approval;

That council direct discussion to take place in the fall of 2007 between the Town of Amherstburg, Amherstburg Minor Baseball Association, General Amherst High School, and the Greater Essex County School Board as to the future needs and use of Wigle park;

And further that the Recreation Committee be invited for their input and discussion regarding future use and upgrades of Wigle Park;

And that General Amherstburg High School be brought forward as a party to any future discussions regarding the upgrades to Wigle Park;

And further that a Recreational Master Plan for 2008 be completed.

5) Linda Thrasher addressed Council regarding concerns relating to the Kings Navy Yard Park, specifically the 'tree cutting issue'.

Comments were supplied in writing from Linda Thrasher. These comments are attached to and form part of these minutes.

Moved By BB
Seconded By RP

That the comments of delegation Linda Thrasher be received.

Motion Carried

6) Al Gignac addressed Council regarding Kings Navy Yard Park issues and procedures.

Comments were supplied in writing from Al Gignac. These comments are attached to and form part of these minutes.

Moved By Councillor R. Pillon
Seconded By Deputy Mayor Bailey

That the comments of delegation Al Gignac be received.

Motion Carried

- 7) Nick Mancinone addressed Council regarding the access road through Kings Navy Yard Park and the development agreement.

Comments were supplied in writing from Nick Mancinone. These comments are attached to and form part of these minutes.

Council questioned ability for turn around with new access road. Mr. Zarlenga responded that there was no turnaround area but that trucks could still access as they have previously. Owner and developer are the same as clarified by Lory Bratt Planning Coordinator. Council commented that Solicitor would have reviewed the agreement.

Moved By Councillor J. Sutton
Seconded By Councillor R. Pillon

That the comments of delegation Nick Mancinone be received.

Motion Carried

- 8) Gordon Freeman addressed Council as Chairperson of the Amherstburg Parks Committee regarding Engineering Drawings of Kings Navy Yard Parkette.

Comments were supplied in writing from Gordon Freeman who was speaking for the Amherstburg Parks Committee. These comments are attached to and form part of these minutes.

Moved by Councillor J. Sutton
Seconded by Councillor R. Pillon

That the comments of delegate Gordon Freeman be received.

Motion Carried

PRESENTATION #2

Next Ideas. Report # 2 of Dave Carpenter was brought forward.

Report #2: Brought Forward after Presentation #2

The Town of Amherstburg administration has been working towards providing an informative and effective corporate website for residents, staff and tourists.

Moved by Councillor R. Pillon
Seconded by Councillor J. Sutton

That the presentation be received; that the report from Dave Carpenter, dated August 21, 2007 regarding Website Accessibility be received; and further that both of these be referred to the Accessibility Committee for their input regarding standards for Website Accessibility.

REPORTS OF MUNICIPAL OFFICERS

Report #1: Reference Presentation #1

The Toddy Jones Park Splash Pad was approved by council in April 2007 and construction proceeded immediately thereafter. Waterplay Manufacturing of British Columbia provided the most comprehensive product assortment and competitive quotation of the two major splash pad manufacturers in Canada.

Councillor Fryer wanted it noted that he did not agree with the project being completed without going to tender.

Moved by Deputy Mayor Bailey
Seconded by Councillor R. Pillon

That the report from Ron Dzombak, dated August 20, 2007 on the Toddy Jones Splash Pad Completion be received.

Motion Carried

Report #2: Brought Forward after Presentation #2

Report #3: Brought Forward after Delegation #2

Report #4

The Town of Amherstburg applied for and received a Rural Economic Development (RED) Grant in the amount of \$20,000 with matching funds from the Town to develop an economic development strategy. A small group met in Fall 2006/Spring 2007 to initiate the priorities. It is now time to fully develop the plan and move towards implementation. The proposed Request for Consultant Services will initiate this process.

Moved by Deputy Mayor Bailey
Seconded by Councillor R. Fryer

That the report from Frank Pizzuto dated August 15, 2007 regarding Further Development of an Economic Development Strategy be received and that the Town of Amherstburg approve the Report for Consultant Services package for an Economic Development Strategy.

Motion Carried

Report #5

The definition of "firefighter" in terms of this act [Bill 221 Workplace Safety and Insurance Amendment Act 2007] may or may not include volunteer firefighters. This being said, there is no clear mandate that this change to W.S.I.B. coverage will apply to volunteer and part time personnel and, should the regulations include them, no mandate that volunteer and part time personnel will be given the same consideration as full time firefighters. One can only surmise that this provision is in place to facilitate the handling of volunteer and part time firefighters in a different manner.

Moved by Councillor J. Sutton
Seconded by Councillor R. Fryer

That the report from Richard Murray, dated July 30, 2007 regarding Bill 221 Workplace Safety and Insurance Amendment Act (Presumptions for Firefighters) 2007 be received; that the Town of Amherstburg Council adopt a resolution requesting that the Province of Ontario ensure that volunteer and part time firefighters are defined as "firefighters" and treated equitably with their full time counterparts in the regulations which will be made with respect to Bill 221 and further that said resolution be circulated to the other municipalities in Essex County for their support in accordance with FD07-05.

Motion Carried

Report #6

Request for proposals [for the purchase of a 75' Aerial Truck] were sent to four fire truck suppliers and three returned quotes. The quotes were reviewed and in our opinion the best buy for the fire department would be from the Sutpen Corporation as they meet all of the specifications that were required by the fire department.

Moved by Councillor R. Fryer
Seconded by Deputy Mayor Bailey

That the report from Richard Murray, dated August 13, 2007 regarding the purchase of 75' Aerial Truck be received; that the Town of Amherstburg and the Fire Department accept the proposal from Sutpen Corporation in the amount of \$648,687.79 for the 75' Aerial; and that it be ordered this year for delivery next year.

Motion Carried

Report #7

This report introduces the new Supervisor of Budget Services, Mr. Ivan Fregonese.

Moved by Councillor J. Sutton
Seconded by Councillor R. Pillon

That Mr. Fregonese be formally welcomed to the Town of Amherstburg and that the report from Paul Beneteau, dated August 13, 2007 regarding the Supervisor of Budget Services be received.

Motion Carried

Report #8

The 2007, 2nd quarter operating and capital budgets are presented to council with actual expenditures for operations forecasted to the end of the year. The forecasted operating expenditures are expected to remain within the approved budget limits.

Council questioned the insurance account and projected over expenditure. More detail was requested from Council on the Insurance Deductibles.

Moved by Councillor R. Fryer
Seconded by Councillor J. Sutton

That the report from Ivan Fregonese and Paul Beneteau, dated August 21, 2007 regarding the Town of Amherstburg Quarterly budget be received.

Motion Carried

Moved By Councillor J. Sutton
Seconded by Councillor R. Fryer

That the Consulting Fees line item in the Budget be broken down to reflect itemized costs.

Motion Carried

Report #9

Council approved the implementation of a 'Kiosk' at Town Hall to provide centralized reception and improved ratepayer service during the setting of the 2007 budget. This report is an update to the Kiosk implementation.

Moved by Deputy Mayor Bailey
Seconded by Councillor R. Pillon

That the report from Pamela Malott, dated August 15, 2007 regarding Kiosk Implementation Update be received.

Motion Carried

Report #10

This report summarizes the methods of reporting In-Camera Meeting Minutes.

Moved by Councillor J. Sutton
Seconded by Councillor R. Fryer

That the report from Pamela Malott, dated August 20, 2007 regarding Meeting Minutes Format be received.

Motion Carried

Report #11

This report is an update to Lottery Licensing Officers.

Moved by Councillor R. Fryer
Seconded by Councillor J. Sutton

That the report from Pamela Malott, dated August 2, 2007 regarding Update to Lottery Licensing Officers be received and approved and that

By-Law 2007-53 being a By-Law to appoint Lottery Licensing Officers

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 #12

This report recommends that Lou Zarlenga be appointed our municipal representative on the Essex Region Source Protection Authority's Source Protection Committee (SPC).

Moved by Deputy Mayor Bailey
Seconded by Councillor R. Pillon

That the report from Pam Malott, dated August 15, 2007 regarding the Source Protection Committee Municipal Representation be received; that Council endorse the composition of the Municipal Sector of the Source Protection Committee as outlined in the report; and that Council appoint Lou Zarlenga, Manager of Public Services, with authority to designate to the newly created position of Water/Wastewater Engineer, as the Town of Amherstburg Municipal Representative.

Motion Carried

Report #13

This report is in response to Council comment at the July 23rd meeting for Administration to investigate Committees meeting with Council quarterly. The report summarizes the current method of Committees of Council reporting and provides an alternative option.

Moved by Deputy Mayor Bailey

Seconded by Councillor J. Sutton

That the report from Pamela Malott, dated August 21st, 2007 regarding Committees of Council Reporting be received; that Council direct Administration to coordinate the changes as noted in the report in an effort to maintain and improve communications between the various Committees and Council; and further that Administration report back to Council on the success of changes made.

Motion Carried

Report #14

This report is in response to the questions raised by Bill Wark, Chairperson of the Amherstburg Accessibility Advisory Committee, as a delegate at the July 23rd, 2007 Council Meeting.

Council made comment on the Treasury door being accessible for staff with special needs.

Moved by Councillor R. Fryer
Seconded by Deputy Mayor Bailey

That the report from Pamela Malott, dated August 20, 2007 regarding the Accessibility Advisory Committee – Response to items raised at the July 23rd, 2007 Council Meeting be received; and further that Administration report back at the next meeting concerning Sensitivity Training group training option of in-house training.

Motion Carried

Report #15

On June 22nd and 23rd, 2007 a new music festival [Caravan] was introduced and hosted by the Town of Amherstburg. The recorded results of the 2 day event are outlined in this report.

Moved by Councillor R. Fryer
Seconded by Councillor J. Sutton

That the report from Carol Bendo, dated August 1, 2007 regarding the Post Report on Caravan Music Festival 2007 be received.

Motion Carried

Report #16

The Town of Amherstburg is required to upgrade their safety program in the areas of training and hazards analysis as a result of a Workwell Audit. This report requests additional funding for these projects.

Moved by Councillor J. Sutton
Seconded by Councillor R. Fryer

That the report from Carol Bendo, dated August 20, 2007 regarding the Health and Safety Training and Hazards Analysis be received and further that council approve \$4,000 in expenditures for the Health and Safety Training and Hazard Analysis requirements.

Motion Carried

Report #17

The Zoning bylaw will allow a sign to be placed on a building in a residential zone to advertise a home occupation. In this case, the house is situated a fair distance from the road and would make such a sign un-readable. The owners have requested relief from the bylaw to allow a sign to be placed in the front yard.

Moved by Deputy Mayor Bailey
Seconded by Councillor R. Pillon

That the report from Stephen Brown, dated August 15, 2007, regarding Request for Relief from Municipal Sign Bylaw at 1083 Front Rd. North be received and further that a variance be granted to the Sign Bylaw to allow the placement of a ground sign in the front yard of 1083 Front Rd. North.

Motion Carried

Report #18

The Town has been requested by 1078217 Ontario Limited to consider a road closure for a portion of Wilson Court in Plan 12M-534, the dedication of a new section of roadway (the expansion of Wilson Court) as a public highway and the passing of a Part Lot Control exemption bylaw for purposes of lot reconfiguration.

Moved by Councillor R. Fryer
Seconded by Councillor J. Sutton

That the report from Lory Bratt, dated August 1, 2007 regarding Plan 12M-534 Wilson Court Lot and street reconfiguration be received; that Council authorize the Clerk to commence the process of road closure for a portion of Wilson Court in Plan 12M-534 and dedicate the new section of roadway (the expansion of Wilson Court) as a public highway; and further that this process be followed by Council consideration of a Part Lot Control exemption bylaw for the lot reconfiguration.

Motion Carried

Report #19

This report summarizes the Canadian Tire Store Application for Site Plan Approval. The applicant is proposing the redevelopment of the Canadian Tire Store at property municipally known as 380 Sandwich Street South.

Moved by Councillor J. Sutton
Seconded by Councillor R. Fryer

That the report from Lory Bratt, dated August 15, 2007 regarding 380 Sandwich Street South Application for Site Plan Approval -Canadian Tire Store be received; that Council approve the site plan for Canadian Tire Corporation Limited (380 Sandwich Street South) and further that

By-Law 2007-56

being a By-Law Authorizing the Signing of a Development Agreement

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 #20

The Town is in receipt of a request for the removal of part lot control in Golfview Park Estates Subdivision – Phase 2.

Moved by Councillor J. Sutton
Seconded by Councillor R. Pillon

That the report from Lory Bratt, dated August 1, 2007 regarding Removal of Part Lot Control Golfview Park Estates Subdivision – Phase 2 be received; that Council approve the request for removal of part lot control; and further that

By-Law 2007-54 being a By-Law to remove certain lands from Part Lot Control (12M-517)

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 #21

1078217 Ontario Limited has requested that the Town consider the issuance of four model home permits for Phase 6A of Kingsbridge Subdivision.

Moved by Councillor R. Fryer
Seconded by Councillor R. Pillon

That the report from Lory Bratt, dated August 1, 2007 regarding Kingsbridge Phase 6A- Model Home Permits be received and that Council approve the request from 1078217 Ontario Limited to permit the construction of a maximum of four (4) model homes for Phase 6A of Kingsbridge Subdivision.

Motion Carried

Report #22- Heritage Registry - Report deferred

Report #23

The owner of the property at 348 Dalhousie has notified Council of his intent to demolish the house situated on the property. The property appears on the Town's registry of Properties of Heritage Interest which requires a 60 day freeze on demolition under the Ontario Heritage Act.

Moved by Councillor J. Sutton
Seconded by Deputy Mayor Bailey

That the report from Stephen Brown, dated August 13, 2007 regarding the Walker House Demolition 348 Dalhousie Street be received and further that Council approve deferral of this item to the September 10th meeting of Municipal Council, to allow administration to perform additional research for the purpose of presenting Council with the most factual information.

Motion Carried

Report #24

Further to Council receiving a report from the Managers of Public Services and Development Services regarding the intersection of County Road 20 and Texas Road concerning the use of the unopened road allowance to access County Road 20. On June 11, 2007 Council resolved that Mr. Adler be informed that he requires relief from the provisions of the Zoning By-law and an encroachment agreement with the Town. The agent/solicitor acting for Mr. Adler submitted that relief from the By-law was not required. His interpretation of the By-law was forwarded to the Town Solicitor who confirmed that relief from the provisions of the By-law was not required. An encroachment agreement is required to protect the Town from liability.

Moved by Deputy Mayor Bailey
Seconded by Councillor J. Sutton

That the report from George Balango, dated August 15, 2007 regarding Marty Adler Driveway Access be received and that Mr. Adler's request for access from his property over the unopened Texas Road right-of-way to County Road 20 be approved subject to Mr. Adler entering into an encroachment agreement with the Town and obtaining an entrance permit from the County of Essex.

Motion Carried

Report #25

All the respondents submitted excellent proposals [Traffic Study Consultant selection]. HGS-McCormick Rankin (MRC) is a transportation civil engineering firm that is Ontario based and will provide the traffic engineering expertise required to meet the study objectives.

Moved by Councillor J. Sutton
Seconded by Councillor R. Pillon

That the report from George Balango, dated August 15, 2007 regarding Traffic Study Consultant selection be received and that HGS-McCormick Rankin be retained for the traffic study to address specific issues along Sandwich Street and Dalhousie Street.

Motion Carried

Report #26

In letters dated December 20, 2006 and February 22, 2007 Aleo Associates Consulting Engineers make specific recommendations to the potential repair/upgrade of this facility's [H. Murray Smith] track surface.

Moved by Deputy Mayor Bailey
Seconded by Councillor R. Fryer

That the report from Ron Dzombak, dated August 11, 2007 regarding the Condition of H. Murray Smith Centennial Park Track be received and that a decision concerning the use be deferred until consultation has taken place with the three local school boards and the Recreation Committee.

Motion Carried

Report #27- Brought forward after Delegation #4

Report #28

The Town has received requests for maintenance on the Morgan Municipal Drain from residents of Kingsbridge South Subdivision and further inspection indicates that bottom cleaning and brushing is recommended but can not be completed within the limits of the current drainage report.

Moved by Councillor J. Sutton
Seconded by Councillor R. Pillon

That the report from Lou Zarlenga, dated August 17, 2007 regarding the Request for Appointment of a Drainage Engineer for Review of the Morgan Municipal Drain be received; that Council appoint a Drainage Engineer pursuant to the provisions of the Drainage Act for the repair and improvement of the Morgan Drain to provide a sufficient outlet for the Kingsbridge East Storm Water Pond and other affected lands; that Mr. Ed Dries, P.Eng. from the firm of Todgham Case Consulting be appointed for this purpose and further that council accept the request from Rocco & Dorina DeThomasis for maintenance on the South Branch of the Morgan Municipal Drain as per section 74 of the Drainage Act.

Motion Carried

Report #29

This is a report on the 2007 Water Meter Replacement Program Tender Results. On July 9th, 2007 this project was sent out by invitation to five companies which perform this type of work. The tenders closed on July 24th 2007 at 11:00 a.m. and shortly thereafter the tender opening was held where one tender was received.

Moved by Councillor R. Fryer
Seconded by Councillor J. Sutton

That the report from Lou Zarlenga, dated August 8, 2007 regarding the 2007 Water Meter Replacement Program be received and that Council award the contract for the 2007 Water Meter Replacement Program to the low tenderer being CWS (Canadian Water Services).

Motion Carried

Report #30

This report details the 2007 Road Resurfacing Tender Results. On August 2nd, 2007 this project was sent out by invitation to three companies which perform this type of work and one tender was received.

Moved by Councillor R. Fryer
Seconded by Councillor R. Pillon

That the report from Lou Zarlenga, dated August 20, 2007 regarding the 2007 Surface Treatment Program be received and further that Council award the contract for the 2007 Surface Treatment Program to the low tenderer being Shepley Road Maintenance.

Motion Carried

Report #31

This is a report regarding the 2007 Rankin Sidewalk – Repair and Replacement. The 2007 Capital Budget provides \$45,000.00 for the replacement of the sidewalk along both sides of Rankin Street from Dalhousie Street to Sandwich Street.

Moved by Councillor J. Sutton
Seconded by Councillor R. Pillon

That the report from Lou Zarlenga, dated August 20, 2007 regarding the Rankin Sidewalk – Repair and Replacement be received and further that Council instruct the Public Works Department to proceed to tender for the replacement and widening of the concrete sidewalk on the south side of Rankin and the spot repair and maintenance to the existing concrete sidewalk on the north side of Rankin Street.

Motion Carried

Moved by Councillor R. Fryer and Seconded by Councillor J. Sutton that we waive the rules of procedure and allow the meeting to extend past 10:30 p.m.
Motion Carried

Report #32

This is a report regarding Kings Navy Yard Park Restoration of Parkette Area. Administration has forwarded all comments received and discussed same with HGS Consulting and Ron Kouidy's Landscape Architects in order to receive final architectural concept plans for the restoration of the parkette. In addition final engineering drawings are currently underway by HGS Consulting Engineers.

Moved by Councillor R. Fryer
Seconded by Deputy-Mayor Bailey

That the report from Lou Zarlenga, dated August 20, 2007 regarding Kings Navy Yard Park Restoration of Parkette Area be received and further That Council receive the comments received from stakeholders on the architectural concept plan, as well as, an update on the status of the final engineering drawings for the Kings Navy Yard Parkette restoration and further that Council direct Administration to host a public meeting to be held before the final drawings are brought back to Council.

Motion Carried

CORRESPONDENCE

Item # 1

Moved by Councillor J. Sutton
Seconded by Councillor R. Fryer

That the 9-1-1 Advisory Board Correspondence be received and further that the Town contribute \$100 to the Ontario 9-1-1 Advisory Board in order to allow to continue to advance a safe delivery of 9-1-1 system for police, fire and ambulance emergency services in our municipalities throughout the Province.

Motion Carried

Item # 2

Moved by Deputy Mayor Bailey
Seconded by Councillor R. Fryer

That the correspondence from M& M be received and further that the Mayor Proclaim September 20th, 2007 as National Family Dinner Night.

Motion Carried

Item # 3

Moved by Councillor R. Pillon
Seconded by Councillor R. Fryer

That the correspondence from BOOST Child Abuse Prevention and Intervention be received and further that the Mayor Proclaim October as Child Abuse and Neglect Prevention Month and October 1st, 2007 as Go Purple for Prevention Day in the Town of Amherstburg.

Motion Carried

Item # 4

Moved by Councillor R. Fryer
Seconded by Councillor J. Sutton

That the correspondence from The Royal Canadian Legion Fort Malden Branch be received; that the Mayor Proclaim Saturday, September 15th, 2007 through to Sunday, September 23rd, 2007 as "Legion Week"; and further that permission be granted to the Legion to hold their parade on Saturday, September 15th, 2007 as per the attached route map in the correspondence.

Motion Carried

Item # 5

Moved by Councillor J. Sutton
Seconded by Councillor R. Fryer

That the correspondence from Don Petrozzi, chair of the St. Thomas Of Villanova 20th Anniversary/Reunion regarding the October 19-21st, 2007 Celebration, be received and further that a letter of greetings/congratulations from the Town of Amherstburg be provided.

Motion Carried

Item # 6

Moved by Deputy Mayor Bailey
Seconded by Councillor R. Pillon

That the correspondence from Keith Lauzon be received and further that the Traffic Committee review and report back to Council with recommendations.

Motion Carried

Items # 7-10

Moved by Councillor J. Sutton
Seconded by Councillor R. Pillon

That the following correspondence be received:

- 7) Septic Tank Inspections
- 8) MTO Highway Traffic Act Hours of Service
- 9) Transit Windsor
- 10) Canadian Manufacturer's Hall of Fame

Motion Carried

BUSINESS LICENCES

Being none, the council moved on to the next item.

OTHER MINUTES

Moved by Councillor J. Sutton
Seconded by Deputy Mayor Bailey

That the following be received:

- 1) Minutes of the Co-An Park meeting held on Tuesday, April 24th, 2007.

Motion Carried

Moved by Councillor R. Fryer
Seconded by Councillor R. Pillon

That the following be received:

- 2) Minutes of the Amherstburg Heritage Committee meeting held on Thursday, June 21st, 2007.

Motion Carried

Moved by Councillor R. Pillon
Seconded by Deputy Mayor Bailey

That the following be received:

- 3) Minutes of the Amherstburg Committee of Adjustment meeting held on Tuesday, June 26th, 2007.

Motion Carried

Moved by Councillor R. Fryer
Seconded by Councillor J. Sutton

That the following be received:

- 4) Minutes of the Amherstburg Parks Committee meeting held on Thursday, August 2nd, 2007.

Motion Carried

UNFINISHED BUSINESS

Being none, the council moved on to the next item

NEW BUSINESS

Councillor Pillon raised the issue of Hydro outages and requested administration set up a meeting with Hydro One to have discussions with Council.

BY-LAWS

- By-Law 2007-53** being a By-Law to appoint Lottery Licensing Officers
(see report # 11)
- By-Law 2007-54** being a By-Law to remove certain lands from Part Lot Control
(12M-517) (see report # 21)
- By-Law 2007-56** being a By-Law authorizing the signing of a Development
Agreement (see report #19)

Moved by Councillor J. Sutton
Seconded by Councillor R. Fryer

- By-Law 2007-58** 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

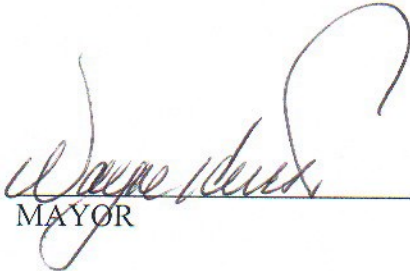
NOTICE OF MOTIONS

Being none, the council moved on to the next item

ADJOURNMENT

Moved by Councillor J. Sutton
Seconded by Deputy Mayor Bailey.

That we rise and adjourn.


MAYOR


CLERK

RECEIVED
JUL 26 2007

TOWN OF AMHERSTBURG

R.
Aug 27-07

DELEGATION REGISTRATION FORM

NAME: Karen Lukic

PRESENTED TO COUNCIL
ITEM DELEGATION #1

ADDRESS: _____

DATE 27 AUG 07

The date you wish to appear: August 27, 2007

The subject you wish to discuss with Council:

Active Transportation

Details on the Subject (please explain below or attach a report)

FOR STAFF USE ONLY	
<i>Health Unit</i> → 258-2146 x 3109	
Contact Information: Phone _____	E-mail _____
<input type="checkbox"/> On agenda for <u>August 27, 07</u>	
<input type="checkbox"/> Brochure/Report provided	
<input type="checkbox"/> Forwarded to staff for review/report before appearing at Council	<u>No</u>

July 19, 2007

RE: Executive Summary for presentation at August 27, 2007 County Council Meeting

Active Transportation and Municipal Policy: Building a healthier community

The Windsor-Essex County Active Living Coalition (WECALC) represents nearly 30 community organizations that promote and support active living for Windsor and Essex County residents.

Municipalities can play a vital role in increasing physical activity levels by putting into place by-laws, policies, and action plans which promote concrete sidewalks, biking and walking trail development, and bike parking facilities.

The WECALC is interested in working with your municipality to perform an assessment of the current active transportation infrastructure, and providing recommendations on how it can be improved. This assessment, called the "Active Transportation Quotient (ATQ)" was created by Go for Green, a national organization, and has already been completed in the City of Windsor and the Town of Essex.

Summary Report: Active Transportation Infrastructure in our Communities

Total number of surveys mailed out = 158

Respondents by municipality:

	# of respondents	# elected
Windsor	17	4
Leamington	5	2
Essex	1	1
LaSalle	4	0
Lakeshore	5	2
Amherstburg	5	2
Kingsville	5	2
Total Respondents	42	13

Question 1: Do you walk or bike when commuting to work or doing errands such as shopping?

	All	Elected
Never	29.00%	53.85%
A few times per year	26.00%	38.46%
Once per month	7.00%	0.00%
Once per week	21.00%	7.69%
Most days	17.00%	0.00%

Question 2: In your opinion, what are the top three barriers that prevent most people from biking or walking as a form of transportation? e.g. to work, shopping, etc.

Top 3 responses:

1. Lack of sidewalks or bike paths making it unsafe
2. Distance from home to place or work or shopping is too far
3. Lack of time to walk or bicycle to get to work or go shopping

Question 3: What infrastructure does your community already have in place that promotes, encourages, and supports active transportation?

Top 3 responses

1. Bicycle Lanes on roadways
2. Multi-use, recreation paths
3. Sidewalks

Question 4: What infrastructure improvements does your community require to promote, encourage, and support active transportation?

Top 3 responses

1. More bikeways and recreation pathways
2. More sidewalks
3. More bicycle racks

Regarding Sidewalks

Questions:

1. It is important to install sidewalks on at least one side of the street in areas where new homes are being constructed.

	All	Elected
Strongly Agree	76.19%	100.00%
Agree	19.05%	0.00%
Undecided	2.38%	0.00%
Disagree	2.38%	0.00%
Strongly Disagree	0.00%	0.00%

2. Installing sidewalks on both sides of the street in new residential areas should be considered.

	All	Elected
Strongly Agree	23.81%	15.38%
Agree	38.10%	38.46%
Undecided	23.81%	30.77%
Disagree	7.14%	0.00%
Strongly Disagree	7.14%	15.38%

3. Sidewalks should be constructed as far from the road as possible, preferably on the property line between the municipal and residential land.

	All	Elected
Strongly Agree	27.50%	16.67%
Agree	47.50%	50.00%
Undecided	17.50%	25.00%
Disagree	2.50%	8.33%
Strongly Disagree	5.00%	0.00%

4. Sidewalks should be retrofitted on all existing/old neighbourhood streets following a priority report.

	All	Elected
Strongly Agree	32.50%	25.00%
Agree	42.50%	50.00%
Undecided	22.50%	25.00%
Disagree	0.00%	0.00%
Strongly Disagree	2.50%	0.00%

5. It is important to have a policy that ensures existing sidewalks are repaired and maintained.

	All	Elected
Strongly Agree	66.67%	61.54%
Agree	33.33%	38.46%
Undecided	0.00%	0.00%
Disagree	0.00%	0.00%
Strongly Disagree	0.00%	0.00%

6. It is important to have a snow removal policy that ensures snow is cleared from all sidewalks and bicycle lanes.

	All	Elected
Strongly Agree	52.38%	38.46%
Agree	47.62%	61.54%
Undecided	0.00%	0.00%
Disagree	0.00%	0.00%
Strongly Disagree	0.00%	0.00%

7. Specific funding allocations should be dedicated to annual expansion, improvements and maintenance of our community's sidewalks.

	All	Elected
Strongly Agree	53.66%	58.33%
Agree	34.15%	33.33%
Undecided	12.20%	8.33%
Disagree	0.00%	0.00%
Strongly Disagree	0.00%	0.00%

Regarding Trails:

Questions:

1. It is important to have a trail network that connects residential areas to parklands and commercial businesses.

	All	Elected
Strongly Agree	57.14%	38.46%
Agree	40.48%	61.54%
Undecided	2.38%	0.00%
Disagree	0.00%	0.00%
Strongly Disagree	0.00%	0.00%

2. Local community trail networks should connect with the trail networks of neighbouring communities.

	All	Elected
Strongly Agree	47.62%	38.46%
Agree	47.62%	61.54%
Undecided	4.76%	0.00%
Disagree	0.00%	0.00%
Strongly Disagree	0.00%	0.00%

3. It is important to ensure trails remain clear of snow and ice in the winter.

	All	Elected
Strongly Agree	36.59%	25.00%
Agree	31.71%	33.33%
Undecided	24.39%	33.33%
Disagree	7.32%	8.33%
Strongly Disagree	0.00%	0.00%

4. Trails should be designed to accommodate a variety of modes of active transportation, such as walking, in-line skating, biking, wheeling, etc.

	All	Elected
Strongly Agree	43.90%	33.33%
Agree	41.46%	58.33%
Undecided	14.63%	8.33%
Disagree	0.00%	0.00%
Strongly Disagree	0.00%	0.00%

- Specific funding allocations should be dedicated to annual expansion, improvements, and maintenance of our community's trail system.

	All	Elected
Strongly Agree	41.46%	41.67%
Agree	39.02%	50.00%
Undecided	17.07%	8.33%
Disagree	2.44%	0.00%
Strongly Disagree	0.00%	0.00%

Regarding Bicycle Racks

Questions:

- Bicycle parking facilities should be located strategically at all public facilities and retrofitted on all existing/old parking lots.

	All	Elected
Strongly Agree	38.10%	23.08%
Agree	54.76%	76.92%
Undecided	2.38%	0.00%
Disagree	4.76%	0.00%
Strongly Disagree	0.00%	0.00%

- It is important to have in place a policy that ensures adequate bike parking spaces are made available in all areas with vehicle parking.

	All	Elected
Strongly Agree	31.71%	16.67%
Agree	43.90%	58.33%
Undecided	19.51%	25.00%
Disagree	4.88%	0.00%
Strongly Disagree	0.00%	0.00%

- The bicycle parking spaces to vehicle parking spaces ratio policy in my municipality (if applicable) is adequate.

	All	Elected
Strongly Agree	10.81%	8.33%
Agree	16.22%	16.67%
Undecided	43.24%	58.33%
Disagree	13.51%	8.33%
Strongly Disagree	16.22%	8.33%

4. Bicycle parking spaces should be installed at the time of building or when an addition is constructed.

	All	Elected
Strongly Agree	29.27%	8.33%
Agree	56.10%	75.00%
Undecided	9.76%	8.33%
Disagree	4.88%	8.33%
Strongly Disagree	0.00%	0.00%

5. It is important that bicycle parking spaces are located in the same lot they are intended to serve.

	All	Elected
Strongly Agree	35.00%	16.67%
Agree	55.00%	75.00%
Undecided	10.00%	8.33%
Disagree	0.00%	0.00%
Strongly Disagree	0.00%	0.00%

Written Comments:

There were many comments received from the survey recipients. Below is a sample of what was received:

“Sidewalk repairs are critical to encourage safe walking particularly seniors who also need to be active.”

“I think municipalities need to take the lead in making sure our buildings have spots for locking bikes up.”

“In the Town of Essex, there exists a vast amount of open space – rural areas. Sidewalks would be virtually impossible to install with respect to cost.”

“When you build a complex, you should think of location, not 7 miles away with no paths, sidewalks, or only one road to access this area.”

“During my campaign (in Lakeshore) residents have expressed a desire for walking trails and a park like Mic-Mac. Bicycling has not been brought up by residents in my Ward (Ward 2).”

“If we do not provide adequate paths, trails, sidewalks, etc. to get the population outside and moving, we will continue to have obesity problems and put more burden on our health system.”

“Education systems should be involved in developing healthy community active transportation i.e. redesigning bus system routes, expanding bike usage at school sites.

Active Transportation and Municipal Policy

*Building
a healthier
community*



Karen Lukic

Chair, Windsor-Essex County Active Living Coalition



WINDSOR-ESSEX COUNTY ACTIVE LIVING COALITION

Who we are

- Coalition of 25 community partners.
- Founded in 1992.
- Mission to promote and encourage active living and improve health of Windsor-Essex residents.



WINDSOR-ESSEX COUNTY ACTIVE LIVING COALITION

Why we are here

- The health of Windsor-Essex County residents.
- Our dependency on motorized transportation.
- To share municipal candidate survey results.
- Provide recommendations on how to improve Active Transportation infrastructure.



WINDSOR-ESSEX COUNTY ACTIVE LIVING COALITION

Physical Activity Statistics:

Windsor-Essex County

- Over 50% of adults in our community are considered overweight or obese.
- Almost 50% are considered physically inactive, which is higher than both the national and provincial averages (Statistics Canada, 2005).
- Only 5.7% of trips to work are made by walking or bicycling, which is lower than the national average.



WINDSOR-ESSEX COUNTY ACTIVE LIVING COALITION

What is Active Transportation?

Any mode of transportation that requires **human power**

- Walking
- In-line skating
- Cross Country Skiing
- Bicycling
- Skateboarding
- Wheel chairing

Short trips: less than 30 mins
(2.5 km of walking, 8 km of cycling)



WINDSOR-ESSEX COUNTY ACTIVE LIVING COALITION

What does it mean?

- It is NOT about replacing the role of the car.
- It is about increasing people's options to use *other* forms of transportation.
- Adding and/or improving bike lanes, trails, sidewalks; making walking and cycling a safer, more pleasant experience.
- Improving public transit.



WINDSOR-ESSEX COUNTY ACTIVE LIVING COALITION

2006 Windsor-Essex County

Municipal Candidate Survey

- In October, 2006, a 22-question active transportation survey was sent out to the 158 municipal election candidates in Windsor & Essex County
- A total of 42 completed surveys were returned
- A total of 13 of those completed survey respondents were elected



WINDSOR-ESSEX COUNTY ACTIVE LIVING COALITION

What are the top 3 barriers

that prevent people from biking or walking as a form of transportation?

1. Lack of sidewalks or bike paths making it unsafe
2. Distance from home to place of work or shopping is too far
3. Lack of time to walk or bicycle to get to work or go shopping



What infrastructure improvements

does your community require to promote, encourage, and support active transportation?

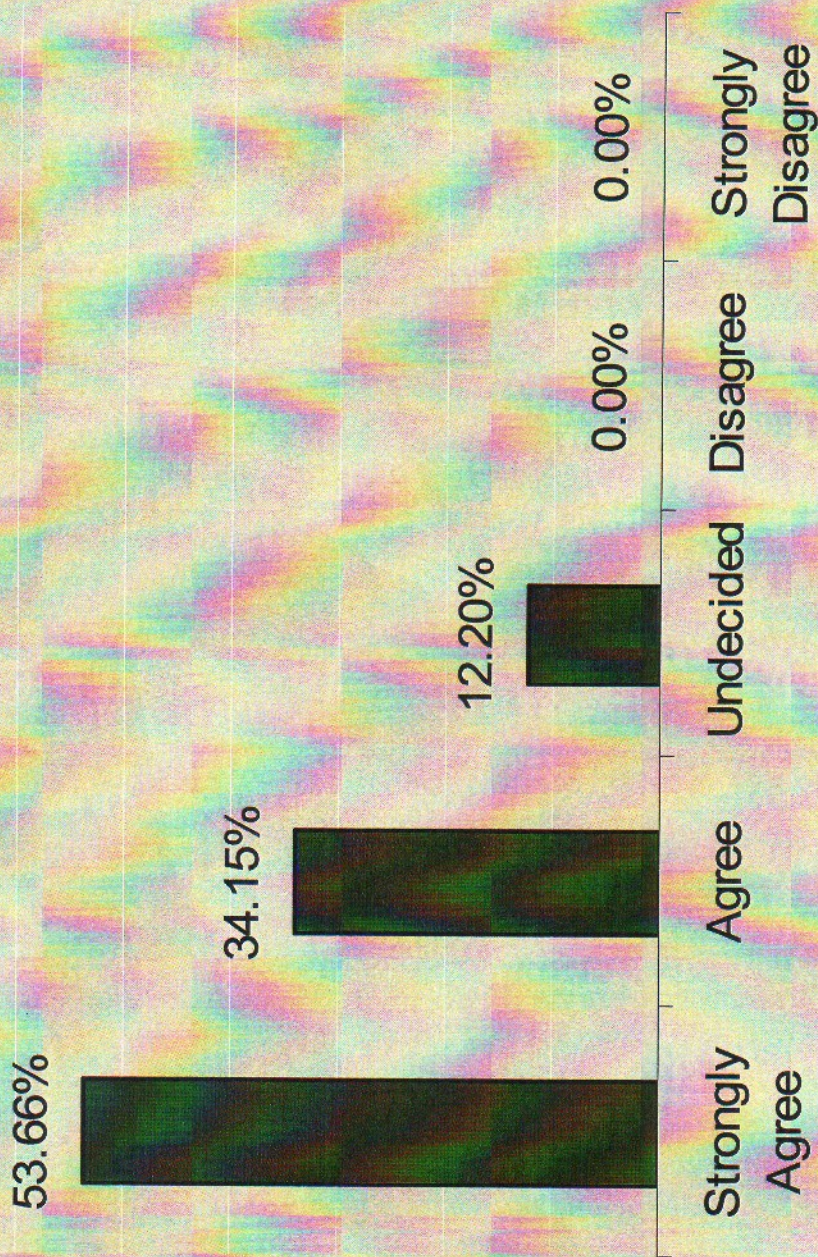
1. More bikeways and recreation pathways
2. More sidewalks
3. More bicycle racks



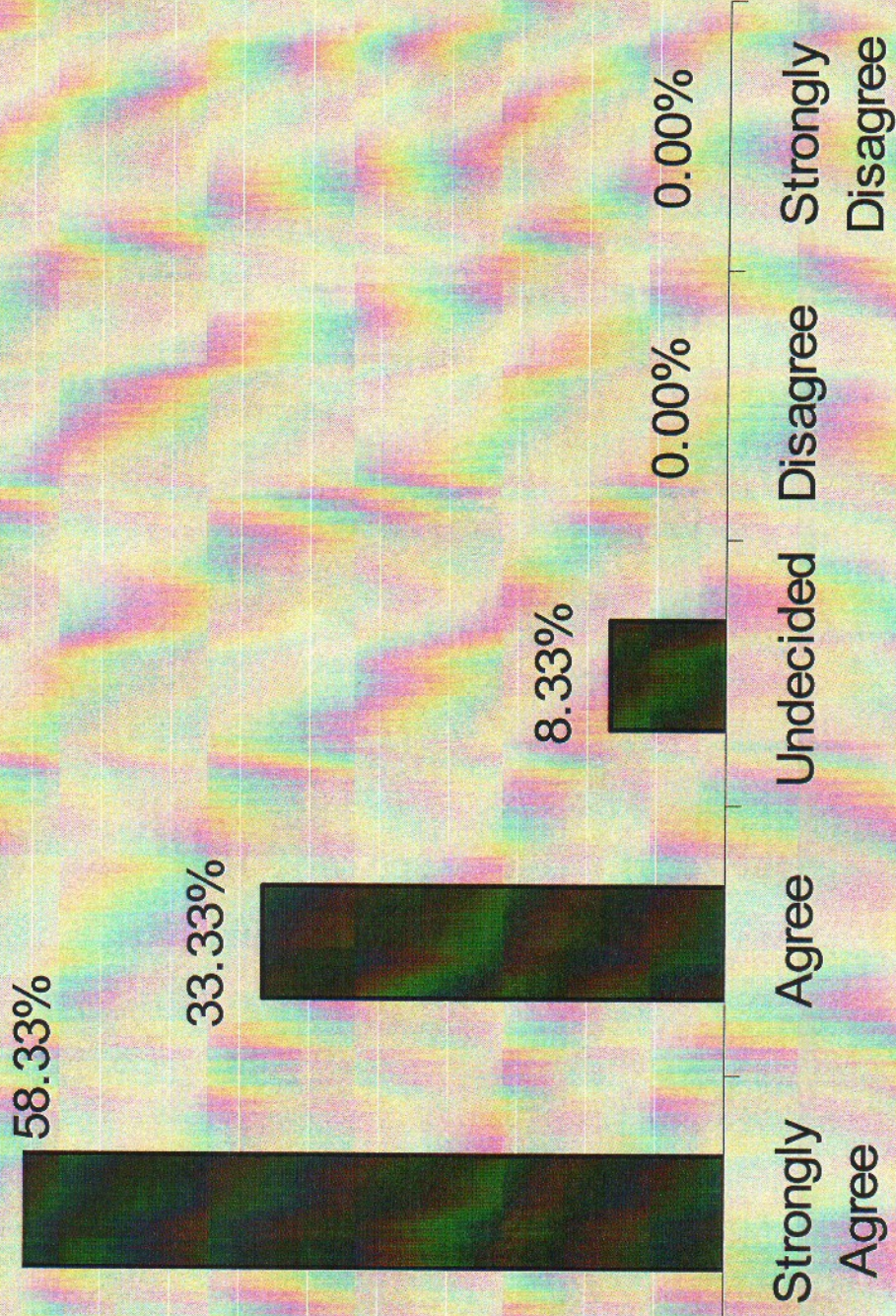
WINDSOR-ESSEX COUNTY ACTIVE LIVING COALITION

Specific funding allocations

should be dedicated to annual expansion, improvements and maintenance of our community's sidewalks.

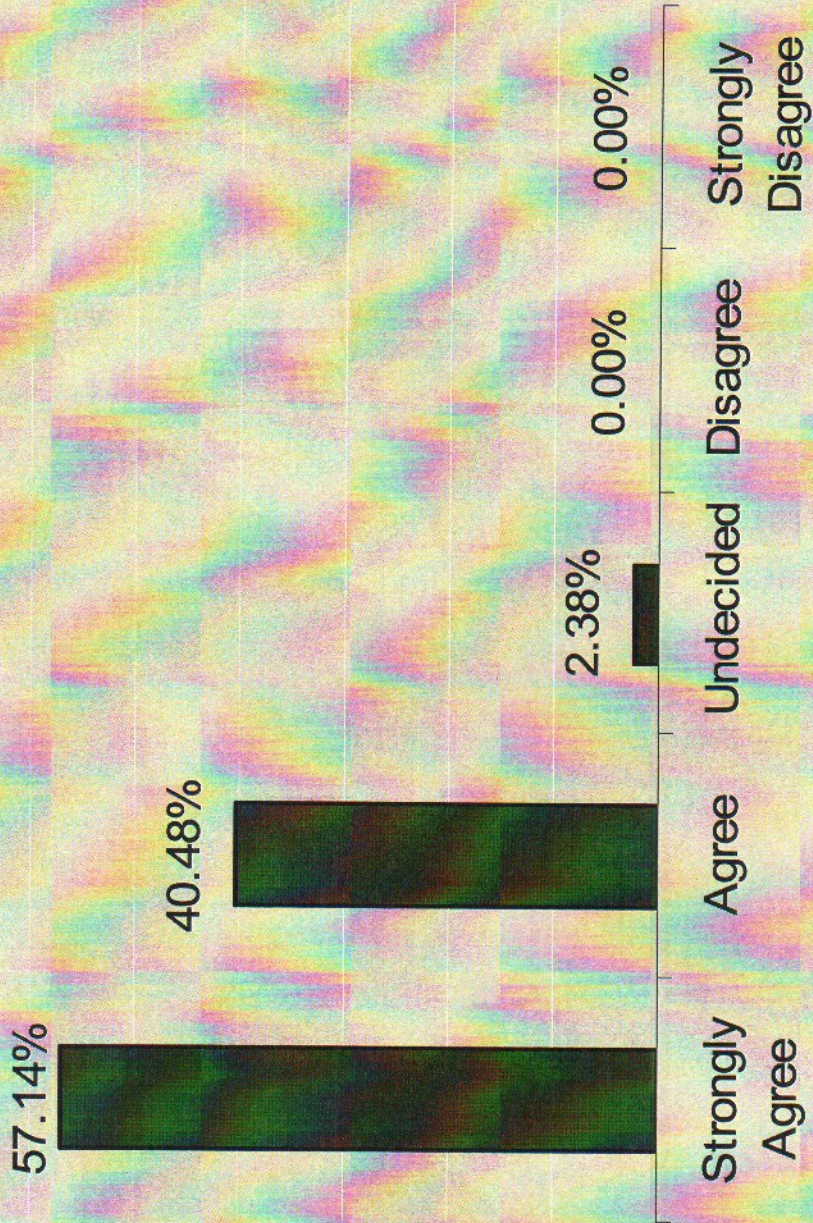


Elected response



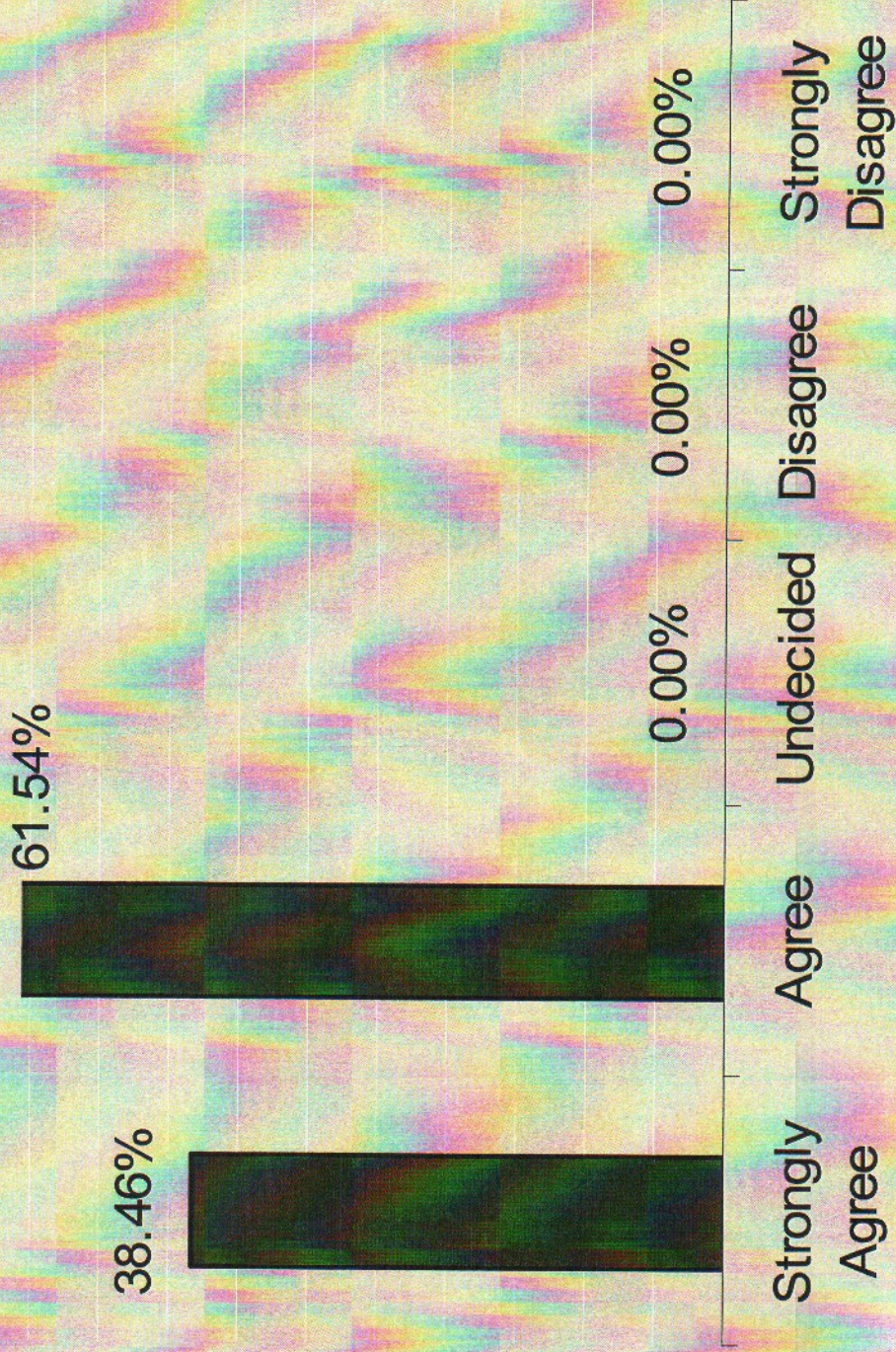
It is important

to have a trail network that connects residential areas to parklands and commercial businesses.



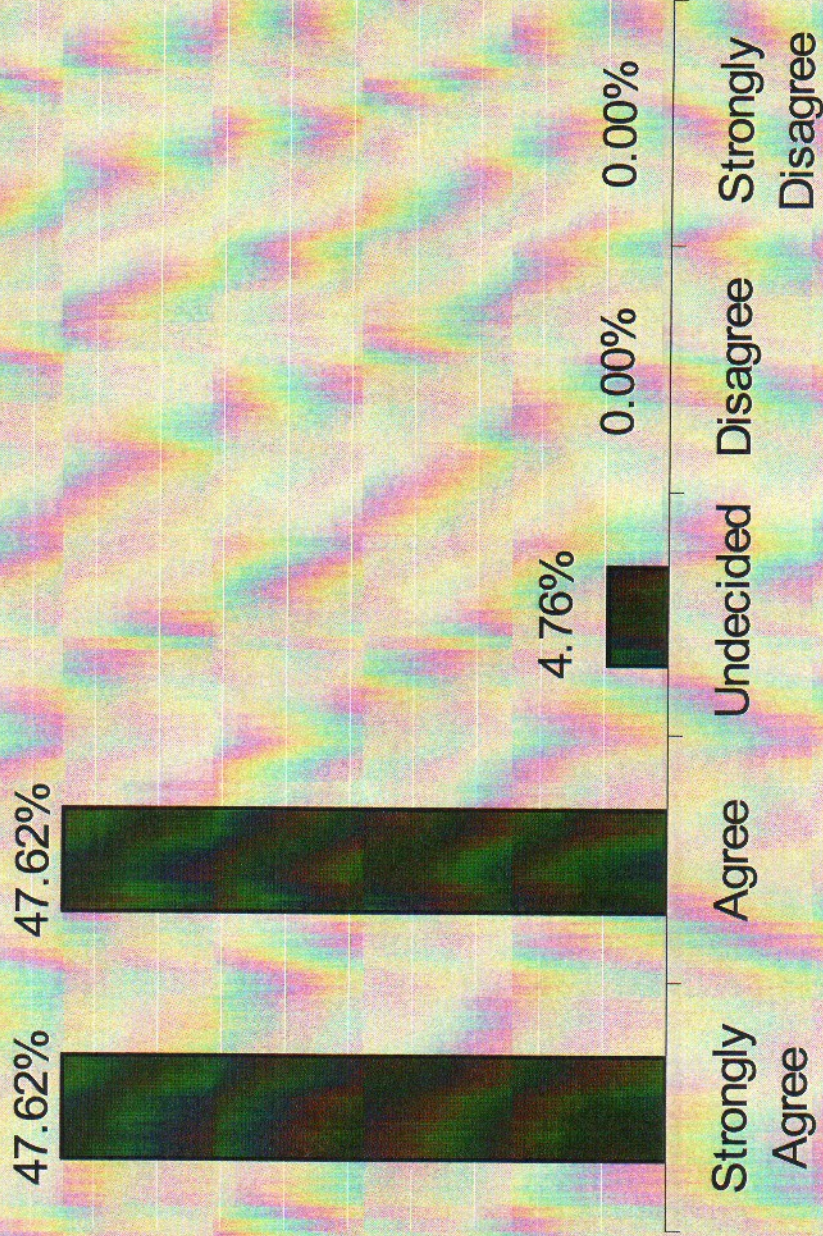
WINDSOR-ESSEX COUNTY ACTIVE LIVING COALITION

Elected response

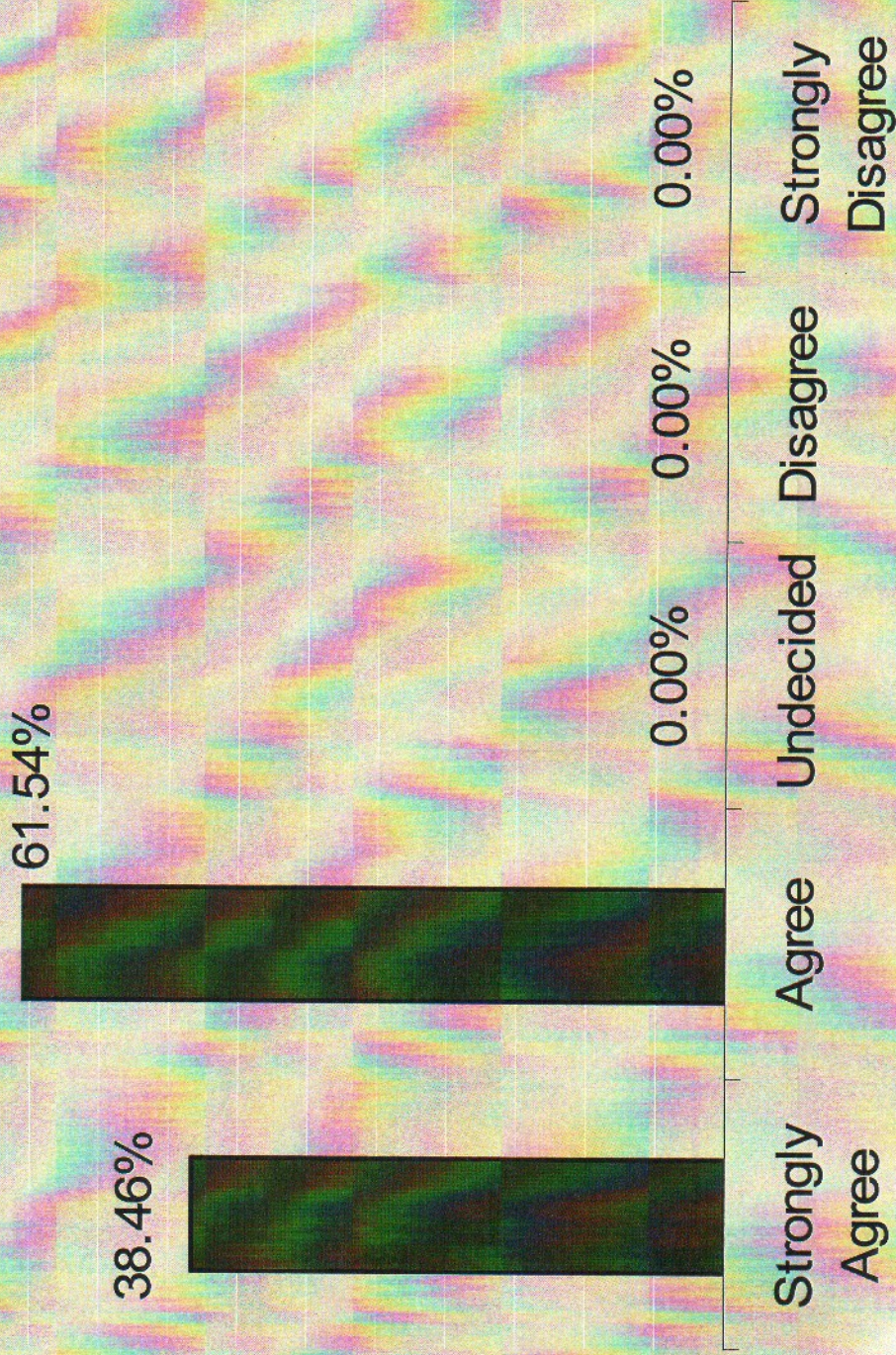


Local community trail networks

should connect with the trail networks of neighbouring communities.

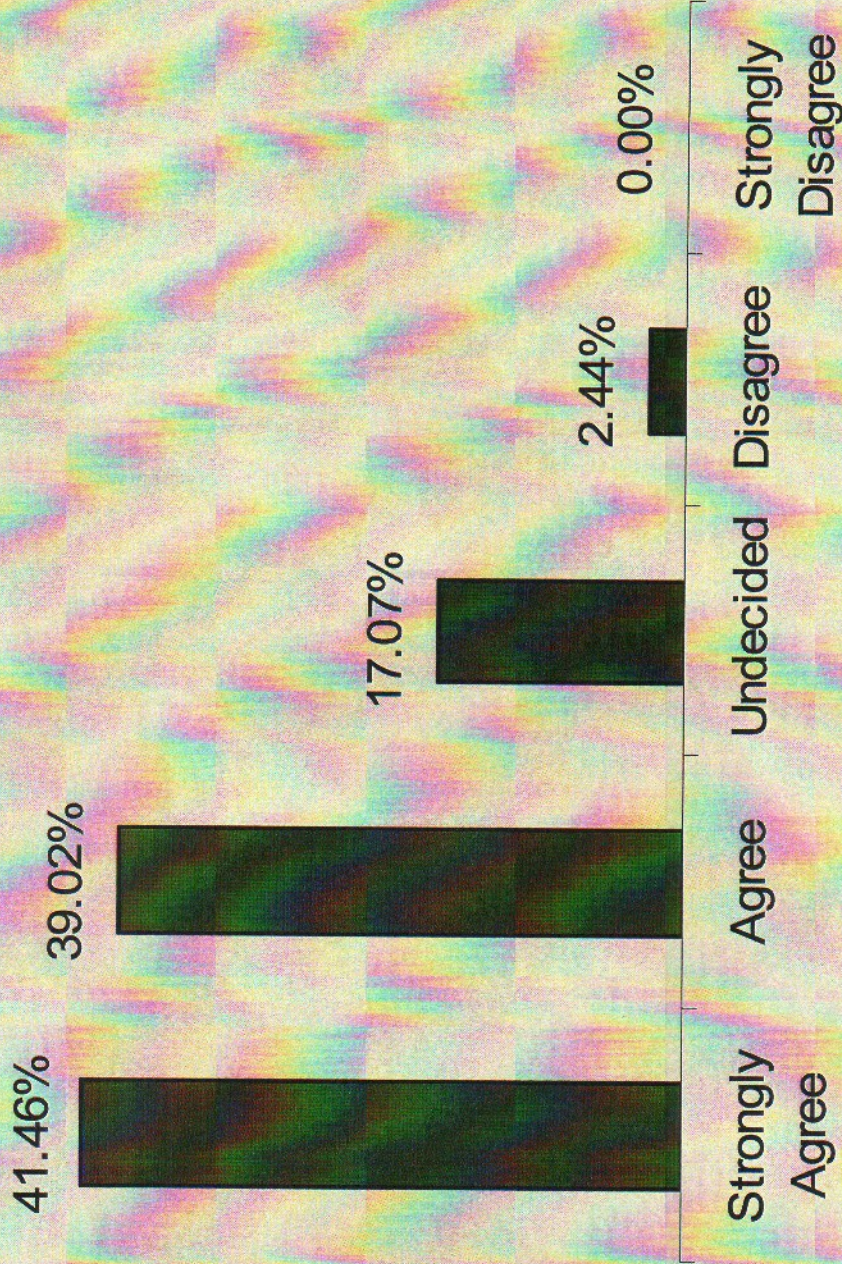


Elected response

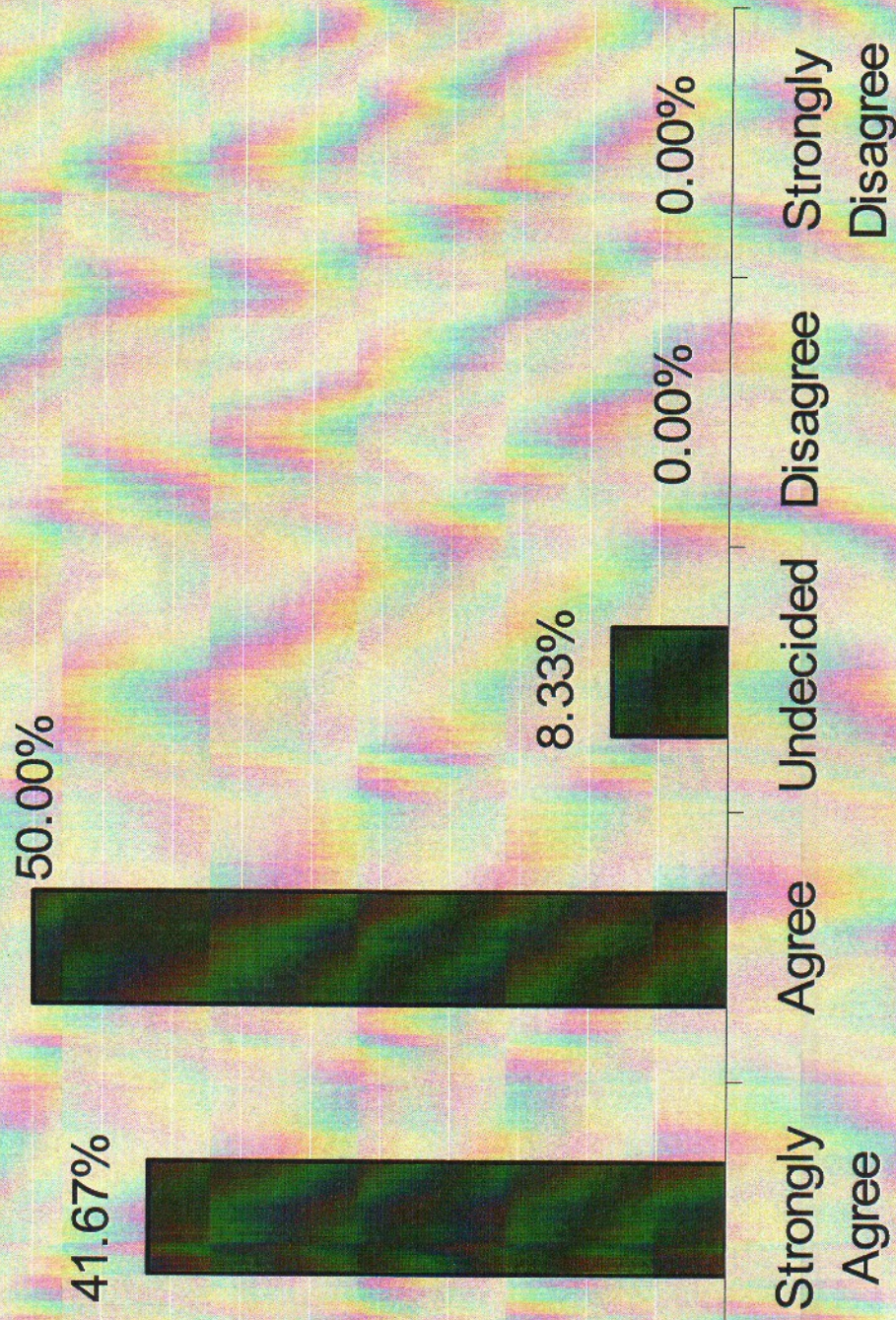


Specific funding allocations

should be dedicated to annual expansion, improvement, and maintenance of our community's trail system.

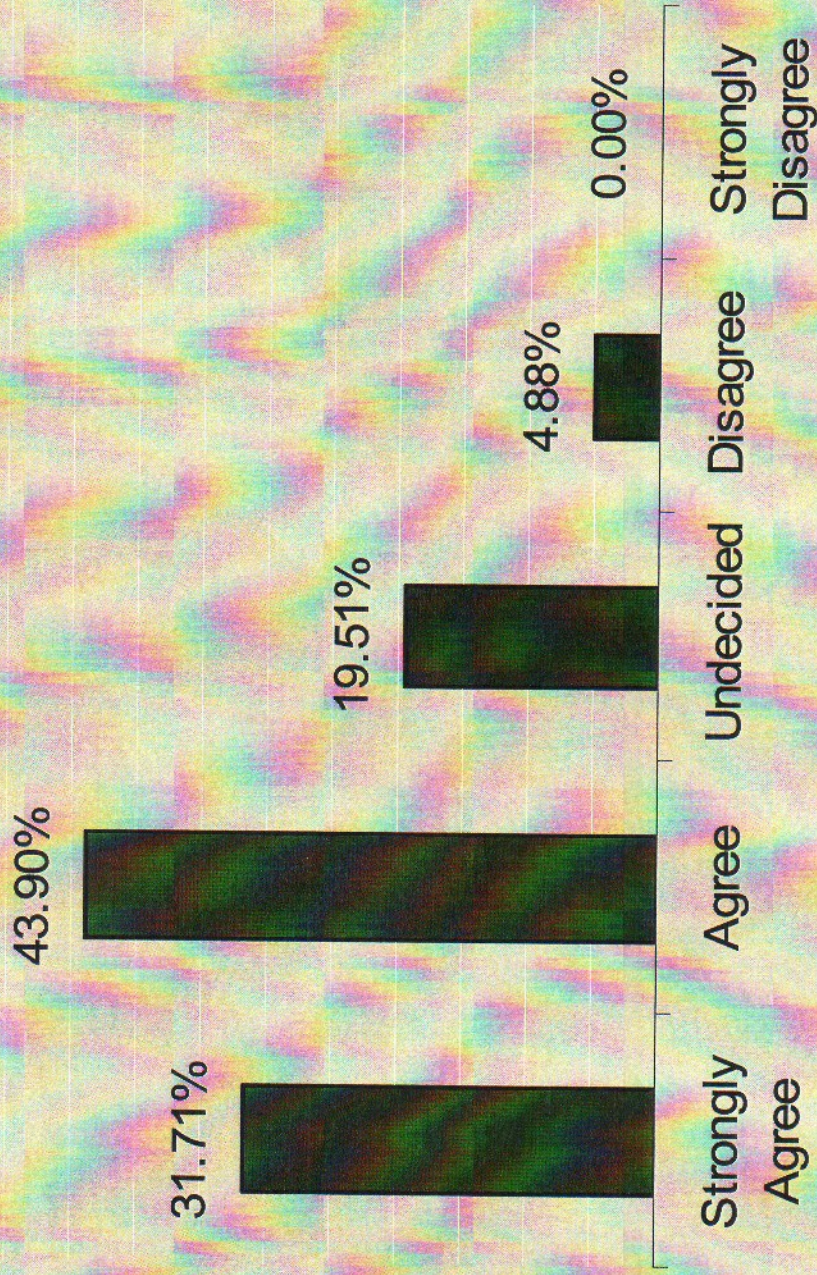


Elected response

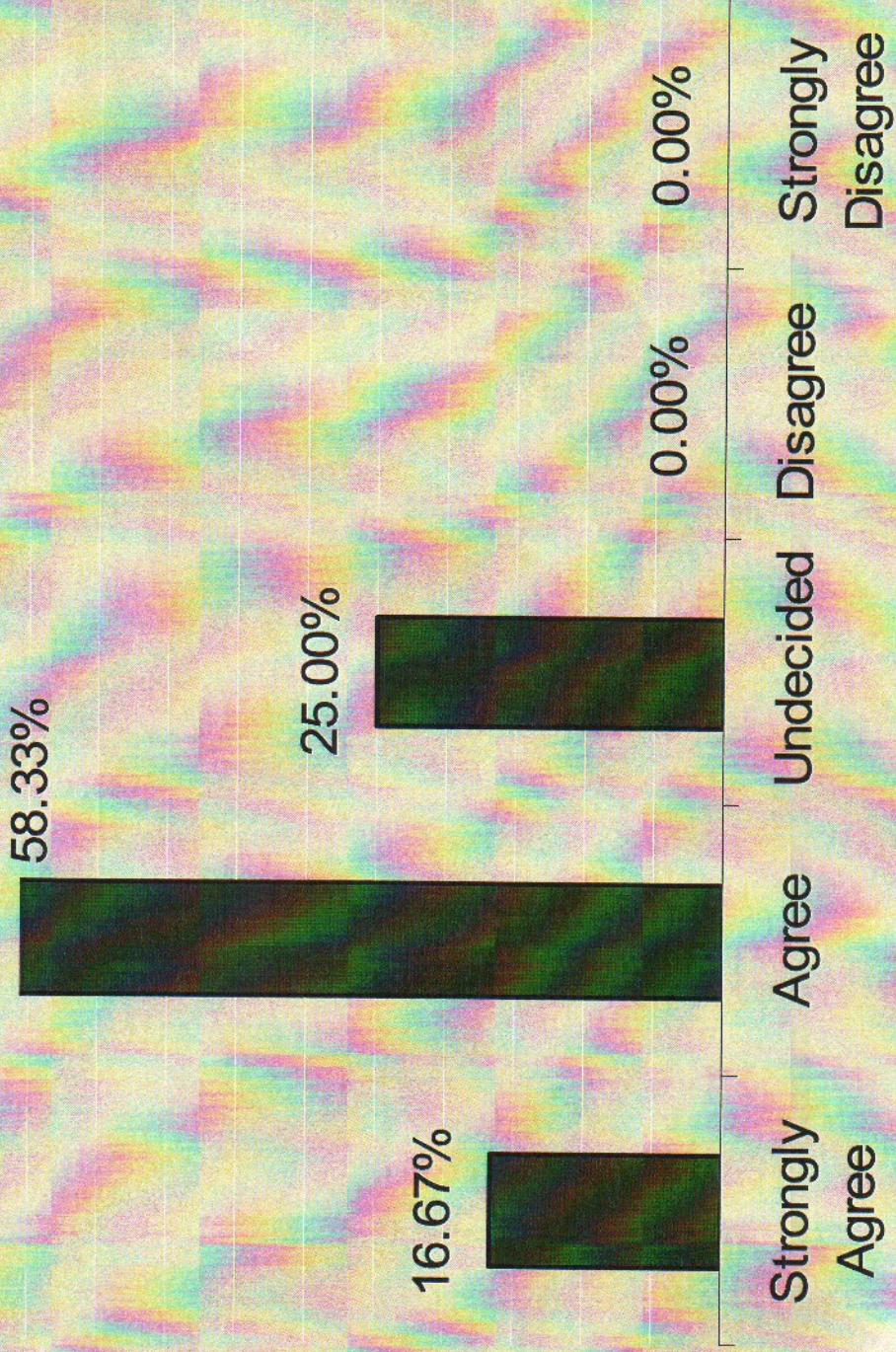


It is important

to have a policy in place that ensures adequate bike parking spaces are made available in all areas with vehicle parking.



Elected response



Conclusions

Supportive

- The majority of respondents:
 - Agree with investing in and improving the active transportation infrastructure in our community.
 - Agree that there is a need for more bikeways, and recreation pathways, sidewalks, and bicycle racks.
 - Agree that establishing policies that support these types of developments are a good idea.
 - Agree that supporting these developments with municipal dollars is a good idea.



Recommendations

We recommend that each municipality:

- Assess their current state of active transportation infrastructure in consultation with the WECALC.
- Consider adopting policies that encourage the development, use and maintenance of active transportation infrastructure.
- Support initiatives that will link communities in “active” ways.



Delegation #2- Douglas Graham
As presented to Council at the Public
Meeting held August 27, 2007 and forming
part of the minutes of the meeting.

The following is a copy of the recorded delegation by Douglas Graham addressing Council regarding the keeping of a vicious dog in his neighbourhood and Dog and Animal control By-Laws.

Graham: Thank you very much council and mayor of Amherstburg for having me speak to you. It's more than just my particular instant in my small corner of Amherstburg .We seem to have come to a situation in Amherstburg where there is no vicious dog bylaw. I have a problem with that. So we have to have some way of identifying those dogs, confining them in a cage and giving them their day of either they get corrected or they get destroyed." And that's what the bylaw has to do because I want protection for my grandchildren and for the people around me and for the other animals that are socially acceptable. So that's basically what I have to say and I hope that you will see fit to put a bylaw in place that will be looking after us for once.

Motion:

That Council receive the delegation's report and direct administration to do some investigation regarding what statues are available provincially and locally to deal with vicious dogs and to report back to council and advise Mr. Graham.

Motion Carried

Delegation #3 – Steeve Bouchard
As presented to Council at the Public
Meeting held August 27, 2007 and forming
part of the minutes of the meeting.

The following is a copy of the recorded delegation by Steeve Bouchard addressing Council regarding a New/Upgraded Baseball Diamond for the Town of Amherstburg.

Bouchard: I'm Steeve Bouchard. President of Amherstburg Minor Baseball. Baseball has been played in Wigle Park since 1882. In the last 2 years, we have made many improvements on diamonds 1 and 3, for example, at Centennial park. Red clay, repairs to the dugouts, fences, etc. This has increased our numbers from 310 to 576 kids. We have 7 teams sharing one facility right now at Wigle because both of those Baseball diamonds cannot be used at the same time. Hopefully with the co-operation of General Amherstburg High School, Senior Ball, Recreational Services and the Town of Amherstburg we can develop a stronger, more competitive organization for years to come. We do not wish to disrupt any of the users of Wigle field. It is known as the worst field in the county. By repairing Wigle park for 2008 and the construction of a premier field for 2009 it will allow us to host tournaments and all star games in the future. Then both a small diamond and the new diamond can be used at the same time at Wigle to give us more playing time. Not only have surrounding residents made complaints but scheduled games and practices have been altered due to events in the town. We do not have enough diamonds now for this junior team. By not hosting an OBA championship, Town has lost out on opportunities for \$97,000 tourist dollars due to tournament loss.

Moved by Deputy Mayor Bailey
Seconded By Councillor John Sutton

That report # 27 from Ron Dzombak, dated August 22, 2007 regarding Baseball Projections and Ball Field Development be received;

Further that council approve the partial deferral about outfield repair costs to Wigle Park until the 2008 budget for work performed in the fall of 2007 to benefit of the Amherstburg Minor Baseball Association, Minor and Senior Ball, for the 2008 season;

That further discussion be held around the placement and construction of a new premier baseball diamond and be deferred to the 2008 budget considerations and that continuing consultations occur between the Baseball Association and Town of Amherstburg on that;

Further that Administration come back to Council with a report as to how much work can be done by our own staff on the baseball diamonds;

That Administration come back to Council with a report clearly outlining the rehabilitation costs and future use of Wigle Park fields before final approval;

That council direct discussion to take place in the fall of 2007 between the Town of Amherstburg, Amherstburg Minor Baseball Association, General Amherst High School, and the Greater Essex County School Board as to the future needs and use of Wigle park;

And further that the Recreation Committee be invited for their input and discussion regarding future use and upgrades of Wigle Park;

And that General Amherstburg High School be brought forward as a party to any future discussions regarding the upgrades to Wigle Park;

And further that a Recreational Master Plan for 2008 be completed.

Motion Carried

Mr. Mayor, members of Council. Thank you for allowing me the time to make this presentation. I wish to address the report entitled Baseball Projections and Ball Field Development that has been submitted for your consideration this evening.

Over the years, General Amherst has been a strong partner in this community. As you are well aware, the students have raised close to \$300,000 in donations for cancer in the past five years. The list of community involvement activities is lengthy and includes assisting with the submission to the provincial government for a Community Health Centre and organizing two successful Beef in the Burg community events. We are currently assisting with the Shores of Erie Wine Festival. As well, the school has been recognized for its strong academic accomplishments when it was recently ranked by the Fraser Institute in the top 30 of over 600 schools in the province. Additionally, athletic teams from the school have won several local, SWOSSA and All Ontario championships in various sports.

However, I find that I am in a quandary in making this presentation to council tonight. On the one hand, as the Principal of General Amherst High School, I must represent the needs and concerns of the school and its community. While on the other hand, I don't want the school to be in a position where we are at odds with minor baseball or any other common agenda organization nor be the villain if council decides not to support the recommendations contained in the report.

As you know, General Amherst is landlocked. We have no athletic facilities and as such, are required to use those of the community specifically, Centennial, Wigle and Toddy Jones Parks. However, it is important to note that the school is the only user group with the exception of those groups that use the arena, which pays a user fee. As stated in the report, last year, the school board paid in excess of \$13,000 "to recoup the costs of repairing the outfield area at Wigle and other areas used by the school". We have made this payment for approximately 20 years which equates to an amount in excess of \$250,000. The report also states that \$5,500 was spent this year to repair Wigle Park which leaves a windfall of approximately \$7,800 for the Town. The value

ITEM DELEGATION #4 PAT CATTON, PRINCIPAL, GENERAL AMHERSTDATE AUG 27/07

of the return on the payments made by the school board is an issue for discussion at some other meeting. I am here to express frustration with the process that has been followed regarding the report submitted.

With less than two weeks until the start of the school year, the school was notified that this report would be submitted to council tonight. The report indicates that discussion was held with minor baseball; however, at no time was the school consulted prior to notification. Restricting the grass area at Wigle Park from use by the school as recommended in the report will have a major impact on our curricular programming. The report suggests that GAHS football play and practice be shifted off Wigle Field entirely to Toddy Jones Park and to Centennial Park. The issue is not with football play and practice as all games have always been scheduled at Centennial Park and practices can be moved to Toddy Jones Park. The problem we face is with the regular school athletic program throughout the day.

Each school day consists of 4 classes with approximately 75 students enrolled in a physical education program each period for a total of approximately 300 students per day. In the past, these programs were accommodated through the use of Gyms A/B and C, the Weight Room and the grass area of Wigle Park and to a lesser degree, the grass and surrounding areas of Toddy Jones Park. The use of Centennial Park is not a viable option: each period is 75 minutes in length and the loss of approximately 30 to 40 minutes to travel to and from the park leaves an insufficient amount of time to meet the curriculum requirements. As well, there is a supervision issue for the teachers who would be responsible for a large group of teenaged students at a location a far distance from the school. Communication and direct contact with the school becomes a major concern. We must also consider the legality of such a situation if a student is injured or is struck by a car. Who bears the legal responsibility in such a case?

This leaves us with the Weight Room, Gyms A/B and C and Toddy Jones Park. In a best case scenario, these facilities could suffice. However, we could not accommodate all of the programs outside when the school is used by outside groups

ITEM DELEGATION #4 PAT CATTON, PRINCIPAL, GENERAL AMHERSTDATE AUG. 27/07

such as, the Red Cross for blood drives or by the government for electoral polling. The worst case scenario would occur when it rains on a day when the school is committed for use by an outside group. At this particular point, I am not sure how we ^{could} ~~can~~ resolve this dilemma.

As I mentioned at the onset, I am not here as a representative of the school to oppose the upgrades to Wigle Park and I would personally support an application for an OBA tournament to be held in Amherstburg. I am here to express my frustration with the lack of consultation in the process that led to the report filed before you tonight. All user groups should have been included in the process, particularly those who pay for the use of the facilities. As I outlined above, there are issues that are unique to the operation of a school that others would not be aware of. To simply state that football play and practice could move to another location with no consideration to the day to day programming needs of the school underscores the need for input from all parties affected. As well, this is not the first time that the school has been forced to make changes to our programming as a result of a unilateral action by the Town that was made with no consultation with the school. However, this decision is the most severe. It is also disconcerting that a paying user group, the school, is displaced and inconvenienced for the sake of minor baseball for a one year proposal. Was it not possible to displace and inconvenience minor baseball and do the work in the early spring and/or summer?

My main intent tonight is to ask that in the future, the school be treated with due consideration and be included in any process that may affect the us. Our history shows that we are a willing and accommodating partner but we are tired of second class status.

Thank you.

PRESENTED TO COUNCIL

ITEM DELEGATION #5

DATE AUG 27/07

PRESENTATION TO AMHERSTBURG TOWN COUNCIL

by

Ms. Linda Thrasher

Monday, August 27, 2007

Mr. Mayor, at the Town Council meeting of July 23/07, I attempted to get some honest answers to five simple questions concerning the King's Navy Yard Park. The questions pertained to who was responsible for ordering specific trees to be removed on that holiday weekend in May.

If you recall, the first question that I put to you was : **Isn't it true that you as mayor and Frank Pizzuto have knowledge of who gave that order ?** You emphatically replied with , " No it is not true, I do not know !"

I moved on to the remaining four questions :

"Mr. Mayor what have you done to find out who gave that order ?" **(NO RESPONSE)**

"Mr. Mayor when decisions are made without your knowledge, you aren't really in charge are you ?" **(NO RESPONSE)**

"Mr. Mayor would you be more specific regarding the mis communication ?" **(NO RESPONSE)**

Mr. Mayor are you protecting someone ?" **(NO RESPONSE)**

I then moved on to Frank Pizzuto , asking him if he had any knowledge as to who made the decision to remove the trees . He just sat there . I didn't know if he couldn't speak, wouldn't speak or was afraid to speak. I then asked him if he would answer the question and he finally eeked out a "NO". I couldn't swear to it but I thought I saw some puppet strings working you , Mr. Pizzuto.

I then directed the same question to Mr. Lou Zalenga , Public Works Manager. Mr. Zalenga was attempting to say something, but of course he was stopped by you , Mr. Mayor. He got your message loud and clear and so did the rest of us. It was obvious to me that I had hit a nerve. You were determined to stop any and all responses to my questions. Again, I wondered what you were hiding ?

There is something terribly wrong here. The people of Amherstburg are not stupid ! The people of Amherstburg do not accept any old excuse given and the people of Amherstburg demand that you and your crew be accountable. The questions you refused to answer had nothing to do with your personal or private life. Nor did these questions have anything to do with your behaviour outside the perimeters as Mayor. So why the concern. Mr. Mayor ? Your attitude made me ask myself why were you so uncooperative , why were you so determined to stop all responses to my questions? , why were you so angry ? Your reactions made me wonder again, what are you hiding ?

(2)

At one point Mr. Mayor, you suggested that your integrity was being challenged. Well Mr. Mayor, I looked up the definition of integrity just to make sure we both had the same idea of its meaning. Integrity means "honesty", "sincerity" and "uprightness." The dictionary says that a man of integrity is respected. A man of integrity is believable, a man of integrity is trustworthy, and a man of integrity is reliable. I can understand why you might think that your integrity is being challenged.

It has taken the concerned citizens of this town almost four months, Mr. Mayor, to finally be given a few crumbs of information pertaining to the trees. After months of denial, of avoidance, of all kinds of excuses, you finally decide to comment on some issues concerning the KNYP. And within minutes of denying having any knowledge of who made the decision and saying that you would be able to say more at the next public meeting, within minutes, Mr. Mayor, you state that it was "staff" that made the decision to remove the trees. By staff?? What staff?? I don't consider the mayor and administration to be staff so that eliminates you, Mr. Mayor, you Mr. Pizzuto and you Mr. Zalenga. So when you accuse "staff" as having made the decision, are you referring to unionized staff who are not in management positions? I would think that the Union may want to look into this to make sure their members aren't being unfairly involved.

And you and Mr. Pizzuto wonder why concerned citizens want to know exactly who it was that made that decision.

Mr. Pizzuto, in your meeting with the Press, two days following the council meeting of July 23rd stated that as the CAO, you are ultimately responsible for what happens and then in the same breath you don't think it's worth commenting on whether or not you actually asked for the trees to be removed. You don't think it's worth commenting on? A very smooth response, Mr. Pizzuto! You also admitted that you didn't communicate with council or the Parks Committee. So what you're saying is that the decision was made without council approval. I would expect that you knew better, Mr. Pizzuto. It's hard to believe that with your background and experience you didn't follow procedure. So I don't accept your excuse as simply being a lack of communication. Maybe it was all part of the plan. Who knows?

Mr. Pizzuto, you may have some expertise in senior administration, but it saddens me that you weren't born and raised in Amherstburg. And because of that you don't truly know the people, their family backgrounds and the generations before them. I believe that you lack compassion and a true understanding for this town and for its people. You are not attached, Mr. Pizzuto to the people here or the town itself. You will probably be gone in three to four years or whenever your contract is up. Amherstburg needs a home grown CAO who not only has the ability as a senior administrator but also has a deep attachment and love for the town and its people.

In summation, Mr. Mayor, and before anyone moves forward, I ask you, "What are you able to say tonight that you couldn't say on July 23rd?" Remember you did state that you would be able

PRESENTED TO COUNCIL

ITEM DELEGATION #5 LINDA THRASHER

DATE AUG 27/07

to say things at your next public meeting. What is it Mr. Mayor ?

Thank you for this time.

Mayor Wayne Hurst and Council:

Thank you for allowing me to share my opinions with you. Again I would like to make it clear that I am strictly here as a concerned citizen of this community and my employment with the Town has absolutely nothing to do with this presentation.

As I have stated before, I have a personal interest and passion for the Kings Navy Yard Park. I am pleased to discover that I am not alone. In the last three months almost three hundred people have come together to stand up to defend the assets and future of this Park. I don't recall any other topic that has drawn out more emotion and concern from the citizens of this town. I fear that these concerns are falling on deaf ears. When a delegate has the courage to come forward and open up their hearts to express genuine concerns regarding the Kings Navy Yard Park while the Mayor and CAO are reclining in their chairs, smiling, and having a personal discussion, I find it very difficult to imagine that the speaker is being heard. Then Council simply moves to accept the delegation, sometimes without response to the concerns. I remember at a previous Council Meeting, Nick Mancinone was cut off near the end of his speech, which according to my watch, he still had 50 seconds to go. Perhaps Council could consider a neutral timekeeper so the Mayor can focus his full attention to the presentations.

As parents of five children, my wife and I have developed an instinct that enabled us to recognize the sound of a real cry from the sound of a child just trying to seek attention. Even now that our children are adults, they still have genuine concerns that need to be listened to. Perhaps some of our administration and Town Fathers could take the same approach to their parenting skills. If so many people from this community are really crying, why aren't we being heard? Why is Council so adamant about pushing the issue of the roadway through the parkette, when over three hundred

taxpayers are opposed? Who is actually paying for this and what is this costing us? Who benefits from this now and who benefits from this in the future? Honest answers are all we are asking for.

I agree with Mr. Pizzuto that the Park is our gem, so why scratch it?

I agree with Mayor Wayne Hurst that we must move forward, but let's make sure it is for the benefit of ALL the taxpayers.

I agree with administration and Council that Amherstburg needs development, but is residential development the way to go? Is this profitable or should we be concentrating on some form of development that would create good employment and substantial profit for our Town.

Thank you for your attention.

YOUR WORSHIP, COUNCILLORS, LADIES AND GENTLEMEN,
GOOD EVENING. MY NAME IS NICK MANCINONE, A
CONCERNED CITIZEN. AS YOU ARE AWARE, WE BELIEVE
THAT THIS ROAD THAT YOU WANT TO PUT IN OUR PARK IS
DANGEROUS, UNWANTED AND UNNECESSARY. WE ARE NOT
ACCUSING ANYONE OF ANY WRONGDOING, THAT IS NOT
OUR JOB HERE. BASED ON INFORMATION RECEIVED FROM
THE ADMINISTRATION AND THE MEDIA; THESE ARE OUR
CONCLUSIONS. IF WE MISSED SOMETHING AND ARE NOT
UNDERSTANDING IT PROPERLY, PLEASE EDUCATE US AND
SHOW US WHERE WE WENT WRONG. WE AS TAXPAYERS OF
AMHERSTBURG WE ARE ENTITLED TO THE TRUTH. WE
REJECT THE MAYOR'S PRESS RELEASE IN IT'S ENTIRETY,
EXCEPT FOR THE DATE, HIS NAME AND FOR VERIFYING THE
FACT THAT MR. ANGILERI HAD NOTHING TO DO WITH THIS
ACCESS ROAD GOING THROUGH OUR PARK. WHEN MR.
ANGILERI BOUGHT THIS PROPERTY HE KNEW HE HAD
DALHOUSIE STREET AND RICHMOND STREET NOTHING

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ITEM DELEGATION #7

DATE AUG 27 107

N. MANCINONE

ELSE. THE MAYOR WANTS US TO BELIEVE THAT MR. ANGILERI CAN'T HAVE RICHMOND STREET BECAUSE IT'S NOT IN THE AGREEMENT. LET'S HAVE A LOOK IN THE AGREEMENT TO SEE WHAT OR WHERE DID RICHMOND STREET GO? SCHEDULES B, C, D, E, F, DRAWING A19, H AND K ALL SAY THAT IT IS THERE. STRANGELY: SCHEDULE G WHICH SHOWS THE ROAD THAT NOBODY WANTS EXCEPT THE MAYOR HAS NO IDENTIFICATION OR ANY DATES OR WHO DREW IT, SO WE HAVE NOT YET DETERMINED WHEN IT WAS ADDED TO THIS AGREEMENT, WHICH IS BETWEEN MR. ANGILERI KNOWN AS THE "OWNER", AND THE TOWN OF AMHERSTBURG KNOWN AS THE "CORPORATION". CLAUSE 24: SAYS THE OWNER SHALL LANDSCAPE AND MAINTAIN IN PLANTS AND GROUND COVER SCHEDULE E WHICH SHOWS ALL LAND AROUND THE CONDO BUILDING UP TO THE DRIVEWAY THAT GOES UP TO THE WASHROOMS. DOES NOT INCLUDE THE DRIVEWAY AND PARKING AREA AND WILL BE INSPECTED ON AN ANNUAL BASIS, THAT MEANS FOREVER.

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ITEM DELEGATION #7

DATE AUG 27 107

N. MANCINI'S

THE OWNER AGREES THAT SCHEDULE H DESCRIBES THE RIGHT-OF-WAY FOR THE STREET ACCESS PLAN, THIS IS THE ROAD WE DON'T WANT. THE OWNER AGREES TO ENGAGE A QUALIFIED ENGINEERING CONSULTANT TO PREPARE THE NECESSARY DRAWINGS TO CONSTRUCT THE SAID RIGHT-OF-WAY, INCLUDING DRAINAGE REQUIREMENTS, SIGNAGE AND LANDSCAPING INCLUDING THE SLOPING RAMP AREA. WHY IS MR. ZARLENGA HAVING THE PLANS MADE? THE OWNER IS REQUIRED TO CONSTRUCT AT HIS COST ALL OF THE ABOVE INCLUDING ANY ANCILLARY WORK AMONG OTHER THINGS AND CLAUSE 43 PASSES THIS ON TO ALL FUTURE OWNERS. CLAUSES 36 SAYS: THE DEVELOPER MUST PAY DEVELOPMENT CHARGES. WE KNOW THIS REFERS TO MR. ANGILERI, BUT WHY CALL HIM THE "DEVELOPER" HERE AND NOT "THE OWNER". SO WE GO BACK TO THE FIRST PAGE OF THE AGREEMENT AND WE FIND OUT THAT MR. ANGILERI WARRANTS THAT HE IS THE "OWNER" OF ALL THE LANDS INVOLVED AS SHOWN ON SCHEDULE A. THIS IS NOT

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ITEM DELEGATION #7

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N. MARCONE

TRUE SINCE HE DOES NOT OWN THE BALANCE OF
RICHMOND STREET AND ALL OF THE LAND NORTH OF THAT
AS SHOWN ON PLAN 12R22482. SO NOW, WE HAVE TWO
OWNERS, SO WHO ARE THEY REFERRING TO WHEN THEY
SAY, "THE OWNER"? SEVERAL OTHER AMOUNTS MUST BE
DEPOSITED BEFORE ANY WORK STARTS AND SO FAR WE
HAVE NOT EVEN CONFIRMED THE EXISTING \$50,000.00
DEPOSIT. NOW MR. ZARLENGA WANTS TO GO IN THERE AND
DO ENHANCEMENTS TO THE PARK, BUT WHEN WE ANALYSE
HIS PLANS, WE FIND THAT THERE ARE NO ENHANCEMENTS
IT'S ALL ANCILLARY WORK. IF IT'S TRUE THAT MR.
ANGILERI IS SUPPOSED TO DO THIS WORK, ALL WE NEED TO
DO IS REVIEW THE PLANS AND APPROVE. THE COST DOES
NOT INTEREST US. STAYOUT OF IT COMPLETELY!
OTHERWISE IT APPEARS THAT MR. ANGILERI IS PAYING FOR
ALL OF THIS, BUT IN REALITY HE IS NOT. I'M SURE THAT
ALL INVOLVED ARE TRUTHFUL, HONEST, AND ETHICAL AND
WILL ACCEPT RESPONSIBILITIES, HOWEVER, WE WOULD

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ITEM DELEGATION #7
DATE AUG 27/07
N. MANCINONE

PREFER TO SEE A MUCH BETTER WRITTEN CONTRACT. LET ME MENTION AT THIS TIME: JUST BECAUSE YOU CREATED A NEW SECTION IN THE ZONING BY-LAW: NAMELY CG6 AND ELIMINATED THE PARKING REQUIRMENTS DOESN'T MEAN THAT THE NEED HAS DISAPPEARED. HAVE YOU SET A PRECEDENT? I HOPE NOT. ALSO; BROWN & STOREY MASTER PLAN PAGE 52 SAYS THIS ROAD WILL CUT ACROSS THE MIDDLE OF A NEW CIVIC SPACE, NAMELY "THE HERITAGE COMMONS", WHICH WOULD BE SEVERELY DISRUPTED AND THIS ROAD IS INCOMPATABLE WITH THE LARGER GOALS OF THE MASTER PLAN. WHY PAY THOUSANDS OF DOLLARS TO CONSULTANTS AND NOT UTILIZE THEIR ADVICE. WE DON'T UNDERSTAND HOW THIS CONTRACT CAN BE A LEGAL DOCUMENT, PLEASE EXPLAIN.

2 QUESTIONS

1. YOUR WORSHIP. WHY DOES ANGIERI HAVE TO PAY FOR A ROAD THAT EVERY BODY IS GOING TO USE?
2. LORY. WHY IN CLAUSE 36 YOU CALL ANGIERI THE "DEVELOPER" AND NOT THE "OWNER"

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ITEM DELEGATION 47

DATE AUG 27/07

N. MANCINONE

Amherstburg Parks Committee

G. FREEMAN

COMMENTS ON ENGINEERING DRAWINGS
KNYP PARKETTE

August 27, 2007

COMMENTARY

It was with disappointment that I received today the "engineering drawing" for the KNYP Parkette. The Committee had issued on August 2, 2007, our report on the conceptual plan for the Parkette. Since August 2, we have had no communications with anybody connected with the Town concerning our comments and suggestions. The only advice taken was to not have a hydrangea bed alongside the roadway going through the parking lot; all else was ignored.

What this plan appears to be is simply the enhancement of the Salmoni building at the cost of lost space in the Parkette. Instead of reducing the 12 ft. of greenery alongside of the building to 2 ft. and eliminating the 10 ft. of plantings on the north side of the ramp, as the Committee advised, the plan indicates high maintenance plants and shrubs to be planted. By insisting on this green space the Parkette loses approximately 1,500 sq. ft. of space.

The flagpoles have been moved to enhance the Rotary clock and hide the fountain to be installed at a later date. The flagpoles don't need to be moved because they were placed here in the first place to be seen right down the middle of Richmond St.

The day lily plot at the junction of the ramp and the road does not allow a viewing area for the cenotaph as we stated in our Aug. 2 report. About the only good feature of the plan is the creation of the flat bricked area behind the cenotaph for the wreath laying and the salute.

The Town should not be paying for enhancements. The Richmond road was abandoned for the route through the parking lot and, therefore, must be rehabilitated by Salmoni. The contractor used the site for his own use and the

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Town removed trees and took down the flagpoles for his convenience. Shrubbery ^{G. FREEMAN} was destroyed and the Christmas Tree damaged because the builders leaned pallets against it. The Cenotaph was treated with disrespect with everyone parking as close as they could, even the Town trucks were guilty. The whole Parkette was a mess and because of this Salmoni should pay for the total rehabilitation.



G. Freeman, Chair

*Amherstburg Parks Committee*COMMENTS ON KOUDYS PLAN 3
KNYP PARKETTE

August 2, 2007

STATEMENT

The comments on the newest plan (July 19/07) for the KNYP Parkette must not be construed to mean acceptance, by the Parks Committee, of the route bisecting the parkette as opposed to the Richmond Street route. We feel that this route is unsafe for pedestrians, it divides up the public square, is more expensive for the developer to construct and comes within 37 ft. of the Cenotaph which is unacceptable.

COMMENTARY

The Committee feels that because the entire parkette has been ruined by the building contractor using it as his own construction and staging site, this is a restoration and not subject to "enhancements" made by the Town at the cost to taxpayers.. The developer had the full use of the parkette during the construction period and this has tangible worth for the restoration. Trees were removed and the flagpoles were taken down and raised again along with a great deal of damage to the bricks and plantings

The accessibility ramp should be moved over to 2 ft. from the face of the building. We see no advantage to the park to have 12 ft. of plant material on the north face of the wall with all the attendant irrigation problems, extra care; meaning a lot of extra labour.

The ramp must have railings and we suggest the same as at the library which would limit the actual traveled space to 6 ft. from the 8 ft shown in the plan. The square would then be extended south by the 12 ft. saving almost 1,000 sq. ft. as shown in the plan.

We presume barrier curbs would be used at the Dalhousie St. drop-off site to prevent vehicular traffic entering the square at this point. It is important that no vehicular traffic enters the park at both the Dalhousie St. face or at the other end of the ramp because, after all we are looking at only one access route.

The flagpoles need not be moved from their present position. The grouping of flagpoles line up with the centre line of Richmond St. which gives their best viewing vantage point. If moved they just encumber the square and can't be seen properly. The proper flags must be flown on these poles. The flags are: the Canadian Maple Leaf, the U.S. circa 1812, the white French royalist, the

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ITEM DELEGATION #8

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G. ARSEMAN

British flag prior to 1801 and the present Union Jack.

We have discussed the plant material in the parkette at great length and have come to the conclusion that it is not compatible with the activities in the parkette. A good example of this is the Christmas tree lighting festivities and the large gathering of people in a rather small area resulting in a lot of crushed plant material. Curbing around the existing trees with plants within those boundaries should suffice. The plantings around the Christmas tree and the material along the north boundary of the ramp are also very vulnerable to damage. The plantings at the point where the ramp joins the access route prevents people from congregating to view the park and the Cenotaph.

Finally, it cannot be stressed too strongly that no more trees can be cut down or the roots of existing trees disturbed.

A handwritten signature in cursive script, appearing to read "G. Arseman".