

# **Minutes of an Amherstburg Municipal Council Meeting held Monday, September 24, 2007 at 7:00pm 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  
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  
Paul Beneteau, Treasurer  
Ivan Fregonese, Supervisor Budget Services  
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  
Anna Graham, Deputy-Chief Building Official

## **PRAYER:**

Reverend Breithaupt Kirby of Wesley United Church said prayer.

## **DISCLOSURE OF PECUNIARY INTEREST**

R. Fryer declared a conflict with delegation # 7 (Anthony Leardi) and Report # 10 being a report from George Balango and specifically concerning Official Plan Modifications affecting Texas Road.

## **Mayor's Comments:**

Mayor Hurst expressed thanks to residents for patience and understanding with the ongoing construction projects.

Mayor Hurst expressed thanks to the individuals, the family, friends, and sponsors of the 'Pay-it-Forward Project' which built a new home for Pearl and Eugene Reaume. The Mayor expressed how proud all of us feel to be residents of such a caring and concerned community.

## **MINUTES OF PREVIOUS MEETING**

Moved by P. Renaud  
Seconded by R. Fryer

That the minutes of a regular meeting of the Amherstburg Municipal Council held Monday, September 10, 2007, be adopted as circulated.



Moved by P. Renaud  
Seconded by R. Pillon

That the minutes of the Amherstburg Municipal Council In-Camera meeting held on Monday, September 10, 2007 be adopted as circulated.

Moved by J. Sutton  
Seconded by R. White

That the minutes of the Special Council Meeting regarding KNYF Parkette Restoration held on Monday, September 17, 2007 be adopted as circulated.

### **DELEGATIONS**

- 1) Jim O'Neil, President of the Essex County ATV Club addressed Council regarding the 2<sup>nd</sup> Annual Essex County ATV Club Poker Run.

Councillor Fryer requested information on participation in 2006 and the participation expected for 2007. Response was 43 in 2006 and 100 anticipated for 2007.

Councillor Sutton confirmed it would be an alcohol free event and suggested in future that a map for Council reference would be helpful. Councillor Sutton requested clarification on what was being asked in terms of road use. Response was that shoulders would be used as much as possible and public roads only where necessary. Speeds are not to exceed 50 km/h.

Moved by J. Sutton  
Seconded by P. Renaud

That Council approve in principal the 2<sup>nd</sup> Annual Essex County ATV Club Poker Run scheduled for October 27<sup>th</sup>, 2007; and further that Administration be directed to work with the club and the APS to obtain required details and approvals and that a report be brought back to Council for final approval.

### **Motion Carried**

- 2) Kristi Farmer and her father addressed Council regarding the 1<sup>st</sup> Annual House of Fright and Haunted Graveyard at the A.M.A. Sportsmen's Club.

The group outlined the House of Fright and Haunted Graveyard being held October 12<sup>th</sup> thru 14<sup>th</sup> and October 19<sup>th</sup> thru 21<sup>st</sup> at the AMA Sportsmen's Club on Lowes Side Road. Proceeds to benefit "Carla Can Sing" helping kids cope with cancer, Malden Public School, and Local Community Youth Programs.

Council thanked the group for organizing the worthy event.

Moved by R. Pillon  
Seconded by R. Bailey

That Council receive the information presented by the delegates and further that Council encourage public support of the worthy event.

### **Motion Carried**



- 3) Ron Sutherland on behalf of Ranta Marina Boaters Association addressed Council regarding K. Walter Ranta Marina.

Mr. Sutherland requested on behalf of the RMBA that the Marina not be sold. Written comments were supplied by this delegate and are attached to and form part of these minutes.

Councillor Renaud asked why the RMBA was only interested in operation for one year. Response was that RMBA would be interested in operation for a longer period up to five years.

Councillor White asked if the RMBA was a non-profit organization. The response was that the group is a non-profit organization.

Councillor White asked if the group had given consideration to purchase of the Marina. Response was that this was not feasible with the current occupancy rate of the Marina slips.

Councillor Sutton questioned the RMBA giving the Town monies and the amount of profit the group was declaring. Response was that season totals are not yet tallied and the group expects to break even for the 2007 season. Any excess would be turned over to the Town.

Councillor Fryer thanked the group for saving the ratepayers \$ 72,000.00 this year.

Councillor Bailey applauded the effort and asked for clarification on the number of paid employees the group had working. Response was that a Manager and five staff were on payroll which was a full compliment of staff comparable to the 2006 season.

Moved by J. Sutton  
Seconded by R. Bailey

That Council receive the report of the delegate on behalf of the RMBA.

**Motion Carried**

- 4) Jenny Minovski addressed Council regarding the Sale of Walter Ranta Marina and supported the opinions and concerns expressed by the RMBA. Mrs. Minovski asked that the Town not declare the Marina as surplus and sell the property. Mrs. Minovski stressed this Marina is the only public site with waterfront access from which to launch a boat. Comments were made in regard to other recreational facilities not being profitable and still being maintained by the Town. Mrs. Minovski stressed that a decision not be made tonight as the matter requires more input and discussion with the RMBA.

Councillor Sutton questioned comments made by the delegate that dredging was not necessary. Response was the costs were questionable.

Councillor White asked if the delegate owned a boat. Response was the Mrs. Minovski and family members owned boats.

Councillor Fryer spoke in support of the RMBA.

Councillor Renaud spoke concerning the issue requiring more discussion with all parties involved.



**Report # 4 Brought Forward**

Report from Frank Pizzuto regarding the Disposition of Ranta Marina. Ranta Marina is owned by the Town of Amherstburg. Over the past two years staff and Council have considered options regarding Ranta Marina and its role in being a core service for the Town. Staff is recommending that Ranta Marina is not a core service and that it should be disposed of.

Moved by P. Renaud  
Seconded by R. Pillon

That the Town of Amherstburg not declare Ranta Marina surplus to the Town's needs;

That the Town not dispose of Ranta Marina as per its Disposition of Real Estate policies;

And Further that the Ranta Marina Boaters Association have discussions with the Town for operating the Marina for 2008 and beyond.

Councillor Sutton expressed concern that it may be a requirement that the Town tender the operation of the Marina if operation was to continue outside of Town operation and that discussions may need to include other groups besides the RMBA. Councillor Sutton suggested possibly amending the motion to reflect tendering to interested groups.

Councillor Pillon commented that the Soccer Club operates the soccer fields and this would be the same principal. Commented that he did not feel it had to be offered or tendered.

CAO Pizzuto commented on the following points:

- Other facility users do not pay a fee to be users
- This issue has been in discussion for the past two years
- In February 2007 a report was brought publicly to Council
- In April 2007 the RMBA was approved to operate the Marina for a one year period only
- The report before Council is factual
- A 9% tax increase would be necessary for taxpayers to pay off the current accumulated deficit

Deputy-Mayor Bailey commented the Town is catering to a small group of approximately 104 families. As compared to the hundreds of families which use other recreational facilities.

Councillor Fryer made an amendment to the original motion 'for an RFP to go out to any interested party to come forward concerning operation of the Marina.'

Councillor Fryer requested a recorded vote on the amendment.	<u>AYE</u>	<u>NAY</u>
Deputy Mayor Bailey		X
Councillor Fryer	X	
Councillor Pillon		X
Councillor Renaud		X
Councillor Sutton	X	
Councillor White		X
Mayor Hurst		X

**Amendment Lost**



A recorded vote was requested on the original motion.

	<u>AYE</u>	<u>NAY</u>
Deputy Mayor 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 by R. White

That the report from Frank Pizzuto dated September 19, 2007 regarding the Disposition of Ranta Marina be received;

That the Town of Amherstburg declare Ranta Marina surplus to the Town's needs;

That the Town dispose of Ranta Marina as per its Disposition of Real Estate policies;

And Further that the Ranta Marina Boaters Association be approached to operate Ranta Marina for the 2008 boating season.

Councillor Fryer requested a recorded vote.

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

**Motion Lost**

Moved by P. Renaud  
 Seconded by R. Pillon

That Council receive Report # 4; and further that Council give the RMBA approval to run the Marina for the 2008 season.

Councillor Fryer requested a recorded vote.

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

**Motion Carried**



- 5) Al Gignac addressed Council regarding KNYP Parkette Issues. Written comments were supplied by this delegate and are attached to and form part of these minutes.

Moved by J. Sutton  
Seconded by R. Bailey

That the report of the delegate be received.

**Motion Carried**

**Report # 3 Brought Forward**

Report from Lou Zarlenga, Manager of Public Services, regarding Kings Navy Yard Parkette Final Landscaping Concept, Preliminary Cost Estimates and Apportionments.

Report was reviewed by Ron Koudys, Landscape Architect, Rick Spencer of HGS Consulting, and Lou Zarlenga, Manager of Public Services.

Council asked specific questions related to changes made to the plan.

**Mayor Hurst made comments summarized as follows:**

Issues in KNYP have been in the limelight and have raised concerns from the public. It is important to respect the right of individuals. However, it is important to note that all of the electorate will not be in favour of all Council decisions. The obligation of Council is to serve all members of the public not only specific interest groups. Council often makes decisions that are not popular, that may not be politically popular, but because it is the right thing to do.

Mayor Hurst commented that he was uncertain why so much of the negativity was focused on the Salmoni Building. The investor committed considerable monies and has built a wonderful building that is an attraction for the Town of Amherstburg and he should be given credit by the public.

Mayor Hurst commented that there is new energy and spirit to make Amherstburg an economically sustainable community. Working together this can be accomplished.

Moved by J. Sutton  
Seconded by R. Fryer

That the report from Lou Zarlenga, dated September 21, 2007 regarding Kings Navy Yard Parkette Final Landscaping Concept, Preliminary Cost Estimates and Apportionments be received;

That Council concur with the final Parkette Landscape concept plan dated September 21, 2007;

And further that the preliminary cost estimates and apportionments be referred to the Town Solicitor for review and comment on the apportionments.

Councillor Sutton spoke to the formula used to determine the breakdown in cost and felt it important for both parties that the information be reviewed by the Town Solicitor.

Councillor Renaud spoke to it being time to get this project done.



Councillor Fryer asked why the Parkette could not be returned to its original state. Response from L. Zarlenga was that this is an opportunity to restore with necessary improvements to encourage healthy growth of plants and trees.

Deputy-Mayor Bailey spoke to the time concerns and questioned work being done in 2007. Comments were also made concerning the negativity that has occurred from this project affecting the progress of the Town and the importance of moving forward.

CAO Pizzuto responded that the work could be tendered as early as this Saturday. CAO Pizzuto clarified some of the comments made as to what is restoration and what is enhancement.

Councillor Fryer voiced safety concerns.

Councillor White requested clarification on the site plan agreement process.

Councillor Renaud moved an amendment to the motion being 'And further that Council direct HGS Consulting to prepare final engineering drawings and specifications and proceed to tender the specified works.'

**Amendment Carried**

A recorded vote was requested.	<u>AYE</u>	<u>NAY</u>
Deputy Mayor Bailey	X	
Councillor Fryer	X	
Councillor Pillon	X	
Councillor Renaud	X	
Councillor Sutton	X	
Councillor White	X	
Mayor Hurst	X	

**Motion Carried**

- 6) Remo Di Paolo, Area Manager Bank of Montreal, addressed Council regarding the 18<sup>th</sup> Annual Essex County Walkathon Against Cancer being held on Sunday September 30<sup>th</sup> at the Centennial Sports Complex from Noon to 4:00 p.m.

Council applauded Mr. Di Paolo on the project and worthwhile effort.

Moved by J. Sutton  
Seconded by R. Fryer

That the report of the delegate be received and that the public and Council be encouraged to participate.

**Motion Carried**

**Councillor Fryer vacated his chair.**

- 7) Anthony Leardi addressed Council regarding Texas Road Rezoning Application on behalf of twelve clients he is representing. Mr. Leardi stressed that due to the upcoming public meeting to be held October 1<sup>st</sup> to consider Park/Valente subdivision which is designated residential. Mr. Leardi spoke to sewage treatment issues not yet resolved.

Moved by R. White  
Seconded by J. Sutton



That the report of the delegate be received.

**Motion Carried**

**Report # 10 Item 2 Only Brought Forward**

Report from George Balango regarding the Requested Adopted Official Plan Modifications and Requested Amendments to the Zoning on Boblo Island.

Moved by J. Sutton  
Seconded by R. White

That the Town of Amherstburg not approve for the requested modification on lands located south of Texas Road to change the designation from Light Industrial to Medium Density Residential.

**Motion Carried**

**Councillor Fryer returned to his chair.**

**Five Minute Recess**

Moved by R. White  
Seconded by R. Bailey

That Council resume after a five minute recess.

**Motion Carried**

**REPORTS OF MUNICIPAL OFFICERS**

**Report #1**

Report from Lory Bratt regarding the Boblo Yacht Club Site Plan Agreement. The applicant is proposing the construction of a yacht club and accessory uses on the west side of Boblo Island adjacent to the marina.

Developer Dominic Amicone was present and spoke to the development. Mr. Amicone advised the Island is being positioned as a 'Green Community' and geo-technical studies are being completed. Mr. Amicone advised the Yacht Club would include 400 permanent boat slips and 120 transient slips.

Moved by P. Renaud  
Seconded by R. White

That the report from Lory Bratt, dated September 17, 2007 regarding the Boblo Yacht Club Site Plan Agreement be received;

That Council approve the Site Plan for Boblo Island Yacht Club and accessory uses;



And further that

**By-Law 2007-63** being a By-Law to authorize 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 #2**

Report from Pamela Malott concerning Bingo Licensing Fees. This report is to notify Council of the changes AGCO has implemented and will address the issue of Waiving of Bingo Fees at the Amherstburg Hall which has been taking place for a portion of 2004, all of 2005 and 2006, and for 10 months of 2007.

Moved by R. White  
Seconded by J. Sutton

That the report from Pamela Malott, dated September 18, 2007 regarding Bingo Licensing Fees be received:

That the current lottery By-Law No. 2000-06 as amended by By-Law No. 2007-53 be repealed;

And further that

**By-Law 2007-65** being a By-Law to provide for Lottery Licensing Procedures and regulations in the Town of Amherstburg

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 #3 Brought forward previously**

**Report #4 brought forward previously**

**Report # 10 Item #2 Only Brought Forward - Balance of Report Items 1, 3, 4 and 5**

Report from George Balango regarding the Requested Adopted Official Plan Modifications and Requested Amendments to the Zoning on Boblo Island. A public meeting was held by Council on August 29, 2007 to consider modifications to the adopted Official Plan and amendments to the Zoning By-law on Boblo Island. The attached key maps and zoning schedule show the locations of the lands that are the subject of this report.

Moved by R. White  
Seconded by R. Fryer



That the report from George Balango, dated September 19, 2007 regarding the Requested Adopted Official Plan Modifications and Requested Amendments to the Zoning on Boblo Island be received; and as to items 1,3,4 and 5 as follows;

That the Town of Amherstburg approve the request for a modification to lands located at the northwest corner of Victoria and Fort Street to change the designation from Low Density Residential to Neighbourhood Commercial;

That the Town of Amherstburg approve modifications on Boblo Island, to amend policy 4.7.3(i)(a) to limit development within 150 meters of the eastern shoreline of the island to a height of 6 storeys and to limit multi-family development elsewhere on the island to a height of 10 storeys and a modification to Section 4.7.3 to state that lands identified as Recreational Development Special Policy may also be subject to an Environmental Assessment in accordance with Section 6.9 as determined by Council in consultation with the Essex Region Conservation Authority;

That the Town of Amherstburg approve in principle the request for a solar farm for lands located at the southeast corner of North Side Road and Concession 2 North recognizing that the County Renewable Planning Study is in progress;

That the Town of Amherstburg approve the requested rezonings on Boblo Island, in conformity with the above noted Official Plan Modifications, noting that only trails and paths and works of the Conservation Authority be the permitted uses on the perimeter of the island;

And further that

**By-Law 2007-64** being a By-Law to amend Zoning By-Law No. 1999-52, as amended;

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**

Gail Affleck was present in the audience and allowed to speak to the report and expressed concerns for the Town 'approving in principle the request for a solar farm for lands located at the southeast corner of North Side Road and Concession 2 North'. Mrs. Affleck specifically requested clarification on the definition of 'approving in principle'.

Response was given that the County Renewable Planning Study is in progress as more details become available the public would have ample opportunity to speak to any development that might take place.

#### **Report #5**

Report from Lou Zarlenga regarding the Environmental Assessment of the Amherstbrug Pollution Control Plant.

Moved by R. Fryer  
Seconded by J. Sutton

That the report from Lou Zarlenga, dated September 17, 2007 regarding the Environmental Assessment of the Amherstbrug Pollution Control Plant be received and further that Council receive the completed Environmental Study report dated September 18, 2007 prepared by the Town engineering consultants CH2M Hill.

#### **Motion Carried**



**Report #6**

Report from Lou Zarlenga regarding Tender Results for County Road 20 Illumination-Texas Road to County Road 10.

Moved by J. Sutton  
Seconded by P. Renaud

That the report from Lou Zarlenga, dated September 19, 2007 regarding Tender Results for County Road 20 Illumination – Texas Road to County Road 10 be received and further that Council concur to accept the Low Tender from Essex Power Services for the 2007 County Road 20 Illumination.

Councillor Fryer spoke to possibly extending the project to include an additional 36 heads.

Councillor Pillon spoke to doing the project as stated and leaving any excess in the budget and Treasurer Paul Beneteau clarified the Town position on monies budgeted but not spent.

**Motion Carried**

**Report #7**

Report from Lou Zarlenga regarding the Amherstburg Pollution Control Plant Upgrading and Expansion - Advancement to Design and Construction.

Moved by R. White  
Seconded by P. Renaud

That the report from Lou Zarlenga, dated September 20, 2007 regarding Amherstburg Pollution Control Plant Upgrading and Expansion - Advancement to Design and Construction be received;

That Council concur with the June 2007 report from CH2M Hill describing the next phases of the project;

And Further that the Town proceeds to the preliminary design and equipment pre-ordering phase of this project.

Council had considerable debate concerning the definition of ‘continuation of a project’.

Councillor Sutton questioned the recommendation being based on 2003 data.

CAO Pizzuto responded that the recommendation is not based on 2003 data and that CH2MHILL has done considerable ongoing work.

**MEETING CONTINUTATION**

Moved by R. White  
Seconded by R. Bailey

That the meeting continue beyond 10:30 p.m.

**Motion Carried**



Councillor Fryer expressed concern that there was implication in the Town not tendering a four million dollar contract.

Councillor Fryer made a motion for amendment that the Town 'include a full RFP process for the project'. Councillor Sutton seconded this amendment.

A recorded vote was requested on the amendment.	<u>AYE</u>	<u>NAY</u>
Deputy Mayor Bailey		X
Councillor Fryer	X	
Councillor Pillon		X
Councillor Renaud		X
Councillor Sutton	X	
Councillor White		X
Mayor Hurst		X

**Amendment Lost**

A recorded vote was requested on the original motion.	<u>AYE</u>	<u>NAY</u>
Deputy Mayor Bailey	X	
Councillor Fryer		X
Councillor Pillon	X	
Councillor Renaud	X	
Councillor Sutton		X
Councillor White	X	
Mayor Hurst	X	

**Motion Carried**

**Report #8**

Report from Paul Beneteau regarding Area #3 Dog Pound 2006 Financial Statements. The financial statements for the year ending December 31, 2006 are attached to the report for Council's information.

Moved by R. Pillon  
Seconded by R. Renaud

That the report from Paul Beneteau, dated September 10, 2007 regarding Area #3 Dog Pound 2006 Financial Statements be received.

**Motion Carried**

**Report #9 (See Also Correspondence #1)**

Report from Stephen Brown regarding a Request for Variance from the Portable Sign in Residential Area. (See Also Correspondence # 1). The owner of Montessori School, located on Victoria Street, has requested a permit to allow placement of a portable sign in a residential zone contrary to Sign By-Law 2006-26 Section 12.1, which prohibits portable signs in residential areas.

Moved by P. Renaud  
Seconded by R. White



That the report from Stephen Brown, dated September 18, 2007 regarding a Request for Variance from the Portable Sign in Residential Area be received and further that Council concur that the request to place a portable sign located in a residential zone advertising a private off site business be denied.

**Motion Carried**

**Report #10 Brought Forward Previously**

**Report #11**

Report from Pamela Malott regarding a Closed Meeting Investigator. Section 239.1 of the Municipal Act 2001 provides that "a person may request that an investigation of whether a municipality or local board has complied with section 239 or a procedural by-law under subsection 238(2) in respect of a meeting or part of a meeting that was closed to the public be undertaken".

Moved by J. Sutton  
Seconded by R. Pillon

That the report from Pamela Malott, dated September 18, 2007 regarding Closed Meeting Investigator be received;

That Council agree to enter into a 2 year agreement with Local Authorities Services Ltd. to provide the services of a Meetings Investigator to meet the requirements of Section 239 of the Municipal Act;

And Further that Administration be directed to prepare the necessary contract agreement and by-law for Council approval.

**Motion Carried**

**Report #12**

Report from Carol Bendo regarding insurance requirements for the 2007 Santa Claus Parade.

Moved by J. Sutton  
Seconded by R. White

That the report from Carol Bendo, dated September 14, 2007 regarding the Insurance for Santa Claus Parade be received.

**Report # 13 (Supplementary Agenda)**

This report concerns "Autistic Child Area Signs" to be installed as requested by Bill and Jane Ladell. Their written correspondence is attached and forms part of these minutes.

Moved by R. Pillon  
Seconded by J. Sutton

That Council receive the verbal report of Lou Zarlenga and that Council concur with the written request received for sign erection for 'Autistic Child' subject to APS approval and County of Essex Approval.

**Motion Carried**



**Report # 14 (Supplementary Agenda)**

Report from Pamela Malott regarding unopened road closure and land conveyance which follows an already completed public advertising, as required, for a three week period. This advertisement is attached and forms part of these minutes.

Moved by R. Bailey  
Seconded by R. White

That the report from Pamela Malott, dated September 19, 2007 be received and further that

**By-Law 2007-66** being a By-Law to close and return unopened road allowances and to convey surplus lands and easements in the Town of Amherstburg to Boblo Developments Inc.

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**

**CORRESPONDENCE**

**Item # 1 (See Also Report #9)**

Moved by J. Sutton  
Seconded by P. Renaud

That the correspondence from Wendy Hopkins of Montessori Interactive Learning Preschool Inc. be received and further that Council deny the request to place a portable sign located in a residential zone advertising a private off site business.

**Motion Carried**

**Item # 2**

Moved by R. Fryer  
Seconded by P. Renuad

That the correspondence from Verdi Club regarding Gala For a Cure – Cancer Benefit be received and further that Council concur to show support by purchasing tickets for the event.

**Motion Carried**

**Item # 3**

Moved by J. Sutton  
Seconded by R. Fryer

That the correspondence from Minister of Citizenship and Immigration be received and further that the Mayor Proclaim the week of October 15<sup>th</sup> -21<sup>st</sup>, 2007 as “Canada’s Citizenship Week” in the Town of Amherstburg.



**Motion Carried**

**Mayor proclaimed the week of October 15<sup>th</sup> -21<sup>st</sup>, 2007 as “Canada’s Citizenship Week” in the Town of Amherstburg.**

**Item # 4**

Moved by R. Bailey  
Seconded by P. Renaud

That the correspondence from Correctional Service Canada be received and further that the Mayor Proclaim the week of November 18<sup>th</sup> - 25<sup>th</sup>, 2007 as “Restorative Justice Week” in the Town of Amherstburg.

**Motion Carried**

**Mayor proclaimed the week of November 18<sup>th</sup> - 25<sup>th</sup>, 2007 as “Restorative Justice Week” in the Town of Amherstburg.**

**Items # 5-13**

Moved by R. Fryer  
Seconded by P. Renaud

That the following correspondence be received:

- 5) Ontario International Amateur Sport Hosting Policy from the Ministry of Health Promotion, Sport and Recreation Branch, dated August 29, 2007.
- 6) Ontario Election 2007 Promoting a Rural Agenda from ROMA (Rural Ontario Municipal Association) dated September 12, 2007.
- 7) Green Municipal Fund (GMF) Annual Report 2006-2007 from the Federation of Canadian Municipalities (FCM) dated August 27, 2007.
- 8) AMO Advocacy Paper on "Poverty and the Property Tax Burden in Ontario" from the Association of Municipalities of Ontario dated September 12, 2007 Alert No. 07/049.
- 9) Funding for Potable Water Projects from the Minister for the Federal Economic Development Initiative for Northern Ontario dated September 6, 2007.
- 10) Community Service Award from the Windsor-Essex County Real Estate Board dated August 30, 2007.
- 11) Act of Bravery Award from the Windsor-Essex County Real Estate Board dated August 30, 2007.
- 12) Launching of Municipal Information & Data Analysis System (MIDAS) from the Association of Municipalities of Ontario (AMO).
- 13) Email received through the Town’s Website from International Institute for Peace Through Tourism (IIPT) regarding Peace Parks Canada, dated September 19, 2007.

**Motion Carried**

**UNFINISHED BUSINESS**

- 1) Councillor Sutton requested an update on the reduction of speed on McCurdy; has this request gone to the Traffic Committee. Response was that the request has been forwarded to the Committee, and Administration would ascertain if the matter has been dealt with.



- 2) Councillor Sutton requested information as to when the report concerning the changes to Working Sessions of Council would be brought. Response was to the October 9<sup>th</sup> meeting. Councillor Sutton asked that minutes from Working Sessions be included for Council consideration.
- 3) Councillor Fryer requested a report be brought back to Council on the Inflatable Pool By-Law and fencing around pools.

### **NEW BUSINESS**

1. Moved by R. Fryer  
Seconded by R. White

That the excess funds available from the illumination project as referenced in report # 6 from Lou Zarlenga, Manager of Public Services be used for continuation of illumination on County Road 20 northerly.

#### **Motion Carried**

2. Councillor Fryer asked that Administration report back on 'lifesaver floatation devices' in Navy Yard Park. They were there previously and we need to look at if we should have them there for use.
3. Councillor Fryer asked that the situation with a dead tree at 761 Cty Road 20 be looked at as it is imposing on hydro lines. There seems to be an issue with many trees along this area.

### **BY-LAWS**

**By-Law 2007-63** being a By-Law to authorize the signing of a Development Agreement (See Report #1)

**By-Law 2007-65** being a By-Law to provide for Lottery Licensing Procedures and regulations in the Town of Amherstburg (See Report #2)

**By-Law 2007-64** being a By-Law to amend Zoning By-Law No. 1999-52, as amended (See Report # 10)

**By-Law 2007-66** being a By-Law to close and return unopened road allowances and to convey surplus lands and easements in the Town of Amherstburg to Boblo Developments Inc. (See Report #14 Supplementary)

Moved by R. Pillon  
Seconded by J. Sutton

**By-Law 2007-62** 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**




**ADJOURNMENT**


Moved by P. Renaud  
Seconded by R. White

That we rise and adjourn.

**Motion Carried**

Meeting adjourned at 11:10 p.m.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk



PRESENTED TO COUNCIL

ITEM DELEGATION # 1

DATE SEP 24 - 07

Essex County ATV Club  
7075 Eagle Cresc.  
McGregor, Ontario  
N0R 1J0

Town of Amherstburg  
271 Sandwich St. S.  
Amherstburg, Ontario  
N9V 2A5

Attn: Mayor and Members of Council

I would like to request permission to address the members of Council at your next meeting – September 24, 2007.

I will be requesting permission from Council to hold our “2<sup>nd</sup> Annual Essex County ATV Club Poker Run” – which is a fundraiser for the Amherstburg Food Bank. This function is scheduled for October 27, 2007. Further details will be supplied at the meeting.

Yours truly,



Jim O'Neil  
President  
Essex County ATV Club



RECEIVED  
SEP 19 2007



PRESENTED TO COUNCIL  
ITEM DELEGATION #2  
DATE SEP 24 2007

TOWN OF AMHERSTBURG

**DELEGATION REGISTRATION FORM**

NAME: Kristi Farmer

The date you wish to appear: Sept 24th - 7pm

The subject you wish to discuss with Council:  
First Annual Home of Freight & Haunted  
Graveyard -

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

\*\*\*Please ensure that both the front and back of this request form are completed\*\*\*

Revision Date: 22 August 2007



September 18, 2007

Amherstburg Town Council:

As participants, we are respectfully requesting the opportunity to make a presentation before the Town Council on Monday evening, September 24<sup>th</sup>, to inform you about the First Annual House of Fright and Haunted Graveyard at the A.M.A. Sportsmens Club on Friday, Saturday & Sunday - Oct. 12-13-14 – 19-20-21.

This event organized and staffed by local volunteers and students, will raise funds for the registered Charity, Carla Can Sing, which helps support Children with Cancer. It will also assist the Malden Central Public School and the A.M.A. Sportsmen's Association to pay for costs associated with their local Community Youth Programs.

With your permission we will have three costumed volunteers make a brief presentation and we will also supply the Mayor, Council Members and other City Officials with packets providing more in depth background information.

Please let us know if we will be on the Council Agenda and advise about issues such as time, protocol etc.

Thank you for considering this request to inform and publicize a most worthy Charitable Fund Raising.

Sincerely,

Joe & Susie McGorisk – (519)978-3826  
Ron & Karen Deslippe  
Kristi Farmer  
Karrie Laframboise  
Ron Brunet  
Andrew & Jessica Deslippe  
Kristy Browning  
Nancy Leavoy





A.M.A. Sportsmen's Association



# House of Fright & Haunted Graveyard

Located at the A.M.A. Sportsmen's Club

**468 LOWES SIDE ROAD, AMHERSTBURG**

## FEATURING

House of Fright  
Haunted Graveyard  
Young Children's Area  
Clowns

Face Painting

Costumed "spooky" characters  
and much more for a scary good time!



## FRIGHT NITE DATES

6:00 - 10:00 p.m.

October 12, 13 and 14

October 19, 20 and 21



## ADMISSION PRICES

\$5.00 Children 10 & under, \$8.00 Adults

### Special Family Rate

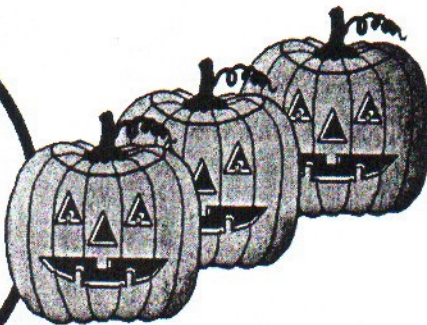
Family of four or more \$5.00 each  
(one or more parent(s) accompanying children)

## SPONSORED BY:

Sobey's

No Frills

The Real Canadian  
Wholesale Store



## Snacks

\$1.00 each

Hot Dogs

Fries

Chips

Pop

Hot Chocolate



*Proceeds to:* Carla Can Sing (helping kids cope with cancer)  
Malden Central Public School  
Local Community Youth Programmes

**FOR MORE INFORMATION CALL: 519-736-0678 OR 519-978-3826**





# House of Fright and Haunted Graveyard

**Proceeds Go:**  
**"Carla Can Sing"**  
 (helping kids cope with cancer)

**Malden Central Public School**  
**Local Community Youth Programs**

Located at  
**A.M.A. Sportsmen's Club**  
**468 Lower Side Road, Amherstburg**  
 (see directions on back)

Sponsored by:  
**Sobey's**

**No Frills & The Real Canadian Wholesale Store**

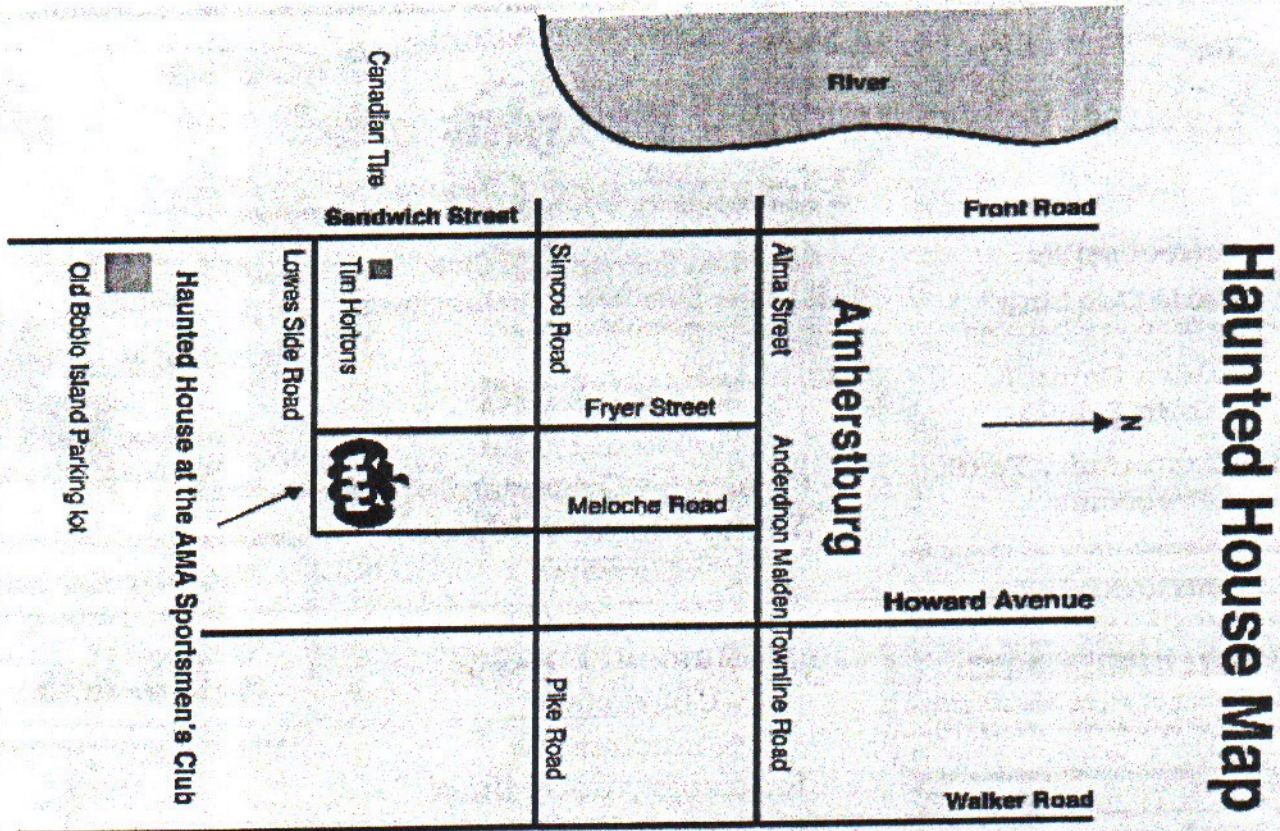
**FEATURING**  
 House of Fright  
 Haunted Graveyard  
 Young Children's Area  
 Clowns  
 Face Painters  
 Costumed "Spooky" Characters  
 & much more  
 for a scary good time!

**FRIGHT NIGHT DATES:**  
**6:00 - 10:00 p.m.**  
**October 12, 13 & 14**  
**October 19, 20 & 21**

**ADMISSION PRICES**  
 \$5.00 Children 10 & under, \$8.00 Adults  
**SPECIAL FAMILY RATE:**  
 Family of four or more \$5.00 each  
 (one or more parent(s) accompanying children)

**ALL SNACKS Hot Dogs French Fries Chips Pop Hot Chocolate \$1.00 EACH**

For more info Call: 519.736-0678 or 519.978-3826





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SEP 19 2007



PRESENTED TO COUNCIL  
ITEM DELEGATION #3  
DATE SEP 24 2007

TOWN OF AMHERSTBURG

**DELEGATION REGISTRATION FORM**

NAME: Santa Maria Boakers Ass.

The date you wish to appear: Monday Sept 24/07

The subject you wish to discuss with Council:  
K. Walker Santa Maria Ass.

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

Report to follow

\*\*\*Please ensure that both the front and back of this request form are completed\*\*\*

Revision Date: 22 August 2007



Mayor Hurst and Council Members

We would like to open by thanking you for allowing us to speak this evening. We are speaking here tonight on behalf of the Ranta Marina Boaters Association.

We would like to thank Mayor and Councilors for giving the Ass. The opportunity to run the marina this past summer.

At the beginning of the season we lost 6 boats, due in part to the uncertainty of the town's position and the future of the marina.

In a report submitted to council it was suggested that the marina's population decline was some how connected to 911 - the price of gas - and the location of the marina. The fact is that if you are a boater the price of gas has no more bearing on boating that the price of golf balls has to golfing. The same number of people have used the day ramp, in fact in comparison to your last years statement our day ramp traffic has increased. And the location of the marina is the same as it was when it was full up and indeed, we had a waiting list. The simple fact is that in previous years Ranta Marina had priced itself out of the market at \$44.00 per foot.

One of our council members can attest to the fact that he keeps his boat in LaSalle and this has nothing to do with 911 or the price of gas or its proximity to where he lives but instead has everything to do with friendship and the facility and the way that it is run.

This past season the Association managed to attract 6 new boats that have committed to us for the 2008 season. We did this at \$37.50 per foot with the same 24 hour security, the same number of staff and with the same grass to cut the same hydro and utility



use and the same insurance. And at only 54 boat wells rented. **Plus** we gave back to the town **\$10,000.00** - How is this possible? At almost 50% capacity the marina more than paid for itself, therefore somehow the reported expenditure and budget figures must be flawed.

As you know the town had an obligation to open and run the marina for this year (2007) and had already budgeted for this, but the boaters association felt it may create some good will to show the town and council that we were willing to undertake the day to day operation of the marina and to stop any further negative press and over budget statements. I think you will agree that this is a win win situation for everyone. The residents of the Town of Amherstburg still continue to enjoy one of the best marina facilities in the area and the marina has no burden to the tax payer. This should show the few nay Sayers just how a user group can work hand in hand with town administration.

Another concern in the report was the dredging. And will it need dredging again? The fact is that from day one in 1984 till 2002 the channel had never been dredged - **ever**, and was only dredged due to the extremely low water levels all over the great lakes. And today the channel is deeper now than back in 1984 and if ever we run out of water again we will be one of the last useable marina's in the area.

In closing this marina didn't just happen. It was pledged to the people of Amherstburg and over the years has been improved with donations and volunteer projects driven by passion from local residents and boaters.

Our position is that the marina must **NOT** be sold off as surplus land .



PAGE 2 of 3

DELEGATION # 3

SEP 24.07

How many people have to enjoy something before it is declared surplus?

Thank you for your time,

Ranta Marina Boaters Association.

RECEIVED  
SEP 19 2007

PRESENTED TO COUNCIL  
ITEM DELEGATION #4  
DATE SEP 24 2007



TOWN OF AMHERSTBURG

**DELEGATION REGISTRATION FORM**

NAME: Jenny and George Minovski

The date you wish to appear: Monday September 24/07

The subject you wish to discuss with Council:  
Walter Ranta Marina

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

Sale of Walter Ranta Marina

\*\*\*Please ensure that both the front and back of this request form are completed\*\*\*

Revision Date: 22 August 2007



RECEIVED  
SEP 19 2007



PRESENTED TO COUNCIL  
ITEM DELEGATION #5  
DATE SEP 24 2007

TOWN OF AMHERSTBURG

**DELEGATION REGISTRATION FORM**

NAME: AL GIGNAC

The date you wish to appear: SEPT. 24/07

The subject you wish to discuss with Council:

K.W.Y.P. PARKEITE ISSUES

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

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\*\*\*Please ensure that both the front and back of this request form are completed\*\*\*



Al GIGNAC  
PAGE 1 of 3

DELEGATION # 5  
SEPT 24-07

Mr. Mayor, Council, and Administration of the Town of Amherstburg,  
Or may I say "OUR Town of Amherstburg."

I say "OUR town" because I was always under the impression that when we elect or hire officials to run a town or a corporation, we as tax payers or citizens of a community should expect that their services are committed to the best interest of the citizens who contribute to your paychecks.

Mr. Mayor, I'm not exactly sure how many of my tax dollars go toward your paycheck.

Frank Pizzuto, I'm not sure how much of my tax money goes toward your paycheck.

Deputy Mayor & Councilors, I'm not sure how much of my tax contribution goes toward your paychecks.

The same goes for administrative staff like Lou Zarlenga, Tony DeThomasis, Ron Dzombak and so on....

All I do know is that you are considered leaders of this community and we pay you to be OUR leaders. We don't pay you to spend our tax dollars or to represent individual developers or to support individual interest groups.

We pay you to represent OUR town!!!

The K.N.Y.P. Is part of OUR town. The K.N.Y.P is a big part of OUR town. The mayor even calls it our gem.

Being a taxpayer of this community I am assuming that I am part owner of this gem. If this is so, why can't people like myself and many other prominent concerned citizens be heard?



I don't recall any other issue that has provoked so many people to attend and present delegations to council and still not get heard.

I would like to remind all that this Concerned Citizens Committee is made up of prominent, concerned citizens who do not like the smell of what this town council and administrations are doing.

This smell is so bad that it has raised concerns from ex-mayors, ex-county reeves, ex-councillors, ex-town C.A.O.s, doctors, senators, arborists, landscapers, Parks Committee members, some of the board members from the Hort. Society and so on...

These and other concerned citizens are simply trying to protect our gem from being raped of its original purpose.

Present council and administration have allowed a homicidal tree removal event and continue to deny responsibility by passing it on as "regular maintenance". Now they are trying to allow a roadway to pass through the middle of OUR parkette.

This is totally absurd, totally unsafe, and totally impractical as demonstrated at last weeks public meeting.

Correct me if I'm wrong. It is my understanding that past council has given Mr. Angileri or the Salmoni Condominium Group the right of the said lands that include the parkette. Do these rights allow Mr. Angileri to do whatever he wants to do to the property? As tax payers do we lose something that belongs to us?

Deputy Mayor Robert Bailey, Councillor Rosa White, and Bob Pillon, if this is so, in your last term in office, why did you vote in favour to allow Mr. Angileri



AL GIGNAC  
PAGE 2 OF 3

DELEGATION # 5  
SEPT 24-07

unrestricted use of these land that include a roadway cutting right through the middle of OUR parkette? When this landowner's agreement was passed, did you vote in favour? Why?

Ex-councillor Gord Freeman's reason for supporting this landowner's agreement and allowing the roadway to cut through the parkette is because the Toth report stated that the roadway was required to accommodate emergency vehicles – only to find out (sometime after the vote) that this was not necessary and proved to be false.

If this town is truly OUR town, why is there an odor in the air that the leaders we trust with our tax dollars have an agenda of their own and are not interested in accommodating our concerns?

The K.N.Y.P and its parkette were ours before construction of the condominium. Sure it needed a little 'face lift' due to its age, but since the construction of the Salmoni Building, it now needs a complete makeover.

We simply want the parkette returned its state prior to construction, without any cost to the public. Then, we will give it the face lift and other changes that are needed in the future.

Aside from being a major safety hazard, a roadway would further signify a separation between OUR town and OUR gem.

Remember that you are the leaders, but this is OUR town...and OUR park.

Thank you,

Concerned citizen, Al Gignac

2007/09/24







DELEGATION # 4

All pledge monies may be turned in to the CANADIAN CANCER SOCIETY at:

Canadian Cancer Society  
3201 Marentette Avenue, Unit 2  
Windsor, ON N8X 4G3  
Ph: 254-5116 Fx. 254-4809

Bank of Montreal  
243 Dalhousie St.  
Amherstburg, ON  
N9V 1W8

18th Annual  
ESSEX COUNTY  
**WALKATHON  
AGAINST  
CANCER**

'YOU CAN MAKE THE DIFFERENCE'



Canadian Cancer Society  
Société canadienne du cancer



**Sunday, September 30, 2007**

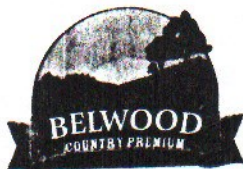
Centennial Sports Complex  
Victoria Street, Amherstburg

Registration - 11 a.m. to 3 p.m. • Walkathon - NOON to 4 p.m.

For more information, call (519)254-5116

To learn more about the Canadian Cancer Society visit [www.cancer.ca](http://www.cancer.ca)

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Hurst, Wayne

**From:** Anthony Leardi [anthonyleardi@yahoo.ca]

**Sent:** Wed 19/09/2007 3:02 PM

**To:** Bailey, Robert; Rick Fryer; Hurst, Wayne; Bill Pillon; Frank Pizzuto; Renaud, Paul; John Sutton; Rosa White Home

**Cc:** Malott, Pamela; George Balango

**Subject:** Texas Road Rezoning Application

**Attachments:**

I note that on October 1, 2007 council will be considering a draft plan of subdivision on Lowes Side Road allowing for 104 semi-detached dwellings. I do not see any "sold" signs on the semi-detached dwellings in the Harris, Forhan, or Kingsbridge developments. All of this is further confirmation that there is no need for additional residential land in Amherstburg, and certainly no need for more semi-detached dwellings.

**PRESENTED TO COUNCIL**

**ITEM DELEGATION #7**

**DATE SEP 24 2007**

Please put me down as a delegation for the Sept 24, 2007 meeting. I have not received a copy of administration's report and would like to reserve the opportunity to comment on behalf of my clients.

Anthony Leardi

Anthony Leardi

Be smarter than spam. See how smart SpamGuard is at giving junk email the boot with the All-new Yahoo! Mail at [http://mrd.mail.yahoo.com/try\\_beta?.intl=ca](http://mrd.mail.yahoo.com/try_beta?.intl=ca)

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