

## **Minutes Of Amherstburg Municipal Council Held Monday, July 28, 2008 at 7:00 P.M. in Council Chambers**

### **PRESENT:**

Mayor Wayne Hurst  
Deputy Mayor Robert Bailey  
Councillor Rick Fryer  
Councillor Robert (Bob) Pillon  
Councillor Paul Renaud  
Councillor John Sutton  
Councillor Rosa White

### **ALSO PRESENT:**

Pam Malott, Chief Administrative Officer & Town Clerk  
Carol Bendo, Manager Human Resources  
Paul Beneteau, Treasurer  
Lory Bratt, Planning Coordinator  
Stephen Brown, Chief Building Official  
David Carpenter, Manager of IT Services  
Kristina Pozar Di Paolo, EA to the CAO/Town Clerk  
John Dube, Economic Development Student  
Ron Dzombak, Manager of Recreational Services  
Ivano Fregonese, Supervisor Budget Services  
Cindy Hazael-Gietz, Deputy-Clerk  
Randy Sinasac, Deputy Fire Chief  
Lou Zarlenga, Public Works Manager

**ABSENT WITH NOTICE:** Richard Murray, Fire Chief (Vacation)

### **CALL TO ORDER**

The meeting was called to order by Mayor Hurst at 7:00 P.M.

### **PRAYER**

Mayor Hurst thanked Reverend Breithaupt, on behalf of Council and Amherstburg residents, for all of the years Reverend Breithaupt has said prayer at Council meetings and all of the contributions he has made to the Town. He is relocating to Bermuda and is wished much success in his new endeavours.

Reverend Kirby Breithaupt said prayer.

### **DISCLOSURE OF PECUNIARY INTEREST**

Councillor R. Fryer declared conflicts with Report # 9 and Correspondence #10.

### **MINUTES OF PREVIOUS MEETING**

Moved by R. Fryer  
Seconded by R. Pillon

That the minutes of the following Amherstburg Municipal Council meetings be adopted as circulated:

1. In-Camera meeting held at 2:30 pm on Monday, June 23, 2008 and
2. Public meeting held at 7:00 pm on Monday, June 23, 2008.

**Motion Carried**

### **NOTICE TO THE PUBLIC AND PRESS**

Notice was given that Council will be conducting an In-Camera meeting on July 30<sup>th</sup> regarding a Tour of the Town's Environmental Facilities for educational purposes.

### **Council Motion to Allow Change to Procedural By-Law to Hear Presentations before Delegations**

Moved by J. Sutton  
Seconded by R. White

That Council allow a change to our procedural by-law order to hear presentations prior to delegations.

**Motion Carried**

### **PRESENTATIONS**

#### **Presentation #1 – Windsor Essex County Alzheimer Association**

Maurizio Tiberia, Fund Development Officer, made a presentation to Council regarding the Windsor Essex County Alzheimer Association. There are over 5,000 people affected in Essex County and it is estimated that 4 people per week are affected and this is growing. The society is able to continue to serve with the assistance of people like Chris Uszynski and communities like Amherstburg.

**Delegation # 1 was brought forward after Presentation # 1**

Chris Uszynski addressed Council regarding the Alzheimer Day Run and requested that September 20<sup>th</sup> be proclaimed World Alzheimer's Day in the Town of Amherstburg. Last year he marked the day with a 69km run from his home and this was done to raise funds for local caregivers. The funds raised are also provided to Project Lifesaver which is a non-profit organization that provides radio frequency tags for Alzheimer patients and Autistic children. Support was overwhelming from all municipalities – Amherstburg, Lakeshore, Essex and Windsor. Received national media coverage last year and this year Chris wants to end run here at home – in Amherstburg at Toddy Jones Park. This will include 12 hours of running with 20 corporate relay teams of 9 members each. Former Deputy Minister of Health, Current Minister of Tourism, Peter Fonseca who happens to be a 1996 Olympic marathon runner will also be partaking in this run.

**Report #1 was brought forward after Presentation #1**

A report by Carol Bendo regarding a request to waive fees at Toddy Jones Park for the World Alzheimer's Day 80km run

Moved by R. Pillon  
Seconded by J. Sutton

That the presentation by Maurizio Tiberia be received;

That the delegation by Chris Uszynski be received;

That the report by Carol Bendo, dated July 22, 2008 regarding the request to waive fees at Toddy Jones Park be received;

That the Mayor Proclaim September 20, 2008 World Alzheimer's Day in the Town of Amherstburg;

That the Town of Amherstburg waive the \$150 fee for the World Alzheimer Day Pasta Party, sponsored by Chartwell, to be held on September 20, 2008 at Toddy Jones Park following an 80km run around Windsor/Essex County;

That this report be provided to our Fire and Police departments;

And further that all Town of Amherstburg residents be encouraged to support the event.

Discussion:

R. Fryer congratulated Chris on bringing awareness to the Alzheimer's cause.

Mayor Hurst proclaimed September 20, 2008 World Alzheimer's Day in the Town of Amherstburg.

**Motion Carried**

**Presentation #2 – Parking Study**

Pamela Malott, CAO, Carol Bendo, Manager Human Resources and John Dube, Summer Student, made a presentation to Council regarding the Parking Study. A copy of this presentation was supplied by the group and is attached to and forms part of these minutes.

**Report #2 was brought forward after Presentation #2**

A report by Pamela Malott and Carol Bendo regarding the parking study.

Moved by R. White  
Seconded by Deputy Mayor Bailey

That the presentation by Pamela Malott, Carol Bendo and John Dube be received;

That the report by Pamela Malott Carol Bendo, dated July, 2008 regarding the Parking Study be received;

That Council receive the Parking Study;

That administration be directed to work with the local businesses through the Amherstburg Chamber of Commerce educate them on to the results of the study and to further explore the feasibility of the recommendations in this report especially the concept of permit parking;

And further that administration be directed to bring back the project scope and costs necessary to designate off-street and on-street parking spaces more clearly.

Discussion:

R. Pillon asked if any businesses were asked to rectify the problem and not the public. Carol Bendo stated that yes, input from businesses was sought, that education of employee parking was a large part of that and that the survey asked if businesses would be willing to pay for parking permits.

R. Fryer asked if the businesses were asked if they park closest to their businesses or if they park 3-4 blocks away. Pamela Malott indicated that there are general comments that have been received at the end of the survey that address that.

Deputy Mayor Bailey asked if there was a count completed of accessible parking spots and if there would be a need for additional spots. John Dube stated that there are 3 accessible parking spots (public on-street parking) located on Richmond (one spot) and Dalhousie (two spots). Council directed John Dube to complete an inventory of accessible parking spots.

R. White commended John and administration with respect to the work done in completing this report.

Mayor Hurst asked what the time frame of the “peak hours” mentioned in the report were defined as. John Dube stated that he divided his study to observe parking from 10am-12pm, 12 – 2pm, 2-4 pm, 4-6pm and 6-8 pm. The study found that the main issue for inadequate parking was found between the hours of 10am and 4pm.

Mayor Hurst asked Pam to elaborate on the incentive for car pooling. Pamela Malott stated that other municipalities have put into place incentives to get people off the road and to encourage them to drive with others so more vehicles are taken off the road. John Dube stated that the types of incentives were not mentioned by the municipalities and the type of incentive would be at the discretion of Council if the program were to be implemented here.

J. Sutton believes that education is key with respect to downtown parking but we still want to be supportive of our downtown businesses.

R. Fryer thanked John Dube for the well prepared report and stated that his work is appreciated.

### **Motion Carried**

## **DELEGATIONS**

### **Delegation # 1 was brought forward after Presentation # 1**

#### **Delegation # 2**

Mr. John West addressed Council regarding proposed sidewalks along Fryer Street. He resides at 450 Fryer and had attending with him Mr. and Mrs. Hamlin who reside at 454 Fryer. Mr. West stated that Council is considering the installation of sidewalks on Fryer Street from McCurdy to Crownridge Boulevard and he wanted his and his wife’s opposition noted. He also opposed this work when he wrote to the Town in March of 1997 when this issue was raised previously. If Council decides to go ahead with sidewalk installation Mr. West requested that consideration be given to placing them along the east side of Fryer. This would minimize the impact to the existing residences along with the existing servicing. If Council decides to proceed with sidewalks along the west side Mr. West asked that Council give some consideration to making these sidewalks 4 feet in width instead of 5 feet as is being proposed. This would be consistent with the existing sidewalks that are presently along Crownridge Boulevard and minimize the visual and physical impact to the existing homes and residents.

**Report #3 was brought forward after Delegation # 2**

A report by Lou Zarlenga regarding a request for a Sidewalk on Fryer Street from Pickering to Crownridge. The preferred location for a sidewalk on Fryer Street between Crownridge and Pickering is on the west side of Fryer Street.

Moved by R. Fryer  
Seconded by P. Renaud

That the delegation by Mr. John West be received;

That the report by Lou Zarlenga, dated July 21, 2008 regarding a sidewalk on Fryer Street be received;

That Council direct administration to proceed with the construction of a sidewalk on the west side of Fryer Street from Pickering to Crownridge;

And further that the cost sharing portion to the school board be \$25,000 and the remaining \$30,000 to the Town of Amherstburg.

Discussion:

R. Pillon asked if we have any budget money for this. L. Zarlenga explained that there are no funds budgeted for the entire amount but there is a sidewalk maintenance fund that would be able to cover a portion of this cost. The rest of the funding would be from an unbudgeted expenditure fund.

CAO Pamela Malott clarified that the school board is willing to pay up to \$25,000 of a 50/50 portion. This means that the Town's portion would be \$30,000.

J. Sutton asked if the entire sidewalk would be sacrificial, regardless of which side it would be built on. L. Zarlenga confirmed that the sidewalk will be sacrificial and it does not matter which side it is placed on. This sidewalk would be in place for approximately 15-20 years before an arterial road would be upgraded on Fryer Street which would require its removal.

Mayor Hurst stated that sidewalks are important and if we ensure that sidewalks are built while development first takes place then we would not run into these issues.

**Motion Carried**

**Delegation # 3**

Mr. Mike Kosyk addressed Council regarding a delay in ambulance service and drainage issues. He wants to know why it took more than 30 minutes to get to the home on June 8.

CAO Pamela Malott clarified that administration was approached by Mr. Kosyk and they had provided him with information from the County Ambulance Service. CAO advised that the first ambulance was sent within the ambulance time lines but the second call was done out of courtesy for a non life threatening situation for the distress of other family members and this is why it took an extended time for the ambulance to reach the residence.

R. Pillon asked that the Fire Department verify that the addresses are correct on that street since this was an issue noted before. He also advised that on June 8<sup>th</sup> there were many ambulances disposed and there was a Windsor ambulance sent out as a back up for Amherstburg, Kingsville and Harrow as all of the Amherstburg and LaSalle ambulances were busy on other calls.

Mr. Kosyk brought to Council's attention that the Marshland on 3<sup>rd</sup> concession and Texas Road is filled with cut logs. Lou Zarlenga ensured by ERCA that there is no drainage issue with the site. Hydro One has cut the tree and the site is unsightly but the company is not being cooperative in removing the cut logs in a timely manner.

M. Hurst stated that Hydro One has been delaying the removal of these logs for months now. To the naked eye the site appears to be causing a drainage issue and advised Council to ask that correspondence be sent to Hydro One

Moved by R. White  
Seconded by J. Sutton

That administration send correspondence to Hydro One requesting them to remove the logs immediately.

**Motion Carried**

Moved by R. Fryer  
Seconded by R. White

That the delegation by Mr. Mike Kosyk be received.

**Motion Carried**

#### **Delegation # 4**

Mr. Patrick Catton, principal of General Amherst High School, addressed Council regarding parking concerns around the school. Earlier of school year a number of staff and students came in to state that they received parking tickets. When he asked about it he was informed that a new enforcement has been implemented. Mr. Catton realizes that the school has parking across the street; however crossing the street increases safety issues. Mr. Catton prefers parking by students on the back of the school so that the students are able to keep their eyes open for vandalism. Mr. Catton supplied a copy of his delegation which is attached to and forms part of these minutes.

Moved by J. Sutton  
Seconded by R Fryer

That the delegation by Mr. Patrick Catton be received.

Discussion:

P. Renaud stated everyone that uses the park has no place to park unless the 2 hour parking is enforced. All day parking that was proposed before did not work and it was a disaster. P. Renaud advised that the Traffic Committee monitors this closely and they are not interested in changing the signs since the school has a parking lot that is usually half empty.

Mr. Catton stated that there are three sides to park for Toddy Jones and that there is no competition from September to June between 9am – 5pm.

P. Renaud advised that there will be a traffic study completed for Sandwich Street and public input will be sought.

Mayor Hurst stated that the installation of a crosswalk with lights which is located at the corner of Fort St. is not well utilized as students continue to cross in other areas. He asked that all drivers continue to proceed with caution at the school area.

R. White asked if any thought was given to the possibility of adding a crossing guard in the area. Mr. Catton does not believe this would be feasible due to distribution of children crossing Sandwich in a fanning manner.

R. White believes that we would be prudent to have a crossing guard there and have the police officers present to ticket those not complying and the issue could be resolved.

Deputy Mayor Bailey asked administration to review the history of the 2 hour limit around Toddy Jones Park and why it is not around all sides and report back to Council.

R. Pillon stated that there are only 3 sides that one can legally park on and that Ford Malden Drive should not be parked on.

**Motion Carried**

**Delegation # 5**

Ms. Linda Saxon addressed Council regarding comments concerning the amendment of Traffic By-Law 2005-55. Ms. Saxon provided her input to changes of the proposed By-Law 2008-18.



**Report #4 was brought forward after Delegation # 5**

A report by Pamela Malott regarding an update to the Traffic By-Law. The amendment is to update provisions for regulating on and off-street parking for persons with disabilities and for necessary traffic updating.

Moved by R. White  
Seconded by P. Renaud

That the delegation by Ms. Linda Saxon be received;

That the report from Pamela Malott, dated July 23, 2008 regarding an update to the Traffic By-Law be received;

And further that **By-Law 2008-18** being a By-Law to amend traffic by-law 2005-55 read a first time on June 23, 2008, be taken as having been read a second and third time on July 28, 2008, finally passed and the Mayor and the Clerk be authorized to sign same and affix the Corporate Seal thereto.

*Discussion:*

R. Pillon asked if this by-law was reviewed by the Accessibility Committee. Pamela Malott advised that they have reviewed the by-law and so has our solicitor.

**Motion Carried**

**REPORTS OF MUNICIPAL OFFICERS**

**Report #1 was brought forward after Presentation #1 and Delegation # 1**

**Report #2 was brought forward after Presentation #2**

**Report #3 was brought forward after Delegation # 2**

**Report #4 was brought forward after Delegation # 5**

Moved by R. White  
Second by R. Pillon

That administration prepare a report regarding the Nustadia Feasibility Study and conduct a public session regarding the study.

**Motion Carried**

**Report #5**

A report by Lou Zarlenga regarding the re-establishment of the Tree for the Christmas Tree Lighting Ceremony. This report deals with the report from the arborist regarding the location of the Christmas Tree. Additionally included are opinions from a landscape Architect, Parks Committee and Manager of Public Services.

Moved by R. Pillon  
Seconded by P. Renaud

That the report by Lou Zarlenga, dated July 22, 2008 regarding the re-establishment of the Tree for the Christmas Tree Lighting Ceremony be received;

And further that Council direct administration to place the dedicated Christmas Tree for the Tree Lighting Ceremony in the flower bed east of the cannon.

**Motion Carried**

**Report #6**

A report by Lou Zarlenga regarding an update on the Edgewater Lagoon Outfall Pipe Maintenance.

Moved by Deputy Mayor Bailey  
Seconded by J. Sutton

That the report by Lou Zarlenga, dated July 17, 2008 regarding an update on the Edgewater Lagoon Outfall Pipe Maintenance be received.

**Motion Carried**

**Report # 7**

A report by Lou Zarlenga regarding a request to close off a portion of Balaclava Street from Fort Street to Alma Street. Mrs. Coulson is requesting that the residents of Balaclava Street South be granted permission for a road closure from 2:00 p.m. to 9:00 p.m. on Friday August 8th 2008 for the purpose of having a block party for the residents in said area.

Moved by J. Sutton  
Seconded by R. White

That the report by Lou Zarlenga, dated July 10, 2008 regarding a request to close a portion of Balaclava Street South from Fort Street to Alma Street;

And further that Council approve the request to close a portion of Balaclava Street South from Fort Street to Alma Street on Friday, August 8, 2008 from 2 pm to 9 pm.

**Motion Carried**

**Report #8**

A report by Lou Zarlenga regarding tender results for the Anderdon Fire Hall Partial Roof Replacement. Tenders were recently invited from three roofing contractors for the roof replacement of area 'C' on the Anderdon Fire Hall.

Moved by R. Fryer  
Seconded by P. Renaud

That the report by Lou Zarlenga, dated July 21, 2008 regarding tender results for the Anderdon Fire Hall Partial Roof Replacement be received;

And further that Council accept the low tender submitted by Horizon Roofing for the replacement of Roof 'C' at the Anderdon Fire Hall.

**Motion Carried**

**Councillor Fryer vacated his seat.**

**Report # 9**

A report by Lou Zarlenga regarding the painting of Amherstburg Historic Hydrants. The four existing hydrants painted as soldiers require repainting and 8 additional hydrants are being proposed to be painted with unique scenes of the area history.

Moved by R. White  
Seconded by J. Sutton

That the report from Lou Zarlenga, dated July 21, 2008 regarding painting of Amherstburg Historic Hydrants be received;

And further that Council approve the request to expand the painting of eight hydrants along Dalhousie, Fort Malden and Laird with site specific graphics.

**Motion Carried**

**Councillor Fryer resumed his seat.**

**Report # 10**

A report by Lou Zarlenga regarding tender results for road reconstruction. Tenders were recently invited from 5 Contractors for the Maple, Elm, Bathurst and Ramsay Road Reconstruction Project. This report deals with the tender results and attached recommendations of the Towns Consultant.

Moved by J. Sutton  
Seconded by P. Renaud

That the report from Lou Zarlenga, dated July 22, 2008 regarding tender results for road reconstruction be received;

And further that Council accept the Consulting Engineer's recommendation to award a contract to the low tenderer being Smith Contracting for the Maple, Elm, Bathurst and Ramsay Road Reconstruction Projects.

**Motion Carried**

**Report # 11**

A report by Lou Zarlenga regarding the Smith Industrial Watermain Looping.

Moved by R. White  
Seconded by R. Fryer

That the report from Lou Zarlenga, dated July 23, 2008 regarding the Smith Industrial Watermain Looping be received;

And further that Council receive the request for looping of the watermain at the Smith Industrial Drive Development and refer it to the 2009 budget process.

**Motion Carried**

**Report # 12**

A report by Lou Zarlenga regarding the Charles Shepley Drain – Bridge Replacement. This report deals with the steps taken to date to replace the existing reinforced concrete bridge with a new CSP culvert.

Moved by J. Sutton  
Seconded by R. White

That the report from Lou Zarlenga, dated July 21, 2008 regarding the Charles Shepley Drain – Bridge Replacement be received.

**Motion Carried**

**Report #13**

A report by Lou Zarlenga regarding a proposed expansion of the Public Works Department Office & Parking Lot.

Moved by R. Fryer  
Seconded by R. White

That the report from Lou Zarlenga, dated July 9, 2008 regarding a proposed expansion of the Public Works Department Office & Parking Lot be received:

And further that Council authorize the implementation of a temporary office trailer and required site work to expand the existing office space and parking space at the Public Works Department.

**Motion Carried**

**Report #14**

A report by Lou Zarlenga regarding the Manager of Public Services Mid-Sized Pickup.

Moved by R. White  
Seconded by R. Pillon

That the report by Lou Zarlenga, dated July 10, 2008 regarding the Manager of Public Services Mid-Sized Pickup be received;

And further that Council direct the Manager of Public Services to prepare a tender request for a new vehicle.

Discussion:

R. Fryer asked that the tender documents reflect the option of a flex-fuel vehicle

**Motion Carried**

**Report #15**

A report by Steve Brown regarding a building audit for the former St. John the Baptist School. The former St. John the Baptist school building and town property located on Brock Street is being made available for Town ownership. The result of the audit will help the Municipality decide what further measures should be taken as far as future uses of the building, as approved in the 2008 budget.

Moved by J. Sutton  
Seconded by R. Fryer

That the report by Steve Brown, dated June 26, 2008 regarding a building audit for the former St. John the Baptist School be received.

**Motion Carried**

### **Report #16**

A report by Steve Brown regarding a request for a variance to the sign by-law by A.M.A. Sportsmen's Club.

Moved by P. Renaud  
Seconded by J. Sutton

That the report by Steve Brown dated July 18, 2008 regarding request for a variance to the sign by-law by A.M.A. Sportsmen's Club be received;

That the Town of Amherstburg grant a variance from Sign Bylaw 2006-26, to the applicant A.M.A. Sportsmen's Club on their property at 468 Lowes Sideroad;

And further that Council approve the request for three (3) free standing directional signs at the indicated locations subject to the following:

- a consultation with the PWD Roads and Parks Superintendent regarding the location of the sign placements and
- obtaining sign permits.

**Motion Carried**

### **Report #17**

A report by Steve Brown regarding a request for a variance to the sign by-law by the registered owner of 4483 Concession 4 North.

Moved by R. White  
Seconded by R. Fryer

That the report by Steve Brown dated July 17, 2008 regarding request for a variance to the sign by-law by the registered owner of 4483 Concession 4 North be received;

And further that the Town of Amherstburg grant a variance from Sign Bylaw 2006-26, to the applicants Denise Laforet and Jeremy Muslewski on their property at 4483 4th Concession N.

**Motion Carried**

**Report #18**

A report by Lory Bratt regarding an extension of the draft plan approval for Woodland Trails Subdivision.

Moved by Deputy Mayor Bailey  
Seconded by R. Pillon

That the report by Lory Bratt, dated July 18, 2008 regarding an extension of the draft plan approval for Woodland Trails Subdivision be received;

That Council support the request from Katherine Roth (1635726 Ontario Limited) for a three year extension of the draft plan approval for Woodland Trails Subdivision (File #37-T05005);

And further that Council direct Administration to notify William King, Manager of Planning Services at the County of Essex.

Discussion:

R. Pillon asked if there would be a cost to this addition. Lory stated that there is no cost to this extension.

**Motion Carried**

**Report #19**

A report by Pamela Malott regarding the Deputy-Clerk Position.

Moved by R. White  
Seconded by R. Fryer

That the report by Pamela Malott, dated July 21, 2008 regarding the Deputy-Clerk position be received;

And further that **By-Law 2008-47** being a By-Law to appoint Cindy Hazael-Gietz as the Deputy-Clerk and repeal By-Law 2007-28 be taken as having been read three times and finally passed and the Mayor and the Clerk be authorized to sign same and affix the Corporate Seal thereto.

Discussion:

CAO Pamela Malott introduced and welcomed Cindy to her new role as the Deputy-Clerk.

**Motion Carried**

**Report #20**

A report by Carol Bendo regarding Letters of Understanding.

Moved by J. Sutton  
Seconded by Deputy Mayor Bailey

That the report by Carol Bendo dated July 16, 2008 regarding Letters of Understanding be received;

And further that Council authorize the Mayor and Clerk to sign the following letters of understanding in accordance with By-Law 2007-42 being a Bylaw to authorize the execution of an agreement with I.B.E.W. Local 636 representing inside and outside employees of the Town of Amherstburg for the year 2007, 2008, 2009 and 2010 as amendments to the Collective Agreement:

1. Seasonal Employees (Horticulture)
2. Schedule "A" – Classification and Wage Rates
3. Recognition of July 1st Holiday for Arena Employees.

**Motion Carried**

**Report #21**

A report by Pamela Malott regarding a Job Creation Partnership Program with the Chamber of Commerce.

Moved by R. Fryer  
Seconded by J. Sutton

That the report by Pamela Malott, dated July 21, 2008 regarding a Job Creation Partnership Program with the Chamber of Commerce be received;

That Council support in principal a partnership project with the Chamber of Commerce thru the Job Creation Partnership Program for continued promotion of Amherstburg as a premier Tourist and Senior destination; to assist and educate business owners with service delivery to meet specific niche tourist markets; to assist with creation of material contribution to the Economic Development website; and to assist and educate business owners in using the Town's Economic Development website as an effective marketing tool;

That Council direct Administration to seek the appropriate approvals of the Union;

And further that Council direct Administration to provide additional detail on the project and timelines as available.

**Motion Carried**



**Report #22**

A report by Antonio Marra regarding the Reverse 911 update.

Moved by R. White  
Seconded by Deputy Mayor Bailey

That the report by Antonio Marra dated July 21, 2008 regarding the Reverse 911 update be received;

That council direct administration to report back on internal costs to correct the 911 data for the Town as well as the recurrence schedule for this type of cleaning work;

And further that administration be directed to investigate whether the Reverse911 software should have internally been able to resolve mismatches.

**Motion Carried**

**Report #23**

A report by Paul Beneteau regarding Tax Rebates on Eligible Vacant Commercial and Industrial Properties.

Moved by J. Sutton  
Seconded by R. Pillon

That the report by Paul Beneteau, dated July 17, 2008 regarding Tax Rebates on Eligible Vacant Commercial and Industrial Properties processed in 2008 for the 2007 tax year be received.

**Motion Carried**

**Report #24**

A report by Paul Beneteau regarding Tax Write-Offs and Assessment Changes.

Moved by R. White  
Seconded by R. Pillon

That the report by Paul Beneteau dated July 28, 2008 regarding Tax Write-Offs and Assessment Changes be received;

That Council approve the Write-Offs and Changes in Assessment as presented;

And further that **By-Law 2008-46** being a By-law to strike taxes from the tax roll and to adjust assessment values on properties be taken as having been read three times and finally passed and the Mayor and the Clerk be authorized to sign same and affix the Corporate Seal thereto.

**Motion Carried**

**Report #25**

A report by Ron Dzombak regarding the Amherstburg Arena Compressor/Roof Repairs and General Conditions.

Moved by P. Renaud  
Seconded by R. White

That the report by Ron Dzombak, dated July 18, 2008 regarding the Amherstburg Arena Compressor/Roof Repairs and General Conditions be received.

**Motion Carried**

**Report #26**

A post report by Carol Bendo regarding the Amherstburg Ice Cream Festival.

Moved by R. White  
Seconded by P. Renaud

That the post report by Carol Bendo, dated July 8, 2008 regarding the Amherstburg Ice Cream Festival be received.

**Motion Carried**

**Report #27**

A report by Carol Bendo regarding the Amherstburg Heritage Homecoming.

Moved by R. Fryer  
Seconded by R. Pillon

That the post report by Carol Bendo, dated July 2, 2008 regarding the Amherstburg Heritage Homecoming be received;

That Council approve the request for Public Works support and to absorb cost of items to be used for the August 16 and 17, 2008 festival and a Police escort for re enactment & parade.

**Motion Carried**

**Report #28**

A report by Paul Beneteau regarding an application from Allan Serran for a tile loan.

Moved by Deputy Mayor Bailey  
Seconded by R. Pillon

That the report by Paul Beneteau, dated July 24, 2008, regarding an application from Allan Serran for a tile loan be received;

And further that Council approve the application of Allan Serran subject to the provisions as defined in the Tile Drainage Act.

**Motion Carried**

**CONSENT AGENDA**

**Consent Reports**

Moved by J. Sutton  
Seconded by R. Fryer

That the following reports be received:

1. A report by Dave Carpenter regarding the ITIL Training Course;
2. A report by Carol Bendo regarding the occupancy of the Gordon House by the River Lights Group;
3. A report by Lou Zarlenga regarding the update on the Drinking Water Quality Management System (DWQMS) and
4. A report by Paul Beneteau regarding an update for OMERS rates.

**Motion Carried**

**Consent Correspondence**

Moved by Deputy Mayor Bailey  
Seconded by R. White

That the following correspondence be received:

1. Ontario Human Rights Code Changes dated June 16, 2008 from AMO Alert No. 08/027;
2. Rural Connections Broadband Program dated July 2, 2008 from AMO Alert No. 08/029;
3. Integrated Community Sustainability Plan Toolkit dated July 7, 2008 from AMO Alert No. 08/031;
4. WEEE Plan Receives Approval dated July 11, 2008 from AMO Alert No. 08/032;
5. AIM Power Generation Rezoning Application dated June 18, 2008 from the Town of Essex;
6. Notice of Adoption of Amendment No.1 To the Official Plan of the County of Essex dated June 18, 2008 from the County of Essex;
7. MNR Evaluated Wetlands Data Update dated June 18, 2008 from the Ministry of Natural Resources;
8. Media Release – Kenn Stanton New Curator at Black Museum- dated June 25, 2008 from the North American Black Historical Museum and Cultural Centre;
9. Request to support resolution regarding physician shortage dated June 23, 2008 from the Municipality of Kincardine;
10. Request to support resolution regarding Canada Summer Jobs Program dated June 9, 2008 from the Township of O'Connor;
11. Inaugural Scramble Golf Tournament dated June 2008 from the Amherstburg Food and Fellowship Mission;
12. 2008-2009 Edition of Winter Lights Celebration dated June 12, 2008 from Communities in Bloom;
13. Municipalities meet the AMO 5000-tonne Challenge dated July 2, 2008 from Bullfrog Power and LAS;
14. Education Development Charges – Approved Replacement By-Laws dated July 2, 2008 from the Greater Essex County District School Board;
15. Education Development Charges – Five Year By-Laws and Notice of Public Meeting dated July 21, 2008 from the Greater Essex County District School Board;
16. Mosquito update via email, dated June 30, 2008 from Mario Poitras;
17. FCM's Green Municipal Fund Offers Low-Interest Loans for Brownfield Remediation dated July 10, 2008 from Federation of Canadian Municipalities;
18. Lieutenant Governor's Ontario Heritage Award for Community Leadership dated June 20, 2008, from Ontario Heritage Trust;
19. Ranta Marina Complaint dated July 9, 2008 from Anthony Leardi on behalf of Wilf Fortowsky;
20. Endangered Species Act 2007 dated July 4, 2008 from the Ministry of Natural Resources;
21. City of Windsor Riverfront Retention Treatment Basin dated July 10, 2008 from Stantec;
22. Response from the County of Essex concerning Expansion of Local Calling Area by Bell Canada email dated July 17, 2008 from Mary Brennan;
23. FCM Infrastructure Calculator dated July 16, 2008 from the Federation of Canadian Municipalities;
24. Letter of support for proposed Amherstburg Solar Parks dated July 14, 2008 from DomCast Metals Inc.;

25. Informational poster regarding Ruggerfest to be held August 1-4<sup>th</sup>, 2008 at Centennial Park from the Southwestern Community Events Production and
26. Freedom of the City Award Agenda for Saturday, August 2, 2008 from the Fort Malden National Historic Site of Canada.

**Motion Carried**

### **Consent Business Licences**

#### **Taxi Licences**

Moved by J. Sutton  
Seconded by R. White

That the taxi renewal vehicle licence applications from the following individuals be received and approved subject to compliance with all agencies and regulations:

1. Joe Mickle
2. Marjory Sleigh and
3. R.J. Haystead.

**Motion Carried**

#### **Business Licence**

Moved by R. Pillon  
Seconded by J. Sutton

That the business licence application from Roger Bouchard to operate a mattress retail shop under the name of The Mattress Depot be received and approved subject to compliance with all agencies and regulations.

**Motion Carried**

### **Consent Other Minutes**

Moved by R. Fryer  
Seconded by P. Renaud

That the following minutes be received:

1. Meeting of the Committee of Adjustment held on May 27, 2008;
2. Meeting of the Traffic Committee held on June 11, 2008;
3. Meeting of the Amherstburg Committee on the Environment held on June 11, 2008  
and
4. Meeting of the Parks Committee held on June 17, 2008.

**Motion Carried**

## **CORRESPONDENCE**

### **Item #1- Support Resolution on Tax Exempt Allowances – Town of Caledon**

Moved by J. Sutton  
Seconded by P. Renaud

That the correspondence from the Town of Caledon dated June 10, 2008 be received;

The Council support the Town of Caledon's resolution calling upon the CRA (Canada Revenue Agency) to increase the deduction limit of tax exempt allowance paid by employers to employees using their personal vehicle for business purposes from the current rate of 52 cents on the first 5,000 kilometers driven and 46 cents for each additional kilometer;

And further that a copy of this motion of support be forwarded to the Town of Caledon.

**Motion Carried**

### **Item #2- 2009 Carter Carnival – Lions Club**

Moved by Deputy Mayor Bailey  
Seconded by R. Pillon

That the correspondence from the Lions Club, dated June 23, 2008 regarding the 2009 Carter Carnival be received;

And further that Council refer this request to the Special Events and Tourism Coordinator to prepare a report and present it back to Council.

#### *Discussion:*

R. White asked that the organizer of the Carnival give ample notice to Town administration to help them organize whatever they may need

**Motion Carried**

### **Item #3- 33<sup>rd</sup> Annual Tecumseh Corn Festival – Joe Bachetti**

Moved by R. Fryer  
Seconded by P. Renaud

That the correspondence from Town of Tecumseh Councillor Joe Bachetti, dated June 25, 2008 regarding the 33<sup>rd</sup> Annual Tecumseh Corn Festival to be held on August 21 – 24, 2008 be received;

And further Council and residents be encouraged to attend and support the event.

**Motion Carried**

**Item #4- COMRIF Project Completion Deadline Extended –COMRIF Secretariat**

Moved by J. Sutton

Seconded by Deputy Mayor Bailey

That the correspondence from COMRIF Joint Secretariat, dated July 7, 2008 regarding the extension of the COMRIF Project Completion deadline be received;

And further that Council direct the Treasurer to request an extension, in writing, prior to September 30, 2008.

**Motion Carried**

**Item #5- Bellevue-Bert Cozens**

Moved by R. White

Seconded by Deputy Mayor Bailey

That the correspondence from Bert Cozens, dated July 11, 2008 regarding the deterioration of Bellevue be received;

And further that Council direct administration to send correspondence to Mr. Cozens.

**Motion Carried**

**Item #6- Limit on Garbage Bags per Household Resolution – Town of Lakeshore**

Moved by R. Pillon

Seconded by P. Renaud

That the correspondence from the Town of Lakeshore regarding not supporting the recommendation of the three bag garbage limit per household per collection as proposed by the Essex Windsor Solid Waste Authority be received;

That the Town of Amherstburg not support the resolution regarding the three bag garbage limit from the Windsor Essex County Environment Committee (WECEC);

And further that a copy of this resolution be forwarded to Essex County municipalities and WECEC.

**Motion Carried**

**Item #7- Free Summer Concert in NYP – Windsor Symphony Orchestra**

Moved by R. White  
Seconded by J. Sutton

That the correspondence from the Windsor Symphony Orchestra regarding a Free Summer Concert in Navy Yard Park to be held on Saturday, August 16, 2008 at 7 p.m. be received;

And further Council and residents be encouraged to attend and support the event.

**Motion Carried**

**Item #8- Lakewood Pump #1 and #2 Maintenance Charges – Larry Burgess**

Moved by Deputy Mayor Bailey  
Seconded by R. White

That the correspondence from Larry Burgess, dated July 15, 2008 regarding maintenance charges for Lakewood pumps #1 and #2 be received;

And further that Council direct administration to report back with options.

**Motion Carried**

**Item #9- Request for advertising sponsorship – Down River Playhouse Productions**

Moved by R. Fryer  
Seconded by R. Pillon

That the correspondence from Down River Playhouse Productions, dated July 17, 2008 requesting a sponsorship in their program for this year's production be received;

And further that Council approve taking out a half page black and white ad in the program book at a cost of \$75.

**Motion Carried**

**Councillor R. Fryer vacated his seat**

**Item #10- Request to Waive Fees for Toddy Jones Park – Karen Fryer**

Moved by R. White  
Seconded by R. Pillon



That the correspondence from Karen Fryer dated July 17, requesting that fees be waived for the use of Toddy Jones Park be received;

And further that Council not approve waiving the \$150 fee for the use of both sides of Toddy Jones Park on Saturday, July 26, 2008 to hold a birthday celebration for Troy Michael Fryer.

**Motion Lost**

Moved by P. Renaud  
Seconded by R. J. Sutton

That the correspondence from Karen Fryer dated July 17, requesting that fees be waived for the use of Toddy Jones Park be received;

And further that Council approve waiving the \$150 fee for the use of both sides of Toddy Jones Park on Saturday, July 26, 2008 to hold a birthday celebration for Troy Michael Fryer.

**Motion Carried**

**Councillor Fryer resumed his seat.**

### **UNFINISHED BUSINESS**

Listed below are the unfinished business items as of July 28, 2008:

<b>Brought Up By:</b>	<b>Item Description:</b>	<b>Due Date</b>	<b>Type of Reply</b>
R. White	Viability of a Dog Park in Amherstburg (Recreation Services, By-Law Enforcement)	August 2008	Council Report
R. White	Transportation Issue (Administration)	August 2008	Council Report
Dep. Mayor Bailey	Snow removal on Beneteau Drive (PWD)	August 2008	Council Email
R. Pillon	Faded street signs at Richmond and Kentucky intersections (PWD)	September 2008	Council Email
J. Sutton / R. White	Resident request for Emission of Smoke By-Law (Dev Sev) (Need to wait for litigation to be resolved)	TBD	Council Report
R. Fryer / R. Pillon	Paving the parking on North Street at Toddy Jones Park (PWD)	October 2008	Council Report
Dep. Mayor Bailey / R. Pillon	LAS Energy Audit - Municipal Eco Challenge Fund (Clerk's)	2009 Budget	Council Report

R. White asked if the parking signs that had signage approved by Council were replaced on Dalhousie St. at the entrance of Fort Malden. P. Renaud advised that this request was approved by the Traffic committee and direction was given to Dwayne Grondin to complete the task

R. Fryer asked if the paving of North Street at Toddy Jones Park could be completed by utilizing the funds from the gas tax. Administration was directed to report back to Council.

### **NEW BUSINESS**

#### **Item # 1 – One way parking and driving on Fort Malden Drive**

Moved by R. Pillon  
Seconded by J. Sutton

That the Traffic Committee be asked to review the recommendation of placing larger “No Parking” signs on Fort Malden drive;

And further that the Traffic Committee be asked to report back on the viability of one-way driving on Fort Malden from Laird to Dalhousie.

**Motion Carried**

#### **Item # 2 – Grant stipulations for the \$6.2billion initiative for infrastructure**

R. Fryer asked that administration report back to Council the stipulations for receiving grants under the new \$6.2 Billion initiative announced by the government for infrastructure.

J. Sutton advised that this has not been released by the government yet.

### **BY-LAWS**

**By-Law 2008-18** being a By-Law to amend traffic by-law 2005-55 (See Report # 4)

**By-Law 2008-46** being a By-Law to strike taxes from the tax roll and to adjust assessment values on properties (See Report # 24)

**By-Law 2008-47** being a By-Law to appoint Cindy Hazael-Gietz as the Deputy-Clerk and repeal By-Law 2007-28 (See Report # 19)

Moved by J. Sutton  
Seconded by R. White

**By-Law 2008-48** being a By-Law to confirm all resolutions of the Municipal Council be taken as having been read three times and finally passed and the Mayor and the Clerk be authorized to sign same and affix the Corporate Seal thereto.

**Motion Carried**

**NOTICE OF MOTION**

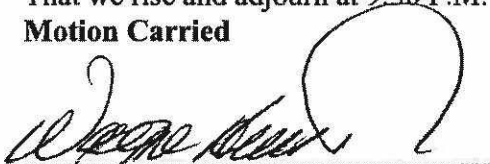
No notices of motion were presented.

**ADJOURNMENT**

Moved by J. Sutton  
Seconded by R. Fryer

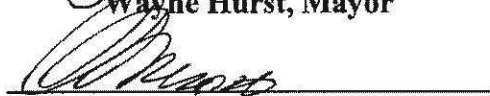
That we rise and adjourn at 9:30 P.M.

**Motion Carried**



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Wayne Hurst, Mayor



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Pamela Malott, Clerk

## Parking Concerns

### Kristina Di Paolo

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**From:** Malott, Pamela  
**Sent:** Tuesday, June 03, 2008 9:41 PM  
**To:** Kristina Di Paolo  
**Subject:** FW: Parking Concerns

This is Pat Catton's original request for reference

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**From:** Patrick Catton [mailto:Patrick.Catton@gecdsb.on.ca]  
**Sent:** Wed 4/9/2008 1:46 PM  
**To:** Malott, Pamela  
**Subject:** Parking Concerns

Good afternoon, Pam.

Currently, the parking spaces on the west side of Laird Avenue South by Toddy Jones Park have a two hour limitation. I am asking that the limit be removed at least between the hours of 8:00 a.m. and 6:00 p.m. for the months of September through June as the current time restrictions are not practical for the staff and students and visitors at the school.

Each school period lasts 75 minutes. With a two hour limit, every vehicle parked in these spaces has to be moved after every period which means that vehicles would have to be moved three times each day at a minimum (once between the first and second periods, once at lunch and once between the third and fourth periods). If people stay after school for extra help or to participate in or to watch extracurricular activities, vehicles would have to be moved another one or possibly two more times (after school and after 4:30 as school ends at 2:30).

The problem is compounded when you consider that there is only five minutes between class changes and in order for the police to hand out tickets, they would have to chalk tires at least three times each day to verify which cars had been moved and which ones had not would. This is an enormous inconvenience for all involved. I understand that the limit may be necessary if the school was competing for spots with people who wish to enjoy the park or if the spots were metered but such is not the case.

If you wish, I could attend the meeting on April 16 to help clarify my position.

Thanks for your assistance.

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For more information please visit <http://www.messagelabs.com/email>

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**Pamela Malott**  
*Acting CAO & Town Clerk*  
Town of Amherstburg  
271 Sandwich St South