

Minutes of An Amherstburg Municipal Council Meeting Held On Monday, April 12, 2010 At 7:00 p.m. In Council Chambers

PRESENT:

Mayor Wayne Hurst
Deputy Mayor Robert Bailey
Councillor Rick Fryer
Councillor Robert (Bob) Pillon
Councillor John Sutton
Councillor William (Bill) Wark
Councillor Rosa White

ALSO PRESENT:

Pamela Malott, Chief Administrative Officer
Carol Bendo, Human Resources Manager
Paul Beneteau, Treasurer
Lory Bratt, Planning Coordinator
David Carpenter, IT Manager
Kristina Pozar Di Paolo, Acting Deputy Clerk
Ivano Fregonese, Supervisor of Budget Services
Jackie Hubbs, Manager of Development Services
Lou Zarlenga, Public Works Manager
Todd Hewitt, Engineering Coordinator

ABSENT WITH NOTICE: Brenda Percy, Manager of Council & Leg. Services/Clerk

CALL TO ORDER

Mayor Hurst called the meeting to order at 7:00 p.m.

PRAYER

The Acting Deputy Clerk, Kristina Pozar Di Paolo, said prayer.

DISCLOSURE OF PECUNIARY INTEREST

Councillor J. Sutton declared a conflict of interest with regards to Consent Correspondence Item # 12.

MINUTES OF PREVIOUS MEETING

Deputy Mayor Bailey moved, Councillor Wark seconded:

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

- 1. Special Public Meeting - ARC Primary Electrical Services held on March 9, 2010 at 10:30 PM;**
- 2. Regular In-Camera Meeting held on March 22, 2010 at 4:00 PM;**
- 3. Regular Public Meeting held on March 22, 2010 at 7:00 PM and**
- 4. Special Public Meeting - ZBA - Mark Robson AutoBody Shop County Road #20 held on March 30, 2010 at 5:30 PM.**

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

Presentation # 1

The Presentation by Mr. Richard Wyma, General Manager of ERCA, has been deferred to the May 10, 2010 Council meeting.

DELEGATIONS

Delegation # 1

Ms Elizabeth Cipkar addressed Council regarding Amherstburg Childcare Centre Closing and Alternatives. Ms. Cipkar stated that she is a parent of child who is currently attending the Cherrylawn Childcare Centre. She is concerned that the report finds only 3 infant spots in total in all of Amherstburg open currently. She stated that Cherrylawn is the only centre that currently opens at 6am and when she enquired at other daycares for the extra half hour care she was told that it would cost her \$200 monthly for the extra half hour for one child.

Councillor Sutton moved, Councillor Wark seconded:

That the delegation by Ms Cipkar be received.

The Mayor put the Motion.

Motion Carried

Delegation # 2

Mr. Scott Cipkar addressed Council regarding Alternatives and Financial Details of Child Care in Essex County. Mr. Cipkar stated that he has been appointed Chair of Task force in Windsor regarding Child Care and informed Council that though there may be currently 161 spaces open for child care in Amherstburg all that would be required is for 80 families with 2 children to get called back to work and the spaces would all be full.

Councillor Wark moved, Councillor Sutton seconded:

That the delegation by Mr. Cipkar be received;

And further that Administration request County Council to approach the City of Windsor to obtain the County Portion of the \$2 million funding.

The Mayor put the Motion.

Motion Carried

Delegation #3

Ms. Patricia Strople addressed Council regarding Childcare and imparted on Council the importance of quality child care and available of public child care. Ms. Strople's delegation is attached to and forms a part of these minutes.

Councillor Pillon moved, Deputy Mayor Bailey seconded:

That the delegation by Ms. Strople be received.

The Mayor put the Motion.

Motion Carried

Delegation #4

Ms. Lynn Fox addressed Council regarding Difficulties Securing Suitable Child Care. Ms. Fox stated that she is a resident of Amherstburg and a parent of a child currently attending the Cherrylawn Centre. Ms. Fox detailed for Council her personal frustrations with another day care in Amherstburg when she was forced to take her child out of the Cherrylawn Centre during the City of Windsor strike. Ms. Fox stated that she was not happy with the food choices and the level of care her child received from the other day care centre. Ms. Fox reiterated her pleasure with the staff and level of care her child receives at the Cherrylawn Centre.

Councillor Pillon moved, Councillor White seconded:

That the delegation by Ms. Fox be received.

The Mayor put the Motion.

Motion Carried

Report #1 brought forward after Delegations #1 - #4

A report by Pamela Malott regarding the Availability of Child Care Centres in the Town of Amherstburg.

Deputy Mayor Bailey moved, Councillor Sutton seconded:

That the report by Pamela Malott dated April 6, 2010 regarding the Availability of Child Care Centres in the Town of Amherstburg be received;

And further that correspondence be sent to the City of Windsor requesting information regarding the relocation of the Ontario Early Years Centre in Amherstburg.

The Mayor put the Motion.

Motion Carried

Delegation #5

Mr. Anthony Delby addressed Council regarding the Robson ZBA Request and provided Council with the positives of granting such a request. Mr. Delby's report was published in the April 12, 2010 agenda.

Councillor Sutton moved, Councillor Wark seconded:

That the delegation by Mr. Delby be received.

The Mayor put the Motion.

Motion Carried

Delegation #6

Ms. Claire Robson addressed Council regarding the Robson ZBA Request and asked Council to grant the request.

Councillor White moved, Deputy Mayor Bailey seconded:

That the delegation by Ms. Robson be received.

The Mayor put the Motion.

Motion Carried

Delegation #7

Ms. Wendy Sprague-Bolger addressed Council regarding the Robson ZBA Request. A copy of Ms. Sprague-Bolger's delegation is attached to and forms a part of these minutes.

Councillor Sutton moved, Councillor Wark seconded:

That the delegation by Ms. Sprague-Bolger be received.

The Mayor put the Motion.

Motion Carried

Report #2 brought forward after Delegations #5 - #7

A report by Jackie Hubbs regarding the rezoning of 2701 County Road 20.

Councillor Sutton moved, Councillor White seconded:

That the report by Jackie Hubbs, Manager of Development Services dated April 5, 2010 regarding the rezoning of 2701 County Road 20 be received;

And further that By-law 2010-44 being a by-law to amend Comprehensive Zoning By-law 1999-52 be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same and affix the Corporate Seal thereto.

The Mayor put the Motion.

Motion Carried

Discussion:

Councillor Sutton asked Jackie Hubbs, Manager of Development Services, to clarify the choices a person has once they receive an order. Jackie Hubbs stated the person who has been served with an order has 2 choices: 1) to cease operations or 2) to bring property into compliance. Ms. Hubbs informed Council and the public in attendance that once the ZBA application is submitted it becomes a decision of Council regarding the approval or denial of the application.

Councillor Wark asked Jackie to clarify if the applicant is considered being compliant once the application to rezone is submitted. Manager of Development Services, Jackie Hubbs responded in the affirmative.

Delegation #8

Mr. Neil Stewart addressed Council regarding a request for an Update on the Status of the Sewer Backup Pump for 42 Alma Street. Mr. Stewart stated that he last appeared in front of Council on February 8, 2010 and that he has still not received any notification from Town that work has been completed. A copy of Mr. Stewart's delegation is attached to and forms a part of these minutes.

Deputy Mayor Bailey moved, Councillor White seconded:

That the delegation by Mr. Stewart be received.

The Mayor put the Motion.

Motion Carried

Discussion :

Mayor Hurst asked Lou Zarlenga, Manager of Recreation Services, to reply to this delegation. Mr. Zarlenga stated that the pump station has been operative since it has been commissioned and Heaton's has been asked not to attend the site anymore as they are no longer required. Mr. Zarlenga informed Council that this is not a catch basin but rather is a manhole. Mr. Zarlenga advised that a surveyor attended the site last week to determine location of iron bars. Mr. Zarlenga stated that the Stewarts were provided with information promptly when they attended the PWD office last week.

Councillor Sutton asked when the results from the surveyor would be available. Mr. Zarlenga responded that the results will be available in 2-3 days.

REPORTS OF MUNICIPAL OFFICERS

Report # 3

A report by Paul Beneteau, Treasurer, regarding assignment of MTE as agent to file complaints with the Assessment Review Board, and a bylaw authorizing the assignment of same.

Deputy Mayor Bailey moved, Councillor White seconded:

That the report by Treasurer Paul Beneteau regarding a bylaw to appoint MTE Paralegal Professional Corporation (MTE) as agent for the Town of Amherstburg be received;

And further that, Bylaw 2010-31, being a bylaw to authorize specific complaints to the Assessment Review Board, be read a first, second and third time and finally passed, and that the Mayor and the Clerk be authorized to sign the same and affix the corporate seal thereto.

The Mayor put the Motion.

Motion Carried

Report # 4

A report from Paul Beneteau & Ivano Fregonese regarding the Tax Collection Policy.

Councillor Pillon moved, Councillor Sutton seconded:

That Council receive the report from Paul Beneteau, Treasurer; and Ivano Fregonese, Supervisor of Budget Services regarding the Tax Collection policy;

And further that Council adopt the Tax Collection policy.

The Mayor put the Motion.

Motion Carried

Report # 5

A report by Brenda Percy regarding the AAAC Vacancy.

Councillor White moved, Councillor Wark seconded:

That the report by Brenda Percy on behalf of Kathleen Hay, Chair, Amherstburg Accessibility Advisory Committee dated March 31, 2010 regarding the AAAC Vacancy be received;

That Council approve the amendments to the AAAC Terms of Reference to increase the Committee's Composition from 3 Lay Members to 5;

And further that Council appoint Ken Houston, Judith Carter and Angela Kelly as members of the Amherstburg Accessibility Advisory Committee, effective May 1st, 2010.

The Mayor put the Motion.

Motion Carried

Report #6

A report by Brenda Percy regarding an Amendment to the All-Terrain Vehicle (ATV) By-Law 2008-53.

Deputy Mayor Bailey moved, Councillor Sutton seconded:

That the report by Brenda Percy dated April 6, 2010 regarding an Amendment to By-Law 2008-53 be received;

And further that By-Law 2010-43 being a by-law amending By-law 2008-53 be taken as 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.

The Mayor put the Motion.

Motion Carried

Report # 7

A report by Brenda Percy regarding a request for an Encroachment Agreement at 1684 Park Avenue was deferred to a future meeting at the request of the petitioner.

Report # 8

A report by Lory Bratt regarding an amending Subdivision Agreement for Kingsbridge Subdivision and regarding the removal of a Holding Zone for Kingsbridge Subdivision.

Councillor Sutton moved, Councillor White seconded:

That the report by Lory Bratt dated March 30, 2010 regarding an amending Subdivision Agreement for Kingsbridge Subdivision be received;

That Council approve the amending Subdivision Agreement;

And further that By-law 2010 - 36 being a by-law to authorize the execution of an Amending Subdivision Agreement for Kingsbridge Subdivision be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same and affix the Corporate Seal thereto.

The Mayor put the Motion.

Motion Carried

Councillor Pillon moved, Councillor Wark seconded:

That the report by Lory Bratt dated March 30, 2010 regarding the removal of a Holding Zone for Kingsbridge Subdivision be received;

That Council approve the application from 1078217 Ontario Limited for the removal of the Holding Zone for the next phase of Kingsbridge Subdivision;

And further that By-law 2010 - 40 being a by-law to amend Zoning By-law 1999-52, as amended be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same and affix the Corporate Seal thereto.

The Mayor put the Motion.

Motion Carried

Report # 9

A report by Lory Bratt regarding a Certificate of Validation.

Deputy Mayor Bailey moved, Councillor White seconded:

That the report by Lory Bratt dated April 6, 2010 regarding a Certificate of Validation for property municipally known as 2340 Front Road North be received;

That Council approve the granting of a validation order in accordance with Section 57 of the Planning Act, R.S.O. 1990, c.P. 13, for the subject property;

And further that the applicant obtain a report from a certified designer/installer that the existing private septic system servicing 2340 Front Road North does not cross property lines, that the system is in working order and that its operation will not be affected by the transfer. Further the Chief Building Official or his designate is to be onsite for inspection purposes when the field investigation is conducted by the designer/installer.

The Mayor put the Motion.

Motion Carried

Discussion:

In response to a question by Councillor Pillon, Lory Bratt, Planning Co-ordinator state that the certificate of validation would not be issued until the sewage system has been brought to code.

Report # 10

A report by Pamela Malott, Chief Administrative Officer, dated April 06, 2010 regarding the Essex CFDC, CAF Sports Tourism Initiative Grant.

Councillor White moved, Councillor Pillon seconded:

That Council receive the report by Pamela Malott, Chief Administrative Officer, dated April 06, 2010 regarding the CAF Sports Tourism Initiative Grant.

The Mayor put the Motion.

Motion Carried

Councillor Sutton moved, Councillor Pillon seconded:

That Chuck Bondy be asked to attend the Sports Events Congress on behalf of the Town of Amherstburg as well.

The Mayor put the Motion.

Motion Carried

Report # 11

A report by Pamela Malott, Chief Administrative Officer, regarding the Development Manager Monthly Report for February 2010.

Councillor Pillon moved, Deputy Mayor Bailey seconded:

That Council receive the report by Pamela Malott, Chief Administrative Officer, and Nustadia Recreation Inc., Development Manager, dated March 31, 2010 regarding the Development Manager Monthly Report for February 2010.

The Mayor put the Motion.

Motion Carried

Report # 12

A report by Pamela Malott, CAO and Ed Pavao, Nustadia Recreation Inc. Development Manager regarding Procurement for the Amherstburg Recreation Project.

Councillor Sutton moved, Councillor White seconded:

That Council receive the report on from Pamela Malott, CAO and Ed Pavao, Development Manager on Procurement for the Amherstburg Recreation Project;

And further that Council approve the following Furniture, Fixtures and Equipment purchases for the Amherstburg Recreation Complex:

Supply and installation of three indoor score clocks, three outdoor score clock, and accessory equipment in the amount of \$51,950 plus taxes, with the successful vendor being Harris Time.

Supply and installation concession exhaust canopy and fire suppression system for concession and kitchen exhaust canopy in the community room kitchen in the amount of \$60,957.85 with the successful vendors being Williams Food Equipment (supply) and Fahrhall Mechanical Contractors (installation).

The Mayor put the Motion.

Motion Carried

Report # 13

A report by Lou Zarlenga dated April 1, 2010 regarding the Amherstburg Wastewater Plant Upgrade and Expansion Construction Progress Meeting Minutes.

Deputy Mayor Bailey moved, Councillor Wark seconded:

That Council receive the attached minutes of the construction progress meetings dated March 3rd, 2010, March 17th, 2010 and March 31st, 2010 for the Amherstburg Wastewater Treatment Plant Upgrade and Expansion.

The Mayor put the Motion.

Motion Carried

Report # 14

A report by Lou Zarlenga dated April 8, 2010 regarding the engineering and architectural work for the Nexen building renovations was deferred to a future meeting.

Report # 15

A report by Lou Zarlenga regarding current legislative acts and their effect on Municipal Drainage.

Councillor Sutton moved, Councillor White seconded:

That Council receive the report from Mr. Zarlenga regarding the legislative challenges involved with administering Municipal Drainage

The Mayor put the Motion.

Motion Carried

Report # 16

A report by Carol Bendo regarding the Annual Minor Baseball Parade.

Deputy Mayor Bailey, Councillor White seconded:

That the report by Carol Bendo dated April 1, 2010 regarding the Annual Minor Baseball Parade be received;

And that further that Council approve a road closure route for Amherstburg Minor Baseball parade.

The Mayor put the Motion.

Motion Carried

Report # 17

A report by Carol Bendo regarding the Canteen Operations - Request for Rent Relief.

Councillor Sutton moved, Councillor White seconded:

That the report by Carol Bendo, dated April 8, 2010 regarding the Canteen Operations - Request for Rent Relief be received;

And that Council not approve the request for rent relief from April to August 2010 at a rate of \$450/mth.

The Mayor put the Motion.

Motion Carried

Discussion:

Councillor Sutton asked if the renter was provided with the option to defer rent payments and Human Resources Manager, Carol Bendo replied that yes that option is available to them.

Councillor Pillon asked why Administration expects the renter to pay when they are not busy and Ms. Bendo replied that it is in keeping with the terms of our rental agreement.

Councillor Pillon asked how long this agreement is for and Ms. Bendo replied that the lease has been extended to August and that financials can be asked for in future RFP decisions.

Councillor Wark asked if we had approved this type of request in the past and CAO Pamela Malott replied that no, we had not. CAO Pamela Malott stated that the RFP was an equal opportunity call to others and that we can call for Financial statements. Ms. Malott informed Council that this agreement will end at the end of this season and we will take into consideration some of the feedback we have received from current operators in composing the next RFP and rental agreement.

Report # 18

A report by Paul Beneteau and Ivano Fregonese regarding the 2009 Federal Gas Tax Results.

Deputy Mayor Bailey moved, Councillor Wark seconded:

That the report by Paul Beneteau, Treasurer and Ivano Fregonese, Supervisor of Budget Services dated April 8, 2010 regarding the 2009 Federal Gas Tax results be received:

And further that Council approve the additional \$3,801.95 of Gas Tax grant received be used towards approved projects.

The Mayor put the Motion.

Motion Carried

CONSENT REPORTS

Councillor Sutton moved, Councillor White seconded:

That the following report be received:

1. A report from Paul Beneteau, Treasurer, regarding the 2010-2011 Ontario Provincial budget.

The Mayor put the Motion.

Motion Carried

A report from Carol Bendo, Manager of Human Resources regarding the Utilization of the Recreation Services Vehicle was deferred to a future meeting.

Discussion:

Councillor Pillon referencing report #2 asked for the comparison of what would have been the cost of hiring the task out instead of our own staff completing this work. Councillor Pillon also suggested a switch of the by-law officer's pick up with pick up from recreation.

CONSENT CORRESPONDENCE

Deputy Mayor Bailey moved, Councillor White seconded:

That the following correspondence be received:

1. **Automotive Centre of Excellence - University of Ontario Institute of Technology - March 18, 2010;**
2. **Windsor Essex Small Business Centre Brochures - Windsor Essex Economic Development Corporation - March 18, 2010**
3. **Gosfield and Comber Wind Energy Projects - Brookfield Power - March 2010**
4. **Multicultural Youth in Action - March 23, 2010 - Multicultural Council of Windsor and Essex County**
5. **Closure of Public Health Office in Windsor - Essex Region - Town of Tecumseh, March 19, 2010**
6. **Homeownership 10% Down Payment Assistance - City of Windsor-March 26, 2010**
7. **Negotiations with OPSEU - MPAC - March 19, 2010**
8. **Essex Region Proposed Assessment Report posted for comment -ERCA-March 29, 2010**
9. **Marketing Bootcamp for Small Business on April 29, 2010 at Duffy's -April 6, 2010 - Amherstburg Chamber of Commerce**
11. **Parkinson Society Southwestern Ontario - April 7, 2010**
13. **Dads Matter 2nd Annual Conference - April 8, 2010**

The Mayor put the Motion.

Motion Carried

Correspondence # 10- Creative Communities Prosperity Fund – March 15, 2010

Deputy Mayor Bailey asked that a report come back to council regarding the correspondence from the Ministry of Tourism and Culture and once completed it be posted on our website.

Council Sutton vacated his seat

Consent Correspondence Item #12- 24th Battle of the Hors D'Ouevres

Councillor White moved, Councillor Wark seconded:

That the correspondence regarding the 24th Battle of The Hors D'Ouevres from Big Brothers Big Sisters Windsor Essex County be received and further that Council be encouraged to attend the event.

The Mayor put the Motion

Motion Carried

Councillor Suttton returned to his seat

CONSENT BUSINESS LICENSES

Councillor Wark moved, Councillor Sutton seconded:

That the following business license applications be received and approved subject to compliance with By-Law 2009-44, all agencies and regulations;

1. Martin Farms - Produce Vendor

And further that the license be issued by our licensing officer once the applicant has met all of the special conditions as listed in By-Law 2009-44.

The Mayor put the Motion

Motion Carried

CONSENT OTHER MINUTES

Councillor White moved, Councillor Pillon seconded:

That the following minutes be received:

- 1. Minutes from the Committee of Adjustment meeting held March 2, 2010 at 7:30am;**
- 2. Minutes from the Amherstburg Accessibility Advisory Committee held November 19, 2009 at 6:30pm;**
- 3. Minutes from the Amherstburg Police Services Board meeting held February 16, 2010 at 4:30pm and**
- 4. Minutes from the Amherstburg Committee on the Environment meeting held on February 25, 2010 at 6:30 pm.**

The Mayor put the Motion

Motion Carried

CORRESPONDENCE

Correspondence #1 - Ontario Coaches Week - Coaches Association of Ontario

Councillor Sutton moved, Councillor Pillon seconded:

That the correspondence from the Coaches Association of Ontario be received;

And further that the Mayor proclaim April 17-25, 2010 Ontario Coaches Week.

The Mayor put the Motion.

Motion Carried

Mayor Wayne Hurst made the following proclamation:

Whereas Good coaches can positively influence a child's self-confidence and attitude towards sport, fitness and health as a lifelong pursuit; and that Ontario Coaches Week will help to bring quality sport programs to thousands of children by inspiring more Ontarians to take up coaching as their volunteer activity;

I, Wayne Hurst, Mayor of the Town of Amherstburg, do hereby proclaim the week of April 17-25th, 2010 be observed as "Ontario Coaches Week" in the Town of Amherstburg.

OTHER MINUTES

AAAC Meeting Minutes of February 11, 2010

Councillor Wark moved, Councillor White seconded:

That the minutes of the Amherstburg Accessibility Advisory Committee meeting held on February 11, 2010 at 6:30 PM be received.

Councillor Sutton moved, Councillor Wark seconded:

That Council concur with the AAAC recommendation that Administration consider purchasing audible count down pedestrian signals (accessible pedestrian signals) when purchasing new traffic signals for the Town when the traffic signal is to be located in close proximity to a school or park.

The Mayor put the Motion.

Motion Carried

Discussion:

Councillor Pillon asked that Administration consider areas where we have senior citizens. Council deferred the item to the Traffic Committee for a review and plan to be reported back to Council during budget deliberations.

UNFINISHED BUSINESS

Council reviewed the Unfinished Business Items List as of April 12, 2010.

Councillor Pillon requested a status report regarding County Road 50 Culvert at Holiday Beach be brought back to Council.

NEW BUSINESS

Councillor Wark requested information regarding the lack of illumination with the new street lights. Manager of Public Service, Lou Zarlenga informed Council that a tour of all areas affected by new street lights has been conducted and a number of minor deficiencies were found. Public Works has taken steps to repair those deficiencies and to have them completed within 2 weeks. Mr. Zarlenga advised that more poles have been added in some areas to increase the illumination and in other areas wattage has been increased. Mayor Hurst asked that this information be posted to the website.

NOTICE OF MOTION

Councillor White introduced a Notice of Motion with respect to an amendment to Section 12.2 of Town of Amherstburg By-law 2006-26 (Sign By-law). The Notice of Motion, which is attached to and forms a part of these minutes, will be added to a future Council agenda for Council's consideration.

BY-LAWS

Federal Gas Tax Agreement with AMO By-Law

Deputy Mayor Bailey moved, Councillor Wark seconded:

That By-Law 2010- 38 being a By-Law to confirm the Federal Gas Tax Agreement with AMO 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.

The Mayor put the Motion.

Motion Carried

Confirmatory By-Law

Councillor Sutton moved, Councillor Pillon seconded:

That By-Law 2010- 45 being a By-Law to confirm all resolutions of the Municipal Council Meeting held on April 12, 2010 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.

The Mayor put the Motion.

Motion Carried

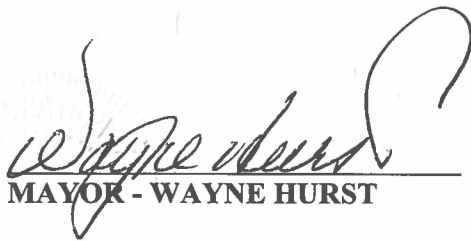
ADJOURNMENT

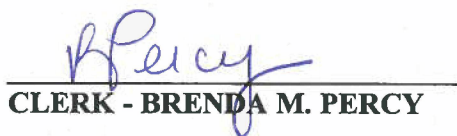
Councillor Wark moved, Councillor White seconded:

That Council adjourn at 8:31 p.m.

The Mayor put the Motion.

Motion Carried


MAYOR - WAYNE HURST


CLERK - BRENDA M. PERCY

Your Worship and Councillors -

April 12/10

Thank you for this opportunity to present.

As you are no doubt aware, the provincial government has acted to stabilize child care centres throughout the province by replacing the \$63 and a half million from the federal money that had ended this year. This is remarkably good news for the Early Learning And Child Care sector.

It will allow for a reconsideration of the action that the Windsor city council has chosen in regards to the county centres. But of course it is by no means a given that this will occur. Actions by this council could be directed to ensuring it happens, if you choose to take them.

There are serious, long-term attendance/enrolment issues in the Amherstburg centre. This shows a need for reconsidering & revisioning what is the best role for this space and studying the needs of the area, both in the short and the longer term. There has been no investment put into doing this.

I expect, much like myself for my own community, you all hope for a brighter & better economic picture for Amherstburg, in the not too distant future. If and when this occurs the area must be prepared to accommodate the needs of the families who live and hopefully work here.

The research is clear that public child care centres are the optimal choice for public dollars to support.

To consider a new view of the municipal centre's space as hub models as supported by Pascal's report is one option. The provincial 'Our Best Future' report supports the creation of Child & Family Centres (CFCs) ..."in addition to directly operating CFCs, municipalities would provide system management for all the consolidated service system". The public system ought to pro-actively pilot the course to be in a position to fulfill its leadership role in the child care community as it has done so well traditionally.

This is the time for the municipal system to adapt to the changing circumstances of providing care for the younger infants, toddlers & preschool groups, to test the possibilities and steps and to provide a template for the community-based centres to follow; as has been the past successful pattern with policies, procedures, and professional development opportunities,

The money is clearly available to do this work as Windsor is still sitting on the \$3million remaining in the Unconditional Grant money (of \$7,952,000.) from 2006. In fact, this amount should be higher as it must have been getting interest over the past 5 years.

I hope you are able to ensure the best interests of this community are protected. The questions we are asking in Windsor is equally valid here "What direction do we want for our community?" and "Are we happy with the direction we are moving?"

Thank you

Patricia Strople

April 6, 2010.

RE: Proposed Zoning By-Law Amendment - 2701 County Road 20, Amherstburg

Your Worship Mayor Hurst and Members of Council:

Our concerns with regard to the application before you regarding 2701 County Road 20 were twofold.

Firstly, we were concerned about the illegal use of this property as an automobile repair shop. Before we became involved, it was our understanding that the Town had investigated a complaint that an automobile body repair shop was being illegally operated out of the accessory building on this property and, as a result of this investigation, it was determined that such a use existed and was not permitted on this property. We understand that an Order requiring the owner to cease such use of the property was issued by the Town.

In response to the Order issued by the Town, the owner of this property has acknowledged his failure to comply and has filed the application before you. We have reviewed the report of Jackie Hubbs dated April 5th, 2010 on this issue. We understand that Counsel must decide whether or not the use of the accessory building on this property, as an automobile body shop, sufficiently complies with the Official Plan and Zoning Bylaw for the application before you to be approved. We understand that if approved, with a holding designation, the applicant will still need to obtain the proper permits and licensing to Council's satisfaction and, once such permits and licensing is obtained, the use of this property in this way will no longer be illegal. At this stage, we are content with whatever decision is reached by Council. Whether approved or not, our first goal will have been met, which was to stop the illegal operation of an auto body shop.

Our second goal was to ask you to consider the public policy involved in this issue. This is not the first and certainly won't be the last application which is filed in an attempt to legalize an existing and ongoing illegal use of a property. We ask Council to consider what kind of precedent and policy you wish to set. We were concerned because we observed that, despite the Order requiring this illegal use of the property to stop, the use was continuing. We were told that the application before you was pending and that, although the use of this property as an automobile body shop was in fact not currently permitted, it was the Town's policy to permit the business activity in question to continue until such time as the application now before you is resolved. Does the Town really want to have policies in place that create no consequence to setting up a business which violates the law? What does that say to the business owners and taxpayers who comply with the laws when they set up their business? There should be a "level playing field" for businesses in Amherstburg. Businesses that comply with the laws from the beginning incur the costs of Official Plan Amendments, Re-zonings or other Zoning Amendments and or Site Plan Control Agreements as necessary. They pay for business licences, they pay for proper insurance and have proper inspections done. How can they compete against businesses that ignore these requirements and open in places where they are not permitted and

operate without paying for Official Plan Amendments, Re-zoning Applications or Zoning Amendments, Site Plan Control Agreements, Business Licences, proper insurance, repairs and upgrades required by proper inspections? We ask that you please consider these public policy matters when making your decision on this application and on future applications of this kind.

Thank you.

Sincerely,

Wendy Sprague-Bolger & Herman Bolger

April 12, 2010

Delegation

Mr. Mayor, Members of Council

My name is Neil Stewart and I last appeared before Council on the issue of the Backup Sewer Pumps on February 8, 2010. Mayor Hurst stated at that meeting he would personally monitor the situation on a day to day basis. As of today we still do not have notification from the Town of Amherstburg as to whether the pump is fully operational or not. Work was still being done on March 26, 2010.

On February 17, 2010 Mr. Zarlenga was notified by e-mail and letter by Rod Godard, a lawyer acting on our behalf, that the Catch Basin and Pump were located on our property at 42 Alma Street and to confirm that they would be relocated to land owned by the Town of Amherstburg. This request was ignored for seven weeks. On April 8th I received a telephone call from Dave Archer of Spencer and Associates at Mr. Zarlenga's bequest asking why I was appearing before Council tonight. The next day April 9th I received an e-mail from Mr. Zarlenga's office with a copy to Rod Godard, our lawyer, stating he believed the Pump and Catch Basin to be on Town of Amherstburg

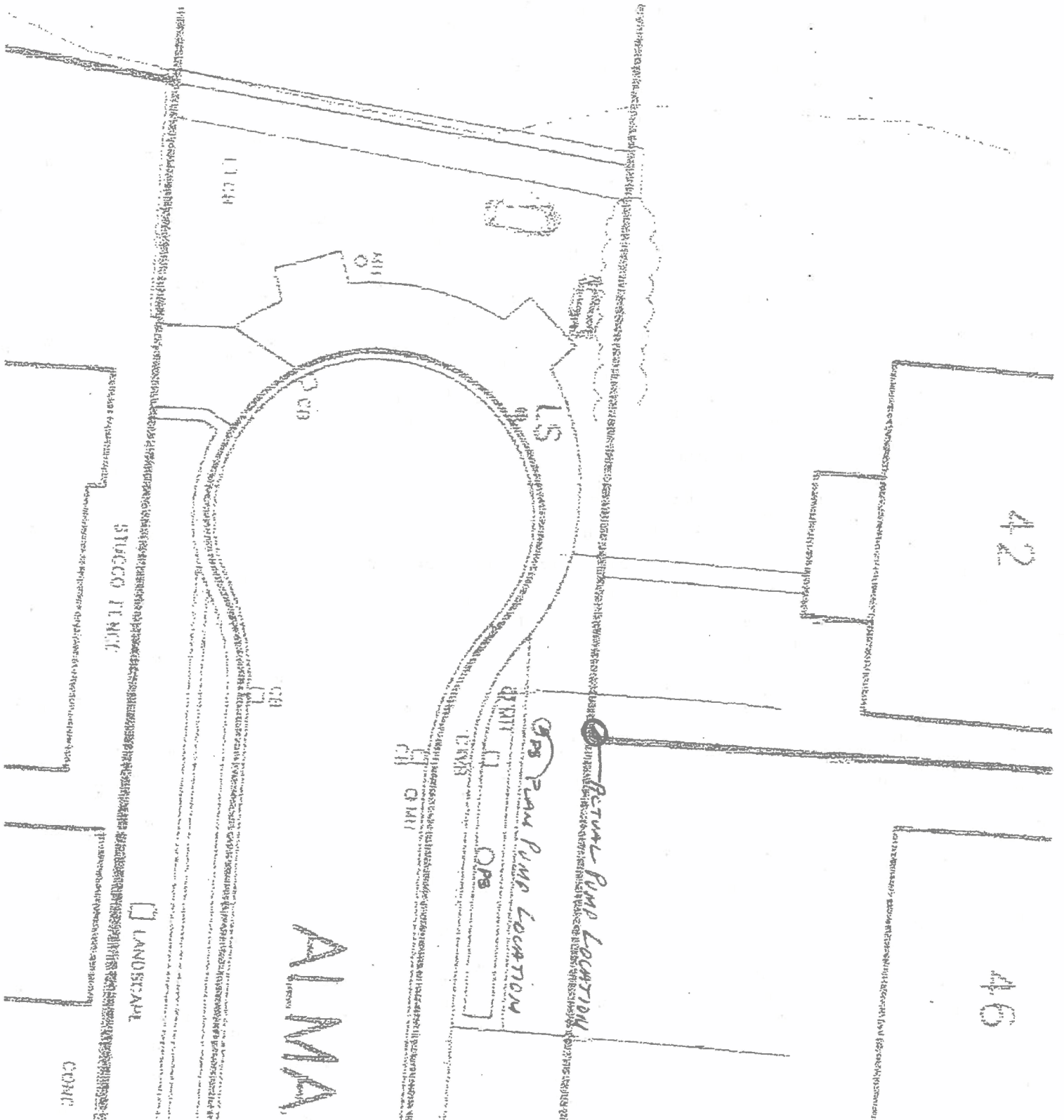
Property and a survey would be taken to determine the exact location. The survey was conducted last Friday, April 9th. Why did it take seven weeks for a response to our lawyer? Was Mayor Hurst made aware of the situation? Or did Mr. Zarlenga keep it to himself hoping the problem would go away? Either way this has been dealt with in a very unprofessional manner. The final plans for Alma Street clearly show where the Pump Station is supposed to be located, a visible check at the site would confirm that a mistake has been made.

My wife and I have been taxpayers in this Town for over 32 years we feel strongly that on this and other issues we have been treated like second class citizens. Why should we have to continually appear before Council before any action, or inaction, as is usually the case occurs. Even a lawyer's letter is ignored. I am sure Mr. Zarlenga has had time to conjure up a plausible excuse, he usually does to get himself off the hook.

If Council wants to allow Mr. Zarlenga to ignore its own Building Code and Guidelines for work done on Town property, I may not agree and choose to appear before Council to voice my concerns but once the decision is made there isn't much I can do about it, but for work done on my property by the Town of Amherstburg I can certainly determine what happens and what doesn't. Believe me once the survey proves the

Pump Station is not in the correct location I will insist that it will be moved on to Town land. This can be done one of two ways; the easy way which is for Council to insist once the location is confirmed that the Pump Station be relocated on Town Property before the landscaping on Alma Street is completed and any more work is done on the Pump Station, or the hard way which will be through litigation.

The catch basin is 48" dia., there is a minimum of 22" of untreated water and sewage which increases to 44" before the pump is activated which reduces the volume back down to 22". 22" depth x 48" dia calculates out to 175 U.S. gallons, so at any given time there is between 175 to 350 gallons of untreated water and sewage in the catch basin. Mr. Zarlenga at the last meeting stated that the pumper truck would be there every 3 days to pump out the sludge which accumulates in the catch basin. This has not happened, so either Heaton Sanitation are being paid for work not done or they haven't been contracted to perform the work. If I were a betting man I know where my money would be. As you can tell by the accent my wife and I live in Amherstburg by choice not because we just happen to have been born here. We really enjoy the small town atmosphere, the parks, the restaurants and the ability to walk just about anywhere, the new developments will make that even more enjoyable. But with a small town atmosphere you get a small town attitude. The last eighteen months have left a sour taste in our mouths the only thing we ask for is to be treated no better no worse than any other resident of the Town of Amherstburg but this hasn't been the case lately. I hate to hand out ultimatums but desperate times demand desperate measures.





NOTICE OF MOTION

Re: Comprehensive Review of By-law 2006-26 (Sign By-law)

I, Councillor Rosa White, hereby provide Notice of Motion to Town of Amherstburg Council.

That a Committee be formed to complete a comprehensive review of Town of Amherstburg By-law 2006-26 being a By-law prohibiting and regulating the erection of signs, other advertising devices, and the posting of notices within the Town of Amherstburg.

And further that the Committee include the following members:

Councillor Rosa White
Stephen Brown, Chief Building Official
Ben Wilder, Community Standards Officer
Two Representatives from the Chamber of Commerce
Angela Kelly, Amherstburg Accessibility Committee
One Member at Large

Signed: _____

Dated: _____