

**Minutes of An Amherstburg Municipal Council Meeting Held
On Monday, November 8, 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
Ivano Fregonese, Supervisor, Budget Services
Dennis Laporte, Director, Recreation & Culture
Lou Zarlenga, Director, E & I

ABSENT WITH NOTICE:

Brenda Percy, Council & Leg. Services/Clerk
Stephen Brown, CBO (Vacation)

CALL TO ORDER

The Mayor 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 Wark declared a pecuniary interest in Report # 15.1 being 2011 Community Grant Submissions.

MINUTES OF PREVIOUS MEETING

Councillor Pillon moved, Councillor Fryer seconded:

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

- 1. Regular In-Camera Meeting held on October 12, 2010 at 5:30 PM;**
- 2. Regular Public Meeting held on October 12, 2010 at 7:00 PM;**
- 3. Special In-Camera Meeting held on October 21, 2010 at 4:30 PM.**

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

Councillor Sutton moved, Deputy Mayor Bailey seconded:

That Council hear presentations ahead of delegations.

The Mayor put the Motion.

Motion Carried

5.1 Presentation # 1 – ARC Donation

Amherstburg Fundraising Co-ordinator Debi Croucher made a presentation to Council regarding a Naming Rights Sponsorship of the Amherstburg Recreation Complex. The presentation is attached to and forms a part of these minutes. Ms. Croucher introduced the Administration and Board of the United Communities Credit Union. President and CAO John made a presentation to Council regarding United Communities Credit Union. The presentation is attached to and forms a part of these minutes. Mr. Michael Lavoie, Executive VP and CFO, made a presentation to Council regarding United Communities Credit Union's Commitment to the region and look forward to seeing the United Communities Credit Union name on the Recreation Complex.

Mayor Hurst thanked Mr. and Mr. Lavoie for their presentation and commitment in support of this project. Mayor Hurst stated that the United Communities Credit Union is known for "giving back" to the communities that the branches serve – their involvement and 2010 award from the United Way is just one example.

Mayor Hurst also provided Council and those in attendance with the following information:

- This complex project would not be possible without the perseverance and dedication of the Stakeholder Groups, Ratepayers and Council and the support of our Provincial and Federal partners. Our thanks go out to Bruce Crozier, MPP and Jeff Watson, MP.
- The provincial, federal and municipal contributions each amount to \$7.86 million and the Town's contribution will be offset by our Fundraising efforts.
- Ontario Premier Dalton McGuinty and Federal Minister John Baird were in Amherstburg in February 2009 to make the funding announcement and since that time a tremendous effort has been made to bring this Community a first class facility that will serve generations.
- United Communities Credit Union has met the price tag the Town was seeking for the "Naming" Opportunity and the \$500,000 donation payable in one lump sum up front will provide the United Communities Credit Union for 40 years of Naming. This "Naming" Opportunity will serve to promote both United Communities and the Facility for 40 years to come.

Mayor Hurst thanked everyone for coming and allowed Council to break at 6:57 PM to provide the media an opportunity for photos and questions.

Council reconvened at 7:10 PM.

Councillor Sutton moved, Deputy Mayor Bailey seconded:

That Council reconvene.

The Mayor put the Motion.

Motion Carried

DELEGATIONS

6.1 Delegation # 1

Mr. Sam Sleiman addressed Council regarding the construction on Dalhousie Street. Mr. Sleiman stated that the newly created sidewalk is that all wires on Dalhousie Street would have them all be underground. There are only certain hydro poles from Bellevue House to Pickering will be removed. Mr. Sleiman provided Council with a petition and pictures of the sidewalk and poles in the middle of the sidewalk for their review.

Councillor Wark moved, Councillor Sutton seconded:

That the delegation by Mr. Sleiman be received.

The Mayor put the motion.

Motion Carried

Lou Zarlenga stated that the comments by Mr. Sleiman are 100% accurate. Mr. Zarlenga advised all that the entire project is on schedule. On August 13, 2010 a report was provided to Council to hire a contractor and the costs for relocation Hydro One wires at a cost of \$400,000 plus. Underground ducts have been provided for all utilities to relocate and Hydro One has not provided the Town's enough detail to ease the Town's comfort but have not provided us with the schedule of removing 5 poles and an application has been placed before Hydro One for a relocation study and they have not provided us with details to date. Hydro One persists in requesting that they update poles with new poles and the Town has stated that that will not be acceptable.

Mayor Hurst asked that Mr. Sleiman provide the petition to Hydro One.

Councillor Fryer asked when the last communication occurred between Hydro One and Mr. Zarlenga. Mr. Zarlenga stated that he is in contact with Hydro One every other day.

Councillor Wark moved, Councillor Sutton seconded:

That Council direct Administration to contact Hydro One in order to set up a meeting with Council.

The Mayor put the motion.

Motion Carried

CAO Pamela Malott stated that this has been an ongoing issue with Hydro One for two years and Administration has attempted to resolve it.

Councillor Fryer requested Hydro One contact information.

REPORTS - RECREATION/CULTURE/PARKS

7.1 A report by Dennis Laporte regarding River Lights Victorian Christmas Street - Rankin Avenue Road Closure.

Councillor Sutton moved, Councillor White seconded:

That the report by Dennis Laporte dated October 26, 2010 regarding road closure for Rankin Street on the weekend of River Lights Winter Festival be received;

And further that Council approve the road closure on Friday, November 19th from 4:30 p.m. to 9:00 p.m. and Saturday, November 20 from 4:30 p.m. to 9:00 p.m.

The Mayor put the motion.

Motion Carried

7.2 A report by Dennis Laporte regarding Santa Claus Parade and Santa Run Road Closure.

Councillor White moved, Deputy Mayor Bailey seconded:

That the report by Dennis Laporte dated October 27, 2010 regarding the Santa Claus Parade and Super Santa Run – Update and Road Closure Plan be received;

And further that Council approve the road closure to Sandwich Street, Richmond Street, north on Dalhousie to Toddy Jones Park on Saturday, November 27/10 from 4:45 p.m. to 7:30 p.m. as well as Texas to Alma on Thomas Road with proper signage.

The Mayor put the motion.

Motion Carried

Mayor Hurst invited David Grimaldi and Maggie Durocher of the Windsor Parade Corporation to address Council on the parade itself. Mr. Grimaldi stated that he is excited to bring to this community the 5th Annual Santa Claus Parade. The Amherstburg Parade has become the benchmark for every Santa Claus Parade in every municipality this side of Toronto. Mr. Grimaldi advised Council that Ms. Durocher orchestrates the composition of the Parade and that this year will also be very exciting. Ms. Durocher advised Council that two new sponsors have been secured for the 2010 parade. BigScreen.ca will be showing a free animated movie of "How the Grinch Stole Christmas" at Toddy Jones Park at 5:15 PM and the Allen Candy Company (CandyCane.ca) will be providing candy canes to the spectators.

Councillor White thanked Mr. Grimaldi and Ms. Durocher for their comments and work on the Parade.

Councillor Pilon thanked the volunteers and the individuals that work directly with the Windsor Parade Corporation that have made this event a success.

Mayor Hurst thanked the Windsor Parade Corporation for their efforts and stated that we wait with great expectation for another wonderful parade.

Councillor Fryer asked if the Parade Route itself will be advertised in the local media so that residents are aware of road closures. Ms. Durocher stated that the route will be advertised and stated that the media coverage includes the A-Channel, Blackburn group, AM800 and local papers.

Councillor Sutton moved, Councillor White seconded:

That the presentation by Mr. Grimaldi and Ms. Durocher be received.

The Mayor put the motion.

Motion Carried

REPORTS - POLICE

No reports at this time.

REPORTS - FIRE

No reports at this time.

REPORTS - INFORMATION TECHNOLOGY

No reports at this time.

REPORTS - DEVELOPMENT SERVICES

11. A report by Lory Bratt regarding road dedication.

Councillor Sutton moved, Councillor White seconded:

That the report by Lory Bratt, Planning Coordinator dated October 27, 2010 regarding the road dedication of Pettypiece Drive and Welsh Avenue be received;

That Council approve the dedication of a new section of public highway (the expansion of Pettypiece Drive and Welsh Avenue);

And further that Bylaw 2010-108 being a bylaw to dedicate Block 111, Plan 12M-502 and Block 23, 12M549 as a public highway, be given three readings 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 Fryer asked if the final coat of pavement has been placed, including Welsh Avenue. Mr. Zarlenga replied in the affirmative.

REPORTS - ENGINEERING AND INFRASTRUCTURE

12.1 A report by Lou Zarlenga regarding the Ernest Paquette Drain Improvements - Tender Results

Councillor Wark moved, Councillor Fryer seconded:

That Council receives the report by Lou Zarlenga dated November 3, 2010 regarding the tender results for the Ernest Paquette;

And further that Council accept the recommendation of Administration to concur with the Town's Consulting Engineers and award a contract to Reg Clark Trucking Ltd., being the second lowest tenderer for the Ernest Paquette Drain Improvements project.

The Mayor put the Motion.

Motion Carried

Councillor Fryer asked if this item is normally budgeted. CAO Pamela Malott advised that the item is listed under the Operational Budget and the majority of the cost is allocated to the ratepayers.

12.2 A report by Lou Zarlenga regarding Howard Ave./Alma Street Watermain Installations-Request for quotation results.

Deputy Mayor Bailey moved, Councillor Pillon seconded:

That Council receive the report from Lou Zarlenga dated November 1, 2010 regarding the Request for Quotation tender results for the Engineering Services-2010 Watermain Projects;

And further that Council accept the recommendation of Administration and award a contract to the lowest tenderer, being N.J. Peralta Engineering Ltd. for project PWD-WM-10-014 (Howard Ave./Alma Street Watermain Installations).

The Mayor put the Motion.

Motion Carried

12.3 A report by Lou Zarlenga regarding Smith Industrial Drive Watermain Loop Construction & County Road 20 North Watermain Replacement-Request for Quotation Results.

Council deferred the motion to a future meeting and requested that Administration bring back further clarification how combining two different tenders to award the contracts to the same firm is a cost savings to the Town.

12.4 A report by Lou Zarlenga regarding a new entrance road and the approval for concrete curb and gutter at the Recreation Complex was handed out at the meeting and is attached to and forms a part of these minutes.

Moved by Councillor White, seconded by Councillor Sutton:

That Council receive the report from Lou Zarlenga regarding the request to supply concrete curb and gutter constructed in 2010 to the proposed new entrance off Meloche Road to the Recreation Complex;

And further that funds of \$18,000 be pre-approved for a 2011 project to construct the Arena entrance road off Meloche Road.

A recorded vote was requested and is found below:

	Yes/Concur	No/Not Concur
Deputy Mayor Bailey	X	
Councillor R. Fryer		X
Councillor R. Pillon		X
Councillor J. Sutton	X	
Councillor R. White	X	
Councillor B. Wark		X
Mayor Hurst	X	

Motion Carried

Councillor White stated that there is a savings to the Town if work done now which demonstrates proactive planning and spending of money.

Councillor Pillon stated his concern that if we put curb and gutter we eliminate a lot of the parking for the soccer field. Mr. Zarlenga replied that safety and containment of people coming in is the exact reason for this request and curbs will contain people to the road and not have them veer off into the fields.

Deputy Mayor Bailey asked why this cost is not part of the arena project itself. CAO Pamela Malott stated that this would form part of one project and to include this road in this manner will allow us to keep our contingency funds available for other costs.

REPORTS - CAO's OFFICE

No reports at this time.

REPORTS - TREASURY

No reports at this time.

REPORTS - HUMAN RESOURCES

Councillor Sutton declared a conflict of interest with Report 15.1 regarding 2011 Community Grant Submissions and abstained from voting and discussing the matter.

15.1 A report by Carol Bendo regarding 2011 Community Grant Submissions.

Councillor Pillon moved, Councillor Fryer seconded:

That the report from Carol Bendo dated October 29, 2010 regarding Community Grant requests be received;

And further that the grant submissions be deferred to budget deliberations.

The Mayor put the Motion.

Motion Carried

REPORTS - CLERK's OFFICE

No reports at this time.

CONSENT CORRESPONDENCE

Deputy Mayor Bailey moved, Councillor Sutton seconded:

That the following correspondence be received:

1. **Press Conference Invitation - November 12, 2010 - Largest Roof Top Solar Panel Project - Town of Tecumseh, October 27, 2010;**
2. **Christmas in Tecumseh - December 3, 2010 - Town of Tecumseh - October 19, 2010;**
3. **Warden's Banquet - Friday, November 19, 2010 - County of Essex - October 19, 2010;**
4. **June Callwood Outstanding Achievement Award for Voluntarism in Ontario - Ministry of Citizenship and Immigration - October 28, 2010;**
5. **HST on Gas and Diesel Fuel - Premier Dalton McGuinty - September 23, 2010;**
6. **Termination of School Bus Service - WECDSB - September 23, 2010;**
7. **2010 Labour Appreciation Night - United Way and Windsor and District Labour Council - October 18, 2010;**
8. **2009 Annual Report - Ontario Aggregate Resources Corporation - October 14, 2010;**
9. **Secret Santa Benefit Dinner - November 14, 2010 - Mealtime Express - October 14, 2010.**

The Mayor put the Motion.

Motion Carried

CONSENT BUSINESS LICENSES

Councillor Wark moved, Councillor Pillon seconded:

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

1. **Hair Salon – Cindy's Hair Salon**

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 Sutton moved, Councillor Pillon seconded:

That the following minutes be received:

1. Committee of Adjustment (COA) meeting held June 29, 2010 at 7:30 AM;
2. Committee of Adjustment (COA) meeting held July 27, 2010 at 7:30 AM;
3. Committee of Adjustment (COA) meeting held August 24, 2010 at 7:30 AM;
4. Committee of Adjustment (COA) meeting held September 28, 2010 at 7:30 AM;
5. Parks Committee Meeting held on October 12, 2010 at 3:30 PM;
6. Heritage Committee Meeting held on August 5, 2010 at 5:30 PM;
7. Advisory Committee on the Environment (ACE) meeting held June 24, 2010 at 5:30pm and
8. Community Spirit Meeting held October 13, 2010 at 5:00 pm.

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

Correspondence # 1 - Transfer of Review Program

Councillor Sutton moved, Councillor White seconded:

That the correspondence from the Ministry of the Environment regarding the Transfer of Review Program be received;

And further that Council direct Administration to prepare a report regarding the feasibility of Joining the Transfer of Review Program.

The Mayor put the Motion.

Motion Carried

Correspondence # 2 - Remembrance Day Two Minutes of Silence Observance

Councillor Fryer moved, Councillor White seconded:

That the correspondence from the Royal Canadian Legion regarding the Observance of Two Minutes of Silence on Remembrance Day be received;

And further that all Town of Amherstburg staff be directed to support the Wave of Silence on Thursday, November 11, 2010 at 11:00 AM for two full minutes, where safety and practicality permit.

The Mayor put the Motion.

Motion Carried

Correspondence # 3 - Annual Membership and 2011 Hall of Fame Induction

Councillor Pillon moved, Councillor Wark seconded:

That the correspondence from the Essex County Agricultural Hall of Fame be received;

That Council direct Administration to renew the Membership for 2011 and remit the dues in the amount of \$25;

And further that Council and Administration be encouraged to consider a candidate for nomination to the 2011 Agricultural Hall of Fame.

The Mayor put the Motion.

Motion Carried

Councillor Sutton requested Council members to bring the candidate nomination for Council endorsement.

UNFINISHED BUSINESS

Council reviewed the Unfinished Business Items List as of November 8, 2010.

Councillor Sutton asked about the walkway placement for Thomas Road. Mr. Zarlenga replied that it is going to be placed on the east side of the road. Councillor Fryer asked why it would not be on the west side of the road since a lot of property goes along that side. Mr. Zarlenga replied that there is an active train line on west side and the Town did not want to draw people to that area due to safety concerns.

20101108A Councillor Pillon asked for a Cat By-Law to be brought back for Council review.

Councillor Wark requested an update regarding Forhan subdivision elevation differentials. Mr. Zarlenga replied that correspondence has been sent to the developer and the shape of the fence will be discussed regarding the River Front Plaza development.

20101108B Councillor Fryer advised that the corner of Simcoe and Sandwich still does not have street lights erected (there are traffic lights but no street lights) and Mr. Zarlenga will investigate and report back to Council.

Councillor White requested a review of the time for parking on the fence as you enter Maria's. Administration will report back through the Traffic Committee.

Councillor Pillon requested that the Malden Sewer Project Engineers attend a Council meeting to be set earlier than 7 pm and report to Council at that time.

Councillor Fryer asked if the speed limit change request at County Rd. 10 and 3rd Concession was brought to County Council. Deputy Mayor Bailed advised that Administration was to send correspondence.

NEW BUSINESS

Councillor Fryer requested an update for a home on Old Colony Trail that has deficiencies. CAO Pamela Malott stated there is detail that cannot be shared in a public venue and information will be forthcoming to Council from Steve Brown.

Councillor Fryer thanked Council for the flowers for his sister's funeral and to those Council and Staff that attended the visitation and/or the funeral.

NOTICES OF MOTION

There were no Notices of Motion.

BY-LAWS

Confirmatory By-Law

Councillor Sutton moved, Councillor Pillon seconded:

That By-Law 2010 - 111 being a By-Law to confirm all resolutions of the Municipal Council Meeting held on November 8, 2010 at 6:30 PM 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 Pillon moved, Councillor Fryer seconded:

That Council adjourn at 8:28 p.m.

The Mayor put the Motion.

Motion Carried


MAYOR - WAYNE HURST


CLERK - BRENDA M. PERCY



Council Report

PUBLIC WORKS DEPARTMENT

Report To: Mayor Hurst and Members of Council
Date of Meeting: November 8, 2010
Submitted By: Lou Zarlenga, P.Eng.,
Director of Engineering & Infrastructure
Prepared By:
Date of Report: November 8, 2010
File No.: PWD-RD-2010-089
Subject: New Arena Entrance Road
Approval for Concrete Curb & Gutter

RECOMMENDATION:

That Council receive the report from Lou Zarlenga regarding the request to supply concrete curb and gutter constructed in 2010 to the proposed new entrance off Meloche Rd. to the Recreation Complex.

And further that funds of \$18,000.00 be pre-approved for a 2011 project to construct the Arena entrance road off Meloche Rd.

EXECUTIVE SUMMARY:

This report deals with a follow up to the verbal report to Council made by Lou Zarlenga at the October 21, 2010 Special Council Meeting with the intent of adding concrete curb and gutter to the original motion of Council from the October 21, 2010 Special Meeting ***"And further that Council pre-approve the expenditure of \$20,000 for placement of base asphalt for phase 2, being the easterly arena entrance road off of Meloche Road, from the 2011 Capital Roads Budget"***

REPORT:

At the October 21, 2010 Special Council Meeting the undersigned explained the need to reconstruct Meloche Rd. to accommodate the anticipated traffic flow to and from the new Arena Complex. It was further explained that a dedicated entrance road into the Arena site from Meloche Rd. would be necessary to control vehicular traffic in an East/West direction. It was further explained that PWD would be proposing a 3 phase construction project for 2011 & 2012 consisting of the following:

- A) Phase 1 - Reconstruct Meloche Rd. from Simcoe St. to the South limit of the original Larry Bauer Complex, being 630 meters in length. The estimated cost of this work was reported to be approximately \$1,110,000.00.
- B) Phase 2 – Construct new entrance road to Arena from Meloche Rd. approximately 265 meters in length consisting of existing stone base, new asphalt surface, concrete curb and gutters, storm drainage with catch waterbasins and connections to existing storm drain on North side of existing entrance road, boulevard restoration and decorative street lighting. The estimated cost of this work was reported to be approximately \$390,000.00.
- C) Phase 3 – Reconstruct Meloche Rd. from South limit of Larry Bauer Complex to Lowes Side Road, being 660 meters in length. The estimated cost of this work was reported to be approximately \$1,190,000.00.

At the October 21, 2010 Special Council Meeting, approval was received for \$20,000.00 for placement of base course asphalt.

Recently, Administration at the Parks and Recreation Dept. requested the undersigned to review the potential and cost of installing curbs and gutters this year to facilitate traffic flow and boulevard restoration. Accordingly, PWD has obtained from a Contractor presently working the Town's Infrastructure and finds the cost of accommodating this request to be approximately \$18,000.00. The undersigned agrees with the Parks and Rec Administration the early replacement of curbs and gutters would enhance the traffic control as well as safety and enhance vehicle containment.

Further it is intended that the existing granular base course for the entrance road be augmented with additional stone with an approximate cost of \$12,000.00 which would be funded from the existing 2010 stone budget (\$135,000 budgeted and currently \$79,000 utilized). Further it is intended to provide street lighting on the new Arena entrance road and on Meloche Rd. from Simcoe St. to south limits of previous Larry Bauer Complex with an approximate cost of \$70,000.00 which would be financed from a \$79,000.00 fund for entrance lighting provided by Max DeAngelis.

FINANCIAL IMPLICATIONS:

As noted above.

CONSULTATIONS:

Pam Malott, Dennis LaPorte, Tony DeThomasis, R.C. Spencer Engineering, Don Hicks, M.R. Dunn Contracting and Ivan Fregonese.

ATTACHMENTS:

See attached Aerial Photo.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "L. Zarlenga". The signature is written in a cursive, flowing style.

**Lou Zarlenga, P.Eng.
Director of Engineering and Infrastructure**



LOWES SIDERD

BEECH RD

UNITY RD 18

HART ST

PHASE 3

PHASE 1

PHASE 2

CONCESSION 4 S

ESSEX CITY RD 18

