

## **Minutes of an Amherstburg Municipal Council Meeting Held on Monday, March 21, 2011 at 7:00 p.m. in Council Chambers**

### **PRESENT:**

Mayor Wayne Hurst  
Deputy Mayor Ron Sutherland  
Councillor Carolyn Davies  
Councillor Robert (Bob) Pillon  
Councillor John Sutton  
Councillor Diane Pouget  
Councillor Bart Di Pasquale

### **ALSO PRESENT:**

Pamela Malott, Chief Administrative Officer  
Brenda Percy, Manager of Council & Leg. Services/Clerk  
Charlene Watson, Acting Executive Assistant CAO /Clerk  
Carol Bendo, Human Resources Manager  
Paul Beneteau, Treasurer  
Lory Bratt, Planning Coordinator  
Stephen Brown, Chief Building Official  
David Carpenter, IT Manager  
Todd Hewitt, Roads Superintendent  
Charlene Watson, Acting EA to CAO & Clerk  
Tim Berthiaume, Police Chief  
Nikki Lablanc, Recreation Programmer  
Dennis Laporte, Director of Recreation and Culture  
Anne Rota, Manager of Tourism and Culture  
Lou Zarlenga, Director of Engineering & Infrastructure

### **CALL TO ORDER**

The Mayor called the meeting to order at 7:03 p.m.

### **PRAYER**

The Mayor asked that we all remain standing in memory of the late Armando Deluca and the passing of the two fire fighters who lost their lives in Listowel, Ontario.

Reverend Christine Downey said prayer.

### **DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**

Councillor Pouget declared pecuniary interest in item 6.1 -Delegation on stray and feral cats as the delegate is a family member.

## **MINUTES OF PREVIOUS MEETING**

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

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

- 1. Special Council Meeting - Heritage Committee - March 3, 2011 @ 4:30 p.m.**
- 2. In-Camera Meeting - March 7, 2011 @ 4:30 p.m.**
- 3. Special Council Meeting - March 7, 2011 @ 5:30 p.m.**
- 4. Council Meeting - March 7, 2011 @ 7:00 p.m.**

The Mayor put the Motion.

**Motion Carried**

### **Procedural Motion**

Councillor Pillon moved, Councillor Pouget seconded:

**That the presentation is heard before delegations.**

The Mayor put the Motion.

**Motion Carried**

### **Presentation # 1**

Fundraising Coordinator Debi Croucher made a presentation to Council regarding a \$5,000 donation from Boralex Inc. to the United Communities Credit Union Complex.

Deputy Mayor Sutherland moved, Councillor DiPasquale seconded:

**That the presentation by Debi Croucher be received.**

**And further that By-law 2011-39 being a By-law to authorize the execution of a Donation Agreement between Boralex Inc. and the Corporation of the Town of Amherstburg be taken as having been read a first, second and third time, be 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**

## **DELEGATIONS**

### **Delegation # 1**

Councillor Pouget declared pecuniary interest and withdrew from discussion and voting on the matter.

Wendy Ouellette addressed Council regarding the stray and feral cat problem.  
(Please refer to Report item 16.2)

There was discussion with regard to location of strays, number of strays, other municipality's cat by-laws, CATS program, spaying and neutering, and cost to enforce cat by-law.

Councillor Pillon moved, Councillor DiPasquale seconded:

**That the matter be referred to budget and that Administration report back to Council with potential options for solutions.**

The Mayor put the Motion.

**Motion Carried**

### **Delegation # 2**

John McDonald along with Robert Honor, Friends of Bellevue addressed Council to seek support for the formation of a working group to explore options for the restoration of the Bellevue House.

There was discussion with regard to the formation of the Committee and whether it is a Working Group or a Committee of Council.

Councillor Davis moved, Councillor Pouget seconded:

**That the delegation by John McDonald be received;**

**And further that Council support the formation of a Bellevue Working Group as described in the resolution submitted by the delegation and with the understanding that in addition to an individual representing Administration, additional resource personnel from Administration could be invited by the working group to provide expert advice on topics determined to be of interest of the Group.**

The Mayor put the Motion.

**Motion Carried Unanimously**

**REPORTS - RECREATION/CULTURE/PARKS**

7.1 A report from Dennis Laporte regarding the Town Advertising Page Tender

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

**That the report by Dennis Laporte dated March 1, 2011 regarding the Town advertising page tender results be received;**

**And further that Council approve the River Town Times as the producer of the Town advertising page for a four year term starting March 29, 2011 to February, 2015.**

Deputy Mayor Sutherland requested a recorded vote.

The Mayor put the Motion.

	<b>Yes/Concur</b>	<b>No/Not Concur</b>
Councillor Davies		X
Council DiPasquale		X
Councillor Pillon	X	
Councillor Pouget		X
Deputy Mayor Sutherland	X	
Councillor Sutton	X	
Mayor Wayne Hurst	X	

**Motion Carried**

7.2 A report from Dennis Laporte regarding User Fees

*(Note: Clerk advised that Council received amended recommendations).*

There was discussion with regard to feedback from user groups, public input, public meeting and process. It was noted that a Special Meeting of Council for public feedback on the Recreation User fees would be scheduled and notice provided to all user groups and the public.

Councillor Davies moved, Councillor Pouget seconded:

**That Council defer this motion until after public meeting has occurred.**

The Mayor put the Motion.

**Motion Failed**

Councillor Sutton moved, Councillor Pillon seconded:

**That the report prepared by Dennis Laporte dated March 16, 2011 regarding Implementation of User Fees for the Department of Recreation and Culture be received; and**

**That Council approve, in principle, the 2011 Proposed Park and User Fees for Amherstburg Recreation Services; and**

**And further that the fees, as presented be included on the agenda for a Special Public Meeting of Council to consider user fees.**

Councillor Pillon asked for a recorded vote

The Mayor put the Motion.

	<b>Yes/Concur</b>	<b>No/Not Concur</b>
Councillor Davies	X	
Council DiPasquale		X
Councillor Pillon	X	
Councillor Pouget		X
Deputy Mayor Sutherland	X	
Councillor Sutton	X	
Mayor Wayne Hurst	X	

**Motion Carried**

### **REPORTS - POLICE**

No reports at this time.

### **REPORTS - FIRE**

No reports at this time.

## **REPORTS - INFORMATION TECHNOLOGY**

10.1 A report from Dave Carpenter regarding Rural Connections Broadband Grant Agreement

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

**That Council receive the report regarding Rural Connections Broadband Grant Agreement as submitted by Dave Carpenter;**

**And further that, By-law 2011-37, being a by-law to authorize the execution of a Funding Agreement with Her Majesty the Queen in Right of Ontario, as represented by the Minister of Agriculture, Food and Rural Affairs (Rural Connections Broadband Program), be given 3 readings and that the Mayor and Clerk be authorized to sign the same and affix the Corporate seal thereto.**

In response to a question from Council, Dave Carpenter explained the application process and the areas identified.

The Mayor put the Motion.

**Motion Carried**

## **REPORTS - DEVELOPMENT SERVICES**

11.1 A report by Lory Bratt regarding the addition of new planning fees

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

**That the report by Lory Bratt, Planning Coordinator, dated March 10, 2011 regarding the addition of new planning fees be received;**

**That Council approve establishing a fee for Applications for Certificates of Validation and copies of the Official Plan and Zoning Bylaw, in principal;**

**And further that Administration be directed to proceed with a public meeting.**

The Mayor put the Motion.

**Motion Carried**

11.2 A report from Stephen Brown regarding Building Permit Fees

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

**That Council receive the report from Stephen Brown, CBO, regarding changes to the Building Permit Fee Structure;**

**That Council support the recommended changes for the Building Permit Fee Structure;**

**And further that Council proceed to a public meeting regarding the Building Permit Fee Structure.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS - ENGINEERING AND INFRASTRUCTURE**

12.1 A report by Lou Zarlenga dated March 14, 2011 regarding an inspection of the Amherstburg Drinking Water Distribution Supply System performed by the Ministry of the Environment

Councillor Pillon moved, Councillor Sutton seconded:

**That Council receive the report from Lou Zarlenga regarding the Ministry of the Environment's inspection of the Amherstburg Drinking Water Supply System.**

The Mayor put the Motion.

**Motion Carried**

12.2 A report from Lou Zarlenga regarding the 2010 - 2011 winter control cost summary and the request for additional funding in the 2011 operational budget

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

**That Council receive the report from Lou Zarlenga regarding the 2010-2011 winter control cost summary;**

**And further that Council provide additional funding in the 2011 operational budget to cover the shortfall in two areas Winter Control Salt & Calcium and Public Works Salaries / Overtime and the projected shortfall in Street Repairs and Maintenance.**

Councillor Davies asked for a change for a long term strategy and that the budget reflect a four-year period instead of one-year period.

The Mayor put the Motion.

**Motion Carried**

12.3 A report by Lou Zarlenga regarding the direction of the Ministry of the Environment to upgrade the water plant fluoridation system.

Councillor Pouget moved, Councillor Sutton seconded:

**That Council receive the report from Lou Zarlenga regarding the December 7, 2010 inspection of the Amherstburg Water Plant and the direction to upgrade the water plant fluoridation system;**

**And further that Council concur with Administration recommendation to comply with Ministry directions to upgrade the fluoridation system.**

The Mayor put the Motion.

**Motion Carried Unanimously**

### **REPORTS – CAO**

No reports at this time.



## **REPORTS – TREASURY**

14.1 A report from Paul Beneteau regarding an amendment to the extension agreement between the Town of Amherstburg and the owner of 117 Fort Street

Councillor Pouget moved, Councillor DiPasquale seconded:

**That Council receive the report regarding an amendment to the extension agreement between the Town of Amherstburg and the owner of 117 Fort Street, as submitted by the Treasurer;**

**That, By-law 2011-38, being a by-law to authorize the amendment of an execution of a tax arrears extension agreement, pursuant to Section 378 of the Municipal Act, 2001, be given 3 readings and that the Mayor and Clerk be authorized to sign the same and affix the Corporate seal thereto;**

**And further that the Mayor and Clerk be authorized to enter into the extension agreement between the Town and the property owner, on behalf of the Town, with the terms outlined in the said agreement.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS - HUMAN RESOURCES**

15.1 A report by Carol Bendo regarding Long Service Award Recognition Policy

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

**That the report by Carol Bendo, dated March 9, 2011 regarding the Long Service Award Recognition Policy Revision be received;**

**And further that Council approve the policy as amended.**

The Mayor put the Motion.

**Motion Carried Unanimously**

15.2 A report from Carol Bendo regarding Smoke Free Workplace Policy

Councillor Pouget moved, Councillor Sutton seconded:

**That the report by Carol Bendo, dated March 9, 2011 regarding the Smoke Free Workplace Policy Revision be received;**

**And further that Council approve the policy as amended.**

The Mayor put the Motion.

**Motion Carried**

**REPORTS – CLERK’S OFFICE**

16.1 A report from Brenda Percy regarding Tree By-law

Councillor Sutton moved, Councillor Pillon seconded:

**That the report by Brenda Percy dated March 14, 2011 regarding Tree By-law be received for information.**

Councillor Pouget stated that she has reviewed other municipal By-laws and would like to meet with Administration to revise the Tree By-law to include larger fines.

The Mayor put the Motion.

**Motion Carried**

16.2 A report from Brenda Percy regarding Cat Control Issues

*The item was previously considered under Delegation 6.1.*

16.3 A report from Brenda Percy regarding Establish User Fee, Searching & Copying Documents

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

**That the report prepared by Brenda Percy dated March 14, 2011 regarding Establish User Fee for Certain Services be received;**

**That Council approve, in principle, establishing a fee for searching and copying documents;**

**And further that the fee, as presented be included on the agenda for a Special Public Meeting of Council to consider user fees.**

The Mayor put the Motion.

**Motion Carried**

16.4 A report from Brenda Percy regarding Establish User Fee, Commissioning of Documents

Councillor Sutton moved, Councillor Pillon seconded:

**That the report prepared by Brenda Percy dated March 14, 2011 regarding Establish User Fee Commissioning of Documents be received;**

**That Council approve, in principle, establishing a fee for commissioning of documents;**

**And further that the fee, as presented be included on the agenda for a Special Public Meeting of Council to consider user fees.**

The Mayor put the Motion.

**Motion Carried**

### **CONSENT REPORTS**

17.1 Solar Energy System Additional Project Design Details for Site A

Councillor Pillon moved, Councillor Sutton seconded:

**That the following consent reports be received.**

The Mayor put the Motion.

**Motion Carried**

17.2 Accounts Payable Listing for the Period of March 1, 2011 to March 15, 2011

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

**That the following report be received.**

In response to a question from Council, Lou Zarlenga advised that he would confirm with Council the charge for fencing as shown in the report.

The Mayor put the Motion.

**Motion Carried**

**CONSENT CORRESPONDENCE**

18.1 Consent Correspondence

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

**That correspondence Items 1 and 3 to 11 be received.**

1. **Ministry of Community Safety and Correctional Services - Emergency Management and Civil Protection Act - February 25, 2011;**
2. **City of Windsor - Workshop Green Infrastructure Ontario Coalition - March 2, 2011;**
3. **Ontario Onsite Wastewater Association - Septic System Re-Inspection Programs & Proposed Part 8 Sewage Code Changes- March 4, 2011;**
4. **Windsor Regional Science, Technology and Engineering Fair - March 7, 2011;**
5. **The County of Essex - April if the Canadian Cancer Society's Daffodil Month - March 9, 2011;**
6. **Minister Responsible for Seniors - 2011 Senior of the Year Award - March 7, 2011;**
7. **Association of Municipalities of Ontario - Provincial Government to go back to 50 % funding on road work - March 10, 2011;**
8. **Ministry of Citizenship and Immigration - Newcomer Champion Awards - March 10, 2011;**
9. **Town of Essex - 50% funding on road work for municipalities - March 10, 2011;**
10. **Ministry of Community Safety & Correctional Services - Fire Safety for Vulnerable Residents in Ontario (see Clerks for consultation package) - March 17, 2011 and**
11. **Association of Municipalities of Ontario - AMO Response to the Proposed Integrated Accessibility Regulation - March 16, 2011.**

The Mayor put the Motion.

**Motion Carried**

**2. City of Windsor - Workshop Green Infrastructure Ontario Coalition - March 2, 2011**

Councillor Pillon moved, Councillor Sutton seconded:

**That Council be encouraged to attend and that Administration register those Council wishing to attend.**

The Mayor put the Motion.

**Motion Carried**

**CONSENT BUSINESS LICENCES**

**19.1 Consent Business Licence**

Councillor Sutton moved, Councillor Pillon seconded:

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

**1. AMA Tennis and Badminton Expressions LC**

**And further that the licence 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**

**20.1 Consent Other Minutes**

Councillor Pillon moved, Councillor Davies seconded:

**That the following minutes be received:**

- 1. Minutes from the Co-An Park Committee meeting held March 10, 2011 at 6:30 p.m.**
- 2. Minutes from the Heritage Committee Meeting held January 13, 2011 at 5:30 p.m.**

The Mayor put the Motion.

**Motion Carried**

## **CORRESPONDENCE**

21.1 Correspondence # 1 - Request from the Essex County Dental Society and the Ontario Dental Association

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

**That the correspondence regarding a Request to Proclaim April Oral Health Month in the Town of Amherstburg dated January 31, 2011 be received;**

**That the Mayor proclaim April 2011 Oral Health Month in the Town of Amherstburg;**

**And further that a copy of this motion be forwarded to the Essex County Dental Society.**

### **Mayor's Proclamation**

*WHEREAS April is traditionally recognized throughout Canada as National Oral Health Month by Health Canada and the health professional community, and the Essex County Dental Society and the Ontario Dental Association are kicking off a province-wide campaign;*

*WHEREAS your oral health-care experts, one of the objectives of the Essex County Dental Society is to raise awareness and to promote optimal oral and dental health to the people of Amherstburg;*

*WHEREAS good oral health habits learned early in a child's life can prevent dental decay, which is one of the leading causes of absences from school;*

*WHEREAS regular examinations by the dentist can lead to early detection of oral cancer, which can dramatically increase survival rates;*

*NOW THEREFORE I, Wayne Hurst, Mayor of the Town of Amherstburg, hereby proclaim that the month of APRIL be observed as "Oral Health Month" in Amherstburg and I urge all the people of our great town to become more aware of the benefits of excellent oral/dental health, and its importance to their overall physical well-being.*

The Mayor put the Motion.

**Motion Carried**

## **UNFINISHED BUSINESS**

Unfinished Business Items as of March 21, 2011

There was no discussion.

## **NEW BUSINESS**

Councillor Sutton moved, Councillor Pillon seconded:

**That any questions regarding consent reports account payable listing be directed to Administration prior to Council meeting or Administration be required to have the answer at the next Council meeting.**

The Mayor put the Motion.

**Motion Carried**

Councillor DiPasquale has received complaints regarding crushing taking place at the Lagoon Site. Lou Zarlenga confirmed that there is no more crushing going on, everything is being taken away from the site.

Councillor Pouget referred to the flags in the Navy Yard Park and that a resident feels that the American flag is not politically correct and should be replaced with the replica of the time era.

**That Administration report back on the validity of changing the American Flag to the replica flag from that time era.**

Council asked that the report include an examination as to the purpose of the flag at Kings Navy Yard Park now.

The Mayor put the Motion

**Motion Carried**

## **REPORT FROM IN-CAMERA SESSION**

There were none.

## **NOTICES OF MOTION**

- (a) Councillor Davies provided a Notice of Motion with regard to the Nuclear Reactor Proposal. The Notice of Motion will be added to the next agenda of Council for discussion and voting.
- (b) Councillor Davies provided a Notice of Motion with regard to establishing a working group on stray and feral cats. The Notice of Motion will be added to the next agenda of Council for discussion and voting.

## **BY-LAWS**

### 26.1 Confirmatory By-law

Councillor Sutton moved, Councillor Pillon seconded

**That By-law 2011- 40 being a By-law to confirm all resolutions of the Municipal Council Meeting held on March 21, 2011 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**

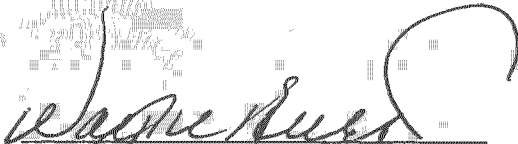
## **ADJOURNMENT**

Councillor Sutton moved, Councillor Pillon seconded:

**That Council adjourn at 9:08 p.m.**

The Mayor put the Motion.

**Motion Carried**

  
MAYOR - WAYNE HURST

  
CLERK - BRENDA M. PERCY