

**Minutes of an Amherstburg Municipal Council  
Monday, May 30, 2011 at 7:00 p.m.  
Council Chambers**

**PRESENT**

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

**CALL TO ORDER**

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

**PRAYER**

Pastor Barry Antle, Amherstburg Community Church said prayer.

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

Councillor DiPasquale declared a conflict of interest with regard to Item 16.2 – Request for Community Festival Designation Rib Fest (Rotary Club).

The Mayor commented on the Downtown revitalization in City of Windsor. He noted that this is exciting news. This will have a positive impact on the entire area, not just Windsor.

**MINUTES OF PREVIOUS MEETING**

Councillor Pilon moved, Deputy Mayor Sutherland seconded:

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

- 1. Special Council Meeting - Educational Computer Training - May 9, 2011 @ 4:50 p.m.**
- 2. In-Camera Meeting - May 9, 2011 @ 5:20 PM**
- 3. Council Meeting - May 9, 2011 @ 7:00 PM**
- 4. Special Council Meeting - Strategic Planning - May 12, 2011 @ 8:30 AM**

The Mayor put the Motion.

**Motion Carried**

### **Presentation # 1**

Along with Fundraising Coordinator Debi Croucher, Jason Laframboise, Remax Realty presented Council with a \$ 27,000 donation to the United Communities Credit Union complex.

Councillor Sutton moved, Councillor Pillon seconded:

**That the presentation by Debi Croucher and Jason Laframboise be received;**

**And further that By-Law 2011-61 being a By-law to authorize the execution of a Donation Agreement between Jason Laframboise and the Corporation of the Town of Amherstburg be taken as having been read three times, and finally passed and the Mayor and Clerk be authorized to sign same thereto.**

The Mayor put the Motion.

**Motion Carried**

### **DELEGATIONS**

The Clerk noted that the three delegations before Council are with regard to Report Item #13.4 – Development Agreement for 1500 Front Road North and Report Item #16.1 Liquor Licence Application for Ranta Marina Grill.

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

**That Reports 13.4 and 16.1 be brought forward at this time for consideration.**

The Mayor put the Motion.

**Motion Carried**

### **Delegation # 1**

Gerald Trotter addressed Council regarding the status of the premises at 1500 Front Road North. He reviewed his client's objections to the Ranta Marina variance application.

There was discussion with regard to brine wells, storm water retention, application before Council being for a temporary structure, zoning provisions and permitted uses, proposed tent, environmental assessment, geological and geo technical testing, noise concerns, liquor licence application, available washroom facilities, design and pool structure.

Councillor Sutton moved, Councillor Pillon seconded:

**That the delegation by Gerald Trotter be received.**

The Mayor put the Motion.

**Motion Carried**

**Delegation # 2**

Wilfred Fortowsky addressed Council regarding Ranta tent expressing his concerns of the brine wells below the property.

Councillor Pillon moved, Councillor Sutton seconded:

**That the delegation by Wilfred Fortowsky be received.**

The Mayor put the Motion.

**Motion Carried**

**Delegation # 3**

Timothy Finn noted that he no longer wished to address Council regarding the Ranta tent as his concerns have already been identified by the other delegates however, he sought clarification of the volume of the holding tank.

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

**That the comments by Timothy Finn be received.**

The Mayor put the Motion.

**Motion Carried**

**13.4 A report from Lory Bratt regarding a Development Agreement located at 1500 Front Road North**

Councillor Sutton moved, Councillor Pillon seconded:

**That the report from Lory Bratt, Planning Coordinator dated May 25, 2011 regarding a Development Agreement be received;**

**That Council approve the Site Plan and Agreement for 1500 Front Road North;**

**And further, that By-law 2011-62 being a By-law authorizing the signing of a Development Agreement be taken as having been read three times, and finally passed and the Mayor and Clerk be authorized to sign same thereto.**

Deputy Mayor Sutherland requested a recorded vote.

The Mayor put the Motion.

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

**Motion Carried**

16.1 A report by Brenda Percy regarding Liquor Licence Application - Ranta Marina Grill

Councillor Pillon moved, Councillor Sutton seconded:

**That the report by Brenda Percy dated May 9, 2011 regarding Application for Liquor Licence be received;**

**And further that the Clerk be authorized to advise the Alcohol and Gaming Commission of Ontario of Councils support for the application.**

The Mayor put the Motion.

**Motion Carried**

Councillor Pillon moved, Councillor Davies seconded:

**That Larry Verbeke, President, Essex County Federation of Agriculture and Leo Gilbeault, Association of Grain and Oil Seed Producers be permitted to appear as delegates.**

The Mayor put the Motion.

**Motion Carried**

Larry Verbeke, President, Essex County Federation of Agriculture and Leo Gilbeault, Association of Grain and Oil Seed Producers addressed Council and expressed concern with regard to status of agriculture lands due to recent weather conditions. The delegates noted that they may return to Council to seek Council's support in lobbying the government to extend the corn insurance deadline.

Councillor Pillon moved, Councillor Davies seconded:

**That the delegation be received.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS – HUMAN RESOURCES**

7.1 A report by Carol Bendo regarding Firefighters Mandatory Legislation

Deputy Mayor Sutherland moved, Councillor Pouget seconded:

**That Council receive the report dated May 20, 2011 regarding Firefighters Mandatory Legislation.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS – CAO'S OFFICE**

8.1 A report by Pamela Malott regarding River Canard Park Shoreline Restoration

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

**That Matthew Childs be permitted to appear before Council.**

The Mayor put the Motion.

**Motion Carried**

Mr. Matthew Childs addressed Council regarding the project and funding sources.

Councillor Sutton moved, Councillor Davies seconded:

**That the report submitted by Pamela Malott, dated May 25, 2011 regarding the proposed Shoreline Restoration Project for River Canard Park be received;**

**That Council approve Essex Region Conservation Authority undertaking the River Canard Shoreline Restoration Plan and Designate as Phase I of the proposed project in consultation with staff of Amherstburg and LaSalle;**

**That completed detail of the proposed Plan and Design be brought back to Council for consideration and necessary approvals prior to undertaking Phase II;**

**And further that should the project proceed to Phase II, a public Open House be scheduled for consultation and feedback on the proposed design.**

The Mayor put the Motion.

**Motion Carried**

**8.2 A report by Pamela Malott regarding Request for Support of Motion- Town of Thessalon**

Councillor DiPasquale moved, Councillor Pouget seconded:

**That the report submitted by Pamela Malott, dated May 25, 2011 regarding the requested support for the motion of the Council of the Town of Thessalon be received;**

**That Council support the request;**

**And further that a copy of the supporting resolution be forwarded to the Minister of Energy and Infrastructure, Bruce Crozier MPP, the Association of Municipalities of Ontario, the Federation of Northern Ontario Municipalities and the Town of Thessalon.**

The Mayor put the Motion.

**Motion Carried**

8.3 A report by Pamela Malott regarding Strategic Planning

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

**That the report by Pamela Malott, dated May 26, 2011 regarding Strategic Planning be received;**

**And that it be circulated to all stakeholders for review.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS - RECREATION/CULTURE/PARKS**

9.1 A report by Dennis Laporte regarding Canada Day Celebration and Ice Cream Festival

Councillor Sutton moved, Councillor Pillon seconded:

**That the report submitted by Dennis Laporte regarding the Canada Day Celebration and Ice Cream Festival be received;**

**That Council receive and approve the July 1, 2011 program for the Canada Day celebration at Fort Malden N.H.S.C. which includes the collaboration of the Amherstburg Ice Cream Festival at Toddy Jones Park;**

**That Council approve the road closure at Laird and Fort Malden Drive, north of the park up to North Street to allow for high pedestrian use between the two sites as shown on the attached map;**

**And further that Council waive the fee of \$150 to the organizer of the Amherstburg Ice Cream Festival.**

The Mayor put the Motion.

**Motion Carried**

9.2 A report by Dennis Laporte regarding Waive Fee for Toddy Jones Park Pavilion St. Andrew's Presbyterian Church

Councillor Pillon moved, Councillor Davies seconded:

**That the report to Waive Fee for Toddy Jones Park Pavilion be received;**

**And further that Council agree to waive the rental fee for the Pavilion at Toddy Jones Park for the St. Andrew's Presbyterian Church Picnic on June 12, 2011.**

The Mayor put the Motion.

**Motion Carried**

9.3 A report by Dennis Laporte regarding Waive Fee for Toddy Jones Park Pavilion - Lighthouse Baptist Church

Councillor Pouget moved, Deputy Mayor Sutherland seconded:

**That the report to Waive Fee for Toddy Jones Park Pavilion be received;**

**And further that Council agree to waive the rental fee for the Pavilion at Toddy Jones Park for the Lighthouse Baptist Church Picnic on June 26, 2011.**

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**

13.1 A report by Stephen Brown regarding Heritage Plaques - New Design  
(Deferred from April 4th, 2011 Council meeting)

Councillor DiPasquale moved, Councillor Pouget seconded:

**That the report by Stephen Brown dated May 9, 2011 regarding Heritage Plaques - New Design be received;**

**That the new design for heritage plaques for buildings designated under the Ontario Heritage Act be adopted;**

**And further that the owners of designated heritage buildings be encouraged to have heritage plaques installed in prominent locations on their buildings.**



The Mayor put the Motion.

**Motion Carried**

13.2 A report by Stephen Brown regarding Termination of Agreement with Lakeshore Dog Pound

Councillor Pillon moved, Councillor Sutton seconded:

**That the report by Stephen Brown, dated May 25, 2011 regarding the termination of agreement with the Lakeshore Dog Pound be received;**

**And further that Council directs Administration to terminate the Agreement in accordance with the provisions in the Agreement.**

The Mayor put the Motion.

**Motion Carried**

13.3 A report by Stephen Brown regarding Heritage Tax Rebate Applications - 2010

Councillor Davies moved, Councillor Pouget seconded:

**That the report by Stephen Brown dated May 24, 2011 regarding the Heritage Tax Rebate Applications for 2010 be deferred back to the Heritage Committee for reconsideration.**

The Mayor put the Motion

**Motion Carried**

13.4 A report from Lory Bratt regarding a Development Agreement  
*As considered above.*

## **REPORTS – ENGINEERING AND INFRASTRUCTURE**

14.1 A report from Lou Zarlenga dated May 25, 2011 regarding Feral Cat Colony - C.A.T. Selected Sites

Deputy Mayor Sutherland moved, Councillor Davies seconded:

**That the report prepared by Lou Zarlenga dated May 25, 2011 regarding Feral Cat Colony C.A.T. Selected Sites be received;**

**And further that Administration be directed to hold a public meeting to receive public feedback of all four proposed locations and that the meeting be advertised.**

The Mayor put the Motion.

**Motion Carried**

14.2 A report by Lou Zarlenga dated May 25, 2011 regarding the Kingsbridge Phase 1 Sanitary Sewer System rain and snow melting event on March 5, 2011

Councillor Sutton moved, Councillor Pillon seconded:

**That Council receive the report from Lou Zarlenga regarding the Kingsbridge Phase I Sanitary Sewer System rain and snow melting event on March 5, 2011.**

In response to Councillor Pouget, Lou Zarlenga advised that he would contact the contractor/developer to determine a date for installation of the sewer.

Councillor Pouget sought clarification of page 174 of the report, item 5 and who would be responsible for the \$19,500 being the total cost of the operations.

The Mayor put the Motion.

**Motion Carried**

## **REPORTS – TREASURY**

15.1 A report by Paul Beneteau regarding Final Tax Levy By-law 2011-60

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

**That Council receive the report regarding the Final Tax Rate By-law for 2011, as submitted by the Treasurer;**

**And further, that By-law 2011-60, being a By-law to adopt the 2010 assessments on which taxes will be levied for the year 2011, and to provide for the collection thereof, be taken as having been read three times, and finally passed and the Mayor and Clerk be authorized to sign same.**

The Mayor put the Motion.

**Motion Carried**

## **REPORTS – CLERK’S OFFICE**

16.1 A report by Brenda Percy regarding Liquor Licence Application - Ranta Marina Grill  
*As considered above.*

16.2 A report by Brenda Percy regarding Request for Community Festival Designation Rib Fest (Rotary Club) - July 22, 23 & 24, 2011

Councillor DiPasquale declared a conflict of interest and withdrew from discussion and voting on this matter.

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

**That the report by Brenda Percy dated May 9, 2011 regarding a Request for Community Festival Designation Rib Fest (Rotary Club) July 22, 23 and 24, 2011 at Centennial Park be received;**

**That Council has no objection to a liquor licence being issued to Rotary Club for the Ribfest event to be held July 22, 23 & 24, 2011 at Centennial Park;**

**And further that Ribfest be declared a Community Festival for the purpose of applying for a Special Occasion Permit.**

The Mayor put the Motion

**Motion Carried**

## **CONSENT REPORTS**

17.1 Accounts Paid Listing for the Period of May 1, 2011 to May 20, 2011

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

**That the report regarding the Accounts paid for the period of May 1st, 2011 to May 20th, 2011 be received as submitted.**

Councillor Pouget sought clarification of the cellular phone charge. The Treasurer advised that he would report back with the information.

The Mayor put the Motion.

**Motion Carried**

## **CONSENT CORRESPONDENCE**

### 18.1 Consent Correspondence

Councillor Sutton moved, Councillor DiPasquale seconded:

1. **Minister Responsible for Seniors - 2011 Senior Achievement Award Program -May 9, 2011;**
2. **Terry Fox Run Cancer Donations - Jeff Litster - May 12, 2011;**
3. **Essex County Area - Rediscover Your Bike - May 17, 2011;**
4. **Ministry of Citizenship and Immigration - Ontario Medal For Good Citizenship - May 16, 2011;**
5. **ERCA - 2011 Essex Region Children's Water Festival and Environmental Careers Day - May 19, 2011;**
6. **Community Living Essex County - 3rd Annual Municipal Cup Challenge - May 20, 2011 and**
7. **Communities in Bloom Ontario - Calling for Nominations of outstanding People, Projects and Communities - May 25, 2011.**

The Mayor put the Motion.

**Motion Carried**

## **CONSENT BUSINESS LICENCES**

### 19.1 Consent Business Licences

Deputy Mayor Sutherland 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. **Malden Concession Stand**
2. **The Orthotic Center**
3. **Eye On Video**

**And further that the licence be issued by the 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 Sutton moved, Councillor Davies seconded:

**That the following minutes be received:**

- 1. Spirit Committee Minutes - May 11, 2011 @ 5:00 p.m.**
- 2. Heritage Committee Minutes - April 21, 2011 @ 5:30 p.m.**

Councillor Davies asked that Deputy Mayor Sutherland be added as a member of the Bellevue Committee. Deputy Mayor Sutherland accepted the position.

The Mayor put the Motion.

**Motion Carried**

## **CORRESPONDENCE**

- 21.1 Correspondence # 1 - Congratulatory letter from the Windsor Emancipation Celebration Corporation on Mayor Hurst's winning the "Emancipation Walter Perry Lifetime Community Service Award"

Councillor Sutton moved, Councillor Pillon seconded:

**That the correspondence be received and congratulations be given to Mayor Hurst.**

The Mayor put the Motion.

**Motion Carried**

- 21.2 Correspondence # 2 - Request to proclaim June as Bike Month in the Town of Amherstburg

Councillor Sutton moved, Councillor Pillon seconded:

**That Council proclaim the month of June 2011 as Bike Month.**

The Mayor put the Motion.

**Motion Carried**

**Mayor's Proclamation**

Whereas, the Town Amherstburg seeks to promote healthy lifestyles, bicycle commuting and bicycle safety in its communities; and

Whereas, the Town of Amherstburg encourages motorists and bicyclists to share Amherstburg roadways; and

Whereas, June is an ideal month to enjoy bicycling as an effective and economic means of transportation and a tool for fitness, promoting physical health and a cleaner environment; and

Further that riding a bike around the neighbourhood to shop and do errands, to go to appointments, soccer games, the community center, movies, and socializing is fun. It's also easy, cheap, healthy, and makes a difference to quality of life.

Therefore, I, Wayne Hurst, Mayor of the Town of Amherstburg do hereby proclaim June is Bike Month as recognized around the world!

21.3 Correspondence # 3 - Request from Amherstburg Chamber of Commerce seeking support for donation

Deputy Mayor Sutherland moved the report with a change to the recommendations.

Deputy Mayor Sutherland moved, Councillor Pouget seconded:

**That Council receive the correspondence from the Amherstburg Chamber of Commerce requesting donations for the Silent Auction for the Mardi Gras event with proceeds benefiting Amherstburg Community Services;**

**That Council agree to a \$ 100.00 donation to the silent auction;**

The Mayor put the Motion.

**Motion Carried**

21.4 Correspondence # 4 - A request from the Ontario Family Fishing Weekend Steering Committee to proclaim July 2nd to July 10th, 2011 as Ontario Family Fishing Week

Deputy Mayor Sutherland moved, Councillor Sutton seconded:

**That Council proclaim July 2nd to July 10th, 2011 as Ontario Family Fishing Week.**

The Mayor put the Motion.

**Motion Carried**

**Mayor's Proclamation**

Whereas last year was the first year Ontario had nine days of license-free fishing;

And Whereas during this week many fish festivals, clinics or conservation and educational activities may be held in our area;

Therefore, I Wayne Hurst, Mayor of the Town of Amherstburg, proclaim July 2nd to July 10th, 2011 as Ontario Family Fishing Week.

21.5 Correspondence # 5 - A request from the Royal Canadian Legion to hold a memorial parade on June 5th, 2011

Councillor Pouget moved, Councillor Davies seconded:

**That Council support procession of a parade in memory of those who fought and died on D-Day, June 5th, 2011;**

**And that the information be forwarded to Police Services to provide support for traffic and safety during the event.**

Council was encouraged to attend the event if able.

The Mayor put the Motion.

**Motion Carried**

**OTHER MINUTES**

22.1 Traffic Committee Minutes from the meeting of March 2, 2011  
(Refer to recommendation included with Item 22.2)

22.2 Traffic Committee Minutes from the meeting of April 14, 2011

Councillor Pillon moved, Councillor Sutton seconded:

**That Council concur with the Traffic Committee's recommendation for denying the request for a parking space in front of Don Luciano's Restaurant at 237 Dalhousie Street.**

**That Council concur the request that disabled parking signs be erected in front of 306 Dalhousie Street.**

**That Council concur that a 3 way stop be erected at the intersection of Dalhousie Street and North Street.**

Councillor Pillon noted that the Committee concurred with 3 way stop at Dalbouse and North Street.

The Mayor put the Motion.

**Motion Carried**

### **UNFINISHED BUSINESS**

There were no unfinished business items.

### **NEW BUSINESS**

Councillor Pouget moved, Deputy Mayor Sutherland seconded:

**That the Fire Chief be directed to send a letter to the Amherstburg Echo and the River Town Times in order to educate Amherstburg citizens regarding tornado warnings including the importance of every family having a detailed plan and emergency kit.**

**Further, that the Fire Chief be directed to ask both school boards to provide each student with a copy of said letter.**

Councillor Sutton moved, Councillor Pillon seconded:

**That the item be deferred to next meeting in order to receive input from the Fire Chief.**

The Mayor put the Motion to Defer.

**Motion to Defer Lost**

The Mayor put the Motion.

**Motion Carried**

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

#### **COUNCIL IN-CAMERA SESSION REPORT**

During Closed Session of **May 30, 2011**, Council would report the following for the approval of Council:

#### **219 Brock Street, Amherstburg**

Councillor Sutton moved, Councillor DiPasquale seconded:

**That Council authorize Administration to extend the Listing Agreement with Andy Coletti, Regency Realty Limited Brokerage for the sale of St. Jean de Baptiste School for an additional six months with a commission fee of 5% of the sale price.**



The Mayor put the Motion.

**Motion Carried**

**NOTICE OF MOTION**

There were none.

**BY-LAWS**

27.1 Confirmatory By-law

Deputy Mayor Sutherland moved, Councillor Pillon seconded

**That By-law 2011-63 being a By-law to confirm all resolutions of the Municipal Council Meeting held on May 30, 2011 be taken as having been read three times, and finally passed and the Mayor and Clerk be authorized to sign same thereto.**

The Mayor put the Motion.

**Motion Carried**

**ADJOURNMENT**

Deputy Mayor Sutherland moved, Councillor Pillon seconded

**That Council adjourn at 9:00 p.m.**

The Mayor put the Motion.

**Motion Carried**

  
MAYOR - WAYNE HURST

  
CLERK - BRENDA M. PERCY