



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Monday, September 10, 2012
7:00 p.m.**

Council Chambers, 271 Sandwich Street South, Amherstburg

MINUTES

PRESENT

Deputy Mayor Ron Sutherland
Councillor Carolyn Davies
Councillor Robert (Bob) Pillon
Councillor John Sutton
Councillor Diane Pouget
Councillor Bart DiPasquale

Kristina Pozar Di Paolo, Acting CAO
Paula Parker, Deputy Clerk

ABSENT WITH NOTICE Mayor Wayne Hurst

CALL TO ORDER

Deputy Mayor Sutherland called the meeting to order at 7:00 pm.

PRAYER

Pastor Barry Antle with Amherstburg Community Church said prayer.

There was a moment of silence for residents that recently lost their lives in a fire on September 8, 2012.

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Councillor Pillon moved, Councillor Dipasquale seconded:

That the minutes be adopted by Council and that those confidential minutes of the closed sessions of Council remain confidential and restricted from public disclosure in accordance with exemptions provided in the Municipal Freedom of Information and Protection of Privacy Act:

- 1. Regular Council Meeting Minutes – July 23, 2012**
- 2. Regular Council Meeting Minutes – Aug 13, 2012**
- 3. Special Council Meeting Minutes – Aug 23, 2012**

The Deputy Mayor put the Motion.

Motion Carried

REPORTS - RECREATION/CULTURE/PARKS

No reports at this time.

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

- 9.1 **Proposed Plan of Condominium Essex Standard Condominium Corporation No. 121 & 141 (Pointe West) - County File No. 37-CD-12001**

Councillor Sutton moved, Councillor Pillon seconded:

That the report by Lory Bratt, Planning Coordinator, dated August 21, 2012 regarding a proposed Plan of Condominium, Essex Standard Condominium Corporation No. 121 & 141 be received;

That the Town of Amherstburg supports the request from the applicant for an exemption under Section 9(3) of the Condominium Act to accommodate the amalgamation of two corporations into a single condominium corporation;

And further that the Town does not require any conditions imposed in the approval of this application.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

9.2 Removal of Part Lot Control Kingsbridge Subdivision

Councillor Pouget moved, Councillor DiPasquale seconded:

That the report from Lory Bratt dated August 23, 2012 regarding removal of Part Lot Control- Kingsbridge Subdivision be received;

That Council approve the request to extend the time frame specified in the By-law;

That Council approve the request to amend the land described in the By-law;

And further that By-law 2012-82 being a By-law to amend By-law 2010-93 to extend the expiration date and amend the land described for Part Lot Control exemption be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

9.3 Removal of Part Lot Control Golfview Subdivision

Councillor Sutton moved, Councillor Davies seconded:

That the report from Lory Bratt dated August 29, 2012 regarding removal of Part Lot Control- Golfview Subdivision be received;

That Council approve the request to extend the time frame specified in the By-law;

That Council approve the request to amend the land described in the By-law;

And further that By-law 2012-83 being a By-law to amend By-law 2010-95 to extend the expiration date and amend the land described for Part Lot Control

exemption be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

9.4 Parts 1, 2 and 3, Registered Plan 12R-23658 River Walk Crescent - Road Dedication

Councillor DiPasquale moved, Councillor Davies seconded:

That the report by Lory Bratt, Planning Coordinator dated August 23, 2012 regarding River Walk Crescent Road Dedication be received;

That Council approve the dedication of Parts 1, 2 and 3, Reference Plan 12R-23658 as a public highway, to be named as River Walk Crescent;

And further that By-law 2012-84 being a By-law to dedicate certain lands in the Town of Amherstburg as a public highway, be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

9.5 Repeal of By-law 2012-50 Amending Development Agreement - 681 Front Road South

Councillor Pouget moved, Councillor Davies seconded:

That the report by Lory Bratt, Planning Coordinator dated August 29, 2012 regarding the Repeal of By-law 2012-50 be received;

That Council deems it appropriate to repeal By-law 2012-50 which authorized the signing of an Amending Development Agreement;

And further that By-law 2012-88 being a By-law to repeal By-law 2012-50 be taken as having been read three times and finally passed and the Mayor and the Clerk be authorized to sign same.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

REPORTS - ENGINEERING AND INFRASTRUCTURE

10.1 2012 Water Maintenance Van Replacement - Tender Results

Councillor DiPasquale moved, Councillor Pouget seconded:

That the report by Lou Zarlenga dated August 29, 2012 regarding the 2012 Water Maintenance Van Replacement Tender Results be received;

And further that Council award the contract for the replacement of a water maintenance van to the low tenderer, being Joe Meloche Ford for the price of \$25,475.00 plus HST.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

10.2 2012 Miscellaneous Asphalt Placement Program - Tender Results

Councillor DiPasquale moved, Councillor Pillon seconded:

That the report by Lou Zarlenga dated September 4, 2012 regarding the 2012 Miscellaneous Asphalt Program Tender Results be received;

And further that Council accept Administration's recommendation to award the contract to the lowest bidder, being Mill-Am Corporation for the amount of \$91,020 plus HST for the 2012 Miscellaneous Asphalt Placement Program.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

10.3 Cherrylawn Crescent Resurfacing - Tender Results

Councillor Sutton moved, Councillor Pillon seconded:

That the report by Lou Zarlenga dated August 29, 2012 regarding the Cherrylawn Crescent Resurfacing Tender Results be received;

And further that Council accept the Consulting Engineer's recommendation to award the contract to the lowest bidder, being Coco Paving for the amount of \$114,900.00 plus HST for the Cherrylawn Crescent Resurfacing.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

10.4 **2012 Surface Treatment Program - Tender Results**

Councillor Pillon moved, Councillor Sutton seconded:

That the report by Lou Zarlenga dated August 29, 2012 regarding the 2012 Surface Treatment Program Tender Results and Recommendations be received;

That Council accept Administration's recommendation to award the contract to the lowest bidder, being Shepley Road Maintenance Limited for the amount of \$54,537.50 plus HST for the 2012 Surface Treatment Program;

And further that Council approve the use of the project funding surplus to extend the tar and chip placement on the 7th Concession to cover the entire length from County Road 18 to South Sideroad.

The Deputy Mayor put the Motion.

Motion Carried

10.5 **Victoria Street North Resurfacing From Alma Street to St. Arnaud Street - Tender Results**

Councillor Sutton moved, Councillor Davies seconded:

That the report by Lou Zarlenga dated August 29, 2012 regarding the Victoria Street North Resurfacing from Alma Street to St. Arnaud Street Tender Results be received;

And further that Council accept the Consulting Engineer's recommendation to award the contract to the lowest bidder, being Coco Paving, for the amount of \$53,450.00 plus HST for the Victoria Street North Resurfacing project from Alma Street to St. Arnaud Street.

The Deputy Mayor put the Motion.

Motion Carried

REPORTS - CAO's OFFICE

11.1 Participation Agreement - Viewpoints with Terry Bradshaw

Kristina DiPaolo, Acting CAO provided an overview of the report.

Councillor Davies moved, Councillor Pouget seconded:

That the report from Acting CAO Kristina Pozar Di Paolo, dated August 31, 2012, regarding a Participation Agreement with Viewpoints with Terry Bradshaw be received;

And further that By-law 2012-89 being a By-law authorizing the execution of a Participation Agreement between the Town of Amherstburg and Viewpoints with Terry Bradshaw TV Series (Launched by U.S. Media Television, Inc.) be taken as having been read three times, and finally passed and the Mayor and Clerk be authorized to sign same thereto.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

REPORTS – TREASURY

12.1 Tax Write-Offs and Assessment Changes

Councillor Sutton moved, Councillor DiPasquale seconded:

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

And further, that By-Law 2012-81, being a By-law to strike taxes from the tax roll and to adjust assessment values on properties be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign the same thereto.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

12.2 Canada-Ontario Affordable Housing Program – 440 and 448 Simcoe Street

Councillor Pillon moved, Councillor Pouget seconded:

That Council receive the report concerning the Canada-Ontario Affordable Housing Program, as submitted by the Treasurer;

That By-law 2012-86 being a By-law to authorize a single residential tax rate for Municipal purposes under the Canada-Ontario Affordable Housing Program (440 Simcoe Street,) be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same thereto;

And further that By-law 2012-87 being a By-law to authorize a single residential tax rate for municipal purposes under the Canada-Ontario Affordable Housing Program (448 Simcoe Street,) be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same thereto.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

12.3 Rating By-Law 2012-78 Tile Loan Application – Jean Renaud ROLL NUMBER 37-29-630-000-06400 Under the Ontario Tile Drainage Act

Councillor DiPasquale moved, Councillor Pouget seconded:

That the report from Paul Beneteau, Treasurer, regarding By-law 2012-78 being a rating By-law under the Ontario Tile Drainage Act be received;

And further that By-law 2012-78, being a By-law to raise money to aid in the construction of drainage works under the Tile Drainage Act, be taken as having been read three times, and finally passed, and that the Mayor and Clerk be authorized to sign same thereto.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

REPORTS - HUMAN RESOURCES

No reports at this time.

REPORTS - CLERK'S

14.1 Amendments to Traffic By-law 2011-69

Councillor Sutton moved, Councillor Dipasquale seconded:

That the report prepared by Brenda Percy dated August 21, 2012 regarding Amendments to Traffic By-law 2011-69 be received;

And further that By-law 2012-67 being a By-law to Amend Schedule "B", "L" and "J" of Bylaw 2011-69 be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same thereto.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

14.2 Extension of Lease Agreement with Waterbee Pools Staging Area Wastewater Treatment Plant Site

Councillor Pouget moved, Councillor Pillon seconded:

That the report prepared by Brenda Percy dated August 21, 2012 regarding Extension of Lease Agreement with Waterbee Pools –Staging Area Wastewater Treatment Plant Site be received;

And further that By-law 2012-80 being a By-law to Authorize the Extension of Lease Agreement between the Town of Amherstburg and Waterbee Pools Limited be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same thereto.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

CONSENT REPORTS

Councillor Sutton moved, Councillor Pouget seconded:

That the consent reports be received.

- 1. 2012 West Nile Virus Control Program Positive Identification Status**
- 2. Yard Waste Collection Program Council Update for July 2012**
- 3. 2014 Ontario 55+ Summer Games**
- 4. Accounts Paid for the Period August 1, 2012 to August 29, 2012**

The Deputy Mayor put the Motion.

Motion Carried Unanimously

CONSENT CORRESPONDENCE

Councillor Pillon moved, Councillor Sutton seconded:

That the correspondence items 1 – 4, 6 and 8 - 11 and be received.

1. Windsor Symphony Orchestra - Thank you letter
2. The Army Cadette League of Canada - Recognition of Alexandra Turner of 202 Fort Malden Army Cadet Corps
3. MPAC Update
4. ERCA - Run, Run Santa!
6. Ministry of Community and Social Services - Amendment to Integrated Accessibility Standards
7. Thunder Bay Disaster Relief Fund
8. Association of Municipalities of Ontario (AMO) - Fifth Annual Local Government Week
9. Ontario Municipal Water Association (OMWA) - Education Day
10. Letter to Council - Terry Bergeron
11. Leadership Windsor/Essex with United Way - 7th Annual Excellence in Leadership Dinner
12. Co-An Park Dinner Tickets - Annual Co-An Appreciation Day Tournament

The Deputy Mayor put the Motion.

Motion Carried

Item 5 – Letter to Council – Margaret Squire

Councillor Sutton suggested Administration look into the feasibility of use of care-a-van to get senior residents to the south entrance in the interim and wants to make sure Mrs. Squire gets notice when this goes to budget.

Councillor DiPasquale moved, Councillor Sutton seconded:

That Council receive item 5 and refer the item to budget deliberations.

The Deputy Mayor put the Motion.

Motion Carried

Item 7 - Thunder Bay Disaster Relief Fund

Councillor Pillon moved, Councillor Davies seconded:

That Council receive item 7 and donate \$300.00 to the disaster relief fund.

The Deputy Mayor put the Motion.

Motion Carried

Item 12 - Co-An Park Dinner Tickets - Annual Co-An Appreciation Day Tournament

Councillor Pillon moved, Councillor Sutton seconded:

That Council receive item 12 and approve the purchase of 10 tickets in the amount of \$150.00 as a donation to Co-An Park and that Council authorize the purchase of extra tickets, if necessary.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

CONSENT OTHER MINUTES

Councillor Pouget moved, Councillor Davies seconded:

That the following minutes be received:

- 1. Committee of Adjustment Minutes – July 31, 2012**
- 2. Heritage Committee Minutes - June 21, 2012**

The Deputy Mayor put the Motion.

Motion Carried

OTHER MINUTES

18.1 Traffic Committee Minutes – July 19, 2012

Councillor Pillon moved, Councillor Pouget seconded:

That Council concur with the Traffic Committee's recommendation to relocate the existing landscaping that is obstructing the driver's view of oncoming Southbound traffic for all Northbound traffic turning from Laird Avenue onto Fort Malden Drive.

The Deputy Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

Unfinished Business items as of September 10, 2012

Councillor Davies would like to have Lakewood Drain #2 added to the unfinished business list.

NEW BUSINESS

Councillor Pouget requested that Administration report on the 2 hour parking enforcement options on Dalhousie Street.

NOTICES OF MOTION

There were none.

BY-LAWS

22.1 Zoning By-law Amendment

Councillor Sutton moved, Councillor Pouget seconded:

That **By-law 2012-79** being a By-law to amend Zoning By-law No. 1999-52 be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same thereto.

The Deputy Mayor put the Motion.

Motion Carried Unanimously

22.2 Confirmatory By-law

Councillor Pillon moved, Councillor DiPasquale seconded:

That **By-law 2012-90** being a By-law to confirm all resolutions of the Municipal Council Meetings held on August 23, 2012 and September 10, 2012 be taken as having been read three times and finally passed and the Mayor and Clerk be authorized to sign same thereto.

The Deputy Mayor put the Motion.

Motion Carried

ADJOURNMENT

Councillor Sutton moved, Councillor Davies seconded:

That Council rise and adjourn at 8:27 p.m.

The Deputy Mayor put the Motion.

Motion Carried

DEPUTY MAYOR – RON SUTHERLAND

DEPUTY CLERK – PAULA PARKER