



**TOWN OF AMHERSTBURG  
SPECIAL COUNCIL MEETING  
Thursday, August 23, 2012  
6:00 p.m.**

Council Chambers - 271 Sandwich Street South, Amherstburg, Ontario

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## **MINUTES**

### **PRESENT**

Mayor Wayne Hurst  
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  
Lou Zarlenga, Director of Engineering and  
Infrastructure  
Eric Chamberlain, Drainage Superintendent  
Dean Collver, Director of Recreation and Culture

### **CALL TO ORDER**

The Mayor called the meeting to order.

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

There were no disclosures of pecuniary interest.

### **REPORTS - ENGINEERING AND INFRASTRUCTURE**

- 3.1 **2nd Concession Road Drain North – New Maintenance Assessment  
Schedule**

Halliday Pearson, P. Eng. and Bruce Crozier, P. Eng., Crozier Baird Engineers, provided an overview of the engineer's report. The Mayor invited residents who wish to speak to the matter to address Council. The following residents were heard:

- Bonnie Potvin - 1379 Concession 2, Amherstburg - sought clarification of what the process consists of.
- Owen Hamel - 1577 Concession 2, Amherstburg - sought clarification of the timing on the process.

Councillor Sutton moved, Councillor Pillon seconded:

**That Council receive the report from Lou Zarlenga dated June 11, 2012 concerning the 2nd Concession Road Drain North public meeting for the consideration of the maintenance assessment schedule report prepared by Halliday Pearson, P. Eng. from Crozier Baird Engineers dated June 7, 2012;**

**That Council adopt the engineer's report for the 2nd Concession Road Drain North by giving first and second readings to By-law 2012-52;**

**And further that Council direct Administration to schedule the Court of Revision for the 2nd Concession Road Drain North.**

The Mayor put the Motion.

**Motion Carried**

### 3.2 **Collison Drain – New Access Culvert – Parks Property**

Girard Rood, P. Eng., Rood Engineering Inc. provided an overview of the engineer's report as attached to the Administrative report.

Councillor DiPasquale sought clarification on the timing of the project.

Councillor Pillon sought clarification of the width requested by Jon Parks.

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

**That Council receive the report from Lou Zarlenga dated July 31, 2012 concerning the access culvert for Jon Parks over the Collison Drain public meeting for the consideration of the final report prepared by Gerard Rood, P. Eng. from Rood Engineering Inc. dated July 9, 2012;**

**That Council provisionally adopt the engineer's report for the access culvert for Jon Parks over the Collison Drain by giving first and second readings to By-law 2012-73;**

**That Council direct Administration to schedule the Court of Revision for the Collison Drain.**

**And further that Mr. Parks be invited to participate in the application for tender and increase the width of the culvert itself to 40 ft rather than the proposed 30ft.**

The Mayor put the Motion.

**Motion Carried**

### **3.3 Inflow and Infiltration – Smoke Testing Program**

Councillor Pillon moved, Councillor Davies seconded:

**That Council receive the report from Lou Zarlenga dated August 15, 2012 regarding a Smoke Testing Program to investigate inflow and infiltration in the Kingsbridge, Gardiner, Canard Estates, Fox Glen, and Amherst Point subdivisions.**

The Mayor put the Motion.

**Motion Carried Unanimously**

## **REPORTS – RECREATION/CULTURE/PARKS**

### **4.1 Shores of Erie International Wine Festival Road Closure Request**

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

**That the report submitted by Dean Collver dated August 15, 2012 regarding the Shores of Erie International Wine Festival be received;**

**And further that Council approve the road closure scheduled for September 6, 7, 8 and 9, 2012, as outlined in the map attached to the report.**

The Mayor put the Motion.

**Motion Carried Unanimously**

## **REPORTS – CAO's OFFICE**

### **5.1 Sponsorship Agreement – Athletic Club**

Councillor Sutton moved, Councillor Pillon seconded:

Councillor Pouget provided a list of questions, a copy of which are attached to and form part of these minutes. Acting CAO, Kristina DiPaolo advised that answers would be provided.

**That the report by Kristina Pozar Di Paolo dated August 20, 2012 regarding Sponsorship Agreement - Athletic Club be received for information.**

The Mayor put the Motion.

**Motion Carried Unanimously**

## **ADJOURNMENT**

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

**That Council adjourn at 6:49 p.m.**

The Mayor put the Motion.

**Motion Carried Unanimously**

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MAYOR – WAYNE HURST

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DEPUTY CLERK – PAULA PARKER

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I'd like to make a motion to request administration to supply Council with a full report at our next public Council Meeting with the following information and concerns:

- 1) A copy of the By-Law between the Town of Amherstburg and the Athletic Club concerning the Sponsorship agreement as presented in this report.
- 2) Was the previous Council legally justified to vote on a \$100,000 sponsorship agreement at the UCCU Complex during the 2010 election?
- 3) Was a vote, decision or direction pertaining to this sponsorship agreement made in camera?
- 4) If the vote, decision or direction was made in-camera, did Council follow proper procedure and announce this decision at a Public Council Meeting as required?
- 5) Does this contract discriminate or unfairly prohibit an entrepreneur to rent any of our municipal facilities, within a 10 km radius of our UCCU Complex from offering adult training classes, as outlined in this report?
- 6) Does this contract discriminate against any of our adults 18 years of age or older, from partaking in any and all adult fitness classes, as outlined in this report?
- 7) Does this sponsorship agreement have any financial ramifications on our operational budget at the UCCU Complex, that has been currently operating with a large deficit?
- 8) Were the citizens of Amherstburg properly informed that tonight's meeting was to deal with this report, when it was advertised as a Drainage Meeting?
- 9) Was this report released according to the order given by the IPC that stated: "I order the Town to properly disclose the record to the appellant by providing her with a copy by September 6, 2011 and not before August 31, 2012?"

**PUBLIC MEETING ATTENDANCE RECORD**

**Date: Thursday, August 23, 2012 at 6:00 p.m.**

**Special Council Meeting – Drainage**

NAME (please print clearly)	ADDRESS and PHONE # (please print clearly)	Applicable Drain
Ed Monforton	4927 4th Con W	
MARGARET MONEBATON	4927 4th Con W.	
Bonnie Porvin	1379 Con 2 W	
Jon & Kathy Parks	7631 Con 7	Bridge
Tony & LAURIE TROTT	1246 Con 2	
Owen & Dayle Hamel	1577 2nd. Con. N.	