



**TOWN OF AMHERSTBURG
COUNCIL MEETING
Monday, April 08, 2013
7:00 PM**

Council Chambers, 271 Sandwich Street South, Amherstburg

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
Brenda Percy, Manager of Council & Legislative
Services/Clerk

CALL TO ORDER

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

PRAYER

Elder, Darwin Wismer of Amherstburg Community of Christ Church said prayer.

Merrimadics, Barbershop Quartet sang O'Canada

DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest noted.

MINUTES OF PREVIOUS MEETING

Approval of Minutes

Councillor DiPasquale moved, Councillor Sutton 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 - March 18, 2013**
- 2. Special In-Camera Meeting Minutes - March 18, 2013**

The Mayor put the Motion.

Motion Carried Unanimously

DELEGATIONS

5.1 Doran McTaggart, Merrimadics - Barbershop Harmony Society

Bill Strong, Fred Sorrell, Doug Scott and Doran McTaggart addressed Council regarding Barbershop Harmony Week.

Councillor Pillon moved, Councillor Pouget seconded:

That the delegation be received;

And further that Council proclaim April 7 - 13, 2013 as Barbershop Harmony Week.

(The Mayor proclaims Barbershop Harmony Week)

The Mayor put the Motion.

Motion Carried

The Clerk asked for Council's indulgence to bring forward Report Item # 7.4 at this time as representatives from Junior C were present.

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That Report Item 7.4 be brought forward at this time.

The Mayor put the Motion.

Motion Carried

7.4 **Junior C Hockey Tenant in the United Communities Complex**

Dean Colver, Director, Recreation and Culture provided an overview of the report.

Joe Donato, Gaspare Spada and Greg Prymak, Representatives of Junior C addressed Council regarding tenancy at the United Communities Credit Union Complex.

Deputy Mayor Sutherland moved, Councillor Davies seconded:

That the report by Dean Colver dated March 27, 2013 regarding a Junior C Hockey Tenant in the United Communities Complex be received;

That Council authorize Administration to continue negotiations with the intention of coming to terms on a tenancy agreement which will then be presented at Council;

That Council authorize the business case as presented within this report subject to hard costs being verified and the establishment of a tenancy agreement that encapsulates all points within the business case;

And further that Council support the engagement of the Department of Recreation & Culture in a community 'Name the Team' event to establish a new name for the Junior C team in advance of a formal tenancy agreement being signed.

The Mayor put the Motion.

Motion Carried Unanimously

The Mayor asked that Council bring forward Report Items 12.1 and 12.2 at this time.

Councillor Sutton moved, Councillor Davies seconded:

That Report Items 12.1 and 12.2 be brought forward at this time.

The Mayor put the Motion.

Motion Carried

PRESENTATIONS

- 6.1 **Tony Berardi, Stantec Consulting - New Water Tower Final Construction, Old Water Tower Demolition Completion**
(Refer to Consent Report Item #17-a and Report Items 12.1 and 12.2)

Tony Berardi, Stantec Consulting Inc., provided a PowerPoint presentation regarding the demolition of the old Alma Street Water Tower.

Councillor Sutton moved, Councillor Pillon seconded:

That the presentation be received;

And further that Consent Report 17-a be received.

The Mayor put the Motion.

Motion Carried

12.1 **Alma Street Water Tower Recommended Land Use and Development**

Councillor Sutton moved, Councillor Davies seconded:

That the report by Lou Zarlenga dated March 28, 2013 regarding the Alma Street Water Tower Recommended Land Use and Development be received;

And further that Council concur with Administration's recommendation to consider the old Alma Street water tower property to be surplus and proceed to service said property with water, storm and sanitary connections, and proceed to sell the properties pursuant to the Town's Policy on the Sale of Surplus Property.

The Mayor put the Motion.

Motion Carried Unanimously

12.2 **New Thomas Road Water Tower - Potential Antenna Allocation**

Deputy Mayor Sutherland moved, Councillor Pillon seconded:

That the report by Lou Zarlenga dated March 28, 2013 regarding the New Thomas Road Water Tower Potential Antenna Allocation be received;

That Council concur with the recommendation of the Town's engineering consultants, Stantec Consulting Ltd., that the Town designates and reserves the existing spare antenna mounts located on top of the water tower roof for Town use only;

And further that Council concur with Administration's recommendation that additional antenna mounts are not required at this time and should only be installed when required for the Town of Amherstburg municipal use only.

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS - RECREATION/CULTURE/PARKS

7.1 Municipal Alcohol Management Policy

Councillor Sutton moved, Councillor Davies seconded:

That the report prepared by the Rick Daly, Nicole Rubli and Paula Parker, dated March 26, 2013 regarding the Municipal Alcohol Management Policy be received;

And further that the Municipal Alcohol Management Policy be approved, as presented.

The Mayor put the Motion.

Motion Carried Unanimously

7.2 Canada Day 5 km Run

Councillor Pillon moved, Councillor Davies seconded:

That the report by Anne Rota regarding Canada Day 5 km Run be received;

And further that Council approve the road closure proposed on Monday, July 1 2013 between the hours of 8:30 am to 10:00 am to facilitate the run.

The Mayor put the Motion.

Motion Carried Unanimously

7.3 Agreement with Hotte Marine Contracting Ltd.

Deputy Mayor Sutherland moved, Councillor Pouget seconded:

Dean Collver, Director, Recreation and Culture advised that he would bring back information to Council as quickly as possible regarding accessibility around tie downs for the barge and location of construction fencing.

That the report by Dean Collver dated March 26, 2013 regarding Agreement with Hotte Marine Contracting Ltd. be received;

And further that By-law 2013-38 being a By-law to enter into an Agreement between Hotte Marine Contracting Ltd. and the Corporation of the Town of Amherstburg be read three times and finally passed and the Mayor and Clerk be authorized to sign same thereto.

The Mayor put the Motion.

Motion Carried Unanimously

7.4 Junior C Hockey Tenant in the United Communities Complex

As dealt with above.

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

No reports at this time.

REPORTS - ENGINEERING AND INFRASTRUCTURE

12.1 Alma Street Water Tower Recommended Land Use and Development

As dealt with above.

12.2 New Thomas Road Water Tower - Potential Antenna Allocation

As dealt with above.

12.3 Request for Replacement of an Existing Culvert on the 8th Concession Road Municipal Drain North

Councillor DiPasquale moved, Councillor Davies seconded:

Motion to reconsider Report Item 12.3.

The Mayor put the Motion.

Motion Carried Unanimously

Councillor DiPasquale moved, Councillor Davies seconded:

That the report from Lou Zarlenga dated February 26, 2013 regarding a request for replacement of an existing culvert on the 8th Concession Road Municipal Drain North – from Patrick and Donald Coyle be received;

And further that Council rescind the motion to appoint Crozier Baird Engineers dated October 15, 2012 for the request from Patrick and Donald Coyle for the replacement of an existing culvert over the 8th Concession Road Municipal Drain North as per section 78 of the Drainage Act.

The Mayor put the Motion.

Motion Carried Unanimously

12.4 Leo Beaudoin Pump – Request for Improvements to the Pump Station From Town of Amherstburg

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That the report by Lou Zarlenga dated March 28, 2013 regarding the Leo Beaudoin Pump – Request for Improvements to the Pump Station from Town of Amherstburg be received;

That Council accept the request from Town of Amherstburg Public Works Department Road Authority for the improvements to the Leo Beaudoin Pump as per section 78 of the Drainage Act;

That Council appoint a Drainage Engineer pursuant to the provisions of the Drainage Act for the repair and improvement of the Leo Beaudoin Pump;

And further that the firm of Dillon Consulting be appointed for the purpose of preparing an engineer's report including plans and profile for the Leo Beaudoin Pump.

The Mayor put the Motion.

Motion Carried Unanimously

12.5 4th Concession Road Drain – Request for New Access Culvert

Councillor Pillon moved, Deputy Mayor Sutherland seconded:

That the report by Lou Zarlenga dated March 26, 2013 regarding the 4th Concession Road Drain – Request for New Access Culvert from Norman Jobin and Joslyne and Michael Rizza be received;

That Council accept the request from Norman Jobin and Joslyne and Michael Rizza for a new access culvert over the 4th Concession Road Municipal Drain as per section 78 of the Drainage Act;

That Council appoint a Drainage Engineer pursuant to the provisions of the Drainage Act for the repair and improvement of the 4th Concession Road Municipal Drain;

And further that the firm of Crozier Baird Engineers be appointed for the purpose of preparing an engineer's report including plans and profile for the 4th Concession Road Municipal Drain.

The Mayor put the Motion.

Motion Carried Unanimously

12.6 King Street Sanitary Sewer Renewal Phase 2 From Gore Street to Richmond Street - Tender Results

Councillor Sutton moved, Councillor DiPasquale seconded:

That the report by Lou Zarlenga dated March 28, 2013 regarding the King Street Sanitary Sewer Renewal Phase 2 From Gore Street to Richmond Street Tender Results be received;

And further that Council accept the Consulting Engineer's recommendation to award the contract to the lowest bidder, being D'Amore Construction, for the amount of \$262,392.00 plus HST.

The Mayor put the Motion.

Motion Carried Unanimously

REPORTS - CAO's OFFICE

No reports at this time.

REPORTS - TREASURY

No reports at this time.

REPORTS - HUMAN RESOURCES

No reports at this time.

REPORTS - LEGISLATIVE SERVICES

16.1 Insurance/Risk Management Plan

Councillor Sutton moved, Councillor Pouget seconded:

That the report prepared by Paula Parker dated March 6, 2013 regarding the Insurance/Risk Management Plan be received;

That Council direct Administration to move forward with the Insurance/Risk Management Plan, as presented;

And further that By-law 2013-39 being a By-law to delegate authority to Town of Amherstburg Administration to settle insurance claims that are within the Town's deductible amount 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 Unanimously

CONSENT REPORTS

Councillor Pillon moved, Councillor Pouget seconded:

That the consent reports b-d be received.

- a) Construction of New Thomas Road Water Tower and Demolition of Old Alma Street Water Tower (as dealt with above)**
- b) Spring Ice Plan at United Communities Credit Union Complex**
- c) 2012-2013 Municipal Drainage Projects Activity Report**
- d) Accounts paid for the period of March 11, 2013 to March 27, 2013**

The Mayor put the Motion.

Motion Carried

CONSENT CORRESPONDENCE

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That the correspondence be received.

- a) 2013 Senior Achievement Award Program**
- b) Day of Mourning Ad Campaign**
- c) Erie St. Clair LHIN - Third Integrated Health Service Plan**
- d) Essex County Library Tour**
- e) Windsor Essex Children's Aid Foundation**

The Mayor put the Motion.

Motion Carried

Deputy Mayor Sutherland reminded all of Council about the Essex County Library Tour.

Councillor Davies requested a cost comparison for salt and winter maintenance for 2013 versus 2011/2012. Lou Zarlenga, Director, Engineering and Infrastructure advised that a report will come to the next Council meeting.

CONSENT OTHER MINUTES

Councillor Pouget moved, Deputy Mayor Sutherland seconded:

That the following minutes be received:

- a) Amherstburg Police Services Board Minutes - February 19, 2013**
- b) Committee of Adjustment Meeting Minutes - February 26, 2013**
- c) Heritage Meeting Minutes - February 28, 2013**

The Mayor put the Motion.

Motion Carried

CORRESPONDENCE

20.1 Essex County Steam and Gas Engine Museum Inc.

Councillor Pillon moved, Councillor Davies seconded:

That the correspondence from Essex County Steam and Gas Engine Museum Inc. be received;

And further that Council approve the \$100.00 fee for a quarter page ad, to be consistent with 2012.

The Mayor put the Motion.

Motion Carried

UNFINISHED BUSINESS

Unfinished Business items as of Monday, April 08, 2013

Councillor Pillon asked about the maintenance of gravel roads. Lou Zarlenga, Director, Engineering and Infrastructure advised that the timing is still early and Todd Hewitt, Road Superintendent is looking at it actively every day.

Councillor Sutton questioned a report from PWD regarding consulting fees. Lou Zarlenga, Director, Engineering and Infrastructure advised that Administration is still working on this report.

Councillor Pouget questioned enforcement of 2 hour parking on Dalhousie St. Tim Berthiaume, Chief of Police spoke regarding the challenges of enforcing the By-law. Councillor Davies suggested that Council put this back in front of the Traffic Committee for review.

The Mayor commended Tim Bertiaume, Chief of Police and staff for their fine work in apprehending individuals regarding the recent graffiti in the Town of Amherstburg.

NEW BUSINESS

There was no new business.

REPORT FROM IN-CAMERA SESSION

Report from In Camera Meeting held Tuesday, April 02, 2013

COUNCIL IN CAMERA SESSION – REPORTING OUT April 2, 2013 MEETING

Council met at 5:30 pm. on April 2, 2013 for a Special In-Camera meeting and discussed one (1) items as provided for under Section 239 of the Municipal Act.

ITEM A - CAO Update heard under Section 239(2)(b), (d) and (f) of the Municipal Act. There is nothing further to report on this matter.

NOTICES OF MOTION

- 24.1 **Councillor Davies - Light Industrial Land Development and Infill opportunities for Economic Development**
(As introduced at March 18, 2013 Regular meeting)

Councillor Davies moved, Councillor Pouget seconded:

For Administration to bring back a report on the availability of Light Industrial Land Development and Infill opportunities for Economic Development with in the Town of Amherstburg.

The Mayor put the Motion.

Motion Carried Unanimously

24.2 **Councillor Pouget - Signage on Private Property**
(As introduced at March 18, 2013 Regular meeting)

Councillor Pouget moved, Councillor Davies seconded:

To request Administration to introduce a By-law that would control the use of signs being erected on property, not owned by the person or company that is advertised on said signage.

And further that Administration report back to the Parks Committee that have concerns about signage also.

The Mayor put the Motion.

Motion Carried Unanimously

24.3 **Councillor Pouget - Environment Concerns of Storage of Petroleum Coke**
(As introduced at March 18, 2013 Regular meeting)

Councillor Pouget moved the notice of motion with a slight amendment to add the support of the Ministry of Environment.

Councillor Pouget moved, Councillor Sutton seconded:

To request that Administration send letters to the appropriate levels of government to relay our environmental concerns of the open storage of Petroleum Coke on the banks of the Detroit River. To also request support from our municipalities in Essex County including ERCA, Essex County Council and the Ministry of Environment.

The Mayor put the Motion.

Motion Carried Unanimously

BY-LAWS

25.1 **Confirmatory By-law**

Deputy Mayor Sutherland moved, Councillor Pouget seconded:

That By-law 2013-40 being a By-law to confirm all resolutions of the Municipal Council Meetings held on April 2 and 8, 2013 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 Unanimously

ADJOURNMENT

Councillor Sutton moved, Deputy Mayor Sutherland seconded:

That Council rise and adjourn at 8:43 p.m.

The Mayor put the Motion.

Motion Carried

MAYOR – WAYNE HURST

CLERK – BRENDA M. PERCY