



**The Corporation of the Town of Essex**

**Regular Council Meeting Minutes**

**This meeting was held electronically during a time of Declared Emergency  
pursuant to Town of Essex By-Law 1902**

July 6, 2020, 6:00 pm

Location: <https://www.youtube.com/user/EssexOntario>

Present: Mayor Larry Snively  
Deputy Mayor Richard Meloche  
Councillor Joe Garon  
Councillor Morley Bowman  
Councillor Kim Verbeek  
Councillor Steve Bjorkman  
Councillor Chris Vander Doelen  
Councillor Sherry Bondy

Regrets: Cameron Soucie, Youth Council Member

Also Present: Robert Auger, Town Solicitor, Legal and Legislative  
Services/Clerk  
Shelley Brown, Deputy Clerk, Legal and Legislative Services  
Chris Nepszy, Chief Administrative Officer  
Alex Denonville, Manager, Strategic Communications  
Doug Sweet, Director, Community Services/Deputy CAO  
Jeffrey Morrison, Director, Corporate Services/Treasurer  
Kate Bailey, Manager, Finance and Business Services/Deputy  
Treasurer  
Lori Chadwick, Director, Development Services  
Kevin Girard, Director, Infrastructure Services

**1. Call to Order**

The Mayor called the meeting to order at 6:00 PM.

**2. Closed Meeting Report**

**3. Declarations of Conflict of Interest**

There were no declarations of conflict of interest noted at this time.

**4. Adoption of Published Agenda**

**4.1 Regular Council Meeting Agenda for July 6, 2020**

**R20-07-214**

Moved By Councillor Bowman

Seconded By Councillor Bjorkman

**That** the published agenda for the July 6, 2020 Regular Council Meeting, be adopted as amended with the addition to Agenda item 15.2.2, Councillor Verbeek's Notice of Motion RE: Funding for Grant Fund for Local Businesses.

**Carried**

**5. Adoption of Minutes**

**5.1 Regular Council Meeting Minutes for June 15, 2020**

**R20-07-215**

Moved By Deputy Mayor Meloche  
Seconded By Councillor Vander Doelen

**That** the minutes of the Regular Council Meeting held June 15, 2020, be adopted as circulated.

**Carried**

**6. Public Presentations**

**6.1 Mike Cowan, BDO Partner**

2019 Audited Financial Statements

Mike Cowan, Partner BDO Canada LLP, appeared before Council to present the Town's 2019 Audited Financial Statements. He provided Council with a high level review of the financial statements.

**R20-07-216**

Moved By Councillor Bowman  
Seconded By Councillor Vander Doelen

**That** the presentation of the 2019 Audited Financial Statements for the Town of Essex by Mike Cowan, Partner BDO Canada LLP, be received; and

**That** the 2019 Audited Financial Statements for the Town of Essex, be adopted as presented.

**Carried**

**7. Unfinished Business**

**8. Reports from Administration**

**8.1 Chief Administrative Officer (CAO), Chris Nepszy Verbal Report**

RE: COVID-19 Town Response and Updates

Chris Nepszy, CAO advised Council that he had nothing new to report with respect to the COVID-19 updates.

Doug Sweet, Deputy CAO and Director, Community Services, provided an update in Community Services and that advised Council that he had two items that require Council's direction:

1. BeachesSigns have been prepared and locations for parking have been established. The Town's current parking by-law have been amended to ensure enforcement. He advised that Administration

recommends that a change be made in the parking lot (next to restaurant at 220 Jackson Street) and it be used for boat trailer parking only from 6:00 AM to 1:00 PM daily and regular parking be allowed from 1:00 PM to 10:00 PM.

2. **Splash Pads** Once the Windsor Essex County Health Unit (WECHU) have inspected the splash pads (Harrow, Essex and Colchester Harbour) to ensure compliance with local guidelines the splash pads will be ready to be reopened. He advised that a marketing campaign in progress to advise the public of the opening. He reported that all washrooms have been opened. Mr. Sweet advised that Administration is recommending that a third party be retained for security at the Colchester Harbour for parking, and the beach and splash pad for compliance with COVID-19 guidelines. This security would be in addition to the OPP, the Town's By-Law Enforcement Officers and the WECHU (enforcement of smoking restrictions). This additional security is being recommended for an eight week period (Friday, Saturday, Sunday and Holidays from 12:00 PM to 7:00 PM) at the cost of \$13,045.00. Council approved that Administration move forward with the preparation for additional security at the Colchester Harbour. In addition to discussing the harbour and splash pads, Mr. Sweet provided an update on the Day Camps, aquatic programs and a summary on the outdoor patio applications received and approved to date.

**R20-07-216**

Moved By Councillor Bowman

Seconded By Councillor Vander Doelen

**That** Council approves the opening of the three splash pads as soon as possible, with restrictions at the splash pad at the Colchester Harbour to be monitored by staff as required, and that the beach remain closed at this time.

**Carried**

**8.2 Infrastructure Services Report 2020-06**

RE: Policy for Establishing Speed Limits

- Policy 2020-01 - Establishing Speed Limits on Town of Essex Roads
- Petition Form - Speed Limit Review on Town of Essex Road

**R20-07-218**

Moved By Councillor Bjorkman

Seconded By Deputy Mayor Meloche

**That** Infrastructure Services Report 2020-06, entitled "Policy for Establishing Speed Limits", prepared by Kevin Girard, Director, Infrastructure Services, dated July 6, 2020; and

**That** Council adopts the Transportation Association of Canada's Guidelines for Establishing Posted Speed Limits as the standard for establishing speed limits on Town of Essex roadways; and

**That** Council adopts Infrastructure Services Policy 2020-01 titled, "Establishing Speed Limits on Town of Essex Roads".

**Carried**

### **8.3 Infrastructure Services Report 2020-07**

RE: Vulnerable Children and Children at Play Signage Requests

#### **R20-07-219**

Moved By Councillor Bjorkman

Seconded By Councillor Bowman

**That** Infrastructure Services Report 2020-07, entitled "Vulnerable Children and Children at Play Signage Requests", prepared by Kevin Girard, Director of Infrastructure Services, dated July 6, 2020, be received; and

**That** Council authorizes the Director of Infrastructure to draft a policy for Council's review within the criteria stated within his report.

**Carried**

### **8.4 Drainage Department Report 2020-05**

RE: Adoption of Section 77(3) Engineer Letter of Opinion Richmond Drain Bank Repairs

- By-Law 1928 Being a by-law to authorize the repairs of Drainage Works pursuant to Section (3) of the Drainage Act, R.S.O. 1990, c.D. 17

#### **R20-07-220**

Moved By Deputy Mayor Meloche

Seconded By Councillor Bowman

**That** Drainage Department Report 2020-05, entitled "Adoption of Section 77 (3) Engineer Letter of Opinion Richmond Bank Repairs", prepared by Norman Nussio, Manager of Operations/Drainage, dated July 6, 2020; be received and supported; and

**That** By-Law 1928, being a by-law to adopt the Section 77(3) Engineer's Letter of Opinion Richmond Drain Bank Repairs, be read a first, a second and a third time, and finally passed on July 6, 2020.

**Carried**

### **8.5 Community Services Report 2020-03**

RE: LIFE lease of Kinsmen Fieldhouse

- By-Law 1927 Being a by-law to authorize the execution of a lease agreement between the Town of Essex and Learning in Friendship and Equality (LIFE)

#### **R20-07-221**

Moved By Councillor Verbeek

Seconded By Councillor Bjorkman

**That** Community Services Report 2020-03, entitled "CS-2020-LIFE lease of Kinsmen Fieldhouse", prepared by Doug Sweet, Director of Community Services, dated July 6, 2020, be received; and

**That** Council approves entering into an agreement with Learning in Friendship and Equality (LIFE) for leased space at the Kinsmen Fieldhouse located at 100 Fairview Avenue West in Essex Centre for one year commencing on the first day of August, 2020 and concluding on July 31, 2021, with an option to renew for an additional two years beginning on August 1, 2021 subject to the general terms and conditions as outlined in By-Law 1927; and further

**That** By-Law 1927 being a by-law to authorize the execution of a lease agreement between the Town of Essex and Learning in Friendship and Equality (LIFE), be read a first, a second and a third time, and finally passed on July 6, 2020.

**Carried**

**8.6 Economic Development Report 2020-09**

RE: Essex Tourism Events Fund Application

**R20-07-222**

Moved By Councillor Bowman

Seconded By Councillor Bjorkman

**That** Economic Development Report 2020-09, entitled "Essex Tourism Events Fund Application", prepared by Nelson Silveira, Economic Development Officer, dated July 6, 2020, be received; and

**That** Council approves the distribution of \$1,000.00 of funding to the Rotary Club of Harrow from the Essex Tourism Events Fund.

**Carried**

**8.7 Strategic Communications Report 2020-03**

RE: Community Policing Survey Results

- Community Policing Satisfaction Survey

Alex Denonville, Manager, Strategic Communications, highlighted and explained the design for the survey and provided an analysis of the content and some the notable data received from the survey.

**R20-07-223**

Moved By Councillor Verbeek

Seconded By Deputy Mayor Meloche

**That** Communications Report 2020-03, entitled "Community Policing Survey Results", prepared by Alex Denonville, Manager, Strategic Communications, dated July 6, 2020, be received as information.

**Carried**

**8.8 Planning Department Report 2020-13**

RE: Site Specific Zoning By-Law Amendment, 128 Harvey Street (Lots 23 and 25 on Registered Plan 249)

- By-Law 1923 Being a by-law to amend By-Law 1037 The Comprehensive Zoning By-Law for the Town of Essex(128 Harvey)

**R20-07-224**

Moved By Councillor Vander Doelen  
Seconded By Councillor Verbeek

**That** Planning Report 2020-13, entitled "Site Specific Zoning By-Law Amendment, 128 Harvey Street (Lots 23 and 25 on Registered Plan 249)", prepared by Rita Jabbour, Manager, Planning Services, dated July 6, 2020, be received; and

**That** By-Law 1923 being a by-law to amend By-Law 1037 The Comprehensive Zoning By-Law for the Town of Essex, be read a first, a second and a third time and finally adopted on July 6, 2020.

**Carried**

**8.9 Capital Works and Infrastructure Report 2020-05**

RE: Results of Request for Tender - Surface Treatment 2020

**R20-07-225**

Moved By Deputy Mayor Meloche  
Seconded By Councillor Bjorkman

**That** Capital Works and Infrastructure Report 2020-05, entitled "Results of Request for Tender - Surface Treatment 2020", dated July 6, 2020, prepared by Jackson Tang, Assistant Manager, Business Services, be received; and

**That** Council awards the Request for Tender - Surface Treatment 2020 to Shepley Road Maintenance Limited in the amount of \$209,046.33 including non-refundable HST.

**Carried**

**8.10 Capital Works and Infrastructure Report 2020-06**

RE: Results of Request for Tender - Surface Treatment Rehabilitation 2020

**R20-07-226**

Moved By Deputy Mayor Meloche  
Seconded By Councillor Bowman

**That** Capital Works and Infrastructure Report 2020-06, entitled "Results of Request for Tender - Surface Treatment Rehabilitation 2020", prepared by Jackson Tang, Assistant Manager, Business Services, dated July 6, 2020, be received; and

**That** Council awards the Surface Treatment Rehabilitation 2020 to Norjohn Contracting and Paving Limited in the amount of \$1,097,501.00 including all non-refundable HST.

**Carried**

**9. Reports from Youth Members**

There were no reports from the Youth Council Members.

**10. County Council Update**

No updates given.

## **11. Correspondence**

### **11.1 Correspondence to be received on Consent**

Chair to ask Council Members if any correspondence to be moved to 11.2 Received and Support.

#### **R20-07-227**

Moved By Councillor Bowman

Seconded By Councillor Garon

**That** correspondence listed in Agenda Item 11.1 be received and, where indicated, to further share such information with the community using suitable methods of communication.

**Carried**

#### **11.1.1 COVID-19 Virus Correspondence**

##### **11.1.1.1 Windsor-Essex County Health Unit**

Class Order effective June 26, 2020

RE: Mandatory Face Covering inside Commercial Establishment and Establishment must ensure the availability of alcohol-based hand rub at all entrances and exits for the use of all Person entering or exiting the premises.

##### **11.1.1.2 Windsor-Essex County Health Unit**

RE: Guidance for Hosting or Attending Yard Sales

##### **11.1.1.3 Ontario Association of Cemetery and Funeral Professionals**

- Bereavement Authority of Ontario RE: Attendance Guidance: Funerals and Visitations (June 15, 2020)
- NEWS Ministry of Health RE: Ontario Eases Restrictions on Wedding and Funeral Ceremonies (June 13, 2020)

##### **11.1.1.4 Association of Municipalities Ontario - June 29, 2020**

RE: AMO Policy Update

- Emergency Orders Extension
- Towing Industry Oversight

##### **11.1.1.5 Media Release - Town of Essex**

RE: June 22, 2020 - Colchester Beach to Close

##### **11.1.1.6 Media Release - Town of Essex**

RE: June 19, 2020 - Town of Essex Preparing for Extension of Patios and Outdoor Retail Spaces

##### **11.1.1.7 Windsor-Essex County Health Unit - June 17, 2020**

RE: Potential expansion of licensed patios on municipal or commercial property

#### 11.1.2 Union Water Supply System

- Joint Board of Management Minutes - May 20, 2020
- Joint Board of Management Agenda - June 17, 2020

#### 11.1.3 Town of Kingsville

RE: Town of Kingsville Resolution #364-2020 RE: Request to County of Essex to consider that the traffic island at the intersection of McCain Sideroad and Heritage Road in the Town of Kingsville be redeveloped into a pollinator habitat

#### 11.1.4 Association of Municipalities Ontario (AMO) - June 2, 2020

RE: AMO Policy Update - Provincial Emergency Extended and Tribunals Ontario

#### 11.1.5 Town of Amherstburg

RE: Town of Amherstburg supports Town of Essex's resolution regarding their request for urgent and emergency action to be taken by all levels government to support all local farm works, including migrant workers as it relates to the COVID-19 pandemic, with the exception of mandatory testing.

#### 11.1.6 EnerQuest

RE: Tax Reprieve

Correspondence from Arlene Parr, Secretary/Treasurer of EnerQuest, dated June 26, 2020 asking if the Town of can assist with the amount of taxes this year, either by reduction or deferral, due to the COVID pandemic.

#### 11.1.7 Media Release - Town of Essex (June 22, 2020)

RE: Town of Essex Seeking Feedback on County Road 50 Sign By-Law

#### 11.1.8 Media Release - Town of Essex (June 19, 2020)

RE: Town of Essex Launches Digital Growth Grant for Local Businesses

#### 11.1.9 Town of Amherstburg

RE: Universal Basic Income

Correspondence from the Town of Amherstburg, dated June 25, 2020 advising of their support of the City of Kitchener's resolution requesting that the Ontario Provincial Government pursue a partnership with the Federal Government for the establishment of a universal basic income.

#### 11.1.10 SWIFT (SouthWestern Integrated Fibre Technology) - June 17, 2020

RE: Announcement - SWIFT Released RFP to Bring High-Speed Internet to More Residents in Essex County

#### 11.1.11 Ombudsman Ontario

RE: Message from Ontario Ombudsman Paul Dube, dated June 30, 2020



Notifying that his latest Annual Report, dated June 30, 2020 is available for viewing at:  
<https://www.ombudsman.on.ca/resources/reports-and-case-summaries/annual-reports>

## **11.2 Correspondence to be considered for receipt and support**

### **11.2.1 City of Sarnia**

RE: Resolution - Long Term Care Home Improvements

Correspondence from the City of Sarnia dated June 24, 2020, asking that the Town of Essex send a letter to Premier Ford to start implementing the resolutions to the problems in the Long Term Care Homes that have been clearly identified.

#### **R20-07-228**

Moved By Deputy Mayor Meloche

Seconded By Councillor Bowman

That correspondence from the City of Sarnia, dated June 24, 2020 requesting that the Town of Essex consider urging Premier Ford to start implementing the required resolutions to the problems that have been identified at our Long Term Care Homes, be received and supported; and

That a letter of support be sent to the Honourable Doug Ford, Premier of Ontario requesting that the Province begin implementing the changes immediately; and

That a copy of the resolution be sent to Taras Natyshak, MPP, Chris Lewis, MP, Essex and the City of Sarnia.

**Carried**

## **12. Committee Meeting Minutes**

### **R20-07-229**

Moved By Councillor Bjorkman

Seconded By Councillor Bowman

**That** the minutes list in Agenda item 12. be received and where indicated, to further share such information with the community using suitable methods of communication.

**Carried**

### **12.1 Court of Revision - January 15, 2020**

RE: Shepley Drain: Replacement Bridges for Elwood Defour and Garry & Bonny Quick

### **12.2 Drainage Board - May 6, 2020**

Consideration of Contract Price for Shepley Drain: Replacement Bridges for Elwood Defour and Garry & Bonny Quick

### **12.3 Co-An Park - June 10, 2020**

### **12.4 Committee of Adjustment - January 21 2020 (Revised)**

## **13. Financial**

**14. New Business**

**15. Notices of Motion**

**15.1 The following Notice of Motion was presented at the June 15, 2020 Regular Council Meeting for Council's consideration this evening:**

15.1.1 Councillor Bondy

RE: Consultant to value E.L.K. Energy

**R20-07-230**

Moved By Councillor Bondy

Seconded By Councillor Garon

**That** Council receive a quote for the 2021 budget process to hire a Consultant for a valuation of E.L.K. Energy, being that it is a town owned asset and knowing its value is important to our shareholders.

**Carried**

**15.2 The following Notice of Motion will be presented at the July 20, 2020 Regular Council Meeting:**

15.2.1 Councillor Verbeek

RE: Funding for Local Business Grants for Advertising

Moved By Councillor Verbeek

That Council support local businesses through a grant, funded from Council's Contingency fund that will pay up to half of the cost of newspaper (print) advertisements during the current declared emergency, to a maximum of \$10,000 to \$15,000.

**16. Reports and Announcements from Council Members**

Each Council member was provided an opportunity to discuss their latest news and activities in the municipality.

**17. By-Laws**

**17.1 By-Laws that require a third and final reading**

17.1.1 By-Law 1918

Being a by-law to provide for the James Shepley Drain Bolger Bridge, Geographic Township of Colchester North, Project REI2020D002, Town of Essex, County of Essex

**R20-07-231**

Moved By Councillor Bowman

Seconded By Deputy Mayor Meloche

**That** By-Law 918 being a by-law to provide for the James Shepley Drain Bolger Bridge, Geographic Township of Colchester North, Project REI2020D0002, Town of Essex, County of Essex, be read a third time and finally passed this 6th day of July, 2020.

**Carried**

#### 17.1.2 By-Law 1922

Being a by-law to confirm the proceedings of the June 15, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex

##### **R20-07-232**

Moved By Councillor Bjorkman

Seconded By Councillor Garon

**That** By-Law 1922 being a by-law to confirm the proceedings of the June 15, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally passed this 6th day of July 2020.

**Carried**

#### **17.2 By-Laws that require a first, second, third and final reading**

#### **17.3 By-Laws that require a first and second reading**

##### 17.3.1 By-Law 1930

Being a by-law to confirm the proceedings of the July 6, 2020, Regular Meeting of the Council of The Corporation of the Town of Essex

##### **R20-07-233**

Moved By Councillor Garon

Seconded By Councillor Bjorkman

**That** By-Law 1930 being a by-law to confirm the proceedings of the July 6, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex.

**Carried**

#### **18. Adjournment**

##### **R20-07-234**

Moved By Deputy Mayor Meloche

Seconded By Councillor Vander Doelen

**That** the meeting be adjourned at 8:40.

**Carried**

#### **19. Future Meetings**

##### **19.1 Monday, July 13, 2020 6:00 - 7:30 PM - Special Council Meeting**

RE: Sign By-Law

Location: TBD

##### **19.2 Monday, July 20, 2020 - 6:00 - 9:00 PM - Regular Council Meeting**

Location: TBD

Mayor

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Clerk