



The Corporation of the Town of Essex
Regular Council Meeting Minutes

August 4, 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

Also Present: Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk
Shelley Brown, Deputy Clerk, Legal and Legislative Services
Chris Nepszy, Chief Administrative Officer
Doug Sweet, Director, Community Services/Deputy CAO
Jeffrey Morrison, Director, Corporate Services/Treasurer
Lori Chadwick, Director, Development Services
Kevin Girard, Director, Infrastructure Services
Cameron Soucie, Youth Council Member

1. Call to Order

Mayor Snively called the meeting to order at 6:01 PM.

2. Closed Meeting Report

3. Declarations of Conflict of Interest

4. Adoption of Published Agenda

4.1 Regular Council Meeting Agenda for August 4, 2020

R20-08-256

Moved By Councillor Bjorkman

Seconded By Deputy Mayor Meloche

That the published agenda for the August 4, 2020 Regular Council Meeting, be adopted as amended:

1. The Clerk proposed the addition to the agenda as agenda item 11.1.11, correspondence from the Town of Kingsville, dated July 31, 2020 requesting the Board of Health for the Windsor-Essex County Health Unit and the Windsor-Essex County Health Unit to provide more detailed information and data regarding the spread of COVID-19 in Essex County; and

2. The addition of a Delegation Request from Ann Marie Grant, to speak to agenda item 6.4; and
3. At the request of the applicant, Mr. Bernard Gorksi that the application/request relating to agenda item 6.4 be removed from this evening's agenda together with its related Report and delegations; and

That Administration be directed to enforce compliance with the Town's Sign By-Law in relation to 108 County Road 50, after the August 24, 2020 Regular Council Meeting.

Carried

5. Adoption of Minutes

5.1 Regular Council Meeting Minutes for July 20, 2020

R20-08-257

Moved By Deputy Mayor Meloche

Seconded By Councillor Bjorkman

That the minutes of the Regular Council Meeting held July 20, 2020, be adopted as circulated.

Carried

5.2 Emergency Council Meeting Minutes for March 15, 2020

RE: Update Council on the Town's continuing response and measures related to the COVID-19 pandemic

R20-08-258

Moved By Councillor Bowman

Seconded By Councillor Vander Doelen

That the minutes of the Emergency Council Meeting held March 15, 2020 to update Council on the Town of Essex's continuing response and measures related to the COVID-19 (Coronavirus) pandemic, be adopted as circulated.

Carried

5.3 Special Council Meeting Minutes for March 23, 2020

RE: Town of Essex's continuing response to measures related to the COVID-19 pandemic

R20-08-259

Moved By Councillor Garon

Seconded By Deputy Mayor Meloche

That the minutes of the Special Council Meeting held March 23, 2020 to update Council on the Town of Essex's continuing response to measures related to the COVID-19 pandemic, be adopted as circulated.

Carried

5.4 Emergency Council Meeting Minutes for June 22, 2020

RE: To discuss the Colchester Beach and Facilities

R20-08-260

Moved By Deputy Mayor Meloche

Seconded By Councillor Bjorkman

That the minutes of the Emergency Council Meeting held June 22, 2020 to discuss the Colchester Beach and Facilities, be adopted as circulated.

Carried

5.5 Special Council Meeting Minutes for June 29, 2020

RE: To discuss items related to the COVID-19 pandemic

R20-08-261

Moved By Councillor Vander Doelen

Seconded By Councillor Garon

That the minutes of the Special Council Meeting held June 29, 2020 held to discuss various items and provide direction related to the COVID-19 pandemic, be adopted as circulated.

Carried

5.6 Special Council Meeting Minutes for July 6, 2020

RE: Proposed Site Specific Zoning Amendment at 128 Harvey Street

R20-08-262

Moved By Councillor Bowman

Seconded By Councillor Garon

That the minutes of the Special Council Meeting held July 6, 2020 to discuss the proposed Site Specific Zoning Amendment relating to the property located at 128 Harvey Street in Essex Centre, be adopted as circulated.

Carried

5.7 Special Council Meeting Minutes for July 13, 2020

RE: Parking at Colchester Harbour

R20-08-263

Moved By Councillor Bjorkman

Seconded By Councillor Garon

That the minutes of the Special Council Meeting held July 13, 2020 to discuss parking at the Colchester Harbour, be adopted as circulated.

Carried

5.8 Special Council Meeting Minutes for July 13, 2020

RE: County Road 50 Sign By-Law Review

R20-08-264

Moved By Councillor Bowman

Seconded By Councillor Bjorkman

That the minutes of the Special Council Meeting held July 13, 2020 to review the County 50 Sign By-Law, be adopted as circulated.

Carried

6. Public Presentations

6.1 Elise Harding-Davis, African Canadian Heritage Consultant

RE: Seeking Council's support that Canada Apologize for Enslaving People of African Origins

- Letter to Council
- BIO - Elise Harding-Davis
- News Article dated October 1, 2019 (Harrow woman seeks Trudeau apology for Canada's history of slavery)
- Letter to Prime Minister Trudeau
- News Article dated September 25, 2017 (UN Wants Canada To Apologize, Pay Reparations For Black Slavery)

R20-08-265

Moved By Councillor Verbeek

Seconded By Councillor Bowman

That the public presentation by Elise Harding-Davis, from the African Canadian Heritage Consultant, asking Council to support the initiative to receive a formal apology from the Canadian Government to African Canadians for slavery, be received and supported and

That a letter be sent to the Prime Minister of Canada in support of Ms. Harding-Davis' initiative to seek a formal apology from the Canadian Government regarding this nation's role in enslaving people of African origin.

Councillor Bondy requested a recorded vote.

Recorded	Support	Against
Mayor Snively	X	
Deputy Mayor Meloche	X	
Councillor Garon	X	
Councillor Bowman	X	
Councillor Verbeek	X	
Councillor Bjorkman	X	
Councillor Vander Doelen	X	
Councillor Bondy	X	
Results	8	0
		Carried (8 to 0)

6.2 Glen Mills, Essex Ravens Football Club

RE: Permission for Ice Cream Bikes in the Town of Essex

R20-08-266

Moved By Councillor Verbeek

Seconded By Councillor Bowman

That the request from the Essex Ravens Football Club, dated August 4, 2020 to have ice cream bikes in the Town of Essex, be received and supported; and

That Council accordingly grant an exemption from Section 3 (a) of By-Law 629 requiring a Transient Vendor to be located in a commercial, industrial or industrial zone.

Carried

6.3 Essex Region Conservation Authority/John R. Park Homestead

Kristin Ives, Curator/Education Co-Ordinator, John R. Park Homestead

Kevin Money, Director, Conservation Services

Danielle Breault Stuebing, Director, Communications & Outreach

RE: Provide a brief overview of the John R. Park Homestead Heritage Centre as it relates to the Site Plan Control and to provide details on the Town of Essex Tourism Hub.

- Power Point presentation

R20-08-267

Moved By Councillor Bjorkman

Seconded By Councillor Bowman

That the presentation by Kristin Ives, Curator/Education Coordinator, John R. Park Homestead and Kevin Money, Director, Conservation Services and Danielle Breault Stuebing, Director, Communications & Outreach, Essex Region Conservation Authority providing Council with an overview as it relates to the Site Plan Controls for the John R. Park Homestead Heritage Centre, and an update on the Town of Essex Tourism Hub, be received.

Carried

6.3.1 Planning Report 2020-14

RE: Site Plan Control Approval for 915 County Road 50 East
(Colchester South, Ward 3)

- Site Plan
- By-Law 1925
Being a by-law to enter into a Site Plan Control Agreement between The Corporation of the Town of Essex and the Essex Region Conservation Authority (John R. Park Homestead Heritage Centre - County Road 50 East and Iler Road)

R20-08-268

Moved By Councillor Vander Doelen

Seconded By Councillor Bjorkman

That Planning Report 2020-14, entitled "Site Plan Control Approval for 915 County Road 50 East (Colchester South, Ward 3)", prepared by Corinne Chiasson, Assistant Planner, dated August 4, 2020, be received; and

That By-Law 1925, being a by-law to enter into a Site Plan Control Agreement between The Corporation of the Town of Essex and the Essex Region Conservation Authority be read a first, a second and a third time and finally passed on August 4, 2020.

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 the Town is preparing for the anticipated move into Stage 3.

1. The Town's arenas will be the most affected when the Province moves our area into Stage 3. Administration continues to put in place protocols and signage for the anticipated opening and continues discussion with user groups.
2. The pool is open and day camps and virtual day camps are working well.
3. The beach is open and parking at the harbour has been successful.
4. The water at the beach is being tested two times a week and the results are posted on the website.
5. Staff has been provided with a second wave of COVID training and new signs have been posted to bring awareness and remind everyone of handwashing and protocols to keep staff and residents safe.

R20-08-269

Moved By Councillor Bjorkman

Seconded By Councillor Bondy

That Council directs Administration to send a letter to the Windsor-Essex Health Unit requesting COVID-19 information that is more up-to-date (within the last week), including daily updates as to positive COVID-19 cases, and to further indicate as part of such up-to-date reporting where exactly in our community such positive cases are located using such resources as mapping, all so that the residents can be made aware of the latest outbreaks.

Carried

8.2 CAO Report 2020-03

RE: Town and E.L.K. Stakeholder/Director Information Session

R20-08-270

Moved By Councillor Garon

Seconded By Councillor Bondy

That CAO Report 2020-03, entitled "Town and ELK Stakeholder/Director Information Session", prepared by Chris Nepszy, Chief Administrative Officer, dated August 4, 2020, be received; and

That Council request the Board of E.L.K. Energy Incorporated (ELK) to direct E.L.K. Energy Administration, to participate and jointly present with Town of Essex Administration (at a date to be set in the near future, but no later than October 31, 2020), an Information Session to the entire Town of Essex Council concerning their collective role as the ELK Stakeholder and their individual roles as potential, or existing Director(s) for ELK Energy Inc.

Carried

8.3 Drainage Report 2020-06

RE: Appointment of an Engineer under Section 78 of the Drainage Act to install a new culvert over the 13th Concession West Drain

R20-08-271

Moved By Councillor Bowman

Seconded By Deputy Mayor Meloche

That Drainage Report 2020-06, entitled "Appointment of an Engineer under Section 78 of the Drainage Act to install a new culvert over the 13th Concession West Drain", prepared by Lindsay Dean, Drainage Superintendent, dated August 4, 2020, be received; and

That Council appoint Rood Engineering Incorporated under Section 78 of the Drainage Act to install a new culvert over the 13th Concession West Drain.

Carried

9. Reports from Youth Members

10. County Council Update

11. Correspondence

11.1 Correspondence to be received

Councillor Bondy asked that correspondence items 11.1.5 and 11.1.11 Town of Kingsville RE: Request for more detailed information and data regarding the spread of COVID-19 in Essex County, be moved to item 11.2 to be considered for receipt and support.

R20-08-272

Moved By Councillor Bowman

Seconded By Councillor Bondy

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

11.1.2 Town of Essex Media Releases

- July 16, 2020 - Town of Essex Launches Business Directory in Partnership with Local Newspapers
- July 22, 2020 - Citizens Invited to Rate Climate Change Vulnerabilities in New Online Exercise
- July 24, 2020 - Swimming and In-water Activities Prohibited at Colchester Beach

11.1.3 Ministry of Municipal Affairs and Housing

Correspondence from the Ministry of Municipal Affairs and Housing, dated July 22, 2020 announcing recent changes to the Municipal Act, 2001 that provides municipalities with new permissive authority to provide for electronic participation in meetings and/or proxy appointments.

- July 2020 - Electronic Participation in Municipal Meetings
- July 2020 - Proxy Voting for Municipal Council Meetings

11.1.4 Association of Municipalities of Ontario

AMO Policy Update, dated July 27, 2020

RE: \$4B Municipal Announcement, Provincial Emergency Ended, Provincial Orders, and Rural Economic Development

11.1.5 Union Water Supply System

Joint Board of Management - June 17, 2020 Minutes

11.1.6 County of Essex

- Correspondence dated July 20, 2020 supporting the Town of Essex's resolution that requests the Provincial Government

review the need for financial support for municipalities as a result of COVID-19.

- Correspondence dated July 20, 2020 supporting the Town of Essex's resolution that requests provincial financial relief for community non-profit and service clubs and organizations as a result of COVID-19.

11.1.7 Town of Kingsville

Correspondence dated July 22, 2020 supporting the Town of Essex's resolution and requests the Ontario Government provide immediate relief and/or financial support for Municipalities as a result of COVID-19 pandemic.

11.1.8 Town of Amherstburg

Correspondence dated July 28, 2020 supporting the Town of Essex's resolution that requests the Ontario Government to provide relief and/or financial support to assist municipalities as a result of COVID-19.

11.1.1 COVID-19 Correspondence

11.1.1.1 Windsor Essex County Health Unit

RE: COVID-19 Live Update Media Summary
Presentation July 24, 2020

11.1.9 Town of Tecumseh

Correspondence dated June 16, 2020 requesting urgent federal action to provide immediate funding for reliable broadband access across Ontario.

11.2 Correspondence to be considered for receipt and support

11.2.1 The Corporation of the Town of Kingsville

RE: Request for more detailed information and data regarding the spread of COVID-19 in Essex County

Correspondence from The Corporation of the Town of Kingsville, dated July 31, 2020 to the Windsor-Essex County Health Unit Board of Directors and Medical Officer of Health requesting more detailed information and data regarding the spread of COVID-19.

R20-07-273

Moved By Councillor Bondy

Seconded By Councillor Garon

That correspondence from the Town of Kingsville, dated July 31, 2020 to the Windsor-Essex County Health Unit Board of Directors and the Medical Officer of Health, Dr. Wajid Ahmed, requesting more detailed information and data regarding the spread of COVID-19, be received and supported; and

That a letter of support be sent to the Windsor-Essex County Health Unit Board of Directors and the Medical Officer of Health,

Dr. Wajid Ahmed and a copy of the correspondence to be sent to all local municipalities.

Carried

11.2.2 The Corporation of the Town of Gore Bay

RE: Resolution - Support of OPP Diversity Training

Correspondence from The Corporation of the Town of Gore Bay, dated July 21, 2020 advising of their resolution supporting common training requirements for all members of the Ontario Provincial Police Force.

R20-08-274

Moved By Councillor Bondy

Seconded By Councillor Verbeek

That correspondence from The Corporation of the Town of Gore Bay, dated July 21, 2020 advising of their resolution supporting common training requirements for all members of the Ontario Provincial Police Force, be received and supported; and

That a letter of support be sent to The Honourable Sylvia Jones, Solicitor General and a copy of the letter be sent to the Town of Orangeville and the Town of Gore Bay.

Carried

12. Committee Meeting Minutes

12.1 Arts, Culture and Tourism Meeting - July 8, 2020

R20-08-275

Moved By Councillor Bjorkman

Seconded By Councillor Bowman

That the minutes of the Arts, Culture and Tourism Committee Meeting dated July 8, 2020, be received and adopted as circulated.

Carried

13. Financial

14. New Business

15. Notices of Motion

15.1 The following Notice of Motion was originally presented at the May 19, 2020 Regular Council Meeting and is being brought forward this evening for Council's consideration:

15.1.1 Councillor Verbeek

RE: Improving recycling efforts in the municipality

R20-08-276

Moved By Councillor Verbeek

Seconded By Councillor Bondy

That the Town allocate staff to invite and work with Heather Taylor, Diversion Co-ordinator for the Essex Windsor Solid Waste Authority to review Town of Essex facilities and its recycling efforts; and to further review ways to make improvements to our current efforts.

Councillor Bondy asked for a recorded vote.

Recorded	Support	Against
Mayor Snively	X	
Deputy Mayor Meloche	X	
Councillor Garon	X	
Councillor Bowman	X	
Councillor Verbeek	X	
Councillor Bjorkman	X	
Councillor Vander Doelen	X	
Councillor Bondy	X	
Results	8	0
		Carried (8 to 0)

15.2 The following Notice of Motion was originally presented at the July 20, 2020 Regular Council Meeting and is being brought forward for Council's consideration this evening:

15.2.1 Deputy Mayor Meloche

RE: Surface Water Runoff

R20-08-277

Moved By Deputy Mayor Meloche

Seconded By Councillor Garon

That Council request the Town of Essex Planning Department include as part of their site plan control procedures, notification to property owners abutting a new subdivision of potential for water pooling if the existing property owners lack rear-yard drainage; and

That these neighbours are notified with direct mail outs so that the existing properties have full comprehension of potential outcomes for example water pooling of their own water shed at the side yard or back yard; and

That the Town of Essex will act in the resident's best interest with aiding conversation between the new subdivision builder and the existing neighbourhood in coming to a solution with regards to rear-yard drainage.

Carried

15.3 The following Notice of Motion is presented this evening and will be brought forward at the August 24, 2020 Regular Council Meeting for Council's consideration:

15.3.1 Councillor Bondy

RE: Council Report Tracker

That Council requests Town of Essex Administration to implement a Council Report Tracker similar to the reporting spreadsheet used by the Town of Lakeshore.

15.4 The following Notice of Motion is presented this evening and will be brought forward at the August 24, 2020 Regular Council Meeting for Council's consideration:

15.4.1 Mayor Snively

RE: Hunting License Review

That Council direct Administration to review if it possible to remove the requirement of a Town issued hunting license and if possible to do so, that Administration report back to Council on the feasibility and process for Council's consideration.

16. Reports and Announcements from Council Members

No reports or announcements were given.

17. By-Laws

17.1 By-Laws that require a third and final reading

17.1.1 By-Law 1926

Being a by-law to provide Rules and Procedure for the Conduct of Meetings of the Municipal Council and its Committees and Boards

R20-08-278

Moved By Councillor Bowman

Seconded By Deputy Mayor Meloche

That By-Law 1926, being a by-law to provide Rules and Procedure for the Conduct of Meetings of the Municipal Council and its Committees and Boards, be amended:

- Section 5.1.2: to provide that the Striking Committee shall consist of the Mayor, Deputy Mayor and two other members of Council; and

That the by-law accordingly be read a third time and finally passed on August 4, 2020.

Carried

17.1.2 By-Law 1933

Being a by-law to confirm the proceedings of the July 20, 2020, Regular Meeting of the Council of The Corporation of the Town of Essex

R20-08-279
Moved By Councillor Bowman
Seconded By Councillor Verbeek

That By-Law 1933, being a by-law to confirm the proceedings of the July 20, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally passed on August 4, 2020.

Carried

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

17.2.1 By-Law 1934

Being a by-law imposing special annual drainage rates upon land in respect of which money is borrowed under the Tile Drainage Act

R20-08-280
Moved By Councillor Bowman
Seconded By Councillor Vander Doelen

That By-Law 1934, being a by-law imposing special annual drainage rates upon land in respect of which money is borrowed under the Tile Drainage Act, be read a first, a second and a third time and finally passed August 4, 2020.

Carried

17.2.2 By-Law 1938

Being a by-law to appoint a Tile Drainage Inspector for The Corporation of the Town of Essex
(Lindsay Dean)

R20-08-281
Moved By Councillor Garon
Seconded By Councillor Bowman

That By-Law 1938, being a by-law to appoint a Tile Drainage Inspector for The Corporation of the Town of Essex, be read a first, a second and a third time and finally passed on August 4, 2020.

Carried

17.2.3 By-Law 1940

Being a by-law for the declaration of surplus lands by The Corporation of the Town of Essex
(Plan 176, Part Alley)

R20-08-282
Moved By Councillor Bowman
Seconded By Councillor Bjorkman

That By-Law 1940, being a by-law for the declaration of surplus lands by The Corporation of the Town of Essex, be read a first, a second and a third time and finally passed on August 4, 2020.

Carried

17.3 By-Laws that require a first and second reading

17.3.1 By-Law 1939

Being a by-law to confirm the proceedings of the August 4, 2020, Regular Meeting of the Council of The Corporation of the Town of Essex

R20-08-283
Moved By Councillor Bowman
Seconded By Councillor Garon

That By-Law 1939, being a by-law to confirm the proceedings of the August 4, 2020, Regular Meeting of the Council of The Corporation of the Town of Essex, be read a first, and a second time and provisionally adopted August 4, 2020.

Carried

18. Adjournment

R20-08-284
Moved By Deputy Mayor Meloche
Seconded By Councillor Vander Doelen

That the meeting be adjourned at 8:31 PM.

Carried

Mayor

Clerk