



The Corporation of the Town of Essex
Regular Council Meeting Minutes

December 16, 2019, 6:05 pm
Essex Civic Centre
360 Fairview Avenue West
Essex, Ontario

Present: Mayor Larry Snively
Deputy Mayor Richard Meloche
Ward 1 Councillor Joe Garon
Ward 1 Councillor Morley Bowman
Ward 2 Councillor Kim Verbeek
Ward 3 Councillor Steve Bjorkman
Ward 3 Councillor Chris Vander Doelen
Ward 4 Councillor Sherry Bondy

Also Present: Chris Nepszy, Chief Administrative Officer
Doug Sweet, Director, Community Services/Deputy CAO
Jeffrey Morrison, Director, Corporate Services/Treasurer
Lori Chadwick, Director, Development Services
Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk
Shelley Brown, Deputy Clerk, Legal and Legislative Services
Lynn Moroz, Administrative Assistant

Cameron Soucie, Youth Council Member
Ehva Hoffman, Youth Council Member

1. Call to Order

2. Closed Meeting Report

The Clerk reported that earlier in the evening Council by motion moved into Closed Session as permitted under Section 239 of the Municipal Act. As a result of the Closed Session the Clerk reported the following:

- a) Council adopted the December 9, 2019 Closed Personnel Committee Meeting Minutes as presented and gave direction on a related personnel matter;
- b) Council received an update concerning a possible disposition of municipal property; and
- c) Council deliberated and gave direction concerning a committee or board member matter.

3. Declarations of Conflict of Interest

There were no conflicts of interest.

4. Adoption of Published Agenda

4.1 Regular Council Meeting Agenda for December 16, 2019

Moved By Deputy Mayor Meloche
Seconded By Councillor Verbeek

(R19-12-498) That the published agenda for the December 16, 2019 Regular Council Meeting be adopted as amended with the addition of a letter of resignation from Councillor Bondy as Item 11.2.3 and a request from Councillor Vander Doelen that Council consider allowing Lonnie Kady of Hometown Family Pharmacy and Sergio Braga of Naples Pizza to make a presentation to Council when the time is appropriate.

Carried

5. Adoption of Minutes

5.1 Regular Council Meeting Minutes for December 2, 2019

Moved By Councillor Bowman
Seconded By Councillor Garon

(R19-12-499) That the minutes of the Regular Council Meeting held December 2, 2019, be adopted as circulated.

Carried

6. Public Presentations

Moved By Councillor Vander Doelen
Seconded By Deputy Mayor Meloche

(R19-12-500) That Lonnie Kady of Hometown Family Pharmacy and Sergio Braga of Naples Pizzeria, Harrow be permitted to address Council as a Public Presentation under Agenda Item 6.2.

Carried

6.1 Essex Region Conservation Authority

Kevin Money, Director of Conservation Services and Kris Ives, Curator
RE: John R. Park Homestead Centre

Kevin Money, Director of Conservation Services and Kris Ives, Curator approached Council to advise them of the proposed Heritage Centre to be built at the John R. Park Homestead Centre and to request Council's consideration in providing funding to assist in the construction of the Centre. The power point presentation they provided gave the history of John R. Park Homestead and information on the proposed centre which they plan to use as a tourism hub in partnership with Tourism Windsor Essex Pelee Island with trained staff that are able to promote the area attractions, festivals, restaurants, wineries, stores and more. This accessible centre will also be used to host large groups that visit the John R. Park Homestead during inclement weather and useful for the school groups that visit. They are requesting funding from the Town of Essex to assist in the cost of constructing this centre.

Moved By Councillor Bondy
Seconded By Councillor Bjorkman

(R19-12-501) That the PowerPoint presentation regarding the proposed John R. Park Homestead Heritage Centre given by Kevin Money, Director of Conservation Services and Kris Ives, Curator of the Essex Region Conservation Authority, together with the letter of request, letters of support and request for financial support to assist with the construction of the Heritage Centre be received and that administration look at different funding mechanisms as part of the Town's budget process in order to determine the feasibility of financial assistance for this project.

Carried

6.2 Lonnie Kady, Hometown Family Pharmacy and Sergio Braga, Naples Pizza, Harrow

Lonnie Kady of Hometown Family Pharmacy and Sergio Braga of Naples Pizza presented at Council in order to express thanks from the Harrow Business Community for an incredible year. They felt there was a positive momentum with a lot of businesses opening and more coming in 2020 and wanted to congratulate Council on a successful year.

7. Unfinished Business

8. Reports from Administration

8.1 Legal and Legislative Services-2019-31

RE: Court of Revision for Shepley Drain: Bridge Replacements for Elwood Defour and Garry and Bonny Quick (Part of Lots 6 and 7, Gore Concession) Geographic Township of Colchester South, Town of Essex, County of Essex

Moved By Councillor Bowman
Seconded By Deputy Mayor Meloche

(R19-12-502) That Legal and Legislative Services Report 2019-31, entitled "Court of Revision for Shepley Drain: Bridge Replacements for Elwood Defour and Garry and Bonny Quick", dated December 16, 2019, prepared by Robert W. Auger, Town Solicitor/Clerk be received; and

That the following three (3) members of the Drainage Board: Dan Boudreau, Percy Dufour and Luke Martin be appointed to sit as members of the Court of Revision to be convened for the Shepley Drain: Replacement Bridges for Elwood Defour and Garry and Bonny Quick, Geographic Township of Colchester South, Project REI2018D024, be scheduled for 5:00pm on January 15, 2019 in the Town of Essex, Council Chambers, 33 Talbot Street South, Essex; and

That By-law 1871 being a by-law to provide for the Shepley Drain: Replacement Bridges for Elwood Defour and Garry and Bonny Quick, be read a first and second time and be provisionally adopted on December 16, 2019.

Carried

8.2 Chief Administrative Officer Verbal Report

RE: 2020 Town of Essex Proposed Budget

Chris Nepszy, Chief Administrative Officer reported that on December 9th the first budget meeting was held in which Administration provided an overview of both the operating and capital budget. In order to continue discussion prior to the next budget meeting, Administration had brought it forward for Council's discussion at this Council meeting. Mr. Nepszy noted that the combined budget of \$62,000,000 consists of approximately \$43,000,000 in operating, and \$18,500,000 in capital. It includes a 0% increase in the mill rate, and \$230,000 in an assessment increase, which will be used to offset the debt portion of the Harrow Streetscape. Over \$700,000 in operating surplus is to be carried into the proposed 2020 capital, and \$200,000 is to fund the waiver of development charges, and absorb the decrease of almost \$150,000 in the amount of OMPF Funding that the Town receives yearly. Mr. Nepszy also advised that there are two legacy projects in the capital program, the Harrow Streetscape and the Fire Hall in Ward 2. He then encouraged Council to ask questions of Administration in order to have a clear understanding of the budget.

Moved By Councillor Bowman
Seconded By Councillor Garon

(R19-12-503) That Chief Administrative Officer Chris Nepszy's Verbal Report on the 2020 Town of Essex Proposed Budget be received.

Carried

8.3 Drainage Report 2019-06

RE: Appointment of an engineer to prepare a report under Section 78 of the Drainage Act to replace an existing access culvert over the South Townline Drain to serve the agricultural lands of Richard Dubniac

Moved By Councillor Vander Doelen
Seconded By Deputy Mayor Meloche

(R19-12-504) That Drainage Report 2019-06 entitled "Appointment of an Engineer to Prepare a Report to Replace an Existing Access Culvert (Richard Dubniac)", dated December 16, 2019, prepared by Norm Nussio, Manager, Operations and Drainage be received; and

That Council appoint engineering firm Rood Engineering Incorporated to develop a report replacing an existing culvert over the South Townline Drain to serve the agricultural lands of Richard Dubniac.

Carried

8.4 Planning Report 2019-58

RE: 2019 Community Improvement Plan (CIP) Annual Update

Moved By Councillor Verbeek
Seconded By Councillor Vander Doelen

(R19-12-505) That Planning Report 2019-58, entitled "2019 Community Improvement Plan (CIP) Annual Update", dated December 16, 2019, prepared by Rita Jabbour, Manager, Planning Services be received; and

That the Economic Development Officer, or the Manager of Planning Services in his or her absence, be delegated authority for the administration of the Harrow, Essex Centre and Colchester and County

Road 50 CIP, and the execution of agreements on applications submitted under the individual Programs; and

That Council direct Administration to prepare a by-law to amend the Community Improvement Project Area and Implementation Strategy for the Essex Centre CIP; and

That Council direct Administration to prepare a by-law for the Implementation Strategy of the Harrow CIP and Colchester and County Road 50 CIP.

Carried

8.5 Planning Report 2019-60

RE: M. Skipper Request for By-law Repeal

Moved By Deputy Mayor Meloche

Seconded By Councillor Bowman

(R19-12-506) That Planning Report 2019-60, entitled "M. Skipper Request for By-Law Repeal", dated December 16, 2019, prepared by Jeff Watson, Planner be received; and

That Council support Administration's report that By-laws 430 and 1449 are now redundant site plan control by-laws for the properties located at 186-190 Talbot Street South; and

That By-law 1873 being a by-law to repeal By-laws 430 and 1449 be read a first, second and third time and finally passed on December 16, 2019.

Carried

8.6 Finance and Business Services Report 2019-07

RE: Revised Schedules to By-Laws 1186, 1331 and 1850

Moved By Councillor Verbeek

Seconded By Councillor Vander Doelen

(R19-12-507) That Corporate Services Report 2019-07 entitled "Revised Schedules to By-Laws 1186, 1331 and 1850", dated December 16, 2019, prepared by Jeffrey R. Morrison, Director, Corporate Services be received; and

That the following three schedules be revised effective January 1, 2020:

1. Schedule "C" to By-Law Number 1186, being a by-law respecting the maintenance, management, regulation and control of any cemetery owned by The Corporation of the Town of Essex,
2. Schedule "A" to By-Law Number 1331, being a by-law to establish a schedule of miscellaneous fees and charges, and
3. Schedule "B-1" and "B-2" to By-Law Number 1850, being a by-law for the imposition of Development Charges.

Carried

8.7 Planning Report 2019-61

RE: Site Plan Control Approval 1627015 Ontario Limited, W. Mills, Agent
337 Maidstone Avenue East

Moved By Councillor Bjorkman
Seconded By Councillor Vander Doelen

(R19-12-508) That Planning Report 2019-61 entitled "1627015 Ontario Limited Site Plan Control Approval", dated December 16, 2019, prepared by Jeff Watson, Planner be received; and

That By-law 1874, regarding site plan approval for 1627015 Ontario Limited for the development of a bus repair facility at 337 Maidstone Avenue East, be read a first, second and third time and finally passed on December 16, 2019.

Carried

8.8 Director of Development Services Verbal Report

RE: Year-end Municipal-wide Development Update

Lori Chadwick, Director of Development Services presented a power point presentation to provide Council with information on the status of development in the Town of Essex.

Moved By Councillor Bjorkman
Seconded By Councillor Bowman

(R19-12-509) That the Year-end Municipal-wide Development Update dated December 16, 2019, prepared and presented by Lori Chadwick, Director, Development Services be received.

Carried

9. Reports from Youth Members

Youth Council Member Ehva Hoffman reported that she had participated in two events, the McGregor Community Christmas Social in which she had prepared crafts for the children and the McGregor Squirettes of Mary Annual Turkey Dinner, both were a great success.

Youth Council Member Cameron Soucie wished to thank Councillor Verbeek for allowing him to help with the McGregor Community Christmas Social, he advised that it had been a great event and had enjoyed participating in it.

Moved By Councillor Bjorkman
Seconded By Councillor Vander Doelen

(R19-12-510) That the reports made by Youth Council Members Ehva Hoffman and Cameron Soucie be received.

Carried

10. County Council Update

11. Correspondence

11.1 Correspondence to be received

Moved By Councillor Bowman
Seconded By Councillor Bjorkman

(R19-12-511) 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 Ontario's Special Advisor On Flooding to the Government

RE: Independent Review 2019 Flood Events in Ontario

11.1.2 Municipality of Hasting Highlands

RE: Joint and Several Liability Consultation - Town of Springwater Support

11.1.3 Ontario Good Roads Association

RE: Childcare Services at the Ontario Good Roads Association Conference

11.2 Correspondence to be considered for receipt and support

11.2.1 St. Paul's Anglican Church Handicap Parking Space

Moved By Councillor Bowman
Seconded By Councillor Bjorkman

(R19-12-512) That correspondence from St. Paul's Anglican Church dated November 29, 2019 requesting a designated accessible parking space be installed at the entrance of the church on St. Paul Street be received and forwarded to Administration for review/report; and

That if the request for an accessible parking space be supported, that By-law 223 being a By-law to provide for Accessible Parking be amended accordingly to reflect the addition.

Carried

11.2.2 Town of Amherstburg

Re: Municipal Modernization Program
Shared Services

Moved By Councillor Bjorkman
Seconded By Councillor Bowman

(R19-12-513) That correspondence from the Town of Amherstburg, dated November 29, 2019 advising that a resolution was passed directing Administration to engage the professional services of a third party consultant, in accordance with the program eligibility requirements, to undertake a municipal service delivery review to address opportunities to achieve cost savings and efficiencies for the Town of Amherstburg and opportunities for shared services with regional municipalities; and that the Mayor send correspondence to the regional Mayors seeking participation in the shared services review in a future Municipal Modernization Program be received and supported; and

That a letter of support be sent to Mayor DiCarlo of the Town of Amherstburg advising of the Town of Essex's desire to participate in such an initiative.

Carried

11.2.3 Councillor Sherry Bondy

RE: Resignation from the E.L.K. Energy Board

Councillor Bondy declared a conflict of interest as the correspondence involved her and did not participate in the discussion or the vote.

Moved By Councillor Bjorkman
Seconded By Deputy Mayor Meloche

(R19-12-514) That the correspondence from Councillor Sherry Bondy, dated December 16, 2019 advising of her wish to resign from her position on the ELK Energy Board be received and accepted.

Carried

11.2.3.1 Appointment to the ELK Energy Board

RE: Councillor Vander Doelen Appointment to the ELK Energy Board

Councillor Vander Doelen declared a conflict of interest regarding his proposed appointment to the ELK Energy Board and did not participate in the discussion or in the voting.

Moved By Councillor Bjorkman
Seconded By Councillor Bowman

(R19-12-515) That Councillor Vander Doelen be appointed to the ELK Energy Board as a board member for the term ending November 14, 2022.

Councillor Bondy requested a recorded vote.

Recorded	Support	Opposed
Councillor Bondy		X
Councillor Bowman	X	
Mayor Snively	X	
Deputy Mayor Meloche	X	
Councillor Garon	X	
Councillor Verbeek	X	
Councillor Bjorkman	X	
	6	1

With a recorded vote of six (6) in support and one (1) opposed the motion

Carried

12. Committee Meeting Minutes

Moved By Deputy Mayor Meloche
Seconded By Councillor Bowman

(R19-12-516) That the minutes listed in Item 12, together with any recommendations noted therein, be received, approved and adopted as circulated.

Carried

12.1 Court of Revision: South Malden Road Bridge for Kendrick

October 7, 2019

12.2 Court of Revision: Batten Drain and Philip Ferris Drain

November 18, 2019

12.3 Drainage Board: Shepley Drain: Replacement Bridges for Defour and Quick

November 12, 2019

12.4 Essex Municipal Heritage Committee

November 13, 2019

13. Financial

14. New Business

15. Notices of Motion

16. Reports and Announcements from Council Members

Each of the Council members were provided an opportunity to discuss the latest news, upcoming events, and activities in the municipality.

17. By-Laws

17.1 By-Laws that require a third and final reading

17.1.1 By-Law 1872

Being a by-law to confirm the proceedings of the December 2, 2019, Regular Meeting of Council of The Corporation of the Town of Essex

Moved By Councillor Bowman

Seconded By Deputy Mayor Meloche

(R19-12-517) That By-Law 1872, being a by-law to confirm the proceedings of the December 2, 2019, Regular Meeting of Council of The Corporation of the Town of Essex, be read a third time and finally passed on December 16, 2019.

Carried

17.1.2 By-Law 1859

Being a by-law to provide for the Thompson Drain: New Bridge for Cindy Brockman, Part of Lot 32, N.M.R. Concession, Geographic Twp. of Colchester North, Project REI2019D005, Town of Essex, County of Essex

Moved By Councillor Verbeek

Seconded By Councillor Garon

(R19-12-518) That By-Law 1859 being a by-law to provide for Thompson Drain: New Bridge for Cindy Brockman, Part of Lot 32, N.M.R. Concession, Geographic Township of Colchester North, Project REI2019D005, Town of Essex, County of Essex be read a third time and finally passed on December 16, 2019

Carried

17.1.3 By-Law 1860

Being a by-law to provide for Batten Drain: Replacement Bridge for Abram Harms Holdings, Inc. Part of Lot 27, N.M.R. Concession, Geographic Township of Colchester North, Project REI2019D024, Town of Essex, County of Essex

Moved By Councillor Vander Doelen

Seconded By Councillor Bowman

(R19-12-519) That By-Law 1860 being a by-law to provide for the Batten Drain: Replacement Bridge for Abram Harms Holdings, Inc., Part of Lot 27, N.M.R. Concession, Geographic Township of Colchester North, Project REI2019D024, Town of Essex, County of Essex be read a third time and finally passed on December 16, 2019.

Carried

17.1.4 By-Law 1861

Being a by-law to provide for the Philip Ferris Drain: Drain Diversion for Atlas Tube Inc., Geographic Township of Colchester South, Project REI2019D007, Town of Essex, County of Essex

Moved By Councillor Bjorkman

Seconded By Councillor Garon

(R19-12-520) That By-Law 1861 being a by-law to provide for Philip Ferris Drain: Drain Diversion for Atlas Tube Inc., Geographic Township of Colchester South, Project REI2019D007, Town of Essex, County of Essex be read a third time and finally passed on December 16, 2019.

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 1875

Being a by-law to confirm the proceedings of the December 16, 2019 Regular Meeting of Council of the Corporation of the Town of Essex.

Moved By Councillor Bjorkman

Seconded By Councillor Verbeek

(R19-12-521) That By-law 1875 being a by-law to confirm the proceedings of the December 16, 2019 Regular Meeting of The Corporation of the Town of Essex be read a first and second time and provisionally adopted December 16, 2019.

Carried

18. **Adjournment**

Moved By Councillor Vander Doelen
Seconded By Deputy Mayor Meloche

(R19-12-522) That the meeting be adjourned at 7:59 PM.

Carried

Mayor

Clerk