



The Corporation of the Town of Essex
Regular Council Meeting Minutes

January 20, 2020, 6:00 pm
Essex Civic Centre
360 Fairview Avenue West
Essex, Ontario

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

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

Ehva Hoffman, Youth Council Member
Norm Nussio, Manager, Operations and Drainage

1. Call to Order
2. Closed Meeting Report

Robert Auger, Town Solicitor/Clerk, Legal and Legislative Services provided a verbal report on the Closed Meeting held prior to tonight's regular council meeting. He stated that it was held pursuant to the Municipal Act, R.S.O. 2001, c.25, as amended, Section 239(2) (b) personal matters about an identifiable individual, including municipal or local board employees; and (c) a proposed pending acquisition or disposition of land by the municipality or local board.

The Clerk advised that Council discussed personnel matters and gave direction concerning a potential land purchase.

3. Declarations of Conflict of Interest

There were no declarations noted.

4. Adoption of Published Agenda

4.1 Regular Council Meeting Agenda for January 20, 2020

Moved By Councillor Bowman
Seconded By Councillor Bjorkman

(R20-01-001) That the published agenda for the January 20, 2020 Regular Council Meeting, be adopted with the following amendments:

- That Public Presentation, agenda item 6.2, Anderdon Public School Eco Team be moved to agenda item 6.1;
- That the late Delegation Request from William Baker, Vice President of the Harrow Chamber of Commerce be added as an addendum to agenda to be included with the Public Presentation agenda item 6.2.1, Planning Report 2020-01, Sign By-Law Amendment Application for 108 County Road 50 East, and
- That Council Verbeek has two Notices of Motion that she would like added to agenda this evening.

Carried

5. Adoption of Minutes

5.1 Regular Council Meeting Minutes for December 16, 2019

Moved By Councillor Bowman
Seconded By Deputy Mayor Meloche

(R20-01-002) That the minutes of the Regular Council Meeting held December 16, 2019 be adopted as circulated.

Carried

5.2 Special Council Meeting Minutes for November 4, 2019

Moved By Councillor Bowman
Seconded By Councillor Bjorkman

(R20-01-003) That the minutes of the Special Council Meeting held November 4, 2019 for the purpose of the Town's Economic Development Officer, Nelson Silveira to provide a presentation to Council regarding the Town of Essex's Streetscape Projects in Essex and Harrow Centres, be adopted as circulated.

Carried

6. Public Presentations

6.1 Anderdon Public School Eco Team

Grade 8 Eco Students from Anderson Public School - Addisyn Walker and Darragh Aston and Mrs. Jodi Nolin, Eco Teacher appeared before Council asking that Council consider a town-wide ban on single use plastics.

The team spoke to Council about animals that have died and or have been injured because of plastics. They spoke of the harmful chemicals that plastics contain and how that is harmful to our health. They noted various companies and places that have banned plastic straws and have asked Council to ban single use plastics locally.

Moved By Councillor Bjorkman
Seconded By Deputy Mayor Meloche

(R20-01-004)That the presentation by Addisyn Walker, Darragh Aston, Grade 8 Eco Students from Anderdon Public School and Mrs. Jodi Nolin, Eco Teacher, asking Essex Council to consider a town-wide ban on single use plastics, be received; and

That Administration be directed to prepare a report to look at banning single use plastic bags and straws and single use items that we have control over in the Town.

Carried

6.2 Bernard Gorski

RE: Site Specific Sign By-Law Amendment - CREW Winery, 108 County Road 50 East, Harrow

Mr. Gorski appeared before Council to explain their application for a Site Specific Sign By-Law Amendment. He told Council that the new sign is the same sign that was there previously but with a digital component. He said that the need for a sign permit prior to the installation of the new sign was an oversight on their behalf. He felt that the new sign is clear and easy to read, and only wanted to use the sign to advertise when they were open for business and what their business had to offer. He advised Council that they realize that the illumination could be intrusive in the evening and would agree to only turn it on during the daytime hours.

6.2.1 Planning Report 2020-01

RE: Sign By-Law Amendment Application for 108 County Road 50 East

6.2.1.1 William Baker, Vice President, Harrow and Colchester South Chamber of Commerce

RE: Town of Essex Sign By-Law Review

Mr. Baker appeared before Council on behalf of the Harrow and Colchester South Chamber of Commerce, to present a supporting letter from the Chamber in regards to Planning Report 2020-01. The letter asks Administration to do a review of the Town's sign by-law and the perimeters within. He advised that it is the position of the Chamber to support the business community with future innovation and modern signage technology, with controlled levels of illumination and daylight regulation criteria in place. He further stated that if Council choses to review the sign by-law the Chamber suggests taking into consideration the mixed use of signage within Agricultural Commercial and Residential.

Moved By Deputy Mayor Meloche
Seconded By Councillor Vander Doelen

(R02-01-005)That the Sign By-Law Amendment Application for 108 County Road 50 East for CREW Winery, be deferred until after a review of

the Town's sign by-law by Administration, including its review specific to signage for County Road 50 only; and

That Administration advise Mr. Bernard Gorski of CREW Winery of the restrictions for the sign at 108 County Road 50 East, to ensure that the electronic portion of the sign is disconnected to ensure the sign is not operational until the sign by-law has been reviewed and a decision has been rendered.

Carried

Moved By Councillor Bjorkman
Seconded By Deputy Mayor Meloche

(R02-01-006) That the public presentations by Mr. Bernard Gorski, applicant for a Site Specific By-Law Amendment Application for a sign at CREW Winery, 108 County Road 50 East, Harrow; and the presentation by Mr. William Baker, Vice President of the Harrow and Colchester South Chamber of Commerce, supporting a review of the Town's sign by-law, be received.

Carried

7. Unfinished Business

8. Reports from Administration

8.1 Building Department Report 2019-12

RE: December 2019 Building Report

- Development Overview 2019

Moved By Councillor Bowman
Seconded By Councillor Verbeek

(R02-01-007) That the Building Department Report 2019-12, entitled "December 2019 Building Report and Development Overview 2019", providing Council with an update on building activity within the Town of Essex for the month of December, be received.

Carried

8.2 Finance and Business Services Report 2020-01

2020 Water and Sanitary Sewer Rates

- Schedule A - Water and Sanitary Sewer Charges for the Year 2020
- By-Law 1876
Being a by-law to establish Water and Sanitary Sewer Rates and Charges

Moved By Councillor Bowman
Seconded By Councillor Bjorkman

(R02-01-008) That Finance and Business Services Report 2020-01, entitled "2020 Water and Sanitary Sewer Rates", dated January 20, 2020, prepared by Jeffrey Morrison, Director, Corporate Services, be received and approved; and

That By-Law 1876 being a by-law to establish 2020 Water and Sanitary Sewer Rates and Charges, be read a first, a second and a third time and finally passed on January 20, 2020.

Carried

8.3 Chief Administrative Officer Verbal Report

RE: OPP Contract

Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk, advised that as a result of direction by Council at the Budget Meeting on Monday evening, Administration reviewed the OPP Contract in conjunction with the possibility of removing the OPP Contract Manager enhancement position. He confirmed that a one year written notice is required in order to remove this position from the current contract. The current OPP contract itself expires on December 31, 2021.

Moved By Deputy Mayor Meloche

Seconded By Councillor Garon

(R02-01-009) That Administration be directed to provide one year's written notice to the Ontario Provincial Police (OPP) advising of the Town's intention to eliminate the OPP Contract Manager enhancement position.

Carried

8.4 Planning Report 2020-02

RE: Community Improvement Plan (CIP) Update

- By-Law 1877
Being a by-law to amend By-Law 1143, being a by-law to adopt a Downtown Community Improvement Plan for Downtown Harrow Centre
- By-Law 1878
Being a by-law to amend By-Law 1314, being a by-law to adopt a Community Improvement Plan for Part of Essex Centre
- By-Law 1879
Being a by-law to amend By-Law 1612, being a by-law to adopt a Community Improvement Plan for Part of Colchester Centre

Moved By Councillor Bjorkman

Seconded By Councillor Bowman

(R02-01-010) That Planning Report 2020-02 entitled "Community Improvement Plan (CIP) Update, prepared by Rita Jabbour, Manager, Planning Services, dated January 20, 2020, be received; and

That By-Law 1877, being a by-law to amend By-Law 1143 being a by-law to adopt a Downtown Community Improvement Plan for Downtown Harrow Centre, be read a first and a second time and provisionally adopted on January 20, 2020;

That By-Law 1878, being a by-law to amend By-Law 1314 being a by-law to adopt a Community Improvement Plan for Part of Essex Centre, be read a first and a second time and provisionally adopted on January 20, 2020; and

That By-Law 1879, being a by-law to amend By-Law 1612 being a by-law to adopt a Community Improvement Plan for Part of Colchester Centre, be read a first and a second time and provisionally adopted on January 20, 2020.

Carried

9. Reports from Youth Members

Cameron Soucie, Youth Member advised that the Essex District High School Special Education Program is holding a Fundraiser at A-1 Chinese Food on January 27, 2020 from 11:00 AM - 8:00 PM. He advised that you need to mention supporting the "Essex District High School STEPS Program", and a portion of the meals ordered during that time will be donated to the program.

Ehva Hoffman, Youth Member advised that the Essex Youth Centre is now offering free tutoring.

10. County Council Update

11. Correspondence

11.1 Correspondence to be received

Moved By Councillor Bowman

Seconded By Councillor Vander Doelen

(R02-01-011) 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 Recognition of Academic Achievement

Amy Fournier and Michael Woodiwiss - completion of the Third Course Program in Municipal Tax Administration

11.1.3 Ministry of Natural Resources and Forestry

RE: Town of Essex's concerns about Shoreline Protection and Phragmites.

Correspondence from the Ministry of Natural Resources and Forestry, Minister John Yakabuski, providing a follow-up from the meeting at the 2019 Association of Municipalities of Ontario Conference.

11.1.4 Town of Amherstburg

RE: Tiny House By-Law

Copy of correspondence from the Town of Amherstburg to the Association of Municipalities of Ontario (AMO), dated December 18, 2019 advising of a request for a Tiny House By-Law in the Town of Amherstburg.

11.1.5 Annual Drinking Water Reports

2018-2019 Chief Drinking Water Inspector Annual Report - <https://www.ontario.ca/page/2018-2019-chief-drinking-water-inspector-annual-report>

Minister's Annual Report on Drinking Water 2019 -
<https://www.ontario.ca/page/ministers-annual-report-drinking-water-2019>

Correspondence advising that the annual reports are available for viewing on the Ministry of the Environment, Conservation and Parks website

11.1.6 Union Water Supply System

RE: Joint Board of Management Minutes - November 20, 2019

11.1.7 Essex Region Conservation Authority (ERCA)

RE: 2020 Draft Budget - 30 Day Notice

11.1.8 Windsor-Essex County Environment Committee (WECEC)

Agenda - January 23, 2020

11.1.9 Union Water Supply System

Agenda - January 15, 2020

11.1.10 Ontario Provincial Police (OPP) Municipal Policing Bureau News Bulletin

RE: Second Issue, dated January 2020

11.1.2 Ministry of Children, Community and Social Services

RE: Ontario's Poverty Reduction Strategy

Correspondence dated December 16, 2019 advising that an online survey will be posted in January 2020 in an effort to receive ideas and feedback from the public to help identify solutions to reduce poverty in Ontario.

11.1.11 Town of Deep River

RE: Premiers to Develop Nuclear Reactor Technology

Correspondence, dated January 8, 2020 supporting the Premiers of Ontario, Saskatchewan and New Brunswick's intention to work together on the development of small modular reactors to help their province reduce carbon emissions and address the challenges of climate change.

11.1.12 City of Woodstock

RE: Ban of Single-Use Plastic Handled Shopping Bags Resolution

Correspondence, dated December 18, 2019 supporting a harmonized ban of single-use plastic shopping bags across the Province of Ontario.

11.2 Correspondence to be considered for receipt and support

11.2.1 Resignation from the Essex Accessibility Committee

RE: Resignation from Earl Brownell

Moved By Councillor Verbeek
Seconded By Councillor Garon

(R02-01-012) That the resignation from Earl Brownell from the Essex Accessibility Committee, effective January 8, 2020, be received with regret; and

That a letter of thanks be sent to Mr. Brownell for his time spent of the Committee, and that Schedule "A" to By-Law 1777, be updated accordingly.

Carried

12. Committee Meeting Minutes

Moved By Councillor Bowman

Seconded By Councillor Verbeek

(R02-01-013) That the minutes in agenda item 12, together with any recommendations noted therein, be received, approved and adopted as circulated.

Carried

12.1 Finance Committee - October 7, 2019

12.2 Essex Accessibility Advisory Committee - December 5, 2019

- (EAAC19-12-039) **Recommendation to Council** to support the Town investigating, purchasing, installing and utilizing software to enable real time transcription or closed captioning of the regular council meetings to better accommodate those in attendance with hearing impairment or challenges.

12.3 Arts, Culture, and Tourism Committee - December 11, 2019

12.4 Committee of Adjustment Meeting - November 19, 2019

12.5 Essex Police Services Board - December 12, 2019

12.6 Arts, Culture and Tourism Committee - January 8, 2020

13. Financial

13.1 October Bank Payments

Moved By Councillor Bjorkman

Seconded By Councillor Vander Doelen

(R02-01-014) That the October 2019 Bank Payments Report, including the October cheque register, cheque number 50384 to cheque number 50590 inclusive in the amount of \$1,808,223.96, the Preauthorized Payments for October in the amount of \$345,637.71 and Payroll for October in the amount of \$486,088.70, be ratified as submitted.

Carried

13.2 November Bank Payments

Moved By Deputy Mayor Meloche

Seconded By Councillor Bowman

(R02-01-015) That the November 2019 Bank Payments Report, including the November cheque register, cheque number 50591 to cheque number

50782 inclusive in the amount of \$1,906,247.70, the Preauthorized Payments for November 2019 in the amount of \$418,342.88, and the Payroll for November 2019 in the amount of \$396,320.06, be ratified as submitted.

Carried

14. New Business

15. Notices of Motion

15.1 The following Notice of Motion will be presented at the February 3, 2020 Regular Council Meeting for Council's consideration:

15.1.1 Mayor Snively

RE: Canada's National Anthem at Regular Council Meeting

That Canada's National Anthem "O Canada", be played at the commencement of each Regular Council Meeting for the Town of Essex.

15.1.2 Councillor Verbeek

RE: Old Malden Road repairs

That Council consider the possibility of completing the Old Malden Road Project as part of the 2020 Budget, and direct Administration to investigate any funding options that might be available to facilitate the completion of this Project in 2020.

15.1.3 Councillor Verbeek

RE: Five Year Road Plan

That Council be provided with a five-year road plan so as to ensure the Old Malden Road Project can be completed if it is not possible to complete in 2020.

16. Reports and Announcements from Council Members

Each of the Council members were provided an opportunity to discuss their 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 1871

Being a by-law to provide for the Shepley Drain: Replacement Bridges for Elwood Defour and Garry and Bonny Quick

Moved By Deputy Mayor Meloche
Seconded By Councillor Bowman

(R02-01-016) 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 third time and finally passed on January 20, 2020.

Carried

17.1.2 By-Law 1875

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

Moved By Councillor Bjorkman

Seconded By Councillor Garon

(R02-01-017) 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 third time and finally adopted January 20, 2019.

Carried

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

17.2.1 By-Law 1880

Being a by-law to provide for an interim tax levy and to provide for the payment of taxes and to provide for penalty and interest

Moved By Councillor Verbeek

Seconded By Councillor Vander Doelen

(R02-01-018) That By-Law 1880 being a by-law to provide for an interim tax levy and to provide for the payment of taxes and to provide for penalty and interest, be read a first, a second and a third time and finally passed on January 20, 2020.

Carried

17.3 By-Laws that require a first and second reading

17.3.1 By-Law 1882

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

Moved By Deputy Mayor Meloche

Seconded By Councillor Garon

(R02-01-019) That By-Law 1882 being a by-law to confirm the proceedings of the January 20, 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 on January 20, 2020.

Carried

18. **Adjournment**

Moved By Deputy Mayor Meloche
Seconded By Councillor Garon

(R20-01-020) That the meeting be adjourned at 7:37 PM.

Carried

Mayor

Clerk