



## **The Corporation of the Town of Essex**

### **Regular Council Meeting Minutes**

April 20, 2020, 6:00 pm

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

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

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

#### **1. Call to Order**

Mayor Snively 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.

#### **4. Adoption of Published Agenda**

##### **4.1 Regular Council Meeting Agenda for April 20, 2020**

Moved By Councillor Vander Doelen  
Seconded By Councillor Bondy

**(R20-04-117) That** the published agenda for the April 20, 2020 Regular Council Meeting be adopted as amended with the addition of a Notice of Motion from Councillor Bondy, to be included as agenda item 15.1.

**Carried**

**5. Adoption of Minutes**

**5.1 Regular Council Meeting Minutes for April 6, 2020**

Moved By Councillor Bowman  
Seconded By Councillor Vander Doelen

**(R20-04-118) That** the minutes of the Regular Council Meeting held April 6, 2020 be adopted as circulated.

**Carried**

**6. Public Presentations**

There were no delegations for the April 20, 2020 Regular Council Meeting.

**7. Unfinished Business**

**8. Reports from Administration**

**8.1 Chief Administrative Officer (CAO) Verbal Report**

RE: COVID-19 Town's Response Updates

- Staffing
- RV use
- Seasonal Campground Use
- Essential/Non-essential meetings

Moved By Councillor Vander Doelen  
Seconded By Councillor Verbeek

**(R20-04-119) That** the verbal report provided by the Town's Chief Administrative Officer (CAO), Chris Nepszy relating to the Town's latest updates on responses to the COVID-19 emergency, be received.

**Carried**

**8.2 Economic Development Report 2020-03**

- RE: March 2020 Building Report
- Development Overview

Moved By Councillor Bowman  
Seconded By Councillor Vander Doelen

**(R20-04-120) That** Economic Development Report 2020-03 entitled "Building Report and Development Overview March 2020", prepared by Nelson Silveira, Economic Development Officer, dated April 20, 2020, be received.

**Carried**

**8.3 Economic Development Report 2020-04**

RE: Community Improvement Plan Update (Quarter 1 2020)

Director, Development Services, Lori Chadwick spoke to and provided a summary with regards to the Community Improvement Plan first Quarter Update for 2020.

Moved By Councillor Vander Doelen

Seconded By Councillor Verbeek

**(R20-04-121) That** Economic Development Report 2020-04, entitled "Community Improvement Plan Update (Quarter 1 2020)", prepared by Nelson Silveira, Economic Development Officer, dated April 20, 2020, be received.

**Carried**

#### **8.4 Drainage Report 20-02**

RE: Appointment of an Engineer under Section 78 of the Drainage Act to review the Barrette Drain

Moved By Deputy Mayor Meloche

Seconded By Councillor Bjorkman

**(R20-04-122) That** Drainage Report 20-02, entitled "Appointment of an Engineer under Section 78 of the Drainage Act to review the Barrette Drain", prepared by Lindsay Dean, Drainage Superintendent, dated April 20, 2020, be received; and

**That** Council appoints Rood Engineering Incorporated under Section 78 of the Drainage Act to review the Barrette Drain.

**Carried**

#### **8.5 Infrastructure Services Report 2020-02**

RE: Windsor/Essex Region Stormwater Management Standards Manual

Director, Infrastructure Services, Kevin Girard spoke to and provided a summary for Council on the prepared Windsor/Essex Region Stormwater Management Standards Manual.

Moved By Councillor Vander Doelen

Seconded By Councillor Bjorkman

**(R20-04-123) That** Infrastructure Services Report 2020-02 entitled, "Windsor/Essex Region Stormwater Management Standards Manual", prepared by Kevin Girard, dated April 20, 2020 be received; and

**That** Council adopt the Windsor/Essex Region Stormwater Management Standards Manual as the standard for design and review of the infrastructure within the Town of Essex.

**Carried**

#### **8.6 Drainage Report 20-03**

RE: Appointment of an Engineer under Section 78 of the Drainage Act to install a new culvert over the North Rear Road Drain South Side.

Moved By Councillor Bowman

Seconded By Councillor Bjorkman

**(R20-04-124) That** Drainage Report 2020-03, entitled "Appointment of an Engineer under Section 78 of the Drainage Act to install a new culvert over the North Rear Road Drain South Side" prepared by Lindsay Dean, Drainage Superintendent, dated April 20, 2020 be received; and

**That** Council appoint Rood Engineering Incorporated under Section 78 of the Drainage Act to install a new culvert over the North Rear Road Drain South Side.

**Carried**

## **8.7 Corporate Services Report 2020-01**

RE: Town of Essex Shoreline Assistance Loan Program

- Corporate Services Report 2019-05 RE: Shoreline Assistance Loan Program
- Shoreline Assistance Loan Program Property Owner Agreement (DRAFT)
- By-Law 1908

Being a by-law to authorize the Town of Essex Shoreline Assistance Loan Program and undertaking of flood and shoreline control/mitigation works on private residential property as local improvements

Moved By Councillor Vander Doelen

Seconded By Councillor Garon

**(R20-04-125) That** Corporate Services Report 2020-01 , entitled "Town of Essex Shoreline Assistance Loan Program", prepared by Jeffrey Morrison, Director, Corporate Services, dated April 20, 2020, be received, and

**That** Council authorizes the implementation of the Town of Essex Shoreline Assistance Loan Program (the "Program") and to further delegate to and authorize Administration to negotiate and enter into all Property Owner Agreements, and to take such steps to give effect to same pursuant to the Program in substantially the same form and manner as the proposed or draft Property Owner Agreement attached hereto, and

**That** By-Law 1908, being a by-law to authorize the Town of Essex Shoreline Assistance Loan Program and the undertaking of flood and shoreline control/mitigation works on private residential property as local improvements, be read a first, a second and a third time, and finally passed on April 20, 2020; and

**That** Administration be directed to come to Council with by-law(s) pertaining to Section 36 of Ontario Regulation 586/06 to authorize the imposition of said local improvement works as a "Special Charge" on participating properties in accordance with the Program and the Property Owner Agreements.

**Carried**

## **8.8 Legal and Legislative Services Report 2020-05**

RE: Court of Revision for the Bayliss Drain (Bridge Replacements and Maintenance Schedule), Geographic Township of Colchester South, Project REI2016D024, Town of Essex, County of Essex

- By-Law 1904  
Being a by-law to provide for Bayliss Drain (Bridge Replacements and Maintenance Schedule)

Moved By Deputy Mayor Meloche  
Seconded By Councillor Bowman

**(R20-04-126) That** Legal and Legislative Services Report 2020-05, entitled "Court of Revision for the Bayliss Drain (Bridge Replacements and Maintenance Schedule), Geographic Township of Colchester South, Project REI2016D024, Town of Essex, County of Essex", submitted by Robert Auger, Town Solicitor, Clerk, dated April 20, 2020, be received, and

**That** the following three (3) members of the Drainage Board: Kirk Carter, Percy Dufour and Luke Martin, be appointed to sit as members of the Court of Revision to be convened for the Bayliss Drain (Bridge Replacements and Maintenance Schedule) Geographic Township of Colchester South, Project REI2016D024, pursuant to the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Limited, dated February 18, 2020 (hereinafter the "Report"), and such Court of Revision to be scheduled for 4:30 PM on May 21, 2020, via electronic meeting, and

**That** By-Law 1904 being a by-law to provide for Bayliss Drain (Bridge Replacements and Maintenance Schedule), Geographic Township of Colchester South, Project REI2016D024, Town of Essex, County of Essex, be read a first and a second time, and provisionally adopted on April 20, 2020.

**Carried**

#### **8.9 Operations Report 2020-01**

RE: Results of Request for Tender for the Supply of Tandem Drum Asphalt Compactor

Moved By Councillor Bowman  
Seconded By Councillor Verbeek

**(R20-04-127) That** Operations Report 2020-01, entitled "Results of Request for Tender for the Supply of Tandem Drum Asphalt Compactor", prepared by Jackson Tang, Assistant Manager, Business Services, dated April 20, 2020, be received, and

**That** Council awards the Request for Tender for the Supply of Tandem Drum Asphalt Compactor to Kucera Group Tecumseh in the amount \$52,406.40 including non-refundable harmonized sales tax; and

**That** Council approves the additional funding of \$2,406.40 above the allocated 2020 Supply of Tandem Drum Asphalt Compactor capital budget of \$50,000.00 (Project Code: PW-20-0032) through transferring from the Development Charges Reserve.

**Carried**

#### **8.10 Capital Works and Infrastructure Report 2020-03**

RE: Results of Request for Tender - Supply of Three Pick Up Trucks 2020

Moved By Councillor Bjorkman  
Seconded By Councillor Garon

**(R20-04-128) That** Capital Works and Infrastructure Report 2020-03, entitled "Results of Request for Tender - Supply of Three Pick-Up Trucks 2020", prepared by Jackson Tang, Assistant Manager, Business Services, dated April 20, 2020, be received, and

**That** Council awards the Request for Tender - Supply of Three Pick-Up Trucks 2020 to Ken Knapp Ford in the amount of \$117,652.87 including trade in value and non-refundable harmonized sales tax. **Carried**

**8.11 Planning Report 2020-06**

RE: Climate Change Adaptation Plan - Progress Report 1

Moved By Deputy Mayor Meloche

Seconded By Councillor Verbeek

**(R20-04-129) That** Planning Report 2020-06, entitled "Climate Change Adaptation Plan - Progress Report 1", prepared by Niharika Bandaru, Climate Change Analyst, dated April 20, 2020, be received.

**Carried**

**9. Reports from Youth Members**

On behalf of the Town’s Youth Members, Ehva Hoffman and Cameron Soucie, Councillor Verbeek provided Council with a brief update on their activities including online education during the COVID-19 Pandemic.

**10. County Council Update**

No updates given.

**11. Correspondence**

**11.1 Correspondence to be received**

Moved By Councillor Verbeek

Seconded By Councillor Bowman

**(R20-04-130) 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 Attorney General**

RE: Construction Act to be Exempt from Emergency Order Suspending Procedural Time Limits

**11.1.1.2 Ministry of Municipal Affairs and Solicitor General**

RE: Operation of Seasonal Trailer Parks and Recreational Campgrounds - Amended Essential Business Order as of April 3, 2020

**11.1.1.3 Media Release - Town of Essex**

RE: Town By-Law Officers to conduct enforcement of provincial orders (April 8, 2020)

- 11.1.1.4 Association of Municipalities of Ontario (AMO)  
RE: COVID-19 Update: New Emergency Orders (April 11, 2020)
- 11.1.1.5 Association of Municipalities of Ontario (AMO)  
RE: COVID-19 Update: Bill 189, Coronavirus Support and Protection Act, 2020 Receives Royal Assent (April 14, 2020)
- 11.1.1.6 Town of Midland  
RE: Direct Payment of Federal Funds to Municipalities to Waive Property Taxes for the Year 2020 - Financial help to alleviate the suffering from COVID-19 Pandemic  
  
Correspondence from the Town of Midland to the Prime Minister of Canada, dated March 23, 2020 asking that the Province of Ontario consider their proposal to direct payment of federal funds to municipalities to waive property taxes for the year 2020 to provide financial help to alleviate the suffering from COVID-19 Pandemic.
- 11.1.1.7 Ministry of Municipal Affairs and Housing  
RE: Development Charges Act (Proposed Amendments)

#### 11.1.2 Union Water Supply System

- April 15, 2020 Regular Meeting Agenda (Virtual Meeting via Zoom)
- April 15, 2020 Special Meeting Agenda (Virtual Meeting via Zoom)

#### 11.1.3 Alcohol and Gaming Commission of Ontario

RE: Applications Undergoing Public Notice

- Cannabis Applications in Essex

#### 11.1.4 Media Release - Town of Essex

RE: Town of Essex to Provide Sandbags for Residents (April 9, 2020)

#### 11.1.5 Town of Tecumseh

RE: Two Board System for Police Services Boards (PSB) in Essex County

Correspondence from the Town of Tecumseh to the Town of Lakeshore, dated March 31, 2020 supporting Lakeshore's Police Services Board's proposal for a "two board system" for Essex County as its preferred option.

Moved By Councillor Verbeek  
Seconded By Councillor Bjorkman

**(R20-04-131) That** Clerk be instructed to send a letter to the Province advising of the Town's concerns with the recent Cannabis Application for a retail store at 68 Talbot Street North in the Town of Essex, as such concerns being addressed prior to obtaining assurances that the store is within the 150 metre buffer from schools and churches.

**Carried**

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

There were no items for consideration for receipt and support.

**12. Committee Meeting Minutes**

**13. Financial**

**13.1 Bank Payment Report**

RE: March 2020

Moved By Councillor Bowman  
Seconded By Councillor Bjorkman

**(R20-04-132) That** the Bank Payments Report, including the March cheque register, cheque number 51172 to cheque number 51322 inclusive in the amount of \$5,239,406.67, the Preauthorized Payments for the March 2020 in the amount of \$430,932.65; and the Payroll for March 2020 in the amount of \$457,528.55, be ratified as submitted.

**Carried**

**14. New Business**

**15. Notices of Motion**

**15.1 The following Notice of Motion was presented at this evening's Council Meeting for Council's consideration at the May 4, 2020 Regular Council Meeting:**

**15.1.1 Councillor Bondy**

That the Town of Essex do an online satisfaction survey similar to the one recently completed by the Town of Tecumseh to look at quality of life, core services and to see if the Town is going in the right direction.

**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 1906**

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

Moved By Councillor Bowman  
Seconded By Councillor Vander Doelen



**(R20-04-133) That** By-Law 1906 being a by-law to confirm the proceedings of the April 6, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally adopted on April 20, 2020.

**Carried**

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

**17.2.1 By-Law 1900**

Being a by-law to authorize the borrowing of money to meet current expenditures of The Corporation of the Town of Essex

Moved By Councillor Garon  
Seconded By Deputy Mayor Meloche

**(R20-04-134) That** By-Law 1900 being a by-law to authorize the borrowing of money to meet current expenditures of The Corporation of the Town of Essex, be read a first, a second and a third time and finally passed on April 20, 2020.

**Carried**

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

**17.3.1 By-Law 1909**

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

Moved By Councillor Bowman  
Seconded By Councillor Bjorkman

**(R20-04-135) That** By-Law 1909, being a by-law to confirm the proceedings of the April 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 April 20, 2020.

**Carried**

**18. Adjournment**

Moved By Councillor Bjorkman  
Seconded By Deputy Mayor Meloche

**(R20-04-136) That** the meeting be adjourned at 7:28 PM

**Carried**

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Mayor

\_\_\_\_\_  
Clerk