

**The Corporation of the Town of Essex**  
**Regular Council Meeting Minutes**

December 4, 2017, 6:00 pm  
Essex Civic Centre  
360 Fairview Avenue West  
Essex, Ontario

Present: Mayor McDermott  
Deputy Mayor Meloche  
Councillor Bondy  
Councillor Snively  
Councillor Voakes  
Councillor Rogers

Absent: Councillor Bjorkman

Also Present: Donna Hunter, Chief Administrative Officer  
Chris Nepszy, Director, Infrastructure and Development  
Doug Sweet, Director, Community Services  
Jeffrey Morrison, Director, Finance and Business Services/Treasurer  
Alex Denonville, Manager, Communications  
Tara McGowan, Manager, Human Resources  
Jeff Watson, Policy Planner  
Robert Auger, Clerk, Legal and Legislative Services  
Lynn Moroz, Administrative Assistant

**1. Call to Order**

Mayor McDermott called the meeting to order and announced that Norm Nussio, Assistant Manager of Operations had completed the certification for Road Supervisors through the Association of Ontario Road Supervisors. The Mayor advised that this recognition is a significant accomplishment for Norm and for the municipality as it recognizes the high standard of education and experience of public works' professionals throughout Ontario. With this certification Norm joins over 1,400 certified professionals that have a deep knowledge of public work technologies, regulations and processes of maintaining public roadways. The Mayor called Mr. Nussio to the front and awarded him his certification.

**2. Closed Meeting Report**

**3. Declarations of Conflict of Interest**

There were no conflicts of interest noted.

**4. Adoption of Published Agenda**

**4.1 Regular Council Meeting Agenda for December 4, 2017**

Moved By Councillor Snively  
Seconded By Deputy Mayor Meloche

**(R17-12-490) That** the published agenda for the December 4, 2017 Regular Council Meeting be adopted with the following additions:

Councillor Bondy advised she would be presenting a Notice of Motion regarding high fiber optics.

Councillor Snively advised he would be presenting a Notice of Motion regarding drainage

**Carried**

## **5. Adoption of Minutes**

### **5.1 Regular Council Meeting Minutes for November 20, 2017**

Moved by Councillor Rogers

Seconded by Deputy Mayor Meloche

**(R17-12-491) That** the minutes of the Regular Council Meeting held November 20, 2017 be adopted as circulated.

**Carried**

## **6. Public Presentations**

### **6.1 Councillor Bondy-Ward 4 Feedback Form**

Councillor Bondy distributed a written summary of the results she obtained from the Ward Feedback Form she had delivered to every home in Ward 4. She then proceeded to give a brief outline of the report to Council. Positive responses were received on the new businesses, the flowers downtown, services for garbage, recycling and snow removal. People also like the televised council meetings, the improvements to Erie Street and the cat vouchers. They also believe Council needs to pass zero development fees.

Some of the negative feedback received included the condition of County Road 20, lack of affordable housing for seniors, the need for a 4-way stop at the corner of Walnut and Centre, and the inability to get cat vouchers in Harrow Centre.

Councillor Bondy advised she has been working through the responses and is getting back to the people.

Moved by Councillor Snively

Moved by Councillor Rogers

**(R17-12-492) That** the report given by Councillor Bondy regarding the results of the Ward 4 Feedback Form be received.

**Carried**

## **7. Unfinished Business**

### **7.1 Bill 148**

**RE: On-Call Provisions in the Employment Standards Act**

**At the November 6, 2017 Regular Council Meeting the following resolution was passed:**

"Moved by Councillor Bondy

Seconded by Councillor Bjorkman

(R17-11-452) That correspondence from The Corporation of the Township of Montague, dated October 2, 2017 providing Council with a copy of correspondence that they sent to the Premier of Ontario requesting that all municipal employees be specifically exempted from the on-call changes

proposed by Bill 148, be tabled until the next Regular Council Meeting on November 20, 2017 to allow Administration to prepare a report explaining Bill 148. Carried"

Moved By Councillor Bondy

Seconded By Deputy Mayor Meloche

**(R17-12-493) That** Resolution R17-11-452 be removed from the table.

**Carried**

#### 7.1.1 Human Resources Verbal Report

RE: Bill 148

Fair Workplaces, Better Jobs Act

Moved By Councillor Bondy

Seconded By Councillor Snively

**(R17-12-494) That** the Verbal Report and Presentation provided by Tara McGowan, Manager, Human Resources, on Bill 148, Fair Workplaces, Better Jobs Act, be received;

**And that** the correspondence from The Corporation of the Township of Montague, dated October 2, 2017 providing Council with a copy of correspondence that they sent to the Premier of Ontario requesting that all municipal employees be specifically exempted from the on-call changes proposed by Bill 148, be received.

**Carried**

#### 7.2 Invitation to E.L.K. to attend the December 4, 2017 Council meeting

At its November 20, 2017 Regular Council meeting Council passed the following resolution:

"Moved by Councillor Bondy

Seconded by Councillor Snively

(R17-11-479) **That** Council extend an invitation to ELK Energy Inc. to the next Regular Council Meeting on December 4, 2017 to have an opportunity to explain the recent power interruptions and hydro complaints in our municipality."

Council was advised that Mike Audet, C.E.O. of ELK Energy Inc. was scheduled to meet with two senior officials from Ontario Hydro regarding the issues that have been occurring with power interruptions and hydro complaints. A Board meeting has been called for December 21st to discuss this issue following which Mr. Audet will meet with Council.

Moved By Councillor Bondy

Seconded By Councillor Snively

**(R17-12-495) That** Resolution Number R17-11-479 be rescinded.

**Carried**

## 8. Reports from Administration

### 8.1 Planning Report 2017- 43

RE: Proposed Revisions to the Town's Zoning By-Law 1037.

Mr. Watson informed Council that most of the changes to the Zoning By-law were housekeeping measures except for the rezoning issues east and west of Highway 3. Recently comments had been received from ERCA regarding the repealing of the natural heritage provision requirements. In order to look at the natural heritage issues Mr. Watson asked Council to defer the removal of Subsection 10.8 at this time and include it in the third part of the Official Plan review expected in the spring of 2018. Mr. Watson asked that Council approve the proposed changes to the zoning by-law with the exemption of the removal of Subsection 10.8 which will be reviewed in the spring.

Moved by Councillor Bondy

Seconded by Councillor Snively

**(R17-12-496) That** Planning Report 2017-43, prepared by Jeff Watson, Policy Planner and submitted by Chris Nepszy, Director, Infrastructure and Development, dated December 4, 2017 entitled "Proposed Zoning By-Law Revisions", be received;

**And that** Council authorize the preparation of a zoning amendment by-law to implement revisions to the General Zoning By-Law 1037 without the removal of Subsection 10.8.

**Carried**

### 8.2 Chief Administrative Officer (CAO) Report 2017-005

RE: Revised Schedules to By-Laws 1186, 1331 and 1344

The following schedules be revised effective January 1, 2018:

Schedule "C" to By-Law 1186

Being a by-law respecting the maintenance, management, regulation and control of any cemetery owned by The Corporation of the Town of Essex; and

Schedule "A" to By-Law 1331

Being a by-law to establish a schedule of miscellaneous fees and charges; and

Schedule "B" to By-Law 1344

Being a by-law for the imposition of Development Charges.

Moved by Deputy Mayor Meloche

Seconded by Councillor Bondy

**(R17-12-497) That** Chief Administrative Officer's Report 2017-005, prepared and submitted by Donna Hunter, Chief Administrative Officer, dated November 28, 2017 entitled "Revised Schedules to By-Laws 1186, 1331 and 1344", be received;

**And that** the following schedules be revised effective January 1, 2018:

Schedule "C" to By-Law 1186

Being a by-law respecting the maintenance, management, regulation and control of any cemetery owned by The Corporation of the Town of Essex; and

Schedule "A" to By-Law 1331

Being a by-law to establish a schedule of miscellaneous fees and charges; and

Schedule "B" to By-Law 1344

Being a by-law for the imposition of Development Charges.

**Carried**

### **8.3 Infrastructure and Development Report 2017-12**

RE: Consulting Services for Town of Essex Cross Connection Control Program

Request to Council to Waive Requirement for Proposals, Tenders and Quotations for Consulting and Professional Services under Section 22.02 of the Procurement and Disposal of Goods and Services Policy.

Moved by Councillor Snively

Seconded by Mayor McDermott

**(R17-12-498) That** Infrastructure and Development Report 2017-012, prepared by Andy Graf, Manager, Environmental Services, and Kevin Carter, Chief Building Official, and submitted by Chris Nepszy, Director, Infrastructure and Development, entitled "Consulting Services for Town of Essex Cross Connection Control Program", be received;

**And that** Council appoint Preview Inspections and Consulting to provide, administer and implement a Cross Connection Control Program, and review and revise the Town's existing By-Law 321 to adequately address current Ministry of the Environment and Climate Change (MOECC) requirements in accordance with the completed request under Section 22.02 of the Town of Essex Procurement By-Law 1043.

**Carried**

### **8.4 Infrastructure and Development Verbal Report**

RE: Grading Operations on Given Road (Snake Lane) in Ward Three

**At the November 20, 2017 Regular Council Meeting the following resolution was passed:**

Councillor Bondy - Grader issues on Given Road (Snake Lane) in Ward Three.

"Moved by Councillor Bondy

Seconded by Councillor Voakes

(R17-11-480) That Brenda Dunn be allowed to address Council with regards to the condition of Snake Lane. Carried

Moved by Councillor Bondy

Seconded by Councillor Snively

(R17-11-481) That Administration be asked to provide a verbal report on grader issues on Given Road (Snake Lane) in Ward Three at the next Regular Council Meeting on December 4, 2017." Carried

Director of Infrastructure and Development Chris Nepszy gave a brief verbal report to Council on the grading procedures. Grading is done in the spring and fall and is done with a slope from the crown of the road. The amount of times it is done depends on the weather, traffic and the road geometrics. Too much

grading brings the fine aggregate out and the road turns to mush. In the summer grading is not done because brine is used for dust control and that binds the road. He noted that a road is only as good as its base and the drainage there. The issue with Snake Lane is the wet condition of the base. It is one of the highest travelled gravel roads and, with four 90 degree turns and the high water table, deterioration of the road occurs.

Mr. Nepszy also noted that some people are better at grading due to their experience. With fewer and fewer gravel roads within the municipality it is difficult sometimes for staff in the roads department to develop the art of grading.

The next step to improve Snake Lane is to look at it through the municipal drain process to repair the drainage and determine costs for said drainage repairs.

Moved by Councillor Bondy

Seconded by Councillor Rogers

**(R17-12-499) That** the verbal report by Chris Nepszy, Director of Infrastructure and Development providing Council with grading operations on Given Road (Snake Lane) in Ward Three, be received.

**Carried**

## **9. Reports from Youth Members**

## **10. County Council Update**

Essex County Council will be holding a budget meeting on Wednesday, December 6th at 4 p.m. at the County Council Chambers. Deputy Mayor Meloche advised that the total proposed budget is \$116,000,000 with an increase of \$17,000,000 for 2018. County Council directed Administration to keep the increase at 2% and they were able to come back with a 1.54% increase.

Moved by Councillor Rogers

Seconded by Councillor Snively

**(R17-12-500) That** the County Council Report given by Deputy Mayor Meloche be received.

**Carried**

## **11. Correspondence**

### **11.1 Correspondence to be received**

Moved by Councillor Rogers

Seconded by Councillor Snively

**(R17-12-501) That** correspondence listed in Agenda Item 11.1 be received with the exclusion of Item 11.1.5 and, where indicated, to further share such information with the community using suitable methods of communication ;

11.1.1 Windsor Essex County Environment Committee

RE: October 26, 2017 Minutes

11.1.2 Ministry of the Environment and Climate Change

RE: Availability of the Minister's Report on Drinking Water 2017. This report is available online at [ontario.ca/drinkingwater](http://ontario.ca/drinkingwater).

11.1.3 Association of Municipalities of Ontario (AMO) Policy Update

RE: AMO Queen's Park Legislative Update, dated November 21, 2017

11.1.4 AMO Communications

RE: AMO Policy Update - Federal Government Releases National Housing Strategy

11.1.6 Essex-Windsor Solid Waste Authority (EWSWA)

RE: Landfill Liaison Committee Meeting Agenda - November 29, 2017.

11.1.7 United Way Centraide Windsor-Essex County

RE: Leadership Windsor/Essex  
40 Leaders under 40 Awards - Nomination Deadline December 18, 2017.

11.1.8 Tracy Ramsey, M.P. Essex

RE: Recognizing Fire Chief Rick Arnel as the recipient of a Canada 150 Medal Award.

**Carried**

11.1.5 Regrets on Behalf of Minister Hoskins

RE: Invitation from Town of Essex to attend a meeting to discuss the short term and long terms plans regarding health matters in the region.

Moved By Councillor Voakes

Seconded By Councillor Bondy

**(R17-12-502) That** a second request be sent to Minister Hoskins to attend an Essex Council Meeting to discuss Emergency care and procedures and that Premier Wynne be copied on the request.

**Carried**

Councillor Bondy in referring to Item 11.1.6 asked Deputy Mayor Meloche if he had any comments or updates in regard to the use of auto shredder fluff at the landfill. Deputy Mayor Meloche proceeded to provide comments on the issue of auto shredder fluff at the landfill and noted that it may be in the Town's best interest to determine what are the auto shredder fluff coverage regulations or requirements for the landfill.

Moved By Deputy Mayor Meloche

Seconded By Councillor Bondy

**(R17-12-503) That** Council direct the Clerk to contact a consultant to provide the Town with information on the required amount of auto shredder fluff coverage in landfill operations.

**Carried**

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

There were no items of correspondence for receipt and support.

**12. Committee Meeting Minutes**

Moved by Councillor Snively  
Seconded by Councillor Rogers

**(R17-12-504) That** the Committee Meeting Minutes in agenda item 12. be adopted as presented and that any recommendations to Council contained therein, be approved.

**Carried**

**12.1 Arts, Culture and Tourism (ACT) - November 8, 2017**

**12.2 Committee of Adjustment - November 21, 2017**

**12.3 Essex Police Services Board - November 2, 2017**

**12.4 Finance Committee - November 20, 2017**

(FC-2017-11-034) **Recommendation to Council** that the request for the waiver of legal fees accrued to date in the amount of \$508.80 related to the registration of Roll 610-121-01 for tax arrears be denied.

**13. Financial**

**14. New Business**

**15. Notices of Motion**

**15.1 The following Notices of Motion were presented at the November 20, 2017 Regular Council Meeting and are being brought forward for consideration this evening:**

15.1.1 Councillor Voakes

RE: Development Charges report related to commercial development over the past five years by Ward, to facilitate a discussion by Council on the possible waiver of Development Charges for commercial development.

Moved by Councillor Voakes  
Seconded by Councillor Rogers

**(R17-12-505) That** Administration provide a report on the number and value of Development Charges related to commercial development for the years 2015 to 2017 by Ward, to facilitate a discussion by Council on the possible waiver of Development Charges for commercial development with the time frame to be decided at the discretion of Administration.

**Carried**

15.1.2 Councillor Bondy

RE: The installation of banner poles at the location agreed to at the November 6, 2017 Regular Council Meeting be deferred until Council has had an opportunity to have a site visit.

**From the November 6, 2017 Regular Council Meeting:**



"Moved by Councillor Bondy  
Seconded by Councillor Bjorkman  
(R17-11-440) That the site location for one set of banner poles in Harrow Centre be placed on Queen Street, between Munger and Sinasac Streets.  
Carried"

Moved by Councillor Bondy  
Seconded by

That Council re-consider resolution R17-11-440 passed at the November 6, 2017 Regular Council Meeting.

**Notice of Motion as presented at the November 20, 2017 Regular Council Meeting:**

Moved by Councillor Bondy  
Seconded by

That the site selection and installation for one set of banner poles in Harrow Centre be deferred until Administration has had an opportunity to have a site visit at the proposed site of Queen Street, between Munger and Sinasac Streets and obtain more information.

The Notice of Motion was withdrawn at the request of Councillor Bondy.

**15.2 The following Notices of Motion will be brought forward for consideration at the Regular Council Meeting of Monday, December 18, 2017:**

**Councillor Bondy:**

RE: That Council direct Administration to expand (if possible) the Community Improvement Program (CIP) area in Harrow to include the lands involving the Junior School and High School, and further that Council direct Administration to explore if there is any way possible to expand the demolition grant to above \$6,000.

**Councillor Bondy:**

RE: That Administration investigate the feasibility of fiber optics throughout the entire Town of Essex.

**Councillor Snively :**

RE: That Administration review our current by-laws in regard to protecting water run-off from adjacent properties including reviewing the fill permit and/or property standard by-laws and if necessary to provide recommendations on same.

**16. Reports from Council Members**

**17. Announcements**

**18. By-Laws**

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

18.1.1 By-Law 1660

Being a by-law to confirm the proceedings of the November 20, 2017 Regular Meeting of the Council of The Corporation of the Town of Essex.

Moved by Councillor Bondy  
Seconded by Councillor Rogers

**(R17-12-506) That** By-Law 1660 being a by-law to confirm the proceedings of the November 20, 2017 Regular Meeting of the Council of The Corporation of the Town of Essex be read a third time and finally passed on December 4, 2017.

**Carried**

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

### 18.2.1 By-Law 1661

Being a by-law of The Corporation of the Town of Essex to authorize the borrowing upon amortizing debentures in the principal amount of \$5,590,047.57 towards the cost of the municipal roads infrastructure, recreation infrastructure and sewage treatment infrastructure.

Moved by Councillor Snively  
Seconded by Councillor Rogers

**(R17-12-507) That** By-Law 1661 being a by-law of The Corporation of the Town of Essex to authorize the borrowing upon amortizing debentures in the principal amount of \$5,590,047.57 towards the cost of the municipal roads infrastructure, recreation infrastructure and sewage treatment infrastructure be read a first, a second and a third time and finally passed on December 4, 2017.

**Carried**

### 18.2.2 By-Law 1662

Being a by-law of The Corporation of the Town of Essex to authorize the borrowing upon amortizing debentures in the principal amount of \$601,664.12 towards the cost of the municipal roads infrastructure and recreation infrastructure.

Moved by Councillor Bondy  
Seconded by Councillor Voakes

**(R17-12-508) That** By-Law 1662 being a by-law of The Corporation of the Town of Essex to authorize the borrowing upon amortizing debentures in the principal amount of \$601,664.12 towards the cost of the municipal roads infrastructure and recreation infrastructure be read a first, a second and a third time and finally passed on December 4, 2017.

**Carried**

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

### 18.3.1 By-Law 1663

Being a by-law to confirm the proceedings of the December 4, 2017 Regular Meeting of the Council of The Corporation of the Town of Essex.

Moved by Councillor Bondy

Seconded by Councillor Rogers

**(R17-12-509) That** By-Law 1663 being a by-law to confirm the proceedings of the December 4, 2017 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 December 4, 2017.

**Carried**

**19. Adjournment**

Moved By Deputy Mayor Meloche

Seconded By Councillor Bondy

**(R17-12-510) That** the meeting be adjourned at 8:10 pm

**Carried**

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Mayor

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Clerk