

The Corporation of the Town of Essex
Regular Council Meeting Minutes

February 4, 2019, 6:00 pm
Essex Civic Centre
360 Fairview Avenue West
Essex, Ontario

Present: Mayor Larry Snively
Deputy Mayor Richard Meloche
Councillor Morley Bowman
Councillor Joe Garon
Councillor Kim Verbeek
Councillor Steve Bjorkman
Councillor Chris Vander Doelen

Regrets: Councillor Sherry Bondy

Also Present: Donna Hunter, Chief Administrative Officer
Chris Nepszy, Deputy CAO, Director, Infrastructure Services
Jeffery Morrison, Director, Finance & Business Services, Treasurer
Rick Arnel, Fire Chief
Jeff Watson, Policy Planner
Nelson Silveira, Economic Development Officer
Alex Denonville, Manager, Communications
Robert Auger, Town Solicitor/Clerk, Legal and Legislative Services
Robin Hall, Administrative Assistant

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, S.O. 2001, c. 25, as amended, Section 239 (2) (b) personal matters about an identifiable individual, including municipal or local board Section 239 and (2) (c) a proposed pending acquisition or disposition of land by the municipality or local board.

The Clerk advised that Council received personnel information provided by the Human Resources Department with direction regarding an ongoing personnel matter; provided Administration with approval to finalize the disposition of a particular property, and approved the January 23, 2019 Closed Council Meeting Minutes and the January 24, 2019 Closed Meeting minutes of the Personnel Committee.

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 February 4, 2019.

Moved by Councillor Bjorkman
Seconded by Councillor Garon

(R19-02-026) That the published agenda for the February 4, 2019 Regular Council Meeting be adopted as presented.

Carried

5. Adoption of Minutes

5.1 Regular Council Meeting Minutes for January 14, 2019

Moved by Councillor Bowman
Seconded by Councillor Vander Doelen

(R19-02-027) That the minutes of the Regular Council Meeting held January 14, 2019 be adopted as circulated.

Carried

5.2 Special Council Meeting Minutes for January 23, 2019

RE: 2019 and 2020 Spay and Neuter Voucher Program

Moved by Deputy Mayor Meloche
Seconded by Councillor Verbeek

(R19-02-028) That the minutes of the January 23, 2019 Special Council Meeting to consider the 2019 and 2020 Spay and Neuter Voucher Program, be adopted as circulated.

Carried

5.3 Special Council Meeting Minutes for January 21, 2019

RE: Overview of the Fire Services and Fire Service Delivery Model

Moved by Councillor Bowman
Seconded by Councillor Bjorkman

(R19-02-029) That the minutes of the January 21, 2019 Special Council Meeting to provide Council with an overview of Fire Services and Fire Service delivery model, be adopted as circulated.

Carried

5.4 Special Council Meeting Minutes for January 14, 2019

RE: Presentations by the Communication Department and the Economic and Development Office

Moved by Councillor Bjorkman
Seconded by Councillor Bowman

(R19-02-030) That the minutes of the Special Council Meeting held January 14, 2019 for the purpose of presentations from the Departments of Communication and Economic Development, be adopted as circulated.

Carried

5.5 Special Council Meeting Minutes for December 10, 2018

RE: Striking Committee Appointments

Moved by Councillor Garon
Seconded by Deputy Mayor Meloche

(R19-02-031) That the minutes of the Special Council Meeting held December 10, 2018 to consider the appointment of a Striking Committee, be adopted as circulated.

Carried

6. Public Presentations

6.1 Karen and Rick Balind

Marlyn Sherville, Facilitator and Director for Essex Brokerage for Personal Support

Michelle Friesen, Executive Director for the Essex Family Network

RE: Independent Facilitation Matters

Moved by Councillor Bjorkman
Seconded by Deputy Mayor Meloche

(R19-02-032) That the presentations by Karen and Rick Balind, Marlyn Sherville, Facilitator and Director for Essex Brokerage for Personal Support, and Michelle Friesen, Executive Director for the Essex Family Network, asking Council to consider sending a letter in support of the critical role that the "Ontario Independent Facilitation Matters" plays in the lives of adults with development disabilities, be received and supported; and

That a letter be sent to the Ministry of Children, Community and Social Services and Taras Natyshak, M.P.P. Essex, asking that the decision to cut this program, be reconsidered.

Carried

6.2 County Wide Active Transportation System (CWATS) – Tourism

Mr. Jeff Watson, Policy Planner for the Town of Essex provided an overview of Planning Report 2019-04 and the proposed CWATS Funding Project.

- **Megan Balsillie, representing a group of business owners on or around County Road 50**

Ms. Balsillie presented to Council on the impact and importance of the cycling infrastructure on businesses from a tourism standpoint and to encourage further development of bike lanes on County Road 50, especially continuing eastward towards Arner Townline

- **Lori Newton, Bike Windsor Essex**

Ms. Newton spoke to Bike Windsor Essex's proposed partnering with the Town of Essex to deliver cycling education for residents of Essex as part of the CWATS Project Funding Requests 2019

- **Correspondence supporting CWATS Project Funding Requests for 2019 Town of Essex:**

Tom and Sue Omstead, Share the Road - Essex County

Thomas O'Brien, President Cooper's Hawk Vineyards

Ann Neydon Wilson, Oxley Estate Winery

Doug Balsillie and Leslie Huffman Balsillie, The Fruit Wagon

6.2.1 Planning Report 2019-04

RE: CWATS Project Funding Requests 2019 Town of Essex

Moved by Deputy Mayor Meloche

Seconded by Councillor Bjorkman

(R19-02-033) That Planning Report 2019-04, entitled "CWATS Project Funding Requests 2019 Town of Essex", prepared by Jeff Watson, Policy Planner and submitted by Chris Nepszy, Deputy CAO/Director, Infrastructure and Development, dated February 4, 2019, be received;

That the presentation by Megan Balsillie, representing business owners on and around County Road 50, the presentation by Lori Newton, representing Bike Windsor Essex, and the correspondence received by Council in support of the CWATS Project Funding Requests 2019 Town of Essex, be received; and further

That Council pre-approves the Town's 60 percent share of the \$1,446,000 in the amount of \$868,000 under the 2019 Capital Budget (to be funded over the 2019 and 2020 Capital Budget) for the extension of 1.5 meter wide paved shoulders on County Road 50 (CR50) from Evergreen Drive to County Road 23, in accordance with the County Wide Active Transportation (CWATS) Plan; and

That Council pre-approves, in accordance with the provisions of the Municipal Partnership Fund, funding in the amount of \$11,500 to permit the continuance and expansion of services and facilities complimentary to the CWATS Program with special regard to public education on bicycle use and the promotion of the Town's active transportation system, \$11,500 being the 50 percent municipal contribution of the total cost of the services to be implemented.

Carried

7. Unfinished Business

8. Reports from Administration

8.1 Fire and Rescue Services Report 2019-001

RE: Simplified Risk Assessment

Moved by Councillor Garon

Seconded by Councillor Bowman

(R19-02-034) That Fire and Rescue Services Report 2019-001, entitled "Simplified Risk Assessment", prepared by Rick Arnel, Fire Chief and submitted by Doug Sweet, Director of Community Services, dated February 4, 2019, providing Council with an update regarding the 2019 Simplified Risk Assessment for the Town of Essex, be received.

Carried

8.2 Community Services Report 2019-003

RE: Prime Consultant Services for New Fire Station 2

Moved by Councillor Bjorkman

Seconded by Councillor Vander Doelen

(R19-02-035) That Community Services Report 2019-003, entitled "Prime Consultant Services for New Fire Station 2", prepared by Jackson Tang, Assistant Manager, Business Services, submitted by Doug Sweet, Director of Community Services, dated February 4, 2019, be received; and

That Council approves the "Request for Proposal Prime Consultant Services for New Fire Station 2" to be awarded to Architectura Inc. Architects in the amount of \$105,830.40 including applicable taxes.

Carried

8.3 CAO Report 2019-03

RE: Amendments to Procedural By-Law for Delegations

- By-Law 1784
Being a by-law to amend By-Law 1681 setting out Rules of Procedure for the Conduct of Meetings of the Municipal Council and its Committees and Boards

Moved by Councillor Verbeek

Seconded by Councillor Bowman

(R19-02-036) That CAO Report 2019-03, entitled "Amendments to Procedural By-Law for Delegations", prepared and submitted by Donna Hunter, Chief Administrative Officer, dated January 21, 2019, be received; and

That By-Law 1784 being a by-law to Amend By-Law 1681 setting out Rules of Procedure for the Conduct of Meetings of the Municipal Council and its Committees and Boards, be read a first, a second and a third time and finally passed on February 4, 2019.

Carried

8.4 Corporate Services Report 2019-01

RE: Tax Adjustments - Section 357 (1) and Section 358 of the Municipal Act, 2001

Moved by Deputy Mayor Meloche

Seconded by Councillor Bjorkman

(R19-02-037) That Corporate Services Report 2019-01, entitled "Tax Adjustments - Section 357 (1) and Section 358", prepared and submitted by Jeffrey Morrison, Director, Corporate Services, dated February 4, 2019, be received.

Carried

8.5 Communications Report 2019-01

RE: 2018 Communications Summary

Moved by Councillor Verbeek

Seconded by Councillor Garon

(R19-02-038) That Communications Report 2019-01, entitled "2018 Communications Summary", prepared by Alex Denonville, Manager, Communications and submitted by Donna Hunter, Chief Administrative Officer, dated February 4, 2019 providing Council with update on communication activities in 2018, be received.

Carried

9. Reports from Youth Members

10. County Council Update

11. Correspondence

11.1 Correspondence to be received

11.1.1 Municipal Property Assessment Corporation

RE: 2018 Year End Assessment Report

11.1.2 Union Water Supply System

RE: Joint Board of Management Meeting
November 21, 2018 Meeting Minutes

11.1.3 Alcohol and Gaming Commission of Ontario (AGCO)

RE: Cannabis Retail Stores – Town of Essex OPT IN
Email confirming that the Registrar received Council’s decision that supports having cannabis retail stores.

11.1.4 Union Gas

RE: Amalgamation of Union Gas Limited and Enbridge Gas Distribution Inc. and Name Change to Enbridge Gas Inc. effective January 1, 2019

11.1.5 Ontario Good Roads Association Connect

RE: Joint and Several Liability Reform
Email providing an update that Premier Doug Ford announced that the Government of Ontario intends to consult on joint and several liability and will look at evidence and develop solutions that make sense.

Moved by Councillor Bowman
Seconded by Councillor Verbeek

(R19-02-039) That correspondence listed in Agenda Item 11.1, be received.

Carried

11.2 Correspondence to be considered for receipt and support

11.2.1 Co-An Park Recreation Committee

RE: Offers to sit as members of the Co-An Park Recreation Committee:

- Chris McAgy
- Jonathon Little

Moved by Councillor Vander Doelen
Seconded by Councillor Bowman

(R19-02-040) That the email from Chris McAgy, dated January 8, 2019 and the email from Jonathon Little, dated January 9, 2019, both offering to sit on the Co-An Park Recreation Committee, be received and supported; and

That Chris McAgy and Jonathon Little be appointed to the Co-An Park Recreation Committee to November 14, 2022 and that Schedule "A" to By-Law 1777 be updated accordingly.

Carried

11.2.2 Municipality of Mattice-Val Cote

RE: Council Resolution - Declaration of Office

Moved by Councillor Vander Doelen

Seconded by Councillor Bjorkman

(R19-02-041) That correspondence from the Township of Mattice-Val Cote to the Ministry of Municipal Affairs and Housing asking that the wording of paragraph four of the Declaration of Office be modified to be more inclusive and representative of the times, be received.

Carried

11.2.3 County of Essex

RE: Request to support SWIFT's position

- Email received by Robert Maisonville from SWIFT regarding suggested verbiage for CRTC submissions
- County of Essex letter to CRTC
- County of Essex letter to Federal government
- County Map

Moved by Councillor Verbeek

Seconded by Councillor Vander Doelen

(R19-02-042) That correspondence from the County of Essex, dated January 29, 2019 asking that Essex Council consider supporting SWIFT's appeal of recent changes to the Broadband funding model, be received; and

That letters supporting SWIFT's appeal be sent to the Canadian Radio-television and Telecommunications Commission (CRTC), the Federal government and to the County of Essex.

Carried

12. Committee Meeting Minutes

12.2 Personnel Committee - January 24, 2019

12.3 Finance Committee - January 21, 2019

12.4 2018-2022 Striking Committee - January 21, 2019

(SC 19-01-002) **Recommendation to Council** that Tracey Bailey and Lydia Miljan be the Town of Lakeshore/Town of Kingsville appointee(s) to the E.L.K. Energy Board.

Moved by Councillor Bjorkman
Seconded by Councillor Bowman

(R19-02-043) That the minutes listed in Agenda Item 12. together with the recommendations noted therein be received, approved and adopted as circulated.

Carried

13. Financial

14. New Business

15. Notices of Motion

15.1 The following Notice of Motion was presented at the January 14, 2019 Regular Council Meeting and is being brought forward for consideration this evening:

Mayor Snively vacated his seat and Deputy Mayor Meloche assumed the Chair to allow Mayor Snively an opportunity to speak to his Notice of Motion.

Moved by Mayor Snively
Seconded by Councillor Bjorkman

(R19-02-044) That Administration provide periodic verbal and/or written reports providing updates to Council on the status of various ongoing development matters or projects in the Town of Essex.

Carried

Mayor Snively assumed the Chair and Deputy Mayor Meloche resumed his seat.

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.

Councillor Garon advised that Tourism Windsor Essex Pelee Island is current accepting nominations for their favourite things to do in the area. He encouraged the public to visit the Tourism Windsor Essex Pelee Island website and place their vote.

Councillor Verbeek provided Council with an overview of the meetings and sessions that she attended at the recent ROMA Conference.

Councillor Bjorkman advised that Community Heritage Award nominations are currently being accepted for two individuals or organizations for their efforts to preserve and promote the cultural heritage of the Town of Essex. The nomination period ends February 11 and nominations can be sent to rjabbour@essex.ca or by calling 519-776-7336 ext 1112.

17. By-Laws

17.1 By-Laws that require a third and final reading

17.1.1 By-Law 1774

Being a by-law to confirm the proceedings of the January 14, 2019 Regular Meeting of the Council of The Corporation of the Town of Essex

Moved by Councillor Verbeek
Seconded by Councillor Bjorkman

(R19-02-045) That By-Law 1774 being a by-law to confirm the proceedings of the January 14, 2019 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time, and finally passed on February 4, 2019.

Carried

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

17.2.1 By-Law 1779

Being a by-law to authorize the execution of an Agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Community Safety and Correctional Services and The Corporation of the Town of Essex for the provision of police services under Section 10 of the Police Services Act, R.S.O. 1990, c.P. 15

Moved by Deputy Mayor Meloche

Seconded by Councillor Bowman

(R19-02-046) That By-Law 1779, being a by-law to authorize the execution of an Agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Community Safety and Correctional Services and The Corporation of the Town of Essex for the provision of police services under Section 10 of the Police Services Act, R.S.O. 1990, c.P. 15, be read a first, a second and a third time, and finally passed on February 4, 2019.

Carried

17.2.2 By-Law 1782

Being a by-law to authorize an agreement between: Her Majesty the Queen in Right of Ontario as represented by the Minister of Municipal Affairs and Housing (the "Province") and The Corporation of the Town of Essex (the "Recipient")
(National Disaster Mitigation Program)

Moved by Councillor Garon

Seconded by Deputy Mayor Meloche

(R19-02-047) That By-Law 1782 being a by-law to authorize an agreement between: Her Majesty the Queen in Right of Ontario as represented by the Minister of Municipal Affairs and Housing (the "Province") and The Corporation of the Town of Essex (the "Recipient"), be read a first, a second and a third time, and finally passed on February 4, 2019.

Carried

17.2.3 By-Law 1783

Being a by-law to authorize the execution of an Agreement for an Integrity Commissioner between The Corporation of the Town of Essex and Robert J. Swayze Barrister & Solicitor

Moved by Councillor Bjorkman

Seconded by Councillor Vander Doelen

(R19-02-048) That By-Law 1783 being a by-law to authorize the execution of an Agreement for an Integrity Commissioner between The Corporation of the Town of Essex and Robert J. Swayze Barrister & Solicitor, be read a first, a second and a third time and finally passed on February 4, 2019.

Carried

17.3 By-Laws that require a first and second reading

17.3.1 By-Law 1785

Being a by-law to confirm the proceedings of the February 4, 2019 Regular Meeting of the Council of The Corporation of the Town of Essex

Moved by Deputy Mayor Meloche
Seconded by Councillor Bowman

(R19-02-049) That By-Law 1785, being a by-law to confirm the proceedings of the February 4, 2019 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 February 4, 2019.

Carried

18. Adjournment

Moved by Deputy Mayor Meloche
Seconded by Councillor Garon

(R19-02-050) That the meeting be adjourned at 7:15 PM.

Carried

Mayor

Clerk