

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

December 18, 2017, 6:00 pm  
Essex Civic Centre  
360 Fairview Avenue West  
Essex, Ontario

Present: Deputy Mayor Richard Meloche  
Councillor Sherry Bondy  
Councillor Steve Bjorkman  
Councillor Ron Rogers  
Councillor Larry Snively  
Councillor Randy Voakes

Regrets: Mayor Ron McDermott

Also present: Donna Hunter, Chief Administrative Officer  
Jeffrey Morrison, Director of Finance and Business Services/Treasurer  
Chris Nepszy, Director of Infrastructure and Development  
Doug Sweet, Director of Community Services  
Alex Denonville, Manager, Communications  
Nelson Silveira, Economic Development Officer  
Rita Jabbour, Assistant Planner  
Laurie Brett, Deputy Clerk  
Robert Auger, Clerk  
Robin Hall, Administrative Assistant  
  
Ehva Hoffmann, Youth Council Representative  
Ethan Robinson, Youth Council Representative

**1. Call to Order**

Deputy Mayor Meloche called the meeting to order.

**2. Closed Meeting Report**

**3. Declarations of Conflict of Interest**

There were no declarations of conflict of interest noted.

**4. Adoption of Published Agenda**

**4.1 Regular Council Meeting Agenda for December 18, 2017**

Moved by Councillor Rogers  
Seconded by Councillor Snively

**(R17-12-511) That** the published agenda for the December 18, 2017 Regular Council Meeting be adopted with the following additions:

Councillor Voakes requested the addition of an item under New Business to defer development charges for Fitness Fury, specifically the waste water portion.

**Carried**

## **5. Adoption of Minutes**

### **5.1 Regular Council Meeting Minutes for December 4, 2017**

Moved by Councillor Bondy  
Seconded by Councillor Voakes

**(R17-12-512) That** the minutes of the Regular Council Meeting held December 4, 2017 be adopted as circulated.

**Carried**

## **6. Public Presentations**

- 6.1** The Town of Essex Economic and Development Officer, Nelson Silveira presented a Rural Business and Tourism Community Improvement Plan Proposal and asked that Council consider expanding the Colchester Community Improvement Plan (CIP) to County Road 50.

Moved by Councillor Bjorkman  
Seconded by Councillor Bondy

**(R17-12-513) That** Item 8.1, Planning Report 2017-40, containing a Community Improvement Plan update be moved forward in the agenda, to allow discussion on both items at this time.

**Carried**

Moved by Councillor Snively  
Seconded by Councillor Rogers

**(R17-12-514) That** the presentation by the Economic Development Officer, Nelson Silveira, entitled "Rural Business and Tourism Community Improvement Plan: A case for County Road 50 expansion into the Colchester Community Improvement Plan", be received.

**Carried**

### **8.1 Planning Report 2017- 40**

RE: Community Improvement Plan (CIP) Update

Moved by Councillor Bjorkman  
Seconded by Councillor Voakes

**(R17-12-515) That** Planning Report 2017-40, prepared by Rita Jabbour, Assistant Planner, and submitted by Chris Nepszy, Director of Infrastructure and Development, dated December 18, 2017, entitled "Community Improvement Plan (CIP) Update", summarizing the activity under the Harrow, Essex Centre and Colchester Community Improvement Plans for 2017, be received;

**And that** the Rehabilitation Grant (Landscaping and Buffering) under the Harrow, Essex Centre and Colchester Community Improvement Plans be amended to include the construction of ground signs with peripheral landscaping as an eligible project.

**Carried**

Moved by Councillor Voakes  
Seconded by Councillor Bjorkman

**(R17-12-516) That** Administration schedule an Open House to allow for public feedback with respect to expanding the Colchester Community Improvement Plan to County Road 50.

**Carried**

**7. Unfinished Business**

**From the December 18, 2017 Special Council Meeting**  
**Re: Public Meeting, Section 12 Development Charges Act, 1993**

**7.1 By-Law 1657**

Being a by-law to amend By-Law 1344, being a by-law for the imposition of Development Charges for The Corporation of the Town of Essex.

Moved by Councillor Bondy  
Seconded by Councillor Snively

**(R17-12-517) That** By-Law 1657 being a by-law to amend By-Law 1344, being a by-law for the imposition of Development Charges for The Corporation of the Town of Essex be read a first, a second and a third time and finally passed on December 18, 2017.

**Carried**

**8. Reports from Administration**

**8.1 Planning Report 2017-40**

RE: Community Improvement Plan (CIP) Update

**This item was moved forward in the agenda and heard under Item 6, Public Presentations.**

**8.2 Community Services Report 2017-030**

RE: Results of Request for Tender for the Essex Centre BIA Pavilion

Moved by Councillor Rogers  
Seconded by Councillor Snively

**(R17-12-518) That** Community Services Report 2017-030, prepared and submitted by Doug Sweet, Director of Community Services, dated December 18, 2017 entitled "Results of Request for Tender for the Essex Centre BIA Pavilion", be received;

**And that** Council awards the request for tender for the construction of the Essex Centre BIA Pavilion to Goodreau Sawmill Inc. in the amount of \$319,564 including harmonized sales tax or \$287,778 inclusive of non refundable sales tax;

**And that** Council approves the additional funding of \$37,800 above the allocated 2017 Essex Centre BIA Pavilion capital budget with \$12,800 coming from the 2017 Heritage Park capital project and the remaining \$25,000 being committed by the Essex Centre BIA.

**Carried**

### **8.3 Community Services Report 2017-031**

RE: Subsidized Recreation Programming

Moved by Councillor Bjorkman

Seconded by Councillor Bondy

**(R17-12-519) That** Community Services Report 2017-031, prepared by Cynthia Cakebread, Manager, Recreation and Culture, and submitted by Doug Sweet, Director of Community Services, dated December 18, 2017, entitled "Subsidized Recreation Programming", be received;

**And that** Council supports the subsidy funding for unsponsored recreational programs which includes free public skating sessions at both the Essex Centre Sports Complex and the Harrow and Colchester South Community Centre, as well as free public swim sessions at the Essex Recreation Complex between December 27, 2017 and January 6, 2018.

**Carried**

### **8.4 Economic Development Report**

RE: September- October 2017 Update

Moved by Councillor Bondy

Seconded by Councillor Snively

**(R17-12-520) That** Economic Development Report, prepared and submitted by Nelson Silveira, Economic Development Officer, providing Council with an Economic Development activity report for the months of September - October 2017 within the Town of Essex, be received.

**Carried**

### **8.5 Economic Development Report 2017-06**

RE: Downtown Walkabout 2017

Moved by Councillor Snively

Seconded by Councillor Bjorkman

**(R17-12-521) That** Economic and Development Report 2017-06, prepared and submitted by Nelson Silveira, Economic Development Officer, entitled "Downtown Walkabout 2017", providing Council with an overview of the walkabouts held in Essex and Harrow in September and October, 2017, be received.

**Carried**

### **8.6 Chief Administrative Officer Report 2017-006**

RE: Ward Open Houses - Fall 2017

Moved by Councillor Bjorkman

Seconded by Councillor Rogers

**(R17-12-522) That** Chief Administrative Officer's Report 2017-006, prepared and submitted by Donna Hunter, Chief Administrative Officer, dated December 6, 2017, entitled "Ward Open Houses - Fall 2017", be received.

**Carried**

### **8.7 Clerk Report 2017-012**

RE: 2018 Municipal Election procedures and forms for voting and the use of vote-counting equipment.

Moved by Councillor Rogers

Seconded by Councillor Bjorkman

**(R17-12-523) That** Clerk Report 2017-012, prepared by Robert Auger, Clerk, and submitted by Donna Hunter, Chief Administrative Officer, dated December 18, 2017 entitled "2018 Municipal Election Procedures, Forms for voting and the use of Vote-counting equipment", be received.

**Carried**

### **8.8 Clerk Report 2017-013**

RE: 2017 Ward 3 By-Election Post Report

Moved by Councillor Rogers

Seconded by Councillor Bjorkman

**(R17-12-524) That** Clerk Report 2017-013, prepared by Robert Auger, Clerk, and submitted by Donna Hunter, Chief Administrative Officer, dated December 18, 2017 entitled "2017 Ward 3 By-Election Post Report", be received with an amendment that Councillor Rogers was sworn in as a Ward 3 Councillor on October 30, 2017.

**Carried**

### **8.9 Clerk Report 2017-014**

RE: Court of Revision for Thompson Drain: Bridges for Kelly Strong and Davin and Karen Kendrick, Part of Lots 31 and 32 N.M.R. Concession, and Updated Maintenance Schedule Geographic Township of Colchester North, Project REI 2016D025 as per Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Ltd. dated October 11, 2017.

By-Law 1666

Being a by-law to provide for Thompson Drain: Bridges for Kelly Strong and Davin and Karen Kendrick, Part of Lots 31 and 32 N.M.R. Concession, and Updated Maintenance Schedule Geographic Township of Colchester North, Project REI 2016D025, Town of Essex, County of Essex.

Moved by Councillor Voakes

Seconded by Councillor Bjorkman

**(R17-12-525) That** Clerk Report 2017-014, prepared by Robert Auger, Clerk, and submitted by Donna Hunter, Chief Administrative Officer, dated December 18, 2017 entitled "Court of Revision for Thompson Drain: Bridges for Kelly Strong and Davin and Karen Kendrick", be received;

**And that** Deputy Mayor Meloche, Councillor Snively and Councillor Voakes be selected and appointed to sit as members of the Court of Revision for the Thompson Drain: Bridges for Kelly Strong and Davin and Karen Kendrick, Part of Lots 31 and 32 N.M.R. Concession, and Updated Maintenance Schedule Geographic Township of Colchester North, Project REI 2016D025 as per Report

prepared by Gerard Rood, Professional Engineer, Rood Engineering Ltd. dated October 11, 2017 (hereinafter the "Report"), such Court of Revision to be scheduled for 5:00 PM on February 5, 2018 in the County of Essex Civic Centre Council Chambers, 360 Fairview Avenue West, Essex, Ontario;

**And that** By-Law 1666 being a by-law to provide for the Thompson Drain: Bridges for Kelly Strong and Davin and Karen Kendrick and Updated Maintenance Schedule be read a first and second time and be provisionally adopted on December 18, 2017.

**Carried**

#### **8.10 Clerk Report 2017-015**

RE: Procedural By-Law Amendments Required to Comply with Bill 68, *Modernizing Ontario's Municipal Legislation Act, 2017*

By-Law 1665

Being a by-law to amend By-Law 1592 setting out Rules of Procedure for the Conduct of Meetings of the Municipal Council and its Committees and Boards.

Moved by Councillor Bjorkman

Seconded by Councillor Snively

**(R17-12-526) That** Clerk Report 2017-015, prepared by Laurie Brett, Deputy Clerk, and submitted by Robert Auger, Manager of Legal and Legislative Services/Clerk, dated December 18, 2017 entitled "Procedural By-Law Amendments Required to Comply with Bill 68, *Modernizing Ontario's Municipal Legislation Act, 2017*", be received;

**That** the "housekeeping" amendment to align the definition of "meeting" with the definition provided in Bill 68, be adopted; and

**That** the four new discretionary exceptions to the open meetings requirement set out in subsection 3.4.1, be adopted;

**And that** By-Law 1665 being a by-law to amend By-Law 1592 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 December 18, 2017.

**Carried**

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

Youth Council representative Ehva Hoffmann provided Council with an update with respect to an Annual Christmas event hosted by the Squirettes of Mary. The Christmas event was a free turkey dinner, with all the trimmings, care packages were distributed for those in need and Santa arrived with gifts. Donations were accepted at the door and they raised over \$3,600. She told Council that the event was a success and that she was proud to be part of a community that values helping those in need.

Moved by Councillor Bjorkman

Seconded by Councillor Snively

**(R17-12-527) That** the verbal report provided by Ehva Hoffmann on the Annual Christmas Turkey Dinner event hosted by the Squirettes, be received.

**Carried**

**10. County Council Update**

**11. Correspondence**

**11.1 Correspondence to be received**

**11.1.1 Tracey Ramsey, Essex MP**

RE: Honouring Local Hero and Veteran, Tom Robson

**11.1.2 Erie St. Clair Local Health Integration Network (ESC LHIN)**

RE: News Release – Ontario Reducing Carbon Footprint, Boosting Care at Hospitals, Energy Savings to be Reinvested in Patient Care

Moved by Councillor Rogers

Seconded by Councillor Bjorkman

**(R17-12-528) 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 communications.

**Carried**

**12. Committee Meeting Minutes**

**12.1 Essex Accessibility Advisory Committee (EAAC) – September 21, 2017**

**(EAAC 17-09-008) Recommendation to Council** that the Town of Essex continue with the ramp and mobi pad.

**12.2 Co-An Park Committee – November 8, 2017**

**12.3 Essex Municipal Heritage Committee (EMHC) – November 30, 2017**

**12.4 Finance Committee – December 11, 2017**

**(FC-2017-12-038) Recommendation to Council** that a per meeting credit of \$10 per hour be provided through the 2018 Community Partnership Fund for use of the Harrow Community Centre from January 9, 2018 until the Harrow Kinsmen's second June 2018 meeting with a total credit of \$420 (12 meetings x 3.5 hours per meeting x \$10 credit per hour).

**(FC-2017-12-039) Recommendation to Council** that the request for the waiver of rental fees in the amount of \$9,423.40 be approved to be funded in 2018 with 50% from the Essex Tourism Development Fund and 50% from the Community Partnership Fund.

**(FC-2017-12-040) Recommendation to Council** that the request for advertising for MADD Message Yearbook in the amount of \$279 for a business card sized ad be approved through the 2018 Community Partnership Fund.

**12.5 Essex Centre B.I.A. Board – September 12, 2017**

Moved by Councillor Bjorkman

Seconded by Councillor Rogers

**(R17-12-529) That** the Committee Meeting Minutes in Agenda Item 12, be adopted as presented and that any recommendations to Council contained therein be approved.

**Carried**

### 13. Financial

#### 13.1 Bank Payments Report

RE: September to November 2017

Moved by Councillor Bjorkman

Seconded by Councillor Bondy

**(R17-12-530) That** the Bank Payments Report including, September cheque register, cheque number 43721 to cheque number 43969 inclusive in the amount of \$4,843,956.72; October cheque register, cheque number 43970 to cheque number 44319 inclusive in the amount of \$2,648,847.18; and the November cheque register, cheque number 44320 to cheque number 44675 inclusive in the amount of \$1,927,784.72;

**And that** the Preauthorized Payments for September in the amount of \$294,988.66; Payments for October in the amount of \$318,078.62; and payments for November in the amount of \$334,173.12;

**And that** the Payroll for September in the amount of \$413,403.09; October in the amount of \$334,452.59; and November in the amount of \$410,445.81, be ratified as submitted.

**Carried**

### 14. New Business

Councillor Voakes

RE: Defer Development Charges for Fitness Fury relating to the waste water portion

Moved by Councillor. Voakes

Seconded by Councillor Bjorkman

**(R17-12-531) That** the development charges relating to the waste water portion for Fitness Fury be deferred until Council has an opportunity to discuss development charges on commercial property in the new year.

**"Carried"**

### 15. Notices of Motion

#### 15.1 The following Notices of Motion were presented at the December 4, 2017 Regular Council Meeting and are being brought forward for consideration this evening:

##### 15.1.1 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.

Moved by Councillor Bondy

Seconded by Councillor Voakes

**(R17-12-532) That** Administration prepare a report to be brought back to Council at the regular council meeting in January on what can be done to expand the CIP area in Harrow to include the Harrow Junior School and High School properties.

**Carried**



#### 15.1.2 Councillor Bondy

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

Moved by Councillor Bondy

Seconded by Deputy Mayor Meloche

**(R17-12-533) That** Administration investigate the feasibility of fiber optics throughout the entire Town of Essex.

**Carried**

#### 15.1.3 Councillor Snively

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

Moved by Councillor Snively

Seconded by Councillor Voakes

**(R17-12-534) That** Administration review our current by-laws in regards to protecting water run-off from adjacent properties, including reviewing the fill permit and/or property standards by-laws and if necessary to provide recommendations on same.

**Carried**

### **15.2 The following Notices of Motion will be brought forward for consideration at the Regular Council Meeting of Monday, January 15, 2018:**

Councillor Bondy:

**That** the Town of Essex send a request to the Association of Municipalities of Ontario (AMO) and all other municipalities in Ontario requesting that when schools boards make decisions to close schools, that they have to offer the building to the local municipality for a dollar.

Councillor Bondy:

**That** Administration receive and review the Ward 4 Feedback items on the list provided and report back to Council with an update on same, or if required, obtain Council's endorsement for any further action items recommended by Administration.

### **16. Reports from Council Members**

### **17. Announcements**

Deputy Mayor Meloche read a statement on behalf of Mayor McDermott concerning the twinning of Highway 3 and his frustration at the lack of progress on the project, even though the Ontario Transportation Minister, Steven DelDuca, visited our community more than 16 months ago and agreed that the expansion of the highway was needed. Deputy Mayor Meloche told Council that with this year being an election year for the province the issue of Highway 3 will once again be advocated at the Ontario Good Roads Association Conference in February, and that the Mayor will bring forward a letter of continued support from Essex Council for the Highway 3 expansion.

Councillor Snively thanked Rick Weber for donating a Christmas tree to Ward 3.

Council, Council's Youth Representatives and Chief Administrative Officer, Donna Hunter on behalf of the municipal staff, wished everyone a very Merry Christmas and Happy New Year.

Councillor Bondy announced that the Harrow Legion would be hosting a New Year's Eve celebration at the Harrow Arena from 6:00 to 9:00 PM.

## **18. By-Laws**

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

#### **18.1.1 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 Snively

Seconded by Councillor Bondy

**(R17-12-535) 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 third time and finally passed on December 18, 2017.

**Carried**

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

#### **18.2.1 By-Law 1664**

Being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Essex and The Corporation of the City of Windsor.  
(Children's Services Funding from October 1, 2017 to December 31, 2017)

Moved by Councillor Bondy

Seconded by Councillor Bjorkman

**(R17-12-536) That** By-Law 1664 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Essex and The Corporation of the City of Windsor (Children's Services funding from October 1, 2017 to December 31, 2017) be read a first, a second and a third time and finally passed on December 18, 2017.

**Carried**

#### **18.2.2 By-Law 1668**

Being a by-law to adopt the 2018 Operating and Capital Budget Estimates.

Moved by Councillor Bjorkman

Seconded by Councillor Snively

**(R17-12-537) That** By-Law 1668 being a by-law to adopt the 2018 Operating and Capital Budget Estimates be read a first, a second and a third time and finally passed on December 18, 2017.

**Carried**

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

18.3.1 By-Law 1659  
Being a by-law to amend By-Law 1037 The Comprehensive Zoning By-Law for the Town of Essex

Moved by Councillor Bondy  
Seconded by Councillor Bjorkman

**(R17-12-538) That** By-Law 1659 being a by-law to amend By-Law 1037 The Comprehensive Zoning By-Law for the Town of Essex be read a first and a second time and provisionally adopted on December 18, 2017.

**Carried**

18.3.2 By-Law 1667  
Being a by-law to confirm the proceedings of the December 18, 2017 Regular Meeting of the Council of The Corporation of the Town of Essex.

Moved by Councillor Bjorkman  
Seconded by Councillor Voakes

**(R17-12-539) That** By-Law 1667 being a by-law to confirm the proceedings of the December 18, 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 18, 2017.

**Carried**

**19. Adjournment**

Moved by Councillor Voakes  
Seconded by Councillor Rogers

**(R17-12-540) That** the meeting be adjourned at 7:41 PM.

**Carried**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk