

The Corporation of the Town of Essex
Regular Council Meeting

June 1, 2015

A Regular Meeting of the Council of the Town of Essex was held on Monday, June 1, 2015 at 6:00 PM in the County of Essex Council Chambers, 360 Fairview Avenue West, Essex, Ontario. Mayor McDermott called the meeting to order.

1. Opening Address

2. Roll Call

Present: Mayor Ron McDermott
Deputy Mayor Richard Meloche
Ward 1 Councillor Steve Bjorkman
Ward 1 Councillor Randy Voakes
Ward 3 Councillor Bill Caixeiro (entered meeting at 6:15 PM)
Ward 3 Councillor Larry Snively
Ward 4 Councillor Sherry Bondy

Also Present: Russ Phillips, Chief Administrative Officer
Donna Hunter, Director of Corporate Services
Chris Nepszy, Director of Infrastructure & Development
Doug Sweet, Community Services Director
Dan Boudreau, Manager of Operations and Drainage Superintendent
Norm Nussio, Assistant Manager of Operations and Drainage
Olivia Bernath, Youth Member
Lauren Abbott, Youth Member
Lynn Moroz, Acting Clerk
Robin Hall, Administrative Assistant

Other: Gerard Rood, Professional Engineer, N.J. Peralta Engineering Ltd.

3. Declarations of Conflict of Interest

There were no declarations of conflict of interest.

4. Adoption of Published Agenda

a) Monday, June 1, 2015 Regular Council Meeting Agenda

Moved by Councillor Voakes

Seconded by Councillor Snively

(R15-06-244) That the published agenda for the June 1, 2015 Regular Council Meeting, be adopted with the addition of the request from Councillor Voakes for a discussion on

flooding in Ward 1 and the request from Councillor Bondy for discussion relating to the final scenarios recently released from the Program and Accommodation Review Committee (PARC). "Carried"

5. Adoption of Minutes

a) May 19, 2015 Regular Council Meeting

Moved by Councillor Caixeiro

Seconded by Deputy Mayor Meloche

(R15-06-245) That the minutes of the Regular Council Meeting held May 19, 2015, be adopted as circulated. "Carried"

b) May 19, 2015 Special Council Meeting

Moved by Councillor Caixeiro

Seconded by Councillor Snively

(R15-06-246) That the minutes of the Special Council Meeting held May 19, 2015 for the discussion of the Town's Development Charges and Fiscal Status, be adopted as circulated. "Carried"

c) May 25, 2015 Special Council Meeting

Moved by Councillor Bondy

Seconded by Councillor Caixeiro

(R15-06-247) That the minutes of the Special Council Meeting held May 25, 2015 to receive the results and award the tender for the 2015 Maintenance and Construction Stone Request for Tenders; to discuss 2010 drain maintenance bills due date; and to discuss Property Standards, be adopted as presented. "Carried"

6. Public Presentations

a) Kirk Vivier - SX Taxi

Re: Taxi – Licensing Fees

Mr. Vivier appeared before Council to discuss the Town's licensing fees for taxis and drivers and he told Council that he feels that lowering license fees would attract more business to the municipality and that our taxi and driver licensing fees are substantially higher than neighbouring municipalities.

Moved by Councillor Bondy

Seconded by Councillor Caixeiro

(R15-06-248) That the presentation by Mr. Kirk Vivier of SX Taxi asking Council to reconsider the Town's licensing fees for taxis and drivers, be received. "Carried"

b) Joe Gorski – Gorski Land Holdings

Re: The Bellcreeft Beach Drain Proposal on Gorski Land Holdings

Joe Gorski, representing Gorski Land Holdings appeared before Council to ask that representatives from Gorski Land Holdings be granted an opportunity to meet with Gerard Rood, Professional Engineer, N.J. Peralta Engineering and Dan Boudreau, Manager of Operations and Drainage Superintendent to discuss their concerns with the Bellcreeft Beach Drainage 2012 Study, Final Report – Option C, as they feel that there were inconsistencies with the notices mailed out for the Notice of Consideration Meeting for Bellcreeft Beach Drainage 2012 Study, Final Report – Option C and the Court of Revision.

Russ Philips, Chief Administrative Officer advised Council that the Notice of Consideration Meeting for Bellcreeft Beach Drainage 2012 Study, Final Report – Option C and the Notice of the Court of Revision were mailed with no inconsistencies.

Gerard Rood, P. Eng., N.J. Peralta Engineering Ltd. agreed to meet with Mr. Gorski to review the report.

Moved by Councillor Bondy

Seconded by Councillor Snively

(R15-06-249) That the public presentation by Joe Gorski, representing Gorski Land Holdings asking Council to grant an opportunity to meet with Gerard Rood, P. Eng., N.J. Peralta Engineering Ltd. to discuss their concerns with the Bellcreeft Beach Drainage 2012 Study, Final Report – Option C, be received and that Council supports a meeting between Joe Gorski, Gerard Rood, P. Engineer, N.J. Peralta Engineering Ltd. and Dan Boudreau, Manager of Operations and Drainage Superintendent to review the report, as long as the discussion does not hinder the progress of the Bellcreeft Beach Drain. "Carried"

7. Unfinished Business

8. Reports from Administration

a) Community Services – Report Number 2015-017

Re: Colchester Harbour Operations

Recommendations: The following recommendations are provided for Council's consideration:

1. That report number Community Services 2015-017 entitled "Colchester Harbour Operations" be received, and
2. That Administration be directed to proceed with the issuance of a Request for Proposal (RFP) for the operation of the Colchester Harbour beginning in 2016.

Moved by Councillor Caixeiro

Seconded by Councillor Bondy

(R15-06-250) That Community Services Report Number 2015-017 prepared and submitted by Doug Sweet, Director of Community Services, dated June 1, 2015 providing Council

with two options for consideration on the daily operations of the Colchester Harbour, be received and that Council approves Option 2 – Status Quo.

Councillor Bondy requested as recorded vote:

Councillor Bondy	Support
Councillor Voakes	Support
Councillor Bjorkman	Opposed
Councillor Caixeiro	Support
Councillor Snively	Support
Deputy Mayor Meloche	Opposed
Mayor McDermott	Opposed

With a recorded vote of four in favour and three opposed, motion (R15-06-250) was "Carried"

b) Community Services – Report Number 2015-018

Re: Sports Mural Location

Recommendation: The following recommendations are provided for Council's consideration:

1. That Community Services 2015-018 report entitled "Sports Mural Location" be received; and further
2. Council approve the transfer of the outdoor Sports Mural from the Essex High School to the Essex Centre Sports Complex.

Moved by Deputy Mayor Meloche

Seconded by Councillor Snively

(R15-06-251) That Community Services Report Number 2015-018 prepared and submitted by Doug Sweet, Director of Community Services, dated June 1, 2015 seeking Council's approval to move the Sports Mural from the Essex High School to the Essex Centre Sports Complex, be received and that Council concurs with the recommendations contained in the report and approves the transfer of the outdoor Sports Mural from the Essex High School to the Essex Centre Sports Complex. "Carried"

c) Corporate Services – Report Number Clerk 2015-007

Re: Procedural By-Law Amendment

Recommendation: It is recommended that Council adopt By-Law Number 1423.

- By-Law Number 1423

Being a by-law to amend By-Law Number 548, 1110 and 1269, being by-laws to provide for the rules of order and procedure for the Municipal Council of the Town of Essex and its Committees

Moved by Councillor Caixeiro

Seconded by Councillor Bondy

(R15-06-252) That Corporate Services Report Number Clerk 2015-007, prepared by Cheryl Bondy, Manager of Legislative Services and Clerk and submitted by Donna Hunter, Director of Corporate Services, dated May 26, 2015 requesting Council's approval to amend the Town's procedural by-law, be received and that Council approves the recommendation that By-Law Number 1423, being a by-law to amend By-Law Numbers 548, 1110 and 1269, being by-laws to provide for the rules of order and procedure for the Municipal Council of the Town of Essex and its Committees be read a first, a second and a third time and finally passed on June 1, 2015. "Carried"

d) Community Services – Report Number 2015-019

Re: Canada 150 Community Infrastructure Program – Grant Application

Recommendation: It is recommended that:

1. Community Services Report 2015-019 entitled "Canada 150 Community Infrastructure Program – Grant Application" be received; and further
2. The following resolution be provided by Council for purposes of submitting an application for the Canada 150 Community Infrastructure Program Grant for the redevelopment of Jackson Park in Colchester:

"That Council:

- a. Approves the submission of an application to the Canada 150 Community Infrastructure Program Grant for the redevelopment of Jackson Park in Colchester; and
- b. That the information contained in the application is factually accurate".

Moved by Councillor Voakes

Seconded by Councillor Caixeiro

(R15-06-253) That Community Services Report Number 2015-019 prepared and submitted by Doug Sweet, Director of Community Services, dated June 1, 2015 seeking Council's authorization and endorsement for the Canada 150 Community Infrastructure Program Grant, be received; that Council approves the submission of an application to the Canada 150 Community Infrastructure Program Grant for the redevelopment of Jackson Park in Colchester; and that the information contained in the application is factually accurate. "Carried"

9. Correspondence

a) Jim Wilson, MPP Simcoe-Grey, Interim Leader of the Official Opposition

Current Funding Formula for Ontario's Rural School

Moved by Councillor Bondy

Seconded by Councillor Snively

(R15-06-254) That correspondence from Jim Wilson, MPP Simcoe-Grey, Interim Leader of the Official Opposition, dated May 18, 2015 responding to the Town's concerns with the current funding formula for Ontario's rural schools and advised that he has asked the

Minister of Education, the Honourable Liz Sandals to review the Town's recommendations and respond, be received. "Carried"

Moved by Councillor Bondy

Seconded by Deputy Mayor Meloche

(R15-06-255) That a thank-you letter be sent to Mr. Jim Wilson, MPP Simcoe-Grey, Interim Leader of the Official Opposition for advocating on the Town's behalf with respect to the current funding formula for Ontario's rural schools. "Carried"

b) Mark Buhler, 147 Iler Avenue, Essex

Relief from By-Law Number 690 – Town of Essex Noise By-Law

Moved by Councillor Voakes

Seconded by Councillor Bjorkman

(R15-06-256) That correspondence from Mark Buhler, dated May 22, 2015 asking Council to consider granting an exemption to By-Law Number 690, the Town's Noise By-Law to host his wedding reception at 147 Iler Avenue in Essex, be received; that Council approves the request for an exemption on July 11, 2015 from 6 PM to 2 AM; and that a copy of the exemption be sent to the Town's By-Law Enforcement Department and the Ontario Provincial Police Essex Detachment for their records. "Carried"

c) Town of St. Mary's

Southwestern Ontario Transportation Alliance (SWOTA) – Network Southwest Action Plan

Moved by Councillor Voakes

Seconded by Councillor Caixeiro

(R15-06-257) That correspondence from Al Strathdee, Mayor of the Town of St. Mary's, dated May 15, 2015 asking Council to consider joining the Southwestern Ontario Transportation Alliance (SWOTA) and support the Network Southwest Action Plan be received; that the Town of Essex supports the request and that

Whereas, reductions in VIA Rail service led to the formation of advocacy groups such as Save VIA; and

Whereas, citizens of all ages and backgrounds, especially those with no license or vehicle, rely on VIA Rail; and

Whereas, passenger rail provides safer and more eco-friendly transportation than driving; and

Whereas, enhanced VIA Rail service heightens connections between communities, thereby promoting tourism and economic development; and

Whereas, the Southwestern Ontario Transportation Alliance, with the support of advocacy groups, businesses and municipalities in the region, has published the Network Southwest Action Plan to address the need for reliable and sustainable rail-based passenger transportation in Southwestern Ontario; and

Whereas, it is time for all levels of government to stop thinking passenger rail service is only a federal responsibility and begin providing support for intercity transportation services in communities beyond the Greater Toronto and Hamilton Area (GTHA);

Therefore I, Mayor of the Town of Essex do hereby proclaim that VIA Rail is important to my municipality; and urge my fellow citizens as well as all levels of government to consider the Network Southwest Action Plan, as presented March 18, 2015. "Carried"

d) Town of Aurora

Community Mailboxes

Moved by Councillor Bondy

Seconded by Councillor Bjorkman

(R15-06-258) That the copy of correspondence from the Town of Aurora to the Honourable Lisa Raitt, Federal Minister of Transport, dated May 21, 2015 requesting that Canada Post immediately cease the installation of community mailboxes and adhere to its Five-Point Action Plan and engage in full and meaningful consultation with all stakeholders, be received and supported; and that Administration be directed to ensure that by-laws and appropriate fees are in place for the installation and maintenance of community mailboxes in established neighbourhoods. "Carried"

e) Windsor Essex County Environment Committee

April 30, 2015 Meeting Minutes

Moved by Councillor Voakes

Seconded by Councillor Caixeiro

(R15-06-259) That the minutes of the Windsor Essex County Environment Committee Meeting held April 30, 2015, be received. "Carried"

10. Committee Meeting Minutes

a) Fun Fest Committee Meeting – May 21, 2015

Moved by Councillor Caixeiro

Seconded by Councillor Voakes

(R15-06-260) That the minutes of the Fun Fest Committee Meeting held May 21, 2015, be received and adopted as presented. "Carried"

b) Co-An Park Committee Meeting – March 11, 2015

Moved by Deputy Mayor Meloche

Seconded by Councillor Voakes

(R15-06-261) That the minutes of the Co-An Park Committee Meeting held March 11, 2015, be received and adopted as presented. "Carried"

c) Co-An Park Committee Meeting – April 8, 2015

Moved by Councillor Meloche

Seconded by Councillor Bjorkman

(R15-06-262) That the minutes of the Co-An Park Committee Meeting held April 8, 2015, be received and adopted as presented. "Carried"

11. By-Laws

a) By-Law Number 1422

Being a by-law to regulate the rate of speed on Snake Lane in the Town of Essex

Moved by Councillor Snively

Seconded by Councillor Caixeiro

(R15-06-263) That By-Law Number 1422 being a by-law to regulate the rate of speed on Snake Lane in the Town of Essex be read a first, a second and a third time and finally passed on June 1, 2015. "Carried"

b) By-Law Number 1424

Being a by-law to confirm the proceedings of the June 1, 2015 Regular Meeting of the Council of The Corporation of the Town of Essex

Moved by Councillor Caixeiro

Seconded by Councillor Bondy

(R15-06-264) That By-Law Number 1424 being a by-law to confirm the proceedings of the June 1, 2015 Regular Meeting of the Council of The Corporation of the Town of Essex be read a first, a second and a third time and finally passed on June 1, 2015. "Carried"

12. Financial

13. New Business

a) Councillor Bondy

Christmas Lights in Harrow Centre

Councillor Bondy brought forward her concerns with respect to Christmas lights in Ward 4. She asked that Administration prepare a report comparing past practices in local municipalities concerning Christmas lights.

b) Councillor Voakes

- Councillor Voakes withdrew his request for discussion concerning an amendment to the Town's Zoning By-Law Number 1037(Kimball Drive)
- By-Law Number 1394 as it relates to mileage

Moved by Councillor Voakes

Seconded by Councillor Snively

(R15-06-265) That Council be reimbursed for mileage for Council business. "Carried"

➤ Flooding

Moved by Councillor Voakes

Seconded by Councillor Caixeiro

(R15-06-266) That the residents in the audience be allowed to address Council concerning flooding this past weekend. "Carried"

Rick Howson of 308 Iler Street and Carl Grymonprez of 311 Iler Street, appeared before Council to discuss flooding in their homes and asked Council what is being done to stop the flooding.

Chris Nepszy, Director of Infrastructure and Development provided Council with several initiatives that have been recommended from the Flooding Advisory Committee.

Moved by Councillor Voakes

Seconded by Councillor Caixeiro

(R15-06-267) That Council requests that Administration prepare a letter explaining the initiatives the Town of Essex is working on concerning flooding in Ward One and that the correspondence be distributed to all homes in Ward One. "Carried"

c) Councillor Bondy

➤ Program and Accommodation Review Committee (PARC) Final Scenarios

Moved by Councillor Bondy

Seconded by Councillor Bjorkman

(R15-06-268) That the Town of Essex Council supports the scenario put forward by PARC to the Greater Essex County District School Board that maintains Western Secondary School as a Special Education School and expand programming; implements community hubs in Amherstburg, Harrow and Kingsville; maintains Harrow District High School at present location until a JK-12 build is complete; builds a new JK-12 school in Kingsville; and maintains General Amherst High School. "Carried"

14. Notices of Motion

a) Moved by Councillor Caixeiro

Seconded by


That the Colchester Harbour Steering Committee be reinstated and one of the mandates for the Committee will be the acquisition of the harbour.

15. Adjournment

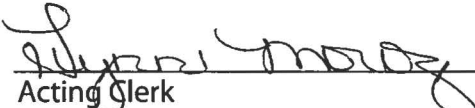
Moved by Councillor Caixeiro

Seconded by Councillor Snively

(R15-06-269) That the meeting be adjourned at 8:42 PM. "Carried"



Mayor



Acting Clerk