

The Corporation of the Town of Essex
Regular Council Meeting Minutes

April 3, 2017, 6:00 pm
Essex Civic Centre
360 Fairview Avenue West
Essex, Ontario

Present: Mayor Ron McDermott
Deputy Mayor Richard Meloche
Ward 1 Councillor Steve Bjorkman
Ward 1 Councillor Randy Voakes
Ward 3 Councillor Bill Caixeiro
Ward 3 Councillor Larry Snively
Ward 4 Councillor Sherry Bondy

Also Present: Tracey Pillon–Abbs, Chief Administrative Officer
Donna Hunter, Director of Corporate Services and Treasurer
Chris Nepszy, Director of Infrastructure and Development
Doug Sweet, Director of Community Services
Cynthia Cakebread, Manager, Recreation and Culture
Rita Jabbour, Assistant Planner
Rob Auger, Manager of Legislative Services/Clerk
Lynn Moroz, Administrative Assistant
Robin Hall, Administrative Assistant

1. Call to Order

The Mayor called the meeting to order. He advised that it was with great sadness that he announce the passing of a Town's employee Justine Souillere. Justine was employed with the Town since 2013 in the Department of Community Services. He asked for a moment of silence to honour the life of Justine.

2. Closed Meeting Report

Robert Auger, Manager of Legislative Services/Clerk provided a verbal report on the closed meeting held earlier this evening, pursuant to Section 239 (2) (c) of the Municipal Act, 2001, S.O. 2001, c.25. He advised that Administration provided an update on a proposed acquisition of property and direction was provided not to proceed with said proposed acquisition of property.

3. Declarations of Conflict of Interest

4. Adoption of Published Agenda

4.1 Regular Council Meeting Agenda for April 3, 2017

Moved by Councillor Snively
Seconded by Councillor Caixeiro

(R17-04-115) That the published agenda for the April 3, 2017 Regular Council Meeting be adopted as presented, with the addition of a Notice of Motion from Councillor Bondy.

Carried

5. Adoption of Minutes

5.1 Regular Council Meeting Minutes for March 20, 2017

Moved by Councillor Bjorkman
Seconded by Councillor Caixeiro

(R17-04-116) That the minutes of the Regular Council Meeting held March 20, 2017 be adopted as circulated.

Carried

6. Public Presentations

6.1 Cynthia Cakebread Manager, Recreation and Culture

Doug Sweet, Director of Parks and Recreation presented Cynthia Cakebread, Manager, Recreation and Culture presented a certificate from the Parks and Recreation Ontario recognizing her "High 5" Recognition for 10 Years of Service as a trainer. He told Council that we are the only municipality south of London to be credited for High 5.

Council congratulated Cynthia on her accomplishments and wished her continued success.

7. Unfinished Business

7.1 Corporate Services Report 2017-04

RE: Financial Assistance-Fitness Fury

Moved by Councillor Caixeiro
Seconded by Councillor Bondy

(R17-04-117) That Corporate Services Report 2017-04 entitled "Financial Assistance - Fitness Fury", dated March 8, 2017 prepared by Donna E. Hunter, Director of Corporate Services as tabled at the March 20, 2017 regular meeting be taken from the table.

Carried

Moved by Deputy Mayor Meloche
Seconded by Councillor Bondy

(R17-04-118) That Dave Cassidy be allowed to address Council to clarify what he is asking for with respect to financial assistance to services at Fitness Fury.

Carried

Dave Cassidy appeared before to Council to clarify what they would like financial assistance with. He told Council that they had originally asked for all services to the building, which included water and wastewater connections and hydro and gas, but the report from Administration did not include hydro

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and gas. He reiterated that the legal opinion he received was that if the Town cover the cost of these services, would not be considered bonusing.

Rita Jabbour, Assistant Planner for the Town of Essex explained what a Community Improvement Plan (CIP) Grant would cover. The Cassidy's could apply for a CIP grant up to \$11,310.00.

Moved by Councillor Snively
Seconded by Deputy Mayor Meloche

(R17-04-119) That Corporate Services Report 2017-04 entitled "Financial Assistance - Fitness Fury", dated March 8, 2017 prepared by Donna E. Hunter, Director of Corporate Services and its consideration for receipt or receipt and support be tabled until Administration speaks to Mr. Tim Ryall Municipal Advisor with the Ministry of Municipal Affairs with respect to clarification as to Section 107.1, of the Municipal Act, General Power To Make Grants.

Defeated

Dave Cassidy left the Council Chambers at 7:06 PM.

Councillor Voakes excused himself from the meeting at 7:09 PM.

Moved by Councillor Bondy
Seconded by Councillor Snively

(R17-04-120) That Dave Cassidy's presentation be received.

Carried

Moved by Councillor Caixeiro
Seconded by Councillor Bjorkman

(R17-04-121) That Corporate Services Report 2017-04 entitled "Financial Assistance - Fitness Fury", dated March 8, 2017 prepared and submitted by Donna Hunter, Director of Corporate Services, recommending that the owners of Fitness Fury be encouraged to make application to the Essex Centre Community Improvement Plan for financial assistance with fees and charges and that financial assistance for the water and wastewater connections and the annual rent as noted in the report not be provided in accordance with the requirements of the Municipal Act, 2001, be received and supported.

Defeated

Moved by Deputy Mayor Meloche
Seconded by Councillor Snively

(R17-04-122) That Corporate Services Report 2017-04 entitled "Financial Assistance - Fitness Fury", dated March 8, 2017 prepared and submitted by Donna Hunter, Director of Corporate Services, recommending that the owners of Fitness Fury be encouraged to make application to the Essex Centre Community Improvement Plan for financial assistance with fees and charges and that financial assistance for the water and wastewater connections and the annual rent as noted in the report not be provided in accordance with the requirements of the Municipal Act, 2001, be received;

And that Mr. Tim Ryall, Municipal Advisor with the Ministry of Municipal Affairs (MMA) be invited to a meeting or a conference call with Council to provide clarification on this re: Bonusing and Section 107.1 of the Municipal Act.

Carried

7.2 By-Law 1585

Being a by-law to authorize the execution of a lease agreement between the Town of Essex and Dave and Jennifer Cassidy operating as Fitness Fury on the grounds of the property located at 60 Fairview Avenue West, Essex, Ontario.

Moved by Councillor Caixeiro
Seconded by Councillor Bondy

(R17-04-123) That By-Law 1585 being a by-law to authorize the execution of a lease agreement between the Town of Essex and Dave and Jennifer Cassidy operating as Fitness Fury on the grounds of the property located at 60 Fairview Avenue West, Essex, Ontario, which received first and second reading on March 6, 2017 remain on the table.

Carried

8. Reports from Administration

8.1 Community Services 2017-007

RE: 2017 Communities in Bloom Legacy Tree Program.

Moved by Councillor Caixeiro
Seconded by Councillor Bondy

(R17-04-124) That Community Services-2017-007 report entitled "2017 Communities in Bloom Legacy Tree Program" dated April 3, 2017 as prepared and submitted by Doug Sweet Director of Community Services, be received for Council information.

Carried

8.2 Community Services Report 2017-008

RE: Special Events Resource Team (SERT) April 2017 Update

Moved by Deputy Mayor Meloche
Seconded by Councillor Caixeiro

(R17-04-125) That Community Services 2017-008 report entitled "Special Events Resource Team (SERT) April Update" as prepared and submitted by Doug Sweet, Director of Community Services, be received for Council information.

Carried

8.3 Community Services Report 2017-009

AB

Results of Request for Tender for the Replacement of 'D' Dock at Colchester Harbour.

Moved by Councillor Snively

Seconded by Councillor Caixeiro

(R17-04-126) That Community Services Report 2017-009 entitled "Results of Request for Tender for the Replacement of 'D' Dock at Colchester Harbour" dated April 3, 2017 prepared by Jackson Tang, Assistant Manager, Business Services and submitted by Doug Sweet, Director of Community Services be received and approved;

And that Council award the Request for Tender for the Replacement of 'D' Dock at Colchester Harbour to Kropf Industrial Incorporated in the amount of \$139,523.13 including applicable taxes.

Carried

8.4 Planning Report 2017-10

RE: Dolson Road Conveyance

By-Law 1588 being a by-law to declare certain Municipal Lands as a Public Right of Way for the purposes of accommodation of traffic movements, utilities and other similar municipal or public uses.

Moved by Councillor Bjorkman

Seconded by Councillor Bondy

(R17-04-127) That Planning Report 2017-10 dated April 3, 2017 as prepared by Rita Jabbour, Assistant Planner and submitted by Chris Nepszy, Director of Infrastructure and Development seeking Council's approval to declare Part 2 on Plan 12R13825 to be part of the Dolson Road right of way, thereby granting public access to the adjoining lots on the east side of Dolson Road be received and approved;

And that By-Law 1588 to declare certain Municipal Lands as a Public Right of Way for the purposes of accommodation of traffic movements, utilities, and other similar municipal or public uses be read a first, a second and a third time and finally passed this 3rd day of April 2017.

Carried

8.5 Planning Report 2017-13

RE: Heritage Grant Program

By-Law 1587 being a by-law to adopt a Heritage Grant program for Designated Properties within the Town of Essex.

Moved by Councillor Caixeiro

Seconded by Deputy Mayor Meloche

(R17-04-128) That Planning Report 2017-13 dated April 3, 2017 as prepared by Rita Jabbour, Assistant Planner and submitted by Chris Nepszy, Director of Infrastructure and Development, be received and approved;

And that By-Law 1587 being a by-law to approve a Heritage Grant Program for Designated Properties within the Town of Essex, be read a first and second time and provisionally adopted on April 3, 2017.

Carried

8.6 Planning Report 2017-14

RE: Listing Policies for Heritage Properties.

Moved by Councillor Bjorkman

Seconded by Councillor Caixeiro

(R17-04-129) That Planning Report 2017-14 entitled "Listing Policies" for heritage properties, dated April 3, 2017 as prepared by Rita Jabbour, Assistant Planner and submitted by Chris Nepszy, Director of Infrastructure and Development, be received and approved;

And that Council adopt the listing policies proposed in said Report.

Carried

8.7 Corporate Services Report 2017-06

RE: Council Attendance at Fundraising Events

Moved By Councillor Caixeiro

Seconded By Councillor Snively

(R17-04-130) That Corporate Services Report 2017-06 entitled "Council Attendance at Fundraising Events", dated March 24, 2017 prepared and submitted by Donna Hunter, Director of Corporate Services, be received and approved;

And that the Travel and Business Expense Policy be revised to allocate a portion of the current annual limit for travel and business expenses of \$8,053 to fund Council's attendance at local fundraising events to support not-for-profit and charitable organizations;

And that funding to attend fundraising events be subject to a limit of \$500.00 per Council member, per year.

Carried

9. Reports from Youth Members

10. County Council Update

10.1 Deputy Mayor Meloche: Essex County Agricultural Lot Size Study

Report Number 2017-R001-PS-0301-BK dated March 1, 2017 was presented and considered by Essex County Council at its March 1, 2017 Regular Meeting and the following resolution was passed:

45-2017

Moved By Mr. Queen

Seconded By Mr. Bondy

That Administration seek input from the local municipalities on the Agricultural Lot Size Study for further analysis by the Agricultural Lot Size Study Steering Committee, including consideration being given to the micro-geography and specialty crops produced in Essex County and that, based on the further analysis, a report be prepared for County Council, providing some options on how to proceed with an Official Plan Amendment establishing minimum agricultural lot sizes in Essex County.

Moved by Councillor Bjorkman
Seconded by Councillor Bondy

(R17-04-131) That the Administrative Report entitled "Essex County Agricultural Lot Size Study, dated March 1, 2017 and correspondence presented and considered by Essex County Council at its March 1, 2017 regular meeting, brought to Essex Town Council for information purposes by Deputy Mayor Meloche, be received.

Carried

11. Correspondence

11.1 Correspondence to be received

- 11.1.1 Tracey Ramsey, Member of Parliament (M.P.)
RE: March 6, 2017 Correspondence asking for feedback and comments on Canada – U.S. Trade and the future of NAFTA.
- 11.1.2 Provincial Offences Act ("POA") Monthly Statistics and Highlights as of February 28, 2017
RE: February 2017 Charges Received, POA Fine Payments Summary and POA audited Financial Statements for Year ending December 31, 2016
- 11.1.3 Municipal Property Assessment Corporation ("MPAC")
RE: Assessing Properties in Proximity to Industrial Wind Turbines
- 11.1.4 College of Physicians and Surgeons (CPSO) Council Award 2018
RE: CPSO accepting nominations for the 2018 Council Award honoring an outstanding physician in the community. The deadline for submission of nominations is October 2, 2017.

Moved by Councillor Caixeiro
Seconded by Councillor Snively

(R17-04-132) That correspondence listed in Agenda Item 11.1 be received and that item 11.1.1 from Tracey Ramsey, M.P. asking for feedback and comments on Canada – U.S. Trade and the future of NAFTA be shared with the community using suitable methods of communication.

Carried

11.2 Correspondence to be considered for receipt and support

- 11.2.1 Northeastern Manitoulin & The Islands
RE: Resolution requesting waiver of hydro delivery fees.

Moved by Councillor Bjorkman
Seconded by Councillor Bondy

(R17-04-133) That the copy correspondence from the Town of Northeastern Manitoulin and the Islands, dated March 17, 2017 to Premier Wynne, dated March 17, 2017 requesting that the Province of Ontario treat all Ontario Hydro customers equally and eliminate the delivery fees for residents of the Town of Northeastern Manitoulin and the Islands, be received.

Carried

12. Committee Meeting Minutes

12.1 Essex Police Services Board Meeting – March 2, 2017

12.2 Co-An Park Committee Meeting – March 9, 2017

12.3 Fun Fest Committee Meeting – March 22, 2017

12.4 Finance Committee Meeting – March 29, 2017

(FC-2017-03-010) That maximum grant that may be made to any individual organization from the sum of all Council Discretionary Funds be \$2,800.00

(FC-2017-03-011) That the revisions to the Council Discretionary Fund Policy as presented be approved and that the maximum grant that may be paid from an individual Council Member's Discretionary Fund be determined by the whole of Council.

(FC-2017-03-012) That the 2017 Essex Community Partnership Fund grants in the amount of \$92,571.20 as set out in Schedule "A" attached be approved and that Access County Community Support Services be requested to meet with the Finance Committee.

(FC-2017-03-013) That the costs for advertising (\$1,000.00), posters and flyers (\$500.00), insurance liability (\$500.00), stage setup (\$200.00), porta johns (cost to be determined) and the kids area (\$100.00) be reimbursed to the Essex Rocks and Rolls Car Show Committee from the Essex Tourism Development Fund upon providing receipts for such expenditures.

Moved by Councillor Caixeiro
Seconded by Councillor Bjorkman

(R17-04-134) That the Committee Meeting Minutes listed in Agenda Item 12 be received and adopted as presented together with approval of any recommendations noted therein.

Carried

Moved by Councillor Bjorkman
Seconded by Councillor Snively

(R17-04-135) That the maximum amount of grant that may be paid to any one person or group from an individual Council Member's Discretionary be limited to \$1,000.

Carried

Councillor Caixeiro asked that his opposition to this motion be noted.

15. Notices of Motion

15.1 Councillor Bondy

That Administration prepare a report with a timeline on opening or assuming Clark Street.

15.2 Councillor Snively

That Administration prepare a Community entrance sign to Ward 4 acknowledging it being the home of Lionel Sanders.

16. Announcements

Deputy Mayor Meloche wished everyone a Happy Easter.

Councillor Snively announced the 100th Anniversary of Vimy Ridge at the Harrow Legion Branch 338 on Sunday, April 9 at 1:00 PM.

17. By-Laws

17.2 By-Laws that require a first and second reading

17.2.1 By-Law 1596

Being a by-law to confirm the proceedings of the April 3, 2017 Regular Meeting of Council of The Corporation of the Town of Essex

Moved by Councillor Snively
Seconded by Councillor Caxeiro

(R17-04-136) That By-Law 1596, being a by-law to confirm the proceedings of the April 3, 2017 Regular Meeting of Council of the Corporation of the Town of Essex, be read a first and a second time and provisionally adopted on April 3, 2017.

Carried

17.3 By-Laws that require a third and final reading

17.3.1 By-Law 1590

Being a by-law to enlarge the Community Improvement Project Area of the Essex Centre Community Improvement Plan.

Moved by Councillor Bjorkman
Seconded by Councillor Snively

(R17-04-137) That By-Law 1590 being a by-law to enlarge the Community Improvement Project Area of the Essex Centre Community Improvement Plan be read a third time and finally passed on April 3, 2017.

Carried

17.3.2 By-Law 1592

Being a by-law to provide Rules of Procedure for the Conduct of Meetings of the Municipal Council and its Committees and Boards.

Moved by Councillor Bjorkman
Seconded by Councillor Caixeiro

(R17-04-138) That By-Law 1592 being a by-law to provide Rules of Procedure for the Conduct of Meetings of the Municipal Council and its Committees and Boards receive a third and final reading and be finally passed on April 3, 2017;

And that By-Law 1511 be hereby repealed on this 3rd day of April, 2017.

Carried

17.3.3 By-Law 1593

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

Moved by Councillor Caixeiro
Seconded by Deputy Mayor Meloche

(R17-04-139) That By-Law 1593, being a by-law to confirm the proceedings of the March 20, 2017 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally passed on April 3, 2017.

Carried

18. Adjournment

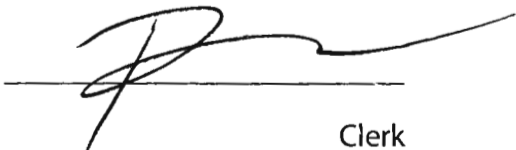
Moved by Councillor Caixeiro
Seconded by Councillor Meloche

(R17-04-140) That the meeting be adjourned at 8:00 PM.

Carried



Mayor



Clerk