

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

August 21, 2017, 6:00 pm  
Essex Civic Centre  
360 Fairview Avenue West  
Essex, Ontario

Present: Mayor Ron McDermott  
Ward 1 Councillor Steven Bjorkman  
Ward 3 Councillor Larry Snively  
Ward 4 Councillor Sherry Bondy

Regrets: Deputy Mayor Richard Meloche  
Ward 1 Councillor Randy Voakes

Also Present: Chris Nepszy, Chief Administrative Officer (Acting)/Director of  
Infrastructure and Development  
Jeffrey Morrison, Director of Finance and Business Services (Acting)  
Jeff Watson, Policy Planner  
Kevin Carter, Building Official  
Sarah Newton, Assistant Manager, Aquatics  
Robert Auger, Manager of Legislative Services, Clerk  
Robin Hall, Administrative Assistant

**1. Call to Order**

**2. Closed Meeting Report**

**3. Declarations of Conflict of Interest**

There were no conflict of interest declarations noted.

**4. Adoption of Published Agenda**

**4.1 Regular Council Meeting Agenda for August 21, 2017.**

Moved by Councillor Bjorkman  
Seconded by Councillor Snively

**(R17-08-329) That** the published agenda for the August 21, 2017 Regular Council Meeting be adopted, with the following corrections and additions:

The Clerk advised that under Agenda item 8.3 Community Services Report 2017-022 a request from the Essex B.I.A. was received to extend the street closure time to 8:00 PM; that under Agenda item 15.1.1 Notice of Motion the suggested wording for the motion should read "Moved by Mayor McDermott"; and that under Agenda item 6.1 the formal report of the "Harrow Pool Feasibility Study" has been added to the agenda package, and posted on the Town's website.

**Carried**

**5. Adoption of Minutes**

**5.1 Regular Council Meeting Minutes for August 8, 2017.**

Moved by Councillor Bondy  
Seconded by Councillor Snively

**(R17-08-330) That** the minutes of the Regular Council Meeting held August 8, 2017, be adopted as circulated.

**Carried**

## **6. Public Presentations**

### **6.1 University of Windsor EPIC Program: Outdoor Pool Feasibility Study.**

Mr. Ben DeGroot and Mr. Alex Steel of the University of Windsor's Entrepreneurship Practice and Innovation Centre (EPIC) Program, presented to Council a power point presentation on the results of their feasibility study regarding an outdoor public pool in the Harrow community. The presentation and study detailed the purpose, methodology and an evaluation of potential sites for an outdoor public pool in Harrow. The recommendation was that an outdoor pool in Harrow was not feasible at this current time.

Moved by Councillor Snively  
Seconded by Councillor Bondy

**(R17-08-331) That** the power point presentation and the report presented by Mr. Ben DeGroot and Mr. Alex Steel of the University of Windsor's Odette School of Business, Entrepreneurship Practice and Innovation Centre (EPIC), on the Harrow Pool Feasibility Study results, dated August 21, 2017, be received.

**Carried**

**6.2 Frank, Ryan and Brandon Giles, Owners of RFG Plumbing Inc.** were not in attendance at this evening's Council meeting.

## **7. Unfinished Business**

## **8. Reports from Administration**

### **8.1 Fire Report 2017-003.**

RE: Surplus Equipment, 1992 Spartan/Phoenix Engine.

Moved by Councillor Bondy  
Seconded by Councillor Bjorkman

**(R17-08-332) That** Report Fire 2017-003, prepared and submitted by Richard Arnel, Fire Chief, dated August 3, 2017 entitled "Surplus Equipment, 1992 Spartan/Phoenix Engine, be received and that Council concurs with the recommendations contained in the report;

**And further that** the Town of Essex enters into an agreement to sell on an "as is" basis; a 1992 Spartan/Phoenix Engine to the Township of Pelee for the purchase price of \$8,000;

**And further that** the proceeds from the sale of the surplus piece of apparatus be credited to the Fire Department and transferred to the Building and Equipment Replacement Reserve for Fire.

**Carried**

**8.2 Planning Report 2017-33.**

RE: ATM Pharmacies Limited (167 Talbot Road South)  
Release of Securities.

Moved by Councillor Snively  
Seconded by Councillor Bjorkman

**(R17-08-333) That** Planning Report 2017-33, prepared by Rita Jabbour, Assistant Planner and submitted by Chris Nepszy, Director of Infrastructure and Development, dated August 21, 2017 entitled "ATM Pharmacies Limited (167 Talbot Road South) Release of Securities", be received and supported;

**And that** the securities deposited in the amount of \$5,000 for ATM Pharmacies Limited, be returned to the Developer by the Town.

**Carried**

**8.3 Community Services Report 2017-022.**

Essex BIA "Escape into Essex - Fall in Love with Local"  
Road Closure Request.

Moved by Councillor Bondy  
Seconded by Councillor Bjorkman

**(R17-08-334) That** Community Services Report 2017-022, prepared and submitted by Doug Sweet, Director of Community Services dated August 21, 2017, entitled "Essex BIA Escape into Essex - Fall in Love with Local Road Closure Request", be received;

**And that** Council approves the request to close Talbot Street between Victoria Avenue and Arthur Avenue in Essex Centre between 2:00 PM and 8:00 PM on Friday, September 29, 2017 to accommodate pedestrians and tents for the Essex BIA fall event;

**And that** the Essex O.P.P., Essex Fire, E.M.S. and the Essex County Roads Department be notified of the closure.

**Carried**

**8.4 Infrastructure and Development Report 2017-09.**

RE: Ontario Municipal Commuter Cycling (OMCC) Program - Grant Funding.

Moved by Councillor Bjorkman  
Seconded by Councillor Snively

**(R17-08-335) That** Infrastructure and Development Report 2017-09, prepared and submitted by Chris Nepszy, Director of Infrastructure and Development, dated August 21, 2017 entitled "Ontario Municipal Commuter Cycling Program - Grant Funding", be received;

**And that** Council authorize the Chief Administrative Officer (CAO) to execute the 2017 Ontario Municipal Commuter Cycling Program Application Declaration for Large-Medium Municipalities;

**And that** Council authorizes the Director of Infrastructure and Development to finalize the 2017 Project list;

**And further that** the CAO be authorized to execute any agreements, declarations or approvals required to submit an application.

**Carried**

**9. Reports from Youth Members**

Ehva Hoffman, Youth Member representative reported that she visited the Essex Youth Centre this summer. She told Council that she plans to work with Robert Auger on ideas to bring youth into the Centre.

Moved by Councillor Snively  
Seconded by Councillor Bondy

**(R17-08-336) That** the verbal update from Ehva Hoffman, Youth Member representative on the Essex Youth Centre, be received.

**Carried**

**10. County Council Update**

**11. Correspondence**

**11.1 Correspondence to be received**

**11.1.1 Union Water Supply System, Joint Board of Management**

June 21, 2017 Meeting Minutes

Moved by Councillor Bondy  
Seconded by Councillor Snively

**(R17-08-337) That** the Union Water Supply System Joint Board of Management, June 21, 2017 Meeting minutes, be received.

**Carried**

Moved by Councillor Snively  
Seconded by Councillor Bjorkman  
**(R17-08-338) That** a letter be sent to the federal and provincial government and to the County of Essex requesting immediate attention be given to the severity of the algae bloom in Lake Erie.

**Carried**

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

**11.2.1 Fred Bishop - 375 Erieview Avenue.**

Fence Permit Request between Craig Beach and Lonsbery Beach.

Moved by Councillor Bondy  
Seconded by Councillor Snively

**(R17-08-339) That** Dan Inverarity Relator acting on behalf of Fred Bishop be permitted to appear before Council.

**Carried**

Mr. Dan Inverarity, Real Estate Agent acting on behalf of Fred Bishop, 375 Erieview Avenue told Council that the neighbour's property at 373 Lonsbery Beach is an eyesore and he appears to be operating a business as there are delivery trucks that regularly use the roadway between Craig Beach and Lonsbery Beach as a secondary access to the property. In an attempt to not create a neighbourhood dispute, Mr. Bishop is asking Council to consider allowing him to build a fence, at his expense across the roadway, to provide an obstruction from having to view the unkept property and to stop the truck/commercial traffic from accessing the subject roadway.

Council asked the Town's Chief Building Official/Property Standards Officer to investigate and address the condition of the property, and the issue of a business operating at the location creating increased traffic and to treat the matter in accordance with normal property standard practices.

Moved by Councillor Snively  
Seconded by Councillor Bondy

**(R17-08-340) That** correspondence from Fred Bishop of 375 Erieview Avenue, Harrow requesting permission to erect a fence between Craig Beach and Lonsbery Beach, be received.

**Carried**

#### 11.2.2 Donna Steinhoff, Crafty Candles.

Essex Centre Business Improvement Area (BIA) Resignation - Effective August 8, 2017.

Moved by Councillor Bondy  
Seconded by Councillor Snively

**(R17-08-341) That** the email from Donna Steinoff dated August 8, 2017, advising of her resignation from the Essex Centre BIA, be received with regret and that By-Law 1376 be amended accordingly.

**Carried**

## **12. Committee Meeting Minutes**

## **13. Financial**

## **14. New Business**

## **15. Notices of Motion**

**15.1 The following Notices of Motion were presented at the August 8, 2017 Regular Council Meeting and are being brought for consideration this evening:**

#### 15.1.1 Mayor Ron McDermott

RE: Use of iPhones/iPads to communicate during Council Meetings.

Mayor McDermott vacated his seat and Councillor Snively assumed the Chair.

Mayor McDermott read sections from the Town's procedural by-law and a section from the Code of Conduct Manual for Council Members relating to the use of Smart phones during Council Meetings. He asked that Council members be respectful and use their phone for emergency use only during meetings. He finds it offensive and distracting when they are on their Smart phones while discussion is taking place during the meetings. The Mayor further stated that as Chair of future meetings he intends to limit future usage and will do so on a case by case basis.

Moved by Mayor McDermott

Seconded by Councillor Bondy

**(R17-08-342) That** the use of iPhones/iPads and other electronic devices to communicate during Council Meetings be limited.

**Carried**

Mayor McDermott returned to the Chair.

#### 15.1.2 Councillor Voakes

RE: Moving the caboose from the train station to Main Street to be used as a tourist information booth/information centre.

#### 15.1.8 Councillor Voakes

RE: Property development on Highway 3 and County Road 8.

Moved by Councillor Bondy

Seconded by Councillor Bjorkman

**(R17-08-343) That** due to Councillor Voakes' absence, his Notices of Motion, Agenda items 15.1.2 and 15.1.8 be postponed to the Regular Council Meeting scheduled for September 5, 2017.

**Carried**

#### 15.1.3 Councillor Bondy

RE: Hosting budget meetings in rotating locations throughout the Municipality including Harrow and McGregor.

Moved by Councillor Bondy

Seconded by Mayor McDermott

**(R17-08-344) That** Administration schedule rotating budget meetings throughout the municipality.

**Carried**

#### 15.1.4 Councillor Snively

RE: Residential Development in Ward 4.

Councillor Snively told Council that he believes that there is a need for development in Ward 4. He would like Administration to prepare a report on the cost to eliminate residential development fees in Ward 4 for an 18 month period.

Moved by Councillor Snively

Seconded by Councillor Bondy

**(R17-08-345) That** Administration be requested to prepare a report on initiatives the Town could pursue to encourage further residential development in Ward 4, including what it would cost the municipality to eliminate residential development fees in Ward 4 for an 18 month period.

**Carried**

#### 15.1.5 Councillor Snively

RE: Annual Summer Event at Colchester Harbour.

Councillor Snively told Council that residents and businesses were pleased with the success of the recent "Colchester 225" and "Get Your Red and White On" events this year. He would like to see a report on the cost to provide an annual summer event including the cost of fireworks and barge.

Moved by Councillor Snively

Seconded by Councillor Bondy

**(R17-08-346) That** Administration be requested to prepare a report on the total cost of the recent summer events, including the cost of the fireworks and barge and the feasibility of holding an annual summer event at the Harbour similar to the recent "Colchester 225" and "Get Your Red and White On" events.

**Carried**

#### 15.1.6 Councillor Bondy

RE: Demographics on Town surveys

Moved by Councillor Bondy

Seconded by Councillor Bjorkman

**(R17-08-347) That** Town and/or Consultant lead survey's include information on demographics so that the Town can be advised as to the collection of information from all segments of our population.

**Carried**

15.1.7 Councillor Bondy

RE: Environmental clean-up costs incurred on Federal lands.

Councillor Bondy asked that this item be removed from the agenda.

**16. Reports from Council Members**

Councillor Bjorkman provided a brief summary of the recent Association of Municipalities of Ontario (AMO) Conference in Ottawa. He advised that the Conference was attended by the Mayor, Deputy Mayor, the Interim Chief Administrative Officer, Donna Hunter and himself. He told Council that a formal report would be coming to Council in a couple weeks but he wanted to let everyone know that they had an opportunity to meet with four Ministers; the Minister of the Attorney General of Ontario, the Ontario Minister of Education, the Minister of Community and Social Services and the Minister of Tourism, Culture and Sports. He said that the conference was very informative and they collected lots of information to bring back to the municipality.

**17. Announcements**

Councillor Bondy highlighted that the Deputy Mayor/Ward Boundary Review Final Report will be brought forward for receipt at the Tuesday, September 5, 2017 Regular Council Meeting, and that a Special Meeting Council is scheduled on September 11, 2017 to discuss and make a decision on the Report and its recommendations.

Mayor McDermott asked everyone to mark their calendars for the 163rd Harrow Fair, starting at Thursday, August 31 to Sunday, September 3, 2017.

Councillor Snively reminded everyone that the Harrow Legion Branch 338 has a fish fry every Friday evening.

**18. By-Laws**

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

18.1.1 By-Law 1628

Being a by-law regulating the erection of signs in the Town of Essex.

Moved by Councillor Bondy

Seconded by Councillor Bjorkman

**(R17-08-348) That** By-Law 1628 being a by-law regulating the erection of signs in the Town of Essex be read a third time and finally passed on August 21 2017.

**Carried**

18.1.2 By-Law 1631

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 (Pathway to Potential 2017).

Moved by Councillor Snively

Seconded by Councillor Bondy

**(R17-08-349) That** By-Law 1631 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 (Pathway to Potential 2017) be read a third time and finally passed on August 21, 2017.

**Carried**

18.1.3 By-Law 1632

Being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Essex and 1476286 Ontario Ltd.

Moved by Councillor Bjorkman

Seconded by Councillor Bondy

**(R17-08-350) That** By-Law 1632 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Essex and 1476286 Ontario Ltd. be read a third time and finally passed on August 21, 2017.

**Carried**

18.1.4 By-Law 1634

Being a by-law to confirm the proceedings of the August 8, 2017 Regular Meeting of the Council of The Corporation of the Town of Essex.

Moved by Councillor Bondy

Seconded by Councillor Snively

**(R17-08-351) That** By-Law 1634 being a by-law to confirm the proceedings of the August 8, 2017 Regular Meeting of the Council of The Corporation of the Town of Essex be read a third time and finally passed on August 21, 2017.

**Carried**

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

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

18.3.1 By-Law 1635

Being a by-law to confirm the proceedings of the August 21, 2017 Regular Meeting of the Council of The Corporation of the Town of Essex.

Moved by Councillor Snively

Seconded by Councillor Bjorkman

**(R17-08-352) That** By-Law 1635 being a by-law to confirm the proceedings of the August 21, 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 August 21, 2017.

**Carried**

19.    **Adjournment**

Moved by Councillor Bjorkman  
Seconded by Councillor Bondy

**(R17-08-353) That** the meeting be adjourned at 7:15 PM.

**Carried**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk