

The Corporation of the Town of Essex
Regular Council Meeting Minutes

February 5, 2018, 6:05 pm
Essex Civic Centre
360 Fairview Avenue West
Essex, Ontario

Present: Mayor Ron McDermott
Deputy Mayor Richard Meloche
Councillor Sherry Bondy
Councillor Ron Rogers
Councillor Larry Snively
Councillor Randy Voakes
Regrets: Councillor Steve Bjorkman
Also Present: Donna Hunter, Chief Administrative Officer
Jeffrey Morrison, Director, Corporate Services/Treasurer
Chris Nepszy, Director of Infrastructure and Development
Doug Sweet, Director of Community Services
Rick Arnel, Fire Chief
Nelson Silveira, Economic Development Officer
Alex Denonville, Manager, Communications
Rita Jabbour, Assistant Planner
Robert Auger, Clerk, Legal and Legislative and Services
Robin Hall, Administrative Assistant

Ehva Hoffmann, Youth Council Representative
Ethan Robinson, Youth Council Representative

1. Call to Order

2. Closed Meeting Report

Robert Auger, Clerk provided a verbal update on the Closed Council Meeting held earlier this evening. He stated that this meeting was held pursuant to the Municipal Act, S.O. 2001 c. 25, as amended, Section 239 (2) (b) to discuss personal matters about identifiable individuals and Section 239 (2) (c) proposed acquisitions or dispositions of land by the municipality.

As a result, he reported that various closed meeting minutes were received and adopted, a proposed Fire Fighter benefit and wage agreement was discussed, approved and administration was directed to bring forward a by-law at this evening's regular council meeting for approval, information was provided for potential land matters, and an animal control appeal matter was discussed.

The meeting was recessed and would resume after this Regular Council Meeting.

3. Declarations of Conflict of Interest

No declarations of conflict of interest were noted.

4. Adoption of Published Agenda

4.1 Regular Council Meeting Agenda for February 5, 2018

Moved by Councillor Snively
Seconded by Councillor Rogers

(R18-01-021) That the published agenda for the February 5, 2018 Regular Council Meeting be adopted as presented. "Carried"

5. Adoption of Minutes

5.1 Regular Council Meeting Minutes for January 15, 2018

Moved by Deputy Mayor Meloche
Seconded by Councillor Rogers

During discussion on this meeting, Councillor Bondy asked Council how the constituents in her Ward could have their items of concern addressed. She said that she had placed the items on the agenda so that those items could be addressed by the Town but with her Notice of Motion being defeated at the last meeting, she was unsure as to how to proceed for her constituents.

Councillor Voakes declared a conflict of interest and left his chair. Councillor Voakes took no part in the discussion or vote.

Mayor McDermott then asked Council members to provide him with the opportunity to speak when issues come forward. He said that when he speaks on such issues into the future he will hand the gavel over to the Deputy Mayor. He also asked that Council remain in their chairs for the duration of the meeting to discuss all items on the agenda.

(R18-01-022) That the minutes of the Regular Council Meeting held January 15, 2018 be adopted as circulated. "Carried"

Councillor Voakes returned to his chair.

5.2 Special Council Meeting Minutes for 2017

Councillor Rogers stated that as he was not a Ward 3 Councillor during these meetings, he would abstain from participating in the discussion or vote.

Moved by Councillor Snively
Seconded by Deputy Mayor Meloche

(R18-01-023) That the 2017 Special Council Meeting minutes listed in Agenda Item 5.2, be adopted as circulated. "Carried"

5.2.1 January 16, 2017

RE: Power Point presentation by Jeff Watson, Policy Planner on the Talbot Streetlight Replacement Plan.

5.2.2 February 13, 2017

RE: 2017 Budget Meeting

5.2.3 March 6, 2017

RE: Presentation on the Social and Economic Importance of Heritage Preservation.

5.2.4 March 20, 2017

RE: Annual report on the Town's Strategic Plan (adopted March 2016).

5.2.5 March 27, 2017

RE: Town's Asset Management Plan and adoption of the 2017 Operating and Capital Budget.

5.2.6 May 8, 2017

RE: Statutory public meeting for a Colchester Centre Community Improvement Plan.

5.2.7 June 12, 2017

RE: Review and finalize the 2017 General Municipal Mill Rate and the 2018-2021 Operating and Capital Forecast.

5.2.8 November 6, 2017

RE: Organizational Review Final Report, Version 4.0 Overview

5.3 Special Council Meeting Minutes for January 15, 2018

Moved by Deputy Mayor Meloche

Seconded by Councillor Snively

(R18-01-024) That the minutes of the Special Council Meeting held January 15, 2018 be adopted as circulated. "Carried"

5.4 Special Council Meeting Minutes for January 22, 2018

Moved by Councillor Rogers

Seconded by Deputy Mayor Meloche

(R18-01-025) That the minutes of the Special Council Meeting held January 22, 2018, be adopted as circulated. "Carried"

6. Public Presentations

6.1 Fire Chief Rick Arnel

Fire Chief Rick was recognized as a recent recipient of a Canada 150 Medal. The Canada 150 medals were awarded to Canadians actively involved in their communities who, through generosity, dedication, volunteerism and hard work, make their hometowns, communities, regions, provinces or territories a better place to live.

Council thanked Fire Chief Rick Arnel for his services and congratulated him on this well-deserved recognition.

6.2 Essex Region Conservation Authority, Kristin Ives, Curator/Education Coordinator

RE: March as Maple Month

Ms. Ives described the Essex Region Conservation Authority's efforts to promote maple trees in the region and thanked Council for the opportunity to speak to Council.

Moved by Councillor Snively
Seconded by Councillor Bondy

(R18-01-026) That the presentation by the Essex Region Conservation Authority's Curator/Education Coordinator Kristin Ives, asking that Council support their efforts in promoting the cultural and natural history of maple trees in the region, be received;

And that the Town of Essex support the cultural and natural history of maple trees and declare March as Maple Month in the Town of Essex. "Carried"

7. Unfinished Business

8. Reports from Administration

8.1 Community Services Report 2018-001

RE: Results of Request for Proposal - Design, Supply and Install Essex Centre Splash Pad

Moved by Councillor Rogers
Seconded by Deputy Mayor Meloche

(R18-01-027) That Community Services Report 2018-001, prepared and submitted by Doug Sweet, Director of Community Services, entitled "Results of Request for Proposal - Design, Supply and Install Essex Centre Splash Pad", dated February 5, 2018, be received;

And that the Request for Proposal for Design, Supply and Install Essex Centre Splash Pad, be awarded to Open Space Solution Inc. in the amount of \$256,862.59 including non-refundable sales tax. "Carried"

8.2 Community Services Report 2018-002

RE: Purchase of Tommy Gate Hydraulic Lift for Community Services Truck Number 861

Moved by Councillor Bondy
Seconded by Councillor Rogers

(R18-01-028) That Community Services Report 2018-002, prepared by John Olsen, Manager of Parks and Facilities and submitted by Doug Sweet, Director of Community Services, entitled "Purchase of Tommy Gate Hydraulic Lift for Community Service Truck Number 861", dated February 5, 2018, be received;

And that Council approve the allocation of funds for the Tommy Gate Hydraulic Lift to be purchased in 2018 from the Community Services Building and Equipment Reserve. "Carried"

8.3 Drainage Report 2018-01

RE: Appointment of a Drainage Engineer to prepare a Report for a New Access Culvert over the White Drain

Moved by Councillor Snively

Seconded by Deputy Mayor Meloche

(R18-01-029) That Drainage Report 2018-01, prepared by Norman Nussio, Assistant Manager, Operations/Drainage, submitted by Chris Nepszy, Director, Infrastructure and Development, entitled "Appointment of a Drainage Engineer to prepare a Report for a New Access Culvert over the White Drain", dated February 5, 2018, be received;

And that pursuant to the Drainage Act, R.S.O. 1990, c. D.17, Council appoint the engineering firm of Rood Engineering Incorporated, to prepare a drainage report for a new access culvert over the White Drain. "Carried"

8.4 Planning Report 2018-01

RE: Heritage Listings

Moved by Councillor Voakes

Seconded by Deputy Mayor Meloche

(R18-01-030) That Planning Report 2018-01, prepared by Rita Jabbour, Assistant Planner and submitted by Chris Nepszy, Director of Infrastructure and Development, entitled "Heritage Listings", dated February 5, 2018, be received;

And that the properties known municipally as 11 King Street West, 103 King Street West, 120 Talbot Street North, 21 King Street East, 49 Talbot Road South, 4005 County Road 11, 18 Talbot Street North, 15 King Street West, 3 King Street West, 314 Queen, 22 King Street West, 44 King Street East and 190 Bagot Street, be listed on the Essex Municipal Heritage Register pursuant to subsection 27 (1.2) of the Ontario Heritage Act. "Carried"

8.5 Planning Report 2018-04

RE: Harrow Development Potential

Moved by Deputy Mayor Meloche

Seconded by Councillor Snively

(R18-01-031) That Planning Report 2018-04, prepared by Rita Jabbour, Assistant Planner and submitted by Chris Nepszy, Director of Infrastructure and Development, entitled "Harrow Development Potential", dated February 5, 2018, providing Council with an overview of residential development potential in Ward 4 and identifying development constraints and outlining options Council has taken to spur development, be received. "Carried"

8.6 Planning Report 2018-05

RE: Collavino Business Park Release of Securities

Moved by Councillor Rogers

Seconded by Councillor Snively

(R18-01-032) That Planning Report 2018-05, prepared by Jeff Watson, Policy Planner, and submitted by Chris Nepszy, Director of Infrastructure and Development, entitled "Collavino Business Park Release of Securities (Harrow Centre, Ward 4)", dated February 5, 2018, recommending a partial release of the securities in the sum of \$20,772.00 for 1710690 Ontario Incorporated, be received and approved. "Carried"

8.7 Planning Report 2018-06

RE: Townsview Estates Release of Securities

Moved by Councillor Bondy

Seconded by Councillor Rogers

(R18-01-033) That Planning Report 2018-06, prepared by Jeff Watson, Policy Planner and submitted by Chris Nepszy, Director of Infrastructure and Development, entitled "Townsview Estates Release of Securities (Essex Centre, Ward 1)", dated February 5, 2018, recommending a partial release of the securities in the sum of \$241,684.68 for the Townsview Estates Subdivision, 1849749 Ontario Limited, Developer, be received and approved. "Carried"

8.8 Fire Report 2018-001

RE: By-Law 1500, the Town's by-law to establish and regulate fire services update.

Moved by Councillor Bondy

Seconded by Deputy Mayor Meloche

(R18-01-034) That Fire Report 2018-001, prepared and submitted by Richard Arnel, Fire Chief, entitled "Updating By-Law 1500, being a by-law to Establish and Regulate Fire Services", dated January 25, 2018, providing Council with the revised and recently updated Medical Tiered Response Agreement with Essex Windsor EMS, be received;

And that the revised and recently updated Medical Tiered Response Agreement between Essex Windsor EMS (EWEMS) and the Town of Essex Fire and Rescue Services, be approved and the Mayor be authorized to sign the agreement on behalf of the Town of Essex;

And that the revised agreement be updated as Schedule E to By-Law 1500. "Carried"

8.9 Legislative and Legal Services Verbal Report

RE: Animal Control Matter - Appeal Hearing with respect to a Dangerous Dog Declaration and Issuance of a Notice to Muzzle

Moved by Councillor Rogers

Seconded by Councillor Snively

(R18-01-035) That the Verbal Report provided by Robert Auger, Clerk, Legal and Legislative Services, regarding an upcoming Appeal hearing to be convened pursuant to Section 4.07.3 of the Animal Control By-Law, be received;

And that Council grant an exemption from the requirements of Section 4.01 of the Animal Control By-Law as it relates to the composition of the Appeal Committee, and direct that the members of the Appeal Committee for the said upcoming Appeal hearing shall be comprised of three members of the general public (to be appointed at a future meeting of Council) who have declared that they will serve impartially and that they do not have a conflict of interest in the matter to be adjudicated. "Carried"

8.10 Infrastructure and Development Services Report 2018-01

RE: Engineering Services for Harrow Storm and Sanitary Optimization Study

Moved by Councillor Snively

Seconded by Councillor Bondy

(R18-01-036) That Infrastructure and Development Services Report 2018-01, prepared and submitted by Chris Nepszy, Director, Infrastructure and Development Services, entitled "Engineering Services for Harrow Storm and Sanitary Optimization Study, dated February 5, 2018, be received;

And that Stantec Consulting Ltd. be appointed to provide engineering services to design, procure and administer the subject optimization study for Harrow Centre in accordance with the completed request under Section 22(3) of the Town of Essex Procurement By-Law 1043. "Carried"

8.11 Economic Development Report 2018-02

RE: Incentives for Vacant School Properties in Harrow

Moved by Councillor Voakes

Seconded by Councillor Bondy

(R18-01-037) That Economic Development Report 2018-02, prepared and submitted by Nelson Silveira, Economic Development Officer, entitled "Incentives for Vacant School Properties in Harrow", dated February 5, 2018, providing Council with an overview of recommended changes to the Harrow Community Improvement Plan (CIP) in order to include both vacant school properties in Harrow as eligible properties under the CIP, be received;

And that Council approve moving forward with program changes and expanding the Harrow Community Improvement Plan to include the two vacant school properties. "Carried"

9. Reports from Youth Members

10. County Council Update

11. Correspondence

11.1 Correspondence to be received

Moved by Councillor Rogers

Seconded by Councillor Voakes

(R18-01-038) 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 communication. "Carried"

11.1.1 Harrow and Colchester South Chamber of Commerce

RE: Revitalizing Downtown Harrow

11.1.2 Windsor-Essex Student Transportation Services

RE: Mr. B. Deman's request for busing

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

RE: New Vice Chair Appointed to the Erie St. Clair LHIN Board

11.1.4 Jeff Ives

RE: Business Owner in Essex Centre concerns

11.1.5 Chris Nepszy, Director of Infrastructure and Development

RE: Traffic and Geometric Data Collected on Irwin Avenue South (Between Gosfield/County Road 23 and County Road 34).

11.1.6 Town of Amherstburg

Amherstburg Council supports the Windsor-Essex County Board of Health proposed changes to the Cannabis Act (Bill C-45), dated November 27, 2017.

Moved by Councillor Voakes

Seconded by Councillor Rogers

(R18-01-039) That Mr. Deman be allowed a five minute presentation to provide Council with some background with respect to correspondence item 11.1.2 Windsor-Essex Student Transportation Services. "Defeated"

Council directed Administration to invite the Windsor-Essex Student Transportation Services (WEST) to a meeting in order to discuss busing issues in the municipality.

Moved by Councillor Voakes

Seconded by Councillor Rogers

(R18-01-040) That all correspondence addressed to Council from taxpayers be placed on Council's regular council meeting agenda, with the exception of letters sent anonymously. "Carried"

11.2 Correspondence to be considered for receipt and support

11.2.1 Town of Lakeshore

RE: Essex Windsor Solid Waste Authority - Lease Agreement extension for Dog Pound Facility

By-Law 1672

Being a by-law to authorize the execution of an Agreement between The Corporation of the County of Essex as Lessor and the Corporation of the Town of Essex, the Corporation of the Town of Lakeshore, the

Corporation of the Town of LaSalle and the Corporation of the Town of Tecumseh, collectively the Lessees.

Moved by Councillor Rogers
Seconded by Councillor Snively

(R18-01-041) That correspondence from the Town of Lakeshore, dated January 17, 2018 notifying Council that the Dog Pound Committee recommends that the partnering municipalities approve the draft lease agreement with the Essex Windsor Solid Waste Authority for the use of the dog pound facility located at 914 Puce Road, Lakeshore, be received and approved;

And that By-Law 1672 being a by-law to authorize the execution of an Agreement between The Corporation of the County of Essex as Lessor, the Corporation of the Town of Essex, the Corporation of the Town of Lakeshore, the Corporation of the Town of LaSalle and the Corporation of the Town of Tecumseh, collectively the Lessees, be read a first and a second time and provisionally adopted on February 5, 2018. "Carried"

11.2.2 Community Heritage Ontario, Wayne Morgan President

RE: Federal Action on the Conservation of Heritage Properties

Moved by Deputy Mayor Meloche
Seconded by Councillor Bondy

(R18-01-042) That correspondence from Wayne Morgan, President, Community Heritage Ontario (CHO), dated December 29, 2017, asking that Council support the recommendations of the federal House of Commons Standing Committee on Environment and Sustainable Development contained in report 10 regarding the preservation of Canada's heritage, be received and supported;

And that a letter supporting the recommendations be sent to the federal Minister of Environment, Minister of Finance, Essex MP Tracey Ramsey, and Community Heritage Ontario's President Wayne Morgan. "Carried"

11.2.3 Kyle Flood

RE: Essex Fun Fest Committee

Moved by Councillor Bondy
Seconded by Councillor Snively

(R18-01-043) That the email from Kyle Flood, dated January 30, 2018 offering to sit on the Essex Fun Fest Committee, be received;

And that Kyle Flood be appointed to the Essex Fun Fest Committee to November 30, 2018, and that By-Law 1376 be updated. "Carried"

11.2.4 Riley Jones

RE: Essex Fun Fest Committee

Moved by Deputy-Mayor Meloche
Seconded by Councillor Voakes

(R18-01-044) That the email from Riley Jones, dated January 30, 2018 offering to sit on the Essex Fun Fest Committee, be received;

And that Riley Jones be appointed to the Essex Fun Fest Committee to November 30, 2018, and that By-Law 1376 be updated. "Carried"

12. Committee Meeting Minutes

12.1 Arts, Culture and Tourism Committee - January 10, 2018

Moved by Deputy Mayor Meloche
Seconded by Councillor Snively

(R18-01-045) That the Committee Meeting Minutes from the January 10, 2018 Arts, Culture and Tourism Committee (ACT), be received and adopted as circulated. "Carried"

12.2 Personnel Committee (Open) - January 31, 2018

Moved by Councillor Bondy
Seconded by Councillor Rogers

(R18-01-046) That the Personnel Committee (Open) Meeting Minutes, dated January 31, 2018, be received and adopted as circulated. "Carried"

13. Financial

13.1 2019-2022 Capital and Operating Budget Forecasts

By-Law 1673
Being a by-law to adopt the 2019-2022 Operating and Capital Budget Forecasts

Moved by Councillor Bondy
Seconded by Councillor Snively

(R18-01-047) That 2019 to 2022 Operating and Capital Forecasts be received;

And that By-Law 1673 being a by-law to adopt the 2019-2022 Operating and Capital Forecasts be read a first, a second and a third time and finally passed on February 5, 2018. "Carried"

14. New Business

15. Notices of Motion

15.1 The following Notices of Motion were presented at the January 15, 2018 Regular Council Meeting and are being brought forward for consideration this evening:

15.1.1 Councillor Voakes

RE: Communicating with the media guidelines

Moved by Councillor Voakes
Seconded by Deputy Mayor Meloche

(R18-01-048) That Administration provide information on the guidelines used when communicating with the media. "Carried"

15.1.2 Councillor Voakes

RE: Request for report on its Request for Proposal (RFP) procedures.

At the request of Councillor Voakes this Notice of Motion was withdrawn.

15.2 The following Notices of Motion will be brought forward for consideration at the February 20, 2018 Regular Council Meeting:

15.2.1 Councillor Snively

RE: Extension of Municipal Services to Maidstone Avenue

That Administration provide a report that sets out the cost of bringing municipal services where they end on Maidstone Avenue, east of Highway 3, to the lands west of Highway 3 along County Road 8 to the future intersection of Pinkerton and County Road 8 (Lafferty lands).

15.2.2 Councillor Bondy

RE: Funding the Harrow Centre Streetscape project in 2018

That Administration provide a report to Council on how the Harrow Centre Streetscape project could be funded in order to try to expedite the commencement of this project in 2018.

15.2.3 Councillor Rogers

RE: Naming of Colchester Lakefront Park

That the Town, in recognition of our rich cultural and diverse history and February being Black History Month, designate and assign the name "McCoy Park" in honour of Elijah McCoy an incredible man, inventor and innovator, born and raised in Colchester, to the Colchester lakefront park often referred to as simply the Colchester or Jackson Street park.

16. Reports from Council Members

17. Announcements

Deputy Mayor Meloche: announced that Heritage Week in the Town of Essex runs from February 19 - 22. He told Council many events are planned throughout the week, including a Heritage Preservation Award Ceremony at the next regular meeting of Council; Bill Brundage will be a guest speaker on February 21 at 1:00 PM at the Essex Train Station, speaking on the Restoration of the Boblo Island Blockhouse; Seamus Gunn will be the guest speaker on February 22 at 6:30 PM at the Harrow and Colchester South Community Centre speaking re: the First 30 Years of Confederation and preceded by a Scanathon.

Councillor Voakes: advised that he is continuing to work on Emergency Room wait time concerns.

Councillor Rogers: encouraged people to go to Heritage Village in March to participate in "March is Maple Month" celebrations.

Councillor Bondy: reminded residents that Trap Neuter and Release forms, and Spay and Neuter Cat Vouchers are available at the Harrow Arena. She advised residents to call and schedule an appointment to ensure someone will be in the Harrow office to prepare the vouchers.

Mayor McDermott: thanked the Roads Department for their efforts in continuing to keep the roads cleared this winter. He has received many compliments from residents for their hard work.

18. By-Laws

18.1 By-Laws that require a third and final reading

18.1.1 By-Law 1671

Being a by-law to confirm the proceedings of the January 15, 2017 Regular Meeting of the Council of The Corporation of the Town of Essex

Moved by Deputy Mayor Meloche

Seconded by Councillor Rogers

(R18-01-049) That By-Law 1671 being a by-law to confirm the proceedings of the January 15, 2018 Regular Meeting of the Council of The Corporation of the Town of Essex be read a third time and finally passed on February 5, 2018. "Carried"

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

18.2.1 By-Law 1675

Being a by-law to enter into a Wages and Benefit Agreement between The Corporation of the Town of Essex and its Firefighter Employees

Moved by Councillor Bondy

Seconded by Deputy Mayor Meloche

(R18-01-050) That By-Law 1675 being a by-law to enter into a Wages and Benefit Agreement between The Corporation of the Town of Essex and its Firefighter Employees be read a first, a second and a third time and finally passed on February 5, 2018. "Carried"

18.3 By-Laws that require a first and second reading

18.3.1 By-Law 1674

Being a by-law to confirm the proceedings of the February 5, 2018 Regular Meeting of the Council of The Corporation of the Town of Essex

Moved by Councillor Rogers

Seconded by Councillor Voakes

(R18-01-051) That By-Law 1674 being a by-law to confirm the proceedings of the February 5, 2018 Regular Meeting of The Corporation of the Town of Essex be read a first and a second time and provisionally adopted on February 5, 2018. “Carried”

19. Adjournment

Moved by Councillor Snively
Seconded by Deputy Mayor Meloche

(R18-01-052) That the meeting be adjourned at 8:20 PM. “Carried”

Mayor

Clerk