



Regular Council Meeting Agenda

February 1, 2021, 6:00 pm

Location: <https://www.youtube.com/user/EssexOntario>

Accessible formats or communication supports are available upon request. Please contact the Clerk's Office at clerks@essex.ca or 519-776-7336 extension 1100 or 1101.

This meeting will be hosted and chaired from the Town of Essex Municipal Building. Due to the ongoing COVID-19 pandemic and the Essex Municipal Building not being open to the public at this time, this meeting can only be viewed by the public electronically via livestream on YouTube.

Pages

1. Call to Order

2. National Anthem

3. Closed Meeting Report

4. Declarations of Conflict of Interest

5. Adoption of Published Agenda

5.1. Regular Council Meeting Agenda for February 1, 2021

Moved by _____

Seconded by _____

That the published agenda for the February 1, 2021 Regular Council Meeting be adopted as presented / amended.

6. Adoption of Minutes

6.1. Regular Council Meeting Minutes for January 18, 2021

1

Moved by _____

Seconded by _____

That the minutes of the Regular Council Meeting held January 18, 2021 be adopted as circulated.

6.2. Special Council Meeting for November 30, 2020

12

Moved by _____

Seconded by _____

That the minutes of the Special Council Meeting held November 20, 2020 to introduce the 2021 Proposed Budget, be adopted as circulated.

6.3. Special Council Meeting December 14, 2020

15

Moved by _____

Seconded by _____

That the minutes of the Special Meeting Minutes held on January 11, 2021 to deliberate the 2021 Proposed Budget, be adopted as circulated.

6.4. Special Council Meeting for January 11, 2021

20

Moved by _____

Seconded by _____

That the minutes of the Special Council Meeting held January 11, 2021 to deliberate the 2021 Proposed Capital Budget, be adopted as circulated.

6.5. Special Council Meeting for January 13, 2021 24

Moved by _____

Seconded by _____

That the minutes of the Special Council Meeting held on January 13, 2021 to present the 2021 - 2026 Draft Climate Adaptation Plan, be adopted as circulated.

7. Public Presentations

7.1. COVID-19 Impacts on Small Business and Community 76

At its Special Meeting held, January 18, 2021 Council for the Town of Essex received presentations from a number of local residents and small business owners to discuss how they have been impacted by the current COVID-19 pandemic and its subsequent restrictions. Council directed Town administration to send correspondence to convey these concerns and ask both levels of government to take immediate steps to mitigate the damage that COVID-19 continues to inflict on both our residents and our business community.

Council also asked the Town to invite representatives from our local Health Unit and our respective members of Federal and Provincial Parliament to attend this evenings Council meeting so that further discussion can take place.

7.1.1. Chris Lewis, M.P. Member of Federal Parliament-Essex

7.1.2. Taras Natyshak, M.P.P. Member of Provincial Parliament - Essex

7.1.3. Dr. Wajid Ahmed, Medical Officer of Health, Windsor-Essex County Health Unit

8. Unfinished Business

9. Reports from Administration

9.1. Fire and Rescue Services-2021-01 79

RE: Digital Radio-Communication System Contract

Moved by _____

Seconded by _____

That Fire and Rescue Servcies-2021-01 entitled Digital Radio-Communications System Contract Extension prepared by Richard Arnel, Fire Chief, dated February 1, 2021, be received, and

That Council approve the Digital Radio-Communication System Contract Extension (Appendix A) with Kelcom Co. Ltd. for an additional three (3) years.

9.2. Drainage-2021-01 89

RE: Appointment of Engineer for Malden Road West Drain New Culvert

Moved by _____

Seconded by _____

That Drainage-2021-01 entitled Appointment of an Engineer under Section 78 of the Drainage Act to install a new culvert in the Malden Road West Drain prepared by Lindsay Dean, Drainage Superintendent, dated February 1, 2021, be received, and

That Council appoint Rood Engineering Incorporated pursuant to Section 78 of the Drainage Act for the project to install a new culvert in the Malden Road West Drain.

9.3. Verbal Report, Director, Development Services

RE: Year-End Development Update

Moved by _____

Seconded by _____

That the verbal report presented by Lori Chadwick, Director, Development Services regarding the Year-End Development Update be received.

9.4. Economic Development-2021-02 94

RE: Community Improvement Plan 2020 Summary

Moved by _____

Seconded by _____

That Economic Development-2021-02 entitled Community Improvement 2020 Summary prepared by Nelson Silveira, Economic Development Officer dated February 1, 2021, be received.

9.5. Infrastructure Services-2021-01 101

RE: Engineering Services for Essex Centre Streetscape

Moved by _____

Seconded by _____

That Infrastructure Services-2021-01 entitled Engineering Services for Essex Centre Streetscape prepared by Kevin Girard, Director, Infrastructure Services dated February 1, 2021 be received, and

That Council appoint Stantec Consulting Ltd. to provide engineering services in the amount of \$347,286.53 (including non-refundable HST) to design, assist in procurement, and administer project GG-21-0001 - Essex Streetscaping in accordance with the completed request under Section 22 of the Town of Essex Procurement By-Law 1043.

9.6. Legal and Legislative Services-2021-02 108

RE: Relocation of the Rush Drain

Moved by _____

Seconded by _____

That the following three (3) members of the Drainage Board: Kirk Carter, Percy Dufour and Felix Weigt-Bienzle be appointed to sit as members of the Court of Revision to be convened for the Relocation of the Rush Drain, Former Township of Colchester North now in the Town of Essex, File No. 19-1023, pursuant to the Report prepared by Tim R. Oliver,

Professional Engineer, Dillon Consulting, and dated January 8, 2021 (hereinafter the “Report”), such Court of Revision to be scheduled for 5:00 pm on February 24, 2021, via electronic meeting, and

That By-Law 1987 being a by-law to provide for the Relocation of the Rush Drain, Former Township of Colchester North Now in the Town of Essex, File No. 19-1023, be read a first and second time and be provisionally adopted on February 1, 2021.

9.7.

Operations-2021-01

184

RE: Loading Zone Parking Space

Moved by _____

Seconded by _____

That Operations-2021-01 entitled Loading Unloading Zone Parking Spaces prepared by Norm Nussio, Manager, Operations dated February 1, 2021, be received, and

That Council direct administration to amend By-Law 224 (the by-law to regulate Parking), as recommended in this report, so as to provide for loading zone parking spaces on Centre Street from approximately 34m west of Talbot Street North to approximately 48m west of Talbot Street North, and on Wilson Avenue from approximately 22m east of Talbot Street North to approximately 30m east of Talbot Street North from Monday to Saturday between 8:30am to 11:30am, holidays excepted.

9.8.

Verbal Report, Director, Community Services/Deputy Chief Administrative Officer

RE: Removing Ice at Town Facilities

10.

Reports from Youth Members

11.

County Council Update

12.

Correspondence

12.1.

Correspondence to be received

Moved by _____

Seconded by _____

That all of the correspondence listed in Agenda Item 12.1 be received and, where indicated, to further share such information with the community using suitable methods of communicaton.

12.1.1.

Correspondence relating to COVID-19 Pandemic

12.1.1.1.

Province of Ontario

190

RE: Enhancing Public Health and Workplace Safety Measures in the Provincewide Shutdown

12.1.1.2.

Province of Ontario

224

RE: Ontario Expands Workplace Enforcement Campaigns

12.1.1.3.

Province of Ontario

226

RE: COVID-19 Vaccine Distribution Task Force

12.1.2.	Chris Lewis, MP	235
	RE: 2021 Canada Summer Jobs program	
12.1.3.	Essex Region Conservation Authority	237
	RE: 2020 Annual Report	
12.1.4.	Ministry of Municipal Affairs and Housing	254
	RE: Municipal Modernization Program Intake 2	

12.2. Correspondence to be considered for receipt and support

12.2.1.	Youth Council Member	256
	RE: Appointing a Youth Council Member for the remainder of the current term of Council	
	<ul style="list-style-type: none"> Excerpt from Procedural By-law 1926 re: Youth Council Members 	
	Moved by _____	
	Seconded by _____	
	That Council appoint _____ as Youth Council Member for the remainder of the current term of Council.	
12.2.2.	Essex Region Conservation Authority	264
	RE: Essex Region Source Protection Committee - Municipal Representation	
	Moved by _____	
	Seconded by _____	
	That the correspondence from Essex Region Conservation Authority ("ERCA") dated January 25, 2021, and sent to all of the Clerks of member municipalities, which correspondence asks for the endorsement of all member municipalities regarding the nomination of Kevin Webb, as the City of Windsor representative to be appointed to the Essex Source Protection Committee, be received/received and supported; and	
	If supported that a letter advising of the Town of Essex endorsement of said appointment be sent to ERCA no later than March 1, 2021.	

13. Committee Meeting Minutes

Moved by _____

Seconded by _____

That all the Committee Meeting minutes listed in Agenda Item 13, together with any recommendations to Council noted therein, be received, approved and adopted as circulated.

13.1.	Heritage Committee November 26, 2020	266
13.2.	Police Services Board December 3, 2020	270

13.3.	Drainage Board December 9, 2020	276
13.4.	Arts, Culture and Tourism December 10, 2020	283
13.5.	Committee of Adjustment December 15, 2020	288
13.6.	Heritage Committee Special Meeting January 14, 2021	321

EMHC 21-01-05

Moved by: Laurie Brett

Seconded by: Richard Kokovai

Recommendation to Council: That Council promptly revise Bylaw #855 related to the Sale of Surplus Lands to provide special recognition, protections and safeguards for publicly owned property of cultural heritage significance; and that said revised bylaw ensure robust stakeholder involvement by including enhanced public notice requirements with extended periods of public consultation; that all public notices announcing the potential or actual sale of public lands containing cultural heritage assets identify the affected property by legal description as well as familiar and commonly used names, with specific mention of their heritage designation status; and that Schedule A to Bylaw 855 be updated to include a separate list of cultural assets of historical significance.

Carried

EMHC 21-01-06

Moved by: Richard Kokovai

Seconded by: Councillor Steve Bjorkman

Recommendation to Council: That Council defer the sale of 195 Bagot Street until other parties have had an opportunity to bring forward suggestions on possible uses for the property and preservation plans related thereto, including a group provisionally referred to as the Friends of Colchester Schoolhouse.

Carried

EMCH 21-01-07

Moved by: Councillor Steve Bjorkman

Seconded by: Richard Kokovai

Recommendation to Council: That Council initiate the designation process to ensure future protection of 195 Bagot Street also as known as the Colchester Schoolhouse and the preservation of its heritage attributes.

Carried

13.7.	Drainage Board January 21, 2021	327
-------	---------------------------------	-----

14. Financial

14.1.	Ministry of Municipal Affairs and Housing	336
-------	---	-----

RE: Town of Essex 2019 Financial Indicator Review/Profiles

Moved by _____

Seconded by _____

That the Town of Essex 2019 Financial Indicator Review/Profiles from the Ministry of Municipal Affairs and Housing be received.

14.2. December 2020 Bank Payments Report

349

Moved by _____

Seconded by _____

That the Bank Payments Report, including the December 2020 cheque register, cheque number 52257 to cheque number 52500 inclusive in the amount of \$8,650,483.32, the Preauthorized Payments for the month of December 2020 in the amount of \$305,421.92; and Payroll for the month of December 2020 in the amount of \$636,400.30, be ratified as submitted.

15. New Business

16. Notices of Motion

16.1. The following Notices of Motion was presented at the December 21, 2021 Regular Council Meeting and are being brought forward this evening for Council's consideration:

16.1.1. Deputy Mayor Meloche

RE: Victoria Avenue in Essex Centre

Moved by Richard Meloche

Seconded by _____

That in view of the fact that Victoria Avenue in Essex Centre is one of the premier routes in and out of Essex Centre, and that this road has been in disrepair for many years, that the Victoria Avenue rehabilitation road project be included as part of the the Downtown Essex Centre Revitalization.

16.1.2. Deputy Mayor Meloche

RE: Drainage Billings

Moved by Richard Meloche

Seconded by _____

That in order for Council to be fully aware of outstanding billings for drainage projects, it is hereby requested that a detailed Drainage Billings Report be brought by Administration to Council in January/February 2021 for a full review of the Town's standing on such bills.

16.1.3. Deputy Mayor Meloche

RE: Standards for Property Development

Moved by Richard Meloche

Seconded by _____

That with regard to Administration's current review of property development standards, that Council request the following additional change be brought forward to Administration as part of its property development standards review;

Whereas if a builder has been given relief on yard depths,

including any side yard, as compared to our standards, that the type of home built on the property be thereby limited to one story meaning no second story and/or no back split; and

As well, the shortened requirement would be inclusive of any allowable additional structure such as a deck that may be permitted as part of the new structure.

16.2. The following Notices of Motion were presented at the January 18, 2021 Regular Council Meeting and are being brought forward this evening for Council's consideration:

16.2.1. Councillor Bondy

RE: Declaring Cultural or Historical Property Surplus

Moved by Sherry Bondy

Seconded by _____

That in advance of Council designating any public property surplus which has Cultural or Historic value, that the public is first consulted by means of social media, newspaper, town website, open houses, public meetings etc. and when properties are deemed to have heritage value, the Heritage Committee is also given notice and time to provide a recommendation to Council.

16.2.2. Councillor Bondy

RE: Designating Public Property as Surplus

Moved by Sherry Bondy

Seconded by _____

That only two reading be given to by-laws for designating public property surplus followed by a third and final reading on the next agenda to guarantee public notice and transparency.

16.2.3. Councillor Bondy

RE: Surplus Property Sold in Open Market

Moved by Sherry Bondy

Seconded by _____

That when Council deems public property as surplus such property will be sold by request for proposal and/or listed on the open market to ensure that properties are sold in a transparent manner and for the highest price.

16.2.4. Councillor Bondy

RE: Ad-Hoc Committee

Moved by Sherry Bondy

Seconded by _____

That Essex Council establish an Ad-Hoc committee to come together to propose regulations and policies around Short Term Rental accommodations in the Town of Essex.

16.3. The following Notice of Motion is being presented only this evening and will be brought forward at the March 1, 2021 Regular Council Meeting for Council's consideration:

16.3.1. Councillor Bondy

RE: Council Committee Meeting Videos

Moved by Sherry Bondy

Seconded by _____

That the Council Committee meeting videos be uploaded and put online.

17. Reports and Announcements from Council Members

17.1. 2021 Rural Ontario Municipal Association ("ROMA") Virtual Conference

Verbal Report from the Members of Council who virtually attended the ROMA 2021 Conference.

18. By-Laws

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

18.1.1. By-Law 1984 359

Being a by-law to confirm the proceedings of the January 18, 2021 Regular Meeting of Council of The Corporation of the Town of Essex

Moved by _____

Seconded by _____

That By-Law 1984 being a by-law to confirm the proceedings of the January 18, 2021 Regular Meeting of the Council of the Town Corporation of the Town of Essex, be read a third time and finally passed on February 1, 2021.

18.1.2. By-Law 1968 361

Being a by-law to provide for the Szakacs Drain: Repair and Improvement, Geographic Township of Colchester South, Project REI2016D004, Town of Essex, County of Essex

Moved by _____

Seconded by _____

That By-Law 1968 being a by-law to provide for the Szakacs Drain: Repair and Improvement, Geographic Township of Colchester South, Project REI2016D004, Town of Essex, County of Essex, be read a third time and be finally passed on February 1, 2021.

18.1.3. By-Law 1969 364

Being a by-law to provide for the Shepley Drain: Bridge Replacement for Gorski Land Holdings Inc., Geographic Township of Colchester South, Project REI2020D012, Town of Essex, County of Essex

Moved by _____

Seconded by _____

That By-Law 1969 being a by-law to provide for the Shepley Drain: Bridge Replacement for Gorski Land Holdings Inc., Geographic Township of Colchester South, Project REI2020D012, Town of Essex, County of Essex be read a third

time and finally passed on February 1, 2021.

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

18.2.1. By-Law 1985 367

Being a by-law to appoint a Manager, Parks and Facilities for the Town of Essex

Moved by _____

Seconded by _____

That By-Law 1985 being a by-law to appoint a Manager, Parks and Facilities be read a first, a second and a third time and finally passed on February 1, 2021.

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

18.3.1. By-Law 1986 368

Being a by-law to confirm the proceedings of the February 1, 2021 Regular Meeting of the Council of The Corporation of the Town of Essex

Moved by _____

Seconded by _____

That By-Law 1986 being a by-law to confirm the proceedings of the February 1, 2021 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 February 1, 2021.

19. Adjournment

Moved by _____

Seconded by _____

That the meeting be adjourned at [TIME].

20. Future Meetings

20.1. Monday, February 8, 2021 - 5:00 - 7:00 PM Special Council Meeting

RE: Climate Change Adaptation Plan

Location: Zoom Meeting

20.2. Tuesday, February 16, 2021 - 4:30 - 6:00 PM Special Council Meeting

RE: Water and Wastewater Rate Study

Location: Zoom Meeting

20.3. Tuesday, February 16, 2021 - 6:00 - 9:00 PM Regular Council Meeting

Location: Zoom Meeting