



## Regular Council Meeting Agenda

May 3, 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](mailto: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 this meeting is not currently open to the public for in person attendance.

This meeting can only be viewed by the public electronically via livestream on YouTube at [www.youtube.com/EssexOntario](https://www.youtube.com/EssexOntario)

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 May 3, 2021**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the published agenda for the May 3, 2021 Regular Council Meeting be adopted as presented / amended.

6. **Adoption of Minutes**

6.1. **Regular Council Meeting Minutes for April 19, 2021**

1

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the minutes of the Regular Council Meeting held April 19, 2021 be adopted as circulated.

7. **Public Presentations**

8. **Unfinished Business**

9. **Reports from Administration**

9.1. **Office of the CAO-2021-01**

13

RE: E.L.K. Valuation Request

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Report Office of the CAO-2021-01 entitled E.L.K. Valuation Request prepared by Chris Nepszy, CAO dated May 3rd, 2021 be received, and

**That** Council requests the Board of E.L.K. Energy Incorporated (E.L.K.) to obtain and fund a valuation of E.L.K. Energy Incorporated.

**9.2. Legal and Legislative Services-2021-09** 17

RE: Municipal Election Proxy Procedures Policy

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Legal and Legislative Services-2021-09 entitled Municipal Election Proxy Procedures Policy prepared by Robert W Auger, Town Solicitor, Legal and Legislative Services/Clerk dated May 3, 2021, be received; and

**That** the Town of Essex Municipal Election Proxy Procedures Policy attached hereto to this Report be adopted as presented.

**9.3. Communications Report 2021-01** 33

Quarterly Update on EssexWorks Platform and Customer Service Improvements

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Communications Report 2021-01, entitled Update on EssexWorks System prepared by Alex Denonville, Manager, Strategic Communications, dated May 3, 2021 be received.

**9.4. Finance and Business Services-2021-05** 40

RE: COVID-19 Financial Impact as at December 31, 2020

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Finance and Business Services-2021-05 entitled COVID-19 Financial Impact at December 31, 2020 prepared by Katelynn Giurissevich, CPA, CA, Manager, Finance and Business Services dated May 3, 2021 be received.

**9.5. Planning-2021-10** 57

RE: Heritage Designation for 195 Bagot Street (Colchester South, Ward 3)

- From the March 15, 2021 Regular Council Meeting: Report Planning-2021-06 entitled Notice of Intention to Designate.

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Report Planning-2021-10 entitled Heritage Designation for 195 Bagot Street (Colchester South, Ward 3) prepared by Rita Jabbour, RPP, Manager, Planning Services dated May 3, 2021 be received;

**That** By-Law 2016 being a By-Law to designate the property known municipally as 195 Bagot Street (Colchester Schoolhouse Property), as being of cultural heritage value or interest under the provisions of the Ontario Heritage Act, R.S.O. 1990, c.O.18 be read a first, a second and a third time and finally passed this May 3, 2021: and

**That** By-Law 2016 as passed be served on the Ontario Heritage Trust and be registered against the property in the proper land registry office,

and notice of By-Law 2016 be published in a newspaper of general circulation in the Municipality.

- 9.5.1.     By-Law 2016 75
- RE: By-Law to designate the property known municipally as 195 Bagot Street (Colchester Schoolhouse Property), as being of cultural heritage value or interest under the provisions of the Ontario Heritage Act, R.S.O. 1990, c.O.18
- 9.6.     **Community Services-2021-04** 79
- 2021 Essex Fun Fest Update
- Moved by \_\_\_\_\_
- Seconded by \_\_\_\_\_
- That** Community Services Report 2021-007 entitled 2021 Essex Fun Fest Update be received for Council's consideration; and
- That** Council approve the Essex Fun Fest Committee's recommendation to cancel the 2021 Essex Fun Fest scheduled July 8-11, 2021 due to the Covid-19 pandemic.
- 9.7.     **Fire and Rescue Services-2021-05** 83
- RE: Establishing and Regulating Fire Services Updated By-Law
- Moved by \_\_\_\_\_
- Seconded by \_\_\_\_\_
- That** Fire and Rescue Services-2021-05 entitled Establishing and Regulating Fire Services Updated By-Law prepared by Rick Arnel and dated May 3, 2021 be received;
- That** By-Law 2012 being a by-law to Establish and Regulate Fire Services be read a first, a second and finally passed on May 3, 2021; and
- That** By-Law 1870 be repealed accordingly.
- 9.7.1.     By-Law 2012 88
- RE: By-Law to Establish and Regulate Fire Services
- 9.8.     **Recreation and Culture-2021-01** 115
- RE: Lifesaving Society Affiliate Recognition Awards 2020
- Moved by \_\_\_\_\_
- Seconded by \_\_\_\_\_
- That** Recreation and Culture-2021-01 entitled Lifesaving Society Affiliate Recognition Awards 2020 prepared by Cynthia Cakebread, Manager Recreation and Culture dated May 3, 2021 be received; and
- That** the Lifesaving Society Annual Report Affiliate Recognition 2020 be received for Council and public information.
- 9.9.     **Parks and Facilities-2021-01** 123
- RE: Results of Request for Proposal – Remove and Replace Surface for Colchester Park Playset

- Moved by \_\_\_\_\_  
 Seconded by \_\_\_\_\_  
**That** Community Services Report 2021-001 entitled Results of Request for Proposal – Remove and Replace Surface for Colchester Park Playset be received for Council information; and
- That** Council award the Request for Proposal – Remove and Replace Rubber Surface for Colchester Playset in Colchester Park to Softline Solutions AB Inc.
- 9.10. Parks and Facilities-2021-04** 127
- RE: Results of Request for Proposal – Design, Supply, and Install Playground Equipment for Hunter Park
- Moved by \_\_\_\_\_  
 Seconded by \_\_\_\_\_  
**That** Community Services Report 2021-04 entitled Results of Request for Proposal – Design, Supply, and Install Playground Equipment for Hunter park be received; and
- That** Council award the Request for Proposal to Design, Supply, and Install Playground Equipment for Hunter Park to New World Park Solutions Inc.
- 9.11. Parks and Facilities-2021-05** 133
- RE: Reallocation of Funds Request for the Automatic Sliding Doors at the Essex Centre Sports Complex
- Moved by \_\_\_\_\_  
 Seconded by \_\_\_\_\_  
**That** Parks and Facilities-2021-05 entitled Reallocation Request of Funds for the Automatic Sliding Doors at the Essex Centre Sports Complex prepared by Jake Morassut, Manager. Parks and Facilities dated May 3, 2021 be received; and
- That** Council approve the additional budgeted expenditures of \$5,148.79 for the Capital Project: 2021 Automatic Door Replacement at the Essex Centre Sports Complex (CS-21-0035) through a reallocation of budgeted funds from Capital Project: 2011 4-Wheel Tractor (CS-21-0016).
- 9.12. Drainage-2021-02** 136
- RE: Appointment of an Engineer under Section 78 & 76 of the Drainage Act for the 9th Concession Drain
- Moved by \_\_\_\_\_  
 Seconded by \_\_\_\_\_  
**That** Drainage-2021-02 entitled Appointment of an Engineer under Section 78 & 76 for the 9<sup>th</sup> Concession Drain prepared by Lindsay Dean, Drainage Superintendent dated May 3, 2021 be received; and
- That** Council appoint Rood Engineering Incorporated under Section 78 & 76 of the Drainage Act to provide an updated report on the 9<sup>th</sup> Concession Drain.
- 9.13. Drainage-2021-03** 141
- RE: Appointment of an Engineer under Section 78 of the Drainage Act

to install a new culvert in the Bassett Drain

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** Drainage-2021-03 entitled Appointment of an Engineer under Section 78 of the Drainage Act to install a new culvert in the Bassett Drain prepared by Lindsay Dean, Drainage Superintendent dated May 3, 2021 be received; and

**That** Council appoint Rood Engineering Incorporated under Section 78 of the Drainage Act to install a new culvert in the Bassett Drain.

**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 communication.

**12.1.1. Correspondence relating to COVID-19 Pandemic**

12.1.1.1. Municipality of Chatham-Kent 145

RE: Healthy, Professional News Media

12.1.1.2. Ministry of Municipal Affairs and Housing 147

RE: Enhanced Enforcement and New Order under the *Emergency Management and Civil Protection Act* (EMCPA)

12.1.2. Township of Springwater 161

RE: Clean Fuel Standard

12.1.3. Town of South Bruce Peninsula 163

RE: Lottery Licensing to Assist Small Organizations

12.1.4. Township of Georgian Bay 165

RE: Planning Act Timelines

12.1.5. Union Water Supply System 167

RE: Joint Board of Management March 17, 2021 Minutes

12.1.6. Union Water Supply System 172

RE: April 21, 2021 Agenda and 2020 Financial Report

12.1.7. Ministry of Municipal Affairs and Housing 206

RE: Municipal Code of Conduct Consultation

12.1.8.	Windsor International Airport	208
---------	-------------------------------	-----

RE: NAV Canada Aeronautical Study at Windsor International Airport

12.1.9.	Proposed Telus Cell Tower	
---------	---------------------------	--

12.1.9.1.	Residents John and Linda Mayor	209
-----------	--------------------------------	-----

12.1.9.2.	Resident Daniel Oriet	211
-----------	-----------------------	-----

12.1.9.3.	Resident James Pernal	213
-----------	-----------------------	-----

12.1.9.4.	Residents Brain and Diana Neels	214
-----------	---------------------------------	-----

12.1.9.5.	Resident Melissa Deschamps	215
-----------	----------------------------	-----

12.1.9.6.	Deputy Mayor Meloche	216
-----------	----------------------	-----

12.1.9.7.	Land Solutions	217
-----------	----------------	-----

## 12.2. Correspondence to be considered for receipt and support

## 13. Committee Meeting Minutes

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** all the Committee Meeting minutes listed in Agenda Item 13.1 and 13.2, together with any recommendations to Council noted therein, be received, approved and adopted as circulated.

13.1.	Essex Accessibility Advisory Committee Minutes - April 14, 2021	243
-------	---	-----

13.2.	Essex Fun Fest Committee Meeting Minutes - April 21, 2021	249
-------	---	-----

FF21-04-003

Moved by: Councillor Garon

Seconded by: Councillor Verbeek

**Recommendation to Council:** That due to the ongoing Provincial restrictions, that Council cancel the 2021 Fun Fest.

**Carried**

13.3.	Striking Committee Minutes - April 26, 2021	252
-------	---	-----

SC21-04-004

Moved by: Deputy Mayor Meloche

Seconded by: Councillor Verbeek

**That** the 2018-2022 Striking Committee receive the Verbal Report regarding the temporary appointment of a Drainage Board member; and

**That Janice Dougherty be recommended to Council for appointment to sit as a member of the Drainage Board for the period of May 3, 2021 to March 31, 2022.**

**Carried**

**SC21-04-005**

Moved by: Councillor Verbeek

Seconded by: Deputy Mayor Meloche

**That** the 2018-2022 Striking Committee receive the Verbal Report regarding the temporary appointment of a Committee of Adjustment member; and

**That Sherry Ducedre be recommended to Council for appointment to sit as a member of the Committee of Adjustment for the period of May 3, 2021 to March 31, 2022.**

**Carried**

**SC21-04-006**

Moved by: Councillor Verbeek

Seconded by: Deputy Mayor Meloche

**That** the 2018-2022 Striking Committee receive the Verbal Report regarding the temporary appointment of a Property Standards Committee member; and

**That Ray Beneteau be recommended to Council for appointment to sit as a member of the Property Standards Committee for the period of May 3, 2021 to March 31, 2022.**

**Carried**

**Council Appointments:**

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**That** Council receive and adopt as circulated the April 26 2021 Striking Committee minutes and that Council hereby appoints:

\_\_\_\_\_ to sit as a member of the Drainage Board for the period of May 3, 2021 to March 31, 2022;

\_\_\_\_\_ to sit as a member of the Committee of Adjustment for the period of May 3, 2021 to March 31, 2022; and

\_\_\_\_\_ to sit as a member of the Property Standards Committee for the period of May 3, 2021 to March 31, 2022.

**14. Financial**

**14.1. March 2021 Bank Payments Report**

255

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the Bank Payment Report, including the March 2021 cheque register, cheque number 52699 to cheque number 52784 and electronic funds transfer (EFT) payment number EFT004212 to EFT004370 inclusive in the amount of \$6,065,771.73; the Preauthorized Payments for the month of March in the amount of

\$353,462.75; and Payroll for the month of March in the amount of \$418,941.68, be ratified as submitted.

**15. New Business**

**16. Notices of Motion**

**16.1. The following Notices of Motion were presented at the April 19, 2021 Regular Council Meeting and are being brought forward this evening for Council's consideration:**

16.1.1. Mayor Snively

RE: Recognizing Significant Dates

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** the Town of Essex Council recognizes significant dates such as special milestone anniversaries and birthdays for members in our community.

16.1.2. Councillor Verbeek

RE: Fill By-Law

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** when permits are issued in accordance with By-Law 1799 referred to as the Fill By-Law that such permits only be extended or renewed once after the initial permit to limit the negative impact the ongoing extensions are having on community residents and roadways.

16.1.3. Councillor Verbeek

RE: Secondary Plan for McGregor

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** a secondary plan be created for McGregor (Ward 2) similar to those issued in Essex Centre, Harrow and Colchester South and as indicated in the Strategic Plan for this term of Council.

**17. Reports and Announcements from Council Members**

**18. By-Laws**

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

18.1.1. By-Law 2015

265

Being a by-law to confirm the proceedings of the April 19, 2021, Regular Meeting of Council of The Corporation of the Town of Essex

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** By-Law 2015 being a by-law to confirm the proceedings of the April 19, 2021, Regular Meeting of Council of The



Corporation of the Town of Essex be read a third time and finally passed May 3, 2021.

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

**18.2.1. By-Law 2017 267**

Being a by-law for Declaration and Disposition of Surplus Lands by the Corporation of the Town of Essex legally described as First Street, Second Street on Plan 1461 and Erie Drive on Plan 1461 being unopened road allowances within the property municipally known as 225 County Road 50 East, Harrow.

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** By-Law 2017 being a by-law for Declaration and Disposition of Surplus Lands by the Corporation of the Town of Essex and providing for such land interest to be released or disposed of by way of direct private transfer to the abutting land owner in accordance with the provisions of By-Law Number 855 be read a first, a second and a third time and finally passed May 3, 2021.

**18.2.2. By-Law 2018 269**

Being a by-law to deem Registered Plan 1461 in the former Township of Colchester South, now in the Town of Essex, County of Essex as not being a registered plan of subdivision for the purposes of Subsection 50(3) of the Planning Act.

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** By-Law 2018 being a by-law to deem Registered Plan 1461 in the former Township of Colchester South, now in the Town of Essex, County of Essex as not being a registered plan of subdivision for the purposes of Subsection 50(3) of the Planning Act be read a first, a second and a third time and finally passed May 3, 2021.

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

**18.3.1. By-Law 2019 271**

Being a by-law to confirm the proceedings of the May 3, 2021, Regular Meeting of Council of The Corporation of the Town of Essex.

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

**That** By-Law 2019 being a by-law to confirm the proceedings of the May 3, 2021, Regular Meeting of Council of The Corporation of the Town of Essex be read a first and a second time and provisionally adopted on May 3, 2021.

**19. Adjournment**

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

That the meeting be adjourned at [TIME].

**20. Future Meetings**

**20.1. Monday, May 10, 2021 - 3:00 - 5:00 PM Special Council Meeting**

RE: Development Services Roundtable

Location: Electronic Meeting via Zoom

Livestream available at [www.youtube.com/Essex/Ontario](http://www.youtube.com/Essex/Ontario)

**20.2. Monday, May 17, 2021 - 4:30 - 6:00 PM Special Council Meeting**

RE: Introduction and Walkthrough of the Town's 2021 User Fee Study

Location: Electronic Meeting via Zoom

Livestream available at [www.youtube.com/Essex/Ontario](http://www.youtube.com/Essex/Ontario)

**20.3. Monday, May 17, 2021 - 6:00 - 9:00 PM Regular Council Meeting**

Location: Electronic Meeting via Zoom

Livestream available at [www.youtube.com/Essex/Ontario](http://www.youtube.com/Essex/Ontario)