



The Corporation of the Town of Essex

Regular Council Meeting Minutes

October 5, 2020 – 6:00 PM

Location: The Meeting was hosted and chaired from Essex County Civic Centre Council Chambers, 360 Fairview Avenue West, Essex.

However due to the ongoing COVID-19 pandemic, and the Essex County Civic Centre building not being open to the public at this time, this meeting was only available electronically to the public via livestream on YouTube with delegates as well only being able to participate electronically.

Present: Mayor Larry Snively
Deputy Mayor Richard Meloche
Councillor Joe Garon
Councillor Morley Bowman
Councillor Kim Verbeek
Councillor Steve Bjorkman
Councillor Chris Vander Doelen
Councillor Sherry Bondy

Also Present: Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk
Shelley Brown, Deputy Clerk, Legal and Legislative Services
Chris Nepszy, Chief Administrative Officer
Doug Sweet, Director, Community Services/Deputy CAO
Jeffrey Morrison, Director, Corporate Services/Treasurer
Lori Chadwick, Director, Development Services
Kevin Girard, Director, Infrastructure Services

1. Call to Order

Mayor Snively called the meeting to order at 6:00 PM.

2. Closed Meeting Report

Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk, provided a verbal report on the Closed Meeting held earlier this evening. He reported that Council met electronically in a Closed Session, as permitted to do so by Section 239 (2) (c) of the Municipal Act, S.O. 2001, c.25, as amended.

At the Closed Meeting Council received information with respect to two potential land acquisitions by the municipality, and gave direction to Administration on both matters.

3. Declarations of Conflict of Interest

There were no declarations of conflict of interest noted at this time.

4. Adoption of Published Agenda

4.1 Regular Council Meeting Agenda for October 5, 2020

R20-10-363

That the published agenda for the October 5, 2020 Regular Council Meeting be adopted with the following amendment:

1. Agenda Item 5.1 : re: Item 17.2.3 on the Regular Council Meeting minutes of September 21, 2020 Resolution R20-09-359, be amended to read:

Moved by Councillor Bondy

Seconded by Deputy Mayor Meloche

That By-Law 950, being a by-law regulating the erection of signs in the Town of Essex, be tabled until the next regular council meeting.

Carried

5. Adoption of Minutes

5.1 Regular Council Meeting Minutes for September 21, 2020 (As Amended)

R20-10-364

Moved By Deputy Mayor Meloche

Seconded By Councillor Bjorkman

That the minutes of the Regular Council Meeting held September 21, 2020, Resolution R20-09-359 be amended to read:

Moved by Councillor Bondy

Seconded by Deputy Mayor Meloche

That By-Law 950, being a by-law regulating the erection of signs in the Town of Essex, be tabled until the next regular council meeting; and

That the September 21, 2020 Regular Council Meeting minutes, be adopted as amended.

Carried

5.2 August 24, 2020 Regular Council Meeting (Revision)

R20-10-365

Moved by Deputy Mayor Meloche

Seconded by Councillor Bowman

That Council approves an amendment to the August 24, 2020 Regular Council Meeting minutes: Resolution R20-08-307 to read:

Moved by Councillor Bowman

Seconded by Deputy Mayor Meloche

That the Town of Essex suspend selling pheasant and rabbit licences; and

That the revised August 24, 2020 Regular Council Meeting minutes, be adopted.

Carried

6. Public Presentations

7. Unfinished Business

7.1 By-Law 1950

- Being a by-law regulating the erection of signs in the Town of Essex (108 County Road 50 East)

R20-10-366

Moved By Councillor Garon

Seconded By Deputy Mayor Meloche

That By-Law 1950, being a by-law regulating the erection of signs in the Town of Essex, be taken from the table for discussion.

Carried

7.1.1 Planning Report 2020-26

RE: CREW Sign By-Law Amendment (By-Law 1950)

- Sign by-law letter to Essex (8-24-20)
- Planning Report 2020-01
- Public Meeting Presentation (July 13, 2020)
- Planning Report 2020-18
- Planning Report 2020-22

Lori Chadwick, Director, Development Services provided Council with an overview of Planning Report 2020-26 and the request from CREW for a by-law amendment. Ms. Chadwick further provided comments and clarification on the questions and concerns brought forward by Council at the September 21, 2020 Regular Council meeting.

R20-10-367

Moved By Councillor Vander Doelen

Seconded By Deputy Mayor Meloche

That Mr. Bernard Gorski be allowed to address Council.

Carried

Moved By Councillor Bowman

Seconded By Councillor Vander Doelen

R20-09-357

That By-Law 1950 being a by-law regulating the erection of signs in the Town of Essex, be read a first, a second and a third time and finally passed on October 5, 2020.

Councillor Bondy requested a recorded vote.

	Support	Opposed
Mayor Snively	X	
Deputy Mayor Meloche		X
Councillor Garon		X
Councillor Bowman	X	
Councillor Verbeek		X
Councillor Bjorkman		X
Councillor Vander Doelen	X	
Councillor Bondy		X
Results	3	5

On a recorded vote of 3 in support, and 5 opposed the motion was “Defeated”

8. Reports from Administration

8.1 Finance and Business Services Report 2020-02

RE: Results of Request for Proposal External Audit Services

R20-10-368

Moved By Deputy Mayor Meloche

Seconded By Councillor Verbeek

That Finance and Business Services Report 2020-02, entitled "Results of Request for Proposal External Audit Services", prepared by Katelynn Giurissevich, dated October 5, 2020 be received; and

That Council awards the Request for Proposal of External Audit Services to KPMG LLP in the total amount of \$89,175.34 including non-refundable HST for a three (3) year term with an option to extend another three (3) year term, subject to satisfactory performance and price negotiation.

Carried

9. Reports from Youth Members

10. County Council Update

11. Correspondence

11.1 Correspondence to be received

R20-10-369

Moved By Councillor Verbeek

Seconded By Councillor Garon

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 Union Water Supply System

Joint Board of Management - July 15, 2020 Minutes

11.1.2 Royal Canadian Legion Essex Branch

RE: Remembrance Day Traditional Observance Modifications –
Wednesday, November 11, 2020

11.1.3 Community Schools Alliance

Correspondence dated September 16, 2020 providing an update on the decision by the Executive Committee that membership fees in the Community Schools Alliance for current members for both 2019-2020 and for 2020-2021 have been waived, and that membership fees for all individuals and municipalities who had paid their membership fees for 2018-2019 is extended to 2021.

11.1.4 Ministry of Municipal Affairs and Housing

RE: Parkland Dedication, Development Charges and the
Community Benefits Charges Authority

Correspondence dated September 18, 2020 advising of amendments to the Development Charges Act, and the Planning Act by Bill 109 and new regulations under the Planning Act, Development Charges Act and Building Code Act in order to finalize the framework for development charges, community benefits and parkland.

11.1.5 Ministry of the Solicitor General

RE: Enforcement and Amendments under the Reopening Ontario
Act, 2020

Correspondence dated September 19, 2020 providing information on enforcement of orders and an update on amendments that have been made to the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020 (ROA) and O. Reg. 346/20 (Rules for Areas in Stage 3).

11.1.6 Bereavement Authority of Ontario (BAO)

RE: Registrar's Directive – Province-wide cemetery gathering limits
(effective September 21, 2020)

11.1.7 Association of Municipalities of Ontario (AMO)

RE: AMO Policy Update – New Stage 3 Restrictions (dated
September 25, 2020)

11.1.8 Wollaston Township

RE: 2018 Municipal Election

Correspondence dated September 16, 2020, to the Ministry of Municipal Affairs and Housing asking for a review of the Municipal Elections Act and to provide amendments to the Municipal Elections Act to ensure that the concerns noted in their correspondence are resolved.

11.2 Correspondence to be considered for receipt and support

11.2.1 Town of Amherstburg

RE: Request for Consideration of Amendments to Bill 108 re. The Ontario Heritage Act

Correspondence from the Town of Amherstburg, dated September 21, 2020 to the Minister of Heritage, Sport, Tourism and Culture Industries recommending that Schedule 11 of Bill 108 be amended to return the authority for final decisions to municipal council's as the elected representative of the communities wherein the property and its features of cultural heritage value exists.

R20-10-370

Moved By Councillor Bjorkman

Seconded By Councillor Bowman

That correspondence from the Town of Amherstburg, dated September 21, 2020 to the Minister of Heritage, Sport, Tourism and Culture Industries recommending that Schedule 11 of Bill 108 be amended to return the authority for final decisions to municipal council's as the elected representative of the communities wherein the property and its features of cultural heritage value exists, be received and supported; and

That a letter of support be sent to the Honourable Doug Ford, Premier of Ontario, Lisa McLeod the Minister of Heritage, Sport, Tourism and Culture Industries, Andrea Horwath, MPP and Leader of the Official Opposition and the Ontario NDP Party MPP John Fraser Interim Leader of the Ontario Liberal Party, Mike Schreiner MPP and Leader of the Green Party of Ontario, Taras Natyshak MPP Essex and to the Town of Amherstburg.

Carried

11.2.2 Town of Amherstburg

RE: AODA Website Compliance Extension Request

Correspondence from the Town of Amherstburg, dated September 21, 2020 to the Minister for Seniors and Accessibility requesting that the Province Ontario extend the compliance deadline stated in Section 14(4) of O. Reg 191/11 to require designated public sector organizations to meet the compliance standards, by a minimum of one (1) year to at least January 1, 2022 to consider funding support and training resources to meet these compliance standards.

R20-10-371

Moved By Councillor Bjorkman

Seconded By Councillor Garon

That correspondence from the Town of Amherstburg, dated September 21, 2020 to the Minister for Seniors and Accessibility requesting that the Province Ontario extend the compliance deadline stated in Section 14(4) of O. Reg 191/11 to require designated public sector organizations to meet the compliance standards, by a minimum of one (1) year to at least January 1, 2022 to consider funding support and training resources to meet these compliance standards, be received and supported; and

That a letter of support be sent to the Honourable Raymond Cho, Minister for Seniors and Accessibility, the Honourable Doug Ford, Premier of Ontario and to the Town of Amherstburg.

Carried

11.2.3 Ministry of Natural Resources and Forestry

RE: Removal of Municipal Rabbit/Pheasant Hunting Licences in the Town of Essex

- By-Law 1954
Being a by-law to repeal By-Law 633, a by-law to issue and charge fees for licenses to hunt ring-necked pheasants and rabbits during the open season

R20-10-372

Moved By Councillor Vander Doelen
Seconded By Councillor Bowman

That correspondence from the Ministry of Natural Resources and Forestry, dated September 25, 2020 acknowledging and approving that a municipal licence for hunting rabbit and pheasant in the Town of Essex will no longer be required, and that the change will be reflected in the Hunting Regulations Summary, be received and supported; and

That By-Law 1954 being a by-law to repeal By-Law 633, a by-law to issue and charge fees for licences to hunt ring-necked pheasants and rabbits during the open season, be read a first, a second and a third time and finally passed on October 5, 2020.

Carried

12. Committee Meeting Minutes

R20-10-373

Moved By Councillor Verbeek
Seconded By Councillor Bowman

That the minutes listed in Agenda Item 12, together with any recommendations to Council noted therein, be received, approved and adopted as circulated.

Carried

12.1 Committee of Adjustment Meeting

- July 21, 2020
- August 18, 2020

12.2 Essex Municipal Heritage Committee (EMHC) – July 9, 2020

12.3 Essex Climate Adaptation Team Meeting – July 14, 2020

13. Financial

14. New Business

15. Notices of Motion

15.1 The following Notices of Motions were presented at the September 21, 2020 Regular Council Meeting and are being brought forward this evening for Council's consideration:

15.1.1 Councillor Bjorkman

RE: "Bird Banger" Use

R20-10-374

Moved By Councillor Bjorkman

Seconded By Councillor Bondy

That Administration be directed to review the Town's noise by-law, specifically to the use of "Bird Bangers" in our agricultural zoned areas, and to use Best Management Practices outlined in the Farming and Food Production Protection Act (FFPPA) 1998 for reference.

Carried

15.1.2 Deputy Mayor Meloche

RE: McGregor Sewage

R20-10-375

Moved By Deputy Mayor Meloche

Seconded By Councillor Bowman

That Council direct Administration to investigate the feasibility of partnering with the Town of Amherstburg with respect to the operations and ownership of the McGregor sanitary system.

Carried

15.2 The following Notice of Motion is being presented this evening and will be brought forward at the October 19, 2020 Regular Council Meeting for Council's consideration:

15.2.1 Councillor Bondy

RE: Diversity Training Program for Council

That Administration be directed to come back with a diversity training program for Council which includes AODA customer services standard training to ensure Council is up to date with requirements under accessibility legislation and the human rights code.

16. Reports and Announcements from Council Members

Each Council member was provided an opportunity to discuss their latest news and activities in the municipality.

17. By-Laws

17.1 By-Laws that require a third and final reading

17.1.1 By-Law 1951

Being a by-law to confirm the proceedings of the September 21, 2020 Regular Meeting of Council of The Corporation of the Town of Essex

R20-10-376

Moved By Councillor Bowman
Seconded By Councillor Garon

That By-Law 1951 being a by-law to confirm the proceedings of the September 21, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally adopted on October 5, 2020.

Carried

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

17.3 By-Laws that require a first and second reading

17.3.1 By-Law 1956

Being a by-law to acquire and assume lands for the purpose of dedication as a public highway

- Copy of By-Law 726
Subdivision Agreement for Kimball Estates Inc.

R20-10-377

Moved By Deputy Mayor Meloche
Seconded By Councillor Bjorkman

That By-Law 1956 being a by-law to acquire and assume lands for the purpose of dedication as a public highway, be read a first and a second time and provisionally adopted on October 5, 2020.

Carried

17.3.2 By-Law 1957

Being a by-law to confirm the proceedings of the October 5, 2020 Regular Meeting of the Council of The Corporation of the Town of Essex

R20-10-378

Moved By Councillor Verbeek
Seconded By Councillor Bowman

That By-Law 1957 being a by-law to confirm the proceedings of the October 5, 2020 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 October 5, 2020.

Carried

18. Adjournment

R20-10-379

Moved By Councillor Verbeek
Seconded By Councillor Garon

That the meeting be adjourned at 7:50 PM.

Carried

Mayor

Clerk