



The Corporation of the Town of Essex

Regular Council Meeting Minutes

**This meeting was held electronically during a time of Declared Emergency pursuant to
Town of Essex By-Law 1902**

February 22, 2022, 6:00 pm

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

This meeting was hosted and chaired from the Town of Essex Municipal Building. Due to the ongoing COVID-19 pandemic this meeting was not currently open to the public for in person attendance. This meeting can be viewed by the public electronically via livestream and post-meeting on YouTube at www.youtube.com/EssexOntario

Present:

- Mayor Richard Meloche
- Deputy Mayor Steve Bjorkman
- Ward 1 Councillor Joe Garon
- Ward 1 Councillor Morley Bowman
- Ward 2 Councillor Kim Verbeek
- Ward 3 Councillor Chris Vander Doelen
- Ward 4 Councillor Sherry Bondy

Also Present:

- Doug Sweet, Chief Administrative Officer
- Lori Chadwick, Director, Development Services
- Kevin Girard, Director, Infrastructure Services
- Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk
- Shelley Brown, Deputy Clerk, Legal and Legislative Services
- Kate Giurissevich, Director, Corporate Services
- Jackson Tang, Assistant Manager, Business Services
- Rita Jabbour, Manager, Planning Services
- Jake Morassut, Manager, Parks and Facilities

1. Call to Order

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

2. Land Acknowledgement

We acknowledge that this land is the traditional territory of the Three Fires Confederacy of First Nations (comprised of the Ojibway, the Odawa, and the Potawatomi Peoples), and of the Huron-Wendat Peoples. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original Peoples of Turtle Island who have been living and working on the land from time immemorial.

3. National Anthem

4. Closed Meeting Report

5. Declarations of Conflict of Interest

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

6. Adoption of Published Agenda

6.1 Regular Council Meeting Agenda for February 22, 2022

R22-02-053

Moved By Councillor Vander Doelen

Seconded By Councillor Garon

That the published agenda for the February 22, 2022 Regular Council Meeting be adopted with the following amendments:

1. That Agenda Item 14.4 be added to allow for the adoption of the Drainage Board Minutes of February 3, 2022; and

2. That Agenda Item 17.1.1 regarding the Notice of Motion from Councillor Bondy be moved to Agenda Item 8.2.1.

Carried

7. Adoption of Minutes

7.1 Regular Council Meeting Minutes for February 7, 2022

R22-02-054

Moved By Councillor Verbeek

Seconded By Councillor Bowman

That the minutes of the Regular Council Meeting held February 7, 2022 be adopted as circulated.

Carried

7.2 Special Council Meeting Minutes for November 15, 2021

R22-02-055

Moved By Councillor Vander Doelen

Seconded By Councillor Bjorkman

That the minutes of the Special Council Meeting held November 15, 2021 be adopted as circulated.

Carried

7.3 Special Council Meeting Minutes for November 29, 2021

R22-02-056

Moved By Councillor Garon

Seconded By Councillor Bowman

That the minutes of the Special Council Meeting held November 29, 2021 be adopted as circulated.

Carried

8. Public Presentations

8.1 Rita Jabbour, Manager, Planning Services on behalf of the Essex Municipal Heritage Committee

RE: 2022 Community Preservation Award

Rita Jabbour, Manager, Planning Services on behalf of the Essex Municipal Heritage Committee announced that it is Heritage Week in Ontario and each year a local individual or organization is awarded the Community Heritage Preservation Award. This award seeks to recognize their efforts to preserve and promote culture and heritage in the Town of Essex. Ms. Jabbour announced that the recipient of the 2022 Community Heritage Preservation Award is Mr. Tony Boudreau of Boudreau Construction. Mr. Boudreau is recognized for his preservation work on the former Langford's Dairy Bar building located at 71 King Street West in the Harrow.

Council congratulated Mr. Boudreau for his commitment to preserving the heritage at 71 King Street West and congratulated him on receiving the 2022 Community Preservation Award.

R22-02-057

Moved By Councillor Bondy

Seconded By Councillor Verbeek

That the presentation made by Rita Jabbour, Manager, Planning Services on behalf of the Essex Municipal Heritage Committee be received; and

That Council extends their congratulations to Tony Boudreau, 2022 Community Preservation Award recipient.

Carried

8.2 Shawn Mulder, Resident

RE: County Road 20 (King Street East) and the County of Essex Rehabilitation Program

Shawn Mulder expressed concerns regarding the condition of County Road 20 from Walnut Street South and 100 meters east of Sunset Drive. Mr. Mulder noted that as part of their 2022 Budget, the County of Essex will be repairing the section of County Road 20 between Sunset to Ferriss Road. He stated that the Connecting Link Agreement with the County of Essex could be utilized to complete this section of roadway.

Kevin Girard, Director, Infrastructure Services, confirmed that this portion of County Road 20 is included in the Connecting Link Agreement with the County of Essex. Mr. Girard further advised that the Connecting Link Agreement for this section of the road identifies the center portion as a cost sharing opportunity. As part of this agreement, the County would pay approximately 63.7% of the cost of the travelled portion of the roadway and the Town would be responsible for 100% of the cost for the parking lanes on either side of the road. He stated that the County has three tenders for County Road 20 and is willing to add this section of County Road 20 in the tender for resurfacing. Mr. Girard noted that neither the Town of Essex nor the County of Essex have allocated funds in the 2022 budget to complete this road.

R22-02-058

Moved By Councillor Bondy

Seconded By Councillor Bjorkman

That the presentation by Shawn Mulder regarding County Road 20 and the County of Essex Rehabilitation Program be received.

Carried

8.2.1 Councillor Bondy

Councillor Bondy's Notice of Motion listed as Item 17.1.1 on Agenda.

R22-02-059

Moved By Councillor Bondy

Seconded By Councillor Garon

That Council direct Administration to explore and report back regarding the cost of rehabilitating County Road 20 from Walnut Street easterly to the County of Essex Connecting Link limit in Harrow, and that the County of Essex be consulted on completing this in partnership under the Connecting Link agreement.

Carried

9. Unfinished Business

10. Reports from Administration

10.1 Development Services-2022-01

RE: Results of New Official Plan Request for Proposal

R22-02-060

Moved By Councillor Bowman

Seconded By Councillor Verbeek

That Development Services-2022-01 Report entitled Results of New Official Plan Request for Proposal prepared by Lori Chadwick, Director, Development Services dated February 22, 2022 be received;

That Council award the consulting services contract for the Town of Essex New Official Plan to WSP Canada Inc. in the amount of \$111,920.74 including non-refundable HST; and

That Council approve an additional \$1,920.74 for consulting services and an additional \$2,500.00 for printing costs for a total of \$4,420.74 to be funded from the Contingency Reserve - Planning & Zoning.

Carried

10.2 Development Services-2022-02

RE: Final Development Standards Manual

Lori Chadwick, Director, Development Services, provided a verbal report regarding the Development Services Manual and advised that marketing materials will be available in print and electronically on the Town of Essex website.

R22-02-061

Moved By Councillor Bowman
Seconded By Councillor Bjorkman

That Development Services Report 2022-02 entitled Final Development Standards Manual prepared by Lori Chadwick, Director, Development Services dated February 22, 2022 be received; and

That Council approve and adopt the Town of Essex Development Standards Manual as presented at the February 22, 2022 meeting which may be further amended from time to time as necessary or required.

Carried

10.3 Finance and Business Services-2022-05

RE: Procurement By-Law – Revisions to the Procurement Principles, Procedures, Thresholds and Authorizations

Jackson Tang, Assistant Manager, Business Services provided Council with an overview of the amendments included in the proposed By-Law. Mr. Tang advised that the proposed amendments include revisions made in relation to recent legislation and trade agreements and consultations with neighbouring municipalities, Ontario Professional Buyers Association and the Windsor Construction Association.

R22-02-062

Moved By Councillor Bondy
Seconded By Councillor Bjorkman

That Finance and Business Services Report 2022-05 entitled Procurement By-Law – Revisions to the Procurement Principles, Procedures, Thresholds and Authorizations prepared by Jackson Tang, Assistant Manager, Business Services dated February 22, 2022, be received; and

That By-Law 2129 being a by-law to adopt a policy for the procurement and disposal of goods and services, be read a first, a second time and be provisionally adopted on February 22, 2022.

Carried

10.4 Parks and Facilities-2022-03

RE: Skate Shop Lease Renewal at Essex Centre Sports Complex

R22-02-063

Moved By Councillor Bowman
Seconded By Councillor Garon

That Parks and Facilities-2022-03 report entitled Skate Shop Lease Renewal at Essex Centre Sports Complex prepared by Jake Morassut, Manager, Parks and Facilities dated February 22, 2022 be received; and

That By-Law 2127 be read a first time, a second time and be provisionally adopted on February 22, 2022.

Carried

10.5 Finance and Business Services-2022-02

RE: Tax Adjustments - Section 357(1), Section 358 and Section 359 of the Municipal Act

R22-02-064

Moved By Councillor Bowman

Seconded By Councillor Vander Doelen

That Finance and Business Services-2021-04 report entitled Tax Adjustments – Section 357(1), 358 and 359 prepared by Kate Giurissevich, CPA, CA dated February 22, 2022 be received; and

That Council approve the cancellation, reduction, refund, or increase of taxes in accordance with the provisions of Section 357(1), Section 358 and Section 359 of the Municipal Act, 2001.

Carried

10.6 Economic Development-2022-03

RE: Building Report and Development Overview January 2022

R22-02-065

Moved By Councillor Vander Doelen

Seconded By Councillor Bondy

That Economic Development-2022-03 report entitled Building Report and Development Overview January 2022 prepared by Nelson Silveira, Economic Development Officer dated February 22, 2022, be received for information.

Carried

10.7 Legal and Legislative Services-2022-07

RE: Court of Revision for Brush Drain: Repair and Improvement

R22-02-066

Moved By Councillor Bjorkman

Seconded By Councillor Bowman

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 Brush Drain: Repair and Maintenance, Geographic Township of Colchester North, Project REI2020D030 pursuant to the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc., and dated December 23, 2021 (hereinafter the "Report"), such Court of Revision to be scheduled for 5:00 pm on March 22, 2022 via electronic meeting; and

That By-Law 2131 being a by-law to provide for the Brush Drain: Repair and Maintenance, Geographic Township of Colchester North, Project REI2020D030, be read a first and second time and be provisionally adopted on February 22, 2022.

Carried

10.8 Legal and Legislative Services-2022-08

RE: Court of Revision for Brooks Drain: Maintenance Schedule

R22-02-067

Moved By Councillor Bondy

Seconded By Councillor Vander Doelen

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 Brooks Drain: Maintenance Schedule, Geographic Township of Colchester South, Project REI2020D026 pursuant to the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc., and dated December 21, 2021 (hereinafter the "Report"), such Court of Revision to be scheduled for 5:00 pm on March 22, 2022 via electronic meeting; and

That By-Law 2130 being a by-law to provide for the Brooks Drain: Maintenance Schedule, Geographic Township of Colchester North, Project REI2020D026, be read a first and second time and be provisionally adopted on February 22, 2022.

Carried

11. Reports from Youth Members

12. County Council Update

12.1 Essex County Council Regular Meeting Minutes - January 19, 2022

R22-02-068

Moved By Councillor Vander Doelen

Seconded By Councillor Bjorkman

That the minutes of the Regular County Council Meeting held January 19, 2022 be received.

Carried

Deputy Mayor Bjorkman also provided a verbal report from his first County Council Meeting and spoke to the new Windsor-Essex Mega Hospital and stated that in February 2022 the project management team newsletter will be launched which will outline highlights and opportunities for people to be involved with the conversation. He explained that participation from the public will be encouraged in March and April through 11 virtual town halls and surveys to receive people's input. In June to September there will be meetings with targeted stakeholders and from September through October there will be part two of virtual town halls. He stated that the construction will take place in 2024 with an estimated completion in June 2030.

13. Correspondence

13.1 Correspondence to be received

R22-02-069

Moved By Councillor Bondy

Seconded By Councillor Verbeek

That all of the correspondence listed in Agenda Item 13.1 be received and, where indicated, to further share such information with the community using suitable methods of communication.

Carried

13.1.1 Association of Municipalities Ontario

RE: Policy Update - Housing Affordability Task Force Report, Call to Re-examine Hospital Capital Funding

13.1.2 The Corporation of the City of Brantford

RE: Addressing the Revolving Door of Justice – Accountability for Sureties and Swift Justice

13.1.3 The Corporation of the City of Sarnia

RE: "Catch and Release" Justice

13.1.4 The Corporation of the City of Sarnia

RE: Dissolve Ontario Land Tribunal

13.1.5 Town of Halton Hills

RE: Dissolve Ontario Land Tribunal

13.1.6 Clearview

RE: Funding Support for Infrastructure Projects - Bridge/Culvert Replacements in Rural Municipalities

13.1.7 Health Canada

RE: Response to Town of Essex's Concerns relating to The Cannabis Act and Cannabis Regulations

13.2 Correspondence to be considered for receipt and support

13.2.1 City of Windsor

RE: Rent Supplement Program Expiries and Mitigation Strategy - City Wide

R22-02-070

Moved By Councillor Bjorkman

Seconded By Councillor Garon

That the correspondence from the City of Windsor entitled Rent Supplement Program Expires and Mitigation Strategy - City Wide be received and supported.

Carried

13.2.2 Property Standards Committee

RE: Extension of Ray Beneteau's Term with the Property Standards Committee

R22-02-071

Moved By Councillor Bowman
Seconded By Councillor Bondy

That the request from Ray Beneteau requesting that his appointment to the Property Standards Committee be extended to November 15, 2022 to coincide with the end of the current term of Council be received and supported.

Carried

13.2.3 Arts, Culture and Tourism Committee

RE: Resignation of Jeannette Kervoelen from the Arts, Culture and Tourism Committee

R22-02-072

Moved By Councillor Bjorkman
Seconded By Councillor Bowman

That a letter be sent to Jeannette Kervoelen thanking her for her time spent on the Arts, Culture and Tourism Committee.

Carried

14. Committee Meeting Minutes

R22-02-073

Moved By Councillor Bondy
Seconded By Councillor Bjorkman

That all the Committee Meeting minutes listed in Agenda Item 14, together with any recommendations to Council noted therein, be received, approved and adopted as circulated.

Carried

14.1 Essex Heritage Committee - October 28, 2021

14.2 Co-An Park - November 24, 2021

14.3 Essex Heritage Committee - January 27, 2022

14.4 Drainage Board Meeting Minutes - February 3, 2022

15. Financial

16. New Business

16.1 Councillor Bondy

RE: Improve the level of safety at the intersection of County Road 23 and County Road 20

Correspondence from the County of Essex to the Municipality of Kingsville dated June 25, 2021

R22-02-074

Moved By Councillor Bjorkman

Seconded By Councillor Bondy

That the Town of Essex request that the County of Essex lower the speed limit approaching the intersection, paint road markings, install a flashing stop sign and complete the road markings as per the recommendation in the correspondence from the County of Essex to the Municipality of Kingsville dated June 25, 2021.

Carried

17. Notices of Motion

17.1 The following Notice of Motion were presented at the February 7, 2022 Regular Council Meeting and are being brought forward this evening for Council's consideration:

17.1.1 Councillor Bondy

Councillor Bondy's Notice of Motion was moved to Item 8.2.1 under Public Presentations as it relates to Shawn Mulder's presentation.

17.1.2 Councillor Verbeek

Doug Sweet, Chief Administration Officer, noted that current plans are in motion to facilitate a hybrid form of Council meetings. Mr. Sweet noted that at the current time the County Chambers are not available and as a result the Town of Essex has been working on enhancing the Zoom Room which can currently accommodate 11 people. He stated another desk and camera will be added to accommodate the 8 Council members and administrative staff that need to be present during the council meetings. Public delegations would still be virtual during this hybrid period. If provincial and local health guidelines are met the first in person hybrid Council meeting could be held in April.

Robert Auger, Town Solicitor/Clerk, Legal and Legislative services confirmed that based on the Procedural By-Law during the emergency order as decided by either the Province or the Municipality. Council and its Committees can meet 100 percent virtually and their electronic attendance counts for quorum. He noted however that if the emergency order is lifted only members of Council can participate virtually however a quorum of these Council Members still need to be in person in order for there to be an official meeting.

R22-02-075

Moved By Councillor Verbeek

Seconded By Councillor Bondy

That Council have a discussion regarding the return to in-person meetings and direction regarding a Hybrid meetings.

Carried

18. Reports and Announcements from Council Members

Councillor Bondy asked that residents please consider donating to the local food banks.

Councillor Garon noted that the FunFest Committee will be meeting on February 24, 2022 to discuss tentative dates for the festival this summer.

Mayor Meloche provided an update regarding the meeting that was held with the Town of Amherstburg regarding issues in McGregor which he highlighted as follows:

- Future sanitary capacity:

Amherstburg hired a consulting firm in 2020-2021 for a capacity analysis and the anticipated recommended solution for sanitary expansion is to build a Package Plant at the McGregor lagoon site which is forecasted to cost 6 million dollars.

to have future growth in McGregor the next step is to complete an environmental assessment. Amherstburg agreed to obtain a cost analysis and work with the Town of Essex to develop an agreement and proposals that both municipalities can present to their Councils for 50% cost sharing of an environmental assessment.

- Future water upgrades:

In 2018 Amherstburg had a Waster Master Plan completed that determined McGregor was underserviced and at times had poor water flow. The next step was to create a joint management committee to review sewer, water, and other issues with services to be addressed.

Co-An Park Development:

- Addition of a splash pad was raised during Town of Essex recent budget deliberations. In 2021 the Town of Essex had a topographic survey completed and the goal is to have a master plan for the park developed in 2022. Public consultation will occur and both municipalities will work together to ensure all residents are able to provide feedback. The recommendations from both municipalities is to review all current Co-An Park agreements for updates to ensure that they are inline and consider asset management costs. The next step is to bring forward to both Councils results of public consultation in the summer of 2022 for updates and next steps on development of Co-An Park

- Beautification:

Administration staff from both municipalities agreed to review the beautification of McGregor core for efficiencies and look for common themes.

- Other:

Representatives from both municipalities recommend both Administrations explore the option of Amherstburg and Essex creating a joint ownership committee in the future to recommend improvements for joint issues in McGregor. Both Administrations will also explore options for joint Council meeting to discuss McGregor issues at least once per term or every 2 years.

19. By-Laws

19.1 By-Laws that require a third and final reading

19.1.1 By-Law 2122

Being a by-law to confirm the proceedings of the February 7, 2022, Regular Meeting of Council of The Corporation of the Town of Essex

R22-02-076

Moved By Councillor Bondy

Seconded By Councillor Bowman

That By-Law 2122 being a by-law to confirm the proceedings of the February 7, 2022, Regular Meeting of Council of The Corporation of the Town of Essex be read a third time and finally passed on February 22, 2022.

Carried

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

19.2.1 By-Law 2126

Being a by-law to adopt the 2022 Operating and Capital Budget

R22-02-077

Moved By Councillor Vander Doelen

Seconded By Councillor Verbeek

That By-Law 2126 being a by-law to adopt the 2022 Operating and Capital Budget be read a first, a second and a third time and finally passed on February 22, 2022.

Carried

19.2.2 By-Law 2057

RE: Pathway to Potential Service Contract

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

R22-02-078

Moved By Councillor Bjorkman

Seconded By Councillor Garon

That By-Law 2057 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 be read a first, a second, and a third time and finally passed on February 22, 2022.

Carried

19.2.3 By-Law 2133

Being a by-law to provide for the issue of debentures in the amount of \$281,136.07 for works completed for drains

R22-02-079

Moved By Councillor Bowman
Seconded By Councillor Verbeek

That By-Law 2133 being a by-law to provide for the issue of debentures in the amount of \$281,136.07 for works completed for drains be read a first, a second and a third time and finally passed on February 22, 2022.

Carried

19.3 By-Laws that require a first and second reading

19.3.1 By-Law 2134

Being a by-law to confirm the proceedings of the February 22, 2022, Regular Meeting of Council of The Corporation of the Town of Essex

R22-02-080

Moved By Councillor Garon
Seconded By Councillor Bjorkman

That By-Law 2134 being a by-law to confirm the proceedings of the February 22, 2022, Regular Meeting of Council of The Corporation of the Town of Essex be read a first, a second and be provisionally adopted on February 22, 2022.

Carried

20. Adjournment

R22-02-081

Moved By Councillor Vander Doelen
Seconded By Councillor Bjorkman

That the meeting be adjourned at 7:50 PM.

Carried

Mayor

Clerk