



Regular Council Meeting Agenda

March 7, 2022, 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 this meeting is 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

Pages

1. **Call to Order**

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**

6. **Adoption of Published Agenda**

6.1. **Regular Council Meeting Agenda for March 7, 2022**

Moved by _____

Seconded by _____

That the published agenda for the March 7, 2022 Regular Council Meeting be adopted as presented / amended.

7. **Adoption of Minutes**

7.1. **Regular Council Meeting Minutes for February 22, 2022**

1

Moved by _____

Seconded by _____

That the minutes of the Regular Council Meeting held February 22, 2022 be adopted as circulated.

8. **Public Presentations**

8.1. **Essex Region Conservation Authority ("ERCA")**

14

RE: Recent Changes to the Conservation Authorities Act, ERCA's Transition Plan and Draft 2022 Budget

- 2021 Annual Report
- Transition Plan
- Draft 2022 Budget

Presentation by Tania Jobin, Chair, Kieran McKenzie, Vice-Chair, Tim Byrne, CAO/Secretary-Treasurer, and Shelley McMullen, CFO/Director Finance and Corporate Services

Moved by _____

Seconded by _____

That the presentation by Essex Region Conservation Authority regarding the recent changes to the Conservation Authorities Act, ERCA's Transition Plan and Draft 2022 Budget be received.

9. Unfinished Business

9.1. Robert W. Auger, Town Solicitor/Clerk

112

RE: Council Vacancy - Ward 3 Councillor

Applicants:

- Bill Caixeiro
- Percy Dufour
- Jason Matyi
- Eldon Brush
- Brad Allard
- Sherry Ducedre
- Richard Kokovai
- Mac Goslin
- Rodney Hammond
- Randy Macleod

(See February 28, 2022 Special Council Meeting Agenda for Applicant submission materials)

The Chair shall open the nomination process and invite nominations to be put forward by Members of Council and each nomination shall be seconded by a Member of Council.

Once nominations have closed, the voting shall be conducted in accordance with the procedures previously proposed and described further in Legal & Legislative Services Reports (2022-06 February 7, 2022), 2022-04 dated January 31, 2022 and 2022-03 dated January 24, 2022.

- Administering of the sworn Declaration re: Consent to Serve;
- Administering of the sworn Declaration of Qualification;
- By-law 2128.

Recommended Actions:

Moved by _____

Seconded by _____

That Council confirm the appointment of the successful appointee _____ by giving three readings to and finally passing By-Law 2128 being a By-Law to confirm the appointment of _____ to Council as Ward 3 Councillor of the Corporation of the Town of Essex.

Clerk to administer Oath/Declaration of Office re: Section 232 of the Municipal Act.

10. Reports from Administration

10.1. Office of the CAO-2022-01

117

RE: Town of Essex Support to Essex Region Conservation Authority ("ERCA") for the Acquisition of the Abandoned Canada Southern Railway Company ("CASO") Railway Line

Recommended Action:

Moved by _____

Seconded by _____

That Community Services-2022-05 Report entitled Town of Essex Support to Essex Region Conservation Authority ("ERCA") for the acquisition of the abandoned Canada Southern Railway Company ("CASO") railway line be received; and

That Council approve a financial commitment to the Essex Region Conservation Authority towards the acquisition of the Canada Southern Railway Company line for the Town of Essex portion of the line in the amount \$28,553.00 and the funds for the Town's commitment be funded from the Land Acquisition Reserve.

10.2. Legal and Legislative Services-2022-09

123

RE: 2022 Municipal Election Voting Method

Moved by _____

Seconded by _____

That Legal and Legislative Services-2022-09 Report entitled 2022 Municipal Election Voting Method prepared by Robert W. Auger Town Solicitor/Clerk dated March 7, 2022 be received;

That the method of voting for the 2022 Municipal Election be a hybrid method of:

- **Internet Voting only for Advance Polls** with an advance poll period commencing 12:00 a.m. on October 10, 2022 and ending at 12:00 p.m. on October 21, 2022; and
- **In-person voting only on Voting Day** (October 24, 2022) using paper ballots with optical scan vote tabulators with voting locations to be determined and located in each of the four (4) Town centres (Essex Centre, Harrow, McGregor and Colchester); and

That By-Law 2132 to authorize the use of Internet voting as an alternative voting method for the Advance Polls during an advance poll period of October 10, 2022 to October 21, 2022) and to authorize the use of mark sense ballot and optical scan vote tabulators on Voting Day in the 2022 Municipal Election receive a first, a second and third

reading and be finally passed on March 7, 2022.

- 10.2.1. By-Law 2132 138
- 10.3. Legal and Legislative Services-2022-05 139**
- RE: Appeal Hearing with respect to a Dangerous Dog Declaration and Issuance of a Notice to Muzzle
- Recommended Action:
- Moved by _____
- Seconded by _____
- That** Legal and Legislative Services-2022-05 Report entitled Appeal Hearing with respect to a Dangerous Dog Declaration and Issuance of a Notice to Muzzle prepared by Shelley Brown, Deputy Clerk dated March 7, 2022 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 upcoming appeal hearing (s) (to be scheduled) shall be comprised of three members of the general public to be appointed who have declared that they will serve impartially and that they do not have a conflict of interest in the matter to be adjudicated.
- 10.4. Finance-2022-06 143**
- RE: 2022 Wage Reallocations
- Recommended Action:
- Moved by _____
- Seconded by _____
- That** Finance-2022-06 Report entitled 2022 Wage Reallocations prepared by the Administration Team dated March 7, 2022 be received;
- That** Council approve the reallocation of funds currently held in the Contingency Reserve for an Asset Management Specialist, to instead be used for consulting services to assist in the Ontario Regulation 588 Mandatory Asset Management Plan update in the amount of \$56,000.00; and
- That** Council approve the reallocation of wages as detailed in Table A, including the contract extension of the Financial Analyst through to December 31, 2022 and the creation of a full-time permanent, Assistant Manager, Engineering Services
- 10.5. Development Services-2022-04 150**
- RE: Annual Development Update
- Recommended Action:
- Moved by _____
- Seconded by _____
- That** Development Services-2022-04 Report entitled Annual Development Update prepared by Lori Chadwick, Director, Development Services dated March 7, 2022 be received.

10.6. Planning-2022-02

169

RE: Release of Performance Securities for Phase 1 of the Parkland Woods Residential Subdivision (Ward 3)

Recommended Action:

Moved by _____

Seconded by _____

That Planning-2022-02 Report entitled Release of Performance Securities for Phase 1 of the Parkland Woods Residential Subdivision (Ward 3) prepared by Rita Jabbour, RPP, Manager, Planning Services dated March 7, 2022, be received; and

That the commercial letter of credit from 1552843 Ontario Limited (Noah Homes), be reduced by \$209,746.90, leaving a remaining credit amount of \$390,253.10.

11. Reports from Youth Members

12. County Council Update

12.1. Essex County Council Regular Meeting Minutes - February 2, 2022

174

Moved by _____

Seconded by _____

That the minutes of the Regular County Council Meeting held February 2, 2022 be received.

13. Correspondence

13.1. Correspondence to be received

Moved by _____

Seconded by _____

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.

13.1.1. Union Water Supply System

185

RE: Annual Report (2021) Requirement Section 11, Reg. 170/03 and Summary Report (2021) Requirement Schedule 22, Reg. 170/03: Essex Water Distribution System

13.1.2. Ontario Clean Water Agency

198

RE: Safe Drinking Water Act, O. Reg. 170/03 Schedule 22 Summary Report: Harrow-Colchester South Water Treatment Plant

13.1.3. Union Water Supply System

210

RE: Joint Board of Management Minutes of January 19, 2022

13.1.4. Essex Region Conservation Authority

215

RE: Essex Region Conservation Authority 2022 Draft Budget 30 Day Notice to Member Municipalities

13.1.5. Norfolk County

274

	RE: Year of the Garden Proclamation	
13.1.6.	Township of Alnwick/Haldimand	277
	RE: Year of Garden Proclamation	
13.1.7.	Town of Aurora	279
	RE: Request to Dissolve Ontario Land Tribunal	
13.1.8.	Province of Ontario	282
	RE: Ontario Eliminating Licence Plate Renewal Fees and Stickers	
13.1.9.	The Corporation of the Town of Tecumseh	285
	RE: Consideration for support for Windsor-Essex Workers	
13.1.10.	The Corporation of the Town of Tecumseh	290
	RE: Small Business Support in Essex-Windsor	
13.1.11.	Town of South Bruce Peninsula	295
	RE: Municipal Accommodation Tax and Crown Campgrounds	

13.2. Correspondence to be considered for receipt and support

14. Committee Meeting Minutes

Moved by _____

Seconded by _____

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

14.1. Essex FunFest Committee meeting minutes of February 24, 2022 297

EFFC 22-02-005

Moved by Ron McDermott

Seconded by Katie McGuire-Blais

Recommendation to Council: That the FunFest Committee recommend to Council that the Essex FunFest be held Thursday, July 7, 2022 to Sunday, July 10, 2022.

Carried

15. Financial

15.1. January 2022 Bank Payments Report 302

Moved by _____

Seconded by _____

That the Bank Payments Report, including January 2022 cheque register, cheque number 53943 to cheque number 54094 and electronic funds transfer (EFT) payment number EFT005937 to EFT006123 inclusive in the amount of \$5,275,429.86; the Preauthorized Payments for the month of January in the amount of \$297,286.38; and Payroll for the month of January in the amount of

\$363,628.15, be ratified as submitted.

16. New Business

17. Notices of Motion

17.1. The following Notice of Motion is being presented this evening and will be brought forward for Council's consideration at the March 21, 2022 Regular Council Meeting

17.1.1. Councillor Bondy

Moved by _____

Seconded by _____

That Council have a discussion regarding the lack of progress on a new High School being built in the Kingsville area for high school students of the Harrow/Colchester area.

18. Reports and Announcements from Council Members

19. By-Laws

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

19.1.1. By-Law 2134 313

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

Moved by _____

Seconded by _____

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 third time and finally passed on March 7, 2022.

19.1.2. By-Law 2127 315

Being a by-law to authorize the execution of a lease agreement between the Town of Essex and Richard R. Brett for the Management and Operation of a Skate Sharpening and Pro Shop at the Essex Centre Sports Complex located at 60 Fairview Avenue West, Essex, Ontario

Moved by _____

Seconded by _____

That By-Law 2127 being a by-law to authorize the execution of a lease agreement between the Town of Essex and Richard R. Brett for the Management and Operation of a Skate Sharpening and Pro Shop at the Essex Centre Sports Complex located at 60 Fairview Avenue West, Essex, Ontario be read a third time and finally passed on March 7, 2022.

19.1.3. By-Law 2129 316

Being a by-law to adopt a policy for the procurement and disposal of goods and services

Moved by _____

Seconded by _____

That By-Law 2129 being a by-law to adopt a policy for the procurement and disposal of goods and services be read a third time and finally passed on March 7, 2022.

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

19.2.1. By-Law 2136

390

RE: Agritourism Ambassador Program and Toolkit

Being a by-law to enter into a Contribution Agreement between Her Majesty The Queen in Right of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs (the "Province") and The Corporation of the Town of Essex (the "Recipient")

Moved by _____

Seconded by _____

That By-Law 2136 being a by-law to enter into a Contribution Agreement between Her Majesty The Queen in Right of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs (the "Province") and The Corporation of the Town of Essex (the "Recipient") be read a first, a second and third time and finally passed on March 7, 2022.

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

19.3.1. By-Law 2137

414

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

Moved by _____

Seconded by _____

That By-Law 2137 being a by-law to confirm the proceedings of the March 7, 2022, Regular Meeting of Council of The Corporation of the Town of Essex be read a first and a second time and provisionally adopted on March 7, 2022.

20. Adjournment

Moved by _____

Seconded by _____

That the meeting be adjourned at [TIME].

21. Future Meetings

21.1. Monday, March 14, 2022 - 4:30 - 6:00 PM Special Council Meeting

RE: Zoning By-Law Amendment: 32 Arthur

Location: Electronic Meeting via Zoom

Livestream Available at www.youtube.com/Essex/Ontario

21.2. Monday, March 21, 2022 - 6:00 - 9:00 PM Regular Council Meeting

Location: Electronic Meeting via Zoom

Livestream Available at www.youtube.com/Essex/Ontario

21.3. Monday, March 28, 2022 - 5:00 - 6:30 PM Special Council Meeting

RE: Zoning By-Law Amendment: 6954 6th Concession Road

Location: Electronic Meeting via Zoom

Livestream Available at www.youtube.com/Essex/Ontario