



Regular Council Meeting Agenda

February 19, 2019, 6:00 pm

Essex Civic Centre

360 Fairview Avenue West

Essex, Ontario

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.

Pages

1. **Call to Order**
2. **Closed Meeting Report**
3. **Declarations of Conflict of Interest**
4. **Adoption of Published Agenda**
 - 4.1 **Regular Council Meeting Agenda for February 19, 2019**

Moved by
Seconded by

That the published agenda for the February 19, 2019 Regular Council Meeting be adopted as presented / amended.
5. **Adoption of Minutes**
 - 5.1 **Regular Council Meeting Minutes for February 4, 2019** 1

Moved by
Seconded by

That the minutes of the Regular Council Meeting held February 4, 2019 be adopted as circulated.
 - 5.2 **Special Council Meeting Minutes for February 4, 2019** 11

Moved by
Seconded by

That the minutes of the Special Council Meeting held February 4, 2019 to provide Council with information on Council's Discretionary Fund and the Procurement Policy Procedure, be adopted as circulated.
 - 5.3 **Special Council Meeting Minutes for December 17, 2018** 13

Moved by
Seconded by

That the minutes of the Special Council Meeting held December 17, 2018 to discuss 2018-2011 Council Committees, be adopted as circulated.
6. **Public Presentations**

Youth Community Heritage Preservation Award:

- Erik Wolgen
- Josh Birch
- Brian Neufeld

Community Heritage Preservation Award:

- Essex and Community Historical Research Society (ECHRS)
- Harrow Early Immigrant Society (HEIRS)

6.2 University of Windsor, Maria Cioppa

In 2018 Maria Cioppa, Associate Professor, Department of Earth and Environmental Sciences at the University of Windsor received a geophysics survey grant for one year for cemetery research in co-operation with the Town of Essex. Ms. Cioppa and a group of students selected some of our historical cemeteries as appropriate sites to survey.

She will be attending this evening's meeting to provide Council with an update on the research/survey.

Moved by
Seconded by

That the presentation by Maria Cioppa, Associate Professor, Department of Earth and Environmental Sciences at the University of Windsor, providing Council with an update on the results of the geophysics survey on historical cemeteries in our area, be received.

6.3 Essex Region Conservation Authority (ERCA)

Richard Wyma, Secretary-Treasurer/Executive Director of the ERCA

Presenting ERCA's 2018 Annual Report and objectives for 2019 based on its Sustainability Plan 2016-2025.

Moved by
Seconded by

That the presentation by Richard Wyma, Secretary, Treasurer/Executive Director of ERCA, providing Council with ERCA's 2018 Annual Report, be received.

6.4 Murray Van Wieringen and Terry Jones

Weston Apartments

RE: Requesting Council to consider eliminating Development Fees in Ward One for the proposed build of a multiple dwelling on lands at 22 Victor Street, Essex Centre

Moved by
Seconded by

That the public presentation by Murray Van Wieringen and Terry Jones proponents of Weston Apartments, asking Council to consider eliminating development fees for the proposed build of a multiple dwelling on lands at 22 Victor Street in Essex Centre, be received.

7. Unfinished Business

8. Reports from Administration

8.1 Planning Report 2019-06

23

RE: 22 Victor Street Site Plan Control Approval
Essex Centre

- By-Law 1787
Being a by-law to enter into a Site Plan Control Agreement
between The Corporation of the Town of Essex and Terry
Jones and Murray Van Wieringen
(22 Victor Street)

Moved by

Seconded by

That Planning Report 2091-06, entitled "22 Victor Street Site Plan Control Approval in Essex Centre", prepared by Jeff Watson, Policy Planner and submitted by Chris Nepszy, Deputy CAO, Director, Infrastructure and Development, dated February 19, 2019, be received; and

That By-Law 1787 being a by-law to enter into a Site Plan Control Agreement between The Corporation of the Town of Essex and Terry Jones and Murray Van Wieringen, be read a first, a second and a third time and finally passed on February 19, 2019.

8.2 Corporate Services Report 2019-02

37

RE: Waiving Multi-Residential Development Charges

Moved by

Seconded by

That Corporate Services Report 2019-02, entitled "Waiving Multi-Residential Development Charges", prepared and submitted by Jeffrey Morrison, Director, Corporate Services, dated February 12, 2019, be received; and

That Council provide direction on whether it is desired to provide a waiver of the municipal wide services portion of development charges through a rebate for multi-residential developments that would be paid back through the incremental tax increase for each development.

8.3 Verbal Report by Jeffrey Morrison, Director, Corporate Services

RE: Launch Virtual City Hall

Moved by

Seconded by

That the verbal report, provided by Jeffrey Morrison, Director, Corporate Services on the Launch of Virtual City Hall, be received.

8.4 Environmental Services Report 2019-03

42

RE: Results of Request for Tender for Clear Water and Wastewater Funding (CWWF) Works

Moved by
Seconded by

That Environmental Services Report 2019-03, entitled "Results of Request for Tender for Clean Water and Wastewater Funding (CWWF) Works", prepared by Andy Graf, Manager, Environmental Services and submitted by Chris Nepszy, Deputy CAO/Director, Infrastructure and Development, dated February 19, 2019, be received; and

That the contract for the Clean Water and Wastewater Funding (CWWF) Works be awarded to BGL Contractors Corporation as outlined in this report in the amount of \$2,364,400 plus applicable taxes.

8.5 Community Services Report 2019-002

46

RE: Transfer of Beachside Eats and Treats Ownership at the Colchester Harbour

- By-Law 1780
Being a by-law to authorize the execution of a lease agreement between the Town of Essex and Michelle Vanhoorne and Carson Broadbent for the Operation of an Ice Cream Parlour located at 101 Jackson Street, Harrow, Ontario

Moved by
Seconded by

That Community Services Report 2019-002, entitled "Transfer of Beachside Eats and Treats Ownership at the Colchester Harbour", prepared and submitted by Doug Sweet, Director of Community Services, dated February 19, 2019, be received; and

That By-Law 1497 an Agreement between the Town of Essex and Steve Forman to operate Beachside Eats and Treats at the Colchester Harbour be repealed effective immediately; and

That an Agreement with Michelle Vanhoorne and Carson Broadbent - Beachside Eats and Treats to operate a concession stand at the Colchester Harbour for a one (1) year term commencing April 1, 2019, be approved, subject to the general terms and conditions as outlined in By-Law 1780; and

That By-Law 1780 being a by-law to authorize the execution of a lease agreement between the Town of Essex and Michelle Vanhoorne and Carson Broadbent for the Operation of an Ice Cream Parlour located at 101 Jackson Street, Harrow, Ontario, be read a first and a second time, and provisionally adopted on February 19, 2019.

8.6 Community Services Report 2019-005

60

RE: Annual Reserve Fund Allocation for Fire Recruitment and Training

Moved by
Seconded by

That Community Services Report 2019-005, entitled "Annual Reserve Fund Allocation for Fire Recruitment and Training", prepared and submitted by Doug Sweet, Director of Community Services, dated February 19, 2019, be received; and

That Council approve that the Finance Department annually at year end, transfer any savings from the Weekly Duties, Meetings, Fire Calls and Medical Calls accounts for each Fire Station Cost Centre to a Fire Training Reserve account to be used for future fire recruitment and training for new hires.

8.7 January 2019 Building Report 63

- January 2019 Development Overview

Moved by
Seconded by

That Building Department Report 2019-01, entitled "January 2019 Building Report", dated February 4, 2019 providing Council with an update on building activity within the Town of Essex for the month of January, be received.

8.8 Legal and Legislative Services Report 2019-004 68

RE: Pregnancy and Parental Leave for Members of Council

- Policy Manual
Pregnancy and Parental Leave for Members of Council

Moved by
Seconded by

That Legal and Legislative Services Report 2019-004, entitled "Pregnancy and Parental Leave for Members of Council", prepared by Robert Auger, Town Solicitor/Clerk, Legal and Legislative Services and submitted by Donna Hunter, CAO, be received; and

That the Pregnancy and Parental Leave for Members of Council Policy, be approved and adopted as of March 1, 2019.

8.9 Legal and Legislative Services Report 2019-005 74

RE: Code of Conduct Policy Amendments

- Policy Manual
Code of Conduct for Members of Council and Local Boards/Committees

Moved by
Seconded by

That Legal and Legislative Services Report 2019-005, entitled "Code of Conduct Policy Amendments", prepared by Robert Auger, Town Solicitor/Clerk, Legal and Legislative Services and submitted by Donna Hunter, CAO, dated February 19, 2019, be received; and

That the "Code of Conduct for Members of Council and Local Boards/Committees" policy, be adopted as of March 1, 2019.

8.10 Legal and Legislative Services Report 2019-006 107

RE: Bill 68 March 1 Amendments to Procedural By-Law

- By-Law 1788
Being a by-law to Amend By-Law 1681 setting out Rules of Procedure for the Conduct of Meetings of the Municipal Council and its Committees and Boards

Moved by
Seconded by

That Legal and Legislative Services Report 2019-006, entitled "Bill 68 March 1 Amendments to Procedural By-Law", prepared by Robert Auger, Town Solicitor/Clerk, Legal and Legislative Services and submitted by Donna Hunter, CAO, dated February 19, 2019, be received; and

That By-Law 1788 being a by-law to amend By-Law 1681 setting out Rules of Procedure for the Conduct of Meetings of the Municipal Council and its Committees and Boards, be read a first, a second and a third time and finally passed on February 19, 2019.

9. Reports from Youth Members

10. County Council Update

11. Correspondence

11.1 Correspondence to be received

Moved by
Seconded by

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.

11.1.1 Town of Lakeshore 115

RE: Lakeshore's Town Council Appointment to the Dog Pound Committee
Correspondence advising that Councillor Steven Wilder has been appointed to the Dog Pound Committee

11.2 Correspondence to be considered for receipt and support

11.2.1 Brad Frenette 116

RE: Offer to sit as a member of the Accessibility Committee

Moved by
Seconded by

That the email from Brad Frenette, dated January 9, 2019 offering to sit as a member of the Accessibility Committee, be received and supported; and

That Brad Frenette be appointed to the Accessibility Committee to November 14, 2022 and that Schedule "A" to By-Law 1777 be updated accordingly.

11.2.2 Youth Council Member 117

Ehva Hoffman has expressed interest in continuing to serve another term as Youth Council Member for Wards 1 and 2

Moved by
Seconded by

That Ehva Hoffman be appointed as Town of Essex Youth

12. Committee Meeting Minutes

12.1 Striking Committee - February 4, 2019 118

(SC19-02-004) **RECOMMENDATION TO COUNCIL** That the verbal report regarding the Appointment of a Drainage Committee, be received; and

That Dan Boudreau, Felix Weight-Bienzle, Luke Martin, Ray Beneteau and Kirk Carter be recommended to Council for appointment to sit as members of the Drainage Committee for 2018-2022 and that such recommended appointments be confirmed at the February 19, 2019 regular meeting Council. "Carried"

Moved by
Seconded by

That the Striking Committee minutes of February 4, 2019 , be received and adopted; and

That Council concurs with the recommendation of the Striking Committee and that Dan Boudreau, Felix Weight-Bienzle, Luke Martin, Ray Beneteau and Kirk Carter, be appointed to sit as members of the Drainage Committee to November 14, 2022.

12.2 Essex Centre B.I.A. - December 18, 2018 120

Moved by
Seconded by

That the minutes of the Essex Centre B.I.A. dated December 18, 2018, be received, approved and adopted as circulated.

13. Financial

13.1 Bank Payment Report 124

RE: December 2018

Moved by
Seconded by

That the Bank Payments Report, including December cheque register, cheque number 48481 to cheque number 48686 and EFT000205 to EFT000268 inclusive in the amount of \$4,329,963.01, the Preauthorized Payments for December 2018 in the amount of \$250,526.05 and the Payroll for December 2018 in the amount of \$485,564.64, be ratified as submitted.

13.2 Bank Payment Report 134

RE: January 2019

Moved by
Seconded by

That the Bank Payments Report, including January cheque register, cheque number 48839 to cheque number 48917 and EFT000269 to EFT000344 inclusive in the amount of \$4,329,963.01, the

Preauthorized Payments for January 2019 in the amount of \$354,544.02 and the Payroll for January 2019 in the amount of \$430,466.13, be ratified as submitted.

14. New Business

15. Notices of Motion

16. Reports and Announcements from Council Members

17. By-Laws

17.1 By-Laws that require a third and final reading

17.1.1 By-Law 1785 144

Being a by-law to confirm the proceedings of the February 4, 2019 Regular Council Meeting of The Corporation of the Town of Essex

Moved by
Seconded by

That By-Law 1785 being a by-law to confirm the proceedings of the February 4, 2019 Regular Meeting of the Council of The Corporation of the Town of Essex, be read a third time and finally adopted on February 19, 2019.

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

17.2.1 By-Law 1786 146

Being a by-law to appoint Chief Administrative Officer for the Town of Essex
(Chris Nepszy)

Moved by
Seconded by

That By-Law 1786 being a by-law to appoint Chief Administrative Officer for the Town of Essex with an effective date of March 15, 2019, be read a first, a second and a third time and finally adopted on February 19, 2019.

17.3 By-Laws that require a first and second reading

17.3.1 By-Law 1789 148

Being a by-law to confirm the proceedings of the February 19, 2019 Regular Meeting of The Corporation of the Town of Essex

Moved by
Seconded by

That By-Law 1789 being a by-law to confirm the proceedings of the February 19, 2019, 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 19, 2019.

18. Adjournment

Moved by
Seconded by

That the meeting be adjourned at [TIME].

19. Future Meetings

19.1 Monday, February 25, 2019 - 5:30 - 8:30 PM - Special Council Meeting

2019 Budget Deliberations

Location: **McGregor Community Centre**, 9571 Walker Rd., Essex, ON

19.2 Monday, March 4, 2019 - 4:30 - 5:00 PM - Closed Council Meeting

This Closed Meeting is scheduled pursuant to the Municipal Act, S.O. 2001, c.25 as amended, Section 239 (2) (b) personnel matters about an identifiable individual, including municipal or local board employees,

Location: County of Essex Civic Centre, Committee Room C, 360 Fairview Avenue West, Essex, On

19.3 Monday, March 4, 2019 - 5:00 - 6:00 PM - Special Council Meeting

Zoning By-Law Amendment

Location: County of Essex Civic Centre, Committee Room C, 360 Fairview Avenue West, Essex, ON

19.4 Monday, March 4, 2019 - 6:00 - 9:00 PM - Regular Council Meeting

Location: County of Essex Council Chambers, 360 Fairview Avenue West, Essex