



Regular Council Meeting Agenda

County of Essex Council Chambers – Monday, August 10, 2015 - 6:00 PM

- **4:30 – 5:00 PM – Finance Committee Meeting** – County of Essex Civic Centre Committee Room A
- **5:00 – 6:00 PM – Special Meeting – Review of Code of Conduct Policy for Council Members** – County of Essex Civic Centre Council Chambers

1. Roll Call

Present: Mayor Ron McDermott
Deputy Mayor Richard Meloche
Ward 1 Councillor Steve Bjorkman
Ward 1 Councillor Randy Voakes
Ward 3 Councillor Bill Caixeiro
Ward 3 Councillor Larry Snively
Ward 4 Councillor Sherry Bondy

Also Present: Russ Phillips, Chief Administrative Officer
Donna Hunter, Director of Corporate Services/Treasurer
Doug Sweet, Community Services Director
Jeff Watson, Policy Planner
Lauren Abbott, Youth Member
Lynn Moroz, Acting Clerk
Robin Hall, Administrative Assistant

2. Declarations of Conflict of Interest

3. Adoption of Published Agenda

- a) Monday, August 10, 2015 Regular Council Meeting Agenda
- Moved by
- Seconded by
- That the published agenda for the August 10, 2015 Regular Council Meeting, be adopted as presented.

4. Adoption of Minutes

a) June 2, 2015 Informal Council Meeting

Moved by

Seconded by

That the minutes of an Informal Meeting of Council held June 2, 2015 to discuss the potential closure of Harrow District High School and what Council can do to help keep the school open, be adopted as circulated.

b) June 12, 2015 Special Council Meeting

Moved by

Seconded by

That the minutes of the Special Council Meeting held June 12, 2015, be adopted as circulated.

c) July 13, 2015 Special Council Meeting

Moved by

Seconded by

That the minutes of the Special Council Meeting held July 13, 2015 for a sign by-law presentation, be adopted as circulated.

d) July 13, 2015 Regular Council Meeting

Moved by

Seconded by

That the minutes of the Regular Council Meeting held July 13, 2015 be adopted as circulated.

5. Public Presentations

a) Jordon Miner

Special Olympics World Games Athlete

Moved by

Seconded by

That the public presentation by Jordon Miner of Essex thanking Council and Town of Essex residents for all their support and best wishes while he was in Los Angeles, California to participate in the Special Olympics World Games, be received.

b) Petition to Lower Speed Limit on the 9th Concession (County Road 23 to Ferris Road)

- Earl McCormick, 9940 Concession 9

Request to lower speed limit on the 9th Concession from 80 km to 60 km
(County Road 23 to Ferris Road)

Moved by

Seconded by

That the public presentation by Earl McCormick, 9940 Concession 9 presenting Council with a petition containing 53 signatures of residents that live on the 9th Concession asking Council to consider lowering the speed limit on the 9th Concession from County Road 23 (Arner Townline) to Ferris Road from 80 km to 60 km, be received.

- Stacey Mills, 9869 Concession 9

Against lowering the speed limit on the 9th Concession from 80 km to 60 km (County Road 23 to Ferris Road)

Moved by

Seconded by

That the public presentation by Stacey Mills, 9869 Concession 9 asking Council to not support the request to lower the speed limit on the 9th Concession from County Road 23 to Ferris Road, be received.

c) GDF SUEZ Canada Incorporated (Inc.)

Bonnie Hiltz, Jan Fournier and Rob Maitland

Large Renewable Procurement Request for Proposals – Blue Sky Wind Project

Moved by

Seconded by

That the presentation by Bonnie Hiltz, Jan Fournier and Rob Maitland of GDF SUEZ Canada Inc. updating Council on their intention to apply for a contract with the Independent Electricity System Operator (IESO) for a proposed wind energy generating facility known as the Blue Sky Wind Project and seeking Council's endorsement of a draft Community Benefit Agreement, be received.

- Stantec Consulting Limited

Providing Council with a Notice of a Public Community Meeting of GDF SUEZ Canada Incorporated's intention to submit a proposal to the IESO under the Large Renewable Procurement (LRP) to design, build and operate a wind energy generating facility known as the Blue Sky Wind Project

Moved by

Seconded by

That correspondence from Stantec Consulting Ltd., dated July 24, 2015 providing Council with a Notice of a Public Meeting advising of GDF SUEZ Canada Incorporated's intention to submit a proposal to the IESO to design, build and operate a wind energy generating facility known as the Blue Sky Wind Project under the IESO's Large Renewable Procurement (LRP), be received.

- Correspondence supporting the proposed Blue Sky Wind Project:
 - Vanessa Gee, 2889 County Road 12, Essex
 - Judith Calhoun, 1460 County Road 15, Essex
 - Gerald and Michelle Santo, 7497 11th Concession Rd. , Maidstone
 - James and Hollis Boyle, 2316 County Road 12, Essex
 - David Rocheleau and France Rocheleau, R R #2, Essex
 - Kurt and Brenda Rivest, 1912 Lakeshore Rd., South Woodslee
 - David and Judy Santo, 14689 14th Concession, Essex
 - Reginald and Rosanne Campbell, 2335 County Rd 12, Essex
 - Judith and Larry Shepley, 2608 County Rd 12, Essex

Moved by

Seconded by

That the letters supporting the proposed Blue Sky Wind Project from Vanessa Gee, Judith Calhoun, Gerald and Michelle Santo, James and Hollis Boyle, David Rocheleau and France Rocheleau, Kurt and Brenda Rivest, David and Judy Santo, Reginald and Rosanne Campbell and Judith and Larry Shepley, be received.

- Correspondence opposing the proposed Blue Sky Wind Project:
 - Dustin O'Neil
1169 Gesto Side Road, Essex

Moved by

Seconded by

That the email from Dustin O'Neil, 1169 Gesto Side Road, Essex dated July 29, 2015 asking Council not to support the proposed Blue Sky Wind Project, be received.

- Grant Bergeron
1177 Gesto Side Road, Essex

Moved by

Seconded by

That correspondence from Grant Bergeron, 1177 Gesto Side Road, Essex dated July 30, 2015 expressing his objection to the proposed Blue Sky Wind Project and asks that Council not support the Blue Sky Wind Project, be received.

➤ Gary Katz

1082 Lilydale Avenue, Belle River

Moved by

Seconded by

That correspondence from Gary Katz, 1082 Lilydale Avenue, Belle River dated August 4, 2015 advising Council of his opposition to the proposed Blue Sky Wind Project Proposal , be received.

- Public Presentation – David Driscoll, Blue Sky Wind Project

Moved by

Seconded by

That the public presentation by David Driscoll expressing his opinion on the Blue Sky Wind Project, be received.

d) Essex Energy Corporation, Kristopher Taylor Business Operations Manager

FIT Endorsements

Moved by

Seconded by

That the public presentation by Kristopher Taylor, Business Operations Manager for the Essex Energy Corporation asking Council to endorse two Feed-in Tariff (FIT) Projects within the Town of Essex in order to obtain priority points within IESO's Feed In Tariff program, be received.

- Corporate Services – Report Number 2015-010

Resolution to Support Feed-in Tariff Projects

Recommendations: The following four recommendations are provided for Council's consideration:

1. The Corporate Service Report Number 2015-010, entitled "Resolution to Support Feed-inTariff ("FIT") Projects be received;
2. That a motion to reconsider Essex Energy Corporation's "Request for Council Resolution – Support for FIT Projects" be approved by 2/3 vote of the whole Council; and
3. That the following resolution be considered by Council should it be desirous to provide support for future Rooftop Solar Photovoltaic Projects under the Province's FIT Program within the Town of Essex as was done by Council in 2013:

Whereas the Province's FIT Program encourages the construction and operation of Rooftop Solar Photovoltaic Generation Projects;

And whereas, pursuant to the rules governing the FIT Program (the “Fit Rules”), applications for Rooftop Solar Photovoltaic Generation Projects that receive formal support of the Local Municipality will be awarded Priority Points, which may result in these Applicants being offered a FIT Contract prior to other persons applying for FIT Contracts;

Now therefore be it resolved that Council of The Corporation of the Town of Essex supports the construction and operation of Rooftop Solar Photovoltaic Generation Projects anywhere in The Corporation of the Town of Essex;

And that this resolution’s sole purpose is to enable the participants in the FIT Program to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Projects or any other purpose; and

And further that this resolution shall expire twelve (12) months after its adoption by Council.

4. That the following resolution be considered by Council should it be desirous to provide support for future Groundmount Solar Photovoltaic Projects under the Province’s FIT Program within the Town of Essex;

Whereas the Province’s FIT Program encourages the construction and operation of Groundmount Solar Photovoltaic Projects;

And whereas, pursuant to the rules governing the FIT Program (the “Fit Rules”), applications for Groundmount Solar Photovoltaic Projects that receive formal support of the Local Municipality will be awarded Priority Points, which may result in these Applicants being offered a FIT Contract prior to other persons applying for FIT Contracts;

Now therefore be it resolved that Council of The Corporation of the Town of Essex supports the construction and operation of Groundmount Solar Photovoltaic Projects anywhere in The Corporation of the Town of Essex;

And that this resolution’s sole purpose is to enable the participants in the FIT Program to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Projects or any other purpose; and

And further that this resolution shall expire twelve (12) months after its adoption by Council.

Moved by

Seconded by

That Corporate Services Report Number 2015-010 dated July 30, 2015 prepared and submitted by Donna Hunter, Director of Corporate Services, titled "Resolution to Support Feed-in Tariff ("FIT") Projects, be received and

6. Unfinished Business

a) Moved by

Seconded by

That resolution (R15-07-337) tabling the Essex Police Services Board Meeting Minutes listed as items h) and i) on the July 13, 2015 agenda until Councillor Caixeiro is in attendance to address any possible questions, be removed from the table and dealt with at this time.

Essex Police Services Board – June 11, 2015 (Special Meeting)

Essex Police Services Board – June 11, 2015

- (EPSB15-06-036) That the Essex Police Services Board recommend to Council that the contract manager position, previously identified as an enhancement, be reinstated and included in an amended contract"

Moved by

Seconded by

That the minutes of the Essex Police Services Board Meeting Minutes held June 11, 2015 (Special Meeting) at 2:30 PM be received and adopted as presented.

Moved by

Seconded by

That the minutes of the Essex Police Services Board Meeting Minutes held June 11, 2015 at 4:00 PM be received, adopted and the following recommendations:

- (EPSB15-06-036) That the Essex Police Services Board recommend to Council that the contract manager position, previously identified as an enhancement, be reinstated and included in an amended contract", be approved as recommended.

b) Colchester Harbour Steering Committee

Moved by

Seconded by

That the following residents be appointed as members to the Colchester Harbour Steering Committee: (choose two); and the Council member designate be (one).

7. Reports from Administration

a) Corporate Services – Report Number Clerk 2015-008

Local Boards/Committees Procedures and Best Practices

Recommendation: It is recommended that Council approve the revision to the Conflict of Interest section of the Town of Essex Local Boards/Committees Procedures and Best Practices manual to read “In the event a member discovers that, after a meeting at which the member was absent, that he/she actually had a direct or indirect pecuniary interest in a matter, he/she shall declare the interest at the next available meeting and it shall be recorded in the minutes.”

Moved by

Seconded by

That Corporate Services Report Number Clerk 2015-008, dated July 22, 2015 prepared by Cheryl Bondy, Manager of Legislative Services and Clerk and submitted by Donna Hunter, Director of Corporate Services and Treasurer dated July 22, 2015 recommending that Council approve a revision to the Conflict of Interest section of the Town of Essex Local Boards/Committees Procedures and Best Practices manual to read “In the event a member discovers that, after a meeting at which the member was absent, that he/she actually had a direct or indirect pecuniary interest in a matter, he/she shall declare the interest at the next available meeting and it shall be recorded in the minutes.”, be received and that Council approves the recommended revision.

b) Building Department – Report Number 2015-06

Re: June 2015 Building Department

Moved by

Seconded by

That Building Department Report Number 2015-06, dated July 9, 2015 providing Council with summary of building activities in the Town of Essex to June 30, 2015, be received.

c) Corporate Services – Report Number 2015-011

Re: Council Discretionary Funds

Moved by

Seconded by

That Corporate Services Report Number 2015-011, providing Council with a report on Council's Discretionary Funds as of July 31, 2015, be received.

d) Planning – Report Number 2015-17

Re: 939415 Ontario Incorporated, extension of Draft Plan of Subdivision Approval Harrow (Ward 4)

Recommendation: That Council approves the extension of draft plan of subdivision approval for 939415 Ontario Incorporated for the 24 lot single detached subdivision on the east side of Queen Street, north of Colio Drive, in Harrow Centre until September 7, 2018, and that the Manager of Planning Services for the County of Essex be so advised.

Moved by

Seconded by

That Planning Report Number 2015-17, dated August 10, 2015 prepared by Jeff Watson, Policy Planner and submitted by Chris Nepszy, Director of Infrastructure and Development seeking Council's approval to the request for an extension of the draft plan of subdivision by 939415 Ontario Incorporated for the 24 lot single detached subdivision on the east side of Queen Street, north of Colio Drive, in Harrow Centre until September 7, 2018, be received, approved and that the Manager of Planning Services for the County of Essex be advised of the approval.

e) Planning – Report Number 2015 -19

Re: Sellick Equipment Limited, Site Plan Control Approval, Jackie Lassaline, Crozier Baird, Agent

Recommendation: That Council approve the application of Sellick Equipment Limited for site plan control approval and the execution of a site plan control by-law and agreement, both included in this Council agenda as accompaniments to this report, for the development of a manufacturing and assembly facility on the west side of Roseborough, north of County Road 20 in Harrow Centre.

- By-Law Number 1434

Being a by-law to enter into a Site Plan Control Agreement between
The Corporation of the Town of Essex and Sellick Equipment Limited

Moved by

Seconded by

That Planning Report Number 2015-19, dated August 10, 2015 prepared by Jeff Watson, Policy Planner and submitted by Chris Nepszy, Director of Infrastructure and Development providing Council with comments and recommendations regarding the development of the new Sellick Equipment facility in Harrow Centre, be received, and that Council approves the application of Sellick

Equipment Limited for site plan control approval for the development of a manufacturing and assembly facility on the west side of Roseborough Road, north of County Road 20 in Harrow Centre and By-Law Number 1434 being a by-law to enter into a Site Plan Control Agreement between The Corporation of the Town of Essex and Sellick Equipment Limited be read a first, a second and a third time and finally passed on August 10, 2015.

f) Infrastructure and Development – Report Number 2015-09

Re: Request for Tender Results for ID-15-014 Supply of Winter Control Equipment for Tandem Plow Truck 2015 and ID-15-015 Supply of One 69,000 lb. G.V.W.

Tandem Plow Truck Cab and Chassis 2015

Recommendation: It is recommended that:

1. Infrastructure and Development Report 2015-09 entitled "Request for Tender Results – Supply of Winter Control Equipment for Tender Plow Truck 2015 and Supply of One 69,000 lb. G.V.W. Tandem Plow Truck Cab and Chassis 2015, be received; and
2. Council award the Request for Tenders as follows:
 - a. ID-15-014 Supply of Winter Control Equipment for Tandem Plow Truck 2015 to Viking Cives Ltd., and
 - b. ID-15-015 Supply of One 69,000 lb. G.V.W. Tandem Plow Truck Cab and Chassis 2015 to 401 TruckSource Inc.

Moved by

Seconded by

That Infrastructure and Development Report Number 2015-09, dated August 10, 2015 prepared by Jackson Tang Assistant Manager, Business Services and submitted by Chris Nepszy, Director of Infrastructure and Development providing Council with the request for tender results for the Supply of Winter Control Equipment for Tandem Plow Truck 2015 and the Supply of One 69,000 lb. G.V.W. Tandem Plow Truck Cab and Chassis 2015, be received and that Council concurs with the recommendations contained in the report and the Request for Tender ID-15-014 Supply of Winter Control Equipment for Tandem Plow Truck 2015 be awarded to Viking Cives Ltd. in the amount of \$115,000.00 (including tax) and the Request for Tender ID-15-015 Supply of One 69,000 lb. G.V.W. Tandem Plow Truck Cab and Chassis 2015 be awarded to 401 TruckSource Inc. in the amount of \$165,271.54 (including tax).

g) Planning – Report Number 2015-16

Re: Street Pole Banners for Harrow and Colchester South

Recommendations: That Council approves the placement of new banners on utility poles in Harrow and Colchester with funding to come from the existing civic beautification fund CS-15-0069

Moved by

Seconded by

That Planning Report Number 2015-16, dated August 10, 2015 prepared by Jeff Watson, Policy Planner and submitted by Chris Nepszy, Director of Infrastructure and Development seeking Council's authorization to place banners on street poles in Harrow and Colchester at the request of the Harrow Chamber of Commerce, be received and that Council approves the placement of new banners on the utility poles in Harrow and Colchester Centres with funding to come from the existing civic beautification fund CS-15-0069.

h) Corporate Services – Report Number 2015-012

Re: By-Law Number 1435 Animal Care and Control By-Law Revision

Recommendation: That Corporate Services Report Number 2015-012 entitled By-Law Number 1435 – Animal Care and Control By-Law, be received and that By-Law Number 1435 being a by-law to regulate, licence and control animals within the municipal boundaries of the Town of Essex be adopted and the former By-Law Number 1236 be repealed.

- By-Law Number 1435

Being a by-law to regulate, licence and control animals within the municipal boundaries of the Town of Essex

Moved by

Seconded by

That Corporate Services Report Number 2015-012, dated August 4, 2015 prepared and submitted by Donna Hunter, Director of Corporate Services recommending a revision to the Town's Animal Care and Control By-Law, be received and that Council concurs with the recommendations contained in the report and that By-Law Number 1236 be repealed and By-Law Number 1435 being a by-law to regulate, licence and control animals within the municipal boundaries of the Town of Essex be read a first, a second and a third time and finally passed this 10th day of August, 2015.

8. Correspondence

a) Colchester South & Harrow Agricultural Society

Renovations to Harrow Fairgrounds

Moved by

Seconded by

That correspondence from the Colchester South and Harrow Agricultural Society, dated July 13, 2015 providing Council with a formal consent for the demolition of the baseball grandstand and the construction of sun shades over the player benches at the ball diamonds and to update Council and seek written permission for the Colchester South and Harrow Agricultural Society to proceed with renovations to the Harrow Fairgrounds, be received and that Council approves of the following renovations:

1. Re-surfacing the concrete pad between the Main Agricultural Hall and the Craft Building (Red Barn).
2. Burying two hydro lines from the two north hydro poles (located south of the Lion's Hall) over to the fence along the driveway to the arena, which will remove the need for extension cords crossing walkways during the Fair.
3. Installation of a concrete pad (approximately 20 feet by 45 feet) on the south side of the livestock barns (poured at ground level).
4. Tentative construction of a sun shelter (approximately 20 feet x 45 feet) south of the livestock barns.

b) Greater Essex County District School Board

Re: Harrow District High School

Moved by

Seconded by

The correspondence from Todd Awender, Superintendent of Education, Accommodations for the Greater Essex County District School Board, dated July 6, 2015 responding to Essex Council's inquiry as to what is needed to keep Harrow High School open and advised Council that school boards are responsible for managing their capital assets in an effective manner and respond to changing demographics and program needs while ensuring continued viability /sustainability of the school board, be received.

c) Pedaling for Docs

Donation

Moved by

Seconded by

That correspondence from Dr. Charlie Morgan thanking Council for their donation to the Community for Doctors Committee's, Pedaling for Docs fundraising campaign, be received.

d) Municipality of Tweed

Request for donation - Disaster Relief Committee

Moved by

Seconded by

That correspondence from the Municipality of Tweed dated June 10, 2015 asking Council to consider supporting their fundraising efforts to assist homeowners in their municipality whose property has been damaged by flood waters in the spring of April 2014, be received and that their request for a donation be (approved/denied).

e) Committee of Adjustment Agenda

July 21, 2015

Moved by

Seconded by

That the agenda for the Committee of Adjustment Meeting scheduled for July 21, 2015, be received.

f) Evelyn and Robert Burns

Resignation – ACT Committee

Moved by

Seconded by

That the email from Evelyn and Robert Burns dated July 17, 2015 advising of their resignations from the Arts, Culture and Tourism Committee, be received with regret and that By-Law Number 1376, be amended.

g) Jason Nagy

Arts, Culture and Tourism Committee

Moved by

Seconded by

That the email from Jason Nagy dated July 29, 2015 offering to sit as a member of the Arts, Culture and Tourism (ACT) Committee be received, that Council appoints Jason Nagy as a member of the ACT Committee for the term ending November 30, 2018 and that By-Law Number 1376 be updated.

h) Randy Pettapiece, M.P.P. Perth-Wellington

Resolution for Fairness in Provincial Infrastructure Funds

Moved by

Seconded by

That correspondence from Randy Pettapiece, M.P.P. Perth-Wellington dated July 21, 2015 advising Council of his upcoming private member's resolution in the

Ontario legislature that the government should guarantee that government-held ridings and opposition-held ridings be given equal and transparent consideration on infrastructure funding and that when funding decisions are made, should guarantee that all MPPs, whether in government or opposition, be given fair and equal advance notice of the official announcement, be (received /received and supported).

i) Haldimand County

Vacancy Rebate Program

Moved by

Seconded by

That correspondence from Haldimand County dated July 10, 2015 advising Council of their resolution that the Minister of Finance and Minister of Municipal Affairs be requested to review the Vacancy Rebate Program under Section 364 of The Municipal Act and Ontario Regulation 325/01, which allows for property tax relief to be granted to eligible business properties when vacant for a minimum of 90 consecutive days be reviewed to ensure that businesses are not eligible for a reduced property tax burden if the claimed "vacancy" is a result of a labour disruption, be (received/received and supported).

j) Township of Havelock-Belmont-Methuen

Opposed to the Sale of Hydro One

Moved by

Seconded by

That correspondence from the Township of Havelock-Belmont-Methuen, dated July 31, 2015 advising that they are opposed to the sale of any part of Hydro Ontario, that Hydro One needs to be maintained as a wholly public asset for the benefit of all Ontarians, and that Hydro One be strengthened by investing in the next generation of workers and upgrading aging infrastructure, be (received/received and supported).

9. Committee Meeting Minutes

10. By-Laws

a) By-Law Number 1403

Being a by-law to enter into an Agreement between Windsor Disposal Services Limited and The Corporation of the Town of Essex for garbage and refuse collection

Moved by

Seconded

That By-Law Number 1403 being a by-law to enter into an Agreement between Windsor Disposal Services Limited and The Corporation of the Town of Essex for garbage and refuse collection be read a first, a second and a third time and finally passed on August 10, 2015.

b) By-Law Number 1433

Being a by-law to regulate the rate of speed on the 4th Concession Road in the Town of Essex

Moved by

Seconded by

That By-Law Number 1433 being a by-law to regulate the rate of speed on the 4th Concession Road in the Town of Essex be read a first, a second and a third time and finally passed on August 10, 2015.

11. Financial

a) 2015 Capital Report (June 30, 2015)

Moved by

Seconded by

That the 2015 Capital Report for the month ending June 30, 2015, be received.

b) May 2015 Bank Payments Report

Moved by

Seconded by

That the May 2015 cheque register, cheque number 33870 to cheque number 34167 inclusive in the amount of \$1,171,743.28; Pre-Authorized Payments for May 2015 in the amount of \$265,371.56 and Payroll for May \$309,180.30, be ratified as submitted.

c) June 2015 Bank Payments Report

Moved by

Seconded by

That the June 2015 cheque register, cheque number 34168 to cheque number 34551 inclusive in the amount of \$5,191,449.26; Pre-Authorized Payments for June 2015 in the amount of \$277,275.90 and Payroll for May \$426,772.84, be ratified as submitted.

12. New Business

a) Councillor Bondy

- Snow Removal on Queen Street in Harrow Centre

b) Deputy-Mayor Meloche

- Co-An Park Mini Play Structure
- Is the Town of Essex (willing/not willing) to host additional Industrial Wind Turbines?

13. Notices of Motion

a) Moved by Councillor Caixeiro

Seconded by

That the Town of Essex support and become a member of the Community Schools Alliance by purchasing a membership in the amount of \$750.00 to be paid from council's membership budget.

14 Adjournment

Moved by

Seconded by

That the meeting be adjourned at

Future Meetings:

- **Tuesday, September 8, 2015 – Regular Council Meeting – 6:00 PM –**
County of Essex Civic Centre Council Chambers
- **Monday, September 21, 2015 – Regular Council Meeting – 6:00 PM –**
County of Essex Civic Centre Council Chambers