

**THE CORPORATION OF THE TOWNSHIP OF ESSA
VIRTUAL REGULAR COUNCIL MEETING
WEDNESDAY, JULY 7, 2021**

A Meeting of Council was held virtually on Wednesday, July 7, 2021 following Committee of the Whole and was livestreamed for viewing to the public on the Township of Essa's YouTube Channel.

In attendance: Mayor Sandie Macdonald
Deputy Mayor Michael Smith
Councillor Kiezebrink
Councillor Henry Sander
Councillor Ron Henderson

Staff in attendance: C. Healey-Dowdall, Chief Administrative Officer
C. Traynor, Manager of Finance
R. Rosilius, Deputy Treasurer
A. Powell, Manager of Planning and Development
J. Coleman, Manager of Parks and Recreation
K. Pascoe, Deputy Clerk
L. Lehr, Manager of Legislative Services

1. OPENING OF MEETING BY THE MAYOR

Mayor Macdonald opened the meeting at 6:20 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

Deputy Mayor Smith declared a pecuniary interest Item No. 11(b) from the Regular Council meeting held on June 16, 2021 as his son is an employee of the Township. He apologized for his oversight and declared the conflict based on advice received from the Integrity Commissioner.

3. ADOPTION OF PREVIOUS MINUTES AND MOTIONS

Resolution No: CR133-2021 Moved by: Sander Seconded by: Henderson

*Be it resolved that the motions duly passed and approved at the Committee of the Whole meeting of this date be approved; and
That the minutes of the Public and Committee of the Whole meetings held on the 16th day of June, 2021 be adopted as circulated; and
That the minutes of the Regular Council meeting held on the 16th day of June, 2021 be adopted, as amended.*

----Carried-----

4. CONSENT AGENDA

Resolution No: CR134-2021 Moved by: Smith Seconder Smith

*Be it resolved that the items listed in the Consent Agenda dated July 7, 2021 be received for information, and
That Items A3 and A8 be referred to Section B of the Consent Agenda for letters of support to be drafted; and
That Item A2 be referred to Section B of the Consent Agenda indicating that Council supports the Utopia Gristmill, Utopia Hall and the Ivy Hall as being worthy recipients of the Community Support and Donations being offered by Enbridge Gas Inc.*

----Carried----

5. COMMITTEE REPORTS

a. Healthy Community Committee

Resolution No: CR135-2021 Moved by: Smith Seconded by: Henderson

Be it resolved that the minutes of the Healthy Community Committee from their meetings of May 20 and June 7, 2021 be received.

----Carried----

6. PETITIONS

7. MOTIONS AND NOTICES OF MOTIONS

a. Nottawasaga Community Safety and Well-Being Plan

Resolution No: CR136-2021 Moved by: Kiezebrink Seconded by: Sander

*WHEREAS Section 143 of the Police Services Act provides that a municipality shall prepare and adopt a Community Safety and Well-Being Plan; and
WHEREAS the Geographical Municipal Coordination Committee was engaged to co-ordinate the development of the Plan; and
WHEREAS the Township of Essa has partnered with the Township of Adjala-Tosorontio and the Town of New Tecumseth;
NOW THEREFORE Council of the Corporation of the Township of Essa hereby adopts the Nottawasaga Community Safety and Well-Being Plan as presented to Council at its meeting of May 19, 2021.*

----Carried----

b. International Overdose Awareness Day – August 31, 2021

Resolution No: CR137-2021 Moved by: Smith Seconded by: Sander

WHEREAS, the Township of Essa does affirm and acknowledge the harm and hardship caused by drug overdose; and

WHEREAS, we recognize the purpose of International Overdose Awareness Day as remembering loved ones lost to overdose and ending the stigma of drug-related deaths; and

WHEREAS, we resolve to play our part in reducing the toll of overdose in our community, which claimed the lives of 133 people in Simcoe Muskoka in 2020, which was 60% higher than the average of 81 deaths from the previous 3 years, with 1 of those deaths between the months of January to September 2020 occurring in Essa Township; and

WHEREAS, we affirm that the people affected by overdose are our sons and daughters, our mothers and fathers, our brothers and sisters, and deserving of our love, compassion and support;

NOW THEREFORE Council of the Corporation of the Township of Essa hereby proclaims August 31st, 2021, as Overdose Awareness Day in Essa Township.

----Carried-----

c. Brookvalley Developments (Angus) Ltd. – Release of Subdivision Agreement

Resolution No: CR138-2021 Moved by: Henderson Seconded by: Smith

WHEREAS pursuant to a Subdivision Agreement registered August 18, 2009, as Instrument No. SC759820, the Township agreed to the development of a residential plan of subdivision on lands in the Township of Essa, described as Lots 1 through 167 and Blocks 168 through 179 on Plan 51M-935 (“Lands”); and

WHEREAS the Certificate of Maintenance and Final Acceptance for the Aboveground Works for Phase 2 - Stages A & B was issued on the 20th day of December, 2019, and approved by By-Law No. 2020-06 passed the 15th day of January, 2020; and

WHEREAS the Certificate of Maintenance and Final Acceptance for the Aboveground Works for Phase 2 - Stage C was issued on the 20th day of December, 2019, and approved by By-Law No. 2020-07 passed the 15th day of January, 2020; and

WHEREAS BROOKVALLEY DEVELOPMENTS (ANGUS) LTD. has met all obligations set out in the Subdivision Agreement; and

WHEREAS the Corporation of the Township of Essa has fulfilled its obligations to require BROOKVALLEY DEVELOPMENTS (ANGUS) LTD. to comply with its obligations and all requirements have been completed to date;

NOW THEREFORE the Corporation of the Township of Essa and its assigns release and forever discharge BROOKVALLEY DEVELOPMENTS (ANGUS) LTD. from the enforcement of the performance of the terms of a Subdivision Agreement made between The Corporation of the Township of Essa and BROOKVALLEY DEVELOPMENTS (ANGUS) LTD. registered in the Land Registry Office for the Land Titles Division of Simcoe (No. 51) on the 18th day of August, 2009 as Instrument No. SC759820 and all Subdivision Agreement Amendments affecting the lands and premises set out above; and, each party further releases and forever discharges the other party from all actions, causes of action, claims and demands howsoever arising which heretofore may have been or may hereafter be sustained by them in consequence of the execution and/or performance of the terms of the Subdivision Agreement and Subdivision Agreement Amendments set out herein, including all damage, loss, injury not now known or anticipated but which may arise in the future and all effects and consequences thereof save and except that BROOKVALLEY DEVELOPMENTS (ANGUS) LTD. hereby indemnifies The Corporation of the Township of Essa from any liability which may arise as a result of actions taken by any third party to attempt to enforce any obligations that were the responsibility of BROOKVALLEY DEVELOPMENTS (ANGUS) LTD. under the above-mentioned Subdivision Agreement and

Subdivision Agreement Amendments, on The Corporation of the Township of Essa subsequent to the signing of the within Mutual General Full and Final Release; and, all parties further agree not to make any claim or take any proceedings against any person who might claim contribution or indemnity under the provisions of the Negligence Act, R.S.O. 1990, c. N.1 and amendments thereto from the person, persons, corporation or corporations discharged by this release, save and except that BROOKVALLEY DEVELOPMENTS (ANGUS) LTD. hereby indemnifies The Corporation of the Township of Essa from any liability which may arise as a result of actions taken by any other party to attempt to enforce any obligation on The Corporation of the Township of Essa subsequent to the signing of the within release.

----Carried-----

- d. **Fierté Simcoe Pride – July 26 – August 8, 2021 (Flag raising on July 27, 2021 at 3:30 p.m.)**

Resolution No: CR139-2021 Moved by: Sander Seconded by: Smith

*WHEREAS this marks the tenth annual Fierté Simcoe Pride, and its purpose is to create a safe and inclusive Simcoe County that supports gender and sexual diversity through services, activities and events; and
WHEREAS the Rainbow Pride Flag is raised to honour gender and sexual diversity in Simcoe County. The Rainbow Flag was designed by Gilbert Baker in San Francisco in 1978. The flag is a symbol of the Pride movement and the advancement of human rights for sexual orientation, gender identity and expression, and sex characteristics. The colour red signifies life; Orange is healing; Yellow is sunlight. Green represents nature. Blue symbolizes serenity, peace and harmony. And finally, purple represents spirit; and
WHEREAS Fierté Simcoe Pride formed on May 13, 2012, and its mission is “to create and offer inclusive events, services, and educational opportunities that rise above heterosexism, heteronormativity and homo/bi/transphobia, promoting safe communities within Simcoe County”; and
WHEREAS Fierté Simcoe Pride is filled with numerous events and activities that focus on education, awareness, community development, creative expression and fun for the whole family.
NOW THEREFORE Council hereby proclaims July 26 to August 8, 2021 as a time to support Fierté Simcoe Pride and the activities of FSP 2021.*

----Carried-----

- e. **152 Greenwood Drive, Angus – Surplus Land**

Resolution No: CR140-2021 Moved by: Henderson Seconded by: Smith

That Council declare 152 Greenwood Dr, Angus, as surplus, and that notice of this be placed on the Township website with the intent of Council to sell such parcel of land in accordance with the Municipal Sale and Disposition of Land Policy, section 4.

----Carried-----

8. UNFINISHED BUSINESS

9. BY-LAWS

a. By-law 2021-27

Resolution No: CR141-2021 Moved by: Kiezebrink Seconded by: Smith

Be it resolved that leave be granted to introduce By-law 2021-27, that being a By-law to amend the Township's Fees and Charges By-law 2013-28; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried----

b. By-law 2021-28

Resolution No: CR142-2021 Moved by: Smith Seconded by: Henderson

Be it resolved that leave be granted to introduce By-law 2021-28, that being a By-law to appoint a Secretary-Treasurer to the Committee of Adjustment; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried----

c. By-law 2021-29

Resolution No: CR143-2021 Moved by: Sander Seconded by: Kiezebrink

Be it resolved that leave be granted to introduce By-law 2021-29, that being a By-law to confirm the appointment of a Fire Chief, Community Emergency Management Coordinator (CEMC) and Fire Inspector for the Township of Essa, and to repeal By-law No. 2013-73; and, that said By-law be read a first, and taken as read a second and third time and finally passed.

----Carried----

10. QUESTIONS

11. CLOSED SESSION

Resolution No: CR144-2021 Moved by: Sander Seconded by: Kiezebrink

Be it resolved that Council proceed to a Closed Session in order to address matters pertaining to:

- *Acquisition or Disposition of Land [Municipal Act 2001, s.239(2)(c)]*
- *Litigation or Potential Litigation [Municipal Act 2001, s.239(2)(e)]*
- *Information Supplied in Confidence by a Third Party [Municipal Act 2001, s.239(2)(i)]*

----Carried----

Note: Livestream does not run during Closed Session Deliberations.

Council proceeded into Closed Session Deliberations at 6:44 p.m.

Motion to Rise and Report from Closed Session Meeting of July 7, 2021.

Resolution No: CR145-2021 Moved by: Smith Seconded by: Sander

Be it resolved that Council rise and report from the Closed Session Meeting at 7:34 p.m.

----Carried-----

- a. INFORMATION SUPPLIED IN CONFIDENCE BY A THIRD PARTY [s. 239(2)(i)]
Confidential Staff Report PW021-21 submitted by the Manager of Public
Works, re: Award of Proposal.**

Resolution No: CR146-2021 Moved by: Sander Seconded by: Kiezebrink

*Be it resolved that Confidential Staff Report PW021-21 be received; and
That Council authorize the Manager of Public Works to proceed with Option No. 2
as outlined in this Confidential Report.*

----Carried-----

- b. ACQUISITION OR DISPOSITION OF LAND [s. 239(2)(c)]
Confidential Staff Report CAO027-21 submitted by the Chief Administrative
Officer, re: 152 Greenwood Drive.**

Resolution No: CR147-2021 Moved by: Henderson Seconded by: Sander

*Be it resolved that Confidential Staff Report CAO027-21 be received; and
That Council authorize the Chief Administrative Officer to proceed with Option No. 3
as outlined in this Confidential Report.*

----Carried-----

- c. LITIGATION OR POTENTIAL LITIGATION [s. 239(2)(e)]
Confidential Staff Report CAO031-21 submitted by the Chief Administrative
Officer, re: On-going Lawsuit.**

Resolution No: CR148-2021 Moved by: Kiezebrink Seconded by: Smith

*Be it resolved that Confidential Staff Report CAO031-21 be received; and
That Council authorize the Chief Administrative Officer to proceed with Option No. 2
as outlined in this Confidential Report.*

----Carried-----

- d. ACQUISITION OR DISPOSITION OF LAND [s. 239(2)(c)]
Confidential Staff Report CAO032-21 submitted by the Chief Administrative
Officer, re: Potential Purchase of Land.**

Resolution No: CR149-2021 Moved by: Sander Seconded by: Henderson

*Be it resolved that Confidential Staff Report CAO032-21 be received; and
That the Chief Administrative Officer be authorized to proceed as directed by
Council.*

----Carried-----

12. CONFIRMATION BY-LAW

By-law 2021-30

Resolution No: CR150-2021 Moved by: Henderson Seconded by: Kiezebrink

Be it resolved that leave be granted to introduce By-law 2021-30, that being a By-law to confirm the proceedings of the Council and Committee of the Whole meetings held on this 7th day of July, 2021; and that said By-law be read a first, and taken as read a second and third time and finally passed.

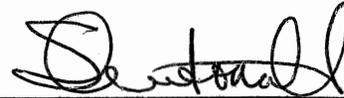
----Carried----

13. ADJOURNMENT

Resolution No: CR151-2021 Moved by: Smith Seconded by: Henderson

Be it resolved that this regular meeting of Council of the Township of Essa adjourn at 7:36 p.m. to meet again on the 1st day of September, 2021 at 6:00 p.m.

----Carried----



Sandie Macdonald, Mayor



Lisa Lehr, Manager of Legislative Services