



**The Corporation of the Town of Essex**

**Regular Council Meeting Minutes**

January 15, 2024, 6:00 pm

Location: Essex Municipal Building, 33 Talbot Street South and by livestream at  
<https://www.youtube.com/user/EssexOntario>

Present: Mayor Sherry Bondy  
Deputy Mayor Rob Shepley  
Ward 1 Councillor Joe Garon  
Ward 1 Councillor Katie McGuire-Blais  
Ward 2 Councillor Kim Verbeek  
Ward 3 Councillor Brad Allard  
Ward 3 Councillor Jason Matyi  
Ward 4 Councillor Rodney Hammond

Also Present: Doug Sweet, Chief Administrative Officer  
Joseph Malandrucolo, Director, Legal and Legislative Services/Clerk  
Jake Morassut, Director, Community Services  
Kate Giurissevich, Director, Corporate Services  
Lori Chadwick, Director, Development Services  
Kevin Girard, Director, Infrastructure Services  
Diane Emery, Legislative Clerk

Accessible formats or communication supports are available upon request. Please contact the Clerk's Office at [clerks@essex.ca](mailto:clerks@essex.ca) or 519-776-7336 extension 1100 or 1101.

**1. Call to Order**

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

**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**

At the request of Mayor Bondy, a moment of silence was observed in honour of the recent passing of Jared Burns, an active member of the Town of Essex Fire and Rescue team.

**4. Closed Meeting Report**

Joe Malandruccolo, Director, Legal & Legislative Services/Clerk reported that on January 15, 2024 at 4:30 Council moved into Closed Session as permitted to do so pursuant to Section 239 (2)(i) and (j) of the Municipal Act, 2001, S.O. 2001, c. 25. as amended to discuss a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization; and a trade secret or scientific, technical, commercial or financial information that belongs to the municipality or local board and has monetary value or potential monetary value.

**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 January 15, 2024**

**R24-01-001**

Moved By Deputy Mayor Shepley

Seconded By Councillor Hammond

**That** the published agenda for the January 15, 2024, Regular Council Meeting be adopted as presented.

**Carried**

**7. Adoption of Minutes**

**7.1 Regular Council Meeting Minutes for December 18, 2023**

**R24-01-002**

Moved By Councillor Garon

Seconded By Councillor Verbeek

**That** the minutes of the Regular Council Meeting held December 18, 2023 be adopted as circulated.

**Carried**

**7.2 Special Council Meeting Minutes for December 13, 2023**

RE: 2024 Budget Deliberations

**R24-01-003**

Moved By Councillor McGuire-Blais

Seconded By Deputy Mayor Shepley

**That** the minutes of the Special Council Meeting held December 13, 2023 be adopted as circulated.

**Carried**

**8. Public Presentations**

**9. Unfinished Business**

**10. Reports from Administration**

**10.1 Legal and Legislative Services-2024-01**

RE: Austin C. Wright Drain: Replacement Bridge for Nelner and New Bridge for Broser

**R24-01-004**

Moved By Councillor Allard

Seconded By Councillor McGuire-Blais

**That** the following three (3) members of the Drainage Board: Janice Dougherty, Percy Dufour and Danny Sauve be appointed to sit as members of the Court of Revision to be convened for the Austin C. Wright Drain: Replacement Bridge for Nelner and New Bridge for Broser, Geographic Township of Colchester South, Project REI2023D017 pursuant to the Report prepared by Gerard Rood, Professional Engineer, Rood Engineering Inc., and dated November 22, 2023, such Court of Revision to be scheduled for 5:00 pm on February 21, 2024.

**Carried**

**R24-01-005**

Moved By Deputy Mayor Shepley

Seconded By Councillor Garon

**That** By-Law 2299 being a by-law to provide for Austin C. Wright Drain: Replacement Bridge for Nelner and New Bridge for Broser, Geographic Township of Colchester South, Project REI2023D017, be read a first and second time and be provisionally adopted on January 15, 2024.

**Carried**

**10.2 Legal and Legislative Services-2024-02**

RE: Bondy No. 1 Drain: Maintenance Schedules of Assessment

**R24-01-006**

Moved By Deputy Mayor Shepley

Seconded By Councillor Matyi

**That** the following three (3) members of the Drainage Board: Janice Dougherty, Percy Dufour and Danny Sauve be appointed to sit as members of the Court of Revision to be convened for the Bondy No. 1 Drain: Maintenance Schedules of Assessment, Geographic Township of Colchester South, Project D22-063 pursuant to the Report prepared by Antonio B. Peralta, Professional Engineer, Peralta Engineering, and dated August 16, 2023, such Court of Revision to be scheduled for 5:00 pm on February 21, 2024 and

**That** By-Law 2300 being a by-law to provide for Bondy No. 1 Drain: Maintenance Schedules of Assessment, Geographic Township of Colchester South, Project D22-063, be read a first and second time and be provisionally adopted on January 15, 2024.

**Carried**

**10.3 Drainage-2024-01**

RE: Appointment of an Engineer under Section 78 and 65 of the Drainage Act for the 14th Concession East Drain and Branch

**R24-01-007**

Moved By Deputy Mayor Shepley

Seconded By Councillor Garon

**That** Drainage-2024-01 entitled Appointment of an Engineer under Section 78 and 65 of the Drainage Act for the 14th Concession East Drain and Branch prepared by Lindsay Dean, Drainage Superintendent dated January 15, 2024 be received, and

**That** Council appoint Dillon Consulting Limited under Section 78 and 65 of the Drainage Act for the 14<sup>th</sup> Concession East Drain and Branch in accordance to Section 22 of the Town of Essex Procurement By-law 2129.

**Carried**

**10.4 Infrastructure Services-2024-01**

RE: Water Supply By-Law and Water and Wastewater Billing and Collection Policy

Kate Giurissevich, Director, Corporate Services provided an update on the Water and Wastewater Billing and Collection Policy. Director Giurissevich outlined that bills will be issued by the Town of Essex once meter readings are completed and mailed out to residents by the second week of February for consumption from approximately December 6, 2023 to January 6, 2024 and that the due date for payments will be March 4, 2024. Director Giurissevich advised that there will be a penalty-free period on unpaid water and wastewater accounts between January 20, 2024 and March 30, 2024.

Councillor Verbeek briefly left the meeting at 6:09 PM during the update and returned at 6:10 PM.

**R24-01-008**

Moved By Deputy Mayor Shepley

Seconded By Councillor Allard

**That** Infrastructure Services 2024-01 entitled Water Supply By-Law and Water and Wastewater Billing and Collection Policy prepared by Kevin Girard, Director, Infrastructure Services and Kate Giurissevich, Director, Corporate Services dated January 15, 2024 be received, and

**That** By-Law 2303 being a by-law to provide for the regulation of water supply in the Town of Essex be read a first, second, third time and finally adopted on January 15, 2024; and

**That** the Water and Wastewater Billing and Collection Policy be adopted as presented; and

**That Council** approve a penalty-free period on unpaid water and wastewater accounts for the period beginning January 20, 2024 ending March 30, 2024 to assist residents with the billing transition.

**Carried**

**11. Reports from Youth Members**

**12. County Council Update**

Deputy Mayor Shepley provided Council with a summary of the December 20, 2023 County Council Meeting including that Essex Windsor Solid Waste Authority's 2024 Budget provides for an increase of 4.1% as well as an increase of \$1.00 per ton for the waste management fee for refuse delivered which works out to \$6.9M from the seven local municipalities and \$8M from the City of Windsor.

Deputy Mayor Shepley remarked that County Council received a report on preparing the failed Regional Waste Initiative showing the cost came in at around \$200,000.00 and that County Council approved its first Strategic Plan.

Deputy Mayor Shepley also advised that County Council received a report that provides details of the County's external financial commitments and updates on the County's Emergency Management Program were approved.

Deputy Mayor Shepley also mentioned that County Council directed Administration to hire a consultant to review Council remuneration and provide comparisons from other jurisdictions and that the 2024 County Budget is expected to be completed in the very near future.

Mayor Bondy mentioned that a report was recently sent to Town of Essex Council on community housing.

**R24-01-009**

Moved By Deputy Mayor Shepley

Seconded By Councillor Verbeek

**That** all of the County Council minutes listed in Agenda Item 12 be received, approved and adopted as circulated.

**Carried**

**12.1 County Council Minutes - November 15, 2023**

**12.2 County Council Minutes - December 6, 2023**

**13. Correspondence**

**13.1 Correspondence to be received**

**R24-01-010**

Moved By Councillor Matyi

Seconded By Councillor Allard

**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 ELK Energy Inc.**

RE: Service Improvements Resolution

Mayor Bondy requested that a response be sent to the Town of Lakeshore indicating that the correspondence dated November 30, 2023 has been

received that a response also be sent to the Town of Kingsville regarding an item of correspondence received by Council on December 6, 2023.

13.1.2 Essex Region Conservation Authority

RE: 2024 Draft Budget

13.1.3 Dillon Consulting Limited

RE: Highway 3 Widening Project - Essex to Leamington - Notice of Completion - Design and Construction Report #1

**13.2 Correspondence to be considered for receipt and support**

13.2.1 City of Greater Sudbury

RE: Amend the Occupational Health and Safety Act to clarify the definition of "employer" to exclude owners that have contracted with a constructor for a project

Kevin Girard, Director, Infrastructure Services provided an overview and recommended receiving and supporting this correspondence. Council directed Administration to send a letter of support to City of Greater Sudbury, local Members of Parliament, local Members of Provincial Parliament, local municipalities, Ministry of Labour and the Premier of Ontario.

**R24-01-011**

Moved By Councillor McGuire-Blais

Seconded By Deputy Mayor Shepley

**That** the correspondence dated December 12, 2023 from the City of Greater Sudbury regarding an amendment to the Occupational Health and Safety Act to clarify the definition of "Employer" be received and supported; and

**That** a letter of support be sent to the City of Greater Sudbury, local Members of Parliament, local Members of Provincial Parliament, local municipalities, the Ministry of Labour and the Premier of Ontario.

**Carried**

13.2.2 Town of Aurora

Re: Community Safety and Inciteful Speech and Homelessness Crisis

**R24-01-012**

Moved By Councillor Hammond

Seconded By Councillor Allard

**That** the following items of correspondence from the Town of Aurora be received:

1. December 19, 2023 - Community Safety and Inciteful Speech; and
2. December 19, 2023 - Homelessness Crisis;

**That** letters of support be sent to local Members of Parliament, local Members of Provincial Parliament and local municipalities.

**Carried**

13.2.3 Township of Alnwick/Haldimand

RE: Bill 3, Strong Mayors, Building Homes Act

**R24-01-013**

Moved By Councillor Hammond

Seconded By Deputy Mayor Shepley

**That** the correspondence dated November 28, 2023 from the Township of Alnwick/Haldimand regarding Bill 3 - Strong Mayors, Building Homes Act be received; and

**That** Council direct Administration to provide a report that summarizes what Bill 3 entails.

**Carried**

13.2.4 Township of Asphodel-Norwood

RE: Rising Municipal Insurance Costs

**R24-01-014**

Moved By Councillor Garon

Seconded By Deputy Mayor Shepley

**That** the correspondence dated December 22, 2023 from the Township of Asphodel-Norwood regarding rising municipal insurance costs be received and supported: and

**That** a letter of support be sent to the Association of Municipalities Ontario, the Minister of Finance and the Minister of Municipal Affairs and Housing and local municipalities.

**Carried**

**14. Committee Meeting Minutes**

**R24-01-015**

Moved By Councillor McGuire-Blais

Seconded By Councillor Verbeek

**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.

**Carried**

**14.1 Essex BIA - November 16, 2023**

**14.2 Police Services Board - December 7, 2023**

**14.3 Arts, Culture & Tourism - December 11, 2023**

**14.4 Drainage Board - December 12, 2023**

**14.5 Committee of Adjustment - December 19, 2023**

**14.6 Essex Accessibility Advisory Committee - December 8, 2023**

**14.7 Essex Festival Committee - November 14, 2023**

**15. Financial**

**16. New Business**

**17. Notices of Motion**

The following Notices of Motion were presented at the December 18, 2023, Regular Council Meeting and are being brought forward for Council's consideration:

**17.1 Councillor Allard**

**R24-01-016**

Moved By Councillor Allard

Seconded By Councillor Matyi

**That** Council direct Administration to prepare a report and provide a recommendation on installing deer crossing signs at the wooded area on the 3rd Concession near the Arner Townline.

**Carried**

**17.2 Councillor Matyi**

Councillor Matyi mentioned that the issue surrounding property lines is partly due to the fact that a survey is not always required to erect a fence. Lori Chadwick, Director Development Services stated that requirement for a survey depends on the application and that in some cases a survey is part of the building permit application and the fence permit application comes with it at the same time whereas in other cases it is a matter of the Chief Building Official not having the information and requesting a survey. Director Chadwick advised that when there are questions about property lines, a survey is usually required.

**R24-01-017**

Moved By Councillor Matyi

Seconded By Deputy Mayor Shepley

**That** Council direct Administration prepare a report on the process for when a fence is requested to be constructed adjacent to Town-owned property including the break down of costs and party who is responsible for costs.

**Carried**

**18. Reports and Announcements from Council Members**

Councillor McGuire-Blais sent a message of thanks to all the snow plow operators for a fabulous job after Friday's storm.

Mayor Bondy stated that an Evening of Hope is scheduled for Saturday, January 20, 2024 at the Harrow United Church at 7:00 PM with music features and that they will be accepting donations for Project Hope and for the Harrow United Church. Mayor Bondy commented that the third Monday in January is known as Blue Monday and it can be a difficult time of year for many.

**19. By-Laws**



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

19.1.1 By-Law 2293

RE: Being a by-law to confirm the proceedings of the December 18, 2023, Regular Meeting of Council of the Corporation of the Town of Essex

**R24-01-018**

Moved By Councillor Matyi

Seconded By Councillor Garon

**That** By-Law Number 2293 being a by-law to confirm the proceedings of the December 18, 2023, Regular Meeting of Council of the Corporation of the Town of Essex be read a third time and finally passed on January 15, 2024.

**Carried**

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

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

19.3.1 By-Law 2296

RE: Being a by-law to confirm the proceedings of the January 15, 2024 Regular Meeting of Council of the Corporation of the Town of Essex

**R24-01-019**

Moved By Councillor Verbeek

Seconded By Councillor Hammond

**That** By-Law Number 2296 being a by-law to confirm the proceedings of the January 15, 2024, Regular Meeting of Council of the Corporation of the Town of Essex be read a first and a second time and provisionally adopted on January 15, 2024.

**Carried**

19.3.2 By-Law 2301

RE: Being a by-Law for the Richmond Drain 5th Concession Bank Repair Phase 1 and 2

**R24-01-020**

Moved By Deputy Mayor Shepley

Seconded By Councillor Allard

**That** By-Law Number 2301 being a by-law for the Richmond Drain 5th Concession Bank Repair Phase 1 and 2 be read a first and a second time and provisionally adopted on January 15, 2024.

**Carried**

**20. Adjournment**

**R24-01-021**

Moved By Councillor Garon

Seconded By Councillor Hammond

**That** the meeting be adjourned at 6:35 PM.

**Carried**

**21. Future Meetings**

**21.1 Monday, February 5, 2024, 6:00 - 9:00 PM, Regular Council Meeting**

Location: 33 Talbot Street South, Essex, ON N8M 1A8

Livestream available at <https://www.youtube.com/EssexOntario>

**21.2 Tuesday, February 20, 2024, 5:00 - 6:00 PM, Special Council Meeting**

RE: Hydro update

Location: 33 Talbot Street South, Essex, ON N8M 1A8

Livestream available at <https://www.youtube.com/EssexOntario>

**21.3 Tuesday, February 20, 2024, 6:00 - 9:00 PM, Regular Council Meeting**

Location: 33 Talbot Street South, Essex, ON N8M 1A8

Livestream available at <https://www.youtube.com/EssexOntario>

**21.4 Monday, February 26, 2024, 4:30 - 6:30 PM, Special Council Meeting**

RE: Committee of the Whole

Location: 33 Talbot Street South, Essex, ON N8M 1A8

Livestream available at <https://www.youtube.com/EssexOntario>

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Mayor

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Clerk