

Regular Meeting of Council

Minutes

Date: Tuesday, March 10, 2020
Time: 7:00 pm
Location: Tecumseh Arena - Horwood Room, 1st Floor
12021 McNorton Street
Tecumseh, ON N8N 3C7

Present:

Mayor, Gary McNamara
Deputy Mayor, Joe Bachetti
Councillor, Bill Altenhof
Councillor, Andrew Dowie
Councillor, Brian Houston
Councillor, Tania Jobin
Councillor, Rick Tonial

Also Present:

Chief Administrative Officer, Margaret Misek-Evans
Director Parks & Recreation Services, Paul Anthony
Director Public Works & Environmental Services, Phil Bartnik
Director Fire Services & Fire Chief, Wade Bondy
Director Information & Communication Services, Shaun Fuerth
Director Planning & Building Services, Brian Hillman
Deputy Clerk & Manager Legislative Services, Jennifer Alexander
Manager Facilities, Ray Hammond
Manager Committee & Community Services, Christina Hebert
Manager Planning Services, Chad Jeffery
Manager Strategic Initiatives, Lesley Reeves
Deputy Treasurer & Tax Collector, Zora Visekruna
Manager Recreation Programs & Events, Kerri Rice

A. Roll Call

B. Order

The Mayor calls the meeting to order at 7:00 pm.

C. Reporting Out on Closed Meeting

There was no closed meeting.

D. Moment of Silence

The Members of Council and Administration observe a moment of silence.

E. National Anthem

The Members of Council and Administration observe the National Anthem O Canada.

F. Disclosure of Pecuniary Interest

There is no pecuniary interest declared by a Member of Council.

G. Minutes

1. Regular Council Meeting - February 25, 2020

2. Special Council Meeting - February 25, 2020

Motion: RCM - 72/20

Moved by Councillor Rick Tonial

Seconded by Councillor Bill Altenhof

That the minutes of the Tuesday, March 10, 2020 meeting of the Regular Council as were duplicated and delivered to the Council members, **be accepted.**

Carried

H. Supplementary Agenda Adoption

Motion: RCM - 73/20

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

That the supplementary items added to the Regular Council meeting agenda regarding the motion on Support for Conservation Authorities and By-law 2020-19, being a by-law to authorize the execution of Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Ministry of Municipal Affairs and Housing, **be approved.**

Carried

I. Delegations

1. Essex Region Conservation Authority Richard Wyma, General Manager/Secretary-Treasurer and Kieran McKenzie, Chair

Re: ERCA's 2019 Annual Report and Sustainability Plan 2016-2025

Here's a link to the video for the 2019 Annual Report:

https://www.youtube.com/watch?v=TA2Ju4ojgv0&feature=emb_logo

Mr. Kieran McKenzie, Chair of the Board, presents the 2019 Annual Report. Last year was an unprecedented year for flooding in the region, with 12 separate flood events. He explains this year will be challenging as

Lake Erie is presently 12 inches higher than this time last year, and Lake St. Clair is 17 inches higher. Essex Region Conservation Authority (ERCA) continues to monitor the situation.

A video highlighting the significant weather events and ERCA initiatives is presented to Council.

Richard Wyma, General Manager, provides a brief history of the *Conservation Authorities Act*. He comments that the region has experienced the impacts of climate change and provides highlights of the 2016-2025 Sustainability Plan.

The Mayor requests the speaking notes to be filed with the Clerk's office.

The Mayor comments that the Town values the partnership with ERCA and the need to have sustained funding.

The Chief Administrative Officer reminds the Members to complete the survey circulated on Conservation Authorities as the deadline is Friday.

Motion: RCM - 74/20

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Tania Jobin

That item P. Motions 1. Conservation Authorities be **brought forward** on the agenda for consideration.

Carried

2. Conservation Authorities

Motion: RCM - 75/20

Moved by Councillor Tania Jobin

Seconded by Deputy Mayor Joe Bachetti

WHEREAS the Town of Tecumseh is a member of the Essex Region Conservation Authority (ERCA) and is represented on their Board of Directors; and

WHEREAS the Board of Directors determines the policies, priorities, programs and services, and budgets of the Essex Region Conservation Authority in an open and transparent manner; and

WHEREAS the solutions to the problems the Essex Region is facing - great lakes water quality, climate adaptation, land degradation, habitat loss and endangered species, sustainable growth and development, and flooding and erosion - require the integrated, watershed-based programs and services delivered by the Essex Region Conservation Authority in partnership with municipalities and others; and

WHEREAS the 'conservation authority model', that was recently highlighted by the Provincial Flood Advisor as an extremely effective model for reducing flood risk, and a reason why Ontario is better situated to deal with flooding and climate change than other provinces; and

WHEREAS Conservation Authorities provide essential service to municipalities in their watersheds and deliver programs effectively, efficiently and in a cost-effective way; and

WHEREAS the Province of Ontario is reviewing the programs and services delivered by Conservation Authorities.

NOW THEREFORE BE IT RESOLVED that the Council of the Town of Tecumseh request that the Provincial Government maintain the 'watershed approach' to ensure that Conservation Authorities continue to deliver appropriate, watershed-wide programs and services to address the issues they are facing in their region; and

THAT the Provincial Government ensure that any changes to the legislation and regulation continue to allow for municipalities and conservation authorities the flexibility of including programs and services important to local circumstances of direct relevance to its watershed mandate, and further;

THAT the Province include experts from Conservation Authorities, staff of the Ministries of Natural Resources and Forestry, Environment Conservation and Parks as well as Municipal Affairs and Housing and municipalities when developing the draft regulations; and

THAT the Province of Ontario maintain funding of Conservation Authorities to a level sufficient to allow maintenance of hazard programs; and further

THAT this resolution be forwarded to the Premier, the Minister of Environment, Conservation and Parks, the Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, all local MPPs, the Essex Region Conservation Authority Board of Directors, Conservation Ontario, municipalities, and the Association of Municipalities of Ontario.

Carried

J. Communications - For Information

1. County of Haliburton dated February 3, 2020

Re: Tourism Oriented Destination Signage Fee Increases

2. Town of Lakeshore dated February 12, 2020

Re: Town of Lakeshore's Submission Regarding OPP Detachment Boards

3. City of Windsor dated February 14, 2020

Re: Notice of Public Meeting to Consider Amendments to the City of Windsor Official Plan and Zoning By-Law 8600

4. Town of Lakeshore dated February 18, 2020

Re: Notice of Public Meeting - Application for Draft Plan of Subdivision

5. Town of Lakeshore dated February 18, 2020

Re: Notice of Complete Application and Public Meeting

6. Township of Puslinch dated February 20, 2020

Re: AMO's position on the Legislative Changes in Bill 132 with respect to the Aggregate Resources Act and the Safe Drinking Water Act.

7. Enbridge Gas dated February 21, 2020

Re: 2020 Windsor Line Replacement - Notice of Brushing and Vegetation Removal

8. County of Frontenac dated February 21, 2020

Re: Resolution of Support for Conservation Authorities

9. Municipality of West Nipissing dated March 3, 2020

Re: Provincially Significant Wetlands Designation

10. Township of Tyendinaga dated March 3, 2020

Re: Call for a solution to the ongoing Coastal GasLink and Rail Disruption situations.

Motion: RCM - 76/20

Moved by Councillor Andrew Dowie

Seconded by Councillor Brian Houston

That Communications - For Information 1 through 11 as listed on the Tuesday, March 10, 2020 Regular Council Agenda, **be received.**

Carried

K. Communications - Action Required

1. Essex Region Conservation Golf Tournament dated February 21, 2020

Re: Save the Date

Motion: RCM - 77/20

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

That the Mayor and Members of Council **be authorized**, in accordance with the Education and Travel Policies, subject to 2020 Budget funding.

Carried

2. Association Municipalities Ontario dated February 27, 2020

Re: Land Use Planning: Beyond the Basics Workshops

Motion: RCM - 78/20

Moved by Councillor Brian Houston

Seconded by Councillor Bill Altenhof

That the Mayor and Members of Council **be authorized** to participate in the Land Use Planning: Beyond the Basics Workshops, in accordance with the Town's professional Development and Travel Policies, and subject to 2020 Budget Funding.

Carried

L. Committee Minutes

1. Tecumseh Accessibility Advisory Committee - February 25, 2020

A Member advised that the Tecumseh Accessibility Advisory Committee minutes for February 25, 2020 be amended regarding the new business item, Tecumseh BIA. The BIA will be updating the look and feel of the current bus stop and not inquiring on a new transit stop location.

Motion: RCM - 79/20

Moved by Councillor Rick Tonial

Seconded by Councillor Tania Jobin

That the February 25, 2020 minutes of the Tecumseh Accessibility and Advisory Committee, as were duplicated and delivered to the members, **be adopted as amended**.

Carried

M. Reports

1. Information & Communication Services

- a. ICS 2020-02 2020-2024 ICS Lifecycle Works Plan

Motion: RCM - 80/20

Moved by Councillor Brian Houston

Seconded by Deputy Mayor Joe Bachetti

That the 2020 expenditure of \$77,000 from the Information & Communication Services (ICS) Lifecycle reserve **be authorized** as per items outlined in Attachment 1.

Carried

2. Parks & Recreation Services

- a. PRS-2020-05 Optimist Club's Victoria Day Weekend Fireworks 2020

A Member comments that the fee required to have additional officers at the event should be included in the policing service contract with the Town.

Motion: RCM - 81/20

Moved by Councillor Brian Houston

Seconded by Councillor Bill Altenhof

That the Town of Tecumseh **pay** the cost for enhanced OPP service during the 43rd annual Victoria Day Fireworks event to be held on May 16 or 17, 2020, estimated to be in the order of \$1,400;

And that this cost **be funded from** the Police Contracts budget.

Carried

- b. PRS-2020-06 St. Clair College Baseball at Lacasse Park

Motion: RCM - 82/20

Moved by Councillor Rick Toniai

Seconded by Councillor Tania Jobin

That St. Clair College **be authorized** to sell and serve alcoholic beverages for consumption by patrons at the Lacasse Park Baseball Diamond during home games throughout the 2020 baseball season starting June 5, 2020 through to and including August 31, 2020, subject to compliance with the provisions of the Town's Municipal Alcohol Risk Management Policy 31.

Carried

c. PRS-2020-07 Rink A Chiller Replacement

Motion: RCM - 83/20

Moved by Councillor Bill Altenhof

Seconded by Deputy Mayor Joe Bachetti

That the price of \$155,985.00 net of 100% refundable HST, submitted from Cimco Refrigeration for Rink A Brine Pump and Chiller Replacement, undertaken through a contract record, **be approved**;

And that Council **award** the project to Cimco Refrigeration as an Irregular Result under Schedule "A" of the Purchasing policy.

Carried

3. **Planning and Building Services**

a. PBS-2020-09 Site Plan Control, 12000 Tecumseh Road

Motion: RCM - 84/20

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Brian Houston

That a by-law authorizing the execution of the "Villa Pia Investments Ltd." site plan control amending agreement, satisfactory in form to the Town's Solicitor, which allows for the construction of a new 361.5 square metre (3,891.7 square foot) commercial building and associated patios, landscaping and on-site services/works on 0.85 hectare (2.1 acre) parcel of land located on the north side of Tecumseh Road/Shawnee Road intersection (12000 Tecumseh Road), **be adopted**, subject to the following occurring prior to the Town's execution of the Agreement:

- i. the Owner executing the site plan control amending agreement;
- ii. the Owner executing an encroachment agreement to permit the two patios associated with the proposed commercial building pursuant to paragraph 3.1 of the amending agreement; and
- iii. the Owner providing the required land dedications pursuant to paragraph 3.1 of the agreement;

And that the execution of such further documents as are called for by the site plan control amending agreement approved above including, but not limited to, the execution of the acknowledgement/direction required to register the site plan control amending agreement on title to the lands and such other acknowledgements/directions for any related transfers or real property registrations contemplated by the site plan control amending agreement, by the Mayor and Clerk, **be authorized**.

Carried

- b. PBS-2020-10 Encroachment Agreement, 12000 Tecumseh Road

Motion: RCM - 85/20

Moved by Councillor Tania Jobin

Seconded by Councillor Brian Houston

That a by-law authorizing the execution of the “Villa Pia Investments Ltd.” encroachment agreement, satisfactory in form to the Town’s Solicitor, which allows for the establishment of two outdoor patios associated with a proposed new 361.5 square metre (3,891.7 square foot) commercial building to be constructed on a 0.85 hectare (2.1 acre) parcel of land located on the north side of Tecumseh Road/Shawnee Road intersection (12000 Tecumseh Road), **be adopted**, subject to the Owner executing the encroachment agreement.

And that the execution of such further documents as are called for by the encroachment agreement approved above including, but not limited to, the execution of the acknowledgement/direction required to register the encroachment agreement on title to the lands and such other acknowledgements/directions for any related transfers or real property registrations contemplated by the encroachment agreement, by the Mayor and Clerk, **be authorized**.

Carried

- c. PBS-2020-11 CIP Grant, 12000 Tecumseh Road

Motion: RCM - 86/20

Moved by Councillor Bill Altenhof

Seconded by Councillor Rick Tonial

That the Grant Application for the Tecumseh Road Main Street Community Improvement Plan (CIP) Financial Incentive Program, for the property located at 12000 Tecumseh Road (Roll No. 374401000001900), **be deemed eligible and approved** for the Development Charges Grant Program in the amount of \$26,152.22 in relation to the construction of a new 361.5 square metre (3,891.7 square foot) commercial building on the subject property, all of which is in accordance with Section 11.3 (5) of the CIP and with PBS-2020-11.

Carried

4. Public Works & Environmental Services

- a. PWES-2020-15 2018 Water and Wastewater Master Plan Update - Study Completion and Final Adoption

Motion: RCM - 87/20

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

That the 2018 Water and Wastewater Master Plan Update, **be adopted.**

Carried

- b. PWES-2020-16 Amend 2020-2024 PWES Five Year Capital Works Plan-CR11 STR Roundabout-Advanced Watermain Modifications

Motion: RCM - 88/20

Moved by Councillor Rick Tonial

Seconded by Councillor Bill Altenhof

That the County Road 11 and South Talbot Road Roundabout Advanced Watermain Modifications **be added** to the PWES 2020-2024 Public Works & Environmental Services Five Year Capital Works Plan;

And that the expenditure of \$30,000 from the Watermain Reserve Fund for the Town Water Division to complete the County Road 11 and South Talbot Road Roundabout Advanced Watermain Modifications in 2020 **be authorized.**

Carried

N. By-Laws

1. By-Law 2020-06

Being a bylaw to provide for the repair and improvements to the West Branch of the East Branch Delisle Drain

2. By-Law 2020-07

Being a bylaw to provide for the repair and improvements to the Hurley Relief Branch Drain and Upper Part of Hurley Relief Drain

3. By-Law 2020-19

Being a by-law to authorize the execution of Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Ministry of Municipal Affairs and Housing

Motion: RCM - 89/20

Moved by Councillor Rick Tonial

Seconded by Deputy Mayor Joe Bachetti

That By-law 2020-19 being a by-law to authorize the execution of Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Ministry of Municipal Affairs and Housing.

Be given first and second reading.

Carried

Motion: RCM - 90/20

Moved by Councillor Rick Tonial

Seconded by Councillor Brian Houston

That By-law 2020-06 being a by-law to provide for the repair and improvements to the West Branch of the East Branch Delisle Drain;

That By-law 2020-07 being a by-law to provide for the repair and improvements to the Hurley Relief Branch Drain and Upper Part of Hurley Relief Drain.

That By-law 2020-19 being a by-law to authorize the execution of Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Ministry of Municipal Affairs and Housing.

Be given third and final reading.

Carried

O. Unfinished Business

1. March 10, 2020

The Members receive the Unfinished Business listing for Tuesday, March 10, 2020.

P. New Business

Litter on Hawk Lane

A Member raised concern regarding the amount of litter on Hawk Lane. Administration is requested to look into the matter.

Rodents

A Member raised concern regarding rodents in the Horwood Crescent area and if the Town has animal traps available for public use. The Chief Administrative Officer explains that the Town has reviewed this matter and residents should seek the services of a licenced exterminator.

The Passing of Mary Mason - St. Clair Resident

Councillor Altenhof advised the Members of the passing of resident Mary Mason, who was an active member of the St. Clair Beach community and educator for 35 years.

Flood Update

The Director of Public Works & Environmental Services provides an update on the lake levels and the Town's mitigation efforts. He explains the positive uptake from residents regarding the Town's Sandbag program and communication efforts to raise awareness with properties in low lying affected areas. He notes that Lake St. Clair water levels are 17 inches higher than last year. Over the weekend, the winds increased which caused site specific flooding on three to four properties along Lake St. Clair. These properties have break walls at or above the 176.400 elevation, and that the flooding was caused by wave spray over those walls. The properties that have implemented sandbags fared well. Administration continues to monitor the situation.

COVID-19

Administration is monitoring the situation, preparing communications and workplaces, in case of an outbreak in Ontario. Council will be advised soon.

Q. Motions**1. Confirmatory by-law****a. By-Law 2020-20**

Being a by-law to confirm the proceedings of the March 10, 2020 regular meeting of the Council of The Corporation of the Town of Tecumseh.

Motion: RCM - 91/20

Moved by Councillor Bill Altenhof

Seconded by Councillor Rick Tonial

That By-Law 2020-20 being a by-law to confirm the proceedings of the Tuesday, March 10, 2020, regular meeting of the Council of The Corporation of the Town of Tecumseh **be given** first, second, third and final reading.

Carried

R. Notices of Motion

There are no notices of motion presented to Council.

S. Next Meeting

Tuesday, March 24, 2020

7:00 pm Regular Council Meeting

T. Adjournment

Motion: RCM - 92/20

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

That there being no further business, the Tuesday, March 10, 2020 meeting of the Regular Council **be adjourned** at 8:20 pm.

Carried

Gary McNamara, Mayor

Jennifer Alexander, Deputy Clerk