

## Regular Meeting of Council

### Minutes

Date: Tuesday, April 28, 2020  
Time: 7:00 pm  
Location: This meeting is being conducted electronically

#### 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  
Director Financial Services & Chief Financial Officer, Tom Kitsos  
Director Corporate Services & Clerk, Laura Moy  
Deputy Clerk & Manager Legislative Services, Jennifer Alexander  
Manager Strategic Initiatives, Lesley Reeves

#### **A. Roll Call**

#### **B. Order**

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

#### **C. Report Out of Closed Meeting**

There is no closed meeting.

#### **D. Moment of Silence**

A moment of silence is observed for the victims in Nova Scotia.

#### **E. National Anthem**

The National Anthem is waived in light of the electronic holding of this meeting.

#### **F. Disclosure of Pecuniary Interest**

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

**G. Minutes**

1. **Regular Council Meeting - April 14, 2020**
2. **Special Council Meeting - April 16, 2020 - Flood Mitigation**

**Motion: RCM - 133/20**

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Rick Tonial

**That** the April 14, 2020 minutes of the Regular Council Meeting and the April 16, 2020 minutes of the Special Council Meeting, as were duplicated and delivered to the members, **be adopted**.

Carried

**H. Supplementary Agenda Adoption**

**Motion: RCM - 134/20**

Moved by Councillor Bill Altenhof

Seconded by Councillor Tania Jobin

**That** the supplementary item added to the Regular Meeting agenda regarding the letter from the Ministry of Agriculture, Food and Rural Affairs dated April 25, 2020 on Community Gardens, **be approved**

Carried

**I. Delegations**

There are no delegations presented to Council.

**J. Communications - For Information**

1. **Municipality of Mattice-Val Cote dated March 2, 2020**  
Re: 911 Misdials
2. **Watson and Associates Economists Ltd dated April 20, 2020**  
Re: Updated Draft Regulation for Development Charges and the Community Benefits Charge
3. **Municipality of Muskoka dated April 20, 2020**  
Re: Resolution to Support for Community Gardens, Garden Centres and Nurseries as essential services during the COVID-19 Pandemic
4. **Town of Gravenhurst dated April 22, 2020**  
Re: Resolution to Support for Community Gardens, Garden Centres and Nurseries as essential services during the COVID-19 Pandemic
5. **Ministry of Agriculture, Food and Rural Affairs dated April 25, 2020**  
Re: Community Gardens

**Motion: RCM - 135/20**

Moved by Councillor Andrew Dowie  
Seconded by Councillor Bill Altenhof

**That** Communications - For Information 1 through 5 as listed on the Tuesday, April 28, 2020 Regular Council Agenda, **be received.**

Carried

**K. Communications - Action Required**

There are no communications - action required items presented to Council.

**L. Committee Minutes**

There are no committee minutes presented to Council.

**M. Reports**

**1. Financial Services**

- a. FS-2020-06 COVID-19 Financial Impact Update

**Motion: RCM - 136/20**

Moved by Councillor Brian Houston  
Seconded by Councillor Andrew Dowie

**That** report FS-2020-06 COVID-19 Financial Impact Update, **be received.**

Carried

**2. Parks & Recreation Services**

- a. PRS-2020-10 Amend 2020-2024 Arena and Pool (5) Year capital Works Plan Arena Rink B Brine Line Replacement

**Motion: RCM - 137/20**

Moved by Councillor Brian Houston  
Seconded by Councillor Bill Altenhof

**That** the Rink B Brine Line Replacement capital project be added to the 2020-2024 PRS Arena and Pool (5) Five Year Capital Works Plan;

**And that** the Rink B Brine Line Replacement Capital project as outlined in this report, in the amount of \$43,000 net of 100% refundable HST, **be authorized and funded** out of the Arena Lifecycle Reserve.

Carried

**3. Planning & Building Services**

- a. PBS-2020-16 CIP Grant, 12137 Tecumseh Road

**Motion: RCM - 138/20**

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

**That** the Grant Application for the Tecumseh Road Main Street Community Improvement Plan (CIP) Financial Incentive Program, for the property located at 12133-12137 Tecumseh Road (Roll Nos. 374405000002300 and 374405000002200), **be deemed eligible and approved** for the Parking Area Improvement Grant Program, for a total amount of \$10,000 toward the parking lot improvements being proposed, all of which is in accordance with Section 11.3 (5) of the CIP, and PBS-2020-16.

Carried

**4. Public Works & Environmental Services**

- a. PWES-2020-21 Town of Tecumseh Roads Needs Study 2019

**Motion: RCM - 139/20**

Moved by Councillor Rick Tonial

Seconded by Councillor Brian Houston

**That** the Town of Tecumseh Road Needs Study 2019 as prepared by Dillon Consulting Limited, **be adopted**;

**And that** Administration **be authorized** to utilize the recommendations contained within the Road Needs Study 2019 when completing the annual Public Works & Environmental Services Capital Works Plan.

Carried

- b. PWES-2020-22 LAS Sewer and Water Line Warranty Program Service Line Warranties of Canada Inc. Agreement Renewal Term

A member requests that the company communicate to residents the benefits of the sanitary sewer warranty program.

**Motion: RCM - 140/20**

Moved by Councillor Rick Tonial

Seconded by Councillor Bill Altenhof

**That** notice **be provided** to Service Line Warranties of Canada Inc. that the Town intends to allow the 'Renewal Term' within section 3(a) of the Agreement to commence, whereby the Agreement will automatically renew for one additional year starting September 29, 2020.

Carried

- c. PWES-2020-23 Larviciding for the 2020 West Nile Virus Program

**Motion: RCM - 141/20**

Moved by Councillor Brian Houston

Seconded by Councillor Tania Jobin

**That** correspondence to the Ministry of Environment, Conservation and Parks (MECP) and Pestalto Environmental Health Services Inc. (Pestalto), authorizing the application of larvicides in water bodies in the Town of Tecumseh such as catch basins or ditches found to contain mosquito species known to transmit the West Nile Virus, **be prepared** to support Pestalto's permit application to the MECP;

**And that** the Town's share of West Nile Virus Program costs **be funded** from an existing budget allowance for this purpose in the 2020 Public Works Operating Budget.

Carried

**N. By-Laws**

- 1. **By-Law 2020-36**

Being a by-law to provide for the adoption of tax rates, area rates and additional charges for Municipal, County and Education purposes for the year 2020.

- 2. **By-law 2020-37**

Being a by-law to levy a special charge of the Business Improvement Area and to provide for its collection for the year 2020

**Motion: RCM - 142/20**

Moved by Councillor Brian Houston

Seconded by Councillor Andrew Dowie

**That** By-law 2020-36 being a by-law to provide for the adoption of tax rates, area rates and additional charge for Municipal, County and Education purposes for the year 2020.

**That** By-law 2020-37 being a by-law to levy a special charge of the Business Improvement Area and o provide for its collection for the year 2020.

**Be given** first and second reading.

Carried

**Motion: RCM - 143/20**

Moved by Councillor Brian Houston  
Seconded by Councillor Bill Altenhof

**That** By-law 2020-36 being a by-law to provide for the adoption of tax rates, area rates and additional charge for Municipal, County and Education purposes for the year 2020.

**That** By-law 2020-37 being a by-law to levy a special charge of the Business Improvement Area and to provide for its collection for the year 2020.

**Be given** third and final reading.

Carried

**O. Unfinished Business**

**1. April 28, 2020**

**Gateway Signage**

A member requests an update on the gateway signage at Howard Avenue and South Talbot Road. The Director Public Works & Environmental Services explains that the Tecumseh Signage Project is incorporated into the 2020 Capital Works Plan and a report will be forthcoming to Council next month.

**P. New Business**

**Speeding on Grant Avenue**

A member raises concern over the excessive speeding on Grant Avenue between Hayes Avenue and Riverside Drive. It is requested that Administration raise the issue with the OPP for speed monitoring, as there are many children playing in the area.

**Flood Mitigation**

A Member extends gratitude to Administration for the quick installation of the permanent berms along Lake St. Clair's shoreline. The berms were installed as a flood mitigation measure as water levels continue to increase and poses a risk for inland flooding.

**Post Media Closure of Community Newspaper**

The closure of the five community newspapers in the Essex region, including Tecumseh's Shoreline Week, is raised. Members share their disappointment with the loss of a valued community resource for local news. The Chief Administrative Officer indicated that the Town has increased their communication with residents through press releases and Council Connect, which can be found on the Town's website and social media platforms.

## **Building Permits and By-law Enforcement**

A Member inquires on the status of the Town issuing permits and by-law enforcement since the declared emergency of COVID-19. The Director Planning & Building Services explains that the Provincial Order for essential business includes issuing permits. The department continues to process applications, consult with applicants and issue permits. When a permit is issued, the permit holder is notified that they can only proceed with works that are deemed essential. The Director comments on the increased by-law enforcement duties with monitoring recreational facilities and parks, and remarks on positive response with compliance from residents. The Town continues to work closely with the OPP and the Windsor-Essex County Health Unit.

## **Request for Federal Funding - Support to Municipalities**

The Mayor is preparing a letter of support to the Federation of Canadian Municipalities and the Association of Municipalities of Ontario to lobby the Federal and Provincial governments for funding to assist municipalities during COVID-19 pandemic and loss of municipal revenues.

## **Essex Powerlines**

The Mayor explains the current climate in the energy sector, with relief measures in place due to COVID-19, which will have an impact on revenues for utility companies. The Mayor will be preparing a letter to encourage the Federal and Provincial governments to spread cost recovery across the energy sector and not to municipalities and taxpayers.

## **Q. Motions**

### **1. Refuse Collection Amendment**

This motion is brought forward by Councillor Tonia

#### **Motion: RCM - 144/20**

Moved by Councillor Rick Tonia

Seconded by Councillor Tania Jobin

**Whereas** a Declaration of Emergency was made by Mayor Gary McNamara on March 22, 2020, pursuant to the authority granted under subsection 4(1) of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 due to the World Health Organization declared COVID-19 pandemic;

**And Whereas** both the Federal and Provincial Governments have announced enhanced measures to protect Ontarians from COVID-19, including travel restrictions and closures of borders, schools, daycares, public places and non-essential workplaces, and encouraged people to stay home as much as possible,

**And Whereas** residents while observing orders and public health recommendations to stay home may have additional waste and an insufficient number of hard sided containers for their additional waste;

**Now Therefore Be It Hereby Resolved That** effective April 28, 2020 to May 28, 2020, residents be permitted to place up to two extra garbage bags (not in hard-sided containers) with their garbage on their scheduled collection day;

**And that** each bag shall:

- Be strong enough to securely hold its contents
- Weigh no more than 22.7 kilograms (50 pounds)
- Be closed or tied at the top
- Be placed next to your garbage pails (not on top of the pail)
- Not contain sharp objects, paint, batteries or any other household chemical waste;

**And further that** this temporary approval for two extra garbage bags per household, per collection, be reviewed and authorization be given to the Chief Administrative Officer to extend this provision during the time of Provincial Orders related to COVID-19;

**And furthermore that** any financial impact be reported through the updates provided to Council on COVID-19 and the quarterly budget variance reporting.

Carried

**2. Procedural By-law Amendment - Electronic Meetings during a Declared Emergency**

This motion is brought forward by Councillor Houston

**Motion: RCM - 145/20**

Moved by Councillor Brian Houston

Seconded by Councillor Bill Altenhof

**Whereas** a Declaration of Emergency was made by Mayor Gary McNamara on March 22, 2020, pursuant to the authority granted under subsection 4(1) of the Emergency Management and Civil Protection Act, R.S.O. 1990, c. E.9 due to the World Health Organization declared COVID-19 pandemic;

**And Whereas** the Municipal Emergency Act, 2020 amended the Municipal Act, 2001 to allow for, during emergencies declared locally, or provincially, under the Emergency Management and Civil Protection Act, members of councils, local boards and committees who participate

electronically in open and closed meetings to be counted for purposes of quorum;

**And Whereas** By-law No. 2020-13 that governs the proceedings of the meetings of Council and Committees/Boards was amended on March 24, 2020, by By-law No.2020-29 to allow Council Members to participate and conduct their meetings electronically during a Declared Emergency;

**And Whereas** in order for the Town's decision-making Boards and Committees to meet electronically, and for members to participate electronically in meetings and be counted for the purposes of quorum, a further amendment to the Town's Procedural By-law No. 2020-13, as amended by By-law 2020-29, is required.

**Now Therefore Be It Hereby Resolved That** the Director Corporate Services & Clerk be directed to prepare a further amending by-law to By-law No. 2020-13, as amended, to also allow for Boards and Committees to meet electronically and for the members to participate electronically in meetings and be counted for the purposes of quorum, during a declared emergency;

**And that** this amending by-law be provided for Council's consideration at their next regular meeting scheduled for Tuesday, May 12, 2020.

Carried

### 3. **Confirmatory By-law**

#### a. By-Law 2020-38

Being a by-law to confirm the proceedings of the April 28, 2020 regular meeting of the Council of The Corporation for the Town of Tecumseh

#### **Motion: RCM - 146/20**

Moved by Councillor Andrew Dowie

Seconded by Councillor Rick Tonial

**That** By-Law 2020-38 being a by-law to confirm the proceedings of the Tuesday, April 28, 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**

### 1. **Deputy Mayor Joe Bachetti - Post Media Closure of Local Newspaper**

This motion will be placed on the next Regular Meeting of Council Agenda.

**S. Next Meeting**

Tuesday, May 12, 2020

7:00 pm Regular Council Meeting

**T. Adjournment**

**Motion: RCM - 147/20**

Moved by Councillor Bill Altenhof

Seconded by Councillor Brian Houston

**That** there being no further business, the Tuesday, April 28, 2020 meeting of the Regular Council **be adjourned** at 8:34 pm.

Carried

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Gary McNamara, Mayor

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Laura Moy, Clerk