

Regular Meeting of Council

Minutes

Date: Tuesday, September 15, 2020
Time: 7:00 pm
Location: Electronic meeting live streamed at:
<https://video.isilive.ca/tecumseh/live.html>.

Present:

Mayor, Gary McNamara
Deputy Mayor, Joe Bachetti
Councillor, Bill Altenhof
Councillor, Brian Houston
Councillor, Rick Tonial

Absent:

Councillor, Andrew Dowie
Councillor, Tania Jobin

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

A Closed Meeting of Council was held earlier this evening, on September 15, 2020, at 6:00 pm, in accordance with Section 239 (2) (c) (e) and (f) of the *Municipal Act, 2001*, which permits a meeting, or part of a meeting, to be closed to the public when the subject matter being considered is:

(c) the acquisition or disposition of land; and/or

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

At this meeting, the Town's Legal Counsel gave advice on the acquisitions of lands for a sanitary sewer easement and the status of mediation on water services.

Motion: RCM - 256/20

Moved by Councillor Rick Tonial

Seconded by Councillor Bill Altenhof

That the direction given by Council to Administration and Legal Counsel regarding the sanitary sewer easement, **be confirmed**.

Carried

D. Moment of Silence

The moment of silence is waived in light of the electronic holding of this meeting.

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. **August 11, 2020 - Regular Council Meeting**

2. **August 11, 2020 - Public Council Meeting - ZBA 3455 North Talbot Road**

3. **August 11, 2020 - Public Council Meeting - Gateway Tower Inc.**

Motion: RCM - 257/20

Moved by Councillor Bill Altenhof

Seconded by Councillor Rick Tonial

That the August 11, 2020, minutes of the Regular Council Meeting and the minutes of the August 11, 2020, Public Council Meetings, as were duplicated and delivered to the members, **be adopted**.

Carried

H. Supplementary Agenda Adoption

There are no supplementary agenda items.

I. Delegations

1. Joe Barile, General Manager, Essex Powelines Corporation

Re: Reliability Report

Mr. Joe Barile presents the Essex Power Reliability Report, 2020 Town of Tecumseh Power Outages with Historical Comparison, to the Members. He explains the collection of data outlined in the report which spans over a three-year period. He summarizes that the majority of outages have been planned for asset replacements. In the future when power outages are planned, more robust communications with the affected customers will occur through social media and their website.

Motion: RCM - 258/20

Moved by Councillor Bill Altenhof

Seconded by Councillor Brian Houston

That the Reliability Report, 2020 Town of Tecumseh Power Outages with Historical Comparison from Essex Powerlines Corporation, **be received.**

Carried

J. Communications - For Information

1. Town of Mono dated July 28, 2020

Re: Investment in Rural Broadband Infrastructure

2. Town of Essex dated August 14, 2020

Re: Request for more detailed information regarding the spread of COVID-19 in Essex County

3. Town of Essex dated August 13, 2020

Re: Formal Apology from Canadian Government to African Canadians for Slavery

4. Township of Huron-Kinloss dated August 28, 2020

Re: Support for Cultural, Service and Sporting Clubs

5. Township of Huron-Kinloss dated August 28, 2020

Re: Emancipation Day in Canada

6. Town of Fort Erie dated August 25, 2020

Re: Private Members Bill M-36 to Declare August 1 as "Emancipation Day" in Canada

7. Township of Huron-Kinloss dated August 17, 2020

Re: Farm Tax Credit Review

8. City of St. Catharines dated August 17, 2020

Re: Support to the City of Toronto in their Legal Challenge of the Amendments made under Bill 184, Section 83

9. Town of Gore Bay dated August 18, 2020

Re: Support for COVID-19 Funding

10. City of Port Colborne dated August 18, 2020

Re: Funding and Inspections for Long Term Care Homes due to COVID-19 Pandemic

11. City of Port Colborne dated August 18, 2020

Re: Endorsement of Bill 164, Protecting Vulnerable Persons in Supportive Living Accommodation Act, 2019

12. Town of Amherstburg dated August 26, 2020

Re: Support for Increased Provincial Funding

13. Ministry of Agriculture, Food and Rural Affairs dated August 31, 2020

Re: Security from Trespass and Protecting Food Safety Act

14. Ministry of Municipal Affairs and Housing, dated September 3, 2020

Re: Survey on O. Reg. 157/20: Work Deployment Measures for Municipalities

Motion: RCM - 259/20

Moved by Councillor Rick Tonial

Seconded by Councillor Brian Houston

That Communications - For Information 1 through 14 as listed on the Tuesday, September 15, 2020 Regular Council Agenda, **be received.**

Carried

K. Communications - Action Required

1. CN Rail, dated August 20, 2020

That the week of September 21 - 27, 2020, **be proclaimed** as “Rail Safety Week” in the Town of Tecumseh.

Motion: RCM - 260/20

Moved by Councillor Bill Altenhof

Seconded by Deputy Mayor Joe Bachetti

That the week of September 21 to 27, 2020, **be proclaimed** as “Rail Safety Week” in the Town of Tecumseh.

Carried

L. Committee Minutes

1. BIA Minutes - August 12, 2020

Motion: RCM - 261/20

Moved by Councillor Brian Houston

Seconded by Councillor Bill Altenhof

That the August 12, 2020 minutes of the Tecumseh Business Improvement Area, as were duplicated and delivered to the members, **be adopted**.

Carried

M. Reports

1. Chief Administrative Officer

a. CAO-2020-07 Postal Code Initiative Tecumseh

It is requested that Administration review 12th Concession Road to determine if the street can be renamed to Lesperance Road during the Postal Code initiative.

Motion: RCM - 262/20

Moved by Councillor Brian Houston

Seconded by Councillor Rick Tonial

That Report CAO-2020-07 Postal Code Initiative Tecumseh, **be received**.

Carried

2. Corporate Services & Clerk

- a. CS-2020-24 Advisory and Statutory Committees Call for 2021 Applications

Motion: RCM - 263/20

Moved by Councillor Bill Altenhof

Seconded by Councillor Brian Houston

That a Notice of Call for Applications **be advertised** for the:

- Committee of Adjustment;
- Property Standards Committee;
- Tecumseh Accessibility Advisory Committee;
- Youth Advisory Committee.

And that a Notice of Call for Applications **be suspended** for the following committees:

- Cultural & Arts Advisory Committee;
- Heritage Committee;
- Senior Advisory Committee.

And that Applications **be considered** at a Special Meeting of Council on Tuesday, November 24, 2020, at 6:00 pm.

Carried

- b. CS-2020-26 Essex Power Corporation Board of Directors Call for 2020 Applications

Motion: RCM - 264/20

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Brian Houston

That a Notice of Call for Applications for the non-elected Tecumseh representative on the Essex Power Corporation Board of Directors **be made** in September 2020, in accordance with the Committee/Local Board Appointment Policy No. 4;

And that the Notice **be posted** on the Town's website, Facebook and Twitter page, advertised in the local media, displayed on the Town's LED signs and posted in prominent locations in the Town's facilities (i.e. Town Hall and Tecumseh Arena);

And further that consideration **be given** to the applications received before the October 31st deadline to fill the vacancy at the Special Meeting of Council to be held on Tuesday, November 24, 2020, at 6:00 p.m.

Carried

- c. CS-2020-28 Health and Safety Policy No. 7 Annual Review

Motion: RCM - 265/20

Moved by Councillor Bill Altenhof

Seconded by Councillor Rick Tonial

That Health and Safety Policy No. 7, as reviewed for the year 2020, in accordance with Section 25(2)(j) of the *Occupational Health and Safety Act*, **be approved**;

And that Health and Safety Policy No. 7 **be posted** in all Municipal Buildings.

Carried

- d. CS-2020-29 Violence and Harassment in the Workplace Policy No. 68 - Annual Review

Motion: RCM - 266/20

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Rick Tonial

That the Violence and Harassment in the Workplace Policy No. 68, appended to Report No. CS-2020-29, **be approved**;

And that the approved Violence and Harassment in the Workplace Policy No. 68, **be posted** in all Municipal Buildings.

Carried

3. Financial Services

- a. FS-2020-12 Taxes Receivable - June 2020

Motion: RCM - 267/20

Moved by Councillor Brian Houston

Seconded by Councillor Rick Tonial

That Report FS-2020-12 Taxes Receivable – June 2020 **be received** for information.

Carried

4. Parks & Recreation Services

- a. PRS-2020-22 Tecumseh Arena Canteen Services

Motion: RCM - 268/20

Moved by Councillor Bill Altenhof

Seconded by Councillor Rick Tonial

That the Tecumseh arena canteen service remain **closed** for the remainder of 2020, and the whole of 2021.

Carried

- b. PRS-2020-25 Tecumseh Multi-Use SportsPlex Next Steps

The Members agree that the fundraising program for the Multi-Use SportsPlex should remain in place and not be suspended as recommended in the report.

Motion: RCM - 269/20

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Brian Houston

That Report PRS-2020-25 Tecumseh Multi-Use SportsPlex Next Steps, **be received;**

And that Council **authorize** Administration to engage the services of SportsPlex project architect, CS&P to undertake the analysis and costing for all three options as provided in this report and report back with applicable outcomes when they are known;

And further that Council **authorize** the use of the Infrastructure Reserve to fund the architectural services to undertake the analysis, estimated in the amount of \$65,000.

Carried

5. Planning & Building Services

- a. PBS-2020-29 Site Plan Control Approval, 5455 Roscon Industrial Drive

Motion: RCM - 270/20

Moved by Councillor Brian Houston

Seconded by Councillor Bill Altenhof

That "Overall Site Plan – A1.0", as prepared by Rosati Construction, attached hereto as Attachment 2A, which depicts the construction of the currently-proposed 334 square metre (3,600 square foot) industrial addition to the existing industrial facility and an additional 468 square metre (5,040 square foot) addition to occur at a future phase/date along with the respective associated on-site works on a 0.48 hectare (1.2 acre) property located on the west side of the Roscon Industrial Drive (5455 Roscon Industrial Drive), **be approved**, subject to:

- the Owner depositing with the Town security in the form of cash or letter of credit in the amount of ten thousand dollars (\$10,000) to ensure that all of the services and other obligations of the Owner are completed to the satisfaction of the Town, which cash or letter of credit security deposit shall be returned to the Owner on completion and final inspection of all obligations of the Owner as shown on the aforementioned plans. In addition, in the event the noted security is returned to the Owner upon completion of the currently-proposed addition, the Owner shall be required to deposit a further \$10,000 deposit for the construction of the noted future phase; and
- storm water retention calculations and associated drawings being approved by the Town

all of which is in accordance with Section 41 of the *Planning Act, R.S.O. 1990*.

Carried

- b. PBS-2020-30 D19 3455NTR, 3455 North Talbot Road, Results from Public Meeting and Final Recommendation

Motion: RCM - 271/20

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Brian Houston

That a by-law having the effect of amending the Sandwich South Zoning By-law 85-15 for a 1.0 hectare (2.4 acre) property situated on the south side of North Talbot Road, approximately 40 metres (130 feet) east of its intersection with Hennin Drive (3455 North Talbot Road), from “Industrial Zone (M1)” to “Business Park Zone (BP-5)” in order to establish general/business offices, professional offices, a union hall, restaurants, craft industries/specialty workshops and retail sales as permitted uses, along with establishing site-specific yard/lot requirements, **be adopted**.

And that a by-law placing the 1.0 hectare (2.4 acre) property situated on the south side of North Talbot Road, approximately 40 metres (130 feet) east of its intersection with Hennin Drive (3455 North Talbot Road) under site plan control in accordance with Section 6.4.3 of the Sandwich South Official Plan, **be adopted**.

Carried

- c. PBS-2020-31 CIP Grant, 12357 Tecumseh Road – Bosley Hair Salon

Motion: RCM - 272/20

Moved by Councillor Bill Altenhof

Seconded by Deputy Mayor Joe Bachetti

That the Grant Application for the Tecumseh Road Main Street Community Improvement Plan Financial Incentive Program, for the property located at 12357 Tecumseh Road (Roll No. 374416000006600), **be deemed eligible and approved** for the Planning, Design and Architectural Grant Program in the amount of \$3,000 in relation to the preparation of drawings for the building façade improvements proposed for the subject property, all of which is in accordance with Section 11.3 (5) of the CIP and with PBS-2020-31.

Carried

N. By-Laws

1. By-Law 2020-57

Being a by-law to amend By-law 85-18, the Town's Comprehensive Zoning By-law for those lands in the former Township of Sandwich South. (D19 3455NTR – 3455 North Talbot Road, Dalla Bona Construction).

2. By-Law 2020-58

Being a by-law to designate as a site plan control area part of the area covered by the Official Plan for lands in the former Township of Sandwich South.

Affecting a 1.0 hectare (2.4 acre) property situated on the south side of North Talbot Road, approximately 40 metres (130 feet) east of its intersection with Hennin Drive (3455 North Talbot Road), in accordance with Section 6.4.3 of the Sandwich South Official Plan.

3. By-Law 2020-59

Being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and The Community Support Centre for public transportation to the physically disabled and the frail elderly persons for the years 2020 and 2021.

Motion: RCM - 273/20

Moved by Councillor Rick Tonial

Seconded by Councillor Brian Houston

That By-law 2020-57 being a by-law to amend By-law 85-18, the Town's Comprehensive Zoning By-law for those lands in the former Township of Sandwich South;

That By-law 2020-58 being a by-law to designate a site plan control area, part of the area covered by the Official Plan for lands in the former Township of Sandwich South;

That By-law 2020-59 being a by-law to authorize the execution of an Agreement between The Corporation do the Town of Tecumseh and The Community Support Centre for public transportation to the physically disabled and the frail elderly persons for the years 2020 and 2021.

Be given first, second, third and final readings.

Carried

O. Unfinished Business

1. September 15, 2020

The Members receive the Unfinished Business listing for Tuesday, September 15, 2020.

P. New Business

Town Beautification

Gratitude is extended to Parks & Recreation Services for the flowers and gardens displayed around Town. The residents really appreciate this, as they are getting outdoors.

Pickleball Games at Shawanoe Park

A Member has received a complaint on the high noise level at Shawanoe park during Pickleball games. Administration is aware and will be addressing the matter with the Pickelball Association.

Tecumseh Sign on Brighton Road

It is requested that the Town sign on Brighton Road be replaced. The Director Public Works & Environmental Services explains that included in the 2020 Capital Works Plan, the department is currently reviewing all Town signs for repair, location placement, and if they display the current Town logo. A report to Council is forthcoming this Fall.

Q. Motions

1. Confirmatory by-law

a. By-Law 2020-60

Being a by-law to confirm the proceedings of the September 15, 2020 regular meeting of the Council of The Corporation of the Town of Tecumseh.

Motion: RCM - 274/20

Moved by Councillor Bill Altenhof

Seconded by Councillor Brian Houston

That By-Law 2020-60 being a by-law to confirm the proceedings of the Tuesday, September 15, 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 motions presented to Council.

S. Next Meeting

Tuesday, September 22, 2020

5:00 pm Policies & Priorities Committee Meeting

7:00 pm Regular Council Meeting

T. Adjournment

Motion: RCM - 275/20

Moved by Councillor Bill Altenhof

Seconded by Councillor Brian Houston

That there being no further business, the Tuesday, September 8, 2020 meeting of the Regular Council **be adjourned** at 9:03 pm.

Carried

Gary McNamara, Mayor

Laura Moy, Clerk