



## The Corporation of the Town of Tecumseh

Parks & Recreation Services

**To:** Mayor and Members of Council

**From:** Paul Anthony, Director Parks & Recreation Services

**Date to Council:** November 24, 2020

**Report Number:** PRS-2020-30

**Subject:** Transition to Betterness Lakeview Memorial Wall Agreement

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### Recommendations

It is recommended:

**That** Parks and Recreation Report PRS-2020-30 Transition to Betterness Lakeview Memorial Wall Agreement **be received**;

**And that** By-law No. 2020-78, being a by-law to authorize the Mayor and Clerk to execute the Agreement between The Corporation of the Town of Tecumseh and Transition to Betterness, **be approved**.

### Background

In 2010, the Town of Tecumseh and the Dragon Boat event organizers, On Care For Cure Inc. (Donor), entered into an agreement, allowing the Donor to construct and dedicate works on public lands owned by the Town of Tecumseh in Lakewood Park. The components of the donation included the Dragon Statue and the Dragon View Gardens inclusive of the granite walls.

The 2010 agreement called for the Donor to incur all costs applicable to the purchase and construction of the infrastructure required to incorporate these works into the Town Council-approved drawings as completed by EDA Collaborative, the Town's Architect. The Town advanced funds in the form of a loan to the Donor to assist with the works.

In 2017, the Donor stopped payment on their reimbursement commitment, leaving an outstanding balance. They have not been in contact with the Town since that time to make arrangements to fulfill their commitment.

On June 24, 2020, the Town received correspondence from Transition to Betterness (T2B) requesting an opportunity to work with the Town of Tecumseh for T2B to take over the former Dragon Boat Memorial Wall/Garden and transform it into something unique and special to realize its original full potential. As Council is aware, T2B is one of Essex County's most successful and accredited charity groups.

A virtual meeting was held with T2B and Administration to review T2B's interest in Dragon View Walls/Garden. At that time, it was explained that the Town was very interested in working with T2B to advance a proposal and an agreement to Council.

## **Comments**

Administration met with the Town solicitor to review all documentation and agreements the Town has on file with the Donor confirming the Dragon and Dragon View Garden inclusive of the granite walls in Lakewood Park (north) are the Town's property free and clear of any lien and/or third party interest in these assets.

The next step in the process was to begin discussions with T2B on a proposal and a new agreement with T2B for their use of the Walls/Garden. T2B has already indicated that an agreement would be inclusive of reimbursing the Town for the outstanding commitment owed by the Donor.

As outlined in the Agreement, the goal of T2B is to solicit donations for 29 of the remaining granite wall panels and to consolidate all of the current Dragon Boat (Donor) donations onto one wall; there are 30 granite wall panels in total. In addition, T2B is proposing to construct a monument in the centre of the garden area for additional donations. The gardens, walls and the new monument will remain/become assets owned by the Town. Prior approval of all plans by the Town and T2B is required before construction of the monument and prior to landscaping of the gardens.

All costs associated with the proposed work to the walls, the monument, installation of landscaping and annual maintenance of gardens and walls/monuments (as required) will be undertaken solely at the expense of T2B, as set out in the Agreement.

The Agreement has been developed in consultation with our Town solicitor and has been reviewed and accepted by T2B. The proposed Lakeview Memorial Wall Agreement is attached to By-law 2020-78 for Council's review and approval.

## **Consultations**

Financial Services  
Corporate Services & Clerk  
Chief Administrative Officer  
Town Solicitor

## Financial Implications

Nominal costs for solicitor review of the Agreement have been incurred by the Town. As a result of this Agreement, the outstanding balance (\$33,262.45) owed by the Donor will be paid to the Town by T2B. Otherwise, there are no financial implications to the Town of Tecumseh.

## Link to Strategic Priorities

Applicable	2019-22 Strategic Priorities
<input checked="" type="checkbox"/>	Make the Town of Tecumseh an even better place to live, work and invest through a shared vision for our residents and newcomers.
<input type="checkbox"/>	Ensure that Tecumseh's current and future growth is built upon the principles of sustainability and strategic decision-making.
<input type="checkbox"/>	Integrate the principles of health and wellness into all of Tecumseh's plans and priorities.
<input type="checkbox"/>	Steward the Town's "continuous improvement" approach to municipal service delivery to residents and businesses.
<input checked="" type="checkbox"/>	Demonstrate the Town's leadership role in the community by promoting good governance and community engagement, by bringing together organizations serving the Town and the region to pursue common goals.

## Communications

Not applicable ☒

Website ☐

Social Media ☐

News Release ☐

Local Newspaper ☐

This report has been reviewed by Senior Administration as indicated below and recommended for submission by the Chief Administrative Officer.

Prepared by:

Paul Anthony, RRFA  
Director Parks & Recreation Services

Reviewed by:

Tom Kitsos, CPA, CMA, BComm  
Director Financial Services & Chief Financial Officer

Recommended by:

Margaret Misek-Evans, MCIP, RPP  
Chief Administrative Officer

<b>Attachment Number</b>	<b>Attachment Name</b>
None	None