

Regular Meeting of Council

Minutes

Date: Tuesday, May 25, 2021
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, Andrew Dowie
Councillor, Brian Houston
Councillor, Tania Jobin
Councillor, Rick Tonial

Also Present:

Chief Administrative Officer, Margaret Misk-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 Planning Services, Chad Jeffery
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

An electronic In-Camera meeting was held earlier this evening at 4:30 pm, which was closed to the public under Section 239 (2)(c) (d) (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 a proposed or pending acquisition or disposition of land by the municipality, labour relations or employee

negotiations, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

At the meeting, Council gave direction to Administration on labour relations regarding Green Shield Benefits and paid sick leave under Bill 284 *COVID-19 Putting Workers First Act*; and provided direction to the Town's solicitor relative to a Notice of Arbitration and Statement of Claim respecting the taking of the Manning Road Secondary Plan Area (MRSPA) storm water management pond lands.

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

Deputy Mayor Joe Bachetti declares a pecuniary interest on Report PBS-2021-26 entitled "Official Plan and Zoning By-law Amendments, GECDSD School, 13800-13814 Tecumseh Road, Scheduling of a Public Meeting," as he is employed by the Windsor Essex Catholic District School Board.

Councillor Brian Houston declares a pecuniary interest on Report PBS-2021-26 entitled "Official Plan and Zoning By-law Amendments, GECDSD School, 13800-13814 Tecumseh Road, Scheduling of a Public Meeting," as his spouse is employed in an administration role with the Windsor Essex Catholic District School Board.

Councillor Tania Jobin declares a pecuniary interest on Report PWES-2021-27 entitled "McLean Hergott Drain - Appointment of Drainage Engineer", as she owns lands affected on this drain.

G. Minutes

1. Regular Council Minutes - May 11, 2021

2. Special Council Minutes - May 11, 2021 Invest Windsor Essex E-Mobility Strategy

Motion: RCM - 157/21

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Tania Jobin

That the May 11, 2021 minutes of the Regular Council meeting, and the May 11, 2021 minutes of the Special Council meeting on Invest Windsor Essex, E-Mobility Strategy, as were duplicated and delivered to the members, **be adopted as amended.**

Carried

H. Supplementary Agenda Adoption

There are no supplementary agenda items.

I. Delegations

1. Greater Essex County District School Board, Manager of Facility, Giuliana Hinchiffe, and Amico, Cindy Prince

Re: North Shore Public School

Giuliana Hinchiffe, Manager of Facility, is responsible for the design and construction of new facilities with in the Greater Essex County District School Board (Board). She advised that the Board received Provincial funding to replace the school and construct on a new site. She highlights the proposed location and site features that lead to the Board's decision to move forward with the Official Plan and Zoning By-law Amendment applications.

Motion: RCM - 158/21

Moved by Councillor Rick Tonial

Seconded by Councillor Andrew Dowie

That the scheduling of a virtual/electronic public meeting, to be held on Tuesday, June 22, 2021 at 6:00 p.m., in accordance with the *Planning Act* for applications submitted by the Greater Essex County District School Board for the eastern 0.6 hectare (1.48 acre) portion (13810 and 13814 Tecumseh Road) of a 2.33 hectare (5.75 acre) parcel of land (13800, 13810 and 13814 Tecumseh Road) situated on the north side of Tecumseh Road, approximately 60 metres (200 feet) west of its intersection with Arlington Boulevard, to amend the Tecumseh Official Plan and St. Clair Beach Zoning By-law 2065 by:

1. Re-designating it from "Residential" to "Community Facility"; and
2. Rezoning it from "Residential Type Two Zone (R2)" to "Institutional Zone (I)" in order to facilitate an enlarged site for the proposed New North Shore Elementary School, **be authorized**.

Carried

J. Communications - For Information

1. Town of Perth dated April 30, 2021

Re: Provincial Hospital Funding of Major Capital Equipment

2. Town of the Blue Mountains dated May 12, 2021

Re: Provincial Re-opening Strategy and Frontline Business Experience

- 3. Township of Matachewan dated May 7, 2021**
Re: Closure of MeeQuam Youth Residence in Cochrane
- 4. Town of Plympton-Wyoming dated May 14, 2021**
Re: Withdraw Prohibition on Golfing and other Outdoor Recreational Activities
- 5. Municipality of Chatham-Kent dated May 12, 2021**
Re: Withdraw Prohibition on Golfing and other Outdoor Recreational Activities
- 6. City of Barrie dated April 30, 2021**
Re: National 3-Digit Suicide and Crisis Hotline
- 7. Township of Burpee and Mills dated May 11, 2021**
Re: National 3-Digit Suicide and Crisis Prevention Hotline
- 8. Town of Aurora dated May 6, 2021**
Re: National 3-Digit Suicide and Crisis Prevention Hotline
- 9. Municipality of Grey Highlands dated May 7, 2021**
Re: National 3-Digit Suicide and Crisis Hotline
- 10. Municipality of Chatham-Kent dated May 10, 2021**
Re: Time for Change, Municipal Freedom of Information and Protection of Privacy Act
- 11. The Municipality of West Elgin dated May 18, 2021**
Re: Phragmites
- 12. Township of Georgian Bay dated May 10, 2021**
Re: Road Management Action on Invasive Phragmites
- 13. Ministry of the Environment, Conservation and Parks dated May 13, 2021**
Re: Consultation on the Conservation Authorities Act
- 14. Municipality of Chatham-Kent dated May 12, 2021**
Re: Cannabis Licensing and Enforcement
- 15. Municipality of Chatham-Kent dated May 12, 2021**
Re: Exempt Carbon Tax on all Primary Agriculture Producers

16. Town of Essex dated May 5, 2021

Re: Lottery Licensing to Assist Small Organizations

17. Township of McKellar dated May 11, 2021

Re: Tax Breaks on 2020 Canada Emergency Response Benefit Payments

18. Township of Brock dated May 19, 2021

Re: Durham Dead-End Road Kids

19. Town of Cochrane dated May 19, 2021

Re: Reopening of Greenwater Provincial Park

Motion: RCM - 159/21

Moved by Councillor Andrew Dowie

Seconded by Councillor Bill Altenhof

That Communications - For Information 1 through 19 as listed on the Tuesday, May 25, 2021 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. Chief Administrative Officer

- a. CAO-2021-08 Tecumseh Police Services Board Response to Proposed Community Safety and Policing Act Regulations

Motion: RCM - 160/21

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Rick Tonial

That Report No. CAO-2021-08, Tecumseh Police Service Board Response to Proposed Community Safety and Policing Act Regulations, **be received**.

And that the comments contained in Report No. CAO-2021-08 pertaining to the draft regulation on the OPP Governance Advisory Council **be endorsed and submitted** to the Ministry of the Solicitor General by June 7, 2021.

Carried

b. CAO-2021-09 Essex County Detachment Board Composition

Motion: RCM - 161/21

Moved by Councillor Bill Altenhof

Seconded by Councillor Rick Tonial

That Tecumseh Town Council **endorse** the two board model as the preferred detachment board composition for the Essex County OPP Detachment Board, as outlined in Attachment 1 to Report No. CAO-2021-09, Essex County OPP Detachment Board Composition.

And that Report CAO-2021-09 Essex County OPP Detachment Board Composition, **be received**.

Carried

2. **Planning & Building Services**

a. PBS-2021-24 Financial Incentive Program Grant Application - Tecumseh Road Main Street Community Improvement Plan - 11865 Tecumseh Road (1912909 Ontario Inc.) - Parking Lot Improvement Grant Program

Motion: RCM - 162/21

Moved by Councillor Brian Houston

Seconded by Councillor Andrew Dowie

That the Grant Application for the Tecumseh Road Main Street Community Improvement Plan (CIP) Financial Incentive Program, for the property located at 11865 Tecumseh Road (Roll No. 374402000000200), **be deemed eligible and approved** for the:

1. Parking Area Improvement Grant Program in the amount of \$10,000; and
2. Planning Application and Permit Fee Grant Program in the amount of \$1,680

in relation to the building façade and parking lot improvements proposed for the subject property, all of which is in accordance with Section 11.3 (5) of the CIP and with PBS-2021-24.

Carried

- b. PBS-2021-25 Financial Incentive Program Grant Application - Tecumseh Road Main Street Community Improvement Plan - Kona Sushi Inc. - 11977 Tecumseh Road - Planning, Design and Architectural Grant Program

Motion: RCM - 163/21

Moved by Councillor Bill Altenhof

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 11977 Tecumseh Road (Roll No. 37440200000110), **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 and parking area improvements proposed for the subject property, all of which is in accordance with Section 11.3 (5) of the CIP and with PBS-2121-25.

Carried

- c. PBS-2021-26 Official Plan and Zoning By-law Amendments, GECD SB School, 13800-13814 Tecumseh Rd., Scheduling Public Meeting

This report was moved forward on the agenda to delegations for discussion and consideration.

- d. PBS-2021-27 Tecumseh New Official Plan, Proposed County of Essex Modifications to Council Adopted Official Plan

Motion: RCM - 164/21

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Brian Houston

That the Planning and Building Services Report PBS-2021-27 Town of Tecumseh New Official Plan, Proposed County of Essex Modifications to Council-Adopted Official Plan, **be received**;

And that the modifications proposed by the County of Essex to the Council-Adopted Town of Tecumseh New Official Plan **be endorsed**.

Carried

3. Public Works & Environmental Services

- a. PWES-2021-23 Request to Levy 2020 Municipal Drain Maintenance Costs

Motion: RCM - 165/21

Moved by Councillor Rick Tonial

Seconded by Councillor Bill Altenhof

That Report PWES-2021-23 Request to Levy 2020 Municipal Drain Maintenance Costs, **be received**.

Carried

- b. PWES 2021-26 South Talbot East Drain and 12th Line Drain - Appointment of Drainage Engineer

Motion: RCM - 166/21

Moved by Councillor Bill Altenhof

Seconded by Councillor Brian Houston

That Dobbin Engineering Inc., **be appointed** drainage engineer to make an examination of the drainage area as submitted by the in the "Notice of Request for Drainage Improvement" dated April 16, 2021;

And that a Drainage Report **be prepared** in accordance with Section 78 of the *Drainage Act*, including provisions for future maintenance.

Carried

- c. PWES-2021-27 McLean Hergott Drain –Appointment of Drainage Engineer

Motion: RCM - 167/21

Moved by Councillor Rick Tonial

Seconded by Councillor Andrew Dowie

That Rood Engineering Inc. **be appointed** drainage engineer to make an examination of the drainage area as submitted by the in the "Notice of Request for Drainage Improvement" dated February 10, 2021;

And that a Drainage Report **be prepared** in accordance with Section 78 of the *Drainage Act*, including provisions for future maintenance.

Carried

N. By-Laws

1. By-Law 2021-38

A By-law to amend drainage assessments estimated in engineer reports based on actual costs incurred for the constructing of various drains.

2. By-Law 2021-39

Being a by-law to authorize the execution of a Site Plan Control Agreement between The Corporation of the Town of Tecumseh and 1230839 Ontario Limited.

3. By-Law 2021-14

Being a bylaw to provide for the repair and improvements to the Curtis Drain.

4. By-Law 2021-15

Being a bylaw to provide for the repair and improvements to the Dawson Drain.

Motion: RCM - 168/21

Moved by Councillor Bill Altenhof

Seconded by Councillor Rick Tonial

That By-Law 2021-38 being a by-law to amend drainage assessments estimated in engineer reports based on actual costs incurred for the constructing of various drains.

That By-Law 2021-39 being a by-law to authorize the execution of a Site Plan Control agreement between The Corporation of the Town of Tecumseh and 1230839 Ontario Limited.

Be given first and second reading.

Carried

Motion: RCM - 169/21

Moved by Councillor Brian Houston

Seconded by Councillor Rick Tonial

That By-Law 2021-38 being a by-law to amend drainage assessments estimated in engineer reports based on actual costs incurred for the constructing of various drains.

That By-Law 2021-39 being a by-law to authorize the execution of a Site Plan Control agreement between The Corporation of the Town of Tecumseh and 1230839 Ontario Limited.

That By-Law 2021-14 being a by-law to provide for the repair and improvements to the Curtis Drain.

That By-Law 2021-15 being a by-law to provide for the repair and improvements to the Dawson Drain.

Be given third and final reading.

Carried

O. Unfinished Business

1. May 25, 2021

The Members receive the Unfinished Business listing for Tuesday, May 25, 2021.

CP Rail Crossing on Lesperance Road

A Member advises that the speed bump signs are still located at the CP Rail crossing on Lesperance Road and inquired when repairs would resume. The Director Public Works & Environmental Services indicated that a follow-up communication has been sent and the Ministry of Transportation indicated works will continue in June.

Oldcastle Side Road

A Member advises that the traffic calming sign is down on Oldcastle Side Road. It is requested that Administration review a possible new location for the sign.

P. New Business

St. Gregory's Street

A Member is requesting a traffic calming sign on St. Gregory's Street, north of St. Andre's School to raise awareness for motorists.

Essex Power Outages

A Member raised concern on the number of significant power outages on the weekend. The CAO indicated that Essex Power will be communicating to residents on the power outage events that occurred.

Skate Park and Splash Pad Opening

The Director Parks & Recreation Services advises on the timeline to reopen the skateboard park and splash pads amidst the Provincial government's recent announcement.

Q. Motions

1. Confirmatory By-law 2021-40

Motion: RCM - 170/21

Moved by Councillor Rick Tonial

Seconded by Councillor Bill Altenhof

That By-Law 2021-40 being a by-law to confirm the proceedings of the Tuesday, May 25, 2021, 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, June 8, 2021

4:30 pm In Camera Meeting

5:00 pm Special Council Meeting - Community Safety and Well Being Plan

5:45 pm Public Council Meeting - CYR Drain

6:15 pm Public Council Meeting - South Talbot Drain Realignment

7:00 pm Regular Council Meeting

T. Adjournment

Motion: RCM - 171/21

Moved by Councillor Rick Tonial

Seconded by Councillor Andrew Dowie

That there being no further business, the Tuesday, May 25, 2021 meeting of the Regular Council **be adjourned** at 8:27 pm.

Carried

Gary McNamara, Mayor

Laura Moy, Clerk