

Regular Meeting of Council

Minutes

Date: Tuesday, October 10, 2023
Time: 7:00 pm
Location: Tecumseh Town Hall - Council Chambers
917 Lesperance Road
Tecumseh, Ontario N8N 1W9

Present:

Mayor, Gary McNamara
Deputy Mayor, Joe Bachetti
Councillor, James Dorner
Councillor, Alicia Higgison
Councillor, Brian Houston
Councillor, Tania Jobin

Absent:

Councillor, Rick Tonial

Also Present:

Chief Administrative Officer, Margaret Misk-Evans
Director Legislative Services & Clerk, Robert Auger
Director Public Works & Engineering Services, Phil Bartnik
Director Community Safety & Fire Chief, Wade Bondy
Director People & Culture, Michelle Drouillard
Director Technology & Client Services, Shaun Fuerth
Director Community & Recreation Services, Beth Gignac
Director Development Services, Brian Hillman
Director Financial Services & Chief Financial Officer, Tom Kitsos
Deputy Clerk & Manager Legislative Services, Jennifer Alexander
Deputy Clerk - Clerks Services & Policy Advisor, Christina Hebert

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 was held earlier this evening at 6:00 pm in the Tecumseh Room in accordance with and permitted by section 239 (2)(c)(d)(h) of the *Municipal Act, 2001*, which states that a meeting or part of a meeting may be closed to the public if the subject matter being considered is:

- c) a proposed or pending acquisition or disposition of land by the municipality or local board;
- d) labour relations or employee negotiations;
- h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them.

During this meeting, Council received an update from administration concerning information explicitly supplied in confidence to the municipality and relating to a proposed land acquisition matter.

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 of O Canada.

F. Land Acknowledgement

We acknowledge that we are on land and surrounded by water, originally inhabited by Indigenous Peoples who have travelled this area since time immemorial. This territory is within the lands honoured by the Wampum Treaties; agreements between the Anishinaabe, Haudenosaunee, Leni Lenape and allied Nations to peacefully share and care for the resources around the Great Lakes. Specifically, we would like to acknowledge the presence of the Three Fires Confederacy Ojibwe, Odawa, Potawatomi and Huron/Wendat Peoples. We are dedicated to honouring Indigenous history and culture while remaining committed to moving forward respectfully with all First Nations, Inuit and Métis.

G. Disclosure of Pecuniary Interest

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

H. Minutes

1. Regular Council Meeting - September 26, 2023

Motion: RCM - 268/23

Moved by Councillor Tania Jobin
Seconded by Councillor Brian Houston

That the Tuesday, September 26, 2023 minutes of the Regular Council as were duplicated and delivered to the members, **be adopted**.

Carried

I. Supplementary Agenda Adoption

Motion: RCM - 269/23

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Brian Houston

That the supplementary items added to the Regular Meeting agenda regarding Report DS-2023-20 entitled "Provincial Housing Affordability Task force, Top Five Recommendations" , **be approved.**

Carried

J. Consent Agenda Items

As per the Procedural By-Law 2023-076, all items listed under the Consent Agenda will be voted on through one Consent Motion and that Motion shall be neither debatable nor amendable.

1. CAO-2023-07 Amending Agreement to OPP Contract

2. LCS-2023-29 OPP Services and Building License Agreements

Motion: RCM - 270/23

Moved by Councillor Alicia Higgison
Seconded by Councillor Brian Houston

That Reports CAO-2023-07 Amending Agreement to OPP Contract and LCS-2023-29 OPP Services and Building License Agreements as listed under the Consent Agenda **be received and approved.**

Carried

K. Delegations

1. Jeff Sylvestre, Affected Landowner

Re: The Sylvestre Drive Sanitary Sewer Extension Part XII Cost Recovery By-Law Report

Mr. Sylvestre explains his opposition to the proposed by-law and associated costs of the proposed work. He would like to be reassessed for the proposed work, and requests for financial assistance from the Town due to the burden of the assessment.

2. Josette Eugeni, Affected Landowner

Re: The Sylvestre Drive Sanitary Sewer Extension Part XII Cost Recovery By-Law Report

Ms. Eugeni highlights that there is no appeal mechanism for Part XII of this by-law and the lack of engagement with the landowners of the associated costs once the by-law is passed. She outlines her concerns

with the proposed cost assessment and scope of work. She recommends that the work first be tendered and the resultant actual costs for the proposed works be communicated to the affected landowners. She asks for synergizes with other Town projects to give some costs savings to the affected landowners. Ms. Eugeni requests that the by-law not be passed tonight and that Schedule B Cost Index be eliminated from the by-law,

- a. PWES-2023-61 Sylvestre Drive Sanitary Sewer Extension Part X11 Cost Recovery By-Law, Final Report

The Director Public Works & Engineering Services presents the report as appended on the agenda and responds to the questions from the Members and delegations.

Motion: RCM - 271/23

Moved by Councillor Brian Houston

Seconded by Councillor Alicia Higgison

That Report PWES-2023-61 titled “Sylvestre Drive Sanitary Sewer Extension, Part XII Recovery By-Law Final Report” **be received;**

And that the cost of the sanitary sewer system for the Sylvestre Drive Sanitary Sewer Outlet area **be assessed** against the benefitting lands within that area based on the Extension, Main and Lateral Charges in accordance with Part XII of the *Municipal Act*;

And further that consideration **be given** to the first, second, third and final readings of By-Law 2023-098, a by-law for the Sylvestre Drive Sanitary Sewer Outlet Main and Lateral Charges that outlines the charges to the benefitting lands for the construction of sanitary sewers within the Sylvestre Drive Sanitary Sewer Outlet area.

Carried

L. Communications

1. For Information:

- a. City of Windsor dated October 2, 2023

Re: Notice of Completion: Biosolids Management Strategy

- b. Association of Municipalities of Ontario dated October 3, 2023

Re: Canada Community Building Fund: [2022 Annual Report - View here](#)

Motion: RCM - 272/23

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor James Dorner

That Communications - For Information A and B as listed on the Tuesday, October 10, 2023 Regular Council Agenda, **be received**.

Carried

2. For Action:

There are no Communication for Action items presented to Council.

M. Update from County Council and Boards

Library Board

The Deputy Mayor advises on the Library Board event regarding the Senior Book Club with three sessions offered at the Tecumseh Branch.

Essex County Council

The Deputy Mayor provides an update on the regional waste initiative with the County.

N. Committee Minutes

1. Police Services Board - June 26, 2023 and October 2, 2023

Motion: RCM - 273/23

Moved by Councillor Tania Jobin
Seconded by Councillor Brian Houston

That the June 26, 2023 and October 2, 2023 minutes of the Regular Council as were duplicated and delivered to the members, **be adopted**.

Carried

O. Reports

1. Development Services

- a. DS-2023-20 Provincial Housing Affordability Task Force, Top Five Recommendations

Supplementary Item

Motion: RCM - 274/23

Moved by Councillor Brian Houston
Seconded by Councillor Alicia Higgison

That Report DS-2023-20 entitled “Report of the Ontario Housing Affordability Task Force – Tecumseh’s Top Five Recommendations”, **be received**;

And that the letter from the President of the Association of Municipalities of Ontario, dated October 3, 2023, as attached to Report DS-2023-20, **be endorsed** and notification of said endorsement be **forwarded to** the Ministry of Municipal Affairs and Housing;

And further that the Town’s Top Five Recommendations from the Report of the Ontario Housing Affordability Task Force, dated February 8, 2022, as identified in Report DS-2023-20, **be endorsed** and **forwarded to** the Ministry of Municipal Affairs and Housing by October 16, 2023.

Carried

2. Financial Services

- a. FS-2023-09 Budget Variance Report June 2023

Motion: RCM - 275/23

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Brian Houston

That Report FS-2023-09 Budget Variance Report – June 2023, showing a projected tax-supported deficit of \$376,436 and a rate-supported deficit of \$346,210 **be received**.

Carried

3. Public Works & Engineering Services

- a. PWES-2023-65 Ministry of Environment, Conservation and Parks, Consolidated Linear Infrastructure, Environmental Compliance Approval

Motion: RCM - 276/23

Moved by Councillor Alicia Higgison
Seconded by Councillor Tania Jobin

That Report PWES-2023-65 entitled “Ministry of Environment, Conservation and Parks, Consolidated Linear Infrastructure Environmental Compliance Approval, Sanitary Collection System & Stormwater Management System”, **be received**.

Carried

- b. PWES-2023-70 Lesperance Road - County Road 22 to to Westlake Road, Traffic Operations Review

Motion: RCM - 277/23

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Brian Houston

That Report PWES-2023-70 entitled "Lesperance Road (County Road 22 to Westlake Drive) Traffic Operations Review" **be received.**

Carried

P. By-Laws

- 1. **By-Law 2023-098 Sylvestre Drive Sanitary Sewer Extension Part XII Cost Recovery**

Being a by-law to impose charges upon Owners of Land who derive or may derive a benefit from sewage works extension constructed in a designated area of the Tecumseh North Settlement Area and to provide for the connection of buildings to the works and the decommission of the existing private sewage systems

- 2. **By-Law 2023-104 Amending Agreement - OPP Contract**

Being a by-law to authorize the execution of a Amending Agreement between His Majesty the King of Right of Ontario as represented by the Solicitor General

- 3. **By-Law 2023-105 Lease Agreement - OPP Building**

Being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and His Majesty the King in right of Ontario as represented by the Minister of Infrastructure

Motion: RCM - 278/23

Moved by Councillor Brian Houston
Seconded by Councillor Tania Jobin

That By-Law 2023-098 being a by-law to impose charges upon *Owners* of Land who derive or may derive a benefit from sewage works extension constructed in a designated area of the Tecumseh North Settlement Area and to provide for the connection of buildings to the works and the decommission of the existing private sewage systems;

That By-Law 2023-104 being a by-law to authorize the execution of a Amending Agreement between His Majesty the King of Right of Ontario as represented by the Minister of Community Safety and Correctional Services;

That By-Law 2023-105 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and His Majesty the King in right of Ontario as represented by the Minister of Government and Consumer Services.

Be given first and second reading.

Carried

Motion: RCM - 279/23

Moved by Councillor Alicia Higgison
Seconded by Councillor James Dorner

That By-Law 2023-098 being a by-law to impose charges upon *Owners* of Land who derive or may derive a benefit from sewage works extension constructed in a designated area of the Tecumseh North Settlement Area and to provide for the connection of buildings to the works and the decommission of the existing private sewage systems;

That By-Law 2023-104 being a by-law to authorize the execution of a Amending Agreement between His Majesty the King of Right of Ontario as represented by the Minister of Community Safety and Correctional Services;

That By-Law 2023-105 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and His Majesty the King in right of Ontario as represented by the Minister of Government and Consumer Services.

Be given third and final reading.

Carried

Q. Unfinished Business

1. October 10, 2023

The Members receive the Unfinished Business listing for Tuesday, October 10, 2023.

R. New Business

Road Construction

A Member advised that there is road closure due to construction at Banwell Road and County Road 42 and requests motorists to follow posted detour signs and allow for additional time when driving.

S. Motions

1. Canadian Armed Forces in Afghanistan War

This motion is brought forward by Deputy Mayor Joe Bachetti

Motion: RCM - 280/23

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor James Dorner

Whereas to acknowledge the importance of the addition of an inscription at the Town Hall cenotaph in the Town of Tecumseh to recognize the services and sacrifice of the Canadian Armed Forces in the Afghanistan War;

And whereas to stress the importance of thanking the veterans who have served for their country and acknowledging their contribution to world peace specifically the services and sacrifices of the Canadian Armed Forces in the Afghanistan War.

Now Therefore Be It Hereby Resolved:

That Council support, in consultation with Royal Canadian Legion (Branches 261 and 594), the addition of an inscription on the Town of Tecumseh Cenotaph at Town Hall, 917 Lesperance Road, that recognizes the services and sacrifice of the Canadian Armed Forces in the Afghanistan War. The inscription on the Cenotaph will read as follows: AFGHANISTAN 2001-2014,

And that final consideration and approval of said inscription be subject to the cost of adding the inscription to the Town of Tecumseh Cenotaph, such cost to be determined during the 2024 Budget deliberations, as amended.

Carried

2. Confirmatory By-Law 2023-106

Motion: RCM - 281/23

Moved by Councillor Alicia Higgison
Seconded by Councillor James Dorner

That By-Law 2023-106 being a by-law to confirm the proceedings of the Tuesday, October 10, 2023, regular meeting of the Council of The Corporation of the Town of Tecumseh **be given** first, second, third and final reading.

Carried

T. Notices of Motion

There are no Notices of Motion presented to Council.

U. Next Meeting

Saturday, October 21, 2023

9:00 am Special Council Meeting - Facilities & Roads Tour

Tuesday, October 24, 2023

7:00 pm Regular Council Meeting

V. Adjournment

Motion: RCM - 282/23

Moved by Councillor Brian Houston

Seconded by Councillor James Dorner

That there being no further business, the Tuesday, October 10, 2023 meeting of the Regular Council **be adjourned** at 8:45 pm.

Carried

Gary McNamara, Mayor

Robert Auger, Clerk