

Regular Meeting of Council

Minutes

Date: Tuesday, February 13, 2024
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, Rick Tonial

Absent:

Councillor, Brian Houston
Councillor, Tania Jobin

Also Present:

Chief Administrative Officer, Margaret Misek-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
Manager Water Services, Brad Dupuis
Deputy Clerk - Clerks Services & Policy Advisor, Christina Hebert
Manager Engineering Services, John Henderson
Manager Planning Services & Local Economic Development, Chad Jeffery
Manager Public Works & Transportation, Kirby McArdle
Manager Information Technology, David Doyon

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 at 5:30 pm in accordance with and as permitted with Section 239 (2) (c)(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 relates to:

c) discussions concerning a proposed or pending acquisition or disposition of land by the municipality or local board;

h) discussions concerning 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.

At this meeting, Council provided direction regarding proposed acquisitions of land and received information explicitly supplied in confidence to the municipality by Canada, a province or territory or a Crown agency.

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, Huron/Wendat Peoples and Caldwell First Nation. 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 - January 23, 2024**
2. **Special Council Meeting - January 23, 2024, Tecumseh Park Fee Study**

Motion: RCM - 18/24

Moved by Councillor Alicia Higgison
Seconded by Councillor James Dorner

That the January 23, 2024 minutes of the Regular Council Meeting and Special Council Meeting, as were duplicated and delivered to the members, **be adopted**.

Carried

I. Supplementary Agenda Adoption

Motion: RCM - 19/24

Moved by Councillor Alicia Higgison
Seconded by Councillor Rick Tonial

That the supplementary items: Report DS-2024-05 Federal Housing Accelerator Fund Contribution Agreement - Tecumseh Application and By-Law 2024-013, **be approved as additions to the Regular Meeting Agenda**.

Carried

J. Consent Agenda Items

1. **CAO-PC-2024-01 2024 Non Union and Council Economic Salary Adjustment 2024**
2. **DS-2024-02 Tecumseh Transit Service (TTS) 2023 Annual Status Report**
3. **DS-2024-03 Tecumseh Transit Service (TTS) Rural Transit Solutions Fund (RTSF) Contribution Agreement**
4. **DS-2024-04 2023 Year End Permit Report**
5. **FS-2024-01 Taxes Receivable December 2023**
6. **DS-2024-05 Federal Housing Accelerator Fund Contribution Agreement - Tecumseh Application**

Motion: RCM - 20/24

Moved by Councillor Rick Tonial
Seconded by Councillor James Dorner

That Reports CAO-PC-2024-01 Non Union and Council Economic Salary Adjustment for 2024, DS-2024-02 Tecumseh Transit Service 2023 Annual Status Report, DS-2024-03 Tecumseh Transit Service Rural Transit Solutions Fund Contribution Agreement, DS-2024-04 2023 Year End Permit Report, FS-2024-01 Taxes Receivable December 2023, and DS-2024-05 Federal Housing Accelerator Fund Contribution Agreement - Tecumseh Application **be received and approved.**

Carried

K. Delegations

1. Friendship Agreement with Can-Am Indian Friendship Centre - Ceremonial Signing of the Friendship Agreement

**This item has been rescheduled to a later date.

2. Public Works & Engineering Services Capital Works Plan

Re: Phil Bartnik, Director Public Works & Engineering Services

The Director Public Works & Engineering Services presents the PWES Five Year Capital Work Plan as appended on the agenda. The Mayor opens the floor for questions.

In response to construction timelines on Banwell Road and traffic congestion at the intersection, the Director advises that the Town Administration meets regularly with the County of Essex and the City of Windsor to coordinate with construction works and traffic impacts. He advised that the tendering of the construction works for Lesperance Road and County Road 22 is scheduled for late fall with construction beginning in April 2025. The department will review traffic calming measures to prevent impacts to residential side streets.

a. PWES-2024-07 Five Year Capital Works Plan

Motion: RCM - 21/24

Moved by Councillor Rick Tonial
Seconded by Councillor Alicia Higgison

That the Public Works & Engineering Services (PWES) Capital projects for 2024, **as summarized in Attachment 1** to Report PWES-2024-07, 2024-2028 Public Works & Engineering Services Five-Year Capital Works Plan, **be approved;**

And that the 2024 PWES Capital projects **be funded** through the following reserves and reserve funds as set out in Report PWES-2024-07;

- Road Lifecycle Reserve
- Sidewalk Lifecycle Reserve
- Bridges Lifecycle Reserve
- Watermain Reserve Fund
- Water Facilities Reserve Fund
- Wastewater Sewers Reserve Fund
- Wastewater Facilities Reserve Fund
- Storm Sewer Lifecycle Reserve
- Infrastructure Reserve

And further that the Public Works & Engineering Services Capital Works Plan for 2024-2028, **as outlined in Attachment 2** to Report PWES-2024-07, **be approved**.

Carried

L. Communications

1. For Information:

- a. Ministry of Natural Resources and Forestry dated January 23, 2024
Re: Oil, Gas and Salt Resources Act regulation changes for special projects and will security
- b. Enbridge dated January 24, 2024
Re: Ontario's Energy Board decisions on Phase 2 of the Enbridge Gas 2024 rebasing application
- c. Ontario Provincial Police dated January 30, 2024
Re: Annual Billing Statements
- d. City of Windsor dated February 5, 2024
Re: Notice of Public Information Centre No. 1 - Little River Pollution Control Plant Expansion

Motion: RCM - 22/24

Moved by Councillor Alicia Higgison
Seconded by Councillor Rick Tonial

That Communications - For Information A through D as listed on the Tuesday, February 13, 2024 Regular Council Agenda, **be received**.

Carried

2. For Action:

M. Update from County Council and Boards

The Town of Tecumseh Business Improvement Area Board

A Member advises that the Board has re-elected the current members of their executive committee and that the Board has a new BIA Coordinator, Kim McFadden.

N. Committee Minutes

There are no Committee Minutes presented to Council.

O. Reports

1. Chief Administrative Officer - People & Culture
 - a. CAO-2024-01 OPP Detachment Board Regulation Description

Motion: RCM - 23/24

Moved by Councillor Rick Tonial
Seconded by Councillor Alicia Higgison

That Report CAO-2024-01 entitled "OPP Detachment Board – Regulation Description", **be received**;

And that the Town's feedback in response to the description of the regulation that will set out OPP Detachment Board matters, as identified in Report CAO-2024-01, **be endorsed and forwarded** to the Ministry of the Solicitor General.

Carried

2. Community & Recreation Services
 - a. CRS-2024-05 Wellness Campus Concept Development

Motion: RCM - 24/24

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Rick Tonial

That Report CRS-2024-05 Wellness Campus Concept Development, **be received;**

And that an allocation of up to \$75,000 from the CRS 2024 One (1) Year Capital Works Plan Project Management/Planning item **be approved** to develop program and service designs and a business case for the project.

Carried

3. Community Safety & Fire Services
 - a. CS-2024-02 Fire Equipment 5 Year Capital Works Plan

Motion: RCM - 25/24

Moved by Councillor Alicia Higgison
Seconded by Councillor James Dorner

That the 2024 Fire Equipment purchases as summarized in Attachment 1 to Report CS-2024-02 Fire Equipment Five Year Capital Works Plan 2024-2028, **be approved;**

And that the equipment purchases outlined in report CS-2024-02 **be funded** through the Lifecycle Fire Equipment Reserve.

Carried

4. **Public Works & Engineering Services**
 - a. PWES-2024-06 Delduca Drive Sanitary Sewer Extension

Motion: RCM - 26/24

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Rick Tonial

That the tender for the Delduca Drive Sanitary Sewer Extension project in the amount of \$4,747,000.00, excluding HST, **be awarded** to JJ Lepera Infrastructures Inc.;

And that By-Law 2024-005 **be considered for** first, second, third and final reading to authorize the Mayor and Clerk to execute an agreement,

satisfactory in form to the Town's solicitor, with JJ Lepera Infrastructures Inc.;

And further that funding allocation, reflecting a total budget requirement of \$5,840,300 with an overall \$435,600 increase to the original allocation **be accommodated** as follows:

- Road Lifecycle Reserve – decrease from \$2,153,900 to \$1,971,100
- Watermain Reserve Fund – increase from \$35,900 to \$334,800
- Wastewater Sewer Reserve Fund – increase from \$1,316,700 to \$1,908,400
- Storm Sewer Lifecycle Reserve – decrease from \$1,898,200 to \$1,626,000.

Carried

- b. PWES-2024-09 DMAF Phase 1 Scully - St. Mark's Storm Pump Station - Award for Engineer of Record Services

Motion: RCM - 27/24

Moved by Councillor Rick Tonial
Seconded by Councillor Alicia Higgison

That Dillon Consulting Limited **be retained** for Engineer of Record Services for the Scully-St. Mark's Pump Station Replacement and Riverside Drive East Reconstruction Project in the amount of \$179,500 excluding HST as a Single Source procurement under the Town of Tecumseh Purchasing Policy and By-Law 2021-60 as amended by By-Law 2021-103;

And further that the Mayor and Clerk **be authorized** to sign a Change Order or such other further documents as may be necessary to give effect to the requested change in scope/additional services to be provided by Dillon Consulting Limited pursuant to the original agreement authorized via By-Law 2023-078.

Carried

5. Technology & Client Services

- a. TCS-2024-01 2024-2028 TCS Capital Works Plan

Motion: RCM - 28/24

Moved by Councillor Alicia Higgison
Seconded by Councillor James Dorner

That 2024 Technology & Client Services (TCS) Capital Projects summarized in Attachment 1 to Report TCS-2024-01, 2024-2028 TCS Capital Works Plan, **be approved**;

And that the 2024 TCS Capital Projects (\$165,000) **be funded** through the Technology & Client Services Lifecycle reserve.

Carried

P. By-Laws

1. By-Law 2024-005 DeIDuca Tender Award

Being a by-law to authorize the execution of an Agreement between the Corporation of the Town of Tecumseh and JJ Lepera Infrastructures Inc. for the Construction Services for the Delduca Drive Sanitary Sewer Extension

2. By-Law 2024-011 Amending By-Law 2023-115 Fees and Charges for 2024 Schedule F

Being a by-law to amend By-Law 2023-115 to prescribe administrative fees and charges for the Town of Tecumseh for 2024

3. By-Law 2024-012 Rural Transit Solutions Fund Agreement

Being a by-law to authorize the execution of an Agreement with the Corporation of the Town of Tecumseh and His Majesty the King in right of Canada for the purchase of vehicles and charging stations for Transit Service in Tecumseh

4. By-Law 2024-013 Federal Housing Accelerator Fund Contribution Agreement

Being a By-law to authorize the execution of an Contribution Agreement with The Corporation of the Town of Tecumseh and the Canada Mortgage and Housing Corporation

Motion: RCM - 29/24

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Rick Tonial

That By-Law 2024-005 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and JJ Lepera Infrastructures Inc for the Construction Services for the DelDuca Drive Sanitary Sewer Extension;

That By-Law 2024-011 being a by-law to amend By-Law 2023-115 to prescribe administrative fees and charges for the Town of Tecumseh for 2024;

That By-Law 2024-012 being a by-law to authorize the execution of an Agreement with The Corporation of the Town of Tecumseh and His Majesty the King in right of Canada for the purchase of vehicles and charging stations for Transit Services;

That By-Law 2024-013 being a by-law to authorize the execution of an Contribution Agreement with The Corporation of the Town of Tecumseh and the Canada Mortgage and Housing Corporation.

Be given first and second reading.

Carried

Motion: RCM - 30/24

Moved by Councillor Alicia Higgison
Seconded by Councillor James Dorner

That By-Law 2024-005 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and JJ Lepera Infrastructures Inc for the Construction Services for the DelDuca Drive Sanitary Sewer Extension;

That By-Law 2024-011 being a by-law to amend By-Law 2023-115 to prescribe administrative fees and charges for the Town of Tecumseh for 2024;

That By-Law 2024-012 being a by-law to authorize the execution of an Agreement with The Corporation of the Town of Tecumseh and His Majesty the King in right of Canada for the purchase of vehicles and charging stations for Transit Services;

That By-Law 2024-013 being a by-law to authorize the execution of an Contribution Agreement with The Corporation of the Town of Tecumseh and the Canada Mortgage and Housing Corporation.

Be given third and final reading.

Carried

Q. Unfinished Business

1. February 13, 2024

The Members receive the Unfinished Business listing for Tuesday, February 13, 2024.

R. New Business

There is no New Business presented to Council.

S. Motions

1. Confirmatory By-Law 2024-014

Motion: RCM - 31/24

Moved by Councillor Rick Tonial
Seconded by Councillor Alicia Higgison

That By-Law 2024-014 being a by-law to confirm the proceedings of the Tuesday, February 13, 2024, 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

1. **Lighting Nuisance**

This notice is brought forward from Councillor Rick Tonial.

The Member reads the notice of motion as appended on the agenda and Council decided to proceed with discussion on the matter at this meeting.

Motion: RCM - 32/24

Moved by Councillor Rick Tonial
Seconded by Councillor James Dorner

Whereas the Town of Tecumseh continues to plan to meet the need for housing supply in the municipality and encourages residential development;

And whereas development applications submitted to the Town are currently already subject to site plan control when proposed developments on residential properties are greater than 10 residential units on a parcel of land;

And whereas the Town does not have a lighting by-law to address the nuisance aspects related to scattered, excessive lighting or security lighting on properties, including residential properties.

Now therefore be it resolved:

That Council direct Administration **to review and report back** on light mitigation options relating to both:

1) development applications and site plan control including proposed developments on residential properties less than 10 residential units on a parcel of land; and

2) by-law enforcement relating to addressing the nuisance aspects of scattered, excessive or security lighting on properties, including residential properties in the Town of Tecumseh.

Carried

U. Next Meeting

Tuesday February 27, 2024

6:00 pm Special Council Meeting - Sanitary Model Recalibration and Basement Flood Risk Mitigation Study

7:00 pm Regular Council Meeting

V. Adjournment

Motion: RCM - 33/24

Moved by Councillor Alicia Higgison

Seconded by Councillor Rick Tonial

That there being no further business, the Tuesday, February 13, 2024 meeting of the Regular Council **be adjourned** at 8:30 pm.

Carried

Gary McNamara, Mayor

Robert Auger, Clerk