

## **Regular Meeting of Council**

### **Minutes**

Date: Tuesday, May 28, 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, Brian Houston  
Councillor, Tania Jobin

Absent:  
Councillor, Rick Tonial

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  
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 Facilities & Energy Management, Daniel Wolicki

#### **A. Roll Call**

#### **B. Order**

The Mayor calls the meeting to order at 7:07 pm.

#### **C. Report Out of Closed Meeting**

A closed meeting of Council was held at 3:30 pm on May 23, 2024 in accordance with and as permitted with Section 239 (2) (c) and (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 received information explicitly supplied in confidence and provided further direction to negotiate concerning proposed acquisitions of land.

Furthermore, a closed meeting of Council was held earlier this evening in accordance with and as permitted with Section 239 (2) (c) and (i) 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;

i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

At this meeting, Council received information and gave direction in regards to:

- a proposed acquisition of interest in land by the municipality; and
- commercial information supplied in confidence to the Municipality in accordance with Section 239 (2) (i) of the Municipal Act.

#### **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 - May 13, 2024**

**Motion: RCM - 124/24**

Moved by Councillor Tania Jobin

Seconded by Councillor Brian Houston

**That** the May 13, 2024 minutes of the Regular Council as were duplicated and delivered to the members, **be adopted.**

Carried

**I. Supplementary Agenda Adoption**

**Motion: RCM - 125/24**

Moved by Councillor Alicia Higgison

Seconded by Deputy Mayor Joe Bachetti

**That** the supplementary items added to the Regular Meeting agenda regarding Reports CRS-2024-15 Arena Restoration Tender Award, CRS-2024-16 Lacasse Park Parking and Trail Improvement Tender Award and their respective by-laws: By-law 2024-036 and By-Law 2024-037 **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 or amendable.

**1. CRS-2024-17 Essex Power Youth in Community Fund**

**2. LCS-2024-11 Essex Power Corporation - Appointment of Proxyholder for 2023 Shareholder's Annual Meeting**

**Motion: RCM - 126/24**

Moved by Councillor Brian Houston

Seconded by Councillor Alicia Higgison

**That** Reports CRS-2024-17 Essex power Youth in community Fund and LCS-2024-11 Essex power Corporation - Appointment of Proxyholder for 2023 shareholder Annual Meeting, **be received and approved.**

Carried

**K. Delegations**

**1. Canadian Association of Municipal Administrators Long Service Recognition Award**

Re: Mayor, Gary McNamara to present award to Chief Administrative Officer, Margaret Misk-Evans

The Members congratulate the Chief Administrative Officer for receiving the Canadian Association of Municipal Administrators Long Standing Service Recognition Award on 35 years of public service to the municipal sector. The Mayor presents a plaque in honour of her achievement.

**2. Town New Development Charges By-Law Background Study**

Re: Daryl Abbs and Navreet Bains, Watson & Associates Economists Ltd.

Daryl Abbs presents the PowerPoint presentation entitled "New Development Charges Background Study" as appended on the agenda. He highlights the methodology for calculating a development charge. The Public Council Meeting is scheduled for July 9, 2024 for public consultation. The Background Study will be available to view on the Town's website.

**a. DS-2024-16 2024 Development Charges Background Study and Draft By-Law**

**Motion: RCM - 127/24**

Moved by Councillor Brian Houston

Seconded by Councillor Alicia Higgison

**That** Report DS-2024-16 entitled "2024 Draft Development Charges Background Study and Development Charges By-law: Scheduling of a Public Meeting", **be received;**

**And that that** the scheduling of a public meeting, to be held on Tuesday, July 9, 2024 at 6:00 pm, in accordance with the *Development Charges Act, 1997*, to offer the public the opportunity to comment on the draft 2024 Development Charges Background Study and associated Development Charges By-law, **be authorized;**

**And further that Administration be directed** to prepare a further Administrative Report summarizing the comments received through the public consultation process and providing a final recommendation on the draft 2024 Development Charges Background Study and associated Development Charges By-law for consideration at a future meeting of Council.

Carried

**L. Communications**

**1. For Information:**

- a. Township of Alnwick/Haldimand dated May 9, 2024  
Re: Request Province to Undertake with AMO a Comprehensive Review of Municipal Finances Across Ontario
- b. Town of Amherstburg dated May 10, 2024  
Re: Notice of Study Commencement - McGregor Sewer System Upgrades
- c. Town of Plympton Wyoming dated May 10, 2024  
Re: Implement Provincial Regulations to Restrict Keeping of Non-Native (exotic) Wild Animals
- d. Watson & Associates Economists Ltd. dated May 10, 2024  
Re: Assessment of Bill 185 Cutting Red Tape to Build More Homes Act 2024 - ERO Submission
- e. Municipality of Lakeshore dated May 13, 2024  
Re: Notice of Public Information Centre No. 3 - Water and Wastewater Master Plan
- f. Township of Alnwick/Haldimand dated May 13, 2024  
Re: MFIPPA Modernization
- g. Ontario Provincial Police dated May 21, 2024  
Re: Essex County Detachment Restructuring
- h. County of Essex dated May 21, 2024  
Re: Ontario Works and Ontario Disability Support Program
- i. County of Essex dated May 21, 2024  
Re: Municipal Taskforce on Housing and Homelessness

- j. Town of Essex dated May 22, 2024  
Re: Highway 413
- k. Town of Essex dated May 23, 2024  
Re: Potential Municipal Operator Course
- l. Town of Essex dated May 22, 2024  
Re: Housing Enabling Water Systems Fund
- m. Town of Essex dated May 22, 2024  
Re: Organic Waste Collection and Processing Program

**Motion: RCM - 128/24**

Moved by Councillor Tania Jobin  
Seconded by Councillor Brian Houston

**That** Communications - For Information A through M as listed on the Tuesday, May 28, 2024 Regular Council Agenda, **be received**.

Carried

**2. For Action:**

There are no action items presented to Council.

**M. Update from County Council and Boards**

There are no updates presented to the Members.

**N. Committee Minutes**

There are no Committee minutes presented to Council.

**O. Reports**

**1. Community & Recreation Services**

- a. CRS-2024-15 Arena Restoration Project - Tender Award  
Supplementary Item

**Motion: RCM - 129/24**

Moved by Councillor Brian Houston  
Seconded by Councillor Alicia Higgison

**That** the tender of the Tecumseh Arena Restoration Project in the amount of \$2,541,618.16 (excluding HST) **be awarded** to TCI Titan Contracting Inc.;

**And that** By-law 2024-036 **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 TCI Titan Contracting Inc.

Carried

- b. CRS-2024-16 Lacasse Park Parking and Trail Improvement Project - Tender Award

Supplementary Item

**Motion: RCM - 130/24**

Moved by Deputy Mayor Joe Bachetti  
Seconded by Councillor James Dorner

**That** the tender of the Lacasse Park Parking and Trail Improvement Project in the amount of \$1,068,049.50 (excluding HST) **be awarded** to Piera Con Enterprises;

**And that** the request for additional funding of \$30,000 including non-refundable HST, **be authorized and funded** through the Infrastructure Reserve;

**And further that** By-law 2024-037 **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 Piera Con Enterprises.

Carried

## 2. Development Services

- a. DS-2024-13 Bill 185 Cutting Red Tape to Build More Homes Act 2024 and Draft PPS 2024 Summary Report

Supplementary Item

**Motion: RCM - 131/24**

Moved by Deputy Mayor Joe Bachetti  
Seconded by Councillor Brian Houston

**That** Report DS-2024-13 Bill 185, *Cutting Red Tape to Build More Homes Act, 2024* and Draft 2024 Provincial Policy Statement, Summary Report, **be received**;

**And that** Report DS-2024-13 **be submitted** to the Province through the Environmental Registry of Ontario as comments from the Town of Tecumseh with respect to Bill 185 and the Draft 2024 Provincial Planning Statement.

Carried

- b. DS-2024-15 Sign By-Law Amendment Permit Digital Billboard Signs in the Walker Road Corridor of Oldcastle

**Motion: RCM - 132/24**

Moved by Councillor Brian Houston  
Seconded by Councillor Tania Jobin

**That** Report DS-2024-15, entitled “Sign By-law Amendment to Permit Digital Billboard Signs in the Walker Road Corridor of Oldcastle”, **be received**;

**And that** a by-law having the effect of amending the Tecumseh Sign By-law 2018-33 to permit digital billboard signs along the Walker Road/County Road 11 corridor within the Oldcastle Settlement Area from Highway 401 to McCord Lane, in keeping with Report DS-2024-15, **be adopted**.

Carried

**3. Public Works & Engineering Services**

- a. PWES-2024-32 CR43 Improvements Cost Sharing Agreement with the County of Essex

**Motion: RCM - 133/24**

Moved by Deputy Mayor Joe Bachetti  
Seconded by Councillor Brian Houston

**That** Report PWES-2024-32 County Road 43 Improvements, W-4 Trunk Watermain, Cost Sharing Agreement with the County of Essex, **be received**;

**And that** By-Law 2024-049 **be considered** for first, second and third reading to authorize the Mayor and Clerk to execute the Cost Sharing Agreement, satisfactory in form to the Town’s solicitor, with the Corporation of the County of Essex;

**And further that** funding allocation, reflecting a total budget required of \$3,161,200 with an overall \$1,724,800 decrease to the original allocation **be accommodated** as follows:



- Watermain Reserve Fund – decrease from \$4,886,000 to \$3,161,200.

Carried

- b. PWES-2024-33 Tecumseh Hamlet Secondary Plan Area, EA and Functional Servicing Report - Project Expenditures and Scope Increase

**Motion: RCM - 134/24**

Moved by Councillor Brian Houston

Seconded by Councillor Alicia Higgison

**That** report PWES-2024-33 Tecumseh Hamlet Secondary Plan Area, Environmental Assessment and Functional Servicing Report, Project Expenditures and Scope Increase, **be received**;

**And that** Administration **be authorized** to sign a letter of scope change, 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 in accordance with the Purchasing Policy;

**And further that** funding allocation, reflecting a total budget requirement of \$1,006,000, with an overall \$151,000 increase to the original allocation, **be accommodated** as follows:

- Road Lifecycle Reserve - increase from \$103,000 to \$121,190
- Watermain Reserve Fun - increase from \$103,000 to \$121,190
- Wastewater Sewer Reserve Fund - increase from \$118,000 to \$138,840
- Storm Sewer Lifecycle Reserve - increase from \$531,000 to \$624,780.

Carried

- c. PWES-2024-35 Asphalt Paving Tender Award

**Motion: RCM - 135/24**

Moved by Deputy Mayor Joe Bachetti

Seconded by Councillor Alicia Higgison

**That** Report PWES-2024-35 2024 Asphalt Paving Tender Award, **be received**;

**And that** the tender for the 2024 Asphalt Paving in the amount of \$659,325 excluding HST **be awarded** to GIP Paving Inc.;

**And further that** By-law 2024-052 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 GIP Paving Inc.;

**And furthermore, that** project allocations, reflecting a budget for the 2024 Asphalt Paving Program of \$670,930, reflecting a decrease of \$29,070 from the original allocation, **be funded** from the Roads Lifecycle Reserve.

Carried

**P. By-Laws**

**1. By-Law 2024-036 Arena Restoration Project Tender Award**

Being a by-law to authorize the execution of an Agreement between the Corporation of the Town of Tecumseh and TCI Titan Contracting Incorporated for the Construction Services for the Tecumseh Arena Restoration

**2. By-Law 2024-037 Lacasse Park Parking Lot Resurfacing Tender Award**

Being a by-law to authorize the execution of an Agreement between the Corporation of the Town of Tecumseh and Piera Con Enterprises Inc. for the Construction Services for the Lacasse Park Parking and Trail Improvement Project

**3. By-Law 2024-049 CR43 Improvements, Cost Sharing Agreement with the County of Essex**

Being a by-law to authorize the execution of a Cost Sharing Agreement with the County of Essex for the construction works of Phase 2 for County Road 43 Improvements.

**4. By-Law 2024-052 Asphalt Paving Tender Award**

Being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and GIP Paving Inc. for the construction services for asphalt paving

**5. By-Law 2024-053 Cedarhurst Development Agreement**

Being a by-law to authorize the execution of a Development Agreement between the Corporation of the Town of Tecumseh and 851381 Ontario Ltd.

**6. By-Law 2024-054 Amendment to Sign By-law 2018-33 - Digital Billboards**

Being a by-law to amend By-law No. 2018-33, the Town's By-law regarding Signs within the Municipality for Off-Site Signs along Walker Road and County Road 11 between King's Highway 401 and McCord Lane.

**Motion: RCM - 136/24**

Moved by Councillor Alicia Higgison  
Seconded by Councillor Tania Jobin

**That** By-Law 2024-036 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and TCI Titan Contracting Incorporated for the Construction Services for the Tecumseh Arena Restoration;

**That** By-Law 2024-037 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Piera Con Enterprises Inc. for the Construction Services for the Lacasse Park Parking and Trail Improvement Project;

**That** By-Law 2024-049 being a by-law to authorize the execution of a Cost Sharing Agreement with the County of Essex for the construction works of Phase 2 for County Road 43 Improvements;

**That** By-Law 2024-052 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and GIP Paving Inc. for the construction services for asphalt paving;

**That** By-Law 2024-053 being a by-law to authorize the execution of a Development Agreement between The Corporation of the Town of Tecumseh and 851381 Ontario Ltd.;

**That** By-Law 2024-054 being a by-law to amend By-Law No. 2018-33, the Town's By-law regarding signs within the Municipality Billboard Signs and Off-Site Signs along Walker Road / County Road 11 between King's Highway 401 and McCord Lane.

**Be given** first and second reading.

Carried

**Motion: RCM - 137/24**

Moved by Councillor Brian Houston  
Seconded by Councillor James Dorner

**That** By-Law 2024-036 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and TCI

Titan Contracting Incorporated for the Construction Services for the Tecumseh Arena Restoration;

**That** By-Law 2024-037 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Piera Con Enterprises Inc. for the Construction Services for the Lacasse Park Parking and Trail Improvement Project;

**That** By-Law 2024-049 being a by-law to authorize the execution of a Cost Sharing Agreement with the County of Essex for the construction works of Phase 2 for County Road 43 Improvements;

**That** By-Law 2024-052 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and GIP Paving Inc. for the construction services for asphalt paving;

**That** By-Law 2024-053 being a by-law to authorize the execution of a Development Agreement between The Corporation of the Town of Tecumseh and 851381 Ontario Ltd.;

**That** By-Law 2024-054 being a by-law to amend By-Law No. 2018-33, the Town's By-law regarding signs within the Municipality Billboard Signs and Off-Site Signs along Walker Road / County Road 11 between King's Highway 401 and McCord Lane.

**Be given** third and final reading.

Carried

## **Q. Unfinished Business**

### **1. May 28, 2024**

A Member inquired clarification on the School Crossing Guards and the next steps moving forward after the decision at the May 13, 2024, Regular Council Meeting. The CAO advises there has been administrative action since Council's direction as the Director People & Culture has contacted schools and school boards, a contract has been signed in regards to the study on the school safety zones to commence. The CAO added that Administration is looking into the St. Thomas school crossing guard location as a Councillor has raised some concern and Administration is reviewing the data. The lay off notices have been sent out to the school crossing guards for the end of June, which is standard practice.

A Member requests that Administration contact the County to review of the intersection at Baseline and 11th Concession Roads to determine if an additional stop sign can be added.

**R. New Business**

**Traffic Concerns**

A Member comments on the traffic congestion at the intersection of Lesperance and E.C. Row during commuting times, and raised concern with emergency vehicles being able to deliver service. As the construction season continues, it is recommended that road works be coordinated and advise the public of alternate road routes in an effort to reduce traffic congestion.

**S. Motions**

**1. Confirmatory By-Law 2024-055**

**Motion: RCM - 138/24**

Moved by Councillor Tania Jobin

Seconded by Councillor Brian Houston

**That** By-Law 2024-055 being a by-law to confirm the proceedings of the Tuesday, May 28, 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**

There are notices of motion.

**U. Next Meeting**

Tuesday June 25, 2024

7:00 pm Regular Council Meeting

**V. Adjournment**

**Motion: RCM - 139/24**

Moved by Councillor Brian Houston

Seconded by Councillor James Dorner

**That** there being no further business, the Tuesday, May 28, 2024 meeting of the Regular Council be adjourned at 8:50 pm.

Carried

---

Gary McNamara, Mayor

---

Robert Auger, Clerk