

Regular Meeting of Council

Minutes

Date: Monday, May 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, Brian Houston
Councillor, Tania Jobin
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
Director People & Culture, Michelle Drouillard
Director Technology & Client Services, Shaun Fuerth
Director Financial Services & Chief Financial Officer, Tom Kitsos
Deputy Clerk - Clerks Services & Policy Advisor, Christina Hebert
Manager Planning Services & Local Economic Development,
Chad Jeffery
Manager Public Works & Transportation, Kirby McArdle
Manager Facilities & Energy Management, Daniel Wolicki

A. Roll Call

B. Order

The Mayor calls the meeting to order at 7:02 pm.

C. Report Out of Closed Meeting

A closed meeting of Council was held at 6:00 pm in accordance with and as permitted with Section 239 (2) (b)(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 :

b) personal matters about an identifiable individual, including municipal or local board employees;

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 concerning proposed acquisitions of land and 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 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 - April 23, 2024**
- 2. Special Council Meeting - April 23, 2024**

Motion: RCM - 107/24

Moved by Councillor Rick Tonial
Seconded by Councillor Alicia Higgison

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

Carried

I. Supplementary Agenda Adoption

Motion: RCM - 108/24

Moved by Councillor Rick Tonial
Seconded by Councillor Alicia Higgison

That the supplementary items added to the Regular Council Meeting agenda regarding 9th Windsor Pathfinders, Therese Gadoury and Teresa Weymouth Delegations for the School Crossing Guard Program and the Communication item from Mr. Paul Paterson dated May 9, 2024, **be approved.**

Carried

J. Consent Agenda Items

- 1. FS-2024-06 Appointment of Auditor 2023 - 2027**
- 2. FS-2024-07 Annual Report on Investment and Cash Management**

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.

Motion: RCM - 109/24

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Tania Jobin

That Reports FS-2024-06 Appointment of Auditor 2023 - 2027, and FS-2024-07 Annual Report on Investment and Cash Management, **be received and approved.**

Carried

K. Delegations

1. Jillian Butler, Resident

Re: School Crossing Guard Program

Ms. Jillian Butler expresses concerns on behalf of community individuals regarding the safety of students utilizing crosswalks and advocating the need for school crossing guards as a safety measure. She references traffic congestion and issues surrounding vehicles not adhering to pedestrian crosswalks and driver distraction. In the absence of school crossing guards, she suggests there will be an increase in traffic congestion from families driving students. Ms. Butler asks Council to keep safety in mind when making decision.

2. 9th Windsor Pathfinders - Girl Guides of Canada

Re: School Crossing Guard Program

On behalf of the 9th Windsor Pathfinders - Girl Guides of Canada, Avery Cowen, Joyce Butler and Scarlett Shepherd share their experiences with crossing busy intersections and traffic not abiding by the pedestrian crosswalks. They express the role crossing guards play is not only physical protection but also the sense of security and community.

3. Therese Gadoury, Resident

Re: School Crossing Guard Program

The Delegate was not present at the meeting.

4. Teresa Weymouth

Re: School Crossing Guard Program

Ms. Teresa Weymouth conveys the importance of erring on the side of safety particularly in the face of distracted drivers. She seeks consideration to implement the recommended safety measures and maintain the school crossing guards.

5. School Crossing Guard Program

Re: Director Public Works & Engineering Services

a. PWES-2024-25 School Crossing Guard Program Recommendation

As deferred by Council at the April 23, 2024 Regular Council Meeting

The Director Public Works & Environmental Services presents an overview of the current School Crossing Guard Program (Program). Several traffic-related policies have recently been approved with the intent of increasing safety for pedestrians of all ages and abilities, at all times of the day(s) and week(s) for a broad geographic scope of coverage. He reviews the rationale for the change in approach to safe crossing in line

with the Ontario Traffic Manual and School Crossing Guard Guide. The recommended approach to provide a broader coverage for safe pedestrian crossing and plan for each current crossing guard location is provided, together with the financial implications.

In response to inquiries, the Director Public Works & Environmental Services advises the Town collects data in regards to vehicular speeds and while pedestrian counts are not routinely collected, data was collected for the 2023 pedestrian crosswalk review. The intent is to review pedestrian safety beyond school times that are in effect.

The Director People & Culture provides the current issues surrounding recruitment, retention and coverage.

Discussion ensues regarding traffic issues and commitment to pedestrian safety measures.

Motion: RCM - 110/24

Moved by Councillor Brian Houston

Seconded by Councillor Rick Tonial

That Report PWES-2024-25 School Crossing Guard Program Recommendation **be received;**

And that the School Crossing Guard Program, May 13, 2024 Council Presentation, **be received;**

And further that Administration **coordinate information sessions** no later than June 2024 with the local school and School Boards affected by the change in approach to Crossing Guards;

And furthermore, that the current School Crossing Guard Program locations **be phased out or be further assessed** as outlined within the May 13, 2024 Council Presentation and Council Report PWES-2024-25, and specifically as follows:

- Tecumseh/Estate Park in June, 2024 with closure of DM Eagle School;
- St. Thomas/Michael in June, 2024;
- Tecumseh/Arlington, Lesperance/St. Thomas and Lesperance/Arbour in June, 2025, but still subject to applicable assessment outcomes, Council Approval, and installation of recommended capital works; and
- Lacasse/Clapp and Lacasse/St. Thomas in June, 2026, but still subject to applicable assessment outcomes, Council approval and installation of recommended capital works.

Carried

L. Communications

1. For Information:

- a. Essex Region Conservation Authority dated May 1, 2024
Re: 2023 Annual Progress Reports on the Implementation of the Essex Region Source Protection Plan
- b. Ministry of Transportation dated May 2, 2024
Re: Notice of Highway 401 and Lauzon Parkway Interchange Study Commencement
- c. Ms. Chris Drysdale dated May 2, 2024
Re: School Crossing Guards
- d. Windsor Essex County Humane Society dated May 7, 2024
Re: Strays on Streetcorners Fundraiser
- e. Mr. Paul Paterson dated May 9, 2024
Re: School Crossing Guards

Motion: RCM - 111/24

Moved by Councillor Tania Jobin
Seconded by Councillor Rick Tonial

That Communications - For Information A through E as listed on the Monday, May 13, 2024 Regular Council Agenda, **be received.**

Carried

2. For Action:

There are no action items.

M. Update from County Council and Boards

Cada Library Grand Opening

A reminder is provided that the Cada Library grand re-opening is scheduled for Saturday, May 25, 2024.

Ontario Business Improvement Area Association

A Member advised the recent Ontario Business Improvement Area Association Conference was very informative with a main street, downtown core focus and governance related topics.

N. Committee Minutes

1. Personnel Committee - April 23, 2024

Motion: RCM - 112/24

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Brian Houston

That the April 23, 2024 minutes of the Personnel Committee as were duplicated and delivered to the Members **be adopted**;

And that the following policies: Seasonal Employees (Policy No. 8), Definition of Spouse (Policy No. 13), Tecumseh Fire and Rescue Services Rules of Employee Conduct (Policy No. 27) Jury Duty - Seasonal Employees (Policy No. 44) Seasonal Staff Wages (Policy No. 49) and Tecumseh Fire and Rescue Services Attendance at Public Education, Community Functions and Parades, Harassment (Policy No. 6) Violence Free Workplace (Policy No. 55) and Violence Harassment in the Workplace (Policy No. 68) **be repealed**;

And further that the attached policies: Workplace Harassment Prevention Policy and Program, Workplace Violence Prevention Policy and Program, and the revisions to the Flexible Work Arrangements Policy, **be approved**;

And furthermore, that Council delegate authority to the Director People & Culture and Chief Administrative Officer to annually review and if applicable revise the Workplace Harassment Prevention Policy and Program and Workplace Violence Prevention and program to meet legislative compliance and that if any significant changes to these policies occur upon review, Administration will prepare and bring forward an information report to Council outlining the legislative amendments.

Carried

2. Tecumseh Accessibility Advisory Committee - April 23, 2024

An invitation is extended to the Members of Council to attend the National AccessAbility Week Flag Rising ceremony.

Motion: RCM - 113/24

Moved by Councillor Alicia Higgison
Seconded by Councillor Rick Tonial

That the Tuesday, April 23, 2024 minutes of the Tecumseh Accessibility Advisory Committee as were duplicated and delivered to the members, **be accepted**;

And that Council **give consideration to support** the following initiatives in honour National AccessAbility Week (May 26th to June 1) to include:

- A flag raising ceremony at the Tecumseh Town Hall on Monday May 29, 2024 at 10 am and that the flag be raised for the duration of the week (May 29 to June 4);
- Administration in collaboration with TAAC members to develop a social media campaign to raise public awareness on accessibility in the community;
- Illuminate Town Hall the colour red for the duration of the week.

Carried

O. Reports

1. Community & Recreation Services

- a. CRS-2024-14 PWES Staff Building Improvement Project - Tender Award

Motion: RCM - 114/24

Moved by Councillor Brian Houston
Seconded by Deputy Mayor Joe Bachetti

That the tender of the PWES Staff Building Improvement Project in the amount of \$684,500 (excluding HST) **be awarded** to Greenlight General Contracting Inc.;

And that By-law 2023-75 be given 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 Greenlight General Contracting Inc.

Carried

2. Development Services

- a. DS-2024-12 Cedarhurst Development Agreement

Motion: RCM - 115/24

Moved by Councillor Brian Houston

Seconded by Councillor Alicia Higgison

That DS-2024-12 entitled “Development Agreement, Cedarhurst Avenue – Business Park Subdivision, South Side of County Road 42” **be received;**

And that a by-law authorizing the execution of the “851381 Ontario Ltd.” development agreement, satisfactory in form to the Town’s Solicitor, which allows for the development of a business park subdivision on a 2.9 hectare (7.3 acre) parcel of land situated on the south side of County Road 42 approximately 385 metres (1,263 feet) east of its intersection with Banwell Road (County Road 43), comprising five commercial/industrial blocks and one block for a stormwater management facility, all of which front on a new municipal road (Cedarhurst Avenue) extending south from County Road 42, **be adopted;**

And further that the execution of such further documents as are called for by the development agreement approved above including, but not limited to, the execution of the acknowledgement/direction required to register the development agreement on title to the lands and such other acknowledgement/directions for any related transfers or real property registrations contemplated by the development agreement, by the Mayor and Clerk, **be authorized;**

And furthermore that the giving of Notice of Intent to pass a by-law removing the Holding (H) zoning symbol in accordance with the provisions of the Planning Act for the subject property to change the zoning from “Holding Commercial/Industrial Zone (H)CM-1” to “Commercial/Industrial Zone (CM-1)”, upon execution of the development agreement by the Owner and the Town and its registration on title, in order to permit the development of a business park subdivision, in accordance with DS-2024-12, **be authorized.**

Carried

- b. DS-2024-14 Zoning by-Law Amendment for 259 Kensington Boulevard, Results of Public Meeting and Final Recommendation

Motion: RCM - 116/24

Moved by Councillor Brian Houston
Seconded by Councillor Rick Tonial

That DS-2024-14 entitled “Zoning By-Law Amendment 259 Kensington Boulevard Results of Public Meeting and Final Recommendation” **be received**;

And that a by-law having the effect of amending Zoning By-law 2065 by rezoning a 1135 square metre (12,224 square foot) parcel of land situated on the west side of Kensington Boulevard, approximately 122 metres (400 feet) south of its intersection with Burlington Street (259 Kensington Boulevard), from “Residential Type Two Zone (R2)” to a site-specific “Residential Type Two Zone (R2-9)” in order to facilitate the construction of a two storey, two-unit dwelling (semi-detached dwelling) and establish site-specific lot provisions, in keeping with DS-2024-14, **be adopted**.

Carried

3. Public Works & Engineering Services

- a. PWES-2024-27 Supply of Various Vehicles

Motion: RCM - 117/24

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Alicia Higgison

That Report PWES-2024-27, 2024 Supply of Various Vehicles **be received**;

And that Administration **be authorized** to obtain quotations for the 2024 Supply of Various Vehicles as summarized in Attachment 1 to Report PWES-2024-27;

And further that the equipment summarized in Attachment 2 to Report PWES-2024-27 **be declared** surplus and disposed of through Part VI, Disposal of Surplus or Scrap Materials and Equipment of the Town’s Purchasing Policy;

And furthermore, that Appendix A titled “Town of Tecumseh 2024-2033 Ten Year Fleet Funding and Replacement Schedules” and Appendix B titled “Town of Tecumseh 2024- 2033 Ten Year Fire and Rescue Services Apparatus Funding and Replacement Schedules” attached to Report PWES-2024-27, **be adopted** as amended;

And furthermore, that funding for the purchase of the 2024 Supply of Various Vehicles outlined in Appendix A in the amount of \$1,018,000 plus associated costs for outfitting, \$27,000, for a total of \$1,045,000 **be funded** from the Lifecycle Fleet Reserve.

Carried

- b. PWES-2024-29 LAS Sewer and Water Line Warranty Program Service Line Warranties of Canada Inc.

Motion: RCM - 118/24

Moved by Councillor Brian Houston
Seconded by Councillor Alicia Higgison

That notice be provided to Service Line Warranties of Canada Inc. that the Town intends to allow the 'Renewal Term' within section 3 (a) of the Agreement to commence, whereby the Agreement will automatically renew for one additional year starting September 27, 2024.

Carried

P. By-Laws

1. By-Law 2024-044 Municipal Auditor Appointment

Being a by-law to appoint Municipal Auditors for The Corporation of the town of Tecumseh for the fiscal years of 2023-2027

2. By-Law 2024-045 Zoning By-law Amendment - 259 Kensington Boulevard

Being a by-law to amend By-Law 2065, the Town's Comprehensive Zoning By-Law for those lands in the former Village of St. Clair Beach

3. By-Law 2024-046 Tender Award - PWES Building Improvement Project

Being a by-law to authorize the execution of an Agreement between the Corporation of the Town of Tecumseh and Greenlight General Contracting Inc. for the Construction Services of the Public Works Engineering Services Building Improvement Project.

Motion: RCM - 119/24

Moved by Councillor Tania Jobin
Seconded by Councillor Brian Houston

That By-law 2024-044 being a by-Law to appoint Municipal Auditors for The Corporation of the Town of Tecumseh for the fiscal years of 2023-2027;

That By-Law 2024-045 being a by-Law to amend By-Law 2065, the Town's Comprehensive Zoning By-Law for those lands in the former Village of St. Clair Beach;

That By-Law 2024-046 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Greenlight General Contracting Inc. for the Construction Services of the Public Works Engineering Services Building Improvement Project.

Be given first and second reading.

Carried

Motion: RCM - 120/24

Moved by Councillor Rick Tonial

Seconded by Councillor Alicia Higgison

That By-law 2024-044 being a by-Law to appoint Municipal Auditors for The Corporation of the Town of Tecumseh for the fiscal years of 2023-2027;

That By-Law 2024-045 being a by-Law to amend By-Law 2065, the Town's Comprehensive Zoning By-Law for those lands in the former Village of St. Clair Beach;

That By-Law 2024-046 being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Greenlight General Contracting Inc. for the Construction Services of the Public Works Engineering Services Building Improvement Project.

Be given third and final reading.

Carried

Q. Unfinished Business

1. May 14, 2024

The Members receive the Unfinished Business listing for Monday, May 13, 2024.

R. New Business

There is no new business items presented to Council.

S. Motions

1. Confirmatory By-law 2024-47

Motion: RCM - 121/24

Moved by Councillor Rick Tonial
Seconded by Councillor Alicia Higgison

That By-Law 2024-047 being a by-law to confirm the proceedings of the Monday, May 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. Deputy Mayor Bachetti

Re: Tecumseh Transit Route

This notice of motion was brought forward by Deputy Mayor Bachetti.

As permitted by the Procedural By-law, Council moved this motion for consideration and approval.

During discussion, it was noted and concurred that Administration will finalize the Tecumseh Hamlet Secondary Plan prior to bringing a report to determine the feasibility and cost of extending the public transit route.

Motion: RCM - 122/24

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Rick Tonial

Whereas the Tecumseh Transit System has been operational since 2009;

And whereas one of the mission goals of the Town's strategic plan is for inclusivity;

And whereas as two schools, a major active park and a long-term care facility are situated in the Tecumseh Hamlet area;

And whereas a significant amount of residential and commercial development is being planned in the Tecumseh Hamlet area in the foreseeable future.

Now Therefore Be It Hereby Resolved:

That Administration prepare a report to determine the feasibility and cost of extending the public transit route to include Ward 4 along Lesperance Road up to County Road 42 in Ward 5.

U. Next Meeting

Tuesday May 28, 2024

4:30 pm Policies & Priorities Committee Meeting

7:00 pm Regular Council Meeting

V. Adjournment

Motion: RCM - 123/24

Moved by Councillor Rick Toniai

Seconded by Councillor Alicia Higgison

That there being no further business, the Monday, May 13, 2024 meeting of the Regular Council **be adjourned** at 9:27 pm.

Carried

Gary McNamara, Mayor

Robert Auger, Clerk