

Regular Meeting of Council

Minutes

Date: Tuesday, November 12, 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, Brian Houston
Councillor, Tania Jobin
Councillor, Rick Tonial

Absent:

Councillor, Alicia Higgison

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 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
People & Culture Advisor, Amanda Schram

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) 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) to discuss a proposed or pending acquisition or disposition of land by the municipality or local board;

h) to discuss 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.

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 - October 22, 2024

Motion: RCM - 260/24

Moved by Councillor Brian Houston
Seconded by Councillor Rick Tonial

That the October 22, 2024 minutes of the Regular Council Meeting, as were delivered to the members, **be adopted**.

Carried

I. Supplementary Agenda Adoption

There are no supplementary agenda items.

J. Consent Agenda Items

There are no Consent Agenda items presented to Council.

K. Delegations

There are no Delegations presented to Council.

L. Communications

1. For Information:

- a. Western Ontario Wardens Caucus dated November 4, 2024
Re: Support for Ontario Big City Mayors Caucus, Solve the Crisis Campaign
- b. Municipality of Wawa dated November 5, 2024
Re: Green Roads Pilot Project
- c. Township of North Glengarry dated October 28, 2024
Re: AMCTO Recommendations for Updates to the Municipal Elections Act

Motion: RCM - 261/24

Moved by Councillor Tania Jobin
Seconded by Councillor Brian Houston

That Communications - For Information 1 through 3 as listed on the Tuesday, November 12, 2024 Regular Council Agenda, **be received.**

Carried

2. For Action:

- a. Township of North Glengarry dated October 28, 2024
Re: AMCTO Recommendations for Updates to the Municipal Elections Act

Motion: RCM - 262/24

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Rick Tonial

That the Town of Tecumseh support the resolution from North Glengarry dated October 28, 2024 with the following:

Whereas election rules need to be clear, supporting candidates and voters in their electoral participation and election in running elections;

And whereas the legislation must also reduce administrative and operational burden for municipal staff ensuring that local election administrators can run elections in a way that responds to the unique circumstances of their local communities;

And whereas the Municipal Elections Act, 1996 (MEA) will be 30 years old by the next municipal and school board elections in 2026;

And whereas the MEA sets out the rules for local elections, the Assessment Act, 1990 and the Education Act, 1990 also contain provisions impacting local elections adding more places for voters, candidates, and administrators to look for the rules that bind the local democratic process in Ontario;

And whereas with rules across three pieces of legislation, and the MEA containing a patchwork of clauses, there are interpretation challenges, inconsistencies, and gaps to fill;

And whereas the Act can pose difficulties for voters, candidates, contributors and third-party advertisers to read, to interpret, to comply with and for election administrators to enforce;

And whereas while local elections are run as efficiently and effectively as can be within the current legislative framework, modernization and continuous improvement is needed to ensure the Act is responsive to today's needs and tomorrow's challenges;

And whereas to keep public trust and improve safeguards the Act should be reviewed considering the ever-changing landscape which impacts elections administration including privacy, the threats of foreign interference, increased spread of mis/disinformation and the increased use of technologies like artificial intelligence and use of digital identities;

And whereas the Association of Municipal Managers, Clerks, and Treasurers of Ontario (AMCTO) reviewed the Act and has provided several recommendations including modernizing the legislation, harmonizing rules, and streamlining and simplifying administration;

And whereas AMCTO put forward recommendations for amendments ahead of the 2026 elections and longer-term recommendations for amendments ahead of the 2030 elections;

Now therefore be it resolved that the Council of the Town of Tecumseh calls for the Province to update the MEA with priority amendments as outlined by AMCTO before Summer 2025 and commence work to review and re-write the MEA with longer-term recommendations ahead of the 2030 elections.

And further that that this resolution will be forwarded to all municipalities in Ontario for support and that each endorsement be then forwarded to the Minister of Municipal Affairs and Housing; the Minister of Education; the Minister of Public and Business Service Delivery; Minister of Finance; the Premier of Ontario; the Local Member of Provincial Parliament; AMCTO; the Association of Municipalities of Ontario (AMO); and all Ontario Municipalities, to keep public trust and improve safeguards the Act should be reviewed considering the ever-changing landscape which impacts elections administration including privacy, the threats of foreign

interference, increased spread of mis/disinformation and the increased use of technologies like artificial intelligence and use of digital identities.

Carried

M. Update from County Council and Boards

Essex County Library Board

A Member advised that summer programs at the Cada Library saw increased enrolment this year over previous years.

N. Committee Minutes

There are no Committee Minutes presented to Council.

O. Reports

1. Development Services

- a. DS-2024-36 Zoning By-Law Amendment 1539 Shawnee Scheduling of a Public Meeting

Motion: RCM - 263/24

Moved by Councillor Rick Tonial
Seconded by Councillor Brian Houston

That the scheduling of a public meeting to be held on Tuesday, December 10, 2024 at 5:30 p.m., in accordance with the *Planning Act*, for a zoning by-law amendment application pertaining to an 802 square metre (8,637 square foot) parcel of land situated on the west side of Shawnee Road, approximately 64 metres (209 feet) south of its intersection with Brouillette Court (1539 Shawnee Road), seeking to amend Zoning By-law 1746 by rezoning the subject land from “Residential Type Two Zone (R2)” to a site-specific “Residential Type Two Zone (R2-27)” to permit a one-storey, semi-detached dwelling and establish site-specific lot provisions, **be authorized.**

Carried

2. Financial Services

- a. FS-2024-18 Budget Variance Report - August 2024

Motion: RCM - 264/24

Moved by Councillor Rick Tonial
Seconded by Deputy Mayor Joe Bachetti

That Report FS-2024-18 Budget Variance Report – August 2024, showing a projected tax-supported surplus of \$293,536 and a rate-supported deficit of \$111, 295 **be received**.

Carried

3. Public Works & Engineering Services

- a. PWES-2024-52 Trans Canada Trail Registration Multi-Use Pathways - Riverside Drive and Brighton Road

Motion: RCM - 265/24

Moved by Deputy Mayor Joe Bachetti
Seconded by Councillor Brian Houston

That Report PWES-2024-52 Trans Canada Trail Registration, Town of Tecumseh Multi-Use Pathways: Riverside Drive (from the City of Windsor to Brighton Road) and Brighton Road (from Riverside Drive to the Tecumseh Road Roundabout), **be received**;

And that By-Law 2024-090 **be considered** for first, second, third and final reading, to authorize the Mayor and Clerk to execute the Registration Agreement with the Trans Canada Trail, which will enable application to the Trans Canada Trail's Capital Improvement Program.

Carried

- b. PWES-2024-53 Xplore Inc. Telecommunications Municipal Access Agreement

Motion: RCM - 266/24

Moved by Councillor Tania Jobin
Seconded by Councillor Brian Houston

That Report PWES-2024-53 Telecommunications Municipal Access Agreement **be received**;

And that By-Law 2024-093 **be considered** for first, second, third and final reading, to authorize the Mayor and Clerk to execute a Telecommunications Municipal Access Agreement, satisfactory in form to the Town's Solicitor, with Xplore Inc. and Xplore Fibre L.P.

Carried

P. By-Laws

1. By-Law 2024-090 Trans Canada Trail Registration Agreement

Being a by-law to authorize the execution of an Agreement with The Corporation of the Town of Tecumseh and Trans Canada Trail - Le Sentier Transcanadien

2. By-Law 2024-092 DMAF - Cedarwood Sanitary Pump Station

Being a By-Law to authorize the execution of an Agreement with His Majesty the King of Right of Canada, as represented by the Minister of Housing, Infrastructure and Communities

3. By-Law 2024-093 Municipal Access Agreement - Xplore Inc.

Being a by-law to authorize the execution of a Municipal Access Agreement between the Corporation of the Town of Tecumseh and Xplore Fibre L.P.

4. By-Law 2024-094 Oldcastle Heights Residential Subdivision - Model Home Permits

Being a by-law to amend By-Law 85-18, the Town's Comprehensive Zoning By-law for those lands in the former Township of Sandwich South (Removal of Holding (H) Zone Symbol affecting Lots 17 & 21 and Blocks 76 & 83, 12M-709 - Oldcastle Heights Residential Subdivision

Motion: RCM - 267/24

Moved by Councillor Brian Houston
Seconded by Councillor Rick Tonial

That By-Law 2024-090 being a by-law to authorize the execution of an Agreement with The Corporation of the Town of Tecumseh and Trans Canada Trail – Le Sentier Transcanadien;

That By-Law 2024-092 being a By-law to authorize the execution of an Agreement with His Majesty the King of Right of Canada, as represented by the Minister of Housing, Infrastructure and Communities;

That By-Law 2024-093 being a by-law to authorize the execution of a Municipal Access Agreement between The Corporation of the Town of Tecumseh and Xplore Fibre L.P.;

That By-Law 2024-094 being a by-law to amend By-law 85-18, the Town's Comprehensive Zoning By-law for those lands in the former Township of Sandwich South (Removal of Holding (H) Zone Symbol affecting Lots 17 & 21 and Blocks 76 & 83, 12M-709 – Oldcastle Heights Residential Subdivision.

Be given first and second reading.

Carried

Motion: RCM - 268/24

Moved by Councillor James Dorner
Seconded by Councillor Brian Houston

That By-Law 2024-090 being a by-law to authorize the execution of an Agreement with The Corporation of the Town of Tecumseh and Trans Canada Trail – Le Sentier Transcanadien;

That By-Law 2024-092 being a By-law to authorize the execution of an Agreement with His Majesty the King of Right of Canada, as represented by the Minister of Housing, Infrastructure and Communities;

That By-Law 2024-093 being a by-law to authorize the execution of a Municipal Access Agreement between The Corporation of the Town of Tecumseh and Xplore Fibre L.P.;

That By-Law 2024-094 being a by-law to amend By-law 85-18, the Town's Comprehensive Zoning By-law for those lands in the former Township of Sandwich South (Removal of Holding (H) Zone Symbol affecting Lots 17 & 21 and Blocks 76 & 83, 12M-709 – Oldcastle Heights Residential Subdivision.

Be given third and final reading.

Carried

Q. Unfinished Business

1. November 12, 2024

The Members receive the Unfinished Business listing for Tuesday, November 12, 2024.

R. New Business

There are no New Business items presented to Council.

S. Motions

1. Confirmatory By-Law 2024-095

Motion: RCM - 269/24

Moved by Councillor Rick Tonial
Seconded by Councillor James Dorner

That By-Law 2024-095 being a by-law to confirm the proceedings of the Tuesday, November 12, 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 no Notice of Motions presented to Council.

U. Next Meeting

Tuesday, November 26, 2024

4:30 pm Policies & Priorities Committee Meeting

7:00 pm Regular Council Meeting

V. Adjournment

Motion: RCM - 270/24

Moved by Councillor Rick Tonial
Seconded by Councillor James Dorner

That there being no further business, the Tuesday, November 12, 2024 meeting of the Regular Council **be adjourned** at 7:43 pm.

Carried

Gary McNamara, Mayor

Robert Auger, Clerk