

Regular Council Meeting Agenda

Date: Tuesday, December 13, 2022, 7:00 pm **Location:** Tecumseh Town Hall - Council Chambers

917 Lesperance Road

Tecumseh, Ontario N8N 1W9

Pages

- A. Roll Call
- B. Order
- C. Report Out of Closed Meeting
- D. Moment of Silence
- E. National Anthem

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, Lenni 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

H. Minutes

1.	Regular Council Meeting - November 22, 2022	18 - 31
2.	Special Council Meeting - October 27, 2022 - Human Resources Strategy and Asset Management Plan	32 - 37
3.	Special Council Meeting- November 22, 2022 - Cyber Security Awareness Training	38 - 39

	4.	Special Council Meeting - November 29, 2022 - Council Orientation	40 - 42
		Recommendation Moved by Seconded by That the November 22, 2022 minutes of the Regular Council meeting, the October 27, November 22, and 29, 2022 minutes of the Special Council Meetings, as were duplicated and delivered to the members, be adopted.	
I.	Suppl	ementary Agenda Adoption	
J.	Deleg	ations	
	1.	Capstone Infrastructure	43 - 53
		Re: Lauren McLeod, Development Manager	
		Supplementary Item	
	2.	2021 Audited Financial Statements	54 - 123
		Cynthia Swift, Partner, KPMG, Municipal Auditors	
	3.	2023 Police Services Budget Presentation	124 - 140
		Margaret Misek-Evans, Secretary, Police Services Board and Angela Ferguson, Essex County OPP Detachment Commander	
	4.	2023 Draft Business Plan and Operating Budget	141 - 179
		Re: Director Financial Services & Chief Financial Officer, Tom Kitsos and Marg Misek-Evans, Chief Administrative Officer, Vanessa DaDalt, Deputy Treasurer and Manager Revenue Services	
		Recommendation Moved by Seconded by That the 2023 Proposed Budget and Business Plan be tabled for discussion to the Special Council Meeting on Tuesday, January 17, 2023.	
K.	Comr	nunications - For Information	
	1.	Town of Lakeshore dated November 22, 2022	180 - 180
		Re: Notice of Commencement Lakeshore Stormwater Master Plan Study Phase 2	

2.	Rural Ontario Municipal Association dated December 6, 2022	181 - 182
	Re: Final Reminder of Nominations: 2023-2027 ROMA Board of Directors	
	Recommendation Moved by Seconded by That Communications - For Information items 1 and 2 as listed on the Tuesday, December 13, 2022 Regular Council Agenda, be received.	
Comn	nunications - Action Required	
Comn	nittee Minutes	
1.	The Town of Tecumseh Business Improvement Area dated November 16, 2022	183 - 186
	Recommendation	
	Moved by	
	Seconded by	
	That the November 16, 2022 minutes of the Town of Tecumseh Business Improvement Area were duplicated and delivered to the members, be accepted .	
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N. Reports

M.

1. Chief Administrative Officer - People & Culture

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	192 - 202
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 a. CAO-2022-10 Exercise of Delegated Authority during the Lame Duck Period

Recommendation

Moved by	
Seconded by	
That Report CAO-2022-10, "Ex	ercise of Delegated Authorit

That Report CAO-2022-10, "Exercise of Delegated Authority during the Lame Duck Period" **be received**;

And that the authorization of additional capital funding in the amount of \$2.4M for watermain and sanitary sewer infrastructure within the Town of Tecumseh associated with the County of Essex road improvement project for County Road 42 and County Road 43, be endorsed;

And further that reserve allocations for the Town's total project commitment of \$6,476,000 be endorsed, as follows:

- Watermain Reserve Fund, \$3,359,000
- Wastewater Sewer Reserve Fund, \$3,117,000.
- b. CAO-2022-11 Review of Non-Statutory Advisory Committees

Recommendation

Moved by
Seconded by
That Report CAO-2022-11, "Non-Statutory Advisory Committee
Review", be received ;

And that the administration of the Lakeshore-Tecumseh Intermunicipal Committee **be continued** until further direction from Council;

And further that the Rural Broadband Advisory Committee be continued into 2023 with the same Council representatives and Administration be authorized to approach the community members to extend their commitment into 2023;

And furthermore, that the Cultural & Arts Advisory Committee, the Senior Advisory Committee and the Youth Advisory Committee be discontinued in accordance with the provisions laid out in Report CAO-2022-11, effective for 2023.

	C.	CAO-PC-2022-08 Health and Safety Policy No. 7	203 - 208
		Recommendation Moved by Seconded by That Health and Safety Policy No. 7, as reviewed for the year 2022, in accordance with Section 25(2)(j) of the Occupational Health and Safety Act, be approved;	
		And that Health and Safety Policy No. 7 be posted in all Municipal Buildings.	
2.	Commi	unity & Recreation Services	
	a.	CRS-2022-14 Town of Tecumseh Energy Management Update	209 - 239
		Recommendation Moved by Seconded by That Report CRS-2022-14, Town of Tecumseh Energy Management Update, be received;	
		And that the updated Energy Conservation and Demand Management (ECDM) Plan attached to Report CRS-2022-14 be endorsed.	
	b.	CRS-2022-17 Parks 2023-2027 Five (5) Year Capital Works Plan	240 - 253
		Recommendation Moved by Seconded by That the Parks Capital Projects as summarized in Attachment 1 to Report CRS-2022-17 2023-2027 Parks Capital Works Plan, be adopted;	
		And that the 2023-2027 Parks Capital Projects be funded through the Parks Lifecycle Reserve, New Infrastructure Levy (NIL), Grants and Community Contributions.	

C.	Works Plan	254 - 200
	Recommendation	
	Moved by	
	Seconded by	
	That the Arena and Pool Capital Projects as summarized in Attachment 1 to Report CRS-2022-18 Arena and Pool 2023-2027 Five (5) Year Capital Works Plan, be adopted ;	
	And that the 2023 – 2027 Arena and Pool Capital Projects be funded through the Arena and Pool Lifecycle Reserves;	
	And further that, should the Triple Gymnasium & Programming Space Addition to Tecumseh Arena project proceed on confirmation of senior government funding, the Town's share be funded through the Infrastructure Reserve.	
d.	CRS-2022-19 Municipal Buildings 2023-2027 Five (5) Year Capital Works Plan	267 - 276
	Recommendation	
	Moved by	
	Seconded by	
	That the Municipal Buildings Capital Projects as summarized in Attachment 1 to Report CRS-2022-19 Municipal Buildings 2023-2027 Five (5) Year Capital Works Plan, be adopted ;	
	And that the 2023 – 2027 Municipal Buildings Capital Projects be funded through the Buildings Lifecycle Reserve and the Infrastructure Reserve.	
e.	CRS-2022-20 Tender Award - Bert Lacasse Ball Diamond Upgrades	277 - 322
	Supplementary Item	

	Recommendation	
	Moved by	
	Seconded by That the low tender from Gulf Developments Inc. in the amount of \$2,996,218. inclusive of non-refundable HST, for the Tender Award – Bert Lacasse Ball Diamond Upgrades, be approved;	
	And that \$140,000 be allocated as a contingency for this project.	
	And further that By-law No. 2022-104 to authorize the Mayor and Clerk to execute an agreement, with Gulf Developments Inc. be adopted.	
Develo	pment Services	
a.	DS-2022-47 On-Demand Transit Pilot Project Results and 2023 Transit Recommendations	323 - 351
	Supplementary Item	
	Recommendation Moved by Seconded by	

3.

And that the Tecumseh Transit Service reverting to the pre-pilot program fixed route service Monday to Friday and continuing to operate as an On-Demand service for Saturdays only beginning January 2, 2023, at a net budget expenditure of \$87,500 be approved in advance of the 2023 budget deliberations due to the timing of service renewal;

That DS-2022-47, entitled "On-Demand Transit Pilot Project Results and 2023 Transit Recommendations", be received;

And further that Administration be authorized to negotiate an Amending Agreement to the existing Transit Delivery and Maintenance Services Agreement between the Town of Tecumseh and First Canada ULC, which will facilitate an extension to the existing contract to the end of 2023, which Amending Agreement will be brought forward for consideration by Council under separate report on January 24, 2023; and

And furthermore, that Administration be authorized to further assess potential changes to the fixed route in the first quarter of 2023, including public engagement, and that the findings be brought forward by way of a future report for Council's consideration.

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b. DS-2022-48 Town-wide Site Plan Control Designating By-Law

Recommendation	
Moved by	
Seconded by	
That Report DS-20	022-48, entitled "Town-Wide Site Plan Control
Designating By-lav	w," be received;
Tecumseh as a sit Section 41 of the	designating the entirety of the Town of te plan control area, in accordance with Planning Act, subsection 10.4.1 of the Plan and DS-2022-48, be adopted ;
And further that By	y-laws 2003-82 and 2021-21 be repealed .
DC 2022 40 Cana	tono Infractructuro Municipal Support

c. DS-2022-49 Capstone Infrastructure Municipal Support Resolution: IESO Procurement Expedited RFP Submission

358 - 364

Supplementary Item

Recommendation	
Moved by	
Seconded by	

That Report DS-2022-49, entitled "Capstone Infrastructure Corporation Municipal Support Resolution: IESO Procurement Expedited RFP Submission", **be received**;

And that Council support the development, construction and operation of a Long-Term Reliability Project by Capstone Infrastructure Corporation in the Town of Tecumseh, more specifically named the South Shore Battery Electric Storage System Project, with a maximum contract capacity of 200 MW, having the unique Project ID of LT1RFQ-026-03-1, LT1RFQ-026-03-2 and LT1RFQ-026-03-3;

And further that it be acknowledged that the support for this project shall have the sole purpose of enabling Capstone Infrastructure Corporation to receive Rated Criteria points under the E-LT1 RFP or to satisfy its obligations under any contract awarded under the E-LT1 RFP and does not supersede any applicable permits or approvals under applicable Laws and Regulations that may be required for its Long-Term Reliability Project.

4. Financial Services

a. FS-2022-13 Admini	rative Fees and Charges 2023
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Moved by
Seconded by
By-law No. 2022-99 being a by-law prescribing a tariff of
administrative fees and charges for 2023 be approved.

- 5. Legislative & Clerk Services
 - a. LCS-2022-37 Civil Marriage Services

384 - 388

Recommendation

Moved by	
Seconded by	_
That Report LCS-2022-37 entitled	"Civil Marriage Services", be
received;	

And that Civil Marriage Services offered by the Town be terminated effective December 31, 2022;

And further that the Acting Clerk prepare a by-law to amend By-Law 2018-09 with the respective revisions to terminate Marriage Ceremony Services and the agreements with the Town's officiants;

And furthermore, that the Acting Clerk prepare correspondence to all Town Officiants terminating their agreements and a notice **be posted** on the Town's website.

b. LCS-2022-39 Animal Control Services

Recommendation
Moved by
Seconded by
That Report LCS-2022-39 entitled "Animal Control Services" be
received;

And that the tender from Essex County K9 Services in the amount of \$22,000 plus HST annually, for Animal Control Services, be approved in advance of the 2023 budget deliberations due to the timing of service renewal;

And further that By-Law 2022-092 be given first, second, third and final reading to authorize the Mayor and Acting Clerk to execute an Agreement, satisfactory in form to the Town's Solicitor, between the Town of Tecumseh and Essex County K9 Services regarding Animal Control Services from January 1, 2023 to December 31, 2025.

c. LCS-2022-40 Taxi Licensing Services

394 - 398

Recommendation

Moved by		
Seconded by		
That Report LCS-2022-40 entitled	"Taxi Licensing	Services," be
received;		

And that Council **repeal** By-Law 2003-85, thereby de-regulating taxicabs, taxicab drivers and taxicab companies within the Town of Tecumseh;

And further that any taxicab driver who holds a valid municipal taxi driver's licence within the City of Windsor or the County of Essex be permitted to service the residents of the Town of Tecumseh.

d. LCS-2022-42 Animal Services

Recommendation

Recommendation
Moved by
Seconded by
That Report LCS-2022-39 entitled "Animal Services" be
received:

And that The Corporation of the Town of Tecumseh enter into an Agreement with the Windsor Essex County Humane Society for the provision of cat intake and spay/neuter services, at an annual cost to the Town of \$7,500, and DocuPet Inc. for the provision of dog tag licensing, at an annual cost to the Town of \$4.00 per tag, in advance of the 2023 budget deliberations due to the timing of service renewal;

And further that the Clerk be authorized to execute an Agreement between the Town and Windsor Essex County Humane Society, for a one year term commencing January 1, 2023 and concluding December 31, 2023;

And furthermore, that the Clerk be authorized to execute an Agreement between the Town and DocuPet Inc., for a three-year term commencing January 1, 2023 and concluding December 31, 2025.

6. Public Works & Engineering Services

 a. PWES-2022-26 Amendment to Drainage Assessment Schedules for Works Completed under Section 78 of the Drainage Act in 2021

Recommendation
Moved by
Seconded by
That the Report PWES-2022-26

That the Report PWES-2022-26 titled "Amendment to Drainage Assessment Schedules for Works Completed under Section 78 of the Drainage Act in 2021", **be received**;

And that By-law No. 2022-093 being a Capital Drain Levying By-Law to provide for the collection of construction drainage assessments for the Dawson Drain (Revenberg Culvert), approved by By-law No. 2021-15, be given first, second, third and final reading;

And further that By-law No. 2022-094 being a Capital Drain Levying By-Law to provide for the collection of construction drainage assessments for the South Talbot Holden Outlet Drain (County Road 11 & South Talbot Road Intersection), approved by By-Law 2021-42, **be given** first, second, third and final reading;

And furthermore, that By-law No. 2022-095 being a Capital Drain Levying By-Law to provide for the collection of construction drainage assessments for the South Talbot Holden Outlet Drain (Gosselin O'Neil culvert), approved by By-law No. 2019-25, be given first, second, third and final reading;

And further moreover that By-law No. 2022-096 being a Capital Drain Levying By-Law to provide for the collection of construction drainage assessments for the East Townline Drain (St. Clair Outlet), approved by By-law No. 2019-21, be given first, second, third and final reading.

b. PWES-2022-40 Water and Wastewater Rates for 2023

412 - 418

Moved by	
Seconded by	

That By-law No. 2022-102 being a by-law to adopt the water and wastewater rates for 2023, based on the recommendation of the 2015 Town of Tecumseh Water and Wastewater Rate Study, and the Mediation Agreement and discussions with the Windsor Utilities Commission, **be adopted**.

c. PWES-2022-44 Lesperance Road VIA Rail Crossing Improvements - Tender Award and VIA Rail Agreements

Recommendation
Moved by
Seconded by
That the tender for the Tecumseh Road Storm Sewer and Road
Improvements in the amount of \$2,961,219.48 excluding HST
be awarded to Rudak Excavating Inc.;

And that By-law 2022-090 be given the 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 Rudak Excavating Inc.;

And further that funding allocations, reflecting a total budget requirement of \$4,271,200 with a \$2,139,000 increase to the original allocation be accommodated as follows:

- Road Lifecycle Reserve increase from \$1,849,300 to \$3,745,955
- Watermain Reserve Fund increase from \$0 to \$79,069
- Wastewater Sewers Reserve Fund increase from \$0 to \$100,774
- Storm Sewer Lifecycle Reserve increase from \$282,900 to \$345,292

And furthermore that By-law 2022-091 be given the first, second, third and final reading, to authorize the Mayor and Clerk to execute the Collaborative Work Agreement, satisfactory in form to the Town's solicitor, with VIA Rail Canada Inc.;

And further moreover that By-law 2022-097 be given the first, second, third and final reading, to authorize the Mayor and Clerk to execute the Infrastructure Contract (Crossing and Permission to Access), satisfactory in form to the Town's solicitor, with VIA Rail Canada Inc.;

And further moreover that By-law 2022-098 be given the first, second, third and final reading, to authorize the Mayor and Clerk to execute the Fencing Agreement, satisfactory in form to the Town's solicitor, with VIA Rail Canada Inc.

	d.	PWES-2022-45 2022 Supply of Various Vehicles Tender Award	431 - 436
		Supplementary Item	
		Recommendation Moved by Seconded by That the purchase of three (3) Extended Cab Pickup Trucks, in the amount of \$128,468 plus HST plus outfitting costs, be awarded to Provincial Chrysler;	
		And that the purchase of one (1) Crew Cab Pickup Truck, in the amount of \$57,883 plus HST plus outfitting costs, be awarded to Amherstburg Chevrolet;	
		And further that the annual funding allocation, reflecting a total budget requirement of \$201,843 with a \$50,843 increase to the original allocation be accommodated as:	
		 Fleet Lifecycle Reserve – Increase from \$151,000 to \$201,843 	
	e.	PWES-22022-46 2022 Water Services Vehicle Tender Award	437 - 441
		Recommendation Moved by Seconded by That the purchase of the 2022 Water Services Vehicle and service body, in the amount of \$109,399, be awarded to Oxford Dodge;	
		And further that the annual funding allocation, reflecting a total budget requirement of \$114,377 with a \$24,377 increase to the original allocation be accommodated as:	
		 Fleet Lifecycle Reserve – Increase from \$90,000 to \$114,377 	
By-La	aws		
1.	By-Law 2022-089 Tender Award - Curtis Drain		442 - 446
	Being a	by-law to authorize the execution of an Agreement between The	

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Corporation of the Town of Tecumseh and Matassa for the drainage

repair and improvements to the Curtis Drain

Ο.

2.	By-Law 2022-090 Tender Award for Lesperance VIA Rail Improvements	447 - 452
	Being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Rudak Excavating Inc for the improvements to the Lesperance Road and VIA Rail At-Grade Crossing	
3.	By-Law 2022-091 Lesperance Road Via Rail Agreement	453 - 463
	Being an By-law to authorize the Execution of a Collaborative Work Agreement with the Corporation of the Town of Tecumseh and VIA Rail Canada Inc.	
4.	By-Law 2022-092 Dog Control Services	464 - 473
	Being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Essex County K9 Services for animal control services for the period January 1, 2023 to December 31, 2025	
5.	By-Law 2022-093 Dawson Drain - Revenberg Drain	474 - 475
	A By-law to amend drainage assessments estimated in engineer reports based on actual costs incurred for the construction of the Dawson Drain (Revenberg Drain)	
6.	By-Law 2022-094 South Talbot Holden Outlet Drain - County Road 11 and South Talbot Road intersection	476 - 477
	A By-law to amend drainage assessments estimated in engineer reports based on actual costs incurred for the construction of the South Talbot Holden Outlet Drain. (County Road 11 and South Talbot Road Intersection)	
7.	By-Law 2022-095 South Talbot Holden Outlet Drain - Gosselin O'Neil Culvert	478 - 479
	A By-law to amend drainage assessments estimated in engineer reports based on actual costs incurred for the construction of the South Talbot Holden Outlet Drain (Gosselin O'Neil Culvert)	
8.	By-Law 2022-096 East Townline Drain - St. Clair Outlet	480 - 481
	A By-law to amend drainage assessments estimated in engineer reports based on actual costs incurred for the construction of the East Townline	

Drain (St. Clair Outlet)

9.	By-Law 2022-097 VIA Infrastructure Contract - Crossing and Permission to Access	482 - 506
	Being a by-law to authorize the execution of a Infrastructure Contract (Crossing and Permission to Access) Agreement between The Corporation of the Town of Tecumseh and VIA Rail Canada Inc.	
10.	By-Law 2022-098 VIA Infrastructure Contract - Fencing	507 - 523
	Being a by-law to authorize the execution of a Fencing Agreement between The Corporation of the Town of Tecumseh and VIA Rail Canada Inc.	
11.	By-Law 2022-099 Administrative Fees and Charges for 2023	524 - 542
	Being a By-law to prescribe a tariff of administrative fees and charges for the Town of Tecumseh for the year 2023	
12.	By-Law 2022-100 Interim Tax Rate	543 - 544
	Being a by-law to provide for an Interim Tax Rate for the Year 2023	
13.	By-Law 2022-101 Late Payment Charges	545 - 546
	Being a by-law to impose late payment charges for non-payment of taxes or any installment of taxes by due date	
14.	By-Law 2022-102 Water and Wastewater Rates	547 - 551
	Being a By-law to establish the water and wastewater rates for the year 2023	
15.	By-Law 2022-103 Town-Wide Site Plan Control By-Law	552 - 553
	Being a By-law to designate as a site plan control area, the entire area covered by the Town of Tecumseh Official Plan	
16.	By-Law 2022-104 Gulf Developments Inc	554 - 595
	Being a by-law to authorize the execution of an Agreement between The Corporation of the Town of Tecumseh and Gulf Developments Inc. for the construction of the new Grandstand at Lacasse Park	
Unfin	ished Business	
1.	Unfinished Business - December 13, 2022	596 - 596
New	Business	

Q.

R. Motions

Ρ.

1. 2022-2024 AMO Board of Directors

Recommendation

Moved by ______ Seconded by

That the Tecumseh Town Council supports the Mayor's application to fill the vacant municipal elected official position in the County Caucus of the AMO Board of Directors.

And that a completed application and supporting material be submitted no later than 12:00 p.m. (noon) Friday, February 10, 2023.

2. Confirmatory By-Law 2022-105

Recommendation

Moved by	
Seconded by	

That By-Law 2022-105 being a by-law to confirm the proceedings of the Tuesday, December 13, 2022, regular meeting of the Council of The Corporation of the Town of Tecumseh **be given** first, second, third and final reading.

S. Notices of Motion

T. Next Meeting

Tuesday, January 17, 2023

4:00 pm Special Council Meeting - Proposed Budget and Business Plan 2023

Tuesday, January 24, 2023

4:30 pm Special Council Meeting - Council Orientation Workshop - Procedure By-Law

5:30 pm Public Council Meeting - Antaya Drain

6:00 pm Public Council Meeting - Gouin Drain

6:30 pm Public Council Meeting - South Talbot and Holden Outlet Drain - Meo Bridge

7:00 pm Regular Council Meeting

Wednesday, January 25, 2023

4:00 pm Special Council Meeting - Capital Budgets

U. Adjournment

Recommendation
Moved by
Seconded by
That there being no further business, the Tuesday, December 13, 2022 meeting
of the Regular Council be adjourned at pm.