

# Municipality of Lakeshore

## Minutes of the Regular Council Meeting

Tuesday, September 26, 2023, 4:00 PM

Council Chambers, 419 Notre Dame Street, Belle River



Members Present: Mayor Tracey Bailey, Deputy Mayor Kirk Walstedt, Councillor Ryan McNamara, Councillor Paddy Byrne, Councillor Kelsey Santarossa, Councillor John Kerr, Councillor Ian Ruston, Councillor Larissa Vogler

Staff Present: Chief Administrative Officer Truper McBride, Corporate Leader - Chief Financial Officer Justin Rousseau, Corporate Leader - Growth and Sustainability Tammie Ryall, Corporate Leader - Operations Krystal Kalbol, Acting Corporate Leader - Community Services Frank Jeney, Acting General Counsel Nuala Kenny, Division Leader - Capital Projects Wayne Ormshaw, Division Leader - Digital Transformation and Cloud Services Michael Martin, Division Leader - Economic and Intergovernmental Affairs Ryan Donally, Division Leader - Engineering and Infrastructure Services Marco Villella, Division Leader - Legislative Services Brianna Coughlin, Division Leader - Public Works Jeff Wilson, Division Leader - Workplace Development Lisa Granger, Team Leader - Civic Engagement Alex Denonville, Team Leader - Legislative Services Cindy Lanoue, IT Technical Analyst Simon Barno

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### 1. Call to Order

Mayor Bailey called the meeting to order at 4:05 PM in Council Chambers.

### 2. Committee of the Whole session - Strategic Objectives Implementation

**260-09-2023**

**Moved By** Councillor Vogler

**Seconded By** Councillor McNamara

Move into Committee of the Whole.

**Carried Unanimously**

**1. Strategic Objectives Implementation**

Mayor Bailey called a recess at 5:38 PM and reconvened the meeting at 6:01 PM.

**261-09-2023**

**Moved By** Councillor McNamara

**Seconded By** Councillor Santarossa

Receive the presentation regarding Strategic Objectives Implementation.

**Carried Unanimously**

**262-09-2023**

**Moved By** Councillor Byrne

**Seconded By** Councillor McNamara

Move out of Committee of the Whole.

**Carried Unanimously**

The Chief Administrative Officer provided a summary report of the activities of the Committee of the Whole.

**3. Return to Open Session**

Council returned to open session at 6:01 PM.

**4. Land Acknowledgement**

**5. Moment of Reflection**

**6. Disclosures of Pecuniary Interest**

**7. Recognitions**

**8. Public Meetings under the Municipal Act, 2001**

**1. Section 357, Municipal Act Tax Adjustments**

Mayor Bailey opened the public meeting at 6:05 PM.

The Corporate Leader - Chief Financial Officer provided a PowerPoint presentation as overview of the application and recommendation of Administration.

There were no members of the public present to speak on this matter.

The public meeting concluded at 6:06 PM.

**263-09-2023**

**Moved By** Deputy Mayor Walstedt  
**Seconded By** Councillor Santarossa

Authorize the reduction of taxes under section 357 of the *Municipal Act, 2001* totaling \$27,830.58 for adjustments affecting the 2021, 2022, 2023 taxation years, as presented at the September 26, 2023 Council meeting.

**Carried Unanimously**

**9. Public Presentations**

**1. Essex Region Conservation Authority - Non-mandatory Service Agreement**

Tim Byrne, CAO/Secretary-Treasurer of the Essex Region Conservation Authority, provided a video presentation of the annual report and presented information relating to changes in legislation that require non-mandatory service agreements with municipalities.

**10. Delegations**

**11. Completion of Unfinished Business**

**12. Consent Agenda**

**264-09-2023**

**Moved By** Deputy Mayor Walstedt  
**Seconded By** Councillor Byrne

Approve minutes of the previous meeting and receive correspondence as listed on the Consent Agenda.

1. September 12, 2023 Regular Council Meeting Minutes
2. Town of Grimsby - Establishing a Guaranteed Livable Income
3. Municipality of Durham - Amendments to the Highway Traffic Act

**Carried Unanimously**

**13. Reports for Information**

**265-09-2023**

**Moved By** Councillor McNamara

**Seconded By** Councillor Ruston

Receive the Report for Information as listed on the agenda.

1. ZBA-6-2022 – OLT Decision

**Carried Unanimously**

**14. Reports for Direction**

**1. Uncollectible Property Taxes**

**266-09-2023**

**Moved By** Councillor Vogler

**Seconded By** Councillor McNamara

Authorize the write off uncollectible property taxes for Roll numbers, 3751 050 000 10075, 3751 210 000 07601, 3751 720 000 09301, 3751 720 000 26600, 3751 740 000 14900, 3751 750 000 26801, from previous years in the amount of \$18,544.98, as presented at the September 26, 2023 Council meeting.

**Carried Unanimously**

**2. Regional Waste Management Program – County of Essex By-law 2023-40**

Michelle Bishop with the Essex-Windsor Solid Waste Authority, and David Sundin with the County of Essex, were present to answer questions of Council.

**268-09-2023**

**Moved By** Councillor Santarossa

**Seconded By** Councillor McNamara

Support and endorse County of Essex By-law 2023-40, being a by-law to transfer all power of the lower-tier municipalities of the County of Essex with respect to the collection of waste and the delivery of such waste in the County of Essex, to the County, pursuant to the provisions of Sections 189 and 190 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended.

In Favour (3): Mayor Bailey, Councillor McNamara, and Councillor Santarossa

Opposed (5): Deputy Mayor Walstedt, Councillor Byrne, Councillor Kerr, Councillor Ruston, and Councillor Vogler

**Lost**

**3. Pedestrian Crossovers (PXOs) – Oakwood Avenue**

**269-09-2023**

**Moved By** Councillor Byrne

**Seconded By** Deputy Mayor Walstedt

Direct Administration to proceed with the design and engineering of two (2) pedestrian crossovers (PXOs) and the warrant analysis of a school crossing guard for Oakwood Avenue; and

Approve funding in the amount of \$25,000 (including applicable HST) to complete the design work and warrant analysis, as presented at the September 26, 2023 Council meeting.

**Carried Unanimously**

**270-09-2023**

**Moved By** Councillor Byrne

**Seconded By** Deputy Mayor Walstedt

Direct Administration to fund an additional crossing guard for Magnolia and Oakwood for the remainder of 2023 to be funded from the 2023 year end surplus, and add \$15,000 as a pre-charge to the 2024 draft Budget to fund an additional crossing guard through the contracted out service.

In Favour (2): Councillor Byrne, and Councillor Kerr

Opposed (6): Mayor Bailey, Deputy Mayor Walstedt, Councillor McNamara, Councillor Santarossa, Councillor Ruston, and Councillor Vogler

**Lost**

**4. Declaration of Surplus Land - Part of PIN 75072-0456(LT) – Couture Beach Road**

**271-09-2023**

**Moved By** Councillor Ruston

**Seconded By** Councillor Vogler

The portion of land legally known as Part of Lot 16, Concession Broken Front Tilbury, as in R1016085, subject to R1016085; Lakeshore, being "part of" the Property Identifier Number 75072-0456(LT), be closed and declared surplus;

Administration proceed with conveying the land pursuant to Policy CAD – 284, Closing Sale and Disposition of Streets and Alleys; and

Direct the Clerk to read By-law 73-2023 during the “Consideration of By-laws”, all as presented at the September 26, 2023 Council meeting.

**Carried Unanimously**

**5. Declaration of Surplus Land - PIN 75031-0292(LT) – Rourke Line**

**272-09-2023**

**Moved By** Councillor Santarossa

**Seconded By** Councillor Ruston

The portion of land legally known as the Property Identifier Number 75031-0292(LT), 0 Rourke Line Road, be closed and declared surplus;

Administration proceed with conveying the land pursuant to Policy CAD – 227, Sale and Disposition of Land Policy and directed during the closed session held August 15, 2023; and

Direct the Clerk to read By-law 72-2023 during the “Consideration of By-laws”, all as presented at the September 26, 2023 Council meeting.

**Carried Unanimously**

**6. Procedure By-law**

**273-09-2023**

**Moved By** Councillor Kerr

**Seconded By** Councillor Byrne

Defer consideration of the Procedure By-law pending training session with Administration, including proposed changes from the current by-law.

In Favour (7): Mayor Bailey, Deputy Mayor Walstedt, Councillor McNamara, Councillor Byrne, Councillor Kerr, Councillor Ruston, and Councillor Vogler

Opposed (1): Councillor Santarossa

**Carried**

**7. Noise By-law Review – Results of Public Engagement**

Tina Sanford, business owner, spoke regarding amplified music at their place of business.

**274-09-2023**

**Moved By** Deputy Mayor Walstedt

**Seconded By** Councillor Ruston

Direct Administration to consult with the Ontario Provincial Police regarding the enforcement of noise by-law provisions, and the potential standardized use of decibel meters; and

Direct Administration to draft a Noise By-law, based on resident feedback and Council discussion.

**Carried Unanimously**

**15. Announcements by Mayor**

**16. Reports from County Council Representatives**

**17. Report from Closed Session**

**18. Notices of Motion**

**1. Councillor Byrne - Accessibility for Student Walking to St. Anne's and St. William Schools**

**275-09-2023**

**Moved By** Councillor Byrne

**Seconded By** Councillor Santarossa

Direct Administration to prepare a report regarding options for accessibility for student walking to St. Anne's High School and St. William Catholic Elementary School relating to the removal of the pedestrian bridge.

**Carried Unanimously**

**2. Councillor Kerr - Tree Debris Removal**

**276-09-2023**

**Moved By** Councillor Kerr

**Seconded By** Councillor Vogler

That Lakeshore have our staff, or a chipping company do a check of all the roads and remove the tree debris left from the last storm.

In Favour (3): Councillor Byrne, Councillor Kerr, and Councillor Vogler

Opposed (5): Mayor Bailey, Deputy Mayor Walstedt, Councillor McNamara, Councillor Santarossa, and Councillor Ruston

**Lost**

**277-09-2023**

**Moved By** Councillor Kerr

**Seconded By** Councillor Santarossa

Direct Administration to bring a report in the 2024 Draft Budget on how we will address the chipper needs into the future.

**Carried Unanimously**

**19. Question Period**



**20. Non-Agenda Business**

**278-09-2023**

**Moved By** Councillor McNamara

**Seconded By** Deputy Mayor Walstedt

Direct Administration to bring forward a report regarding the Advanced Boulevard package treatment plant, its service area, subsequent closure, impacts of the closure and options on restoring it to operation until such time as sewage conveyance can be extended along County Road 22 to Patillo Road.

**Carried Unanimously**

**21. Consideration of By-laws**

**279-09-2023**

**Moved By** Councillor McNamara

**Seconded By** Councillor Vogler

By-law 75-2023 be read a first and second time and provisionally adopted; and

By-laws 72-2023, 73-2023, 79-2023 and 80-2023 be read and passed in open session on September 26, 2023.

**Carried Unanimously**

**280-09-2023**

**Moved By** Councillor Santarossa

**Seconded By** Councillor McNamara

By-law 78-2023 be read and passed in open session on September 26, 2023.

In Favour (7): Mayor Bailey, Deputy Mayor Walstedt, Councillor McNamara, Councillor Santarossa, Councillor Kerr, Councillor Ruston, and Councillor Vogler

Opposed (1): Councillor Byrne

**Carried**

- 1. By-law 70-2023, Being a By-law to Provide Rules Governing the Proceedings of the Council of the Municipality of Lakeshore**
- 2. By-law 72-2023, Being a By-law to Declare Surplus Land PIN 75031-0292 (Rourke Line Road)**
- 3. By-law 73-2023, Being a By-law to Declare Surplus Land Part of PIN 75072-0456 (Couture Beach Road)**
- 4. By-law 75-2023, Being a By-law for the Sylvestre Drain (Creation of a New Municipal Drain)**

5. **By-law 78-2023, Being a By-law to Adopt a Workplace Violence and Harassment Policy**
6. **By-law 79-2023, Being a By-law to Adopt a Health and Safety Policy**
7. **By-law 80-2023, Being a By-law to Confirm the Proceedings for the September 12, 2023 Council Meetings**

**22. Closed Session**

**281-09-2023**

**Moved By** Councillor Ruston

**Seconded By** Councillor McNamara

Council move into closed session in Council Chambers at 8:42 PM in accordance with:

- a. Paragraph 239(2)(e), (f) and (k) of the *Municipal Act, 2001* to discuss litigation affecting the municipality, advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board, relating to the Amy Croft area;
- b. Paragraph 239(2)(b) and (d) of the *Municipal Act, 2001* to discuss personal matters about an identifiable individual, including municipal or local board employees and labour relations or employee negotiations, relating to the recruitment of an employee; and
- c. Paragraph 239(2)(b) of the *Municipal Act, 2001* to discuss personal matters about an identifiable individual, including municipal or local board employees, relating to the Chief Administrative Officer performance evaluation.

**Carried Unanimously**

**23. Adjournment**

The meeting was adjourned in closed session at 10:00 PM.

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Tracey Bailey  
Mayor

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Brianna Coughlin  
Clerk