REGULAR MEETING OF COUNCIL

MINUTES

Monday, April 23, 2018
7:00 PM
Council Chambers
2021 Division Road N
Kingsville, Ontario N9Y 2Y9

Members of Council	Mayor Nelson Santos
	Deputy Mayor Gord Queen
	Councillor Susanne Coghill
	Councillor John Driedger
	Councillor Tony Gaffan
	Councillor Thomas Neufeld
	Councillor Larry Patterson
Members of Administration	J. Astrologo, Director of Corporate Services
	R. Brown, Manager of Planning Services
	M. Durocher, Parks & Recreation Program Manager
	S. Kitchen, Deputy Clerk-Council Services
	R. McLeod, Director of Financial Services
	P. Van Mierlo-West, CAO
	R. Baines, Deputy Clerk - Administrative Services

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 7:00 p.m.

B. MOMENT OF SILENCE AND REFLECTION

Mayor Santos asked those present to stand and observe a moment of silence and reflection to be followed by the playing of O'Canada.

C. PLAYING OF NATIONAL ANTHEM

D. DISCLOSURE OF PECUNIARY INTEREST

Mayor Santos reminded Council that any declaration is to be made prior to each item being discussed and to identify the nature of the conflict, if any, as the agenda items come forward.

Deputy Mayor Queen declared an interest in Item No. I-4, being Hydro One Networks Inc. Road Use Agreement, as he is a member of the Power Workers Union Retired Workers Chapter and the Hydro Pensioners Association of Ontario-Windsor District.

E. PRESENTATIONS/DELEGATIONS

1. Beth Riddiford, Chairperson, Kingsville B.I.A.--Request dated April 13, 2018 RE: Proposed Amendment to existing lease of a portion of the Carnegie Arts & Visitor Centre SEE: Correspondence dated April 12, 2018 from C. Bedal, BIA Coordinator

Kingsville B.I.A. Chairperson Beth Riddiford and Christina Bedal, BIA Coordinator

Ms. Riddiford, on behalf of the Kingsville B.I.A., indicated that the B.I.A. has found increased demands to be more visible and available to its membership outside of the Carnegie Arts & Visitor Centre, and additionally, that maintenance and staffing of the Centre main floor has grown to become more demanding than anticipated. She requested that Council consider allowing an amendment to the current lease agreement prior to the lease expiration date. The proposed amendment would be for rental by the B.I.A. of the basement portion of The Carnegie Arts and Visitor Centre at a rent rate to be mutually agreed upon, as proposed and detailed in correspondence of the B.I.A. dated April 12, 2018.

279-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Susanne Coghill

That Council refer correspondence dated April 12, 2018 from C. Bedal, B.I.A. Coordinator (being BIA request for consideration to amend the existing BIA Lease) to Administration for Report.

CARRIED

2. William Escott, Resident--Request dated April 17, 2018 RE: Proposal for sculpture/fountain for Mettawas Park

Mr. William Escott presented to Council the proposal "Taking Flight", being a proposed installation at Mettawas Park of a tubular stainless steel sculpture

representing a line drawing of a Canada goose lifting off a pool of water, mounted on a concrete base. The base would be set beneath a pool twenty feet in diameter, and the pool itself would be illuminated with water jets that, combined together, would create a shimmering effect on the metal. Mr. Escott displayed an artistic rendering of the proposed design.

He indicated that there has been great support shown for this project by community members, a locally-owned company and a local contractor. He suggested that the fountain would be a great complement to Mettawas Park, an instant point of interest for the County, and a unique backdrop for photographs. He asked that Council consider approving the proposal.

280-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council refer the sculpture proposal ("Taking Flight"), as explained and presented by Mr. William Escott, to Administration for a Report.

CARRIED

F. MATTERS SUBJECT TO NOTICE

1. PUBLIC MEETING--Application for Zoning Amendment ZBA/04/18-Glenn Thorpe 1199 Road 2 W Part of Lots 8 & 9, Concession 4

R. Brown, Manager of Planning and Development Services

i) Notice of Public Meeting, dated March 29, 2018;

ii) Report of D. French, Interim Town Planner, dated April 10, 2018;

iii) Proposed By-law 49-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

Mr. Brown presented the Planning Report.

There were no questions or comments from anyone in attendance in the audience.

281-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Larry Patterson

That Council approves Zoning By-law Amendment Application ZBA/04/18 to rezone the subject lands at 1199 Road 2 West, Part of Lot 8 and 9, Town of Kingsville, as a condition of consent File B/14/17 from 'Agriculture (A1)' to 'Agriculture – Restricted (A2)' and adopt the implementing by-law.

CARRIED

2. PUBLIC MEETING--Zoning Amendment Application – ZBA/05/18 Alium Investments (Kingsville) Limited Part of Lot 3, Concession 1, ED Part 2, RP 12R 9964 & Part 2, RP 11009

R. Brown, Manager of Planning and Development Services

i) Notice of Public Meeting, dated March 23, 2018;

ii) Report of R. Brown, dated April 10, 2018;

iii) Proposed By-law 51-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

Mr. Brown presented the Planning Report and responded to questions from Council.

Comments from the audience:

Joe Wilds, 56 Jasperson Drive, asked whether the Town is aware of who the tenant will be at the proposed drive-thru restaurant location. Mr. Brown responded that he does not have the name of the tenant.

There were no other comments from anyone in attendance in the audience.

282-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Susanne Coghill

That Council approves Zoning Amendment Application ZBA/05/18 to amend the existing site–specific 'General Commercial Exception 1, (C4-1)' zone to grant relief from Section 8.4 d) iii) and permit a drive-thru restaurant on an interior lot abutting a residential use and adopt the implementing by-law.

CARRIED

283-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council direct Administration to notify residents (in the same manner as notice was circulated for this ZBA/05/18 Public Meeting) as to the date when the Site Plan report will be presented to Council.

CARRIED

G. AMENDMENTS TO THE AGENDA

Councillor Patterson added one (1) Notice of Motion and two (2) announcements.

H. STAFF REPORTS

1. Folk Festival Significant Event Status

M. Durocher, Parks and Recreation Programs Manager.

284-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Larry Patterson

Council approves the request for Event of Municipal Significance status for the 2018 Kingsville Folk Festival.

CARRIED

2. Results of 2018 Rabies Clinic

R. Baines, Deputy Clerk-Administrative Services

285-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

That Council receives Report of R. Baines, Deputy Clerk-Administrative Services, regarding the 2018 Rabies Clinic for information; and that correspondence be sent from the Mayor's Office thanking Dr. Hussain and the Erie Veterinary Hospital for their contribution to, and participation in, the Clinic.

CARRIED

3. Sunvalley Estates Extension of Draft Plan of Subdivision Approval County File No. 37-T-12001

R. Brown, Manager of Planning and Development Services

286-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

That Council support a resolution to grant a three-year extension of the Draft Plan of Subdivision Approval for the Sunvalley Estates Subdivision in the Town of Kingsville (County of Essex File No. 37-T-12001)

CARRIED

4. Medical Marihuana – Policy Review

R. Brown, Manager of Planning and Development Services

287-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor John Driedger

That Council receives the report of R Brown, Manager of Planning and Development Services, on Medical Marihuana Policy Review for information purposes; and

That Council directs the Manager of Planning and Development Services to include a discussion and review of the current Official Plan policies on Medical Marihuana Production Facilities in the 5-year Kingsville Official Plan Review; and

That Council endorses the continued use of the existing Medical Marihuana Production Facility regulations in the Kingsville Zoning By-law and Kingsville Official Plan, and further

That Council directs the Manager of Planning and Development Services to review and research the use of zoning regulations in combination with site plan approval to bolster odour regulations for medical marihuana production facilities.

CARRIED

5. DataFix – Vote By Mail Addendum Agreement

J. Astrologo, Director of Corporate Services

288-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Thomas Neufeld

That Council authorizes the Mayor and Clerk to execute the Addendum to the Voter List Management Services Agreement with Comprint Systems Incorporated (doing business as DataFix) for the provision of Vote by Mail Services for the 2018 Municipal Election.

CARRIED

6. Regulation of Election Signage

J. Astrologo, Director of Corporate Services

289-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Susanne Coghill

That all municipal election signage not be erected or displayed until the second Friday in August and that the Director of Corporate Services prepare a draft by-law regulating election signs for Council's consideration.

CARRIED

I. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. Union Water Supply System--Correspondence dated April 16, 2018 RE: Additional Town of Kingsville Appointment to the UWSS Joint Board of Management

290-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Susanne Coghill

That Council appoint Deputy Mayor Gord Queen to the Union Water Supply System Joint Board of Management.

CARRIED

2. Town of Kingsville Communities in Bloom Committee--Request for approval of the Council of the Town of Kingsville to pass Proclamation in the form provided

291-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Susanne Coghill

PROCLAMATION

Kingsville Communities in Bloom

WHEREAS: In Canada, we are fortunate to have a multitude of Communities committed to fostering civic pride, environmental responsibility, and beautification;

AND WHEREAS: Communities are committed to ensuring sustainable development for future generations;

AND WHEREAS: Participation in Communities in Bloom builds communities, strengthens volunteer and community development, enhances social interaction, and creates community pride;

AND WHEREAS: The benefits provided by Communities in Bloom may boost the economy, create sustainability, enhance property values, attract new business, and increase tourism;

AND WHEREAS: Our parks, open spaces and trails ensure sustainability, provide space to enjoy nature, help maintain clean air and water; and preserve plant and animal wildlife;

AND WHEREAS: All community levels; municipal residential, commercial, and institutional work together to ensure the voluntary sector and private enterprise throughout the County participate in the event;

AND WHEREAS: A week in May has been designated in many Communities in Bloom to recognize and Celebrate the benefits derived from Communities in Bloom and the countless volunteers and individuals that make our communities great places to live;

AND WHEREAS: Kingsville received five bloom recognition in 2016 and 2017;

NOW THEREFORE BE IT RESOLVED:

That, in recognition of the benefits and values the Communities in Bloom program does provide, that the Week of May 20 to May 26 be designated as Communities in Bloom Week; and further,

That the Town hold a CIB Flag Raising event at noon on Tuesday, May 22; and further,

That the Administration of the Town post and promote this and other supporting Communities in Bloom activities on the Town Web Site, the electronic signage, and the Town's Social Media Sites.

CARRIED

3. Kingsville B.I.A.--Correspondence from C. Bedal, B.I.A. Coordinator dated April 12, 2018

292-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council refer correspondence of Kingsville B.I.A. Coordinator dated April 12, 2018 to Administration for a report.

CARRIED

4. Hydro One Networks Inc. Road Use Agreement

Deputy Mayor Queen left his chair at 8:28 p.m. as he had declared a pecuniary interest with respect to Business Correspondence-Action item 4, being Hydro

One Networks Inc. Road Use Agreement. He did not participate in the discussion or vote on the following matter.

293-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Tony Gaffan

That Council authorize Administration to negotiate and enter into a Road Use Agreement with Hydro One Networks Inc. ("Hydro One") to allow Hydro One use of Road 2 East for the purposes of delivering certain supplies, components, and equipment to the hydro transmission facilities located at 160 Road 2 East, and That Council authorize the Director of Municipal Services to execute said agreement on behalf of the Town.

CARRIED

Deputy Mayor Queen returned to his Chair at the Council table at 8:32 p.m.

J. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--April 9, 2018

294-2018
Moved By Councillor Tony Gaffan
Seconded By Councillor Larry Patterson

That Council adopts Regular Meeting of Council Minutes, dated April 9, 2018.

CARRIED

K. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Union Water Supply System--February 21, 2018

295-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Larry Patterson

That Council receives Union Water Supply System Minutes, dated February 21, 2018.

CARRIED

2. Kingsville BIA--March 13, 2018

296-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor John Driedger

That Council receives Kingsville BIA Meeting Minutes, dated March 13, 2018.

CARRIED

L. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. City of Windsor, Office of the City Clerk--City Council Decision No. CR164/2018 ETPS 574 with attached updated 2017 Environmental Master Plan

2. City of Windsor, Office of the City Clerk--City Council Decision No. CR165/2018 ETPS 575 RE: Climate Change Adaptation Plan Status

3. Town of Amherstburg--Correspondence dated April 13, 2018 RE: Offering School Property to Municipalities

4. Township of Baldwin--Resolution 18-39 requesting support from all Municipalities in Ontario with attached explanatory correspondence from Mayor Vern Gorham dated April 9, 2018

5. Minister of Citizenship and Immigration -- Correspondence dated April 6, 2018 RE: Lincoln M. Alexander Award

297-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Susanne Coghill

That Council receives Business Correspondence - Information Items 1-5.

CARRIED

M. NOTICES OF MOTION

1. Deputy Mayor Queen may move, or cause to have moved:

RE: Kingsville Public School Track and Field Event

298-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

That Council approves the Kingsville Public School Track and Field Event for the morning of Friday, May 11, that may require the temporary closing of Walnut Street from Chestnut Street to Prince Albert Street; Estimated time of closing 9:00 a.m. to 11:00 a.m.; And That the school to provide notices to residents as in the past; And That there be an adult volunteer with safety vest at west end of the closing; And That Police assistance is requested for the closing at east end; And That Municipal Services provides (drop off in advance and pick-up after event) the necessary road closing barricades.

CARRIED

2. Deputy Mayor Queen may move, or cause to have moved:

RE: PRAC Master Plan

299-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor John Driedger

That Council receive in the next month or two the necessary report and enabling by-law to retain the firm of Monteith Brown Planning Consultants to return and complete the next five-year Parks, Recreation, Arts and Culture Master Plan update consultation process and report, noting a single source supplier.

CARRIED

3. Deputy Mayor Queen may move, or cause to have moved:

RE: Cemetery clean up

RE: Cemetery item damage

300-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That the By-law regarding cemetery clean-up be updated and returned to Council as required under past motion within the next two months for final Council approval and adoption;

CARRIED

301-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Administration provide a report to and for Council with recommendations as to how cemetery items are damaged or destroyed by employees of the Town, or Contractors hired by the Town. Recognizing that for years the mailboxes or our rural residents have been granted some relief if the mail box is hit and damaged by a snow plow, the desire to treat all families with respect. Such report to be received within two months.

CARRIED

4. Councillor Patterson at the next Regular Meeting may move or cause to have moved that Council consider the recommendation of the Drainage Advisory Committee to endorse a pilot program for 47th Drain over Wigle Creek for clean-up and obstruction removal

N. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

Councillor Patterson announced that The 55+ Committee will be hosting a Royal Tea Time Event on Saturday, June 2 at Unico Community Centre, as well as the 7th Annual '55+ Expo' on June 13 at the Kingsville Arena Complex. Councillor Patterson asked that if anyone can spare some time to offer assistance at these events to contact Councillor Driedger or Parks and Recreation Programs Manager M. Durocher with dates and times of availability.

O. BYLAWS

1. By-law 49-2018

302-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

That Council read By-law 49-2018, being a by-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (1199 Road 2 West, ZBA/04/18) a first, second and third and final time.

CARRIED

2. By-law 51-2018

303-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Susanne Coghill

That Council read By-law 51-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (Alium Investments (Kingsville) Limited; ZBA/05/18) a first, second and third and final time.

CARRIED

3. By-law 53-2018

304-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor John Driedger

That Council read By-law 53-2018, being a By-law authorizing the entering into of an Addendum to the Voter List Management Services Agreement with Comprint Systems Incorporated (doing business as "DataFix") a first second and third and final time.

CARRIED

P. CLOSED SESSION

305-2018
Moved By Councillor Tony Gaffan
Seconded By Councillor John Driedger

Pursuant to section 239(2) of the *Municipal Act, 2001,* Council at 8:39 p.m. entered into Closed Session to address the following items:

i) 239(2)(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; being a verbal update by the Director of Corporate Services pertaining to the status of ongoing litigation with Agriculture Technology Incorporation (ATI);

ii) 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being a verbal update by the CAO pertaining to the status of a proposed or pending acquisition of a strip of vacant land adjacent to 225 North Talbot Road; and

iii) 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being a verbal update by the CAO pertaining to negotiations respecting a proposed or pending acquisition/disposition of land with the Greater Essex County District School Board.

CARRIED

Q. REPORT OUT OF CLOSED SESSION

Upon rising from Closed Session at 8:52 p.m. Mayor Santos reported that Council received update reports on three matters, being Closed Session Items P.i), ii) and iii) as listed above.

R. CONFIRMATORY BY-LAW

1. By-law 54-2018

306-2018
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council read By-law 54-2018, being a By-law to confirm the proceedings of The Corporation of the Town of Kingsville at its April 23, 2018 Regular Meeting a first, second and third and final time.

CARRIED

S. ADJOURNMENT

307-2018
Moved By Councillor Larry Patterson
Seconded By Councillor John Driedger

That Council adjourn this Regular Meeting at 8:52 p.m.

CARRIED