



**REGULAR MEETING OF COUNCIL
MINUTES**

Monday, September 9, 2019

7:00 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

Members of Council	Mayor Nelson Santos
	Deputy Mayor Gord Queen
	Councillor Tony Gaffan
	Councillor Thomas Neufeld
	Councillor Larry Patterson
	Councillor Kimberly DeYong
	Councillor Laura Lucier
Members of Administration	J. Astrologo, Director of Corporate Services
	R. Brown, Manager of Planning Services
	J. Galea, Human Resources Manager
	S. Kitchen, Deputy Clerk-Council Services
	R. McLeod, Director of Financial Services
	P. Van Mierlo-West, CAO
	D. Wolicki, Manager of Municipal Facilities and Property

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.

E. PRESENTATIONS/DELEGATIONS

1. Jodie Hailstone, Resident RE: Telecommunications Tower concerns (Cedar Creek area installation for Rogers Communications)

Ms. Hailstone, 1055 Hemlock, presented her concerns in respect to the installation of a Rogers telecommunications tower in the Cedar Creek area.

It was noted by Administration that the installation of telecommunications towers is Federally regulated through Industry Canada. The municipality's role is to provide a letter of concurrence to the tower proponent that the Town's policy has been followed. There is no local approval granted.

463-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council directs Administration to take a look at the process used to communicate telecommunication tower installations and bring a report back to Council for consideration.

CARRIED

464-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council receives the presentation of Jodie Hailstone, Resident, regarding telecommunication tower concerns, and particularly the Rogers Communications installation at the Cedar Creek area.

CARRIED

Councillor Neufeld stated that he had made a motion a few months ago pertaining to the height of telecommunication towers. Administration will review to determine status of such request.

F. MATTERS SUBJECT TO NOTICE

1. PUBLIC MEETING--Application for Consent to Sever B/09/19 and Zoning By-law Amendment ZBA/03/19 by Joseph Palmer 330 Road 8 E Part of Lot 23, Concession 7 Roll No. 3711 470 000 03000

R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment and Consent, dated August 6, 2019;

ii) Report of G. Robinson, dated August 15, 2019;

iii) Proposed By-law 78-2019, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville.

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

465-2019

Moved By Councillor Larry Patterson

Seconded By Councillor Kimberly DeYong

That Council approves Consent Application B/09/19 to sever an existing dwelling deemed surplus to the needs of the prospective purchaser on a 0.743 ha (1.837 ac.) parcel shown as Part 1 on the applicants' sketch, subject to the following conditions:

1. That a reference plan be deposited in the registry office, **both an electronic and paper** copy of the registered plan is to be provided for the files of the Secretary-Treasurer;
2. That the deeds, such plan of survey or reference plan, for property lines being newly created, shall be in accordance with the existing zoning requirements for the municipality;
3. That any special assessment imposed pursuant to the provisions of the Local Improvement Act and/or the Municipal Act be paid in full along with all municipal taxes be paid in full;
4. That any necessary drainage reapportionments be undertaken;
5. That as a result of severance, owners shall become liable by way of up front monies for the assessment and taxation of their properties for any waterworks or sanitary sewer systems affecting their properties, in accordance with the Fees By-law in effect on the date the consent is being endorsed on the deeds;

6. A favourable Zoning By-law Amendment application is processed to prohibit future dwellings on the retained farm parcel prior to the consent being endorsed on the deeds;
7. That the applicant obtain the necessary permit for and install a new access to the retained farm parcel at the applicant's expense and to the satisfaction of the Town and/or County;
8. That the necessary deed(s), transfers or charges be **submitted in triplicate**; signed and fully executed (**no photocopies**), including a copy of the reference plan, prior to certification;
9. The conditions imposed shall be fulfilled by **September 9, 2020** or this application shall be deemed to be denied in accordance with Section 53(41) of the Planning Act;

And Further that Council approves Zoning By-law Amendment Application ZBA/13/19 to rezone the subject lands at 330 Road 8 East, Part of Lot 23, Concession 7, Town of Kingsville, from 'Agriculture (A1)' to 'Agriculture - Restricted (A2)' and adopt the implementing by-law.

CARRIED

G. AMENDMENTS TO THE AGENDA

Councillor Neufeld added one item under Unfinished Business.

H. STAFF REPORTS

1. Water Bottle Refilling Stations

D. Wolicki, Manager of Municipal Facilities and Property

466-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council receives the Report of D. Wolicki, Manager of Municipal Facilities and Property RE: Water Bottle Refilling Stations, and directs that the matter of installation of water bottle refilling stations within suitable town-owned buildings and parks be explored further during 2020 Municipal Capital budget deliberations;

And Further that Council directs Administration to install a combination water bottle refill and water fountain station inside the Carnegie Arts and Visitor Centre before the end of 2019.

CARRIED

2. Kingsville Community Grant Fund Policy Review

R. McLeod, Director of Financial Services

467-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That the firm maximum on the total value of grants to be awarded in 2020 be 0.5% of the previous year's tax levy.

CARRIED

468-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council directs Administration to amend Section 6.4 (Processing of Applications) to state that grant applications will be limited to, and based solely on, the information in the application that was submitted to Council by the due date.

CARRIED

469-2019

Moved By Councillor Kimberly DeYong

Seconded By Councillor Larry Patterson

That Council approves the balance of the proposed amendments to the Kingsville Community Grant Fund Policy and scoring matrix as presented.

CARRIED

3. Union Pay Equity and Internal Equity

J. Galea, Human Resources Manager

470-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council receives the update from Human Resources Manager J. Galea on the pay equity plan, and that Council approves the internal equity adjustments that have been outlined from the pay equity analysis.

CARRIED

4. 2019 Business Retention and Expansion RFP Results

P. Van Mierlo-West, CAO

471-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council awards the Request for Proposal to MDB Insight for completion of the 2019 Kingsville Business Retention and Expansion Study in the amount of \$53,635.00 and that Council adopts the requisite by-law authorizing the Mayor and Clerk to execute the agreement.

CARRIED

5. Organizational Review RFP Results

P. Van Mierlo-West, CAO

472-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council awards the Request for Proposal to Pesce and Associates to conduct the Kingsville Organizational Review, and that Council adopts the requisite by-law authorizing the Mayor and Clerk to execute the agreement;

And that, the funding for this project be allocated from the Efficiency and Optimization Fund.

CARRIED

6. Rural Economic Development Fund - Request

P. Van Mierlo-West, CAO

473-2019

Moved By Councillor Tony Gaffan

Seconded By Councillor Larry Patterson

That Council directs the CAO to apply to the Rural Economic Development Fund Grant program under the Economic Diversification and Competitiveness Stream for software optimization.

CARRIED

I. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--August 26, 2019

474-2019

Moved By Councillor Tony Gaffan

Seconded By Councillor Laura Lucier

That Council adopts Regular Meeting of Council Minutes, dated August 26, 2019.

CARRIED

J. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Committee of Adjustment - June 18, 2019

475-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council receives Committee of Adjustment Meeting Minutes dated June 18, 2019.

CARRIED

K. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. Premier Doug Ford--Email received August 27, 2019 RE: Kingsville Council's Resolution re: Reducing Litter and Waste in our Communities (Council Motion 424-2019)**
- 2. Town of Wasaga Beach--Resolution passed August 27, 2019 supporting Township of McKellar's Resolution in regard to Municipal Amalgamation**
- 3. Municipality of Mississippi Mills---Resolution passed August 27, 2019 supporting the Township of Warwick in regard to Ensuring Enforcement for Safety on Family Farms**

476-2019

Moved By Councillor Kimberly DeYong

Seconded By Councillor Laura Lucier

That Council receives Business Correspondence-Informational items 1-3.

CARRIED

L. NOTICES OF MOTION

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

477-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council enter into Closed Session before the end of the 2019 year in accordance with the provisions of Section 239(2)(c) of the *Municipal Act, 2001*, to discuss a proposed or pending acquisition or disposition of land by the

municipality, being a discussion pertaining to lands and/or property that the Town presently holds a leased interest in.

CARRIED

M. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

Councillor Neufeld inquired as to the status of Administration's report pertaining to the potential expropriation process for 329 Main St. East.

Mayor Santos reminded of the following upcoming events to be held on September 15, 2019:

- i) Terry Fox Run at Lakeside Park;
- ii) The Cottam Rotary Club Fall Festival and Horse Show at Ridgeview Park, Cottam.

N. BYLAWS

1. By-law 78-2019

478-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council reads By-law 78-2019, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (330 Road 8 East, Part of Lot 23, Concession 7, ZBA/13/19) a first, second and third and final time.

CARRIED

O. CLOSED SESSION

479-2019

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Council, at 8:30 p.m. enter into Closed Session to address the following items:

- 1. Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality; being update Report of CAO Van Mierlo-West regarding the

Agreement of Purchase and Sale with the Greater Essex County District School Board;

2. Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees; being review of the approved Personnel Committee Meeting minutes dated March 21, April 23, May 27 and July 8, 2019;
3. Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality, being update report from CAO re: potential acquisition of land for municipal purposes.

CARRIED

- 1. Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality; being update Report of CAO Van Mierlo-West regarding the Agreement of Purchase and Sale with the Greater Essex County District School Board**
- 2. Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees; being review of the approved Personnel Committee Meeting Minutes dated March 21, April 23, May 27 and July 8, 2019.**
- 3. Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality, being update report from CAO re: potential acquisition of land for municipal purposes**

P. REPORT OUT OF CLOSED SESSION

Upon rising from Closed Session at 9: 18 p.m. Mayor Santos advised that Council addressed the three above-stated Closed Session matters and the following was reported:

1. Council received an update from CAO P. Van Mierlo-West for information regarding the status of the Agreement of Purchase and Sale with the Greater Essex County District School Board.
2. Council received the Minutes of the Personnel Committee Meetings dated March 21, 2019, April 23, 2019, May 27, 2019 and July 8, 2019.
3. Council directed Administration to continue the negotiations as discussed for the potential acquisition of land for municipal purposes.

Q. CONFIRMATORY BY-LAW

1. By-law 82-2019

480-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council reads By-law 82-2019, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its September 9, 2019 Regular Meeting a first, second, third and final time.

CARRIED

R. ADJOURNMENT

481-2019

Moved By Councillor Larry Patterson

Seconded By Councillor Laura Lucier

That Council adjourns this Regular Meeting at 9:19 p.m.

CARRIED