REGULAR MEETING OF COUNCIL

MINUTES

Monday, November 25, 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	T. Del Greco, Municipal Services Manager S. Kitchen, Deputy Clerk-Council Services S. Martinho, Public Works Manager 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. with all members of Council in attendance.

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. AMENDMENTS TO THE AGENDA

Deputy Mayor Queen indicated that he had one Update Item to add, and one question.

F. STAFF REPORTS

1. 2019 Year End Capital Project Carry Overs and Reserve Transfers

R. McLeod, Director of Financial Services

588-2019
Moved By Councillor Laura Lucier
Seconded By Councillor Tony Gaffan

That Council approves the following operating budget reserve transfers:

- Unspent funds from the General Insurance Deductible (01-112-099-60313) and Professional Services – Legal / HR (01-112-099-60319) budget lines to the Budget Stabilization Reserve (31063).
- Proceeds from forfeited indemnity deposits to the PW Capital Reserve (39068)
- Net proceeds from the Mayor's Golf Tournament, along with any other Mettawas Park donations received during the year to the Mettawas Park Reserve (31062)
- Pickleball court fees collected in excess of court maintenance costs to the Pickleball Reserve (39120).
- The surplus from the 2019 Highland Games to a new Highland Games Reserve account

That Council approves the transfer of the unspent tax funded portion of the following capital projects to reserves:

To the Public Works (PW) Capital Reserve (39068):

- Bridge #18 - Road 11 over Ruscom River – Engineering (01-130-360-71825)
- Bridge #32 - Cedar Island Bridge Engineering and Rehab Work (01-130-360-71923)

- Talbot Service Road Bridge Removal and New Access (01-130-360-71924)
- Main Street West Reconstruction - Finalize Engineering (01-130-360-71546)

To the Lion's Hall Prop. Development Reserve (31049)

- Lions Park Redevelopment Phase (1A & 1B) (01-171-360-71645)

To the Parks Property Reserve (31043):

- Range Light Relocation (01-171-360-71934)
- Cottam Revitalization – Ridgeview LED Lighting (01-171-360-71935)

To the Marina Improvement Reserve (31057):

- Steel Piling at Boat Ramp (01-173-360-71938)

That Council approve the transfer of the deferred assessment on the Road 11 water main project, amounting to $66,060, to the Water main Maintenance Reserve (39005).

CARRIED

2. Endorsement of Streetlight Banner Policy

589-2019
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council receives Report of Manager of Public Works S. Martinho dated October 22, 2019 RE: Proposed Streetlight Banner Policy; that Council directs Administration to obtain feedback from the Kingsville BIA in regard to the said Policy; and further, that Council directs Administration to bring back a Report within ninety (90) days.

CARRIED

3. DWQMS Version 2.0

590-2019
Moved By Councillor Larry Patterson
Seconded By Councillor Laura Lucier

That Council endorses the Kingsville Environmental Services Operational Plan, Revision 8, dated November 26, 2019.

CARRIED

4. Annual Traffic By-Law Amendment (2019)

T. Del Greco, Manager of Municipal Services

591-2019
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council deal with each proposed amendment to Traffic By-law 21-2005 separately.

CARRIED

592-2019
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Laura Lucier

That Council directs Administration to erect a 'Right Turn Only' sign (right turn only onto Main St. West from Chestnut Street) at the intersection of Main Street West and Chestnut, such sign to be erected on the asphalt on Chestnut St.

CARRIED

593-2019
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council approves the addition of 'No Parking' signs on the east side of Division Street South from Herrington Street to Lakeside Crescent.

594-2019
Moved By Councillor Tony Gaffan
Seconded By Councillor Laura Lucier

That Council amends motion 593-2019 to include 'No Parking' signs 15 metres from the intersection of Park Street on the west side of Division Street South.

CARRIED

Amendment:
593-2019
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council approves the addition of 'No Parking' Signs on the east side of Division Street South from Herrington Street to Lakeside Crescent, and to include 'No Parking' signs 15 meters from the intersection of Park Street on the west side of Division Street South.

CARRIED

595-2019
Moved By Councillor Laura Lucier
Seconded By Councillor Thomas Neufeld

That Council approves the addition of a 'Stop Sign' in the south bound lane of Lakeview Avenue at the intersection of Lakeview Avenue and Park Street.

LOST

596-2019
Moved By Councillor Laura Lucier
Seconded By Deputy Mayor Gord Queen

That Council approves the permanent addition of a '15 Minute Parking Zone' twenty-three (23) meters in length in front of 10 Hillview Crescent.

CARRIED

597-2019
Moved By Councillor Laura Lucier
Seconded By Councillor Kimberly DeYong

That Council reconsiders former Motion 629-2018 to include the addition of "No Parking' signs on the south side of Hillview Crescent from Division St. North to the eastern property line of 55 Hillview Crescent, and further, directs Administration to obtain more public feedback for Council consideration.

CARRIED

598-2019
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council approves the addition of 'No Parking' and 'Commercial Loading' signs on the east side of Lansdowne Avenue from Erie Street to Park Street as depicted in Appendix D of Report of T. Del Greco; and further, that Council directs the erection of a 'No Parking' sign on the west side of Lansdowne 15 metres from the Park Street Stop Sign.

599-2019
Moved By Councillor Thomas Neufeld
Seconded By Councillor Laura Lucier

That Council amends motion 598-2019 to include a buffer on the north side and on the south side of the apartment building entrance driveway on the west side of Lansdowne with signage.

CARRIED

Amendment:
598-2019
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council approves the addition of 'No Parking' and 'Commercial Loading' signs on the east side of Lansdowne Avenue from Erie Street to Park Street as depicted in Appendix D of Report of Manager of Municipal Services T. Del Greco; and further, that Council directs the erection of a 'No Parking' sign on the west side of Lansdowne 15 metres from the Park Street Stop Sign; and further, that Council directs that a buffer area be added on the north side and on the south side of the apartment building entrance driveway on the west side of Lansdowne with signage.

CARRIED

600-2019
Moved By Councillor Larry Patterson
Seconded By Councillor Laura Lucier

That Council approves the addition of a 'Stop Sign' in the south bound lane of Cameron Sideroad at the intersection of Cameron Sideroad and North Talbot Road.

CARRIED

601-2019
Moved By Councillor Kimberly DeYong
Seconded By Deputy Mayor Gord Queen

That Council approves the addition of 'No Parking' signs on both sides of Santos Drive at Main St. East and heading south for a distance of 15 metres.

CARRIED

602-2019
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

That Council approves revision of part of Section 14.(5) of Kingsville Traffic By-law 21-2005 to read: Parking of buses on any highway (roadway) shall only be permitted from 9:00 a.m. to 3:00 p.m., Monday thru Friday, from September 1st to July 1st each year.

CARRIED

603-2019
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council directs Administration to review the recommendation (re: Section 14(5) of Kingsville Traffic By-law 21-2005) regarding the parking of commercial/personal utility trailers, boats or recreational vehicles on any highway (roadway); and to bring back a Report to Council within six (6) months.

CARRIED

The Amending Traffic By-law will be brought back to Council for adoption at a future Regular Meeting of Council.

Mayor Santos called for a short recess at 8:40 p.m. and the Regular Meeting reconvened at 8:48 p.m.

5. Municipal Modernization Program

P. Van Mierlo-West, CAO

604-2019
Moved By Councillor Laura Lucier
Seconded By Councillor Kimberly DeYong

That Council directs Administration to submit an Expression of Interest to the Municipal Modernization Program Intake 1.

CARRIED

G. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. Kingsville BIA--Correspondence from C. Bedal, BIA Coordinator, dated November 14, 2019 RE: Request to fill vacancy

605-2019
Moved By Councillor Larry Patterson
Seconded By Councillor Tony Gaffan

That Council grants request of Kingsville BIA to add David Debergh to the BIA Board of Managers to replace Paul Thompson, and further directs that Administration make the necessary amendments to the Town of Kingsville Appointment By-law.

CARRIED

H. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--November 12, 2019

2. Regular Closed Session Meeting of Council--November 12, 2019

606-2019
Moved By Councillor Kimberly DeYong
Seconded By Councillor Laura Lucier

That Council adopts Regular Meeting of Council Minutes dated November 12, 2019 and Regular Closed Session Meeting of Council Minutes dated November 12, 2019.

CARRIED

I. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Committee of Adjustment - September 17, 2019

607-2019
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

That Council receives Committee of Adjustment Meeting Minutes dated September 17, 2019.

CARRIED

2. Planning Advisory Committee - September 17, 2019

608-2019
Moved By Councillor Larry Patterson
Seconded By Councillor Laura Lucier

That Council receives Planning Advisory Committee Meeting Minutes dated September 17, 2019.

CARRIED

3. Kingsville B.I.A. - October 8, 2019

609-2019
Moved By Councillor Tony Gaffan
Seconded By Councillor Laura Lucier

That Council receives Kingsville B.I.A. Meeting Minutes dated October 8, 2019.

CARRIED

J. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. Town of Wasaga Beach--Correspondence dated October 30, 2019 RE: Resolution from the Township of Springwater-Nottawasaga Valley Conservation Authority Levy

2. Town of Wasaga Beach--Correspondence dated October 30, 2019 RE: Resolution from the Township of Springwater-Conservation Authority Levies

3. Township of Ramara--Correspondence dated November 7, 2019 RE: Conservation Authority Exit Clause

4. Resolutions of Endorsement of Town of Kingsville Resolution 533-2019 RE: Local Health Care Services

a. Municipality of Clarington

b. Town of Lakeshore

c. Municipality of North Middlesex

d. Township of Wollaston

e. Municipality of Bluewater

f. Township of McKellar

g. Township of La Vallee

h. Township of Faraday

i. Township of Enniskillen

j. Township of Baldwin

k. Township of Billings

l. Township of Conmee

m. Township of Dubreuilville

n. Municipality of Central Elgin

o. Township of Tudor and Cashel

p. Township of McNab/Braeside

610-2019
Moved By Councillor Kimberly DeYong
Seconded By Councillor Larry Patterson

That Council receives Business Correspondence - Informational items 1 to 4.(a.-p.)

CARRIED

5. Gary Quenneville, President, Gary Anthony Management Services and Dr. Lisa Di Gioia, South Shore Dental--Correspondence RE: Traffic By-law 21-2005

611-2019
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Laura Lucier

That Council receives Business Correspondence - Informational (Addendum) Item 5.

CARRIED

K. NOTICES OF MOTION

1. Councillor DeYong may move, or cause to have moved:

That Council approve the staff, and external assistance as required, to ensure that we comply with the Health Canada policy titled: *Information bulletin: safety and security considerations when producing cannabis for your own medical purposes*, as attached, that states designated Cannabis growers are required to "comply with all relevant provincial/territorial and municipal laws including local bylaws about zoning, electrical safety, fire safety, together with all related inspection and remediation requirements". Including the ability of the municipality to conduct bylaw enforcement on designated greenhouse cannabis growers for dark sky compliance and odour control. And as otherwise specified in relevant Health Canada designated cannabis growing legislation. Such action to commence within ninety (90) days and follow up report to Council within five (5) months.

612-2019
Moved By Councillor Kimberly DeYong
Seconded By Councillor Larry Patterson

That Council directs Administration to: i) see what the Town is permitted to do to ensure compliance with the Health Canada policy titled: *Information bulletin: safety and security considerations when producing cannabis for your own medical purposes*, that states that Part 2 designated cannabis growers are required to "comply with all relevant provincial/territorial and municipal laws including local by-laws about zoning, electrical safety, fire safety, together with all related inspection and remediation requirements" ; ii) to determine how the Town can enforce those Health Canada compliance requirements, iii) that such action to commence within 90 days; and iv) with a subsequent follow-up report to Council by May, 2020.

CARRIED

Deputy Mayor Queen introduced a Notice of Motion, indicating that at the next Regular Meeting he may move, or cause to have moved, that Council approve the purchase or update of our Canada Flag stand or pole to a higher height, similar to the flag stand the County of Essex currently has in its Council Chambers.

L. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

1. Deputy Mayor Queen indicated that Road 3 East is being damaged by the construction project currently underway on that road. Administration will provide a copy of the site plan agreement to Council and ensure that it is being complied with.

2. Deputy Mayor Queen asked if E.L.K. Energy Inc. has responded to the request by Administration to appear before Council as a delegation. Ms. Van Mierlo-West advised that email correspondence was forwarded to E.L.K. and they indicated they would arrange for such presentation, however, she has not yet heard anything.

613-2019
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Laura Lucier

That Council directs that a second correspondence to E.L.K. Energy Inc. inviting the agency's representative(s) to the Kingsville Council table be sent from the Office of the Mayor.

CARRIED

M. CONFIRMATORY BY-LAW

1. By-law 103-2019

614-2019
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Kimberly DeYong

That Council reads By-law 103-2019, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its November 25, 2019 Regular Meeting, a first, second and third and final time.

CARRIED

N. ADJOURNMENT

615-2019
Moved By Councillor Laura Lucier
Seconded By Councillor Larry Patterson

That Council adjourns this Regular Meeting at 9:10 p.m.

CARRIED