



**REGULAR MEETING OF COUNCIL
MINUTES**

Monday, February 10, 2020

6:00 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 J. Astrologo, Director of Corporate Services
Administration S. Kitchen, Deputy Clerk-Council Services
 R. McLeod, Director of Financial Services
 P. Van Mierlo-West, CAO

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 6:00 p.m. with all Members of Council in attendance.

B. CLOSED SESSION

142-2020

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council, at 6:01 p.m. pursuant to Section 239(2) of the *Municipal Act, 2001*, enter into Closed Session to address the following item: Subsection 239(2)(f) advice that is subject to solicitor-client privilege, including communications

necessary for that purpose; being an update report from Solicitor David Halliwill regarding 190 Main St. East, being Part of Lot 1, Concession 2, ED Part 2, 12R-26799.

CARRIED

Upon rising from Closed Session at 7:28 p.m., Mayor Santos called for a brief recess, and the meeting Reconvened at 7:32 p.m. with all members of Council in attendance, and the following members of Administration in attendance: CAO P. Van Mierlo-West, Director of Corporate Services/Clerk J. Astrologo, Fire Chief C. Parsons, Director of Financial Services R. McLeod, Drainage Superintendent K. Vegh, Town Planner K. Brcic, and Deputy Clerk-Council Services S. Kitchen,

C. 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.

D. PLAYING OF NATIONAL ANTHEM

E. 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.

F. REPORT OUT OF CLOSED SESSION

Mayor Santos reported that Council had entered into Closed Session earlier this evening to address Agenda Item B, being an update Report from Solicitor David Halliwill regarding 190 Main St. East. He advised that Council received the update and provided direction.

G. PRESENTATIONS/DELEGATIONS

1. Presentation to Kingsville Firefighters who are being recognized for their service to the community by the Federal and Provincial Governments.

Fire Chief Chuck Parsons introduced the Kingsville Firefighters who are receiving Federal and Provincial years of service medals or bars. MP Chris Lewis, a number of firefighters from both the North and South Stations, and numerous family members of the recipients were also in attendance. Chief Parsons stated that MPP Taras Natyshak was unable to attend, however, sends his congratulations to the recipients this evening.

MP Lewis congratulated all recipients and thanked them for their service. The following individuals were presented with their medals or bars:

Thomas Melton 30 years; Jeff Kartye 25 years; Deputy Chief Jeff Dean 20 years; Captain Jeff (J.J.) Wilson 20 years; Bryan Girling 20 years; and retired Firefighter Ken Vegh 20 years. Richard Reive (30 years of service), also recognized, was not in attendance this evening.

Chief Parsons also announced that Derek Lloyd has been promoted to Captain at the North Station and will receive his red helmet.

2. Kingsville Accessibility Advisory Committee--Presentation by Member Jackie Barraco RE: Sidewalks in the Town of Kingsville

Ms. Barraco made her presentation on behalf of the Kingsville Accessibility Advisory Committee (KAAC) indicating that the purpose of the correspondence and presentation is to ensure that the Town creates a pedestrian network throughout the community that does not create barriers or impede the participation of people with a disability with respect to sidewalks, or lack thereof. She concluded by informing that the recommendation of KAAC for Council's consideration is that "KAAC advocates for sidewalk placement in all areas of the Town of Kingsville for reasons of safety, security and accessibility".

143-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Tony Gaffan

That Council receives the presentation of Jackie Barraco on behalf of the members of the Kingsville Accessibility Advisory Committee regarding Sidewalks in the Town of Kingsville.

CARRIED

3. Solicitor Peggy Golden--Request dated February 5, 2020 RE: Comments regarding KMHAC presentation on 183 Main St. East.

Ms. Golden commented that she represents the owners of 183 Main St. East, and does not represent any other party. Her clients have owned the property for 32 years and they do not intend to voluntarily pursue a heritage designation. She stated that her clients did not provide any correspondence to the Town at any time requesting designation, and that if any correspondence was provided, her clients would like a copy of same. As indicated in the correspondence filed with

Council at its January 13, 2020 Regular Meeting, Ms. Golden's clients have expressly requested to have 183 Main St. East removed from the Town's Heritage Inventory Register.

144-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council receives the presentation of Solicitor Peggy Golden on behalf of her clients, Willy and Donna Krahm regarding the property municipally known as 183 Main St. East, Kingsville.

CARRIED

4. Kingsville Municipal Heritage Advisory Committee (KMHAC)--Chair S. Sacheli was in attendance to present the Committee's Report to Council on 183 Main Street East

S. Sacheli, Chair of the Kingsville Municipal Heritage Advisory Committee presented the PowerPoint presentation Re: 183 Main St East. She stated that it is the Committee's Recommendation that the property at 183 Main St. East remain on the register.

145-2020

Moved By Councillor Tony Gaffan

Seconded By Councillor Laura Lucier

That the property municipally known as 183 Main St. East remain on the Town of Kingsville Heritage Register as a property of interest.

Recorded	For	Against
Mayor Nelson Santos	X	
Deputy Mayor Gord Queen	X	
Councillor Tony Gaffan	X	
Councillor Thomas Neufeld	X	
Councillor Larry Patterson	X	
Councillor Kimberly DeYong	X	

Councillor Laura Lucier	X	
Results	7	0

CARRIED (7 to 0)

5. Dennis Rogers, President, Sun Parlour Folk Music Society--Introduction of new board members to Council, short video presentation, and comments re: Splash Pad location

Society President Dennis Rogers introduced the new Board, namely: Lindsey Ecker, Noah Fleming, Mitchell Shields, and Adam Karry. He stated that Tylar Getty is also on the Board, however, was not able to be in attendance this evening. He commented that the Festival's Producers, Michele and John Law, are also present this evening. He thanked Council for their support in connection with the Festival over the past several years. In connection with the recent discussions about a splash pad in the Town of Kingsville, he requested on behalf of the Society that any splash pad not be placed in the lower bowl of Lakeside Park, because if it was located in the lower bowl the Festival could not run. He suggested that if the splash pad will be located at Lakeside Park that the top of the park be considered for the splash pad site. Further, Mr. Rogers commented that that the Society wishes to request permanent signage being installed in connection with the annual Festival event.

The presentation concluded with a musical video featuring highlights of the 2019 Kingsville Folk Festival.

146-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council receives the presentation of Dennis Rogers, President of the Sun Parlour Folk Music Society.

CARRIED

H. AMENDMENTS TO THE AGENDA

Deputy Mayor Queen added one Notice of Motion, and Councillor DeYong added one Notice of Motion.

I. ADOPTION OF ACCOUNTS

- 1. Town of Kingsville Accounts for the monthly period ended January 31, 2020 being TD cheque numbers 0071752 to 0072109, for a grand total of \$1,829,931.77.**

147-2020

Moved By Councillor Thomas Neufeld

Seconded By Councillor Laura Lucier

That Council receives Town of Kingsville Accounts for the monthly period ended January 31, 2020 being TD cheque numbers 0071752 to 0072109 for a grand total of \$1,829,931.77.

CARRIED

J. STAFF REPORTS

- 1. Application for Exemption from Part Lot Control by 1364674 Ontario Limited; Lots 33 to 38 and Lots 41 to 42, Plan 12M 587, 125, 127, 136, 137 and 138 Golfview Dr. and 99, 101, 103, and 105 Conservation Blvd.**

K. Brcic, Town Planner, presented the Report of Manager of Planning Services R. Brown.

148-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council:

Enacts Part Lot Control Exemption By-law 14-2020 to allow Lots 33 to 38 inclusive and Lots 41 and 42 Plan 12M 587 to be exempt from Section 50(5) of the Planning Act, and

Directs Administration to forward By-law 14-2020 and the Part Lot Control Exemption application to the County of Essex for final approval.

CARRIED

- 2. Phragmites Control Resolution**

S. Kitchen, Deputy Clerk/Council Services

149-2020

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

WHEREAS *Phragmites australis* (herein referred to as “*Phragmites*”) is an invasive perennial grass that continues to cause severe damage to our wetlands, beaches and municipal drainage systems across Essex County;

WHEREAS *Phragmites* grows and spreads rapidly, allowing the plant to invade new areas and grow into large monoculture stands in a short amount of time, and is a plant that secretes toxins from its roots in the soil which impede the growth of neighbouring plant species;

WHEREAS *Phragmites* results in loss of biodiversity and species richness, loss of habitat, changes in hydrology due to its high metabolic rate, changes in nutrient cycling as it is slow to decompose, an increased fire hazard due to the combustibility of its dead stalks, and can have an adverse impact on agriculture, particularly in drainage ditches;

WHEREAS invasive *Phragmites* has been identified as Canada’s worst invasive plant species by Agriculture and AgriFood Canada;

WHEREAS controlling invasive *Phragmites* before it becomes well established reduces environmental impacts, time and costs;

WHEREAS according to the Ministry of the Environment, best management practices for *Phragmites* include early detection, herbicide application, mowing, compressing or rolling, prescribed burning, and controlled flooding;

WHEREAS these best management practices are most effective when used in tandem as opposed to when used as stand-alone control measures;

AND WHEREAS herbicides containing surfactants are prohibited for use in aquatic environments in Canada, meaning that municipalities are not able to fully implement best management practices;

NOW THEREFORE BE IT RESOLVED that the Federation of Canadian Municipalities calls on the Government of Canada to expedite the review of herbicide products that can be safely used in aquatic environments for the control of *Phragmites* in order to support local governments in their efforts to eradicate this invasive species.

CARRIED

3. Train Court Mutual Drain Agreement

K, Vegh, Drainage Superintendent

150-2020

Moved By Councillor Laura Lucier

Seconded By Councillor Larry Patterson

That Council authorizes the Mayor and Director of Corporate Services to enter into a Mutual Drain Agreement with Ms. Anna Jugovic and 770022 Ontario Limited to allow for drain improvements to the rear yard catchment system currently servicing the upper reaches of Train Court.

CARRIED

K. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. Autism Ontario--2020 Raise the Flag Campaign--Invitation to register the Town of Kingsville to participate in the World Autism Awareness Day flag raising on Thursday, April 2, 2020

151-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Tony Gaffan

That Council authorizes and directs Administration to register the Town for the 2020 Raise the Flag Autism Ontario Event.

CARRIED

L. MINUTES OF THE PREVIOUS MEETINGS

- 1. Regular Meeting of Council--January 27, 2020**
- 2. Regular Closed Session Meeting of Council--January 27, 2020**
- 3. Special Meeting of Council--January 29, 2020**

152-2020

Moved By Councillor Thomas Neufeld

Seconded By Councillor Laura Lucier

That Council adopts Regular Meeting of Council Minutes dated January 27, 2020, Regular Closed Session Meeting of Council Minutes dated January 27, 2020, and Special Meeting of Council Minutes (Budget #2) dated January 29, 2020.

CARRIED

M. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Committee of Adjustment - November 19, 2019

153-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council receives Committee of Adjustment Meeting Minutes dated November 19, 2019.

CARRIED

2. Parks, Recreation, Arts and Culture Committee - November 21, 2019

154-2020

Moved By Councillor Laura Lucier

Seconded By Councillor Larry Patterson

That Council receives Parks, Recreation, Arts and Culture Committee Meeting Minutes dated November 21, 2019 together with Minutes of the following sub-committees: Communities in Bloom - October 3, 2019, Mettawas Fund Raising Committee - September 4, 2019.

CARRIED

3. Police Services Board - November 27, 2019

155-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council receives Police Services Board Meeting Minutes dated November 27, 2019.

CARRIED

4. Kingsville Municipal Heritage Advisory Committee--December 11, 2019

156-2020

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Council receives the Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated December 11, 2019.

CARRIED

N. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. Township of Wainfleet--Correspondence from Mayor Gibson, CAO Kolasa, and Fire Chief/CEMC M. Alcock to MMAH dated January 13, 2020 RE: October 31/19 wind storm and seiche along the north shore of Lake Erie**
- 2. Municipality of Strathroy-Caradoc--Resolution passed January 20, 2020 in support of Lower Thames Valley Conservation Authority Watershed Management Programs**
- 3. Township of Perth South--Correspondence dated January 22, 2020 RE: Safety on Family Farms Support of Warwick and South Frontenac resolution**
- 4. City of Sarnia--Correspondence dated January 24, 2020 RE: Resolution - OPG Deep Geologic Repository Project**
- 5. Town of Collingwood--Correspondence dated January 27, 2020 RE: Resolution--Conservation Authorities**
- 6. Town of Orangeville--Correspondence dated January 27, 2020 RE: Resolution - Environmental Awareness and Action**

7. **Town of Tecumseh--Correspondence dated January 28, 2020 RE: Resolution - Climate Change Emergency Declaration**
8. **Ministry of Children, Community and Social Services--Correspondence dated January 30, 2020 RE: Poverty Reduction Strategy online survey**
9. **Report from Mayor Santos dated February 5, 2020 RE: 2020 OPP Governance Summit**

157-2020

Moved By Councillor Laura Lucier

Seconded By Deputy Mayor Gord Queen

That Council receives Business Correspondence-Informational Items 1-9.

CARRIED

RE: Business Correspondence - Informational Item N.4.--City of Sarnia correspondence dated January 24, 2020 RE: Resolution - OPG Deep Geologic Repository Project.

158-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Tony Gaffan

That Council supports City of Sarnia resolution regarding OPG Deep Geologic Repository Project.

CARRIED

RE: Business Correspondence-Informational Item N.7. Town of Tecumseh Correspondence dated January 28, 2020 RE: Resolution - Climate Change Emergency Declaration

159-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Laura Lucier

That Council supports Town of Tecumseh Resolution regarding Climate Change Emergency Declaration.

CARRIED

O. NOTICES OF MOTION

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

160-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Larry Patterson

That Council approves a letter being sent to Family Services Windsor-Essex from the Town of Kingsville in support of the counselling services at Access County Community Services; requesting that these services not be cut, and that they remain available for the residents of Kingsville.

CARRIED

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

That Council receives the attached Calendar or schedule of meeting dates for both the Committee of Adjustment and Planning Advisory Committee meetings that was distributed last year.

Deputy Mayor Queen indicated that he will not make a motion this evening in regard to the Meeting Dates Schedule information referred to above. The schedule has been provided for information.

Deputy Mayor Queen introduced a Notice of Motion indicating that at the next Regular Meeting he may move, or cause to have moved, that a letter be sent by the Mayor on behalf of Council to Douglas Doey acknowledging and recognizing his work getting the Town started with the Fantasy of Lights festival, along with the assistance over the years of many Kingsville District High School students, and other community service.

Councillor DeYong introduced a Notice of Motion, indicating that at the next Regular Meeting she may move, or cause to have moved, that Council put a moratorium on rezoning and development on Main Street East from Division to Graham until we have a Main St. development plan as identified in our Official Plan as an area that needs more attention. And that a committee of stakeholders be established as soon as possible, including residents, heritage, economic

development, tourism, and Council, to develop a Main Street Development Plan with building guidelines, a traffic plan and other areas or issues as identified by the committee. And that this plan be added to our Official Plan to help direct future Main Street and core development.

P. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

There were no items of Unfinished Business, Announcements or Updates.

Q. BYLAWS

1. By-law 14-2020

161-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council reads By-law 14-2020, being a By-law to exempt certain lands from Part Lot Control (York Subdivision-Phase 4A-Plan 12M-587) a first, second and third and final time.

CARRIED

R. CONFIRMATORY BY-LAW

1. By-law 15-2020

162-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council reads By-law 15-2020, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its February 10, 2020 Regular Meeting a first, second and third and final time.

CARRIED

S. ADJOURNMENT

163-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council adjourns this Regular Meeting at 9:12 p.m.

CARRIED