REGULAR MEETING OF COUNCIL

MINUTES

Monday, June 22, 2020
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 M. Durocher, Parks & Recreation Program Manager T. Del Greco, Municipal Services Manager T. Iacobelli, Manager of Information Technology S. Kitchen, Deputy Clerk-Council Services R. McLeod, Director of Financial Services A. Plancke, Director of Municipal Services R. Baines, Deputy Clerk - Administrative Services D. Wolicki, Manager of Municipal Facilities and Property

A. CALL TO ORDER

Mayor Santos, in attendance in the Council Chambers, called the Regular Meeting to order at 7:01 p.m. All other members participated in the meeting through video conferencing technology from remote locations.

B. 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.

Statement from Mayor Santos regarding Windsor-Essex held in Stage 1

At this time, prior to the delegation presentations scheduled for this evening, Mayor Santos read aloud a Statement in response to today's Provincial confirmation that the Windsor-Essex Region would not be advancing to Stage 2 as part of the Province's established reopening plan amid the COVID-19 pandemic.

The full Statement as read by Mayor Santos is attached to, and forms part of, these Regular Meeting of Council Minutes as Appendix 1. He indicated this item would be addressed further this evening (Agenda Item K-1) and thanked Council for their indulgence.

C. PRESENTATIONS/DELEGATIONS

1. Solicitor David M. Sundin--Report to Council RE: Expropriation, Main Street West at its intersection with Heritage Road, Road Widening--Future Urban Growth (SEE: Staff Report F-1)

Solicitor David M. Sundin and Manager of Municipal Services T. Del Greco

i) Report of David M. Sundin;

ii) Application for Approval to Expropriate Land; and

iii) Proposed By-law 61-2020, being a By-law to expropriate certain lands in the Town of Kingsville along the south side of Main Street West at or near its intersection with Heritage Road.

Solicitor Sundin presented his Report to Council.

Mayor Santos then brought forward Staff Report F-1, being Report of Manager of Municipal Services Tim Del Greco dated June 12, 2020 RE: Main Street West--Approval to Expropriate.

Agenda Item #F-1--Main Street West--Approval to Expropriate

Mr. Del Greco presented his Report and Recommendation in connection with the proposed road widening on the south side of Main Street West opposite Home Hardware, noting that a map of this project is attached as Appendix A to his

Report. He also informed that the reference to "Main Street South" in Recital No. 3 on page 1 of the proposed By-law has been corrected to read "Main Street West".

370-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council approves the Application for Approval to Expropriate Land located at 211, 215, 225, and 241 Main Street West, otherwise known as Parts 1 through 6 on Reference Plan 12R-28204, in the Town of Kingsville, in the County of Essex, and adopts By-law 61-2020 at this Regular Meeting.

CARRIED

2. Mike Cowan, CPA, CA, Partner, BDO Canada LLP-Presentation of 2019 Financial Statement Audit Report (SEE: Draft Consolidated Financial Statements as at December 31, 2019 attached to Staff Report F-2)

Mike Cowan of BDO Canada LLP, and R. McLeod, Director of Financial Services

Mr. Cowan presented the Independent Auditor's Report as contained in the draft Financial Statements.

Staff Report F-2 was then brought forward for discussion.

Agenda Item #F-2. 2019 Financial Year-End Review, dated June 15, 2020 prepared by Director of Financial Services R. McLeod and Manager of Financial Services T. Hong

Director McLeod presented Staff Report #F-2, providing Council with an overview of the 2019 Financial Statements and other key financial information.

371-2020
Moved By Councillor Laura Lucier
Seconded By Deputy Mayor Gord Queen

That Council approves the Financial Statements for the year ending December 31, 2019, as audited by BDO Canada LLP; And Further That Council approves the allocation of the unallocated 2019 surplus of $827,770 to the Town's Budget Stabilization Reserve.

CARRIED

3. Heather Brown on behalf of Kingsville BIA --Presentation RE: Street Closures to facilitate the re-opening of downtown businesses.

Heather Brown and Troy Loop presented a PowerPoint presentation entitled "Business goes outdoors in Kingsville; Re-establishing after COVID-19".

372-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council agrees to the Open Streets Concept presented by the Kingsville BIA, in principle, and asks that the Parks and Recreation Programs Manager work with the BIA to iron out some of the details with the concept and that the Director of Municipal Services also be involved with those discussions; And Further That Administration provide a report back to Council within one month of the start date of this initiative.

CARRIED

D. MATTERS SUBJECT TO NOTICE

1. PUBLIC MEETING--Application for Zoning By-law Amendment ZBA/05/2020 by David and Rosanne Nickels, 1246 and 1250 County Road 34

R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment and Consent, dated May 29, 2020.

Mr. Brown informed Council that the Applicants have requested a deferral until such time as the details of the daylight corner can be worked out.

373-2020
Moved By Councillor Thomas Neufeld
Seconded By Deputy Mayor Gord Queen

That Council defers Zoning By-law Amendment Application ZBA/05/20 by David and Rosanne Nickels, 1246 and 1250 County Road 34, to a future Regular Meeting as requested by the Applicants.

CARRIED

E. AMENDMENTS TO THE AGENDA

Councillor Lucier added one announcement, and Councillor DeYong added one announcement.

F. STAFF REPORTS

1. Main Street West – Approval to Expropriate

This Item was addressed earlier this evening (SEE: Delegation Item C-1 above).

2. 2019 Financial Year-End Review

This item was addressed earlier this evening (SEE: Item C-2 above).

3. Notification Process for Development and/or Redevelopment of Communication & Broadcasting Facilities

R. Brown, Manager, Planning Services

374-2020
Moved By Councillor Thomas Neufeld
Seconded By Deputy Mayor Gord Queen

That Council receives the Report on the communication/notification process for proposed telecommunication tower installations;

And Further That Council directs Administration to increase the circulation distance in the current policy on telecommunication towers from 120 m to 300 m to provide information to a wider segment of the public.

CARRIED

4. The Netherlands – Mission Debrief

R. Brown, Manager of Planning Services

375-2020
Moved By Councillor Kimberly DeYong
Seconded By Councillor Tony Gaffan

That Council receives the Report on the Netherlands 2019 trip for information purposes; And Further That Council directs Administration to continue to

communicate with the contacts made in The Netherlands and continue to research greenhouse and cannabis production innovation to remain up-to-date on industry trends.

CARRIED

5. Private Fibre Network

T. Iacobelli, Manager of Information Technology

376-2020
Moved By Councillor Laura Lucier
Seconded By Councillor Tony Gaffan

That Council awards the tender to Aecon Utilities for completion of directional boring, conduit install and installation of fibre optic cabling from Town Hall to the Arena and from Town Hall to South Fire Hall; and directs Administration to prepare the necessary authorizing by-law to authorize the Mayor and Clerk to execute the Agreement.

CARRIED

6. New Dehumidification Unit, Kingsville Arena – Tender Results

D. Wolicki, Manager of Municipal Facilities and Property

377-2020
Moved By Councillor Larry Patterson
Seconded By Councillor Tony Gaffan

That Council approves awarding the tender to CIMCO Refrigeration in the amount of $165,900.00 (excluding HST), for PR-2020-02 Supply and Install Desiccant Dehumidification Unit, Kingsville Arena, and directs Administration to prepare the necessary authorizing by-law, to authorize the Mayor and Clerk to execute the agreement.

CARRIED

7. Millbrook Park Playground Equipment

D. Wolicki, Manager of Municipal Facilities and Property

378-2020
Moved By Councillor Laura Lucier
Seconded By Councillor Tony Gaffan

That Council approves the proposal submitted by Play Power Canada in the amount of $62,493.55 (excluding HST) for the installation of playground equipment at Millbrook Park.

CARRIED

8. Queens Valley Estates Phase 1A / 1B (Porrone) Initial Acceptance

G. A. Plancke, Director of Municipal Services

379-2020
Moved By Councillor Tony Gaffan
Seconded By Councillor Larry Patterson

That Council initially accepts Queens Valley Estates Phase 1A / 1B onto "Maintenance" for a period of no less than one year, and that the Clerk provide written confirmation to the Developer of the date of initial acceptance of the development by Council resolution.

CARRIED

9. Fish Fly Abatement Strategy / Policy

G. A. Plancke, Director of Municipal Services

380-2020
Moved By Councillor Thomas Neufeld
Seconded By Councillor Larry Patterson

That Council receives the Report, and Further That Council endorses the revised The Fish Fly Abatement Policy, and revised Standard Operating Procedure SOP # MS 2020-01 as satisfactory response to Resolution 404-2019.

CARRIED

10. Disclosure of Information – 190/200 Main St. E Medical Clinic

J. Astrologo, Director of Corporate Services/Clerk

381-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Kimberly DeYong

That Council receives the report titled Information Sharing – 190-200 Main St. E., regarding the parameters under which Council may discuss the information that it received, in both Open and Closed Session Meetings, regarding the development of 200 Main St. East.

CARRIED

11. Appointment of Property Standards Officer / Building Inspector

R. McLeod, Director of Financial Services.

382-2020
Moved By Councillor Larry Patterson
Seconded By Councillor Tony Gaffan

To appoint Wayne Mills as a property standards officer and inspector for the purposes of enforcing the *Building Code Act* on behalf of the Town of Kingsville.

CARRIED

G. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. Kingsville Striking Committee Report dated June 9, 2020

Mayor Nelson Santos presented the Kingsville Striking Report, dated June 9, 2020.

383-2020
Moved By Councillor Kimberly DeYong
Seconded By Councillor Laura Lucier

That Council endorses the following appointments to the Main Street Development Committee as presented by the Striking Committee to include: Heather Brown, Mary Ellen Havlik, Joe Wilds, Dennis Rogers, Tom Greenal, Laura Mastronardi, Brenda Gagnier, Bruce Durward, Sarah Sacheli and Council Representatives Deputy Mayor Gord Queen and Councillor Tony Gaffan.

CARRIED

384-2020
Moved By Councillor Kimberly DeYong
Seconded By Deputy Mayor Gord Queen

That Council confirms the appointment of Councillor Neufeld to the Town of Kingsville CAO Hiring Committee.

CARRIED

H. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--June 8, 2020

385-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Laura Lucier

That Council adopts Regular Meeting of Council Minutes date June 8, 2020.

CARRIED

I. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. Northumberland County Council Resolution No. 2020-05-20-143 passed May 20, 2020 RE: Provincially Significant Wetlands Designation

2. Township of Puslinch--Correspondence dated June 3, 2020 RE: Support for the Conservation Authorities (Puslinch Council Resolution 2020-104)

3. **Township of Puslinch--Correspondence dated June 5, 2020 RE: Farm Property Class Tax Rate Programme (Puslinch Council Resolution 2020-151)**

4. **Town of Fort Erie--Correspondence dated June 9, 2020 RE: Request Proclamation of March 17 as Essential Workers Day**

5. **Town of Orangeville--Correspondence dated June 10, 2020 RE: Orangeville Council Resolution - Diversity Training Program for all members of Police Services in Ontario**

6. **Municipality of Chatham-Kent--Correspondence dated June 11, 2020 from Mayor D. Canniff regarding Support for Government's Commission on Long-Term Care**

7. **Municipality of Chatham-Kent--Correspondence dated June 11, 2020 from Mayor D. Canniff regarding support for Recommendations presented from Long Term Care and Retirement Home Sectors**

8. **Town of Bracebridge--Correspondence dated June 12, 2020 RE: Town of Bracebridge Resolution regarding the establishment of a Municipal Financial Assistance Program to offset the financial impact of the COVID-19 pandemic**

9. **Grey County--Correspondence dated June 16, 2020 RE: Broadband access for underserviced areas in Grey County**

10. **GHD Limited--Correspondence dated June 16, 2020 enclosing Ontario Ministry of Transportation Notice of Online Public Information Centre (June 18-July 3/2020) RE: Highway 3 Widening and Safety Enhancements, Transportation Environmental Study Report Review**

386-2020
Moved By Councillor Thomas Neufeld
Seconded By Councillor Kimberly DeYong

That Council receives Business Correspondence-Informational Items 1 to 10.

CARRIED

387-2020
Moved By Councillor Kimberly DeYong
Seconded By Councillor Tony Gaffan

That Council supports Town of Fort Erie correspondence dated June 9, 2020 supporting the resolution passed by the Council of the City of Brantford to respectfully request that the Government of Ontario and the Government of Canada formally declare March 17 to be Essential Workers Day to honour all of the essential workers who sacrificed so much during the COVID-19 pandemic and all municipalities across Ontario and Canada be invited to proclaim March 17 to be Essential Workers Day in their respective municipalities.

CARRIED

388-2020
Moved By Councillor Kimberly DeYong
Seconded By Councillor Larry Patterson

That Council supports Town of Bracebridge Resolution regarding the establishment of a Municipal Financial Assistance Program to offset the financial impact of the COVID-19 pandemic.

CARRIED

J. NOTICES OF MOTION

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

That the start time for the Regular Meetings of Council be changed to commence at 6:00 p.m., rather than the current 7:00 p.m. start, with a curfew time of 10:00 p.m., rather than 11:00 p.m., and that Administration prepare the necessary amending by-law for Council consideration and adoption.

389-2020
Moved By Councillor Larry Patterson
Seconded By Councillor Kimberly DeYong

That the start time for the Regular Meetings of Council be changed to commence at 6:00 p.m., rather than the current 7:00 p.m. start, with a curfew time of 10:00 p.m., rather than 11:00 p.m.

Amendment:
390-2020

Moved By Deputy Mayor Gord Queen
Seconded By Councillor Laura Lucier

That the start time for the Regular Meetings of Council be changed, for the summer months, to commence at 6:00 p.m., rather than the current 7:00 p.m. start, with a curfew time of 10:00 p.m., rather than 11:00 p.m.; And Further That the matter of the start time for the Regular Meetings of Council be reviewed at the end of this year.

CARRIED

Amendment:
389-2020
Moved By Councillor Larry Patterson
Seconded By Councillor Kimberly DeYong

That the start time for the Regular Meetings of Council be changed, for the summer months, to commence at 6:00 p.m., rather than the current 7:00 p.m. start, with a curfew time of 10:00 p.m., rather than 11:00 p.m.; And Further That the matter of the start time for Regular Meetings of Council be reviewed at the end of this year.

CARRIED

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

391-2020
Moved By Councillor Kimberly DeYong
Seconded By Councillor Larry Patterson

Whereas the COVID-19 Pandemic has greatly impacted the business community in the Town of Kingsville;

And Whereas the Province of Ontario has provided financial assistance including a multi-level Rent Assistance program to the business community impacted by the COVID-19 Pandemic;

And Whereas the Rent Assistance program offered by the Province of Ontario established an arbitrary cap on multi-use properties where it is common for

"residential-above-commercial" developments, especially in downtown and Main Street corridors;

And Whereas Kingsville, particularly in our downtown business centres, has several properties with residential-above-commercial where the ratio of commercial storefront businesses represents less than 30 per cent of the entire building, thus leaving a gap where local business owners cannot qualify for rent relief with their willing landlords;

And Whereas the Town of Kingsville's newly adopted Business Retention and Expansion Project Report identified that Kingsville businesses would benefit from the Province expanding the Rent Assistance program to include all commercial lease properties regardless of overall footprint.

Now Therefore Be It Resolved That the Town of Kingsville requests that the Province of Ontario expand their Rent Assistance program to include all businesses in a lease agreement within all "residential-above-commercial" properties without a cap on commercial/residential ratio;

And Finally, That this Resolution be circulated to the Premier, Doug Ford, the Minister of Finance, Rod Phillips, our local MPP Taras Natyshak, and all Ontario municipalities requesting their support.

CARRIED

K. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

1. Mayor Santos--Verbal Report RE: Multi-Sector response to Agri-sector COVID-19 outbreak

Further to his Statement read at the beginning of this Regular Meeting, Mayor Santos provided an additional verbal Report regarding the Multi-Sector response to the Agri-sector COVID-19 outbreak including testing efforts. Testing cannot be mandated, and the response teams are now back on the farms to test the workers and a report should be coming back on Tuesday, June 23 in this regard with more information. Daily updates are being provided by the Province. The Town is working collectively and collaboratively with local health practitioners, provincial and federal levels of government, the Minister of Labour and other provincial ministries and agencies to work through the complexities and reach a solution.

The following Motion was passed:

392-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Kimberly DeYong

That Council receives the verbal update Report as presented by Mayor Santos;

And Further, in recognition that current Windsor-Essex County Health Unit reports confirm that the spread of COVID-19 cases in our region as spiking due to close contact in the agricultural sector, that Council send a letter to the Premier, the Minister of Health and the Minister of Labour requesting financial assistance and provision of additional human resources where requested to enhance the collaborative effort for enhanced mobile teams for on-farm testing of agricultural employees in support of our local health partners;

And Further That The Corporation of theTown of Kingsville supports the initiation of the inspection of living quarters;

And Further that Council requests additional resources and support to our by-law enforcement officers;

And Further that Council asks Administration to provide a progress report of the ongoing agricultural and bunkhouse inspections, and provide considerations on how to support the provincial government's newly-announced directive to pursue farm inspections of living quarters including onsite testing where applicable.

CARRIED

2. Councillor DeYong reminded everyone of the upcoming Windsor-Essex June 27 Miracle Day Food Drive Event to benefit our local Food Bank. Non-perishable food items can be placed on residents' front steps on June 27, or can be dropped off at the Kingsville Arena complex.

3. Councillor Lucier indicated that she had the same announcement as iterated by Councillor DeYong above, and also commented that if the Town could arrange to promote the Miracle Day Food Drive Event on the Municipal Electronic Board, that would be great too.

L. BYLAWS

1. By-law 18-2020

393-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Laura Lucier

That Council reads By-law 18-2020, being a By-law to amend By-law 101-2004, as amended, and to Appoint Inspector under the *Building Code Act, 1992*, S.O. 1992, c. 23, a first, second and third and final time.

CARRIED

2. By-law 59-2020

394-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council reads By-law 59-2020, being a By-law to establish a certain one-foot reserve in the Town of Kingsville as a highway, a first, second and third and final time.

CARRIED

3. By-law 60-2020

395-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council reads By-law 60-2020, being a By-law to amend By-law 2-2019, as amended, being a By-law to appoint certain members of Council and individuals to boards and committees, a first, second and third and final time.

CARRIED

4. By-law 61-2020

396-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

That Council reads By-law 61-2020, being a By-law to expropriate certain lands in the Town of Kingsville along the south side of Main Street West at or near its intersection with Heritage Road a first, second and third and final time.

CARRIED

M. CONFIRMATORY BY-LAW

1. By-law 62-2020

397-2020
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council reads By-law 62-2020, being a by-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its June 22, 2020 Regular Meeting a first, second and third and final time.

CARRIED

N. ADJOURNMENT

398-2020
Moved By Councillor Thomas Neufeld
Seconded By Councillor Kimberly DeYong

That Council adjourns this Regular Meeting at 10:30 p.m.

CARRIED