



**REGULAR MEETING OF COUNCIL
MINUTES**

**Monday, April 12, 2021
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 Administration	J. Astrologo, Director of Legislative Services/Solicitor/Clerk R. Brown, Manager of Planning Services T. Del Greco, Manager of Engineering S. Kitchen, Deputy Clerk-Council Services S. Martinho, Manager of Public Works and Environmental R. McLeod, Director of Financial & IT Services A. Plancke, Director of Infrastructure & Engineering P. Valore, Chief Building Official D. Wolicki, Manager of Municipal Facilities and Property J. Norton, CAO J. Quennell, Fire Chief K. Loney, Manager of Recreation Programs and Special Events

A. CALL TO ORDER

Mayor Santos, in attendance in the Council Chambers, called the Regular Meeting to order at 6:00 p.m. All other members of Council participated in the meeting through video conferencing technology from remote locations.

B. MOMENT OF SILENCE AND REFLECTION

Mayor Santos asked members to rise to 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. CLOSED SESSION

246-2021

Moved By Councillor Tony Gaffan

Seconded By Councillor Kimberly DeYong

That Council at 6:04 p.m. enter into Closed Session to address the following items:

i) Subsection 239(2)(f) advice that is subject to solicitor-client privilege re: verbal report from Director of Legislative Services J. Astrologo re: Grass Cutting and Trimming Maintenance tender; and

ii) Subsection 239(2)(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality; being a Report from Director of Financial and IT Services R. McLeod pertaining to physician recruitment.

CARRIED

Mayor Santos noted that the third closed session item that was listed on the agenda (Closed Session Item E. iii) will be discussed at a future meeting.

F. REPORT OUT OF CLOSED SESSION

Upon rising from Closed Session at 6:46 p.m. Mayor Santos stated that Council had entered into Closed Session to address Items E.i) and ii) as described above.

RE: E.i) He reported that Council received verbal information subject to solicitor-client privilege regarding Grass Cutting and Trimming Maintenance tenders.

RE: E.ii) Mayor Santos indicated that Council was provided information and provided direction to the Management team going forward regarding physician recruitment initiatives.

G. PRESENTATIONS/DELEGATIONS

1. ERCA CAO/Sec.-Treas. Tim Byrne, Interim CFO/Director, Finance and Corporate Services Shelley McMullen and ERCA Chair Tania Jobin

Ms. Jobin explained the recent changes to the *Conservation Authorities Act*, which have widespread and significant implications for operations and program delivery in 2022, due to the provincially required bifurcation of services into mandatory and non-mandatory categories and resulting changes to the existing funding model. She highlighted key points of the budget and provided detail as to the identification of mandatory and non-mandatory services and reallocation of municipal levies to core mandated responsibilities and other duties and responsibilities as described in the Act. Mr. Byrne also addressed Council.

Following the presentation, the 2020 Annual Report video was also shown onscreen, highlighting some of the work undertaken by the authority in this community.

H. AMENDMENTS TO THE AGENDA

Councillors Neufeld and DeYong each added one Announcement.

Mayor Santos added one Announcement.

I. STAFF REPORTS

1. Night Sky Update

P. Valore--Chief Building Official, and R. Sassine--By-law Enforcement Officer

247-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Tony Gaffan

That Council directs Administration to send comments in response to the Health Canada Cannabis Consultation process (Business Correspondence Item L.12.) before the May 8, 2021 deadline.

CARRIED

248-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council receives Report RE: Night Sky Update as information as it relates to night sky compliance and the enforcement of the Odour and Nuisance By-law.

CARRIED

2. **Application for Site Plan Approval SPA/02/2021 by 1486134**
Ontario Limited 303 & 313 Main St. E., Part of Lots 2 & 3,
Concession 1 ED Parts 1 & 2, RP 12R 10381, Part 1, RP 12R
11009

R. Brown, Manager of Planning Services.

249-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Council approves Site Plan Approval Application SPA/02/2021 for a 208.6 sq. m (2,226 sq. ft.) drive-thru/dine-in restaurant on lands located on the south side of Main St. E. (303 Main St. E.), subject to the conditions and requirements outlined in the Site Plan Agreement and authorizes the Mayor and Clerk to sign the Agreement and register said Agreement on title.

CARRIED

- 3. Application for Site Plan Approval by Amico Properties Inc.
1768 Division Rd. N. Part of Lot 1, Concession 1 ED, Part 6,
RP 12R 28404**

R. Brown, Manager of Planning Services

250-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council approves Site Plan Application SPA/05/2021 for a 300 sq. m (2,691 sq. ft.) drive-thru/dine-in restaurant on lands located on the east side of Division Street North (1768 Division St. N.), subject to the conditions and requirements outlined in the Site Plan Agreement and authorizes the Mayor and Clerk to sign the Agreement and register said Agreement on title.

CARRIED

4. **Application for Site Plan Amendment SPA/08/2021 by W.
Martens' Greenhouses Ltd. 1254 Road 3 E, Part of Lot 7,
Concession 3, ED**

R. Brown, Manager of Planning Services

251-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Tony Gaffan

That Council approves Site Plan Amendment Application SPA/08/2021 for the expansion of an existing greenhouse facility including 2.77 ha (6.86 ac.) of growing area, a 1,625 sq. m (17,491 sq. ft.) pack house and expanded storm water management pond on lands located at 1254 Road 3 E., subject to the conditions and requirements outlined in the Amending Site Plan Agreement and authorizes the Mayor and Clerk to sign the Agreement and register said Agreement on title.

CARRIED

At 7:52 p.m. Mayor Santos called for a short recess and the meeting reconvened at 7:59 p.m.

5. **Road 11 Bridge over Ruscom River – Tender Results**

T. Del Greco, Manager of Engineering

252-2021

Moved By Councillor Tony Gaffan

Seconded By Councillor Kimberly DeYong

That Council awards the Road 11 Bridge over Ruscom River Tender to Intrepid General in the amount of \$924,442 (excluding HST) and authorizes the Mayor and Clerk to execute the requisite Agreement.

CARRIED

6. Clark St Watermain and Road Reconstruction

S. Martinho, Manager of Public Works and Engineering

253-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Larry Patterson

That Council awards the Clark Street Watermain and Road Reconstruction project to Sherway Contracting Limited in the amount of \$467,747.00 excluding HST and authorizes the Mayor and Clerk to execute the Agreement.

CARRIED

7. Lakeside Park Splash Pad and Washroom Facility RFP

D. Wolicki, Manager of Municipal Facilities and Property

A recorded vote was requested.

254-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council authorizes the Mayor and Clerk to execute an agreement with TCI Titan Construction Inc. in the amount of \$699,544.43 (excluding HST) for the design and construction of the Lakeside Park Splash Pad and Washroom Facility.

	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)

8. Grass Cutting and Trimming Maintenance Contract

D. Wolicki, Manager of Municipal Facilities and Property

255-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council awards the 2021 Grass Cutting and Trimming Maintenance Contract of Various Municipal Properties in the Town of Kingsville, for the period commencing April 15th, 2021 to October 31st, 2023, to CnR Landscape and Design in the amount of \$58,160.00.

CARRIED

9. Open Streets 2021

J. Norton, CAO and K. Loney, Manager of Recreation Programs and Special Events

256-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council receives the Report, and supports the Open Streets 2021 event at this stage, recognizing that things will change and Council will receive an update Report with further recommendations for Council consideration from the Senior Management Team with input from the Open Streets Advisory Committee; and Further That Council approves the timeframe of the event (every Saturday from June 19 to September 11 from 4:00 p.m. to 10:30 p.m.).

CARRIED

10. Appointment of Integrity Commissioner and Closed Meeting Investigator

J. Astrologo, Director of Legislative Services.

257-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Kimberly DeYong

That Council appoints Mary Ellen Bench as the Town's Integrity Commissioner and Closed Meeting Investigator effective April 13, 2021, and adopt the necessary appointing by-law; And That Council authorizes the Director of Legislative Services to execute the written agreement between the parties on behalf of the Town.

CARRIED

J. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--March 22, 2021

2. Regular Closed Session Meeting of Council-March 22, 2021

3. Special Meeting of Council-March 23, 2021

4. Special Closed Session Meeting of Council--March 23, 2021

258-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council adopts Regular Meeting of Council Minutes dated March 22, 2021, Regular Closed Session Meeting of Council Minutes dated March 22, 2021, Special Meeting of Council Minutes dated March 23, 2021, and Special Closed Meeting of Council Minutes dated March 23, 2021.

CARRIED

K. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Kingsville Municipal Heritage Advisory Committee--February 17, 2021

259-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Council receives Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated February 17, 2021.

CARRIED

2. Union Water Supply System Joint Board of Management--February 17, 2021

260-2021

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

That Council receives Union Water Supply System Joint Board of Management Meeting Minutes dated February 17, 2021.

CARRIED

3. Parks Recreation Arts and Culture Committee--February 18, 2021

261-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council receives Parks, Recreation, Arts and Culture Committee Meeting Minutes dated February 18, 2021 together with the following sub-committee minutes: Communities in Bloom--January 12, 2021.

CARRIED

4. Police Services Board--February 24, 2021

262-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Larry Patterson

That Council receives Police Services Board Meeting Minutes dated February 24, 2021.

CARRIED

L. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. MP Chris Lewis-Essex--Correspondence dated February 12, 2021 (received March 9, 2021) RE: National 3-Digit Suicide Prevention Hotline**
- 2. Town of Amherstburg--Correspondence dated April 6, 2021 RE: Support for National 3-Digit Suicide Prevention Hotline**
- 3. City of Windsor Decision letter dated March 8, 2021 RE: Windsor Essex County Environment Committee recommendation that the initiative by the WECSWA to develop a regional organic waste plan**
- 4. Municipality of Calvin--Resolution 2021-052 passed March 9, 2021 RE: Universal Paid Sick Days**
- 5. Kingsville BIA--Correspondence dated March 10, 2021 RE: Current internet infrastructure in the Town of Kingsville**
- 6. Kingsville BIA--Correspondence dated March 10, 2021 re rent relief Carnegie Building**
- 7. Canadian Union of Postal Workers--Resolution request received March 11, 2021 to endorse CUPW 'Delivering Community Power' Campaign**
- 8. Office of the Solicitor General--Correspondence dated March 17, 2021 RE: Update on the new OPP detachment boards under the Community Safety and Policing Act, 2019**
- 9. Ontario Fire College Closure Resolutions**
 - a. District Municipality of Muskoka--Resolution passed March 15, 2021**
 - b. Township of Edwardsburgh Cardinal--Resolution passed March 22, 2021**
- 10. Ontario Recreational Facilities Association Inc. Open Letter to OFRA Members and Industry Employers received March 19, 2021**
- 11. Town of Orangeville--Resolution passed March 22, 2021 RE: Bill 257**

12. **Debbie France, Norfolk County resident--Email dated March 28, 2021 RE: Health Canada Cannabis Consultation open for comment until May 7, 2021**
13. **Town of Cochrane--Correspondence dated March 29, 2021 RE: MeeQuam Youth Residence Closure**
14. **City of Kitchener--Correspondence dated March 31, 2021 RE: Planning Act Timelines.**
15. **Ministry of Agriculture, Food and Rural Affairs--Correspondence from Minister Hardeman dated March 31, 2021**
16. **Township of Hudson--Correspondence dated March 31, 2021 RE: Support for Fire Departments**
17. **County of Essex Administrative Report dated April 7, 2021 RE: Traffic Calming Gosfield North Public School**

263-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council receives Business Correspondence-Informational items 1 through 17.

CARRIED

264-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Tony Gaffan

That Council supports Town of Orangeville Council Resolution #2021-116 passed March 22, 2021 re: Bill 257.

CARRIED

265-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Thomas Neufeld

That Council requests further information be provided by the City of Windsor RE: City Council Decision Number CR92/2021 ETPS 810 dated March 8, 2021.

CARRIED

266-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Tony Gaffan

That Council directs that Administration provide a Report on the Kingsville BIA request dated March 10, 2021 RE: Rent relief to be provided at a future Meeting.

CARRIED

M. NOTICES OF MOTION

None.

N. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

1. Kingsville Historical Park Verbal Update by Councillor Neufeld RE: Current happenings and coming events

Councillor Neufeld provided an update pertaining to the Kingsville Historical Park. The Board has formed a working group to discuss options about the future of the organization. The Executive Board includes members of the Kingsville Legion and discussions have been held around hours, volunteers, and future plans. He described some of the initiatives that have been planned, including more social presence and a social media video campaign.

He also announced that on Sunday, June 27, 2021, as part of their 80th anniversary celebration, the 408 Tactical Helicopter Squadron out of Edmonton will be landing two to three helicopters on the grounds of the Kingsville Historical Park museum with the idea of touring the museum and allowing members of the public to meet the squadron personnel.

Councillor DeYong updated that the Main St. Development Committee met recently and provided a public presentation. One more meeting will be held and the Committee's recommendations will be coming forward to Council in the future.

Mayor Santos updated regarding the JK-12 Super School. A report will be coming forward to the April 26, 2021 Regular Meeting with site plan details.

O. BYLAWS

1. By-law 33-2021

267-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council reads By-law 33-2021, 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

2. By-law 34-2021

268-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council reads By-law 34-2021, being a By-law to appoint Mary Ellen Bench as the Integrity Commissioner and the Closed Meeting Investigator for The Corporation of the Town of Kingsville, a first, second and third and final time.

CARRIED

P. CONFIRMATORY BY-LAW

1. By-law 35-2021

269-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council reads By-law 35-2021, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its April 12, 2021 Regular Meeting a first, second and third and final time.

CARRIED

Q. ADJOURNMENT

270-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Tony Gaffan

That Council adjourns this Regular Meeting at 9:20 p.m.

CARRIED