REGULAR MEETING OF COUNCIL

MINUTES

Monday, November 8, 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 Kimberly DeYong
Councillor Tony Gaffan
Councillor Laura Lucier
Councillor Thomas Neufeld (electronic participation)
Councillor Larry Patterson

Members of Administration

R. Brown, Manager of Planning Services
P. Parker, Town Clerk
S. Hirota, Director of Legal and Clerk Services
S. Kitchen, Deputy Clerk-Council Services
R. McLeod, Director of Financial and IT Services
A. Plancke, Director of Infrastructure and Engineering
J. Norton, CAO
J. Quennell, Fire Chief
R. Wyma, Director of Community and Development Services
K. Loney, Manager of Recreation Programs and Special Events
S. Martinho, Manager of Public Works and Environmental Services

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 6:07 p.m.

B. LAND ACKNOWLEDGEMENT

Mayor Santos read the Land Acknowledgement as follows:

We acknowledge the Three Fires Confederacy (Ojibwe, Potawatomie and Odawa) and the Traditional, ancestral, unceded territory of Caldwell First Nation; the original people of Point Pelee, Pelee Island and its surrounding waters. We recognize and respect the First Natoins who are stewards of the land and waters of Turtle Island and who have embraced this stewardship since time immemorial. We would also like to acknowledge other nearby First Nations communities and First Nations across Turtle Island.

C. MOMENT OF SILENCE AND REFLECTION AND NATIONAL ANTHEM

Mayor Santos asked members to stand and observe a moment of silence, followed by singing of O'Canada by Tanner Harrison.

D. AMENDMENTS TO THE AGENDA

Councillor Lucier added one Notice of Motion and one Announcement.

Councillor Patterson added one Announcement.

Councillor Neufeld added one Unfinished Business Item and one Announcement.

E. DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest noted. 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 FROM CLOSED SESSION

Mayor Santos reported that at the end of the last Regular Meeting of Council held on October 25, 2021 Council, pursuant to the *Municipal Act, 2001*, Section 239 entered into Closed Session under Subsection (2)(c) [a proposed or pending acquisition of land by the municipality] and Subsection (2)(f) [advice that is subject to solicitor-client privilege, including communications necessary for that purpose] to discuss the West Side Collector Road. A public report will be before Council for consideration at a future public meeting.

G. PRESENTATIONS

1. Michelle Bishop, General Manager, Essex Windsor Solid Waste Authority (EWSWA) RE: Regional Food and Organics Waste Management Project

Michelle Bishop provided an information update regarding EWSWA's Regional Food and Organics Waste Management Project.

Also in attendance: Tom Marentette, EWSWA Manager of Waste Disposal; Cathy Copot-Nepszy, Manager of Waste Diversion; Steffan Brisebois, Manager of Finance and Administration and Sandra Zwiers, County of Essex Director of Financial Services/Treasurer.

616-2021
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That the presentation of Michelle Bishop, General Manager, Essex Windsor Solid Waste Authority entitled 'Regional Food, Organic and Biosolids Waste Processing' BE RECEIVED.

CARRIED

H. DELEGATIONS

1. BIA Support Hours for Holiday Decor - Christina Bedal, Kingsville BIA Coordinator

Ms. Bedal requested, on behalf of the Kingsville BIA, that Council consider authorizing an additional 50 hours of staff allotment to install the holiday decor in the BIA district.

617-2021
Moved By Councillor Larry Patterson
Seconded By Councillor Tony Gaffan

That Council authorize Administration to hire a local contractor at a cost of $2,000 to complete the works required for the installation of Kingsville BIA holiday decor.

CARRIED

2. Kenshore Lane Sewer Request - Andrea Hill

Ms. Hill presented her request on behalf of residents of Kenshore Lane for Council's consideration to install sanitary sewers on the street.

618-2021
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council support the investigation of the request as presented by Andrea Hill (on behalf of residents of Kenshore Lane) including a cost estimate of engineering for the potential installation of sewer lines on Kenshore Lane.

CARRIED

I. MATTERS SUBJECT TO NOTICE

1. DRAINAGE REPORT CONSIDERATION--BRIDGE OVER THE CAMERON-CURRY DRAIN

S. Martinho, Manager of Public Works and Environmental Services and T. Peralta, P. Eng. (N. J. Peralta Engineering Ltd.)

i) Notice of Meeting to Consider the Engineer's Report, dated October 21, 2021;

ii) Drainage Report dated April 26, 2019 for the Bridge Over the Cameron-Curry Drain (for Maurice Trepanier; Part of Lot 25, Concession 11), Town of Kingsville; N. J. Peralta Engineering Ltd. Project No. D-19-008;

iii) Proposed By-law 79-2021, being a by-law to provide for construction of a new access bridge over the Cameron-Curry Drain, Roll No.: 650-03100, in the Town of Kingsville in the County of Essex.

S. Martinho presented the Report and recommendation.

619-2021
Moved By Councillor Larry Patterson
Seconded By Councillor Laura Lucier

That Council adopt Engineer's Report for the Bridge Over the Cameron-Curry Drain (for Maurice Trepanier; Part of Lot 25, Concession 11; N. J. Peralta Engineering Ltd. Project Number D-19-008) and read By-law 79-2021 a first, second and third and final time at this Regular Meeting.

CARRIED

J. CONSENT AGENDA

1. Communities in Bloom Minutes--September 7, 2021

2. Committee of Adjustment Minutes--September 21, 2021

3. Kingsville Municipal Heritage Advisory Committee Minutes--September 21, 2021

4. Police Services Board Minutes--September 22, 2021

5. Union Water Supply System Joint Board of Management Minutes--September 22, 2021

6. Fantasy of Lights Committee Minutes--September 28, 2021 and October 4, 2021

7. Migration Festival Committee Minutes--September 28, 2021 and October 5, 2021

8. Regular Meeting of Council Minutes--October 25, 2021

9. Regular Closed Session Meeting of Council Minutes--October 25, 2021

10. Colin J. Ball and Joanne D. Ball, Residents--Correspondence dated October 25, 2021 RE: Road and edge flooding of Mettawas Lane

11. County of Essex-Correspondence from Warden McNamara and CAO Galloway to Ministry of Infrastructure dated October 27, 2021 RE: Accelerated High Speed Internet Program (AHSIP)

12. Town of Essex--Correspondence dated October 28, 2021 RE: Capital Gains Tax on Primary Residence

13. Town of Tecumseh - Correspondence re: COVID-19 and Long Term Care Homes

Deputy Mayor Queen requested that Consent Agenda Items J10 and J11 be removed for subsequent discussion.

620-2021
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Kimberly DeYong

That Council approve Consent Agenda items J1-9, J12, and J13.

CARRIED

Item J10-Colin J. Ball and Joanne D. Ball, Residents--Correspondence dated October 25, 2021 RE: Road and edge flooding of Mettawas Lane

Deputy Mayor Queen requested comments from Administration. Director Plancke advised that the Town is aware of this issue in connection with road and edge flooding and is presently working with the developer to resolve same.

621-2021
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

That Council receive the correspondence from Colin J. Ball and Joanne D. Ball dated October 25, 2021.

CARRIED

622-2021
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Laura Lucier

That Council support the County of Essex correspondence from Warden McNamara and CAO Galloway to Ministry of Infrastructure RE: Accelerated High Speed Internet Program (AHSIP).

CARRIED

K. REPORTS - COMMUNITY AND DEVELOPMENT SERVICES

1. Fantasy of Lights Update

K. Loney, Manager of Recreation Programs and Special Events provided an overview of the report.

623-2021
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Kimberly DeYong

1. **That Council approves the following streets be closed to vehicle traffic on November 20, 2021 for the Fantasy of Lights Parade;**
    - **Staging area from 4 PM to approximately 6:30 PM: Jasperson Drive (north of the driveway at Zehrs)**

- **Parade route from 5:30 PM to the end of the parade: Main Street from Jasperson Drive to the end of Division Street South.**
- **De-staging area beginning at 6:30 PM: Park Street from Division Street to 103 Park (Grovedale)**

CARRIED

2. Application for Part Lot Control Exemption by HTM Management Inc. 9, 11 & 13 Mettawas Lane Pt. of Block D, Plan 965, Pt. Water Lot in Front of Lot 1, Con

R. Brown, Manager of Planning Services provided an overview of the report.

624-2021
Moved By Councillor Tony Gaffan
Seconded By Councillor Larry Patterson

That Council enact Part Lot Control By-law 90-2021 to allow Part of Block D, Plan 965, Pt. Water Lot in Front of Lot 1, Concession 1 ED to be exempt from Section 50(5) of the Planning Act, and that Council authorize and direct Planning Services to forward the by-law to the County of Essex for final approval.

CARRIED

3. Application for Site Plan Amendment by Universal Greenhouse Structures Ltd. & 1912891 Ontario Inc. 1932 & 1956 Setterington Drive Part of Lot 12, Concession 3 ED,

R. Brown, Manager of Planning Services

625-2021
Moved By Councillor Larry Patterson
Seconded By Councillor Kimberly DeYong

That Council approve Site Plan Amendment Application SPA/25/2021 for the Phase Three and Four manufacturing space additions, 1985.73 sq. m (21,374 sq. ft.) and 1,785.84 sq. m (19,223 sq. ft.), respectively, located on lands known as 1932 and 1956 Setterington Drive, subject to the further amended terms of the site plan agreement; and,

That Council authorizes the Mayor and Clerk to sign the amending Agreement and register said Agreement on title.

CARRIED

L. REPORTS - FINANCIAL AND INFORMATION TECHNOLOGY SERVICES

No reports.

M. REPORTS - FIRE SERVICES

No reports.

N. REPORTS - INFRASTRUCTURE AND ENGINEERING SERVICES

1. Marcovecchio Industrial Park Phase 1A – Initial Acceptance

G. A. Plancke, Director of Infrastructure and Engineering

626-2021
Moved By Councillor Kimberly DeYong
Seconded By Councillor Laura Lucier

That Council initially accept Marcovecchio Industrial Park Phase 1A 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

2. Royal Oak at the Creek Phase 9 – Final Acceptance

G. A. Plancke, Director of Infrastructure and Engineering

627-2021
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

That Council grant "Final Acceptance" of the roadway and infrastructure for the Royal Oak at the Creek Phase 9 subdivision; And That the Clerk provide formal notification to the Developer (Amico Properties Inc.) of the Council decision to grant Final Acceptance of the Royal Oak at the Creek Phase 9 subdivision.

CARRIED

O. REPORTS - LEGAL AND CLERK SERVICES

1. Freedom of Information and Privacy Officer

P. Parker, Town Clerk provided an overview of the report.

628-2021
Moved By Councillor Laura Lucier
Seconded By Councillor Larry Patterson

That By-law 85-2021 being a by-law to Appoint the Clerk as Information and Privacy Officer for the Town of Kingsville for the purposes of carrying out the day to day duties of the *Municipal Freedom of Information and Protection of Privacy Act* be taken as having been read three times and finally passed and the Mayor and Clerk BE AUTHORIZED to sign same.

CARRIED

P. REPORTS - CAO's OFFICE

No reports.

Q. NOTICES OF MOTION

Councillor Lucier indicated she may at the next Regular Meeting of Council, move or cause to have moved, that a section for environmental considerations be added and addressed in all staff reports to Council under a new heading to be titled 'Environmental Considerations' beginning with the December 15 Regular Meeting.

R. UNFINISHED BUSINESS AND ANNOUNCEMENTS

Councillor Neufeld referred to a past motion wherein County Council was asked to look into a 4-way stop at County Road 34 and County Road 27 and requested an update. Deputy Mayor Queen advised that the matter is ongoing and the County is awaiting information from the Province as the Highway 3 expansion also impacts this intersection. Mayor Santos also added that County staff will be contacting the Town's Administration to speak to additional concerns about the

Highway 3 expansion project impacts on local roads. Work continues and updates will come to Council when necessary.

Councillor Patterson announced that on November 27 the Cottam Rotary Club will be selling Christmas Trees at the Cottam Rotary Park, and with the season fast approaching he invited everyone to participate in the various holiday events being offered in Cottam.

Councillor Lucier announced that the Arts Society of Kingsville continues to display local art at the Carnegie Arts and Visitor Centre and invited everyone to stop by to view the displays. She also advised that they are looking for volunteers to cover some weekend shifts. Councillor Lucier also noted that the Holiday Artisan Exhibit will be running at the Carnegie from November 10 to the 29th and there will be lovely displays of artisan product for holiday gift-giving.

Councillor Neufeld announced that on November 1 Communities in Bloom hosted its 4th annual Pumpkin Parade and he thanked the community for the pumpkin contributions and the creative carving displays. He thanked members of Council for sharing the event on social media pages.

Mayor Santos recognized that this week marks Remembrance week to honour, support and remember our veterans.

S. BYLAWS

1. By-law 79-2021

A By-law to provide for construction of a new access bridge over the Cameron Curry Drain Roll No.: 650-03100 in the Town of Kingsville, in the County of Essex

2. By-law 85-2021

A By-law to Appoint the Town Clerk as Information and Privacy Officer for the Town of Kingsville for the purposes of carrying out the day to day duties of the *Municipal Freedom of Information and Protection of Privacy Act*

3. By-law 90-2021

A By-law re Part Lot Control (HTM Management)

4. By-law 93-2021

A By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its November 8, 2021 Regular Meeting.

629-2021
Moved By Deputy Mayor Gord Queen
Seconded By Councillor Kimberly DeYong

That By-laws 79-2021, 85-2021, 90-2021, and 93-2021 be read three times and finally passed and that the Mayor and Clerk be authorized to sign same.

CARRIED

T. ADJOURNMENT

630-2021
Moved By Councillor Tony Gaffan
Seconded By Deputy Mayor Gord Queen

That Council adjourn this Regular Meeting at 7:51 p.m.

CARRIED