

REGULAR MEETING OF COUNCIL
MINUTES

Monday, January 23, 2017
7:00 PM

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 7:00 p.m.

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. PRESENTATIONS/DELEGATIONS

1. Tracy Pringle, Account Manager, Municipal Property Assessment Corporation

Ms. Pringle reviewed her PowerPoint presentation with Council.

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

Council receive the 2016 Assessment Update (Municipal Summary Report) as presented by Ms. Tracy Pringle, Account Manager, Municipal and Stakeholder Relations, Municipal Property Assessment Corporation, dated January 23, 2017.

CARRIED

2. Mary Margaret Steckle, Resident and spokesperson on behalf of other citizens of Kingsville

Ms. Steckle expressed her concerns regarding the closure of the Kingsville Public Library for more than six months. She indicated that it is the will of the people that the library be opened to them. She asked that Council act in concert with the Mayor of Leamington to oppose the plan that the libraries be staffed by management on a rotating basis with limited hours and limited service, and to use their influence to encourage library employees and library board members to return to the table.

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Sandy McIntyre

Council receive Presentation of Ms. Mary Margaret Steckle, resident of Kingsville, regarding the Essex County Library strike.

CARRIED

Mayor Santos brought forward Agenda Item N-1 being Notice of Motion of Councillor Neufeld.

N-1 Notice of Motion

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

Council, as representatives of the residents of the municipality of Kingsville, be of the respectful position that we encourage continued, meaningful dialogue between the Essex County Library Board's negotiating team and CUPE 2974.0 representing the Essex County Library Workers, and to discourage the use of non-unionized replacement staff as this could lead to an unsafe work environment and compromise public safety.

CARRIED

Resolution 71-2017 will be forwarded to the Essex County Library Board.

F. MATTERS SUBJECT TO NOTICE

PUBLIC MEETING -- Consideration of Amendments to Fees and Charges By-law, Water Rates and Sewage Rates By-law, and Building Services By-law

Public Notice, dated January 6, 2017.

1. 2017 Fees By-law Amendment Proposals

J.Astrologo, Director of Corporate Services, dated January 9, 2017.

Director Astrologo reviewed her Report.

There were no questions or comments from anyone in attendance in the audience.

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Sandy McIntyre

Council direct that the Notary Public services be maintained by the municipality and to remain in the Fees and Charges by-law.

CARRIED

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Sandy McIntyre

Council pass By-law 9-2017, being a By-law to impose fees and charges by The Corporation of the Town of Kingsville, as amended.

CARRIED

2. Building Department Fee Changes 2017

J. Astrologo, Director of Corporate Services, Report dated January 13, 2017

Ms. Astrologo reviewed the Building Department Fee changes as detailed in her report.

There were no comments or questions from anyone in attendance in the audience.

Moved By Councillor Sandy McIntyre

Seconded By Councillor Tony Gaffan

Council pass By-law 11-2017, being a by-law to Regulate Permits Issued Under the Building Code Act, Set Fees, and Establish a Code of Conduct for the Chief Building Official and Inspectors, at this Regular Meeting.

CARRIED

3. Water and Wastewater Rates

R. McLeod, Manager of Financial Services, Reports dated January 6, 2017

1. 2017 Water Rates

There were no questions or comments from anyone in attendance in the audience.

2. 2017 Wastewater Rates

Mr. McLeod presented his report pertaining to 2017 Waste Water Rates, outlining the proposed sewage rates to be implemented as of April 1, 2017.

Comments from the audience: Ms. Joanne Winger, 104 Fox Street, Cottam--Ms. Winger read aloud from prepared notes indicating her concerns pertaining to the Cottam Lagoons. Mayor Santos explained to Ms. Winger that the Public Meeting and discussion this evening is for 2017 Wastewater Rates; that the concerns she spoke of have been responded to by Administration on many occasions in past years.

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

Council approve the Water Rates and Wastewater Rates as proposed, effective April 1, 2017.

CARRIED

G. AMENDMENTS TO THE AGENDA

Deputy Mayor Queen added one Notice of Motion.

Councillor Neufeld added one Update.

H. ADOPTION OF ACCOUNTS

None.

I. STAFF REPORTS

1. 2016 Year End Activity Report

P. Valore, Chief Building Official, dated January 13, 2017.

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

Council receive information report from P. Valore, Chief Building Official dated January 13, 2017 for the purpose of updating on the current status of the 2016 Building and By-law activity

CARRIED

2. Municipal Election Act Amendments and Ranked Ballots

J. Astrologo, Director of Corporate Services / J. Alexander, Deputy Clerk-Administrative Services, dated January 16, 2017

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

That Council receives the Municipal Elections Act Amendments and Ranked Ballots report for information and that the first-past-the-post election model is maintained for the 2018 municipal election.

CARRIED

3. Town of Kingsville Strategic Plan

P. Van Mierlo-West, CAO, dated January 19, 2017

Moved By Deputy Mayor Gord Queen
Seconded By Councillor Sandy McIntyre

That the Draft Strategic Plan approval be deferred pending the scheduling of a further Council / Staff Strategic Plan Workshop.

CARRIED

J. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. The Royal Canadian Legion Ontario Command

Correspondence request from B. Weaver, President RE: Request for support (1/10 pg. business card size advertisement) of 3rd annual 'Military Service Recognition Book'

Moved By Councillor Larry Patterson
Seconded By Councillor Tony Gaffan

Council support request of the Royal Canadian Legion Ontario Command to support the Military Service Recognition Book by way of purchasing space of 1/10 page for business card size ad at the cost of \$275.00 including HST

CARRIED

2. Heart and Stroke Foundation

Correspondence dated December 12, 2016 requesting that the Town proclaim February 2017 as Heart Month in the Town of Kingsville

Moved By Councillor Thomas Neufeld
Seconded By Councillor Tony Gaffan

WHEREAS: Heart disease or stroke takes a Canadian life every 7 minutes;

AND WHEREAS: Heart & Stroke's Mission is to prevent disease, save lives and promote recovery;

AND WHEREAS: February is Heart Month in Canada, during which Heart & Stroke Canvassing Campaign takes place, to support on-going heart disease and stroke life-saving research, health promotion and advocacy;

AND WHEREAS: The Town of Kingsville applauds and commends the thousands of volunteers, staff and researchers of Heart & Stroke for their dedication and commitment and wish them continued success;

NOW THEREFORE BE IT RESOLVED THAT the month of February be observed as "Heart Month" in the Town of Kingsville.

CARRIED

K. MINUTES OF THE PREVIOUS MEETINGS

- 1. Regular Meeting of Council--January 9, 2017**
- 2. Regular 'Closed Session' Meeting of Council--January 9, 2017**

Moved By Councillor Sandy McIntyre

Seconded By Deputy Mayor Gord Queen

Council adopts the Regular Meeting of Council Minutes, dated January 9, 2017 as amended (to add omitted Motion 10-2017) and Council adopt the Regular 'Closed Session' Meeting Minutes, dated January 9, 2017.

CARRIED

- 3. Special Meeting of Council--January 10, 2017**

Moved By Councillor Tony Gaffan

Seconded By Deputy Mayor Gord Queen

Council adopts the Special Meeting of Council Minutes, dated January 10, 2017.

CARRIED

L. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Parks, Recreation, Arts and Culture Committee--October 20, 2016

Moved By Councillor Sandy McIntyre

Seconded By Councillor Thomas Neufeld

Council receive Parks, Recreation, Arts and Culture Committee Meeting Minutes dated October 20, 2016 together with Minutes of the following sub-committees: Migration Festival-August 30, 2016; Older Adults Advisory Committee-- September 15, 2016; Mettawas Fundraising- September 6, 2016; and Fantasy of Lights--August 30, 2016

CARRIED

2. Tourism and Economic Development Committee--November 10, 2016

Moved By Councillor Tony Gaffan

Seconded By Councillor Larry Patterson

Council receive Tourism and Economic Development Committee Meeting Minutes dated November 10, 2016

CARRIED

3. Kingsville BIA--December 13, 2016

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

Council receive Kingsville BIA Meeting Minutes dated December 13, 2016

CARRIED

4. Kingsville Municipal Heritage Advisory--December 13, 2016

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

Council receive Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated December 13, 2016.

CARRIED

5. Committee of Adjustment--October 18, 2016

Moved By Councillor Sandy McIntyre

Seconded By Councillor Thomas Neufeld

Council receive Committee of Adjustment Meeting Minutes dated October 18, 2016

CARRIED

M. BUSINESS CORRESPONDENCE-INFORMATIONAL

1. Town of Greater Napanee

Correspondence dated January 9, 2017 RE: Resolution requesting a moratorium on the Accommodation Review Process.

2. Ministry of Citizenship and Immigration

Correspondence inviting the Town of Kingsville to participate in two of Ontario's volunteer recognition programs for 2017 (the Ontario Medical for Young Volunteers and The Ontario Volunteer Service Awards)

3. Municipality of Calvin

Correspondence dated January 18, 2017 RE: Resolution 2017-002 - Support for Fire Dept. Infrastructure

4. Windsor-Essex County Health Unit

Correspondence dated January 2, 2017 to The Hon. Dr. Eric Hoskins, Minister of Health and Long-Term Care RE: Resolution regarding the Expansion of Provincial Publicly Funded Dental Health Programs for Adults with Low Incomes

5. Township of Montague

Correspondence dated December 22, 2016 RE: Township of Montague
Resolution 336-2016-Fire Protection

6. Township of Montague

Correspondence dated December 22, 2016 RE: Resolution 332-2016
supporting Tay Valley's Resolution C-2016-11-12, Hydro One's Strategy
Regarding Hydro Costs

7. Township of Montague

Correspondence dated December 22, 2016 RE: Resolution 334-2016,
Hydro Rates for Rural Customers

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

Council receives Information Items 1 through 7.

CARRIED

N. NOTICES OF MOTION

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

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Sandy McIntyre

That Council be provided with a report referenced in the October 31, 2016
Special Meeting of Council RE: Medical Centre Proposed Lease regarding
the status of the other agreements with medical facilities and the ability to
enter into an agreement which extends beyond the term of Council, by the
next Regular Meeting.

CARRIED

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

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

Council be provided with the detail as to the date and time of the Public Input Sessions planned by the Parks and Recreation Program Manager and the Manager of Municipal Facilities and Property to gain the public input required in respect to the property commonly known as King's Landing or The Grovedale House, by the next Regular Meeting of Council

CARRIED

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

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

THAT Administration provide Council with a detailed cost estimate for the in-depth review of the Parks Master Plan with such scope and detail as was provided by the original firm that provided the 2013 plan. Such detail and estimated cost to be provided prior to December 31, 2017.

CARRIED

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

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Sandy McIntyre

That Council receive an update in respect to the Ontario Greenhouse Vegetable Growers' Request for Kingsville Sanitary Sewer Expansion and bring back a report to Council within 90 days.

CARRIED

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

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council be provided with an update in respect to flooding that was report (2015) to have occurred to the lower level of the housing at Mettawas Residential Development by June 30, 2017.

CARRIED

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

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

Council be provided with a status update in respect to the site commonly known as ATI. Such report may include an update noting the current status of any legal actions between the property owners, ATI, and the Town of Kingsville, compliance with site plan agreement, etc. within 90 days.

CARRIED

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

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

Council be provided with information, by June 30, 2017 as to the state of any dredging that may be undertaken at Kingsville Harbour in 2017

CARRIED

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

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

A request for follow-up information to be provided to Council on the following matter: Home Office and Contractor's Yard Construction County Road 20, North side: 1552843 Ontario Ltd. o/a Noah Homes by the end of 2017.

CARRIED

O. UNFINISHED BUSINESS, ANNOUNCEMENT, AND UPDATES

Deputy Mayor Queen inquired as to whether the Windsor-Essex County Health Unit was extended an invitation to appear before Council pertaining to beach water sampling. Director Astrologo advised that the date of April 10, 2017 has been set for the delegation.

Councillor Neufeld advised that he recently attended a 'Toronto Abilities Expo' workshop and that further information will be brought forward in this matter to the Kingsville Accessibility Advisory Committee.

P. BYLAWS

1. By-law 4-2017

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

Council read By-law 4-2017, being a by-law authorizing the Borrowing of money to meet current expenditures of The Corporation of the Town of Kingsville a first, second and third and final time.

CARRIED

2. By-law 5-2017

Moved By Councillor Sandy McIntyre

Seconded By Councillor Tony Gaffan

Council read By-law 5-2017, being a by-law to provide for an Interim Tax Levy and to provide for the payment of taxes, a first, second and third and final time.

CARRIED

3. By-law 9-2017

Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

Council read By-law 9-2017, being a by-law to impose fees and charges by The Corporation of the Town of Kingsville a first, second and third and final time

CARRIED

4. By-law 10-2017

Moved By Deputy Mayor Gord Queen
Seconded By Councillor Larry Patterson

Council read By-law 10-2017 being a By-law to impose a Water Rate and Sewage Rates, a first, second and third and final time.

CARRIED

5. By-law 11-2017

Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

Council read By-law 11-2017, being a By-law to Regulate Permits Issued Under the Building Code Act, Set Fees and Establish a Code of Conduct for the Chief Building Official and Inspectors, a first, second and third and final time.

CARRIED

6. By-law 12-2017

Moved By Deputy Mayor Gord Queen
Seconded By Councillor Tony Gaffan

Council read By-law 12-2017, being a by-law to designate a certain property, including land and buildings, known as The Cowan-Valentine House (107 Elm St., Kingsville) as being of cultural heritage value or

interest under the provisions of the Ontario Heritage Act, R.S.O. c. O.18 as amended, a first, second and third and final time

CARRIED

Q. CLOSED SESSION

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

Council, at 9:19 p.m. and pursuant to Section 239(2) of the Municipal Act, 2001, entered into Closed Session to address the following items:

1. Section 239(2)(d) labour relations or employee negotiations, being Report of Human Resource/Office Manager A. Lonsbery RE: Staff Compensation;
2. Section 239(2)(d) labour relations or employee negotiations, being Report of Human Resource/Office Manager A. Lonsbery RE: Building Department Staffing Levels;
3. Section 239(2)(c) a proposed or pending acquisition or distribution of land by the municipality or local board, being verbal report by P. Van Mierlo-West RE: Agreement of Purchase and Sale with Edward Remark & Sons Limited;
4. Section 239(2)(d) labour relations or employee negotiations, being I.B.E.W., Local 636, Application for Certification;
5. Section 239(2)(d) labour relations or employee negotiations, being Personnel Committee Meeting Minutes of October 12, 2016; and
6. Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, being verbal report of CAO P. Van Mierlo-West RE: a member of Senior Administration.

CARRIED

1. **Section 239 (2)(d) labour relations or employee negotiations, being Report of Human Resources/Office Manager, Angela Lonsbery RE: Staff Compensation**

2. **Section 239 (2)(d) labour relations or employee negotiations, being Report of Human Resources/Office Manager, Angela Lonsbery RE: Building Department Staffing Levels**
3. **Section 239 (2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board, being verbal report by P. Van Mierlo-West RE: Agreement of Purchase and Sale with Edward Remark and Sons Limited**
4. **Section 239 (2)(d) labour relations or employee negotiations, being I.B.E.W., Local 636, Application for Certification**
5. **Section 239 (2)(d) labour relations or employee negotiations, being Personnel Committee Meeting Minutes of October 12, 2016**
6. **Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees being verbal report of CAO P. Van-Mierlo West RE: a member of Senior Administration**

R. REPORT OUT OF CLOSED SESSION

Mayor Santos reported out of Closed Session with respect to Items Q-1 and Q-2 (being Section 239(2)(d) labour relations or employee negotiations, Report of A. Lonsbery RE: Staff Compensation dated January 16, 2017; and 239(2)(d) labour relations or employee negotiations, Report of A. Lonsbery RE: Building Department Staffing Levels, dated January 16, 2017, respectively) noting that a motion is required.

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

Council approve an Economic Adjustment Increase as recommended for all non-union employees effective January 1, 2017; and further, Council approve the hiring of one (1) full-time Building Inspector / By-law Officer position.

CARRIED

S. CONFIRMATORY BY-LAW

1. **By-law 15-2017**

Moved By Deputy Mayor Gord Queen
Seconded By Councillor Thomas Neufeld

Council read By-law 15-2017, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its January 23, 2017 Regular Meeting a first, second and third and final time.

CARRIED

T. ADJOURNMENT

Moved By Councillor Larry Patterson
Seconded By Councillor Sandy McIntyre

Council adjourn this Regular Meeting at 10:01 p.m.

CARRIED