REGULAR MEETING OF COUNCIL

MINUTES

Monday, January 8, 2018
7:00 PM
Council Chambers
2021 Division Road N
Kingsville, Ontario N9Y 2Y9

Members of Council	Mayor Nelson Santos Councillor Susanne Coghill Councillor John Driedger Councillor Tony Gaffan Councillor Thomas Neufeld Councillor Larry Patterson
	Absent: Deputy Mayor Gord Queen (on personal business)
Members of Administration	J. Astrologo, Director of Corporate Services R. Brown, Manager of Planning & Development Services Jennifer Galea, Human Resources Manager S. Kitchen, Deputy Clerk-Council Services R. McLeod, Manager of Financial Services P. Van Mierlo-West, CAO S. Zwiers, Director of Financial Services

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 singing of O'Canada.

C. SINGING 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. Michelle Johnson, 2nd Vice President of the Canadian Union of Postal Workers (CUPW) (Request dated Nov. 15 2017 received from Diane Mitchell, National Co-Ordinator, SAVE CANADA POST campaign)

Ms. Johnson addressed Council stating that she is now the Retired Past 2nd Vice President of CUPW. Phil Lyons, President, CUPW Local 630, was also in attendance.

1-2018
Moved By Councillor Larry Patterson
Seconded By Councillor John Driedger

Council direct Administration to forward letter of support in the form provided to The Hon. Minister Carla Qualtrough, Minister of Public Services and Procurement as per delegation request of Canadian Union of Postal Workers, with copy to the Officer of the Prime Minister, the President of CUPW, the local MP, and D. Mitchell, National Co-Ordinator, Save Canada Post Campaign.

CARRIED

2. Mary Birch on behalf of Birch and Kerr Families--Request dated December 11 2017 RE: Proposed 2018 waterworks petition to be submitted for Road 11 from North Talbot Road to the residence located at 130 Road 11.

Ms. Mary Birch, speaking on behalf of the Birch and Kerr Families on Road 11, addressed Council, providing background on the Birch and Kerr families' concerns. She stated that there have been requests for water on Road 11 for the last 40 years. The well water to the properties is sulphurous and corrosive. Water filtrational systems are costly. She stated that she is aware of two houses and a barn that have been lost due to fires.

Ms. Birch distributed an aerial map identifying the portion of Road 11 from North Talbot Road to the residence located at 130 Road 11. She advised that the proposed 2018 petition would involve 16 properties, and 9 owners are interested. She requested that Council continue its commitment to fund the cost of the

hydrants on this project. The residents want safe, clean drinking water; not water that is full of black sulphur or silt. She thanked Council for their time and consideration.

2-2018
Moved By Councillor Tony Gaffan
Seconded By Councillor Susanne Coghill

That Council defer consideration of Ms. Birch's request, as a representative of the Birch and Kerr Families on Road 11, until such time as the Road 11 waterline petition is formally presented to Council with an accompanying report from Administration.

CARRIED

3. Dave Hunt, Member, Kingsville Tourism and Economic Development Committee--6-month Committee update (Powerpoint and video presentations)

Dave Hunt presented the video and powerpont presentation.

3-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Thomas Neufeld

That Council receive the Kingsville Tourism and Economic Development Committee 6-month Committee update as presented by Mr. Dave Hunt.

CARRIED

F. MATTERS SUBJECT TO NOTICE

1. PUBLIC MEETING --Application for Zoning By-law Amendment ZBA/23/17 by Robert & Rosanne Marie Blakesleay and Steckle Farms Ltd., c/o Peter Steckle, 69 Road 8 West and Road 8 West (No Address), Part of Lots 5, 6 & 7, Concession 8

R. Brown, Manager of Planning and Development Services

i) Report of R. Brown, dated December 28, 2018

ii) Proposed By-law 7-2018, being a By-law to amend Comprehensive Zoning By-law 1-2018 of The Corporation of the Town of Kingsville

Mr. Brown presented his Planning Report.

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

4-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Tony Gaffan

Council approve Zoning By-law Amendment application ZBA/23/17 to rezone the subject lands as a condition of consent File B/12/17 from 'Agriculture (A1)' to 'Agriculture – Restricted (A2)' on lands known as 69 Road 8 West and VL NS Road 8 West, in Part of Lots 5, 6 and 7, Concession 8, Town of Kingsville and adopt the implementing by-law.

CARRIED

G. AMENDMENTS TO THE AGENDA

Councillor Patterson added one announcement.

H. ADOPTION OF ACCOUNTS

1. Town of Kingsville Accounts for the monthly period ended December 31, 2017 being TD cheque numbers 0063958 to 0064296 for a grand total of $1,525,310.88

5-2018
Moved By Councillor John Driedger
Seconded By Councillor Tony Gaffan

Council approve Town of Kingsville Accounts for the monthly period ended December 31, 2017 being TD cheque numbers 0063958 to 0064296 for a grand total of $1,525,310.88

CARRIED

I. STAFF REPORTS

1. 2017 DC Background Study Additional Information

S. Zwiers, Director of Financial Services

Ms. Zwiers presented her Report providing the additional information requested as part of the public meeting held on December 11, 2017. She noted that the Report includes Appendix D, being the Addendum Report prepared by Watson and Associates, which addresses the issue of unifying the urban rates.

6-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Susanne Coghill

That the Greenhouse Sector be exempt from development charges but the bunk houses be included in the Residential category.

LOST

7-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Susanne Coghill

That Council defer the consideration of the recommendations and direct Administration to report on all the different options pertaining to the Greenhouse Sector, so that Council can make a sound decision that would be fair and equitable, with a one-year phase-in period for development charges for the Greenhouse Sector.

LOST

8-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Susanne Coghill

That the Greenhouse Sector be charged only the highway portion of services, and further that the Greenhouse Sector be more narrowly defined to only include the non-growing areas of development.

CARRIED

9-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Larry Patterson

That Council approve the balance of the Recommendations made in Chapter 7 of the Town of Kingsville Development Charge Background Study dated November 8, 2017.

CARRIED

10-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor John Driedger

That Council receives the Addendum Report (of Watson & Associates Economists Ltd.) to the Town of Kingsville Development Charge Background study, dated December 28, 2017.

CARRIED

11-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Larry Patterson

That Council receive the balance of the Report of S. Zwiers for information and direct Administration to bring back the amended By-law 1-2018 (being a by-law to establish development charges in the Town of Kingsville for the period from February 1, 2018 to January 31, 2023) to the next Regular Meeting of Council.

CARRIED

Ms. Zwiers indicated that as this would be her last report presented to this Council, she thanked Council for the opportunity to work for the Town. Council also thanked Ms. Zwiers for her guidance, expertise, and valuable contributions to the Town throughout her 14 years of service.

Mayor Santos called for a recess at 8:55p.m. and the meeting reconvened at 9:04 p.m.

2. Application for Site Plan Approval--SPA/19/17--14 Cameron Sideroad, Part of Lot 275, Concession STR, Part 3, RP 12R 21550

R. Brown, Manager of Planning and Development Services.

12-2018
Moved By Councillor Larry Patterson
Seconded By Councillor John Driedger

That Council approve site plan control application SPA/19/17 for property located at 14 Cameron Sideroad to permit the construction of a 540 sq. m (5,820 sq. ft.) addition to the existing industrial building and authorize the Mayor and Clerk to sign the site plan agreement and register said agreement on title

CARRIED

3. 2nd to 4th Quarter Site Plan Update

R. Brown, Manager of Planning and Development Services

13-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor John Driedger

Council adopt the report for information purposes for the approved site plan amendments at 3069 Graham Side Road, 1414 and 1876 Seacliff Drive, 876 (check this address) Road 2 E, 2035 Spinks Drive and 140 Wigle Ave. and for the approved site plans at 3518 McCain Side Road, 1556 County Road 34 and 808 Seacliff Drive, and authorize the Mayor and Clerk to sign the associated site plan agreements or amendments to existing agreements and register said agreements on title.

CARRIED

4. Revised Job Description Director of Financial Services/ Treasurer

J. Galea, Human Resources Manager

14-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Thomas Neufeld

That Council approve the revised Director of Financial Services/ Treasurer job description.

CARRIED

5. 2018 Cat Spay and Neuter Voucher Program

R. Baines, Deputy Clerk-Administrative Services

15-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Thomas Neufeld

That Council receive the 2018 Cat Spay and Neuter Voucher Program Report for information and defer the 2018 Voucher Program until budget is approved.

CARRIED

6. 2018 Cat Intake Program – Windsor Essex County Humane Society

R. Baines, Deputy Clerk-Administrative Services

16-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Susanne Coghill

That Council receive the 2018 Cat Intake Program Report and approve the agreement between the Windsor/Essex County Humane Society and the Town of Kingsville for the continuation of the 2018 Cat Intake Program.

CARRIED

7. Draft 2018 Accessibility Plan for the Town of Kingsville

R. Baines, Deputy Clerk-Administrative Services

17-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Thomas Neufeld

That Council endorse the 2018 Accessibility Plan, as amended, and to review the plan every 12 months.

CARRIED

J. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. Mayor Santos - Verbal Report RE: Personnel Committee appointments

Mayor Nelson Santos reported that the Personnel Committee has recommended the appointments of Councillors Driedger and Coghill to serve as members of the Personnel Committee for the balance of the Council term.

18-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Tony Gaffan

That Councillors John Driedger and Susanne Coghill be appointed to serve as members of the Personnel Committee for the balance of the Council term and that the by-law be amended to reflect the update.

CARRIED

K. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--December 11, 2017

2. Regular 'Closed Session' Meeting of Council--December 11, 2017

19-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor John Driedger

That Council adopt Regular Meeting of Council Minutes dated December 11, 2017 and Regular "Closed Session" Meeting Minutes dated December 11, 2017.

CARRIED

L. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Kingsville Accessibility Advisory Committee--June 22, 2017

20-2018
Moved By Councillor Thomas Neufeld
Seconded By Councillor Susanne Coghill

That Council receive Kingsville Accessibility Advisory Committee Meeting Minutes, dated June 22, 2017.

CARRIED

2. Tourism and Economic Development Committee--October 5, 2017

21-2018
Moved By Councillor Tony Gaffan
Seconded By Councillor Larry Patterson

That Council receive Tourism and Economic Development Committee Meeting Minutes, dated October 5, 2017.

CARRIED

3. Kingsville Municipal Heritage Advisory--November 8, 2017

22-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Tony Gaffan

That Council receive Kingsville Municipal Heritage Advisory Committee Meeting Minutes, dated November 8, 2017.

CARRIED

4. Kingsville BIA--November 15, 2017

23-2018
Moved By Councillor Larry Patterson
Seconded By Councillor John Driedger

That Council receive Kingsville BIA Minutes, dated November 15, 2017.

CARRIED

M. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. **Town of Amherstburg--Correspondence dated December 20, 2017 RE: Negative Impacts of Bill 148**
2. **Town of Amherstburg--Correspondence dated December 20, 2017 RE: On-Call Provisions in Bill 148**
3. **Town of Amherstburg--Correspondence dated December 20, 2017 RE: Provincial Flood Insurance Program**
4. **Town of Amherstburg--Correspondence dated December 20, 2017 RE: Tenanted Farm Tax Class**
5. **Minister of Municipal Affairs / Minister of Government and Consumer Services--Correspondence dated December 15, 2017 RE: Update on Bill 159, Putting Consumers First Act (Consumer Protection Statute Law Amendment), 2017**
6. **City of Clarence-Rockland--Resolution passed December 4, 2017 RE: Bill 160, Strengthening Quality and Accountability for Patients Act, 2017**
7. **Minister of Finance--Correspondence from The Hon. Charles Sousa received January 2, 2018**
8. **Minister of Infrastructure--Correspondence from The Hon. Bob Chiarelli dated January 3, 2018**

24-2018
Moved By Councillor Larry Patterson
Seconded By Councillor Susanne Coghill

That Council receive information items 1-8.

CARRIED

N. NOTICES OF MOTION

O. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

Councillor Patterson thanked the Municipal Services staff for the great job they did over the holidays keeping the roads clear.

P. BYLAWS

1. By-law 1-2018

By-law 1-2018 will be presented at the next Regular Meeting of Council.

2. By-law 2-2018

25-2018
Moved By Councillor John Driedger
Seconded By Councillor Larry Patterson

That Council read By-law 2-2018, being a by-law to authorize the entering into of a Contribution Agreement with The Leamington & Area Family Health Team a first, second and third and final time.

CARRIED

3. By-law 3-2018

26-2018
Moved By Councillor John Driedger
Seconded By Councillor Susanne Coghill

That Council read By-law 3-2018, being a By-law authorizing the entering into of an Agreement for Project Management Services with Ontario Clean Water Agency in connection with the Engineering, Procurement and Construction of the Clean Water and Wastewater Fund (CWWF) Projects (OCWA Project No. 17-038-03 and 17-038-05) a first, second and third and final time.

CARRIED

4. By-law 4-2018

That Council read By-law 4-2018, being a By-law appointing Members to the Committee of Adjustment for the 2018 calendar year a first, second and third and final time.

27-2018
Moved By Councillor John Driedger
Seconded By Councillor Tony Gaffan

That Council read By-law 4-2018, being a by-law appointing members to the Committee of Adjustment for the 2018 calendar year, a first, second and third and final time.

CARRIED

5. By-law 5-2018

That Council read By-law 5-2018, being a by-law to authorize the entering into of an Agreement with South Essex Community Council, operating as Erie Shore Community Transit, a first, second and third and final time.

28-2018
Moved By Councillor John Driedger
Seconded By Councillor Thomas Neufeld

That Council read By-law 5-2018, being a By-law authorizing the entering into of an Agreement with South Essex Community Council, operating as Erie Shore Community Transit, a first, second and third and final time.

CARRIED

6. By-law 7-2018

That Council read By-law 7-2018, being a by-law to amend By-law 1-2014, the comprehensive Zoning By-law for the Town of Kingsville (ZBA/23/17) a first, second and third and final time.

29-2018
Moved By Councillor John Driedger
Seconded By Councillor Thomas Neufeld

That Council read By-law 7-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/23/17), a first, second and third and final time.

CARRIED

7. By-law 8-2018

That Council read By-law 8-2018, being a By-law to amend By-law 101-2004, as amended, and to appoint an Acting Treasurer of the Town of Kingsville a first, second and third and final time.

30-2018
Moved By Councillor John Driedger
Seconded By Councillor Larry Patterson

That Council read By-law 8-2018, being a By-law to amend By-law 101-2004, as amended, and to appoint an Acting Treasurer of The Corporation of the Town of Kingsville, a first, second and third and final time.

CARRIED

8. By-law 9-2018

31-2018
Moved By Councillor John Driedger
Seconded By Councillor Susanne Coghill

That Council read By-law 9-2018, being a By-law authorizing the entering into of a Transfer Payment Agreement for the Ontario Municipal Commuter Cycling (OMCC) Program with Her Majesty the Queen in right of Ontario, as represented by the Minister of Transportation for the Province of Ontario, a first, second and third and final time.

CARRIED

Q. CLOSED SESSION

32-2018
Moved By Councillor Susanne Coghill
Seconded By Councillor Tony Gaffan

Pursuant to Section 239(2) of the *Municipal Act, 2001* Council, at 9:46 p.m., moved into Closed Session to address the following item:

Status update by CAO P. Van Mierlo-West RE: Agreement of Purchase and Sale with Edward Remark & Sons Limited (Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board)

CARRIED

R. REPORT OUT OF CLOSED SESSION

Upon rising from Closed Session at 10:00 p.m. Mayor Santos reported that Council received an update report from CAO P. Van Mierlo-West respecting the Agreement of Purchase and Sale with Edward Remark & Sons Limited and provided direction on the process.

S. CONFIRMATORY BY-LAW

1. By-law 10-2018

33-2018
Moved By Councillor John Driedger
Seconded By Councillor Larry Patterson

That Council read By-law 10-2018, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its January 8, 2018 Regular Meeting a first, second and third and final time.

CARRIED

T. ADJOURNMENT

34-2018
Moved By Councillor Tony Gaffan
Seconded By Councillor Thomas Neufeld

Council adjourn this Regular Meeting of Council at 10:01 pm.

CARRIED