



**REGULAR MEETING OF COUNCIL
MINUTES**

Monday, May 14, 2018

7:00 PM

Council Chambers

2021 Division Road N

Kingsville, Ontario N9Y 2Y9

Members of Council	Mayor Nelson Santos Deputy Mayor Gord Queen Councillor Susanne Coghill Councillor John Driedger Councillor Tony Gaffan Councillor Thomas Neufeld Councillor Larry Patterson
Members of Administration	J. Astrologo, Director of Corporate Services R. Brown, Manager of Planning Services M. Durocher, Parks & Recreation Program Manager T. Del Greco, Manager of Municipal Facilities and Property S. Kitchen, Deputy Clerk-Council Services R. McLeod, Director of Financial Services C. Parsons, Fire Chief A. Plancke, Director of Municipal Services K. Vegh, Drainage Supervisor P. Van Mierlo-West, CAO

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 to be followed by the singing 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. Presentation of Certificates of Recognition to Erie North Shore Midget Minors on their Ontario Minor Hockey Association (OMHA) Championship Season

Mayor Santos introduced the Erie North Shore Midget Minors and welcomed the team managers, coaches, family members and friends also in attendance this evening. Certificates of Recognition were presented to:

Team Manager Kevin Wright; Head Coach Saundro Del Brocco, Team Coaches Tim Woolner, Alex Dunmore (absent), Jacob Huggard (absent), Conner Mackinnon (absent), and Team Manager Jason Mckee (absent), and OMHA Championship team members Alex Riddiford, Hayden Carrier, Shannon Olson, Heath Mckee, Caden Gomes, Jackson Ford, Kean Bell, Cole Dumouchelle, Matt Bradfield, Austin Severino, Tate Wright, Mckinnon Woolner, Nolan Byron, Chase Paquette (absent), Brendan Jenner (absent), Kaden Brennan (absent), Owen Scratch (absent) and Braden Zuidema (absent).

2. Stan Johnson and Corey Versnel, Residents--Request dated April 18, 2018 RE: Request for improvements of Road 2 East from Kratz Sideroad to Union Avenue

Corey Versnel expressed concerns regarding the condition of Road 2 East from the Kratz Sideroad to Union Avenue. He stated that Road 2 East is not smooth, nor level. He advised that some produce truck drivers choose to not use the road at all to avoid any damage to their produce, and that farmers driving their tractors must slow down at certain sections due to the road's disrepair (eg. holes and ruts near 832 and 721 Rd. 2 E., near the Graham Sideroad, and at the Chrysler Greenway intersection). He stated that by his estimation, traffic counts on Road 2 East approximate 5,000 vehicles per day and traffic is steadily increasing.

308-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council receives the presentation of Corey Versnel and Stan Johnson regarding the condition of Road 2 East from Kratz Sideroad to Union Ave.; and further, directs Administration to prepare a Report for Council consideration.

CARRIED

**3. Melissa Tremaine-Snip, Resident--Request dated April 26, 2018
RE: Spokesperson on behalf of a group of concerned citizens about the glow coming off of greenhouses and how it affects the natural environment and citizens of Kingsville**

Ms. Tremaine-Snip is concerned about the "greenhouse glow", specifically the night-time glow, coming off the greenhouses in Kingsville.

She is concerned about airspace jurisdictions re: piloting, and encouraged that Kingsville be pro-active in stopping that from becoming an issue here. She explained that children and adults experience a disconnect from the natural environment as a result of the glow. She suggested that scientific evidence exists that the glow disrupts the circadian rhythm, affecting plant and animal life including amphibians, fish, birds and mammals, and that the glow can be seen from many kilometers away. Finally, Ms. Tremaine-Snip stated that the glow is light pollution and someone should be held accountable. She suggested various compromises: the temporary solution of turning the lights off from dusk until 2 a.m.; mandated dimming; a requirement that light be directed downwards; or the permanent solution--black-out blinds. Ms. Tremaine-Snip asked Council to recognize that there is an affect on our citizens and she is looking for answers.

309-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Council directs Administration to a prepare a Report in connection with the 'greenhouse-glow' concerns and to consult with the greenhouse industry; and further, to provide such report within ninety (90) days.

CARRIED

F. MATTERS SUBJECT TO NOTICE

**1. PUBLIC MEETING--Application for Zoning By-law Amendment ZBA/07/18
1541 County Road 34 Part of Lot 9, Concession 3 ED**

R. Brown, Manager of Planning Services

i) Notice of Complete Application and Public Meeting: Zoning By-law Amendment dated April 23, 2018;

ii) Report of R. Brown, dated May 4, 2018;

iii) Proposed By-law 52-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville

Mr. Brown presented the Planning Report and fielded questions of Council.

Comments from the public:

Fred Driedger, 930 Road 4 East, asked what other greenhouses have existed in Ontario or the U.S.A. where they have been able to control the odour. He also indicated that he had contacted a Planner from Norfolk County and there are considerably larger setback requirements in place in that region.

Mr. Brown responded that he has not looked across the border, and that in Ontario, existing greenhouses have been dealing with Part 2 licensing operations which does not require any confirmation from local municipalities regardless of location. The application in question is a Part 1 licence and there tools in place to help address the issues as we move forward, and each greenhouse operator is aware of their obligations and the issues that they have to address.

310-2018

Moved By Councillor Larry Patterson

Seconded By Councillor John Driedger

That Council approve Zoning By-law Amendment ZBA/03/18 to permit a medical marihuana production facility on property located at 1541 County Road 34 and address the required relief or exemption from specific provisions in Section 4.46 of the Kingsville Zoning By-law 1-2014 as outlined in the attached amendment and adopt the implementing by-law.

CARRIED

G. AMENDMENTS TO THE AGENDA

Deputy Mayor Queen stated that he had a follow-up question to present under Unfinished Business, Councillor Patterson added one Announcement, and Councillor Neufeld added one item under Unfinished Business.

H. ADOPTION OF ACCOUNTS

- 1. Town of Kingsville Accounts for the monthly period ended April 30, 2018 being TD cheque numbers 0065209 to 0065446 for a grand total of \$942,345.43**

311-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor Thomas Neufeld

That Council approves Town of Kingsville Accounts for the monthly period ended April 30, 2018, being TD cheque numbers 0065209 to 0065446 for a grand total of \$942,345.43

CARRIED

I. STAFF REPORTS

- 1. Parks, Recreation, Arts and Culture Master Plan Update**

M. Durocher, Parks and Recreation Programs Manager

312-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council approves the quote as submitted by Monteith Brown Planning Consultants for the Parks, Recreation, Arts and Culture Plan review, and further that they endorse their role in the review of the 2013 Parks, Recreation, Arts and Culture Master Plan. Furthermore that Council amend the Procurement By-law to allow for single source bids in order to allow Monteith Brown to undertake the work on the review of the PRAC master plan.

CARRIED

- 2. Tall Ships America Host Port Agreement**

M. Durocher, Parks and Recreation Programs Manager

313-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Susanne Coghill

That Council approves the request to enter into an agreement with Tall Ships America to host Tall Ships in 2019 in Kingsville

CARRIED

At 7:55 p.m. Mayor Santos called for a 5 minute recess, and the meeting reconvened at 8:00 p.m.

3. Tax Adjustments Under Section 357 of the Municipal Act, 2001

R. McLeod, Director of Financial Services

314-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor Thomas Neufeld

That Council authorizes tax reductions totaling \$41,746.01 for the 2018 taxation year.

CARRIED

4. Training/Public Education Officer

C. Parsons, Fire Chief

315-2018

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

That the Training/Public Education Officer become a full-time position.

CARRIED

5. Forfeiture of Unclaimed Indemnity Deposits

G. A. Plancke, Director of Municipal Services

316-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council approves the proposed changes to Schedule A of the existing Notification Policy By-Law 53-2008, and directs Administration to draft the necessary by-law amendment; and further that Council approves Administration to forfeit all unclaimed indemnity deposits prior to 2010 and again every successive year in accordance with the current Fees and Charges By-Law and the amended Notification Policy By-Law.

CARRIED

6. Larry Santos / Prince Albert Park Playground Equipment

T. Del Greco, Manager of Municipal Facilities and Property

317-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor John Driedger

That Council approves the proposal submitted by PlayPower Canada in the amount of \$57,887.10 (excluding HST) for the installation of equipment at Larry Santos Park; and further that Council approves the proposal submitted by Henderson Recreation in the amount of \$57,659.81 (excluding HST) for the installation of equipment at Prince Albert Park.

CARRIED

7. Compliance Audit Committee

J. Astrologo, Director of Corporate Services

318-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor Tony Gaffan

That Council approves the draft Terms of Reference for the Compliance Audit Committee for the 2018-2022 Term of Council and authorizes the Director of Corporate Services to advertise and recruit for a new member of the Committee.

CARRIED

8. First Quarter Report

P. Van Mierlo-West, CAO

319-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor John Driedger

That Council receives the 1st quarter report.

CARRIED

J. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

1. Rotary Club of Cottam--Petition of Residents dated April 16, 2018 in support of the Rotary Club of Cottam's Proposed School Bus Shelter in front of 124 Fox St. in Cottam

320-2018

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

That Council receives the Petition of Residents dated April 16, 2018 in support of the Rotary Club of Cottam's proposed School Bus Shelter in front of 124 Fox St. in Cottam; and further, That Council directs the CAO to work with the Rotary Club of Cottam regarding the installation of a School Bus Shelter.

CARRIED

2. Office of Senator Nancy Greene Raine--Correspondence from J. Bergamini, Administrative Support Assistant RE: National Health and Fitness Day (NHFD) on June 2

321-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Susanne Coghill

WHEREAS the Parliament of Canada wishes to increase awareness among Canadians of the significant benefits of physical activity and to encourage Canadians to increase their level of physical activity and their participation in recreational sports and fitness activities;

AND WHEREAS it is in Canada's interest to improve the health of all Canadians and to reduce the burden of illness on Canadian families and on the Canadian health care system;

AND WHEREAS may local governments in Canada have public facilities to promote the health and fitness of their citizens;

AND WHEREAS the Government of Canada wishes to encourage local governments to facilitate Canada's participation in healthy physical activities;

AND WHEREAS the Government of Canada wishes to encourage the country's local governments, non-government organization, the private sector and all Canadians to recognize the first Saturday in June as National Health and Fitness Day and to make the day with local events and initiatives celebrating and promoting the importance and use of local health, recreational, sports and fitness facilities;

AND WHEREAS Canada's mountains, oceans, lakes, forest, parks and wilderness also offer recreational and fitness opportunities;

AND WHEREAS Canadian Environment Week is observed throughout the country in early June, and walking and cycling are great ways to reduce vehicle pollution and improve physical fitness;

AND WHEREAS declaring the first Saturday in June to be National Health and Fitness Day will further encourage Canadians to participate in physical activities and contribute to their own health and well-being;

NOW THEREFORE BE IT RESOLVED that Council of The Corporation of the Town of Kingsville proclaims June 2, 2018 as National Health and Fitness Day in the Town of Kingsville.

CARRIED

3. **Town of Lakeshore--Correspondence to All Ontario Municipalities dated April 27, 2018 RE: Renovation and/or Demolition of all Buildings Containing Hazardous Materials**

322-2018

Moved By Councillor Tony Gaffan

Seconded By Councillor Susanne Coghill

That Council supports the Town of Lakeshore's Resolution that the Government of Ontario be urged to review and revise the laws regarding the alteration, renovation and/or demolition of all buildings containing hazardous materials to ensure that proper steps and preventative measures are taken to protect the public from exposure to hazardous materials.

CARRIED

K. MINUTES OF THE PREVIOUS MEETINGS

1. **Regular Meeting of Council--April 23, 2018**
2. **Regular 'Closed Session' Meeting of Council--April 23, 2018**

323-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council adopts Regular Meeting of Council Minutes dated April 23, 2018 and Regular 'Closed Session' Meeting of Council Minutes dated April 23, 2018.

CARRIED

L. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. **Drainage Advisory Committee--June 9, 2017**

324-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Council receives Drainage Advisory Committee Minutes dated June 9, 2017

CARRIED

2. Committee of Adjustment--February 20, 2018

325-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor John Driedger

That Council receives Committee of Adjustment Meeting Minutes, dated February 20, 2018.

CARRIED

3. Kingsville Accessibility Advisory Committee--February 20, 2018

326-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council receives Kingsville Accessibility Advisory Committee meeting minutes dated February 20, 2018.

CARRIED

4. Kingsville Municipal Heritage Advisory Committee--March 27, 2018

327-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor Larry Patterson

That Council receives Kingsville Municipal Heritage Advisory Committee Meeting Minutes, dated March 27, 2018.

CARRIED

5. Police Services Board--March 28, 2018

328-2018

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

That Council receives Police Services Board Meeting Minutes dated March 28, 2018.

CARRIED

M. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. Essex Region Conservation Authority--Correspondence dated April 18, 2018 RE: Delegation Presentation March 26, 2018**
- 2. Ministry of Citizenship and Immigration--Correspondence from Minister Albanese, dated March 2018 RE: Call for Champion of Diversity Award nominations.**
- 3. Special Olympics Ontario, Leamington and Essex County Warriors--Correspondence received April 19, 2018 RE: Request for in-kind support for summer Softball team**
- 4. Municipality of East Ferris--Resolution 2018-146 RE: Wildlife animals and wolf sightings**
- 5. Regional Municipality of Halton--Correspondence dated April 11, 2018 RE: Seeking Support on the Court Application involving the CN Truck-Rail Development in the Town of Milton**
- 6. Association of Municipalities of Ontario--2018-2020 AMO Board of Directors Call for Nominations**
- 7. Township of Uxbridge--Correspondence dated April 19, 2018 RE: Bill 16, Respecting Municipal Authority Over Landfilling Sites**
- 8. Ministry of Seniors Affairs - Correspondence from Minister Damerla, dated May 2018 RE: Call for Nominations for the Ontario Senior Achievement Award**
- 9. Ministry of Municipal Affairs/Ministry of Housing--Correspondence from Ian Kerr, Regional Director, Municipal Services Office-Western Ontario, dated May 8, 2018 RE: Disaster Recovery Assistance for Ontarians (DRAO)**

10. Deputy Mayor G. Queen--Correspondence dated May 5, 2018 RE: 2018 OSUM Conference and Trade Show

329-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Larry Patterson

That Council receives Business/Correspondence - Informational Items 1 through 10 as outlined.

CARRIED

RE: Item M.1 (Essex Region Conservation Authority correspondence dated April 18, 2018)

Councillor Neufeld referred to page 2 of ERCA correspondence and asked Administration why the County Road 50 Heritage Drain Works project was not completed. Ms. Van Mierlo-West indicated she would look into the matter.

RE: Item M.9 (Ministry of Municipal Affairs/Ministry of Housing correspondence)

Mayor Santos commented that similar correspondence from the Province (notifying of no activation of DRAO programs in any areas along the Lake Erie shoreline as a result of the wind storm occurring from April 14 to 16, 2018) was sent to the Municipality of Leamington.

N. NOTICES OF MOTION

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

330-2018

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Administration bring back a report to Council outlining the process involved for Council's possible endorsement of a pilot program for the 47th Drain over Wigle Creek for clean up and obstruction removal.

CARRIED

O. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

1) Deputy Mayor Queen indicated that he had made a motion at a recent meeting to have the Director of Municipal Services prepare a report regarding the waterline proposed to go west of Old Kingsville to the Golf Course Area. As a follow-up, he asked Administration if the Town can reasonably expect a new waterline to be installed with water flowing in the area of Kingsville Golf Club within the next twelve month period. Ms. Van Mierlo-West responded that there would be no such installation within twelve months.

2) Councillor Neufeld indicated that he had made a motion at a recent meeting pertaining to former Gosfield South Roads, which motion is to be addressed after the scheduling of a municipal road tour, and asked about the status of such Tour. Ms. Van Mierlo-West advised that a report is forthcoming.

3) Councillor Patterson acknowledged the excellent clean-up efforts by a group of residents of the storm debris at the dock. He stated that he wanted to acknowledge those efforts, and expressed his thanks.

P. BYLAWS

1. By-law 50-2018

331-2018

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council read By-law 50-2018, being a By-law to provide for the establishment of rates for the levy and collection of property taxes in the Town of Kingsville for the year 2018 pursuant to the provisions of the *Municipal Act*, a first, second and third and final time.

CARRIED

2. By-law 52-2018

332-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Susanne Coghill

That Council read By-law 52-2018, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville (ZBA/07/18; 1541 County Road 34 East) a first, second and third and final time

CARRIED

3. By-law 57-2018

333-2018

Moved By Councillor Tony Gaffan

Seconded By Councillor Larry Patterson

That Council read By-law 57-2018, being a By-law to amend By-law 1-2015, 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 58-2018

334-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council read By-law 58-2018, being a By-law to amend By-law 101-2004, as amended and to Appoint a Manager of Financial Services/Deputy Treasurer of The Corporation of the Town of Kingsville a first, second and third and final time

CARRIED

Q. CLOSED SESSION

335-2018

Moved By Councillor Susanne Coghil

Seconded By Councillor Thomas Neufeld

Pursuant to section 239(2) of the *Municipal Act, 2001* Council, at 8:47 p.m., entered into Closed Session to address the following items:

1) A proposed or pending acquisition or disposition of land by the municipality or local board RE: negotiations respecting a proposed or pending acquisition/disposition of land with the Greater Essex County District School Board (239(2)(c))

2) A proposed or pending acquisition or disposition of land by the municipality or local board RE: Proposed lease of municipal lands (239(2)(c))

CARRIED

R. REPORT OUT OF CLOSED SESSION

Upon rising from Closed Session at 9:00 p.m., Mayor Santos reported that Council received update reports on two property matters, being Closed Session items Q-1 and Q-2 as listed above.

With respect to Item Q-1, Mayor Santos reported that progress is being made toward a joint announcement; and RE: Item Q-2, Mayor Santos reported that progress is being made with respect to the terms of a lease agreement for one farming season, which agreement will be presented by by-law.

S. CONFIRMATORY BY-LAW

1. By-law 61-2018

336-2018

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Susanne Coghill

That Council read By-law 61-2018, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its May 14, 2018 Regular Meeting, a first, second and third and final time.

CARRIED

T. ADJOURNMENT

337-2018

Moved By Councillor Susanne Coghill

Seconded By Councillor Larry Patterson

That Council adjourns this Regular Meeting at 9:01 p.m.

CARRIED