



**REGULAR MEETING OF COUNCIL
MINUTES**

Monday, August 12, 2019

7:00 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 Corporate Services R. Brown, Manager of Planning Services S. Kitchen, Deputy Clerk-Council Services R. McLeod, Director of Financial Services P. Van Mierlo-West, CAO R. Baines, Deputy Clerk - Administrative Services D. Wolicki, Manager of Municipal Facilities and Property T. Hong, Manager of Financial Services G. Robinson, Planner

A. CALL TO ORDER

Mayor Santos called the Regular Meeting to order at 7:00 p.m. with all members of Council in attendance.

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. Dawn R. Ure, Resident-Request dated August, 2019 RE: Concerns re: SPA/01/19 SEE: Staff Report I-5.

Ms. Dawn Ure, 1284 Road 4 East, Kingsville, expressed concerns with respect to the impact the proposed placement of the new bunkhouse for JC Fresh Farms Ltd. would have on existing residences.

She asked that the site plan be reviewed to see if the bunkhouse could be moved to a different location. She indicated that while the site plan may meet zoning by-law requirements, there is disregard for the rural residential surroundings. She thanked Council for the opportunity to present her concerns.

Mayor Santos indicated that the Manager of Planning Services' Staff Report RE: Application for Site Plan Approval SPA/01/19 by JC Fresh Farms Ltd. would be presented later this evening, being Agenda Item #I-5.

F. MATTERS SUBJECT TO NOTICE

1. 2020 Wastewater Rate Structure Proposal

R. McLeod, Director of Financial Services and T. Hong, Manager of Financial Services

- i) Notice of Consideration of Amendments to Sewage Rates, dated July 23, 2019;
- ii) Report of T. Hong, Manager of Financial Services, dated July 22, 2019.

Ms. Hong presented the 2020 Wastewater Rate Structure Proposal through a PowerPoint Presentation.

Public Comments:

Brad Nelson, 92 Division Road, asked for clarification in connection with the proposed maximum sewage charge or "cap". Director McLeod explained that residents who use excess wastewater sewage will be capped at the rate of \$40.00 per month per residential unit.

Joanne Winger, 104 Fox St., Cottam also asked for clarification on the proposed maximum sewage charge or "cap" and asked for clarification as to the calculation of the estimated annual usage amounts. Director McLeod stated that the Town proposes to charge a minimum base charge of \$20.00 per month for each residential unit, plus up to an additional amount of \$20.00, which would be potentially be \$40.00 per month for each residential unit.

There were no other questions from anyone in attendance in the audience.

413-2019

Moved By Councillor Laura Lucier

Seconded By Councillor Thomas Neufeld

That Council approves the following rates and rate structure for residential wastewater customers, effective April 1, 2020:

- A minimum base charge of \$20 / month (\$60 / quarter) for each residential unit.
- Volume charges of \$0.60 / m³ for Kingsville / Lakeshore West and \$0.65 / m³ for Cottam.
- A maximum wastewater charge or "cap" of \$40 / month (\$120 / quarter) per residential unit.

CARRIED

G. AMENDMENTS TO THE AGENDA

Deputy Mayor Queen added one notice of motion, and Councillor DeYong added one notice of motion and two business announcements.

H. ADOPTION OF ACCOUNTS

1. **Town of Kingsville Accounts for the monthly period ended July 31, 2019 being TD cheque numbers 0069710 to 0070063 for a grand total of \$1,562,342.69**

414-2019

Moved By Councillor Larry Patterson

Seconded By Councillor Kimberly DeYong

That Council receives Town of Kingsville Accounts for the monthly period ended July 31, 2019 being TD cheque numbers 0069710 to 0070063 for a grand total of \$1,562,342.69.

CARRIED

I. STAFF REPORTS

1. Proposed Fees By-law Amendment – Dog Pound Fees

R. Baines, Deputy Clerk-Administrative Services

415-2019

Moved By Councillor Kimberly DeYong

Seconded By Councillor Laura Lucier

That Council approves the new dog pound fees and move to advertise for a public meeting to change the fees at a future date when the fees by-law is amended.

CARRIED

2. Five (5) Year Energy Plan Update

D. Wolicki, Manager of Municipal Facilities and Property

416-2019

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council receive the Report of D. Wolicki, Manager of Municipal Facilities and Property RE: Five Year Energy Plan Update; that the Plan be posted on the Town's website; and further that hard copies be made available at the Town Hall.

CARRIED

3. Cedar Island Boat Launch and Floating Docks

D. Wolicki, Manager of Municipal Facilities and Property

417-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council receives the Report of D. Wolicki, Manager of Municipal Facilities and Property RE: Cedar Island Boat Launch and Floating Docks, and that the implementation for the installation of floating docks be considered as a capital item in the 2020 budget deliberations.

CARRIED

It was requested that Administration provide the life expectancy for the dock options being proposed, and to identify whether the material is or can be made slip resistant.

4. Application for Site Plan Agreement (SPA/12/19) by Ray Wall and Scott Shilson 289 Main Street W Part of Lots 4 & 5, Concession 1 WD

G. Robinson, Town Planner

418-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council approves Site Plan Amendment Application SPA/12/19 for the proposed fitness centre, subject to the conditions outlined in the Site Plan Agreement, and authorizes the Mayor and Clerk to sign the Site Plan Agreement and register said amended Agreement on title.

CARRIED

5. Application for Site Plan Approval SPA/01/19 by JC Fresh Farms Ltd.

R. Brown, Manager of Planning Services

419-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council receives the Report of R. Brown, Manager of Planning Services dated July 29, 2019 RE: Application for Site Plan Approval SPA/01/19 by JC

Fresh Farms Ltd., and further that Council directs the Manager of Planning Services to bring back a revised Site Plan at the next available opportunity which addresses the concerns about the location of the bunkhouse, and that Administration notify those in attendance in the audience, who wish to be notified, as to the date when this matter will come back before Council.

CARRIED

Mayor Santos requested members of the audience to email the Clerk if they wish to be notified when the matter returns to Council for consideration.

At 9:04 p.m. Mayor Santos called for a brief recess and the meeting reconvened at 9:11 p.m.

J. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--July 22, 2019

2. Regular "Closed Session" Meeting of Council--July 22, 2019

420-2019

Moved By Councillor Laura Lucier

Seconded By Councillor Thomas Neufeld

That Council adopts Regular Meeting of Council Minutes dated July 22, 2019, and Regular "Closed Session" Meeting of Council Minutes dated July 22, 2019.

CARRIED

K. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Tourism and Economic Development Committee - June 6, 2019

Moved By Councillor Tony Gaffan

Seconded By Councillor Kimberly DeYong

That Council receives Tourism and Economic Development Committee Meeting Minutes dated June 6, 2019.

CARRIED

2. Union Water Supply System Joint Board of Management - June 19, 2019

421-2019

Moved By Councillor Larry Patterson

Seconded By Councillor Laura Lucier

That Council receives Union Water Supply System Joint Board of Management Meeting Minutes dated June 19, 2019.

CARRIED

L. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. Cheryl Gallant, Member of Parliament, Renfrew-Nipissing-Pembroke--Correspondence dated July 8, 2019 RE: Flooding due to record-high water levels with attached enclosure (correspondence to Prime Minister of Canada, dated July 3, 2019)**
- 2. Town of Lakeshore--Correspondence dated July 22, 2019 RE: Support of Kingsville Council Regional Hospital Resolution**
- 3. Municipality of Leamington--Correspondence dated July 24, 2019 RE: Support of Lakeshore Resolution regarding a new regional hospital for Windsor-Essex County**
- 4. Township of McKellar--Correspondence dated July 16, 2019 re: Municipal Amalgamation**
- 5. Town of Halton Hills--Resolution No. 2019-0141 passed July 8 2019 RE: Reducing Litter and Waste in our Communities**
- 6. Northumberland County--Resolution No. 2019-07-17-175, dated July 17, 2019 RE: Support of an annual combined conference for OGRA/ROMA together with background information attached**
- 7. City of Stratford--Resolution received July 29, 2019 RE: Opposition to Changes in 2019 Provincial Budget and Planning Act**
- 8. Town of Tecumseh--Correspondence dated July 19, 2019 RE: Resolution Regarding Enforcement for Safety on Family Farms**
- 9. Northumberland County--Resolution No. 2019-07-17-174, dated July 17, 2019 RE: Support of Township of Warwick Council Resolution in regard to Enforcement for Safety on Family Farms**

10. **Municipality of McDougall--Support Resolution dated July 17, 2019 RE: Enforcement for Safety on Family Farms**

11. **Municipality of South Huron--Correspondence dated July 25, 2019 RE: Resolution Regarding Enforcement for Safety on Family Farms**

422-2019

Moved By Councillor Thomas Neufeld

Seconded By Councillor Kimberly DeYong

That Council receives Business Correspondence-Informational items 1-11.

CARRIED

423-2019

Moved By Councillor Kimberly DeYong

Seconded By Councillor Thomas Neufeld

That Council supports Township of McKellar Resolution #19-355, passed July 15 2019 RE: Potential for forced Municipal Amalgamation, with circulation to the Premier of Ontario, the Deputy Premier of Ontario, Minister of Municipal Affairs and Housing, AMO, local MPP, and local municipalities.

CARRIED

424-2019

Moved By Councillor Kimberly DeYong

Seconded By Councillor Laura Lucier

That Council supports Town of Halton Hills--Resolution RE: Reducing Litter and Waste in our Communities, and circulate to the Premier of Ontario, the Minister of Environment, Conservation and Parks; the Minister of Municipal Affairs and Housing; the Association of Municipalities of Ontario, the County of Essex, the local MPP, and local municipalities.

CARRIED

M. NOTICES OF MOTION

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

425-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That the Street Signs that currently read "Cull Drive" be corrected to read "Harold Cull Drive" as the street was originally named and shows on some of the Town maps.

CARRIED

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

426-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council receives a current or updated report regarding housing for Greenhouse or Migrant Workers in our Community, given that in 2018 Building Staff indicating that upon notice of housing units from the Windsor-Essex County Health Unit they were able to attend sites and ensure they were safe from a building and fire perspective.

CARRIED

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

427-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council be provided with the actual plans that were approved by the last Council and the Ontario Municipal Board for the proposed Valente Subdivision and any new report that the external law firm that was hired by the Town may have prepared to ensure compliance with the OMB decision, or recommended actions if the developers are again asking for one or more changes.

CARRIED

4. Councillor L. Lucier may move, or cause to have moved:

That the removal of trees as a result of any Public Works project be identified and brought to Council for approval.

428-2019

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Administration be directed to provide a review and update Report with respect to Town of Kingsville By-law 71-2014, being a by-law to prohibit the injury or destruction of trees on public property, with a view to including a provision that the removal of trees as a result of any Public Works project be identified and brought to Council for approval.

CARRIED

5. Councillor T. Neufeld may move, or cause to have moved:

429-2019

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Administration be directed to invite Mr. Musyj, President and CEO of Windsor Regional Hospital, and former MPP Dave Cooke back to Kingsville to provide our Council and residents an update on the proposed new megahospital, and how the plan has changed from what was originally presented.

LOST

Deputy Mayor Queen introduced a Notice of Motion, indicating that at the next Regular Meeting he may move, or cause to have moved that the Town of Kingsville acquire and install once more a Christmas Tree to be installed at the Carnegie Park location, south of the Old Library, also known as the Carnegie Arts and Visitor Centre, prior to Santa's Arrival with the Fantasy of Lights Santa Parade in November.

Councillor DeYong introduced a Notice of Motion, indicating that at the next Regular Meeting she may move, or cause to have moved that the Municipal

Services Department be directed to provide Council with a Report at the next available Regular Meeting with details on the allocation of the remaining Main Street Revitalization funds, being the quantity and location of new benches, garbage pails, bike racks, etc.

N. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

RE: Upcoming meeting dates/events

1. Councillor DeYong advised that Ms. Veronica Brown, the Heritage Advisory Committee's researcher, will be presenting a slide presentation on the History and Evolution of Architectural Styles in Kingsville. The special meeting of the Kingsville Municipal Heritage Advisory Committee is to be held on Monday, August 19 at Council Chambers commencing at 6:30 p.m. All are welcome to attend.

2. Councillor DeYong advised that a Greenhouse Policy Review Committee Meeting will be held on Wednesday, August 21, 2019 from 6:30 p.m. to 8:30 p.m. and proposed official plan and zoning by-law amendments will be available for review.

O. BYLAWS

1. By-law 75-2019

430-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council reads By-law 75-2019, being a by-law authorizing the entering into of a Contract Agreement with Pierascenzi Construction Limited for the Lions Park Development Phase 1A-1B in the Town of Kingsville, a first, second and third and final time.

CARRIED

P. CLOSED SESSION

431-2019

Moved By Councillor Laura Lucier

Seconded By Councillor Tony Gaffan

That Council at 9:28 p.m. pursuant to Section 239(2) of the *Municipal Act, 2001* enter into Closed Session to address the following items:

1. Section 239(2)(i) information supplied in confidence by a third party, being an informational report of CAO P. Van Mierlo-West, dated August 6, 2019; and
2. Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality; being presentation of CAO P. Van Mierlo-West of a proposal to the municipality.

CARRIED

1. **Section 239(2)(i) information supplied in confidence by a third party being an informational Report of CAO P. Van Mierlo-West dated August 6, 2019**
2. **Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality; being presentation of CAO P. Van Mierlo West of a proposal to the municipality**

Q. REPORT OUT OF CLOSED SESSION

Upon rising from Closed Session at 9:52 p.m. Mayor Santos reported that Council dealt with items P.1 and P.2 under Sections 239(2)(i) and 239(2)(c) respectively, and reports will be provided to Council in the future in connection with the items.

R. CONFIRMATORY BY-LAW

1. By-law 76-2019

432-2019

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council reads By-law 76-2019, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its August 12, 2019 Regular Meeting a first, second and third and final time.

CARRIED

S. ADJOURNMENT

433-2019

Moved By Councillor Tony Gaffan

Seconded By Councillor Kimberly DeYong

That Council adjourns this Regular Meeting at 9:52 p.m.

CARRIED