



**REGULAR MEETING OF COUNCIL
MINUTES**

**Monday, July 13, 2020
6:00 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 J. Astrologo, Director of Corporate Services
Administration

 M. Durocher, Parks & Recreation Program Manager
 T. Del Greco, Municipal Services Manager
 T. Iacobelli, Manager of Information Technology
 S. Kitchen, Deputy Clerk-Council Services
 R. McLeod, Director of Financial Services
 A. Plancke, Director of Municipal Services
 D. Wolicki, Manager of Municipal Facilities and Property

A. CALL TO ORDER

Mayor Santos, in attendance in Council Chambers, called the Regular Meeting to order at 6:01 p.m. All other members participated in the meeting through video conferencing technology from remote locations. All members were in attendance at 6:01 p.m. except Councillor Gaffan, who arrived at 6:03 p.m.

B. 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.

C. PRESENTATIONS/DELEGATIONS

1. Sarah Sacheli, Chair of the Kingsville Municipal Heritage Advisory Committee

Ms. Sacheli presented the Committee Report and Recommendation RE: 183 Main Street East Application for Consent in Writing to Demolition.

399-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Kimberly DeYong

That Council refuses the Application for Consent to Demolish 183 Main Street East, Kingsville, given the property's heritage value.

CARRIED

2. John Van Wingerden, 97 Woodlawn Crescent, Kingsville (written presentation only)--Request for signage to slow traffic around sharp turn (from the corner of Summerset to Cull Drive)

Mayor Santos read aloud the correspondence of Mr. and Mrs. Van Wingerden on Woodlawn Crescent provided to the Clerk of the Town of Kingsville.

400-2020

Moved By Councillor Tony Gaffan

Seconded By Councillor Thomas Neufeld

That Council receives the correspondence of John and Barb Van Wingerden.

CARRIED

Manager of Municipal Services T. Del Greco provided general information regarding the Town's Traffic Calming Policy and Signage Request Policy.

401-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council directs that Administration install two (2) 'Children at Play' signs as requested by the residents and that Deputy Mayor Queen contribute the cost of those signs from his 2020 Conference allocation.

CARRIED

D. AMENDMENTS TO THE AGENDA

Councillor DeYong added one Announcement, Councillor Patterson added one Notice of Motion, Councillor Gaffan added one Announcement, and Mayor Santos added an update pertaining to the COVID-19 pandemic.

E. ADOPTION OF ACCOUNTS

- 1. Town of Kingsville Accounts for the monthly period ended June 30, 2020 being TD cheque numbers 0073287 to 0073566 for a grand total of \$2,036,339.59.**

402-2020

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Council receives Town of Kingsville Accounts for the monthly period ended June 30, 2020 being TD cheque numbers 0073287 to 0073566 for a grand total of \$2,036,339.59.

CARRIED

F. STAFF REPORTS

- 1. Pickleball Contribution Agreement**

D. Wolicki, Manager of Municipal Facilities and Property, and M. Durocher, Manager of Recreation Programs and Events

403-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Thomas Neufeld

That Council authorizes the Mayor and Clerk to execute the Contribution Agreement with Kingsville Pickleball, Inc. to construct a new eight (8) court pickleball facility located within the lands of 1741 Jasperson Lane; And That, if

the Town is unsuccessful in its ICIP grant application, Council pre-approves an additional \$150,829, which amount is to be included in the 2021 Parks capital budget for the construction of Pickleball Courts.

CARRIED

2. 2021 CWATS Construction – Application Status

T. Del Greco, Manager of Municipal Services

404-2020

Moved By Councillor Thomas Neufeld

Seconded By Councillor Kimberly DeYong

That Council receives the Report of T. Del Greco, Manager of Municipal Services, as it relates to the application status for 2021 CWATS construction; and Further That Council directs Administration to submit an application for 2021 CWATS construction for KINGS-12 as identified in the CWATS Master Plan, being a proposed multi-use path on County Road 45 from County Road 20 to County Road 34.

CARRIED

3. Sidewalk Requirements – Kingsville Development Standards Manual

T. Del Greco, Manager of Municipal Services

405-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council approves the following amendments to the Kingsville Development Standards Manual:

- Sidewalks may be removed from cul-de-sacs pending the cul-de-sac is less than 150 meters in length measured from the nearest intersection to the outer limits of the cul-de-sac bulb. Cash-in-lieu of any removed sidewalk will be paid to the Town.

- Sidewalks may be removed from new developments pending there are no connections to existing sidewalks in adjacent developments. Further, this removal will only be considered if extreme conditions would prevent the Town from installing connecting sidewalks in the adjacent development. Examples of these conditions include:
 - A narrow boulevard with no curb and gutter.
 - An abundance of mature trees requiring removal.
 - Major conflicts with utilities or storm water management systems.
 - Major fluctuation in lot grading.
 - Right of Way too narrow to accommodate sidewalk;

And That Council approves the removal of any reference in the Kingsville Development Standards Manual stating developers can delay the construction of sidewalk beyond “initial acceptance of the services”.

CARRIED

4. Royal Oak at the Creek Phase 7 Final Acceptance

G. A. Plancke, Director of Municipal Services

406-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Laura Lucier

That Council grants “Final Acceptance” for the Royal Oak at the Creek Phase 7 subdivision, and that all securities held in support of this Development be released to the Developer; And Further That the Clerk provides formal confirmation of the Final Acceptance designation to the Developer, Amico Properties Inc.

CARRIED

5. Main St East at Jasperson Service Road

G. A. Plancke, Director of Municipal Services

407-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Laura Lucier

That Council receives Report #MS 2020-20 as a sufficient response to Resolution #379-2019 to provide a report to Council regarding the expropriation process for a service road, immediately south of the current building, including cost implications, timeframes, and procedure.

Amendment:

408-2020

Moved By Councillor Thomas Neufeld

Seconded By Deputy Mayor Gord Queen

That the Motion be amended to insert the words "And Further That this project be included as a placeholder in the 2021 Municipal Services Capital Works Budget" at the end of the motion.

CARRIED

Amendment:

407-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Laura Lucier

That Council receives Report #MS 2020-20 as a sufficient response to Resolution #379-2019 to provide a report to Council regarding the expropriation process for a service road, immediately south of the current building, including cost implications, time frames and procedure; And Further That this project be included as a placeholder in the 2021 Municipal Services Capital Works Budget.

CARRIED

6. Kingsville Historical Park Inc. – 5 year Funding Agreement

R. McLeod, Director of Financial Services

409-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Kimberly DeYong

That Council approves the 5-year funding Agreement with Kingsville Historical Park Inc.

CARRIED

G. BUSINESS/CORRESPONDENCE-ACTION REQUIRED

- 1. Union Water Supply System--Correspondence dated February 19, 2020 RE: UWSS Annual Report for 2019 in accordance with Section 11 O. Reg. 170/03**

410-2020

Moved By Councillor Laura Lucier

Seconded By Councillor Thomas Neufeld

That Council receives the Union Water Supply System Annual Report for 2019.

CARRIED

- 2. Union Water Supply System--Correspondence dated February 19, 2020 RE: Annual Report (2019) Requirement Section 11, Reg. 170/03 and Summary Report (2019) Requirement Schedule 22, Reg. 170/03**

411-2020

Moved By Councillor Laura Lucier

Seconded By Councillor Tony Gaffan

That Council receives the Annual Performance Report (2019) and the Summary Report (2019) for the Kingsville Water Distribution System.

CARRIED

- 3. Councillor Tony Gaffan--Letter of resignation from the Main St. Development Committee dated June 25, 2020.**

412-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Laura Lucier

That Council receives and accepts the Resignation of Councillor Gaffan from the Main Street Development Committee; And That Councillor K. DeYong be appointed as the 2nd Council Representative to fill the vacancy; And Further That the Appointment By-law be updated to reflect the amendments.

CARRIED

**4. Municipality of Leamington--Correspondence dated June 25, 2020 RE:
Dedicated Gas Tax Funds for Public Transportation Program**

413-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council of the Town of Kingsville endorses the Municipality of Leamington to continue to act as 'host municipality' on the Town of Kingsville's behalf for the Dedicated Gas Tax Funds for Public Transportation Program.

CARRIED

H. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--June 22, 2020

Councillor DeYong indicated that Motion 384-2020 was moved by Councillor DeYong, and not Councillor Neufeld as stated therein. The Minutes will be so revised. There were no further amendments to the Minutes.

414-2020

Moved By Councillor Laura Lucier

Seconded By Councillor Thomas Neufeld

That Council adopts Regular Meeting of Council Minutes dated June 22, 2020, as amended.

CARRIED

I. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Kingsville Municipal Heritage Advisory Committee--March 11, 2020

415-2020

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

That Council receives Kingsville Municipal Heritage Advisory Committee Meeting Minutes dated March 11, 2020.

CARRIED

2. Kingsville B.I.A.--March 10, May 26 and June 4, 2020

416-2020

Moved By Councillor Laura Lucier

Seconded By Deputy Mayor Gord Queen

That Council receives Kingsville B.I.A. Meeting Minutes dated March 10, May 26 and June 4, 2020.

CARRIED

3. Union Water Supply System Joint Board of Management--May 20, 2020

417-2020

Moved By Councillor Kimberly DeYong

Seconded By Deputy Mayor Gord Queen

That Council receives Union Water Supply System Joint Board of Management Meeting Minutes dated May 20, 2020.

CARRIED

4. Parks, Recreation, Arts and Culture Committee--May 21, 2020

418-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council receives Parks, Recreation, Arts and Culture Committee Meeting Minutes dated May 21, 2020 together with Minutes of the following sub-committees: Communities in Bloom - February 20, 2020; Fantasy of Lights - February 25, 2020; and Migration Festival - February 25, 2020.

CARRIED

5. Police Services Board--May 27, 2020

419-2020

Moved By Councillor Laura Lucier

Seconded By Councillor Thomas Neufeld

That Council receives Police Services Board Meeting Minutes dated May 27, 2020.

CARRIED

J. BUSINESS CORRESPONDENCE - INFORMATIONAL

- 1. Town of Essex--Correspondence dated June 17, 2020 RE: Spread of COVID-19 in our Farm Worker Population**
- 2. Town of Essex--Correspondence dated June 17, 2020 RE: COVID-19 Financial Relief for Non-Profit and Community Service Clubs and Organizations**
- 3. Township of Lake of Bays--Correspondence dated June 17, 2020 RE: Letter of Support for High Speed Internet Connectivity in Rural Ontario**
- 4. Municipality of Grey Highlands--Correspondence dated June 18, 2020 RE: Universal Basic Income Resolution**
- 5. Municipality of Mississippi Mills--Correspondence dated June 19, 2020 RE: Support for Rural Broadband**
- 6. Essex County Warden G. McNamara**

- a. **Correspondence dated June 22, 2020 to CRTC RE: Fair and equitable funding to support broadband infrastructure projects in Southwestern Ontario**
 - b. **Correspondence dated June 22, 2020 to various Ministers RE: Urgent and immediate funding request to support the expansion of broadband infrastructure in Southwestern Ontario**
 - c. **Correspondence dated June 22, 2020 to Minister of Municipal Affairs and Housing RE: Appreciation for Support of Rural Access to Broadband**
- 7. **Town of Renfrew--Resolution No. 2020-06-44 from Renfrew Town Council passed June 23, 2020 RE: COVID-19 Pandemic affect on Economic Development, Employment and Small Business in Ontario**
 - 8. **City of Sarnia--Correspondence dated June 24, 2020 RE: Long Term Care Home Improvements**
 - 9. **Town of Amherstburg--Correspondence dated June 25, 2020 RE: Spread of COVID-19 in our Farm Worker Population**
 - 10. **Town of Amherstburg--Correspondence dated June 26, 2020 RE: Permanent Closure of Weekly Newspapers Owned by Postmedia Network Inc.**
 - 11. **Town of Amherstburg--Correspondence dated June 26, 2020 RE: Universal Basic Income**
 - 12. **Municipality of West Elgin--Correspondence dated June 26, 2020 RE: Access to affordable broadband**
 - 13. **Municipality of West Elgin--Correspondence dated June 26, 2020 RE: Universal Basic Income**
 - 14. **Town of Essex--Correspondence to T. Natyshak, Member of Provincial Parliament for Essex dated July 3, 2020 RE: COVID-19 Financial Relief for Municipalities**
 - 15. **Township of Puslinch--Correspondence dated July 7, 2020 RE: Resolution 2020-166 regarding aggregate resource properties**

420-2020

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Council receives Business Correspondence-Informational items 1 through 15.

CARRIED

RE: Information No. J-8

City of Sarnia--Correspondence dated June 24, 2020 RE: Long Term Care Home Improvements.

421-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Larry Patterson

That Council endorses Sarnia City Council Resolution passed June 22, 2020 and urges Premier Ford to immediately start implementing the required resolutions towards Long Term Care Improvements including: 1. increasing hours for all part-time and casual labour; 2. since the government provides funding for privately-operated homes, they have an obligation to inspect these homes and see that they are being properly run, and that funds are being used for the benefit of the residents and not the huge profitability of the operators; and 3. to end the neglect and unacceptable conditions being experienced, each day, by our vulnerable seniors.

CARRIED

RE: Information Item J-14

Town of Essex Correspondence to T. Natyshak, MPP for Essex dated July 3, 2020 RE: COVID-19 Financial Relief for Municipalities.

422-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Tony Gaffan

That Council supports Town of Essex Resolution passed at its Special Council Meeting of June 29, 2020 requesting MPP T. Natyshak to read Town of Essex Correspondence in the House and request the Ontario Government to provide immediately relief and/or financial support in order to assist with the additional financial burdens that Municipalities all across Ontario have had to bear and will continue to bear as a result of the COVID-19 pandemic.

CARRIED

K. NOTICES OF MOTION

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

That Council waives the normal fees collected for sidewalk patios for 2020 for any patio locations that were in existence in 2019 as long as they are limited to the space directly in front of their own retail operation.

423-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council waives the normal fees collected for sidewalk patios for 2020 for the three (3) patio locations that were in existence in 2019.

Amendment:

424-2020

Moved By Councillor Kimberly DeYong

Seconded By Councillor Larry Patterson

That the Motion be amended to read that Council waives the Sidewalk Patio Application Fee and Use of Parking Space Fee for the three (3) existing sidewalk patios, and waives the Sidewalk Patio Application Fee and Use of Parking Space Fee for any new sidewalk patio applications that may be received and approved in 2020.

CARRIED

Councillor DeYong clarified that the Town-incurred capital costs and the staff cost for set-up and take-down are not waived.

423-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council waives the Sidewalk Patio Application Fee and Use of Parking Space Fee for the three (3) existing sidewalk patios, and waives the Sidewalk

Patio Application Fee and Use of Parking Space Fee for any new sidewalk patio applications that may be received and approved in 2020.

CARRIED

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

425-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council thank the farms in our Agri sector with migrant workers tested on or before June 25, 2020 when most of Essex County went to stage 2; And Further That the thanks be a letter of Thanks from the Mayor and Council along with one Canada Flag to acknowledge and appreciate their efforts in not only providing food for our tables but recognizing the importance of health for their workers and the importance of the farms on all of our community.

CARRIED

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

That Council be provided with a detailed verbal report outlining how they have prepared for the Open Streets program along with any problems that may have been encountered the weekend of July 10, 11, and 12th; Details to include signs that will or were made to direct traffic as discussed at the SERT meeting about a month ago. Looking for the Lead people identified by Council to provide the details--Andrew Plancke for the Municipal Sector and Maggie Durocher for the Communication area. During SERT it was noted that Fire wanted a list of Sites and may provide input re: safety.

426-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Tony Gaffan

That Council be provided with a detailed verbal report from Director of Municipal Services A. Plancke and Manager of Parks and Recreation Programs M. Durocher outlining how they have prepared for the Open Streets program along

with any problems that may have been encountered the weekend of July 10, 11 and 12th, 2020.

CARRIED

Director of Financial Services R. McLeod and Director of Municipal Services A. Plancke provided a brief summary update as to the first weekend of the Open Streets program which was well received overall, and the preparations and actions by Town staff that were made prior to the event.

Councillor Patterson did not introduce a Notice of Motion at this Regular Meeting.

L. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

1. Councillor DeYong thanked everyone for the success of the BIA Open Streets event. Ms. DeYong also thanked Councillor Lucier who was also assisting during the entire weekend event.

2. Councillor Gaffan also thanked Administration, Staff, Councillor DeYong and Councillor Lucier for their hard work before and during the BIA Open Streets event.

3. COVID-19 Update

Mayor Santos provided a COVID-19 update. Premier Ford will be arriving in Kingsville and Leamington on Thursday, July 16. Mayor Santos will be participating in a question-and-answer panel on Friday, July 17 regarding the agri-sector response and case counts. He indicated that the collaborative efforts are continuing.

M. BYLAWS

1. By-law 64-2020

427-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council reads By-law 64-2020, being a By-law authorizing the entering into of an Agreement with CIMCO Refrigeration a Division of Toromont Industries Ltd. for the Supply and Installation of Desiccant Dehumidification Unit-Kingsville Arena, a first, second and third and final time.

CARRIED

2. By-law 65-2020

428-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council reads By-law 65-2020, being a By-law authorizing the entering into of an Agreement with Aecon Utilities, a division of Aecon Construction Group Inc. for the Kingsville Fibre Optic Installation (RC Spencer Associates Inc. Consulting Engineers Project No.: 20-981) a first, second and third and final time.

CARRIED

3. By-law 66-2020

429-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council reads By-law 66-2020, being a By-law to amend By-law 55-2016, as amended, being a By-law to Govern the Calling, Place and Proceedings of Council and Committees, a first, second and third and final time.

CARRIED

4. By-law 67-2020

430-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council reads By-law 67-2020, being a By-law to authorize the entering into of a five-year Funding Agreement with Kingsville Historical Park Inc. a first, second and third and final time.

CARRIED

N. CLOSED SESSION

431-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Thomas Neufeld

That Council, at 8:30 p.m. and pursuant to Section 239(2) of the *Municipal Act, 2001* enter into Closed Session to address the following items:

- 1) Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being a Report of G. A. Plancke, Director of Municipal Services, dated June 25, 2020 RE: A proposed or pending acquisition of land by the municipality for parkland; and
- 2) Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board; being an update by Mayor Santos in connection with a proposed or pending acquisition of land by the municipality for roadway purposes.

CARRIED

O. REPORT OUT OF CLOSED SESSION

Upon rising from Closed Session at 8:54 p.m. Mayor Santos advised that Council had entered into Closed Session to address Items N-1 and N-2 described above.

RE: Item N-1

Mayor Santos reported that Council received an update provided by Director Plancke regarding a proposed acquisition of land by the municipality for parkland uses. Council provided direction to Administration to pursue the opportunity for the acquisition, and the item will be brought back for a further update at a future Regular Meeting.

RE: Item N-2

Mayor Santos reported that he provided an informal update regarding a proposed acquisition of land by the municipality for roadway purposes. There was no direction provided, and this matter will be brought back to a future meeting.

P. CONFIRMATORY BY-LAW

1. By-law 69-2020

432-2020

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council reads By-law 69-2020, being a By-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its July 13, 2020 Regular Meeting, a first, second and third and final time.

CARRIED

Q. ADJOURNMENT

433-2020

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council adjourns this Regular Meeting at 9:22 p.m.

CARRIED