



REGULAR MEETING OF COUNCIL

MINUTES

Tuesday, May 25, 2021

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 Administration J. Astrologo, Director of Legislative Services/Solicitor/Clerk
R. Brown, Manager of Planning Services
T. Del Greco, Manager of Engineering
S. Kitchen, Deputy Clerk-Council Services
S. Martinho, Manager of Public Works and Environmental
R. McLeod, Director of Financial & IT Services
A. Plancke, Director of Infrastructure & Engineering
P. Valore, Chief Building Official
R. Baines, Deputy Clerk - Administrative Services
J. Norton, CAO
J. Quennell, Fire Chief
K. Loney, Manager of Recreation Programs and Special Events

A. CALL TO ORDER

Mayor Santos, in attendance in the Council Chambers, called the Regular Meeting to order at 6:00 p.m. All other members of Council participated in the meeting through video conferencing technology from remote locations.

B. MOMENT OF SILENCE AND REFLECTION

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. Introduction of Margaret Schroeder, Manager of Financial Services / Deputy Treasurer

CAO Norton introduced Margaret Schroeder as the Town's new Manager of Financial Services / Deputy Treasurer. Director McLeod and Mayor Santos, on behalf of Council, welcomed Ms. Schroeder to the municipality.

2. Windsor-Essex Community Benefits Coalition (WECBC)--Mike Cardinal, Chair and Brady Holek, Community Benefits Coordinator

Mr. Holek presented the PowerPoint Presentation entitled *Community Benefit Opportunities in Kingsville and Highway 3*. Mr. Cardinal also addressed Council.

342-2021

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

That Council receives the information as presented by Brady Holek on behalf of the Windsor-Essex Community Benefits Coalition.

CARRIED

F. MATTERS SUBJECT TO NOTICE

1. By-Laws Pertaining to the Parking of Recreational Vehicles

T. Del Greco, Manager of Engineering

P. Valore, Chief Building Official

R. Brown, Manager of Planning Services

- i) Notice of Consideration of Amendments to By-laws regulating parking of recreational vehicles on public and private property, dated May 5, 2021;
- ii) Report of T. Del Greco dated May 11, 2021;
- iii) Proposed By-law 27-2021, being a by-law to regulate the outdoor parking or storage of recreational, commercial and motor vehicles on private property within the Town of Kingsville.

Mr. Del Greco presented his report and Mr. Valore highlighted the terms and provisions of the proposed new By-law 27-2021. Comments as provided by the public were referenced on Appendices A and D of Mr. Del Greco's report. Mr. Brown then explained the terms of proposed By-law 44-2021, being a by-law to Amend By-law 1-2014, the Comprehensive Zoning By-law of the Town of Kingsville.

There were no comments from the public.

343-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Kimberly DeYong

That Council authorizes revision of Section 14.(5) of Kingsville Traffic By-Law 21-2005 to: No person shall park boats or recreational vehicles on any highway. On-street parking of commercial/personal utility trailers shall only be permitted from 7:00am to 7:00pm. No person shall park or leave an unattached trailer of any kind on any highway;

And That Council approves By-Law 27-2021 being a by-law to regulate the outdoor parking or storage of recreational, commercial and motor vehicles on private property within the Town of Kingsville.

CARRIED

2. Amendment – Town of Kingsville Comprehensive Zoning By-law 1-2014 – Parking Provision Update

Mr. Brown presented his proposed amendment to the Town of Kingsville Comprehensive Zoning By-law 1-2014--Parking provision update.

Comments from the public:

None.

344-2021

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

That Council approves and adopts the attached zoning by-law amendment to:

remove Section 5.15 Parking of Travel trailers, Recreation Vehicles and Campers, and

modify Section 5.13 to remove item a) and re-letter items b) and c).

CARRIED

G. AMENDMENTS TO THE AGENDA

Deputy Mayor Queen added a Notice of Motion.

Mayor Santos noted the addition of one (1) closed session item as per Addendum Agenda (See: Item P.1).

H. STAFF REPORTS

1. Fleet Procurement Report

S. Martinho, Manager of Public Works and Environmental Services

345-2021

Moved By Councillor Tony Gaffan

Seconded By Deputy Mayor Gord Queen

That Council approves the purchase of two (2) John Deere 1570 front-cut lawn mowers for the Parks and Recreation Department for the combined purchase price of \$67,161.60 including the HST burden.

CARRIED

2. Open Streets 2021 Update

K. Loney, Manager of Recreation Programs and Special Events

346-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Tony Gaffan

1. That Council receives the Minutes of the Open Streets Advisory Committee meetings dated March 18, 2021; April 20, 2021; April 28, 2021; and May 12, 2021.
2. That the Mayor be asked to issue a letter thanking the members of the Open Streets Advisory Committee in recognition of their service and further that the Committee be brought to a conclusion.

CARRIED

3. Kingsville Express Train

K. Loney, Manager of Recreation Programs and Special Events

347-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council authorizes Administration to purchase a new electric Train, as described in this report, once 50% of funds required for the purchase of the Train are collected through fundraising initiatives.

CARRIED

4. Conveyance of Land from ERCA to the Town of Kingsville, Part 1, RP 12R-28224

R. Brown, Manager of Planning Services

348-2021

Moved By Councillor Larry Patterson

Seconded By Deputy Mayor Gord Queen

That Council authorizes Administration to accept the conveyance of the subject lands from the Essex Region Conservation Authority (ERCA) for the purpose of a

future road allowance associated with the lands to the north and south also known as the Valente property.

CARRIED

5. Application for Site Plan Approval by Sunvalley Hydroponics, V/L ES Graham Side Road, Part of Lot 19, Concession 5

R. Brown, Manager of Planning Services

349-2021

Moved By Councillor Laura Lucier

Seconded By Councillor Tony Gaffan

That Council:

Approves Site Plan Application SPA/11/2021 to permit the construction of a 867 sq. ft. (9,329 sq. ft.) bunkhouse and associated amenity area, subject to the terms in the associated site plan agreement, and

Authorizes the Mayor and Clerk to sign the Site Plan Agreement and register said Agreement on title.

CARRIED

6. Police Services Board Composition

J. Norton, CAO

350-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council endorses the Essex OPP two-board model; and that this motion be submitted to Tecumseh for inclusion in the final detachment board proposal to the Solicitor General.

CARRIED

7. Cheque Signing and Cash Disbursement Policy Amendments

R. McLeod, Director of Financial and IT Services

351-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council authorizes that payments issued on behalf of the Corporation shall be approved as follows:

- For amounts less than \$10,000 – by the Treasurer or Deputy Treasurer
- For amounts greater than \$10,000 – by any 2 of the following; Treasurer, Deputy Treasurer, CAO, Clerk or Mayor

And, that Council authorizes the use of automated payments for utility and operating leases,

And, that Council authorizes the issuance of credit cards to all Directors and Managers, subject to the Treasurer's approval.

CARRIED

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

R. McLeod, Director of Financial and IT Services

352-2021

Moved By Councillor Thomas Neufeld

Seconded By Councillor Tony Gaffan

That Council authorizes property tax adjustments totaling \$2,453.15 for the 2020 tax year under Section 357 of the Municipal Act.

CARRIED

I. MINUTES OF THE PREVIOUS MEETINGS

1. Regular Meeting of Council--May 10, 2021

2. Regular Closed Session Meeting of Council--May 10, 2021

353-2021

Moved By Councillor Laura Lucier

Seconded By Deputy Mayor Gord Queen

That Council adopts Regular Meeting of Council Minutes dated May 10, 2021, and Regular Closed Session Meeting of Council Minutes dated May 10, 2021.

CARRIED

J. MINUTES OF COMMITTEES AND RECOMMENDATIONS

1. Tourism and Economic Development Committee--April 8, 2021

354-2021

Moved By Councillor Tony Gaffan

Seconded By Councillor Thomas Neufeld

That Council receives Tourism and Economic Development Committee Meeting Minutes dated April 8, 2021.

CARRIED

2. Open Streets Advisory Committee--March 18, 2021, April 20, 2021 & April 28, 2021

See: Report of Manager of Recreation Programs and Special Events (staff report H-1) above.

K. BUSINESS CORRESPONDENCE - INFORMATIONAL

1. Resolutions in support of Town of Kingsville's Motion RE: Bill C-21, An Act to Amend Certain Acts and to Make Certain Consequential Amendments

- a. **Municipality of Tweed--Correspondence dated May 3, 2021**
- b. **Township of Kerns--Correspondence dated May 5, 2021**
- c. **Township of Hudson--Correspondence dated May 7, 2021**
- d. **Township of Tyendinaga--Correspondence dated May 9, 2021**

2. City of Cambridge--Correspondence dated April 21, 2021 RE: Resolution - City of Cambridge Council-Request for Paid Sick Leave

3. **Town of Perth--Correspondence dated April 30, 2021 RE: Provincial Hospital Funding of Major Capital Equipment**
4. **Municipality of Leamington--Correspondence dated May 5, 2021 RE: Advocacy for Reform, Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)**
5. **Township of Matachewan--Correspondence dated May 7, 2021 RE: Closure of Youth Justice Facilities in Northeastern communities**
6. **Municipality of Chatham-Kent--Correspondence dated May 10, 2021 RE: Time for Change; Municipal Freedom of Information and Protection of Privacy Act**
7. **Kingsville BIA--Correspondence dated May 13, 2021 RE: Summer BIA Dollar Giveaway promotion**
8. **Office of the Consultant General of Portugal--Correspondence dated May 17, 2021.**
9. **Township of McKellar--Correspondence dated May 17, 2021 RE: Requesting consideration of Tax Breaks on 2020 CERB payments**

355-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Kimberly DeYong

That Council receives Business Correspondence-Informational items 1-9.

CARRIED

356-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Larry Patterson

That Council supports Town of Perth correspondence dated April 30, 2021 RE: Provincial Hospital Funding of Major Capital Equipment.

CARRIED

357-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Larry Patterson

That Council supports the request of the Kingsville BIA utilizing \$5,000 from the Grant Reserves fund for the Summer BIA Dollar Giveaway promotion.

CARRIED

358-2021

Moved By Councillor Larry Patterson

Seconded By Councillor Tony Gaffan

That Council supports the request of the Office of the Consulate General of Portugal in Toronto to raise the Portuguese Flag at the Town Hall on Thursday, June 10, 2021.

CARRIED

L. NOTICES OF MOTION

- 1. Deputy Mayor Queen may move, or cause to have moved, that Council consider and discuss the advisability or possibility of changing the park by-law curfew to 'dusk' for the Lions Park site for the year 2021.**

359-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council and staff consider and discuss the advisability or possibility of changing the park by-law curfew to 'dusk' for the Lions Park for the year 2021.

CARRIED

Deputy Mayor Queen indicated that at the next Regular Meeting he may move or cause to have moved that Council be provided with an update as to how a residential home in a zoned Residential lot cannot be allowed to operate as a commercial establishment beyond that of a home occupation (as defined in the Town's Comprehensive Zoning By-law), including general information for

residents in the entire municipality as to whom to contact at the Town if they have any issues or concerns with regard to home occupations.

2. Councillor Gaffan may move, or cause to have moved, that Council request staff to provide a report and recommendation RE: Dix Alley being declared surplus lands

360-2021

Moved By Councillor Tony Gaffan

Seconded By Councillor Thomas Neufeld

That Council requests Administration to provide a report and recommendation RE: Dix Alley being declared surplus lands.

CARRIED

M. UNFINISHED BUSINESS, ANNOUNCEMENTS AND UPDATES

N. BYLAWS

1. By-law 27-2021

361-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Larry Patterson

That Council reads By-law 27-2021, being a by-law to regulate the outdoor parking or storage of recreational, commercial and motor vehicles on private property within the Town of Kingsville a first, second and third and final time.

CARRIED

2. By-law 44-2021

362-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Laura Lucier

That Council reads By-law 44-2021, being a By-law to amend By-law 1-2014, the Comprehensive Zoning By-law for the Town of Kingsville a first, second and third and final time.

CARRIED

3. By-law 45-2021

363-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Thomas Neufeld

That Council reads By-law 45-2021, being a By-law to provide for the collection of costs incurred for drainage works completed for numerous drains all in the Town of Kingsville a first, second and third and final time.

CARRIED

O. CLOSED SESSION

364-2021

Moved By Councillor Kimberly DeYong

Seconded By Councillor Tony Gaffan

That Council at 7: 52 p.m. pursuant to Subsection 239(2)(c) of the Municipal Act, 2001, enter into closed session to address the following items:

O.i) Subsection 239(2)(c) a proposed or pending acquisition of land by the municipality; being a Report of Manager of Engineering T. Del Greco dated May 6, 2021 RE: West Side Collector Road; and

P.1.ii) Subsection 239(2)(c) a proposed or pending acquisition of land by the municipality; RE: 190 Main St. East, Kingsville.

CARRIED

P. CLOSED SESSION

- 1. ii) Subsection 239(2)(c) a proposed or pending acquisition of land by the municipality RE: 190 Main St. East, Kingsville**

Q. REPORT OUT OF CLOSED SESSION

Upon rising from Closed Session at 8:44 p.m. Mayor Santos reported that Council entered into closed session to address two items. He reported as follows:

RE: Item O.i) Council provided direction to Administration regarding proceeding with the West Side Collector Road potential acquisitions.

RE: Item P.1.ii) Council received information with respect to potential options regarding 190 Main St. East, Kingsville.

R. CONFIRMATORY BY-LAW

1. By-law 46-2021

365-2021

Moved By Deputy Mayor Gord Queen

Seconded By Councillor Kimberly DeYong

That Council reads By-law 46-2021, being a by-law to confirm the proceedings of the Council of The Corporation of the Town of Kingsville at its May 25, 2021 Regular Meeting a first, second and third and final time.

CARRIED

S. ADJOURNMENT

366-2021

Moved By Councillor Tony Gaffan

Seconded By Councillor Laura Lucier

That Council adjourns this Regular Meeting at 8:46 p.m.

CARRIED